

COPY



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NOTICE OF EXEMPTION

Filed Wednesday April 15 2026
Armando Salud-Ambriz
Nevada County Clerk-Recorder
AM, deputy
File # 20260000029

TO:

Office of Land Use and Climate
Innovation
1400 Tenth Street, Room 121
 X Sacramento CA, 95814

From Nevada County
Planning Department
950 Maidu Avenue
Nevada City, CA 95959

County Recorder

Applicant Brian Foss
Nevada County
Planning Department
950 Maidu Avenue
Nevada City, CA 95959
530-265-1256

 X County of Nevada

Project Title:

Nevada County Communication Tower and Facility Ordinance Amendment

Project Location – Specific:

Countywide

Description of Nature, Purpose, and Beneficiaries of Project:

Amendments to Section 12.03.080 – Communication Towers and Facilities and Section 12.05.060 – Use Permits of the Nevada County Code. The amendments are to clarify definitions in the Ordinance to align with standard definitions used by the Federal Communications Commission; clarify “shot clock” permit processing timeline requirements; add projects that are exempt from County Planning review; add potential for emergency deployments of Cells on Wheels and emergency generators; require additional supporting information with project applications; increase setbacks for towers from 100% of tower height to 150% of tower height from property lines in all zoning districts except industrial; add radio frequency exposure monitoring requirements; add communication facility maintenance requirements; change the hearing body for communication facilities requiring a Use Permit from the Zoning Administrator to the Planning Commission; increase the required range of public notice for new communication facilities; and other minor changes to integrate amendments.

Name of Public Agency Approving Project:

Nevada County

Name of Person or Agency Carrying Out Project (Applicant):

Nevada County

Exempt Status: (Check One)

 Ministerial (Sec. 21080(b)(1); 15268

 Declared Emergency

 X Guidelines for Implementation (State Guidelines §15162 and §15168)

 Emergency Project [Sec. 15071 (b) and (c)]

Categorical Exemption. 15061(b)(3), 15301(e), 15301(b), 15308, 15303(d), 15304(e),
and 15302
 Statutory Exemption. 15269.C

Reasons why project is exempt:

The proposed amendments have been determined to be statutorily and categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15269(c), 15061(b)(3), 15301, 15302, 15303(d), 15304(e), and 15308, and are also covered under Sections 15162 and 15168 related to previously certified environmental review. The amendments primarily clarify and strengthen existing regulations governing communication towers and facilities and do not authorize new land uses beyond those already permitted under the zoning code. As such, the amendments are largely administrative and regulatory in nature and would not result in a direct or reasonably foreseeable physical change in the environment. Certain provisions, including increased setbacks, maintenance requirements, and radio frequency exposure requirements are also exempt as actions by a regulatory agency for the protection of the environment. Additionally, some facilities addressed in the amendments were previously analyzed in the February 2023 Program Environmental Impact Report, and no subsequent environmental review is required.

Contact Person –David Nicholas


Telephone: (530) 265-1257

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the Public Agency approving the project?

Yes ___ No ___

Date Received for Filing: _____


Brian Foss, Planning Director
Nevada County Planning Department

Date

4/15/26