

GETTING STARTED WITH THE LIMITED IMMUNITY AMNESTY PROGRAM (LIAP)

STEP ONE: Review the Program.

Begin by reviewing the program information on the Planning Department website, <http://sccoplanning.com/LIAP>, at or come into the Building Counter at the Planning Department to decide if your project is a candidate for the program. Review the Special Inspection checklist on line. You may also email LIAP@santacruzcounty.us to reach the LIAP team.

STEP TWO: Apply and Complete the LIAP Participation and Indemnity Agreement

Fill out the LIAP application form, take pictures, and prepare a simple plot plan to assist us in processing your application. The plot plan should show all structures on the property, be either scaled or dimensioned showing the boundaries of the property, highlight the areas constructed or the improvements made without permits, indicate distances between structures and distances to the property lines.

Fill out the LIAP Participation and Indemnity Agreement with the property address, Assessor's Parcel Number, names and mailing addresses of all property owners, and a summary description of the unpermitted improvements at the property.

STEP THREE: Submit LIAP Application, LIAP Agreement, and Apply for LIAP Special Inspection

Make an appointment to visit the Building Counter at the Planning Department to make application. Pay for a LIAP Special Inspection, approximately \$500, and Zoning Plan check fee, approximately \$300. Any building or planning permits needed to do work on a structure that is in the LIAP will be charged standard rates, not the "double fee" rates that typically apply for work to rectify unpermitted improvements.

During the appointment Building Counter staff will determine whether the nature of the unpermitted improvements will necessitate limited removal of wall coverings or other areas to verify one or more aspects of construction, such as the framing, insulation, electrical, plumbing and/or mechanical. The County will minimize the need for this as much as possible.

Schedule the special building inspection online at the Planning Department website.

Prepare for the special inspection:

1. Ceiling areas may have to be exposed to verify framing, insulation, electrical, plumbing and mechanical if not accessible for inspection through an attic.
2. Certain electrical, plumbing and/or mechanical systems may have to be tested to verify they are safe, sound, and leak-proof.

3. Areas of the foundation system may have to be exposed or “pot-holed” to verify depth and width of the foundation; a third party may have to verify that the foundation is reinforced using pachometer testing.
4. The roof covering must be sound, ideally a minimum of Class B materials.
5. 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.
6. The LIAP Checklist, available on the Planning Department website, lists all other factors that will be examined during the special inspection.

At the special inspection a Building Inspector will review your improvements, gather any additional information needed to process your LIAP Application, and prepare the LIAP habitability / life safety check list. The inspector will review the habitability and life safety features of your improvements based on the criteria in the checklist and identify if there are any imminent hazards or substantial nuisance conditions that must be addressed regardless of whether LIAP Certification is pursued or achieved. The checklist will also identify situations that must be remedied to obtain the LIAP Certification. While dangerous conditions, imminent hazards and substantial nuisance conditions must be addressed regardless of participation in the LIAP, there is no obligation for a property owner to complete the second category items, as pursuing certification is optional.

STEP FOUR: Completed LIAP Checklist and Certification Requirements Are Provided to Applicant

The County will review your LIAP application, plot plan, LIAP checklist and the special inspection to determine whether your project can feasibly obtain full legalization through a standard building permit, in which case that is the path that must be pursued. When full legalization is not a feasible option, certification of safety and habitability through the LIAP is the alternative process.

Any work on the structure(s) or property that is identified on the checklist as having to be completed before a LIAP certification can be issued must comply with current building code. For example, if the checklist states that a new window is needed to comply with egress requirements for a bedroom, the window must be sized and positioned to comply with the current building code, and the work will require a Building Permit.

STEP FIVE: Process to Meet Certification Requirements

Your completed LIAP Checklist will provide information specific to your case, but the following steps are typical of what might be expected:

1. Construction plans (min. 24” x 36) showing “as is” conditions are drawn up, along with any proposed modifications to the structure to address the requirements in the checklist. For some projects, a text description of the modifications should supplement the plans to fully identify the nature of the work.
2. The plans must include a full floor plan showing all usable space, such as living room, family room, den, kitchen, bathroom(s), bedrooms, and laundry.

3. If the property uses a septic system, an Environmental Health clearance form will be required to become LIAP certified.
4. Plans for proposed modifications to the building are submitted to the Planning Department for a building permit. The County will check the plans to ensure that new work being proposed meets current code. Standard fees apply. The “first round” of review may result in a list of plan corrections. These corrections must be shown on revised plans and re-submitted for another round of plan check. Plans must be approved prior to the County issuing any building permit or LIAP certification.
5. After the plans are approved, the applicant will pay permit fees, as well applicable County impact fees, such as transportation area fees. The fees that are charged will be based on the fees that were in effect at the time the unpermitted construction occurred. A permit can then be issued for the work.
6. The applicant undertakes the work on the plans to address items required by the LIAP checklist, obtaining required building inspections along the way. Work subject to a building permit must meet current California Building Code in the “area of work. The entirety of the existing structure is not required to meet current code requirements and the LIAP checklist may allow for various non-compliant conditions to remain as long as they are safe.

STEP SIX: Final Building Inspection and LIAP Certification

The applicant schedules a final building permit inspection to verify that the new work complies with the approved plans, and that factors identified on the LIAP Checklist have been addressed to ensure safety and habitability. The term of the certification will be determined by the Planning Department and specified in the “Acknowledgement Regarding Limited Immunity”. After verification a LIAP Certificate of Compliance can be issued.

STEP SEVEN: Record “STATEMENT OF ACKNOWLEDGEMENT REGARDING LIMITED IMMUNITY”

After final inspection a Statement of Acknowledgement Regarding Limited Immunity” is completed, entered in the County’s permit tracking record keeping system, and recorded by the owner on the title to the property. County staff will draft the Statement contents, including whether there is an expiration date of the certificate, whether re-inspection is required in the future for renewal/extension of the certificate, and the timeframe for any such required re-inspection.