

# PROJECTS EXEMPT FROM ZONING PLAN CHECK\* AND A BUILDING PERMIT (LAFAYETTE PLANNING DEPARTMENT & CONTRA COSTA COUNTY DCD)

Almost all construction and remodel projects require a building permit. It is safe to assume that a permit is required unless you are told by a building official that a permit is not required or the project is exempt from the California Building & Residential Codes as listed below. If you have any questions as to whether your specific project requires a permit, please contact the Contra Costa County Building Inspection Department (CCCBID). *\*Exempt projects are no longer considered exempt when a Waste Management Plan is required based on the criteria on the following pages.*

Excerpt from the 2022 California Building & Residential Codes (CBC & CRC)

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following.

<b>Section 105.2 Work exempt from permit</b>	<b>Section R105.2 Work exempt from permit</b>
<p>California Building Code</p> <p><u>Building:</u></p> <ol style="list-style-type: none"> <li>1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 sq. ft. It is permissible that these structures still be regulated by Section 710A, despite exemption from permit.</li> <li>2. <del>Fences not over 7 ft. high.</del> <i>(Lafayette limits fence height to 6 ft within property setbacks)</i></li> <li>3. Oil derricks.</li> <li>4. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top of the wall and that have a downward ground slope at the bottom of the retaining wall not exceeding 1(vertical):10(horizontal), unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.</li> <li>5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.</li> <li>6. Sidewalks and driveways not more than 30 in. above adjacent grade, and not over any basement or story below and are not part of an accessible route.</li> <li>7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.</li> <li>8. Temporary motion picture, television and theater stage sets and scenery.</li> <li>9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 in. deep, do not exceed 5,000 gallons and are installed entirely above ground.</li> <li>10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.</li> </ol>	<p>California Residential Code</p> <p><u>Building:</u></p> <ol style="list-style-type: none"> <li>1. Other than storm shelters, one-story detached accessory structures, provided that the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>). It is permissible that these structures still be regulated by Section 710A, despite exception from permit.</li> <li>2. <del>Fences not over 7 feet (1829 mm) high.</del> <i>(Lafayette limits fence height to 6 ft within property setbacks)</i></li> <li>3. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top of the wall and that have a downward ground slope at the bottom of the retaining wall not exceeding 1(vertical):10(horizontal), unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids</li> <li>4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.</li> <li>5. Sidewalks and driveways.</li> <li>6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.</li> <li>7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.</li> <li>8. Swings and other playground equipment.</li> <li>9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.</li> <li>10. Decks not exceeding 200 square feet (18.58 m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.</li> </ol>

Building, cont'd

11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 ft. 9 in. in height.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and installations of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 lbs. or less of refrigerant and actuated by motors of 1 horsepower or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Electrical:

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles, but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

## PROJECTS EXEMPT FROM ZONING PLAN CHECK\* (LAFAYETTE PLANNING DEPARTMENT – STEP 1)

The following projects may proceed directly to the Contra Costa County Building Inspection Department to submit your application for building permit. These projects are exempt from Zoning Plan Check as they have been found to uniformly comply with the Zoning Code.

1. **Termite or dry-rot repair** where there is no increase in square footage, and no increase in the number of plumbing fixtures (including roughing in or stubbing for future use).
2. **Kitchen remodel**, except when a second kitchen facility is being added.
3. **Electrical or natural gas permits** for repair or replacement where there is no increase in the number of meters.
4. Mechanical permits for installation, repair, or replacement of new **HVAC equipment for single-family residential** property.
5. Mechanical or plumbing permits for repair, replacement or installation of **water heaters or pool or spa equipment** for single-family residential property.
6. **Foundation repair or seismic upgrade** where there is no increase in the square footage or bulk of the structure.
7. **Repairs to existing swimming pools** and spas.
8. Bathroom or other **interior remodels** where there is no increase in conditioned space.
9. **Fire damage repair**: if there is no increase in building size or the installation of a second kitchen that was not existing prior to the fire.
10. **Window replacements in-kind** in the existing rough-framed openings, new skylights, or removal of windows. New windows requiring new openings to be framed do require City review.
11. **Residential re-roofs** under 5,000 sq. ft. (50 roofing squares) are exempt and do not require a Construction & Demolition Debris Recycling Waste Management Plan.
12. **Rooftop solar projects** that are flush mounted on a detached single-family dwelling or a duplex, and do not exceed the building height limit of the zoning district in which the project is located.
13. Residential or commercial **electric vehicle charging stations** located on private property.
14. **Decks** being demolished, repaired in-kind, or the addition of cross bracing. New or enlarged decks require City planning review.
15. **Siding repair or replacement** if the color and material are like-for-like.
16. **Retaining walls** under 4 ft. in height.

*\*Exempt projects are no longer considered exempt when a Waste Management Plan is required based on the criteria below.*

- *Residential: All newly constructed buildings, all demolition-only projects, all projects that increase conditioned area, volume, or size, all projects where the addition or alteration is 1,000 sq. ft. or larger, and/or all projects where the project valuation is \$50,000 or greater, with the exception of reroof-only projects.*
- *Non-Residential: All projects.*