

## **CITY OF GRASS VALLEY**

### **Ordinance No. 2025-004**

AN ORDINANCE AMENDING THE CITY'S ZONING ORDINANCE, ORDINANCE 120, TO INCLUDE A NEW DEFINITION OF "TEMPORARY USE" AND ESTABLISH CRITERIA FOR PERMITTING TEMPORARY RESIDENCES DURING CERTAIN CIRCUMSTANCES, AND DECLARING AN EMERGENCY.

### **LEGISLATIVE FINDINGS**

1. The City has determined that allowing temporary residences for use during housing construction, for seasonal workers, and for those caring for relatives during times of need, is in the best interest of the community.
2. The City has determined that there should be a legal process for permitting temporary residences during certain circumstances.
3. The City believes it is in the community's best interest to require a public permitting process and that the City Council should be aware of pending permits and permit decisions, but the City Council does not need to be involved in the decision-making process. Therefore, temporary residences will be permitted through a ministerial conditional use permit, with a decision by City Staff and public notice to surrounding property owners.
4. Because there is an immediate need for a legal permitting process for temporary residences that are currently in violation of the City's development code, an emergency declaration is necessary to allow immediate implementation of this Ordinance.
5. In order to enact this Ordinance, the City has placed a notice in the City's newspaper of record, and has made this ordinance publicly available to any interested parties two-weeks prior to the first hearing date.

### **NOW THEREFORE, THE CITY OF GRASS VALLEY ORDAINS AS FOLLOWS:**

- ITEM 1. To be added to Definitions (Section 1.3): *TEMPORARY USE. A use established for a limited duration, not to exceed one year from the date of approval, that is, or will be, discontinued after one year from the date of approval. Temporary use does not involve construction or alteration of any permanent building or structure, although the authorization of the temporary use does not necessarily preclude such construction.*
- ITEM 2. To be added to as a "Conditional Use" in Residential Agriculture (Section 3.3) and Residential (Section 3.4): *Temporary Residences meeting the criteria of Section 5.2.*

ITEM 3. To be added as a new section under Article 5 – Conditional Uses:

*SECTION 4.7 – TEMPORARY RESIDENCES. A mobile home, manufactured dwelling, or recreational vehicle may be authorized as a temporary residence on an individual lot. In addition to the regulations of the base zone, the temporary residence shall comply with the following:*

1. *Permit. A Ministerial Conditional Use Permit, with a decision by the Planning Official, is required to establish a temporary residence. Permitting is subject to the applicable standards of Article 8. Procedures.*
2. *Placement. For construction and caregiving units, the unit shall be within one hundred feet (100') of the primary dwelling. Applicants may request to exceed this 100-foot distance if there are physical limitations of the land.*
3. *Utilities. Electric and water connections shall be made to the unit. Mobile/temporary solutions for sewer services are required, as deemed acceptable by the City Recorder and/or Planning Official.*

*It is unlawful for any person to discharge wastewater from a recreational vehicle to a storm sewer, sanitary sewer, street, or upon private property except at an approved holding facility or dump station.*

4. *Compliance. The City Recorder and/or Planning Official may review permits issued under this Section at any time and may revoke the permits when they are found to be not in compliance with the terms of their permit approval.*
5. *Removal. All evidence that the temporary unit has been on the lot shall be removed within thirty (30) calendar days after the permit expiration, occupancy of the new permanent home, or revocation of the permit.*
6. *Approval Criteria.*
  - A. *No temporary permit shall be granted which would have the effect of creating a permanent rezoning or result in a hardship when the use is not permitted to continue at the expiration of the permit periods.*
  - B. *No temporary permit may be granted which has the effect of conferring a special privilege for which other property within the same zone may not be equally eligible.*
7. *Temporary Residences During Construction Activities and Seasonal Employment.*
  - A. *Occupancy. Temporary residences during construction activities shall be occupied by property owner.*
  - B. *Building Permit. The unit shall be placed upon a lot for which a building permit for a housing unit has been obtained, or will be obtained, or as otherwise determined by the City.*

- C. Timeframe. The unit shall be occupied only during a period in which satisfactory progress is being made toward the completion of the housing unit on the same site. Temporary residences may exceed one year from the date of approval, but not more than two years. An extension request may be submitted to the Planning Official for review and approval as a ministerial action.

The Planning Official may also approve temporary housing for construction or other seasonal employment workers for a period of six (6) months or the period of said employment, whichever is less, unless specifically approved for a longer period of time not to exceed two years.

8. Temporary Residence for Care of Relative in Conjunction with an Existing Residential Use. The City may allow one temporary residential unit on the same lot with an established and legal residential unit, provided that:

- A. Authorization. The temporary residence is deemed necessary to house those caring for relatives during times of need. A medical doctor must affirm the need for care or custody is necessary.

- B. Timeframe. The permit is void when the subject of the permit moves to another residence, or is absent from the residence for more than one hundred twenty (120) calendar days or leaves the residence with no likelihood of returning. An exception to the one hundred twenty (120) calendar day limit can be granted by the Planning Official when based on extraordinary circumstances such as an extended hospitalization.

APPROVED THIS 14<sup>th</sup> DAY OF October, 2025



Christian Ayles, Mayor

**ATTEST:**



Samantha Allen, City Administrator

