Legislation Details (With Text)

File #:	2019-1671		
Type:	Regular Calendar Item	**Status:**	Agenda Ready
File created:	11/4/2019	**In control:**	County Counsel
On agenda:	11/5/2019	**Final action:**	12/31/2025
Title:	2:15 P.M. - Urgency Ordinance Adding Chapter 40A, Kincade Fire Disaster Recovery, to Sonoma County Code		
Sponsors:	Permit Sonoma, County Counsel		
Indexes:			
Attachments:	1. Summary Report, 2. Draft Ordinance Adding Chapter 40A, 3. Chapter 40A Kincade Fire Disaster Recovery		

Date	Ver.	Action By	Action	Result

To: Board of Supervisors
Department or Agency Name(s): Permit and Resource Management; County Counsel
Staff Name and Phone Number: Jane Riley, 565-7388
Vote Requirement: 4/5th
Supervisorial District(s): Countywide

Title:
2:15 P.M. - Urgency Ordinance Adding Chapter 40A, Kincade Fire Disaster Recovery, to Sonoma County Code

Recommended Action:
Hold public hearing. After close of public hearing, find the proposed ordinance exempt from CEQA under Public Resource Code §§ 21080(b)(3)-(4) and CEQA Guidelines §§ 15269(a),(c), and approve the proposed ordinance. (4/5th Vote Required)

Executive Summary:
The Kincaid Fire destroyed or damaged 434 structures, 208 of which are residential. The ordinance before the Board would add a new Chapter 40A to the Sonoma County Code, titled Kincade Fire Disaster Recovery, to address immediate and interim housing needs for fire-displaced persons and to streamline reconstruction. Chapter 40A is based on Chapter 40, which your Board adopted in response to the October 2017 Sonoma Complex Fires, but reflects limited changes that are based on lessons learned in the ongoing process of recovery from the 2017 wildfires as well as the different circumstances stemming from the Kincade Fire. Staff will return to your Board with proposed amendments to Chapter 40A to address additional immediate, interim, and long-term needs stemming from the Kincade Fire.

Discussion:
Staff recommends adoption of the attached urgency ordinance to adopt proposed Chapter 40A. As drafted, all provisions of Chapter 40A would expire on December 31, 2021, unless extended or modified by the Board of Supervisors. The draft ordinance includes the following provisions to meet the immediate and interim housing needs of those displaced by the Kincade Fire:

- Permitting use of recreational vehicles (defined to include motor homes, travel trailers, truck campers,

camping trailers, and similar vehicles that meet enumerated criteria) as temporary emergency housing in residential zoning districts outside the coastal zone, subject to specified standards. Use of an RV on a lot in the Kincade Fire burn area would not be permitted until the lot is cleared for reconstruction.

- Allowing year-round occupancy of RVs, tent camps and campgrounds in K zoning districts, subject to specified standards and with a zoning permit.
- Allowing groupings of RVs and manufactured homes as temporary emergency housing in Public Facilities, M1, M2, and MP zoning districts outside the coastal zone, subject to temporary use permit.
- Suspending occupancy limits on seasonal and extended seasonal farmworker housing so that such housing may be occupied year-round.
- Allowing existing guest houses, pool houses, and other habitable residential accessory structures, as well as marketing accommodations, farmstays, bed and breakfast inns, resorts, retreats, camps and similar uses, to be used as temporary housing.
- Allowing temporary housing use and rental of existing dwellings and RVs on agricultural lots, subject to specified limitations.
- Prohibiting establishment of new vacation rentals within the Kincade Fire burn area.
- Waiving permitting fees for accessory dwelling units constructed along with a reconstructed primary dwelling within the Kincade Fire burn area.
- Specifying requirements for reconstructing legal nonconforming structures.
- Waiving geologic report requirements for reconstruction of single-family dwellings destroyed in the Kincade Fire that are located on lots within the G combining district.
- Streamlining design review for reconstruction of fire-damaged structures in scenic landscape units.

Prior Board Actions:
On October 31, 2019, the Board adopted Resolution No. 19-1657 ratifying the Director of Emergency Services' proclamation of the existence of a local emergency.

FISCAL SUMMARY

Expenditures	**FY 19-20 Adopted**	**FY20-21 Projected**	**FY 21-22 Projected**
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:
NA

Staffing Impacts:			
Position Title (Payroll Classification)	**Monthly Salary Range (A-I Step)**	**Additions (Number)**	**Deletions (Number)**

Narrative Explanation of Staffing Impacts (If Required):
NA

Attachments:
Draft ordinance adding Chapter 40A, Kincade Fire Disaster Recovery, to the Sonoma County Code.

Related Items "On File" with the Clerk of the Board:
NA