



Board Agenda Item 17

DATE: November 7, 2023

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director

SUBJECT: Third Amendment to Extend Creek Fire Disaster Recovery Temporary Housing Urgency Ordinance

RECOMMENDED ACTION(S):

Adopt Third Amendment to extend the Interim Urgency Ordinance pursuant to Government Code Section 25123(d) and 25131 authorizing the occupation of temporary housing (including recreational vehicles, travel trailers, and tiny houses) by individuals displaced as a result of Creek Fire disaster from December 31, 2023, to December 31, 2025 (4/5 vote).

The Creek Fire Disaster Recovery Temporary Housing Urgency Ordinance was adopted by your Board on October 6, 2020, to temporarily modify or suspend various Zoning Ordinance Regulations to provide on-site interim housing for affected Creek Fire residences. The adopted Ordinance was originally set to expire on December 31, 2021, but was extended for an additional year by your Board on December 14, 2021 to December 31, 2022, and then extended again on December 13, 2022 with an expiration of December 31, 2023, unless extended. This proposed third amendment extends the Ordinance for two years (December 31, 2025) from the current specified expiration date to allow additional time for those who have not been able to move forward with rebuilding a permanent residence. This item relates to locations in District 5.

ALTERNATIVE ACTION(S):

Your Board may determine not to adopt the proposed third amendment to the Urgency Ordinance in which case residents could not occupy their properties until permanent residences were repaired or reconstructed.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action.

DISCUSSION:

Your Board declared a local emergency and the Governor proclaimed a state of emergency to exist in Fresno County due to the Creek Fire. Numerous residents have been displaced from a loss of residential structures and hazardous conditions as a result of the Creek Fire.

As a result, the Department prepared, and your Board adopted, a Creek Fire Disaster Recovery Temporary Housing Urgency Ordinance on October 6, 2020, pursuant to California Government Code Sections 25123 and 25131 which took effect immediately upon Board action.

The adopted Urgency Ordinance provides for the occupancy of recreational vehicles, travel trailers or movable tiny houses (i.e., temporary dwellings) on parcels with residences damaged or destroyed by the

Creek Fire.

On December 13, 2022, your Board voted to extend the declaration of local emergency related to the Creek Fire. As noted, the current adopted Urgency Ordinance addressing temporary housing expires on December 31, 2023. At this time the Creek Fire Disaster Recovery Temporary Housing Urgency Ordinance is proposed to be extended by two years to provide additional time for those residents made homeless or displaced by the Creek Fire to avail themselves of the opportunity to install interim shelter on their parcels. It is proposed that the Ordinance remain in effect until December 31, 2025.

The Urgency Ordinance provides relief by providing for the occupancy of recreational vehicles, travel trailers, and tiny houses, which are ordinarily restricted under the Zoning Ordinance. The Urgency Ordinance shall remain in effect from the date of adoption until December 31, 2025, unless repealed, extended or modified by the Board of Supervisors.

REFERENCE MATERIAL:

- BAI #12, December 13, 2022
- BAI #8, December 14, 2021
- BAI #28, November 2, 2021
- BAI #6, October 6, 2020
- BAI #34.1, September 22, 2020
- BAI #1, September 10, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinance

CAO ANALYST:

Salvador Espino