



## **Agenda**

### **Planning Commission Meeting**

**7:00 P.M. on Tuesday, December 11, 2012**

Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton

### **CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG**

#### **Administrative**

- 1A. Review of agenda items.
- 1B. Commissioner Bruzzone to report at the City Council meeting on December 18, 2012.

#### **Public Comment**

#### **Approval of Minutes**

- 2. Approval of minutes from the meeting of November 13, 2012.

#### **Public Hearing**

- 3A. **SPR 05-12, Site Plan Review Permit, Jenna Caldwell, 5832 Verna Way East, APN 120-012-001.** A site plan review permit to consider the proposed construction of a single-story addition on the rear of an existing single-story single-family residence. The addition is proposed at approximately 14 feet in height and 840 square feet in area.

**Recommended Action:** Approve, with conditions.

- 3B. **ENV 01-08, DP 01-08, MAP 02-09, Creekside Terrace Mixed Use Project, City of Clayton,** 1005 Oak Street, 1007 Oak Street, and a third non-addressed parcel west of and upslope from Mitchell Creek (APNs 119-050-009, 119-050-034, and 119-050-008). A review to consider a one-year extension on the Creekside Terrace Development Plan and Vesting Tentative Subdivision Map which were previously approved on July 6, 2010 with a subsequent one-year extension granted on October 25, 2011, extending the approval to January 6, 2013. This request is in accordance with Section 16.06.030 and Section 17.28.190 of the Clayton Municipal Code. The project site is located in the Town Center of Clayton, on the west side of Oak Street between High Street and Center Street. The project involves the redevelopment of two properties, which are currently developed, generally level, and serviced by utilities. The third parcel, located immediately to the west, is an upsloping undeveloped property with Mitchell Creek traversing the eastern edge of that parcel near the toe of slope.

The project would result in the construction of a two-story mixed-use building, incorporating a western-style architectural theme suggested for this area in the Clayton Town Center Specific Plan. The first floor is comprised of approximately 7,200 square feet of retail commercial space to be divided into approximately four to five for-sale

commercial condominium units. The second floor includes seven for-sale residential condominium units. The residential units are one-bedroom and several of the units contain dens. A terrace is proposed on the creek (west) side of the second story. The project includes the previously adopted entitlements:

- Initial Environmental Study/Mitigated Negative Declaration (ENV 01-08);
- A Development Plan (DP 01-08); and
- A Vesting Tentative Subdivision Map (MAP 02-09).

**Proposed Action:** Approval, as conditioned.

- 3C. **ZOA 02-12, Municipal Code Amendment, City of Clayton.** Consideration of a Universal Design Ordinance which would require that design features are offered in specified single-family residential units to make those units more visitable, usable, and safe for occupancy by persons with disabilities. In general, the intent and purpose of the Universal Design Ordinance is to provide greater adaptability and accessibility of specified housing for persons with disabilities.

**Recommended Action:** Recommend Approval to City Council.

#### **Old Business**

4. None.

#### **New Business**

5. None.

#### **Communications**

- 6A. Staff.  
6B. Commission.

#### **Adjournment**

7. The next meeting of the Planning Commission on **December 25, 2012 is cancelled**. The next regularly-scheduled meeting is scheduled for **January 8, 2013**.

Most Planning Commission decisions are appealable to the City Council within ten (10) calendar days of the decision. Please contact Community Development Department staff for further information immediately following the decision. If the decision is appealed, the City Council will hold a public hearing and make a final decision. If you challenge a final decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s), either in oral testimony at the hearing(s) or in written correspondence delivered to the Community Development Department at or prior to the public hearing(s). Further, any court challenge must be made within 90 days of the final decision on the noticed matter. If you have a physical impairment that requires special accommodations to participate, please contact the Community Development Department at least 72 hours in advance of the meeting at 925-673-7340. An affirmative vote of the Planning Commission is required for approval. A tie vote (e.g., 2-2) is considered a denial. Therefore, applicants may wish to request a continuance to a later Commission meeting if only four Planning Commissioners are present.

Any writing or documents provided to the majority of the Planning Commission after distribution of the agenda packet regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 6000 Heritage Trail during normal business hours.

**Minutes**  
**Clayton Planning Commission Meeting**  
**Tuesday, November 13, 2012**

**Call to Order**

Chair Keith Haydon called the meeting to order at 7:00 p.m. at Hoyer Hall, 6125 Clayton Road, Clayton.

**Present:** Chair Keith Haydon, Vice Chair Gregg Manning, Commissioner David Bruzzone, Commissioner Sandra Johnson, Commissioner Dan Richardson

**Absent:** None

**Staff:** Community Development Director David Woltering  
Assistant Planner Milan Sikela

**Administrative**

1A. Review of agenda items.

1B. Commissioner Johnson to report at the City Council meeting on November 20, 2012.

**Public Comment**

None.

**Approval of Minutes**

2. Approval of minutes from the meeting of October 23, 2012.

**Commissioner Richardson moved and Commissioner Johnson seconded a motion to approve the minutes, as presented. The motion passed 4-1 (Vice Chair Manning abstained since he did not attend the October 23, 2012 Planning Commission meeting).**

**Public Hearing**

3A. **SPR 04-12, Site Plan Review Permit, Toll Brothers**, 3 Seminary Ridge Place, APN 119-640-017. A site plan review permit to consider a proposed second-story balcony to be located on the exterior side and rear of a two-story single-family residence. The balcony measures approximately 600 square feet in area and the balcony is located approximately 13 feet above ground level.

Assistant Planner Sikela presented the staff report.

Vice Chair Manning asked did staff receive any comments after distributing the notice for the public hearing? *Assistant Planner Sikela answered that no comments had been received.*

Commissioner Richardson asked why was an exterior staircase was located on the rear corner of the residence? *Director Woltering answered that the exterior staircase was for ingress and egress purposes since the split-level residence was two stories in height at the rear corner of the residence.*

The public hearing was opened.

Chair Haydon asked was the balcony included in the design of the residence at the request of the homebuyer? *Chuck Templeton, representative of the developer Toll Brothers, answered "Yes."*

Commissioner Richardson had the following questions and comments:

- Why was an exterior staircase located on the rear corner of the residence? *Mr. Templeton answered that the exterior staircase was for ingress and egress purposes since the split-level residence was two stories in height at the rear corner of the residence.*
- Was there an option for a smaller balcony? *Assistant Planner Sikela answered that the originally-approved design of the residence included the exterior staircase and a much smaller balcony area that was more of a landing than a balcony. This site plan review permit request is before the Planning Commission to review the expansion of the balcony to a much larger size than was originally approved.*
- During the initial review of the Diablo Estates at Clayton subdivision, the Planning Commission raised concerns and worked hard to address potential visual impacts caused by the residences within the subdivision.

Commissioner Bruzzone requested clarification regarding the noticing for the item. *Assistant Planner Sikela indicated that public hearing notices were sent to all property owners within 300 feet of the project site—which included all properties within the Diablo Estates at Clayton subdivision—and acknowledged that, while many homes have now been completed and occupied, the majority of the homes are still under the ownership of the developer, Toll Brothers.*

Vice Chair Manning requested a clearer understanding of any potential visual impact of the proposed balcony. *Assistant Planner Sikela explained that, although the balcony would be visible from Rialto Drive, it would have a nominal visual impact on surrounding properties since adjacent lots within the Diablo Estates at Clayton subdivision are upslope with the residences and rear yard areas on these lots being generally behind the top of the slope. Other than one property at the corner of Rialto Drive and Regency Drive (which contains sufficient existing landscaping to screen any visual impacts caused by the subject property), other existing nearby properties outside of the Diablo Estates at Clayton subdivision are facing away from the subject property.*

Mr. Templeton added that the exterior colors and materials of the balcony would blend with the exterior colors and materials of the subject residence.

The public hearing was closed.

**Commissioner Johnson moved and Vice Chair Manning seconded the motion to approve Site Plan Review Permit SPR 04-12, with the findings of approval and conditions of approval recommended by staff. The motion passed 5-0.**

- 3B. **ZOA 02-12, Municipal Code Amendment, City of Clayton.** Consideration of a Universal Design Ordinance which would require that design features are offered in specified single-family residential units to make those units more visitable, usable, and safe for occupancy by persons with disabilities. In general, the intent and purpose of the Universal Design Ordinance is to provide greater adaptability and accessibility of housing for persons with disabilities.

Director Woltering presented the staff report.

Commissioner Johnson indicated that the brochure can also serve as a guide for those upgrading their residences.

Vice Chair Manning agreed with Commissioner Johnson and added that if a project is submitted for approval, even a project as minor as a kitchen remodel, the brochure would be a good resource for applicants to know about.

Director Woltering indicated that an example of how the Universal Design Ordinance (UDO) would apply is the proposed Silver Oaks Estates subdivision. Any single-family residences, duplexes, and triplexes within the subdivision would be subject to the design parameters of the UDO with the prospective homebuyer incurring the cost of having UDO design upgrades included in the construction of a residence.

Chair Haydon confirmed that the prospective homebuyer who requests that the UDO design upgrades be included in the construction of the residence would then fund the construction of design upgrades, correct? *Director Woltering indicated that was correct.*

Chair Haydon and Vice Chair Manning suggested that the wording in the UDO brochure be clarified so it is understood by whoever is reading the brochure that the costs of the design upgrades selected by the homebuyer are the responsibility of the homebuyer.

Commissioner Johnson suggested that the brochure could also include language about the design features presented in the brochure being useful for consideration by all individuals contemplating residential construction work.

Commissioner Richardson indicated the following:

- The UDO is a wonderful addition to the City's Municipal Code.
- The language in the UDO should avoid implying that existing homes within Clayton are not "visitable."
- It is important that the design options be offered to the homebuyer well in advance of the sale of the home.

Commissioner Bruzzone suggested and the Planning Commission agreed that the language used in Section 15.92.140 of the UDO under "New Construction—Not Mandatory to Install" under Subsection A should be modified to be more clear and understandable.

The Planning Commission reached consensus on the following example for Section 15.92.060.A or a guide for modifying Subsection A throughout:

“Specified installation related to primary entrance in a visitable dwelling as described below in Subsection B.”

Commissioner Bruzzone noted that Subsections A and B under Section 15.92.140 seem somewhat vague with regard to describing when exactly the design features would be offered to a homebuyer and that clarification of the proposed language could be useful. Under Subsection A, it states that the offer of design features to a homebuyer be “at the earliest feasible time after the prospective purchaser is identified.” The Commission agreed that “prior to the sale of the dwelling” would be acceptable replacement language.

Commissioner Bruzzone further suggested that, under Subsection B, the wording should indicate that “the developer or builder shall construct or install any requested features identified in the Chapter unless inclusion of the features causes unreasonable delay in construction or significant unreimbursable costs.”

The Commission agreed that it would be important to add language regarding who would make the determination of whether or not there is an “unreasonable” delay or “significant” unreimbursable costs. To address this concern, Director Woltering proposed the language “...as verified and determined by the Community Development Director.”

Commission and staff discussion continued regarding methods of assuring that the developer and/or builder would indeed be able to offer the options listed in Chapter 15.92.

Director Woltering indicated that the UDO would be adopted and the related requirements would be part of a developer/builder due diligence in preparing an application and discussion topic at any pre-application meeting. Accordingly, the objective would be that the developer/builder would need to consider how to offer the design options, even as early as when the pre-application meeting with City staff occurs.

Director Woltering suggested that the item be continued in order to allow staff time to review proposed design options with local builders and developers to determine if any of the proposed options are overly-difficult, infeasible, or cost-prohibitive to offer to a prospective homebuyer. He would advise the Commissioners of his findings at the continued meeting and suggest any appropriate modifications to Chapter 15.92. He added that he would also incorporate the modifications provided by the Commission and provide an updated version of Chapter 15.92 at the continued meeting.

**Commissioner Richardson moved and Vice Chair Manning seconded a motion to continue the item to a date uncertain to allow staff to conduct additional research and report back to the Planning Commission. The motion passed 5-0.**

### **Old Business**

4. None.

### **New Business**

5. None.

### **Communications**

6A. Staff.

Director Woltering indicated the following:

- The regular Planning Commission meeting of November 27, 2012 would be cancelled and the next meeting of the Planning Commission would be December 11, 2012.
- At the December 11<sup>th</sup> meeting, the Creekside Terrace extension would be brought before the Planning Commission.

6B. Commission.

Commissioner Richardson indicated that he attended the November 8, 2012 TRANSPAC meeting and described the following discussions at that meeting:

- A consultant gave a presentation regarding the 680 freeway.
- An inventory and condition assessment of local highways and freeways was provided.
- There is a grant for van transportation available.

Chair Haydon asked if there were any updates on the Caldecott Tunnel. *Commissioner Richardson indicated that there were no Caldecott Tunnel updates provided at the TRANSPAC meeting.*

### **Adjournment**

7. The meeting was adjourned at 8:41 p.m. to the regularly-scheduled meeting of December 11, 2012.

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Submitted by  
David Woltering, AICP  
Community Development Director

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Approved by  
Keith Haydon  
Chair

Plng Comm\Minutes\2012\1113

## **PLANNING COMMISSION STAFF REPORT**

**Meeting Date:** December 11, 2012

**From:** Milan J. Sikela, Jr.   
Assistant Planner

**Subject:** Caldwell Addition  
Site Plan Review Permit (SPR 05-12)

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### **REQUEST**

A site plan review permit to consider the proposed construction of a single-story addition on the rear of an existing single-story single-family residence.

### **PROJECT INFORMATION**

**Applicant/Location:** Jenna Caldwell  
5832 Verna Way East  
Clayton, California 94517  
APN 120-012-001

**General Plan Designation:** Low Density – Single Family Residential (1.1 to 3.0 units per acre).

**Zoning:** Single Family Residential R-15 District (15,000 square-foot minimum lot area).

**Environmental Review:** Categorically exempt per Section 15303a), Class 3 of the California Environmental Quality Act (CEQA) Guidelines.

**Public Notice:** On November 30, 2012, a public hearing notice was posted at the notice boards and mailed to property owners within 300 feet of the site.

**Agency Referrals:** The City Engineer had no comments. The Contra Costa County Building Inspection Department, Contra Costa County Fire Protection District, and Contra Costa Water District did not respond.

**Authority:** Section 17.44.020 of the Clayton Municipal Code (CMC) authorizes the Planning Commission to approve a site plan review permit in accordance with the standards of review in CMC Section 17.44.040.



## **DISCUSSION**

The applicant is requesting Planning Commission approval of a site plan review permit to consider the proposed construction of a single-story addition on the rear of an existing single-story single-family residence. The addition measures approximately 14 feet in height and 840 square feet in area and has been designed with matching stucco siding, composition roof material, and 4:12 roof pitch. The vicinity map, site plan, floor plan, architectural elevations, and roof plan are provided as an **Attachment**.

The addition has been oriented in such a way as to be completely screened from public streets and sidewalks. The addition will extend from the rear of the existing residence but will not protrude beyond existing side setbacks. Also, the roof peak of the addition will not extend above the main roof component of the existing residence. Articulation and visual interest will be provided by the undulation of the rear wall of the addition, kitchen and den, with the varying pop-outs and recesses, as well as with the inclusion of French doors and differing window sizes. These architectural features, along with the integrated design of the addition, will be a benefit to both the existing residence as well as to the surrounding neighborhood.

### **Setback Analysis**

The project meets the R-15 District standards as shown below.

| <b>Required Setbacks</b>                         | <b>Existing Setbacks</b> |        | <b>Proposed Setbacks</b> |           | <b>Project Compliance</b> |
|--------------------------------------------------|--------------------------|--------|--------------------------|-----------|---------------------------|
| Front Setback 20'                                | North                    | 25'    | North                    | No Change | Yes                       |
| Side Setback<br>10' minimum<br><br>25' aggregate | East                     | 15' 2" | South                    | No Change | Yes                       |
|                                                  | West                     | 16' 6" | North                    | No Change | Yes                       |
|                                                  | Aggregate                | 31' 8" | Aggregate                | No Change | Yes                       |
| Rear Setback 15'                                 | South                    | 102'   | West                     | 81'       | Yes                       |

### **Residential Floor Area Analysis**

#### **Building Footprint**

The proposal meets the building footprint requirements as shown below.

| <b>Lot Size</b> | <b>Building Footprint Allowed</b> | <b>Existing Building Footprint</b> | <b>Proposed Building Footprint</b> | <b>Project Compliance</b> |
|-----------------|-----------------------------------|------------------------------------|------------------------------------|---------------------------|
| 17,000 sq ft    | 4,250 sq ft                       | 2,169 sq ft                        | 3,009 sq ft                        | Yes                       |

#### **Floor Area**

The proposal meets the floor area requirements as shown below.

| <b>Lot Area</b> | <b>Floor Area Allowed</b> | <b>Existing Floor Area</b> | <b>Proposed Floor Area</b> | <b>Project Compliance</b> |
|-----------------|---------------------------|----------------------------|----------------------------|---------------------------|
| 17,000 sq ft    | 5,950 sq ft               | 2,169 sq ft                | 3,009 sq ft                | Yes                       |

### **Conclusion**

Staff has reviewed the design aspects of the proposed plans relative to the standards for Site Plan Review Permits and determined that the project, as conditioned, is in conformance with the standards. The proposed findings listed below specifically address the standards.

### **RECOMMENDATION**

Staff recommends that the Planning Commission approve Site Plan Review Permit SPR 05-12, based upon the following findings of approval and subject to the following conditions of approval.

### **Proposed Findings of Approval**

Based upon the evidence set forth in the staff report, which includes relevant information from the project file, as well as testimony at the public hearing, the Planning Commission makes the following findings that Site Plan Review Permit SPR 05-12, as conditioned:

1. Is consistent with the General Plan designation and policies.
2. Meets the standards and requirements of the Zoning Ordinance.
3. Preserves the general safety of the community regarding seismic, landslide, flooding, fire, and traffic hazards.
4. Maintains solar rights of adjacent properties.
5. Reasonably maintains the privacy of adjacent property owners and/or occupants.
6. Reasonably maintains the existing views of adjacent property owners and/or occupants.
7. Is complementary, although not identical, with adjacent existing structures in terms of materials, colors, size, and bulk.
8. Is compatible with the neighborhood and surrounding land uses.

The above-stated findings assume acceptance and approval of the proposed conditions of approval listed below.

### **Proposed Condition of Approval**

This condition of approval applies to the Caldwell Addition Site Plan, Floor Plan, Architectural Elevations, and Roof Plan, prepared by Northpointe Development, date stamped November 30, 2012.

1. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

### **Advisory Notes**

Advisory notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; and (b) requirements imposed by other agencies. The advisory notes state requirements that may be in addition to the conditions of approval.

1. The applicant shall comply with all applicable State, County, and City codes, regulations and adopted standards as well as pay all associated fees and charges.

2. This Site Plan Review Permit shall be used, exercised, or established within twelve months after the granting of the Permit, or a time extension must be obtained from the Planning Commission, otherwise the Permit shall be null and void (CMC § 17.64.010-17.64.030).
3. All construction and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless specifically authorized in writing by the City Engineer (CMC § 15.01.101) located at 5375 Clayton Road, Concord, 925-363-7433.
4. The applicant shall obtain the necessary building permits from the Contra Costa County Building Inspection Department.
5. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Fire District located at 2010 Geary Road, Pleasant Hill, 925-930-5500.
6. If the project site is located within an area subject to covenants, conditions, and restrictions (CC&Rs) administered by a homeowners' association (HOA), additional requirements and/or approvals may be required by the HOA. Before proceeding with the project, it is advisable to check with the HOA to ensure any applicable requirements are met.

#### **ATTACHMENT**

Caldwell Addition Site Plan, Floor Plan, Architectural Elevations, and Roof Plan, prepared by Northpointe Development, date stamped November 30, 2012.

SPR\2012\05-12.sr.pc.12.11.12.caldwell.addition





HyperPoint Development  
Civil Engineer  
1000 Keweenaw Ave.  
Clare, MI 49735-1000  
Phone: 907.555.1000  
Fax: 907.555.1001

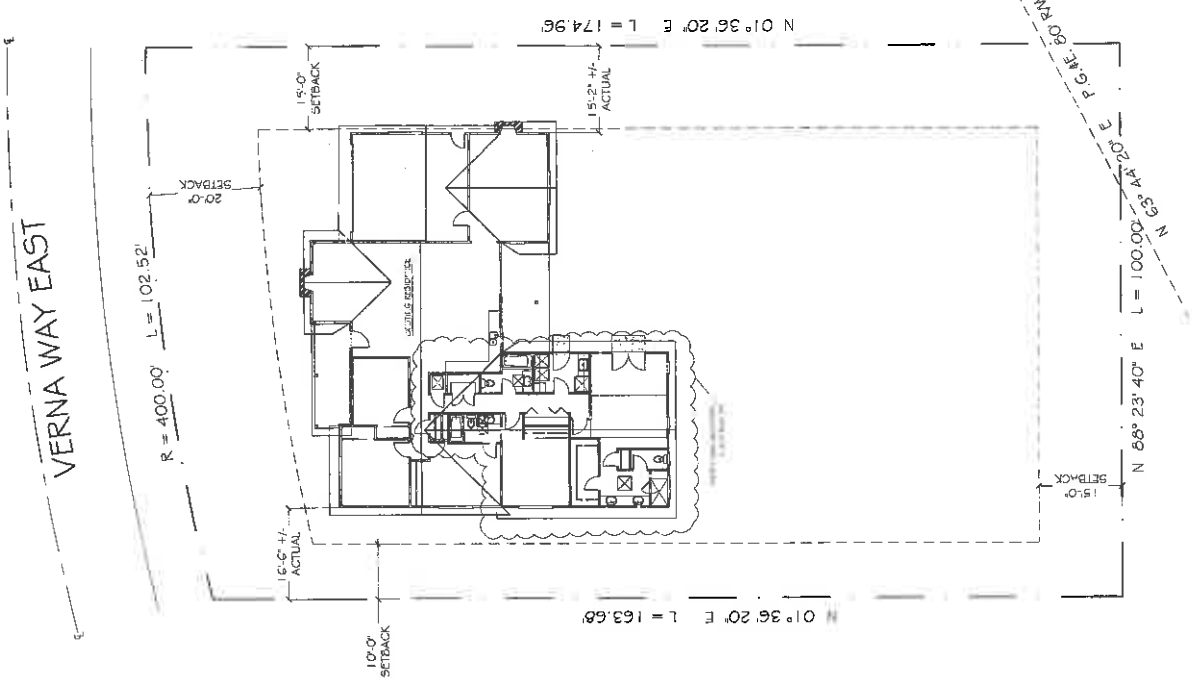
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PLAN

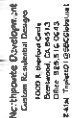
Mr. & Mrs. Bryan Caldwell  
Bedroom Addition & Alteration  
Pine Hollow #3, Lot 22  
Assessor ID 120-012-001  
5832 Verna Way East  
Clayton, CA 94517



STRUCTURAL ONLY  
Date: 01/20/2012  
Project: 15-2012  
Scale: 1" = 10'-0"  
Sheet No. 1 of 17

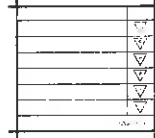
North





EXISTING  
FLOOR  
PLAN

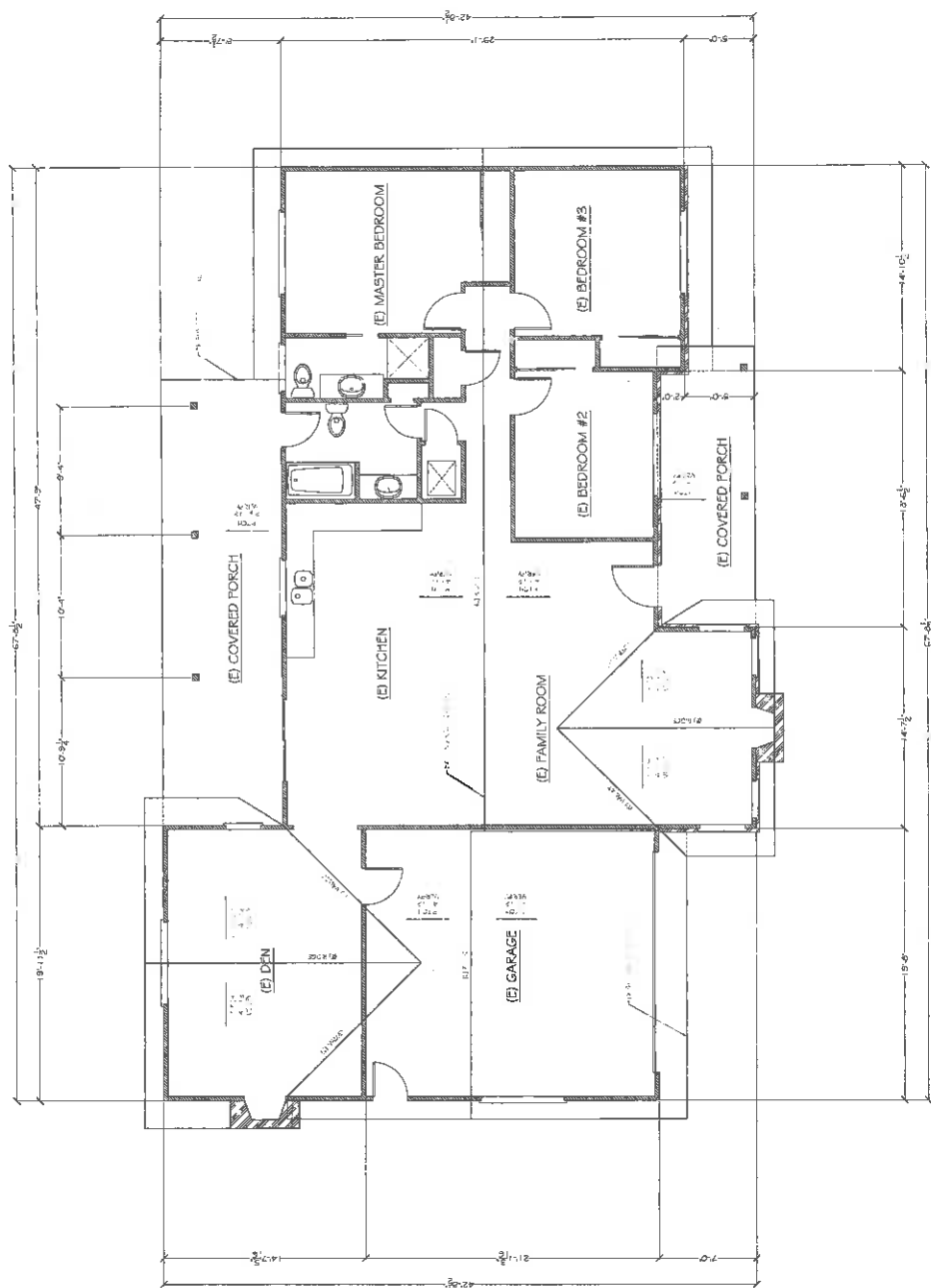
Mr. & Mrs. Bryan Caldwell  
Bedroom Addition & Alteration  
Pine Hollow #3 Lot 22  
Assessor ID 120-012-001  
5832 Verna Way East  
Clayton, CA 94517



STRUCTURAL ONLY

|                     |                   |
|---------------------|-------------------|
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| Job No.             | 12023             |
| Project Description | THAT              |

A2 of 17



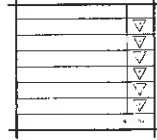
EXISTING FLOOR PLAN



Northpointe Development  
Custom Residential Design  
700 University Ave.  
Suite 100  
Clayton, CA 94517  
Phone: 925-931-2613  
Fax: 925-931-2614  
Email: info@northpointe.com

# NEW FLOOR PLAN

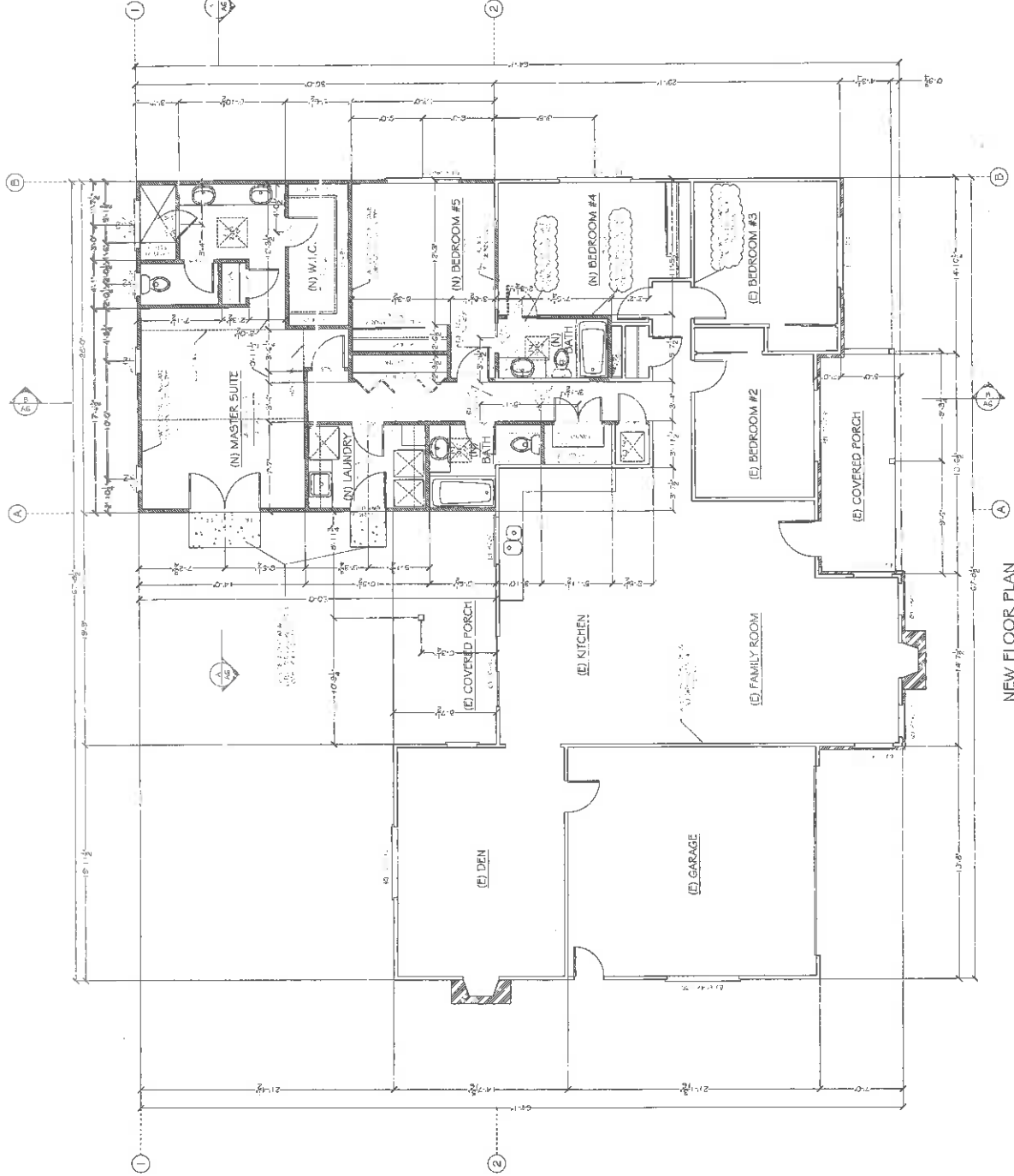
Mr. & Mrs. Bryan Caldwell  
Bedroom Addition & Alteration  
Pine Hollow #3, Lot 22  
Assessor ID 120-012-001  
5832 Verna Way East  
Clayton, CA 94517



STRUCTURAL ONLY

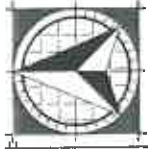
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| Check by    | 1/15/2013    |
| Scale       | 1/8" = 1'-0" |
| Project No. | 12023        |
| Sheet No.   | 1 of 1       |

A3  
of 17



NEW FLOOR PLAN  
SCALE: 1/8" = 1'-0"





Montgomery Development  
Custom Residential Group  
10000 Montgomery Avenue  
Beverly Hills, CA 90210  
Phone: 310.555.1234  
Fax: 310.555.5678

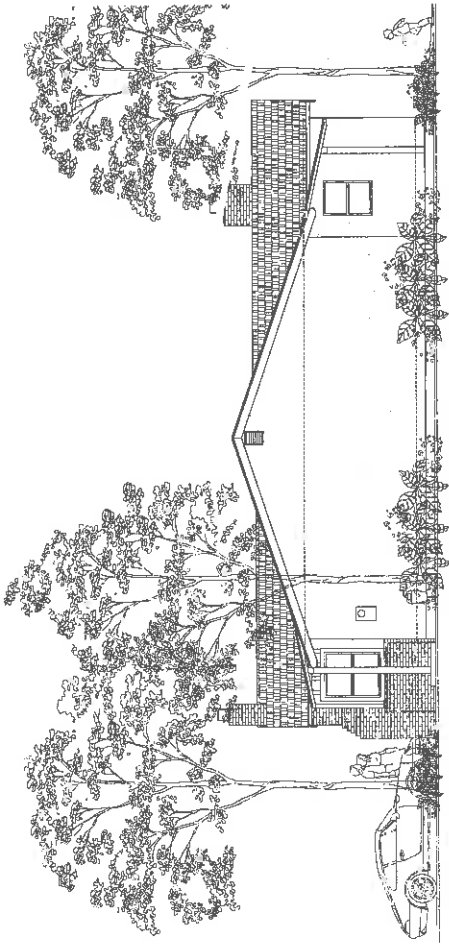
EXISTING  
ELEVATIONS

Mr. & Mrs. Bryan Caldwell  
Bedroom Addition & Alteration  
Pine Hollow #3 L1 & L2  
Assessor ID 120-012-001  
5832 Verna Way, East  
Clayton, CA 94517

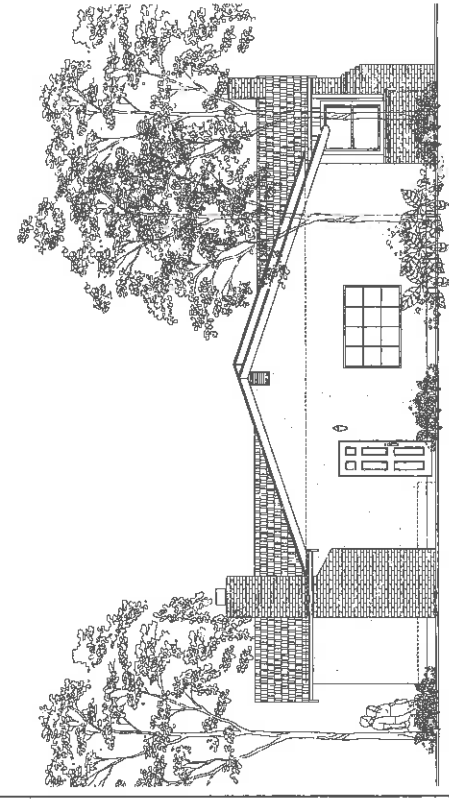


STANDARD ONLY

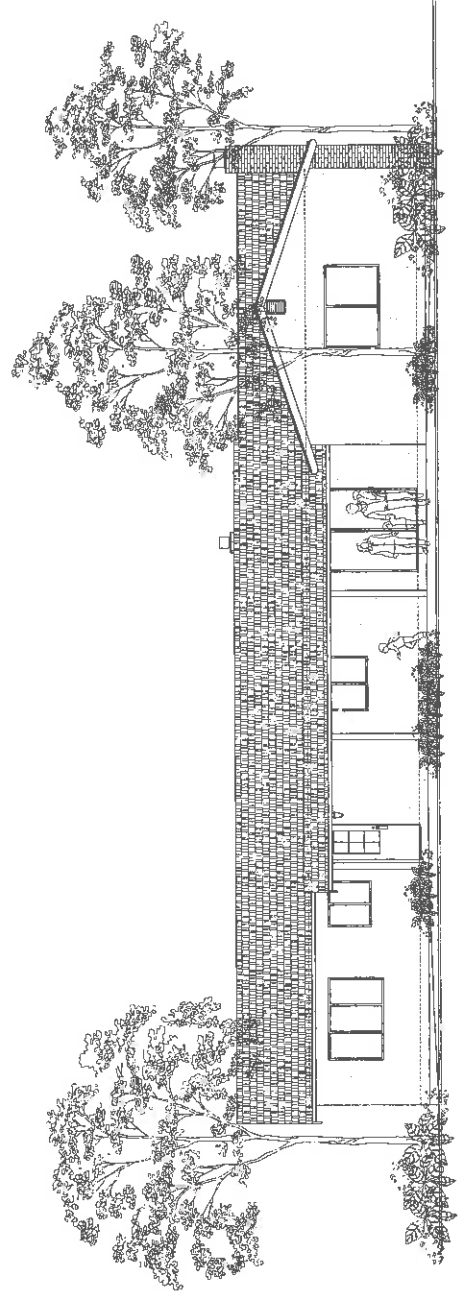
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|-------------|---------------------------|
| Date        | September 15, 2012        |
| Scale       | 1/4" = 1'-0"              |
| Sheet No.   | 1-003                     |
| Project No. | 12345                     |
| Client      | Mr. & Mrs. Bryan Caldwell |
| Architect   | David J. Smith            |



EXISTING RIGHT ELEVATION  
SCALE: 1/4" = 1'-0"

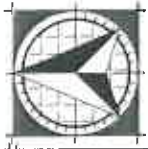


EXISTING LEFT ELEVATION  
SCALE: 1/4" = 1'-0"



EXISTING REAR ELEVATION  
SCALE: 1/4" = 1'-0"

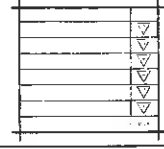




Northpointe Development  
Custom Residential Design  
10000 Wilshire Blvd., Suite 100  
Beverly Hills, CA 90212  
Tel: 310.274.1111  
Fax: 310.274.1112

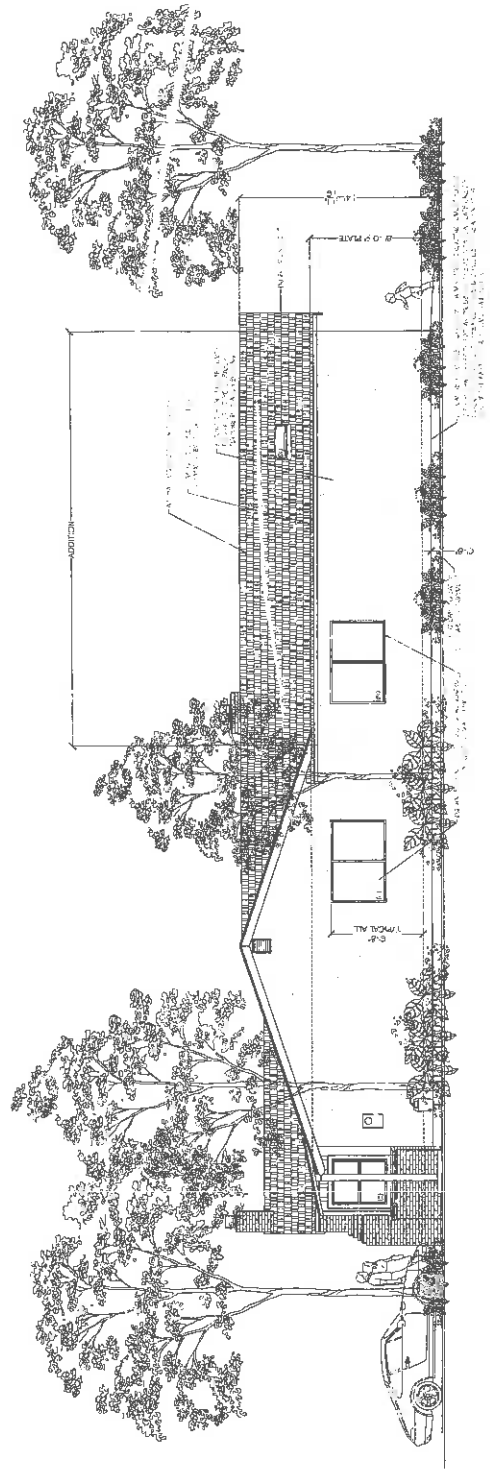
NEW  
ELEVATIONS

Mr. & Mrs. Bryan Caldwell  
Bedroom Addition & Alteration  
Pine Hollow #3 Lot 22  
Assessor ID 120-012-001  
5832 Verna Way East  
Croyton, CA 94517

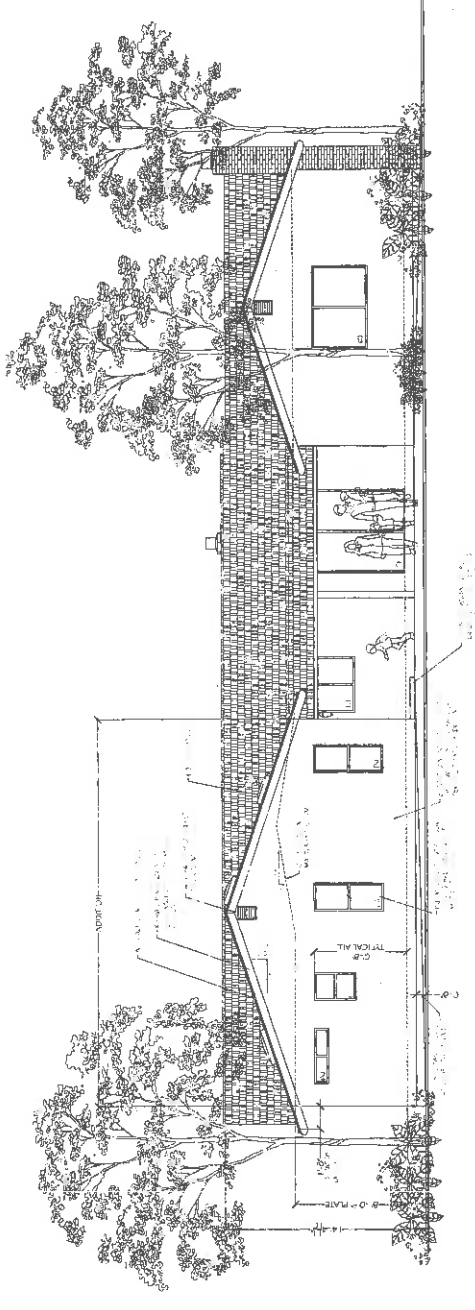


STRUCTURAL ONLY

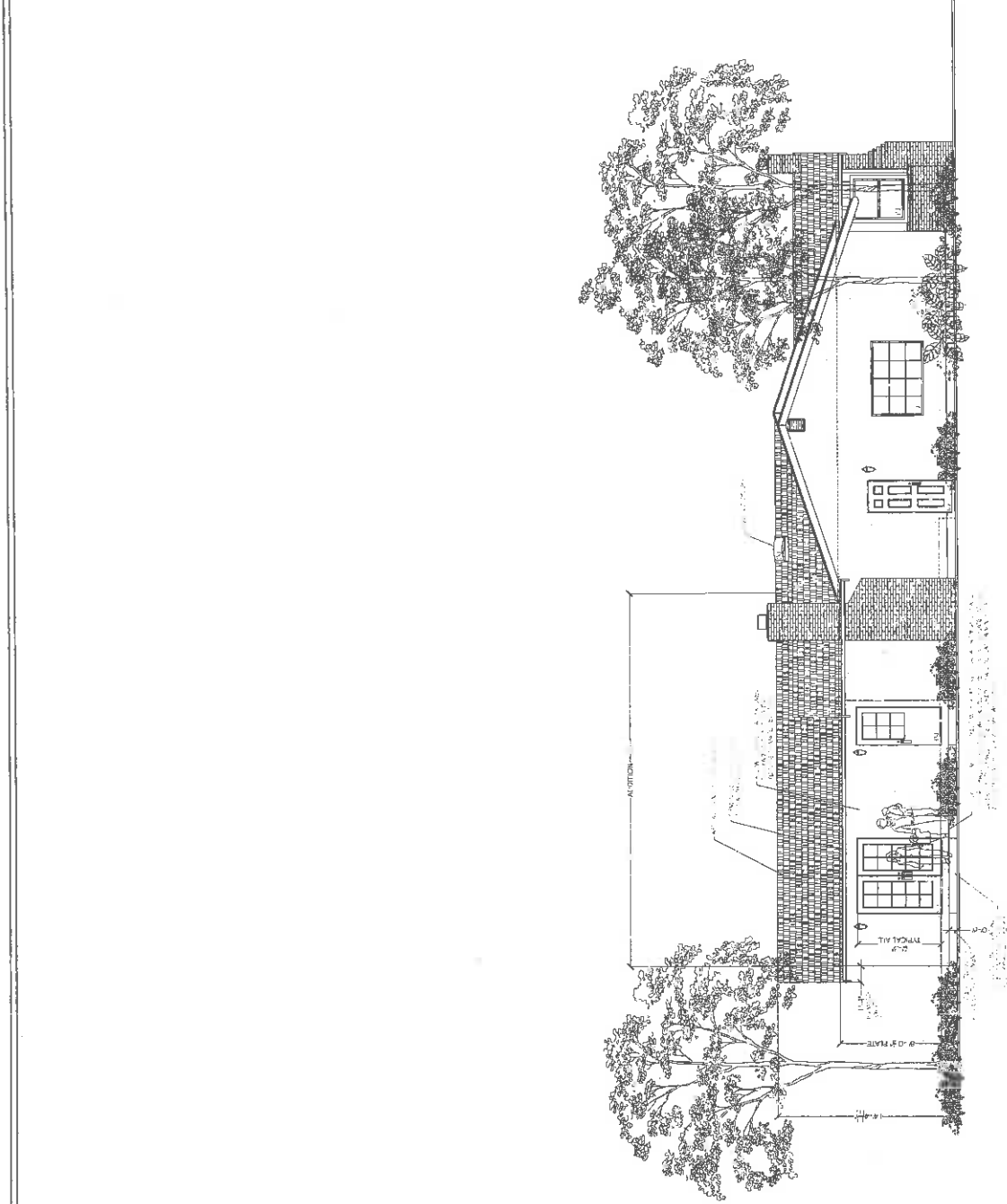
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| Project No.  | 15-2012                       |
| Scale        | 1/4" = 1'-0"                  |
| Sheet No.    | 18023                         |
| Project Name | Bedroom Addition & Alteration |
| Client Name  | Mr. & Mrs. Caldwell           |
| Sheet Title  | NEW REAR ELEVATION            |
| Sheet No.    | A5                            |
| of           | 17                            |



NEW RIGHT ELEVATION  
SCALE: 1/4" = 1'-0"



NEW REAR ELEVATION  
SCALE: 1/4" = 1'-0"



NEW LEFT ELEVATION  
SCALE: 1/4" = 1'-0"

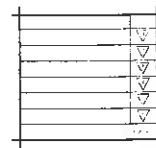
5. SCALE: WORKING SCALE OF DRAWING - AS NOTED BY ARCHITECT - SEE ARCHITECT'S NOTES



Northpointe Design, Inc.  
Civil Engineering Division  
10000 Wilshire Blvd., Suite 1000  
Beverly Hills, CA 90210  
Tel: (310) 271-1100  
Fax: (310) 271-1101

NEW  
ELEVATIONS  
&  
SECTIONS

Mr. & Mrs. Bryan Caldwell  
Bedroom Addition & Alteration  
Pine Hollow #3, Lot 22  
Assessor ID 120-012-001  
5832 Verna Way East  
Clayton, CA 94517



STRUCTURAL ONLY

DATE: November 12, 2012  
SCALE: 1/4" = 1'-0"  
SHEET NO. 1-003  
PROJECT: Bedroom Addition  
SHEET: LEFT

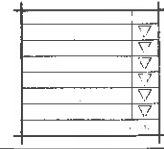
AG  
of 17



Northpointe Design Services  
1000 Redwood Drive  
P.O. Box 100  
Pine Hills, CA 94043  
Phone: (415) 335-1107  
Fax: (415) 335-1108  
Email: info@northpointe.com

# ROOF & ROOF FRAMING PLAN

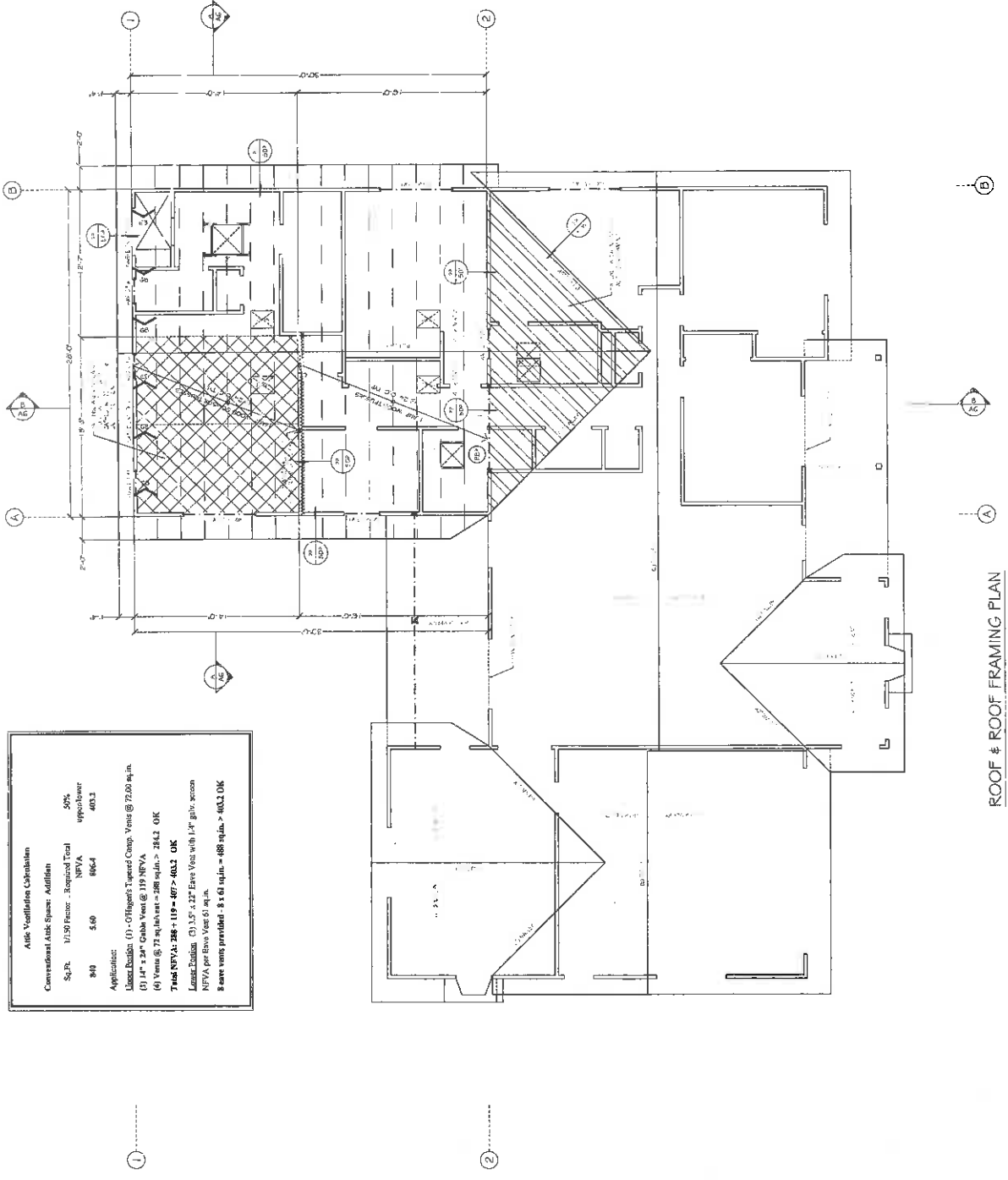
Mr. & Mrs. Bryan Caldwell  
Bedroom Addition & Alteration  
Pine Hollow #3 Lot 22  
Assessor ID 120-012-001  
5832 Yerna Way East  
Clayton, CA 94517



STRUCTURAL ONLY

DATE: November 15, 2012  
BY: [Signature]  
CHECKED BY: [Signature]  
PROJECT NAME: [Blank]  
SHEET NO.: [Blank]

A8  
of 17



| Area Verification Calculation                                       |              |                     |             |
|---------------------------------------------------------------------|--------------|---------------------|-------------|
| Conventional Attic Space: Addition                                  |              | 50%                 |             |
| Sq. Ft.                                                             | 1/150 Factor | Required Total NFVA | Upper-Lower |
| 840                                                                 | 5.60         | 806.4               | 403.2       |
| Application:                                                        |              |                     |             |
| Upper-Bedroom (1) - Off-Right's Tapered Comp. Vents @ 72.00 sq. in. |              |                     |             |
| (3) 14" x 24" Gable Vents @ 119 NFVA                                |              |                     |             |
| (4) Vents @ 72 sq. in./vent = 288 sq. in. > 284.2 OK                |              |                     |             |
| Total NFVA: 288 + 119 = 407 > 403.2 OK                              |              |                     |             |
| Lower-Bedroom (3) 12" x 22" Eave Vents with 1/4" girt screen        |              |                     |             |
| NFVA per Eave Vent @ sq. in.                                        |              |                     |             |
| 8 eave vents provided - 8 x 61 sq. in. = 488 sq. in. > 483.2 OK     |              |                     |             |

## ROOF & ROOF FRAMING PLAN

SCALE: 1/4" = 1'-0"

# PLANNING COMMISSION STAFF REPORT

**Meeting Date:** December 11, 2012

**From:** Milan J. Sikela, Jr.   
Assistant Planner

**Subject:** Creekside Terrace Mixed Use Project Extension  
(ENV 01-08, DP 01-08, and MAP 02-09)

---

## **REQUEST**

Approve a one-year extension of the previously-approved Creekside Terrace Mixed Use Project Development Plan that allows the construction of a two-story, mixed-use commercial/residential building with approximately 7,200 square feet of commercial retail on the first floor and seven residential units on the second floor.

## **PROJECT INFORMATION**

**Applicant/Location:** City of Clayton  
West side of Oak Street between Center Street and High Street  
APNs 119-050-034, 119-500-009, and 119-050-034

**Property Owner:** City of Clayton

**General Plan Designation:** Town Center Commercial (TC); Public Park/Open Space (PU)

**Town Center Specific  
Center Plan Designation:** Town Center Commercial

**Zoning:** Planned Developed (PD); Public Facility (PF)

**Environmental:** An Initial Environmental Study/Mitigated Negative Declaration was approved for this project by the Clayton City Council on July 6, 2010 (ENV 01-08).

**Public Notice:** On November 30, 2012, the public hearing notice for the project was posted at the notice boards, mailed to property owners within 300 feet of the project site, and mailed to interested parties. On December 1, 2012, the public hearing notice for the project was published in the October 15, 2011 edition of the Contra Costa Times. To date, no comments have been received by staff.

## **BACKGROUND AND DISCUSSION**

On July 6, 2010, the Clayton City Council approved the Creekside Terrace Mixed Use Development Plan, involving approval of the project's Initial Study/Mitigated Negative Declaration (ENV 01-08), Development Plan (DP 01-08), and Vesting Tentative Map (MAP 02-09). Section 17.28.190 of the Clayton Municipal Code (CMC) states that "if within 18 months after the approval by the City Council of the Development Plan Permit, construction has not commenced, then the Development Plan Permit shall

become null and void.” Since the July 6, 2010 approval, there have been efforts to market the project to a developer in order to initiate construction. These efforts have been unsuccessful because of the ongoing downward economic period that has been experienced. The project sponsor is the City of Clayton and the project site is City-owned land. Section 17.28.190 of the CMC allows extensions of a Development Plan prior to its expiration up to one year at a time by the Planning Commission or City Council. On October 25, 2011, the Planning Commission approved a one year extension for the project, extending the approval to January 6, 2013. Since the date for expiration is approaching, the City is pursuing Planning Commission approval of another one-year extension of the Development Plan, in accordance with CMC Section 17.28.190.

The City holds public title to the underlying land and improvements on the subject three parcels that comprise the project site on the west side of Oak Street between Center Street and High Street in the Town Center. Two of the properties front directly onto Oak Street and contain existing vacant modular buildings (APNs 119-050-034 and 119-050-009). The third parcel is further west of the first two parcels, extending up the slope located west of Mitchell Creek, and is primarily in a natural, open space condition (APN 119-050-008). Immediately adjacent to and north of the proposed project site is the largely unused right-of-way extension of Center Street. It is not anticipated that Center Street will be extended, given the location of Mitchell Creek and the hillside to the west.

The approval entailed seven residential units on the upper floor and approximately 7,200 square feet of commercial space on the ground floor. A vehicle lift system is planned for the parking spaces in the garages so that 14 parking spaces could be provided on-site in the seven garages for the seven residential units. Driveway pads are located in front of the garages to accommodate guest parking. In-lieu fees are required for the seven parking spaces necessary for the commercial component of the project in accordance with the “parking waiver” provisions allowed in Section 17.37.030.C and related sections of the CMC. The exterior architecture of the approved project has an “Old West” architectural style, in compliance with Town Center Specific Plan architectural design guidelines.

As part of this project, the adjacent Mitchell Creek corridor will be upgraded with creek bank restoration, removal of non-native vegetation, and installation of riparian vegetation to both sides of Mitchell Creek in the vicinity of the proposed project. The project also includes the developer enhancing the presently unimproved terminus of Center Street with riparian vegetation and creating a seating area with environmental education boards describing the Mitchell Creek natural setting. Additionally, the developer will be responsible for creating a conservation easement and maintaining the upslope western parcel immediately adjoining and west of Mitchell Creek. Improvements associated with the project as well as on-going responsibility to maintain the areas of the terminus of Center Street and the parcel west of Mitchell Creek—along with active open space areas within the proposed development—satisfies the City’s open space requirements.

### **DEVELOPMENT PLAN**

The Development Plan for this project was processed in accordance with the provisions of Chapter 17.28 of the CMC. It should be noted that the establishment of a conservation easement over the upslope western parcel, the restoration and enhancement of the Mitchell Creek corridor associated with this proposed project, the installation of a seating area and environmental information opportunity site for the community, and the on-going responsibility to maintain these areas (along with more active recreation areas within the project) are intended to satisfy the open space requirements for the project as allowed under Section 17.28.100 of the CMC. As described above, the approved Development Plan accommodates approximately 7,200 square feet of commercial space on the ground floor and seven residential units on the second floor.

### **VESTING TENTATIVE MAP**

The Vesting Tentative Map was processed in accordance with Chapter 16.40 of the CMC. The approved Vesting Tentative Map allows for four to five commercial condominium units on the ground floor and seven residential condominium units on the second floor. Vesting Tentative Map applications, as compared to standard Tentative Map applications, require more detailed information from applicants, such as information regarding actual project construction and architectural details, landscape treatments, and exterior colors and materials. This specificity is required because, in return for greater control over what an applicant is intending to do, the local community is generally agreeing that the ordinances, policies, and standards in place at the time of the approval of the Vesting Tentative Map will apply to the project in the future. The expiration and extension period are the same for both the Tentative Map and Vesting Tentative Map, pursuant to Section 16.40.080 of the CMC. The initial approval period for both types of maps is 24 months.

On July 15, 2011, the Governor of California signed into law Assembly Bill 208 (Fuentes), which extends for two years the life of those tentative and vesting tentative maps that were still alive on July 15, 2011 and would otherwise expire before January 1, 2014. Accordingly, the Creekside Terrace Vesting Tentative Map was extended until July 6, 2014 by this action. The one-year extension of the Development Plan being requested would be from its current expiration date of January 6, 2013 to January 6, 2014. Granting the one-year extension of the Development Plan would keep the two entitlements alive through January 6, 2014. Additional one-year extensions may be requested and granted for the Development Plan.

### **EXTENSION**

The Town Center Specific Plan is the primary guide for development of the subject property. There have been no changes to this Specific Plan or to circumstances and information related to the development of this property that would warrant not approving the request for an extension. The environmental findings and mitigation measures of the project Initial Environmental Study/Mitigated Negative Declaration continue to be valid, as do the overall findings for project approval and the conditions of approval in the approving City Council Resolution.

### **RECOMMENDATION**

Staff recommends that the Planning Commission adopt the attached Resolution No. 05-11, thereby extending for one-year the subject Development Plan from January 6, 2013 through January 6, 2014. There is not a need for the Planning Commission to extend the Vesting Tentative Map, given the adoption and implementation of Assembly Bill 208. This law has been codified in State Government Code Section 66452.23.

### **ATTACHMENTS**

- 1 Resolution No. 04-12
- 2 Approved Creekside Terrace Mixed Use Project Development Plan

DP\2008\01-08.sr.extension.pc.mtg.12.11.12





**CITY OF CLAYTON PLANNING COMMISSION  
RESOLUTION NO. 04-12**

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**ONE YEAR EXTENSION OF THE CREEKSIDE TERRACE DEVELOPMENT PLAN  
(DP 01-08)**

**Whereas**, on July 6, 2010, the Clayton City Council at a duly-noticed public hearing approved the Creekside Terrace Mixed Use project, involving an Initial Study/Mitigated Negative Declaration (IES/MND), Development Plan, and Vesting Tentative Map; and

**Whereas**, the Creekside Terrace Development Plan (DP 01-08) allows for approximately 7,200 square feet of commercial space on the ground floor and seven residential units on the second floor; and

**Whereas**, Section 17.28.190 of the Clayton Municipal Code states that "if within 18 months after the approval by the City Council of the Development Plan Permit construction has not commenced, then the Development Plan Permit shall become null and void"; and

**Whereas**, although there have been efforts made since the July 6, 2010 approval to market the project to a developer in order to construct the project, these efforts have been unsuccessful to date, given the on-going downturn in the economy; and

**Whereas**, Section 17.28.190 of the Clayton Municipal Code allows approval of one-year incremental extensions by the Planning Commission or the City Council of a Development Plan prior to its expiration; and

**Whereas**, the Town Center Specific Plan provides primary guidance for development of the subject property, the approval of the Development Plan was found to be in conformance with the Specific Plan, and there have been no amendments since that approval or other changes in information or circumstances that would warrant not approving the request for the one-year extension; and

**Whereas**, the findings and the mitigation measures of the approved project IES/MND continue to be valid as do the findings for project approval and the conditions of approval in the approving City Council Resolution; and

**Whereas**, the Planning Commission held a duly-noticed public hearing on October 25, 2011 to consider the request for the subject one-year extension of the Development Plan and gave due consideration to all testimony, comments, and documents received regarding the extension request; and

**Whereas**, at their meeting of October 25, 2011, the Planning Commission approved the extension request, extending the approval of the project until January 6, 2013; and

**Whereas**, although there have been efforts made since the October 25, 2011 extension approval to market the project to a developer in order to construct the project, these efforts have been unsuccessful to date, given the challenging economic conditions; and

**ATTACHMENT 1**

**Whereas**, in accordance with Section 17.28.190 of the Clayton Municipal Code, the Planning Commission held a duly-noticed public hearing on December 11, 2012 to consider the request for the subject one-year extension of the Development Plan and gave due consideration to all testimony, comments, and documents received regarding the extension request; and

**Now, Therefore, Be it Resolved That:**

**Section 1.** The Planning Commission finds the previously-stated citations to be true and accurate and, accordingly, approves the request for a one-year extension of the Creekside Terrace Development Plan from January 6, 2013 to January 6, 2014, subject to the findings and conditions in the attached approving City Council Resolution for the project.

Adopted by the Planning Commission on December 11, 2012.

APPROVED

ATTEST

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Keith Haydon  
Chair

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David Woltering, AICP  
Community Development Director

Attachment: Approving City Council Resolution for the Creekside Terrace Mixed Use Project

Com Dev\Plng Comm\Resolutions\2012\04-12.creekside.terrace.extension

**CITY OF CLAYTON PLANNING COMMISSION  
RESOLUTION NO. 05-11**

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**ONE YEAR EXTENSION OF THE CREEKSIDE TERRACE DEVELOPMENT PLAN  
(DP 01-08)**

**Whereas**, on July 6, 2010, the Clayton City Council at a duly-noticed public hearing approved the Creekside Terrace Mixed Use project, involving an Initial Study/Mitigated Negative Declaration (IES/MND), Development Plan, and Vesting Tentative Map; and

**Whereas**, the Creekside Terrace Development Plan (DP 01-08) allows for approximately 7,200 square feet of commercial space on the ground floor and seven residential units on the second floor; and

**Whereas**, Section 17.28.190 of the Municipal Code states that "if within 18 months after the approval by the City Council of the Development Plan Permit construction has not commenced, then the Development Plan Permit shall become null and void"; and

**Whereas**, although there have been efforts made since the July 6, 2010 approval to market the project to a developer in order to construct the project, these efforts have been unsuccessful to date; and

**Whereas**, Section 17.28.190 of the Municipal Code allows approval of one-year incremental extensions by the Planning Commission or the City Council of a Development Plan prior to its expiration; and

**Whereas**, the Town Center Specific Plan provides primary guidance for development of the subject property, the approval of the Development Plan was found to be in conformance with the Specific Plan, and there have been no amendments since that approval or other changes in information or circumstances that would warrant not approving the request for the one-year extension; and

**Whereas**, the findings and the mitigation measures of the approved project IES/MND continue to be valid as do the findings for project approval and the conditions of approval in the approving City Council Resolution; and

**Whereas**, the Planning Commission held a duly-noticed public hearing on October 25, 2011 to consider the request for the subject one-year extension of the Development Plan;

**Whereas**, at the duly-noticed public hearing on October 25, 2011, the Planning Commission considered the project file, the staff report, and all public testimony received on this matter.

**Now, Therefore, Be it Resolved That:**

**Section 1.** The Planning Commission finds the previously-stated citations to be true and accurate and, accordingly, approves the request for a one-year extension of the Creekside Terrace Development Plan from January 6, 2012 to January 6, 2013, subject to the findings and conditions in the attached approving City Council Resolution for the project.

Adopted by the Planning Commission on October 25, 2011.

APPROVED



Dan Richardson  
Chair

ATTEST



David Woltering, AICP  
Community Development Director

Attachment: Approving City Council Resolution for the Creekside Terrace Mixed Use Project

**RESOLUTION NO. 27-2010**

**A RESOLUTION APPROVING THE DEVELOPMENT PLAN FOR THE CREEKSIDE  
TERRACE MIXED USE PROJECT  
(DP 01-08)**

**THE CITY COUNCIL  
City of Clayton, California**

**WHEREAS**, the Creekside Terrace Mixed Use Project involves the proposed construction of a two-story building, with seven residential units above approximately 7,200 square feet of commercial space on the west side of Oak Street between Center and High Streets in Clayton's Town Center area in conformance with the encouraged land uses and overall vision for the area as expressed in the Town Center Specific Plan; and

**WHEREAS**, the Creekside Terrace (formerly Rivulet) Project Development Plan application was submitted on January 24, 2008; and

**WHEREAS**, the Development Plan application is identified as the Creekside Terrace Mixed Use Project Land Use Entitlement Submittal Package, dated March 8, 2010 (Planning Commission Submittal), comprised of the following: Title Sheet, Vesting Tentative Map Sheets TM1 – TM5 (Revised April 29, 2010), Preliminary Landscape Plan, Architectural Site Plan, First Floor Plan, Second Floor Plan, Roof Plan, TM – Layout and Cut Sheets, Elevations, Sections, Wall Sections and Details, View from Flora Square, View from High Street, Flood Data, Building Signage Plan (April 23, 2010), and Color Material Board; and

**WHEREAS**, a Development Plan approval is one of the entitlements being requested as part of this application; additionally, the application involves the request for the adoption of an Initial Environmental Study/Mitigated Negative Declaration (IES/MND), approval of a Vesting Tentative Map, and the approval of an extension of a parking waiver provision for the Town Center area; and

**WHEREAS**, the Development Plan submittal has been prepared and reviewed in accordance with the provisions of Chapter 17.28 Planned Development (PD) Districts of the Clayton Municipal Code; and

**WHEREAS**, the Planning Commission held duly-noticed public hearings on May 25, 2010, and June 8, 2010 to consider the Development Plan and related entitlements for the Creekside Mixed Use Project; and

**WHEREAS**, the draft Creekside Terrace Project IES/MND was prepared and circulated for a 30-day public review period from March 2, 2009 to April 2, 2009, and a public hearing was held before the Planning Commission on March 10, 2009 during this review period; and

**WHEREAS**, there have been changes to the project as noted in Appendix F as well as mitigation measures agreed to by the project sponsor described in the final draft IES/MND; and

**WHEREAS**, the Planning Commission considered all relevant information, including the IES/MND, staff reports, background information, the March 8, 2010 Creekside Terrace Mixed Use Project Land Use Entitlement Submittal Package including the updated, April 29, 2010, Vesting Tentative Map Sheets TM1 through TM 5, and the Building Signage Plan dated April 23, 2010, as well as public testimony at the above-cited hearings; and

**WHEREAS**, the environmental analysis determined that measures were available to mitigate potential adverse impacts to insignificant levels. As a result, the project IES/MND serves as a Mitigated Negative Declaration pursuant to Public Resources Code Sections 21064.5 and 21080(c), and Article 6 of the California Environmental Quality Act (CEQA) Guidelines; and

**WHEREAS**, the Planning Commission determined the proposed Development Plan, assuming implementation of the mitigation measures in the project IES/MND and the recommended conditions of approval will not result in a significant adverse environmental impact and will conform with the City's General, Town Center Specific Plan, Zoning Ordinance, applicable provisions of Chapter 17.28, and would be in the public interest as well as support the public necessity, convenience, and general welfare; and

**WHEREAS**, the Planning Commission approved its Resolutions No. 01-10 and No. 03-10 on June 8, 2010, recommending, respectively, City Council adoption of the Creekside Terrace Project Initial Environmental Study/Mitigated Negative Declaration, May 2010, for the Creekside Terrace Mixed Use Project and approval of the Development Plan for the proposed project; and

**WHEREAS**, on July 6, 2010, the City Council held a duly-noticed public hearing and gave due consideration to the Planning Commission's recommendation on this project, all testimony, comments, and documents received pertaining to the related entitlements including the IES/MND, the Development Plan, with associated parking waiver zoning ordinance amendment(s) to Sections 17.37.030.C and 17.37.030.C.3 of the City's Municipal Code, and a Vesting Tentative Map for the Creekside Terrace Mixed Use Project; and

**WHEREAS**, the City Council determines that the IES/MND identifies measures, including design revisions made and agreed to by the applicant, that are available to mitigate potential adverse impacts to insignificant levels, and, accordingly, the project IES/MND serves as a Mitigated Negative Declaration pursuant to Public Resources Code Sections 21064.5 and 21080(c), and Article 6 of the California Environmental Quality Act (CEQA) Guidelines; and

**WHEREAS**, the City Council determines this Mitigated Negative Declaration describes the proposed project; analyzes, and evaluates the potential significant impacts, which may result

from the proposed project; and, identifies measures to mitigate adverse environmental impacts in accordance with the requirements of CEQA Guidelines Section 15071; and

**WHEREAS**, the City Council determines the proposed Development Plan, assuming implementation of the mitigation measures in the project IES/MND and the recommended conditions of approval will not result in a significant adverse environmental impact and will conform with the City's General, Town Center Specific Plan, Zoning Ordinance, including applicable provisions of Chapter 17.28, and would be in the public interest as well as support the public necessity, convenience, and general welfare.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

**SECTION 1.** The City Council does hereby find and affirm the above-noted recitals are true and correct.

**NOW, THEREFORE, BE IT FURTHER RESOLVED THAT:**

**SECTION 1.** The City Council does hereby approve the Development Plan (DP 01-08) for the Creekside Terrace Mixed Use Project.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Clayton, California, at a regular meeting thereof held on July 6, 2010 by the following vote:

**AYES:** Mayor Stratford, Vice Mayor Shuey, Councilmembers Geller, Medrano and Pierce.

**NOES:** None.

**ABSENT:** None.

**ABSTAIN:** None.

THE CITY COUNCIL OF CLAYTON, CA

  
Hank Stratford, Mayor

**ATTEST:**

  
Laci J. Jackson, City Clerk

**Attachments:**

1. Creekside Terrace Project Initial Environmental Study/Mitigated Negative Declaration, May 2010 (ENV 01-08) (Available in Clayton Community Development Department)
2. Creekside Terrace Conditions of Approval and Advisory Notes (ENV 01-08, DP 01-08, and MAP 02-09) (Available in Clayton Community Development Department)

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I certify that the foregoing resolution was duly and regularly passed by the City Council of the City Clayton at a regular meeting held on July 6, 2010.

  
Laci J. Jackson, City Clerk

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**CREEKSIDE TERRACE  
CONDITIONS OF APPROVAL  
AND ADVISORY NOTES  
(ENV 01-08, DP 01-08, and MAP 02-09)**

These conditions of approval and mitigation measures apply to the following:

- Creekside Terrace Mixed Use Project Land Use Entitlement Submittal Package, dated March 8, 2010 (Planning Commission Submittal), comprised of the following: Title Sheet, Vesting Tentative Map Sheets TM1 – TM5 (Revised April 29, 2010), Preliminary Landscape Plan, Architectural Site Plan, First Floor Plan, Second Floor Plan, Roof Plan, TM – Layout and Cut Sheets, Elevations, Sections, Wall Sections and Details, View from Flora Square, View from High Street, Flood Data, Building Signage Plan (April 23, 2010), and Color Material Board.
- Creekside Terrace Project Initial Environmental Study/Mitigated Negative Declaration (IES/MND), May 2010.

**CEQA MITIGATION MEASURES (Creekside Terrace Project IES/MND, May 2010)**

1. The following measures shall be adhered to during all construction phases of the Project:
  - Earthmoving or other dust-producing activities shall be suspended during periods of high winds, (i.e., instantaneous wind gusts of 25 mph or greater);
  - All exposed or disturbed soil surfaces shall be watered at least twice daily on any day of high winds or when construction activities occur, including weekends and holidays;
  - Stockpiles of debris, soil, sand or other materials that can be blown by the wind, shall be watered with a soil stabilizer or covered;
  - Construction areas, adjacent streets, and routes for construction traffic shall be swept of all mud and debris by a water sweeper on a daily basis (minimum) on any day when construction activities occur, including weekends and holidays;
  - All trucks hauling soil, sand, or other loose materials shall be covered or maintain at least two feet of freeboard;

A compliance officer (City Engineer unless otherwise identified as part of the grading permit process) shall be responsible for assuring implementation and monitoring of the above requirements. (Air Quality).

2. Pre-construction nesting surveys for raptors and migratory birds protected under the federal Migratory Bird Treaty Act shall be conducted if initial grading and building demolition is to be conducted during the months of March through August. A qualified biologist shall conduct the surveys no more than fourteen (14) days prior to initiation of grading, building demolition, or tree removal. If any of these species are found within the construction area after April of the construction year, grading and construction in the area shall either stop or continue only after the nests are protected by an adequate setback approved by a qualified biologist. If permanent avoidance of nests is not feasible,

impacts on raptor and migratory bird nests shall be minimized by avoiding disturbances to the nest location during the nesting season unless a qualified biologist verifies that the birds have either a) not begun egg-laying and incubation, or b) that the juveniles from those nests are foraging independently and capable of independent survival at an earlier date. No preconstruction surveys are required if grading, building demolition, or tree removal occurs outside the nesting season (September through February). (Biological Resources).

3. A preconstruction survey shall be conducted by a qualified biologist within seven (7) days prior to commencement of construction to confirm absence of any fish, amphibian, or reptile species of concern along the project reach of Mitchell Creek. In the remote instance that listed California red-legged frog or steelhead individuals are encountered, the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NOAA Fisheries) shall be consulted to determine appropriate avoidance measures prior to initiation of any construction activities. Any western pond turtle encountered shall be relocated to secure pool habitat selected by the qualified biologist. (Biological Resources).
4. A qualified biologist shall be retained to oversee construction and ensure that no inadvertent take of California red-legged frog, steelhead, or western pond turtle occurs as a result of short-term disturbance near Mitchell Creek. This shall include the following provisions:
  - a) Prior to any grading or grubbing of the site, the qualified biologist shall conduct a preconstruction survey to confirm absence of any California red-legged frog, steelhead, or western pond turtle on the site, as called for in Mitigation Measure 3. A report summarizing the survey results shall be submitted to the Community Development Director.
  - b) Silt fencing shall be installed at the west edge of the construction zone and to the east and west of the top of bank, buried a minimum of six inches and extending a minimum of two feet above grade, to serve as a barrier to keep ground mobile wildlife dispersing along the creek corridor from entering the construction zone. The fencing shall remain in place during the entire construction period.
  - c) Construction workers shall be trained by the qualified biologist regarding the potential presence of California red-legged frog and western pond turtle, that these species are to be avoided, that the foreman must be notified if they are seen, and that construction shall be halted until appropriate measures have been taken. For California red-legged frog, work shall be halted until authorization to proceed is obtained from the USFWS. Harassment of California red-legged frog is a violation of federal law.
  - d) During the construction phase of the project, a qualified biologist or an on-site monitor (such as the construction foreman trained by the qualified biologist) shall check the site in the morning and in the evening of construction activities for the presence of California red-legged frog and western pond turtle. This includes checking holes, under vehicles and under boards left on the ground. If any California red-legged frog are found, construction shall be halted, and the monitor shall immediately notify the qualified biologist in charge and the USFWS. Construction shall not proceed until adequate measures are taken to prevent dispersal of any individuals into the construction zone, as directed by the USFWS. Subsequent recommendations made by the USFWS shall be followed. No one shall handle or otherwise harass any individual California red-legged frogs encountered during construction, with the exception of a Service-approved

biologist. The qualified biologist in charge shall train the on-site monitor in how to identify California red-legged frog. (Biological Resources).

- 5A. The Tree Preservation Guidelines called for in the Tree Report (HortScience, 2008) shall be followed to preserve native oaks and other noteworthy trees on the site. Of particular concern is the large valley oak (Tree #272), which must be heavily pruned to prevent toppling and reduce the risk to humans and property. This tree shall be retained, and recommended pruning shall be performed under the supervision of a certified arborist. The pruning shall occur prior to demolition of the existing structures on the property. (Biological Resources).
- 5B. The project shall conform with the City of Clayton Tree Protection Ordinance (Chapter 15.70 of the Zoning Code), through adherence to the Tree Preservation Guidelines called for in the Tree Report and provisions for replacement plantings, which will be incorporated into the Final Landscape Plan. (Biological Resources).
6. Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, an archaeological monitor shall be retained by the applicant and approved by the City to train the construction grading crew prior to commencement of earth-grading activity in regard to the types of artifacts, rock, bone, or shell that they are likely to find, and when work shall be stopped for further evaluation. One trained crew member shall be on-site during all earth moving activities, with the assigned responsibility of "monitor." Should archeological, historical, or Native American artifacts or remains be discovered during construction of the Project, work in the vicinity of the find shall stop immediately until the resource(s) are evaluated and the appropriate means of curation is determined. Project personnel shall not collect or alter cultural resources. Identified cultural resources shall be recorded on forms DPR 422 (archeological sites) and/or DPR 523 (historic resources). (Cultural Resources).
7. Prior to the approval of building foundation plans, the plans shall indicate the anchoring of project structures to the bedrock or the construction of a subterranean retaining wall, for review and approval by the project soils engineer and the County Building Department. (Geology and Soils).
8. Prior to issuance of a grading permit, the Developer shall submit, for the review and approval by the City Engineer, an erosion control plan that utilizes standard construction practices to limit the erosion effects during construction of the proposed project. Actions should include, but are not limited to:
- Hydro-seeding;
  - Placement of erosion control measures within drainageways and ahead of drop inlets;
  - The temporary lining (during construction activities) of drop inlets with "filter fabric";
  - The placement of straw wattles along slope contours;
  - Use of a designated equipment and vehicle "wash-out" location;
  - Use of siltation fences;
  - Use of on-site rock/gravel road at construction access points; and
  - Use of sediment basins and dust palliatives. (Geology and Soils).

9. Prior to issuance of a demolition permit by the City for any on-site structures, the Developer shall provide a site assessment, which determines whether any structures to be demolished contain asbestos. If any structures contain these materials or any other hazardous materials, the Developer shall submit an abatement plan consistent with local, state, and federal standards, subject to approval of the Contra Costa County Building Inspection Department. In addition, the site assessment shall include a site inspection and records review to determine the historic uses of the property, and whether any hazardous substances release(s) have occurred. If the assessment detects the presence of contaminated soils, a remediation plan consistent with local, state, and federal standards, shall be submitted for approval by the Contra Costa County Environmental Health Department. The abatement and remediation plan(s) shall identify the necessary measures that the applicant must comply with to fully remove any existing on-site hazards to the satisfaction of the Contra Costa County Environmental Health Department. (Hazards and Hazardous Materials).
10. Prior to the issuance of building permits, the developer shall prepare a Storm Water Control Plan that includes both construction stage and permanent storm water pollution prevention practices to be submitted to the City Engineer for review. (Hydrology).
11. All project contractors shall conform to the requirements of the "Best Management Practices for Construction Sites" required by the City, including detention and/or filter materials to preclude an increase in water quantity and quality impacts from debris and sediments entering the stormwater system over "pre-development" conditions. The BMPs shall be included in the construction contracts for the review and approval by the City Engineer. (Hydrology).
12. Prior to commencement of construction, the developer shall provide proof of State general permit coverage related to construction for stormwater.
13. Prior to final map recordation, the property owner shall commit the future property owners to fully fund the construction and perpetual maintenance of the storm drain system, including monitoring of the storm drain facilities. The funding mechanism shall be acceptable to the City and shall address costs for capital replacement, inflation, and administration. This shall include the preparation of an Operation and Maintenance Plan (OMP) consistent with the model proposed by the Contra Costa Clean Water Program. Any related review or administrative fees resulting from the OMP shall be the responsibility of the property owner. The OMP will "run with the land" and be enforceable on subsequent property owners of all residential and commercial lots. Maintenance activities may include but not be limited to:
  - Inspect planters for channels, exposure of soils, or other evidence of erosion. Clear any obstructions and remove any accumulation of sediment. Soils and plantings must be maintained.
  - Inspect planters regularly and after storms.
  - Observe soil at the bottom of the planters or filter for uniform percolation throughout. If portions of the planter or filter do not drain within 48 hours after the end of a storm, the soil should be tilled and replanted. Remove any debris or accumulations of sediment.
  - Examine the vegetation to insure that it is healthy and dense enough to provide filtering and to protect soils from erosion. Replenish mulch as necessary, remove fallen leaves and debris, prune large shrubs or trees and mow turf areas. Confirm

that irrigation is adequate and not excessive. Replace dead plants and remove invasive vegetation.

- Abate any potential vectors by filling holes in the ground in and around the planters and by insuring that there are no areas where water stands longer than 48 hours following the storm. If mosquito larvae are present and persistent, contact the Contra Costa County Vector Control District for information and advice. Only a licensed individual or contractor should apply mosquito larvicides only when absolutely necessary.
  - All hardscape, walks, patios, driveways, parking areas, creeks, drainage inlets, gutters, etc. and trash and recycling areas to be routinely inspected, cleared of debris, and thoroughly cleaned every three months, or as required in the City's NPDES permit.
  - All inlets to be inspected for debris twice a year, with one of those inspections held on October 1st.
  - Planters should be checked for plant and landscape health. They should also be checked for removable amounts of silt. The landscape and planter soils should also be checked for aeration. (Hydrology).
14. All lots shall include deed restrictions, which provide City and other public agency personnel with the right of access to inspect all on-site stormwater control devices. The language in the deed shall be reviewed and approved by the City Engineer and City Attorney. (Hydrology).
15. The developer shall provide for flood proofing of those portions of the building below one-foot above the 100-year flood surface elevation. The method of flood proofing shall include operating procedures and be subject to the approval by the City's Floodplain Administrator. (Hydrology).
16. The developer shall pay a fair share contribution to the City of Clayton for impacts to police staffing directly related to impacts of the Creekside Terrace Project for a five-year period. The calculation and payment shall be made at the time of issuance of building permit for each of the Project's units (including residential and commercial units) and shall be approved in advance by the Clayton Police Chief and City Manager. (Public Services).
17. Prior to final map recordation, the property owner shall agree to the recordation of a conservation easement on the third parcel located west of Mitchell Creek, and shall assume full responsibility for the ongoing maintenance and upkeep of the parcel as well as the terminus of Center Street. The conservation easement shall preclude future development of said parcel while still allowing limited improvements, such as the proposed infiltration planter associated with the Creekside Terrace project. (Public Services).
18. The developer shall be responsible for all fees and environmental review costs, including those charged by the California Department of Fish and Game.

#### **Site Plan Conditions**

19. Prior to recordation of the Vesting Tentative Map, Section 17.37.030.C. Waiver Period pertaining to Parking and Loading Requirements and related sections of the City's Municipal Code shall be extended through June 30, 2013 and Section 17.37.030.C.3 shall



be amended from requiring a building permit within one year of project approval to within two years of project approval for a Parking Waiver. In accordance with Section 17.37.070 of the Code, prior to issuance of a certificate of occupancy, the developer shall pay in-lieu parking fees for seven (7) parking spaces given that 21 parking spaces are provided, whereas 28 parking spaces are required for this project. Four (4) on-site spaces shall be provided for bicycle parking in accordance with Section 17.37.040 of the Code, prior to issuance of a certificated of occupancy.

20. Outdoor vending machines (except newspaper vending machines) are prohibited.
21. The electrical transformer for the project shall be installed in an underground vault.
22. The refuse and recycling container storage to be enclosed and connected to the sanitary sewer.
23. Refuse/recycling area shall be sized large enough to comply with State recycling requirements. Details of the refuse/recycling area shall be shown on site plan prior to recordation of map.
24. The property owner shall be responsible for placing the refuse and recycling containers in a location accessible to the refuse/recycling service provider on pick-up days. Once the service provider empties the refuse and recycling containers, the property owner shall promptly return the refuse and recycling containers to the designated enclosure. Additionally, waste containers shall be provided for the daily use of customers of the commercial component of the project.
25. All tenant leases and rental agreements shall stipulate that delivery truck unloading/loading activity, including, but not limited to, that unloading/loading activity of the owners and operators within the project from the travel lanes on High Street and Oak Street are prohibited during the time periods listed below. Delivery truck unloading/loading activities during the time periods listed below may take place from marked parking spaces. The restricted time periods are the thirty minutes prior to and following the normal start and end of classes on days when Mt. Diablo Elementary School is in session. This stipulation does not apply to common carriers such as United Parcel Service, Federal Express, etc.

### **Architectural Conditions**

26. The architectural elevations shall be revised to show the following modifications:
  - a. The interior sides of all parapets shall be faced with cement plaster which is identical to the material and color used on the cement plaster areas of the exterior (i.e., outward-facing) elevations of the building.
  - b. The Oak Street elevation of the first-story garage shall incorporate enhanced architectural features (e.g., recessed, obscure, or high windows; or trellis with landscaping).
  - c. The garage doors shall utilize a carriage-appearing sectional roll-up design.
  - d. All windows shall be recessed a minimum of three inches.

- e. All rooftop equipment shall be screened from roads, the trail system, adjacent properties, and pedestrian areas to the maximum extent possible. The rooftop equipment shall be painted to match the color of the interior parapet.
- f. All minor and secondary rooftop equipment shall be clustered together and screened from roads, the trail system, adjacent properties, and pedestrian areas to the maximum extent possible.
- g. Any future re-painting of the project's Oak Street and High Street frontages shall provide for color distinction for the individual storefronts.
- h. All utility meters shall be properly screened.
- i. The southeast corner of the building shall incorporate the second-story octagonal bay window projection, as shown in Option 3, submitted at the June 8, 2010 Planning Commission meeting.

### **Landscaping Conditions**

- 27. The landscape plans shall have overall dimensions of 24" x 36"; shall be approved by the Community Development Director and Maintenance Department; shall satisfy and/or include the following:
  - a. Conform to the requirements of the State Department of Water resources "Model Water Efficient Landscape Ordinance", dated September 10, 2009, or locally adopted replacement ordinance in effect at the time of application for a building permit.
  - b. Trees in the public right-of-way shall comply with the City street tree list or as otherwise approved by City Maintenance.
  - c. All landscaped areas shall be planted at the following planting densities: five-gallon shrubs shall be at an average density of 1 shrub/5 feet; and one-gallon groundcover plantings shall be at an average density of 1 shrub/3 feet.
  - d. All trees shall be 24-inch box containers.
  - e. All trees shall be planted at least ten feet away from any public water, sewer, or storm drain lines. All trees shall be installed with support staking. All nursery stakes must be removed from trees. All trees planted within eight feet of a sidewalk or driveway shall be installed with root guards.
  - f. All anti-siphon water valves and ground-mounted utility equipment shall be screened with landscaping.
  - g. All on-site walkway hardscape areas shall be paved with a colored and wood-stamped paving surface which matches the color and texture of the sidewalks in the Town Center.
  - h. A layer of mulch two to four inches shall be applied and maintained in all landscape areas until groundcover plantings are fully established so as to cover exposed soils.
  - i. Show all existing and proposed public utilities within the project limits, including adjacent public right-of-way affected by the project.
- 28. Three sets of the Landscape and Irrigation Plans shall be submitted with the building plans for review and approval by the Community Development Department, Engineering Department, and the Maintenance Department. These plans shall be approved prior to issuance of building, grading, or encroachment permits.



29. Landscaping shall be installed in conformance with approved plans prior to approval for occupancy.
30. Prior to occupancy, successor-in-interest property owners/lessees shall enter into an agreement with the City which ensures they permanently maintain the on-site landscaping as well as the trees installed in the public right-of-way on Oak Street and High Street.

### **Engineering Conditions**

#### ***Subdivision Number***

31. While this is a one lot subdivision, its ultimate disposition will create at least eight separate ownerships, therefore it would qualify as a major subdivision and require the filing of a Final Map as opposed to a Parcel Map. Prior to the preparation and submittal of the Final Map, the developer shall obtain a subdivision number from the County.

#### ***Subdivision Boundary***

32. The proposed boundary shown on the tentative map includes a portion of the Center Street right of way west of Oak Street. In lieu of abandoning the right of way, the City intends to close that portion of Center Street to traffic and issue a special encroachment permit for use by the Project. The developer shall modify the boundary on the Final Map to exclude any existing public street right-of-way.

#### ***Use of Public Street Right of Way***

33. Prior to approval of the final map and/or any construction documents, the developer shall obtain a special encroachment permit allowing the uses and improvements shown on the tentative map over the northerly 19' of the High Street right of way, west of Oak Street.
34. Prior to approval of the final map and/or any construction documents, the developer shall obtain a special encroachment permit allowing the uses and improvements shown on the tentative map over the portion of the Center Street right of way, west of Oak Street, presently shown as being within the project boundary.
35. Prior to approval of the final map and/or any construction documents, the developer shall obtain a special encroachment permit allowing the uses and improvements shown on the tentative map over the portion of the Oak Street right of way, adjacent to project boundary.

#### ***Homeowners Association***

*Note: A developer has not indicated a preference regarding future ownership and maintenance responsibilities. For the purposes of these conditions of approval, it is assumed that all of the property will be "common area" with the exception of partition walls within each unit, either residential or commercial. Future owners (either commercial or residential) will have sole fee title interest only in the "airspace" within their units and will have a prorated share interest in all of the common areas and common area improvements*

*(including the building itself). Maintenance of all common area improvements will be the responsibility of a Homeowners Association funded by the property owners. Should the developer wish to propose a different approach, any change would have to be approved by the City of Clayton City Council.*

36. Prior to approval of the final map, the developer shall submit the proposed Covenants, Conditions, and Restrictions (CC&Rs) for review and approval by the City. Prior to issuance of any certificate of occupancy, the developer shall have the City-approved CC&Rs recorded in the County Recorder's Office and a copy of the recorded documents submitted to the City. The CC&Rs shall include a provision barring any changes or revisions without prior approval by the City.
37. Prior to issuance of any certificate of occupancy, the developer shall form a Homeowners Association comprised of all the project property owners, both commercial and residential. The Homeowners Association shall be responsible for the operations and maintenance of all common area improvements and facilities, including stormwater, trash, and creek maintenance, monitoring, and reporting necessary to comply with NPDES requirements. Further, the Homeowners Association shall be responsible for the maintenance of all improvements located on existing street rights of way being utilized by the project under special encroachment permits and as shown on the tentative map.
38. The developer shall record disclosure statements with the deeds for the project's lots. The disclosure statements shall be reviewed and approved by the City Attorney and the Community Development Director and shall address the following issues.
  - a. Special events occur throughout the year in the downtown area and at Endeavor Hall, which may temporarily increase noise levels at the residential properties as well as increase traffic and demand for parking.
  - b. Special events occur throughout the year in the downtown area which result in the closure of adjacent streets except for emergency vehicle access. During these events vehicular access to and from the project may be prohibited (i.e., Oak, High, Center, and Main Streets). Vehicular access to and from Oak Street via Roundhill Place will remain open.
  - c. Commercial land use and zoning designations on adjacent properties to the east of the project site allow a variety of commercial activities, including parking lots and multi-story commercial buildings. It is the policy of the City of Clayton to encourage commercial development of the commercially-zoned properties in the Town Center.
  - d. The City of Clayton owns the parcel (APN 119-016-005) at the northwest corner of High Street and Diablo Street. The property will initially be developed as a parking lot for the general public. In the future, the property may be developed as a multi-story parking structure or a multi-story commercial building.

### ***Condominium Plan***

39. Prior to issuance of any certificate of occupancy, the developer shall have prepared and recorded a condominium plan delineating the proposed commercial and residential units. The condominium plan shall be submitted to the City for review prior to recordation. A certified copy of the recorded condominium plan shall be provided to the City prior to issuance of any certificate of occupancy.

## ***General Engineering Conditions***

40. All work shall be designed and constructed in accordance with the Municipal Code, as well as the City's Standard Plans and Specifications, and to the satisfaction of the City Engineer.
41. Upon approval of the final map, the subdivision shall be annexed into the existing City of Clayton Street Light Assessment District.
42. Upon recording of the final map, the City shall be given a full size, reproducible, photo mylar copy of the recorded map and an electronic file of the map in a form which can be imported into AutoCAD, and configured as directed by the City Engineer. Upon completion of the improvements and prior to City Council acceptance, the City shall be given a full size, reproducible, photo mylar copy of the improvement plans, and an electronic version in AutoCAD, annotated to reflect any changes that occurred during construction and signed by the Project Engineer.
43. The developer shall ensure that all project contractors shall conform to the requirements of the "Best Management Practices for Construction Sites" required by the City, including detention and/or filter materials to preclude an increase in water quantity and quality impacts from debris and sediments entering the stormwater system over "non-development" conditions.
44. The developer shall identify the Best Management Practices for protection of air quality to minimize the generation of dust during construction. Such measures shall be included within the project grading plan and shall be approved prior to issuance of project grading permits.
  - a. Earthmoving or other dust-producing activities shall be suspended during periods of high winds (i.e., instantaneous wind gusts of 25 mph or greater);
  - b. Equipment and manpower for watering of all exposed or disturbed soil surfaces shall be provided at least twice daily on any day of high winds or when construction activities occur, including weekends and holidays. A dust suppressant, added to the water before application, shall be used;
  - c. Stockpiles of debris, soil, sand or other materials that can be blown by the wind, shall be watered or covered;
  - d. Construction area and adjacent streets shall be swept of all mud and debris, since this material can be pulverized and later re-suspended by vehicle traffic;
  - e. A compliance officer, responsible for implementation and monitoring, shall be identified as part of the grading permit process.
45. The developer shall connect to the sanitary sewer system, obtain applicable permits, and pay applicable fees required by the City of Concord Public Works Department.
46. If archeological, historical or Native American materials are uncovered during any construction or pre-construction activities on the site, all work within 100 feet of these materials shall be immediately stopped. The Community Development Department and a qualified professional archeologist shall be notified. Work within this area shall not recommence until the archeologist has had an opportunity to evaluate the significance of the find, and outline appropriate mitigation measures, if they are deemed necessary.
47. Grading permits and stormwater permits shall be obtained from the City Engineer.

48. Construction sequencing and work times shall be adjusted as may be required by the City Engineer to minimize impacts and inconveniences during school drop-off and pick-up times.
49. Access to and over the High Street bridge at Mitchell Creek shall be maintained at all times for those residents located on the west side of the bridge. In the event that access must be restricted for some limited period, the contractor shall coordinate the closure with residents west of the bridge to the satisfaction of the City Engineer.

#### ***Street Construction Conditions***

50. High Street - All existing improvements are to be removed and new improvements constructed generally as shown on the tentative map and to the satisfaction of the City Engineer.
51. Oak Street - All existing improvements are to be removed and new improvements constructed generally as shown on the tentative map and to the satisfaction of the City Engineer, except for the proposed planter within the parking lane which is not approved.
52. The sidewalk along Oak Street shall be colored, stamped concrete and shall match the color and pattern of the Town Center sidewalks.
53. Upon completion of building construction, the existing pavement on Oak Street from Center Street to High Street, including the intersections and other areas as may be determined by the City Engineer, shall be slurry sealed and restriped to the satisfaction of the City Engineer.
54. Any existing street, sidewalk, curb, gutter, or other existing improvement which, in the sole opinion of the City Engineer, is damaged by any party at any time, either on or adjacent to the project site, shall be repaired by the Developer, at his sole cost, to the satisfaction of, and in the manner required by, the City Engineer.

#### ***Stormwater Control and Treatment Conditions***

55. The improvement plans shall reflect that all on-site storm drain inlets shall be labeled "No Dumping – Drains to Creek" using thermoplastic stenciling or equivalent permanent method, subject to City approval.
56. Prior to issuance of any construction permits, a final Storm Water Control Plan, satisfying all of the latest requirements of the terms of the City's Stormwater Discharge Permit, shall be submitted for review and approval by the City.
57. The volume and rate of stormwater runoff from the site shall be comparable to pre-development conditions to the maximum extent practicable. The project shall bear the financial responsibility of the construction and perpetual maintenance (including monitoring and reporting) of these facilities with a funding mechanism acceptable to the City that addresses costs for capital replacement, inflation, and administration.
58. Any exterior building washing/cleaning, exterior window washing/cleaning or sidewalk washing/cleaning shall comply with Best Management Practices (inlets protected and water vacuumed) and be done only by a certified surface cleaner. Such certification shall

be recognized by the Contra Costa Clean Water Program. In addition any contracts for such cleaning by the property owner or tenants shall also include language requiring the compliance with Best Management Practices and certification. Documentation, monitoring, and reporting shall be included in the Stormwater Operation and Maintenance (OMP).

59. All pest management practices for the site and building by the property owner and or tenants shall also and done by company that is Integrated Pest Management (IPM) Certified. Such certification shall be recognized by the Contra Costa Clean Water Program. In addition any contracts for such cleaning by the property owner or tenants shall also include language requiring the compliance with Best Management Practices and certification. Documentation, monitoring, and reporting shall be included in the OMP.
60. The Property Owner shall be responsible for the perpetual maintenance of the site's storm drain system, including the monitoring of the storm drain facilities. In addition, the Property Owner shall be responsible for any future stormwater quality and quantity reporting requirements by the Regional Water Quality Control Board.
61. The Mosquito and Vector Control District and its contractors shall have the right of access to conduct inspections and maintenance of all on-site drainage devices. Such rights shall be conveyed in the property owner documents and any property rental or lease documents.
62. The developer shall remove the existing curb cut and driveway apron across the sidewalk on the Oak Street frontage of the project site and shall restripe the pavement as required by the City Engineer. The replacement sidewalk shall be paved with a colored and wood-stamped paving surface which matches the color and texture of the sidewalks in the Town Center.
63. All work shall be designed and constructed in accordance with the *Municipal Code*, as well as the City's Standard Plans and Specifications.
64. The improvements to be installed by the Developer shall generally conform to those shown on the site plan, as said improvements may be modified by these conditions of approval and/or the City Engineer.
65. The developer shall be solely responsible for obtaining any right of way and/or easements necessary to permit the construction of the proposed improvements.
66. The ramp across the sidewalk at the southwestern corner of the site, which is for refuse and recycling pickup purposes, shall meet ADA requirements as the ramp will cross the public sidewalk.
67. Prior to the issuance of the certificate of occupancy for the fourth residential unit, the developer shall provide one of the residential units affordable to low-income households with deed restrictions in accordance with the City of Clayton Housing Element and Redevelopment Agency requirements to the satisfaction of the Community Development Director.



## Agency Conditions

68. The developer shall connect to the sewer system and obtain applicable permits required by the City of Concord Public Works Department.
69. The Developer shall satisfy Contra Costa County Fire Protection District requirements as follows:
- a. Access must be cable of supporting the imposed fire apparatus loading of 37 tons. (503) CFC.
  - b. Access roadways (High Street) of less than 28-feet unobstructed width shall have signs posted or curbs painted red with the words *NO PARKING – FIRE LANE* clearly marked. (503.3) CFC.
  - c. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1750 GPM. Required flow must be delivered from not more than one (1) hydrant flowing for a duration of 180 minutes while maintaining 20-pounds residual pressure in the main. (508.1, (B105) CFC.
  - d. The developer shall provide one (1) hydrant of the East Bay type. Final placement of hydrant(s) shall be determined by the Fire District. (C103.1) CFC.
  - e. The developer shall submit three (3) copies of site improvement plans indicating all existing or proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. (501.3) CFC.
  - f. The required hydrant shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site. (501.4) CFC.
  - g. The building proposed shall be protected with an approved automatic fire sprinkler system. Submit three (3) sets of plans to the Fire District for review and approval prior to installation. (903.2) CFC, Contra Costa County Ordinance 2007-47.
  - h. Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with the *International Wildland-Urban Interface Code*. (304.1.2) CFC.
  - i. The developer shall submit three (3) complete sets of building plans and specifications of the subject project, including plans for the following required submittals, to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. Plan review fees will be assesses at that time.
    - Private underground fire service water mains
    - Fire sprinklers

Plans are to be submitted to: Contra Costa County Fire Protection District  
2010 Geary Road  
Pleasant Hill, CA 94523

**The Fire District reference for this project is as follows:**

**CCCCFPD Project No.: 113977-PL**

- j. Open-flame grills on the balconies on the east elevation facing Oak Street shall be subject to all Fire Code restrictions, regulations, and prohibitions.



70. The Developer shall provide an adequate number of hydrants of the "East Bay" type at locations determined by the Fire Protection District.
71. Prior to approval of building permit, the Developer shall obtain written approval from Allied Waste Services that the facility can be serviced and the waste container options that would be acceptable given the range of tenant occupancies within the project and submit such written documentation to the Community Development Department.
72. The property owner is responsible for ensuring refuse and recycling pickup services are provided as often as necessary in order to ensure refuse and recycling receptacles do not overflow. Documentation, monitoring, and reporting shall be included in the OMP.
73. Prior to building permit approval applicant/developer shall provide documentation that the waste/recycling area can meet state regulations regarding mandatory space for recycling.
74. The Developer shall obtain a building permit from the Contra Costa Building Department in accordance with applicable California Building Code (CBC) requirements prior to commencement of the construction of the project.
75. The Developer shall satisfy Contra Costa Water District (CCWD) requirements as follows:
  - a. Treated and Untreated water service is governed by CCWD Code of Regulations Section 5 (Reg 5).
  - b. The two existing services will need to be relocated from their current locations (which will become a sidewalk/walkway) to a better location at the side of the building.
  - c. New meters should be "banked" at one location, each serving individual units.
  - d. A separate meter for landscape irrigation may be required (Reg. 5.32.020).
  - e. A common fire service will be required for the building.
  - f. Water service will likely require backflow prevention devices, which could reduce water pressure. Proper planning is necessary to ensure backflow prevention devices are located appropriately.
  - g. Location of all new and relocated services must be coordinated with developer to ensure acceptable installations for CCW, the City, and the developer.

#### **Standard Condition**

76. The developer agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

## Advisory Notes

Advisory notes are provided to inform the applicant of: (a) *Clayton Municipal Code* requirements; or (b) requirements imposed by other agencies. The advisory notes are not part of the conditions of approval.

1. Prior to obtaining a building permit, the developer shall prepare an erosion and stormwater control plan for review and approval by the City Engineer (CMC § 13.12.050).
2. Prior to commencement of grading, demolition or construction activities the developer shall obtain City approval of a construction and demolition recycling plan (CMC § 15.80.040).
3. Prior to performing any work in the public right of way, the developer shall obtain an encroachment permit from the City Engineer.
4. Prior to any grading or construction, the developer shall obtain a Stormwater Permit from the City Engineer.
5. An administrative use permit from the Community Development Director is required for any outdoor seating.
6. A master sign plan must be approved by the Planning Commission prior to installation of any signage.
7. A tree removal permit is required prior to removing any trees with a single or multiple trunk diameter of six inches or greater (CMC §15.70.020).
8. All grading, construction, and other work shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday. Any such work beyond these hours and days is strictly prohibited unless previously authorized in writing by the City Engineer (CMC §15.01.010) located at 1005 Oak Street, 925-672-9700.
9. The developer shall obtain the necessary building permits from the Contra Costa County Building Inspection Department.
10. The developer shall comply with all applicable state, county, and city codes, regulations, and adopted standards.
11. Additional requirements may be imposed by the Contra Costa County Fire Protection District. Before proceeding with the project, it is advisable to check with the Fire District located at 2010 Geary Road, Pleasant Hill, 925-930-5500.
12. Development impact and related fees (including, but not limited to, community facilities development, off-site arterial improvement, childcare, parkland dedication, open space in-lieu, and habitat conservation fees) shall be paid per applicable City Code regulations and resolution.

(Do not remove from file) File Copy

### Creekside Terrace Project Description

**Project Description:**  
The Creekside Terrace project is a proposed development of 100 units, consisting of 50 townhomes and 50 condominiums, located at 1005 - 1007 Oak St. in Clayton, CA. The project is situated on a 1.5-acre site bounded by Oak St. to the north, 10th St. to the south, and 10th Ave. to the east. The site is currently vacant and is zoned R-1. The project is being developed by the City of Clayton, Redevelopment Agency, 6000 Heritage Circle, Clayton, CA 94517.

**Project Address:**  
1005 - 1007 Oak St.  
Clayton, CA 94517

**Project Applicant:**  
City of Clayton, Redevelopment Agency  
6000 Heritage Circle  
Clayton, CA 94517

**Project Team:**  
Architecture:  
V2/PA  
PO Box 974  
Clayton, CA 94517  
with KTSY - Irvine, CA

**Civil:**  
Debut Civil Engineering  
811 San Ramon Valley Blvd.  
Danville, CA 94526

**Landscape Architecture:**  
Gates & Associates  
2671 Crow Canyon Rd.  
San Ramon, CA 94583

**Traffic Engineering:**  
Abrams Associates  
1660 Olympic Blvd.  
Walnut Creek, CA 94596

**Soils Engineer:**  
Cuddeback Geotechnical  
2928 Hillside Dr.  
Concord, CA 94523

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1005 - 1007 Oak St.  
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811 San Ramon Valley Blvd.  
Danville, CA 94526

**Landscape Architecture:**  
Gates & Associates  
2671 Crow Canyon Rd.  
San Ramon, CA 94583

**Traffic Engineering:**  
Abrams Associates  
1660 Olympic Blvd.  
Walnut Creek, CA 94596

**Soils Engineer:**  
Cuddeback Geotechnical  
2928 Hillside Dr.  
Concord, CA 94523

| ID | NAME                | DATE    |
|----|---------------------|---------|
| 1  | 1005 - 1007 Oak St. | 10/1/10 |
| 2  | 1005 - 1007 Oak St. | 10/1/10 |
| 3  | 1005 - 1007 Oak St. | 10/1/10 |
| 4  | 1005 - 1007 Oak St. | 10/1/10 |
| 5  | 1005 - 1007 Oak St. | 10/1/10 |
| 6  | 1005 - 1007 Oak St. | 10/1/10 |
| 7  | 1005 - 1007 Oak St. | 10/1/10 |
| 8  | 1005 - 1007 Oak St. | 10/1/10 |
| 9  | 1005 - 1007 Oak St. | 10/1/10 |
| 10 | 1005 - 1007 Oak St. | 10/1/10 |
| 11 | 1005 - 1007 Oak St. | 10/1/10 |
| 12 | 1005 - 1007 Oak St. | 10/1/10 |
| 13 | 1005 - 1007 Oak St. | 10/1/10 |
| 14 | 1005 - 1007 Oak St. | 10/1/10 |
| 15 | 1005 - 1007 Oak St. | 10/1/10 |
| 16 | 1005 - 1007 Oak St. | 10/1/10 |
| 17 | 1005 - 1007 Oak St. | 10/1/10 |
| 18 | 1005 - 1007 Oak St. | 10/1/10 |
| 19 | 1005 - 1007 Oak St. | 10/1/10 |
| 20 | 1005 - 1007 Oak St. | 10/1/10 |



Approved by  
City Council  
on July 4,  
2010.  
D. Waters

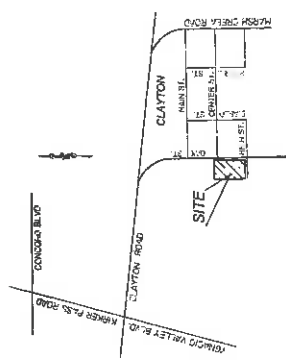
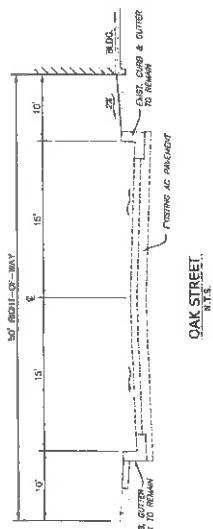
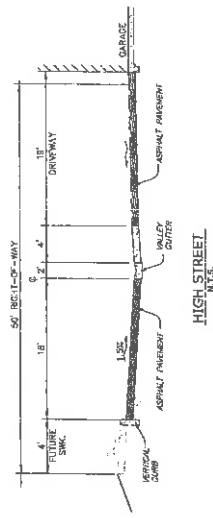
**APPROVED**  
JUL 16 2010  
CLAYTON COMMUNITY  
DEVELOPMENT DEPT.

**FILE COPY**  
01-08

## Creekside Terrace - Mixed Use Project

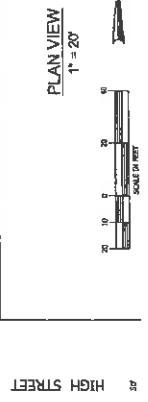
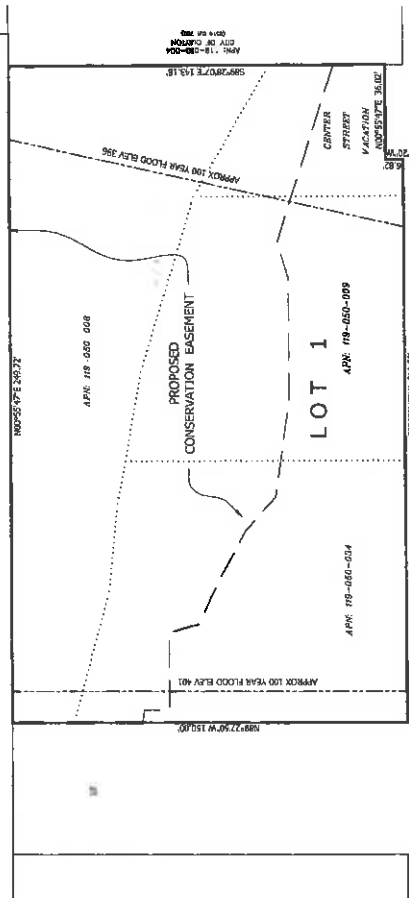
Land Use Entitlement Submittal Package





# TENTATIVE MAP NOTES:

- DEVELOPER: CITY OF CLAYTON  
REDEVELOPMENT AGENCY  
CLAYTON, CA 94517
- ENGINEER: DEBOLT CIVIL ENGINEERING  
DANVILLE, CA 94528  
(925) 673-5182
- ADJACENT PARCEL: 119-000-008  
NAMES & AREAS: 0.296 AC  
119-000-009 0.394 AC  
CENTER ST. VACATION 0.074 AC  
TOTAL 0.864 AC
- ZONING: PLANNED DEVELOPMENT
- PROPOSED ZONING: TOWN CENTER
- GENERAL PLAN: CLAYTON ROAD (MAIN STREET) AND MARSH LANE (CLAYTON ROAD MAIN STREET) LA
- UTILITIES: WATER - C.C.G.D.  
SEWER - C.C.G.D.  
UTILITY LOCATIONS SHOWN ARE BASED ON APPROXIMATE RECORDS AND ARE APPROXIMATE ONLY.
- BOUNDARY NOTE: APPROXIMATE BOUNDARY INFORMATION SHOWN WAS COMPILED FROM AVAILABLE RECORD DATA AND DOES NOT REPRESENT AN ACTUAL FIELD BOUNDARY SURVEY.
- BASIS OF MEASUREMENTS: THE MONUMENT LINE OF OAK STREET, VACATION LINE OF CLAYTON ROAD, AND VACATION LINE OF MARSH LANE AS SHOWN ON THE RECORD OF SURVEY (81-1834-35).
- EXISTING USE: COMMERCIAL / RESIDENTIAL
- PROPOSED USE: COMMERCIAL / RESIDENTIAL
- CONTOUR INTERVAL: 2 FOOT
- TOPOGRAPHY: BASED UPON A TOPOGRAPHIC SURVEY PREPARED BY DEBOLT CIVIL ENGINEERING.
- BENCHMARK: A BRONZE DISK IN THE TOP OF A CONCRETE POST AT THE "T" OF CLAYTON ROAD (MAIN STREET) AND MARSH LANE (CLAYTON ROAD MAIN STREET) LA, 1.0 FEET SOUTH OF A FIRE HYDRANT, 1.0 FEET WEST OF THE CENTERLINE OF CLAYTON ROAD (MAIN STREET) LA, 1.0 FEET SOUTH OF A FIRE HYDRANT, 1.0 FEET WEST OF THE CENTERLINE OF CLAYTON ROAD (MAIN STREET) LA, 1.0 FEET SOUTH OF A FIRE HYDRANT, 1.0 FEET WEST OF THE CENTERLINE OF CLAYTON ROAD (MAIN STREET) LA.
- FLOOD ZONE: THE PROPERTY LIES IN FLOOD ZONE AS SHOWN ON COMMUNITY PANEL 0800000.



## LEGEND AND ABBREVIATIONS

| PROPOSED | EXISTING | DESCRIPTION  |
|----------|----------|--------------|
| [Symbol] | [Symbol] | 1. LOT LINE  |
| [Symbol] | [Symbol] | 2. LOT LINE  |
| [Symbol] | [Symbol] | 3. LOT LINE  |
| [Symbol] | [Symbol] | 4. LOT LINE  |
| [Symbol] | [Symbol] | 5. LOT LINE  |
| [Symbol] | [Symbol] | 6. LOT LINE  |
| [Symbol] | [Symbol] | 7. LOT LINE  |
| [Symbol] | [Symbol] | 8. LOT LINE  |
| [Symbol] | [Symbol] | 9. LOT LINE  |
| [Symbol] | [Symbol] | 10. LOT LINE |
| [Symbol] | [Symbol] | 11. LOT LINE |
| [Symbol] | [Symbol] | 12. LOT LINE |
| [Symbol] | [Symbol] | 13. LOT LINE |
| [Symbol] | [Symbol] | 14. LOT LINE |
| [Symbol] | [Symbol] | 15. LOT LINE |
| [Symbol] | [Symbol] | 16. LOT LINE |
| [Symbol] | [Symbol] | 17. LOT LINE |

## SHEET INDEX

| SHEET | DESCRIPTION      |
|-------|------------------|
| 1     | TITLE SHEET      |
| 2     | DEVELOPMENT PLAN |
| 3     | CONTOUR PLAN     |
| 4     | STREET LAYOUT    |

# TITLE SHEET

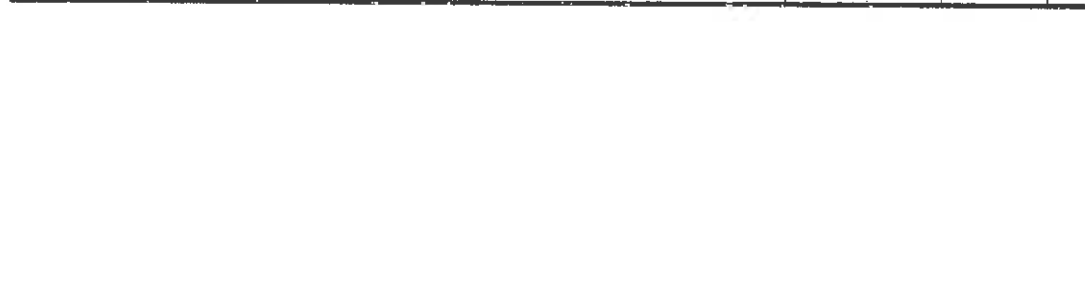
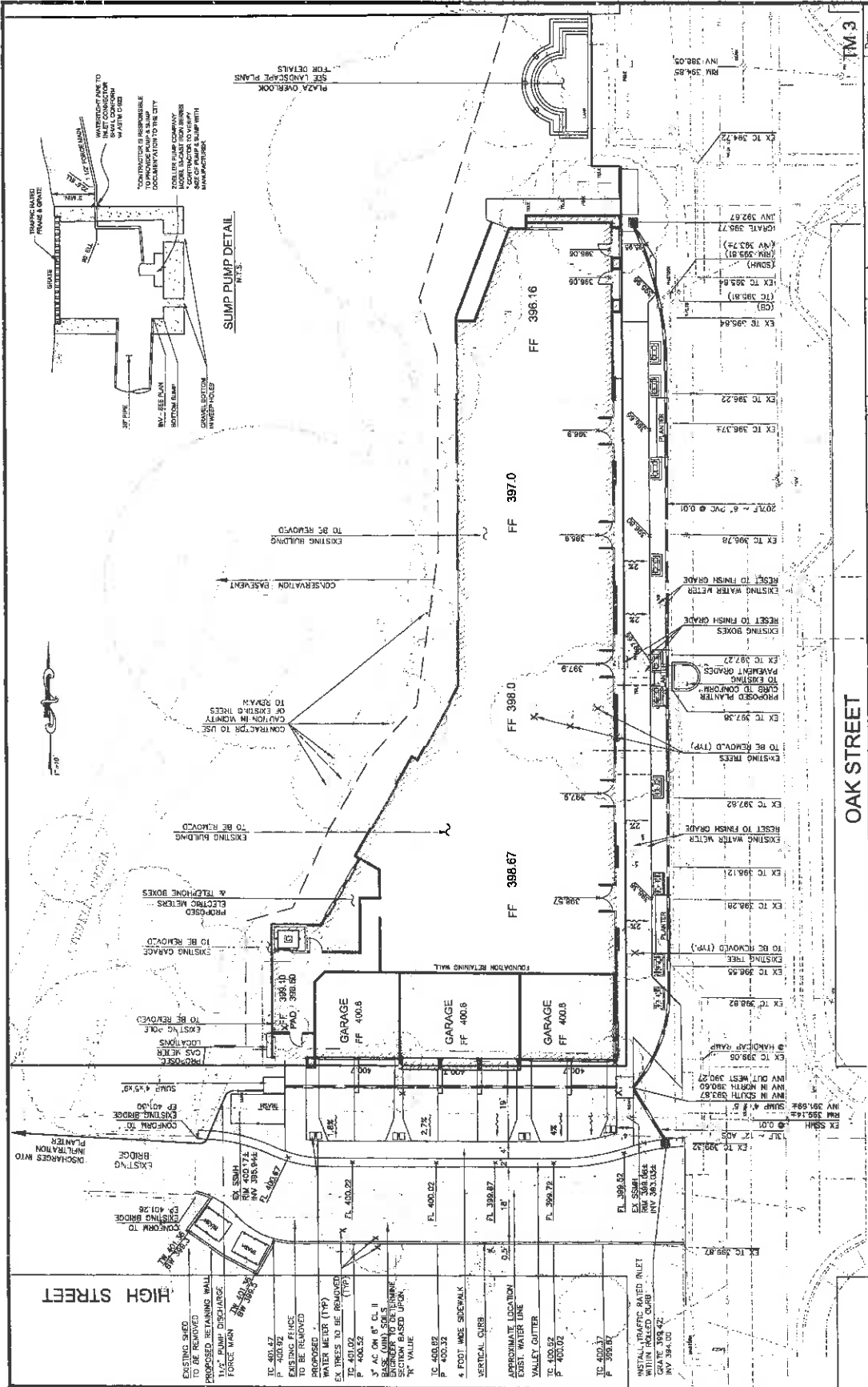
# TENTATIVE MAP 01-08 CREEKSIDE COMMONS 1005 & 1007 OAK STREET CONTRA COSTA COUNTY

CITY OF CLAYTON  
CALIFORNIA  
JAMES E. DEBOLT  
REGISTERED LAND SURVEYOR  
No. 27114  
N.E.E. 27114



DeBolt Civil Engineering  
811 East Brown Valley Boulevard  
Danville, California 94526  
Tel: 925/673-5182  
Fax: 925/673-5178  
www.dcbolt.com





**PRELIMINARY**

**GRADING and DRAINAGE PLAN**

**OAK STREET**

**TENTATIVE MAP 01-08**

**CREEKSIDE COMMONS**

1005 & 1007 OAK STREET

CITY OF CLAYTON

DATE: 01/12/2010

SCALE: 1" = 10'

PROJECT: 01-08

CLIENT: 01-08

DESIGNER: 01-08

CHECKER: 01-08

APPROVER: 01-08

DATE: 01/12/2010

DeBolt Civil Engineering

811 E. 10th Street

Durham, California 94556

TEL: 925/837-9790

FAX: 925/837-9791

CELL: 925/837-9791

DATE: 01/12/2010

SCALE: 1" = 10'

PROJECT: 01-08

CLIENT: 01-08

DESIGNER: 01-08

CHECKER: 01-08

APPROVER: 01-08

DATE: 01/12/2010

DeBolt Civil Engineering

811 E. 10th Street

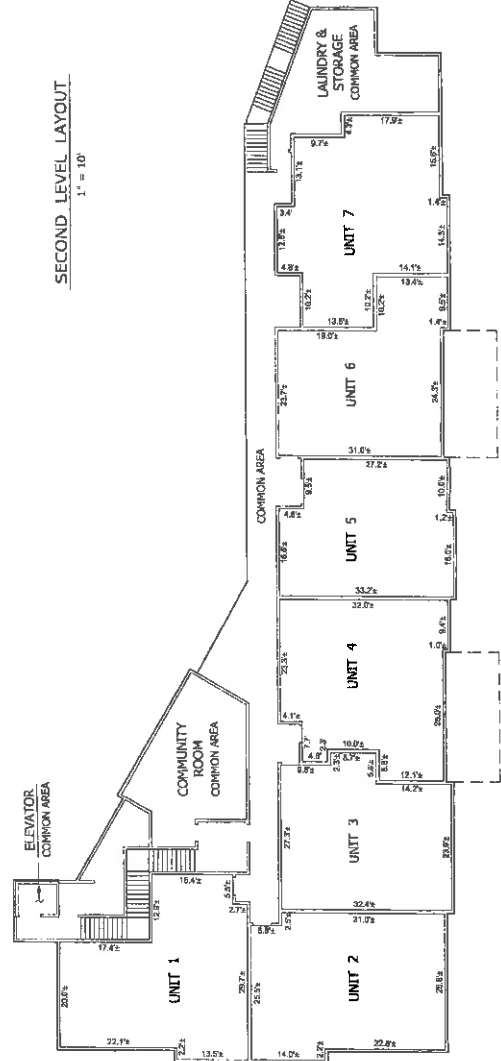
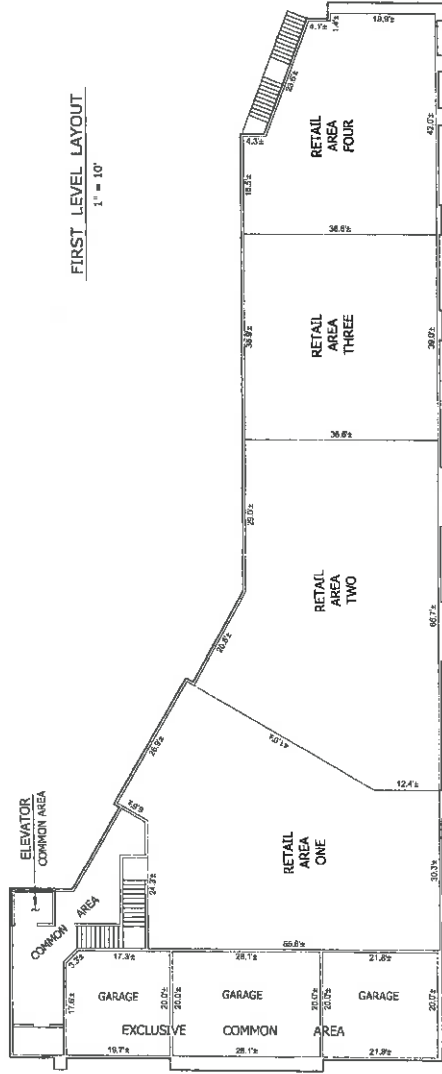
Durham, California 94556

TEL: 925/837-9790

FAX: 925/837-9791

CELL: 925/837-9791





**PRELIMINARY  
UNIT LAYOUT**

CITY OF CLAYTON

**TENTATIVE MAP 01-08  
CREEKSIDE COMMONS**  
100 S & 1007 OAK STREET  
CONTRA COSTA COUNTY

CALIFORNIA

PROJECT LOCATION  
PERMITS DATE: 01/01/2010

SCALE: 3/8" = 1'-0"

| REVISIONS | DATE |
|-----------|------|
|           |      |
|           |      |
|           |      |
|           |      |



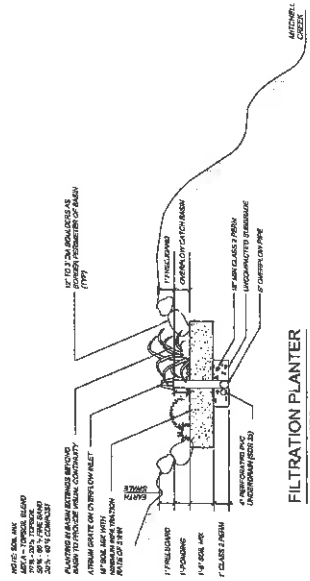
**DeBolt Civil Engineering**  
4200/210  
811 San Ramon Valley Boulevard  
Danville, California 94526  
Tel: (925) 437-4378  
Fax: (925) 437-4378  
www.dbolt.com

**TM 4**

THE SIZING OF THE FLOW-BASED TREATMENT FACILITIES IN CONTRA COSTA COUNTY IS BASED UPON A STORM DEPTH OF 0.6 INCHES. IN ORDER TO PREVENT UNTREATED RUNOFF FROM ENTERING THE STORM SYSTEM, THE PROJECT HAS PROVIDED UNDERGROUND STORAGE OF RUNOFF FOR THE INITIAL FLOW SHOULD THE SLUMP PUMP MALFUNCTION. THE AMOUNT OF STORAGE IS SUMMARIZED AS FOLLOWS:

THE LIFTING OF THE FLOW-BASED TREATMENT FACILITIES IN CONTRA COSTA COUNTY IS BASED UPON A 5.0 CM (2.0 IN.) OF GRAIN. IN ORDER TO PREVENT UNRATED RUNOFF FROM ENTERING THE STORM SYSTEM, THE PROJECT HAS PROVIDED UNDERGROUND STORAGE OF RUNOFF FOR THE INITIAL FLOW SHOULD THE SLURF PUMP MALFUNCTION. THE AMOUNT OF STORAGE IS SUMMARIZED AS FOLLOWS:

|                         |             |
|-------------------------|-------------|
| 2 SLURFS (4' X 4' X 5') | = 288 CF3   |
| 82.5' 30" DIAMETER PIPE | = 573 CF3   |
| 2' 6" DEPTH             | = 576 CF3   |
| TOTAL STORAGE           | = 1,437 CF3 |



N.T.S.

Project Name: Oak Street  
Project Type: Treatment Only  
Location: Clayton  
APN: 119-050-034  
Drainage Area: 18455 sf  
Mean Annual Precipitation: 17.5 in

IMP Name: IMP1 (Soil Type: D)  
IMP Type: Exploration Facility  
Soil Type: D

| DNA Name (in ft) | DNA Area (sq ft)           | DNA Project Type | Runoff Factor | DNA Runoff Factor | DNA Area (sq ft) | DNA Runoff Factor | Proposed Minimum Sloping Adjacentment Area or Volume | Proposed Minimum Sloping Adjacentment Area or Volume |
|------------------|----------------------------|------------------|---------------|-------------------|------------------|-------------------|------------------------------------------------------|------------------------------------------------------|
| DNA1             | 1.6d Curbside on Arden     | 1.00             | 1.00          | 1.00              | 1.6d             | 1.00              | 1.6d                                                 | 1.6d                                                 |
| DNA2             | 1.7d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 1.7d             | 1.00              | 1.7d                                                 | 1.7d                                                 |
| DNA3             | 1.7d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 1.7d             | 1.00              | 1.7d                                                 | 1.7d                                                 |
| DNA4             | 1.7d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 1.7d             | 1.00              | 1.7d                                                 | 1.7d                                                 |
| DNA5             | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA6             | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA7             | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA8             | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA9             | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA10            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA11            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA12            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA13            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA14            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA15            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA16            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA17            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA18            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA19            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA20            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA21            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA22            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA23            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA24            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA25            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA26            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA27            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA28            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA29            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA30            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA31            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA32            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA33            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA34            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA35            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA36            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA37            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA38            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA39            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA40            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA41            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA42            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA43            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA44            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA45            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA46            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA47            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA48            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA49            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA50            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA51            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA52            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA53            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA54            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA55            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA56            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA57            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA58            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA59            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA60            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA61            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA62            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA63            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA64            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA65            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA66            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA67            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA68            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA69            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA70            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA71            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA72            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA73            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA74            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA75            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA76            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA77            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA78            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA79            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA80            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA81            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA82            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA83            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA84            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA85            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA86            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA87            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA88            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA89            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA90            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA91            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA92            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA93            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA94            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA95            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA96            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA97            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA98            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA99            | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA100           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA101           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA102           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA103           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA104           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA105           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA106           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA107           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA108           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA109           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA110           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA111           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA112           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA113           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA114           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA115           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA116           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA117           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA118           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA119           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA120           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA121           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA122           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA123           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA124           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA125           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA126           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA127           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA128           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA129           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA130           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA131           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA132           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA133           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA134           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA135           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA136           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA137           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d             | 1.00              | 2.0d                                                 | 2.0d                                                 |
| DNA138           | 2.0d Project Zone on Arden | 1.00             | 1.00          | 1.00              | 2.0d</           |                   |                                                      |                                                      |

**No warnings to report.**

| DMA   | AREA       | SURFACE  |
|-------|------------|----------|
| DMA-1 | 2,000 SF±  | ASPHALT  |
| DMA-2 | 1,775 SF±  | ASPHALT  |
| DMA-3 | 1,490 SF±  | ROOF     |
| DMA-4 | 7,340 SF±  | ROOF     |
| DMA-5 | 2,000 SF±  | ROOF     |
| DMA-6 | 176 SF±    | CONCRETE |
| DMA-7 | 600 SF±    | CONCRETE |
| DMA-8 | 160 SF±    | CONCRETE |
| TOTAL | 16,500 SF± |          |

|     |        |
|-----|--------|
| IMP | SIZE   |
| 1   | 800 SF |
| 2   | 250 SF |

1000

BIO-SWALE / PLANTERS

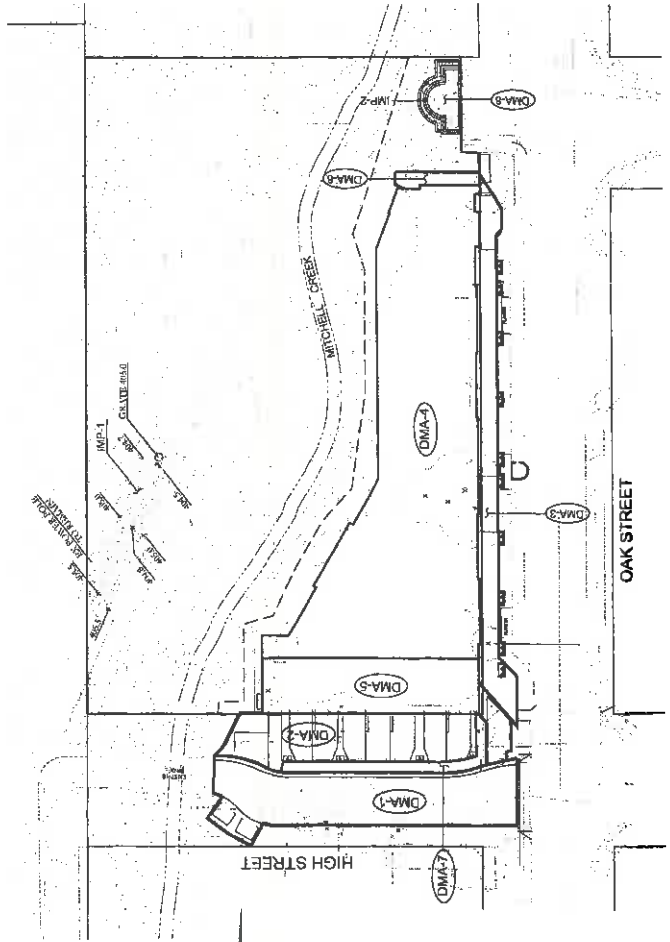
CATCH BASINS

STORM DRAIN LINE

EARTH SWALES

DENOTES AREA (DMA)  
DRAINAGE MANAGEMENT

INTEGRATED MANAGEMENT





- [illegible]

### TREE LEGEND

- |     | EXISTING TREE TO BE REMOVED | EXISTING TREE TO REMAIN | PROPOSED TREE |
|-----|-----------------------------|-------------------------|---------------|
| 1   | X<br>25                     |                         | +             |
| 2   |                             | 279                     |               |
| 3   |                             |                         |               |
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## PLANT LIST

[illegible]

## AYOIT LEGEND

- [illegible]

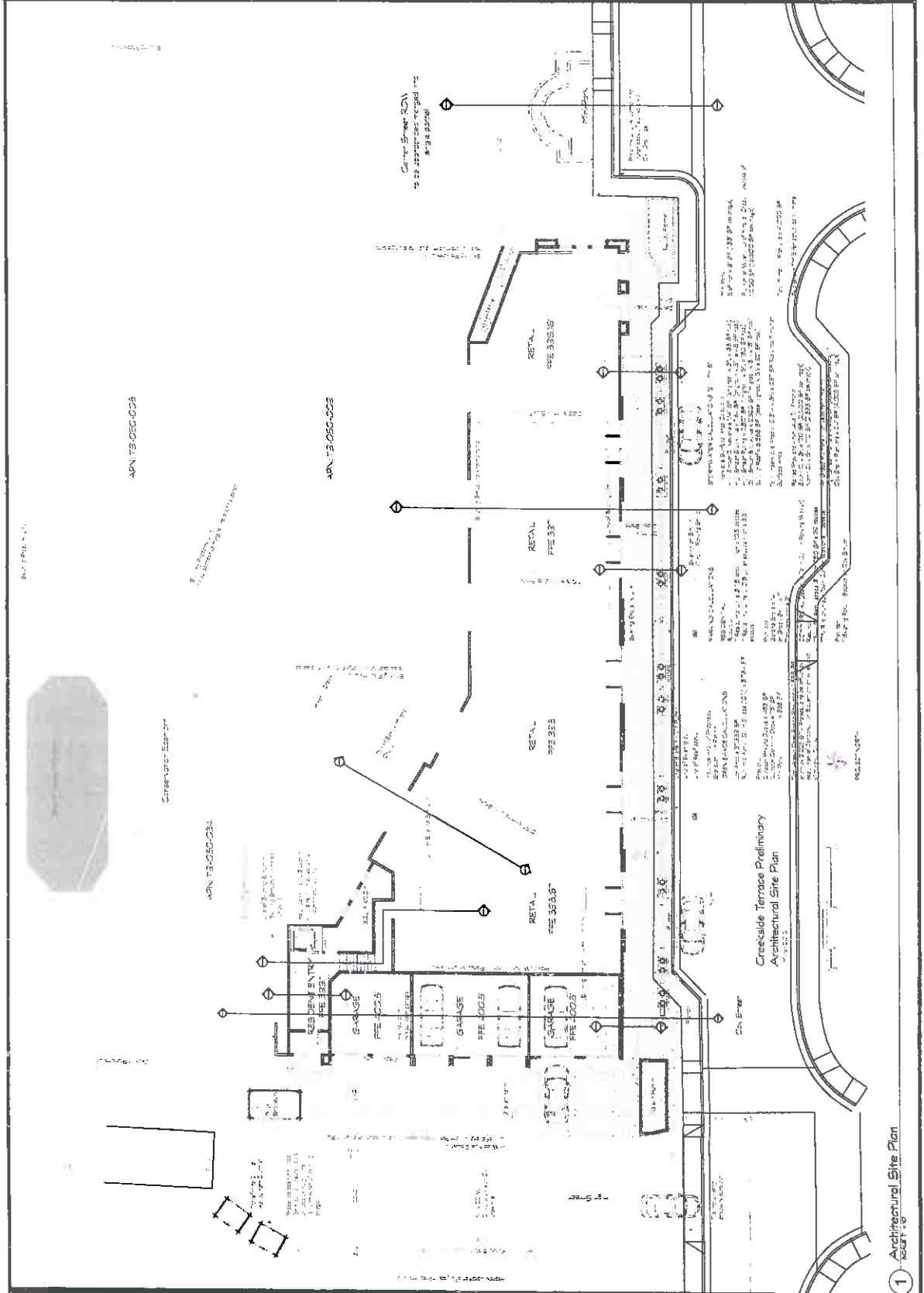
Architectural Site  
Plan

SHEET TITLE  
PROJECT NO. 200018  
MODULAR  
DRAWN BY  
CHECKED BY  
DATE  
CITY OF CLAYTON, CA 94517

Creekside  
Terrace  
1005 - 1007 Oak Street, Clayton, CA  
City of Clayton, Redevelopment Agency



CONSULTANTS  
f/x  
PO Box 974  
Clayton, CA 94517



1st Floor Plan

SHEET TITLE

PROJECT NO. 20008

MODEL FILE

DRAWN BY: rrs

CHECK BY: rrs

DATE: 2000 12/24

DATE: 2000 12/24

DATE: 2000 12/24

DATE: 2000 12/24

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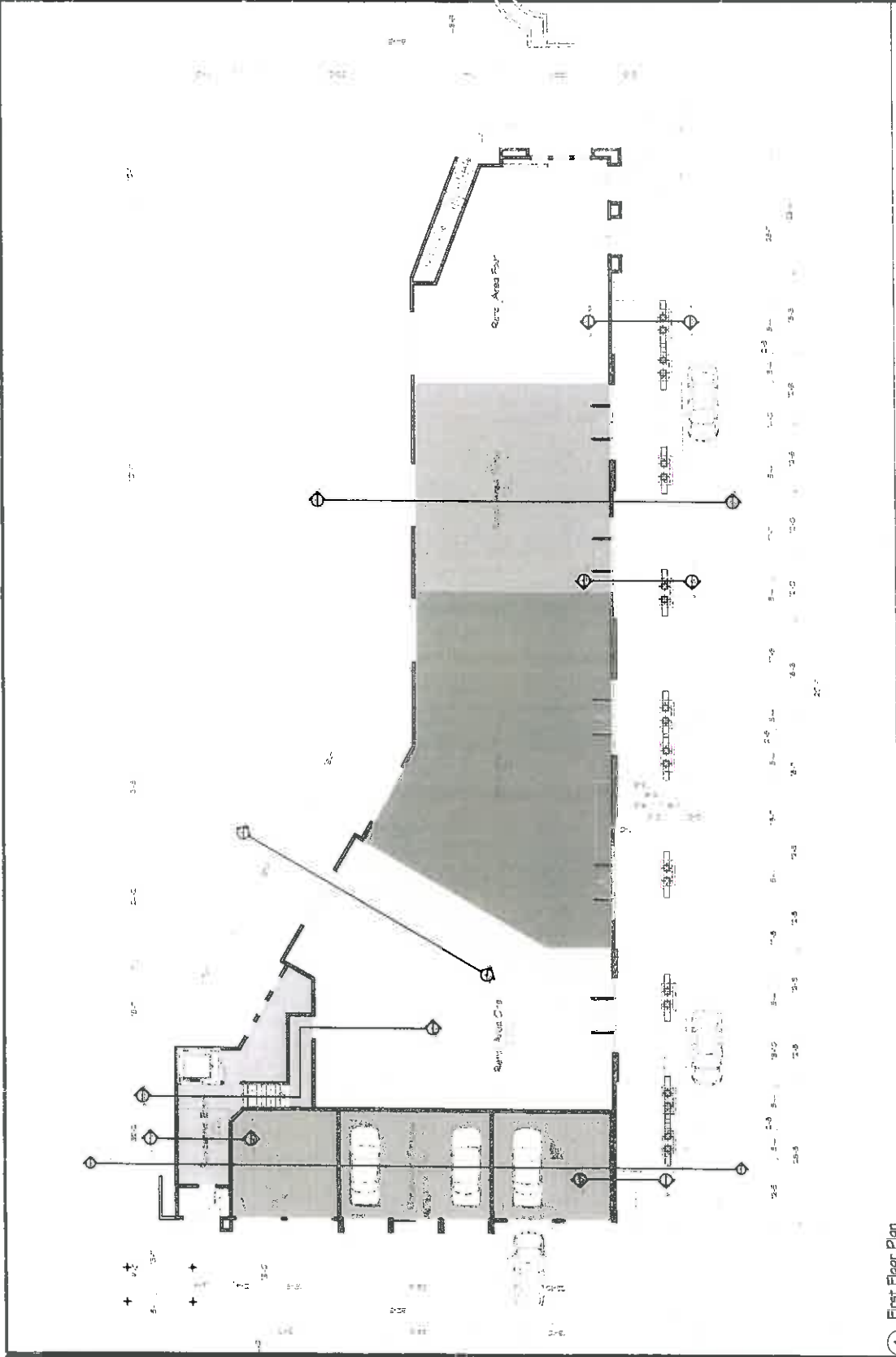
DATE: 2000 12/24

DATE: 2000 12/24

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PO Box 976  
Croyton, CA 94517



Creekside Terrace  
1005 - 1007 Oak Street, Croyton, CA  
City of Croyton, Redevelopment Agency



1 First Floor Plan  
Scale: 1/8" = 1'-0"

2nd Floor Plan

SHEET TITLE

COPYRIGHT: 2000 VZB

CHD BY: MS

MODEL FILE: MS

PROJECT NO.: 200705

DATE: 02/02/05

REVISION: 02/02/05

DATE: 02/02/05

DATE: 02/02/05

DATE: 02/02/05

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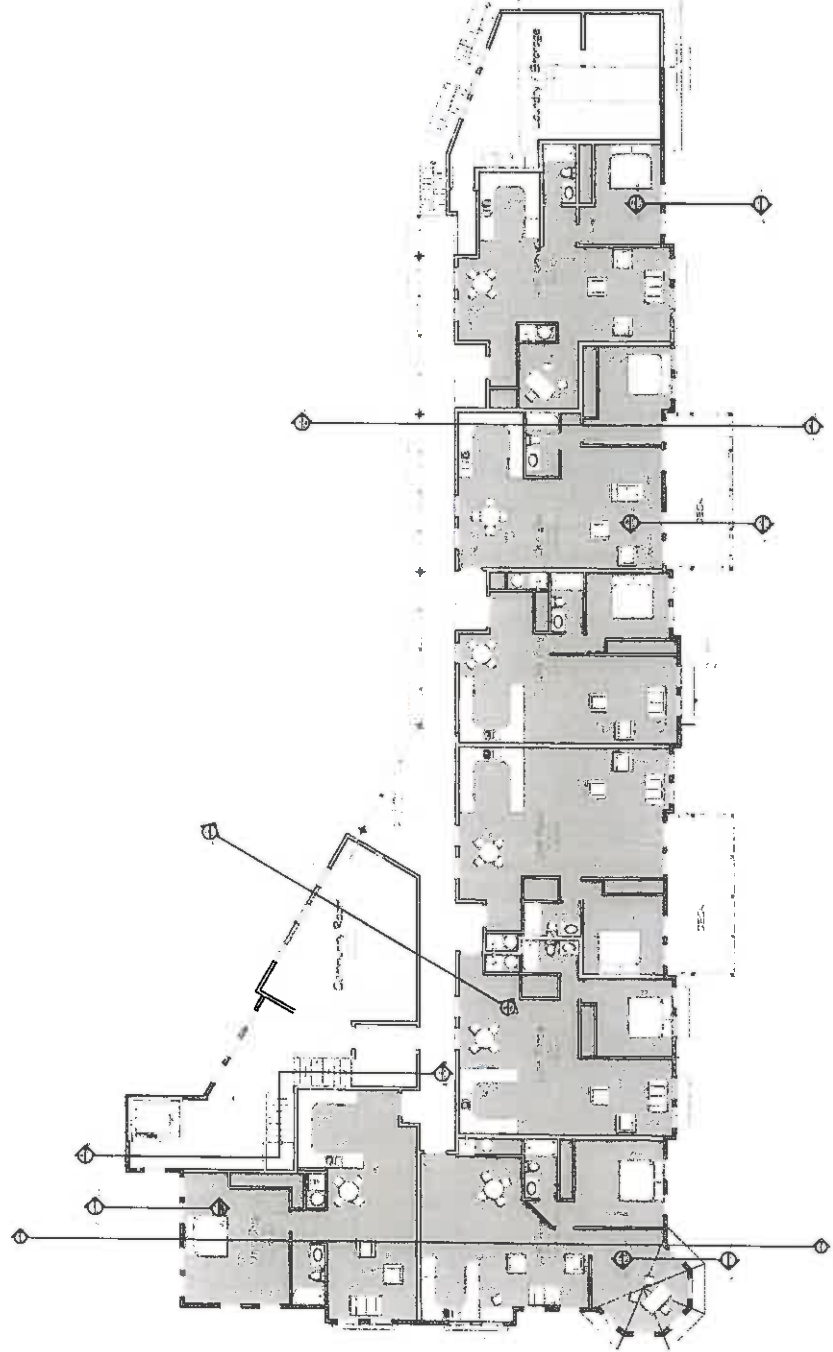
DATE: 02/02/05

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DATE: 02/02/05



1 2nd FLOOR PLAN  
SCALE: 1/8" = 1'-0"



Creekside  
Terrace  
1005 - 1007 Oak Street, Clayton, CA  
City of Clayton, Redevelopment Agency

CONSULTANTS

PO Box 974  
Clayton, CA 94517  
f/x



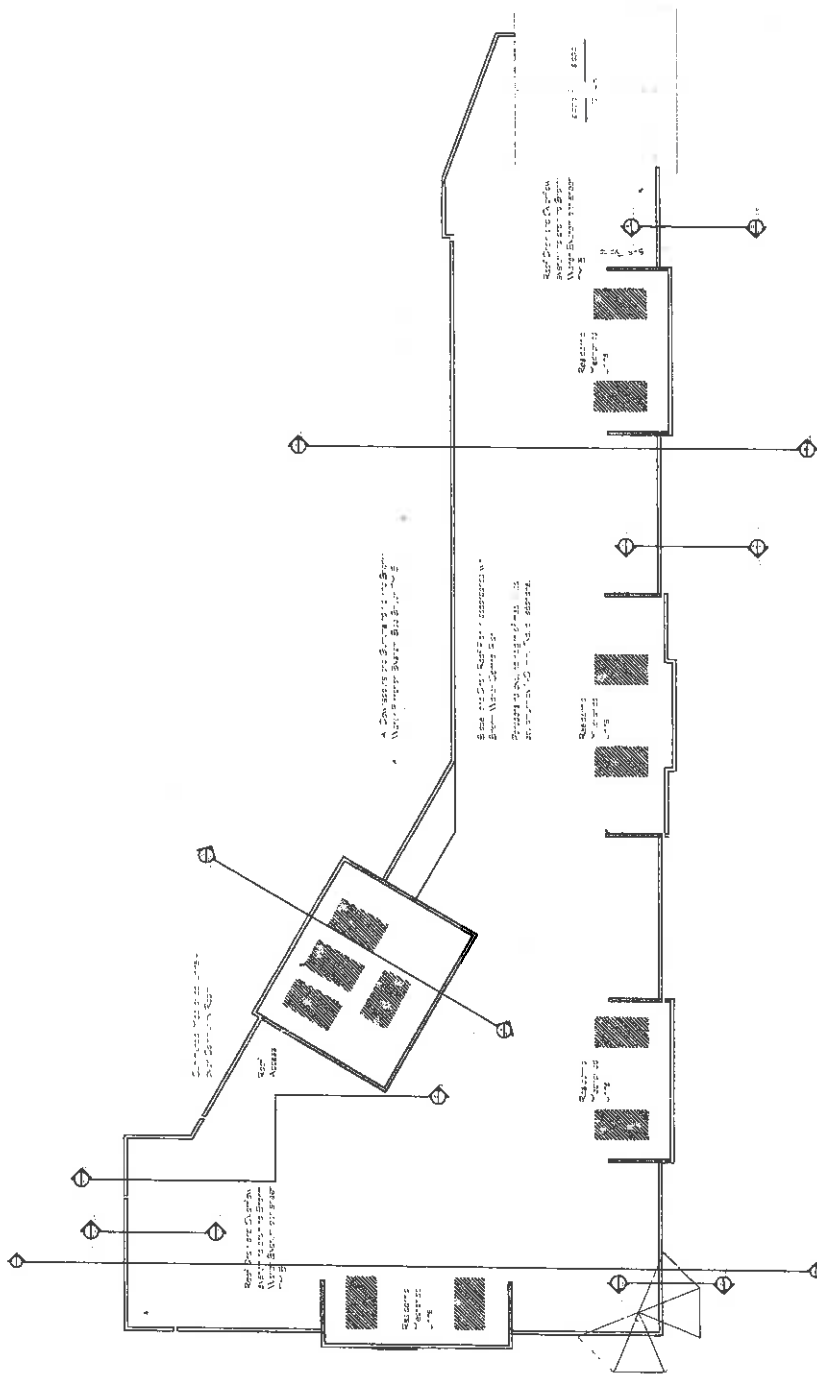
## Roof Plan

PROJECT NO: 200116  
MODEL FILE:  
DRAWN BY: FLS  
CHECK BY: FLS  
COPYRIGHT: 2010 VIZ/4

Creekside  
Terrace  
1005 - 1007 Oak Street, Clayton, CA  
City of Clayton, Redevelopment Agency



$f/x$   
PO Box 974  
Clayton, CA 94517



1 Roof Plan  
SCALE: 1/8" = 1'-0"



Elevations

SHEET TITLE

PROJECT NO. 20086  
MODEL FILE  
DRAWN BY: RS  
CHECKED BY: RS  
DATE: 10/20/2014  
CITY OF CLAYTON, CALIFORNIA

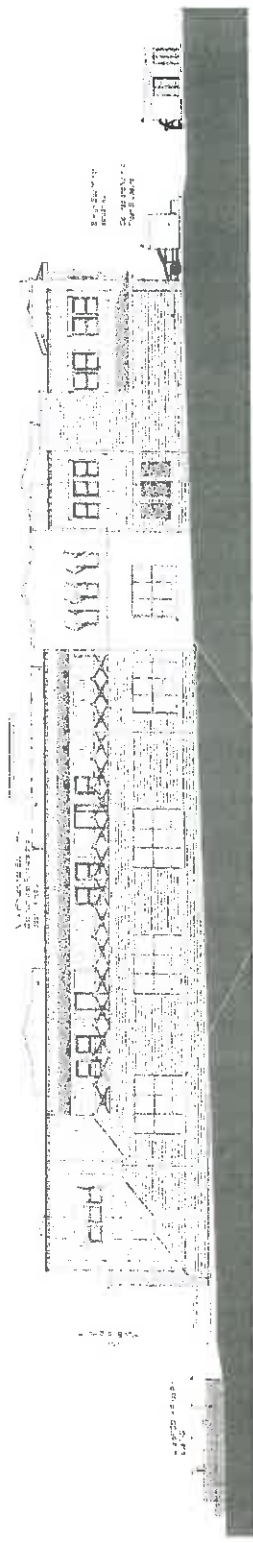
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|-----|------------|----------------|
| 1   | 10/20/2014 | Rev. Submittal |
| 2   | 10/20/2014 | Rev. Submittal |
| 3   | 10/20/2014 | Rev. Submittal |

Creekside Terrace  
1005 - 1007 Oak Street, Clayton, CA  
City of Clayton, Redevelopment Agency

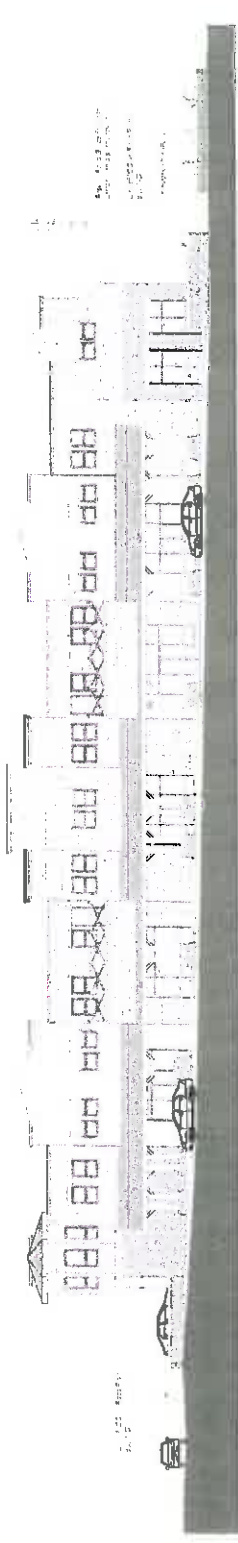


CONSULTANTS

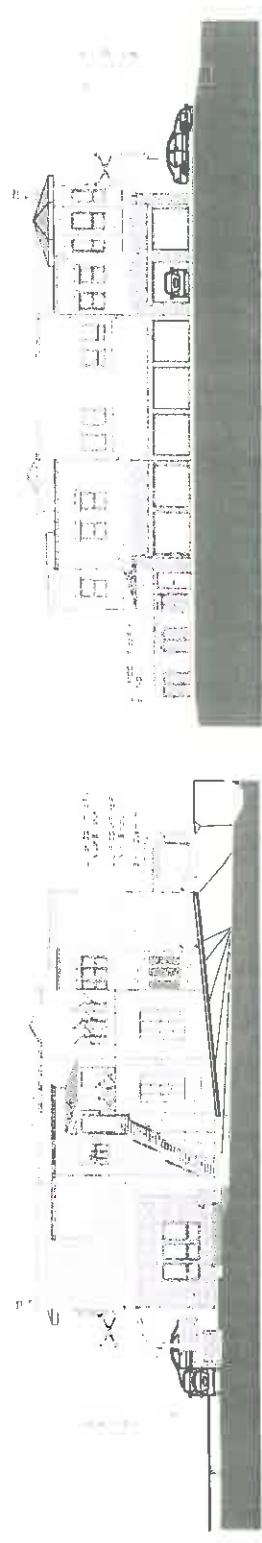
f/x  
PO Box 974  
Clayton, CA 94517



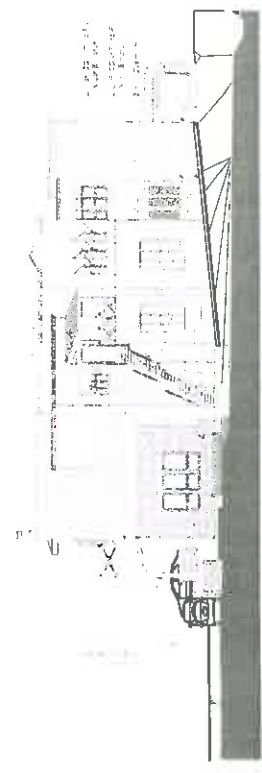
West Elevation  
SCALE: 3/8" = 1'-0"



East Elevation  
SCALE: 3/8" = 1'-0"



South Elevation  
SCALE: 3/8" = 1'-0"



North Elevation  
SCALE: 3/8" = 1'-0"

Sections

SHEET TITLE

PROJECT NO. 200216  
MODEL FILE  
DRAWN BY: rsl  
CHECKED BY: rsl  
CITY OF CLAYTON, CA 94517

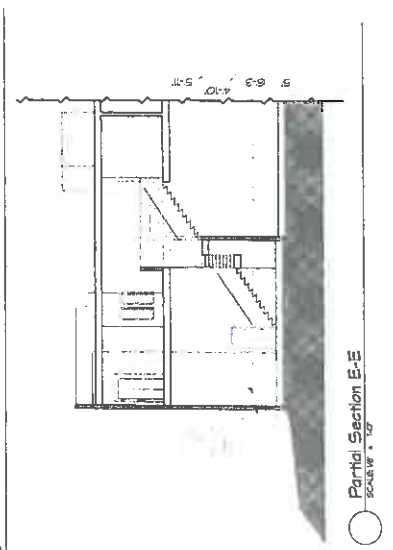
| NO. | DATE     | REVISION | DESCRIPTION |
|-----|----------|----------|-------------|
| 1   | 05/20/07 | Rev. 1   | Rev. 1      |
| 2   | 05/20/07 | Rev. 2   | Rev. 2      |
| 3   | 05/20/07 | Rev. 3   | Rev. 3      |
| 4   | 05/20/07 | Rev. 4   | Rev. 4      |
| 5   | 05/20/07 | Rev. 5   | Rev. 5      |
| 6   | 05/20/07 | Rev. 6   | Rev. 6      |
| 7   | 05/20/07 | Rev. 7   | Rev. 7      |
| 8   | 05/20/07 | Rev. 8   | Rev. 8      |
| 9   | 05/20/07 | Rev. 9   | Rev. 9      |
| 10  | 05/20/07 | Rev. 10  | Rev. 10     |

Creekside Terrace  
1005 - 1007 Oak Street, Clayton, CA  
City of Clayton, Redevelopment Agency

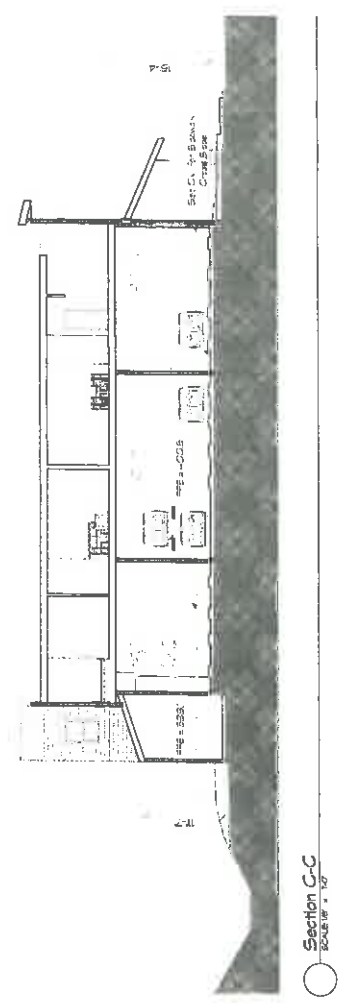
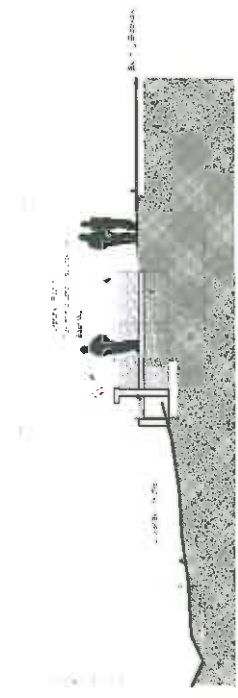


CONSULTANTS

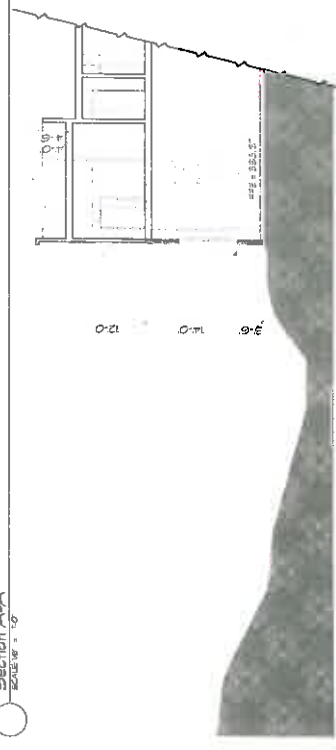
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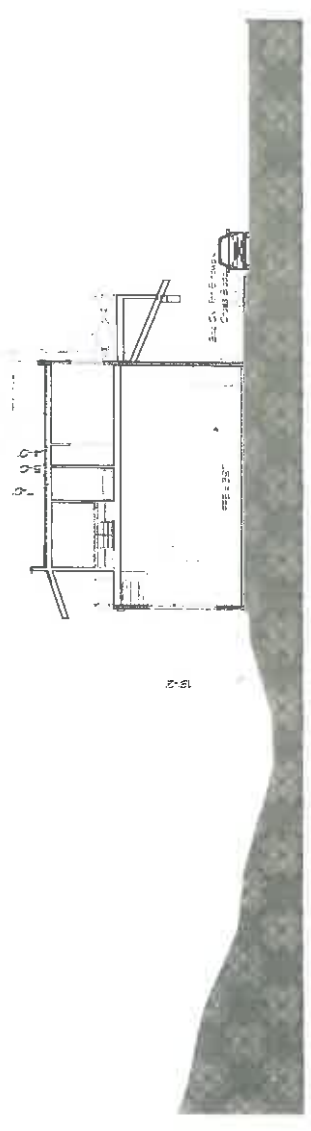
Section D-D  
SCALE: 1/8" = 1'-0"



Partial Section B-B  
SCALE: 1/8" = 1'-0"



Section A-A  
SCALE: 1/8" = 1'-0"













View From High  
Street

SHEET TITLE

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Creekside  
Terrace  
1005 - 1007 Oak Street, Clayton, CA  
City of Clayton, Redevelopment Agency



CONSISTENT

PO Box 974  
Clayton, CA 94517  
f/x



View from High Street



Flood Data

SHEET TITLE

PROJECT NO. 20016  
DRAWN BY: [blank]  
CHECKED BY: [blank]  
DATE: 2/20/06  
COPYRIGHT: 2006 VZM

| NO. | DATE    | DESCRIPTION    |
|-----|---------|----------------|
| 06  | 2/20/06 | Rev. Submittal |
| 05  | 1/20/06 | Site Submittal |
| 04  | 9/30/05 | PC Submittal   |
| 03  | 8/10/05 | PC Submittal   |

Creekside Terrace  
1005 - 1007 Oak Street, Clayton, CA  
City of Clayton, Redevelopment Agency



CONSULTANTS

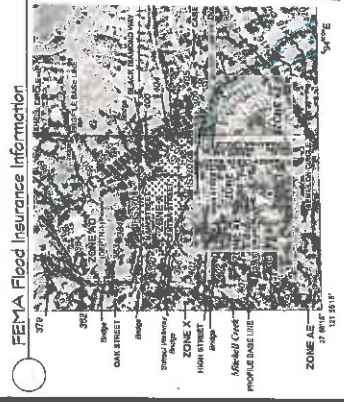
PO Box 974  
Clayton, CA 94517  
f/x



Estimated 100 yr. Flood plus 1'



Flood Contours



FEMA Detail



LEGEND

100 YEAR FLOOD PLUS 1'

100 YEAR FLOOD

500 YEAR FLOOD

1000 YEAR FLOOD

100 YEAR FLOOD PLUS 1'

100 YEAR FLOOD

500 YEAR FLOOD

1000 YEAR FLOOD

NOTES TO USERS

1. This map was prepared for the City of Clayton, California, and is not to be used for any other purpose without the written consent of the City of Clayton.

2. The map is based on the best available data and is not a guarantee of accuracy.

3. The map is not to be used for any purpose other than the one for which it was prepared.

4. The map is not to be used for any purpose other than the one for which it was prepared.

5. The map is not to be used for any purpose other than the one for which it was prepared.

FEMA Flood Insurance Information

Stencilled Lettering  
Rust colored to match  
wood signs, typical

4" High Store Name  
Centered. 40% of Glazed  
Area Max. or average  
sf / glazed panel

4" Suite Label

- 1 High Hours and  
Emergency Contact Info

Store Front Stencil  
6-1/2" x 1-0"

Signage Calculations  
200 lf Oak St. frontage

200 sf max signage allowable

Hanging Signs: 7sf/sign x  
7 signs = 49 total sf of  
hanging signage

Monument Sign: 2x10 =  
20 sf of monument sign

Max. 131 sf of window signage allowed. 10.9 sf/panel (12 panels)

This architectural drawing shows a detailed elevation of a building facade. The central portion of the facade is highlighted with a grey wash, indicating a specific material or a section of interest. The building features a series of windows, some with decorative mullions, and a prominent gabled roofline on the left side. The drawing is a black and white line drawing with a grey wash.

SHEET 20 OF 17

# PLANNING COMMISSION STAFF REPORT

**Meeting Date:** December 11, 2012

**From:** David Woltering, AICP  
Community Development Director 

**Subject:** Amendment of the Clayton Municipal Code to add Chapter 15.92 Regarding Universal Design (ZOA 02-12)

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## **BACKGROUND**

On April 20, 2010, the City Council approved the Clayton 2009-2014 General Plan Housing Element. Subsequently, on July 15, 2010, the State Department of Housing and Community Development (HCD) conditionally certified this Housing Element. This certification is based on the City of Clayton making a good faith effort toward enacting over 30 categories of implementation measures that are described in the Housing Element. One of the Housing Element implementation measures, Implementation Measure IV.3.3, states the following:

“The City will evaluate the feasibility of a universal design ordinance that provides greater adaptability and accessibility of housing for persons with disabilities. If a universal design ordinance is determined to be feasible, the City will prepare an ordinance and produce a brochure on universal design, resources for design, and compliance with City requirements. The City will distribute the brochure to developers and to community organizations serving individuals with disabilities.”

Staff has worked with Raney Planning & Management staff and the City Attorney's office to prepare both a universal design ordinance, Chapter 15.92 (See **Attachment 1**) and a universal design brochure (See **Attachment 2**) to distribute to developers and community organizations serving individuals with disabilities. These documents were presented and reviewed by the Planning Commission at its meetings of August 28, 2012 and November 13, 2012. At those meetings, staff received and incorporated comments from the Planning Commission into the current iterations of these documents.

At the November 13, 2012 Planning Commission meeting, there was discussion about the timing and feasibility of offering some of the design features listed in proposed Chapter 15.92 by builders and developers to prospective buyers of new homes. Staff suggested, and the Commission agreed, that the discussion of the universal design ordinance be continued to a future meeting to allow staff to do more research regarding the general feasibility of implementing the listed design features proposed to be offered in the draft ordinance. Staff has completed additional research, and in the Discussion section of this report summarizes its findings and as well as options for consideration.

## **DISCUSSION**

Architect Dan Hale of Hunt Hale Jones, whose firm designed the Diablo Estates at Clayton residential subdivision, reviewed the current draft universal design ordinance. His comments are summarized below. A primary concern of Mr. Hale's was related to meeting the clearances



suggested in the draft ordinance in areas such as hallways, kitchens, and bathrooms. The assumption was that an overall design option would need to be provided, if requested by a prospective homebuyer, for all the units being proposed. He suggested this could be challenging from a design standpoint and costly. He anticipated the difficulty and cost could lead to requests for exemptions and possible challenges from prospective buyers if requests were deemed infeasible. He did not anticipate a problem with design offerings such as rocker switches, lower door bells, disabled-friendly door handles and faucets. He suggested an option of requiring that a developer offer one or possibly two plan types, depending on the size of the subdivision, which could include the universal design features listed in the draft ordinance. In this manner, the objective of the City to have more visitable homes would be achieved while not requiring the developer/builder to prepare a separate set of universal design plans for all plan types. The plan type could involve the ground floor for a two-story home or a single-story home. He suggested this option could be a more feasible and less costly approach.

Staff also spoke with Mr. Gregory Schreeve, Chief Building Official for the City of Dublin. Mr. Schreeve helped draft Dublin's universal design ordinance, Chapter 7.90 (See **Attachment 3**) and has been implementing it since its adoption a couple of years ago. Similar to the current draft of the Clayton universal design ordinance, Dublin's ordinance is modeled after HCD's model universal design ordinance. Dublin also has a universal design brochure (See **Attachment 4**) that it uses to inform citizens of this ordinance. The Dublin ordinance is different from Clayton's draft ordinance in a number of areas, including the following:

- The threshold for applicability is a project in excess of 20 units and it indicates conformance with the requirements of this ordinance will be included as a condition of approval for specified entitlements (Section 7.90.040);
- A lower level doorbell is a mandatory installation feature (Section 7.90.060);
- Grab bar reinforcements and disabled-friendly faucets are mandatory installation features (Section 7.90.080);
- Sink controls are mandatory installation features (Section 7.90.090); and
- Hand-activated door hardware, rocker light switches, and specialized receptacle outlets are mandatory installation features (Section 7.90.130).

Mr. Schreeve indicated that, initially, during the process for consideration of the ordinance there was substantial opposition from developer interests. There were concerns about added costs and feasibility of offering many of the universal design features. These concerns were similar to those of Mr. Hale about modifying base design plans to satisfy clearance requirements. He indicated, though, that advocates for the proposed universal design standards argued that there would not be a need to alter the base home designs if the clearances were simply part of the base plans. Moreover, it was agreed that offering these features would apply only to ground floor areas and to projects in excess of 20 units. He indicated that developers of applicable projects, i.e., in excess of 20 residential units, know that they must comply with this municipal code requirement. Staff reminds the developers during pre-application meetings of this requirement, plans are checked when submitted for conformance with the universal design ordinance before being presented for Planning Commission review, conditions are attached to assure the requirements are satisfied, and a checklist is signed off at the time of final inspection. He indicates that the program has been very successful.



## **RECOMMENDATION**

Staff suggests that the Planning Commission review the materials attached from the City of Dublin as well as the options presented in this report to facilitate the construction of universal design features in new housing here in Clayton. The Commission should discuss these options and then suggest to staff options/revisions to the City's current draft universal design ordinance. Options for consideration include establishing a unit number threshold for applicability of the universal design ordinance, requiring a certain number of plan types for offering or to have universal design features, and actually mandating those design features that appear of a lower cost and easier to install similar to Dublin. Based on the Commission's discussion and resulting direction, staff will modify and bring back the universal design ordinance to the Commission for a recommendation to the City Council.

## **ATTACHMENTS**

- 1 Clayton's Draft Universal Design Ordinance, Chapter 15.92
- 2 Clayton's Draft Universal Design Ordinance Brochure
- 3 Dublin's Universal Design Ordinance, Chapter 7.90
- 4 Dublin's Universal Design Ordinance Brochure

ZOA\2012\02-12.sr.pc.universal.design.12.11.12

Chapter 15.92UNIVERSAL DESIGN**Section:**

|           |                                                                              |
|-----------|------------------------------------------------------------------------------|
| 15.92.010 | Purpose and Intent                                                           |
| 15.92.020 | Findings                                                                     |
| 15.92.030 | Definitions                                                                  |
| 15.92.040 | Scope and Application                                                        |
| 15.92.050 | Exemptions                                                                   |
| 15.92.060 | Standards: Primary Entrance                                                  |
| 15.92.070 | Standards: Interior Routes                                                   |
| 15.92.080 | Standards: Primary Floor Powder Room/Bathroom Entry and Facilities           |
| 15.92.090 | Standards: Kitchen and Facilities                                            |
| 15.92.100 | Standards: Common Use Room                                                   |
| 15.92.110 | Standards: Bedroom                                                           |
| 15.92.120 | Standards: Miscellaneous Areas                                               |
| 15.92.130 | Standards: General Components                                                |
| 15.92.140 | Standards: New Construction or Substantial Rehabilitation—Permissive Options |
| 15.92.150 | Enforcement                                                                  |
| 15.92.160 | Severability                                                                 |
| 15.92.170 | Effective Date                                                               |

**15.92.010 Purpose and Intent**

- A. To facilitate the development of residential dwelling units that are visitable, usable, and safe for occupancy by persons with disabilities.
- B. To allow buyers of new homes~~new-homebuyers~~ the option of incorporating universal design principles into their future homes in order to enhance their ability to remain in their homes during periods of temporary, developing, or permanent disabilities; and
- C. To accommodate a wide range of individual preferences and functional abilities while not significantly impacting housing costs and affordability.

**15.92.020 Findings**

- A. Pursuant to California Health and Safety Code Section 17959, the City Council finds that:
  - 1. According to the Clayton Housing Element, approximately 12.8 percent of City residents (16 years or older) have one or more disabilities. In addition, approximately nine percent of all Clayton residents are over the age of 65. Individuals with mobility difficulties may require special accommodations to their homes to allow for continued independent living.

2. The provisions of this chapter are reasonably necessary to serve these populations as well as those anticipating a disability by enhancing opportunities for the full life-cycle use of housing without regard to the physical abilities or disabilities of a home's occupants or guests. This is done in order to accommodate a wide range of individual preferences and functional abilities.
3. The provisions of this chapter are substantially the same as the model universal design ordinance adopted by the State of California Department of Housing and Community Development and are not less restrictive than the requirements of the California Building Code as adopted by the City.

#### **15.92.030 Definitions**

For the purpose of this chapter, the following terms shall have the following definitions:

**Accessible:** Consistent with or as defined by the California Building Code, Chapter 11A.

**ANSI A117.1:** The most current version of the "Standard on Accessible and Usable Buildings and Facilities", commonly known as "ICC/ANSI A117.1", published by the International Code Council and American National Standards Institute, Inc.

**Bathroom:** A room containing a toilet (water closet), lavatory (sink), and either a shower, bathtub, combination bathtub/shower, or both a shower and bathtub. It includes a compartmented bathroom in which the fixtures are distributed among interconnected rooms.

**CBC, Chapter 11A:** Chapter 11A of the California Building Code (located in Part 2, Title 24, California Code of Regulations), or its successor provisions.

**Common Use Room:** A room commonly used by residents or guests to congregate.

**New Construction:** The construction of a new building. New construction does not include additions, alterations, or remodels to existing buildings.

**Owner-Occupied:** Any residential dwelling unit not intended to be occupied as a rental dwelling at the time of application for the building permit.

**Powder Room:** A room containing a toilet (water closet) and lavatory (sink), but no bathtub or shower. It includes a compartmented powder room in which the fixtures are distributed among interconnected rooms.

**Primary Entry:** The principal entrance through which most people enter a building or residential unit, as designated by the Building Official.

**Rental:** Any residential dwelling unit not intended to be occupied by the owner at the time of application for a building permit.

**Residential Dwelling:** A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**Visitable Residential Dwelling:** A residential unit subject to the requirements of this chapter by virtue of being within the scope of this chapter as defined in Section 15.92.040.

#### **15.92.040 Scope and Application**

- A. Unit Coverage. All residential dwelling units which are, or are intended to be, owner-occupied or rental for which an application for a new construction building permit is submitted to the Community Development Department 30 or more days after the effective date of this chapter shall be visitable residential dwellings.
- B. Unit Types: New construction of all single-family, duplex, and triplex residential dwellings except for custom-built homes.

#### **15.92.050 Exemptions**

- A. When the applicant adequately demonstrates and the Community Development Director and Building Official determine that compliance with any portion of any regulation under this chapter would create an undue hardship, or that equivalent facilitation is not available, an exception to that portion of the regulation shall be granted.
- B. When the applicant adequately demonstrates and the Community Development Director and Building Official determine that compliance with any portion of any regulation under this chapter would create an undue hardship due to topographical conditions of the site, the size of the site, other site constraints, or legal constraints, and that no equivalent facilitation is available, an exemption to that portion of the regulation shall be granted.
- C. When the applicant adequately demonstrates and the Community Development Director and Building Official determine that a residential dwelling unit is being reconstructed as a result of a disaster, an exemption to all or any portion of this chapter shall be granted.
- D. This ordinance shall not be applicable to any residential structure that has its primary entry located over below-ground or grade-level parking.

#### **15.92.060 Standards: Primary Entrance**

- A. New Construction—Not Mandatory to Install: ~~Specified~~**Mandatory** installations related to a primary entrance in a visitable residential dwelling as described in Subsection B below—do not exist.
- B. New Construction—Mandatory to Offer: The following options for the accessible entrance on the primary entry level shall be offered and, if accepted, installed at the request and cost of the purchaser, if requested when installation is consistent with 15.92.140:

1. An exterior accessible route that is either:
  - a. Consistent with the requirements of CBC Chapter 11A; or
  - b. Not less than forty inches (40") wide and not have a slope greater than one (1) unit vertical in twenty (20) units horizontal.
2. The accessible primary entrance that is consistent with the requirements of CBC Chapter 11A.
3. The floor or landing at and on the exterior and interior side of the accessible entrance door that is either of the following:
  - a. Consistent with the requirements of CBC Chapter 11A; or
  - b. The width of the level area on the side to which the accessible entrance door swings shall extend twenty-four inches (24") past the strike edge of the door.
4. The exterior accessible entry door that is either:
  - a. Consistent with the requirements of CBC Chapter 11A, or
  - b. Have a thirty-four inch (34") net clear opening.
5. A second exterior door that is installed in a manner so that it is accessible as provided in this Section 15.92.060 with a thirty-two inch (32") net clear opening.
6. Where at least one eyehole is provided in the accessible entry door, one shall be at standard height and a second one that is between forty-two inches (42") and forty-four inches (44") from the finished floor.
7. Where at least one doorbell is provided for the accessible entry door, one that is between forty-two inches (42") and forty-eight inches (48") from the finished floor must be offered.

#### 15.92.070 Standards: Interior Routes

- A. New Construction—Not Mandatory to Install: ~~Specified~~**Mandatory** installations related to interior routes in a visitable residential dwelling as described in Subsection B below~~do not exist.~~
- B. New Construction—Mandatory to Offer: The following options for accessible interior routes on the primary entry level shall be offered and, if accepted, installed at the request and cost of the purchaser, if requested when installation is consistent with Section 15.92.140:
  1. At least one accessible route through the hallways consistent with the requirements of CBC Chapter 11A from the accessible entrance of the dwelling unit to the primary entry level powder room or bathroom, a common use room, and the kitchen if located on the primary entry level.
  2. No sunken or raised area in the bathroom or powder room, the common use room, and the kitchen, if on the primary entry level, on an accessible route.
  3. Handrails installed in a manner consistent with CBC Chapter 11A on one or both sides of the accessible route, at the option of the purchaser.
  4. Handrail reinforcement installed on one or both sides of the accessible route.
  5. An accessible route with a minimum width of forty-two inches (42"). **Alternatively,** ~~a~~**A** thirty-nine inch (39") hallway width may be provided when all doors leading to any bathroom, powder room, common use room, or kitchen, if on the primary entry level, that must be accessible have a minimum clear door opening of thirty-four inches (34"), ~~or~~**and** a thirty-six inch (36") hallway width may be provided when all

doors leading to any bathroom, powder room, common use room, or kitchen on the primary entry level that must be accessible have a minimum clear door opening of thirty-six inches (36").

#### **15.92.080 Standards: Primary Floor Powder Room/Bathroom Entry and Facilities**

A. New Construction—Not Mandatory to Install: ~~Specified~~**Mandatory** installations related to the powder room, bathroom, or other facilities in a visitable residential dwelling as described in Subsection B below~~do not exist~~.

B. New Construction—Mandatory to Offer: The following options for the accessible bathroom or powder room on the route from the primary entrance shall be offered and, if accepted, installed at the request and cost of the purchaser, if requested when installation is consistent with Section 15.92.140:

1. At least one powder room or bathroom, at the option of the purchaser, on the primary entry level of a visitable residential dwelling which complies with the requirements of CBC Chapter 11A.
2. Clear space in the bathroom or powder room that is either:
  - a. Consistent with the requirements of CBC Chapter 11A; or
  - b. Outside of the swing of the door and either a forty-eight inch circle, forty-eight inches by sixty inches (48" x 60") or a sixty-inch (60") diameter circle, at the option of the purchaser.
3. A bathtub or shower meeting the requirements of ANSI A117.1
4. Either of the following:
  - a. Grab bar reinforcement consistent with CBC Chapter 11A; or
  - b. Grab bars installed in a manner consistent with CBC Chapter 11A for the toilet, shower/bath, or lavatory, or any combination thereof, at the option of the purchaser.
5. Faucets and handles not requiring tight grasping, pinching, or twisting of the wrist and consistent with the requirements of CBC Chapter 11A.
6. A lavatory or sink installed consistent with CBC Chapter 11A.
7. A toilet installed consistent with CBC Chapter 11A.
8. Removable cabinets under the lavatory/sink.
9. Where mirrors and towel fixtures are provided in the accessible bathroom or powder room, installation consistent with the requirements of CBC Chapter 11A.

#### **15.92.090 Standards: Kitchen and Facilities**

A. New Construction—Not Mandatory to Install: ~~Specified~~**Mandatory** installations related to a kitchen in a visitable residential dwelling as described in Subsection B below~~do not exist~~.

B. New Construction—Mandatory to Offer: If there is a kitchen on the primary entry level, the following options shall be offered and, if accepted, installed at the request and cost of the purchaser, if requested when installation is consistent with Section 15.92.140:



1. An accessible route to the kitchen, with a pathway through the kitchen to the stove, oven, or combination stove-oven consistent with the requirements of CBC Chapter 11A.
2. One or more of the following, at the purchaser's option:
  - a. At least a forty-eight inch by sixty-inch (48" x 60") clear space in front of a stove at the base of a U-shaped kitchen;
  - b. At least a thirty-inch by forty-eight inch (30" x 48") clear space in front of the sink (counting open access underneath, if available);
  - c. At least one eighteen-inch (18") wide breadboard and/or at least eighteen inches (18") in counter space at a thirty-four inch (34") height, or any combination thereof, at the option of the purchaser.
3. Sink controls consistent with CBC Chapter 11A.
4. Adjustable sink and/or removable under-sink cabinets consistent with Chapter 11A.
5. Hood fan controls at light switch level or lower level.

#### **15.92.100 Standards: Common Use Room**

- A. New Construction—Not Mandatory to Install: ~~Specified~~**Mandatory** installations related to a common use room in a visitable residential dwelling as described in Subsection B below ~~do not exist~~.
- B. New Construction—Mandatory to Offer: The following options for the common use room on the primary entry level shall be offered and, if accepted, installed at the request and cost of the purchaser, if requested when installation is consistent with Section 15.92.140:
  1. At least one common use room, such as a dining room or living room, on the accessible route. Sunken or raised areas not exceeding fifty percent (50%) of the area of the room's floor space shall be permitted as an option of the purchaser in a common use room on the accessible route when an accessible route connects a usable portion of the common use room to the accessible bathroom or powder room and the accessible exterior entrance door.
  2. No sunken areas in a common use room on an accessible route.
  3. Standards related to access to and flatness of any other common area room on the primary entry level.

#### **15.92.110 Standards: Bedroom**

- A. New Construction—Not Mandatory to Install: ~~Specified~~**Mandatory** installations related to a bedroom in a visitable residential dwelling as described in Subsection B below ~~do not exist~~.
- B. New Construction—Mandatory to Offer: If there is a bedroom on the primary entry level, the following options shall be offered and, if accepted, installed at the request and cost of the purchaser, if requested when installation is consistent with Section 15.92.140:
  1. At least one bedroom on the accessible route of travel with all components meeting the requirements of Section 15.92.130. A closet shall have at least a thirty-two inch (32") net opening and adjustable closet rods and shelving. A family room or den may satisfy this bedroom requirement if a sleeping structure (such as a bed, futon, hide-

away, or Murphy bed) can be placed in the room and if the room complies with provisions for emergency escape and rescue and smoke alarms in the California Building Code.

#### **15.92.120 Standards: Miscellaneous Areas**

- A. New Construction—Not Mandatory to Install: ~~Specified~~**Mandatory** installations related to miscellaneous areas of a visitable residential dwelling as described in Subsection B below~~do not exist.~~
- B. New Construction—Mandatory to Offer: The following options shall be offered, and if accepted, installed at the request and cost of the purchaser, if requested when installation is consistent with Section 15.92.140:
1. If on the primary entry level, miscellaneous areas or facilities (such as a patio or yard, laundry room, or storage area) for the dwelling must have an accessible route to and from the accessible entrance, either through the dwelling unit or around the dwelling unit.

#### **15.92.130 Standards: General Components**

- A. New Construction—Not Mandatory to Install: ~~Specified~~**Mandatory** installations related to general components in a visitable residential dwelling as described in Subsection B below~~do not exist.~~
- B. New Construction—Mandatory to Offer: The following options shall be offered, and if accepted, installed at the request and cost of the purchaser, if requested when installation is consistent with Section 15.92.140:
1. Rocker light switches and controls installed pursuant to either of the following:
    - a. In all rooms required to be accessible and on the accessible route.
    - b. Throughout the balance of the residential dwelling unit.
  2. On an accessible route in an interior room or hallway, interior doors or openings for rooms and routes of travel required to be accessible consistent with CBC Chapter 11A.

EXCEPTIONS: A thirty-four inch (34") clear doorway width may be requested from a hallway with a thirty-nine inch (39") width, and a thirty-six inch (36") clear doorway width may be requested from a hallway with a thirty-six inch (36") width.
  3. The width of the level area on the side toward which an accessible door swings consistent with CBC Chapter 11A.
  4. If the Community Development Director and, Building Official ~~or purchaser~~ determines that the accessible route and doorway width options prescribed by Chapter 11A are not feasible and that a less wide accessible route is necessary, a functional alternative to ensure that all entries into rooms required to be accessible may be approved by the Community Development Director and, Building Official ~~or purchaser~~ if it meets at least one of the following requirements and if the hallway is not less than thirty-six (36") inches in width:

- a. The entry door to the room must be at the end of a hallway or passageway, or open directly from another room on an accessible route of travel, so that no turn of ninety degrees (90°) or more is necessary to enter the room.
- b. The hallway wall opposite the room must be inset enough to allow an area of at least eight inches (8") wide with at least a sixty-inch (60") run centered on the center of the entry door opening [e.g., an 8" by 60" notch or alcove.]
- c. The hallway wall on the same side as the room must be inset enough to allow an area of at least eight inches (8") wide with at least a sixty-inch (60") run centered on the center of the entry door opening [e.g., an 8" by 60" notch or alcove.]
- d. The hallway wall directly opposite the room door must open to another room with at least a sixty-inch (60") opening on a level with the accessible passageway or hallway.

NOTE: Doors or openings to the rooms required to be accessible may be wider and the notch or alcove smaller if equivalent access is not impeded. In addition, for a doorway at the end of a hallway or in other circumstances, the notch or alcove need not be centered on the doorway if equivalent access is not impeded.

5. Hand-activated door hardware complying with CBC Chapter 11A.
6. Flooring throughout the residential dwelling unit consistent with CBC Chapter 11A.
7. The installation of all receptacle outlets, lighting controls and environmental controls throughout the balance of the residential dwelling unit must comply with CBC Chapter 11A or applicable provisions of the California Electrical Code.
8. Standards pertaining to residential structures from ANSI A117.1 may be used throughout this chapter when CBC Chapter 11A does not contain specific standards or when the ANSI Standards are equivalent to the Chapter 11A standards.
9. Conduit for the future wiring of assistive technologies in all exterior walls consistent with the National Electrical Code.
10. Outlets at the bottom and top of any stairs to facilitate the use of a chair lift.

#### **15.92.140 Standards: New Construction or Substantial Rehabilitation—Permissive Options**

- A. The developer or builder of a visitable residential dwelling must offer an opportunity to select any of the features listed in this chapter to a prospective purchaser of a visitable residential dwelling prior to the sale of the dwelling at the earliest feasible time after the prospective purchaser is identified.
- B. The developer or builder of a visitable residential dwelling shall construct or install any requested features identified in this chapter unless it would result in an unreasonable delay in the construction or significant unreimbursable costs to the developer or builder, as verified and determined by the Community Development Director and the Building Official.
- C. The developer or builder of a visitable residential dwelling, at his or her option, may offer or utilize standards for structural or design features, components or appliances and facilities, including but not limited ANSI Standards, which meet or exceed Chapter 11A and which offer greater availability, access or usability, and these are deemed to be in compliance with

this chapter, as determined by the Community Development Director and the Building Official.

- D. The City may develop a means of providing public certification as to any residential dwelling unit's compliance with this chapter. No such certification shall be affixed to the residential dwelling unit or the property on which it is located without the authorization of the owner or renter.

**15.92.150      Enforcement.**

- A. It is unlawful for any person or entity to fail to comply with the requirements of this chapter.
- B. The City may prescribe administrative, civil, or criminal penalties or consequences, or any combination thereof, for violations of this chapter, which are consistent with those applicable for what it deems comparable municipal provisions. These may include, but are not limited to, enforcement provisions of the State Housing Law of the California Health and Safety Code, Sections 17910 et seq.; injunctive relief or civil penalties; and requiring compliance prior to issuance of a final inspection report or certificate of occupancy.
- C. Remedies under this section are in addition to and do not supersede or limit any and all other remedies, civil, criminal, or administrative. The remedies provided herein shall be cumulative and not exclusive.
- D. Whenever the Building Official or designee reinspects or otherwise takes any enforcement action against a residential dwelling unit which is governed by this chapter to determine compliance with this chapter, the Building Official may assess fees against the owner to recover the costs to the City and/or County Building Inspection Department according to an established fee schedule. The assessment and collection of these fees shall not preclude the imposition of any administrative or judicial penalty or fine for violations of this chapter or applicable state laws or regulations.

**15.92.160      Severability.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Clayton hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

**15.92.170      Effective Date.**

This ordinance shall take effect and will be enforced thirty (30) days after its adoption, provided that a copy of the ordinance has first been filed with the State of California Department of Housing and Community Development in accordance with Health and Safety Code Section 17959(b)(2).



## Kitchen

- At least a 48 x 60-inch clear space in front of a stove at the base of a U-shaped kitchen.
- At least a 30 x 48-inch clear space in front of the sink (counting open access underneath, if available) and kitchen appliances.
- At least one 18-inch wide breadboard and/or at least 18 inches in counter space at a 34-inch height, or any combination thereof, at the option of the purchaser.
- Sink controls shall be operable with one hand, with no tight grasping, pinching or twisting of the wrist.
- Removable base cabinets directly under the kitchen sink counter area in order to provide clearance for wheelchairs.

## Bedroom

- At least one bedroom on the accessible route of travel described below under "Interior Routes."
- A closet shall have at least a 32-inch net opening and adjustable closet rods and shelving.

## General

- Rocker light switches and controls installed pursuant to either of the following:
  - a. In all rooms required to be accessible and on the accessible route.

- b. Throughout the balance of the residential dwelling unit.
- Electrical outlets, light switches and environmental controls shall be provided within standard reach range (15 inches minimum to 48 inches maximum above the floor).

### For More Information Contact:

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(925) 673-7343  
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### Additional Resources:

- *Institute for Human Centered Design:*  
[www.humancentereddesign.org](http://www.humancentereddesign.org)
- *Center for Universal Design:*  
[www.ncsu.edu/project/design-projects/hdi/](http://www.ncsu.edu/project/design-projects/hdi/)
- *Universal Design Institute:*  
<http://www.udinstitute.org/index.php>
- *California Department of Housing and Community Development:*  
[www.hcd.ca.gov/codes/shl/universaldesign.html](http://www.hcd.ca.gov/codes/shl/universaldesign.html)



# Universal Design Brochure

City of Clayton  
Community Development  
Department

## What is Universal Design?

Universal Design can be defined as the design of products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of their age, ability, or status in life.

**Purpose of this brochure:** The City of Clayton's new Universal Design Ordinance, effective December 2012, requires builders to offer certain accessibility features to buyers of new homes as an upgrade option prior to sale. This ordinance gives homebuyers the option of purchasing homes that are visitable, usable and safe for all persons. This brochure lists universal design features as options available for specified new homes. The costs for the universal design options selected by a homebuyer will be the responsibility of the buyer. The design features presented in this brochure may be of useful consideration for all individuals contemplating residential construction work.

## Universal Design Options

### Accessible Route and Primary Entry

- Provide a route that has no steps, a surface that is firm, stable, and slip resistant, and has a minimum width of 36 inches from the point of arrival to the primary entrance.
- Primary entry door with minimum 32-inch net clear opening, measured with the door positioned at 90 degrees from closed position.
- Second exterior door with a 32-inch net clear opening.

- Eyeholes in the primary accessible entry door shall be as follows: one at standard height and a second one that is between 42-44 inches from the finished floor.
- At the primary accessible entry door, provide a doorbell that is between 42-48 inches from the finished floor.
- The floor or landing on each side of an exit door shall be level, and shall not be more than ½-inch lower than the top of the threshold of the doorway.

### Interior Routes

- An accessible route connected to the primary entry with a minimum width of 42 inches. A 39-inch hallway width may be provided when all doors leading to any bathroom, powder room, common use room, or kitchen, if on the primary entry level, that must be accessible have a minimum clear door opening of 34 inches, and a 36-inch hallway width may be provided when all doors leading to any bathroom, powder room, common use room, or kitchen on the primary entry level that must be accessible have a minimum clear door opening of 36 inches.
- Abrupt changes in level along any accessible route shall not exceed ½-inch. When changes do occur, they shall be beveled with a slope no greater than 1:2 (50%).
- Stairs shall not be part of an accessible route.
- Stairs along or adjacent to accessible routes shall have slip-resistant

surfaces, and handrails on both sides that are 34-38 inches above the nosing of the treads.

### Bathrooms

- At least one bathroom or powder room shall be provided on the primary entry level.
- Where the door swings into the bathroom or powder room, a clear maneuvering space shall be provided outside the swing of at least 30 x 48 inches within the room.
- Accessible bathtub or shower meeting the requirements of ANSI A117.1 (i.e., current version of Standard on Accessible and Usable Buildings and Facilities).
- At least one sink or basin 34 inches high maximum to the top of the rim with a 30 x 48-inch minimum clear space.
- Cabinets under lavatories are acceptable provided the bathroom has space to allow a parallel approach and the lavatory cabinets are designed with adaptable knee and toe space.
- A toilet with 17-19 inch maximum height, measured to the top of 2-inch high maximum toilet seat.
- Reinforcement around the tub and/or shower, and toilet for concurrent or future installation of grab bars.
- Faucets and handles not requiring tight grasping, pinching, or twisting of the wrist.



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## Chapter 7.90 UNIVERSAL DESIGN

### Sections:

|                 |                                                                    |
|-----------------|--------------------------------------------------------------------|
| <u>7.90.010</u> | Purpose.                                                           |
| <u>7.90.020</u> | Findings.                                                          |
| <u>7.90.030</u> | Definitions.                                                       |
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| <u>7.90.050</u> | Exemptions.                                                        |
| <u>7.90.060</u> | Standards—Primary entrance.                                        |
| <u>7.90.070</u> | Standards—Interior routes.                                         |
| <u>7.90.080</u> | Standards—Primary floor powder room/bathroom entry and facilities. |
| <u>7.90.090</u> | Standards—Kitchen and facilities.                                  |
| <u>7.90.100</u> | Standards—Common use room.                                         |
| <u>7.90.110</u> | Standards—Bedroom.                                                 |
| <u>7.90.120</u> | Standards—Miscellaneous areas.                                     |
| <u>7.90.130</u> | Standards—General components.                                      |
| <u>7.90.140</u> | Standards—New construction—Permissive options.                     |
| <u>7.90.150</u> | Enforcement.                                                       |
| <u>7.90.160</u> | Purchaser opt-out option.                                          |

### **7.90.010 Purpose.**

A. The purpose of the design guidelines established by this chapter is to enhance the full life cycle use of housing without regard to the physical abilities or disabilities of a home's occupants or guests in order to accommodate a wide range of individual preferences or physical abilities.

B. The promotion and preservation of the public health, safety, and general welfare of the people of the city and the property situated therein have made necessary the adoption of a universal design standard for dwellings in order to adequately safeguard life, health, property, and general welfare.

C. The purpose of this chapter is not to create or otherwise establish or designate any particular class or groups of persons who will or should be especially protected or benefited by the terms of this chapter. (Ord. 21-07 § 1 (part))

### **7.90.020 Findings.**

A. Pursuant to Health and Safety Code Section 17959, the City Council of the city of Dublin hereby finds that the provisions of this chapter are reasonably necessary because according to the City's Certified Housing Element, approximately thirteen (13) percent of the city's non-institutionalized residents have physical conditions that affect their abilities to live independently in conventional residential settings. Individuals with mobility difficulties may require special accommodations to their homes to allow for continued independent living.

B. The City Council of the city of Dublin hereby finds that the provisions of this chapter are reasonably to enhance the full life cycle use of housing without regard to the physical abilities or disabilities of a home's occupants or guests in order to accommodate a wide range of individual preferences and functional abilities.

C. Pursuant to Health and Safety Code Section 17959, the City Council of the city of Dublin hereby finds that the provisions of this chapter are substantially the same as the model universal design local ordinance adopted by the Department of Housing and Community Development. (Ord. 21-07 § 1 (part))

**7.90.030 Definitions.**

For the purpose of this chapter, the following terms shall have the following definitions:

“Accessible” means as consistent with or as defined by the California Building Code, Chapter 11A.

“ANSI A117.1” means the most current version of the “Standard on Accessible and Usable Buildings and Facilities,” commonly known as “ICC/ANSI A117.1,” published by the International Code Council and the American National Standards Institute, Inc.

“Bathroom” means a room containing a water closet (toilet), lavatory (sink), and either a shower, bathtub, combination bathtub/shower, or both a shower and bathtub. It includes a compartmented bathroom in which the fixtures are distributed among interconnected rooms.

“CBC, Chapter 11A” means Chapter 11A of the California Building Code (located in Part 2, Title 24, California Code of Regulations), or its successor provisions.

“Common use room” means a room commonly used by residents or guests to congregate.

“Condominium” means as defined by the California Building Code.

“Custom-built home” means a single-family detached dwelling that is built to the owner’s specifications and not part of a master plan check.

“Dwelling unit” means as defined by the California Building Code.

“Owner-occupied” means any residential dwelling unit not intended, at the time of application for the building permit, to be occupied as a rental dwelling.

“Powder room” means a room containing a water closet (toilet) and lavatory (sink), but no bathtub or shower. It includes a compartmented powder room in which the fixtures are distributed among interconnected rooms.

“Primary entry” means the principal entrance used to enter a building or residential unit, as designated by the Building Official for purposes of compliance with this chapter.

“Rental” means any residential dwelling unit not intended, at the time of application for a building permit, to be occupied by the owner.

“Single-family residential dwelling” means as consistent with or as defined by the California Building Code.

“Substantial rehabilitation” means the reconstruction of the primary entry, hallway, or one bathroom or powder room on the route from the primary entry, when that reconstruction is required to be consistent with the most current version of the California Building Standards Code.

“Visitable residential dwelling” means a residential unit subject to the requirements of this chapter by virtue of being within the scope of this chapter as defined in Section 7.90.040. (Ord. 21-07 § 1 (part))

**7.90.040 Scope and application.**

A. Unit Coverage. All residential dwellings units that are a part of a residential development project in excess of twenty (20) residential dwelling units for which an application for a new construction building permit is submitted to the Building Division after the effective date of this chapter shall be visitable residential dwellings.

B. Unit Types. New construction of all single-family, duplex, and triplex residential dwellings for which an application for a building permit is submitted to the Building Division after the effective date of the ordinance codified in this chapter shall be subject to this chapter.

C. Conditions of Approval. Any tentative map, conditional use permit, site development review or building permit master plan check subject to this chapter shall contain conditions sufficient to ensure compliance with the provisions of this chapter. (Ord. 21-07 § 1 (part))

**7.90.050 Exemptions.**

A. When the applicant adequately demonstrates and the Building Official determines that compliance with any portion of any regulation under this chapter would create an undue hardship, or that equivalent facilitation is not available, an exception to that portion of the regulation may be granted.

B. When the applicant adequately demonstrates and the Building Official determines that compliance with any portion of any regulation under this chapter would create an undue hardship due to topographical conditions of the site and/or due to the size of the site and/or other site constraints and/or legal constraints and that no equivalent facilitation is available, an exemption to that portion of the regulation may be granted.

C. When the applicant adequately demonstrates and the Building Official determines that a residential dwelling unit is being reconstructed as a result of a disaster, an exemption to all or any portion of this chapter may be granted.

D. This chapter shall not be applicable to any residential structure constructed if the primary entry of that structure is above grade because the primary entry is located over subterranean or grade-level parking. (Ord. 21-07 § 1 (part))

**7.90.060 Standards—Primary entrance.**

A. New Construction—Mandatory to Install. The following items for the accessible entrance on the primary entry level shall be installed.

1. Where at least one doorbell is provided for the accessible entry door, one that is between forty-two (42) inches and forty-eight (48) inches from the finished floor must be installed.

B. New Construction—Mandatory to Offer. The following options for the accessible entrance on the primary entry level shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with Section 7.90.140.

1. An exterior accessible route that is either: consistent with the requirements of CBC Chapter 11A; or not be less than forty (40) inches wide and not have a slope greater than one (1) unit vertical in twenty (20) units horizontal.
2. The accessible primary entrance that is consistent with the requirements of CBC Chapter 11A.

3. The floor or landing at and on the exterior and interior side of the accessible entrance door that is either of the following: consistent with the requirements of CBC Chapter 11A; or the width of the level area on the side to which the accessible entrance door swings shall extend twenty-four (24) inches past the strike edge of the door.
4. The exterior accessible entry door that is either: consistent with the requirements of CBC Chapter 11A, or has a thirty-four (34) inch net clear opening.
5. A second exterior door that is installed in a manner so that it is accessible as provided in this section with a thirty-two (32) inch net clear opening.
6. Where at least one (1) eyehole is provided in the accessible entry door, one (1) shall be at standard height and a second one (1) that is between forty-two (42) inches and forty-four (44) inches from the finished floor. (Ord. 21-07 § 1 (part))

**7.90.070 Standards—Interior routes.**

A. New Construction—Mandatory to Install. There are no mandatory installations related to interior routes in a visitable residential dwelling.

B. New Construction—Mandatory to Offer. The following options for accessible interior routes on the primary entry level shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with Section 7.90.140.

1. At least one (1) accessible route through the hallways consistent with the requirements of CBC Chapter 11A from the accessible entrance of the dwelling unit to the primary entry level powder room or bathroom, a common use room, and the kitchen if located on the primary entry level.
2. No sunken or raised area in the bathroom or powder room, the common use room, and the kitchen, if on the primary entry level, on an accessible route.
3. Handrails installed in a manner consistent with CBC Chapter 11A on one (1) or both sides of the accessible route, at the option of the purchaser/owner.
4. Handrail reinforcement installed on one (1) or both sides of the accessible route.
5. An accessible route with a minimum width of forty-two (42) inches. A thirty-nine (39) inch hallway width may be provided when all doors leading to any bathroom, powder room, common use room, or kitchen, if on the primary entry level, that must be accessible have a minimum clear door opening of thirty-four (34) inches, and a thirty-six (36) inch hallway width may be provided when all doors leading to any bathroom, powder room, common use room, or kitchen on the primary entry level that must be accessible have a minimum clear door opening of thirty-six (36) inches. (Ord. 21-07 § 1 (part))

**7.90.080 Standards—Primary floor powder room/bathroom entry and facilities.**

A. New Construction—Mandatory to Install. When a powder room or bathroom is located on the primary entry level the following item(s) shall be installed in a visitable residential dwelling.

1. Grab bar reinforcement consistent with CBC Chapter 11A for the water closet (toilet) and shower or bathtub.
2. Faucets and handles not requiring tight grasping, pinching, or twisting of the wrist and consistent with the requirements of CBC Chapter 11A.

**B. New Construction—Mandatory to Offer.** The following options for the accessible bathroom or powder room on the route from the primary entrance shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with Section 7.90.140.

1. At least one (1) powder room or bathroom, at the option of the purchaser/owner, on the primary entry level of a visitable residential dwelling, which complies with the requirements of CBC Chapter 11A.
2. Clear space in the bathroom or powder room that is either: consistent with the requirements of CBC Chapter 11A; or outside of the swing of the door and either a forty-eight (48) inch circle, forty-eight (48) inches by sixty (60) inches or a sixty (60) inch diameter circle, at the option of the purchaser/owner.
3. A bathtub or shower meeting the requirements of ANSI A117.1.
4. Grab bars installed in a manner consistent with CBC Chapter 11A for the water closet (toilet), shower/bath, or lavatory, or any combination thereof, at the option of the purchaser/owner.
5. A lavatory or sink installed consistent with CBC Chapter 11A.
6. A water closet (toilet) installed consistent with CBC Chapter 11A.
7. Removable cabinets under the lavatory/sink.
8. Where mirrors and towel fixtures are provided in the accessible bathroom or powder room, installation consistent with the requirements of CBC Chapter 11A. (Ord. 21-07 § 1 (part))

**7.90.090 Standards—Kitchen and facilities.**

**A. New Construction—Mandatory to Install.** When a kitchen is located on the primary entry level, the following item(s) shall be installed in a visitable residential dwelling:

1. Sink controls not requiring tight grasping, pinching, or twisting of the wrist and consistent with the requirements of CBC Chapter 11A.

**B. New Construction—Mandatory to Offer.** If there is a kitchen on the primary entry level, the following options shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with Section 7.90.140.

1. An accessible route to the kitchen, with a pathway through the kitchen to the stove, oven, or combination stove-oven consistent with the requirements of CBC Chapter 11A.
2. One (1) or more of the following, at the purchaser/owner's option: at least a forty-eight (48) inch by sixty (60) inch clear space in front of a stove at the base of a U-shaped kitchen; or at least a thirty (30) inch by forty-eight (48) inch clear space in front of the sink (counting open access underneath, if available); or at least one eighteen (18) inch wide breadboard and/or at least eighteen (18) inches in counter space at a thirty-four (34) inch height, or any combination thereof, at the option of the purchaser/owner.
3. Adjustable sink and/or removable under-sink cabinets consistent with Chapter 11A.
4. Hood fan controls at light switch level or lower level. (Ord. 21-07 § 1 (part))



**7.90.100 Standards—Common use room.**

A. New Construction—Mandatory to Install. There are no mandatory installations related to a common use room in a visitable residential dwelling.

B. New Construction—Mandatory to Offer. The following options for the common use room on the primary entry level shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with Section 7.90.140.

1. At least one common use room, such as a dining room or living room, on the accessible route. Sunken or raised areas not exceeding fifty (50) percent of the area of the room's floor space shall be permitted as an option of the purchaser/owner in a common use room on the accessible route when an accessible route connects a usable portion of the common use room to the accessible bathroom or powder room and the accessible exterior entrance door.

2. No sunken areas in a common use room on an accessible route.

3. Standards related to access to and flatness of any other common area room on the primary entry level. (Ord. 21-07 § 1 (part))

**7.90.110 Standards—Bedroom.**

A. New Construction—Mandatory to Install. There are no mandatory installations related to a bedroom in a visitable residential dwelling.

B. New Construction—Mandatory to Offer. If there is a bedroom on the primary entry level, the following options shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with Section 7.90.140:

At least one (1) bedroom on the accessible route of travel with all components meeting the requirements of Section 7.90.130. A closet shall have at least a thirty-two (32) inch net opening and adjustable closet rods and shelving. A family room or den may satisfy this bedroom requirement if a sleeping structure (such as a bed, futon, hide-away, or Murphy bed) can be placed in the room and if the room complies with provisions for emergency escape and rescue and smoke alarms in the California Building Code. (Ord. 21-07 § 1 (part))

**7.90.120 Standards—Miscellaneous areas.**

A. New Construction—Mandatory to Install. There are no mandatory installations related to miscellaneous areas of a visitable residential dwelling.

B. New Construction—Mandatory to Offer. The following options shall be offered, and if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with Section 7.90.140.

If on the primary entry level, miscellaneous areas or facilities (such as a patio or yard, laundry room, or storage area) for the dwelling must have an accessible route to and from the accessible entrance, either through the dwelling unit or around the dwelling unit. (Ord. 21-07 § 1 (part))

**7.90.130 Standards—General components.**

A. New Construction—Mandatory to Install. The following item(s) shall be installed in all visitable residential dwellings:

1. Hand-activated door hardware not requiring tight grasping, pinching, or twisting of the wrist and consistent with the requirements of CBC Chapter 11A.

2. Rocker light switches and controls or light switches and controls meeting the requirements of ANSI A117.1 or CBC Chapter 11A.
3. The installation of all receptacle outlets, lighting controls and environmental controls throughout the residential dwelling unit must comply with CBC Chapter 11A or applicable provisions of the California Electrical Code.

B. New Construction—Mandatory to Offer. The following options shall be offered, and if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with Section 7.90.140.

1. An accessible route in an interior room or hallway, interior doors or openings for rooms and routes of travel required to be accessible consistent with CBC Chapter 11A.

EXCEPTIONS: A thirty-four (34) inch clear doorway width may be requested from a hallway with a thirty-nine (39) inch width, and a thirty-six (36) inch clear doorway width may be requested from a hallway with a thirty-six (36) inch width.

2. The width of the level area on the side toward which an accessible door swings consistent with CBC Chapter 11A.
3. If the Building Official or owner/purchaser determines that the accessible route and doorway width options prescribed by Chapter 11A are not feasible and that a less wide accessible route is necessary, a functional alternative to ensure that all entries into rooms required to be accessible may be approved by the Building Official or purchaser/owner if it meets at least one (1) of the following requirements and if the hallway is not less than thirty-six (36) inches in width:
  - a. The entry door to the room must be at the end of a hallway or passageway, or open directly from another room on an accessible route of travel, so that no turn of ninety (90) degrees or more is necessary to enter the room.
  - b. The hallway wall opposite the room must be inset enough to allow an area of at least eight (8) inches deep with at least a sixty (60) inch run centered on the center of the entry door opening [e.g., an eight (8) inch by sixty (60) inch notch or alcove.]
  - c. The hallway wall on the same side as the room must be inset enough to allow an area of at least eight (8) inches deep with at least a sixty (60) inch run centered on the center of the entry door opening [e.g., an eight (8) inch by sixty (60) inch notch or alcove.]
  - d. The hallway wall directly opposite the room door must open to another room with at least a sixty (60) inch opening on a level with the accessible passageway or hallway.

NOTE: Doors or openings to the rooms required to be accessible may be wider and the notch or alcove smaller if equivalent access is not impeded. In addition, for a doorway at the end of a hallway, or in other circumstances, the notch or alcove need not be centered on the doorway if equivalent access is not impeded.

4. Flooring throughout the residential dwelling unit consistent with CBC Chapter 11A.
5. Standards pertaining to residential structures from ANSI A117.1 may be used throughout this chapter when CBC Chapter 11A does not contain specific standards or

when the ANSI standards are equivalent to the Chapter 11A standards. (Ord. 21-07 § 1 (part))

**7.90.140 Standards—New construction—Permissive options.**

- A. The developer or builder of a visitable residential dwelling must offer an opportunity to select any of the features listed in this chapter to an owner or prospective owner of a visitable residential dwelling at the earliest feasible time after the owner, purchaser, or prospective purchaser is identified.
- B. The developer or builder of a visitable residential dwelling shall construct or install any requested features identified in this chapter unless it would result in an unreasonable delay in the construction or significant unreimbursable costs to the developer or builder.
- C. The developer or builder of a visitable residential dwelling, at his or her option, may offer or utilize standards for structural or design features, components or appliances and facilities, including but not limited to ANSI standards, which meet or exceed Chapter 11A and which offer greater availability, access or usability, and these are deemed to be in compliance with this chapter. (Ord. 21-07 § 1 (part))

**7.90.150 Enforcement.**

- A. It is unlawful for any person or entity to fail to comply with the requirements of this chapter.
- B. Violation of any provision of this chapter may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the city shall be entitled to recover its attorneys' fees and costs from a person who is determined by a court of competent jurisdiction to have violated this chapter.
- C. Any violation of the provisions of this chapter shall constitute a misdemeanor and shall be punished as such in accordance with Section 1.04.030.
- D. Enforcement pursuant to this section shall be undertaken by the city through its Community Development Director and the City Attorney.
- E. Remedies under this section are in addition to and do not supersede or limit any and all other remedies, civil, criminal, or administrative. The remedies provided herein shall be cumulative and not exclusive.
- F. Whenever the Building Official or designee reinspects or otherwise takes any enforcement action against a residential dwelling unit which is governed by this chapter to determine compliance with this chapter, the Building Official may assess fees against the owner to recover the costs to the city according to a fee schedule established by the city. The assessment and collection of these fees shall not preclude the imposition of any administrative or judicial penalty or fine for violations of this chapter or applicable state laws or regulations. (Ord. 21-07 § 1 (part))

**7.90.160 Purchaser opt-out option.**

The purchaser(s) may file a letter with the city of Dublin and the developer with their desire to forgo any or all of the mandatory installation features required under this chapter. Such letter shall relieve the developer of only those mandatory features listed in the purchaser(s) letter; all other mandatory items shall be installed. (Ord. 21-07 § 1 (part))

**The Dublin Municipal Code is current through Ordinance 18-12, passed November 6, 2012.**

Disclaimer: The City Clerk's Office has the official version of the Dublin Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.dublin.ca.us/>  
(<http://www.ci.dublin.ca.us/>)

City Telephone: (925) 833-6600

Code Publishing Company

(<http://www.codepublishing.com/>)

eLibrary

(<http://www.codepublishing.com/elibrary.html>)

## Resources

Housing & Community Development

[www.hcd.ca.gov](http://www.hcd.ca.gov)

916-324-5107

Dublin Municipal Code, Chapter 7.90

<http://www.codepublishing.com/ca/Dublin/Dublin07/Dublin0790.html#7.90>

California Building Industry Association

[www.cbia.org](http://www.cbia.org)

916-443-7933

California Building Standards Code 17922 & 18925

[www.bsc.ca.gov](http://www.bsc.ca.gov)

Division of State Architect

[www.dsa.dgs.ca.gov/UniversalDesign/default.htm](http://www.dsa.dgs.ca.gov/UniversalDesign/default.htm)

916-445-8100

California Health & Safety Code Section

17959.6, October 2005

[www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html)

916-263-0916

AARP

[www.aarp.com](http://www.aarp.com)

Universal Design Alliance

[www.universaldesign.org](http://www.universaldesign.org)

Wikipedia

[www.wikipedia.org/wiki/universal\\_design](http://www.wikipedia.org/wiki/universal_design)

Lowe's

[www.lowes.com/lowes/lkn?action=howTo&p=CommLib/UnivDesDef.html](http://www.lowes.com/lowes/lkn?action=howTo&p=CommLib/UnivDesDef.html)

[www.lowes.com/lowes/lkn?action=howTo&p=CommLib/UnivDesDef.html](http://www.lowes.com/lowes/lkn?action=howTo&p=CommLib/UnivDesDef.html)

The Center for Universal Design  
[www.design.ncsu.edu/cud/index.htm](http://www.design.ncsu.edu/cud/index.htm)

Note:

*The information used in this handout was taken from the web-sites listed.*

# UNIVERSAL DESIGN INFORMATION

CITY OF DUBLIN



100 Civic Plaza  
Dublin, CA 94568  
925.833.6620



Attachment 4

COMMUNITY DEVELOPMENT  
DEPARTMENT

### What is Universal Design?

*"The intent of Universal Design is to simplify life for everyone by making products, communications, and the built environment more usable by as many people as possible, at little or no extra costs. Universal Design benefits people of all ages and disabilities."* -Ron Mace, Design Pioneer & Visionary of Universal Design

Statistics show that you or a family member will undergo a physical transition at some point in your life. Whether it's a temporary impairment, like a broken bone, or a permanent disability, you or a loved one will be faced with change. The simple process of aging naturally increases our dependency on others. Universally designed features allow us to move through these changes and still enjoy equal opportunities, self-determination, self-respect, and quality of life.

When building or remodeling, it's more cost-effective to add many Universal Design features during the planning stage.

There are a number of design features that can be built for little or



no cost. Their addition at the beginning saves the need for future retrofits.

### Can I Get Universal Design in My New Home?

The City of Dublin requires certain Universal Design features to be installed in all new Single-Family homes. (See the Dublin Municipal Code, Chapter 7.90.)

You may obtain a copy of the City's checklist of mandatory installations and mandatory offer options from the City's Building & Safety Division.

### What Do Examples of Universal Design Features Include?

- No-step entry
- Wider interior doors and hallways
- Audio & visual doorbell
- At least one bathroom or powder room on the primary entry level
- Hand-held adjustable shower head
- Kitchen on an accessible route of entry.

### What are the 7 Principles & Guidelines of Universal Design?

As defined by the Center of Universal Design:

- Equitable Use
- Flexibility in Use

- Simple and Intuitive Use
- Perceptible Information
- Tolerance for Error
- Low Physical Effort
- Size & Space Approach and Use

### Why Should I Consider Universal Design?

- Overall cost: It is less expensive to add many Universal Design features during construction than after the building is complete.
- Lever handles on doors: Opening



your front door is easier with lever handles when your hands are full than with old-fashioned knobs.

- Rocker light switches: It is easier to turn lights on/off if you are carrying groceries or holding a baby.
- Adjustable closet rods: Use the rod in the lower position so little ones can reach their own clothes, then raise the rod as they grow.