



# COUNTY OF SANTA CRUZ PLANNING DEPARTMENT

701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz, CA 95060  
(831)-454-2580, Fax: (831) 454-2131, TDD: (831)454-2133  
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR



## Legalization Assistance Permit Program (LAPP)

### Program Overview:

Santa Cruz County is offering property owners the opportunity to legalize construction performed without required permits. This Legalization Assistance Permit Program (LAPP) applies to the construction, alteration or remodel of single family dwellings, multi-family, commercial, industrial and agricultural structures. The program assists owners so they may enjoy the full entitlements, protection and value that come with legal improvements to their properties.

Unpermitted improvements can pose a danger to the occupants or users of such structures, as well as to neighboring structures, people and the environment. Due to the dense cover and steep topography in Santa Cruz County, fires that start in a substandard dwelling unit may end up rapidly spreading and causing loss of life and property in the surrounding area. In addition, in our seismically active region, construction that complies with current building regulations is more resistive to earthquakes, liquefaction and ground failure. Permitted construction helps assure that all improvements comply with minimum building codes to best protect the health, life and safety of the occupants who live, utilize and/or work in these structures.

### Benefits of the program:

- Obtain legalization of your improvements.
- Save money: the County's normal penalty fees for unpermitted work are waived.  
Exception: Properties with Notices of Violation or Stop Work Orders issued after 8/27/12 may be required to pay Curec (Construction Unpermitted-Recovery of Enforcement Costs) fees to cover investigative costs.
- Rest assured that the improvements are safe and comply with minimum building code requirements.
- Enjoy the full legal value of your improvements when financing or selling.
- Eliminate concern that your insurance company won't cover loss affecting unpermitted improvements.
- Receive enhanced assistance from the Planning Department in processing your application/permit.

### Enforcement:

If you inquire about the LAPP for work performed on your property but later decide not to participate, the County will simply return any records or information you have shared.

### Getting Started:

The first step to this program is to review the program information on our website at <http://www.sccoplanning.com>, or come into the County Planning Department to discuss the program and decide if your project is a good candidate for the program. You may visit Planning Department on Tuesdays and Fridays between 10:00 a.m. and 12:00 p.m. to meet one of our LAPP specialists, who will be happy to assist you with any questions you may have regarding this program.

**Program Guidelines:**

Once you have decided to apply, you can expect to follow these steps to recognize a non-permitted structure:

**STEP ONE:**

Fill out the LAPP application form and prepare a simple plot plan to assist us in processing your application.

The plot plan should:

- Be either scaled or dimensioned
- Show the property lines,
- Highlight the areas constructed without permits
- Indicate distances of structures from property lines. (See sample plot plan attached, Figure-1)

The application must indicate the approximate square footage of the structures proposed for legalization.

**STEP TWO:**

Bring in your application and plot plan and pay for a “LAPP Special Inspection,” (\$471.84, non-refundable). Once you have your special inspection permit, schedule the inspection for a time that works for you. A County Building Inspector will review your improvements, gather information needed to process your permit, and go through a basic life / safety checklist. This checklist will provide you with a list of any life / safety deficiencies found in your improvements. You will be under no obligation to correct any deficiencies (unless they present an imminent danger to life / safety) if you choose to opt out of the program. If you proceed in the program you will need to address any deficiencies to obtain final approval of your permit.

**STEP THREE:**

Once the site inspection has been completed, the County LAPP Specialist will review your application, plot plan and LAPP Special Inspection document. The team will evaluate your project, determine whether a septic clearance is required, and provide you with a list of permit application materials required to complete the process.

**STEP FOUR:**

Your LAPP Inspection Report will provide information specific to your case, but the following steps are typically required to recognize a non-permitted structure or addition:

1. Usually, the owner will obtain the services of a licensed architect, engineer or designer to review and inspect the existing unpermitted structure or improvements, document the “as built” conditions of the structure and/or site and determine how best to bring the structure and/or site into compliance with minimum structural and energy requirements of the California Building Code and County Code. Where structures do not comply with current standards, the code provides for use of “alternative materials, design and methods of construction.”
2. The owner will produce or have produced full construction plans (min. 24” x 36”) showing “as is” conditions along with any proposed upgrades to bring the structure into compliance.

3. The plans must include a full floor plan showing all usable space, i.e., living room, family room, den, kitchen, bathroom(s), bedrooms, laundry, etc.
4. If the property is on a septic system, then Environmental Health Services will review the plans or site to determine whether any septic upgrades are required.
5. When complete, the plans will be submitted to the Planning Department for plan check review and approval. This requires the applicant to pay the minimum fees necessary to provide these services, based on “cost recovery” (i.e., the time it will take to check and process your materials). Typically this process may involve a list of plan check corrections that will be sent to you. These corrections must be addressed prior to the County approving the plans and issuing the permit.
6. Once any plan check corrections have been addressed and the plans are approved, the applicant will pay any impact fees required (based on the fees in effect at the time the unpermitted construction occurred) and applicable permit fees. A permit will then be issued for the improvements, along with approved plans specifying what is needed for the structure to comply with California Building Code requirements.

#### **STEP FIVE:**

The next step is the building inspection process, where the applicant schedules an inspection with one of our Building Inspectors who verifies that the construction complies with minimum building code requirement, the County Codes and the approved plan. Our inspectors cannot see through walls, so some removal of wall covering will be necessary for verification. The following steps will help guide you through this process:

1. The County may ask for specific areas to be exposed for inspection, and will do our best to limit necessity, however the applicant or someone the owner/applicant hires may be required to remove wall covering necessary for the Building Inspector to verify the framing, insulation, electrical, plumbing and/or mechanical is per the approved plan, and to confirm that the structure or improvements meet minimum building code requirements.
2. We may also ask for certain ceiling areas to be exposed to verify framing, insulation, electrical, plumbing and mechanical systems if not accessible for inspection through the attic.
3. We may ask for certain electrical, plumbing and/or mechanical systems to be tested to verify they are safe, sound and meet minimum building code requirements.
4. We will require areas to be “pot-holed” adjacent to the foundation of any new construction so that we may verify depth and width of the foundation. We may also ask that a third party verify that the foundation is reinforced by using pachometer testing.
5. For certain areas in the County, the structure may be required to meet high fire severity zone requirements which govern siding, windows, overhangs, roofing and ventilation openings.
6. The roof covering must be verified and documented to be a minimum Class-B roofing material.
7. The structure must include the following easily upgradable safety features per minimum code requirements; smoke detectors, carbon monoxide alarms, GFCI protected receptacles and AFCI protected circuits.

8. The owner may be requested to test portions of the plumbing, mechanical and/or electrical systems to verify they are grounded/bonded, are working properly and are leak free.
9. If soils or geology reports were required as part of the application review process, you may be required to provide final inspection letters from your soils engineer and/or geologist.
10. Once the inspectors have verified and documented that the project complies with the approved plans, County Code and minimum building code requirements, the project will be finalized and your project will be complete and legal, with a final approved document to prove it!

**NOTE:** To view the full Administrative Guidelines for the Legalization Assistance Permit Program, please go to the following link: <http://www.sccoplanning.com>.