

**C O U N T Y O F N E V A D A**  
**COMMUNITY DEVELOPMENT AGENCY**  
**PLANNING DEPARTMENT**

950 Maidu Avenue, Suite 170  
Nevada City, California 95959-8617  
Phone (530) 265-1222 or *Fax* (530) 265-9851

**APPLICATION FORMS for a SECOND DWELLING UNIT**  
**CONSISTENT WITH ALLOWED DENSITY**

Nevada County Zoning Regulations allow for one single-family dwelling unit to be established on a single parcel, in residential and rural districts. Sec. L-II 3.19.D. of the Nevada County Land Use Code (Zoning Regulations) establishes an administrative permit process and the requirements for establishing a second dwelling unit on properties that have the density for more than one single-family dwelling. This application packet applies only to second dwellings that are consistent with zoning. Proposals to establish more than two units require a Use Permit for a Dwelling Group. If you have any questions please contact a Planner to discuss your plans.

“Consistent with allowed density” means that a particular parcel has enough acreage for a potential subdivision. Density refers to the minimum parcel size established by zoning and the General Plan, for a particular parcel. In most cases, allowed density will be reflected in the zoning of your property. For example, a 5-acre parcel that is zoned “RA-10” has the potential to be subdivided into two parcels, or, in other words, has density for two dwelling units. A parcel zoned “AG” and which does not have a specific numerical parcel size attached to it, utilizes the density provided on the General Plan map. For parcels that are less than 3-acres in size, the minimum parcel size/density is further restricted by the availability of public water or sewer (for example, if you have 3 acres served by public water but not public sewer, the minimum parcel size is 1.5 acres, regardless of your zoning). It is always important to verify, with a Planner, your allowed density before proceeding with any permit plans.

Before you can obtain a building permit for a second dwelling, you must obtain an Administrative Development Permit (ADP). Application forms are available from the Planning Department. When you have filed a complete Administrative Development Permit application, attaching all required information and completing all attached forms, your application will be distributed to affected agencies, including the Department of Transportation/Sanitation, the County Fire Marshal and your Fire District for review. Within approximately thirty days, after receiving agency comments, the Planning Department will prepare a letter of conditional approval or denial. **Administrative Development Permits can only be approved if the project satisfies all State and local code regulations.** A list of regulations applicable to this type of second dwelling unit, including Fire Safe Regulations, is attached

You are advised to investigate County ordinances for the sewage disposal system and for the water supply that will serve the second dwelling unit. Appointments with Environmental Health Department staff are available, at their current hourly rate, to research County records for your parcel.

**Sec. L-II 3.19 (of Zoning Regulations)**

D. **2<sup>ND</sup> DWELLING UNITS CONSISTENT WITH ALLOWED DENSITY**

1. A second dwelling unit, consistent with allowed density, shall be permitted on all parcels within the “RA”, the “R1”, the “AE”, the “AG”, the “FR” and the “TPZ” zoning districts, subject to an Administrative Development Permit pursuant to Section L-II 5.5 of this Chapter, but not subject to design review, provided the following standards are satisfied:
  - a. The second unit shall comply with zoning density established for the parcel on which the second unit is located.
  - b. No more than one second dwelling may be allowed on any one parcel pursuant to this section.
  - c. The unit must comply with all applicable standards of the Land Use and Development Code, including all water supply and sewage disposal requirements, as administered by the Department of Environmental Health.
  - d. The unit shall comply with all conditions, including payment of any mitigation fees, which are imposed upon the issuance of any permit authorizing it.
  - e. Compliance is required with all local Fire Safety Regulations, including Section L-II 4.3.18, and Chapters XVI and XVII of the Land Use and Development Code, certified as equaling or exceeding the California Fire Safe Regulations pursuant to Public Resources Code Sec. 4290.

Chapter L-II (Zoning), L-XVI (Fire Safe Regulations), and L-XVII (Road Standards) can be viewed on the County Website:

[mynevadacounty.com/County Codes & Board Documents/County Codes/Land Use Code](http://mynevadacounty.com/County Codes & Board Documents/County Codes/Land Use Code)

## CALIFORNIA FIRE SAFE STANDARDS

Section L-II 4.3.18, Wildland Fire Hazard Areas, of the County Zoning Regulations, requires that all second dwelling units satisfy the requirements of County Codes, including the County Fire Safe Regulations, and County Road Standards. The following fire safety standards must be satisfied in order for you to establish a second dwelling on your property:

1. **ROADS:** State law and County Code requires that roads be a minimum 18' in width and capable of supporting a 40,000 pound load; grades shall not exceed 16% and there are maximum lengths for dead-end roads (one-mile maximum length for properties zoned for 20 acres or more; ½ mile maximum length for properties zoned for 5-19.99 acres and ¼ mile maximum length for properties zoned for 1-4.99 acre minimums). County ordinance requires that all roads serving more than two parcels must be named and posted. Contact the County Department of Transportation or the County Fire Planner for information.
2. **WATER STORAGE:** County ordinance requires that all second dwellings provide water for fire protection. If you are not served by public water or a community water system, you will be required to provide at least 2,500 gallons of on-site water storage. Ponds and doughboy pools are seldom acceptable and there are restrictions on using storage tanks that previously held fuels. You should consult the County Fire Planner before designing a system..
3. **DRIVEWAYS:** Driveway permits are required for all dwellings that are constructed more than 50' from the access road. Driveways that have a slope of 16-20% must be paved and no driveways are permitted to exceed 20%. A turnaround will be required at the end of the driveway. If you have a driveway that exceeds 150' in length, you will be required to construct turnouts. If your driveway or road is gated, there may additional requirements.
4. **FUEL MODIFICATION:** State law requires that flammable vegetation be removed from within 30' of structures. County ordinance requires clearance of flammable vegetation for a distance of 10' along both sides of driveways. Flammable vegetation and fuels caused by development and construction, including road and driveway construction, must be disposed of prior to the final inspection of a building permit. When brushing, keep in mind that burning is only possible during the non-fire season months and some other method may be necessary for brush disposal during the summer.

**Ref:** Chapter XVI County Fire Safe Standards (driveways, water and fuel modification)  
Chapter XVII County Road Standards

**SECOND DWELLINGS CONSISTENT WITH DENSITY**  
**INSTRUCTIONS & CHECKLIST**

This form must be filed with your application. Please check off (✓) each item to verify that the required information is attached. Your application will not be accepted if any required item is missing.

- ( ) 1. The signed and completed Application Form #1, including a letter of authorization from the property owner(s) if forms are signed by a Representative.
- ( ) 2. Filing fees pursuant to the most recently adopted Resolution of the Board of Supervisors.
- ( ) 3. One copy of the property Grant Deed, verifying ownership and the legal description of each effected parcel. Also include documentation of a 50-foot road right-of-way (row) for access to your parcel. If right-of-way is less than 50-feet in width, include a Petition for Exception to Road Standards with your application.
- ( ) 4. Proof of legal primary access to the project site. If your property is beyond dead-end road limits (see Section L-II 4.3.18 and L-XVII 3.4.I), proof of legal secondary access is required
- ( ) 5. The completed Road & Driveway Information, Form #7.
- ( ) 6. The Hazardous Waste Statement Form #4.
- ( ) 7. Four copies of a site plan drawn per instructions. All plans must be folded to a maximum 8-1/2" X 14" size. Unfolded plans will not be accepted.

**FORM/CONTENT OF SITE PLAN**

The following information shall be provided on all site plans if applicable.

- ( ) 1. The site plan shall be fully dimensioned and drawn to a commonly recognized architect's or engineer's scale. The legal lot size shall be shown.
- ( ) 2. Provide a vicinity map showing the general project location (1" = 2000' scale) in relationship to the surrounding area with the mileage from the nearest County road shown.
- ( ) 3. Provide a North arrow and the scale to which the plan is drawn.
- ( ) 4. Provide a legend which includes:
  - a. property owners name
  - b. date of site plan preparation
  - c. Assessor's Parcel Number

- ( ) 5. Show the location and names of all abutting roads, including rights-of-way boundaries, road centerlines, width of traveled way, type of surfacing and grades.
- ( ) 6. Show location of existing and proposed sewage disposal systems and wells.
- ( ) 7. Delineate any “ME” (Mineral Extraction) zoning within 1,000 feet of the project boundaries.
- ( ) 8. Delineate the following environmentally sensitive areas:
  - a. Slopes in excess of 30%.
  - b. All areas subject to inundation, and the location, width and direction of flow for all watercourses on or adjacent to the property. Delineate the boundaries of any 10 or 100 year floodplain.
  - c. Riparian areas and/or wetlands
- ( ) 9. Show the location and purpose of all existing public and private utility easements.
- ( ) 10. Show the location of all existing, proposed and proposed to be removed, structures on the property; show their setbacks from property lines and label their use.
- ( ) 11. Show the size of all existing and proposed buildings (gross square footage by floor).

**ROAD & DRIVEWAY INFORMATION FORM**

*Note: A road serves more than two parcels. A driveway serves two parcels or less.*

***ROADS***

1. List all roads that provide access to this site.

<u>ROAD NAME</u>	<u>ACTUAL WIDTH</u>	<u>RECORDED R/W WIDTH</u>
------------------	---------------------	---------------------------

a. \_\_\_\_\_

b. \_\_\_\_\_

2. What kind of surfacing does each road have (gravel, pavement, dirt)?

a. \_\_\_\_\_

b. \_\_\_\_\_

3. Do any of the listed roads have a slope in excess of 16%? If so, explain:

\_\_\_\_\_  
\_\_\_\_\_

4. Who maintains your access road(s) (County, private Road Association, property owners)?

\_\_\_\_\_

5. Is your road a dead-end road? If so, what is its length (to your driveway)?

\_\_\_\_\_

***DRIVEWAY***

6. What is the length of your driveway from the access road? \_\_\_\_\_

7. What is the surfacing of your driveway? \_\_\_\_\_

8. Does your driveway slope exceed 16%? If so, explain:

\_\_\_\_\_  
\_\_\_\_\_

NEVADA COUNTY PLANNING DEPARTMENT

LAND USE APPLICATION

Please print or type in black ink

Type of application(s) for which you are applying:

- Tentative Map, Use Permit, Development Permit, Administrative Dev. Permit, Boundary Line Adjustment, Other (specify):, Ordinance Amendment, Zone Change, General Plan Amendment, Variance, Setback Easement, Certificate of Compliance, Voluntary Merger, Home Business, Temporary Commercial Permit, Management Plan

PROJECT DESCRIPTION: [Blank lines for description]

Assessor's Parcel No(s): [Blank line]

Applicant Name(s): [Blank line]

Applicant Mailing Address: [Blank line]

Telephone #: ( ) [Blank] E-Mail: [Blank] FAX#: [Blank]

Property Owners Full Names: [Blank line]

Property Owner Mailing Address: [Blank line]

Telephone #: ( ) [Blank] E-Mail: [Blank] FAX#: [Blank]

Name of Representative (if applicable): [Blank line]

Address of Representative: [Blank line]

Telephone #: ( ) [Blank] E-Mail: [Blank] FAX#: [Blank]

Site address(es): [Blank] Acreage(s): [Blank]

Water Source: [Blank] Method of Sewage Disposal: [Blank]

I hereby acknowledge that I have read the instructions for filing this application and state under penalty of perjury that the information provided on all attached documents is correct.

Signature of ( ) Property Owner(s) or ( ) Authorized Representative\* [Blank] Date: [Blank]

\*Representative may sign application if a Letter of Authorization from the owner(s) is provided.





**NEVADA COUNTY**  
**HAZARDOUS MATERIALS / WASTE STATEMENT**

APN: \_\_\_\_\_ Property Owner: \_\_\_\_\_

Hazardous sites: General Plan policy requires the County pursue the cleanup of sites contaminated by mine waste or other hazardous materials prior to approving land use projects. Where hazardous waste or hazardous materials may occur on a project site, a Phase I site assessment may be required prior to processing or approving your project. Respond to the following questions and provide the requested information:

1. Is there evidence of any past, potentially hazardous use on or near the project site, including underground fuel storage tanks, dumpsites, artillery ranges, surface or subsurface mining activity?  
 **Yes Provide a Memo from the County Dept. of Environmental Health that adequate information is on file to accept the project for processing.**  
 **No List the research and/or source of information justifying your response.**

\_\_\_\_\_  
\_\_\_\_\_

Hazardous use. It is the applicant’s responsibility to understand the definition of “hazardous material” and “hazardous waste,” as defined in the California Health & Safety Code, Chapter 6.5. The storage of hazardous materials and the generation of hazardous waste are regulated under federal, state and county codes. The storage of hazardous materials in quantities equal to or greater than, a total weight of 500 pounds, or a total volume of 55 gallons, or 200 cubic feet at standard temperature and pressure for compressed gas; or the generating of hazardous wastes in any quantity, requires a permit from the Nevada County Department of Environmental Health.

2. **Will hazardous materials be used, or will hazardous waste be generated from the facility resulting from this project? Check the appropriate response and provide the listed information.**  
 **Yes** A Hazardous Materials Inventory Statement (HMIS), obtained from the Department of Environmental Health, must be filed with this project application.  
 **No** Explain why no hazardous materials are used for the proposed use or business:

\_\_\_\_\_  
\_\_\_\_\_