



# CITY OF OAKLAND

## BASIC APPLICATION FOR DEVELOPMENT REVIEW

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031

Phone: 510-238-3911 Fax: 510-238-4730

www.oaklandnet.com

A completed Basic Application for Development Review is required for all City of Oakland Zoning and Subdivision Permit applications. This application requests general information about your project and submittal requirements. Supplemental information, statements and/or forms may be required for your specific project as determined by staff.

### 1. TYPE OF APPLICATION

(Check all that apply)

#### Development Permits

- Conditional Use Permit (Major or Minor, Interim)
- Variance (Major or Minor)
- Regular Design Review
- Small Project Design Review
- Special Residential Design Review
- Mediated Residential Design Review (S-18 Zone)
- Tree Preservation or Removal Permit
- Creek Protection Permit (separate application required)
- Other: \_\_\_\_\_

#### Subdivision Applications

- Parcel Map Waiver (Lot Line Adjustment/Merger)
- Tentative Parcel Map (subdivision for 1 – 4 lots)
- Tentative Tract Map (subdivision for 5 or more lots)
- Planned Unit Development/Mini-Lot Development

#### Other Applications

- Request for Environmental Review
- General Plan Amendment
- Rezoning

### 2. GENERAL INFORMATION

APPLICANT'S NAME/COMPANY: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER: \_\_\_\_\_ LOT AREA (ACRES/SQ. FT.): \_\_\_\_\_

EXISTING USE OF PROPERTY: \_\_\_\_\_

DESCRIPTION OF PROPOSAL (including type of use, hours of operation, number of employees, etc., on additional sheets if needed.):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### *TO BE COMPLETED BY STAFF*

GENERAL PLAN LAND USE CLASS.: \_\_\_\_\_ ZONING: \_\_\_\_\_

	FEES <sup>1</sup> :
APPLICATION FEE:	\$ _____
VIOLATION FEE <sup>2</sup> :	\$ _____
TREE PERMIT FEE:	\$ _____
CREEK PERMIT FEE:	\$ _____
<b>TOTAL FEES DUE:</b>	<b>\$ _____</b>

**EXPECTED PROCESSING TIME<sup>3</sup>:**

\_\_\_\_\_

<sup>1</sup> Fees are subject to change without prior notice. The fees charged will be those that are in effect at the time of application submittal.

<sup>2</sup> The City of Oakland Master Fee Schedule requires a portion of the permit application fee to be doubled for permit applications for work that has already been started.

<sup>3</sup> Expected processing time is only an estimate and is subject to change without notice due to staff workload, Planning Commission hearing availability, and the completeness or complexity of your application.

### 3. PROPERTY OWNER AND APPLICANT INFORMATION

**Applicant** (Authorized Agent), **if different from Owner:** \_\_\_\_\_

**Applicant Mailing Address:** \_\_\_\_\_

**City/State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone No.:** \_\_\_\_\_ **Fax No.:** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**Owner:** \_\_\_\_\_

**Owner Mailing Address:** \_\_\_\_\_

**City/State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone No.:** \_\_\_\_\_ **Fax No.:** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**Signature of Property Owner:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**To be completed if Applicant is not the Property Owner:**

*I authorize the applicant indicated above to submit the application on my behalf.* \_\_\_\_\_

*Signature of Property Owner*

I understand that approval of this application does not constitute approval for any administrative review, conditional use permit, variance, or exception from any other City regulations which are not specifically the subject of this application. I understand further that I remain responsible for satisfying requirements of any private restrictions or covenants appurtenant to the property. I understand that the Applicant and/or Owner phone number listed above will be included on any public notice for the project.

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of planning permits as determined by the Planning Director. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature above.

I certify that statements made to me about the time it takes to review and process this application are general. I am aware that the City has attempted to request everything necessary for an accurate and complete review of my proposal; however, that after my application has been submitted and reviewed by City staff, it may be necessary for the City to request additional information and clarification.

I certify that all existing Protected Trees either on the site or within 10 feet of development activity are indicated on both the Site and Landscape Plan. I understand that if any Protected Trees are to be removed, or if Protected Trees exist within 10 feet of the proposed development activity (even if they are not being removed), I must apply for a Tree Preservation/Removal Permit (Section 6).

I certify that I have reviewed the Oakland Creek Protection Ordinance and understand that I may be subject to a Creek Protection permit pursuant to the Creek Protection, Storm Water Management and Discharge Control Ordinance (Chapter 13.16 of the Oakland Municipal Code) and that I have completed the Creek Protection Ordinance section of this application (Section 7).

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT ALL THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.

\_\_\_\_\_  
**Signature of Owner or Authorized Agent**

\_\_\_\_\_  
**Date**

## 4. SUPPLEMENTAL PROJECT & LOT INFORMATION

AREA CALCULATIONS	Existing	New	Total	% Change
<b>Total Lot Area</b> (in acres or square feet)				
<b>Total Building Footprint Area</b> (square feet)				
<b>Total Floor Area<sup>i</sup></b> (square feet)				
<b>Building Height</b>			n/a	n/a
<b>Number of Dwelling Units</b>				n/a
<b>Number of Parking Spaces</b>				n/a
<b>Setback Slope<sup>ii</sup></b> (for hillside properties only)			n/a	n/a
<b>Structure Slope<sup>iii</sup></b> (for hillside properties only)			n/a	n/a

<sup>i</sup>**Total Floor Area** for all projects with one or two dwelling units on a lot means the total square footage of all levels of all buildings on the lot, measured horizontally from the outside surface of exterior walls and supporting columns, but excluding: (a) unenclosed living areas such as balconies, decks, and porches; (b) carports that are unenclosed on two or more sides; (c) 440 square feet within an attached or detached garage or carport that is enclosed on three sides or more; (d) non-habitable accessory structures of less than 120 square feet; (e) unfinished understories, attics and basements; and (f) any portion of finished basements with a height of 6 feet or less as measured from finished grade at the exterior perimeter of the building to the finish floor elevation above.

<sup>i</sup>**Total Floor Area** for all projects except those with one or two dwelling units on a lot means the total of the gross horizontal areas of all floors, including usable basements and cellars, below the roof and within the outer surfaces of the main walls of principal or accessory buildings, or the center line of party walls separating such buildings, but excluding: (a) areas used for off-street parking spaces, loading berths, driveways, and maneuvering aisles; (b) areas which qualify as usable open space under the standards for required usable open space in Chapter 17.126; and (c) arcades, porticoes, and similar open areas which are located at or near street level of Nonresidential Facilities, are accessible to the general public, and are not designed or used as sales, display, storage, or production areas.

<sup>ii</sup>**Setback Slope:** Slope between edge of pavement and the front setback line, measured at the midpoint and perpendicular to the front property line.

<sup>iii</sup>**Structure Slope:** Steepest slope across building footprint measured from one side of the building to another.

## 5. IMPERVIOUS SURFACE INFORMATION

*See page 8 for more information on impervious surface*

Complete the following table if your project is located on a lot measuring 10,000 square feet or more in area and the project involves any construction activity.\*

TYPE OF IMPERVIOUS SURFACE**	Existing	New	Total	% Change
<b>Primary Building Footprints(s)</b> – including attached garages (square feet)				
<b>Accessory Building Footprint(s)</b> – including detached garages & sheds (square feet)				
<b>Driveway(s), Patio(s), Parking Lot(s), Impervious Decking(s)</b> (square feet)				
<b>Off-site Impervious Surface</b> – streets and sidewalks (square feet)				
<b>TOTAL IMPERVIOUS SURFACE AREA</b> (square feet)				

\* **Construction Activity:** Any proposed building, driveway, path, deck, construction vehicle route, sidewalk improvement, grading, or demolition.

\*\* **Impervious Surface:** Any surface that cannot be effectively (easily) penetrated by water.

## 6. TREE PRESERVATION ORDINANCE

*See page 8 for more information on protected trees and these regulations*

Pursuant to the Tree Preservation Ordinance (§12.36 O.M.C.) a Tree Preservation/Removal Permit is required for any proposed construction activity (including buildings, driveways, paths, decks, construction vehicle routes, sidewalk improvements, & perimeter grading) within 10 feet of a Protected Tree, even if such trees are not being removed or if they are located on a neighbor's property.

**The following are Protected Trees:**

- a. Any Coast Live Oak tree that is larger than 4 inches dbh\*
- b. Any tree (except Eucalyptus) that is larger than 9 inches dbh\* (Eucalyptus trees and up to 5 Monterey Pines per acre are not considered Protected Trees under this section. Monterey Pines must be inspected and verified by the Department of Parks & Recreation prior to their removal. Contact the Tree Division at (510) 615-5850 for more information or to schedule an inspection).
- c. Any tree of any size located in the public right-of-way (including street trees).

**I ATTEST THAT: (check one)**

- (1) There are no existing Protected Trees anywhere on the subject property or within 10 feet of the proposed construction activities\*\* (including neighbor's properties or the adjacent public right-of-way).
- (2) There are Protected Trees on the subject property or within 10 feet of the proposed construction activities\*\*, and their location is indicated on the site plan and landscape plan **and (check one)**;
  - (a) No Protected Trees are to be removed and No construction activity\*\* will occur within 10 feet of any Protected Tree.
  - (b) No Protected Trees are to be removed and Construction activity\*\* will occur within 10 feet of any Protected Tree.
  - (c) Protected Trees will be removed.

**If you checked (2b) or (2c), a Tree Preservation/Removal Permit is required. Please complete the section below.**

DESCRIPTION OF TREES (Identification numbers and letters must be consistent with the Tree Survey, see submittal requirements in Section 8)

<b><u>Trees proposed for removal</u></b>			<b><u>Trees <u>not</u> proposed for removal but located within 10 feet of Construction Activity**</u></b>		
#	Species	dbh*	#	Species	dbh*
1			A		
2			B		
3			C		
4			D		
5			E		
6			F		
7			G		

Reason for removal/impacting of trees: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\* **dbh:** "diameter at breast height" is determined by measuring the trunk at 4'-6" from the ground. Multi-trunked trees are measured by combining the diameters of all trunks at 4'-6" from the ground.

\*\* **Construction Activity:** Any proposed building, driveway, path, deck, construction vehicle route, sidewalk improvement, grading, or demolition.

## 7. CREEK PROTECTION ORDINANCE

See page 8 for more information on creeks and these regulations

Pursuant to the Creek Protection, Storm Water Management and Discharge Control Ordinance (§13.16 O.M.C.) a Creek Protection Permit is required for any proposed construction activity occurring on a Creekside property. The extent to which your development will be regulated by the Creek Protection Ordinance depends upon the location and type of proposed work.

### WHAT IS A CREEK?

*“A Creek is a watercourse that is a naturally occurring swale or depression, or engineered channel that carries fresh or estuarine water either seasonally or year around.”*

A creek must include the following two components:

1. The channel is part of a contiguous waterway. It is hydrologically connected to a waterway above or below the site or is connected to lakes, the estuary, or Bay. Creek headwaters, found at the top of watersheds, are connected in the downhill direction. Additionally, creeks in Oakland are often connected through underground culverts. Only the open sections of creeks are subject to the permit, and
2. There is a creek bed, bank and topography such as a u-shape, v-shape channel, ditch or waterway (identified through field investigation, topographical maps, and aerial photos). To help with identification in the field a creek may also have the following features (the absence of these features does NOT mean there is no creek):
  - A riparian corridor, which is a line of denser vegetation flowing downhill. This is sometimes missing due to landscaping or vegetation removal practices, landslide or fire.
  - The channel has a bed with material that differs from the surrounding material (i.e. more rocky, or gravelly, little or no vegetation).
  - There are man-made structures common to waterways, - for example bank retaining walls, trash racks, culverts, inlets, rip rap, etc.

### I ATTEST THAT: (check one)

- (1) **I do not know if there is a Creek on or near the proposed project site.** I have submitted a request for a field inspection by the City of Oakland (including the \$100 non-refundable “Creek Determination” fee) to the CEDA cashier.
- (2) **No Creek exists on or near the project site;** (check one)
- (a) Based on my review of the characteristics of the project site, as well as all relevant maps and plans, and the Creek Determination criteria provided in the “What is a Creek?” section above; or
- (b) Based on the attached report prepared by a relevant licensed professional.
- However, if the City determines that a Creek exists on or near the project site, a Creek Protection Permit is required.*
- (3) **A Creek DOES exist on or near the project site and;** (check one)
- (a) The proposed project only entails interior construction and/or alterations (including remodeling), and therefore requires a **Category 1 Creek Permit** (this is a no fee permit and only requires distribution of educational materials); or
- (b) The proposed project only entails exterior work that does not include earthwork and is located more than 100 feet from the centerline of the Creek, and therefore requires a **Category 2 Creek Permit** (this permit requires a site plan and distribution of educational materials); or
- (c) The proposed project only entails (a) exterior work that is located between 20 feet from the top of the Creek bank and 100 feet from the centerline of the Creek, and/or (b) exterior work that includes earthwork involving more than three (3) cubic yards of material located beyond 20 feet from the top of the Creek bank, and therefore requires a **Category 3 Creek Permit** (this permit requires site plan, creek protection plan and environmental review); or
- (d) The project entails exterior work conducted from the centerline of the Creek to within 20 feet from the top of the Creek bank, and therefore requires a **Category 4 Creek Permit** (this permit requires site plan, creek protection plan, environmental review and hydrology report).

***The Creek Permit requirements for your project are subject to verification by the City of Oakland and may differ from what you have indicated above. Additionally, you are responsible for contacting and obtaining all required permits from the relevant state and federal permitting agencies for Category 3 and Category 4 Creek Permits.***

## 8. SUBMITTAL REQUIREMENTS: WHAT TO SUBMIT

The following information and drawings must be included in the submittal package for your application. Planning staff reserves the right to require additional plans and information as needed for certain development proposals.

### The following items are required for ALL applications unless otherwise noted.

(1) **Basic Application for Development Review**

This application form signed and completed (including impervious surface, protected tree, and creek information).

(2) **Supplemental Forms and Findings**

Explanation describing how the proposal complies with City guidelines (forms provided by staff).

(3) **Assessor's Parcel Map**

Available at the City of Oakland Engineering Services or Zoning counters, or County Assessor's Office, 1160 Madison St.

(4) **Photographs**

- Color photographs showing the existing structure or lot as seen from across the street and from the front, side and rear property lines. Label each photograph with the view pictured (i.e. front, side, rear, across the street).
- Color photographs showing the 20 nearest neighbors from the street (5 nearest lots on either side, 10 nearest lots across the street). Label each photograph with the address pictured.

(5) **Plans** (see supplemental requirements for all Tentative Parcel Map (TPM), Tentative Tract Map (TTM), Parcel Map Waiver (PMW) applications).

- **Three (3)** stapled and folded sets of full-sized plans are required for all applications.
- One (1) additional set of reduced plans (8½" x 11" or 11" x 17") is required for all applications requiring Planning Commission review.
- As determined by staff, nine (9) stapled and folded sets of full-sized plans may be required for projects reviewed by the Technical Review Advisory Committee (TRAC).
- Fold plans to 9" x 12" maximum size. Plans must be on sheets no greater than 24" x 36".
- Include north arrow, date prepared and scale. Acceptable drawing scales are: 1/4" = 1', 1/8" = 1' and 1" = 10'. Other scales may be appropriate, but should be discussed with Planning Department staff before filing. Also, please limit the range of scales used, so the Planning Department can more easily analyze your project in relation to adjacent properties.
- Include the name and phone number of person preparing the plan(s). As appropriate or required, include the stamp and "wet signature" of any licensed architect, landscape architect and/or civil engineer preparing final plans.

(a) **Survey** (required only for the following project types listed below)

For all new buildings (except small non-habitable buildings), and >100% footprint additions to existing buildings:

- Full boundary & topographic survey with field-verifiable monuments

For any building or addition within any required setback:

- Applicable line survey with field-verifiable monuments

For any building or addition located on a lot with a slope of 20% or more:

- Site topography (including driveways)

(b) **Site Plan**

- Location and dimensions of all existing and proposed buildings, decks, stairs, and patios.
- Dimensions of all existing and proposed building setbacks from property lines.
- Location of building footprints and approximate height of buildings on adjacent lots.
- Location and dimension of all existing and proposed driveways, garages, carports, parking spaces, maneuvering aisles, curbs, curb-cuts (including curb-cuts on adjacent neighbor's lots), wheel-stops, pavement striping/markings, and directional signage. Indicate existing and proposed paving materials.
- Location, height, and building materials of all existing and proposed fencing and walls. Include top and bottom elevation measurements for all retaining walls.
- Location of all existing trees and indication of any trees to be removed.
- Location of drainage ways, creeks, and wetlands (check with the Engineering Services Division for this information)
- Roof plan showing roof slope and direction, and location of mechanical equipment, ducts, and vents.
- For projects located on a lot with a slope of 20% or more: Show existing and proposed topographic contours overlaid with proposed roof plan and indicating roof ridge spot elevations.
- For multi-family residential projects: Show the location, dimension, and site area of all existing and proposed Group Usable Open Space and Private Usable Open Space, including a summary table of site area.

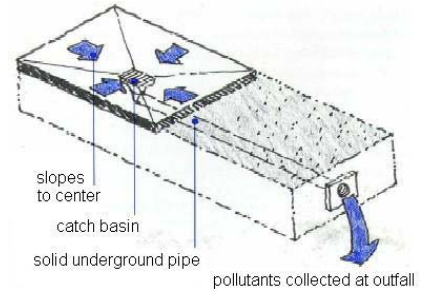
- (5) **Plans (continued)**
  - (c) **Grading Plan** (required only if the project proposes any site grading)
    - Show proposed grading plan and/or map showing existing and proposed topographic contours (this may be combined with the Site Plan for small projects with only minor grading).
  - (d) **Elevations** (required only for new construction, additions, or exterior alterations)
    - Show all structure elevations (front, sides and rear) that will be affected by the proposed project.
    - For additions/alterations: label existing and new construction, as well as items to be removed.
    - Identify all existing and proposed exterior materials - including roofing, roof eaves, siding, doors, trim, sills, windows, fences, and railings. Show details of proposed new exterior elements.
    - Show any exterior mechanical, duct work, and/or utility boxes.
    - Include dimensions for building height and wall length.
  - (e) **Floor Plan**
    - Include complete floor plan of all floors of entire building, including existing and proposed work.
    - Label all rooms (i.e. bedroom, kitchen, bathroom, etc.), and include dimensions of room sizes.
    - Show the location of all existing and proposed doors, windows, and walls.
  - (f) **Cross Sections** (required only for buildings or additions located on a lot with a slope of 20% or more)
    - Include all critical cross sections, including at least one passing through the tallest portion of the building.
    - Label the location of the cross-sections on the site plan.
  - (g) **Landscape Plan** (required only for new buildings & dwellings, or residential additions of more than 500 sq. ft.)
    - Indicate any existing landscaping that is to be removed.
    - Indicate the size, species, location, and method of irrigation for all plantings.
    - Include all existing and proposed groundcovers, driveways, walkways, patios, and other surface treatments.
  - (h) **Sign Plan** (required only for non-residential projects)
    - Include fully dimensioned color elevations for all proposed signs.
    - Indicate method of lighting for all proposed signs.
  - (i) **Lighting Plan** (required only for non-residential and multi-family residential projects)
    - Show the type and location of all proposed exterior lighting fixtures (this may be combined with the Site Plan for small projects).
- (6) **Tree Survey** (required only for projects which involve a Tree Preservation/Removal Permit)
  - **Three (3)** folded full-sized plans are required.
  - Fold plans to 9" x 12" maximum size. Plans must be on sheets no greater than 24" x 36".
  - Include north arrow, date prepared and scale (Tree Survey should be drawn to the same scale as the Site Plan).
  - Include the name and phone number of person preparing the plan(s).
  - For new construction on an undeveloped lot: include the stamp and "wet signature" of the licensed architect, landscape architect and/or civil engineer preparing the survey.
  - Indicate the size (dbh), species, and location of all protected trees within 30 feet of development activity on the subject lot, regardless of whether or not the protected trees are included on any tree preservation/removal permit application.
  - Label all protected trees that are located within 10 feet of construction with the matching number or letter from the Tree Preservation/Removal Permit application (Section 6 of this application).
- (7) **Materials & Color Board** (required only for non-residential and multi-family residential projects involving new construction or an addition/alteration that does not match existing materials and colors).
  - Limit board(s) to a maximum size of 9" x 12". Large projects (generally more than 25 dwelling units or 50,000 square feet of floor area) should also submit a large sized materials & color board (24" x 36") for use at public hearings.
  - Include samples of proposed exterior building materials and paint colors.
  - Include manufacturers brochures as appropriate.
- (8) **Three-dimensional Exhibits** (required only for large projects with more than 25 dwelling units or 50,000 square feet of floor area).
  - Provide color perspective drawings showing the project from all major public vantage points, or provide a scale model of the proposed project.
- (9) **Preliminary Title Report or deed not more than 60 days old** (required for all Tentative Parcel Map (TPM), Tentative Tract Map (TTM), Parcel Map Waiver (PMW), Rezoning, and General Plan Amendment applications, and any application where the owner information does not match the current Alameda County Assessor's records)
- (10) **Fees** (all fees are due at the time of application submittal)
  - Additional fees may be required if the project changes or based on staff's environmental determination.



## Impervious surface



*Impervious surface (pavement, buildings, carports, and other things that prevent rain water from reaching the earth) is directly related to storm water runoff and water quality. Impervious surfaces prevent rainwater from filtering into the ground and don't allow groundwater aquifers to recharge. When impervious surfaces keep water from soaking into the ground there is less groundwater seepage to creeks and the creeks dry up faster. When it rains, pollutants that have settled on impervious surfaces are concentrated and washed into storm sewers, nearby streams, and the bay. Impervious surfaces result in higher and faster peak water flows when it rains, which in turn results in increased erosion, flooding, and property damage. Large paved areas can also be unattractive and reduce the amount of land available for trees and other landscaping.*



## Trees

*Among the features that contribute to the attractiveness and livability of the city are its trees. Trees contribute to the climate of the city by reducing heat buildup and providing shade, moisture, and wind control. Trees contribute to the protection of other natural resources by providing erosion control for the soil, oxygen for the air, replenishment of groundwater, and habitat for wildlife. Trees contribute to the economy of the city by sustaining property values and reducing the cost of drainage systems for surface water. Trees are landmarks of the city's history (the "oak" in Oakland), and are a critical element of nature in the midst of urban settlement. For all of these reasons it is important to protect and preserve trees by regulating their removal; to prevent unnecessary tree loss and minimize environmental damage from improper tree removal; and to encourage appropriate tree replacement plantings.*



## Creeks

*Oakland's creeks are a valuable resource to the City of Oakland. They remove water pollutants and improve water quality, provide flood control and storm water drainage, are vital to wildlife habitat, and create neighborhood beauty and improved quality of life. Creeks encourage economic activity through recreation and increased property values and are some of the most beautiful areas of the City. They are a vital recreational and aesthetic resource to the urban environment. It is important to protect and preserve creeks by ensuring safe and responsible development.*

