

1 **CHAPTER 54 - NORTH COMPLEX FIRE RECOVERY**

2 **ARTICLE I. Findings and Title**

3 **Section 54-1. Emergency Findings.**

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

11 A. On August 17, 2020, lightning strikes sparked the Bear Fire and
12 the Claremont Fire, both in Plumas County. Conditions of extreme
13 peril to the safety of persons and property within the County
14 of Butte were caused by wildfire known as the North Complex Fire
15 when the Bear and Claremont Fires merged and progressed into the
16 County of Butte on the 8th day of September, 2020, at which time
17 the Board of Supervisors was not in session. A map depicting the
18 North Complex Fire area is attached hereto as Exhibit A.

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

24 C. On September 9, 2020, the Assistant Chief Administrative Officer
25 of the County of Butte proclaimed the existence of a local
26 emergency within the county due to the North Complex Fire.

1 D. On August 18, 2020, the Governor of the State of California
2 proclaimed a State of Emergency for multiple fires caused by
3 lightning strike, including what would grow into the North
4 Complex Fire pursuant to the California Emergency Services Act,
5 commencing with Section 8550 of the Government Code.

6 E. On August 22, 2020, the President of the United States approved
7 a disaster declaration for the State of California relating to
8 the wildfires, providing assistance from many federal agencies,
9 including FEMA;

10 F. On September 11, 2020, Dr. Robert Bernstein, the County of
11 Butte's Local Health Officer, issued a Declaration of Health
12 Emergency pursuant to California Health and Safety Code section
13 101080. Dr. Bernstein's declaration stated that the local health
14 emergency was a consequence of the debris resulting from the
15 North Complex Fire that contains hazardous material in the ash
16 of the burned qualifying structures. The purpose of the
17 Declaration was to address the immediate threat to the public
18 health and the imminent and proximate threat of the introduction
19 of contagious, infectious or communicable disease, chemical
20 agents, non-communicable biologic agents, toxins and/or
21 radioactive agents present at the time in the North Complex Fire
22 area. The threats included (1) the enormous amount of fire debris
23 present in the North Complex Fire area, including respirable-
24 size ash and other debris containing hazardous materials
25 including radioactive materials that have been demonstrated in
26 the past to be present in ash and debris from qualifying

1 structures, (2) the threat of infectious or communicable disease
2 and/or non-communicable biologic agents due to animal carcasses,
3 radioactive waste and perishable foods, (3) the potential
4 contamination or destruction of the residential and commercial
5 water supply in the North Complex Fire area and (4) the potential
6 pollution of the drinking water in or around the North Complex
7 Fire area if weather conditions caused the spread of the
8 hazardous materials in the ash and debris of burned qualifying
9 structures.

10 G. On September 14, 2020, Dr. Bernstein issued a Hazard Advisory
11 strongly suggesting residents should not reside on property with
12 qualifying structures damaged or destroyed by the North Complex
13 Fire until the property had been cleared of hazardous waste, ash
14 and debris and certified clean by the Department of Public
15 Health, Environmental Health Division. When the evacuation
16 orders are lifted, the Department of Public Health will make
17 health and safety information available to residents who choose
18 to visit their property to collect valuables. The re-entry
19 information will cover the dangerous conditions and toxic
20 materials present in the North Complex Fire area. The re-entry
21 information is intended to improve and protect public health and
22 safety from the hazards likely to be encountered during the
23 visit, and are not intended to encourage long-term habitation.
24 The purpose of the Hazard Advisory was to address the public
25 health hazards present at the time in the North Complex Fire
26 area, including (1) the enormous amount of fire debris present

1 in the North Complex Fire area, (2) the hazardous materials and
2 probable radioactive materials present in ash and debris from
3 qualifying structures, (3) the lessened but still present threat
4 of infectious or communicable disease-causing agents and/or non-
5 communicable disease-causing agents due to animal carcasses,
6 radioactive waste and perishable foods, (4) the potential
7 contamination or destruction of the residential and commercial
8 water supply in the North Complex Fire area and (5) the potential
9 pollution of the drinking water in or around the North Complex
10 Fire area if weather conditions caused the spread of the
11 hazardous materials in the ash and debris of burned qualifying
12 structures.

13 H. On September 15, 2020, the Board of Supervisors adopted
14 Resolution No. 20-111 ratifying the Assistant Chief
15 Administrative Officer's proclamation of the existence of a
16 local emergency in the County of Butte. The resolution also
17 requested that the State of California waive regulations that
18 may hinder response and recovery efforts, as well as make
19 available assistance under the California Disaster Assistance
20 Act or any other state funding, and that the Federal Government
21 expedite access to federal resources and any other appropriate
22 federal disaster relief program.

23 I. On September 15, 2020, the Board of Supervisors ratified Dr.
24 Bernstein's Declaration of a Local Health Emergency.

25 J. As of September 18, 2020, the North Complex Fire has consumed
26 over 287,000 acres and has led to the destruction of over 1,200

1 structures including residences and commercial buildings, and
2 resulted in evacuation orders or warnings which impacted over
3 20,000 residents. As a result, the North Complex Fire has created
4 an enormous amount of debris while causing the deaths of 15
5 people. The North Complex Fire is still burning through the
6 County and despite firefighters' best efforts, the wildfire has
7 not been contained. Evacuation orders are currently in place and
8 numerous severe public health and safety hazards are present in
9 the North Complex Fire area, including many blocked roads from
10 fallen power lines, burned trees and vehicles, no available
11 utilities, no available public services and the presence of
12 human remains and animal carcasses.

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

19 L. The combustion of building materials such as siding, roofing
20 tiles, and insulation results in dangerous ash that may contain
21 asbestos, heavy metals and other hazardous materials. Household
22 hazardous waste such as paint, gasoline, cleaning products,
23 pesticides, compressed gas cylinders, and chemicals may have
24 been stored in homes, garages, or sheds that may have burned in
25 the fire, also producing hazardous materials.

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

9 N. Standards and removal procedures are needed immediately to
10 protect the public safety, health and environment, and to
11 facilitate coordinated and effective mitigation of the risks to
12 the public health and environment from the health hazards
13 generated by the North Complex Fire disaster.

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

23 P. The Department of Toxic Substances Control has issued reports
24 regarding the assessment of burn debris from wildfires in the
25 past. The studies of burned residential homes and structures
26 from large scale wildland fires indicated that the resulting ash

1 and debris can contain asbestos and toxic concentrated amounts
2 of heavy metals such as antimony, arsenic, cadmium, copper,
3 lead, and zinc. Additionally, the ash and debris may contain
4 higher concentrations of lead if the home was built prior to
5 1978 when lead was banned from household paint in the United
6 States. The reports indicated that the residual ash of burned
7 residential homes and structures has high concentrations of
8 heavy metals that can be toxic and can have significant impacts
9 to individual properties, local communities, and watersheds if
10 the ash and debris is not removed safely and promptly.

11 Q. It is essential that this Urgency Ordinance become immediately
12 effective to mitigate the harm that could be caused to the public
13 health and safety and to the environment from the improper
14 disturbance, removal and/or disposal of debris containing
15 hazardous materials, and to facilitate the orderly response to
16 the North Complex Fire disaster.

17 **Section 54-2. Title.**

18 This Chapter shall be known and may be cited as the North Complex
19 Fire Recovery Code.

20 **Article II. Debris Removal**

21 **Section 54-10. Definitions.**

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

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

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

1 over.

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

9 **Section 54-11. Effective Period.**

10 This Article relating to debris removal shall take effect immediately
11 upon adoption and shall remain in effect until the removal of fire
12 debris has been completed on all properties damaged by the North
13 Complex Fire, subject to modification by the Board.

14 **Section 54-12. Prohibition on Removal of Fire Debris from Private**
15 **Property.**

16 The removal of fire debris from qualifying structures on private
17 property is prohibited at this time. This prohibition shall not
18 apply to properties that only contained non-qualifying structures,
19 including but not limited to sheds, canopies, carports, well
20 houses, greenhouses, chicken coops or fencing. Whether fire debris
21 derives from a qualifying or non-qualifying structure shall be
22 determined by the Director.

23 **Section 54-13. County Development Permits.**

24 A. No application for a County Development permit in the North
25 Complex Fire area for a parcel containing fire debris from a
26 qualifying structure shall be considered complete until the applicant

1 has been issued a completion certificate by the Department of Public
2 Health, Environmental Health Division.

3 B. This Section shall not apply to permits for wells or septic
4 systems with the Environmental Health Division of Public Health.
5 Applicants are prohibited from installation of such systems unless
6 it is completed pursuant to the guidance of the Environmental Health
7 Division of Public Health.

8 **Section 54-14. Remedies Not Exclusive.** The remedies identified are
9 in addition to and do not supersede or limit any and all other
10 remedies, civil or criminal. The remedies provided in this Article
11 shall be cumulative and not exclusive.

12 **ARTICLE III. EMERGENCY INTERIM HOUSING OUTSIDE THE NORTH COMPLEX**
13 **FIRE AREA**

14 **Section 54-30. Purpose.**

15 This article is enacted for the purpose of temporarily modifying
16 various Zoning Ordinance regulations and policies to allow the
17 fastest possible transition of residents made homeless or displaced
18 by the North Complex Fire to interim and long-term shelter. The
19 article relaxes certain standards in the Zoning Ordinance to allow
20 for additional temporary housing opportunities outside of the
21 boundaries of the North Complex Fire to meet the urgent need for
22 housing of displaced persons. This article does not address
23 standards that will be required when displaced persons return to
24 their properties within the boundaries of the North Complex Fire.
25 Those standards will be addressed in an article below.

26 **Section 54-31. Administration.**

1 This article shall be administered under the direction of the Board
2 of Supervisors, by and through the Director and other departments
3 specified herein.

4 **Section 54-32. Effective Period.**

5 A. The provisions in this article shall remain in effect until
6 December 31, 2023, unless otherwise specified herein, subject to
7 extension or modification by the Board of Supervisors.

8 B. Except as otherwise provided herein, no residential
9 recreational vehicle use or interim housing authorized pursuant to
10 this article shall be used for permanent housing after the
11 expiration date of this article.

12 **Section 54-33. Definitions.**

13 Except where the context clearly indicates otherwise, the following
14 definitions shall govern the construction of the words and phrases
15 used in the article:

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

21 **Director.** The Director of the Department of Development Services
22 or his or her authorized representative.

23 **Displaced Person(s).** A county resident or residents whose
24 residential dwelling has been destroyed or damaged by the North
25 Complex Fire, such that the resident(s) cannot occupy the dwelling.
26 Displaced person(s) may be required to provide verification to the

1 county to substantiate their eligibility for uses, permits and/or
2 approvals described in this article. Evidence may consist of
3 verification by Federal Emergency Management Agency (FEMA)
4 registration or damage assessment, and/or a driver's license or
5 other government-issued identification card or utility bill, etc.
6 with a physical address showing the resident resided on a legal
7 parcel impacted by the North Complex Fire, as determined by the
8 county. Such determination may be made by the Director or other
9 county personnel.

10 **Effective Date.** The date of the Board of Supervisors adoption of
11 this article.

12 **FEMA.** The Federal Emergency Management Agency or successor agency.
13 Mobile/manufactured home: A housing structure transportable in one
14 (1) or more sections, designed and equipped to be used with or
15 without a foundation system, certified under the National
16 Manufactured Housing Construction and Safety Standards Act of 1974
17 (42 U.S.C. section 5401 et seq.). The County shall not grant a
18 permit for the installation of a mobile/manufactured home if such
19 mobile/manufactured home is older than ten (10) years of age. The
20 age measurement period shall be from the year of manufacture of the
21 home to the year of the permit application. Mobile/manufactured
22 home does not include recreational vehicle, park trailer, or
23 commercial modular as defined in Division 13, Part 2, Chapter 1, of
24 the Health and Safety Code.

25 **Movable Tiny House.** A movable tiny house is a structure utilized as
26 living quarters by one household that is licensed by and registered

1 with the California Department of Motor Vehicles, meets the
2 American National Standards Institute (ANSI) 119.5 or ANSI 119.2
3 (NFPA 1192) requirements and is certified by a qualified third
4 party inspector for ANSI compliance, cannot move under its own
5 power, is not longer than allowed by State law for movement on
6 public highways, has a total floor area of not less than 150 square
7 feet, and has no more than 430 square feet of habitable living
8 space.

9 **North Complex Fire.** The North Complex Fire derived from lightning
10 strikes in Plumas County on August 17, 2020. The strikes caused
11 several fires, including the Bear Fire and the Claremont Fire,
12 which merged to form the North Complex Fire. On September 8, 2020,
13 the fire spread rapidly into Butte County. As of this date, fifteen
14 (15) individuals in Butte County have died due to the fire, over
15 one thousand two hundred (1,200) structures have been destroyed or
16 damaged, and approximately twenty thousand individuals (20,000)
17 have been evacuated from the fire area. CAL FIRE maintains a map
18 showing the boundaries of the North Complex Fire. The fire affected
19 the communities of Berry Creek, Brush Creek and Feather Falls, as
20 well as additional rural areas.

21 **Recreational Vehicle.** A motor home, travel trailer, truck camper or
22 camping trailer that is: (1) self-contained with potable water and
23 sewage tanks and designed for human habitation for recreational or
24 emergency occupancy; (2) self-propelled, truck-mounted, or
25 permanently towable on California roadways; and (3) a California
26

1 Department of Motor Vehicles licensed vehicle, or a similar vehicle
2 or structure as determined by the Director.

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

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

11 **Transitory Period.** The period of time after the North Complex Fire
12 event during which recreational vehicles do not need to meet the
13 water, sewage disposal, and electricity hook-up standards. The
14 transitory period ends on December 31, 2023.

15 **Section 54-34. Residential Use of Recreational Vehicles and**
16 **Temporary Dwellings.**

17 A. FEMA Temporary Housing Sites. Federal Emergency Management
18 Agency (FEMA) temporary housing sites authorized under contract to
19 FEMA are an allowed use in the MDR (Medium Density Residential),
20 MHDR (Medium High Density Residential), HDR (High Density
21 Residential), RBP (Research and Business Park), PD (Planned
22 Development), P (Public), and Commercial and Industrial zones; and,
23 in AG (Agriculture) zones when an approved residential specific
24 plan exists, and when said specific plan is identified under the
25 Butte County General Plan, or in AG (Agriculture) zones located
26 inside a city's approved Sphere of Influence that are classified as

1 grazing or other lands as defined by the State Farmland Mapping and
2 Monitoring Program and having a combined parcel size greater than
3 20 acres and subject to all additional requirements, such as the
4 300 foot agricultural buffer, flood zones, and airport land use
5 compatibility zones. Each FEMA temporary housing site authorized
6 under this article shall have been reviewed through the housing
7 identification process and approved by the Director.

8 B. Transitory Use of Recreational Vehicles. Residential use and
9 occupancy of up to two (2) recreational vehicles without water,
10 sewage disposal, or electricity hook-ups on any lot that permits a
11 residential use outside of the area affected by the North Complex
12 Fire shall be allowed for the transitory period. Use after the
13 transitory period shall be subject to a temporary administrative
14 permit, full hook-ups to water, sewage disposal, and electricity,
15 and subject to the applicable standards set forth in Subsection E,
16 Standards.

17 C. Temporary Dwellings with Utility Hook-ups. Residential use and
18 occupancy of up to two (2) temporary dwellings utilizing hook-ups
19 for water, sewage disposal, and electricity shall be allowed during
20 the Effective Period of this article subject to a temporary
21 administrative permit, and subject to the applicable requirements
22 set forth in Subsection E, Standards.

23 D. Temporary Recreational Vehicle Parks. The establishment of
24 temporary recreational vehicle parks without requiring hook-ups to
25 water, sewage disposal, and electricity in Commercial, Industrial,
26 FR (Foothill Residential), RR (Rural Residential), within the City

1 of Chico Sphere of Influence VLDCR (Very Low Density Country
2 Residential), PD (Planned Development), P (Public), and RBP
3 (Research and Business Park) zoning districts, and in parking lots
4 of religious and community facilities, and in AG (Agriculture)
5 zones when an approved residential specific plan exists, and when
6 said specific plan is identified under the Butte County General
7 Plan, or in AG (Agriculture) zones located inside a city's approved
8 Sphere of Influence that are classified as grazing or other lands
9 as defined by the State Farmland Mapping and Monitoring Program and
10 having a combined parcel size greater than 20 acres and subject to
11 all additional requirements, such as the 300 foot agricultural
12 buffer, flood zones, and airport land use compatibility zones shall
13 be allowed for the transitory period. Temporary Recreational
14 Vehicle Parks that are served with water, sewage disposal, and
15 electricity hook-ups may continue for the Effective Period of this
16 article. Basecamp features may be located in the same zones as
17 Temporary Recreational Vehicle Parks, except for the FR (Foothill
18 Residential), RR (Rural Residential), and within the City of Chico
19 Sphere of Influence VLDCR (Very Low Density Country Residential)
20 zones. Temporary Recreational Vehicle Parks and basecamp features
21 are subject to a temporary administrative permit and subject to the
22 applicable requirements set forth under Subsection E, Standards.
23 E. Standards. After the transitory period, all residential uses
24 of recreational vehicles shall meet the following standards. Use of
25 temporary dwellings shall at all times meet the following
26 standards.

1 1. Recreational vehicles and temporary dwellings shall have full
2 hook-ups to water, sewage disposal, and electricity.

3 2. The property owner or the property owner's authorized agent
4 shall obtain a temporary administrative permit for the Effective
5 Period of this article. Written consent of the property owner is
6 required in all cases.

7 3. Use of temporary dwellings is contingent on proof of a damaged
8 or destroyed residence as verified by the Director based on prior
9 final building permit or Assessor's records, or other documentation
10 satisfactory to the Director.

11 4. The residential use of recreational vehicles and temporary
12 dwellings is limited to vehicles and dwellings not on a permanent
13 foundation and used to house displaced persons during the Effective
14 Period set forth in Section 54-32 above.

15 5. The residential use of recreational vehicles and temporary
16 dwellings shall be located outside of required setbacks established
17 in Chapter 24 of the Butte County Code, unless the applicant can
18 establish to the satisfaction of the Director that there is no
19 other available location outside of the setback area.

20 6. The residential use of recreational vehicles and temporary
21 dwellings shall be located outside of the boundaries of any
22 recorded easements.

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

26 a. Public water supply;

1 b. Existing well provided that it has been approved by the
2 Department of Public Health, Environmental Health Division as safe
3 for domestic consumption; or,

4 c. Other water source as approved by the Department of Public
5 Health, Environmental Health Division.

6 8. The recreational vehicle, basecamp feature, or temporary
7 dwelling shall be connected to an approved sewage disposal system
8 meeting one of the following criteria:

9 a. Public sewer system;

10 b. Existing on-site sewage disposal system that has been approved
11 by the Department of Public Health, Environmental Health Division
12 to be intact, adequately sized, and functioning following the
13 disaster;

14 c. Temporary holding tank with a contract with a pumping company
15 for regular pumping. A copy of the contract shall be provided to
16 the Department of Public Health, Environmental Health Division; or

17 d. Other method of sewage disposal approved by the Department of
18 Public Health, Environmental Health Division.

19 9. The recreational vehicle, basecamp feature, or temporary
20 dwelling shall be connected to an approved source of electricity
21 meeting one of the following criteria:

22 a. Permitted electrical service hook-up; or

23 b. Other power source approved by the Director.

24 10. The following additional standards apply to Temporary
25 Recreational Vehicle Parks and basecamp features:

1 a. Except for AG (Agriculture) zoned parcels which shall be a
2 minimum total of twenty (20) acres and FR (Foothill Residential),
3 RR (Rural Residential), and within the City of Chico Sphere of
4 Influence VLDCR (Very Low Density Country Residential) zoned
5 parcels which shall be a minimum total of five (5) acres as
6 discussed in subsection (E)(11) below, parcels shall be a minimum
7 of two (2) acres in size.

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

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

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

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

21 11. The following additional standards apply to Temporary
22 Recreational Vehicle Parks and basecamp features in the FR
23 (Foothill Residential), RR (Rural Residential), and within the City
24 of Chico Sphere of Influence VLDCR (Very Low Density Country
25 Residential) zones.

26 a. Basecamps are not permitted.

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

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

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

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

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

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

15 12. Each temporary administrative permit application for a
16 Temporary Recreational Vehicle Park and basecamp feature shall be
17 accompanied by a detailed plan for the restoration or reclamation
18 of the subject property to the satisfaction of the Director. At
19 minimum, a plan for restoration or reclamation shall include
20 clearance of the site of all recreational vehicles and related
21 structures and removal of all-weather surfaces and utilities
22 constructed for said park unless there is a separate application
23 under the Zoning Ordinance to permit the improvements.

24 Lands upon which Temporary Recreational Vehicle Parks and basecamp
25 features in AG (Agriculture) zones are located shall be restored to
26 their prior agricultural use or other agricultural use as approved

1 by the Director prior to the expiration of this ordinance. A
2 performance guarantee as provided by Section 24-245 of Butte County
3 Code in the amount of \$1,000.00 per acre of land disturbed by the
4 Temporary Recreational Vehicle Park and basecamp feature shall be
5 paid prior to site disturbance activities to ensure that site
6 restoration and reclamation is completed to the satisfaction of the
7 Director. Lands shall be reclaimed to the satisfaction of the
8 Director prior to release of the performance guarantee.

9 **Section 54-35. Use of accessory residential structures for**
10 **temporary habitation.**

11 For the Effective Period of this article, accessory residential
12 structures, which meet Residential Group R occupancies as
13 established by the California Residential Code adopted by Butte
14 County, may be used as interim housing for persons displaced by the
15 North Complex Fire. During this period, said use shall not be
16 subject to the provisions of existing deed restrictions required by
17 Butte County, but shall remain subject to all other existing
18 regulations and limitations.

19 **Section 54-36. Use of Accommodations, Farmstays, Bed and Breakfast**
20 **Inns, Resorts, Retreats, Camps or other similar uses.**

21 Notwithstanding any contrary provision in the Butte County Code or
22 any use permit conditions, use of existing promotional or marketing
23 accommodations, farmstays, bed and breakfast inns, resorts,
24 retreats, camps or other similar visitor serving uses shall be
25 allowed as interim housing for persons displaced by the North
26 Complex Fire.

1 **Section 54-37. Waiver of County Use Permit Requirement for**
2 **Relocation of Damaged Child Care and Educational Facilities.**

3 Notwithstanding any contrary provision in the Butte County Code,
4 any existing small or large child day care facility or child care
5 center, elementary school, junior high school, high school or
6 institution of higher education that was housed in premises made
7 uninhabitable by the North Complex Fire may be temporarily
8 relocated to existing buildings in the LI (Limited Industrial), RBP
9 (Research and Business Park), PD (Planned Development), PB
10 (Public), GC (General Commercial), NC (Neighborhood Commercial), CC
11 (Community Commercial), REC (Recreation Commercial), SE (Sports and
12 Entertainment), and MU (Mixed-Use) zones, or to any site within an
13 existing religious facility, subject to a temporary administrative
14 permit and any existing applicable standards, and subject to a
15 building permit if any renovations are required. Nothing in this
16 article waives or affects any State law requirements applicable to
17 such facilities.

18 **Section 54-38. Removal and disconnection.**

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

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1 **ARTICLE IV. EMERGENCY INTERIM HOUSING INSIDE THE NORTH COMPLEX**
2 **FIRE AREA**

3 **Section 54-50. Purpose.**

4 Over two thousand two hundred forty eight (2,248) structures were
5 destroyed or damaged, of which one thousand four hundred and fifty
6 seven (1,457) are residential, by the North Complex Fire in Berry
7 Creek, Brush Creek, Feather Falls, and surrounding unincorporated
8 areas. This disaster has created an additional need for housing
9 that follows on the overwhelming need for housing that was created
10 by the November 8, 2018 Camp Fire in Paradise which created a need
11 for housing on a scale that could not be accommodated through the
12 existing available housing in Butte County. The need for housing
13 from the Camp Fire has not been satisfied, and Butte County now
14 faces the additional need for housing from the North Complex Fire.
15 To meet the immediate need for housing, Butte County relaxed some
16 building and zoning regulations in a prior article to allow for
17 additional temporary housing outside of the North Complex Fire
18 affected area. However, this additional temporary housing may not
19 be sufficient to meet the large and immediate need. This article
20 relaxes some building and zoning regulations to allow for
21 additional temporary housing inside of the North Complex Fire
22 affected area. While public safety hazards are being mitigated,
23 persons moving back to the area do so at their own risk and should
24 make themselves aware of potential public safety hazards,
25 including but not limited to falling trees or telephone poles
26 adjacent to the roadways, damaged or unsafe roadways and bridges,

1 and potable water issues. The article allows persons to place
2 temporary housing on a property once Fire Debris and Hazardous
3 Materials has been removed. The purpose of this article is to
4 develop reasonable standards that allow persons to move back into
5 the North Complex Fire affected area recognizing that a massive
6 debris removal program must be implemented and, at the same time,
7 provide interim shelter for Butte County residents on private
8 property during this housing crisis.

9 **Section 54-51. Prohibition and Administration.**

10 It is prohibited for any individual, including a Displaced Person,
11 to reside on any property that contains Fire Debris and Hazardous
12 Materials until the property has been certified clean by the
13 Department of Public Health, Environmental Health Division. This
14 article shall be administered under the direction of the Board of
15 Supervisors, by and through the Director and other departments
16 specified herein.

17 **Section 54-52. Effective Period.**

18 A. The provisions in this article shall remain in effect
19 until December 31, 2023, unless otherwise specified
20 herein, subject to extension or modification by the
21 Board of Supervisors.

22 B. Except as otherwise provided herein, no residential
23 recreational vehicle use or interim housing authorized
24 pursuant to this article shall be used for permanent
25 housing after the expiration date of this article.

26 **Section 54-53. Definitions.**

1 Except where the context clearly indicates otherwise, the
2 following definitions shall govern the construction of the words
3 and phrases used in the article:

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 North Complex Fire recovery efforts or shelter of
8 Displaced Persons.

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

14 **Director.** The Director of the Department of Development Services
15 or his or her authorized representative.

16 **Displaced Person(s).** A county resident or residents whose
17 residential dwelling has been destroyed or damaged by the North
18 Complex Fire, such that the resident(s) cannot occupy the dwelling.
19 Displaced Person(s) may be required to provide verification to the
20 county to substantiate their eligibility for uses, permits and/or
21 approvals described in this article. Evidence may consist of
22 verification by Federal Emergency Management Agency (FEMA)
23 registration or damage assessment, and/or a driver's license or
24 other government-issued identification card or utility bill, etc.,
25 with a physical address showing the resident resided on a property
26 impacted by the North Complex Fire, as determined by the county.

1 Such determination may be made by the Director or other county
2 personnel.

3 **Effective Date.** The date of the Board of Supervisors adoption of
4 this article.

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

6 **Fire Debris and Hazardous Materials.** Debris, ash, metals, and
7 completely or partially incinerated substances from qualifying
8 structures.

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

21 **Movable Tiny House.** A movable tiny house is a structure utilized
22 as living quarters by one household that is licensed by and
23 registered with the California Department of Motor Vehicles, meets
24 the American National Standards Institute (ANSI) 119.5 or ANSI
25 119.2 (NFPA 1192) requirements and is certified by a qualified
26 third party inspector for ANSI compliance, cannot move under its

1 own power, is not longer than allowed by State law for movement on
2 public highways, has a total floor area of not less than 150 square
3 feet, and has no more than 430 square feet of habitable living
4 space.

5 **North Complex Fire.** The North Complex Fire derived from lightning
6 strikes in Plumas County on August 17, 2020. The strikes caused
7 several fires, including the Bear Fire and the Claremont Fire,
8 which merged to form the North Complex Fire. On September 8, 2020,
9 the fire spread rapidly into Butte County. As of this date, fifteen
10 (15) individuals in Butte County have died due to the fire, over
11 two thousand one hundred and thirty nine (2,139) structures have
12 been destroyed or damaged, of which one thousand three hundred and
13 eighty eight (1,388) are residential, and approximately twenty
14 thousand individuals (20,000) have been evacuated from the fire
15 area. CAL FIRE maintains a map showing the boundaries of the North
16 Complex Fire. The fire affected the communities of Berry Creek,
17 Brush Creek, and Feather Falls, as well as additional rural areas.

18 **Qualifying Structure.** A structure of 120 square feet and over.

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

26 **Recreational Vehicle Park.** A commercial use providing space for

1 the accommodation of more than two recreational vehicles for
2 recreational or emergency housing for displaced persons, or for
3 transient employee lodging and/or basecamp purposes.

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

8 **Transitory Period.** The period of time after the North Complex Fire
9 event during which recreational vehicles do not need to meet the
10 water, sewage disposal, and electricity hook-up standards. The
11 transitory period ends on December 31, 2023.

12 **Section 54-54. Transitory Use of Recreational Vehicles.**

13 Residential use and occupancy of up to two (2) recreational
14 vehicles on any property that permits a residential use and that
15 does not contain Fire Debris and Hazardous Materials or has been
16 certified clean by the Department of Public Health, Environmental
17 Health Division shall be allowed for the transitory period subject
18 to the applicable requirements set forth under Section 54-57,
19 Standards. Use after the transitory period shall require
20 compliance with Section 54-57, Standards, a temporary
21 administrative permit, and full hook-ups to water, sewage
22 disposal, and electricity.

23 **Section 54-55. 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 any property that permits a residential use and that does not

1 contain Fire Debris and Hazardous Materials or has been certified
2 clean by the Department of Public Health, Environmental Health
3 Division shall be allowed during the Effective Period of this
4 article subject to a temporary administrative permit, and subject
5 to the applicable requirements set forth in Section 54-57,
6 Standards.

7 **Section 54-56. Use of Cargo Storage Containers.**

8 The use of cargo storage containers during the term of this article
9 shall be allowed, subject to the applicable requirements set forth
10 under Section 54-57, Standards.

11 **Section 54-57. Standards.**

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

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

21 B. At all times, residential use of recreational vehicles and
22 temporary dwellings is limited to vehicles and dwellings
23 not on a permanent foundation and used to house persons
24 displaced by the North Complex Fire during the Effective
25 Period set forth in Section 54-52.

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

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

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

16 F. For water hook-ups, the recreational vehicle, basecamp
17 feature, or temporary dwelling shall be connected to an
18 approved source of water meeting one of the following
19 criteria:

- 20 1. Public water supply;
- 21 2. Existing well provided that it has been approved by
22 the Department of Public Health, Environmental
23 Health Division as safe for domestic consumption;
24 or
- 25 3. Other water source approved by the Department of
26 Public Health, Environmental Health Division.

1 G. For sewage disposal hook-ups, the recreational vehicle,
2 basecamp feature, or temporary dwelling shall be
3 connected to an approved sewage disposal system meeting
4 one of the following criteria:

- 5 1. Public sewer system;
- 6 2. A new or existing on-site sewage disposal system
7 that has been approved by the Department of Public
8 Health, Environmental Health Director to be intact,
9 adequately sized, and functioning correctly;
- 10 3. 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 4. Other method of sewage disposal approved by the
15 Department of Public Health, Environmental Health
16 Division.

17 H. For electricity hook-ups, the recreational vehicle,
18 basecamp feature, or temporary dwelling shall be
19 connected to an approved source of electricity meeting
20 one of the following criteria:

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

23 **Section 54-58. FEMA Temporary Housing Sites.**

24 Federal Emergency Management Agency (FEMA) temporary housing sites
25 authorized under contract to FEMA are an allowed use in the MDR
26 (Medium Density Residential), MHDR (Medium High Density

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

15 **Section 54-59. Temporary Recreational Vehicle Parks.**

16 The establishment of Temporary Recreational Vehicle Parks without
17 requiring hook-ups to water, sewage disposal, and electricity on
18 any property that does not contain Fire Debris and Hazardous
19 Materials or has been certified clean by the Department of Public
20 Health, Environmental Health Division in Commercial, Industrial,
21 FR (Foothill Residential), RR (Rural Residential), PD (Planned
22 Development), P (Public), and RBP (Research and Business Park)
23 zoning districts, and in the parking lots of religious and
24 community facilities, and in AG (Agriculture) zones when an
25 approved residential specific plan exists, and when said specific
26 plan is identified under the Butte County General Plan, or in AG

1 (Agriculture) zones located inside a city's approved Sphere of
2 Influence that are classified as grazing or other lands as defined
3 by the State Farmland Mapping and Monitoring Program and having a
4 combined parcel size greater than 20 acres and subject to all
5 additional requirements, such as the 300 foot agricultural buffer,
6 flood zones, and airport land use compatibility zones shall be
7 allowed for the transitory period. Temporary Recreational Vehicle
8 Parks that are served with water, sewage disposal, and electricity
9 hook-ups may continue for the Effective Period set forth in Section
10 54-52. Basecamp features may be located in the same zones as
11 Temporary Recreational Vehicle Parks, except for the FR (Foothill
12 Residential) and RR (Rural Residential) zones. Temporary
13 Recreational Vehicle Parks and basecamp features are subject to a
14 temporary administrative permit and subject to the applicable
15 requirements set forth under Section 54-57, Standards, as well as
16 the following standards:

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

22 B. All areas occupied by recreational vehicles and/or
23 basecamp features and access aisles, driveways, and
24 roads shall have an all-weather surface capable of
25 supporting a 40,000 lb. load that will allow for ingress
26 and egress of fire apparatus to within 150 feet of all

1 units and a vertical clearance of no less than 15 feet.

2 C. Driveways and aisles shall have a minimum width of 25
3 feet.

4 D. A County Encroachment permit must be obtained for all
5 new and existing driveway approaches to publicly
6 maintained roads as specified in the County Improvement
7 Standards.

8 E. The temporary administrative permit may be subject to
9 additional requirements from Butte County Fire, Butte
10 County Public Works, the State Department of Housing and
11 Community Development, and the State Regional Water
12 Quality Control Board.

13 F. The following additional standards apply to Temporary
14 Recreational Vehicle Parks and basecamp features in the
15 FR (Foothill Residential) and RR (Rural Residential)
16 zones.

17 a. Basecamps are not permitted.

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

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

21 d. There shall be a 25-foot setback from all property
22 lines for all recreational vehicles and related
23 improvements.

24 e. Quiet hours shall be maintained from 10 pm to 7 am,
25 during which generators shall not be operated and noise
26

1 levels shall conform to Butte County Code Chapter 41
2 A, Noise Control.

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

8 g. One on-site parking space shall be provided per
9 recreational vehicle.

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

21 Lands upon which Temporary Recreational Vehicle Parks
22 and basecamp features in AG (Agriculture) zones are
23 located shall be restored to their prior agricultural
24 use or other agricultural use as approved by the
25 Director prior to the expiration of this ordinance. A
26 performance guarantee as provided by Section 24-245 of

1 Butte County Code in the amount of \$1,000.00 per acre
2 of land disturbed by the Temporary Recreational
3 Vehicle Park and basecamp feature shall be paid prior
4 to site disturbance activities to ensure that site
5 restoration and reclamation is completed to the
6 satisfaction of the Director. Lands shall be
7 reclaimed to the satisfaction of the Director prior to
8 release of the performance guarantee.

9 **Section 54-60. Reconstruction of a legal nonconforming structure.**

10 Reconstruction of a legal nonconforming structure that has been
11 destroyed or damaged shall begin within two-years after the fire
12 debris removal is signed-off as complete by the Public Health
13 Department's Environmental Health Division and shall be completed
14 within three-years after issuance of the building permit. Any
15 reconstruction is subject to all applicable permit requirements
16 and current building standards.

17 **Section 54-61. Reconstruction of single family dwellings**

18 Reconstruction of single family dwellings shall take place under
19 the following circumstances:

20 A. On parcels with Fire Debris and Hazardous Materials, a
21 building permit and plans may be submitted but a building
22 permit will not be approved until the parcel has been
23 certified clean by the Department of Public Health,
24 Environmental Health Division.

25 B. On vacant parcels, building permits and plans may be
26 submitted and approved provided that construction is one

1 hundred (100) feet or greater from neighboring Fire
2 Debris and Hazardous Materials.

3 **Section 54-62. Use of accessory residential structures for**
4 **temporary habitation.**

5 For the Effective Period of this article, accessory residential
6 structures on any property that permits a residential use and that
7 does not contain Fire Debris and Hazardous Materials or has been
8 certified clean by the Department of Public Health, Environmental
9 Health Division, which also meets Residential Group R occupancies
10 as established by the California Residential Code adopted by Butte
11 County, may be used as interim housing for Displaced Persons.

12 During this period, said use shall not be subject to the provisions
13 of existing deed restrictions required by Butte County, but shall
14 remain subject to all other existing regulations and limitations.

15 **Section 54-63. Use of Accommodations, Farmstays, Bed and Breakfast**
16 **Inns, Resorts, Retreats, Camps or other similar uses.**

17 Notwithstanding any contrary provision in the Butte County Code or
18 any use permit conditions, use of existing promotional or marketing
19 accommodations, farmstays, bed and breakfast inns, resorts,
20 retreats, camps or other similar visitor serving uses shall be
21 allowed on any property that does not contain Fire Debris and
22 Hazardous Materials or has been certified clean by the Department
23 of Public Health, Environmental Health Division as interim housing
24 for Displaced Persons.

25 **Section 54-64. Waiver of County Use Permit Requirement for**
26 **Relocation of Damaged Child Care and Educational Facilities.**

1 Notwithstanding any contrary provision in the Butte County Code,
2 any existing small or large child day care facility or child care
3 center, elementary school, junior high school, high school or
4 institution of higher education that was housed in premises made
5 uninhabitable by the North Complex Fire may be temporarily
6 relocated to existing buildings on any property that does not
7 contain Fire Debris and Hazardous Materials or has been certified
8 clean by the Department of Public Health, Environmental Health
9 Division in the LI (Limited Industrial), PD (Planned Development),
10 PB (Public), GC (General Commercial), NC (Neighborhood
11 Commercial), CC (Community Commercial), REC (Recreation
12 Commercial), and MU (Mixed-Use) zones, or to any site within an
13 existing religious facility on any property that does not contain
14 Fire Debris and Hazardous Materials or has been certified clean by
15 the Department of Public Health, Environmental Health Division,
16 subject to a temporary administrative permit and any existing
17 applicable standards, and subject to a building permit if any
18 renovations are required. Nothing in this article waives or
19 affects any State law requirements applicable to such facilities.

20 **Section 54-65. Removal and disconnection.**

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

1 **Section 54-66. Rebuilding Warning.**

2 The following statement shall be supplied to all individuals
3 applying for a building permit within the North Complex Fire area:

4 "Due to the large number of structures destroyed in the North
5 Complex Fire area, it is anticipated that there will be a large
6 number of applications for building permits in the North Complex
7 Fire area after Fire Debris and Hazardous Materials have been
8 cleaned up. Building permits in the North Complex Fire area will
9 not be issued until after a property has been cleared of Fire
10 Debris and Hazardous Materials. The Butte County Health Officer
11 has identified health hazards in the Fire Debris and Hazardous
12 Materials in the North Complex Fire area. Even if a property has
13 been cleared of Fire Debris and Hazardous Materials or never had
14 any Fire Debris and Hazardous Materials, it does not mean that
15 there are no other health hazards or dangers on the property,
16 including dangers resulting from fire-damaged or hazard trees.
17 Property owners and residents must do their own investigation to
18 determine whether there are any other health hazards or dangers on
19 the property. The issuance of a building permit for the property
20 does not accomplish this task. A building permit is a ministerial
21 action requiring only limited review by the County to ensure that
22 the structure meets all applicable building standards. In most
23 zones, an individual is allowed by right to construct a residence
24 after receiving a building permit which only requires conformity
25 to building standards. The building permit is issued based on
26 information supplied by the applicant without independent

1 investigation by the County of the property or potential health
2 hazards or dangers. Given the limited scope of enforcement, it is
3 not possible for the County to identify potential health hazards
4 or dangers which are not directly associated with the permitted
5 structure. The applicant is in a position to inspect the property,
6 identify potential health hazards or dangers, and tailor the
7 application to avoid any potential health hazards or dangers.”

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