



## **RESOLUTION NO. 055-2024**

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**

**RESOLUTION APPROVING FINDINGS FOR ADOPTION OF REGULATIONS FOR LIMITED-DENSITY OWNER-BUILT RURAL DWELLINGS, DIRECTING THE FINDINGS AND REGULATIONS BE FILED WITH THE CALIFORNIA BUILDING STANDARDS COMMISSION AND THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, DETERMINING THAT ADOPTION OF REGULATIONS FOR LIMITED-DENSITY OWNER-BUILT RURAL DWELLINGS IS EXEMPT FROM FURTHER REVIEW UNDER CEQA, AND DIRECTING A NOTICE OF EXEMPTION TO BE FILED**

**WHEREAS**, pursuant to Health and Safety Code Section 17958.2, the Board of Supervisors of the County of El Dorado finds that application of regulations of the Department of Housing and Community Development adopted for limited-density owner-built rural dwellings, codified in Article 8 (commencing with Section 74) of Subchapter 1 of Chapter 1 of Title 25 of the California Code of Regulations, within a portion of the County of El Dorado as a pilot program is reasonably necessary because of local conditions as detailed herein; and

**WHEREAS**, the Board of Supervisors of the County of El Dorado, in adopting regulations for limited-density owner-built rural dwellings, finds that changes and modifications in the requirements contained in Article 8 (commencing with Section 74) of Subchapter 1 of Chapter 1 of Title 25 of the California Code of Regulations are reasonably necessary because of local conditions as detailed herein; and

**WHEREAS**, The Caldor Fire started on August 14, 2021 and burned 221,775 acres/347 square miles, destroying more than 1,000 structures before being fully contained on October 24; and

**WHEREAS**, the Caldor Fire terribly impacted the unincorporated community of Grizzly Flats, resulting in destruction of approximately 500 structures, displacement of numerous County residents, and serious damage to community infrastructure; and

**WHEREAS**, many of the structures destroyed by the Caldor Fire were uninsured or underinsured; and

**WHEREAS**, The community of Grizzly Flats is rural, sparsely populated and located in an isolated area of El Dorado County; and

**WHEREAS**, The community of Grizzly Flats is located at almost 4,000 feet of elevation and subject to extreme weather conditions which raise health and safety concerns for displaced residents, many of whom still use emergency or temporary lodgings due to the Caldor Fire; and

**WHEREAS**, While no building materials suppliers are located in or near the community of Grizzly Flats, there is an abundance of natural materials that could create assessable and affordable options for local construction not available under current building codes, especially locally milled lumber; and

**WHEREAS**, it is reasonable to adopt regulations for limited-density owner-built rural dwellings as a pilot program applicable to the community of Grizzly Flats, which is located within the Caldor Fire burn area. Grizzly Flats is remote and sustained the total loss of many homes that provided affordable shelter to the members of the community; and

**WHEREAS**, the community of Grizzly Flats have expressed a desire to legalize the construction of limited-density owner-built rural dwellings in compliance with regulations for limited-density owner-built rural dwellings, and have emphasized the values of affordability, sustainability, self-sufficiency, creativity and character of their rural community; and

**WHEREAS**, El Dorado County has an affordable housing shortage and these regulations would facilitate the availability of affordable, owner-built homes which are essential to the continued health and welfare of residents still displaced by the Caldor Fire; and

**WHEREAS**, local conditions, the rural and isolated location of Grizzly Flats, the difficulty of displaced residents in rebuilding and obtaining affordable building materials after the Caldor Fire exist to the extent it would exclude participation in the normal permit process and create an unreasonable burden to the property owner to comply with prescriptive building and development requirements, which are codified in the California Building Standards Code; and

**WHEREAS**, the Board of Supervisors finds that the proposed amendments to the El Dorado County Code are consistent with other provisions of the El Dorado County Code and with State law; and

**WHEREAS**, the project to adopt regulations for limited-density owner-built rural dwellings with local amendments is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility the enactment of the ordinance will have a significant effect on the environment, under Public resources Code Section 21080(b)(3) and CEQA Guidelines Section 15269(a) because the activity is a project to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code, and under CEQA Guidelines Section 15302 as replacement or reconstruction of existing structures destroyed by the Caldor Fire;

**NOW, THEREFORE, BE IT RESOLVED** that the El Dorado County Board of Supervisors determines that adoption of regulations for limited-density owner-built rural dwellings and local amendments is exempt from further review under CEQA, and directs staff to file a Notice of Exemption, and be it further resolved and ordered that the Board of Supervisors hereby makes an express finding that adoption of regulations for limited-density owner-built rural dwellings through Ordinance No. 5199, including changes and modifications in requirements contained in Article 8 (commencing with Section 74) of Subchapter 1 of Chapter 1 of Title 25 of the California Code of Regulations are reasonably necessary because of local conditions, and directs staff to file the local amendments to the State Housing Law and these associated findings with the California Building Standards Commission and Department of Housing and Community Development.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 14th day of May 2024, by the following vote of said Board:

Attest:

Kim Dawson

Clerk of the Board of Supervisors


Ayes: Thomas, Hidahl, Turnboo, Parlin, Laine

Noes: None

Absent: None

By:

  
Deputy Clerk

  
Chair, Board of Supervisors  
Wendy Thomas