

**SANTA CRUZ COUNTY PLANNING DEPARTMENT POLICY/ORDINANCE
INTERPRETATION**

Interpretation No.: NCS-01 (Nonconforming Structures – Structural Alterations to Roofs)
Effective Date: 06/01/03
Originally Issued: 01/25/96 (Pete Parkinson, Nonconforming Structures – Structural
Alterations to Roofs)
Revised: 05/22/03

Question

Is a variance required for a structural alteration to the roof(s) of a nonconforming structure?

Applicable Ordinance Section(s)

§13.10.265(e)

INTERPRETATION:

A variance shall not be required for alterations to the roof structure which meet all of the following criteria:

- 1. The upward pitch of the new roof shall slope away from the nonconforming side(s) of the building. The pitch must begin at the top plate and terminate at the ridge. A new mansard roof does not meet this requirement.**
- 2. There shall be no additional habitable space within the nonconforming setback area. New dormers are not allowed within the setback.**
- 3. There shall be no increase in the height of the top plate except as required to comply with the Uniform Building Code.**

Reason

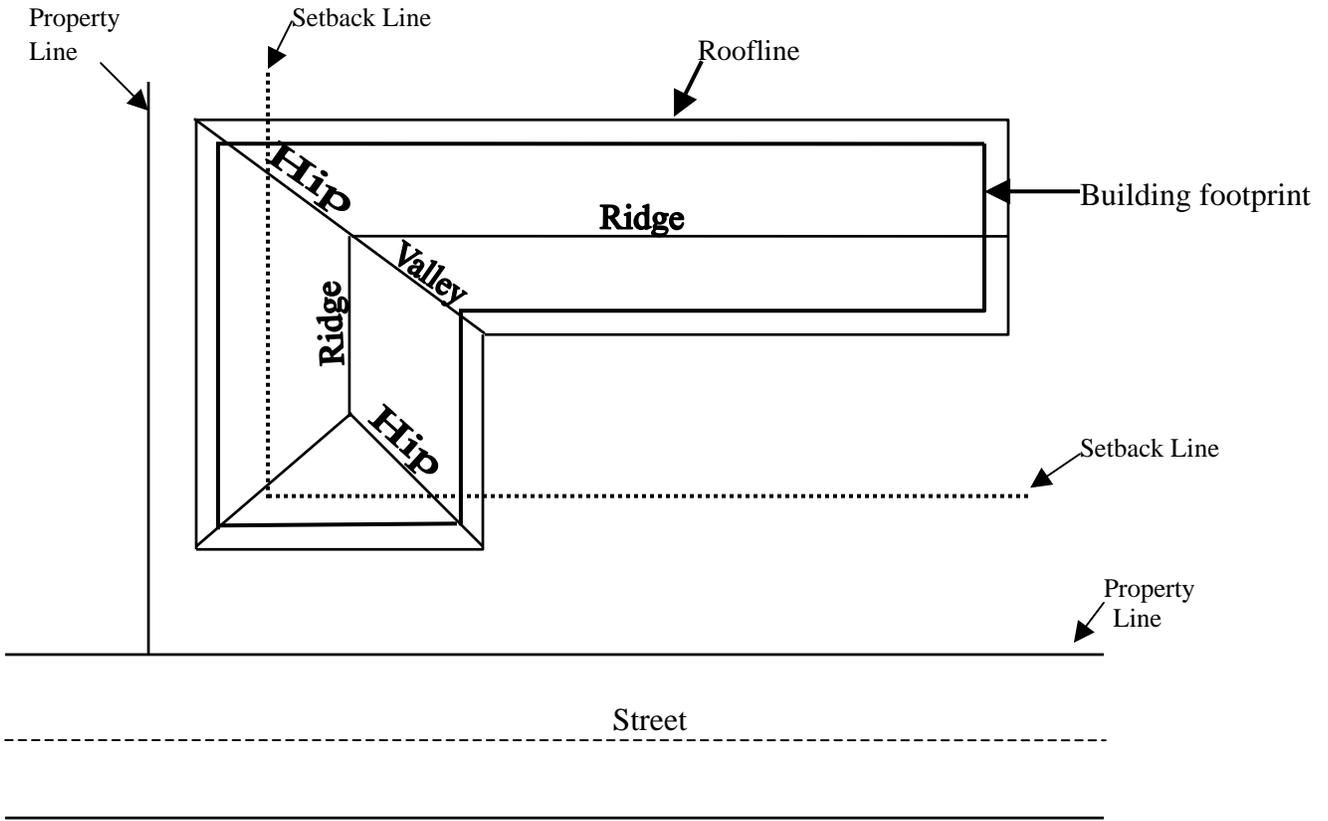
The 1995 amendments to the nonconforming structures ordinance were intended to allow structural alterations as long as there was no increase in the nonconforming dimensions. The ordinance specifically addresses foundation replacement but does not speak to structural alterations to roofs. For example, changing from a flat roof to a pitched roof could result in an increase of building bulk within the nonconforming areas. The Board of Supervisors' legislative intent in approving the 1995 ordinance amendments was clearly to allow "typical" improvements to nonconforming structures without having to obtain a variance. Please refer to the illustration on the following page.

Note that all other requirements of the nonconforming structures ordinance remain fully applicable, including those pertaining to significantly nonconforming structures. If the structure is significantly nonconforming, a Level 5 approval is required regardless of the criteria above (see §13.10.265(j)). Those criteria pertain only to the need for a variance.

Alvin James, Planning Director

13.10.265(e)

Plan View



Front Elevation View

