

Sec. 35-171. Emergency Permits.

Sec. 35-171.1. Purpose and Intent.

The purpose of this section is to establish procedures for the issuance of Emergency Permits. The intent of this section is to alter the procedures for permit processing, and the permit requirements of this Article, in the case of an emergency. *(Amended by Ord. 4227, 6/18/96)*

Sec. 35-171.2. Applicability

When emergency action by a person or public agency is warranted, the requirements of obtaining a Coastal Development Permit otherwise required by this Article may be temporarily deferred by the Director, and the Director may grant an Emergency Permit prior to a Coastal Development Permit or other required discretionary permit.

(Amended by Ord. 4227, 6/18/96)

Sec. 35-171.3. Application Procedures.

1. Method: Applications in cases of emergencies shall be made to the Director by letter if time allows, and by telephone or in person if time does not allow.
2. Information required: Applications should contain the following information:
 - a) The nature of the emergency;
 - b) The cause of the emergency; *(Amended by Ord. 4227, 6/18/96)*
 - c) The location of the emergency;
 - d) The remedial, protective, or preventive work required to deal with the emergency;
 - e) Where applicable, the circumstances during the emergency that appeared to justify any course(s) of action undertaken, including a description of that course of action and the probable consequences of failing to take action;
 - f) The identities of other public agencies alerted to the emergency;
 - g) The access routes to the emergency site(s);
 - h) The identities of, and means of contact with, the individual(s) directing the emergency action;
 - i) Disclosure of whether or not the applicant has made any prior or concurrent request to the California Coastal Commission for an emergency waiver of permit requirements pursuant to Public Resources Code Section 30611; and

- j) Any other reasonable information which the Director deems necessary to evaluate the application.

Sec. 35-171.4. Verification of Emergency.

(Amended by Ord. 4227, 6/18/96)

The Director shall verify the facts, including the existence and nature of the emergency, prior to granting the Emergency Permit.

Sec. 35-171.5. Procedure for Granting Permit.

(Amended by Ord. 4227, 6/18/96)

1. A public notice of the emergency work shall be mailed to property owners within 300 feet of the subject property and residents within 100 feet of the subject property and such notice shall be posted in three locations on the project site. Notice is not required to precede commencement of emergency work. *(Amended by Ord. 4318, 6/23/98)*
2. The Director may grant an Emergency Permit upon reasonable terms and conditions, including an expiration date, a requirement for a subsequent Coastal Development Permit, and a requirement for any discretionary permit required by this Article, if the Director finds that:
 - a. An emergency exists and requires action more quickly than provided for by the procedures for permit processing, and the action will be completed within 30 days unless otherwise specified by the terms of the permit; and
 - b. Public comment on the proposed emergency action has been reviewed; and
 - c. The action proposed is consistent with the requirements of the Coastal Land Use Plan and Coastal Zoning Ordinance.
3. The issuance of an Emergency Permit shall not constitute an entitlement to the erection of permanent structures. An application for a Coastal Development Permit and any discretionary permit required by this Article shall be made no later than 30 days following the granting of an Emergency Permit; any materials required for a completed application shall be submitted within 90 days after the issuance of the emergency permit, unless this time period is extended by the Planning and Development Department. *(Amended by Ord. 4094, 4/6/93; Ord. 4227, 6/18/96)*

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4. The Director shall not issue an Emergency Permit for any work that falls within the provisions of Public Resources Code Section 30519(b) or is in conflict with the provisions of PRC Section 30624.

Sec. 35-171.6. Reporting Requirements of the Director.

1. The Director shall report, in writing, to the California Coastal Commission and to the Board of Supervisors at its first scheduled meeting after the Emergency Permit has been issued, the nature of the emergency and the work involved. Copies of this report shall be available at the meeting and shall be mailed to all persons who have requested such notification in writing.
2. The report of the Director shall be informational only; the decision to issue an Emergency Permit is solely at the discretion of the Director subject to the provisions of Sec. 35-171. et seq.