

Mono County Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

Mountain View Fire Frequently Asked Questions Revised April 9, 2021

STAFF CONTACTS

Planning

- **April Sall** (North County Planner): 760.932.5423, asall@mono.ca.gov
- **General Planning**: 760.924.1800, commdev@mono.ca.gov

Building

- **Mike Jones** (Permit Technician): 760.924.1825, mjones@mono.ca.gov
- **Jason Davenport** (Building Inspector): 760.932.5433, jdavenport@mono.ca.gov
- **Inspection Hotline**: 760.924.1827
- **Tom Perry** (Building Official) 760.965.3635

Environmental Health

- **Louis Molina** (Environmental Health Director): 760.924.1845

Please leave a message with your parcel address or APN and we will return your call/email as soon as we can.

NOTE: The California State agencies [California Operations of Emergency Services (Cal OES) and Cal Recycle] have specific requirements related to the MVF Phase I and II cleanups for foundations and rebuilding that are **separate from** California Building Code and/or Mono County requirements. Please contact Louis Molina above for questions related to keeping foundations or cleanup efforts, or to inquire about the "Alternative Cleanup Program" property owners can execute independently. See FAQ #13 below for more information.

PLANNING INFORMATION

1. What can I build/re-build on my property?

Permitted uses are listed under the land use designation (LUD) for the parcel. Most parcels in the fire area will have an LUD of Estate Residential (ER), Rural Residential (RR), or Agriculture (AG). Please call or email a planner and we can identify your LUD and send you the relevant permitted uses and development standards. Or, you may look up your LUD on ParcelViewer (<https://gis.mono.ca.gov/apps/pv/>) and then find the LUD in the General Plan Land Use Element (https://monocounty.ca.gov/sites/default/files/fileattachments/planning_division/page/9617/2020_land_use_element_final_1-9-20.pdf).

2. Can I live in a tiny home, recreational vehicle (RV) or trailer while cleaning up my property and rebuilding?

Yes. There are no permits or fees required to live in a tiny home, RV, or trailer on parcels experiencing loss of the primary residence. The property owner just needs to sign and return the Temporary

Emergency Dwelling (TED) standards, and placement must be verified by Louis Molina in the Environmental Health Department and Michael Jones in the Building Division. This provision may not be transferred to new ownership and only applies to the owner of the parcel at the time of the fire. Please be advised, however, that once the main home is rebuilt these vehicles can no longer be used as residences and can only be stored on the property except for certain land use designations, like Rural Mobile Home (RMH).

To initiate approvals, send a written request to place a TED to April Sall.

3. Can I put a tiny home on wheels or a chassis on my property permanently?

No, Mono County land use regulations currently do not allow a motor vehicle as a residential use and the Building Division has no means or authority to evaluate and determine the safety and livability standards of motor vehicles. Because tiny homes on wheels are licensed by the California Department of Motor Vehicles (DMV), they are considered motor vehicles and cannot 1) be distinguished from RVs, 2) be permitted under the California Building Code (CBC) to ensure public health and safety standards, or 3) be converted into real property. If a process involving inspection of the tiny home on wheels during construction was available and approved by the State to certify compliance with the CBC, similar to manufactured homes, then resolutions to the above issues would be possible. However, such an inspection and certification process would be resolved at the state level and is outside Mono County's authority and control.

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

There is no timeline on when you must rebuild. However, the TED approval to live in an RV or trailer onsite provides for up to 3 years to submit a building permit for the main residence, and then is valid for another three years to complete construction. The timeframe to submit a building permit can be extended by the Community Development Director based on justification.

5. What can I do with the TED or RV after my new residence is built and I have received a Certificate of Occupancy?

Once the new residence is cleared for occupancy, the TED can no longer be inhabited on the property. It can be stored for personal travel use but not hooked up to utilities and occupied. There may be a few exceptions depending on the land use designation.

7. What are the setbacks for my property?

Please contact April Sall to verify setbacks for your property prior to developing rebuilding plans, and please provide your address or Assessor Parcel Number (APN). Note that setbacks on properties over an acre are governed by state fire safe standards enforced by CalFire. CalFire setbacks for properties larger than an acre are a minimum of 30 feet from all property lines. There is also a 30-foot setback from all streams, waterways, or mapped irrigation ditches.

8. What are Accessory Dwelling Unit (ADU) regulations?

New state law went into effect in 2020 that provides for up to three units on every residential property, as follows:

- A main residential unit.
- A junior accessory dwelling unit (JADU): An attached unit that is no larger than 500 square feet, has cooking facilities, and is contained entirely within an existing single-family structure. A bathroom may be shared with the main residence.
- A detached accessory dwelling unit (ADU): One-bedroom units under 800 square feet or two-bedroom units under 1,000 square feet require only a building permit. Larger units require an additional planning permit (Director Review or Use Permit, depending on size).

9. What are considered “existing nonconforming” uses?

"Nonconforming" means the existence or use of land, a building, a structure or portion thereof, that does not conform to the regulations of the land development regulations and that lawfully existed at the time the regulations with which it does not conform became effective. Common nonconforming uses include noncompliant setbacks and overhead power connections.

For a single-family home or accessory buildings destroyed beyond 50% of value (excluding intentional demolition), the nonconformance may only be reconstructed as originally built if evidence is provided that it was legally permitted. For example, power connections are required to be undergrounded, but overhead connections would be permitted if 1) a previous Director Review permitting overhead lines exists, 2) a previous building permit showing the overhead lines exists, or 3) the structure was built prior to this regulation (before 1991). To request a search of Mono County archives for any potential permitting documents, please contact April Sall or Michael Jones.

For all other structures damaged or destroyed beyond 50% of value, the reconstruction must meet General Plan requirements or be permitted under a use permit.

For the complete regulations, please see Chapter 34 in the Mono County General Plan (MCGP) Land Use Element.

10. What are the County fees associated with permits for the Mountain View Fire?

County permit fees for building permits, demolition permits, and planning permits for TEDs have been waived; minor fees collected on behalf of the state are still applicable. This fee waiver only applies to the property owner who experienced a loss due to the fire. Additionally, rebuilding structures destroyed by the fire may be exempt from fire district and school district fees (also see item 25, below).

11. Does Mono County keep building plans on file for existing homes?

Yes, we often have digital files for existing structures, but not always. Recent homes (i.e., from the mid-to late 1990s to the present) are more likely to be on file with us while older homes (pre-1990s) often do not have plans available. Contact Mike Jones for assistance with document requests.

12. What kind of powerlines can be restored to my home?

The Mono County General Plan currently requires all electrical service to be undergrounded from the utility drop point to the pedestal at the residence or well house (Land Use Element Section 11.010.D.) The only exemptions that exist are: 1) if evidence exists that overhead power lines were approved previously via a building permit or director review permit, or 2) the previous residence had been constructed prior to 1991. Otherwise, the owner must apply for a Director Review permit requesting approval of overhead lines under one of the exceptions listed in Chapter 11 (usually economic hardship for residential units) and pay the \$495 processing fee. Temporary overhead service may be allowed via the Building Division.

BUILDING – GENERAL INFORMATION

13. Can a house be built on an existing foundation?

Applicants who wish to use the existing foundation system must have an evaluation of the foundation system performed by a California registered design professional as required by section 405 of the 2019 California Existing Building Code (CEBC). This analysis shall state that the registered design professional has visited the site and investigated the condition of the existing foundation with the specific finding that the damaged building, if repaired to its pre-damage state, would comply with the provisions of the California Building Code (CBC). The evaluation shall also indicate if the existing

foundation can adequately support the proposed re-built structure, and that all under-slab utility systems (such as drain, waste, vent, water, mechanical, electrical, etc.) are suitable for continued use.

Foundation specifics:

- A. In order to participate in Cal OES burned debris removal program, the owner of the property must allow removal of all foundations from the subject property. Stem walls and retaining walls may be left on a case-by-case basis, as approved by the State.
- B. If a property owner does not wish to participate in the state debris removal program, then they must enter into the Mono County Alternative Program for burned debris removal. Under this program, property owners, through their contractor, are required to remove the structural foundation or provide a letter from a ***licensed Civil or Structural Engineer certifying*** that the foundation is suitable for rebuilding, with an explanation and supporting evidence.

The decision as to whether the explanation is adequate is in the sole discretion of the Building Official.

14. If I build on an existing foundation, what building codes apply?

Should an existing foundation successfully be evaluated and approved by a registered design professional as described in item 13 above, then the replacement of original materials and methods of construction is allowed per Section 17958.8 of the California Health and Safety Code (H&S) for repairs to existing buildings. Per this statute, the re-built structure must have complied with the codes that were in effect at the time of original construction. So long as the re-build does not continue or become a substandard building, then the codes that were in effect at the time of original construction may be applied. In order to do this, evidence of a Mono County building permit and County- approved plans for the original unit must be provided by the applicant to establish that the building met the codes in effect at the time when the building was first constructed. This will also help determine the exact build of the existing structure. Mono County permit technician Michael Jones would be the resource for those who want to see if plans are still on record with the County.

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

Yes. If the building is not constructed on the existing foundation and re-built as described in items 13 and 14 above, the structure must be constructed according to current state building codes as it is no longer a repair and is considered new construction. The state code in effect now is the 2019 California Residential Code (CRC) which applies to one- and two-family dwellings and their accessory structures. Buildings other than one- and two-family dwellings and their accessory structures must comply with the 2019 CBC.

16. Do I need a permit to re-construct a destroyed outbuilding that houses utilities?

The 2019 CBC and CRC will allow for an accessory structure to be built without a permit so long as the building's floor area is no more than 120 square feet, one story, detached from other buildings, and is used for utilities serving a primary dwelling. The primary dwelling cannot have utilities restored to it if the dwelling is damaged to a point that prohibits safe human occupancy. If the outbuilding is greater than 120 square feet in area, then a permit is required, including a detailed site plan and engineered construction documents.

17. How is the County determining the amount of square footage that was on my property?

The Building Division will rely on two sources of information: Existing building plans on file, and County Assessor data. However, the County will consider the square footages from formal documents, such as insurance papers or previous building permits.

BUILDING – PERMIT INFORMATION

18. Is a demolition permit required for removal of a building or portions of a building that were damaged or destroyed by the fire?

Yes, a demolition permit is required per current state code (the 2019 CRC, section R105.1, and the 2019 CBC, section 105.1). This would include badly damaged foundations and fire burned debris. These permits are typically an over-the-counter permit with associated fees waived, but could take up to a few days for processing given staff limitations and heavy workload. All applications for demolition will require Mono County Environmental Health's approval prior to the issuance of a building permit relative to state requirements for fire-related demolition operations. Contact Louis Molina for more information and for specific state guidelines and standards for the proper demolition and disposal of fire burned debris.

19. Is a building permit required to repair damage to a structure?

Yes, a permit is required for repairs per current state code (the 2019 CRC, section R105.1, and the 2019 CBC, section 105.1). For buildings that were not totally destroyed and have minor damage (such as damaged deck joists and posts), the damaged members can be replaced on a like-for-like basis. These permit applications will be expedited similar to full re-builds and will be issued no later than three to five business days after the submittal, unless unusual circumstances are present. Engineering and building plans usually are not required for these types of minor repairs.

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

There is no timeline on when you have to rebuild. However, once issued, building permits are valid for three years, so long as progress is being made on construction and regular inspections (one every six months) are being scheduled and conducted by the Mono County Building Division. Additional extensions of time beyond three years are possible with a written request to the Building Official.

21. What documents are needed for a building permit submittal?

All required plans and documents required for a rebuild permit are identified on our building permit application, which is available on website at <http://monocounty.ca.gov/building>. A complete submittal and detailed building plans often translate into quicker review times. The site plan must also be detailed, as multiple departments and agencies are using the site plan for their reviews that must be completed prior to permit issuance. For buildings that will be re-built on a like-for-like basis on an existing foundation as described above in items 13 and 14, copies of the County approved plans will be required to be submitted in addition to the other submittal documents. All building permit submittals for fire re-builds will be expedited, with first review comments for building being issued in 5-7 business days excluding shipping time. Reviews and approvals from Mono County Planning, Public Works, and Environmental Health, in addition to special districts (such as local fire departments and utility districts) are needed prior to permit issuance.

22. Once I have all permit submittal documents ready, how do I submit them for the permit?

Submittals can be accepted and processed with a hard copy submittal, or with a digital submittal. Due to COVID-19 measures, the preferred method is to send by mail to: Michael Jones, P.O. Box 347, 1290 Tavern Road, STE 138, Mammoth Lakes, CA 93546. Hard copy submittals can be accepted and processed at both the Bridgeport and Mammoth Lakes offices. Drop off and pick-up bins are located at the front entries of both buildings. The Bridgeport office is located at 74 N. School Street

(the Annex I building), and the Civic Center offices in Mammoth Lakes are located at 1290 Tavern Road. Building permit applications can be obtained at <https://monocounty.ca.gov/building/page/building-permit-applications-0>. Digital submittals must be submitted to: mijones@mono.ca.gov. For all permit submittals, Michael Jones will be the primary staff contact for permit processing and issuance. Please contact Michael for specific guidance on all submittals and the permit process.

23. What is needed for a minor electrical or utility permit to turn on power and utilities?

We will be able to quickly process permit applications for re-energizing damaged electrical equipment and other utilities if the primary dwelling is intact and okay for human habitation. These utility permits do not authorize any demolition and debris removal operations and will not be issued for utilities to fire damaged buildings unsafe for human occupancy. Liberty Energy and other utility providers must receive authorization from Mono County in order to have utility service turned back on. Please complete and sign the over-the-counter permit application and submit it per item 22 above.

24. What are the County fees associated with permits for the Mountain View Fire?

Permit fees for the reconstruction and repair of structures that were damaged or destroyed are waived. This is applicable only for the property owners who experienced a loss due to the fire. This includes building permits, demolition permits, and associated electrical permits. Additionally, fire district fees are waived for rebuilding structures destroyed by the fire.

25. What about school district fees?

Since school district fees are developer fees, these fees do not apply to the reconstruction of homes destroyed in the fire. This exemption would apply for the original square footage of the destroyed structure, plus a maximum of 500 additional square feet. However, if the rebuilt square footage of the new structure exceeds the original square footage plus the extra 500 square feet, then fees would apply to that additional square footage. Property owners will need to take an exemption form, which will be provided during the building permit process, to the school district office to request the exemption.

26. What about Fire Protection District fees? Are they waived for rebuilds?

Per Mono County Code 15.30.040.C, fire protection district fee requirements do not apply to owners seeking to replace lost structure(s) on the same parcel as long as the application to replace the destroyed structure is filed within one year of the date of destruction and the new structure is equal to or less square footage than the destroyed structure.

BUILDING – RESIDENTIAL FIRE SPRINKLER INFORMATION

27. Are residential fire sprinklers required in reconstructed buildings that were destroyed in in the fire?

Yes, residential fire sprinkler systems are required per the 2019 CRC, section R313 for new construction where the entire building, inclusive of the existing foundation, is demolished. For repairs of existing buildings reconstructed on an existing foundation as described in items 13 and 14 above, residential fire sprinklers would not be required if the original building's permit was applied for before January 1, 2011.

28. Are there legal exemptions that would allow omission of residential fire sprinkler systems for rebuilt structures?

No. County staff has contacted numerous state agencies and other jurisdictions in the state to research this topic, with the consistent and clear message that sprinklers may not be exempted for new construction. However, as indicated above in this document, a building may be repaired and reconstructed to the codes in effect at the time of original construction as per items 13 and 14 above. In addition, manufactured homes do not require residential fire sprinklers.

29. Who can assist with the plan preparation and installation of residential fire sprinklers?

There are a various designers and contractors who can perform these services. Please contact Building Division staff for contact information.

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

No, a fire sprinkler designer may do the design work and furnish plans, which can be used to submit to the Building Division that would allow flexibility with who would do the installation later in the building phase. However, a licensed C-16 fire protection contractor can prepare plans and do the installation, but often will require their client to use them for both the plans and installation.

31. What types of residential fire sprinkler systems are available?

There are two different types of sprinkler systems to select: An anti-freeze system, and a multi- purpose system. The anti-freeze system is the type that is isolated from the rest of the building's domestic plumbing, and provides freeze protection such that heat need not be maintained in the building. The multi-purpose system is a non-anti-freeze system connected to the building's domestic plumbing system and serves sprinkler heads similar to other plumbing fixtures. The multi-purpose system is generally less expensive than the anti-freeze system, and is suitable for primary homeowners, but requires the interior temperature of the building to be maintained at a level that will prevent the pipes from freezing.