1761 Thousand Oaks Blvd.

Administrative Use Permit #ZP2016-0211

Project Description: To convert a 360 square foot existing detached garage into an accessory building and to relocate the off-street parking space from the garage to uncovered parking in the rear and street-side yards.

- Section 23D.08.005.A to convert and alter an accessory structure to an accessory building; and
- Section 23D.12.080.B to allow off-street parking to be located in the street-side yard.

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 May 30, 2017.

Attest: Steven Buckley

Steven Buckley, Land Use Planning Manager

May 30, 2017

Effective Date

You may choose to file with the State and County either the enclosed Notice of Exemption or Notice of Determination (which ever applies). Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code section 21167, the time in which a legal challenge will be accepted is shortened if this form is filed within 5 days of the effective date of the City’s action.
1761 Thousand Oaks Boulevard

Administrative Use Permit #ZP2016-0211

To convert a 360 square foot existing detached garage into an accessory building and to relocate the off-street parking space from the garage to uncovered parking in the rear and street-side yards.

PERMITS REQUIRED

- Administrative Use Permit under Section 23D.08.005.A to convert and alter an accessory structure to an accessory building; and
- Administrative Use Permit under Section 23D.12.080.B to allow off-street parking to be located in the rear yard and street-side yard.

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 Structures and 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 would 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, would 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:

A. The habitable accessory building will be consistent with the single-family use of the subject property where the subject building will function as an extension of the main building and its dwelling activities, because the cooking facilities do not constitute a Kitchen per BMC 23F.04.

B. Privacy: The proposed alterations for the renovated building will preserve and ensure a reasonable level of privacy for abutting residences. The garage door will be replaced by one door and one small window in the front of the structure, facing Thousand Oaks Blvd. Because the changes are small in scale and access to the building is not directed
towards surrounding properties, there will not be significant detriment to the privacy of the neighboring properties.

C. Air, sunlight, shadows, and views: The alterations proposed to this building will maintain the existing lot coverage, height, and setbacks. As described above, the change in use will not result in an expansion of the existing structure, therefore, this project will not cause significant detriment to air, circulation, sunlight, shadows, or views.

D. In accordance with Sections 23D.12.080 (Site, Location and Screening for Uncovered Parking Spaces) and 23D.28.090 (Parking), the location of a parking space in the required rear yard and street-side setbacks is permissible because it will satisfy all site, location, and screening standards and maintain the one required off-street parking space. Furthermore, the space will meet the required two foot planting strip requirement along the rear yard property line (west).

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 attorney’s 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. Project Liaison. The applicant shall provide the project planner with the name and telephone number of the individual empowered to manage complaints generated from the project. The individual’s name, telephone number, and responsibility for the project shall be posted at the project site for the duration of the project in a location easily visible to the public. The individual shall record all complaints received and actions taken in response, and submit written reports of such complaints and actions to the project planner on a weekly basis.

☐ Project Liaison  ____________________________  Name  ____________________________  Phone #

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Prior to Issuance of Any Building Permit:
11. All owners of record of the subject property shall sign and record with the Alameda County Clerk-Recorder a “Notice of Limitation on Use of Property” (available from Land Use Planning Division) and provide a recorded copy thereof to the project planner. This Notice of Limitation shall stipulate that no part of this accessory building shall be used or converted to use as a dwelling unit unless and until permission is requested of the City of Berkeley and authorized a Use Permit, Administrative Use Permit, or Zoning Certificate, whichever is applicable. This limitation shall include the explicit acknowledgment that a full bathroom and cooking facilities may be installed, as long as the cooking facilities do not constitute a Kitchen per BMC 23F.04. This limitation may not be revised or removed from this property without the prior written permission of the Zoning Officer of the City of Berkeley.

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

During Construction:
13. Transportation Construction Plan. The applicant and all persons associated with the project are hereby notified that a Transportation Construction Plan (TCP) is required for all phases of construction, particularly for the following activities:
   - Alterations, closures, or blockages to sidewalks or pedestrian paths or 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; or
   - Significant truck activity.

The applicant shall secure the City Traffic Engineer’s approval of a TCP. Please contact the Office of Transportation at 981-7010, or 1947 Center Street, 3rd floor, and ask to speak to a traffic engineer. In addition to other requirements of the Traffic Engineer, this plan shall include the locations of material and equipment storage, trailers, worker parking, a schedule of site operations that may block traffic, and provisions for traffic control. The TCP shall be consistent with any other requirements of the construction phase.

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). Please note that the Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety or convenience of the surrounding neighborhood. A current copy of this Plan shall be available at all times at the construction site for review by City Staff.

14. 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.

15. 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.
16. 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.

17. 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.

18. 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.

19. Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.

20. Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.

21. The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way.

22. 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.

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 received on February 1 and April 11, 2017.

At All Times (Operation):

25. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.

Prepared by: Sydney Stephenson, Assistant Planner
For Greg Powell, Principal Planner
**GENERAL REQUIREMENTS FOR A NEW BATHROOM**

1. **Bathroom MUST have a ceiling of not less than 7 feet.**
2. **At least one 20 Amp branch circuit to supply bathroom receptacle outlets.**
3. **Water closet shall be set a minimum 15" from center to any side wall.**
4. **Shower compartment shall have a minimum front interior of 1024 square inches and encompassing a 36" diameter circle.**
5. **Safety glazing in doors and enclosures for bathtub and showers.**
6. **Bathroom shall be mechanically ventilated by 20 CFM minimum continuous operating fan or 50 CFM intermittent operating fan.**
7. **Cement fiber cement, glassmat gypsum backers shall be used as a base for wall.**
8. **Smoke alarms shall be (FO) protected.**
9. **Vacancy sensor controlled lighting outlets shall be installed in bathrooms.**
10. **Provide smooth non-ab sorbent surface no less than 12" above drain inlet.**
11. **Provide pressure balance valve on shower head.**
12. **Flow rate requirements: 1.25 GPM for water closet, 1.5 GPM for lavatory faucet, 2.0 GPM for shower head.**

**Framing Notes**

1. **New walls will be 2'4" Douglas Fir, 16" OC**

**Plumbing Notes**

1. **Faucets shall have a maximum flow rate of 1.8 gallons per minute at 60 psi.**
2. **Plumbing fixtures will be in compliance with California Green Building Standards Code (CALGREEN) Section 01, 1 and Senate Bill 606 (SB 606) CALIFORNIA CIVIL CODE Sections 1101.1 through 1101.8 prior to final inspection.**
3. **Smoke alarms and carbon monoxide alarms.**
   - **Smoke alarms shall be installed in each existing sleeping room at the point of the entrance to the sleeping area.**
   - **Smoke detectors shall be hard wired to 110V with a battery backup.**
   - **Carbon monoxide detectors will be installed at each level of house.**

**Heating and Plumbing**

**Direct vent wall heater is 14,000 BTU capacity water heater is tankless.**

All are installed in accordance with instructions. **Electrical**

**N MS subpanel.**

All protection for outlets (except GFI where required).

**General**

5. **Bathroom is 355 SF.**

**GENERAL REQUIREMENTS FOR A NEW KITCHEN**

1. **High-efficiency LeEDs and appliances must be CEC approved.**
2. **Kitchen sink faucets Max Flow rate 1.8 gallons per minute.**
3. **The new dishwasher shall use less than 6.5 gallons per cycle.**
4. **No domestic dishwashing machine shall be directly connected to a drainage system or food waste disposer without the use of an approved dishwasher air gap fitting on the discharge side of the dishwashing machine.**

**Plans Approved by**

May 5, 2017

*AUP Findings and Conditions Attached*
GENERAL:

1. ALL FEATURES OF CONSTRUCTION NOT FULLY SHOWN SHALL BE OF THE SAME TYPE AND CHARACTER AS SHOWN FOR SIMILAR CONDITIONS.
4. VERIFY ALL SITE CONDITIONS, DIMENSIONS, ELEVATIONS, ETC. BEFORE STARTING WORK. REPORT ANY DISCREPANCIES TO THE STRUCTURAL ENGINEER BEFORE PROCEEDING.
5. IN THE EVENT OF ANY DISCREPANCIES BETWEEN STRUCTURAL DRAWINGS AND ARCHITECTURAL, MECHANICAL, OR PLUMBING DRAWINGS, NOTIFY THE ARCHITECT BEFORE PROCEEDING.

OCCUPANCY: R3
CONSTRUCTION TYPE: V-B


VIF Smoke detector in each bedroom, at area leading to bedroom, and on each level.
VIF Carbon monoxide detector at area leading to bedrooms and on each level.

CARPENTRY:

1. - INDICATES BLOCKING; - INDICATES CONTINUOUS MEMBER.

2. SHEATHING:
   WOOD SHEATHING PANELS TO CONFORM TO PS 1-95 OR PS 2-92, EXPOSURE 1.
   ROOF - 3/4" OR 1/2" 40/20 APA RATED SHEATHING WITH T&G EDGES (UNBLOCKED). NAIL ALL SUPPORTED EDGES WITH 10D @ 6", ALL OTHER BEARINGS WITH 10D @ 12".
   FLOORS - 3/4" OR 1/2" 24 O.C. APA RATED STURDO-FLOOR WITH T&G EDGES (UNBLOCKED). NAIL ALL SUPPORTED EDGES WITH 10D @ 6", ALL OTHER BEARINGS WITH 10D @ 10".
   WALLS - (WHERE SHOWN ON PLANS) 1/2" 32/16 APA RATED SHEATHING . EDGES BLOCKED. PANELS 1/2" LESS IN THICKNESS THAN INDICATED ARE ACCEPTABLE. NAIL ALL PANEL EDGES PER SHEAR WALL SCHEDULE WHERE INDICATED OR WITH 10D @ 6" U.O.N.; NAIL ALL OTHER BEARINGS WITH 10D @ 12".

3. ALL WOOD CONNECTIONS SHALL BE IN ACCORDANCE WITH TABLE 2304.9.1 OF THE CALIFORNIA BUILDING CODE.

4. FASTENERS FOR PRESSURE TREATED AND FIRE RETARDANT WOOD SHALL BE HOT-DIPPED GALVANIZED OR STAINLESS STEEL. COATING HEIGHTS FOR ZINC-COATED FASTENERS SHALL BE IN ACCORDANCE WITH ASTM B 695, CLASS 55 MIN.

5. JOIST HANGERS AND OTHER SHEET METAL CONNECTORS SHALL BE AS PROVIDED BY SIMPSON COMPANY OF SAN LEANDRO, CA. OR EQUAL.

6. NAILS SHALL BE COMMON WIRE NAILS U.O.N. ALL NAILS FOR EXTERIOR CONSTRUCTION SHALL BE HOT DIPPED GALVANIZED.

7. PROVIDE 4X6 OR 6X6 MIN. HEADERS OVER ALL DOOR AND WINDOW OPENINGS U.O.N. PROVIDE 2X4 OR 2X6 FULL HEIGHT STUD AT EACH JAMB.

8. BLOCKING PROVIDE FULL DEPTH SOLID BLOCKING BETWEEN STUDS @ 10'-0" MAX. AND BETWEEN JOISTS @ 12'-0" MAX.
Site Plan

Existing  Scale: 1/16" = 1'

Site Plan

Proposed  Scale: 1/16" = 1'

PLANS APPROVED by
May 5, 2017

*All Findings and Conditions Attached

Chang
Garage Office Conversion 2016

Site Plan

General Notes

Home Staging Renovations
1213 smart st
Berkeley, CA 94710

Ref: 8/9/2016

As Shown
South Elevation
Existing 1/8" = 1'

East Elevation
Existing 1/8" = 1'

North Elevation
Existing/Proposed 1/8" = 1'

South Elevation
Proposed 1/8" = 1'

East Elevation
Proposed 1/8" = 1'

West Elevation
Existing/Proposed 1/8" = 1'