



EL DORADO COUNTY PLANNING & BUILDING DEPARTMENT

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Date: December 21, 2023
To: Honorable Board of Supervisors
From: Karen L. Garner, Planning & Building Director
Subject: **Limited Density Owner Built Rural Dwelling (Title 25) for Grizzly Flats**

On November 13, 2023, County staff from various departments and divisions as well as representatives from other agencies with jurisdiction in Grizzly Flats convened to discuss the feasibility of applying a Limited Density Owner-Built Rural Dwellings (Title 25) program in Grizzly Flats and how such a program should be structured to best serve the needs of Grizzly Flats residents and the general public. Group members included:

- Kim Gustafson, General Manager, Grizzly Flats CSD
- Art Davidson, Board Member, Grizzly Flats CSD
- Dave Whitt, Chief, Pioneer Fire District
- Ken Earle, Battalion Chief/Fire Marshal, Pioneer Fire District
- Greg Horsfall, Chief Building Official, City of Placerville/Building Industry Advisory Committee Member
- Sue Hennike, Assistant CAO, El Dorado County
- Jefferson Billingsley, Deputy County Counsel, El Dorado County
- Chris Simonson, Building Inspector, Planning & Building, El Dorado County
- Chris Smith, Administrative Analyst, Planning & Building, El Dorado County
- Kathy Witherow, Executive Assistant, Planning & Building, El Dorado County
- Karen Garner, Director, Planning & Building, El Dorado County

Following are the sections of Title 25 where there was group consensus, areas for further research and areas where there was not complete consensus and Board feedback is requested. Please note that the Title 25 Sections are summary descriptions. Please see attached Title 25 for complete language.

Requirements

The following items are requirements of Title 25. No changes recommended.

Title 25 Section	Requirement
§ 96. Permits	Permits must be issued by the Building Division once application and plans approved.

§ 106. Permit Validity	Permits are valid, without renewal, for a minimum period of three years. (Compared to one year under Title 24).
§ 116. Certificate of Occupancy	A certificate of Occupancy will be issued after structure completed and inspected.
§ 122. General Requirements § 124. Intent of General Requirements § 126. Technical Codes to Be a Basis of Approval	Structures must comply with certain sections of the California Building Code (Title 24), but there are allowances for alternatives, provided that alternatives, materials, methods of construction, and structural integrity shall perform in application for the purpose intended. The Building Division and other reviewing agencies shall use reasonable judgment in determining compliance. Structures need not conform with the Uniform Building, Plumbing, and Mechanical Codes and the National Electrical Code or other technical codes, however, such codes shall be a basis of approval.
§ 128. Mechanical Requirements	Fireplaces, heating and cooking appliances, and gas piping shall be installed and vented in accordance with the applicable requirements contained in the California Mechanical Code.
§ 134. Plumbing Requirements	Plumbing equipment and installation shall be in accordance with the applicable requirements contained in the California Plumbing Code (Title 24),

Recommendations

The following are areas of Title 25 with flexibility and the review group's recommendations.

Title 25 Section & Summary	Recommendation
§ 82. Regulation of Use Requires homeowner to live in home a minimum of one year before selling, leasing or renting.	Require homeowner to live in home a minimum of three years before selling, leasing or renting (same as Butte County).
§ 92. Recording Allows jurisdictions to require recordation on property to disclose structure was built under Title 25	Require recording disclosing Title 25
§ 98. Application Specifies required information on building permit application.	A special application will be prepared specifically for Title 25 applications modeled after Butte County example.
§ 100. Plans Specifies minimum information required on plans. Architectural drawings and structural analyses shall not be required except for	Will allow simplified plans modeled after Butte County example. Snow load information will be required.

structures of complex design or unusual conditions.	
§ 108. Inspections Inspections are at the discretion of the Building Division.	Require minimum of four inspections: foundation, framing, rough electrical & plumbing, final (modeled on Butte County example). More inspections may be required for unconventional construction or special circumstances (i.e., addition of solar).
§ 118. Temporary Occupancy The use and occupancy of a portion or portions of the dwelling may be allowed prior to completion of the entire structure provided that approved sanitary facilities are available at the site and there are no health or safety issues.	Will allow but recommend referring to it as “Partial occupancy” since temporary occupancy is usually used to describe a different condition.
§ 120. Fees Fees may be collected by the County but must be based on actual inspection and administrative costs.	Title 25 structures in Grizzly Flats would be covered under existing Caldor Fire Urgency Ordinance (Ord. 5150) and therefore fees for plan check, inspection or other County fees will be waived.
§ 130. Electrical Requirements § 132. Installation Requirements Dwelling not required to be connected to a source of electrical power, or wired, or otherwise fitted for electrification.	Will not require that dwellings, or portions of dwellings, be electrified. Where electrical wiring or appliances are installed, it shall be in accordance with the California Electrical Code (Title 24)

Other Requirements

The following are areas outside of Title 25 and the review group’s recommendations.

Topic	Recommendation
Qualifications for Program	<ul style="list-style-type: none"> Grizzly Flats residents only. Will use Grizzly Flats Rural Community Center boundary (General Plan). Proof of ownership prior to Caldor Fire (same as current fee waiver program). Residents who owned lots prior to Caldor Fire but subsequently purchased adjacent lot will qualify, even if proposed structure is on newly purchased parcel.
Pilot Program/Sunset Date	<ul style="list-style-type: none"> Initial Two Year Program with ability for Board to extend.
Sale of Property	<ul style="list-style-type: none"> Once property sold (minimum three years after built), Title 25 structure must either be brought up to Title 24 standards, converted to another use, such as U occupancy (storage, garage) or removed.
Snow Load	<ul style="list-style-type: none"> Structures must meet snow load requirements. Most of Grizzly Flats is 70

	lbs./sq. ft. or less. Title 24 includes structural standards for up to 70 lbs./sq. ft, so design is easy to incorporate into plans.
Grizzly Flats CSD Service	<ul style="list-style-type: none"> If parcel was previously served by Grizzly Flats CSD for water, will require water service again.
Septic	<ul style="list-style-type: none"> Sites will need to meet standard septic requirements.
PG&E	<ul style="list-style-type: none"> Site will need to meet PG&E requirements. Solar must be permitted through County Building Division (state limits cost of solar permits).

Further Discussion/Feedback from Board Requested

Includes the group’s discussion.

Topic	Discussion
Fire Sprinklers <ul style="list-style-type: none"> Requirement based on size? 	<ul style="list-style-type: none"> 1,200 sf – this is based on old requirements that have since been superseded. Butte County still uses this threshold for fire sprinklers. State ADU law does not require fire sprinklers for 1,200 sf or less only if the primary residence is not required to have fire sprinklers (i.e., existing single-family home built prior to fire sprinkler requirements). Of course, those that may use this program no longer have a primary residence. 800 sf – not based on any particular law, but rather a smaller square footage yet still seemed a reasonable size. 320 sf – based on state & local fire laws for manufactured homes. Law does not require fire sprinklers for manufactured homes that do not exceed 320 sq. ft. Committee proposed 320 sf (even if stick built). Consider different requirements based on lot size? (i.e., no fire sprinklers for 800 sq. ft if on ½ acre or more; no fire sprinklers for 1,200 sq. ft if on 1 acre or more)
Fire Sprinklers <ul style="list-style-type: none"> Are there less expensive alternatives? Are there other items that could be required in lieu of fire sprinklers? 	<ul style="list-style-type: none"> Are there fire suppression systems that can be run off domestic water line rather than dedicated fire suppression water line? Are water tanks less expensive?

	<ul style="list-style-type: none"> Are there home hardening alternatives that are less cost that provide protection? Require fire extinguishers? Smoke detectors already required by code.
Milled Lumber <ul style="list-style-type: none"> Require 7A compliance? 	<ul style="list-style-type: none"> May be lack of lumber inspectors in the state for 7A compliance. Butte County example: Owner produced materials or milled lumber is allowed with a review and approval by the Building Official – 19% moisture content.
Generators as Source of Power	<ul style="list-style-type: none"> Will allow as primary source of power through partial occupancy but must have electrical or solar power upon final occupancy.

Additional Recommended Research

- Actual costs of fire sprinklers including design, installation, connection to water and any line upgrades that may be necessary.
- Complete list of permits issued in Grizzly Flats since Caldor Fire. Stick-built vs. modular and Temp RV permits.
- Additional information regarding 7A compliant lumber including feasibility and cost.
- Explore if pre-approved ADU program can include an option specific to Title 25 structure.
- Grant or other funding sources available to cover cost of fire sprinklers for Title 25 structures (may require income verification).
- Outreach to Grizzly Flats Community to obtain resident feedback.