

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

**PETITION FOR EXCEPTIONS**  
**to waive Subdivision and/or Road Standards**

Sections L-IV 2.9 (County Subdivision Ordinance) and L-XVII 3.12 (County Road Standards) allow the filing of a Petition for Exceptions to waive certain County standards, as follows:

**Subdivisions:** A Petition may be filed to waive the requirements of the Subdivision Ordinance when the land involved in a subdivision is of such size or shape, or is subject to such title limitations of record, or is to be devoted to such use, or is subject to such regulation by the zoning ordinance, that it is impractical to conform to the strict application of the Ordinance.

**Road Standards:** A Petition may be filed to request an exception to any required Road Design Standard.

To grant an exception the Advisory Agency (Zoning Administrator or Planning Commission) must be able to make the specific findings listed below. **Petitions can only be considered relative to the amount and type of information provided;** make sure your information is accurate and complete. Petitions must be filed with the land use application.

**A. Standard(s) to be Waived:** List the specific standard(s) requested to be waived. Include the County Ordinance and Section number of the requirement.

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**B. ROAD STANDARDS:** All requests for road design exceptions must be reviewed and approved by the County Engineer. Provide the following information on a separate sheet:

1. **Existing conditions:** Describe the existing facility (if any), including number of lanes and the median, shoulder, right-of-way and surfacing widths. **Attach an exhibit** showing existing conditions and any constraints precluding the required improvements.
2. **Accidents, 3-Year Period:** Describe the number and types of accidents that are occurring and what effect the design exception is expected to have on them.
3. **Design Year Traffic Volumes:** Use a 20-year design period.
4. **Describe Additional Work to Enhance Safety:** Describe any additional work being constructed in the location of the design exception which would qualify as a safety enhancement, i.e. guardrail upgrade, slope flattening, superelevation correction, etc.
5. **For County-funded projects only: Cost of Providing Standard:** Detail the cost of meeting the standard for which the exception is being requested.

**C. Justification for an Exception:** Attach a separate sheet, justifying your Petition per the five required findings listed below:

1. There are special circumstances or conditions affecting the subject property;
2. The exception is necessary for the preservation of a substantial property right of the petitioner;
3. The exception will not be detrimental or injurious to other property in the area;
4. The exceptions will not constitute a grant of special privilege inconsistent with the limitations placed upon similar properties; and
5. In the case of waiving a State Fire Safe Road Standard, cite the health, safety, environmental, historical or physical site limitation reason that prevents the standard from being provided. You must also propose a substituted means of fire protection that provides the "same overall practical effect" of fire protection. Your same practical effect measures must be approved by the California Department of Forestry in order for the Advisory Agency to approve your Exception.

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**for County use only:**

**CO. FILE NO:** \_\_\_\_\_

**ACTION OF COUNTY ENGINEER:**

*Recommendation to Advisory Agency:*

*Approval*

*Denial*

*Comments:*

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\_\_\_\_\_  
*County Engineer*

\_\_\_\_\_  
*Dated*

***Must be signed and returned to Planning Department; to be copied to PC/ZA***



COUNTY OF NEVADA  
COMMUNITY DEVELOPMENT AGENCY

950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617  
(530) 265-1222 FAX (530) 265-9854 http://mynevadacounty.com

Planning Department Environmental Health Building Department Sanitation Department Dept. of Public Works Agricultural Commissioner

**AGREEMENT TO PAY FORM**

Nevada County Community Development Agency fees are based on Board of Supervisor approved fee schedules. Hourly fees and fees for services in excess of a minimum fee collected, including re-inspections, are billed to the applicant based on the Board approved fee schedule in effect at the time the work is performed by staff. This *Agreement To Pay Form* must be signed and original signatures submitted to the NCCDA along with the completed permit forms and the initial payment of fees. Copies of current fee schedules are available from our Customer Service Staff or on the web at <http://www.mynevadacounty.com>

I/We understand that the NCCDA will bill as services are rendered, and I/We agree to pay such billing within thirty (30) days of the mailing of such billing for the project/permit. All fees must be paid prior to the granting of any permits, approvals, or any land use entitlement for which services are required. The collection of fees, however, does not guarantee the granting of any permits, approvals, or land use entitlements for which I/We are applying.

**Site Information:**

**Invoices and/or notices to be mailed to:**

|   |                  |
|---|------------------|
| APN: _____  | Name: _____      |
| Property Owner/Business Name (if applicable): _____ | Address: _____   |
| Address: _____                                      | _____            |
| _____   | Telephone: _____ |

NCCDA Staff is authorized to consult with necessary governmental agencies concerning this project. They are also authorized to consult with the following individuals concerning my project:

\_\_\_\_\_  
*I certify under proof of perjury that I am the property owner or that I am authorized to enter into this fee agreement on his/her behalf. I have read the conditions concerning Nevada County Community Development Agency Fees and I understand that in the event that the billing party I have indicated does not pay required fees, I will be responsible for payment. I further agree to advise the department in writing should I no longer be associated with the above referenced project/property, rendering this agreement invalid as of the change of the date that the letter is received by the Nevada County Community Development Agency.*

\_\_\_\_\_  
Signature Dated: \_\_\_\_\_ CDL# \_\_\_\_\_  
\_\_\_\_\_  
Printed Name Tel #: \_\_\_\_\_

**THIS SECTION FOR OFFICE USE ONLY**

|                            |                       |                        |
|----------------------------|-----------------------|------------------------|
| Service: _____             | Program: _____        | Job No: _____          |
| DPW #: _____               | Project File #: _____ | Billing Code: _____    |
| Amount Collected: \$ _____ | Receipt #: _____      | Date of Receipt: _____ |
| Service: _____             | Program: _____        | Job No: _____          |
| DPW #: _____               | Project File #: _____ | Billing Code: _____    |
| Amount Collected: \$ _____ | Receipt #: _____      | Date of Receipt: _____ |

*Notice Published* \_\_\_\_\_

\_\_\_\_\_ *Notices Mailed* \_\_\_\_\_