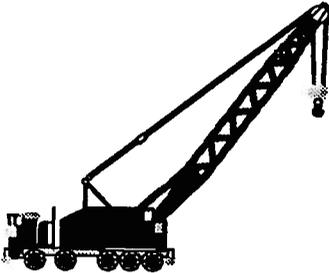


19. ISSUING BUILDING PERMITS



One of the most important ways to maintain the momentum of the recovery period is timely issuance of building permits to repair and reconstruct buildings. There are many options for expediting the plan-checking process; they range from issuing permits in the field for shoring buildings, to establishing special plan-check departments to deal with repair.

The best time for building departments to develop post-disaster permitting procedures and policies is before an earthquake. However, even jurisdictions that have not given these issues much thought will be faced with them. Some of the issues require the passage of ordinances, while others will be departmental policies.

POLICY ACTIONS

- ☞ Decide whether plan-check and/or building permit fees will be waived, deferred, or reduced. What is the rationale for each option?
- ☞ Establish a separate cost accounting system for the permit fees for repair and reconstruction.
- ☞ Establish a process that allows for permits for shoring to be issued by inspectors in the field. This enables shoring work to be accomplished soon after the earthquake, ensuring that damaged buildings are stabilized, and minimizing additional damage. It is usually necessary to require a later engineering letter or certification.
- ☞ Evaluate your staff capability. Should your department establish a section which will deal only with permitting repair projects? Should you hire an outside consultant to process disaster-related claims?
- ☞ Consider developing a simplified review and plan-check process for reviewing engineering evaluations and proposed repair plans and issuing building permits.
- ☞ Determine whether you allow inspectors to issue certain repair permits on site at the time of inspection-chimney repairs, for example.
- ☞ Develop a list of outside engineers and architects who you can rely on to supplement in-house staff to sign and stamp drawings.

continued

Policy Actions (continued)

- ☞ Coordinate with your utilities on fees and permit processes for utility hook-ups. What about combining the permitting process for the various hook-ups--electrical, sewer, water, cable?
- ☞ Establish procedures for changing building safety inspection placards based on engineering evaluations performed by professionals retained by the building owners.
- ☞ Decide if building owners will be allowed to place temporary trailers on site. Will permits be required for their use? What kinds of environmental health issues need to be addressed with the temporary trailers sewer hook-ups, for example?
- ☞ Determine if an expedited process will be used if owners want to rebuild what was there before. How will requests for new buildings or different designs be handled?
- ☞ Decide if you will have a one-stop permitting center, where all city and utility departments are located together, or if building owners will go individually to the various departments for permits.
- ☞ Try to accommodate architects, engineers, and local construction trades in your permitting center.

HINTS FROM CALIFORNIA COMMUNITIES

- ☞ *After the Loma Prieta earthquake, Santa Cruz County hired an outside firm to process permits. The firm was given two weeks to constitute what was essentially a separate building department. Five coordinators from Santa Cruz County were appointed to work with them. County officials also met and conferred with union officials prior to setting this up; union officials agreed it was the only way to respond, given the extra workload. At one point, the one-stop Earthquake Recovery Unit had 45 staff members. Santa Cruz County was given a \$5 million advance on earthquake damage payments from the state, and estimated that they needed \$2 million to set up and operate the center (costs for doing so were reimbursable from FEMA and the state).*
- ☞ *After the East Bay Hills fire, an issue of unequal treatment surfaced: developers felt if the city could streamline the permitting process for fire victims, it should be able to streamline the process for developers as well.*
- ☞ *Santa Barbara County chose not to waive permit fees after their fire, but they did defer payment of the fees for 90 days after issuance of the permit.*

HINTS (continued)

- ☞ *In both Santa Barbara and Santa Cruz counties, a 60-day moratorium was imposed on building permits, to allow county officials time to set up their processes and to catch up.*
- ☞ *After the East Bay Hills fire, the local Chamber of Commerce summarized the permitting and procedural information from the city in a manual that the Chamber then distributed.*
- ☞ *After the East Bay Hills fire, the city opened a Community Restoration Development Center a month after the fire. Still in operation at the time of this publication, the center provides parallel plan processing between the planning, building, and engineering divisions in order to avoid any unnecessary delays. The center provides process coordinators to track each applicant's plans. Additionally, pre-application meetings are available so that the applicant, the process coordinator, and planning, building and engineering staff can sit down together to examine early drafts of plans, answer questions and point out any potential problems. Many of these procedures have worked so well that they are being adopted by the city in the reorganization of its planning and building departments.*
- ☞ *There may be cases in which even minor repairs prove too expensive. For example, after the Loma Prieta earthquake Oakland posted 883 buildings with minor damage as unsafe. In most cases, the damage was limited to the chimney. In the spring of 1991, the City Council adopted a one-year amnesty program for residential buildings with minor damage which waived the permit fee and City inspection if the owner made the necessary minor repairs or had already made the repair without a permit. Only a few owners participated in the program. The cost to perform even minor repairs was too high for the building owners. As of October, 1992, 559 minor damaged buildings remain in need of repair.*
- ☞ *After its fire, Santa Barbara County hired a Fire Recovery Coordinator to help homeowners with problems in the rebuilding process. This person tracked every individual applicant through the process, and 80% of the homeowners had rebuilding permits within a year of the fire.*

ATTACHMENTS

1. "Ordinance addressing Emergency Conditions in the areas of permit processing, fees, and temporary living quarters and declaring the urgency thereof." City of Santa Cruz. [On page 307.]

continued

ATTACHMENTS (continued)

2. "Major Repairs and Reconstruction Applicant Permit Process Flowchart." A handout prepared by the City of Oakland after the East Bay Hills fire. [On page 310.]
3. *Post Earthquake Building Permit and Inspection Procedures.* John de Courcy, Building Official, Santa Cruz County. (These questions and answers are based on the experience of Santa Cruz County after the Loma Prieta earthquake.) [On page 315.]
4. Memo from the Watsonville City Attorney, dated October 23, 1989, discussing the building permit process during the state of emergency. [On page 319.]
5. "An Emergency Ordinance of the City of Watsonville Imposing a Moratorium on the Issuance of Building Permits for New Structures or Grading Permits." [On page 321.]
6. "An Emergency Ordinance of the City of Watsonville Exempting Certain Buildings from Section 14-20-080, Governing the Replacement of Damaged or Destroyed Non-Conforming Uses." [On page 325.]
7. "Resolution No. 113-91: Of the City Council of Watsonville adopting policy for streamlining projects and permit processing for earthquake-related projects." [On page 329.]

ORDINANCE NO. 89-43

AN ORDINANCE OF THE CITY OF SANTA CRUZ ADDRESSING EMERGENCY CONDITIONS IN THE AREAS OF PERMIT PROCESSING, FEES, AND TEMPORARY LIVING QUARTERS AND DECLARING THE URGENCY THEREOF.

BE IT ORDAINED by the City of Santa Cruz as follows:

WHEREAS, the October 17, 1989 earthquake caused extensive damage to structures in the City of Santa Cruz. As a result, residents were displaced from their homes and businesses. Many suffer hardships because of the time and cost involved in reestablishing lives or businesses. Without a streamlined permit processing system, families may be left homeless during the winter, neighborhoods will continue to experience the negative effects of unrepaired buildings, and economic hardships will result from the delay in reconstruction. Action is necessary by the City to further the public welfare and safety as set forth in this ordinance.

The regulations set forth in this ordinance shall supersede existing regulations, and shall control if a conflict exists with any existing regulation.

Section 1. Building Permit Fee Waiver.

For a period of three (3) months from the effective date of this ordinance, no building permit fee shall be charged for building permits which are issued for purposes of repairing earthquake damage in kind. In kind replacement shall meet current City Building and Planning code requirements, except as specified in this ordinance.

The following type of work is covered:

- 1) Electrical, gas, drainways, water systems; water heaters and furnaces.
- 2) Damaged residential and commercial building components which can be readily repaired in kind, and do not constitute more than 25% of the overall structural value.
- 3) Nonhabitable accessory structures less than 120 sq. ft. used for storage, playhouses or similar uses.
- 4) Repair of nonhabitable residential structures which do not exceed 75% of the structural value are replaced in kind and in the same location, as set forth in Section 24.18.040 of the Zoning Ordinance. In addition, fire separations will be required if less than 6 feet from habitable structures and 3 feet from property line.

Section 2. Building Permit Fee Waiver for Chimneys and Fireplaces

For a period of twelve (12) months from the effective date of this ordinance, no building permit fee shall be charged for building permits which are issued for purposes of in kind repairs of earthquake damage to chimneys and fireplaces. Replacements and repairs must be made in existing locations, unless necessary changes are made to meet requirements of the Uniform Building Code.

Section 3. Public Hearings Waived for Design Permits.

For a period of six (6) months from the effective date of this ordinance, no public hearing shall be required for design permits required in connection with the rebuilding, in kind, of residential structures damaged by the earthquake and located on substandard lots. In kind rebuilding shall be as defined in Section 24.18.040 of the Zoning Ordinance.

Section 4. Temporary Living Quarters.

For a period of twelve (12) months from the effective date of this ordinance, temporary living quarters may be located on parcels which contain residential dwellings identified as "red tag" or "yellow tag" as identified in the Structural Survey of Earthquake Damage Report which is maintained in the Department of Planning and Community Development, and three copies of which are on file in the office of the City Clerk and is based on a survey of structures damaged by the October 17, 1989 earthquake. Such temporary living quarters shall require a temporary living quarter permit.

The following findings must be made prior to issuance of the permit:

1. That the principal structure is sufficiently damaged to make it not habitable during repair/reconstruction.
2. That the property can safely accommodate the temporary structure, as set forth by the following criteria:
 - adequate distance to other structures to meet Fire Code requirements.
 - appropriate connections to water and sanitary facilities.
 - location does not impair access or circulation required for emergency services.
 - it does not adversely impair or affect adjacent properties.
 - the property owner signs an agreement to remove temporary structure when permanent structure is habitable.

ORDINANCE NO. 89-43

Permits shall be issued by the Zoning Administrator for a 6-month period and automatically expire unless extended. Extensions shall be granted only if the property owner is proceeding in a timely manner to repair or rebuild a premanent residential structure on the lot.

Section 5. Declaration of Urgency. This ordinance is declared to be an emergency measure adopted under Section 612 of the Santa Cruz City Charter, and is necessary to preserve the public peace, health, safety, property and the general welfare, and the urgency for its adoption is set forth in the findings above.

Section 6. Effective Date. This ordinance shall take effect immediately as provided in Section 4.

PASSED FOR FINAL ADOPTION this 14th day of November, 1989, by the following votes:

AYES: Councilmembers - Ghio, Laird, Lane, Mahaney, Beiers, Yokoyama; Mayor Wormhoudt.

NOES: Councilmembers - None.

ABSENT: Councilmembers - None.

DISQUALIFIED: Councilmembers - None.

APPROVED

Mark Wormhoudt
Mayor

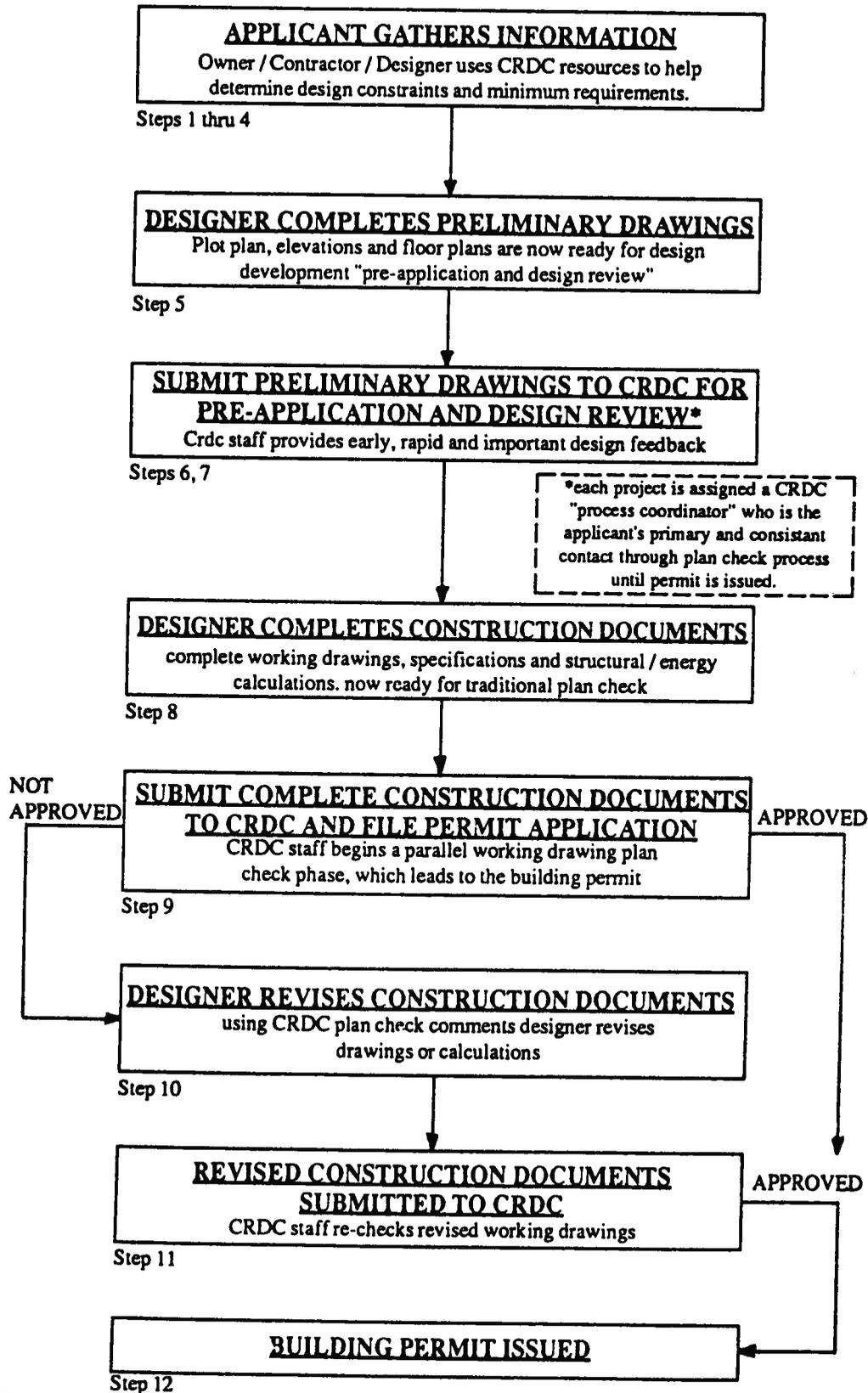
ATTEST

Patricia M. Kenyon
City Clerk

This is to certify that the above and foregoing is the original document. Ordinance No. 89-43 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

Patricia M. Kenyon
City Clerk

MAJOR REPAIRS AND RECONSTRUCTION APPLICANT PERMIT PROCESS FLOWCHART



APPLICANT GATHERS INFORMATION

Step 1. Using the Community Restoration Development Center (CRDC), a project applicant can gather the following important information:

General information on the entire construction process.

Applicable building codes including special building regulations adopted in the Fire Hazard, Extreme Fire Hazard, NOAASP, and Burn Areas.

Requirements for filing a building permit application including minimum necessary construction documents and fees.

Design review requirements. Remember that, in addition to building code regulations, important community and neighborhood design issues must first be reviewed and approved. This design review will help you ensure that matters such as site access, building height and bulk, and neighborhood consistency are understood before embarking on the major design process. The actual design review, itself, will occur at Step #6, below.

Now that the basic general information has been gathered, the following steps should occur:

Step 2. Applicant chooses design professional. If not already retained, the designer is now brought on board to begin the preliminary design phase. One of the first questions to ask is "Do I want to rebuild the same house or a different one?" If you intend to rebuild the same house, go to **Step #3**, below. If you intend to build a different one, skip to **Step #5**.

Step 3. If you will rebuild the same house, recollect and assemble as much general information of the previous structure as possible. It is important to show previous building site location, height and appearance (photos?), condition of remaining chimney and foundation (if intended to be re-used).

Step 4. Bring the information mentioned above regarding the previous structure to the Planning Counter at the CRDC. CRDC planners will review this information and provide you with a certificate of verification. *If this review raises issues that will be important in the design process, such as non-conforming uses, variance or conditional use permits, etc., you will be notified immediately.*

DESIGNER COMPLETES PRELIMINARY DRAWINGS

Having gathered background information and reviewed some early feedback from the CRDC, you should now embark upon the preliminary design phase:

- Step 5.* Design professional prepares (1) dimensioned exterior elevations, showing ridge line elevations; (2) plot plan and survey, including driveway and parking with road widths and elevations identified; contours, underground utilities, and building pad elevations, (3) basic construction materials including roofing and siding.

SUBMIT PRELIMINARY DRAWINGS TO CRDC FOR PRE-APPLICATION AND DESIGN REVIEW

The preliminary design documents can now be submitted to the CRDC for a formal "pre-application and design review":

- Step 6.* Submit two copies of preliminary design documents to the CRDC for PRE-APPLICATION AND DESIGN REVIEW.

At this point, your individual project will be assigned to a PROCESS COORDINATOR who is responsible for looking after your entire building permit process from this point until your permit is issued. Whenever you have questions about your project and permit status, or just want to talk to someone about your concerns you have a PROCESS COORDINATOR who is looking out for you.

- Step 7.* CRDC staff (planning, building, engineering, fire department) will now provide a rapid review of your preliminary plans to identify any potential major design-impacting issues and soil report requirements and return any comments to you in written form. Approximate time period, five working days.

NOTE: IF YOU HAVE ALREADY COMPLETED YOUR ENTIRE WORKING DRAWINGS AND CONSTRUCTION DOCUMENTS, YOU MAY SKIP DOWN TO STEP #2 AND FILE A BUILDING PERMIT APPLICATION. YOU WILL BE ASSIGNED A PROCESS COORDINATOR WHO CAN HELP ANSWER YOUR QUESTIONS ON THIS PROCESS. A PRE-APPLICATION AND DESIGN REVIEW WILL STILL OCCUR EVEN WHILE YOUR WORKING DRAWING PLAN CHECK PROCEEDS. ANY MAJOR DESIGN-RELATED MATTERS FOUND AT THIS TIME WILL BE QUICKLY BROUGHT TO YOUR ATTENTION BY THE PROCESS COORDINATOR.

DESIGNER COMPLETES CONSTRUCTION DOCUMENTS

You should now have sufficient information and feedback to complete the working drawing design phase:

- Step 8.** Design professional completes working drawings, structural and energy calculations, and soil report (when required, see separate information sheet to help identify when a soil report will be required for your construction project).

SUBMIT COMPLETE CONSTRUCTION DOCUMENTS TO CRDC AND FILE PERMIT APPLICATION

NOTE: IF YOU DID NOT SUBMIT PRELIMINARY DRAWINGS TO THE CRDC FOR PRE-APPLICATION AND DESIGN REVIEW, THESE WILL BE PERFORMED NOW SIMULTANEOUS WITH YOUR WORKING DRAWING PLAN CHECK. ANY MAJOR DESIGN-RELATED MATTERS FOUND AT THIS TIME WILL BE QUICKLY BROUGHT TO YOUR ATTENTION BY THE PROCESS COORDINATOR.

- Step 9.** Submit construction documents to CRDC for building permit application. Plans are now simultaneously reviewed by building, fire, engineering, and planning staff. This phase is the traditional plan check. Unlike most building permit processes, you do not have to coordinate a step-by-step, successive review. **YOU HAVE A PROCESS COORDINATOR WHO ROUTES AND MONITORS THE PROGRESS OF YOUR COORDINATED-SIMULTANEOUS REVIEW.** Approximate time period, ten to fifteen working days.

If corrections are required to the construction documents, you will be notified by your *PROCESS COORDINATOR*. Either come to the CRDC to pick-up a written list of comments and instructions or they may be mailed to you or your designer.

DESIGNER REVISES CONSTRUCTION DOCUMENTS

- Step 10.** Your design professional revises construction documents in accordance with the list of comments and instruction. Then, you resubmit these revised documents to the CRDC for an expedited, coordinated-simultaneous re-check.

REVISED CONSTRUCTION DOCUMENTS SUBMITTED TO CRDC

Step 11. Following a successful re-check, your construction documents are approved.
Approximate time period, five working days.

BUILDING PERMIT ISSUED

Step 12. You now have approved plans, a building permit and construction begins.

**POST EARTHQUAKE
BUILDING PERMIT AND
INSPECTION PROCEDURES**

These questions and answers are based on the experience of Santa Cruz County after the Loma Prieta Earthquake in October 1989. Santa Cruz County is 441 square miles in area with approximately 60,000 primarily residential parcels.

Based upon our experience, someone is going to have to answer the questions below within days (and sometimes hours) of a major earthquake. You can avoid many long and stressful hours spent when you can least afford them by having emergency ordinances on the books addressing these questions before the event!

John de Courcy
Building Official
Santa Cruz County
701 Ocean Street
Santa Cruz, CA 95060
408-454-3195
FAX 408-454-2131

POST EARTHQUAKE BUILDING PERMIT AND INSPECTION PROCEDURES

How can I get a permit and start repairing my building?

- (a) **TEMPORARY PERMITS--** Within hours of the event our inspectors were issuing temporary repair permits in the field. Within days we were issuing them at the County Building. We also sent our counter technicians to FEMA Disaster Centers to issue temporary permits. These permits allowed people to start work, while requiring that they apply for a permanent permit within 60 days.
- (b) **NO PLANS FOR REPAIR IN KIND UP TO 25%--** When no foundation damage was involved, our policy was to issue permits with no plans for repairs with a value of up to 25% of the value of the house. The inspector could require plans if he felt it was necessary, based on the specific site conditions or because the work was not conventional construction.
- (c) **NO PLANS FOR NON-HABITABLE ACCESSORY BUILDINGS.** No plans were required for the repair or reconstruction of garages, carports, storage sheds, etc. less than 1000 square feet in floor area. Once again, the inspector could require plans if he felt it was necessary, based on the specific site conditions or because the work was not conventional construction.

Can I repair my unreinforced masonry chimney?

Some jurisdictions required such chimneys to be demolished and replaced. Others (including Santa Cruz County) allowed them to be repaired. We obtained details of repairs from the city of Los Angeles and distributed them with the permits. When the next earthquake happens we will see if this was a wise policy.

What type of inspection is required on my chimney repair?

We required an initial inspection after any demolition was done. The inspector would determine that the damaged portions had been removed and that the proposed repair method was acceptable. Because of the workload, we accepted a certification that the work was to code accompanied by pictures showing the work in lieu of subsequent inspections.

Can I repair-in-kind work that doesn't meet code?

We required that all new work meet present codes. Existing work could remain unless the new work made the old work unsafe.

POST EARTHQUAKE BUILDING PERMIT AND INSPECTION PROCEDURES

5. Can I repair my post and pier foundation?

There were hundreds of single family dwellings in our jurisdiction with pier and mudsill foundations, which no longer comply with the code. We did not allow these to be repaired-- if the piers or posts were replaced, the portion involved was required to be a perimeter foundation. We did permit these foundations to be straightened and/or braced.

6. Can I put a mobil home on my property while doing my repairs?

We issued permits for mobil homes and temporary power to anyone who asked for one and could show that the lot in question had a residence on it. (Many are now illegal rental units, of course.)

7. Can I live in my detached garage or other non-habitable structure while I repair my building?

We issued permits for temporary power to owners under these circumstances. The inspector checked at the electrical inspection to be sure they were safe. (Many of these also became illegal second units.)

8. Can I rebuild a non-conforming structure?

We passed an emergency ordinance allowing nonconforming structures damaged in the earthquake to be repaired/or reconstructed in the present location, and they could be expanded by a maximum of 10% if the expansion did not increase the non-conformity.

9. Is a sprinkler system required in an earthquake reconstruction?

In Santa Cruz County a sprinkler system is required in all new single family dwellings. Over the objections of the fire agencies, the Board passed an ordinance exempting earthquake reconstructions from this requirement.

10. I have a violation on the property. Does this affect my permit for earthquake repair?

Our ordinance prohibits the issuance of a permit when there is a violation on the property unless the permit rectifies the violation. We modified this to allow repair permits in the area not affected by the violation.

POST EARTHQUAKE BUILDING PERMIT AND INSPECTION PROCEDURES

11. Do I need a permit for a temporary repair, such as shoring?

Temporary repair could be done with no permits. We defined a temporary repair as follows: (1) the work is intended to be replaced later with permanent work and (2) no portions of the work are concealed.

12. My building was red tagged (or yellow tagged) and I left. Now the owner is renting it to someone else.

The whole question of what action to take after posting was extremely difficult. Except in the case of clearly immediate danger, we did not call the Sheriff to evict people occupying posted buildings.

13. Can I get a permit to partially repair my building, or does the permit have to include all known damage.?

Our policy was to issue permits for partial repairs. The UBC does not really address this issue, but the proposed OES ordinances do.

14. When is your department going to be open for normal business?

Our file room was severely damaged and our staff stretched to the limit with earthquake work. We didn't open for intake of non-earthquake related applications and issuance of non-earthquake related permits for 3 months. I would not advise this if you can avoid it. Thanks to the work of many volunteer inspectors, we were able to begin inspections of work permitted before the earthquake within 4 weeks of the event.

15. Are you going to take punitive measures when work that was permitted before the earthquake was continued without inspections?

We did not take punitive measures when an appropriate "inspection audit trail" was maintained. This could be done with pictures, documented inspections by engineers or other qualified persons. We were fairly ruthless with contractors who took advantage of the earthquake to proceed with no inspections of any kind.

16. Are you going to charge permit fees?

By carefully documenting our activities to FEMA, and by setting up an independent Earthquake Recovery Division, we were able to avoid charging fees. We warned applicants that we might have to retroactively charge fees if FEMA stopped reimbursing us, and eventually we had to do just that. Collecting these fees retroactively was not a very enjoyable experience.

M E M O

October 23, 1989

TO: Honorable Mayor and Members of the City Council
FROM: City Attorney *CFH*
RE: Building permit process during State of Emergency

In order to facilitate the repair of buildings damaged as a result of the earthquake of October 17, 1989, and subsequent aftershocks, the Building Official will do the following:

(1) Issue building permits for repair work without plans pursuant to Section 302(b) of the Uniform Building Code whenever the owner of residential buildings uses the pre-approved repair plan, a copy of which is attached hereto, and whenever the nature of the work applied for does not necessitate the reviewing of plans to gain compliance with the building code.

(2) Issue building permits for the major repair of commercial/industrial buildings if the owner has a structural engineer provide a damage assessment for the entire structure and makes appropriate recommendations for any necessary repairs. After review and approval by the City's structural engineer, a building permit will be issued as soon as the approval is given.

If the above is to happen in a timely manner, it is recommended that the City Council adopt urgency/emergency ordinances to take effect immediately to do the following.

(1) Exempt from Section 14-20.080 Watsonville Municipal Code those buildings which have been damaged more than sixty percent of their market rate as a result of the earthquake thereby allowing them to be restored, reconstructed or used as before, provided, that work be initiated within three months and completed within six months of the earthquake. The ordinance as proposed would expire in six months.

(2) Impose a moratorium on the issuance of building permits and applications for any document which will lead to a building permit, except for the repair, rehabilitation, demolition, or reconstruction of existing structures damaged as a result of the earthquake.

City staff is continuing to investigate other options for a formal permit streamlining process for presentation to the Council in order to ensure the prompt repair, rehabilitation and reconstruction of earthquake damaged buildings in the City.

LFH/vrx

ORDINANCE NO. _____ (CM)

AN EMERGENCY ORDINANCE OF THE CITY OF WATSONVILLE IMPOSING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS FOR NEW STRUCTURES OR GRADING PERMITS AND TO SUSPEND FILING OF APPLICATIONS FOR ALL BUILDING, GRADING, PLOT MAPS, AND ALL OTHER DOCUMENTS NORMALLY LEADING TO ISSUANCE OF BUILDING PERMITS BUT EXCLUDING REPAIR, REHABILITATION, DEMOLITION, OR RECONSTRUCTION OF EXISTING STRUCTURES DAMAGED AS A RESULT OF THE MAJOR EARTHQUAKE OF OCTOBER 17, 1989, AND DECLARING THE URGENCY THEREOF

WHEREAS, on October 18, 1989, the City Council of the City of Watsonville declared that due to a major earthquake on October 17, 1989, that a state of emergency exists throughout the City; and

WHEREAS, as a result of said earthquake over 571 residential buildings and 34 commercial/industrial buildings have suffered either minor, major or complete damage; and

WHEREAS, the inspection of damaged buildings and the repair, rehabilitation, demolition and reconstruction of said damaged buildings must receive the utmost attention of City Staff; and

WHEREAS, in order to permit a reasonable period of time within which the City staff may devote to the inspection of buildings damaged as a result of said earthquake and to cause their repair, rehabilitation, demolition or reconstruction as quickly as possible, it is necessary to place a moratorium on the issuance of building permits except for repair, rehabilitation, demolition or reconstruction of existing structures, damaged as a result of the major earthquake of October 17, 1989, grading permits necessary thereto and to ban applications for all building, grading, plot maps,

and all other documents that normally lead to the issuance of building permits.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WATSONVILLE, DOES ORDAIN AS FOLLOWS:

Section 1. A moratorium is hereby declared on the issuance of building permits except for permits to repair, rehabilitate, or reconstruct structures damaged as a result of the major earthquake of October 17, 1989, and upon the issuance of grading permits necessary thereto.

Section 2. A moratorium is hereby declared on the filing of all applications before the Planning Department, Building Department, and Public Works Department for all building, grading, plot maps, and all other documents that normally lead to the issuance of building permits, except for repair, rehabilitation, or reconstruction of existing structures damaged as a result of the major earthquake of October 17, 1989.

Section 3. This ordinance shall take effect and be in force immediately upon its adoption, and shall remain in effect until forty-five (45) days from the date of its adoption, unless otherwise modified by Ordinance.

Section 4. This Council finds and determines that the moratorium must be imposed in order to protect and preserve the public interest, health, safety, comfort and convenience, and to preserve the public welfare; that it is necessary to preserve the public health and safety against the possibility of allowing building

construction without the possibility of adequate resources such as water supply, wastewater treatment, solid waste disposal and other services; that it is further necessary to protect all of the citizens of Watsonville against possible financial and economic losses, in the event City resources and services are strained and there is demand beyond capabilities.

Section 5. Any provisions of the Watsonville Municipal Code or other Ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, is suspended during the moratorium.

Section 6. If any provision of this ordinance is held to be unconstitutional herewith, to the extent of such inconsistencies and no further, is suspended during the moratorium.

Section 7. This ordinance is declared to be an emergency measure adopted pursuant to the provisions of Section 602 of the Watsonville City Charter and is necessary to preserve the public peace, health, safety and property, and the general welfare and the urgency for its adoption is set forth in the findings above.

Section 8. The City Clerk is hereby directed to cause this ordinance to be published once in the official newspaper within fifteen (15) days after its adoption.

The foregoing emergency ordinance was introduced at a regular meeting of the Council of the City of Watsonville, held on the _____ day of _____, 1989, by Council Member _____, who moved its adoption, which motion being duly seconded by Council Member _____, was upon roll call carried and the emergency ordinance adopted by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. _____ (CM)

AN EMERGENCY ORDINANCE OF THE CITY OF WATSONVILLE
EXEMPTING CERTAIN BUILDINGS FROM SECTION 14-20-080
OF THE WATSONVILLE MUNICIPAL CODE GOVERNING THE
REPLACEMENT OF DAMAGED OR DESTROYED
NON-CONFORMING USES

WHEREAS, on October 18, 1989, the City Council of the City of Watsonville declared that due to a major earthquake on October 17, 1989, that a state of emergency exists throughout the City; and

WHEREAS, as a result of said earthquake over 571 residential buildings and 34 commercial/industrial buildings have suffered either minor, major or complete damage; and

WHEREAS, certain of said buildings are in immediate need of repair and rehabilitation in order to safeguard and protect the public health, safety and welfare; and

WHEREAS, the imposition of Section 14-20.080 of the Watsonville Municipal Code as to any buildings damaged more than sixty (60%) percent of its market value as a result of said earthquake would cause an undue hardship on the those individuals whose buildings suffered said damage; and

WHEREAS, it is necessary to suspend the operation of Section 14-20.080 as to any building damaged as a result of said earthquake to protect and preserve the public interest, health, safety, comfort and convenience, and preserve the public welfare by allowing the prompt repair and rehabilitation of certain said said buildings.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WATSONVILLE, DOES
ORDAIN AS FOLLOWS:**

Section 1. Those buildings in the City of Watsonville which have been damaged more than sixty (60%) percent of its market rate as a result of the major earthquake on October 17, 1989, and any of its aftershocks shall be exempt from the requirements of Section 14-20.080 of the Watsonville Municipal Code, provided that any such building is restored, reconstructed or used as before and that such be initiated within three (3) months and be substantially completed within six (6) months after such happening.

Section 2. This ordinance shall take effect and be in force immediately upon its adoption, and shall remain in effect until midnight of April 23, 1990, unless otherwise modified by Ordinance.

Section 3. This Council finds and determines that the exemption must be imposed in order to protect and preserve the public interest, health, safety, comfort and convenience, and to preserve the public welfare; that it is necessary to preserve the public health and safety against the possibility of illegal building repair or construction without the obtaining of building permits because a building has suffered damage in excess of sixty (60%) percent of its market value; that it is further necessary to protect all of the citizens of Watsonville against possible financial and economic losses resulting from said earthquake.

Section 4. Any provisions of the Watsonville Municipal Code or other Ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, is suspended during the moratorium.

Section 5. If any provision of this ordinance is held to be unconstitutional herewith, to the extent of such inconsistencies and no further, is suspended during the moratorium.

Section 6. This ordinance is declared to be an emergency measure adopted pursuant to the provisions of Section 602 of the Watsonville City Charter and is necessary to preserve the public peace, health, safety and property, and the general welfare and the urgency for its adoption is set forth in the findings above.

Section 7. The City Clerk is hereby directed to cause this ordinance to be published once in the official newspaper within fifteen (15) days after its adoption.

The foregoing emergency ordinance was introduced at a regular meeting of the Council of the City of Watsonville, held on the _____ day of _____, 1989, by Council Member _____, who moved its adoption, which motion being duly seconded by Council Member _____, was upon roll call carried and the emergency ordinance adopted by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO. 113-91 (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WATSONVILLE RESCINDING RESOLUTION NO. 359-90 (CM)
AND READOPTING POLICY FOR STREAMLINING PROJECTS
AND PERMIT PROCESSING FOR EARTHQUAKE RELATED PROJECTS
EFFECTIVE TO OCTOBER 17, 1991

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE,
CALIFORNIA, AS FOLLOWS:

1. That Resolution No. 359-90 (CM) adopted by the City Council
on October 9, 1990, is hereby rescinded.

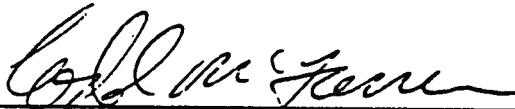
2. That the Policy for Streamlining Projects and Permit
Processing for Earthquake Related Projects, attached hereto and
marked Exhibit "A", is hereby adopted and is effective to
October 17, 1991.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Watsonville, held on the 26th day of March, 1991, by Council Member Murphy, who moved its adoption, which motion being duly seconded by Council Member Eves, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCIL MEMBERS: Eves, Hurst, Milladin, Murphy, Rios, McFarren

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None


MAYOR

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

E X H I B I T "A"

POLICY FOR STREAMLINING PROJECTS AND PERMIT PROCESSING FOR EARTHQUAKE RELATED PROJECTS

A. General

1. All repairs and or reconstruction shall be in conformance by the latest adopted Uniform Building Code and/or FEMA regulations.
2. Repair and reconstruction of nonconforming uses (as described in Section 14-20 of the Zoning Ordinance) will be permitted without issuance of a Special Use Permit provided they meet this policy.
3. Applications cited below shall be submitted by October 17, 1991.
4. Upon submittal of application for building permits and where lot size warrants placement, mobile units may be permitted during repair or reconstruction of structures subject to this policy.
5. Plot plan is required for all permits (including demolition).
6. Fees are not required for repair or reconstruction of residential units in cases where no expansion of use is proposed and when no transfer of real property has occurred since December 16, 1989.
7. In some cases of proven hardship, the city may waive some fees required for processing of commercial/industrial projects.

B. Minor Repairs (\$25,000 or less)

1. Examples:
 - a. Chimney/fireplace
 - b. Walls, roof, porch
 - c. Electrical and plumbing
 - d. Foundation work
2. Building permits required, no plan check or design review required. Expansion of use or significant alteration to existing floor plan of the structure is not permitted. No fee.

C. Major Repair (over \$25,000)

1. Using the same floor plan and footprint, building permit and limited plan check required. No design review is required. Expansion of use or significant alterations to existing floor plan of the structure is not permitted. Fees required, except as provided in Section A.6 above.
2. Expansion of use of alterations to building footprint, building permit and plan check required. Administrative design review required. Design review not required for single family units. Fees required, except as provided in Section A.6 above.
 - a. Commercial, Industrial, and Multi-family units will be required to be consistent with current zoning ordinance and all applicable standards. Use Permits may be required.

D. Demolition

1. Permits are required; no fees required. Require plot plans.

E. Total Reconstruction

1. After structures have been demolished, the following criteria will apply:
 - a. Single family homes in the R-1 zoning district where lot size (6,000s.f./6,500s.f.) is consistent with the zoning ordinance, shall be constructed in conformance with zoning district regulations. No Use Permit will be required for reconstruction of single family homes on multi-family zoned lots. A minimum of one parking space shall be required for the reconstructed unit. Fees required, except as provided in Section A.6 above.
 - b. Single family homes may be reconstructed on non-conforming lots of record in any residential zoning district subject to issuance of a variance by the Zoning Administrator. Building permits and limited plan check are required. Fees required, except as provided in Section A.6 above.
2. Multi-family units can be reconstructed. In the RM-2 Zoning District, legal non-conforming units may be reconstructed to previous density or consistent with the zoning district density formula. In the RM-3 zoning

district, legal non-conforming units may be reconstructed to previous density or consistent with the zoning district formula (whichever is less). On site parking spaces as previously provided shall be required. In no case shall there be less than one on parking space per unit. Building permits and limited plan check shall be required, Design Review may be required. Fees required.

3. Commercial/Industrial reconstruction is permitted. Non-conforming buildings shall not be enlarged. Expansion of use or structure is permitted subject to conformance with the Zoning Ordinance, all applicable standards, and Design Review guidelines. Building permits, plan check, and Design Review are required. Fees required.

F. Illegal non-conforming structures

Illegal non-conforming structures shall not be legitimized without due process. Burden of proof for establishing legality of non-conforming units lies with property owner. Proof shall consist of the following:

- 1) tax assessment for multiple units (parcel history from County Assessor)
- 2) utility meters