**Subject:** Request for Direction Regarding Amendment of Chapter 53, Camp Fire Recovery Ordinance, to Allow the Placement of Recreational Vehicles and Temporary Dwellings Within Required Setbacks in Order to Allow for Reconstruction

**Department:** Development Services

**Meeting Date Requested:** June 25, 2019

**Contact:** Tim Snellings  
**Phone:** 530.552.3700

<table>
<thead>
<tr>
<th>Department Summary:</th>
<th>(Information provided in this section will be included on the agenda. Attach explanatory memorandum and other background as necessary).</th>
</tr>
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<tbody>
<tr>
<td>Chapter 53, the Camp Fire Recovery Ordinance, allows the residential use of recreational vehicles and temporary dwellings outside the boundaries of setbacks required by the Zoning Ordinance, recorded easements, roads, and driveways. The Department of Development Services has been approached by a number of property owners in the Camp Fire area seeking to obtain an administrative permit to locate a recreational vehicle within required setback areas in order not to interfere with the reconstruction of their residences. The size and configuration of these properties are such that the homesite and septic area leaves no location to place the recreational vehicle outside of required setback areas, except within the footprint of the residence to be reconstructed.</td>
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<td>The Department recommends the Board of Supervisors provide direction to amend Chapter 53, Article IV, Emergency Interim Housing Inside the Camp Fire Area, to permit the Zoning Administrator to allow the placement of recreational vehicles and temporary dwellings within the boundary of a required setback, other than riparian setbacks, in order to allow for reconstruction of the site when there is no other location available outside of the setback area.</td>
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**Fiscal Impact:**

None.

**Personnel Impact:**

None.

**Action Requested:**

Provide direction to staff.

**Administrative Office Review:** Casey Hatcher, Deputy Chief Administrative Officer

Revised: April, 2019
MEMORANDUM

DATE: June 25, 2019

TO: Butte County Board of Supervisors

FROM: Tim Snellings, Director
        Butte County Department of Development Services

RE: Board of Supervisors Direction Regarding Amendment of Chapter 53, Camp Fire Recovery Ordinance, to Allow the Placement of Recreational Vehicles and Temporary Dwellings Within Required Setbacks in Order to Allow for Reconstruction.

REQUESTED ACTION

Provide direction to amend Chapter 53 to permit the Zoning Administrator to allow the placement of recreational vehicles and temporary dwellings within the boundary of a required setback to allow for reconstruction when there is no other location available outside of the setback area.

EXECUTIVE SUMMARY

Chapter 53, the Camp Fire Recovery Ordinance, allows the residential use of recreational vehicles and temporary dwellings outside the boundaries of setbacks required by the Zoning Ordinance, recorded easements, roads, and driveways. The Department of Development Services has been approached by a number of property owners in the Camp Fire area seeking to obtain an administrative permit to locate a recreational vehicle within required setback areas in order not to interfere with the reconstruction of their residences. The size and configuration of these properties are such that the homesite and septic area leaves no location to place the recreational vehicle outside of required setback areas, except within the footprint of the residence to be reconstructed.

The Department recommends the Board provide direction to amend Chapter 53, Article IV, Emergency Interim Housing Inside the Camp Fire Area, to permit the Zoning Administrator to allow the placement of recreational vehicles and temporary dwellings within the boundary of a required setback, other than riparian setbacks, in order to allow for reconstruction of the site when there is no other location available outside of the setback area.

ANALYSIS

The issue of property owners unable to locate recreational vehicles and temporary dwellings outside of required setbacks except within the footprint of a residence to be reconstructed
typically occurs on smaller parcels or parcels with irregular configurations. The size and configuration of these properties are such that the homesite and septic area leaves no location to place the recreational vehicle outside of required setback areas. Parcels in the Paradise Pines Country Club Estates area of Magalia range in size from 0.20 to 0.50 acres each, with lot widths as narrow as 80 feet, and lot depths as shallow as 105 feet. The required setbacks on these lots are 20 feet in the front yard and 10 feet in the side and rear yards. Similarly shaped shallow and narrow lots are also found in the Camelot Spring Valley Ranch subdivision in Concow.

Urgency Ordinance No. 4152, adopted by the Board of Supervisors on December 21, 2018, allowed the placement of temporary dwellings within a required setback established in the Zoning Ordinance, “other than riparian setbacks, provided that placement will allow for debris removal and reconstruction of the site and there is no other available location outside of the setback area.” (Ordinance 4152, section 10(C.)).

Urgency Ordinance 4152 was repealed and replaced by Chapter 53 Article IV, Emergency Interim Housing Inside the Camp Fire Area, on December 28, 2018. Chapter 53 section 53-57(D.) requires:

D. At all times, recreational vehicles, temporary dwellings, and cargo storage containers shall be located outside the boundaries of any setbacks established by Chapter 24, recorded easements, roads, driveways, designated flood hazard locations, or areas prone to landslide or debris flow.

As was allowed under Urgency Ordinance No. 4152, Development Services staff recommends that the Board provide direction to amend Chapter 53 to permit the Zoning Administrator to allow the placement of recreational vehicles and temporary dwellings within the boundary of a required setback, other than riparian setbacks, in order to allow for reconstruction of the site when there is no other location available outside of the setback area.

Staff anticipates returning with this and other proposed amendments to Chapter 53 at the Board meeting of July 23, 2019.