

1 **CHAPTER 53 - CAMP FIRE RECOVERY**

2 **Article I. Findings and Title**

3 **Section 53-1. Emergency Findings.**

4 This Urgency Ordinance is adopted pursuant to California
5 Government Code Sections 25123(d) and 25131 and shall take effect
6 immediately upon its approval by at least a four-fifths vote of
7 the Board of Supervisors. The Board, in consultation with the Local
8 Health Officer, finds that this Ordinance is necessary for the
9 immediate preservation of the public peace, health and safety,
10 based upon the following facts:

11 A. Conditions of extreme peril to the safety of persons and
12 property within the County were caused by the Camp Fire,
13 commencing on the 8th day of November, 2018, at which time
14 the Board of Supervisors was not in session.

15 B. California Government Code Section 8630 empowers the County
16 Administrator to proclaim the existence of a local emergency
17 when the county is affected or likely to be affected by a
18 public calamity, subject to ratification by the Board of
19 Supervisors at the earliest practicable time.

20 C. On November 8, 2018, the County Administrator of the County
21 of Butte proclaimed the existence of a local emergency within
22 Butte County due to the Camp Fire.

23 D. On November 8, 2018, the Acting Governor of the State of
24 California proclaimed a State of Emergency for Butte County
25 pursuant to the California Emergency Services Act, commencing
26 with Section 8550 of the Government Code, and on November 14,

1 2018, the Governor issued Executive Order B-57-18 concerning
2 the Camp Fire.

3 E. On November 9, 2018, the Camp Fire was still burning through
4 the County and despite firefighters' best efforts, the
5 wildfire was not contained. Evacuation orders were in place
6 and numerous severe public health and safety hazards were
7 present in the Camp Fire area, including many blocked roads
8 from fallen power lines, burned trees and vehicles, numerous
9 burned vehicles were left throughout the Camp Fire area due
10 to survivors fleeing their vehicles in efforts to survive the
11 wildfire, no available utilities, no available public
12 services and the presence of human remains and animal
13 carcasses. At the time, the County estimated that 2,000
14 structures had burned in the Camp Fire.

15 F. On November 9, 2018, Dr. Andrew Miller, Butte County's Local
16 Health Officer, issued a Declaration of Health Emergency
17 pursuant to California Health and Safety Code section 101080.
18 Dr. Miller's declaration stated that the local health
19 emergency was a consequence of the debris resulting from the
20 Camp Fire that contains hazardous material in the ash of the
21 burned qualifying structures. The purpose of the Declaration
22 was to address the immediate threat to the public health and
23 the imminent and proximate threat of the introduction of
24 contagious, infectious or communicable disease, chemical
25 agents, non-communicable biologic agents, toxins and/or
26 radioactive agents present at the time in the Camp Fire area.

1 The threats included (1) the enormous amount of fire debris
2 present in the Camp Fire area, including ash and debris
3 containing hazardous materials and probable radioactive
4 materials present in ash and debris from qualifying
5 structures, (2) the threat of infectious or communicable
6 disease and/or non-communicable biologic agents due to animal
7 carcasses, radioactive waste and perishable foods, (3) the
8 potential contamination or destruction of the residential and
9 commercial water supply in the Camp Fire area and (4) the
10 potential pollution of the drinking water downstream from the
11 Camp Fire area if weather conditions caused the spread of the
12 hazardous materials in the ash and debris of burned qualifying
13 structures.

14 G. On November 12, 2018, the President of the United States
15 declared the existence of a major disaster in the State of
16 California, providing assistance from many federal agencies,
17 including the Federal Emergency Management Agency (FEMA).

18 H. On November 13, 2018, the Board of Supervisors adopted
19 Resolution No. 18-169 ratifying the County Administrator's
20 proclamation of the existence of a local emergency in Butte
21 County. The resolution also requested that the State of
22 California waive regulations that may hinder response and
23 recovery efforts, as well as make available assistance under
24 the California Disaster Assistance Act or any other state
25 funding, and that the Federal Government expedite access to
26

1 federal resources and any other appropriate federal disaster
2 relief program.

3 I. On November 13, 2018, the Board of Supervisors ratified Dr.
4 Miller's Declaration of Health Emergency.

5 J. On November 21, 2018, the status of the Camp Fire area was as
6 follows: firefighters had contained the Camp Fire; the
7 Sheriff had lifted some evacuation orders; work crews had
8 removed fallen power lines, burned vehicles and trees
9 blocking the roads; utilities including electric power, gas
10 and non-potable water had become available; no local
11 businesses were open to serve the public; and no public
12 services were available. Further, preliminary actions had
13 been taken to mitigate the risk from animal carcasses,
14 radioactive waste and perishable foods in the Camp Fire area,
15 however, concerns regarding the threats remained. The public
16 health hazards present in the Camp Fire area included (1) the
17 public health hazards from the enormous amount of fire
18 debris, (2) the public health hazard from the hazardous
19 materials and probable radioactive materials present in the
20 ash and debris from destroyed qualifying structures, (3) the
21 threat of infectious or communicable disease and/or non-
22 communicable biologic agent due to the presence of animal
23 carcasses, perishable foods and radioactive waste and (4) the
24 potential pollution of the drinking water downstream from the
25 Camp Fire area if weather conditions caused the spread of the
26 hazardous materials in the ash and debris of burned qualifying

1 structures. At the time, the County estimated that the Camp
2 Fire had destroyed 18,000 structures.

3 K. On November 21, 2018, Dr. Miller issued a Hazard Advisory
4 strongly suggesting residents should not reside on property
5 with qualifying structures damaged or destroyed by the Camp
6 Fire until the property had been cleared of hazardous waste,
7 ash and debris and certified clean by the Department of Public
8 Health, Environmental Health Division. When the evacuation
9 orders were lifted, the Department of Public Health provided
10 residents who chose to visit their property to collect
11 valuables with re-entry packets to improve their safety
12 during the visit. The re-entry packets included personal
13 protective equipment and information on the dangerous
14 conditions and toxic materials present in the Camp Fire area.
15 The re-entry packets were intended to improve public safety
16 from the public health hazards encountered during the visit,
17 but was not intended to encourage long-term habitation. The
18 purpose of the Hazard Advisory was to address the public
19 health hazards present at the time in the Camp Fire area,
20 including (1) the enormous amount of fire debris present in
21 the Camp Fire area, (2) the hazardous materials and probable
22 radioactive materials present in ash and debris from
23 qualifying structures, (3) the lessened but still present
24 threat of infectious or communicable disease and/or non-
25 communicable biologic agents due to animal carcasses,
26 radioactive waste and perishable foods, (4) the potential

1 contamination or destruction of the residential and
2 commercial water supply in the Camp Fire area and (5) the
3 potential pollution of the drinking water downstream from the
4 Camp Fire area if weather conditions caused the spread of the
5 hazardous materials in the ash and debris of burned qualifying
6 structures.

7 L. The Camp Fire to date has consumed 153,336 acres and has led
8 to the destruction of 13,696 residences, damage to 462
9 residences, the destruction of 276 multiple family
10 residences, the destruction of 528 commercial buildings,
11 damage to 102 commercial buildings, the destruction of 4,293
12 other minor structures, and resulted in the evacuation of
13 over 50,000 people. As a result, the Camp Fire has created an
14 enormous amount of debris.

15 M. There exists the potential for widespread toxic exposures and
16 threats to public health and the environment in the aftermath
17 of a major wildfire disaster, and debris and ash from
18 residential and commercial structure fires contain hazardous
19 materials and the harmful health effects of hazardous
20 materials produced by a wildfire are well-documented.

21 N. The combustion of building materials such as siding, roofing
22 tiles, and insulation results in dangerous ash that may
23 contain asbestos, heavy metals and other hazardous materials.
24 Household hazardous waste such as paint, gasoline, cleaning
25 products, pesticides, compressed gas cylinders, and chemicals
26

1 may have been stored in homes, garages, or sheds that may
2 have burned in the fire, also producing hazardous materials.

3 O. Exposure to hazardous materials may lead to acute and chronic
4 health effects and may cause long-term public health and
5 environmental impacts. Uncontrolled hazardous materials and
6 debris pose significant threats to public health through
7 inhalation of dust particles and contamination of drinking
8 water supplies. Improper handling can expose residents and
9 workers to toxic materials, and improper transport and
10 disposal of fire debris can spread hazardous substances
11 throughout the community.

12 P. Standards and removal procedures are needed immediately to
13 protect the public health and environment, and to facilitate
14 coordinated and effective mitigation of the risks to the
15 public health and environment from the health hazards
16 generated by the Camp Fire disaster.

17 Q. The Camp Fire has created hazardous waste conditions in Butte
18 County in the form of contaminated debris from household
19 hazardous waste/materials and structural debris resulting
20 from the destruction of thousands of structures. This
21 hazardous waste debris poses a substantial present or
22 potential hazard to human health and the environment until
23 the property is certified clean. The accumulated exposure to
24 hazardous waste debris over an extended period of time poses
25 a severe hazard to human health.

26

1 R. The Board of Supervisors previously approved urgency
2 ordinances and/or related resolutions relating to the Camp
3 Fire disaster recovery on December 11, 2018, December 21,
4 2018, January 8, 2019 and January 29, 2019. The actions
5 addressed the need for the regulation of debris removal to
6 alleviate the public health, safety and welfare concerns
7 associated with the ash and debris of qualifying structures
8 and temporary emergency housing options.

9 S. As of February 4, 2019, the status of the Camp Fire disaster
10 recovery is as follows: (1) Phase I cleanup by the U.S.
11 Environmental Protection Agency and the California Department
12 of Toxic Substances Control is complete, which has reduced
13 the public health concerns relating to the most hazardous
14 materials present in the Camp Fire area, (2) Phase II of the
15 cleanup pursuant to the Government (CalOES) Program and the
16 Alternative Program has commenced, (3) utilities are
17 available (except for potable water), (4) numerous businesses
18 have opened to serve the public, (5) public services are
19 available, including a FEMA and CalOES jointly-operated
20 Disaster Recovery Center in Paradise, California. Current
21 threats include (1) the enormous amount of fire debris present
22 in the Camp Fire area, (2) hazardous materials and probable
23 radioactive materials present in ash and debris from
24 qualifying structures, (2) the potential pollution of the
25 drinking water downstream from the Camp Fire area if weather
26 conditions caused the spread of the hazardous materials in

1 the ash and debris of burned qualifying structures. The
2 purpose of this ordinance is to allow residents to live on
3 properties in the Camp Fire area that do not contain fire ash
4 and debris from a qualifying structure destroyed or damaged
5 by the Camp Fire.

6 T. The Debris Removal Operations Plan for the Camp Fire prepared
7 by the CalOES/CalRecycle Incident Management Team provides
8 that the DTSC has issued reports regarding the assessment of
9 burn debris from wildfires in the past. The studies of burned
10 residential homes and structures from large scale wildland
11 fires indicated that the resulting ash and debris can contain
12 asbestos and toxic concentrated amounts of heavy metals such
13 as antimony, arsenic, cadmium, copper, lead, and zinc.
14 Additionally, the ash and debris may contain higher
15 concentrations of lead if the home was built prior to 1978
16 when lead was banned from household paint in the United
17 States. The reports indicated that the residual ash of burned
18 residential homes and structures has high concentrations of
19 heavy metals that can be toxic and can have significant impact
20 to individual properties, local communities, and watersheds
21 if the ash and debris is not removed safely and promptly. The
22 plan also indicates that the purpose of the structural debris
23 removal program is to remove debris that poses a risk to
24 health and/or the environment. Debris from structures smaller
25 than 120 square feet are not included in the program.

1 U. The Local Health Officer, Dr. Miller, has indicated the
2 following: (1) the Phase II cleanup of the properties
3 containing ash and debris from a qualifying structure
4 mitigates the public health hazards of the Camp Fire; (2)
5 failing to clean properties containing ash and debris from a
6 qualifying structure can have severely negative long-term
7 consequences to the public health and environment; (3)
8 therefore, the County's focus must be on accomplishment of
9 the Phase II cleanup to address the public health hazards;
10 (4) the standard for determining when a property is clean
11 from ash and debris from a qualifying structure is when the
12 Phase II cleanup work is complete and the property is
13 certified clean by the Department of Public Health,
14 Environmental Health Division; (5) as ash and debris of
15 qualifying structures is the focus of the Phase II cleanup
16 work, the significance of the public health risks is higher
17 on properties with ash and debris from a qualifying structure;
18 (6) given the progress the Camp Fire disaster recovery has
19 made with respect to the hazards identified in the findings
20 above, the remaining significant public health hazard is the
21 ash and debris from qualifying structures; (7) based on the
22 foregoing, properties that contain ash and debris from
23 qualifying structures constitute a significant public health
24 risk and therefore, those properties should be ineligible for
25 temporary emergency housing until Phase II cleanup work is
26 completed on the property and is certified clean by the

1 Department of Public Health, Environmental Health Division;
2 and (8) properties that do not contain ash and debris from a
3 qualifying structure do not pose a significant public health
4 risk and should be eligible for temporary emergency housing.

5 V. There is an immediate need for housing to accommodate persons
6 who have been displaced by the Camp Fire. This Chapter
7 temporarily relaxes some building and zoning regulations to
8 allow for additional housing both inside and outside of the
9 Camp Fire affected area for displaced persons. Due to the
10 magnitude of the destruction, there is a need to provide for
11 sufficient housing options both inside and outside of the
12 Camp Fire affected area.

13 W. It is essential that this Ordinance become immediately
14 effective (1) to mitigate the harm that could be caused to
15 the public health and safety and to the environment from the
16 improper disturbance, removal and/or disposal of debris
17 containing hazardous materials, and to facilitate the orderly
18 response to the Camp Fire disaster; and (2) to allow the
19 fastest possible transition of homeless and displaced
20 residents to interim and long-term shelter.

21 **Section 53-2. Title.**

22 This Chapter shall be known and may be cited as the Camp Fire
23 Disaster Recovery Ordinance.

24 **ARTICLE II. DEBRIS REMOVAL**

25 **Section 53-10. Definitions.**

26

1 **Alternative Program.** For purposes of this Article, the term
2 "Alternative Program" shall mean the requirements for inspections,
3 clean up and disposal established by the County of Butte for
4 property owners that opt out of or are ineligible for the OES
5 Program.

6 **Board.** The term "Board" means the Board of Supervisors.

7 **Director.** The term Director shall mean the Butte County Director
8 of Public Health and his/her designee.

9 **OES Program.** For purposes of this Article, the term "OES Program"
10 shall mean the fire damage debris clearance program operated by
11 the Office of Emergency Services for the Camp Fire in conjunction
12 with other State and Federal agencies.

13 **Phase I.** For purposes of this Article, the term "Phase I" shall
14 mean the hazardous waste cleanup performed by the United States
15 Environmental Protection Agency and/or Department of Toxic
16 Substances Control on certain properties impacted by the Camp Fire.

17 **Phase II.** For purposes of this Article, the term "Phase II" shall
18 mean the ash and debris cleanup work performed pursuant to the OES
19 Program and/or the Alternative Program.

20 **Private Action.** For the purposes of this Article, the term "private
21 action" shall mean the removal of fire debris from private property
22 damaged by the Camp Fire by persons not eligible for or opting out
23 of the OES Program and participating in the Alternative Program.

24 **Qualifying structure.** For the purposes of this Article, the term
25 "qualifying structure" shall mean a structure of 120 square feet
26 and over.

1 **Removal of Fire Debris.** The term "removal of fire debris" as used
2 in this Article includes all cleanup of fire debris from structures
3 resulting from the Camp Fire, including removal, transport and
4 disposal of fire debris, but it does not include the removal of
5 personal property from residential sites unless such removal of
6 personal property involves cleanup and the removal of ash from the
7 property.

8 **Right of Entry Permit.** The term "Right of Entry Permit" means the
9 Debris Removal Right-of-Entry Permit (For Providing Debris Removal
10 on Private Property) approved by the California Office of Emergency
11 Services for use in the cleanup after the Camp Fire.

12 **Temporary Log Storage Yards (AKA: Log Decks).** For purposes of
13 this Article, a site where piles of logs and other piles of
14 vegetation removed from the Camp Fire affected area are temporarily
15 stored and processed before transfer to trucks or rail. The logs
16 and vegetation must be associated with the Camp Fire recovery
17 effort, i.e., logs and vegetation that are burn-damaged or
18 otherwise removed due to safety issues associated with the Camp
19 Fire. Logs and wood waste originating from routine utility line
20 maintenance shall not be stored at Temporary Log Storage Yards.
21 This definition and Section 53-19 do not apply to logs and/or
22 vegetation harvested or cleared as part of a timber harvest plan
23 or exemption under the Forest Practice Rule that are stored and/or
24 processed on the property on which they were harvested or cleared.
25 This definition and Section 53-19 only applies to logs and
26 vegetation transported to another property. A temporary log

1 storage yard shall not exist beyond the Effective Period. No
2 structural fire debris or hazardous materials may be brought onto
3 or stored in the yard including any that may have been deposited
4 on logs or vegetation. Temporary Log Storage Yards allow for the
5 processing of logs and vegetation (e.g., chipping, milling, etc.)
6 but not the burning of logs and vegetation, and may include
7 associated equipment repair, construction trailers, employee
8 parking and portable bathroom facilities set up for use by the
9 personnel assigned to the yard, but not residences other than the
10 transitory use of a recreational vehicle for a temporary caretaker
11 quarters in conformance with Section 53-34 of this Chapter.

12 **Section 53-11. Effective Period.**

13 This Article relating to debris removal shall take effect
14 immediately upon adoption and shall remain in effect until the
15 removal of fire debris has been completed on all properties damaged
16 by the Camp Fire. Regardless of when the removal of fire debris
17 has been completed, Section 53-19 relating to Temporary Log Storage
18 Yards, as well as any sections within this Article that relate to
19 it, shall remain in effect until December 31, 2020, unless
20 otherwise specified herein, subject to extension or modification
21 by the Board of Supervisors.

22 **Section 53-12. Prohibition on Removal of Fire Debris from Private**
23 **Property.**

24 No fire debris from structures shall be removed from private
25 property except pursuant to the requirements of the table below.
26

	No structure on burned property	Non-qualifying structures (Structures less than 120 square feet only on burned property)	Qualifying structures (Structures 120 square feet and over on burned property)
Prior to completion of Phase I cleanup	Owner may remove debris	Debris removal prohibited	Debris removal prohibited
Prior to completion of Phase II cleanup	Owner may remove debris	Owner may remove debris with certificate from the Department of Public Health, Environmental Health Division	CalOES or Alternative Program contractors only may remove debris
Following Phase II cleanup	Owner may remove debris	Owner may remove debris with certificate from the Department of	Owner may remove remaining debris not removed during Phase II with

		Public Health, Environmental Health Division	certificate from the Department of Public Health, Environmental Health Division
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For the purposes of this Article, the requirement to enter into the CalOES Program or the Alternative Program shall apply only to properties that contained a qualifying structure under the OES Program. The requirement shall not apply to properties that only contained non-qualifying structures, including but not limited to sheds, canopies, carports, well houses, greenhouses, chicken coops or fencing. Whether fire debris derived from a qualifying or non-qualifying structure shall be determined by the Director, or his or her designee, in consultation with CalOES.

Section 53-13. Removal of Fire Debris through the OES Program.

- A. Effect of the Right of Entry Permit: The Right of Entry Permit shall function as the sole permit and authorization for participation in the OES Program.
- B. Notwithstanding any contrary provision in Butte County Code, no County approvals or permits for fire debris removal are required for properties participating in the OES Program, other than the Right of Entry agreement.

Section 53-14. Removal of Fire Debris through the Alternative Program.

1 A. The County shall administratively adopt and administer the
2 Alternative Program in the unincorporated areas of Butte
3 County under the supervision of the Chief Administrative
4 Officer or his or her designee. The County shall utilize the
5 state and federal standards and cleanup goals of the OES
6 Program as the standards for the Alternative Program. Under
7 the Supervision of the Chief Administrative Officer or his or
8 her designee, the County may administratively update these
9 standards as necessary to address ongoing changes in the
10 administration of the OES Program and the need to efficiently
11 remove hazardous fire debris from the community.

12 B. For those persons who are not eligible for the OES Program,
13 or who opt out of the OES Program, private action to remove
14 fire debris from fire-damaged properties is prohibited unless
15 and until a hazardous materials inspection has been performed
16 and authorization from the Department of Public Health,
17 Environmental Health Division has been provided pursuant to
18 the Alternative Program.

19 C. The Alternative Program shall require an application and work
20 plan that identifies the appropriate licensed contractors who
21 will perform the work and the submission of plans that
22 demonstrate that the standards established in the Alternative
23 Program will be met. Work shall not begin until the County
24 approves the application and work plan. The County may rely
25 upon the subject matter expertise of multiple departments in
26 deciding whether to approve the application and work plan.

1 D. Upon completion of the work described in the approved plans,
2 the Alternative Program shall require an application for
3 certification of successful completion of the work required
4 by the Alternative Program. The Alternative Program will
5 require that:(1) the debris removal and clean-up work on the
6 property meets or exceeds the standards set by the State of
7 California for debris removal; and (2) the owner completely
8 remove and dispose of the foundation or submit a letter from
9 a licensed civil or structural engineer certifying that the
10 foundation is acceptable for rebuild. The letter shall
11 certify structural reasons for the decision and include the
12 process and procedure used to reach the conclusion.

13 E. Notwithstanding any contrary provision in Butte County Code,
14 no county demolition permit shall be required for private
15 debris removal work for which the Director has issued an
16 approval allowing such work to proceed.

17 **Section 53-15. Hold on Building Permits.**

18 Any issued County of Butte building permit to repair or reconstruct
19 a fire damaged structure or private infrastructure shall be held
20 in abeyance and not acted upon until fire debris cleanup is
21 completed on the affected property and completion is confirmed to
22 the County Building Official, either through the OES Program or
23 through the Alternative Program. Notwithstanding the foregoing,
24 this section shall not apply to permits relating to power, sewer
25 or other utilities for temporary dwellings as provided for in this
26 Chapter.

1 **Section 53-16. Deadlines and Enforcement.**

2 A. The Board may set a deadline for filing an acceptable
3 application for the Alternative Program by resolution.

4 B. Properties that have fire ash and debris from the Camp Fire
5 and that have neither an approved Right of Entry Permit for
6 the OES Program nor an approved application for the
7 Alternative Program by the deadline set by the Board are
8 declared a nuisance and health hazard and such properties may
9 be abated pursuant to this Chapter.

10 C. The Board may set deadlines for the completion of work in the
11 Alternative Program by resolution. Properties that have fire
12 ash and debris from the Camp Fire after that deadline may be
13 declared a nuisance and health hazard.

14 D. The Board's intent is to facilitate orderly remediation of a
15 large scale disaster. Nothing in these deadlines shall limit
16 the authority of the County to abate hazards more quickly
17 where required by exigent circumstances. Nothing in this
18 Article or in these deadlines shall limit the authority of
19 the Health Officer to require preventive measures as defined
20 in California Health and Safety Code Section 101040.

21 E. Enforcement and Abatement.

22 (1) General Enforcement Action. When the Director determines that
23 an activity is being performed in violation of this Article,
24 the Director may initiate an enforcement action using any
25 process set forth in the Butte County Code and may seek the
26 imposition of costs and civil penalties pursuant to the Butte

1 County Code. Nothing in this provision is intended to prevent
2 alternate enforcement mechanisms, including but not limited
3 to, health officer orders pursuant to California Health and
4 Safety Code Section 101040.

5 (2) Summary Abatement. Pursuant to the authority of Cal. Const.,
6 art. XI, Section 7; California Health and Safety Code Section
7 101040, California Government Code Section 25845, and the
8 Butte County Code, if the Director determines that a violation
9 of this Article has created an emergency condition which
10 seriously endangers the public health or safety, the County
11 may abate the condition within the unincorporated territory
12 of the County of Butte. The costs shall be charged to the
13 property owners(s) and the County may, at its option, recover
14 the same in an administrative action as described below or a
15 civil action. Such charges shall be in addition to any penalty
16 for a violation of this Article.

17 i. Pre-Abatement Notice. Unless emergency conditions
18 preclude doing so, the Director shall issue a Summary
19 Abatement Notice and Order with reasonable notice. The
20 Notice and Order shall be mailed to the Property owner(s)
21 as listed on the last equalized tax roll. A summary of
22 the Notice and Order shall be posted in a conspicuous
23 location on the property to be abated at least 10
24 calendar days prior to the summary abatement action.

25 ii. Appeal and Waiver. The property owner(s) or any person
26 or entity having a legal interest in the property may

1 submit a written appeal of the Director's Order to the
2 Health Officer or his or her designee no later than 10
3 calendar days from the date of mailing of the Notice and
4 Order. The written appeal shall state the basis for the
5 appeal. The Health Officer or his/her designee shall
6 review the appeal and shall issue a written decision
7 (the "Decision") no later than 10 calendar days after
8 receipt. The Decision shall uphold, rescind or modify
9 the determination of the Notice and Order. The Decision
10 on the appeal shall be final. Failure to appeal within
11 the time prescribed shall constitute a waiver of the
12 right to contest the summary abatement.

13 iii. Post Abatement Notice. After the summary abatement is
14 completed, the Director shall serve the property
15 owner(s) with a post abatement notice that sets forth:
16 (a) the actions taken by the County; (b) the reasons for
17 the actions; (c) a statement of the costs, expenses and
18 attorney's fees, if any, of the abatement and notice of
19 the County's intent to collect those costs; and (d) right
20 to appeal the costs determination within 10 calendar
21 days of the notice. If the property owner is responsible
22 for any costs, expenses or attorney's fees, such costs
23 shall become a lien against the property and a Notice of
24 Abatement Lien may be recorded.

25 iv. Post Abatement Costs Appeal. If the property owner(s) or
26 anyone with a legal interest in the property submits a

1 timely costs appeal, the County shall schedule an
2 administrative hearing on the matter and provide the
3 appeal party with reasonable notice of the hearing. The
4 hearing conducted shall be held before a Hearing Officer
5 designated pursuant to the protocol set forth in that
6 document entitled the "Butte County Administrative
7 Hearing Officer Program." The Program is based upon an
8 alphabetical rotation through attorneys currently under
9 contract through the Program. The hearing officer shall
10 conduct an administrative hearing where each party shall
11 have the opportunity to present evidence and the County
12 shall have the obligation to establish that the costs,
13 including expenses and attorney's fees, if any, incurred
14 for the summary abatement were necessary by a
15 preponderance of the evidence. After the hearing, the
16 hearing officer shall issue a written decision and order
17 that shall be served upon the appealing party within 30
18 calendar days of the hearing unless extended by
19 agreement of the parties.

20 **Section 53-17. Judicial Enforcement Action.** The County Counsel is
21 authorized to initiate judicial enforcement as to a violation of
22 any provision of this Article without further Board approval.

23 **Section 53-18. Remedies Not Exclusive.** The remedies identified are
24 in addition to and do not supersede or limit any and all other
25 remedies, civil or criminal. The remedies provided in this Article
26 shall be cumulative and not exclusive.

1 **Section 53-19. Temporary Log Storage Yards.**

2 **A. Maximum Number of Sites.** The number of temporary log
3 storage yards shall be capped at a maximum of fifteen (15)
4 for the unincorporated area of Butte County.

5 **B. Allowed Zones.**

6 **1. Natural Resource Zones.** Timber Processing, as defined
7 by the Butte County Zoning Ordinance is allowed by-
8 right in the Timber Mountain (TM) and Timber
9 Production (TPZ) zones. The provisions of this
10 section do not apply to log storage yards in these
11 zones.

12 **2. Industrial Zones.** Timber Processing, as defined by
13 the Butte County Zoning Ordinance is allowed by-right
14 in the Heavy Industrial (HI) zone, and with a
15 conditional use permit in the General Industrial (GI)
16 zone. The provisions of this section do not apply to
17 log storage yards in these zones.

18 **C. Zones Requiring an Administrative Permit.** Temporary log
19 storage yards are allowed subject to approval of a
20 temporary administrative permit and compliance with the
21 standards set forth below in the following zones:

22 **1. Agriculture (AG) Zones,** limited to those Agricultural
23 zones classified as Grazing or Other lands by the
24 California Department of Conservation's Farmland
25 Mapping Program. Parcels shall be located near State
26 highways or truck haul routes that access the Camp

1 Fire area and outside of urban or congested areas.

2 2. General Commercial (GC) zone.

3 3. The Neal Road Recycling, Energy, and Waste Facility
4 Overlay Zone (-RW).

5 4. Foothill Residential (FR), Rural Residential (RR),
6 Planned Development (PD), and Public (P).

7 **D. Standards.** All temporary log storage yards shall meet the
8 following standards:

9 1. **Application for Temporary Administrative Permit.** The
10 property owner or the property owner's authorized
11 agent shall obtain a temporary administrative permit
12 for the Effective Period. Written consent of the
13 property owner is required in all cases.

14 2. **Site Plan Required.** A detailed site plan meeting
15 general architectural or engineering standards,
16 legible and drawn to scale that shows all the proposed
17 activities that will occur on-site, as well as the
18 approximate location of each activity, shall be
19 provided with the application for a temporary
20 administrative permit. Partial site plans for a
21 portion of a property may be submitted as long as a
22 vicinity map for the entire property showing frontage
23 streets, other uses and a cross reference of the area
24 of the partial site plan is provided. All site plans
25 shall show and label contours at maximum vertical
26 intervals of five feet; areas of proposed grading and

1 fill; the width of access roads to and around parking,
2 log piles and other piles, and buildings; and
3 turnaround areas for fire and emergency services. Any
4 change in the type of activity that will occur on-site
5 or the location of any activity requires the owner or
6 operator to apply for a new temporary administrative
7 permit.

8 3. **Siting Criteria.** To the extent practicable, temporary
9 log storage yards shall be located on flat areas of
10 the site that are already disturbed and in such a
11 manner to decrease impacts to uses on surrounding
12 properties.

13 4. **Parcel Size.** The temporary log storage yard site shall
14 be a minimum of 5 acres in the GC zone, 10 acres in
15 the FR, RR, PD, and P zones, and 20 acres in other
16 zones regardless of the actual area used for the
17 temporary log storage yard. Adjacent parcels may be
18 utilized to achieve this standard, provided each
19 owner's consent is provided with the application. All
20 parcels must be shown on the application, the site
21 plan, and all property owners shall provide written
22 permission.

23 5. **Approved Access.** Temporary log storage yards shall
24 have access onto a public road. If the public road is
25 a County road, the approach shall be made with an
26 encroachment permit approved by the Department of

1 Public Works. If the public road is a State highway,
2 the approach shall be made with an approved
3 encroachment permit issued by the California
4 Department of Transportation (CalTrans) District 3
5 Office. If the public road is accessed by a private
6 road, there shall be an approved encroachment permit
7 as required in the prior two sentences where the
8 private road connects to the public road, and there
9 shall be an approved road maintenance agreement that
10 allows for the proposed use along the private road.

11 6. **On-site Roads, Driveways and Aisles.** Temporary log
12 storage yards shall have on-site roads, driveways and
13 aisles. On-site roads, driveways and aisles shall have
14 a 6 inch Class 2 aggregate base, a minimum width of 25
15 feet, and shall be capable of supporting a 40,000 lb.
16 load that will allow for ingress and egress of fire
17 apparatus to within 150 feet of all piles and
18 structures, and shall have a vertical clearance of no
19 less than 15 feet.

20 7. **Property Line Setbacks and Defensible Space.** All log
21 piles and other piles shall be setback a minimum of
22 150 feet from all outside property lines and any
23 permanent structures. There shall be an area of
24 defensible space that is a minimum of 150 feet wide
25 around the perimeter of the temporary log storage area
26 that shall not be graded but shall be kept clear of

1 grass and vegetation to support fire protection by
2 clearing, disking, grubbing, and/or scraping. CAL-FIRE
3 shall have discretion to address unique circumstances.

4 8. **Biological Resources.** Temporary log storage yards
5 shall not be located on lands containing wetlands,
6 and/or endangered and protected plants and animal
7 species. A biological report shall be furnished to
8 the Department of Development Services demonstrating
9 that the site does not contain wetlands and/or
10 endangered or protected plants and animal species. A
11 temporary log storage yard shall not expand without
12 providing a site plan and a biological report to cover
13 the expanded area.

14 9. **Butte County Fire Department/CAL-Fire Standards.**
15 Temporary log storage yards and the associated
16 activities performed with them pose the risk of fire
17 if fire suppression measures are not taken. The
18 activities include working with and storing flammable
19 materials in areas that have little to no water on-
20 site and that are subject to fire. The County is
21 setting the fire standards it believes are
22 appropriate, but there are also State standards set
23 out in California Fire Code Chapter 28 with respect to
24 all log storage yards and incidental wood products
25 stored there. Fire officials shall enforce the most
26 stringent standards. Per California Public Resource

1 Code, Section 4428, each site shall have a sealed box
2 of tools that shall be located, within the operating
3 area, at a point accessible in the event of fire.

4 This fire toolbox shall contain: one backpack pump-
5 type fire extinguisher filled with water, two axes,
6 two McLeod fire tools, and a sufficient number of
7 shovels so that each employee at the operation can be
8 equipped to fight fire. In addition, one or more
9 serviceable chainsaws of three and one-half or more
10 horsepower with a cutting bar 20 inches in length or
11 longer shall be immediately available within the
12 operating area.

13 a. When a fire starts, a telephone call must be made
14 to 911 immediately to inform that there is a
15 fire. The facility operator shall develop a plan
16 for monitoring, controlling, and extinguishing
17 fires. The plan shall be submitted with the
18 application for the temporary administrative
19 permit for review and approval by fire officials.

20 b. Smoking may only occur in designated locations
21 shown on the site plan.

22 c. Log piles shall not exceed 20 feet in height, 300
23 feet in width, and 500 feet in length. Log piles
24 shall be stabilized by a means approved by the
25 fire marshal.

26

- 1 d. Other piles made of incidental log related
2 materials shall not exceed 20 feet in height, 150
3 feet in width, and 250 feet in length.
- 4 e. All piles shall be separated from all other piles
5 by 100 feet and shall include on-site roads,
6 driveways, and aisles as discussed above.
- 7 f. All piles shall be monitored by a means approved
8 by the fire marshal to measure temperatures.
9 Internal pile temperatures shall be monitored and
10 recorded weekly. A plan by the permittee for
11 restricting and mitigating excessive temperatures
12 shall be submitted with the application for the
13 temporary administrative permit for review and
14 approval by fire officials.
- 15 g. Regular inspections of the temporary log storage
16 yard by trained fire personnel shall be allowed
17 and facilitated by the facility operator.
- 18 h. Cutting activities shall comply with California
19 Fire Code Chapter 35.

20 **10. Butte County Public Health, Environmental Health**
21 **Division Standards.**

- 22 a. Depending on the activities performed on-site,
23 the temporary log storage yard may be determined
24 to be a solid waste facility. The facility
25 operator must provide access to the facility and
26 provide for review of the activities occurring at

1 the facility to the Local Enforcement Agency,
2 Butte County Environmental Health, to determine
3 if there exists a requirement to register for a
4 permit status as a solid waste facility in
5 accordance with Title 14 of the California Code
6 of Regulations.

7 b. For sanitation purposes there shall be a minimum
8 of one portable toilet and one handwash station
9 at the facility for employee use. The portable
10 toilet shall be routinely serviced by a licensed
11 service provider.

12 c. For water that is provided for human consumption,
13 either from an on-site well or transported to the
14 facility and held in a storage tank, the facility
15 operator must meet the following requirements: if
16 there are 25 or more people/day consuming the
17 water, the facility operator shall contact the
18 Butte County Environmental Health Division for
19 public water system permitting requirements and
20 must operate in accordance with those
21 requirements; if there are fewer than 25
22 people/day consuming the water, the facility
23 shall have the water tested for and be in
24 compliance with minimum bacteriological standards
25 as required by the Butte County Environmental
26

1 Health Division. If bottled water is provided,
2 there are no requirements for testing.

- 3 d. The storage of any hazardous material at or above
4 State-defined thresholds shall require the
5 approval of a Hazardous Material Business Plan by
6 the Environmental Health Division of the
7 Department of Public Health.

8 **11. Butte County Public Works Department Standards.**

- 9 a. Perimeter stormwater control - When the temporary
10 log storage yard is prepared for operations or
11 the soil is disturbed, improvements shall be
12 designed and implemented such that water
13 accumulating within the project will be carried
14 away from the project without injury to any
15 adjacent improvements, residential sites, or
16 adjoining areas. The design shall be prepared by
17 a Qualified Stormwater Developer who holds the
18 certification required by the CA Water Quality
19 Control Board's Construction General Permit 2009-
20 009-DWQ. All natural drainage that enters the
21 project area must leave the project area at its
22 original horizontal and vertical alignment and
23 with the same pre-improvement quantity.
24 Implementation of erosion control within the
25 project area and sediment control basins at
26 drainage outlets shall conform with California

1 Stormwater Quality Association (CASQA) design
2 criteria. Sites that meet EPA's criteria for a
3 Rainfall Erosivity Waiver
4 ([https://www.epa.gov/sites/production/files/2015-
5 10/documents/fact3-1.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/fact3-1.pdf)) or are fully stabilized
6 with erosion control measures are not required to
7 install sediment control basins.

8 b. Water quality and erosion control - When
9 submitting an application for a temporary log
10 storage yard, any surface disturbance over one
11 acre in size shall require a Storm Water
12 Pollution Prevention Plan (SWPPP) by a certified
13 Qualified SWPPP Developer and the submittal of a
14 Notice of Intent to obtain coverage under the
15 General Permit for Discharges of Storm Water
16 Associated with Construction Activity
17 (Construction General Permit Order 2009-0009-DWQ
18 as amended). If the area of disturbance is one
19 acre or less, then along with an application for
20 a temporary log storage yard, an Erosion and
21 Sediment Control Plan (ESCP) shall be developed
22 by the facility operator, submitted for approval,
23 and adhered to for erosion and sediment control.
24 The ESCP shall contain a description detailing
25 which Best Management Practices (BMP) will be
26 used, how they will be used, and where they will

1 be used in conformance with the California
2 Stormwater Quality Association (CASQA) BMP
3 Municipal Handbook. The ESCP shall contain a
4 description of temporary and permanent measures
5 and include ingress/egress control measures and
6 street sweeping. Plans shall be prepared by a
7 Qualified Stormwater Developer who holds the
8 certification required by the CA Water Quality
9 Control Board's Construction General Permit 2009-
10 009-DWQ. Upon completion of the project, all
11 temporary sediment control measures shall be
12 removed from the site. All permanent sediment
13 control measures must be maintained by the parcel
14 owner.

- 15 **12. Air Quality and Dust Control.** All best practice
16 measures to reduce impacts to air quality shall be
17 incorporated by the project applicant, subject
18 property owners, or third-party contractors during
19 activities on the project site. A plan shall be
20 provided to the satisfaction of the Director of
21 Development Services to address:
- 22 a. Mobile and stationary toxic air contaminants; and
 - 23 b. Fugitive dust and ash. Best practice measures
24 shall comply with the Butte County Air Quality
25 Management District's Rule 205 - *Fugitive Dust*
- 26

1 *Requirements* and shall include, but not be
2 limited to, the following:

- 3 1. Reduce the amount of the disturbed area
4 where possible. Stabilize disturbed area
5 soils during use and at project completion.
- 6 2. Apply water or a stabilizing agent in
7 sufficient quantities to prevent the
8 generation of visible dust plumes.
- 9 3. Limit vehicle speeds to 15 miles per hour on
10 any unpaved surfaces at the project site.
- 11 4. Clean visible track-out onto adjacent paved
12 roadways daily. Track-out shall not extend
13 more than 25 feet in cumulative length from
14 the active project site.
- 15 5. Post a sign in a prominent location visible
16 to the public with the telephone numbers of
17 the contractor and Air District for any
18 questions or concerns about dust from the
19 project.

20 13. **Storage or Processing of Debris Prohibited.** The
21 storage or processing of debris from the Butte County
22 Camp Fire Consolidated Debris Removal Program at any
23 temporary log storage yard, including the storage of
24 trucks or equipment loaded with debris, is expressly
25 prohibited.

1 14. **Noise.** Quiet hours shall be maintained from 7 pm to 7
2 am seven days a week. During quiet hours, generators
3 and heavy equipment shall not be operated and noise
4 levels shall conform to Butte County Code Chapter 41
5 A, Noise Control. Outside of quiet hours, noise
6 sources associated with temporary log storage yards
7 shall be exempt from the requirements of Butte County
8 Code Chapter 41A, Noise Control.

9 15. **Outdoor Lighting.** All outdoor lighting shall be
10 located, adequately shielded, and directed such that
11 no direct light falls outside the property line, or
12 into the public right-of-way in accordance with the
13 Butte County Zoning Ordinance, Article 14, Outdoor
14 Lighting.

15 16. **Reclamation Required.** The application for a temporary
16 administrative permit for a temporary log storage yard
17 shall be accompanied by a detailed plan for the
18 restoration or reclamation of the subject property to
19 the satisfaction of the Director of Development
20 Services. There shall be no grading of the site
21 without the prior approval of the Director of
22 Development Services, but if grading is allowed,
23 topsoil shall be conserved to be used for reclamation.
24 At minimum, a plan for restoration or reclamation
25 shall include:
26

- 1 a. Clearance of the site of all vehicles, equipment
2 and materials utilized as part of the temporary
3 log storage yard; and
4 b. Stabilization of the site, implementation of
5 erosion control measures, and successful
6 revegetation to the satisfaction of the Director
7 of Development Services in order to render the
8 site suitable for the use for which it was zoned,
9 for example:

- 10 1. Continued agricultural production in the
11 case of lands zoned Agriculture (AG).

12 17. **Performance Guarantee.** In approving a temporary
13 administrative permit for a temporary log storage
14 yard, the Director of Development Services shall
15 require a performance guarantee as provided by Section
16 24-245 of the Butte County Code in the amount of
17 \$2000.00 per acre of land disturbed in order to
18 guarantee the proper completion of any approved work
19 and to ensure that site reclamation is completed to
20 the satisfaction of the Director of Development
21 Services. Lands shall be restored or reclaimed to the
22 satisfaction of the Director of Development Services
23 prior to release of the performance guarantee.

24 18. **Electricity and Electrical Equipment.** If new
25 electricity connections are brought to the site, a
26 building permit is required. Electrical wiring and

1 equipment shall comply with the California Electrical
2 Code.

3 19. **Additional Requirements.** The temporary administrative
4 permit may be subject to additional requirements from
5 Butte County Fire, Butte County Public Works, the
6 Butte County Air Quality Management District, the
7 California Department of Transportation, the Butte
8 County Public Health Department, and the State
9 Regional Water Quality Control Board.

10 **E. Notice**

11 At least ten (10) days prior to issuance of a temporary
12 administrative permit, pursuant to this section, the Butte
13 County Department of Development Services shall provide a
14 mailed notice to property owners within 1,200 feet of the
15 property line of the subject parcel(s). The notice shall
16 include all applicable standards and limitations placed
17 upon the temporary log storage yard, the Butte County
18 administrative permit number, as well as the name, phone
19 number and email of a designated contact for concerns
20 regarding the yard's operation. The temporary
21 administrative permit shall be issued without a formal
22 hearing, unless one is requested by either the applicant or
23 other affected persons. If a hearing is requested, it
24 shall be scheduled for the next available Planning
25 Commission meeting and the Planning Commission shall hear
26 the request. The Planning Commission may impose conditions

1 and requirements in addition to the standards set forth
2 above, or may deny the administrative permit, to mitigate
3 impacts to uses on surrounding properties. Unless otherwise
4 appealed, the decision of the Planning Commission shall be
5 final.

6 **F. Violations, Enforcement, and Penalties.**

- 7 1. A temporary log storage yard that is operating in
8 violation of this section poses a health and safety
9 hazard and is found to be a public nuisance.
- 10 2. The Director of Development Services may initiate
11 enforcement using any process set forth in the Butte
12 County Code, including, but not limited to, Code
13 Enforcement pursuant to Chapter 41 and Nuisance
14 Abatement pursuant to Chapter 32A, and may seek the
15 imposition of costs and civil penalties pursuant to
16 the Butte County Code. Nothing in this provision is
17 intended to prevent alternative enforcement
18 mechanisms.
- 19 3. If the Chapter 41 Code Enforcement process is used,
20 the penalties set forth in section 41-5 are increased
21 because the health and safety hazards to the public
22 are greater than in the general code enforcement
23 context. The increased penalties are a fine of one
24 thousand dollars (\$1,000.00) for the first conviction,
25 a fine of three thousand dollars (\$3,000.00) for the
26 second conviction within a twelve (12) month period,

1 and a fine of five thousand dollars (\$5,000.00) for a
2 third conviction, as well as all additional
3 convictions, within a twelve (12) month period.

4 **ARTICLE III. EMERGENCY INTERIM HOUSING OUTSIDE THE CAMP FIRE AREA**

5 **Section 53-30. Purpose.**

6 This article is enacted for the purpose of temporarily modifying
7 various Zoning Ordinance regulations and policies to allow the
8 fastest possible transition of residents made homeless or
9 displaced by the Camp Fire to interim and long-term shelter. The
10 article relaxes certain standards in the Zoning Ordinance to allow
11 for additional temporary housing opportunities outside of the
12 boundaries of the Camp Fire to meet the urgent need for housing of
13 displaced persons. This article does not address standards that
14 will be required when displaced persons return to their properties
15 within the boundaries of the Camp Fire. Those standards will be
16 addressed in an article below.

17 **Section 53-31. Administration.**

18 This article shall be administered under the direction of the Board
19 of Supervisors, by and through the Director and other departments
20 specified herein.

21 **Section 53-32. Effective Period.**

22 A. The provisions in this article shall remain in effect until
23 December 31, 2020, unless otherwise specified herein, subject
24 to extension or modification by the Board of Supervisors.
25 Unless extended or modified by the Board of Supervisors, this
26

1 article shall expire on December 31, 2020, and be of no
2 further force or effect.

3 B. Except as otherwise provided herein, no residential
4 recreational vehicle use or interim housing authorized
5 pursuant to this article shall be used for permanent housing
6 after the expiration date of this article.

7 **Section 53-33. Definitions.**

8 Except where the context clearly indicates otherwise, the
9 following definitions shall govern the construction of the words
10 and phrases used in the article:

11 **Approved Mining Site.** The portion of a parcel or parcels of land
12 with a valid mining permit, reclamation plan and financial
13 assurance for surface mining operations, as required in Butte
14 County Code Chapter 13, Article II, Surface Mining and Reclamation.

15 **Basecamp.** A site that includes some or all of the following
16 features: equipment staging/storage; employee housing; commissary;
17 laundry; and other services for the purpose of providing workforce
18 housing for Camp Fire Recovery efforts or shelter of displaced
19 persons.

20 **Cal OES.** The Governor's Office of Emergency Services.

21 **Camp Fire.** A 153,336-acre wildfire that started near the community
22 of Pulga on November 8, 2018, destroying over 18,000 structures,
23 which forced the evacuation of the Town of Paradise, Berry Creek,
24 Butte Creek Canyon, Butte Valley, Centerville, Cherokee, Concow,
25 Durham, Forest Ranch, Magalia, Pulga, Stirling City, and Yankee
26 Hill, and other areas near the Cities of Chico and Oroville, and

1 proclaimed by the Board of Supervisors under Resolution 18-169, as
2 a local emergency, and also proclaimed by then Acting Governor
3 Gavin Newsom as a state of emergency. CAL FIRE maintains a map
4 showing the final boundaries of the Camp Fire, as of November 25,
5 2018 at 100 percent containment.

6 **Director.** The Director of the Department of Development Services
7 or his or her authorized representative.

8 **Displaced Person(s).** A county resident or residents whose
9 residential dwelling has been destroyed or damaged by the Camp
10 Fire, such that the resident(s) cannot occupy the dwelling.
11 Displaced person(s) may be required to provide verification to the
12 county to substantiate their eligibility for uses, permits and/or
13 approvals described in this article. Evidence may consist of
14 verification by Federal Emergency Management Agency (FEMA)
15 registration or damage assessment, and/or a driver's license or
16 other government-issued identification card or utility bill, etc.
17 with a physical address showing the resident resided on a legal
18 parcel impacted by the Camp Fire, as determined by the county.
19 Such determination may be made by the Director or other county
20 personnel.

21 **Effective Date.** The date of the Board of Supervisors adoption of
22 this article.

23 **FEMA.** The Federal Emergency Management Agency or successor agency.

24 **Mobile/manufactured home:** A housing structure transportable in one
25 (1) or more sections, designed and equipped to be used with or
26 without a foundation system, certified under the National

1 Manufactured Housing Construction and Safety Standards Act of 1974
2 (42 U.S.C. section 5401 et seq.). The County shall not grant a
3 permit for the installation of a mobile/manufactured home if such
4 mobile/manufactured home is older than ten (10) years of age. The
5 age measurement period shall be from the year of manufacture of
6 the home to the year of the permit application. Mobile/manufactured
7 home does not include recreational vehicle, park trailer, or
8 commercial modular as defined in Division 13, Part 2, Chapter 1,
9 of the Health and Safety Code.

10 **Movable Tiny House.** A movable tiny house is a structure utilized
11 as living quarters by one household that is licensed by and
12 registered with the California Department of Motor Vehicles, meets
13 the American National Standards Institute (ANSI) 119.5 or ANSI
14 119.2 (NFPA 1192) requirements and is certified by a qualified
15 third party inspector for ANSI compliance, cannot move under its
16 own power, is not longer than allowed by State law for movement on
17 public highways, has a total floor area of not less than 150 square
18 feet, and has no more than 430 square feet of habitable living
19 space.

20 **Recreational Vehicle.** A motor home, travel trailer, truck camper
21 or camping trailer that is: (1) self-contained with potable water
22 and sewage tanks and designed for human habitation for recreational
23 or emergency occupancy; (2) self-propelled, truck-mounted, or
24 permanently towable on California roadways; and (3) a California
25 Department of Motor Vehicles licensed vehicle, or a similar vehicle
26 or structure as determined by the Director.

1 **Recreational Vehicle Park.** A commercial use providing space for
2 the accommodation of more than two recreational vehicles for
3 recreational or emergency housing for displaced persons, or for
4 transient employee lodging and/or basecamp purposes.

5 **Temporary Dwelling.** A temporary dwelling that meets the water,
6 sewage disposal, and electricity hook-up standards and includes a
7 recreational vehicle, mobile/manufactured home, or movable tiny
8 house.

9 **Temporary Truck and Equipment Staging and Laydown Yard.** An
10 approved area used for the storage of unladen trucks and equipment
11 utilized to remove and haul away fire debris and hazardous
12 materials, and the storage of materials used to facilitate the
13 removal and hauling away of fire debris and hazardous materials,
14 as part of the Butte County Camp Fire Consolidated Debris Removal
15 Program. No fire debris or hazardous materials may be brought onto
16 or stored on the yard. Truck and Equipment Staging and Laydown
17 Yards may include associated truck and equipment repair,
18 construction trailers, employee parking and portable bathroom
19 facilities set up for use by the personnel assigned to the yard,
20 but not residences other than for a temporary caretaker quarters.

21 **Transitory Period.** The period of time after the Camp Fire event
22 during which recreational vehicles do not need to meet the water,
23 sewage disposal, and electricity hook-up standards. The transitory
24 period ends on December 31, 2019.

25 **Section 53-34. Residential Use of Recreational Vehicles and**
26 **Temporary Dwellings.**

1 A. **FEMA Temporary Housing Sites.** Federal Emergency Management
2 Agency (FEMA) temporary housing sites authorized under
3 contract to FEMA are an allowed use in the MDR (Medium Density
4 Residential), MHDR (Medium High Density Residential), HDR
5 (High Density Residential), RBP (Research and Business Park),
6 PD (Planned Development), P (Public), and Commercial and
7 Industrial zones; and, in AG (Agriculture) zones when an
8 approved residential specific plan exists, and when said
9 specific plan is identified under the Butte County General
10 Plan, or in AG (Agriculture) zones located inside a city's
11 approved Sphere of Influence that are classified as grazing
12 or other lands as defined by the State Farmland Mapping and
13 Monitoring Program and having a combined parcel size greater
14 than 20 acres and subject to all additional requirements,
15 such as the 300 foot agricultural buffer, flood zones, and
16 airport land use compatibility zones. Each FEMA temporary
17 housing site authorized under this article shall have been
18 reviewed through the housing identification process and
19 approved by the Director.

20 B. **Transitory Use of Recreational Vehicles.** Residential use and
21 occupancy of up to two (2) recreational vehicles without
22 water, sewage disposal, or electricity hook-ups on any lot
23 that permits a residential use outside of the area affected
24 by the Camp Fire shall be allowed for the transitory period.
25 Use after the transitory period shall be subject to a
26 temporary administrative permit, full hook-ups to water,

1 sewage disposal, and electricity, and subject to the
2 applicable standards set forth in Subsection E, Standards.

3 C. **Temporary Dwellings with Utility Hook-ups.** Residential use
4 and occupancy of up to two (2) temporary dwellings utilizing
5 hook-ups for water, sewage disposal, and electricity shall be
6 allowed during the Effective Period of this article subject
7 to a temporary administrative permit, and subject to the
8 applicable requirements set forth in Subsection E, Standards.

9 D. **Temporary Recreational Vehicle Parks.** The establishment of
10 temporary recreational vehicle parks without requiring hook-
11 ups to water, sewage disposal, and electricity in Commercial,
12 Industrial, FR (Foothill Residential), RR (Rural
13 Residential), within the City of Chico Sphere of Influence
14 VLDCR (Very Low Density Country Residential), PD (Planned
15 Development), P (Public), and RBP (Research and Business
16 Park) zoning districts, and in parking lots of religious and
17 community facilities, and in AG (Agriculture) zones when an
18 approved residential specific plan exists, and when said
19 specific plan is identified under the Butte County General
20 Plan, or in AG (Agriculture) zones located inside a city's
21 approved Sphere of Influence that are classified as grazing
22 or other lands as defined by the State Farmland Mapping and
23 Monitoring Program and having a combined parcel size greater
24 than 20 acres and subject to all additional requirements,
25 such as the 300 foot agricultural buffer, flood zones, and
26 airport land use compatibility zones shall be allowed for the

1 transitory period. Temporary Recreational Vehicle Parks that
2 are served with water, sewage disposal, and electricity hook-
3 ups may continue for the Effective Period of this article.
4 Basecamp features may be located in the same zones as
5 Temporary Recreational Vehicle Parks, except for the FR
6 (Foothill Residential), RR (Rural Residential), and within
7 the City of Chico Sphere of Influence VLDCR (Very Low Density
8 Country Residential) zones. Temporary Recreational Vehicle
9 Parks and basecamp features are subject to a temporary
10 administrative permit and subject to the applicable
11 requirements set forth under Subsection E, Standards.

12 E. **Standards.** After the transitory period, all residential uses
13 of recreational vehicles shall meet the following standards.
14 Use of temporary dwellings shall at all times meet the
15 following standards.

- 16 1. Recreational vehicles and temporary dwellings shall have
17 full hook-ups to water, sewage disposal, and
18 electricity.
- 19 2. The property owner or the property owner's authorized
20 agent shall obtain a temporary administrative permit for
21 the Effective Period of this article. Written consent
22 of the property owner is required in all cases.
- 23 3. Use of temporary dwellings is contingent on proof of a
24 damaged or destroyed residence as verified by the
25 Director based on prior final building permit or
26 Assessor's records, or other documentation satisfactory

1 to the Director.

2 4. The residential use of recreational vehicles and
3 temporary dwellings is limited to vehicles and dwellings
4 not on a permanent foundation and used to house displaced
5 persons during the Effective Period set forth in Section
6 53-32 above.

7 5. The residential use of recreational vehicles and
8 temporary dwellings shall be located outside of required
9 setbacks established in Chapter 24 of the Butte County
10 Code, unless the applicant can establish to the
11 satisfaction of the Director that there is no other
12 available location outside of the setback area.

13 6. The residential use of recreational vehicles and
14 temporary dwellings shall be located outside of the
15 boundaries of any recorded easements.

16 7. The recreational vehicle, basecamp feature, or temporary
17 dwelling shall be connected to an approved source of
18 water meeting one of the following criteria:

19 a. Public water supply;

20 b. Existing well provided that it has been approved by
21 the Department of Public Health, Environmental
22 Health Division as safe for domestic consumption;
23 or,

24 c. Other water source as approved by the Department of
25 Public Health, Environmental Health Division.
26

- 1 8. The recreational vehicle, basecamp feature, or temporary
2 dwelling shall be connected to an approved sewage
3 disposal system meeting one of the following criteria:
- 4 a. Public sewer system;
 - 5 b. Existing on-site sewage disposal system that has
6 been approved by the Department of Public Health,
7 Environmental Health Division to be intact,
8 adequately sized, and functioning following the
9 disaster;
 - 10 c. Temporary holding tank with a contract with a
11 pumping company for regular pumping. A copy of the
12 contract shall be provided to the Department of
13 Public Health, Environmental Health Division; or
 - 14 d. Other method of sewage disposal approved by the
15 Department of Public Health, Environmental Health
16 Division.
- 17 9. The recreational vehicle, basecamp feature, or temporary
18 dwelling shall be connected to an approved source of
19 electricity meeting one of the following criteria:
- 20 a. Permitted electrical service hook-up; or
 - 21 b. Other power source approved by the Director.
- 22 10. The following additional standards apply to Temporary
23 Recreational Vehicle Parks and basecamp features:
- 24 a. Except for AG (Agriculture) zoned parcels which shall
25 be a minimum total of twenty (20) acres and FR
26 (Foothill Residential), RR (Rural Residential), and

1 within the City of Chico Sphere of Influence VLDCR
2 (Very Low Density Country Residential) zoned parcels
3 which shall be a minimum total of five (5) acres as
4 discussed in subsection (E)(11) below, parcels shall
5 be a minimum of two (2) acres in size.

6 b. All areas occupied by recreational vehicles and/or
7 basecamp features and access aisles, driveways, and
8 roads shall have an all-weather surface capable of
9 supporting a 40,000 lb. load that will allow for
10 ingress and egress of fire apparatus to within 150
11 feet of all units and a vertical clearance of no less
12 than 15 feet.

13 c. Driveways and aisles shall have a minimum width of 25
14 feet.

15 d. A County Encroachment permit must be obtained for all
16 new and existing driveway approaches to publicly
17 maintained roads as specified in the County
18 Improvement Standards.

19 e. The temporary administrative permit may be subject to
20 additional requirements from Butte County Fire, Butte
21 County Public Works, the State Housing and Community
22 Development Department, and the State Regional Water
23 Quality Control Board.

24 11. The following additional standards apply to Temporary
25 Recreational Vehicle Parks and basecamp features in the
26 FR (Foothill Residential), RR (Rural Residential), and

1 within the City of Chico Sphere of Influence VLDCR (Very
2 Low Density Country Residential) zones.

3 a. Basecamps are not permitted.

4 b. Parcels shall be a minimum of five (5) acres in size.

5 c. No more than two (2) recreational vehicles shall be
6 allowed per acre.

7 d. There shall be a 25-foot setback from all property
8 lines for all recreational vehicles and related
9 improvements.

10 e. Quiet hours shall be maintained from 10 pm to 7 am,
11 during which generators shall not be operated and
12 noise levels shall conform to Butte County Code
13 Chapter 41 A, Noise Control.

14 f. All outdoor lighting shall be located, adequately
15 shielded, and directed such that no direct light falls
16 outside the property line, or into the public right-
17 of-way in accordance with the Butte County Zoning
18 Ordinance, Article 14, Outdoor Lighting.

19 g. One (1) on-site parking space shall be provided per
20 recreational vehicle.

21 12. Each temporary administrative permit application for a
22 Temporary Recreational Vehicle Park and basecamp
23 feature shall be accompanied by a detailed plan for
24 the restoration or reclamation of the subject property
25 to the satisfaction of the Director. At minimum, a
26 plan for restoration or reclamation shall include

1 clearance of the site of all recreational vehicles and
2 related structures and removal of all-weather surfaces
3 and utilities constructed for said park unless there
4 is a separate application under the Zoning Ordinance
5 to permit the improvements.

6 Lands upon which Temporary Recreational Vehicle Parks
7 and basecamp features in AG (Agriculture) zones are
8 located shall be restored to their prior agricultural
9 use or other agricultural use as approved by the Director
10 prior to the expiration of this ordinance. A
11 performance guarantee as provided by Section 24-245 of
12 Butte County Code in the amount of \$1,000.00 per acre of
13 land disturbed by the Temporary Recreational Vehicle
14 Park and basecamp feature shall be paid prior to site
15 disturbance activities to ensure that site restoration
16 and reclamation is completed to the satisfaction of the
17 Director. Lands shall be reclaimed to the satisfaction
18 of the Director prior to release of the performance
19 guarantee.

20 **Section 53-35. Use of accessory residential structures for**
21 **temporary habitation.**

22 For the Effective Period of this article, accessory residential
23 structures, which meet Residential Group R occupancies as
24 established by the California Residential Code adopted by Butte
25 County, may be used as interim housing for persons displaced by
26 the Camp Fire. During this period, said use shall not be subject

1 to the provisions of existing deed restrictions required by Butte
2 County, but shall remain subject to all other existing regulations
3 and limitations.

4 **Section 53-36. Use of Accommodations, Farmstays, Bed and Breakfast**
5 **Inns, Resorts, Retreats, Camps or other similar uses.**

6 Notwithstanding any contrary provision in the Butte County Code or
7 any use permit conditions, use of existing promotional or marketing
8 accommodations, farmstays, bed and breakfast inns, resorts,
9 retreats, camps or other similar visitor serving uses shall be
10 allowed as interim housing for persons displaced by the Camp Fire.

11 **Section 53-37. Waiver of County Use Permit Requirement for**
12 **Relocation of Damaged Child Care and Educational Facilities.**

13 Notwithstanding any contrary provision in the Butte County Code,
14 any existing small or large child day care facility or child care
15 center, elementary school, junior high school, high school or
16 institution of higher education that was housed in premises made
17 uninhabitable by the Camp Fire may be temporarily relocated to
18 existing buildings in the LI (Limited Industrial), RBP (Research
19 and Business Park), PD (Planned Development), PB (Public), GC
20 (General Commercial), NC (Neighborhood Commercial), CC (Community
21 Commercial), REC (Recreation Commercial), SE (Sports and
22 Entertainment), and MU (Mixed-Use) zones, or to any site within an
23 existing religious facility, subject to a temporary administrative
24 permit and any existing applicable standards, and subject to a
25 building permit if any renovations are required. Nothing in this
26

1 article waives or affects any State law requirements applicable to
2 such facilities.

3 **Section 53-38. Removal and disconnection.**

4 Every temporary dwelling allowed by this article shall be
5 disconnected from water, sewage disposal, and/or electricity hook-
6 ups and removed from the property on which it is located no later
7 than the expiration date of this article or within 30 days of a
8 final inspection or the issuance of a certificate of occupancy for
9 a replacement dwelling, whichever is earliest.

10 **Section 53-39. Temporary Truck and Equipment Staging and Laydown**
11 **Yards.**

12 Temporary truck and equipment staging and laydown yards
13 coordinated through Cal OES are allowed subject to approval of a
14 temporary administrative permit and compliance with the
15 standards set forth below in the following areas:

- 16 1. On an approved mining site when the Director determines
17 the yard will not interfere with the mining site's
18 reclamation and approved end use.
- 19 2. On the 11.98-acre parcel located at 2903 Neal Road,
20 Paradise (APN 055-350-044) that was previously the
21 location of a logging truck repair and storage facility
22 permitted by Use Permit No. UP 84-26.

23 Each Cal OES temporary truck and equipment staging and laydown
24 yard authorized under this article shall be coordinated through
25 the Cal OES Operations Director or his or her designee, and
26

1 approved by the Director, prior to the issuance of a temporary
2 administrative permit.

3 **A. Standards.** All Temporary Truck and Equipment Staging and
4 Laydown Yards shall meet the following standards:

5 **1. Application for Temporary Administrative Permit.** The
6 property owner or the property owner's authorized agent
7 shall obtain a temporary administrative permit for the
8 Effective Period of this article. Written consent of the
9 property owner is required in all cases.

10 **2. Site Plan Required.** A detailed site plan meeting
11 general architectural or engineering standards, legible
12 and drawn to scale shall be provided with the
13 application for a temporary administrative permit.
14 Partial site plans for a portion of a property may be
15 submitted as long as a vicinity map for the entire
16 property showing frontage streets, other uses and a
17 cross reference of the area of the partial site plan is
18 provided. All site plans shall show and label contours
19 at maximum vertical intervals of five feet; areas of
20 proposed grading and fill; the width of access roads to
21 and around parking and laydown areas and buildings; and
22 turnaround areas for fire and emergency services.

23 **3. Siting Criteria.** To the extent practicable, temporary
24 truck and equipment staging and laydown yards shall be
25 located on flat areas of the site that are already
26 disturbed. Yards located on approved mining sites

1 shall be located within the boundaries of that portion
2 of the parcel or parcels of land with a valid mining
3 permit, reclamation plan and financial assurance for
4 surface mining operations that have not already been
5 reclaimed

6 **4. Approved Access.** Temporary truck and equipment
7 staging and laydown yards shall have access onto a
8 public road. If the public road is a County road, the
9 approach shall be made with an encroachment permit
10 approved by the Department of Public Works. If the
11 public road is a State highway, the approach shall be
12 made with an approved encroachment permit issued by
13 the California Department of Transportation (CalTrans)
14 District 3 Office. If the public road is accessed by a
15 private road, there shall be an approved road
16 maintenance agreement that allows for the proposed use
17 along the private road.

18 **5. On-site Roads, Driveways and Aisles.** Driveways and
19 access aisles shall have a minimum width of 25 feet.
20 Roads, access aisles and driveways shall have an all-
21 weather surface capable of supporting a 40,000 lb.
22 load that will allow for ingress and egress of fire
23 apparatus to within 150 feet of all units and a
24 vertical clearance of no less than 15 feet.

25 **6. Air Quality and Dust Control.** All best practice
26 measures to reduce impacts to air quality shall be

1 incorporated by the project applicant, subject
2 property owners, or third-party contractors during
3 activities on the project site. A plan shall be
4 provided to the satisfaction of the Director to
5 address:

6 a. Diesel particulate matter from construction
7 equipment and commercial on-road vehicles greater
8 than 10,000 pounds;

9 b. Mobile and stationary toxic air contaminants; and

10 c. Fugitive dust and ash.

11 **7. Water Quality.** Any surface disturbance over one-acre
12 in size shall require a Storm Water Pollution
13 Prevention Plan (SWPPP) by a certified Qualified SWPPP
14 Developer and the submittal of a Notice of Intent to
15 obtain coverage under the General Permit for
16 Discharges of Storm Water Associated with Construction
17 Activity (Construction General Permit Order 2009-0009-
18 DWQ as amended).

19 **8. Storage or Processing of Debris Prohibited.** The
20 storage or processing of debris from the Butte County
21 Camp Fire Consolidated Debris Removal Program at any
22 temporary truck and equipment staging and laydown
23 yard, including the storage of trucks or equipment
24 loaded with debris, is expressly prohibited.

25 **9. Hazardous Material Business Plan Required.** The
26 storage of any hazardous material at or above State-

1 defined thresholds shall require the approval by the
2 Environmental Health Division of the Department of
3 Public Health of a Hazardous Material Business Plan.

4 **10. Outdoor Lighting.** All outdoor lighting shall be
5 located, adequately shielded, and directed such that
6 no direct light falls outside the property line, or
7 into the public right-of-way in accordance with the
8 Butte County Zoning Ordinance, Article 14, Outdoor
9 Lighting.

10 **11. Reclamation Required.** The application for a
11 temporary administrative permit for a temporary truck
12 and equipment staging and laydown yard shall be
13 accompanied by a detailed plan for the restoration or
14 reclamation of the subject property to the
15 satisfaction of the Director. At minimum, a plan for
16 restoration or reclamation shall include:

17 a. Clearance of the site of all vehicles, equipment
18 and materials utilized as part of the temporary
19 truck and equipment staging and laydown yard; and

20 b. Stabilization of the site, implementation of
21 erosion control measures, and successful
22 revegetation to the satisfaction of the Director
23 in order to render the site suitable for either:

24 i. Continued use as an approved mine site
25 consistent with the approved mining permit,
26

1 reclamation plan and financial assurance for
2 surface mining operations; or

3 ii. If the site is not an approved mine site, a
4 permitted or conditionally permitted use for
5 the zone in which it is located.

6 12. **Performance Guarantee.** In approving a temporary
7 administrative permit for a temporary truck and
8 equipment staging and laydown yard, the Director shall
9 require a performance guarantee as provided by Section
10 24-245 of the Butte County Code in the amount of
11 \$1,000.00 per acre of land disturbed in order to
12 guarantee the proper completion of any approved work
13 and to ensure that site reclamation is completed to
14 the satisfaction of the Director. Lands shall be
15 restored or reclaimed to the satisfaction of the
16 Director prior to release of the performance
17 guarantee.

18 13. **Additional Requirements.** The temporary
19 administrative permit may be subject to additional
20 requirements from Butte County Fire, Butte County
21 Public Works, the Butte County Air Quality Management
22 District, the California Department of Transportation,
23 and the State Regional Water Quality Control Board.

24 **B. Notice**

25 Upon issuance of a temporary administrative permit,
26 pursuant to this section, the Butte County Department of

1 Development Services shall provide a mailed notice to
2 property owners within 300 feet of the subject parcel. The
3 notice shall include all applicable standards and
4 limitations placed upon the temporary truck and equipment
5 staging and laydown yard, the Butte County administrative
6 permit number, as well as the name, phone number and email
7 of a designated contact for concerns regarding the yard's
8 operation.

9 **ARTICLE IV. EMERGENCY INTERIM HOUSING INSIDE THE CAMP FIRE AREA**

10 **Section 53-50. Purpose.**

11 13,696 homes were destroyed by the Camp Fire in Paradise and
12 surrounding unincorporated areas. This disaster has created a need
13 for housing on a scale that cannot be accommodated through the
14 existing available housing in Butte County. To meet the immediate
15 need for housing, Butte County relaxed some building and zoning
16 regulations in a prior article to allow for additional temporary
17 housing outside of the Camp Fire affected area. However, this
18 additional temporary housing may not be sufficient to meet the
19 large and immediate need. This article relaxes some building and
20 zoning regulations to allow for additional temporary housing
21 inside of the Camp Fire affected area. While public safety hazards
22 are being mitigated, persons moving back to the area do so at their
23 own risk and should make themselves aware of potential public
24 safety hazards, including but not limited to falling trees or
25 telephone poles adjacent to the roadways and potable water issues.
26 The article allows persons to place temporary housing on an

1 Eligible Property. The purpose of this article is to develop
2 reasonable standards that allow persons to move back into the Camp
3 Fire affected area while a massive debris removal program is
4 implemented and, at the same time, provide interim shelter for
5 Butte County residents on private property during this housing
6 crisis.

7 **Section 53-51. Administration.**

8 This article shall be administered under the direction of the Board
9 of Supervisors, by and through the Director and other departments
10 specified herein.

11 **Section 53-52. Effective Period.**

12 A. The provisions in this article shall remain in effect
13 until December 31, 2020, unless otherwise specified
14 herein, subject to extension or modification by the
15 Board of Supervisors. Unless extended or modified by
16 the Board of Supervisors, this article shall expire on
17 December 31, 2020, and be of no further force or effect.

18 B. Except as otherwise provided herein, no residential
19 recreational vehicle use or interim housing authorized
20 pursuant to this article shall be used for permanent
21 housing after the expiration date of this article.

22 **Section 53-53. Definitions.**

23 Except where the context clearly indicates otherwise, the
24 following definitions shall govern the construction of the words
25 and phrases used in the article:

26 **Approved Mining Site.** The portion of a parcel or parcels of land

1 with a valid mining permit, reclamation plan and financial
2 assurance for surface mining operations, as required in Butte
3 County Code Chapter 13, Article II, Surface Mining and Reclamation.

4 **Basecamp.** A site that includes some or all of the following
5 features: equipment staging/storage; employee housing; commissary;
6 laundry; and other services for the purpose of providing workforce
7 housing for Camp Fire Recovery efforts or shelter of displaced
8 persons.

9 **Cal OES.** The Governor's Office of Emergency Services.

10 **Camp Fire.** A 153,336-acre wildfire that started near the community
11 of Pulga on November 8, 2018, destroying over 18,000 structures,
12 which forced the evacuation of the Town of Paradise, Berry Creek,
13 Butte Creek Canyon, Butte Valley, Centerville, Cherokee, Concow,
14 Durham, Forest Ranch, Magalia, Pulga, Stirling City, and Yankee
15 Hill, and other areas near the Cities of Chico and Oroville, and
16 proclaimed by the Board of Supervisors under Resolution 18-169, as
17 a local emergency, and also proclaimed by then Acting Governor
18 Gavin Newsom as a state of emergency. CAL FIRE maintains a map
19 showing the final boundaries of the Camp Fire and the Camp Fire
20 affected area, as of November 25, 2018 at 100 percent containment.

21 **Cargo Storage Container.** A single metal box made of steel or other
22 similar material, or a shed, which is designed for securing and
23 protecting items for temporary storage, not exceeding three
24 hundred twenty (320) square feet in size, without utilities, and
25 not used for human habitation.

1 **Director.** The Director of the Department of Development Services
2 or his or her authorized representative.

3 **Displaced Person(s).** A county resident or residents whose
4 residential dwelling has been destroyed or damaged by the Camp
5 Fire, such that the resident(s) cannot occupy the dwelling.
6 Displaced person(s) may be required to provide verification to the
7 county to substantiate their eligibility for uses, permits and/or
8 approvals described in this article. Evidence may consist of
9 verification by Federal Emergency Management Agency (FEMA)
10 registration or damage assessment, and/or a driver's license or
11 other government-issued identification card or utility bill, etc.
12 with a physical address showing the resident resided on a property
13 impacted by the Camp Fire, as determined by the county. Such
14 determination may be made by the Director or other county
15 personnel.

16 **Effective Date.** The date of the Board of Supervisors adoption of
17 this article.

18 **Eligible Property.** A property that does not contain fire debris
19 and hazardous materials from a qualifying structure that was
20 damaged or destroyed by the Camp Fire. Eligible Property shall
21 include (1) parcels with no resulting damage or fire debris from
22 the Camp Fire, (2) parcels with fire debris from a structure that
23 was not a qualifying structure that was damaged or destroyed by
24 the Camp Fire and (3) parcels with fire debris or hazardous
25 materials from a qualifying structure that was damaged or destroyed
26 by the Camp Fire, only upon the issuance of a certificate that the

1 parcel has been cleaned pursuant to Phase II requirements by the
 2 Department of Public Health, Environmental Health Division.
 3 Temporary housing pursuant to this article shall be permitted as
 4 reflected in the table below:

5 A.

	Property not damaged by Camp Fire	Property with a non-qualifying structure damaged or destroyed by Camp Fire	Property with a qualifying structure damaged or destroyed by Camp Fire
Prior to completion of Phase II cleanup	Temporary housing allowed*	Temporary housing allowed*	Temporary housing prohibited
Following completion of Phase II cleanup (property certified clean by the Department of Public Health, Environmental Health Division)	Temporary housing allowed*	Temporary housing allowed*	Temporary housing allowed*
*such housing shall meet all other applicable requirements in this article			

24 **FEMA.** The Federal Emergency Management Agency or successor agency.
 25 **Fire Debris and Hazardous Materials.** Debris, ash, metals, and
 26 completely or partially incinerated substances from structures

1 that are located on properties that qualify under the CalOES Debris
2 Removal Program or the County's Alternative Debris Removal
3 Program.

4 **Mobile/manufactured home:** A housing structure transportable in one
5 (1) or more sections, designed and equipped to be used with or
6 without a foundation system, certified under the National
7 Manufactured Housing Construction and Safety Standards Act of 1974
8 (42 U.S.C. section 5401 et seq.). The County shall not grant a
9 permit for the installation of a mobile/manufactured home if such
10 mobile/manufactured home is older than ten (10) years of age. The
11 age measurement period shall be from the year of manufacture of
12 the home to the year of the permit application. Mobile/manufactured
13 home does not include recreational vehicle, park trailer, or
14 commercial modular as defined in Division 13, Part 2, Chapter 1,
15 of the Health and Safety Code.

16 **Movable Tiny House.** A movable tiny house is a structure utilized
17 as living quarters by one household that is licensed by and
18 registered with the California Department of Motor Vehicles, meets
19 the American National Standards Institute (ANSI) 119.5 or ANSI
20 119.2 (NFPA 1192) requirements and is certified by a qualified
21 third party inspector for ANSI compliance, cannot move under its
22 own power, is not longer than allowed by State law for movement on
23 public highways, has a total floor area of not less than 150 square
24 feet, and has no more than 430 square feet of habitable living
25 space.

1 **Phase I.** The term "Phase I" shall mean the hazardous waste cleanup
2 performed by the United States Environmental Protection Agency
3 and/or Department of Toxic Substances Control on certain
4 properties impacted by the Camp Fire.

5 **Phase II.** The term "Phase II" shall mean the ash and debris cleanup
6 work performed pursuant to the OES Program and/or the Alternative
7 Program.

8 **Qualifying Structure.** The term "qualifying structure" shall mean
9 a structure of 120 square feet and over.

10 **Recreational Vehicle.** A motor home, travel trailer, truck camper
11 or camping trailer that is: (1) self-contained with potable water
12 and sewage tanks and designed for human habitation for recreational
13 or emergency occupancy; (2) self-propelled, truck-mounted, or
14 permanently towable on California roadways; and (3) a California
15 Department of Motor Vehicles licensed vehicle, or a similar vehicle
16 or structure as determined by the Director.

17 **Recreational Vehicle Park.** A commercial use providing space for
18 the accommodation of more than two recreational vehicles for
19 recreational or emergency housing for displaced persons, or for
20 transient employee lodging and/or basecamp_purposes.

21 **Temporary Dwelling.** A temporary dwelling that meets the water,
22 sewage disposal, and electricity hook-up standards and includes a
23 recreational vehicle, mobile/manufactured home, or movable tiny
24 house.

25 **Temporary Truck and Equipment Staging and Laydown Yard.** An
26 approved area used for the storage of unladen trucks and equipment

1 utilized to remove and haul away fire debris and hazardous
2 materials, and the storage of materials used to facilitate the
3 removal and hauling away of fire debris and hazardous materials,
4 as part of the Butte County Camp Fire Consolidated Debris Removal
5 Program. No fire debris or hazardous materials may be brought onto
6 or stored on the yard. Truck and Equipment Staging and Laydown
7 Yards may include associated truck and equipment repair,
8 construction trailers, employee parking and portable bathroom
9 facilities set up for use by the personnel assigned to the yard,
10 but not residences other than for a temporary caretaker quarters.

11 **Transitory Period.** The period of time after the Camp Fire event
12 during which recreational vehicles do not need to meet the water,
13 sewage disposal, and electricity hook-up standards. The transitory
14 period ends on December 31, 2019.

15 **Section 53-54. Transitory Use of Recreational Vehicles.**

16 Residential use and occupancy of up to two (2) recreational
17 vehicles on any Eligible Property that permits a residential use
18 shall be allowed for the transitory period subject to the
19 applicable requirements set forth under Section 53-57, Standards.
20 Use after the transitory period shall require compliance with
21 Section 53-57, Standards, a temporary administrative permit, and
22 full hook-ups to water, sewage disposal, and electricity.

23 **Section 53-55. Temporary Dwellings with Utility Hook-ups.**

24 Residential use and occupancy of up to two (2) temporary dwellings
25 utilizing hook-ups for water, sewage disposal, and electricity on
26 an Eligible Property shall be allowed during the effective period

1 of this article subject to a temporary administrative permit, and
2 subject to the applicable requirements set forth in Section 53-
3 57, Standards.

4 **Section 53-56. Use of Cargo Storage Containers.**

5 The use of cargo storage containers during the term of this article
6 shall be allowed, subject to the applicable requirements set forth
7 under Section 53-57, Standards.

8 **Section 53-57. Standards.**

9 After the transitory period, all residential use of recreational
10 vehicles, and, at all times, all residential use of temporary
11 dwellings and storage use of cargo storage containers shall meet
12 the following standards.

13 A. At all times, the property owner or the property owner's
14 authorized agent shall obtain all county permits for all
15 temporary dwellings that are hooked-up to utilities.
16 Written consent of the property owner is required in all
17 cases.

18 B. At all times, residential use of recreational vehicles and
19 temporary dwellings is limited to vehicles and dwellings
20 not on a permanent foundation and used to house persons
21 displaced by the Camp Fire during the Effective Period set
22 forth in Section 53-52.

23 C. Use of temporary dwellings is contingent on proof of a
24 damaged or destroyed residence as verified by the Director
25 based on prior final building permit or Assessor's records,
26 or other documentation satisfactory to the Director.

1 D. At all times, recreational vehicles, temporary dwellings,
2 and cargo storage containers shall be located outside the
3 boundaries of any setbacks established by Chapter 24,
4 unless the applicant can establish to the satisfaction of
5 the Director that there is no other available location
6 outside of the setback area, as well as located outside of
7 recorded easements, roads, driveways, designated flood
8 hazard locations, or areas prone to landslide or debris
9 flow.

10 E. At all times, use of a cargo storage container shall be
11 for storage of personal and household belongings only.

12 F. For water hook-ups, the recreational vehicle, basecamp
13 feature, or temporary dwelling shall be connected to an
14 approved source of water meeting one of the following
15 criteria:

16 1. Public water supply;

17 2. Existing well provided that it has been approved by
18 the Department of Public Health, Environmental
19 Health Division as safe for domestic consumption;
20 or

21 3. Other water source approved by the Department of
22 Public Health, Environmental Health Division.

23 G. For sewage disposal hook-ups, the recreational vehicle,
24 basecamp feature, or temporary dwelling shall be
25 connected to an approved sewage disposal system meeting
26 one of the following criteria:

- 1 1. Public sewer system;
- 2 2. A new or existing on-site sewage disposal system
- 3 that has been approved by the Department of Public
- 4 Health, Environmental Health Director to be intact,
- 5 adequately sized, and functioning correctly;
- 6 3. Temporary holding tank with a contract with a
- 7 pumping company for regular pumping. A copy of the
- 8 contract shall be provided to the Department of
- 9 Public Health, Environmental Health Division; or
- 10 4. Other method of sewage disposal approved by the
- 11 Department of Public Health, Environmental Health
- 12 Division.

13 H. For electricity hook-ups, the recreational vehicle,
14 basecamp feature, or temporary dwelling shall be
15 connected to an approved source of electricity meeting
16 one of the following criteria:

- 17 1. Permitted electrical service hook-up; or
- 18 2. Other power source approved by the Director.

19 **Section 53-58. FEMA Temporary Housing Sites.**

20 Federal Emergency Management Agency (FEMA) temporary housing sites
21 authorized under contract to FEMA are an allowed use in the MDR
22 (Medium Density Residential), MHDR (Medium High Density
23 Residential), HDR (High Density Residential), RBP (Research and
24 Business Park), PD (Planned Development), P (Public), and
25 Commercial and Industrial zones; and, in AG (Agriculture) zones
26 when an approved residential specific plan exists, and when said

1 specific plan is identified under the Butte County General Plan,
2 or in AG (Agriculture) zones located inside a city's approved
3 Sphere of Influence that are classified as grazing or other lands
4 as defined by the State Farmland Mapping and Monitoring Program
5 and having a combined parcel size greater than 20 acres and subject
6 to all additional requirements, such as the 300 foot agricultural
7 buffer, flood zones, and airport land use compatibility zones.
8 Each FEMA temporary housing site authorized under this article
9 shall have been reviewed through the housing identification
10 process and approved by the Director.

11 **Section 53-59. Temporary Recreational Vehicle Parks.**

12 The establishment of Temporary Recreational Vehicle Parks without
13 requiring hook-ups to water, sewage disposal, and electricity on
14 an Eligible Property in Commercial, Industrial, FR (Foothill
15 Residential), RR (Rural Residential), PD (Planned Development), P
16 (Public), and RBP (Research and Business Park) zoning districts,
17 and in the parking lots of religious and community facilities, and
18 in AG (Agriculture) zones when an approved residential specific
19 plan exists, and when said specific plan is identified under the
20 Butte County General Plan, or in AG (Agriculture) zones located
21 inside a city's approved Sphere of Influence that are classified
22 as grazing or other lands as defined by the State Farmland Mapping
23 and Monitoring Program and having a combined parcel size greater
24 than 20 acres and subject to all additional requirements, such as
25 the 300 foot agricultural buffer, flood zones, and airport land
26 use compatibility zones shall be allowed for the transitory period.

1 Temporary Recreational Vehicle Parks that are served with water,
2 sewage disposal, and electricity hook-ups may continue for the
3 Effective Period set forth in Section 53-52. Basecamp features may
4 be located in the same zones as Temporary Recreational Vehicle
5 Parks, except for the FR (Foothill Residential) and RR (Rural
6 Residential) zones. Temporary Recreational Vehicle Parks and
7 basecamp features are subject to a temporary administrative permit
8 and subject to the applicable requirements set forth under Section
9 53-57, Standards, as well as the following standards:

10 A. Minimum Parcel Size. Except for AG (Agriculture) zoned
11 parcels which shall be a minimum total of twenty (20)
12 acres, the minimum parcel size for eligibility to locate
13 a Temporary Recreational Vehicle Park or basecamp
14 feature is two (2) acres.

15 B. All areas occupied by recreational vehicles and/or
16 basecamp features and access aisles, driveways, and
17 roads shall have an all-weather surface capable of
18 supporting a 40,000 lb. load that will allow for ingress
19 and egress of fire apparatus to within 150 feet of all
20 units and a vertical clearance of no less than 15 feet.

21 C. Driveways and aisles shall have a minimum width of 25
22 feet.

23 D. A County Encroachment permit must be obtained for all
24 new and existing driveway approaches to publicly
25 maintained roads as specified in the County Improvement
26 Standards.

1 E. The temporary administrative permit may be subject to
2 additional requirements from Butte County Fire, Butte
3 County Public Works, the State Department of Housing and
4 Community Development, and the State Regional Water
5 Quality Control Board.

6 F. The following additional standards apply to Temporary
7 Recreational Vehicle Parks and basecamp features in the
8 FR (Foothill Residential) and RR (Rural Residential)
9 zones.

10 a. Basecamps are not permitted.

11 b. Parcels shall be a minimum five (5) acres in size.

12 c. No more than two (2) recreational vehicles shall be
13 allowed per acre.

14 d. There shall be a 25-foot setback from all property
15 lines for all recreational vehicles and related
16 improvements.

17 e. Quiet hours shall be maintained from 10 pm to 7 am,
18 during which generators shall not be operated and noise
19 levels shall conform to Butte County Code Chapter 41
20 A, Noise Control.

21 f. All outdoor lighting shall be located, adequately
22 shielded, and directed such that no direct light falls
23 outside the property line, or into the public right-
24 of-way in accordance with the Butte County Zoning
25 Ordinance, Article 14, Outdoor Lighting.

26

1 g. One on-site parking space shall be provided per
2 recreational vehicle.

3 G. Each temporary administrative permit application for a
4 Temporary Recreational Vehicle Park and basecamp
5 feature shall be accompanied by a detailed plan for
6 the restoration or reclamation of the subject property
7 to the satisfaction of the Director. At minimum, a
8 plan for restoration or reclamation shall include
9 clearance of the site of all recreational vehicles and
10 related structures and removal of all-weather surfaces
11 and utilities constructed for said park unless there
12 is a separate application under the Zoning Ordinance
13 to permit the improvements.

14 Lands upon which Temporary Recreational Vehicle Parks
15 and basecamp features in AG (Agriculture) zones are
16 located shall be restored to their prior agricultural
17 use or other agricultural use as approved by the
18 Director prior to the expiration of this ordinance. A
19 performance guarantee as provided by Section 24-245 of
20 Butte County Code in the amount of \$1,000.00 per acre
21 of land disturbed by the Temporary Recreational
22 Vehicle Park and basecamp feature shall be paid prior
23 to site disturbance activities to ensure that site
24 restoration and reclamation is completed to the
25 satisfaction of the Director. Lands shall be
26

1 reclaimed to the satisfaction of the Director prior to
2 release of the performance guarantee.

3 **Section 53-60. Reconstruction of a legal nonconforming structure.**

4 Reconstruction of a legal nonconforming structure that has been
5 demolished or destroyed shall begin within one-year after the fire
6 debris removal is signed-off as complete by the Public Health
7 Department's Environmental Health Division and shall be completed
8 within three-years. Any reconstruction is subject to all
9 applicable permit requirements and current building standards.

10 **Section 53-61. Reconstruction of single family dwellings**

11 Reconstruction of single family dwellings shall take place under
12 the following circumstances:

13 A. On parcels with fire debris a building permit and plans
14 may be submitted but a building permit will not be
15 approved until debris removal is signed-off as completed
16 by the Public Health Department's Environmental Health
17 Division.

18 B. On vacant parcels building permits and plans may be
19 submitted and approved provided that construction is 100
20 feet or greater from neighboring fire debris.

21 **Section 53-62. Use of accessory residential structures for**
22 **temporary habitation.**

23 For the effective period of this article, accessory residential
24 structures on an Eligible Property, which also meets Residential
25 Group R occupancies as established by the California Residential
26 Code adopted by Butte County, may be used as interim housing for

1 persons displaced by the Camp Fire. During this period, said use
2 shall not be subject to the provisions of existing deed
3 restrictions required by Butte County, but shall remain subject to
4 all other existing regulations and limitations.

5 **Section 53-63. Use of Accommodations, Farmstays, Bed and Breakfast**
6 **Inns, Resorts, Retreats, Camps or other similar uses.**

7 Notwithstanding any contrary provision in the Butte County Code or
8 any use permit conditions, use of existing promotional or marketing
9 accommodations, farmstays, bed and breakfast inns, resorts,
10 retreats, camps or other similar visitor serving uses shall be
11 allowed on an Eligible Property as interim housing for persons
12 displaced by the Camp Fire.

13 **Section 53-64. Waiver of County Use Permit Requirement for**
14 **Relocation of Damaged Child Care and Educational Facilities.**

15 Notwithstanding any contrary provision in the Butte County Code,
16 any existing small or large child day care facility or child care
17 center, elementary school, junior high school, high school or
18 institution of higher education that was housed in premises made
19 uninhabitable by the Camp Fire may be temporarily relocated to
20 existing buildings on an Eligible Property in the LI (Limited
21 Industrial), PD (Planned Development), PB (Public), GC (General
22 Commercial), NC (Neighborhood Commercial), CC (Community
23 Commercial), REC (Recreation Commercial), and MU (Mixed-Use)
24 zones, or to any site within an existing religious facility on an
25 Eligible Property, subject to a temporary administrative permit
26 and any existing applicable standards, and subject to a building

1 permit if any renovations are required. Nothing in this article
2 waives or affects any State law requirements applicable to such
3 facilities.

4 **Section 53-65. Removal and disconnection.**

5 Every temporary dwelling allowed by this article shall be
6 disconnected from water, sewage disposal, and/or electricity hook-
7 ups and removed from the property on which it is located no later
8 than the expiration date of this article or within 30 days of a
9 final inspection or the issuance of a certificate of occupancy for
10 a replacement dwelling, whichever is earliest.

11 **Section 53-66. Temporary Truck and Equipment Staging and Laydown**
12 **Yards.**

13 Temporary truck and equipment staging and laydown yards
14 coordinated through Cal OES are allowed subject to approval of a
15 temporary administrative permit and compliance with the
16 standards set forth below in the following areas:

- 17 1. On an approved mining site when the Director determines
18 the yard will not interfere with the mining site's
19 reclamation and approved end use.
- 20 2. On the 11.98-acre parcel located at 2903 Neal Road,
21 Paradise (APN 055-350-044) that was previously the
22 location of a logging truck repair and storage facility
23 permitted by Use Permit No. UP 84-26.

24 Each Cal OES temporary truck and equipment staging and laydown
25 yard authorized under this article shall be coordinated through
26 the Cal OES Operations Director or his or her designee, and

1 approved by the Director, prior to the issuance of a temporary
2 administrative permit.

3 **A. Standards.** All Temporary Truck and Equipment Staging and
4 Laydown Yards shall meet the following standards:

5 **1. Application for Temporary Administrative Permit.** The
6 property owner or the property owner's authorized agent
7 shall obtain a temporary administrative permit for the
8 Effective Period of this article. Written consent of
9 the property owner is required in all cases.

10 **2. Site Plan Required.** A detailed site plan meeting
11 general architectural or engineering standards, legible
12 and drawn to scale shall be provided with the
13 application for a temporary administrative permit.
14 Partial site plans for a portion of a property may be
15 submitted as long as a vicinity map for the entire
16 property showing frontage streets, other uses and a
17 cross reference of the area of the partial site plan is
18 provided. All site plans shall show and label contours
19 at maximum vertical intervals of five feet; areas of
20 proposed grading and fill; the width of access roads to
21 and around parking and laydown areas and buildings; and
22 turnaround areas for fire and emergency services.

23 **3. Siting Criteria.** To the extent practicable, temporary
24 truck and equipment staging and laydown yards shall be
25 located on flat areas of the site that are already
26 disturbed. Yards located on approved mining sites shall

1 be located within the boundaries of that portion of the
2 parcel or parcels of land with a valid mining permit,
3 reclamation plan and financial assurance for surface
4 mining operations that have not already been reclaimed

5 **4. Approved Access.** Temporary truck and equipment staging
6 and laydown yards shall have access onto a public road.
7 If the public road is a County road, the approach shall
8 be made with an encroachment permit approved by the
9 Department of Public Works. If the public road is a
10 State highway, the approach shall be made with an
11 approved encroachment permit issued by the California
12 Department of Transportation (CalTrans) District 3
13 Office. If the public road is accessed by a private
14 road, there shall be an approved road maintenance
15 agreement that allows for the proposed use along the
16 private road.

17 **5. On-site Roads, Driveways and Aisles.** Driveways and
18 access aisles shall have a minimum width of 25 feet.
19 Roads, access aisles and driveways shall have an all-
20 weather surface capable of supporting a 40,000 lb. load
21 that will allow for ingress and egress of fire apparatus
22 to within 150 feet of all units and a vertical clearance
23 of no less than 15 feet.

24 **6. Air Quality and Dust Control.** All best practice
25 measures to reduce impacts to air quality shall be
26 incorporated by the project applicant, subject property

1 owners, or third-party contractors during activities on
2 the project site. A plan shall be provided to the
3 satisfaction of the Director to address:

4 a. Diesel particulate matter from construction equipment
5 and commercial on-road vehicles greater than 10,000
6 pounds;

7 b. Mobile and stationary toxic air contaminants; and

8 c. Fugitive dust and ash.

9 **7. Water Quality.** Any surface disturbance over one-acre in
10 size shall require a Storm Water Pollution Prevention
11 Plan (SWPPP) by a certified Qualified SWPPP Developer
12 and the submittal of a Notice of Intent to obtain
13 coverage under the General Permit for Discharges of
14 Storm Water Associated with Construction Activity
15 (Construction General Permit Order 2009-0009-DWQ as
16 amended).

17 **8. Storage or Processing of Debris Prohibited.** The storage
18 or processing of debris from the Butte County Camp Fire
19 Consolidated Debris Removal Program at any temporary
20 truck and equipment staging and laydown yard, including
21 the storage of trucks or equipment loaded with debris,
22 is expressly prohibited.

23 **9. Hazardous Material Business Plan Required.** The storage
24 of any hazardous material at or above State-defined
25 thresholds shall require the approval by the
26

1 Environmental Health Division of the Department of
2 Public Health of a Hazardous Material Business Plan.

3 **10. Outdoor Lighting.** All outdoor lighting shall be
4 located, adequately shielded, and directed such that no
5 direct light falls outside the property line, or into
6 the public right-of-way in accordance with the Butte
7 County Zoning Ordinance, Article 14, Outdoor Lighting.

8 **11. Reclamation Required.** The application for a temporary
9 administrative permit for a temporary truck and
10 equipment staging and laydown yard shall be accompanied
11 by a detailed plan for the restoration or reclamation of
12 the subject property to the satisfaction of the
13 Director. At minimum, a plan for restoration or
14 reclamation shall include:

15 a. Clearance of the site of all vehicles, equipment and
16 materials utilized as part of the temporary truck
17 and equipment staging and laydown yard; and

18 b. Stabilization of the site, implementation of erosion
19 control measures, and successful revegetation to the
20 satisfaction of the Director in order to render the
21 site suitable for either:

22 i. Continued use as an approved mine site
23 consistent with the approved mining permit,
24 reclamation plan and financial assurance for
25 surface mining operations; or
26

1 ii. If the site is not an approved mine site, a
2 permitted or conditionally permitted use for
3 the zone in which it is located.

4 **12. Performance Guarantee.** In approving a temporary
5 administrative permit for a temporary truck and
6 equipment staging and laydown yard, the Director shall
7 require a performance guarantee as provided by Section
8 24-245 of the Butte County Code in the amount of
9 \$1,000.00 per acre of land disturbed in order to
10 guarantee the proper completion of any approved work and
11 to ensure that site reclamation is completed to the
12 satisfaction of the Director. Lands shall be restored
13 or reclaimed to the satisfaction of the Director prior
14 to release of the performance guarantee.

15 **13. Additional Requirements.** The temporary administrative
16 permit may be subject to additional requirements from
17 Butte County Fire, Butte County Public Works, the Butte
18 County Air Quality Management District, the California
19 Department of Transportation, and the State Regional
20 Water Quality Control Board.

21 **B. Notice**

22 Upon issuance of a temporary administrative permit,
23 pursuant to this section, the Butte County Department of
24 Development Services shall provide a mailed notice to
25 property owners within 300 feet of the subject parcel. The
26 notice shall include all applicable standards and

1 limitations placed upon the temporary truck and equipment
2 staging and laydown yard, the Butte County administrative
3 permit number, as well as the name, phone number and email
4 of a designated contact for concerns regarding the yard's
5 operation.

6 **Section 53-67. Rebuilding Warning.**

7 The following statement shall be supplied to all individuals
8 applying for a building permit within the Camp Fire area: "Due
9 to the large number of structures destroyed in the Camp Fire
10 area, it is anticipated that there will be a large number of
11 applications for building permits in the Camp Fire area after
12 fire debris and hazardous materials have been cleaned up
13 pursuant to the Butte County Camp Fire Consolidated Debris
14 Removal Program. Building permits in the Camp Fire area will not
15 be issued until after a property has been cleared of fire debris
16 and hazardous materials as required by the Program. The Butte
17 County Health Officer has identified health hazards in the fire
18 debris and hazardous materials in the Camp Fire area. Even if a
19 property has been cleared of fire debris and hazardous materials
20 or never had any fire debris and hazardous materials, it does
21 not mean that there are no other health hazards or dangers on
22 the property. Property owners and residents must do their own
23 investigation to determine whether there are any other health
24 hazards or dangers on the property. The issuance of a building
25 permit for the property does not accomplish this task. A
26 building permit is a ministerial action requiring only limited

1 review by the County to ensure that the structure meets all
2 applicable building standards. In most zones, an individual is
3 allowed by right to construct a residence after receiving a
4 building permit which only requires conformity to building
5 standards. The building permit is issued based on information
6 supplied by the applicant without independent investigation by
7 the County of the property or potential health hazards or
8 dangers. Given the limited scope of enforcement, it is not
9 possible for the County to identify potential health hazards or
10 dangers which are not directly associated with the permitted
11 structure. The applicant is in a position to inspect the
12 property, identify potential health hazards or dangers, and
13 tailor the application to avoid any potential health hazards or
14 dangers."

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