



CITY OF DANA POINT

COMMUNITY DEVELOPMENT, BUILDING AND SAFETY

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B004 – RESOLUTION

2016 CALIFORNIA CODES

CODE CYCLE

01/01/2017

EFFECTIVE DATE

RESOLUTION OF WORK WITHOUT PERMITS

INTRODUCTION

Work performed without approvals and/or permits are in violation of Sections R108.6 of the 2016 California Residential Code (CRC) and 109 of the 2016 California Building Code (CBC), as adopted by the City of Dana Point which states in part that no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate permit for each building or structure has first been obtained from the Building Official.

The City is involved in a comprehensive effort to work with business owners, property owners, and residents to ensure compliance with all existing city regulations. Toward that end, the following guidelines should help you in obtaining the proper approvals and permits and resolve your non-compliant construction. Not all provisions listed will be required for every project and each submittal will be reviewed based on the scope of the violation and the area where the project is located.

Please be aware that permits for **“After the Fact”** work are **NOT** issued over the counter. Your first step will be obtaining preliminary planning review. This review will ascertain whether the project can be approved and is required prior to submittal for a building permit. Some projects will require a site visit. This can be accomplished by the property owner paying for a “Special Investigation” permit. Arrangements for this inspection can then be made with the Building Inspector. Work that is unable to be approved will require restoration to its original condition. The restoration work will often require a separate building permit.

Resolution begins with a complete set of architectural plans. The drawings are not required to be drawn by an Architect but must meet minimum architectural standards. Structural elements will require an engineered design by a licensed Architect or Structural Engineer. Plan submittal requirements include at a minimum:

- A minimum 11” X 17”, scaled, dimensioned, and accurate site plan.
- A minimum 11” X 17”, scaled, dimensioned, and accurate floor plan.
- Plan to show existing walls (prior to modification), the walls removed, the new walls, doors, windows and mechanical, electrical and plumbing where altered.
- Plan shall show a minimum of two or more elevations of sides where modifications were made.
- For projects located in an area with a Home Owner’s Association (HOA), association approvals may be required.
- For projects that changes out the electrical service without inspections will require an SDG&E service work order.

PLANNING

The Planning Division review includes, but is not limited to,

- Any required discretionary approvals.
- Any required site development permits.
- Any required variance.
- Coastal Zone requirements if applicable.

- If a Use permit is required.
- If a Public hearing is required.
- HOA review.

After a preliminary review, plans may then be submitted to the Building department for review, approval and permitting.

BUILDING

Building Department review requires the following clearances or approvals before a permit can be issued.

- Planning Department
- Orange County Fire Authority, for buildings with an existing sprinkler system or projects requiring a sprinkler system installation.
- City Engineering services
- School District Fees or letter of exemption

The following are required at the time of plan check

- 4 complete sets of construction documents a minimum 11" X 17" (24" X 36" preferred).
- Soils report – 3 copies if required.
- Structural Calculations – 2 copies if required.
- Title 24 energy calculations provided as part of the plan set. (any alteration that opens the wall cavity, alters the windows, alters the heating and/or cooling or water heating system).

See the "Residential Submittal handout" for complete plan review submittal requirements. Handouts are also available covering most residential construction. Normal plan check review is a ten (10) working day turn around for the first submittal and five (5) business days for the re-check. For buildings with sprinkler systems, the Orange County Fire Authority review will be required.

Once the Building Permit is issued, an inspection is required. Work covered without inspection will need to be exposed in certain areas. This may include some destructive removal. Some projects may require an evaluation written by a licensed Architect or Engineer. All "After the fact" projects, regardless of when the project was initially built, will be required to meet the current codes adopted by the city.

PUBLIC WORKS & ENGINEERING

Review from the Public Works and Engineering Department will be required if work has encroached into the City right-of-way; or in general, if changes are made to the existing drainage and/or grade, including excavations. For more information on when a grading permit is required, please obtain a Grading Release Form from the Public Works and Engineering Department or reference Chapter 8, Article 3 of the Dana Point Municipal Code. Submittal requirements are discussed below:

- For grading permit applications, please obtain a copy of the "Grading Permit Process" handout available at the Public Works and Engineering Department.
- For work within the public right-of-way, an encroachment permit is required. Please obtain a copy of the "Encroachment Permit Process" handout for more information and submittal requirements.

PERMITS AND FEES

All projects are required to meet the Construction Demolition Recycling program requirements and will require a deposit be posted and verification of recycling is required for refund. A list of approved construction waste recyclers is available at the building counter.

Most "After the Fact" construction permits will have an investigation fee assessment applied per the 2016 CRC Section R108.6 and CBC section 109 as adopted by the City of Dana Point.