



Legislation Details (With Text)

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Title: Consideration of an Urgency Interim Ordinance Authorizing a Temporary Deferral of Certain Provisions of Section 21-27.3, Subdivision (P) due to the Pawnee, River and Ranch Fires

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Urgency ordinance temporary dwellings8.20.18, 2. Temp Dwelling_Terms and Conditions

Date	Ver.	Action By	Action	Result
8/21/2018	1	BOARD OF SUPERVISORS	not acted on	

MEMORANDUM

TO: Board of Supervisors

FROM: Michalyn DeValle, Community Development Director

DATE: August 21, 2018

SUBJECT: Consideration of an Urgency Interim Ordinance for Deferral of the Temporary Dwelling Permit Provision due to the Pawnee, River and Ranch Fires

EXECUTIVE SUMMARY:

Staff is requesting the Board of Supervisors approve the attached interim urgency ordinance to defer certain provisions of the Lake County Zoning Ordinance pertaining to occupancy of recreational vehicles as temporary dwellings, due to the Pawnee, River and Ranch Fire. The Zoning Ordinance does not allow for occupancy of temporary dwellings until such time that a building permit has been issued for construction of a new home, and either the foundation or septic system is constructed. The property will need to be cleaned prior to issuance of a temporary dwelling permit.

Staff believes that a limited deferral of the existing requirement that a building permit first be obtained for the replacement home prior to approval of a temporary dwelling should be made for victims of the Pawnee, River and Ranch Fire and the site is inspected and deemed adequate for an RV occupancy. Verification of approval from the applicable water, sewer and from Environmental Health will be required as part of the application process.

Temporary deferral of the Zoning Ordinance provisions, as recommended, will also help reduce the

demand for RV park spaces, which are in short supply. Also, staff is only recommending the deferral not exceed one (1) year unless an extension of this ordinance is granted by the Board. The purpose of the deferment is to acknowledge the additional recovery time owners of may require while still ensuring that the rebuilding of these communities will ultimately be consistent with the County's General Plan and any applicable area plans. Once these property owners obtain building permits to reconstruct their homes, the normal provisions applicable to Temporary Occupancy Permits will be applied, with a Zoning Permit issued along with the building permit for the home.

Section 25123 of the California Government Code provides, in pertinent part:

"All ordinances shall become effective 30 days from the date of final passage, except the following ordinances, which shall take effect immediately:

(d) Those for the immediate preservation of the public peace, health, or safety, which shall contain a declaration of the facts constituting the urgency, and shall be passed by a four-fifths vote of the Board of Supervisors."

Findings in Support of Temporary Deferral of the Temporary Dwelling Permit Provisions of Section 21-27.3(p) of the Lake County Zoning Ordinance:

Deferral is necessary for the immediate preservation of the public peace, health and safety within the County devastated by the Pawnee, River and Ranch Fires. On-site occupancy can be accommodated safely, which will allow property owners the ability to begin recovery efforts by allowing property owners to restore their properties.

There is a shortage of local rental housing and existing recreational vehicle park capacity in Lake County. Allowing property owners to live on their parcels, when conditions are deemed safe, will reduce demand of local RV parks.

ATTACHMENT:

1. Proposed Interim Urgency Ordinance
2. Section 27.3(p) of Lake County Zoning Ordinance

FISCAL IMPACT (Narrative): None

STAFFING IMPACT (if applicable): None

RECOMMENDED ACTION:

Staff recommends your Board adopt the Urgency Interim Ordinance for Deferral of the Temporary Dwelling Permit Provision due to the Pawnee, River and Ranch Fires.