



COUNTY OF ORANGE

RESOURCES & DEVELOPMENT MANAGEMENT DEPARTMENT

**Bryan Speegle,
Director**

300 N. Flower Street
Santa Ana, CA

P.O. Box 4048
Santa Ana, CA 92702-4048

Telephone: (714) 834-2300
Fax: (714) 834-5188

REBUILDING AFTER DISASTERS

What can homeowners, tenants, business owners, do after fire, storm or other disasters? State and County laws and policies offer several exceptions from the standard requirements for land use and taxation decisions. The following provides a brief summary of the major State and County regulations and programs that are key to re-building after disasters. For more specific information about permit filing requirements or to obtain permit application forms, please go to the County's Planning and Development Services website at www.ocplanning.net.

Damage Assessments:

As part of Orange County Fire Authority damage assessment teams, County Building Inspectors are inspecting and evaluating the damage to all structures on a lot-by-lot basis. The inspectors will be determining which structures are habitable, habitable with restrictions, or uninhabitable. Uninhabitable structures will be "red tagged" and may not be re-occupied. Less severely damaged structures will be "yellow tagged" and may be re-entered on a limited basis until certain conditions have been satisfied. These damage reports will be provided to each effected landowner and will serve as the basis for determining all subsequent permitting requirements as set forth below.

Zoning Permits:

Since the Board of Supervisors has declared the recent fires to constitute a natural disaster, the Planning Director may waive the requirement for any discretionary permit otherwise required to rebuild structures damaged by the disaster where the structures were lawfully established and are proposed to be substantially the same as before and are in compliance with all site development standards. However, if structures were not lawfully established or are not in compliance with current development standards, new zoning permits such as a Variance may still be required.

The County Zoning Code (Sec 7-9-151) requires that the rebuilding of structures that are damaged by disasters to the extent of more than fifty (50) percent of the value shall be subject to all the latest zoning codes (Silverado/Modjeska area) or Specific Plan (Foothill/Trabuco area) regulations. In the determination of the value, the Planning Director may use any data available including recent comparable sales, County Assessor assessments, or other data provided by the applicant. The County's determination of value can be appealed to the Planning Commission. Also, the County Planning Commission can approve exceptions to the non-conforming regulations by approval of a use permit.

Building Permits (General):

All building applications filed prior to December 31, 2007 must comply with the 2001 California Building Code. Any building application filed subsequent to December 31, 2007 must comply with the 2007 California Building Code.

(Note: Effective January 1, 2008, the State and County Building Codes will be replaced by a new California Building Code (CBC) and California Fire Code (CFC). These new Codes contain revisions to the existing CBC and CFC as locally adopted by the County and the Orange County Fire Authority (OCFA).)

Building Permits (High Fire Hazard Areas):

The State Department of Forestry and Fire Protection has mapped areas for fire protection including areas designated as State Responsibility Areas (SRA) and Local Responsibility Area (LRA) Urbanized/Developer Areas. These designations guide State and local agencies such as the County in applying requirements for fuel modification zones. To view these maps, please go to the OCFA website at www.ocfa.org.

About 20% of the County is classified "High Fire Hazard Severity Zone and this zone is almost entirely composed of the hillside and canyon areas of eastern and southern Orange County including Silverado/Modjeska Canyons and Foothill/Trabuco areas. All of the local jurisdictions (including the County) with authority for these High Fire Hazard Zone also require high levels of fire protection (e.g., Class A roofs, sprinklers) and fuel modification for development or redevelopment within this zone.

Another 20% of the County is included in the Very High Fire Hazard Severity Zones which are almost entirely composed of the National Forest and State or County Wilderness Parks. All of the local jurisdictions with authority for the Very High Fire Hazard Zone areas require the highest levels of fire protection (e.g., Class A roofs, sprinklers) and fuel modification for development or redevelopment within this Zone.

Re-building in wildland fire areas will require mitigation features required by the CFC and the CBC (e.g., Chapter 7A and 15) as locally adopted (Article 1, Div. 1, Titles 3 and 7 of the County Codified Ordinances). In brief summary, repair/reconstruction will be required to provide Class A roofing, fire resistive skylights, ignition-resistant or non-combustible construction of exterior walls, fire-protected attic/foundation vents, fire-protected eave overhangs/soffits/exterior balconies/patio covers, double glazing for windows, solid core or metal exterior doors, fire sprinkler system and other requirements. For a complete list of the requirements, please see the CFC and CBC.

In addition, re-building must comply with County and OCFA standards and policies for fuel modification (i.e., brush and tree thinning) including the OCFA Fire Master Plan and Fuel Modification Guidelines. Prior to the issuance of building permits, County plan check staff will require the applicant to provide clearances from OCFA. For more information regarding OCFA Guidelines for Construction of Single Family Dwellings, go to www.ocfa.org.

Temporary Mobilehome Residence:

A temporary mobilehome may be moved onto a building site during the construction of a permanent dwelling. Utility hookups (water, septic, sewer and electrical) need to comply with the County Building Code. For more specific information regarding temporary mobilehomes, please contact the Zoning or Building Plan Check staff listed below.

Zoning and Building Permits Fees:

Processing fees for Building and Zoning Permits are charged on an hourly basis. The County and other agencies do not charge impact fees for the reconstruction of property destroyed by a natural disaster (Government Code §66011).

Other Development Regulations:

Environmental Reviews:

The California Environmental Quality Act (CEQA) statutorily exempts from environmental review:

- Emergency repairs to public works needed to maintain services.
(Public Resources Code §21080 [b][2])
- Repairs and replacement work after a declared disaster.
(Public Resources Code §21080 [b][3])
- Actions to mitigate or prevent an emergency.
(Public Resources Code §21080 [b][4])

For Further Information Please Contact:

Before attempting to submit any applications for permits, please contact us to arrange a post-fire consultation meeting with staff. We will evaluate your situation and develop a strategy to help expedite your rebuilding efforts. To set up an appointment, please call (714) 834-5180.

Development Processing Center
300 N. Flower
Santa Ana, CA 92703

Website: www.ocplanning.net

Zoning Plan Check:	Laree Brommer	(714) 834-4620
Building Plan Check:	Mahrooz Ilkhanipour	(714) 834-2629
Building Inspection:	Allan Metz	(949) 472-7939