



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY  
**PLANNING DEPARTMENT**

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COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

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MEMO

TO: BOARD OF SUPERVISORS  
FROM: CHUCK BEATTY, PLANNING DIRECTOR  
DATE: FEBRUARY 16, 2022  
RE: Placement and occupancy of recreational vehicles as temporary dwellings

**BACKGROUND:** The January 4, 2022 Board of Supervisors' agenda included an item entitled "Discussion and possible action relative to the placement and occupancy of recreational vehicles as temporary dwellings." Discussion included various options for allowing temporary use of recreational vehicles for housing and the potential impacts to private water and septic systems, noise from generators, limiting the term and overall number of temporary dwellings, and the need for discretionary review for permit renewals. The matter was referred to the Land Use Committee (Supervisors Axe and Forster) for further review. Following the Land Use Committee's discussion of the issue on January 27, 2022, the Committee recommended that the full Board be made aware of the various temporary RV permits that are already available in the unincorporated area.

Currently, there are three options for use of RVs as temporary dwellings permitted through the Zoning Code in the unincorporated area. All permits require review and approval of potable water supply and wastewater disposal through an approved septic system by the Environmental Health Department.

1. Medical hardships, two-year term, issued by staff, 10-day notice to owners within 300 feet, renewable by staff (County Code Section 19.48.055(B)(1));
2. Disaster relief due to damage of dwelling, two-year term, issued by staff, 10-day notice to owners within 300 feet, renewable by the Planning Commission (County Code Section 19.48.055(B)(2));
3. Trailer-While-Building, one-year term, issued by staff upon verification of active building permit for a dwelling, no public notice, renewable by staff for an additional six months if framing, rough electrical, and rough plumbing have passed inspection (County Code Section 19.48.080(C)) .

**SUGGESTED BOARD ACTION:** Direction to staff. If the Board of Supervisors chooses to modify the current code provisions, or to pursue additional options for the use of RVs as temporary dwellings, staff can prepare a Resolution of Intent for the Board's consideration and begin the code amendment process.

19.48.055 Temporary uses--Hardship situations.

A. The planning commission (or, in medical hardship cases under subsection (B) (1) of this section, the planning director) may permit temporary uses for mobilehomes or recreational vehicles as defined in this title for hardship situations, as defined below in this section, for periods as prescribed below in this section.

B. For the purposes of this section, a "hardship situation" means:

1. A person or family with an existing dwelling on a parcel wants to:

a. Have a temporary mobilehome or recreational vehicle to provide accommodations for an immediate family member in need of medical or other constant care for a long-term duration; or

b. Have a temporary mobilehome or recreational vehicle to provide accommodations to a caregiver who provides care and assistance for a resident of the existing dwelling on the parcel; or

2. Fire, flood, or other disaster has destroyed or damages a dwelling to the point where it is no longer habitable and the property owner needs a temporary mobilehome or recreational vehicle in which to reside for a period which may be longer than allowed under Section 19.48.080 C of this code.

C. Temporary medical hardship uses described in subsections (B) (1) (a) and (b) of this section for mobilehomes or recreational vehicles may be granted by the planning director without public hearing for two-year periods and renewed from time to time for two-year periods provided that in all such cases proof of a medical need satisfactory to the county is submitted and reestablished with each renewal application. Each such initial or renewal application shall be made and public notice of such application shall be given in the manner described in Chapter 19.56, use permits. Such notice shall indicate the intent of the planning director to grant or renew the temporary use permit without a hearing unless sufficient reasons are provided not to renew the use permit. A description of the appeals process (Chapter 19.64) shall be contained within the notice. The planning director shall decide upon the use permit renewal application within ten days after the notice is mailed. Approved use permits shall become valid following the ten-day appeal period if no appeals are filed.

D. Initial temporary disaster relief hardship use permits described in subsection (B)(2) of this section for mobile homes or recreational vehicles may be granted by the planning director for a two-year period without public hearing if the planning director finds sufficient cause to approve the application; provided, however, that the application shall be made and public notice of such application shall be given in the manner described in Chapter 19.56, use permits. Such notice shall indicate the intent of the planning director to grant the temporary use permit without a hearing unless sufficient reasons are provided not to grant the use permit. A description of the appeals process (Chapter 19.64) shall be contained within the notice. The planning director shall decide upon the use permit application within ten days after the notice is mailed. Approved use permits shall become valid following the ten-day appeal period if no appeals are filed. Requests for renewal of such use permits shall be made to the planning commission, which may renew the permit for an additional one-year period upon a showing of good cause. No more than one renewal shall be allowed. (Ord. 1408 §2, 1996; Ord. 1149 §3, 1987).



**PLANNING DEPARTMENT**  
**Community Development Agency**

County Administration Center  
810 Court Street • Jackson, CA 95642-2132  
Telephone: (209) 223-6380  
Website: www.amadorgov.org  
E-mail: planning@amadorgov.org

**MEDICAL HARDSHIP USE PERMIT APPLICATION**

*Applicant must provide a letter explaining the need for the medical hardship unit and a letter from the Doctor verifying the need. Clearances from the Environmental Health Department (or public water/sewer provider), Public Works Agency and Building Department must be obtained prior to submitting this Use Permit Application to the Planning Department.*

**ENVIRONMENTAL HEALTH DEPARTMENT CLEARANCE:** (209) 223-6439

CAN CONNECT TO EXISTING SEPTIC

PERMIT # \_\_\_\_\_

CANNOT CONNECT TO EXISTING SEPTIC

PERMIT # \_\_\_\_\_

\_\_\_\_\_  
Environmental Health Department Representative Signature

\_\_\_\_\_  
Date

**PUBLIC SEWER / WATER PROVIDER CLEARANCE:**

\_\_\_\_\_  
Public Sewer / Water Provider Representative Signature

\_\_\_\_\_  
Date

**BUILDING DEPARTMENT CLEARANCE:** (209) 223-6422

Permit Required?  **NO**  **YES - Permit#** \_\_\_\_\_

\_\_\_\_\_  
Building Department Representative Signature

\_\_\_\_\_  
Date

**PLEASE COMPLETE THE FOLLOWING:**

Applicant's Name \_\_\_\_\_ Phone No. \_\_\_\_\_  
Please Print

Mailing Address \_\_\_\_\_  
Street No./P.O. Box City State Zip Code

Property Location \_\_\_\_\_  
Street No. City State Zip Code

Description and size of Unit \_\_\_\_\_ (RV, Trailer, Motorhome, Mobile Home)

Assessor Parcel No. \_\_\_\_\_

**Submit the following with this application:**  **Plot Plan (8-1/2" X 11" size paper)**  **Application Fee (\$114.00)**

**Letter from owner explaining need**  **Letter from Doctor verifying need**  **Signed Medical Hardship Regulations**

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

**TO BE COMPLETED BY PLANNING DEPARTMENT:** Application Contains:

- 1. Application Fee: \$114.00
- 2. Plot Plan
- 3. Letter from owner explaining need
- 4. Letter from Doctor verifying need
- 5. Review for compliance with County Code Section 19.48.055 B.1
- 6. Signed Medical Hardship Regulations

Date Submitted: \_\_\_\_\_ Received by: \_\_\_\_\_ (Planning Dept. Rep. Initials)

APPROVED  DENIED \_\_\_\_\_ Date \_\_\_\_\_ Expires: \_\_\_\_\_  
Planning Department Representative Signature

CONDITIONS/REASON(S): \_\_\_\_\_

**The applicant or any interested person may appeal the Planning Director's decision pursuant to Chapter 19.64 (Appeals) of the Amador County Code within 10 days of the decision on this application.**

PLANNING COMMISSION ACTION ON APPEAL, IF ANY: \_\_\_\_\_

## **PLOT PLAN**

### **Include the Following:**

1. Outline of property with dimensions.
2. Sizes, dimensions and distances from property lines of all structures on property.
3. Proposed location of unit with dimensions.
4. Names of nearest roads and intersection.
5. North arrow and scale.
6. Driveway location.
7. Any other pertinent information.

19.48.080 Recreational vehicles, mobile homes recreational vehicle parks and mobile home parks.

A. Two recreational vehicles without self-contained motive power may be stored outside of an enclosed structure on any lot or parcel in any district. This section is not applicable to recreational vehicles without self-contained motive power stored inside an enclosed structure, or those recreational vehicles with self-contained motive power.

B. 1. The planning commission may issue a use permit as provided in Chapter [19.56](#) of this title, to allow one occupied mobile home on any parcel in any A or AG zone district provided, that the occupied mobile home shall be used for farm-labor quarters as defined in this title; or in any AG zone district when used as housing for an immediate family member of the landowner and provided that said mobile home use permit must be found to be consistent with family density provisions of the county general plan. Use permits may be granted on a two-year renewable basis in the A zone district and five-year renewable basis in the AG zone district. Use permit renewal requests may be renewed by the planning director without public hearing if the planning director finds sufficient cause to approve the renewal; provided, however, the renewal applications shall be made and accepted as complete, and shall upon receipt of a complete application mail out a notice describing the application to all owners of property, as shown on the most recent available tax roll, within a distance of at least three hundred feet in all directions from the subject parcel. Such notice shall indicate the intent of the planning director to renew the temporary use permit without a hearing unless sufficient reasons are provided not to renew the use permit. A description of the appeals process (Chapter [19.64](#)) shall be contained within the notice. The planning director shall decide upon the use permit renewal application within ten days after the notice is mailed. Approved renewed use permits shall become valid following the ten-day appeal period if no appeals are filed.

2. As provided in Chapter [19.56](#), on securing a use permit for a farm-labor camp, more than one occupied mobile home or recreational vehicle may be permitted on any parcel in any AG district for a period not to exceed sixty consecutive days in any given year.

C. 1. On issuance of a use permit by the planning department, one occupied recreational vehicle may be allowed on any lot or parcel in any A, AG, R1A, R1, RE or X district; provided, that no use permit shall be granted or issued until the applicant has first secured a permit to construct a permanent residence on the same premises.

2. Such use permit shall be valid for a period of one year except that the use permit may be extended by planning staff for up to an additional six months, provided the permanent structure has reached the stage where the framing, rough electric and rough plumbing have passed inspection.



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**RECREATIONAL VEHICLE (RV) PERMIT WHILE BUILDING**

A Use Permit for occupancy of a recreational vehicle (units 8' x 40', or smaller) may be issued for an initial period of one year while construction of a permanent residence is in progress if the requirements listed below are completed. The Use Permit may be extended by Planning Dept. Staff for up to an additional six months, **provided the permanent structure has reached the stage where the framing, rough electric and rough plumbing have passed inspection.**

1. Issuance of a Building Permit to construct a permanent dwelling (Building Department).
2. Issuance of a Building Installation Permit (Building Department).
3. Sewage Disposal System Permit approval for RV (Environmental Health Department).
4. Submittal of \$116.00 application fee to Planning Department.

**TO BE FILLED OUT BY APPLICANT**

1. Name: \_\_\_\_\_ Phone: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. Location: \_\_\_\_\_
4. Recreational Vehicle Information:
  - a. License No.: \_\_\_\_\_
  - b. Type: \_\_\_\_\_
  - c. Size: \_\_\_\_\_
  - d. Manufacture Date: \_\_\_\_\_
5. Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Building Permit No.: \_\_\_\_\_ Property APN: \_\_\_\_\_

RV Temporary Installation Clearance: \_\_\_\_\_  
*Building Department Signature*      *Date*

Sewage Disposal System Permit approval for recreational vehicle:  
Permit No.: \_\_\_\_\_ Final Date: \_\_\_\_\_

Sanitation Approval: \_\_\_\_\_  
*Environmental Health Department Signature*      *Date*

**TO BE FILLED OUT BY PLANNING DEPARTMENT**

- \_\_\_ 1. Building Permit verification for residence
- \_\_\_ 2. RV Temporary Installation Clearance
- \_\_\_ 3. Sewage Disposal System Permit approval for recreational vehicle
- \_\_\_ 4. Application Fee of \$116.00
- \_\_\_ 5. Signed regulations

Date "Permit While Building" Issued: \_\_\_\_\_

Date "Permit While Building" Expires: \_\_\_\_\_

Approved by: \_\_\_\_\_  
*Planning Department Signature*      *Date*

**Extension~** Date granted: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

I have verified the framing, rough electric and rough plumbing inspections have been passed by the Building Department.

\_\_\_\_\_  
*Planning Department Signature*      *Date*



**ORDINANCE NO. 5150**

**AN URGENCY ORDINANCE  
ADDING CHAPTER 130.69 TO TITLE 130 OF THE EL DORADO COUNTY CODE  
TO ADDRESS TEMPORARY EMERGENCY HOUSING,  
RESILIENCY, AND REBUILDING AFTER THE 2021 CALDOR FIRE**

**WHEREAS**, Government Code Section 25131 allows urgency ordinances to be passed immediately upon introduction at either a regular or special meeting and Government Code Section 25123 states that ordinances adopted for the immediate preservation of the public peace, health, or safety shall contain a declaration of the facts constituting the urgency, must be passed by 4/5ths vote of the Board of Supervisors, and are effective immediately; and

**WHEREAS**, conditions of extreme peril to the safety of persons and property within the County of El Dorado were caused by fast-moving and widespread wildfires, referred to as the Caldor Fire, commencing on the 14th day of August 2021, at which time the Board of Supervisors was not in session; and

**WHEREAS**, pursuant to El Dorado County Ordinance Code Chapter 2.21, the Sheriff is designated as the Director of the Office of Emergency Services and, as such, is authorized to proclaim a local emergency; and

**WHEREAS**, on August 17, 2021, the Sheriff, as the Director of the Office of Emergency Services, proclaimed a local emergency based on conditions of extreme peril to the safety of persons and property within the territorial limits of the County of El Dorado as a result of the Caldor Fire; and

**WHEREAS**, in Resolution 104-2021 adopted on August 19, 2021, the Board of Supervisors found that conditions of extreme peril exist due to an imminent and proximate threat to the safety of persons and property within the territorial limits of the County of El Dorado as a result of the Caldor Fire for reasons set forth in the proclamation of local emergency by the County's Sheriff, acting as the Director of the Office of Emergency Services, dated August 17, 2021, and ratified the local emergency proclamation, which continues in effect until terminated by the Board of Supervisors and has not been terminated on the date this urgency ordinance is adopted; and

**WHEREAS**, on August 17, 2021, the Governor of the State of California proclaimed a State of Emergency for El Dorado County due to the Caldor Fire; and

**WHEREAS**, on September 1, 2021, the President of the United States declared the existence of an emergency in the State of California and ordered Federal aid to supplement state and local recovery efforts due to the emergency conditions resulting from the Caldor Fire beginning on August 14, 2021, and continuing; and

**WHEREAS**, as reported by the California Department of Forestry and Fire Protection (CalFIRE) on September 3, 2021, the Caldor Fire to date has consumed over 212,907 acres in El Dorado County and has led to the destruction of at least 661 residential structures, 184 other structures, and 12 commercial properties with only 29% containment; and

**WHEREAS**, pursuant to Government Code Section 65852.150, the California Legislature found and declared that, among other things, California faces a severe housing crisis and is falling far short of meeting current and future housing demand; and

**WHEREAS**, even prior to the Caldor Fire, the Board of Supervisors previously found when adopting Ordinance 5136 that there is insufficient availability of temporary shelter to adequately house more vulnerable populations; and

**WHEREAS**, the housing units destroyed by the Caldor Fire increased this housing shortage and increased the need for temporary housing units for families displaced by the Caldor Fire due to the destruction of their homes; and

**WHEREAS**, the Board of Supervisors finds that amendments to the County's Zoning Ordinance are necessary to allow the fastest possible transition of displaced residents to interim and long-term shelter, including the rebuilding of homes and communities destroyed by the Caldor Fire; and

**WHEREAS**, it is essential that the changes made by this ordinance to the El Dorado County Code and various County housing, permitting, and health and safety policies related to use and occupancy of dwellings and rebuilding of homes and communities be implemented immediately.

**NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO ORDAINS AS FOLLOWS.**

**Section 1.** The Board of Supervisors finds and declares that the above recitals are true and correct and are incorporated herein.

**Section 2.** Chapter 130.69 of Title 130, Article 6 of the El Dorado County Ordinance Code entitled "Caldor Fire Resiliency and Rebuilding" is hereby added to read as follows:



## ARTICLE 6 – ZONING ORDINANCE ADMINISTRATION

### CHAPTER 130.69 – CALDOR FIRE RESILIENCY AND REBUILDING

#### Section 130.69.100 – Title

This chapter shall be known as the Caldor Fire Resiliency and Rebuilding Ordinance.

#### Section 130.69.110 – Purpose

This chapter is enacted for the purposes of modifying and temporarily suspending various County housing-related, permitting, and health and safety provisions and policies to expedite recovery and rebuilding of homes and communities destroyed or damaged by the Caldor Fire and to ensure that persons displaced as a result of the Caldor Fire are housed in safe, healthy, and habitable housing during the recovery period and can repair or rebuild damaged homes and communities as efficiently as possible while protecting public health and safety.

#### Section 130.69.120 – Definitions and Specialized Terms and Phrases

The terms and phrases in this Chapter 130.69 shall have the meanings ascribed to them in Article 8 (Glossary) and, for terms and phrases not provided in Article 8 (Glossary), shall have the meanings ascribed to them in this Section 130.69.120, except where the context clearly indicates a different meaning:

**Accessory Dwelling Unit.** A residential unit for one or more persons, either attached or detached, that provides complete and permanent independent provisions for living, sleeping, eating, cooking, and sanitation facilities on the same parcel as the proposed or existing primary residence and is situated in all zones that permit single-family or multi-family dwelling residential uses. An accessory dwelling unit also includes an efficiency unit as defined in Section 17958.1 of the Health and Safety Code or a manufactured home as defined in Section 18007 of the Health and Safety Code. This use type is intended to be consistent with Government Code Section 65852.2 and all other state laws as those laws are amended from time to time. If there is any conflict between this use classification and state law, state law shall prevail. This term includes secondary dwelling as currently utilized in Section 130.40.300 until that section is amended consistent with state law and, upon amendment, this term includes the definition provided by amendment.

**Burn Area.** All of that land contained within the California Department of Forestry and Fire Protection (CalFIRE) 2021 Caldor Fire Perimeter at the time the Caldor Fire is at 100% containment.

**Caldor Fire.** The fire that swept El Dorado County beginning on August 14, 2021, as referenced in Board of Supervisors Resolution 104-2021, adopted August 19, 2021, and which was the subject of the Proclamation of a State of Emergency by Governor Gavin Newsom and declaration of emergency by President Joseph R. Biden.

**Displaced Person(s).** A county resident or residents, including owners and renters, whose dwelling or accessory dwelling unit has been destroyed or damaged by the Caldor Fire, such that the resident(s) cannot occupy the dwelling or accessory dwelling unit. Displaced person(s) may be required to provide verification to the County to substantiate their eligibility for uses, permits, and/or benefits described in this Chapter 130.69. Evidence, as determined acceptable by the Planning and Building Department Director or his or her designee, may include but is not limited to verification by Federal Emergency Management Agency (FEMA) registration or damage assessment, a driver's license or other government-issued identification card or utility bill with a physical address showing the resident resided on a legal, fire-damaged lot in the burn area, or a rental or lease agreement for a property on a fire-damaged lot in the burn area. Within or adjacent to the burn area, displaced person(s) may include residents whose dwellings were not damaged or destroyed but who require temporary emergency housing because they are unable to access or reside in their home due to damage to roads or infrastructure as a result of the Caldor Fire or, during the debris removal stage, debris removal on surrounding fire-damaged lots would expose those residents to potential health risks from debris removal.

**Fire-Damaged Lot.** A lot, as defined in Section 130.80.020 of this Code, that as of August 14, 2021, contained a legal permitted or legal nonconforming dwelling or structure that was damaged or destroyed as a result of the Caldor Fire.

**Legal Nonconforming Structure.** A structure that was lawfully established before the adoption of this Title 130, but which may be prohibited, regulated, or restricted differently under the terms of this Title 130, as amended. A legal nonconforming structure does not include any structure that was illegal when constructed or constructed without a permit, if a permit was required at the time of construction.

**Legal Nonconforming Use.** A use that was lawfully established before the adoption of this Title 130, but which may be prohibited, regulated, or restricted differently under the terms of this Title 130, as amended. A legal nonconforming use does not include any use that was illegal when commenced or commenced without a permit, if a permit was required at the time of commencement.

**Reconstruction.** Replacement of a conforming or legal nonconforming structure that was destroyed by the Caldor Fire on the same lot and with no change in use.

**Repair.** Repair of a conforming or legal nonconforming structure damaged as a result of the Caldor Fire on the same lot with no change in use.

**Substantially Equivalent.** Shall have the same meaning as the term in subdivision (c) of Section 70 of the Revenue and Taxation Code.

**Temporary Recreational Vehicle.** Motor home, travel trailer, truck camper, or camping trailer, with or without motive power, originally designed for human habitation that is: designed for recreational or emergency occupancy; contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets,

kitchen units or fixtures, and bath or toilet rooms; contains 400 square feet or less of gross area measured at maximum horizontal projections; is built on a single chassis; is self-propelled or permanently towable or transportable on a vehicle on California roadways bearing the state or federal insignia of approval for recreational vehicles and maintains current registration with the Department of Motor Vehicles (DMV) for the motor home, travel trailer, vehicle utilized for the camper, or camping trailer.

**Section 130.69.130 – Implementation**

The Planning and Building Department Director or his or her designee may establish administrative standards for use in implementing this Chapter 130.69. Any administrative standards established pursuant to this Chapter 130.69 shall be in writing and made available to the public on the website of the Planning and Building Department with a copy provided upon request by a member of the public.

**Section 130.69.140 – Term and Expiration**

Except as may be otherwise specified herein, this Chapter 130.69 and all its provisions shall expire and be of no further force or effect after December 31, 2026, unless extended or modified by the Board of Supervisors.

**Section 130.69.150 – Conflict with State Law and Regulations**

- A. This Chapter 130.69 is not intended and shall not be interpreted to conflict with the laws or constitution of the State of California.
- B. Nothing in this Chapter 130.69 is intended to supersede or suspend regulatory requirements or authority of the State Department of Housing and Community Development to regulate residential use of recreational vehicles in special occupancy parks or otherwise, except as such provisions may be suspended or modified by state law, executive order, or emergency proclamation by the Governor.

**Section 130.69.160 – Temporary Recreational Vehicles**

- A. For fire-damaged lots in the burn area where the Caldor Fire destroyed or damaged a dwelling, two temporary recreational vehicles with an additional recreational vehicle for any legal accessory dwelling unit that was destroyed or damaged may be permitted in compliance with the permit requirements under Section 130.52.050.D.5 (Temporary Mobile Home Permit) unless otherwise stated herein. Notwithstanding Section 130.52.050.D.5, a temporary recreational vehicle on a fire-damaged lot in the burn area may be used as a rental unit for displaced persons only if a dwelling or accessory dwelling unit on that lot was made available for rent for a term more than 30 days within 6 months of the Caldor Fire.
- B. No temporary recreational vehicle may be permitted or located on a fire-damaged lot without the concurrence of the Environmental Management Department. Any Temporary

Mobile Home Permit may be denied because the debris on the property or status of debris removal results in health or safety hazards.

- C. Within the burn area, temporary recreational vehicles may be located on fire-damaged lots within zoning ordinance setback areas, excluding riparian setback areas, if such location is necessary to allow for unobstructed reconstruction on the lot.
- D. During the first three years from the effective date of this Chapter 130.69, generators are an acceptable source of power for temporary recreational vehicles permitted under this Chapter 130.69 on fire-damaged lots in the burn area. After the first three years from the effective date of this Chapter 130.69, generators are not an acceptable source of power for temporary recreational vehicles.
- E. Notwithstanding Section 130.52.050.E, a Temporary Mobile Home Permit under this section shall automatically expire on the expiration date of this Chapter 130.69 or within 30 days of issuance of the certificate of occupancy, whichever is earlier. Upon expiration, every temporary recreational vehicle used as temporary emergency housing pursuant to this chapter shall be disconnected from sewer, septic, water, and/or power connections and residential occupancy of the temporary recreational vehicle shall no longer be a legal use unless authorized under state law or permitted under this Title 130 without the benefit of any exceptions under this Chapter 130.69.

**Section 130.69.170 – Temporary Mobile Homes**

- A. For fire-damaged lots in the burn area where the Caldor Fire destroyed or damaged a dwelling, one temporary mobile home may be allowed on a lot of any size in compliance with the permit requirements under Section 130.52.050.B.1 (Temporary Mobile Home Permit). A temporary mobile home under this Chapter 130.69 may be used as a rental unit on a fire-damaged lot in the burn area for displaced persons only if a dwelling or accessory dwelling unit on that lot was made available for rent for a term more than 30 days within 6 months of the Caldor Fire.
- B. No temporary mobile home may be permitted or located on a fire-damaged lot without the concurrence of the Environmental Management Department. Any Temporary Mobile Home Permit may be denied because the debris on the property or status of debris removal results in health or safety hazards.
- C. Notwithstanding Section 130.52.050.E, a Temporary Mobile Home Permit under this section shall automatically expire on the expiration date of this Chapter 130.69 or within 30 days of issuance of the certificate of occupancy, whichever is earlier. Upon expiration, every temporary mobile home used as temporary emergency housing pursuant to this chapter shall be disconnected from sewer, septic, water, and/or power connections and removed from the lot on which it is located, including any installed pad or foundation, or shall be permitted in compliance with Title 130 without the benefit of any exceptions under this Chapter 130.69.

**Section 130.69.180 – Shipping Containers for Temporary Storage**

Shipping containers for temporary storage of personal property may be permitted in the burn area with a building permit consistent with the “El Dorado County Building Services Policy for Residential Steel Shipping Containers Used as Storage.” Such shipping containers for temporary storage shall not be used for human habitation or have utility connections. A building permit for a shipping container under this section need not meet the one acre minimum and screening requirements under Section 130.40.320.D.4, but the permit shall expire and the shipping container shall be permitted in compliance with Section 130.40.320.D.4 or be removed from the parcel on which it is located no later than the expiration date of this Chapter 130.69 or within 30 days of issuance of the certificate of occupancy, whichever is earlier.

**Section 130.69.190 – Temporary Emergency Housing in Accessory Structures**

Notwithstanding the limitations in Section 130.40.030.D.6.c (Accessory Structures and Uses) or any other contrary provision of County Code and only during the term of this Chapter 130.69, existing legally permitted pool houses, workshops, artist studios, or other residential accessory structures within or outside of the burn area that do not satisfy the requirements of a guest house under Section 130.40.150 or an accessory dwelling unit may be used or rented as temporary emergency housing for displaced persons pursuant to an Administrative Permit under Section 130.52.010 and subject to all other existing regulations and limitations, including habitability standards and the Building Codes. Residential occupancy of such structures shall no longer be a legal use after the expiration of this Chapter 130.69 unless authorized as a legal use under state law or other section of this Title 130. A lot owner shall notify tenants in writing of the temporary nature of the emergency housing and shall require and retain for two years written documentation confirming that the individuals are displaced persons.

**Section 130.69.200 – Lodging Facilities, Vacation Home Rentals, and Hotels and Motels**

- A. Notwithstanding any contrary provision in County Code and pursuant to a Temporary Use Permit issued in accordance with Section 130.52.060, any rental for a displaced person may exceed 30 days during the term of this Chapter 130.69 in all lodging facilities under Section 130.40.170, including agricultural homestays, agricultural and timber resource lodging, bed and breakfast inns, guest ranches, and health resort and retreat centers, vacation home rentals under Chapter 5.56, and hotels and motels. For any rental in excess of 30 days under this section, the owner of the lodging facility, vacation home rental, hotel, or motel shall require and retain for two years written documentation confirming that the individuals are displaced persons.
- B. Fire-damaged lots in the burn area on which a fully approved and permitted vacation home rental was legally operating in August or July 2021 prior to the Caldor Fire may continue to operate upon repair or reconstruction if lot ownership has not changed and the number of guestrooms within the vacation home rental does not change.

**Section 130.69.210 – Agricultural Employee and Seasonal Worker Housing**

Notwithstanding any contrary provision in County Code and pursuant to an Administrative Permit under Section 130.52.010, agricultural employee housing and seasonal worker housing under Section 130.40.120 may be rented to displaced persons during the term of this Chapter 130.69 throughout the year without any requirement that the displaced persons are agricultural employees or seasonal workers. For any rental under this section, the owner of the agricultural employee housing or seasonal worker housing shall require and retain for two years written documentation confirming that the individuals are displaced persons.

**Section 130.69.220 – Campgrounds and Recreational Vehicle Parks**

- A. For all campgrounds and recreational vehicle parks, the length of stay limit of 30 days in Section 130.40.100.D.9 (Campgrounds and Recreational Vehicle Parks) shall not apply to campsites occupied by displaced persons.
- B. For all campgrounds and recreational vehicle parks, a Temporary Use Permit may be issued in accordance with Section 130.52.060 to allow for an additional nine sites per developable acre in addition to the nine sites per developable acre provided for in Section 130.40.100.D.1 for a total maximum of eighteen sites per developable acre, provided that the additional density is limited to campsites made available only to displaced persons and there is adequate water supply and/or septic capability available to serve the additional campsites. The Temporary Use Permit allowing for increased density shall terminate upon expiration of this Chapter 130.69 and the allowable density after expiration of this Chapter 130.69 shall be governed by Section 130.40.100.D.1.
- C. A campground or recreational vehicle park utilizing an exception under this section shall require and retain for two years written documentation confirming that the individuals utilizing the campsite are displaced persons.

**Section 130.69.230 – Caldor Fire Safe Parking Sites**

- A. Safe parking sites allowing overnight parking for displaced persons on private property may be permitted pursuant to a Temporary Use Permit under Section 130.52.010. The Planning and Building Department Director or his or her designee shall not issue a Temporary Use Permit for a safe parking site without the concurrence of the Sheriff's Office and Environmental Management Department. A safe parking site shall include registration requirements to establish proof of displaced persons status, security protocols, and health and safety standards. A Temporary Use Permit for a safe parking site shall establish maximum capacity limits for the site and any other site-specific limitations deemed necessary or appropriate to protect public health and safety.
- B. Upon termination of a safe parking site permit or the expiration of this Chapter 130.69, whichever is earlier, the safe parking site shall no longer be a legal use and any facilities, equipment, alterations, or signage utilized for the safe parking site shall be removed.

**Section 130.69.240 – Meyers Area Plan (MAP) Zones**

Within the Meyers Area Plan (MAP) Zones provided for in Chapter 130.26, all temporary emergency housing options provided for in this Chapter 130.69 and flexibility in zoning for child care, education, and church facilities provided for in Section 130.69.320 are intended to apply. Neither Chapter 130.26 nor the Meyers Area Plan shall be construed to prevent any of the permits provided for in this Chapter 130.69. Any exceptions made to Chapter 130.26, the Matrix of Allowed Uses (Table 130.26.050), development standards in Section 130.26.060, or the Meyers Area Plan to allow for any permit under this Chapter 130.69 shall expire and no longer be a legal use after expiration of this Chapter 130.69. Any permit issued under this Chapter 130.69 within the Meyers Area Plan Zones shall comply with all of the requirements and limitations provided in this Chapter 130.69 for the particular permit.

**Section 130.69.250 – Permit Revocation**

- A. The Planning and Building Department Director or his or her designee may revoke any permit issued under this Chapter 130.69, including but not limited to a Temporary Mobile Home Permit, an Administrative Permit, or a Temporary Use Permit, if the use, temporary emergency housing, structure, or condition violate this Chapter 130.69 or other County Code applicable to the permit, is unlawful under any state or federal law, appears to create a nuisance, such as by accumulation, proliferation, or dispersal of trash, debris, or personal possessions, or poses a threat to public health or safety.
- B. Prior to revocation of any permit under this Chapter 130.69, the Planning and Building Department shall serve the permit owner(s) via regular and certified mail a written notice that identifies the violations and provides 30 days to correct the violations. If the violations are not corrected within 30 days, the permit shall be revoked.
- C. The decision to revoke a permit under this section shall not be appealable, but a new permit under this Chapter 130.69 may be obtained after the violations are remedied and compliance with this Chapter 130.69 is demonstrated, provided that any outstanding citations or costs of abatement are paid in full.
- D. After permit revocation under this section or termination of a permit under the terms of the permit or the expiration of this Chapter 130.69, continued violations shall be deemed a public nuisance and shall be subject to enforcement under Chapter 9.02, including but not limited to administrative citations, abatement, summary abatement, and recovery of costs through liens.

**Section 130.69.260 – Permit Fee Reductions and Waivers**

- A. Upon written request of an applicant, the Planning and Building Department Director shall waive or reduce permit fees adopted and charged by the Planning and Building Department for:

1. Permits necessary for temporary emergency housing for displaced persons on fire-damaged lots in the burn area; or
  2. Permits necessary for demolition of a destroyed or damaged dwelling or structure on fire-damaged lots in the burn area and for repair or reconstruction of a conforming or legal nonconforming dwelling or structure on fire-damaged lots in the burn area, provided that the repair or reconstruction is substantially equivalent to the damaged or destroyed dwelling or structure, the applicant owned the lot as of August 14, 2021, and the application is submitted prior to the expiration of this Chapter 130.69.
- B. No permit fee waiver or reduction may be granted for any permit fee that could otherwise be covered by insurance or could otherwise be covered through any other federal or state sources. Before seeking a permit fee waiver or reduction, an applicant must provide written documentation to the satisfaction of the Planning and Building Department Director or his or her designee establishing that the applicant (1) does not have insurance; (2) the insurance company has denied payment of the permitting fee or the insurance coverage does not include the cost of permitting fees for repair or reconstruction; or (3) the insurance company has approved only partial payment of the permitting fee, in which case only the uncovered portion may be waived. If a permitting fee is initially denied by an insurance company and then recovered subsequent to any waiver or reduction of the permitting fee by the County, the applicant shall reimburse the County for the waived or reduced permitting fee up to the full amount covered by the insurance company within 30 days of receipt of the funds from the insurance company. Failure to reimburse the County shall be treated as a violation of the County Code and deemed a misdemeanor under Section 1.24.010.
- C. No permit fee waiver or reduction may be granted for any permit for an illegal use or structure.
- D. Permit fee waivers and reductions under this section are exempt from the Board of Supervisors Policy B-2.
- E. The County shall seek to fund or recover any waived or reduced permit fees through other disaster recovery grant programs or funding sources.

#### **Section 130.69.270 – Development Impact Fees**

Consistent with Government Code Section 66011, no development impact fee adopted pursuant to the Mitigation Fee Act may be applied to the repair or reconstruction of any conforming or legal nonconforming residential, commercial, or industrial development project on a fire-damaged lot in the burn area. Any repair or reconstruction of real property, or portion thereof, which is not substantially equivalent to the damaged or destroyed dwelling or structure, shall be deemed to be new construction and only that portion which exceeds substantially equivalent construction may be assessed a fee.



**Section 130.69.280 – Priority Permitting and Issuance Without Public Noticing**

- A. All permits necessary for temporary emergency housing on fire-damaged lots in the burn area shall be prioritized over all other permits with the Planning and Building Department except for a permit that is subject to deadlines under state law and prioritizing that permit is necessary to meet the deadline in state law or the Planning and Building Department Director or his or her designee determines that prioritizing a permit is necessary to protect health or safety.
- B. All permits necessary for repair or reconstruction of a primary dwelling on a fire-damaged lot in the burn area submitted by the owner of the lot as of August 14, 2021 shall be prioritized over all other permits with the Planning and Building Department except for a permit that is subject to deadlines under state law and prioritizing that permit is necessary to meet the deadline in state law or the Planning and Building Department Director or his or her designee determines that prioritizing a permit is necessary to protect health or safety.
- C. Notwithstanding Section 130.51.050 (Public Notice Requirements and Procedures) or any other provision in County Code, all permits under this Chapter 130.69 may be issued without any public noticing or public oversight.

**Section 130.69.290 – Mandatory Permit Language**

The following statement shall be posted on the County website and provided to all applicants for building permits in the burn area: “Due to the large number of structures destroyed in the Caldor Fire, it is anticipated that there will be a large number of applications for building permits in the burn area after fire debris and hazardous materials have been cleaned up. Building permits in the Caldor Fire area will not be issued until after a property has been cleared of fire debris and hazardous materials as a result of the Caldor Fire. Even if a property has been cleared of fire debris and hazardous materials or never had any fire debris and hazardous materials, it does not mean that there are no other health hazards or dangers on the property, including dangers resulting from fire-damaged or hazard trees. Property owners and residents must do their own investigation to determine whether there are any other health hazards or dangers on the property. The issuance of a building permit for the property does not accomplish this task. A building permit is a ministerial action requiring only limited review by the County to ensure that the structure meets all applicable building standards. In most zones, an individual is allowed by right to construct a residence after receiving a building permit that only requires conformity to building standards. The building permit is issued based on information supplied by the applicant without independent investigation by the County of the property or potential health hazards or dangers. Given the limited scope of enforcement, it is not possible for the County to identify potential health hazards or dangers that are not directly associated with the permitted structure. The applicant is in a position to inspect the property, identify potential health hazards or dangers, and tailor the application to avoid any potential health hazards or dangers.”

**Section 130.69.300 – Legal Nonconforming Uses and Structures**

- A. Consistent with Section 130.61.030, a legal nonconforming structure on a fire-damaged lot in the burn area may be repaired or reconstructed up to its pre-damage size and placement so long as the construction is completed within three years of the effective date of this Chapter 130.69 if located within a Community Region or five years of the effective date of this Chapter 130.69 if located in the remaining unincorporated area of the County. This section does not alter any requirements in the Building Codes and Fire Code to comply with the current provisions for any repair or reconstruction. The version of the Fire Safe Regulations in existence at the time of the application shall apply to any legal nonconforming structure. Under the version of the Fire Safe Regulations in effect when this Chapter 130.69 was adopted, and notwithstanding Section 1270.02 (Scope), reconstruction of a legal nonconforming structure shall comply with Section 1276.01 (Setback for Structure Defensible Space).
- B. Any legal nonconforming use prevented from continuation due to damage to a structure on a fire-damaged lot in the burn area may be restored if the structure necessary for the use is repaired or reconstructed consistent with subsection (A) above. Consistent with Section 130.61.040.I, any legal nonconforming use on a fire-damaged lot in the burn area where no structure was involved may be restored up to its pre-damaged size and intensity provided that it is reestablished within five years of the effective date of this Chapter 130.69. Any change or expansion in a legal nonconforming use shall be subject to Section 130.61.050. Nothing contained within this section shall be construed to allow a legal nonconforming use to be conducted in such a way as to constitute a public or private nuisance or a danger to the public health, safety, and welfare.

**Section 130.69.310 – Lot Line Adjustments**

Notwithstanding any contrary provision of County Code, a lot line adjustment approval that is valid and not expired as of August 14, 2021 is hereby extended one year beyond its current date of expiration.

**Section 130.69.320 – Child Care, Educational, and Church Facilities**

Notwithstanding any contrary provision of County Code, relocation of any Child Day Care Home, Child Day Care Center, Employer-Sponsored Child Day Care Center, Specialized Education and Training, Community Care Facility, Schools, including College and University and Elementary and Secondary, and Churches and Community Assembly on a fire-damaged lot in the burn area may be relocated to any existing buildings in any Commercial, Agricultural, Rural, and Resource, Industrial, or Research and Development Zone District subject only to an Administrative Permit in accordance with Section 130.52.010, and if required, a building permit for any renovations. Nothing in this title waives or affects any requirements under state law applicable to such facilities. The Administrative Permit shall expire on or before the expiration of this Chapter 130.69 and any subsequent use covered in this section shall be subject to the requirements under Title 130, including but not limited to the Matrix of Allowed Uses for each zone district.

**Section 130.69.330 – Approved Discretionary Permits**

- A. Any time limit imposed consistent with Section 130.54.060 for a permit or authorization for which the permit or authorization was not exercised before the Caldor Fire on a fire-damaged lot in the burn area shall be automatically extended an additional two years.
- B. Consistent with Section 130.68.050.C, conforming structures occupied by conforming uses which are subject to a discretionary permit, to include but not be limited to a Conditional/Minor Use Permit, Variance, or Design Review Permit, may be reconstructed subject to previously approved site and building plans, with review by staff to ensure compliance with the discretionary permit. In the case where an approved site plan is not available for review, the property owner shall obtain issuance of an Administrative Permit in compliance with Section 130.52.010 (Administrative Permit, Relief, or Waiver) in Article 5 (Planning Permit Processing) of this Title, to ensure compliance with the previously approved discretionary permit and all applicable development standards for the zone.

**Section 130.69.340 – CEQA Exemption**

All applications and permits approved under the provisions of this Chapter 130.69 are exempt from the requirements of the California Environmental Quality Act (CEQA) in compliance with Public Resources Code Subsections 21080(b)(1) and (b)(3) and Section 15269 of the CEQA Guidelines.

**Section 130.69.350 – Severability**

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter irrespective of whether one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases is held invalid or ineffective.

**Section 3.** The Board of Supervisors hereby finds and determines that the adoption of this urgency ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(3) (projects to maintain, repair, restore, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor); Public Resources Code Section 21080(b)(4) (actions necessary to mitigate an emergency); CEQA Guidelines Section 15269(a) (maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster-stricken area in which a state of emergency has been proclaimed by the Governor); CEQA Guidelines Section 15269(c) (specific actions necessary to prevent or mitigate

an emergency); and CEQA Guidelines Section 15061(b)(3) (common sense exemption). The Caldor Fire Resiliency and Rebuilding Ordinance is necessary to implement future ministerial projects that will reduce threats to health and property caused by the Caldor Fire disaster and allow property owners to more efficiently repair or rebuild their damaged homes and communities.

**Section 4.** The Board of Supervisors hereby declares, based on the findings set forth above, that there is an immediate need to preserve the public health, safety, and welfare constituting the urgency for adoption of this ordinance pursuant to Government Code Sections 25131 and 25133. Accordingly, this ordinance is adopted as an urgency ordinance and shall take effect and be in force immediately upon adoption by the Board of Supervisors, and shall remain in effect from the date of its adoption through December 31, 2026, unless extended or modified by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 10th day of September, 2021, by the following vote of said Board:

Ayes: Hidahl, Turnboo, Thomas, Parlin, Novasel

Noes: None

Absent: None

ATTEST


KIM DAWSON

Clerk of the Board of Supervisors

  
\_\_\_\_\_  
Deputy Clerk

  
\_\_\_\_\_  
John Hidahl, Chair, Board of Supervisors

**APPROVED AS TO FORM  
DAVID LIVINGSTON  
COUNTY COUNSEL**

By:   
\_\_\_\_\_  
Breann M. Moebius  
Deputy County Counsel

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**ORDINANCE NO. 5136**

**AN URGENCY ORDINANCE OF EL DORADO COUNTY BOARD OF SUPERVISORS  
ADOPTING AMENDMENTS TO TITLE 130 OF THE EL DORADO COUNTY  
ORDINANCE CODE TO TEMPORARILY AMEND RESTRICTIONS ON THE USE OF  
RECREATIONAL VEHICLES AS A TEMPORARY HOUSING OPTION**

**WHEREAS**, Government Code 25131 allows urgency ordinances to be passed immediately upon introduction at either a regular or special meeting and Government Code 25123 states that ordinances adopted for the immediate preservation of the public peace, health, or safety shall contain a declaration of the facts constituting the urgency, it must be passed by 4/5ths vote of the Board of Supervisors and such urgency ordinance is effective immediately; and

**WHEREAS**, pursuant to Government Code Section 65852.150, the California Legislature found and declared that, among other things, California faces a severe housing crisis and is falling far short of meeting current and future housing demand with serious consequences for the state's economy, our ability to build green infill consistent with state greenhouse gas reduction goals, and the well-being of our citizens, particularly lower and middle-income earners; and

**WHEREAS**, on January 8, 2020, Governor Gavin Newsom issued Executive Order N-23-20 declaring that California faces a severe housing crisis that has made housing unaffordable for too many Californians and, in turn, exacerbated the problem of homelessness; and

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19 to public health and safety throughout the entire State of California; and

**WHEREAS**, on March 16, 2020, Governor Gavin Newsom issued Executive Order N-28-20 that authorizes local governments to halt evictions for renters and homeowners, slows foreclosures, and protects against utility shutoffs for Californians affected by COVID-19 noting that "People shouldn't lose or be forced out of their home because of the spread of COVID-19"; and

**WHEREAS**, on March 19, 2020, Governor Gavin Newsom issued Executive Order N-33-20 to order all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors; and

**WHEREAS**, on March 19, 2020, the El Dorado County Public Health Director, Dr. Nancy Williams, issued a Public Health Directive to require "all individuals living in the county remain in their place of residence to the fullest extent possible." The directive exempts individuals experiencing homelessness but urges them to find shelter and seek existing public services to meet their needs; and

**WHEREAS**, there is insufficient availability of temporary shelter to adequately house special populations financially or physically impacted by COVID-19 or other health conditions that require the care of family members and who may otherwise be homeless; and

**WHEREAS**, the public health crisis is threatening to exacerbate the housing crisis for our most vulnerable populations affecting individual and community-wide health and safety unless specific temporary measures are taken while provisions for permanent housing are sought; and

**WHEREAS**, the Board of Supervisors finds that it needs to take action to provide a temporary housing option in order to address the urgency issues set forth above; and

**WHEREAS**, the Board of Supervisors finds that minor text edits to the County's Zoning Ordinance are necessary to implement a temporary housing option that allows for the temporary use of a Recreational Vehicle (RV) for temporary housing upon issuance of a Temporary Mobile Home Permit; and

**WHEREAS**, the provisions of this Ordinance are separate and severable. If any provision of this Ordinance is for any reason held by a court to be invalid, the Board declares that it would have passed this Ordinance irrespective of the invalidity of the provision held to be invalid and such invalidity shall therefore not affect the remaining provisions of this Ordinance or the validity of its application to other persons or circumstances; and

**WHEREAS**, the following Sections of Title 130 of the El Dorado County Zoning Ordinance shall be amended as shown, on an interim uncodified basis, for the effective period of this Urgency Ordinance for Temporary Housing Options (Ordinance).

**NOW THEREFORE, BE IT RESOLVED THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:**

**Section 1.** The Board of Supervisors finds and declares that the above recitals are true and correct and are incorporated herein. Such recitals constitute a declaration of the facts constituting the urgency.

**Section 2.** Subsection 130.40.190.B entitled "Mobile/Manufactured Homes - Permit Requirements" is amended to add Subsection 8 entitled "Temporary Housing Option Recreational Vehicle" as set forth below:

**8. Temporary Housing Option Recreational Vehicle.** One "Temporary Recreational Vehicle" (TRV) may be allowed on a lot measuring one acre or larger, in compliance with permit requirements under Section 130.52.050 (Temporary Mobile Home Permit) in Article 5 (Planning Permit Processing) of this Title.

- a. A "Temporary Recreational Vehicle" (TRV) is defined in this Section as meaning a motor home or travel trailer with or without motive power, originally designed for human habitation that is: designed for recreational or emergency occupancy; contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms; contains 400 square feet or less of gross area measured at maximum horizontal projections; is built on a single chassis; is self-propelled or permanently towable on

California roadways bearing the state or federal insignia of approval for recreational vehicles and maintains current registration with the Department of Motor Vehicles (DMV).

- b. A TRV is for the following uses:  
To provide temporary housing for a property owner or family member and/or to allow for in-home care of family members who reside on the lot; or by a caretaker where the purpose of the caretaker is to assist elderly or disabled homeowner(s) with their personal care and/or the care and protection of their property.. The elderly or disabled owner(s) must reside in the primary dwelling or accessory dwelling unit. Under this Section “elderly” shall mean a person 62 years of age or older.
- c. Exceptions: A TRV may be allowed on a lot of less than one acre in the event of fire, flood, or other disaster, which has destroyed or damaged a dwelling to the point where it is no longer habitable and the property owner needs a temporary mobile home or TRV in which to reside.
- d. This Urgency Ordinance for Temporary Housing Options is set to sunset from this Title three years from the date of adoption (December xx, 2020) upon which date no new TRV permits may be issued or renewed.

**Section 3.** Subsection 130.52.050.D entitled “Temporary Mobile Home Permit Requirements” is amended to add Subsection 6 as set forth below:

- 6. In addition to the provisions in Subsection B.2 (Applicability) above in this Section, in residential and agricultural zones suitable for residential development on lots measuring one acre or larger, one “Temporary Recreational Vehicle” (TRV), as defined in Subsection 130.40.190.B.8, may be allowed on site as a temporary housing option, under a Temporary Mobile Home Permit pursuant to the following criteria:
  - a. The method of establishing suitability for residential development may be based on topography, access and connections to groundwater (or public water) or septic (or sewer) capability in accordance with Title 110 – Buildings and Construction, Section 110.32.150 (Temporary Mobile Homes), including enforcement thereof as stated in Section 110.32.250 (Enforcement), and other utility infrastructure requirements. The parcel’s suitability for residential development, given the evidence and information provided will be evaluated during the Temporary Mobile Home Permit application process including but not limited to the following:
    - (1) Proof that there is an adequate potable water supply consisting of an operating well or water service connection is provided on the site as required by the Department of Environmental Management. Any alternative water system for the TRV shall be approved by the Department of Environmental Management prior to the issuance of a TRV permit. .
    - (2) A functioning septic system or public sewer system connection shall exist at the site. Septic systems connections or alternative wastewater disposal methods require review and approval by the El Dorado County Environmental Management Department.
    - (3) The site shall contain electrical service to a TRV used for temporary housing.

- b. If the parcel has an existing permitted primary dwelling, then establishing suitability for residential development is not required as long as the proposed TRV meets the development standards for the zone with the appropriate groundwater (public water), septic (sewer) capacity, and power hook-ups.
  
- c. The applicant shall comply with all development standards for the zone and any other statutes and ordinances relating to building, fire, and health codes in addition to the following:
  - (1) A current DMV registration and operating permit shall be required and maintained on the TRV at all times;
  - (2) A TRV used for temporary housing shall be structurally sound and protect its occupants against the outdoor elements, including snow load;
  - (3) Alterations to a TRV are prohibited;
  - (4) Property owner must certify that a TRV used for temporary housing shall be equipped with smoke alarm/carbon detectors;
  - (5) The parking site for a TRV used for temporary housing must be located on the lot and shall be paved with hard durable surface with adequate drainage; and
  - (6) A TRV used for temporary housing shall not be used as a rental unit.
  
- d. **Permit Revocation:** The County may revoke a Temporary Mobile Home Permit for a TRV if the placement or occupancy of the recreational vehicle:
  - (1) Is in violation of any local, state or federal laws or regulations, or
  - (2) Appears to create a nuisance, such as by:
    - i. Accumulation, proliferation, or dispersal of trash, debris, or personal possessions; or
    - ii. Constitutes an unlawful activity; or
    - iii. Creates a disturbance that exceeds the standard outlined in Section 130.37.060 (Noise Standards) in Article 3 of this Title.
  - (3) If a property owner or owners who hold a Temporary Mobile Home Permit violate any provisions of the permit or of this subsection, the property owner or owners will be served with a notice setting forth the nature of the violation. If, within a period of 30 days from the date of such notice, the property owner or owners have not complied with the provisions of the permit or of this subsection, the permit shall be revoked.
  - (4) Property owner(s) must certify in a statement that if violations concerning the Temporary Mobile Home Permit are not removed or abated by the property owner by the specified date in a notice, that such materials, up to and including the TRV, may be removed under authority of the County, and the costs of such removal and abatement may be made a legal charge against the owner or owners of the property, a lien imposed on and recorded against the property in the amount of such costs, and such costs referred to the County Auditor for collection together with property taxes on such property pursuant to the provisions of Health and Safety Code Sections 14875 through 14931, and Government Code Section 25845. Upon full recovery of County costs, a new



TRV permit may be obtained after compliance with the provisions of this chapter and the payment of a fee as specified in the building fee schedule as adopted by the Board.

- (5) The conditions in this subsection also pertain to violations by a property owner or owners with an expired Temporary Mobile Home Permit.

**Section 4.** The Board hereby finds and determines that the adoption of the urgency ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to statutory exemption 21080(b)(4) (Emergency Projects); CEQA Guidelines Section 15269(c) (Specific actions necessary to prevent or mitigate an emergency); and CEQA Guidelines Section 15061(b)(3)(Common Sense Exemption). The urgency ordinance is required to implement future ministerial projects that will reduce threats to health and property, while increasing a temporary housing stock. The use of temporary recreational vehicles as temporary housing options are restricted to lots that meet the standards under subsection 130.52.050.D (Temporary Mobile Home Permit Requirements) in Article 5 of Title 130 (Zoning); therefore, the adoption of the urgency ordinance would not have the potential to cause a significant environmental impact, and no further CEQA analysis is needed.

**Section 5.** The Board hereby declares, based on the findings set forth above, that there is an immediate need to preserve the public health, safety, and welfare constituting the urgency for adoption of this Ordinance pursuant to Government Code Sections 25131 and 25123. Accordingly, this Ordinance is adopted as an urgency ordinance and shall take effect and be in force immediately upon adoption by the Board of Supervisors, and shall remain in effect from the date of its adoption for three years.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 2nd day of December, 2020, by the following vote of said Board:

**ATTEST**

**KIM DAWSON**

Clerk of the Board of Supervisors


By: 

Deputy Clerk

Ayes: Hidahl, Frentzen, Veerkamp, Parlin, Novasel

Noes: None

Absent: None

  
\_\_\_\_\_  
Brian K. Veerkamp  
Chair, Board of Supervisors

**APPROVED AS TO FORM**

**DAVID LIVINGSTON**

**COUNTY COUNSEL**

By: 

Title: County Counsel





**COUNTY OF LAKE**  
COMMUNITY DEVELOPMENT DEPARTMENT  
Courthouse - 255 N. Forbes Street  
Lakeport, California 95453  
Telephone 707/263-2221 FAX 707/263-2225

### **Policy concerning Permitting of Temporary Dwellings While Recovering from Valley Fire**

Due to the extraordinary losses from the Valley Fire, the Governor issued an Executive Order that temporarily suspends (for up to 3 years) certain state and local regulations for the placement and occupancy of recreational vehicles and manufactured homes as temporary dwellings. This temporary suspension of regulations allows the County to issue permits for installation of RV's and MH's and conduct inspections based on minimum health and safety considerations for their installation on private property.

If you lost your home to the Valley Fire we will allow a recreational vehicle or manufactured home to be placed on your property for use as a temporary dwelling, provided that the following health and safety standards can be met:

1. The recreational vehicle or FEMA supplied manufactured home is for the occupancy of the residents of the particular parcel who lost their home on that parcel, unless being placed in a group site developed by FEMA or authorized by the County, or the unit is placed on another parcel in the Valley Fire Area with that property owner's permission as a temporary residence.
2. There is adequate area available on the property to place the recreational vehicle or manufactured home so as not to interfere with or impede the cleanup of the fire debris (if debris are still on the property).
3. There are no standing dead or damaged trees or other hazards in proximity of the unit that could fall upon or otherwise damage the recreational vehicle or manufactured home or harm its occupants.
4. There are no landslide risks to the site or the road providing access to the site that have the potential to trap or harm the occupants. (Dead-end road concern)
5. The site shall contain a water supply consisting of an operating well or community water service connection, with potable water.
6. A functioning septic system or public sewer system connection shall exist at the site. Septic systems need to be inspected by Lake County Environmental Health.
7. The manufactured home or RV shall not be placed on the site in a location that would impede reconstruction of the permanent residence.
8. The floor elevation of the RV or FEMA MH should be located above the 100 year flood elevation.

When these criteria can be met, please apply for a Temporary Dwelling Permit with the Lake County Community Development Department so that we can coordinate the necessary health and safety inspections and authorize electrical service for your temporary dwelling. You can obtain a copy of the permit application form and submit it our office in the Courthouse between 1 and 5 pm Monday through Friday. The form can also be downloaded at:

There is no fee for the permit, which will provide for the following minimum inspections to be completed prior to occupancy:

- a. Verification that unsafe conditions do not exist at the site for the recreational vehicle or manufactured home installation based upon the above stated criteria.
- b. Temporary electrical service.
- c. Inspection of electrical, water and sewer connections to the unit.
- d. Sites with on-site sewage disposal systems also need to be inspected by the Lake County Environmental Health Division to verify that the system was not damaged by the fire.

For those whose properties cannot currently meet the above minimum health and safety criteria, other options are being considered, such as placement of your temporary dwelling on another property owned by a friend or relative within the southern portion of the county, and development of small group sites on larger parcels. Please contact us at 707-263-2221 to discuss possible alternatives. We will do our best to assist you in finding an alternative solution.