

AN ORDINANCE OF THE COUNTY OF BUTTE AMENDING ARTICLE III,
ENTITLED "EMERGENCY INTERIM HOUSING OUTSIDE THE CAMP FIRE AREA,"
OF CHAPTER 53, ENTITLED "CAMP FIRE DISASTER RECOVERY ORDINANCE,"
TO EXPAND THE LOCATION OF TEMPORARY RECREATIONAL VEHICLE PARKS

The Board of Supervisors of the County of Butte ordains as follows:

Section 1. Emergency Findings.

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

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

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

1 C. On November 8, 2018, the County Administrator of the County
2 of Butte proclaimed the existence of a local emergency within
3 Butte County due to the Camp Fire.

4 D. On November 8, 2018, the Acting Governor of the State of
5 California proclaimed a State of Emergency for Butte County
6 pursuant to the California Emergency Services Act, commencing
7 with Section 8550 of the Government Code, and on November 14,
8 2018, the Governor issued Executive Order B-57-18 concerning
9 the Camp Fire.

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

22 F. On November 9, 2018, Dr. Andrew Miller, Butte County's Local
23 Health Officer, issued a Declaration of Health Emergency
24 pursuant to California Health and Safety Code section 101080.
25 Dr. Miller's declaration stated that the local health
26 emergency was a consequence of the debris resulting from the

1 Camp Fire that contains hazardous material in the ash of the
2 burned qualifying structures. The purpose of the Declaration
3 was to address the immediate threat to the public health and
4 the imminent and proximate threat of the introduction of
5 contagious, infectious or communicable disease, chemical
6 agents, non-communicable biologic agents, toxins and/or
7 radioactive agents present at the time in the Camp Fire area.
8 The threats included (1) the enormous amount of fire debris
9 present in the Camp Fire area, including ash and debris
10 containing hazardous materials and probable radioactive
11 materials present in ash and debris from qualifying
12 structures, (2) the threat of infectious or communicable
13 disease and/or non-communicable biologic agents due to animal
14 carcasses, radioactive waste and perishable foods, (3) the
15 potential contamination or destruction of the residential and
16 commercial water supply in the Camp Fire area and (4) the
17 potential pollution of the drinking water downstream from the
18 Camp Fire area if weather conditions caused the spread of the
19 hazardous materials in the ash and debris of burned qualifying
20 structures.

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

25 H. On November 13, 2018, the Board of Supervisors adopted
26 Resolution No. 18-169 ratifying the County Administrator's

1 proclamation of the existence of a local emergency in Butte
2 County. The resolution also requested that the State of
3 California waive regulations that may hinder response and
4 recovery efforts, as well as make available assistance under
5 the California Disaster Assistance Act or any other state
6 funding, and that the Federal Government expedite access to
7 federal resources and any other appropriate federal disaster
8 relief program.

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

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

1 threat of infectious or communicable disease and/or non-
2 communicable biologic agent due to the presence of animal
3 carcasses, perishable foods and radioactive waste and (4) the
4 potential pollution of the drinking water downstream from the
5 Camp Fire area if weather conditions caused the spread of the
6 hazardous materials in the ash and debris of burned qualifying
7 structures. At the time, the County estimated that the Camp
8 Fire had destroyed 18,000 structures.

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

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

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

21 M. There exists the potential for widespread toxic exposures and
22 threats to public health and the environment in the aftermath
23 of a major wildfire disaster, and debris and ash from
24 residential and commercial structure fires contain hazardous
25 materials and the harmful health effects of hazardous
26 materials produced by a wildfire are well-documented.

1 N. The combustion of building materials such as siding, roofing
2 tiles, and insulation results in dangerous ash that may
3 contain asbestos, heavy metals and other hazardous materials.
4 Household hazardous waste such as paint, gasoline, cleaning
5 products, pesticides, compressed gas cylinders, and chemicals
6 may have been stored in homes, garages, or sheds that may
7 have burned in the fire, also producing hazardous materials.

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

17 P. Standards and removal procedures are needed immediately to
18 protect the public health and environment, and to facilitate
19 coordinated and effective mitigation of the risks to the
20 public health and environment from the health hazards
21 generated by the Camp Fire disaster.

22 Q. The Camp Fire has created hazardous waste conditions in Butte
23 County in the form of contaminated debris from household
24 hazardous waste/materials and structural debris resulting
25 from the destruction of thousands of structures. This
26 hazardous waste debris poses a substantial present or

1 potential hazard to human health and the environment until
2 the property is certified clean. The accumulated exposure to
3 hazardous waste debris over an extended period of time poses
4 a severe hazard to human health.

5 R. The Board of Supervisors previously approved urgency
6 ordinances and/or related resolutions relating to the Camp
7 Fire disaster recovery on December 11, 2018, December 21,
8 2018, January 8, 2019, January 29, 2019, February 4, 2019,
9 February 12, 2019, February 24, 2019, April 23, 2019, July
10 23, 2019, and August 13, 2019. The actions addressed the need
11 for the regulation of debris removal to alleviate the public
12 health, safety and welfare concerns associated with the ash
13 and debris of qualifying structures and temporary emergency
14 housing options.

15 S. As of February 4, 2019, the status of the Camp Fire disaster
16 recovery is as follows: (1) Phase I cleanup by the U.S.
17 Environmental Protection Agency and the California Department
18 of Toxic Substances Control is complete, which has reduced
19 the public health concerns relating to the most hazardous
20 materials present in the Camp Fire area, (2) Phase II of the
21 cleanup pursuant to the Government (CalOES) Program and the
22 Alternative Program has commenced, (3) utilities are
23 available (except for potable water), (4) numerous businesses
24 have opened to serve the public, (5) public services are
25 available, including a FEMA and CalOES jointly-operated
26 Disaster Recovery Center in Paradise, California. Current

1 threats include (1) the enormous amount of fire debris present
2 in the Camp Fire area, (2) hazardous materials and probable
3 radioactive materials present in ash and debris from
4 qualifying structures, (2) the potential pollution of the
5 drinking water downstream from the Camp Fire area if weather
6 conditions caused the spread of the hazardous materials in
7 the ash and debris of burned qualifying structures. The
8 purpose of this ordinance is to allow residents to live on
9 properties in the Camp Fire area that do not contain fire ash
10 and debris from a qualifying structure destroyed or damaged
11 by the Camp Fire.

12 T. The Debris Removal Operations Plan for the Camp Fire prepared
13 by the CalOES/CalRecycle Incident Management Team provides
14 that the DTSC has issued reports regarding the assessment of
15 burn debris from wildfires in the past. The studies of burned
16 residential homes and structures from large scale wildland
17 fires indicated that the resulting ash and debris can contain
18 asbestos and toxic concentrated amounts of heavy metals such
19 as antimony, arsenic, cadmium, copper, lead, and zinc.
20 Additionally, the ash and debris may contain higher
21 concentrations of lead if the home was built prior to 1978
22 when lead was banned from household paint in the United
23 States. The reports indicated that the residual ash of burned
24 residential homes and structures has high concentrations of
25 heavy metals that can be toxic and can have significant impact
26 to individual properties, local communities, and watersheds

1 if the ash and debris is not removed safely and promptly. The
2 plan also indicates that the purpose of the structural debris
3 removal program is to remove debris that poses a risk to
4 health and/or the environment. Debris from structures smaller
5 than 120 square feet are not included in the program.

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

1 foregoing, properties that contain ash and debris from
2 qualifying structures constitute a significant public health
3 risk and therefore, those properties should be ineligible for
4 temporary emergency housing until Phase II cleanup work is
5 completed on the property and is certified clean by the
6 Department of Public Health, Environmental Health Division;
7 and (8) properties that do not contain ash and debris from a
8 qualifying structure do not pose a significant public health
9 risk and should be eligible for temporary emergency housing.

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

18 W. The Camp Fire burned many trees. Burned trees pose a hazard
19 because they may fall on the right-of-way, utility lines, and
20 structures or individuals. Arborists are assessing burned
21 trees to determine the hazard they pose. It is estimated that
22 as many as 500,000 trees will be cut and transported out of
23 the Camp Fire area. Butte County allows timber processing by-
24 right in certain zones, such as the Timber Mountain, Timber
25 Protection, and Heavy Industrial zones. Timber processing is
26 also allowed with a use permit in the General Industrial zone.

1 Most of the Timber Mountain and Timber Protection zoned
2 properties are located higher up in the mountains and not on
3 the way to where the logs will be processed requiring
4 backtracking if these sites were used. It is also not clear
5 that these sites would be able to accommodate the number of
6 trees that will be cut. While there are some Heavy and General
7 Industrial zoned properties, they are not sufficient to
8 accommodate the expected number of trees that will be cut and
9 transported out of the Camp Fire area. There is an urgent
10 need to store and sort logs and incidental log related
11 materials before they are taken to the location where they
12 will be processed. The capacity of processing facilities
13 cannot accommodate the number of logs and incidental log
14 related materials as they are cut and transported, so there
15 is a need for more local storage sites to allow for later
16 transport to processing sites as the materials can be
17 accommodated. This ordinance temporarily relaxes zoning
18 standards to allow for temporary log storage yards in some
19 additional zones with provisions that the land be restored to
20 its prior state after the temporary use is discontinued.

21 X. Because there is a need for additional sites, and the need is
22 to accommodate logs from trees burned in the Camp Fire area,
23 the sites should be located near State highways and truck
24 haul routes that access the Camp Fire area. The sites should
25 also be located outside of urban and congested areas. Possible
26 sites in the desired locations that are sufficiently large to

1 accommodate a temporary log storage yard are predominantly
2 zoned for agricultural use and are classified as grazing or
3 other lands by the California Department of Conservation's
4 Farmland Mapping Program. It is the goal of Butte County, as
5 shown in its general plan and zoning ordinance, to preserve
6 agricultural lands for continued future agricultural use.
7 However, the Board of Supervisors finds that if a temporary
8 log storage yard is operated according to the standards
9 imposed by this ordinance, future damage to these sites will
10 be mitigated or eliminated and full restoration to a future
11 agricultural use should be achieved. The ability to restore
12 future agricultural use is much greater on grazing and other
13 lands than on more intensively used agricultural lands, such
14 as prime agricultural lands, and the Board finds that the
15 temporary log storage yard use should be limited to
16 agricultural lands that are classified as grazing and other
17 lands by the California Department of Conservation's Farmland
18 Mapping Program.

19 Y. The Board of Supervisors finds that log storage yards should
20 be allowed as a temporary use, but also finds that the need
21 to store logs can be met by allowing only a limited number of
22 larger parcels or aggregations of parcels to receive
23 permission to have a temporary log storage yard. The Board
24 finds that no more than fifteen (15) yards are required to
25 store the projected number of logs from trees to be removed
26 from the Camp Fire area. The Board finds that aggregating

1 parcels to allow this use is appropriate to temporarily
2 accommodate the need for log storage yards because having
3 larger areas allows the number of log storage yards to be
4 limited and allows for proper buffers to adjoining properties
5 and adequate room for safety standards.

6 Z. The Board of Supervisors finds that temporary log storage
7 yards should allow for an expanded range of activities, such
8 as chipping and milling, and should be allowed to be located
9 in additional zones, such as certain residential zones. The
10 yards should be used for more than storage of logs by allowing
11 logs and other vegetation to be processed. Allowing
12 processing at the yards will assist in the removal of logs
13 and vegetation from trees and plants damaged in the Camp Fire
14 in an expedited and more economical manner. Allowing the yards
15 to be located in additional zones will provide additional
16 locations within and in close proximity to the Camp Fire area
17 which should reduce the number and length of truck trips for
18 hauling the materials. Fewer truck trips should help extend
19 the life of area roads and should decrease the generation of
20 greenhouse gases. The expanded activities and allowed zones
21 should reduce costs to property owners for removing trees and
22 plants damaged in the Camp Fire and lead to quicker removal
23 of these trees and plants which present a risk to public
24 health and safety.

25 AA. The Board of Supervisors finds that there is a need to expand
26 the zones in which Temporary Recreational Vehicle Parks are

1 allowed to accommodate additional housing opportunities for
2 persons who have been displaced by the Camp Fire. The Board
3 finds that Temporary Recreational Vehicle Parks should be
4 allowed in the VLDCR (Very Low Density Country Residential)
5 zone in the same manner as they are allowed in the FR
6 (Foothill Residential) and RR (Rural Residential) zones.

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

15 **Section 2.** Section 53-34 is amended to read as follows:

16 **Section 53-34. Residential Use of Recreational Vehicles and**
17 **Temporary Dwellings.**

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

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

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

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

26 D. **Temporary Recreational Vehicle Parks.** The establishment of

1 temporary recreational vehicle parks without requiring hook-
2 ups to water, sewage disposal, and electricity in Commercial,
3 Industrial, FR (Foothill Residential), RR (Rural
4 Residential), VLDCR (Very Low Density Country Residential),
5 PD (Planned Development), P (Public), and RBP (Research and
6 Business Park) zoning districts, and in parking lots of
7 religious and community facilities, and in AG (Agriculture)
8 zones when an approved residential specific plan exists, and
9 when said specific plan is identified under the Butte County
10 General Plan, or in AG (Agriculture) zones located inside a
11 city's approved Sphere of Influence that are classified as
12 grazing or other lands as defined by the State Farmland
13 Mapping and Monitoring Program and having a combined parcel
14 size greater than 20 acres and subject to all additional
15 requirements, such as the 300 foot agricultural buffer, flood
16 zones, and airport land use compatibility zones shall be
17 allowed for the transitory period. Temporary Recreational
18 Vehicle Parks that are served with water, sewage disposal,
19 and electricity hook-ups may continue for the Effective
20 Period of this article. Basecamp features may be located in
21 the same zones as Temporary Recreational Vehicle Parks,
22 except for the FR (Foothill Residential), RR (Rural
23 Residential), and VLDCR (Very Low Density Country
24 Residential) zones. Temporary Recreational Vehicle Parks and
25 basecamp features are subject to a temporary administrative
26 permit and subject to the applicable requirements set forth

1 under Subsection E, Standards.

2 E. **Standards.** After the transitory period, all residential uses
3 of recreational vehicles shall meet the following standards.
4 Use of temporary dwellings shall at all times meet the
5 following standards.

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

9 2. The property owner or the property owner's authorized
10 agent shall obtain a temporary administrative permit for
11 the Effective Period of this article. Written consent
12 of the property owner is required in all cases.

13 3. Use of temporary dwellings is contingent on proof of a
14 damaged or destroyed residence as verified by the
15 Director based on prior final building permit or
16 Assessor's records, or other documentation satisfactory
17 to the Director.

18 4. The 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 displaced
21 persons during the Effective Period set forth in Section
22 53-32 above.

23 5. The residential use of recreational vehicles and
24 temporary dwellings shall be located outside of required
25 setbacks established in Chapter 24 of the Butte County
26 Code, unless the applicant can establish to the

1 satisfaction of the Director that there is no other
2 available location outside of the setback area.

3 6. The residential use of recreational vehicles and
4 temporary dwellings shall be located outside of the
5 boundaries of any recorded easements.

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

9 a. Public water supply;

10 b. Existing well provided that it has been approved by
11 the Department of Public Health, Environmental
12 Health Division as safe for domestic consumption;
13 or,

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

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

19 a. Public sewer system;

20 b. Existing on-site sewage disposal system that has
21 been approved by the Department of Public Health,
22 Environmental Health Division to be intact,
23 adequately sized, and functioning following the
24 disaster;

25 c. Temporary holding tank with a contract with a
26 pumping company for regular pumping. A copy of the

1 contract shall be provided to the Department of
2 Public Health, Environmental Health Division; or

3 d. Other method of sewage disposal approved by the
4 Department of Public Health, Environmental Health
5 Division.

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

9 a. Permitted electrical service hook-up; or

10 b. Other power source approved by the Director.

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

13 a. Except for AG (Agriculture) zoned parcels which shall
14 be a minimum total of twenty (20) acres and FR
15 (Foothill Residential), RR (Rural Residential), VLDCR
16 (Very Low Density Country Residential) zoned parcels
17 which shall be a minimum total of five (5) acres as
18 discussed in subsection (E) (11) below,, parcels shall
19 be a minimum of two (2) acres in size.

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

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

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

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

12 11. The following additional standards apply to Temporary
13 Recreational Vehicle Parks and basecamp features in the
14 FR (Foothill Residential), RR (Rural Residential), VLDCR
15 (Very Low Density Country Residential) zones.

16 a. Basecamps are not permitted.

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

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

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

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

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

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

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

19 Lands upon which Temporary Recreational Vehicle Parks
20 and basecamp features in AG (Agriculture) zones are
21 located shall be restored to their prior agricultural
22 use or other agricultural use as approved by the Director
23 prior to the expiration of this ordinance. A
24 performance guarantee as provided by Section 24-245 of
25 Butte County Code in the amount of \$1,000.00 per acre of
26 land disturbed by the Temporary Recreational Vehicle

1 Park and basecamp feature shall be paid prior to site
2 disturbance activities to ensure that site restoration
3 and reclamation is completed to the satisfaction of the
4 Director. Lands shall be reclaimed to the satisfaction
5 of the Director prior to release of the performance
6 guarantee.

7 **Section 3. CEQA Exemption.**

8 Adoption of this Ordinance is exempt from the provisions of the
9 California Environmental Quality Act (CEQA) pursuant to California
10 Public Resources Code Section 21080(b)(3) regarding projects to
11 maintain, repair, restore, or replace property or facilities
12 damaged or destroyed as a result of a declared disaster and Section
13 21080(b)(4) regarding actions to mitigate or prevent an emergency,
14 and CEQA Guidelines Section 15269(a) regarding maintaining,
15 repairing, restoring, demolishing, or replacing property or
16 facilities damaged or destroyed as a result of a disaster stricken
17 area in which a state of emergency has been proclaimed by the
18 Governor pursuant to the California Emergency Services Act,
19 commencing with Section 8550 of the California Government Code.

20 **Section 4. Severability.**

21 If any section, subsection, sentence, clause, or phrase of this
22 Ordinance is for any reason held to be unconstitutional or invalid,
23 such decision shall not affect the validity of the remaining
24 portion of this Ordinance. The Board of Supervisors hereby declares
25 that it would have passed this Ordinance and every section,
26 subsection, sentence, clause or phrase thereof irrespective of the

1 fact that any one or more sections, subsections, sentences, clauses
2 or phrases be declared unconstitutional or invalid.

3 **Section 5. Effective Date and Publication.**

4 This Ordinance shall be and the same is hereby declared to be in
5 full force and effect immediately upon its passage by a four-
6 fifths (4/5) or greater vote. The Clerk of the Board of
7 Supervisors is authorized and directed to publish this ordinance
8 before the expiration of fifteen (15) days after its passage. This
9 Ordinance shall be published once, with the names of the members
10 of the Board of Supervisors voting for and against it, in a
11 newspaper of general circulation published in the County of Butte,
12 State of California. Pursuant to Government Code section 25124, a
13 complete copy of this ordinance is on file with the Clerk of the
14 Board of Supervisors and is available for public inspection and
15 copying during regular business hours in the office of the Clerk
16 of the Board of Supervisors, 25 County Center Drive, Oroville, CA.

17 **PASSED AND ADOPTED** by the Board of Supervisors of the County of
18 Butte, State of California, on the 10th day of September, 2019 by
19 the following vote:

20 **AYES:**

21 **NOES:**

22 **ABSENT:**

23 **NOT VOTING**

24 _____
25 **STEVE LAMBERT**, Chair
26 Butte County Board of Supervisors

ATTEST:

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SHARI MCCRACKEN, Chief Administrative Officer
and Clerk of the Board

By: _____
Deputy