



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 2, 2009

TO: Mayor and Councilmembers

FROM: Administration Division, Community Development Department

SUBJECT: Introduction Of An Ordinance Allowing The Temporary Occupancy Of Trailers While Rebuilding Homes Severely Damaged Or Destroyed In The Jesusita Fire

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5473 that Temporarily Amended Section 28.87.180 of Title 28 of the Santa Barbara Municipal Code in Order to Allow the Use of Trailer Coaches, Recreational Vehicles, and Mobile Homes as Temporary Dwellings for Those Homes Damaged in the November 2008 Tea Fire.

DISCUSSION:

In November 2008, the Tea Fire destroyed approximately 150 residences within the City of Santa Barbara. In an effort to facilitate the rebuilding process and ensure that those affected have necessary shelter, the City Council adopted an ordinance last December to allow those who lost their place of residence due to the fire to live temporarily in trailers on their properties while their home was being rebuilt.

Last month, the Jesusita Fire destroyed or damaged 5 residences within the City of Santa Barbara. Staff proposes an amendment to Ordinance No. 5473, adopted last December, to extend the same benefits to the survivors of the Jesusita Fire.

All of the same conditions that are currently in the Ordinance would remain, with one exception: the ordinance would authorize the Community Development Director to promulgate administrative procedures regarding the number and type of trailers allowed on lots, up to a maximum of three.

Under the amended ordinance, the following conditions must be met before a property owner may use a trailer as a temporary residence:

Council Agenda Report

Introduction Of An Ordinance Allowing The Temporary Occupancy Of Trailers While Rebuilding Homes Severely Damaged Or Destroyed In The Jesusita Fire

June 2, 2009

Page 2

- 1) A building permit is required for the trailer.
- 2) The building permit for the trailer can be issued only after a demolition and debris removal permit has been issued for the prior structures on the property and the work completed and approved by the City's Building and Safety Division.
- 3) The trailer permit would be good for two years, or when occupancy of the rebuilt residence is approved by the Building and Safety Division, whichever comes first. A one-time six-month extension can be granted upon approval by the Community Development Director based upon satisfactory evidence that reconstruction is proceeding in due course.
- 4) The permit for temporary occupancy of a trailer must be issued within one year of the effective date of the amended ordinance.
- 5) The permit is to be issued to assist in the immediate and temporary housing needs of those displaced by the Tea Fire or the Jesusita Fire. As such, the permit will be issued only to the property owner or tenants of the property at the time of the Tea Fire or the Jesusita Fire. Temporary housing in trailers is not intended to be used for rental purposes to new tenants.
- 6) The maximum number of trailers that may be placed on any single lot is three.
- 7) The trailer is to be installed on the same property as the home that is being rebuilt and may not be located in the public right-of-way adjacent to the property. The trailer must be clearly addressed and accessible by Fire personnel.
- 8) A permit for temporary occupancy of a trailer will not be issued to properties included in Slide Mass C of the Conejo Road Landslide area, as defined in Municipal Code Section 22.90, due to unstable soil conditions.
- 9) Additional administrative procedures will be developed as necessary at the discretion of the Chief Building Official or designee.

Proposed Administrative Procedures

While not included in the Ordinance proposed for introduction, the following implementing details will be included in the Administrative Procedures by the Chief Building Official or designee at the time of permit issuance:

- A general site plan showing the location of the temporary trailer;
- Designation of an on-site parking area;
- The trailer shall provide an approved connection to the City sanitary sewer system, a self contained sanitation system, or a contract with a company to provide sanitation service;
- Safe, temporary power will be provided to the trailer for fire and life safety purposes;
- The definition of a trailer includes a mobile-home-type trailer, a recreation vehicle, or a travel-type trailer. The important distinction is that they provide for safe electrical hookups, and be operable and appropriately permitted;
- Appropriate tie-down installation standards consistent with the type of trailer to be used;

Council Agenda Report

Introduction Of An Ordinance Allowing The Temporary Occupancy Of Trailers While Rebuilding Homes Severely Damaged Or Destroyed In The Jesusita Fire

June 2, 2009

Page 3

- In general, the number of trailers is limited to one trailer per legal dwelling unit damaged on the property. In special cases, where multiple trailers are necessary to replace the number of bedrooms contained in the damaged dwelling, the Chief Building Official may permit additional trailers to replace the prior dwelling unit. However, if multiple trailers are allowed to replace a single dwelling unit, only one trailer may have a kitchen. The maximum number of trailers, recreational vehicles, or mobile homes on any lot is three.
- No requirements for a Conditional Use Permit, variance, modification or other zoning clearance (i.e., there will be no required setbacks for the proposed trailer location).

Environmental Review

Staff has determined that the proposed temporary amendment to Municipal Code Section 28.87.180 qualifies for an exemption from the California Environmental Quality Act under CEQA Guideline Section 15303, New Construction, because the temporary occupancy would only occur in connection with the construction of replacement of a prior existing residential use at the same density as existed prior to the fire.

PREPARED BY: Paul Casey, Community Development Director

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office