

## **Rebuilding After the 2017 Fire: Frequently Asked Questions**

### **1. When a home is rebuilt, must it be built in compliance with current building codes?**

Yes. The Code in effect now is the 2016 California Residential Code, as amended and adopted by Sonoma County.

### **2. Can a house be built on an existing foundation?**

Applicants who wish to use the existing foundation system must have a "suitability analysis" of the existing foundation performed by a registered civil or structural engineer. This analysis shall state that the engineer has visited the site and investigated the condition of the existing building elements. It shall also state that the remaining foundation is suitable for the support of the new structure, and that all under-slab utility systems (such as drain, waste, vent, water, mechanical, electrical, etc.) are suitable for continued use. Electrical conduits may remain but all under-slab electrical conductors must be replaced.

Please be advised that a compaction report to address re-compaction of the lot after foundation removal, if soil was disturbed to a depth greater than 12 inches, may be needed depending on new building elevations. A licensed geotechnical or civil engineer may be needed to prepare the compaction report

### **3. How is Sonoma County determining the square footage of structures that were on my property prior to the fire?**

When determining square footage, County staff will refer to building permit history records and Assessors records. The County does not retain building plan sets in most cases, but will have permit application forms and inspection records for most permitted structure built after 1962. The County will consider the square footages in other formal documents, such as insurance papers or old building plans on a case-by-case basis.

### **4. Is a Demolition Permit required for removal of a building or portions of a building that were damaged or destroyed by a fire?**

Not if a RIGHT OF ENTRY (ROE) has been submitted to County Environmental Health and your property is on the list for cleanup by CalOES. If you chose to remove the debris yourself or through a contractor, a demolition permit is required pursuant to State Code (2016 California Residential Code, Section R105.1). CAL OSHA Standards for handling and disposal of the debris still apply. Demolition permits for residences are issued over-the-counter, without delay. Receipts for debris disposal and post clean-up soil analysis are needed before issuance of building permits.

### **5. Is a Building Permit required to repair damage to a structure?**

Yes. A Permit is required for repairs and construction pursuant to State Code (2013 California Residential Code, Section R105.1). Review of repair permit applications will be expedited and Building Inspectors are available to inspect your structure before you file a building permit to assist in damage assessment and provide information of Building Code requirements applicable to the situation at hand. Some situations may necessitate that a Registered Engineer evaluates the condition of the damaged home and provide engineered plans for the repair.

**6. How long do I have to rebuild my permanent residence?**

There is no timeline on when you have to start rebuilding your home provided that your property is zoned residential or agricultural and the number of homes on your property is consistent with zoning. If your home was considered legal non-conforming, you will need to file the building permit application within one year of the fire.

Building and grading permits issued by the Permit Sonoma expire by limitation three (3) years from the date of permit issuance. We encourage property owners to complete construction as quickly as practical and not wait to the last minute to call for the next inspection.

**7. What documents are needed for a Building Permit?**

All required plans and documents required for a rebuild permit are identified on the *Building Plan Check Submittal Checklist (BPC-003)*. Applications require 4 copies of signed plans. If the structure is commercial, non-wood framed, a residence higher than two stories, non-conventional construction (metal, concrete or masonry), or a residential project with more than four (4) dwellings on a single parcel, the plans must be signed by a licensed engineer or architect. A complete submittal and detailed building plans often translate into quicker review times. The site plan must be drawn to scale and include all improvements. Multiple departments and agencies will need to review these plans prior to permit issuance.

**8. Once I have all building permit plans ready, how do I submit them?**

Applications can be submitted at the Permit Sonoma office at 2550 Ventura Avenue between 8:00 am to 4:00 pm, Monday through Friday, with the exception of Wednesday, when the office opens at 10:00 am.

**9. What other agencies and fees might be involved in the Building Permit Process?**

Department of Transportation & Public Works - Encroachment & Road Impact fees;  
Environmental Health: septic & well systems;  
Special Districts or your local water company: Water & Sewer;  
Cal-Fire: SRA Title 14 Review;  
Local School District and Local Fire District: Mitigation fees if expanding the size of former residence.

**10. Are fire sprinklers required for all new structures?**

Yes. Residential fire sprinkler systems are required as mandated by the 2016 California Residential Code Section R313. Accessory structures do not necessarily require sprinkler systems, with the exception of habitable residences or commercial buildings.

**11. Do I need a licensed fire protection contractor to design and install the sprinkler system?**

No. A homeowner can install the sprinkler system themselves. However, a fire sprinkler designer is required to design the system and prepare plans that will need to be signed off by the local Fire District. A licensed C-16 fire protection contractor can prepare plans and do the installation, but may require their client to use them for both the plans and installation.

**12. Can I live in a trailer or RV on my property while rebuilding a home?**

Yes, provided the County has issued a temporary occupancy permit for the trailer or RV. The County will not charge a fee for this permit if your home was destroyed by the 2017 fires. Once the application is submitted, a permit will be issued if basic conditions can be met: such as an electrical permit for any necessary hookups; wastewater methods are approved by Environmental Health; the site is not at risk for landslides or debris flow; and, the placement of the temporary home does not preclude rebuilding. The Temporary Dwelling Permit may be revoked if the terms and conditions of the permit have been violated. Otherwise the permit will expire once final inspection of your new home is complete.

**13. Can I rebuild a garage or other accessory structure or continue an accessory use prior to rebuilding my home?**

The County can authorize reconstruction of an accessory structure on a case-by-case basis. In most cases all proposed structures should be submitted with the Site Plan required with any building plan sets. The site plan and building permits for all associated structures can then be approved at the same time.

**14. Will my house plans for reconstruction be subject to Design Review?**

Design review is only required on sites within the Scenic Design Combining District. Permit Sonoma may waive the design review requirement if the new home design is similar to the original home. If design review is required, Permit Sonoma will expedite this review to minimize delays in building permit processing.

**15. Is a new owner required to meet all development standards, including setbacks?**

Yes. The same standards apply to existing and new lot owners. An exception is if the original home was determined to be legal non-conforming and a building permit application is submitted within one year of the fire.

**16. Will I need a new encroachment permit with fee?**

It depends upon the condition and location of your current (past) driveway encroachment.

**17. Do I need a Grading Permit to rebuild?**

If a homeowner wishes to reconstruct structures in approximately the pre-fire footprint, with minor additional grading then a grading permit in most cases will not be required. (See the County Grading Ordinance and site erosion control Best Management Practices (BMPs) for site stabilization methods.)

**18. Can I request a property tax reduction due to fire damage?**

Yes. In most cases your property has been reassessed for your loss. There may be some cases where your property was missed or needs to be further evaluated. If that is the case, contact the County Assessor's Office at (707) 565-1888.

**19. If my home is on private well, do I need to have the well tested?**

Testing is not required, however, because the new home will require new plumbing, the well and plumbing should be disinfected and a water sample collected and analyzed for bacteriological quality prior to re-occupancy of the permanent building.

**20. If my septic system or water well is damaged and I need to construct a new one, do setbacks apply for the new septic system or water well?**

Please contact the Well & Septic Division (707) 565-2849 for set-back and distance requirements.

**21. In certain cases, structures cannot meet current setback requirements due to lot sizes or topography. Will the County still issue building permits?**

The County will make every effort to accommodate challenging lot set-back issues. Setbacks can be adjusted in under certain circumstances with a Zoning Permit. All fire safe building regulations (Title 14 and 42.90), environment, and other health and safety ordinances and standards shall apply.

**22. Will the County require evidence of a legal lot prior to issuance of a new building permit?**

Yes. Be aware that one legal lot may have several Assessor Parcel Numbers (APNs), and that APNs do not establish legal lot status. Therefore, the legal lot lines & status must be confirmed prior to issuance of building permits. The County will accept evidence of a prior Building Permit on your property as establishing legal lot status.

**23. Will building permits be issued for structures in a Floodway or Floodplain?**

Floodways are the drainage areas necessary for a 100-year floodplain (also indicated as "F2" on Zoning Map). No permits will be issued for structures within floodways (F1). This is a health and safety issue and all structures must be located outside of the floodway.. Habitable structures in the floodplain must conform to the flood control ordinance and have a building pad, or finished floor elevation, elevated above the 100-year flood level.

**24. Must fire clearing and access width requirements be met for all rebuilds in High & Very High Fire Severity Zones?**

Yes. For lots that are an acre or more in size, set-backs of 30 feet from the property line for all structures is required as defensible space, in conformance with the State Natural Resources Code (Title 14, Chapter 7, Subchapter 2 SRA Fire Safe Regulations).

**25. What clearing is allowed by the County for fire prevention purposes around buildings?**

The County allows 100 feet of clearing around dwelling units. The cleared area should be landscaped with fire resistant plants. Any additional clearing for fire prevention, control or suppression purposes can be done when authorized or required in writing by a fire prevention or suppression agency. A minimum of 30 feet between structures however is required in High and Very High Fire Severity Zones on any lot of 1 acre or more.

**26. Are any permits required to clear up to 100 feet away (Defensible Space) from an existing residence?**

No. Clearing for fire protection purposes can be done within 100 feet of existing dwelling units without a permit, provided that clearing is not performed by an excavator or bulldozer. This does not authorize off-site clearing, although clearing in cooperation with your neighbors is encouraged.

**27. Who is responsible for clearing the brush from around buildings?**

The property owner.

**28. Who enforces the regulations regarding clearance of fuel around buildings?** The Fire Agencies and the County Code Enforcement Division will work together to enforce weed abatement programs, requiring the clearance of flammable vegetation from around buildings.

Californian Department of Insurance/Insurance Commissioner's Office  
Headquarters Offices  
300 Capitol Mall, Suite 1700  
Sacramento, CA 95814

The process of rebuilding will require property owners to work with their insurance companies. Working with your Insurance Broker will help you understand your policy and what you need to facilitate the fastest method for covering the costs of rebuilding. ***If your property was cleaned by the State, the Community Development Department can not issue any building permits without insurance information provided to the Environmental Health Division.***

The County does not have subject matter expertise staff that are insurance experts nor which can advise you on your policies' details. You should contact your trusted Insurance Agent and discuss any issues with them. The State Insurance Hotline is available to help if you think you are being treated unfairly or are having problems with your insurance provider.

The following consumer protection guidelines were produced by a national non-profit, United Policy Holders, with some safety and recovery tips. United Policyholders is a non-profit organization that is a voice and an information resource for insurance consumers in all 50 states. Below is a checklist to help keep you on track during this stressful time:

- ☑ Take care of your family's needs first.
- ☑ Housing is a priority – talk to your insurance company about the housing expense allowance.
- ☑ Keep a diary of who you talked to, the number you called, date and time and what was said.
- ☑ Keep all of your paperwork organized and together.
- ☑ Take photos of your property before any cleanup of debris removal.
- ☑ Get a complete and current copy of your insurance policy.
- ☑ Ask for a cash advance for Additional Living Expenses (ALE).
- ☑ Do not rush into signing contracts and avoid making major financial decisions in the first few weeks.
- ☑ Check references carefully before hiring any vendor or professional.
- ☑ Use the free help and resources that are available at [www.uphelp.org](http://www.uphelp.org)

#### TOP INSURANCE TIPS:

- ☑ Be proactive in the claim process and keep good notes.
- ☑ Don't pad or exaggerate your claim.
- ☑ Give your insurance company a chance to do the right thing, but don't mistake a friendly representative for a friend.
- ☑ Document and support your claim with proof, details and estimates.
- ☑ Present clear requests in writing that explain what you need, when you need it, and why you're entitled to it.
- ☑ Think of your insurance claim as a business negotiation – you're dealing with a for-profit company.
- ☑ Try to resolve problems informally, but complain in writing, go up the chain of command and/or use government agency help when necessary.
- ☑ Get specialized professional help when you need it.