

ORDINANCE NO. 547.7

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 547 IMPLEMENTING**

THE ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING ACT

The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 1. Ordinance No. 547 is amended to read as follows:

Section 1. This ordinance is adopted pursuant to the requirements of the Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code, Section 2621, et seq.) and the adopted Policies and Criteria of the State Mining and Geology Board. Within the earthquake fault zones shown on the maps prepared by the State Geologist pursuant to the Act, all applicants for a permit for a project shall comply with all of the provisions of the Act, the adopted Policies and Criteria and this ordinance. The maps delineating the earthquake fault zones are on file in the Offices of the Planning Director and the Director of Building and Safety.

Section 2. As used herein, the following terms have the following meanings:

A. "Project" means:

1. Any new real estate development which contemplates the eventual construction of structures for

human occupancy, subject to the Subdivision Map Act (commencing with Section 66410 of the Government Code).

2. Any new real estate development for which a tentative tract map has not yet been approved.

3. Any structure for human occupancy, other than a

single-family wood-frame or steel-frame dwelling not exceeding two stories. For the purposes of this ordinance, a mobilehome whose body width exceeds eight feet shall be considered to be a single-family wood-frame dwelling not exceeding two stories.

4. Any single-family wood-frame or steel-frame dwelling which is built or located as part of a

development of four or more such dwellings constructed by a single person, individual, partnership, corporation, or other organization. No geologic report shall be required with respect to such single-family dwelling if the dwelling is located within a new real estate development, as described in paragraph (1) or (2) of this subsection, for which development a geologic report has been either approved or waived pursuant to this ordinance.

B. "Project" does not include:

1. The conversion of an existing apartment complex

into a condominium.

2. Alterations or additions to any structure for

human occupancy within an earthquake fault zone the value of which does not exceed 50 percent of the value of the structure.

3. Seismic Retrofitting:

a. Alterations which include seismic retrofitting, as defined in Section 8894.2 of the Government Code, to any of the following listed types of buildings in existence prior to May 4, 1975:

(1) The Unreinforced masonry buildings, as described in Section 8875 of the Government Code.

(2) Concrete tilt-up buildings, as described in Section 8893 of the Government Code.

(3) Reinforced concrete moment resisting frame buildings as described in Applied Technology Council Report 21 (FEMA Report 154).

b. The exemption granted by paragraph a. shall not apply unless the County acts in accordance with all of the following:

(1) The building permit issued by the County for the alterations authorized no greater human occupancy load, regardless of proposed use, than that authorized for the existing use permitted at the time the County grants the exemption. This may be accomplished by the County making a human occupancy load determination that is based on, and no greater than, the existing authorized use, and including that determination on the building permit application as well as the following statement: "Under Section 2.B.3b. (1) of Ordinance 457.7, the occupancy load is limited to the occupancy load for the last lawful use authorized or existing prior to the issuance of this building permit, as determined by the County."

(2) The County requires seismic retrofitting, as defined in Section 8894.2 of the Government Code, which is necessary to strengthen the entire structure and provide increased resistance to ground shaking from earthquakes.

(3) Exemptions granted pursuant to paragraph a. are reported in writing to the State Geologist within 30 days of the building permit issuance date.

c. Any structure with human occupancy restrictions under subparagraph (1) of paragraph b. shall not be granted a new building permit that allows an increase in human occupancy unless a geologic report has been prepared in accordance with Section 3 of this Ordinance, or the requirement of a geologic report has been waived in accordance with this ordinance.

C. "Structure for Human Occupancy" means a structure that is

regularly, habitually or primarily occupied by humans, including but not limited to the following: all

residences, whether single family or multiple that are not exempted by the Act; retail stores; theaters; manufacturing buildings; public service structures, such as civic centers, hospitals and schools, clubhouses, churches and recreation buildings, but not including freeways, roadways, bridges, railways, airport runways and tunnels.

D. "Permit" shall mean the following:

Ordinance No. 348 (Land Use Ordinance)

1. Specific Plan of Land Use
2. Conditional Use Permit
3. Public Use Permit
4. Plot Plan, Development Plan or Certificate of Occupancy Approval.

Ordinance No. 457 (Building Ordinance)

1. Building Permit

Ordinance No. 460 (Land Division Ordinance)

1. Tentative Subdivision Map
2. Tentative Parcel Map

Section 3. Application Requirements

A. All applications for a permit, for a project that lies within an earthquake fault zone shown on the maps prepared by the State Geologist pursuant to the Alquist-Priolo Earthquake Fault Zoning Act, shall be accompanied by a geologic report or request for waiver thereof.

B. The report shall be issued by a geologist who is registered in the State of California, shall define and delineate any hazard of surface fault rupture, and shall be prepared in accordance with the requirements of the Act.

C. A geologic report may be waived if the County Geologist determines that no undue hazard from surface fault rupture exists and the waiver is approved by the State Geologist.

D. After a geologic report has been approved or waived for a project, further geologic reports shall not be required for subsequent phases of the project, including building permits, unless new geologic data is recorded that warrants further investigation of the site.

E. The preparation of geologic reports that are required pursuant to this Ordinance for multiple projects may be undertaken by a geologic hazard abatement district.

Section 4. Each applicant for a permit subject to the provisions of this ordinance shall pay fees as set forth in Ordinance No. 671.

Section 5. Upon the filing of a geologic report, or an application for waiver of a report, it shall be referred to the County Geologist for review and consideration.

A. Geologic Reports. Within 20 days from the filing of a

report, the County Geologist shall make his review thereof and take one of the following actions:

1. Approve the report as to content and findings,

and notify the applicant and the department from which a permit is being sought of the approval and of any required conditions of approval for the project.

2. Approve the report as to content but not as to

findings and notify the applicant and the affected department. If the applicant desires, he may request that the report be returned to him under the provisions of following paragraph (3) for further report by applicant's geologist.

3. Return the report to the applicant as insufficient

and request that further information be submitted

as a part of the report. When the revised

geologic report is submitted, a new 20 day period for action by the County Geologist shall begin to run.

B. Application for Waiver of Geologic Report Applications for

waiver of a geologic report shall be made in writing on the forms provided by the County; shall furnish all required information and shall not be acceptable for filing unless complete. Within 20 days after the filing of the application for waiver of a geologic report, the County Geologist shall make his review thereof and take one of the following actions:

1. Deny the request for waiver and advise the applicant to

file a geologic report.

2. Issue preliminary approval of the request for

waiver and advise the applicant that the request

will be forwarded to the State Geologist for final

determination upon payment of the appropriate fee.

Section 6. Within every earthquake fault zone delineated on the maps issued by the State Geologist, no permit or approval shall be granted for any project, if the permit or approval shall be granted for any project, if the permit or approval would allow or require a structure used for human occupancy to be constructed or placed in violation of the requirements of the Act or the Policies and Criteria of the State Mining and Geology Board adopted pursuant to the Act.

Section 7. No application for a permit shall be considered as complete for filing, and the time limitations for processing a permit shall not begin to run, until the geologic report required by the Act has been accepted as complete and a final determination thereon has been issued by the County Geologist, or until a waiver of the report has been finally approved by the State Geologist.

Section 2. This ordinance shall take effect 30 days after its date of adoption.

ADOPTED: 7-9-74 (Eff.: 7-9-74/Urgency)

AMENDED: 547.1 - 547.3

547.4 (Eff.: 7-2-81)

547.5 (Eff.: 7-1-88)

547.6 (Eff.: 4-27-89)

547.7 (Eff.: 11-30-95)