



COUNTY OF NEVADA

Penn Valley Area Municipal Advisory Council

<http://www.mynevadacounty.com/nc/bos/district4/Pages/Penn-valley-Area-Municipal-Advisory-Council-.aspx>

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July 20, 2018

Tyler Barrington, Principal Planner
Nevada County Planning Department
Nevada County
950 Maidu Ave.
Nevada City, CA 95959-8617
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RE: Recommendations and Comments in Response to Request For Comments On proposed Zoning Ordinance Amendments To Further Incentivize The Development Of Accessory Dwelling Units (County File No. PLN18-0070; ORD18-1)

Dear Mr. Barrington,

At a meeting on July 19, 2018, the Penn Valley Area Municipal Advisory Council (MAC) reviewed the Planning Department's draft proposal to amend the County's Accessory Dwelling Unit Ordinance (Land Use and Development Code Section L-II 3.19.1) to encourage the development of accessory dwelling units as one of the County's strategies toward addressing the statewide affordable housing crisis. Upon review and discussion between the Penn Valley Area MAC members, the following recommendations were made:

- (1.) The Penn Valley Area MAC unanimously agree that the restrictions under Sec. L-II 3.19.1 B(2) de-incentivize the development of accessory dwelling units and that other incentives should be considered as the spirit (intent) of the amendment is right but the strategy (unintended consequence) is off. The Penn Valley Area MAC unanimously recommends that the language "for a long-term use only (30 consecutive calendar days or more); short-term rentals are prohibited." be removed and Sec. L-II 3.19.1 B(2) reads, "There shall be no more than one accessory dwelling unit, as provided for in this Chapter, per parcel. The accessory dwelling unit is not intended for sale separate from the primary residence and may be rented."
- (2.) The Penn Valley Area MAC unanimously recommends that Sec. L-II 3.19.1 (B)(10)(a) be revised to read, "The property owner may deed-restrict the accessory dwelling unit to very low or low income occupant qualified individuals or families for a minimum of 10 years. Prior to issuance of a building permit for a second dwelling unit, the owner shall record the deed restriction. The declaration shall run with the land and be binding upon the applicant and successor property owner."
- (3.) The Penn Valley Area MAC unanimously recommends that Table L-II 2.4.D also be amended. Specifically, under Commercial C2 Zoning that any "By Right" be changed to "Use Permit" and be comparable with the other Commercial Zoning Districts, C1, C3, CH and OP. Transitional and Supportive

Housing is "by right" in Single-family, Multi-family and Rural Districts, which effectively does not hold those housing types to a higher standard than other residential uses.

Thank you for the opportunity to provide comment on this important issue to our county and the community's interests.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Mastrodonato", with a long horizontal stroke extending to the right.

Mike Mastrodonato
Chair, Penn Valley Area Municipal Advisory Council