



Planning and Development Department
Land Use Planning Division

A D M I N I S T R A T I V E U S E P E R M I T

CITY OF BERKELEY ZONING ORDINANCE
Berkeley Municipal Code, Title 23

AUP #2013-0094

Property Address: **2745 SHASTA ROAD**

Permittee Name: **DAWN AND THOM HOWARD**

Use and/or Construction Permitted: to enlarge an existing 1,361 sq. ft. single family dwelling by constructing a 79 sq. ft. addition for an interior staircase, resulting in a new 1,440 sq. ft. residence, maintaining the existing 20' average height pursuant to:

- Section 23D.16.070.C to construct a residential addition exceeding 14' in height.

FINDINGS, CONDITIONS AND APPROVED PLANS ATTACHED

Following the expiration of the mandatory appeal period set forth in Section 23B.28.040 of the Berkeley Municipal Code, with no timely appeal being filed, the Administrative Use Permit described herein has been duly granted by the Zoning Officer on October 3, 2013.

Attest: Terry Blount
Terry Blount, AICP, Principal Planner
For Debbie Sanderson, Zoning Officer

Oct. 3, 2013
Effective Date

ATTACHMENT 1

FINDINGS AND CONDITIONS

SEPTEMBER 12, 2013

2745 Shasta Road

Administrative Use Permit #2013-0094

To enlarge an existing 1,361 sq. ft. single family dwelling by constructing a 79 sq. ft. addition for an interior staircase, resulting in a new 1,440 sq. ft. residence, maintaining the existing 20' average height.

CEQA FINDINGS

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities"). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project will not affect any historical resource.

FINDINGS FOR APPROVAL

2. As required by Section 23B.28.050.A of the Zoning Ordinance, the project, under the circumstances of this particular case existing at the time at which the application is granted, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:
 - As required under Section 23D.16.030 (Uses Permitted) and 23D.16.090 (Findings), the proposed addition may exceed 14' in average height because the addition and the building's height is found to be non-detrimental. The height of the proposed addition does not create significant impacts to sunlight, air, or views for the following reasons:
 1. Sunlight – The existing and proposed average height remains the same at 20', the addition is not expected to cast shadows towards abutting properties;
 2. Air – Because the proposal satisfies the District standards for minimum front, rear and side yard setbacks and the distances to neighboring properties exceeds the District requirement for building separation, the addition is

expected to provide adequate spatial separations between developments on abutting properties, thereby allowing for adequate air circulation;

3. Views – The proposed addition would not significantly block the adjacent neighbors' views of any significant features. The proposed addition will not extend to the full height limit in the R-1H District and the addition will not exceed the maximum number of stories allowed; and
 4. Privacy – The proposed addition does not include new windows which would have a view into abutting properties and the addition is adequately separated from adjacent dwellings.
- As required by Section 23D.16.070 (Development Standards), this project is permissible because the subject property satisfies the development standards for lot coverage, maximum residential density, maximum building height, and minimum setback requirements.
 - The proposed addition is not located within the area of twenty-five feet from the centerline of an open creek and is therefore permissible (BMC Section 17.08.050-Setbacks for New Construction Required Adjacent to Open Creeks).
 - All abutting and confronting neighbors have signed the plan set with no objections.

STANDARD CONDITIONS

The following conditions, as well as all other applicable provisions of the Zoning Ordinance, apply to this Permit:

1. Conditions Shall be Printed on Plans

The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit Conditions'. *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.

2. Applicant Responsible for Compliance with Conditions

The applicant shall ensure compliance with all of the following conditions, including submittal to the project planner of required approval signatures at the times specified. Failure to comply with any condition may result in construction being stopped, issuance of a citation, and/or modification or revocation of the Use Permit.

3. Uses Approved Deemed to Exclude Other Uses (Section 23B.56.010)

- A. This Permit authorizes only those uses and activities actually proposed in the application, and excludes other uses and activities.
- B. Except as expressly specified herein, this Permit terminates all other uses at the location subject to it.

4. Modification of Permits (Section 23B.56.020)

No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Zoning Officer, except that the Zoning Officer may approve changes that do not expand, intensify, or substantially change the use or building.

5. Plans and Representations Become Conditions (Section 23B.56.030)

Except as specified herein, the site plan, floor plans, building elevations and/or any additional information or representations, whether oral or written, indicating the proposed structure or manner of operation submitted with an application or during the approval process are deemed conditions of approval.

6. Subject to All Applicable Laws and Regulations (Section 23B.56.040)

The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the applicant shall identify and secure all applicable permits from the Building and Safety Division, Public Works Department and other affected City divisions and departments.

7. Exercised Permit for Use Survives Vacancy of Property (Section 23B.56.080)

Once a Permit for a use is exercised and the use is established, that use is legally recognized, even if the property becomes vacant, except as set forth in Standard Condition #8, below.

8. Exercise and Lapse of Permits (Section 23B.56.100)

- A. A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the property.
- B. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced.
- C. A permit may be declared lapsed and of no further force and effect if it is not exercised within one year of its issuance, except that permits for construction or alteration of structures or buildings may not be declared lapsed if the permittee has: (1) applied for a building permit; or, (2) made substantial good faith efforts to obtain a building permit and begin construction, even if a building permit has not been issued and/or construction has not begun.

9. Indemnification Agreement

The applicant shall hold the City of Berkeley and its officers harmless in the event of any legal action related to the granting of this Permit, shall cooperate with the City in defense of such action, and shall indemnify the City for any award of damages or attorneys fees that may result.

ADDITIONAL CONDITIONS IMPOSED BY THE ZONING OFFICER

Pursuant to BMC 23B.28.050.D, the Zoning Officer attaches the following additional conditions to this Permit:

Prior to Submittal of Any Building Permit:

- 10.** The applicant shall provide the project planner with the name and telephone number of the individual empowered to manage construction noise from the project. The individual's name, telephone number, and responsibility for noise management shall be posted at the project site for the duration of construction in a location easily visible to the public. The individual shall record all noise complaints received and actions taken in response, and submit written reports of such complaints and actions to the project planner on a weekly basis. **Individual Responsible for Noise Management:**

Name: _____ Phone: _____

- 11.** The applicant and all persons associated with the project are hereby notified that a Transportation Management Permit (TMP) would be required under any of the following circumstances:

- Alterations, closures, or blockages to sidewalks or pedestrian paths

- Alterations, closures, or blockages to vehicle travel lanes (including bicycle lanes)
- Storage of building materials, dumpsters, debris anywhere in the public ROW
- Provision of exclusive contractor parking on-street
- Significant truck activity.

Contact the Permit Service Center (PSC) at 2120 Milvia Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Public Works Traffic Engineering (981-6400) reviews all submitted TMP requests.

The TMP may include designation of a specific truck haul route. Meter heads (if in the construction area) shall be removed only by City staff. Contact the site inspector 72 hours in advance of required removal so arrangements can be made.

Prior to Issuance of Any Building Permit:

12. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.

During Construction:

13. Construction activity shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. on Monday through Friday, and between 9:00 a.m. and noon on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday.
14. If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department and the Building & Safety Division, and carry out any necessary corrective action to their satisfaction.
15. Subject to approval of the Public Works Department, the applicant shall repair any damage to public streets and/or sidewalks by construction vehicles traveling to or from the project site.
16. All piles of debris, soil, sand, or other loose materials shall be covered at night and during rainy weather with plastic at least one-eighth millimeter in thickness and secured to the ground.
17. All active construction areas shall be watered at least twice daily, and all piles of debris, soil, sand or other loose materials shall be watered or covered.
18. Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.
19. Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.

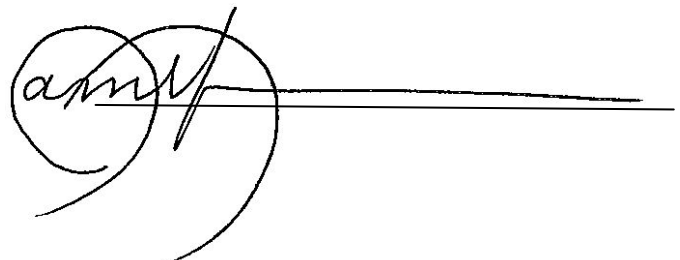
20. The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way.
21. The applicant shall ensure that all excavation takes into account surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
22. Any construction during the wet season shall require submittal of a soils report with appropriate measures to minimize erosion and landslides, and the developer shall be responsible for following these and any other measures required by the Building and Safety Division and the Public Works Department.

Prior to Issuance of Occupancy Permit or Final Inspection:

23. All construction at the subject property shall substantially conform to the approved Use Permit drawings or to modifications approved by the Zoning Officer.
24. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated **JULY 22, 2013**.

At All Times (Operation):

25. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
26. This permit is subject to review, imposition of additional conditions, or revocation if factual complaint is received by the Zoning Officer that the maintenance or operation of this establishment is violating any of these or other required conditions or is detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
27. Noise and exterior lighting shall be controlled so as to prevent verified complaints from the surrounding neighborhood.

A handwritten signature in black ink, appearing to read 'amj', is written over a horizontal line. The signature is enclosed within a circular scribble.

Pamela Johnson, Assistant Planner for
Debra Sanderson, Zoning Officer

2745 Shasta Road
Berkeley, CA 94708

DRAFTING
C.A. DRAFTER
C. JAMES
www.drafting.com



REVISIONS	NO.	DESCRIPTION	DATE

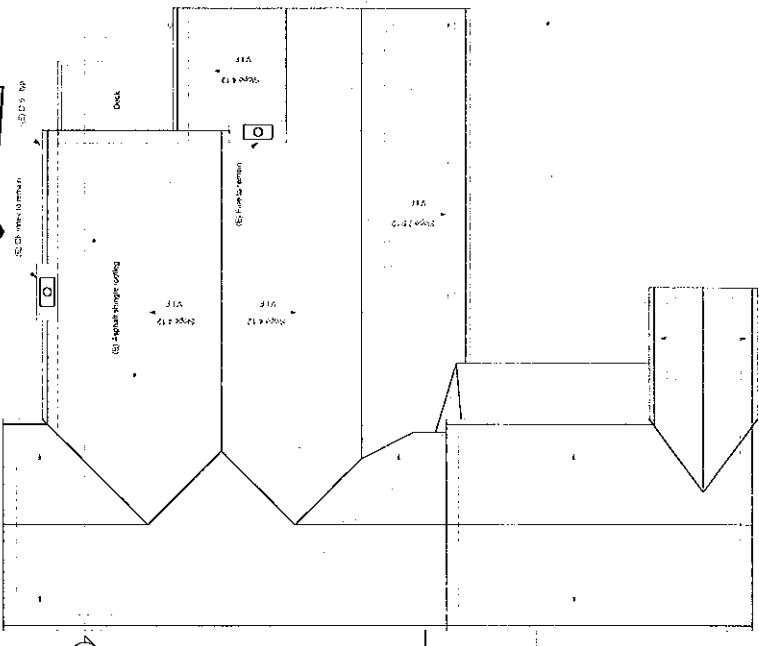
Roof & Reflected Ceiling Plans
 DATE: 14 JUNE 2013
 PROJECT: 13035
 SCALE: 1/4" = 1'-0"

A1.1

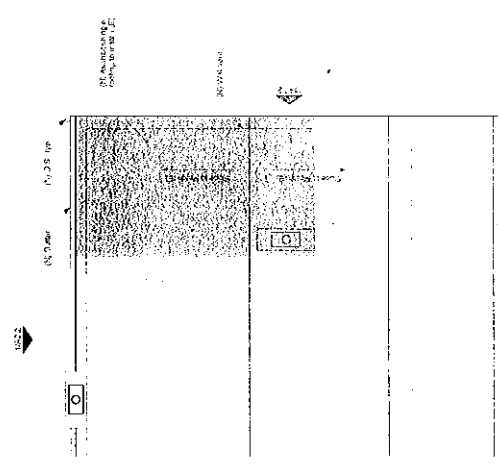


MECHANICAL CALCULATIONS:
 (No Airflow, 25 ft/s)
 (79 f.s.l. x 1750) / (45whr) = 75.8 s.l.
 REQD Net Free Ventilation Area (NFVA): 75.8 s.l.
 Net Area: 474.2 s.l. (NFVA x 1.1 = 472.2 s.l.)
 475.2 s.l. NFVA provided

APPROVED PLAN
pm
 PLANNING
 DATE: 9-10-13
 D.R. Conditions Attached
 A.U.P. Conditions Attached
 U.P. Conditions Attached



1 Existing Roof Plan



2 Proposed Floor Plan

Code Notes

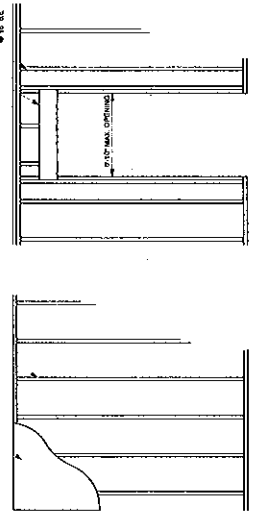
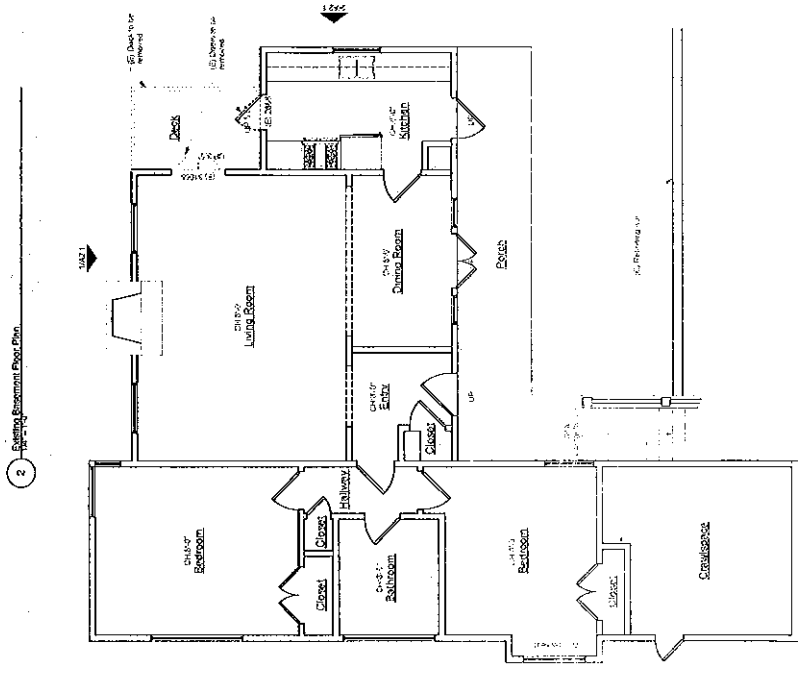
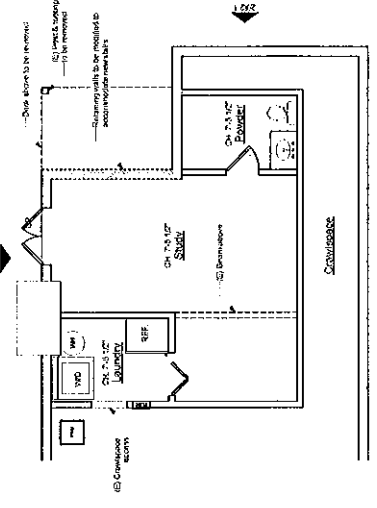
- 1) LISTED NON-REMOVABLE BACKFLOW PREVENTER OR THE HERMETIC POINT OF USAGE SHALL PROTECT HOSE BEARS
- 2) ALL WALL AND CEILING FINISHES MUST CONFORM TO A FLAME SMOKE AND TOXICITY INDEX (F-T-S) OF 1.0 OR LESS
- 3) ALL EXTERIOR WALLS AND ROOF FRAMING SPACES OPENED UP DURING THE CONSTRUCTION OF THE ROOF SHALL BE INSULATED WITH R-19 INSULATION
- 4) ALL 120-VOLT RECEPTACLES IN ANY DWELLING UNIT SHALL BE TAMPER-RESISTANT
- 5) ALL 120-VOLT RECEPTACLES IN ANY DWELLING UNIT SHALL BE PROTECTED WITH CONDUIT AND GROUND-FITTING SCREENS OR GELLED GYPSUM BOARD WITH CONDUIT AND GROUND-FITTING SCREENS
- 6) ALL 120-VOLT RECEPTACLES IN ANY DWELLING UNIT SHALL BE PROTECTED AGAINST LOCAL WEATHER CONDITIONS, OPENINGS BE PROTECTED AGAINST LOCAL WEATHER CONDITIONS, OPENINGS BE PROTECTED IN ACCORDANCE WITH LOCAL WEATHER PROTECTIVES IN ACCORDANCE WITH LOCAL WEATHER PROTECTIVES IN ACCORDANCE WITH LOCAL WEATHER PROTECTIVES
- 7) ALL 120-VOLT RECEPTACLES IN ANY DWELLING UNIT SHALL BE PROTECTED WITH CONDUIT AND GROUND-FITTING SCREENS OR GELLED GYPSUM BOARD WITH CONDUIT AND GROUND-FITTING SCREENS
- 8) ALL 120-VOLT RECEPTACLES IN ANY DWELLING UNIT SHALL BE PROTECTED WITH CONDUIT AND GROUND-FITTING SCREENS OR GELLED GYPSUM BOARD WITH CONDUIT AND GROUND-FITTING SCREENS
- 9) ALL 120-VOLT RECEPTACLES IN ANY DWELLING UNIT SHALL BE PROTECTED WITH CONDUIT AND GROUND-FITTING SCREENS OR GELLED GYPSUM BOARD WITH CONDUIT AND GROUND-FITTING SCREENS
- 10) ALL 120-VOLT RECEPTACLES IN ANY DWELLING UNIT SHALL BE PROTECTED WITH CONDUIT AND GROUND-FITTING SCREENS OR GELLED GYPSUM BOARD WITH CONDUIT AND GROUND-FITTING SCREENS

Wall Types

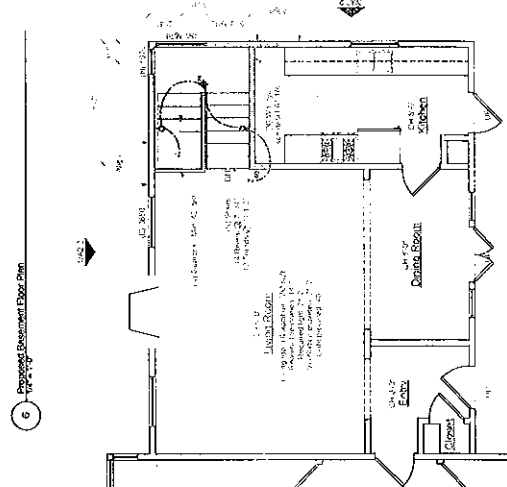
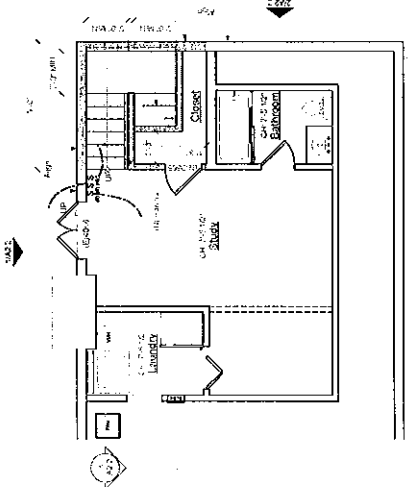
1/2" Gypsum Board	1/2" Gypsum Board
5/8" Gypsum Board	5/8" Gypsum Board
1" Gypsum Board	1" Gypsum Board
1 1/2" Gypsum Board	1 1/2" Gypsum Board
2" Gypsum Board	2" Gypsum Board
2 1/2" Gypsum Board	2 1/2" Gypsum Board
3" Gypsum Board	3" Gypsum Board
4" Gypsum Board	4" Gypsum Board
5" Gypsum Board	5" Gypsum Board
6" Gypsum Board	6" Gypsum Board
8" Gypsum Board	8" Gypsum Board
10" Gypsum Board	10" Gypsum Board
12" Gypsum Board	12" Gypsum Board
14" Gypsum Board	14" Gypsum Board
16" Gypsum Board	16" Gypsum Board
18" Gypsum Board	18" Gypsum Board
20" Gypsum Board	20" Gypsum Board
22" Gypsum Board	22" Gypsum Board
24" Gypsum Board	24" Gypsum Board
26" Gypsum Board	26" Gypsum Board
28" Gypsum Board	28" Gypsum Board
30" Gypsum Board	30" Gypsum Board
32" Gypsum Board	32" Gypsum Board
34" Gypsum Board	34" Gypsum Board
36" Gypsum Board	36" Gypsum Board
38" Gypsum Board	38" Gypsum Board
40" Gypsum Board	40" Gypsum Board
42" Gypsum Board	42" Gypsum Board
44" Gypsum Board	44" Gypsum Board
46" Gypsum Board	46" Gypsum Board
48" Gypsum Board	48" Gypsum Board
50" Gypsum Board	50" Gypsum Board
52" Gypsum Board	52" Gypsum Board
54" Gypsum Board	54" Gypsum Board
56" Gypsum Board	56" Gypsum Board
58" Gypsum Board	58" Gypsum Board
60" Gypsum Board	60" Gypsum Board
62" Gypsum Board	62" Gypsum Board
64" Gypsum Board	64" Gypsum Board
66" Gypsum Board	66" Gypsum Board
68" Gypsum Board	68" Gypsum Board
70" Gypsum Board	70" Gypsum Board
72" Gypsum Board	72" Gypsum Board
74" Gypsum Board	74" Gypsum Board
76" Gypsum Board	76" Gypsum Board
78" Gypsum Board	78" Gypsum Board
80" Gypsum Board	80" Gypsum Board
82" Gypsum Board	82" Gypsum Board
84" Gypsum Board	84" Gypsum Board
86" Gypsum Board	86" Gypsum Board
88" Gypsum Board	88" Gypsum Board
90" Gypsum Board	90" Gypsum Board
92" Gypsum Board	92" Gypsum Board
94" Gypsum Board	94" Gypsum Board
96" Gypsum Board	96" Gypsum Board
98" Gypsum Board	98" Gypsum Board
100" Gypsum Board	100" Gypsum Board

Electrical Symbols

Symbol	Description
Circle with dot	Approved Floor
Circle with cross	Unapproved Floor
Circle with slash	Switch
Circle with X	Recessed Switch
Circle with dot and slash	Recessed Switch



APPROVED PLAN
DATE 9.10.13
PLANNING
 D.R. Conditions Attached
 A.U.P. Conditions Attached



DRAFE
 2745 Shasta Road
 Berkeley, CA 94708
 (415) 863-1000
 www.drafe.com

Professional Engineer
 License No. 45678
 State of California

REVISIONS

NO.	DESCRIPTION	DATE

Existing & New Floor Plans
 DATE: 14 JUNE 2012
 PROJECT: 1085
 SCALE: AS NOTED

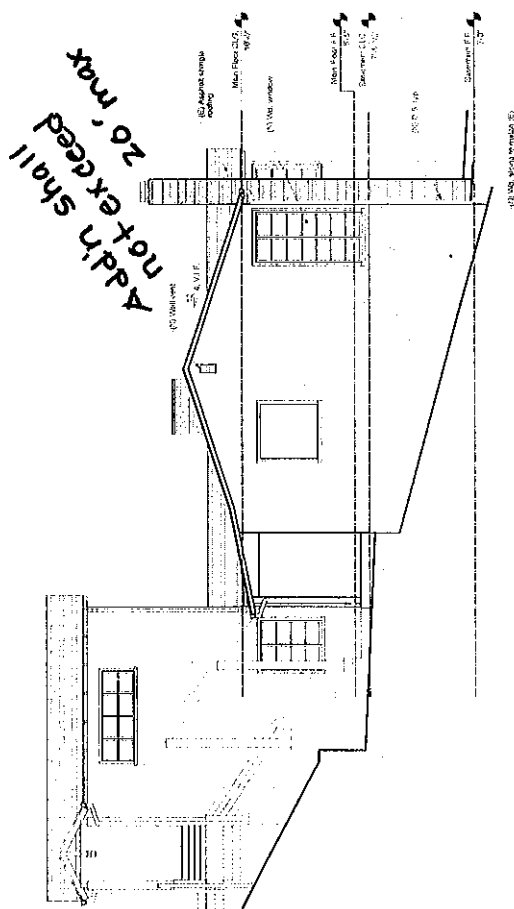
A1.1



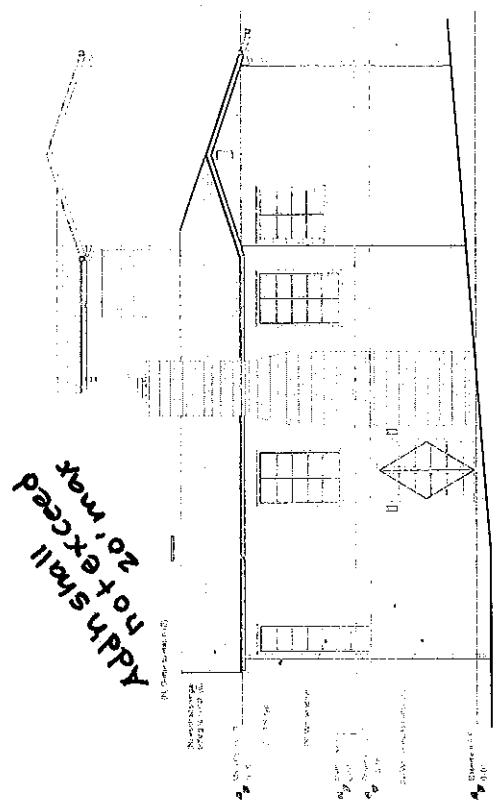
NO.	REVISIONS	DATE

Proposed Elevations & Section
DATE: 14-JUNE-2013
PROJECT: 13085
SCALE: AS NOTED

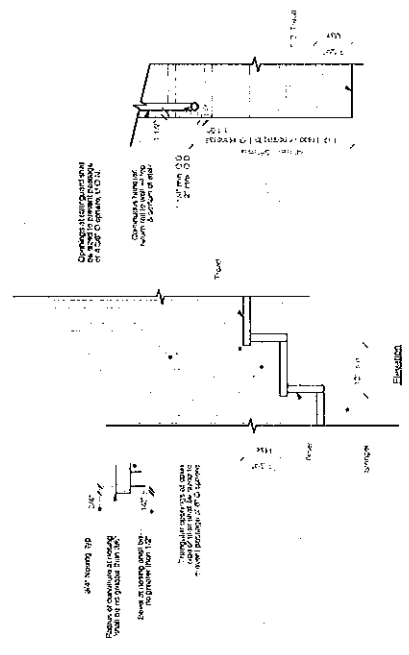
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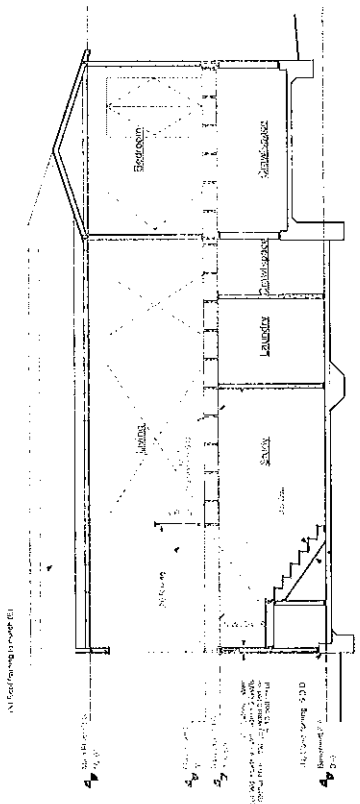
2 - Front Elevation - Proposed



1 - North Elevation - Proposed



4 - Typical Slab Detail & Elevation



3 - Section

APPROVED PLAN **9.10.13**
DATE
PLANNING
 D.R. Conditions Attached
 A.U.P. Conditions Attached
 C.U.P. Conditions Attached