



CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL

Short Name/Subject Chapter 15.12 - Limited Density Rural Dwellings	Board Meeting Date September 22, 2020	Agenda Number 36
Dept: Building Contact: Doug Oliver Preparer: Rebecca Turner Phone: (209) 754-6390	Supervisory District Number Countywide	
Published Notice Required? Yes Public Hearing Required? Yes		Estimated Time: 1 Hour 30 Minutes
Type of Document? Action Item PowerPoint Presentation Included? No Budget Transfer Included (Must be signed by Auditor)? No Complete Agreement Required? No Position Allocation Change? No		

RECOMMENDATION:

1) Introduce and waive the first reading of Ordinance Chapter 15.12 - "Limited Density Owner-Built Rural Dwellings" of the Calaveras County Code; and 2) Authorize a summary publication of the Ordinance.

DISCUSSION/SUMMARY:

On September 10, 2019, the Board of Supervisors adopted the General Plan Housing Element which contains direction to staff to evaluate the feasibility of implementing Limited Density Owner-Built Rural Housing pursuant to Title 25, Division 1, Chapter 1, Article 8, of the California Code of Regulations (CCR) as provided below:

H-11 Limited Density Owner-Built Rural Housing

The County shall evaluate the feasibility of amending the County’s implementation of California Code of Regulations Title 25, Division 1, Chapter 1 Article 8 to provide greater flexibility to meet the needs of residents.

The County shall establish a pilot program within the Butte Fire area to apply such measures.

Responsible Department: Planning and Building Departments

Time Frame: Develop program by end of 2019

Implements Policies: H 1.2, H 2.9, H 2.10 and H 5.1

Funding: General Fund

On January 23, 2020, the Building Department began reviewing similar ordinances in rural counties and compiled a matrix of standard ordinance features for review and discussion with the Calaveras County Industry Work Group. Eight Counties were identified as having ordinances that were consistent with the intent provided by the Board. The Ordinance Matrix is attached for your review.

On March 2, 2020, an industry work group meeting was held to discuss the various ordinances. Members of the design, realty, and construction industries were present, as well as members of local fire districts. During the discussion each feature outlined in the matrix was reviewed and recommendations were taken from stakeholders. At the end of the discussion, the majority of the contents agreed upon by the working group suggested that the Shasta County Ordinance

would be the ideal model. The Shasta County Ordinance was then selected and work began to modify the model ordinance to be consistent with the input from the working group.

In March of 2020 county offices were subject to closure due to Governor's Orders related to the Covid-19 pandemic. As a result work slowed on this ordinance in order to focus on work environment changes to adapt to the pandemic and group meetings stopped.

On June 8, 2020 work on the draft ordinance was completed and sent out via email to the working group for review and comment. The building department received several comments, most of which were minor edits that were incorporated into the current draft. However, a few comments were carried forward for Board guidance.

On August 18, 2020, the draft ordinance was presented to the Board of Supervisors as a study session. During discussion the Board provided input on three areas of the draft:

- 1) Section 3 Findings – The Board was satisfied with the findings, but commented that there was heavy reliance with the Butte Fire area as the impetus of the Ordinance. In response, minor edits were made to findings 3 and 4 to be consistent with the overall intent of the ordinance. A finding was also added (new Finding 5) to this effect.
- 2) Indemnification Language – The Board directed staff to include language to indicate that, prior to approval of the permit, the applicant must sign an indemnification agreement. Staff has added this language to Section 15.12.080.
- 3) 15.12.040 (D) "Rural Areas" – The Board felt that limiting the ordinance to U, GF, TP, A1, AP, RA, and RR was not sufficient. The Board directed staff to propose additional language that would further restrict use outside of high density and/or small lot size areas. Staff has included additional language in the definition that restricts the use of this ordinance in areas outside "community plan areas".

APPROVED BY:



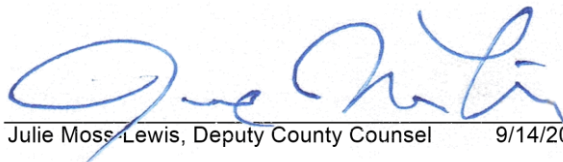
Doug Oliver, Chief Building Official

9/3/2020



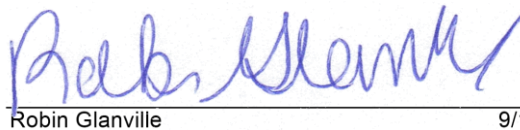
Albert Alt, County Administrative Officer

9/3/2020



Julie Moss-Lewis, Deputy County Counsel

9/14/2020



Robin Glanville

9/16/2020