

ORDINANCE NO. 315-802

AN ORDINANCE AMENDING TRINITY COUNTY  
ZONING ORDINANCE NO. 315  
PERTAINING TO THE USE OF FAMILY CARE UNITS

The Board of Supervisors of the County of Trinity, State of California, does ordain as follows:

Whereas, the Planning Commission and Board of Supervisors have had numerous complaints by citizens of the County regarding an unchecked proliferation of un-permitted and regulated temporary occupancies of land by recreational vehicles (RVs) and other temporary facilities such as tents, campers, etc.; and,

Whereas the California Government Code contained provision 65852.1, commonly referred to as the "granny housing law," which provided an opportunity for temporary housing of family members to care for elderly relatives; and,

Whereas, other jurisdictions have utilized the provision to establish an avenue for local agencies to provide standards for temporary housing within standard construction units, mobile homes and recreational vehicles for this specific and limited purpose; and,

Whereas, the County of Trinity does have an existing ordinance providing standards for Family Care Mobile Homes, within Section 30 B of the Zoning Ordinance that authorizes temporary occupancies of mobile homes;

Whereas, there is a legitimate need to balance the reasonable desires of property owners to utilize their land for some temporary occupancy for family members in need within recreational vehicles under specific circumstance,

Therefore, the County of Trinity proposes to create a more detailed provision for such temporary occupancies amending Section 30 B 10 as follows:

10. Family Care Mobile Homes and Recreational Vehicles

- A) One mobile home or recreational vehicle in addition to a dwelling otherwise permitted under this ordinance may be temporarily placed on a parcel if all of the following criteria are met:
  - 1) The temporary mobile home or recreational vehicle is for the exclusive use and temporary home to provide in-home care to a grandparent or grandparents, parent or parents, siblings or children, or other immediate family member of the occupant of the principal dwelling unit; or the principal dwelling unit may be designated as the family care residence, in which case the temporary mobile home or recreational vehicle shall be utilized by the family member providing the care; and
  - 2) A Director's Use Permit is first secured, pursuant to Section 32 of this Ordinance; and

- 3) The Adult Services division of the County Department of Health and Human Services has provided written verification to the Planning Director confirming that there is an existing medical or other need for temporary in-home care. Subject to the restrictions of HIPPA, verification shall be satisfactory if a clinician provides written substantiation of the necessity of care and/or the individual(s) are senior citizens of at least 62 years of age. The written verification shall be in sufficient detail so that the Planning Director, or the Planning Commission, can determine what services are required to enable the person to be maintained in his or her home, rather than being placed in a skilled nursing facility or other housing facility. The assets or income of the person or the family shall not be a factor determining the need for in-home care.
- 4) Written verification by Adult Services that the intended occupant(s) of the mobile home or recreational vehicle cannot reasonably be housed in the principle dwelling unit. Said written verification shall state the limitations of the principle dwelling and the needs of the proposed occupant that establish the mobile home or recreational vehicle is necessary.
- 5) Requirements of the Health Department, the Building Department and other public agencies have been met, including the requirement to connect to all utilities such as power, water and septic.
- 6) The mobile home or recreational vehicle shall meet any required snow load requirement which may include the construction of a ramada to protect the unit.
- 7) All such units shall post in a clearly visible location a placard to be issued by the County of Trinity that will indicate the subject unit is currently permitted under these provisions.
- 8) The County shall record a Notice of Environmental Constraint against the title of the lands subject to the permit that the additional dwelling occupied under these provisions is temporary in nature, limited to provisions of this section and is solely for the use of the identified occupant(s).
- 9) A "recreational vehicle" that may be utilized under these provisions shall be limited to Class A or C motor homes, travel trailers and fifth wheels. It specifically does not include slide in truck campers, folding camp trailers, or van conversions. The units shall contain complete provisions for independent living including specified areas and facilities for living, food preparation, and sanitation.

SECTION II. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this

ordinance. The Board of Supervisors hereby declares that it would have adopted this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrases be declared invalid.

SECTION III. This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once in the Trinity Journal, a newspaper of general circulation published in the County of Trinity, State of California.

Introduced, passed and enacted by the Board of Supervisors of the County of Trinity, State of California after public hearing duly noticed, on the 23rd day of April, 2013 by motion, second (Fenley/Pflueger), and the following vote:

AYES: Supervisors Pflueger, Fenley, Morris, and Fisher  
NOES: Supervisor Chapman  
ABSENT: None  
ABSTAIN: None  
RECUSE: None

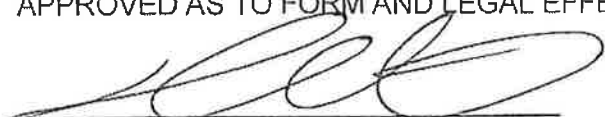
  
DEBRA CHAPMAN, CHAIRMAN  
Board of Supervisors  
County of Trinity  
State of California

ATTEST:

WENDY G. TYLER  
Clerk of the Board of Supervisors

By:  \_\_\_\_\_  
Deputy

APPROVED AS TO FORM AND LEGAL EFFECT:

  
David Prentice, County Counsel