

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



139

FROM: TLMA/ Building and Safety

SUBMITTAL DATE:
August 24, 2004

SUBJECT: Proposed Board of Supervisors Policy #E-9, Rebuilding After a Natural Disaster

RECOMMENDED MOTION: That the Board of Supervisors approve the attached policy.

BACKGROUND: In 2003 the City of San Bernardino and the counties of San Diego and San Bernardino experienced wildfires of cataclysmic proportion. Though traditional policies were in place to address damage sustained by property owners the scope and magnitude of these fires taxed the local jurisdictions ability to organizationally and financially provide efficient post disaster permitting services. The attached policy is intended to establish the framework for assisting property owners in rebuilding their homes and business immediately after a declared natural disaster.

Departmental Concurrence

FORM APPROVED
COUNTY COUNSEL

AUG 12 2004

BY 
ASSISTANT COUNTY COUNSEL


James J. Miller, Director of Building & Safety

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	0
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	0
	Annual Net County Cost:	\$ 0	For Fiscal Year:	0

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature



- Dep't Recomm.: Policy
- Per Exec. Ofc.: Policy
- Consent
- Consent

Prev. Agn. Ref.:

District:

Agenda Number:

3.68

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Purpose

In 2003 the Counties of San Diego and San Bernardino experienced wildfires of cataclysmic proportion. Though traditional polices were in place to address damage sustained by property owners the magnitude and scope of these fires taxed the local jurisdictions ability to organizationally and financially provide efficient post disaster permitting services. The following policies are intended to establish the framework for assisting property owners in rebuilding their homes and businesses immediately after a natural disaster.

Resolution

The Board of Supervisors may adopt a resolution declaring a specific event as a natural disaster for the purpose of implementing the provisions of this policy.

Fees

The Board of Supervisors may in their resolution authorize the departments of Building and Safety, Environmental Health, Fire, Planning and Transportation to waive any development related fees for the rebuilding of damaged or destroyed structures in the declared natural disaster area where the property owner can provide evidence that reimbursement is not available through their insurance carrier or disaster relief efforts and the payment of development fees will cause a financial hardship. The waiver only applies to property owners of record at the time of the disaster, and not to persons subsequently acquiring the property. The fee waiver is valid for a period of three years from the date of the adoption of the disaster resolution.

Plan Review and Building Permit Issuance

Specifically identified staff from the Departments of Building and Safety, Environmental Health, Fire, Planning and Transportation will be assigned as facilitators to assist in the issuance of rebuild permits. Staff members will be available to meet one-on-one to discuss plan check questions and expedite rebuild permits. All rebuild permits will be given fast track status.

Hazardous Fire Area (HFA) Requirements

Rebuilds within the County's Hazardous Fire Areas as defined by the County Fire Department and the California Fire Code, will be subject to current HFA building requirements. For those destroyed or damaged structures not located within the Hazardous Fire Area, the County of Riverside strongly recommends that all homeowners incorporate the fire-related provisions for rebuilds.

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Building Codes and Ordinances

All rebuilds, additions and expansions will be required to meet the current requirements of the California Building Code (Ordinance 457), California Fire Code (Ordinance 787), Riverside County Development Code (Ordinance 348) and all applicable County Ordinances. Additions and expansions are not exempt from development related fees, mitigation fees and other governmental agency approvals.

Unpermitted Construction

County staff will make every effort to verify and recheck information related to pre-existing permitted structures. Staff will rely primarily on information from the County Tax Assessor, historical aerial photos and County of Riverside Building and Planning Department's permit files. Unpermitted construction and/or pre-existing land uses will not be recognized if there are no records to verify that the County of Riverside acknowledged approval.

Temporary Housing

The County of Riverside will allow property owners to park RV's (motor homes, trailers, 5th wheels, camper shells) on their lot to occupy on a temporary basis if their primary residence was destroyed or damaged beyond repair. Property owners will be required to obtain a no fee special inspection permit from the Department of Building and Safety to verify the adequacy of temporary connections to existing utilities. No tents or freestanding generators will be allowed. The temporary use is valid for one year. The Director of Building and Safety may grant an extension of time if an active building plan review application is on file to rebuild the structure. All temporary housing must be removed prior to final occupancy.

Demolition and Debris Removal

A no fee demolition permit will be required to demolish and or remove any fire damaged structures or debris. All debris must be removed within one year from the date of the adoption of the disaster resolution. Dumpsters will be allowed in the road right of way of a county maintained road if they are immediately adjacent to the property during debris removal and they do not interfere with access for emergency vehicles or the motoring public. A temporary chain link fence up to 8 feet in height may be installed around the property during demolition and reconstruction. The chain link fence must be removed prior to final building occupancy. It is the responsibility of the property owner to contact the South Coast Air Quality District (AQMD) prior to demolition and removal of any debris.

Code Enforcement

The Department of Building and Safety, Code Enforcement Division will not take action on any property in which a structure was damaged or destroyed for a period of one year from the date of the disaster resolution unless the damaged structure or debris poses an imminent threat to health and/or public safety. This exclusion does not apply to undeveloped properties and properties in which preexisting building permits cannot be verified.

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Temporary Utility Connections

Reconnections to municipal electrical, water, sewer and natural gas/propane systems are allowed with proper temporary fittings. A no fee special inspection permit from the Department of Building and Safety will be required to insure that health and safety requirements are being met. Temporary connections shall not exceed one year from the date of the disaster resolution. Connections to existing well systems and private sewage systems are allowed subject to prior approval from the Department of Environmental Health. The Director of Building and Safety may grant an extension of time if an active building plan review application is on file to rebuild the structure.

Set Back Requirements

In some cases structures that were built prior to the requirements for building permits or structures which were legally constructed with set backs less than those currently in effect may be rebuilt in the same location. If the property corners as marked by survey monuments can be readily identified then a survey is not required. If property corners cannot be identified and the County Surveyor has reason to believe that the damaged or destroyed structure crossed property lines then a survey may be required by a California Licensed Land Surveyor. Structures that were built across property lines may not be reconstructed until the setback encroachment is resolved through a lot line adjustment granted by the affected adjoining property owner and approved by the County of Riverside Planning and Transportation Departments.

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