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Building

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**NEVADA COUNTY**  
**COMMUNITY DEVELOPMENT AGENCY POLICY**  
**BUILDING DEPARTMENT**

<b>Subject:</b>	Agricultural Building Exemptions	<b>Policy #:</b>	BD-CSC-10-001
<b>Original Policy:</b>	August 10, 2010	<b>Last Revised:</b>	November 2, 2020

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**1. Purpose:**

The purpose of this policy is to provide clarification to staff related to the implementation of requirements and procedures for agriculturally exempt structures association to County of Nevada Land Use and Development Code Sec. L-V 2.4 (15), and to ensure that interpretation of the LUDC and Zoning Ordinance does not provide unnecessary limitations to applicants who seek to construct exempt structures.

**2. Analysis:**

The rural nature of the Nevada County community and geography result in the abundance of agricultural farming operations small and large. With these types of operations comes the need for several accessory agricultural structures relating to the farming and agricultural practices. This includes but is not limited to animal husbandry structures, pole barns, shade structures, pump houses, greenhouses, storage containers, and high/low tunnel greenhouses. The structures are accessory to primary use structures such as single-family dwellings/commercial buildings and necessary to the operation of these agricultural activities.

**3. Policy:**

Agricultural structures, not intended for habitation, accessory to residential property in zoning districts "AG", "AE", "RA", "FR" and "TPZ" that meet all of the following conditions qualify for an agricultural exemption:

- a. Not a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public. High and low tunnel greenhouses may be used by employees only related to cultivation and drying of crops.

- b. Of simple construction using conventional construction methods (concrete, steel frame, masonry and other technologies that generally require engineering are not exempt) or specifically approved manufactured structures.
- c. No plumbing, electrical, or mechanical utilities installed. *See Sec. d(7) for electrical that may be permitted and independently installed related to high/low tunnel greenhouse structures.*
- d. Structures must meet the following limits:
  - 1) Pole Barns. Limited in size to 1,000 square feet maximum. One pole barn per parcel or 20 acres. Open from ground to eave on all sides. Distance to other structures must be equal to its height, minimum of 20 feet. Minimum of 100 feet from property line.
  - 2) Shade Structures. Cover limited to woven shade fabric.
  - 3) Animal Husbandry. Limited in size to 400 square feet maximum. One per 5 acres. Single wall construction. Dirt floor or gravel. Distance to other structures minimum of 10 feet. Minimum of 40 feet from property line.
  - 4) Pump Houses. Limited in size to 100 square feet.
  - 5) Greenhouses. Limited in size to 400 square feet. One structure per parcel or 10 acres. Wood or PVC construction with rigid plastic or fiberglass cover. Dirt or gravel floor.
  - 6) Storage Containers. Limited in size to 320 square feet. One container per parcel or 5 acres. Container is used for light nonhazardous agricultural storage and shall not be structurally modified or have any electrical, mechanical or plumbing utilities.
  - 7) High and low tunnel greenhouses meeting the following criterion:
    - Easily moveable
    - Constructed of metal or plastic tubing and covered with agricultural cloth, plastic film, or shade screening.
    - Exits are in compliance with the most recently adopted editions of the California Building and Fire Codes.
    - Structures meet vegetation management clearance requirements in accordance with the most recently adopted edition of the California Fire Code and Public Resource Code Section 4291.
    - Setbacks and height limitations in accordance with Chapter II of the Nevada County Land Use and Development Code.
    - Electrical may be installed completely structurally independent and not attached to high/low tunnel greenhouse structures meeting the following standards.
      - A maximum of one, 20 ampere, 4-gang receptacle outlet may be installed at each end of high/low tunnel structures.
      - All electrical connected to receptacle outlets shall be self-contained, listed, plug connected equipment. Extension cords shall not be used in lieu of permanent wiring.

- All electrical and associated plug connected equipment shall be mounted structurally independent of high/low tunnel greenhouse structures in accordance with the California Building Standards Codes and local ordinances.
  - All electrical components and wiring shall meet all standards associated to electrical installed for exterior locations.
  - Any cord connected lighting shall be shielded from exterior when operated during non-daylight hours.
  - A building permit shall be obtained prior commencing any electrical work and shall be inspected/finalized prior to use in accordance with the California Building Standards Codes.
  - A service disconnect shall be installed within sight and within 50ft of the electrical location with all other grounding, bonding, and electrical installation standards met per the California Electrical Code.
- i) Parcels 3 acres or greater in size shall meet the following size and setback standards:
- 3,600sqft per acre maximum
  - 35ft in width maximum
  - One story
  - 5ft separation between structures minimum
  - Clustering of structures is allowed
- ii) Parcels less than 3 acres in size shall meet the following size and setback standards:
- 3,600sqft maximum
  - 35ft in width maximum
  - One story
  - 5ft separation between structures minimum if multiple are proposed

All structures require site plan review and approval and a letter of exemption issued by the Building Official and Planning Director.

#### 4. **Policy Interpretation:**

The Director of Building and/or approved building department designee shall have the authority for the interpretation of this policy.

Policy Initiated By: Craig Griesbach, Director of Building

Approved: *Craig Griesbach*

Date: *11/2/2020*

Craig Griesbach  
Director of Building