



# ORDINANCE No. 2541

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### AN ORDINANCE AMENDING TITLE 12: ZONING REGULATIONS OF THE NEVADA COUNTY CODE TO ALLOW TINY HOMES ON WHEELS AS PERMANENT HOUSING (ORD24-2)

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA,  
ORDAINS AS FOLLOWS:

#### SECTION I:

The Nevada County Land Use and Development Code is hereby amended to read as shown in Exhibit A attached hereto and incorporated herein by this reference.

#### SECTION II:

Pursuant to Nevada County Code Title 12, Chapter 5, Section 12.05.090, the Board of Supervisors hereby finds and determines as follows:

1. That the proposed amendments to the General Plan are consistent with and further the goals, objectives, policies, and implementation measures of the General Plan and provisions of the Nevada County Land Use and Development Code Chapter II Zoning Regulations; and
2. That the proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, because the site development standards of the County's Zoning Code will ensure future projects conform to applicable regulations to ensure that the future development does not negatively impact the public interest, health, safety, convenience, or welfare of the County, and that the sites will accommodate the anticipated future development of the various proposed primary uses; and
3. That the Project sites are physically suitable for the various proposed General Plan land use designations because the site development standards of the County's Zoning Code will ensure future projects conform to applicable regulations to ensure that the sites will be compatible with surrounding development. In addition to site development standards, future project-specific conditions and mitigation measures will ensure that adequate infrastructure, including sewer, water, access, and emergency services will be available to serve the sites at the time of development.

#### SECTION II:

If any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

#### SECTION III:

This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the 13<sup>th</sup> of February, 2025, and before the expiration of fifteen (15) days after its passage, it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.

PASSED AND ADOPTED by a majority vote of the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 14th day of January 2025, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Lisa Swarthout, Susan Hoek and Hardy Bullock.

Noes: Robb Tucker.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN

Chief Deputy Clerk of the Board of Supervisors

By: \_\_\_\_\_



Heidi Hall, Chair

## Exhibit A

### Section 12.03.310 Tiny Homes on Wheels

- A. **Purpose.** It is the purpose and intent of this Section to provide for and establish reasonable regulations regarding Tiny Homes on Wheels to provide needed housing for County residents, improve housing diversity, encourage development of new, low-cost permanent housing, and to further the housing goals of the Housing Element of the County General Plan.
- B. **Definitions.** As used herein the following definitions shall apply:
1. Dwelling, Tiny Home on Wheels (THOW) – A separate, independent dwelling unit for one or more persons that is no larger than 400 gross square feet, excluding loft area space defined in California Health and Safety Code Section 18033; includes basic functional areas that support normal daily routines, including a bathroom, a kitchen, and a sleeping area; is built upon a single chassis and mounted on wheels, and cannot move under its own power; and is titled and registered with the California Department of Motor Vehicles.
- C. **Standards.** THOWs are allowed as single-family dwellings, second dwelling units consistent with allowed density, dwelling groups, and accessory dwelling units, as defined by Article 2, subject to zoning compliance, building permit issuance, and compliance with the following standards:
1. **Certifications.** A THOW shall comply with the standards set forth in California Health and Safety Code Section 18027.3. A THOW shall bear a label or an insignia indicating compliance with the state standard that was in effect pursuant to this chapter on the date of manufacture, including any modifications contained in regulations.
  2. **Registration.** A current DMV registration and operating permit shall be required and maintained on the THOW at all times.
  3. **Deed Restriction.** Prior to building permit issuance for a THOW, the owner shall record a deed restriction that addresses restrictions on such units as follows:
    - a. The THOW may be rented for long-term use only (30 consecutive calendar days or more); short-term rentals are prohibited.
  4. **Density.** THOWs shall comply with the zoning density established for the parcel on which the THOW is located.
  5. **Location.** THOWs shall be in conformance with setback requirements identified by the County Site Development Standard for a single-family, dwelling groups, or accessory dwelling unit as required within the Zoning District where the unit will be located.
  6. **Site Development Standards:** All site development standards and separation requirements applicable to the proposed use (single-family dwelling, secondary dwelling, dwelling group, or accessory dwelling) shall apply to the placement of the THOWs to be occupied.
  7. **Size.** The maximum square footage or habitable floor space for a THOW shall be no more than 400 square feet, as measured by exterior wall dimensions (lofts consistent with California Health and Safety Code Section 18033 shall not be counted toward the maximum square footage).

8. Design: To maintain the character of residential areas, a movable tiny house shall be designed to look like a conventional residential structure by incorporating design features and materials generally used for houses, such as typical siding or roofing materials, pitched roofs, eaves, and residential windows, including the following:
  - a. Materials for the exterior wall covering shall include wood, HardiePanel, corrugated or Corten metal, or equivalent material traditionally utilized for residential development. Single-piece composite laminates, or single-piece metal sheathing is prohibited.
  - b. Windows shall be at least double-pane glass and shall include exterior trim or other design features to mimic windows on a building.
  - c. Wall framing studs are 16"-24" on center, with a minimum of 2"x 4" wood or metal studs or equivalent SIP panels.
  - d. Units must include insulation with values of at least R13 for the walls and R19 for the floor and ceiling.
  - e. All mechanical equipment for a THOW shall be incorporated into the unit and shall not be located on the roof. Plumbing vents, low-profile exhaust fans, and solar panels may be located on the roof. Electrical panels and plumbing hookups shall be screened from view from public right-of-way or publicly traveled private roads.
9. Accessory Structures: Accessory structures such as decks, porches, sheds, gazebos, and ramadas shall be designed to be detached from the THOW.
10. Foundation. The movable tiny house shall not have its wheels removed, and all wheels and leveling/support jacks shall sit on a surface sufficient to support its weight.
  - a. Parking areas for a THOW shall utilize a paved surface or gravel surface. For the purpose of this subsection, a paved surface shall be a minimum thickness of two inches of asphalt concrete or four inches of reinforced Portland cement concrete over four inches of Class II aggregate base. A chip seal surface shall be a double seal coat over four inches of Class II aggregate base. A gravel surface shall be four inches of Class II aggregate base. All base material shall have a 95 percent compaction over a subgrade compacted to 90 percent. The finish grade for the THOW parking area shall not exceed five percent slope in any direction.
  - b. A THOW shall be tied down with anchors or otherwise stabilized as designed by the manufacturer, with provisions for attachment of not less than six ground anchors to the chassis being provided unless other methods are determined necessary for safety by the Building Official. Plans for stabilization shall include certification from a California registered engineer that the design is sufficient to stabilize the THOW. If a THOW is retrofitted for placement on a permanent foundation, it must meet all applicable building and fire-safe standards.
11. Screening. The undercarriage including wheels, axles, bumpers, tongue, and hitch shall be concealed from view by screening that is solid and fixed at all times.
12. Utility Connections and Mechanical Equipment.

- a. A THOW shall be connected to water supply and sewage disposal facilities approved by the Environmental Health Department and utility provider. All water supply and sewage disposal requirements shall be complied with as administered by the Department of Environmental Health-Local Area Management Plan (LAMP) and Onsite Wastewater Treatment System (OWTS) Policy.
  - b. A building permit shall be obtained by the Building Department for the installation of a subpanel appropriately sized for the THOW's amperage, electrical pedestal, and approved exterior outlets in the location the THOW will be located unless otherwise designed to be self-contained to provide equal electrical accommodations. Utility connection features may require protective bollards at the discretion of the Building Official. A THOW may be connected to an off-grid electrical system consistent with the Building Department's off-grid policy.
  - c. Any water, sewage drain, electrical, fuel supply, or other utility connection and installation shall conform to state and local regulations and require inspection by the Building Department or Environmental Health Department and issuance of a permit.
13. Wind and Snow Loads. A THOW shall be constructed to the satisfaction of the Building Department, to meet the snow load requirements of Title 25 of the Code of Regulations, Chapter 3, § 208.305(c)(3)(1) and to have the snow load capacity to resist the roof live load applicable to the site where the unit is placed (or placed under an approved protecting ramada if the THOW does not itself meet the required minimum load standards).
14. Driveways. The onsite driveway access shall meet the minimum fire-safe driveway standard pursuant to Land Use and Development Code Chapter XVI, Sec. L-XVI 3.2.
15. Fire Protection Plan. All THOWs located within the High and Very High Fire Severity Zone as defined on the State Responsibility Area (SRA) maps and all THOWs beyond the dead-end road limit (as outlined in the Land Use and Development Code Chapter XVII) regardless of their SRA Fire Severity Zone, are subject to the following provision:
- a. As a part of the building permit application, the applicant shall submit a Fire Protection Plan, which shall be site-specific and address the following issues:
    1. The proximity to emergency responders and estimated emergency response times;
    2. Describe the primary (and secondary if applicable) access road conditions;
    3. Identify the project's emergency water supply or emergency water storage facilities consistent with Article 4 of Chapter XVI of the Land Use and Development Code;
    4. Identify if a fire sprinkler system is proposed or required;
    5. Provide a Fuels Management Plan that requires:
      - a) Defensible space design consistent with Public Resources Code 4291;
      - b) Identification of high fuel load areas;
      - c) How adequate defensible space will be ensured;
      - d) The mechanism for maintaining defensible space; and
      - e) Identification of a feasible evacuation plan and/or safe evacuation routes for use by future occupants of the project.

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**Title 12, Chapter 6, Section 12.06.010: Definitions**

Dwelling, Tiny Home on Wheels (THOW) – A separate, independent dwelling unit for one or more persons that is no larger than 400 gross square feet, excluding loft area space; includes basic functional areas that support normal daily routines, including a bathroom, a kitchen, and a sleeping area; is built upon a single chassis and mounted on wheels, and cannot move under its own power; and is titled and registered to tow with the California Department of Motor Vehicles.

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**Title 12, Chapter 2, Section 12.02.022 Multi-Family**

**Table 12.02.022.B**

**Multi-Family Districts Allowable Use and Permit Requirements**

**Key to Land Use Permit Requirements:**

- A Allowed subject to zoning compliance and building permit issuance
- DP Development Permit required per Section 12.05.050
- UP Use Permit required per Section 12.05.060
- NP Not Permitted
- NA Not Applicable

**Varies** Refer to the listed Zoning Section for allowable uses and permit requirements

<b>ALLOWABLE LAND USES (See Section 12.01.040.D for Similar Uses)</b>	<b>R2</b>	<b>R3</b>	<b>Zoning Section</b>
...	...	...	...
Daycare Center (more than 14 children)	UP	UP	
Dwelling, Single-Family	A	NP	
Dwellings, Multiple-Family	DP	DP	12.03.1 170
Dwelling, Accessory, and/or Junior Accessory Unit	A	A	12.30.1 90.1
Dwelling, Second Units—consistent with allowed density	DP	NP	12.30.1 90.2
Dwelling Groups, consistent with allowed density	DP	NP	
Dwelling, Single Room Occupancy (SRO)	UP	UP	
Dwellings, Transitional and Supportive Housing	A	A	12.30.2 00
...	...	...	...