



CITY OF OAKLAND

BASIC APPLICATION FOR DEVELOPMENT REVIEW

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031
 Zoning Information: 510-238-3911
<https://www.oaklandca.gov/departments/planning-and-building>

CERTAIN APPLICATIONS ARE ACCEPTED BY APPOINTMENT ONLY!

Please email permitinfo@oaklandca.gov to schedule an appointment if your project involves any of the following:

▪ Conditional Use Permit	▪ Parcel Map Waiver	▪ 1,000 sq. ft. or more of new floor area/footprint
▪ Variance	▪ Tentative Parcel/Tract Map	▪ Additions ≥ 100% of existing floor area/footprint
▪ Regular Design Review	▪ New dwelling unit(s)	▪ Creek Protection Permit (Category 3 or 4)

Applicants must cancel at least 24 hours in advance of appointment.

All other projects may be submitted to the zoning counter.

Submit applications for Design Review Exemption/DRX or Small Project Design Review/DS to permitinfo@oaklandca.gov

1. TYPE OF APPLICATION**

(Check all that apply)

Development Permits

- Conditional Use Permit (CUP) (Major or Minor)
- Variance (Major or Minor)
- Regular Design Review (DR)
- Small Project Design Review (DS) (Type 1, 2, 3)
- Special Project Design Review (SP) (West Oakland)
- Design Review Exemption (DRX)
- Tree Preservation or Removal Permit (T)
- Determination (DET)
- Planned Unit Development/Mini-Lot Development

Subdivision Applications

- Parcel Map Waiver (PMW) (Lot Line Adjustment/Merger)
- Tentative Parcel Map (TPM) (subdivision for 1– 4 lots)
- Tentative Tract Map (TTM) (subdivision 5 or more lots)

Other Applications

- Request for Environmental Review
- General Plan Amendment Rezoning
- Creek Protection Permit (separate application required)
- Density Bonus State Bill 35 Streamlining
- Other: _____

****FOR AFFORDABLE HOUSING PROJECTS, PLEASE INDICATE ANY FUNDING DEADLINE DATE: _____****

2. GENERAL INFORMATION

APPLICANT'S NAME/COMPANY: _____

PROPERTY ADDRESS: _____

ASSESSOR'S PARCEL NUMBER(S): _____

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: _____ SPECIFIC PLAN: _____ ZONING: _____

HISTORIC DESIGNATION: _____ HOUSING ELEMENT OPPORTUNITY SITE: _____

<p>FEES¹:</p> <p>APPLICATION FEE: \$ _____</p> <p>POSTER DEPOSIT²: \$ _____</p> <p>TREE PERMIT FEE: \$ _____</p> <p>CREEK PERMIT FEE: \$ _____</p> <p>TOTAL FEES DUE: \$ _____</p>	<p>EXPECTED PROCESSING TIME³: _____</p> <p><small>¹Fees are subject to change without prior notice. The fees charged will be those that are in effect at the time of application submittal. All fees are due at submittal of application.</small></p> <p><small>²For permit applications requiring public notice, a refundable security deposit is required for the on-site poster containing the public notice. Posters MUST be returned within 180 days and in good condition to claim a refund of the deposit.</small></p> <p><small>³Expected processing time is only an estimate and is subject to change without notice due to staff workload, public hearing availability, and the completeness or complexity of the application.</small></p>
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3. PROPERTY OWNER AND APPLICANT INFORMATION

Original signatures or clear & legible copies are required.

Owner(s): _____

Owner Mailing Address: _____

City/State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ E-mail: _____

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

I authorize the applicant indicated below to submit the application on my behalf. _____

Signature of Property Owner

Applicant (Authorized Agent), if different from Owner: _____

Applicant Mailing Address: _____

City/State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ E-mail: _____

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(ies) 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. If this application involves more than one property, I certify that all property owners have signed above.

I understand 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/or materials. I understand that any failure to submit the additional information and/or materials in a timely manner may render the application inactive and that periods of inactivity do not count towards statutory time limits applicable to the processing of this application.

I understand that the proposed project and/or property may be subject to other laws, codes, regulations, guidelines, restrictions, agreements, or other requirements of other public agencies within or outside of the City of Oakland, and that the project and/or property may also be subject to requirements enforced by private parties, including but not limited to private easements/agreements and Covenants, Conditions and Restrictions (CC&Rs) of a homeowners' association. I am aware and acknowledge that the City recommends that I become fully aware of any other potential requirements before I submit this application and that I comply with all other requirements prior to commencing the proposed project.

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

Signature of Owner or Authorized Agent

Date

4. PROJECT & LOT INFORMATION

CALCULATIONS	Existing Pre-Project	Demolition	New Proposed	Total Post-Project	% Change (Existing / Total)
Type/Size of Dwelling Units (Please fill in the number of each type)					
Rooming Units					
Efficiency Units					
1-Bedroom Units					
2-Bedroom Units					
3-Bedroom Units					
≥ 4-Bedroom Units					
Total Number of Dwelling Units					
Are Any of the Project Units Affordable? If Yes, Please Fill Out the Section Below (include number of each type)					
Market-Rate/Unrestricted Dwelling Units (DU)					
Moderate-Income Restricted DU (80%-120% AMI)					
Low-Income Restricted DU (50%-80% AMI)					
Very Low-Income Restricted DU (30%-50% AMI)					
Extremely Low-Income Restricted DU (<30% AMI)					
Total Affordable Units					
Total Affordable Units located Onsite:					
Other Types of Units/Rooms (if applicable) (not counted towards density) - include number of each type					
Accessory Dwelling Units (ADUs)					
Live/Work Units					
Work/Live Units					
Mobile Homes					
Hotel Rooms					
Floor Area					
Office Floor Area (square feet)					
Retail Floor Area (square feet)					
Industrial Floor Area (square feet)					
Other Non-Residential Floor Area (sq. ft.)					
Total Non-Residential Floor Area (sq. ft.)					
Residential Floor Area (sq. ft.)					
Total Res. & Non-Res. Floor Area (sq. ft.)					
Other Project Information					
Total Building Footprint Area (square feet)					
Building Height (feet)					
Building Stories (number)					
Total Lot Area (square feet)					
Number of Lots					
Automobile Parking Spaces (number)					
Bicycle Parking Spaces (number)					
New Landscape Square Footage (WELO see pg. 13)	n/a			n/a	n/a
Setback Slope (for hillside properties only)				n/a	n/a
Structure Slope (for hillside properties only)				n/a	n/a

Definitions For Table 4 on Page 3

“**Building Height**” means the vertical distance measured from any point on top of the facility to a line directly below which meets finished grade on the outside perimeter of the facility, or intersects with a perpendicular plane connecting opposite points of finished grade at the outside perimeter of the facility.

“**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) finished basements if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is six (6) feet or less for at least 50% of the perimeter and does not exceed twelve (12) feet above grade at any point. For new floor area, only include new floor area located outside of the existing building envelope.

“**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 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. For new floor area, only include new floor area located outside of the existing building envelope.

“**Footprint**” means the total land area covered by all structures on a lot, measured from outside of all exterior walls and supporting columns, including residences, garages, covered carports, and accessory structures, except that the following shall not be considered in determining footprint:

1. The portions of any uncovered and unenclosed decks, porches, landings, or patios, not including railings, which are less than thirty (30) inches above finished grade; 2. The portions of any uncovered and unenclosed balconies and stairways, including railings, which are less than six (6) feet above finished grade; 3. Eaves and roof overhangs; and 4. Trellises and similar structures which do not have solid roofs and which would not otherwise be included in this definition.

“**Market-Rate/Unrestricted Dwelling Units**” are residential units for which the rent/price is set by the real estate market and not limited to certain household incomes.

“**Restricted Dwelling Units**” are residential units for which the rent/price is legally restricted to households earning a certain income expressed as a percentage of the Area Median Income or AMI. For more information, visit the Housing and Community Development Department’s website at <https://www.oaklandca.gov/services/housing-index-a-z/housing-policies-plans-and-data/rent-and-income-limits-for-affordable-housing>

“**Setback Slope**” means the slope between edge of pavement and the front setback line, at the midpoint and perpendicular to the front property line.

“**Structure Slope**” means the steepest slope across building footprint measured from one side of the building to another.

5. IMPERVIOUS SURFACE INFORMATION

PROJECT CHARACTERISTICS: (check one)

- (1) The project will create or replace **10,000 square feet or more** of new or existing impervious surface area* (not including projects involving one single-family dwelling).
- (2) The project will create or replace **5,000 square feet or more but less than 10,000 square feet** of new or existing impervious surface area* AND involves the following:
- Auto servicing, auto repair, or gas station;
 - Restaurant (full service, limited service, or fast-food); or
 - Uncovered parking (stand-alone parking lot or parking serving an activity; including uncovered parking garages).
- If you checked (1) or (2) the project is considered a “Regulated Project” and must comply with NPDES C.3 stormwater requirements. You must submit a completed Stormwater Supplemental Form and a Preliminary Post-Construction Stormwater Management Plan with your application (see page 14).
- (3) The project will create or replace **2,500 square feet or more but less than 5,000 square feet** of new or existing impervious surface (including projects involving one single-family dwelling), unless the project meets the definition of (1) or (2) above.
- If you checked (3) site design measures to retain stormwater on-site are required. Refer to the City’s “Overview of Provision C.3” for more information. <https://www.oaklandca.gov/documents/overview-of-provision-c-3-requirements-for-stormwater-management>
- (4) None of the above.

* *Impervious Surface = Any surface that cannot be effectively (easily) penetrated by water. Permeable paving (such as permeable concrete and interlocking pavers) underlain with permeable soil or permeable storage material, and green roofs with a minimum of three inches of planting media, are not considered impervious surfaces. Do not include existing impervious surface to be replaced as part of routine maintenance/repair activities when calculating the amount of new/replaced impervious surface.*

6. TREE PRESERVATION ORDINANCE

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 Public Works Agency – Tree Division prior to their removal. Contact the Tree Division at (510) 615-5934 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)

<u>Trees proposed for removal</u>			<u>Trees not proposed for removal but located within 10 feet of Construction Activity**</u>		
#	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

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 Creek Determination by the City of Oakland (separate form and fee required).
- (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 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 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 a site plan and creek protection plan and may require 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 a site plan and creek protection plan and may require environmental review and a 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. HAZARDOUS WASTE AND SUBSTANCES STATEMENT

STATE GOVERNMENT CODE SECTION 65962.5 (f): Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list.

Please refer to the following State-maintained websites:

<https://calepa.ca.gov/SiteCleanup/CorteseList/>

<http://geotracker.waterboards.ca.gov/>

or contact the CalEPA at (916) 323-2514 to determine if your project is on any list of properties containing hazardous waste, toxic substances or underground fuel tanks. **NOTE: YOU MUST REVIEW ALL LISTS**

- I have reviewed **ALL** the lists and my site does **not** appear on them (sign below). **City Verification Required**
- My site does appear on the list(s) (please complete the following statement and sign below).

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

Name of applicant: _____

Applicant's address: _____

Phone number: _____

Address of site on list: _____

Local agency (city/county): _____

Specify any list pursuant to Section 65962.5 of the Government Code: _____

Regulatory identification number: _____

Date of list: _____

Status of regulatory action: _____

Signature of Owner or Authorized Agent

Date

9. RECYCLING SPACE REQUIREMENTS

Applicants are required to provide sufficient space for the storage and collection of recyclable materials to comply with Ordinance No. 11807 – Recycling Space Allocation Requirements. This space should be in addition to that provided for garbage service.

Affected projects:

1. New multifamily buildings in excess of five (5) units
2. New commercial and industrial projects that require a building permit
3. New public facilities
4. Additions and alternations for a single or multiple permits that add 30% or more to the gross floor area

Requirements:

For residential projects, two (2) cubic feet of storage per unit, with a minimum requirement of not less than ten (10) cubic feet. Additionally, Oakland Municipal Code Section 8.28.140 requires the provision of 32 gallons or 4.3 cubic feet of storage per unit for garbage. For affected commercial, industrial and public facility project, two (2) cubic feet of storage and collection space per each one thousand (1,000) square feet of the total gross building footage, with a minimum requirement not less than ten (10) cubic feet. For these projects, the space for storage and collection of garbage varies based on the type and operation of the facility. Space for storage of recyclables should be separated into the following categories: paper and cardboard (mixed together); plastic bottles, glass bottles and metal cans (mixed together); and organics/plant material.

10. GREEN BUILDING ORDINANCE

If GreenPoint Rater is required, this sheet must be filled in and signed by the GreenPoint Rater along with the checklist and is due at the Intake appointment or over the counter approval, the submittal will not be accepted if this is not complete at intake and the applicant will need to come back for another appointment.

If there is an addition and/or remodel that total over 1,000 square feet, the project is over 1,000 square feet, or there is a new unit; a GreenPoint Rater is required. Please read the guidelines from the code as listed below.

Pursuant to the Ordinance ‘Sustainable Green Building Requirements for Private Development,’ (Chapter 18.02 of the Oakland Municipal Code), a Green Building Permit is required for any proposed construction activity within certain categories. The extent to which your development will be regulated by the Green Building Ordinance depends upon the location, type of proposed work, and size of proposed work.

A. PROPERTY ADDRESS: _____

B. PROJECT TYPE OF DEVELOPMENT (check one): New Construction New Construction-Mixed Use Addition
 Existing Building Tenant Improvement Remodel
 Historic Landscape Project

C. TOTAL NEW AND ALTERED FLOOR AREA (square feet): _____

I, THE APPLICANT/OWNER, ATTEST THAT: *(check one)*

- (1) I have reviewed the Green Building Ordinance and the project **DOES NOT** fall within the list of applicable project types.
- (2) I have reviewed the Green Building Ordinance and the project **MUST** comply with the ordinance, AND I’m submitting the required additional green building materials with this application.
- (3) I have reviewed the Green Building Ordinance and the project must comply with the ordinance, AND I’m submitting the required additional green building materials with this application, but a GreenPoint Rater or LEED AP is not required as the project uses the Small Commercial Checklist or the Bay Friendly Basic Checklist.

D. Name of Greepoint Rater (required for Greenpoint Rated Projects)*: _____

Name of LEED Accredited Professional (AP)(required for LEED projects) * _____

MAILING ADDRESS: _____

PHONE: _____ **E-MAIL:** _____

RATING SYSTEM: _____ **# OF POINTS THE PROJECT IS ANTICIPATED TO RECEIVE:** _____

E. GREEN BUILDING FEATURES NOT SHOWN ON PLANS BUT PART OF CHECKLIST (include additional sheets if needed): _____

I, hereby certify under the penalty of perjury that I have reviewed the project and appropriate checklist and attest that to the best of my knowledge the proposed project would likely comply with the City of Oakland’s Green Building Ordinance and attain green building certification. I, hereby further certify under the penalty of perjury, that I: 1) have no vested financial interest in the project other than my green building services, 2) have reviewed the project and appropriate green building checklist, and 3) attest that to the best of my knowledge the proposed project would likely comply with City of Oakland’s Green Building Ordinance and attain green building certification.

X
Signature of the GreenPoint Rater or LEED Accredited Professional _____ **Date** _____

This permit is issued pursuant to all provisions of City of Oakland Ordinance No. 13040 C.M.S., “Sustainable Green Building Requirements for Private Development.” This permit is granted upon the express condition that the permittee shall be responsible for all claims and liabilities arising out of work performed under this permit or arising out of permittee’s failure to perform the obligations with respect to this permit. The permittee shall, and by acceptance of this permit agrees to defend, indemnify, save and hold harmless the City, its officers and employees, from and against any and all suits, claims or actions brought by any reason for or on account of any bodily injuries, disease or illness or damage to persons and/or property sustained or arising in the construction of the work performed under this permit or in consequence of permittee’s failure to perform the obligations with respect to this permit. Violations of the provisions of the Green Building Ordinance are subject to fines and penalties specified under Section 20-3.030 of the Ordinance.

TO BE COMPLETED BY CITY STAFF:

CASE NUMBER(S): _____ **CASE PLANNER’S NAME:** _____

Note to Case Planner: Please route a copy of this form to the green building coordinator in the Planning and Zoning Division.

11. PUBLIC ART FOR PRIVATE DEVELOPMENT REQUIREMENTS

Effective February 9, 2015, Ordinance No. 13275 requires a public art allocation for private developments. (OMC Chapter 15.78). The following reflects the Ordinance updated through Ordinance No. 13491, which was adopted by the City Council on June 15, 2018.

Applicant information

Name: _____
Phone: _____
Email: _____

Project information

Address: _____
Number of dwelling units: _____
Floor area of nonresidential: _____
Floor area of residential: _____

Applicability

The public art for private development requirement applies to:

- 1) Private non-residential developments of 2,000 square feet or more of new floor area that are subject to Regular Design Review approval; and
- 2) Private residential developments of 20 or more new dwelling units that are subject to Regular Design Review approval.

The public art requirements do not apply to affordable housing if the developer demonstrates that they would cause the project to be economically infeasible.

Contribution Requirements

- 1) For non-residential developments, at least 1.0% of “building development costs.”
- 2) For residential developments, at least 0.5% of “building development costs.”

The “building development cost” is the construction cost declared on the building permit application and accepted by the Building Official.

CHECK ONE OF THE FOLLOWING COMPLIANCE METHODS:

- On-site art Art in the public right of way within .25 miles from the site In-lieu contribution Combination of in-lieu payment and on-site cultural space and/or art gallery Contribution to City-owned art facility within 0.5 miles from site Not applicable

Compliance Methods

Compliance with art requirement shall be demonstrated when filing the Building Permit application through one of the following:

- 1) An approved public art plan and contractual agreement to install the artwork at the site or in the public right of way within .25 miles from the site. Note that development in the public right of way requires additional permits and approval from the City’s Public Art Advisory Committee. The installation of the artwork must be complete prior to issuance of certificate of occupancy; or
- 2) Full payment of an in-lieu contribution; or
- 3) Provide up to 75% of the contribution as follows, with the remaining to be fulfilled through an in-lieu payment*:
 - a. Space within the development project that is generally open to the public during regular business hours for use as a rotating art gallery can satisfy up to 25% of total contribution; and/or
 - b. A minimum of 500 square feet of arts and cultural programming space within the development that is made available to the public can satisfy up to 50% of the total contribution; or
- 4) Capital improvements to a City-owned arts facility(s) within 0.5 miles of the development.

*All proposals must be approved by the City in advance. Please contact Kristen Zaremba, the Public Art Coordinator, at gzaremba@oaklandca.gov or (510)238-2155 for more information regarding approval of a public art plan or compliance requirements.

I, hereby certify under the penalty of perjury that I have reviewed the project and appropriate checklist and attest that to the best of my knowledge the proposed project would likely comply with the City of Oakland’s Public Art Requirements Ordinance.

X _____
Signature of Applicant

Date

12. RESIDENTIAL TENANT PROTECTIONS

The City of Oakland has laws to protect residential tenants, including the Rent Adjustment Ordinance (OMC Chap. 8.22, Article I), Just Cause Eviction Ordinance (OMC Chap. 8.22, Articles II & III), Tenant Protection Ordinance (OMC Chap. 8.22, Article V) and Code Compliance Relocation Ordinance (OMC Chap. 15.60). These laws may apply to development projects under certain circumstances.

	<u>Yes</u>	<u>No</u>
A. Will the project affect existing residential units on the site, including Live/Work Units, Work/Live Units, Joint Living and Working Quarters, or unpermitted units? ➤ If “Yes,” go to Question B. ➤ If “No,” you do not need to complete the remainder of this section.	<input type="checkbox"/>	<input type="checkbox"/>
B. Are there existing residential tenants in the affected residential units, including Live/Work Units, Work/Live Units, Joint Living and Working Quarters, or unpermitted units; or did residential tenants occupy the affected residential units within the past 5 years? ➤ If “Yes,” go to Question C. ➤ If “No,” you do not need to complete the remainder of this section.	<input type="checkbox"/>	<input type="checkbox"/>
C. Will existing residential tenants in the affected residential units, including Live/Work Units, Work/Live Units, Joint Living and Working Quarters, or unpermitted units, be temporarily or permanently evicted or relocated due to the project, or were residential tenants previously occupying the affected units within the past 5 years temporarily or permanently evicted or relocated due to the project? ➤ If “Yes,” provide the information below about these units and complete the remainder of this section. 1) Number of Affected Units: _____ 2) Number of Affected Tenants: _____ ➤ If “No,” you do not need to complete the remainder of this section.	<input type="checkbox"/>	<input type="checkbox"/>
D. Replacement Unit Determination (Housing Crisis Act of 2019) Have any dwelling units on the property been subject to a recorded agreement restricting rents by affordability at any time during the past five years?	<input type="checkbox"/>	<input type="checkbox"/>
Have any existing dwelling units or dwelling units demolished in the past five years received a Certificate of Occupancy issued before January 1, 1983?	<input type="checkbox"/>	<input type="checkbox"/>
Have any existing or demolished dwelling units been occupied by persons other than the property owner within the past five years? If “Yes,” provide documentation to verify occupants’ income.	<input type="checkbox"/>	<input type="checkbox"/>
Have any existing or demolished dwelling units been withdrawn from the rental market in the past ten years?	<input type="checkbox"/>	<input type="checkbox"/>

E. Project Information (to be completed if any questions above are marked “Yes”):

- 1) Property Address: _____
- 2) Assessor’s Parcel Number: _____
- 3) Applicant’s Name: _____
- 4) Applicant’s Address: _____
- 5) Applicant’s Phone: _____ 6) Applicant’s Email: _____

Existing and former tenants on the site may be entitled to protections and benefits, including relocation payments and the right to return to previous units. The property owner may be required to submit evidence of compliance with applicable tenant protection laws upon the request of the City. **For more information, please contact the Oakland Housing Assistance Center: 250 Frank H. Ogawa Plaza, 6th Floor, Oakland, California, 94612; (510) 238-6182.**

I, hereby certify under the penalty of perjury that I have reviewed the information presented in this section and certify that the information presented is true and accurate to the best of my knowledge.

X _____
Signature of Applicant _____
Date

To be completed by staff:
 Case Number(s): _____ Case Planner’s Name: _____ Date: _____

Note to Case Planner: If any Questions above are marked “Yes,” please route a copy of this page to the Housing and Community Development Department.

13. EQUITABLE CLIMATE ACTION PLAN CONSISTENCY

The California Environmental Quality Act (CEQA) requires the analysis of greenhouse gas (GHG) emissions and potential climate change impacts from new development. The Oakland 2030 Equitable Climate Action Plan (ECAP) serves as a citywide plan for the reduction of GHG emissions and may be used in qualitative cumulative impact analysis pertaining to development projects. Projects that demonstrate consistency with the ECAP will be considered to have no significant environmental effect pertaining to greenhouse gas emissions. Projects that do not demonstrate consistency may, at the City’s discretion, prepare a more comprehensive project-specific analysis of GHG emissions consistent with CEQA requirements.

I, THE APPLICANT/OWNER, HAVE REVIEWED THE ECAP CHECKLIST AND TO THE BEST OF MY KNOWLEDGE BELIEVE THE FOLLOWING APPLIES TO THE PROJECT: *(check one)*

- (1) The project demonstrates consistency with the ECAP through the ECAP Checklist, which I am submitting with this application.
- (2) The project does not demonstrate consistency with one or more items on the ECAP Checklist, which I am submitting with this application, and the GHG Standard Condition of Approval will apply to the project.
- (3) The project is exempt from CEQA analysis or otherwise is not required to demonstrate consistency with the ECAP.

(Case Planner and Environmental Review Officer to Verify)

14. COMMUNITY ENGAGEMENT

Although community engagement is important for all development projects requiring discretionary approval, it is especially important for larger projects, controversial projects, and projects with the potential to cause substantial community impacts. Applicants proposing the following project types will be required to submit a written statement to the City describing the community engagement efforts undertaken to date:

	Yes	No
<p>A. Does the application involve any of the following?</p> <ul style="list-style-type: none"> • New residential project with 100 or more dwelling units; • New nonresidential project with 100,000 square feet or more of floor area; • New Planned Unit Development (PUD); • New subdivision of 25 or more lots; • Proposed regulatory change (Development Agreement, Rezoning, and/or General Plan Amendment); or • Any other new project requiring discretionary approval that the Planning Bureau has determined may potentially cause substantial community impacts. <p>➤ If “Yes,” complete Section B below.</p>	<input type="checkbox"/>	<input type="checkbox"/>

B. Community Engagement Efforts. Please summarize community engagement efforts undertaken to date concerning the project, community input received concerning the project, and how the project has or has not been modified in response to community input (attach additional sheets if necessary):

15. 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.

Each and every item is required at the time of application submittal.

APPLICATIONS WITH MISSING ITEMS WILL NOT BE ACCEPTED.

All fees are due at the time of application submittal.

Unless otherwise noted, all documents must be submitted electronically.

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

This application form signed and completed (including impervious surface, protected tree, creek information, the Hazardous Waste and Substances Statement, and green building sections). Clear and legible scanned copies or copies with secure electronic signatures are required.

(2) **Supplemental Forms and Findings**

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

DRX, DS, DR, or SP supplemental findings.

CUP and/or Variance supplemental findings.

TPM/TTM supplemental findings.

Other extra CUP or DR findings, such as alcohol, ground floor use, extra units, telecom (mini, micro, macro), etc.

Specific Plans Design Guidelines Checklist (Broadway Valdez District, Central Estuary, Lake Merritt Station, or West Oakland).

Affordable Housing Density Bonus Requirements and Checklist.

Oakland 2030 Equitable Climate Action Plan (ECAP) Consistency Checklist

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

Available at the City of Oakland Engineering Services or Zoning counters, the County Assessor's Office, 1221 Oak St. or the County Assessor's website at <http://acgov.org/MS/prop/index.aspx>

(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 (e.g., 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).

• Full-sized plans and reduced plans (11" x 17") are required for all applications. For Major Permits, a color 11"x17" rendering **MUST** be submitted.

• Include north arrow, date prepared and scale.

• Acceptable drawing scales are: 1/4" = 1', 3/16" = 1', 1/8" = 1', and 1" = 10'. Other scales may be appropriate, but should be discussed with Planning staff before filing. Also, please limit the range of scales used, so Planning staff 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, surveyor and/or civil engineer preparing final plans.

• Show all encroachments over the public Right-of-Way.

• All submittals are required to provide an electronic submission of all the required submittal items at time of intake. Plan sets will have two copies submitted, one (1) low resolution and one (1) high resolution in .PDF format. Each item will be scanned separately and clearly identified. For each revision of the project, the applicant will be required to submit an electronic submittal of all the material being revised as directed by Planning staff.

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

• Must be no more than 3 years old from the time of submittal – date of survey must be included.

• Must be prepared by a California State licensed Land Surveyor or by a Civil Engineer with a license number below 33966 (licensed prior to January 1, 1982).

• **Include the wet stamp and signature** of the Land Surveyor or Civil Engineer who prepared the survey.

• Include the applicable surveyor's statement in accordance with the Professional Land Surveyors Act.

• In addition to paper copies, the survey must also be submitted on a CD.

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

- Full boundary & topographic survey with field-verifiable monuments set or found by the surveyor.
- Location, dimensions, and dimensions to property lines of all existing buildings and similar structures.

Required for any building or addition within any required setback:

- Applicable line survey with field-verifiable monuments set or found by the surveyor.
- Location, dimensions, & dimensions to property line of existing buildings & similar structures adjacent to relevant property line.

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

- Site topography for all areas of proposed work and for all existing driveways, buildings, and similar structures.
- Location and dimensions for all existing driveways, buildings, and similar structures.

(b) **Site Plan**

- Location and dimensions of all property boundaries.
- 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, dimensions, and paving materials of all adjacent sidewalks, curbs, curb-cuts (including curb-cuts on adjacent neighbor's lots), and streets.
- Location and dimension of all existing and proposed driveways, garages, carports, vehicle parking spaces, bicycle parking spaces, maneuvering aisles, 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.
- Location, height (including top and bottom elevation measurements), and building materials of all existing and proposed retaining walls.
- Location and size (dbh) of all existing trees and indication of any trees to be removed, include trees on neighboring properties that are within 10 feet of construction.
- 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, slope, and site area of all existing and proposed Group Usable Open Space and Private Usable Open Space, including a summary table of site area.
- For projects in all Residential, Commercial, and Industrial Zones, including the CIX-1A Zone, show any building to be demolished, both historic and non-historic.
- Location and size of storage area for recycling containers (see page 7 for more information).

(c) **Landscape Plan** (required for new buildings, new dwellings, residential additions of more than 500 sq. ft., and nonresidential additions of more than 1,000 sq. ft.)

- Indicate any existing landscaping and new landscaping.
- Indicate the size, species, location, and method of irrigation for all plantings.
- Include the square footage of new landscaping, if over 500 square feet or over 2,500 square feet of new landscaping please provide all requirements per the Water Efficiency Landscape Ordinance (WELO), visit <https://water.ca.gov/LegacyFiles/wateruseefficiency/docs/MWELO09-10-09.pdf>
- Include all existing and proposed groundcovers, driveways, walkways, patios, and other surface treatments.

(d) **Floor Plan**

- Include complete floor plan of all floors of entire building, including existing and proposed work.
- Label all rooms (e.g., bedroom, kitchen, bathroom), and include dimensions of room sizes.
- Show the location of all existing and proposed doors, windows, and walls.
- Location of and distance to all adjacent property boundaries.
- For non-residential projects: show all existing and proposed seating areas, mechanical/kitchen equipment, and/or other major functional components of the proposed project.

(e) **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, eave brackets, siding, doors, trim, sills, windows, fences, and railings. Show details of proposed new exterior elements, including a complete window and door schedule.
- Show any exterior mechanical, duct work, and/or utility boxes.
- Include dimensions for building height and wall length.

(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.
- Include floor plate and roof plate elevation heights.

- Location of and distance to all adjacent property boundaries.
- Label the location of the cross-sections on the site plan.
- (g) **Tree Survey** (required only for projects which involve a Tree Preservation/Removal Permit [see page 5])
 - Include north arrow, date prepared and scale (Tree Survey should be drawn to the same scale as the Site Plan).
 - Include the name & phone number of person preparing the plan(s). As appropriate or required, include the stamp & “wet signature” of any licensed architect, landscape architect, surveyor and/or civil engineer preparing final plans.
 - 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 (including trees located on neighbor’s properties or the adjacent public right-of-way) with the matching number or letter from the Tree Preservation/Removal Permit application (see section 6 of this application).
- (h) **Shadow Study (for DS-III projects and other two-story DR projects for one- and two-units)**
 - Include a roof plan of proposed house/addition with adjacent homes and show the shadows at different times of the day as shown in the Design Review Manual for One- and Two-Unit Residences on page 2.1 and 2.2.
- (i) **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).
 - Include an erosion & sedimentation control plan.
 - Include a summary table of all proposed excavation, fill, and off-haul volumes.

The following are required only for non-residential, mixed-use, and/or multi-family residential projects.

- (j) **Sign Plan** (required only for non-residential and mixed-use projects)
 - Include fully dimensioned color elevations for all proposed signs.
 - Indicate proposed sign location(s) on site plan.
 - Indicate proposed material(s) and method of lighting for all proposed signs.
- (k) **Lighting Plan** (required only for non-residential, multi-family residential, and mixed-use projects)
 - Show the type and location of all proposed exterior lighting fixtures (this may be combined with the Site Plan for small projects).
- (l) **Materials & Color Board** (required only for non-residential, multi-family residential, and mixed-use 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 manufacturer’s brochures as appropriate.
- (m) **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.
- (6) **Preliminary Post-Construction Stormwater Management Plan*** (required only for “Regulated Projects” subject to NPDES C.3 stormwater requirements [see page 4 for more information])
 - Show location and size of new and replaced impervious surface.
 - Show directional surface flow of stormwater runoff.
 - Show location of proposed on-site storm drain lines.
 - Show preliminary type and location of proposed site design measures, source control measures, and stormwater treatment measures.
 - Show preliminary type and location of proposed hydromodification management measures (if applicable).
- * Please refer to the Stormwater Supplemental Form for more information concerning NPDES C.3 requirements. The Stormwater Supplemental Form must also be submitted with the application.
- (7) **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)
- (8) **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.
- (9) **Additional Telecom Information Required** (See full requirements in Chapter 17.128 in the Oakland Planning Code)
- For Telecom facilities on private property, for the whole parcel, indicate the total number of existing and proposed antennas and equipment cabinets, their location, and the carriers they serve (please include all wireless carriers). Also indicate area, height, and width of all equipment cabinets and antennas (existing and proposed).
 - Additional Telecom CUP & DR findings for either: Mini, Micro, Macro, Monopole, or Tower (See definitions in 17.10.860).
 - For Small Wireless Facilities (SWF) in the public right-of-way, complete the SWF Design Guidelines Checklist.
 - Include Radio Frequency emissions report (RF), see Section 17.128.130 and the SWF Design Guidelines Checklist for requirements.
 - If a revision, please include previous approved case number if applicable and can be obtained.
 - If swapping out & replacing existing antennas, include existing & proposed heights of antennas (per Federal Section 6409).
- (10) **Replacement Unit Documentation**
- Information to prove vacancy or occupancy status of existing units or units demolished within the past five years. Examples include utility bills, property tax bills, IRS forms with W2s, lease agreements.
- (11) **Transportation Demand Management (TDM) Plan** (required for all project generating 50 or more net new a.m. or p.m. peak hour vehicle trips)
- TDM Plan requirements are provided in the City of Oakland Transportation Impact Review Guidelines.

For any questions regarding this application, email permitinfo@oaklandca.gov or call the Zoning Information Line:

Zoning Counter: (Virtual Meetings schedule for submitted applications)

250 Frank H. Ogawa Plaza, 2nd Floor Oakland CA 94612
 Mon, Tues, Thurs & Friday: 9am-Noon & 1pm-4pm
 Wednesday 9:30am-Noon & 2pm-4pm

Zoning Information Line:

(510) 238-3911
 Mon, Tues, Thurs & Friday: 9am-Noon & 1pm-4pm
 Wednesday 9:30am-Noon & 1pm-4pm