

Clayton



Development Handbook





Development Handbook

A guide to the Land Development
Process in the City of Clayton

City of Clayton
Community Development Department
City Hall, 3rd Floor
6000 Heritage Trail
Clayton, CA 94517

Phone: 925-673-7300
Fax: 925-672-4917
www.ci.clayton.ca.us

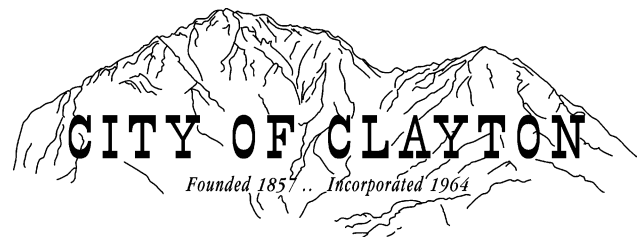


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About this Publication:

The information contained herein is from sources deemed to be reliable; however, the possibility of error or omission exists. We would appreciate your assistance in helping keep the information current by notifying us of any inaccuracies. You may reach the Clayton Community Development Department at 925-673-7340. Thank you.

1. Introduction

The City of Clayton is committed to providing excellent customer service. It is intended that this Development Handbook be a useful resource for a broad-range of customer needs and interests – from basic City and local agency contact information to information about processing a residential remodel or subdividing a parcel of land.

The Development Handbook provides an overview of the City's property development process beginning with pre-application consultations with staff through obtaining a final inspection and/or issuance of a Certificate of Occupancy, after satisfactory completion of the project.

This Development Handbook is organized into eight sections, providing useful information to successfully navigate the property development process in the City of Clayton.

SECTION 1 – INTRODUCTION

- Introduces the information contained in this Handbook.
- Lists the various City departments and agency contacts that one may encounter when obtaining one or more of the services outlined in this Handbook.

SECTION 2 – THE DEVELOPMENT REVIEW PROCESS

- Identifies step-by-step processes from the pre-application consultations with staff through obtaining final inspection and/or a Certificate of Occupancy.
- Provides information for frequently asked questions regarding the development process.

SECTION 3 – PLANNING ENTITLEMENTS

- Identifies step-by-step processes for obtaining planning entitlements (i.e., project approvals), whether processed at the Administrative, Planning Commission or City Council levels.
- Provides information for frequently asked questions regarding the various planning entitlements.

SECTION 4 – IMPROVEMENT PLANS/MAP RECORDATION

- Identifies step-by-step processes for submitting improvement plans and Final Maps for recordation.
- Provides information for frequently asked questions.

SECTION 5 – BUILDING PERMITS

- Identifies step-by-step processes for obtaining various building permits.
- Provides information for frequently asked questions regarding building permits, inspections, final inspections, and Certificates of Occupancy.

SECTION 6 – FEES

- Discusses development process fees associated with the City of Clayton and other governmental agencies.

SECTION 7 – MUNICIPAL CODE COMPLIANCE

- Building Codes
- Municipal Code (Includes Planning and Zoning Codes)

SECTION 8 – MISCELLANEOUS INFORMATION

- Addresses
- Construction and Demolition Recycling and Diversion - Builder's Guide to Re-use and Recycling
- Business License
- Stormwater Management Program

Questions regarding this Development Handbook should be directed to:

Community Development Director
925-673-7340 – General Line

Municipal Contact List

CITY OF CLAYTON

- o City Hall – Third Floor
- o 6000 Heritage Trail, Clayton, CA 94517
- o Tel: 925-673-7300
- o Office hours: 9:00 am – 5:00 pm Monday-Friday, excluding holidays and designated unpaid furlough days

CITY ADMINISTRATION

City Manager

Assistant to the City Manager

925-673-7300

In a Council-Manager form of local government such as Clayton, the City Manager functions as the chief executive officer of the City. Appointed by the entire City Council, the City Manager serves at the will of the City Council and takes policy direction from the City Council during regular and special public meetings.

The City Manager, through Department Heads and all employees of the City reporting to him is, ultimately, responsible to ensure that all laws, ordinances, and policies adopted by the City Council are properly implemented and enforced, and is responsible for the preparation of the City's annual budget which must be adopted by the City Council by July 1st of each year. The City Manager runs the City on a daily basis pursuant to laws and policies enacted by the City Council.

The Assistant to the City Manager assists the City Manager in overall city operations. This position is responsible for a range of duties including managing the Stormwater Program as well as the Recycling and Solid Waste Program for the City. Additionally, the Assistant to the City Manager handles telecommunication franchise and lease matters and coordinates the handling of the City's internal technology and communication requirements.

City Clerk

925-673-7300

The City Clerk, in the role of record keeper, manages information vital to the operation of the City of Clayton. The Clerk is responsible for providing administrative support to the City Council, the Clayton Financing Authority, Geologic Hazard Abatement District and the City Manager. The City Clerk is also responsible for providing administrative support to the City Manager with the management of personnel matters.

COMMUNITY DEVELOPMENT

Community Development Department Director

Assistant Planner

925-673-7340

The Community Development Department is responsible for providing staff support for the following programs:

- (1) Long Range Planning and Special Studies
- (2) Development and Design Review
- (3) Planning and Zoning Information
- (4) Code Enforcement
- (5) Housing (includes administrative support of the Redevelopment Agency's Affordable Housing Program)

CITY COUNCIL

- o 6000 Heritage Trail, Clayton, CA 94517
- o Tel: City Clerk (925-673-7300) to set up an appointment or email a Councilmember via the City of Clayton's website at www.ci.clayton.ca.us

The City Council is the elected policy-making body for the City of Clayton. It is comprised of five members elected at-large who serve four-year overlapping terms. The Mayor is selected annually by the City Council from among its members. The City Council serves as the Board of Directors of the Clayton Financing Authority and the Geological Hazard Abatement District. Council members represent the City on the governing boards of numerous Joint Powers Authorities. The Council meets on the first and third Tuesdays of each month at 7:00 p.m. in Hoyer Hall of the Clayton Community Library at 6125 Clayton Road, Clayton. The location of individual Council meetings may be changed occasionally with proper notice.

PLANNING COMMISSION

- o 6000 Heritage Trail, Clayton, CA 94517
- o Tel: Community Development Director or the Assistant Planner at 925-673-7340 as they are the liaison to the Planning Commission

The Planning Commission is an advisory body to the City Council and reviews various land development proposals. The Commission consists of five members appointed by the City Council. All Commissioners must be registered voters and live within the City of Clayton. The term of office is two years and Commissioners may not serve more than eight consecutive years. The Commission meets on the second and fourth Tuesdays of each month at 7:00 p.m. in Hoyer Hall of the Clayton Community Library at 6125 Clayton Road, Clayton. The

location of individual Commission meetings may be changed occasionally.

FINANCE DEPARTMENT

The City's Finance Department is responsible for the City's budgeting process and audits, financial reporting, accounts payable and receivable, business licenses, parks and facilities rentals, and payroll. The Department also includes the appointed City Treasurer, who provides auditing and investment overview. Specific duties and/or areas of responsibility of the various positions in this Department area listed below.

Finance Manager

925-673-7309

- o City of Clayton's budget process, financial reviews and statements
- o Audit overview
- o Investment portfolios and reports
- o State of California and Contra Costa County Financial Reports
- o City financial transactions, including analysis
- o Deposits and tracking of project costs
- o City's retirement and health benefits
- o Overview of accounts receivable and payable
- o Overview of business licenses

Accounting Technician

925-673-7311

- o Accounts payable and receivable
- o Payroll
- o Prepares deposits
- o Cash receipts
- o Prepares 1099's

City Treasurer

925-673-7309

- o Audits journal entries, cash transactions, and bank reconciliations
- o Initiates investment opportunities
- o Audits portfolio report

BUSINESS LICENCE & CODE ENFORCEMENT

Office Assistant/Code Enforcement Officer

925-673-7300

- o Business licenses
- o Manages City's facilities and parks (Endeavor Hall, Library Meeting Room (Hoyer Hall), Clayton Community Park, Grove Park)
- o Code enforcement field work and administration

ENGINEERING DEPARTMENT

- o 5375 Clayton Road, Concord CA
- o Tel: 925-363-7433

The City of Clayton contracts for municipal engineering services. This Engineering Department provides engineering support to the various City departments. Engineering duties can be divided into three basic categories: administrative, capital improvements, and land development.

LEGAL DEPARTMENT

City Attorney

925-673-7300

The City of Clayton contracts for City Attorney services. The City Attorney is hired by and serves at the will of the entire City Council. The City Attorney provides legal services, advice, and representation to the Mayor, City Council, City Manager, City departments, City boards and commissions.

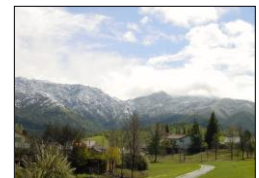
The City Attorney's Office advocates the City's interest in lawsuits filed against or on behalf of the City, its officers, employees and agencies in administrative venues, before boards or commissions in the state or federal court systems. The City Attorney's Office, in conjunction with the contract third party Risk Manager, investigates all claims for damages filed against the City and defends the City's interests when necessary.

The City Attorney's Office similarly provides legal advice to the City Council and City staff in areas of land use, personnel, elections, conflict of interest, and economic development. Services include drafting and reviewing contracts, City legislation, and other documents. The City Attorney also provides counsel to and attends meetings of the City Council, and the Planning Commission, or special committees as required.

MAINTENANCE DEPARTMENT

- o 6000 Heritage Trail, Clayton, CA 94517
- o Tel: 925-673-7327

The Maintenance Department is responsible for maintaining approximately 35 acres of landscaping, 14 acres of parks, 80,000 square feet of public buildings, 1,000 streetlights, over 1,000 street signs, 84 miles of streets and markings, 575 catch basins, 500 acres of open space with 25 miles of trails, 10 miles of v-ditches, and 10 miles of creeks. Street repairs and repaving are contracted as funds allow.



Clayton's sewer system connects to the City of Concord's main trunk system which connects to the Central Contra Costa Sanitary District system for treatment. Consequently, sewer maintenance is

contracted to the City of Concord Department of Public Works.

POLICE DEPARTMENT

- o 6000 Heritage Trail, Clayton, CA 94517
- o Tel: 925-673-7350
- o Office Hours: 9:00 am – 5:00 p.m. Monday-Friday, excluding holidays.

The Clayton Police Department was established in 1974. Throughout the years, the Department has grown in patrol personnel, equipment, special assignments and technology. The Department currently has a Police Chief, three sergeants, seven officers, one Police Office Coordinator, and one Community Services Officer.

The Clayton Police Department is dispatched to calls for service 24 hours a day by the Concord Police Department. The Concord Police Department also provides jail booking services for Clayton.

CITY OF CONCORD

BUILDING, ENGINEERING, AND NEIGHBORHOOD SERVICES DEPARTMENT

- o 1950 Parkside Drive, Building D, Concord, CA 94519
- o Tel: 925-671-3425

City of Clayton residents must contact the City of Concord for all sewer connection services. The City of Concord Building, Engineering, and Neighborhood Services Department (BENS) must issue a Sewer Connection Permit for all sewer connections into the City of Concord Sanitary Sewer System. Contact the “Current Development” office of the BENS as they provide information to the public on streets, sewers, storm drains, and grading. They also provide your sanitary approval stamp on plans.

CONTRA COSTA COUNTY/ MISCELLANEOUS

CONTRA COSTA COUNTY ASSESSORS OFFICE

- o 2530 Arnold Drive, Suite 100, Martinez, CA 94553
- o Tel: 925-313-7400 Fax: 925-313-7488

The Contra Costa County Assessors website provides helpful parcel information, including the assessor parcel number, lot size, zoning classification, boundary lines, and the location of parks, water bodies, educational facilities and more.

CONTRA COSTA COUNTY DEPARTMENT OF CONSERVATION AND DEVELOPMENT, APPLICATION & PERMIT CENTER

- o 30 Muir Road, Martinez, CA 94553
- o Tel: 925-674-7200

The Contra Costa County Building Inspection Department performs construction plan checks, receives payments for building permit fees, issues building permits, performs inspections, and issues final inspections and Certificates of Occupancy for construction projects that occur in Clayton.

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

- o 2010 Geary Rd. Pleasant Hill, CA 94523
- o Tel: 925-930-5500
- o Office Hours: 8:00 am – 5:00 pm, Monday-Friday, excluding holidays

The City of Clayton is provided fire protection and suppression services by the Contra Costa County Fire Protection District. This District is a well-equipped, full-service fire agency. The District ranks among the fourteen largest metropolitan fire agencies in the state. It provides fire and emergency medical services to nine cities and the unincorporated areas, serving a population of approximately 600,000 across a 304 square-mile area with 30 fire stations. It also provides full services to businesses and industries, including several petroleum refineries and chemical manufacturing plants.

Station 11:

- o 6500 Center Avenue Clayton, CA 94517
- o Tel: 925-930-5500

EAST CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

Residents outside of Clayton proper are served by the East Contra Costa Fire Protection District. During the fire season, from May through October, the Sunrise Fire Station is funded by the State and operated by the California Department of Forestry (CAL FIRE), providing fire protection service to unincorporated areas of Clayton.

Sunshine Fire Station (unincorporated areas):

- o 11851 Marsh Creek Rd, Clayton, CA 94517
- o Tel: 925-930-5500

CENTRAL CONTRA COSTA SANITARY DISTRICT (Household Hazardous Waste Collection Facility)

- o 4797 Imhoff Place, Martinez, CA 94553
- o Tel: 800-646-1431
- o <http://www.centrsan.org/>

Central Contra Costa Sanitary District (CCCSD) is a special district responsible for the collection and treatment of wastewater in a 146 square mile area of central Contra Costa County. The CCCSD and Mt. View Sanitary District teamed to build the first permanent Household Hazardous Waste (HHW) Collection Facility for residents of central Contra Costa County. Residents may drop off household hazardous waste at no charge. Small businesses pay a small fee to dispose of their hazardous waste. In its first 10 years, the facility collected more than 16 million pounds of hazardous waste.

ALLIED WASTE MANAGEMENT - REPUBLIC SERVICES

(Garbage/Yard Waste/Recycling)

- o 441 N. Buchanan Circle, Pacheco, CA 94553
- o Tel: 925-685-4711
- o <http://awscc.com/>

Allied Waste Management - Republic provides garbage, yard waste, and recycling services to City of Clayton residents and business owners.

CLAYTON COMMUNITY LIBRARY

The library is owned by the City, yet staffed and operated by the County Library System. This facility also houses the City Council chambers.

- o 6125 Clayton Road, Clayton, CA 94517
- o Tel: 925-673-0659
- o www.claytonlibrary.org

POST OFFICE

- o 6150 Center Street Clayton, CA 94517
- o Tel: 925-672-4337

SCHOOLS

Mt. Diablo Unified School District (K-12):

- o 925-682-8000
- o 1936 Carlotta Drive, Concord CA 94519
- o <http://www.mdusd.org/>

Mt. Diablo Elementary School:

- o 925-672-4840
- o 5880 Mt. Zion Drive, Clayton, CA 94517
- o <http://www.mtdiabloelementary.mdusd.org/>

Diablo View Middle School:

- o 925-672-0898
- o 300 Diablo View Lane, Clayton, CA 94517
- o <http://www.mdusd.k12.ca.us/diabloview/>

Clayton Valley Charter High School:

- o 925-682-7474
- o 1101 Alberta Way, Concord, CA 94521
- o <http://www.cvhs.mdusd.org/>

UTILITIES

- o Sewer – See City of Concord Contact Information: www.cityofconcord.org/ci.concord.ca.us/permits/engineering/sewer
- o Gas & Electricity – Pacific Gas & Electric (PG&E): PGE.com
- o Water - Contra Costa County Water District
- o Cable - Comcast
- o Internet - AT&T, Comcast
- o Phone - AT&T, Comcast

Comcast:

www.comcast.com

Customer Service: 800-945-2288

AT&T:

www.att.com

Customer Service: 800-288-2020

Pacific Gas & Electric (PG&E):

www.pge.com

Customer Service: 800-743-5000

To Report a Power Outage: 800-743-5000

Power Outage Status Reports: 800-743-5002

Contra Costa Water District:

www.ccwater.com

Customer Service: 925-688-8044

Construction Department: 925-688-8130

Engineering/Engineering Services: 925-688-8014

Planning: 925-688-8147

District Center:

1331 Concord Avenue, Concord, CA 94520

Contra Costa Water District:

P.O. Box H20, Concord, CA 94524-2099

Planning, Engineering, & Construction Services:

2411 Bisso Lane, Concord, CA 94520

2. The Development Review Process

Public Sector Regulations

There are numerous regulations imposed on development by the City of Clayton as well as other public agencies involved in the development review and approval process. These regulations are intended to protect the health, safety, and general welfare of the citizens of Clayton. This section will describe a few of the regulations that one may encounter throughout this process. The Community Development Department is dedicated to making this process as clear and as streamlined as possible.

THE PUBLIC INTEREST

The City of Clayton is responsible for assuring the public interest is not compromised by a development project. Accordingly, there are many regulatory requirements and factors to consider in the Development Review Process including, but not limited to, the local zoning standards and building codes, locally adopted development policies, and various state and federal laws that regulate property development.

GENERAL PLAN

A General Plan is a comprehensive written document accompanied by diagrams which guide future development for a city. It describes the ways in which a city would intend to develop over, typically, the next 20 years. The General Plan includes specific goals and policies to guide future development within the community. The General Plan is a primary guide city for officials when making decisions on development proposals.

SPECIFIC PLAN

A Specific Plan provides greater detail than is found in a General Plan. It is a written document accompanied by diagrams that provide detailed information and guidelines related to specific design and land-use requirements for a defined area of a community.

The City of Clayton has two specific plans:

1. The Marsh Creek Road Specific Plan establishes goals and policies for the development of approximately 475 acres southeast of the City. The Plan's goals include maintenance of the area's rural character, preservation of the area's natural amenities, encouragement of upscale residential development, and provision of public access to open space areas.

2. The Town Center Specific Plan establishes goals and policies for development in the Town Center area. The purpose of the Plan is to encourage appropriate commercial mixed-use development, while protecting the area's historic character. The Plan identifies appropriate land uses in the Town Center and provides design guidelines for new buildings, walkways, parking lots, and landscaping.

ZONING

Zoning is the classification and regulation of land by local governments according to districts (zones). These districts typically address land-use and density/intensity limitations as well as include development standards that address allowable lot width, lot depth, structural heights, and building setbacks. Zoning fundamentally governs how land can be developed and used. Zoning was originally introduced in order to separate incompatible land uses. For example, by establishing a "residential" zone in a particular area, factories could no longer be built next to a residence, with the possibility of adverse impacts related to noise, odors, vibrations, etc. impacting the occupants of the nearby homes.

Municipalities in California have been delegated police power (authority) to enforce zoning regulations by the State. Zoning enables the local governments to regulate land development to assure the health, safety, and general welfare of the local citizenry.

The City of Clayton has five Zoning Districts:

1. Single Family Residential (R-10, R-12, R-15, R-20, R-40, and R-40-H).
2. Planned Development (PD)
3. Public Facility (PF)
4. Limited Commercial (L-C)
5. Agricultural (A)

The Development Review Process

There are two paths that can be taken in the development approval process in the City of Clayton: (1) Projects Requiring a Planning Entitlement and (2) Projects which do NOT Require a Planning Entitlement

(1) Projects Requiring a Planning Entitlement

Planning Entitlements

Step 1: Define Project

This initial step involves becoming familiar with the City's land-use codes and policies, market conditions, and physical opportunities and constraints of the property involved. Based on this type of research a project plan can be formulated and defined. Many of the projects will involve obtaining certain planning approvals/entitlements. Examples of some of these entitlements are provided below.

Examples:

○ Annexation	○ Site Plan Review Permit
○ Appeals	○ Specific Plan Amendment
○ Development Plan	○ Temporary Storage
○ General Plan Amend.	○ Temporary Use Permit
○ Home Occupation	○ Tentative or Parcel Map
○ Large Family Day Care	○ Tree Removal Permit
○ Noise Permit	○ Use Permit
○ Second Dwelling Unit	○ Variance
○ Sign Permit	○ Zoning Ordinance Amendment

Step 2: Pre-Application Meeting

Schedule a pre-application meeting with the Community Development Department Director or Assistant Planner to determine what entitlement(s) (i.e., planning approvals) your project will need. The number to call to schedule this meeting is 925-673-7340. Extensive and successive pre-application meetings may require payment of staff time.

Step 3: Planning (Entitlement) Application

There are numerous planning applications, as indicated by the examples in the box above. Fill out the appropriate application along with all of its submittal requirements. Incomplete applications will not be accepted. Any required application fees and/or deposits must be paid.

Step 4: Administrative Review

Submit application packet for review and approval by the administrative staff. If an administrative approval is all that is required for the project, upon receiving that approval, any conditions of approval would need to be satisfied, including obtaining any required building permit.

The administrative action can be appealed to the Planning Commission within five (5) calendar days of the Administrative Notice of Decision.

Step 5: Planning Commission Review

A public hearing will be held by the Planning Commission for those entitlements that require Planning Commission review. At the hearing, the Commission will review the application, receive the recommendation from staff, and consider comments from the public. Thereafter, the Commission will approve, approve with conditions, or deny the request. If the project does not need further approvals, i.e., as a recommendation to the City Council, and is approved or conditionally approved, then the applicant would need to satisfy any conditions of approval, including obtaining any required building permit (Step 12), and implement the project. If the project requires further review and approval by the City Council, or is appealed, then the applicant must proceed to Step 6. A Planning Commission action can be appealed to the City Clerk within ten (10) calendar days of the Planning Commission Notice of Decision.

Step 6: City Council Review

If the City Council is considering a resolution as part of its action, it may act on the matter after holding a single meeting. If the City Council is considering an ordinance, the Council shall hold two meetings. The first meeting will be a public hearing to introduce the ordinance. At the second or a subsequent meeting, the City Council will conduct a second reading and then take action either for approval, approval with conditions, or denial. A denial of the request will cease further consideration of the request for a period of one (1) year following such denial.

Note:

If a project does not involve an improvement plan, map recordation, or a building permit, the review process stops here. Otherwise, proceed to applicable next steps.

Improvement Plans and Map Recordation

Step 7: Prepare Improvement Plans

Submit your improvement plans to the Community Development Department and the City Engineer for review and approval.

Step 8: Prepare Final Map

Submit your final map and related documents to the Community Development Department and the City Engineer for review.

Step 9: City Council Authorization

When your final map has been determined complete, accurate, and ready for recordation, a request for authorization to record the map will be presented to the City Council for action.

Step 10: Recordation

The City will submit the final map to the Contra Costa County Assessor's office for recordation.

Step 11: Map Recorded

Note:

If the project will not continue into the construction phase which requires a building permit, review process stops here. Otherwise, proceed to applicable next steps.

Building Permits and Construction

Step 12: Clayton Community Development Department

Submit 4 copies of construction plans to the Community Development Department to be reviewed for:

- o Zoning compliance; Verification of compliance with any related project conditions of approval required by the Planning Commission or the City Council (as applicable)
- o Engineering review (if required);
- o Stormwater permit (if required); and,
- o Construction & Demolition Debris Recycling Plan (if required).

If the application is incomplete, or if changes must be made, the Community Development Department will require those changes before the application may proceed. Any required application fees and/or deposits must be paid.

Step 13: City of Concord Building, Engineering, and Neighborhood Services Department (BENS)

Submit plans to be reviewed for sewer compliance and to obtain a sewer connection permit, if required.

Step 14: Contra Costa County Department of Conservation & Development Application and Permit Center

Submit application with approvals from the City of Clayton and the City of Concord to the County Application and Permit Center for processing. The application process involves the following:

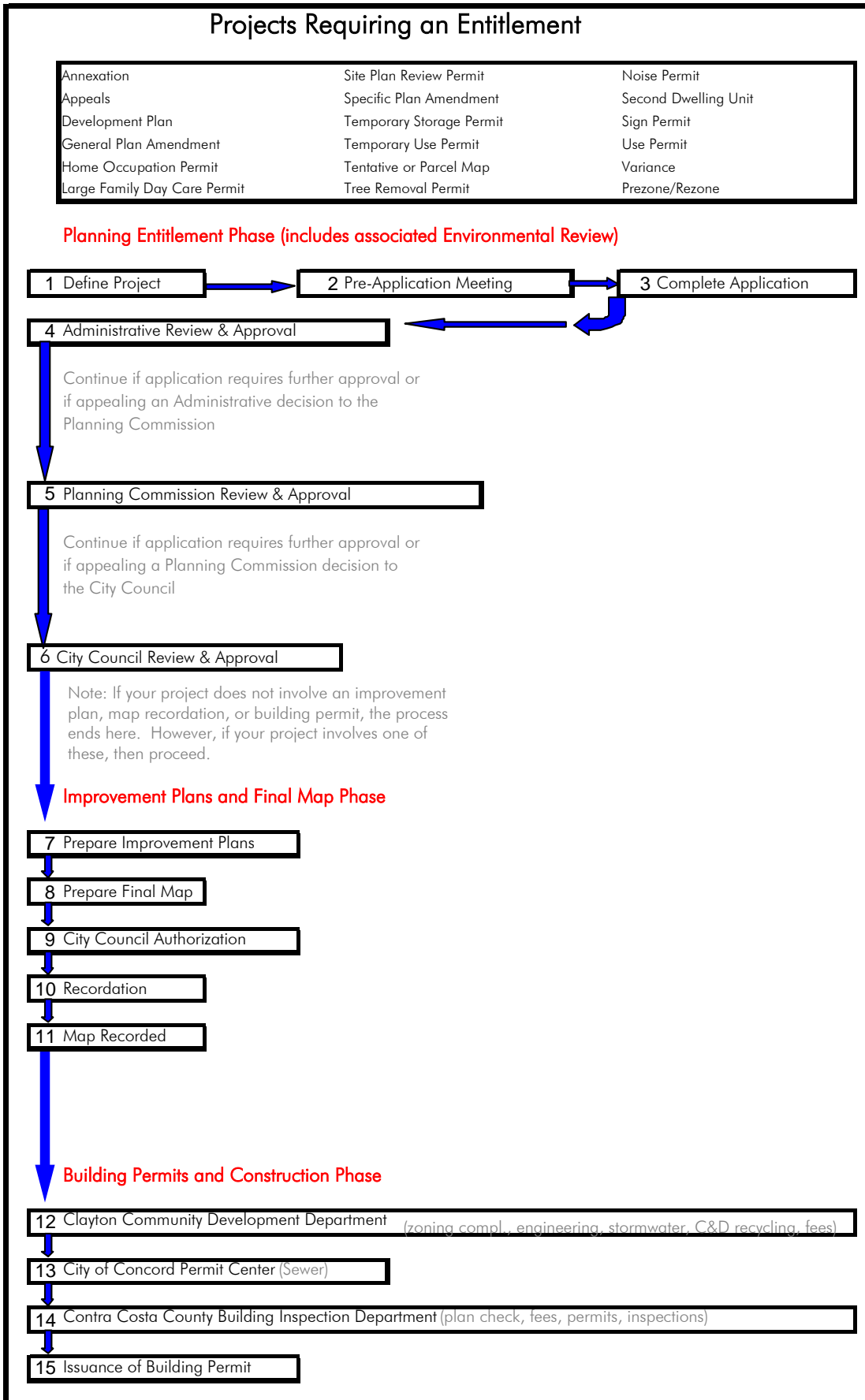
- o Construction plan check;
- o Payment of building permit and any related fees; and
- o Issuance of building permits.

Step 15: Issuance of Building Permit

Construction may now begin. The County will perform inspections during construction and upon satisfactory completion issue a final inspection and/or Certificate of Occupancy.

The City of Clayton will also perform inspections during construction, as applicable, to verify conformance with the planning entitlement issued, the Stormwater Permit, and the Construction and Demolition Debris Recycling Plan.

2. The Development Review Process



(2) Projects which do NOT Require a Planning Entitlement

Step 1: Define the Project

These projects usually are smaller in scale and involve reliance on previously approved entitlements. However, they typically require issuance of a building permit.

Examples:

<ul style="list-style-type: none">○ Repair Gas Line○ Install Irrigation Systems○ Repair Water Line○ Repair Sewer Line○ Replace Electrical Service < 200 amps○ HVAC replacements	<ul style="list-style-type: none">○ Re-roof Install Gas shut-off devices○ Vinyl siding○ Electrical upgrades○ Water heater replacements○ Wall heater replacements
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Building Permits and Construction

Step 2: Pre-Application Meeting (Optional)

Schedule a pre-application meeting with a Community Development Department Director or Assistant Planner to determine the plans and documents that will be required.

Step 3: Clayton Community Development Department

Submit four (4) copies of your construction plans to the Community Development Department to be reviewed for:

- Zoning compliance; Planning Commission or City Council Conditions of Approval Compliance, as applicable;
- Engineering review (if required);
- Stormwater permit (if required); and
- Construction & Demolition Debris Recycling Plan (if required).

If the application is incomplete, or if changes must be made, the Community Development Department will require those changes before the applicant may proceed. Any required application fees and/or deposits must be paid.

Step 4: City of Concord Building, Engineering, and Neighborhood Services Department (BENS)

Submit plans to be reviewed for sewer compliance and to obtain a sewer connection permit, if required.

Step 5: Contra Costa Building Inspection Department

Submit application with approvals from the City of Clayton and the City of Concord, as required, to the Contra Costa County Application and Permit Center. The application process involves the following:

- Construction plan check;
- Payment of building permit and any related fees; and
- Issuance of building permits.

Step 6: Construction

Once a building permit has been issued, then construction may begin. The County will perform inspections during construction. The City of Clayton will also perform inspections to verify conformance during construction with matters of code compliance, the Stormwater Permit, and the Construction and Demolition Debris and Recycling Plan, as applicable.

3. Planning Entitlements

What is a Planning Entitlement?

A Planning Entitlement is an approval by the City to introduce a new or modified land use or construction activity on a particular site. As depicted in the flowchart below, some entitlements are more complex than others to obtain.

What Fees and Deposits Apply?

While some applications require specified fees for processing, others require deposits. Deposits are required from applicants for the processing of most applications. Staff time is tracked and charged against the application deposit during processing of the application.

For applications involving deposits, costs are charged based on the time required multiplied by the full cost per hour for an employee or contractor as determined each year by the City of Clayton. The hourly rate determination considers salary, benefits, overhead, and overtime (if applicable).

In order to secure payment, deposits will be requested upon application submittal. A minimum deposit is stipulated in the City Council adopted Fee Schedule.

If staff determines that a minimum deposit is not sufficient, the required deposit may be increased. If, after a deposit is made, more funds are needed, the applicant will be notified to replenish the deposit account.

If all the funds are not used during the processing of an application, the remainder will be refunded to the applicant.

What is the Process for an Entitlement at the Administrative Level?

An Administrative Level entitlement is an approval obtained directly through City staff without the requirement of approval by the Planning Commission and/or City Council, and, generally, does not require a public hearing.

Examples of Administrative Entitlements:

1. Home Occupation Permit – Admin. Review
2. Large Family Day Care Permit
3. Noise Permit
4. Second Units – Admin. Review
5. Site Plan Review – Admin. Review
6. Sign Permit
7. Temporary Storage Permit

8. Temporary Use Permit (If 4 of Fewer Events Per Calendar Year)
9. Tree Removal Permit
10. Use Permit for Fences

It is advised, but not required that, the applicant meet with the Community Development Director or Assistant Planner to discuss the nature of the approval requested to determine which application(s) will be required and the related supporting submittal requirements.

Once the applicant has submitted a complete application and paid any required fees and deposits to the Community Development Department, the Community Development Director and/or planning staff will review the application for completeness. The staff will approve the request, approve the request with conditions, or deny the request.

If approved, the applicant may proceed with the work the entitlement was intended for, subject to any conditions of approval, including the need to obtain a building permit, as pertinent.

If the applicant's request is denied, or the applicant is not satisfied with the conditions of approval, the administrative decision can be appealed to the Planning Commission within five (5) calendar days of the Notice of Decision. Next, an appeal hearing will be held by the Planning Commission. The Commission will approve the request, approve the request with conditions, or deny the request.

If approved, the applicant may proceed with the work the entitlement was intended for, subject to any conditions of approval, including the need to obtain a building permit, as pertinent.

If the applicant's request is denied by the Planning Commission, or the applicant is not satisfied with the conditions of approval, then the decision may be appealed to the City Council within ten (10) calendar days of the Notice of Decision. Next, the appeal will be considered at a noticed public hearing by the City Council. The Council will uphold the appeal, uphold the appeal with conditions, or deny the appeal.

If the application is approved, the applicant may proceed with the work the entitlement was intended for, subject to any conditions of approval, including the need to obtain a building permit as pertinent.

If the applicant's request is denied at the City Council level, the applicant may not re-apply for one (1) year.

Definitions of Administrative Level Entitlements:

1. Home Occupation Permit – Administrative Review

The purpose of the Home Occupation Permit is to allow residents in residential districts to conduct limited business commercial activities within a small portion of the dwelling unit. The limited commercial activities must be subordinate and incidental to the residential use of the property (See Chapter 17.71 of the Clayton Municipal Code). A Home Occupation Permit is needed prior to obtaining a City Business License.

2. Large Family Day Care Permit

A Large Family Day Care Permit allows a person to provide day care at their residence for 7 to 12 children, or up to 14 children under specific conditions set forth by the California Health and Safety Code (See Chapter 17.45 of the Clayton Municipal Code).

3. Noise Permit

The purpose of a Noise Permit is to allow for certain activities (such as civic-sponsored events, recreational events, or the use of sound-amplification equipment) which generate noise in excess of the City's Noise Regulations. The purpose of the Noise Permit is to assure that the general welfare of the neighborhood will be preserved (See Chapter 9.30 of the Clayton Municipal Code).

4. Second Units (Administrative)

Second dwelling units, conforming to specified standards of approval, may be approved administratively in the City of Clayton (See Chapter 17.47 of the Clayton Municipal Code). The purpose of this Chapter is to conform to requirements of State law to facilitate an increase in the supply of affordable housing in California communities. A second level of thresholds beyond those enabling administrative review and approval require Planning Commission review (See Planning Commission Entitlements below).

5. Site Plan Review Permit (Administrative)

Development of new structures not exceeding certain thresholds may be approved administratively in the City of Clayton (See Chapter 17.44 of the Clayton Municipal Code). Generally, these are smaller structures that conform to specified standards for review. One of the thresholds is that the proposed construction on a front and/or

exterior side elevation cannot exceed 12 feet in height or encompass an area of 500 square feet or greater in area.

6. Sign Permit

The purpose of the Sign Permit is to make sure that signs meet the City's standards set forth in the Municipal Code for sign height, size, location, and appearance (See Chapter 15.08 of the Clayton Municipal Code).

7. Temporary Storage Permit

The purpose of the Temporary Storage Permit is to allow, in cases of practical difficulty or unreasonable hardship, for the storage of motor vehicles, trailers, boats, cargo storage containers, and building materials in the restricted areas of a lot. The permit allows these items to be stored for more than five days (See Chapter 17.76 of the Clayton Municipal Code).

8. Temporary Use Permit

The purpose of a Temporary Use Permit is to allow certain activities (e.g., arts and crafts shows, parades, carnivals and fairs, Christmas tree lots, musical concerts, and block parties with street closures) to take place for a limited time period, not to exceed a total of 45 days or more than 4 individual events per year (See Chapter 17.70 of the Clayton Municipal Code).

9. Tree Removal Permit

A Tree Removal Permit is required for trees greater than six inches in diameter because it is believed that the benefits of the trees promote the health, safety, and general welfare of Clayton's citizens. For example, it is recognized that the preservation of these trees enhances natural scenic beauty, sustains potential increases in property values, encourages high-quality development, maintains the natural ecology, tempers extremes in climate, prevents erosion of top soil, aids in reducing air pollution, provides habitat for wildlife, and preserves the identity, character, and rural tradition of the City (See Chapter 15.70.075.K of the Clayton Municipal Code).

10. Use Permit for Fences

If the applicant is either replacing a fence or installing a new one over six (6) feet and up to seven (7) feet in height, a Use Permit for Fences is needed (See Chapter 17.36 of the Clayton Municipal Code).

What is the Process for an Entitlement at the Planning Commission Level?

A Planning Commission level entitlement cannot be approved administratively by staff. This level of entitlement is considered at a noticed public hearing by the City's Planning Commission, a five (5) member citizen body appointed by the City Council. A listing of examples of Planning Commission Entitlements is provided immediately below.

Planning Commission Entitlements:

1. Site Plan Review Permit
2. Tentative Map
3. Tentative Parcel Map
4. Prezone/Rezone Amendment
5. Lot-Line Adjustment/ Lot Merger
6. Variance
7. Home Occupation Permit – PC Review
8. Second Dwelling Unit Permit – PC Review
9. Use Permit

It is important to schedule a pre-application meeting with the Community Development Director or Assistant Planner to discuss the nature of the approval being requested to determine the submittal requirements, process, and tentative schedule.

Once the applicant has submitted the application to the Community Development Department, the Department staff will determine if all submittal requirements have been met and if the application is complete. After determining the application to be complete, the staff will determine the level of environmental review required for the proposed project in accordance with the provisions of the California Environmental Quality Act (CEQA). The required level of environmental review will need to be completed. The Director will then schedule the matter before the Planning Commission at a noticed public hearing. Notices of the hearing are typically sent out to property owners within a 300 foot radius of the site of the application. Staff, typically, provides the Planning Commission with its written analysis and findings and a recommendation of approval, approval with conditions, or denial.

At the public hearing, the Commission will take into consideration the staff recommendation and public comments. The Commission will approve the request, with conditions, as warranted, or deny the request. The action of the Commission will be by vote of not less than a majority of the Commissioners present.

If approved, the applicant may proceed with the work the entitlement was intended for, subject to any conditions of approval, including the need to obtain a building permit as pertinent.

The action of the Planning Commission may be appealed within ten (10) calendar days after the date of the Notice of Decision. Next, an appeal hearing will be held by the City Council. This would be a noticed public hearing, with mailed notification to the property owners in a 300 foot radius of the subject property. The Council will uphold the appeal, uphold the appeal with conditions, or deny the appeal.

If the applicant's appeal request is denied at the City Council level, they may not re-apply for one (1) year. If approved by the City Council, the applicant may begin their work in which the entitlement was intended for, subject to any conditions of approval, including the need to obtain a building permit as pertinent.

Definitions of Planning Commission Level Entitlements:

1. Site Plan Review Permit (Planning Commission)

The purpose of the Site Plan Review is to ensure that the design of all new development is compatible with Clayton's character and that the new development does not impose significant negative impacts on neighboring property owners and/or occupants (See Chapter 17.44 of the Clayton Municipal Code). A Site Plan Review Permit shall be required in any zoning District for the design of all new development within the City (new construction, remodeling, additions, etc.) which meets all of the criteria found in Chapter 17.44. One criterion covers proposed new construction to a front and/or exterior side elevation measuring over 12 feet in height or encompassing an area of 500 square feet or greater.

2. Tentative Map

Tentative Maps are for the development of major subdivisions of five or more parcels. A Tentative Map is made for the purpose of showing the lot layout, general design, and improvement of a proposed subdivision and the existing conditions in and around it (See Chapter 16.20 of the Clayton Municipal Code).

3. Tentative Parcel Map

Tentative Parcel Maps are for the development of minor subdivisions of four parcels or less. A Tentative Parcel Map is made for the purpose of showing the lot layout, general design, and

improvement of a proposed subdivision and the existing conditions in and around it (See Chapter 16.20 of the Clayton Municipal Code).

4. Prezone/Rezone Amendment

Zoning establishes land use classifications such as commercial, residential, industrial, and agricultural for various land areas (districts). Additionally, zoning provisions determine the standards for development within the various zoning districts. In some cases it is allowable to change the zoning on a particular property (See Chapter 17.56 of the Clayton Municipal Code).

5. Lot-Line Adjustment/ Lot Merger

A Lot-Line Adjustment/Lot Merger is an adjustment between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created (See Chapter 16.02 of the Clayton Municipal Code).

6. Variance

An applicant may apply for a Variance when the standard application of zoning classifications and standards (e.g., height, setbacks) may be inappropriate because of special characteristics of the property. The variance procedure is designed to allow minor exceptions to the zoning regulations when there are special or extraordinary circumstances applying to a parcel of land or a building that prevent the property from being used to the extent intended by the zoning (See Chapter 17.52 of the Clayton Municipal Code).

7. Home Occupation Permit – Planning Commission Review

The purpose of the Home Occupation Permit is to allow residents in residential districts to conduct limited business commercial activities within a limited portion of their dwelling unit without disturbing the character of their residential neighborhoods. The limited commercial activities must be subordinate and incidental to the residential use of the property (See Chapter 17.71 of the Clayton Municipal Code).

8. Second Dwelling Unit Permit – Planning Commission Review

Planning Commission review and approval is required of second dwelling units that do not comply with standards for administrative review. A Second Dwelling Unit is an attached or detached dwelling unit, which provides complete independent living facilities for one or more persons including, but not limited to the permanent provisions for living, sleeping, eating, cooking, and sanitation. A

Second Dwelling Unit also includes an efficiency unit and manufactured home, as defined in Sections 17958.1 and 18007, respectively, of the California Health and Safety Code (Ord. 373, 2004).

9. Use Permit

A Use Permit is applied for by an applicant in order to establish a land use within a zoning district if the proposed use is not allowed by right, but may be allowed with the granting of a Use Permit after a public hearing before the Planning Commission. Conditions of approval may be applied to ensure compatibility or minimize potential impacts (See Chapter 17.60 of the Clayton Municipal Code).

What is the Process for an Entitlement at the City Council Level?

A City Council Level entitlement is an approval that must undergo a more in-depth approval process.

These entitlements cannot be approved by the Community Development Director or Planning Commission, but must be approved by the City Council, typically, following a Public Hearing and a recommendation at the Planning Commission level. Matters being considered at this level are often legislative (i.e., policy) in nature. A listing of examples of City Council Entitlements is provided immediately below.

City Council Entitlements:

1. Annexation
2. General Plan Amendment
3. Specific Plan Amendment
4. Development Plan

It is important to schedule a pre-application meeting with the Community Development Director to discuss the nature of the approval being requested to determine the submittal requirements, process, and tentative schedule.

Once the applicant has submitted the application to the Department, located in City Hall at 6000 Heritage Trail, the Department staff will determine if all submittal requirements have been met and if the application is complete. After determining the application to be complete, the staff will determine the level of environmental review required for the proposed project in accordance with the provisions of the California Environmental Quality Act (CEQA). The required level of environmental review will need to be completed at the applicant's cost but under city contract. The Director shall then schedule the matter before the Planning Commission at a noticed public hearing, with

mailed notification to the property owners in a 300 foot radius of the subject property.

The Planning Commission will hold a public hearing to review the application. Next, the Commission will take into consideration staff recommendations and public comments. The Commission will recommend approval of the request, with conditions, as warranted, or recommend denial of the request to the City Council.

The City Council will hold a minimum of one public hearing if the matter involves a resolution and a minimum of two public hearings if the matter involves an ordinance. The Council will approve the entitlement, approve it with conditions, or deny it.

If approved, the applicant may proceed with the work the entitlement was intended for, subject to any conditions of approval, including the need to obtain a building permit as pertinent.

A denial of the request shall cease further consideration of the request for a period of one (1) year following such denial.

Definitions of City Council Level Entitlements:

1. Annexation

A process by which an incorporated city expands its boundaries to include a specified area of land. The rules of annexation are established by state law and generally require public hearings at the city level and the regional level (i.e., the Local Agency Formation Commission (LAFCO)).

2. General Plan Amendment

The General Plan is a comprehensive written document accompanied of the City. In certain circumstances, amendments (changes) are proposed to the General Plan diagram(s) or text.

3. Specific Plan Amendment

A Specific Plan covers the same subjects as the General Plan, but in greater detail and for a smaller and specific area. It provides a clear set of policies and regulations focused on a particular area (such as the Town Center). These policies and regulations include distribution of land uses, location and size of streets, walks, and other infrastructure, standards for development, and methods of financing public improvements.

4. Development Plan

A Planned Development District (PD) is a zone which allows for an integrated, comprehensively-

planned area located on a single tract or contiguous tracts of land under a single or joint ownership which allows greater flexibility in the land use controls typically required by other zoning districts. The Development Plan allows for more creativity and flexibility in the site plan and design of the development, which standard zoning may not allow. This tool may be particularly useful for developing a mixed use project (See Chapter 17.28 of the Clayton Municipal Code).

The major purposes of the Planned Development District are:

- To implement the objectives of the General Plan or applicable Specific Plan.
- To conserve outstanding natural and archeological features.
- To provide more private and public open space.
- To encourage building variety and innovative approaches in environmental design. The Planned Development District permits, for example, mixed land uses, varied setbacks and building heights and diverse lot sizes.
- To promote economy and efficiency through shared facilities and services.

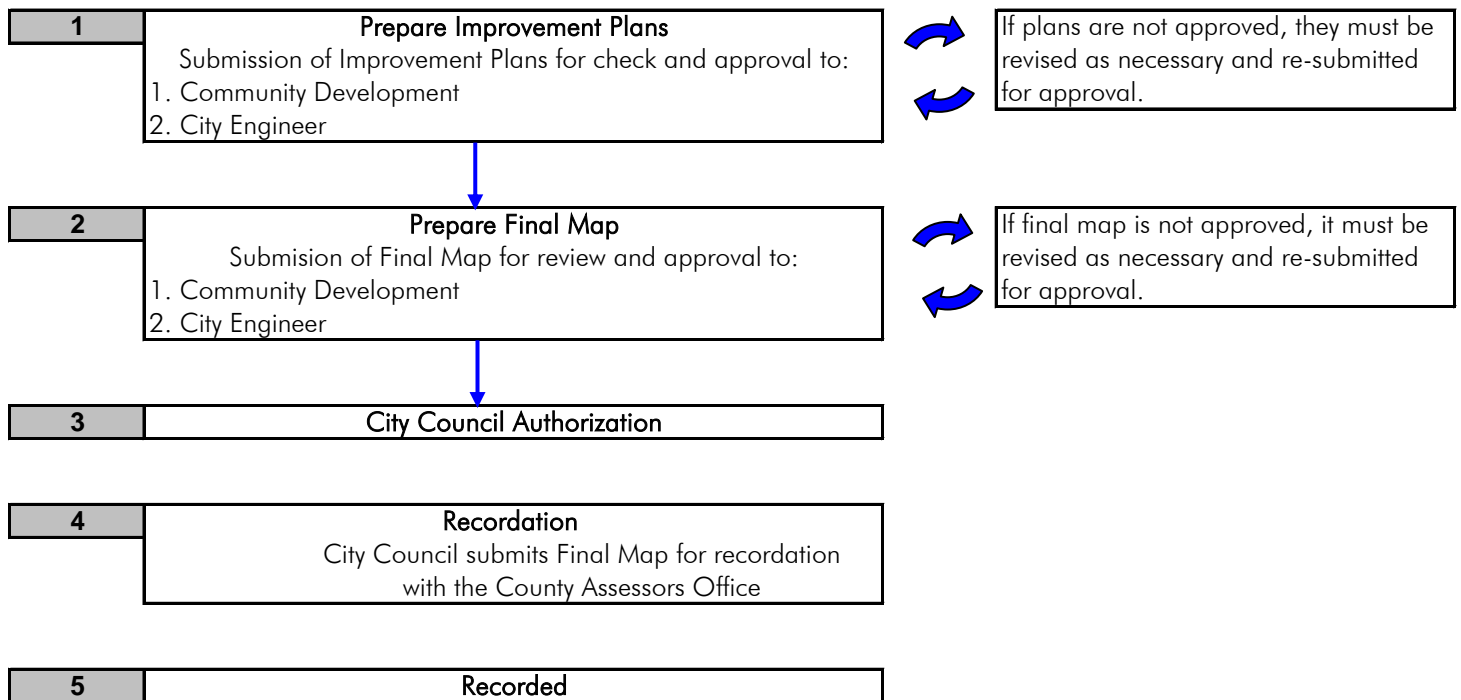
4. Improvement Plans and Map Recordation

What are Improvement Plans?

Improvement plans depict all work required to be installed by the subdivider of land as a condition to the approval and filing of a final map including, but not limited to, streets, sidewalks, curbs and gutters, drainage, street lights, landscaping and irrigation systems, and other improvements defined in Section 66419 of the Governments Code.

What is a Final Map?

A final map is a map submitted to the City for recordation with the County that satisfies the pertinent conditions of tentative map approval granted for subdivision of the subject property in accordance with applicable provisions of Chapter 16.04 of the Clayton Municipal code and the State Map Act.



5. Building Permits and Construction



Why are Building Permits Required?

Building permits are required before one erects, constructs, enlarges, alters, repairs, moves, improves, removes, converts or demolishes any building or structure. It is the responsibility of the homeowner and/or contractor to obtain required permits prior to beginning the work. The purpose of a building permit and inspection(s) is to ensure that structures provide for the public's health, safety and welfare through enforcement of the adopted codes, laws, and ordinances.

Who may apply for a building permit?

Permits may be issued only to property owners, licensed contractors, long-term lessees or their certified agents.

What information is needed to complete a building permit application?

See Contra Costa County Department of Conservation and Development's handout "Checklist Requirements for Obtaining a Building Permit" for a full list of requirements.

What is the Building Permit Process?

A building permit cannot be issued until applicable building drawings (architectural, structural, mechanical and electrical) have been reviewed and approved, permit fees and development charges have been paid, and all applicable entitlements have been obtained. Obtaining a building permit is a three step process for the City of Clayton.

Step 1:

Community Development Department

You should meet with the City staff to determine what building permit(s) you may need along with what plans you will be required to submit. Typically, four (4) sets of construction plans must be submitted to the Community Development Department. The plans are reviewed for:

- Zoning compliance; Planning Commission or City Council Conditions of Approval Compliance, as applicable;
- Engineering review (if required);
- Stormwater permit (if required); and
- Construction and Demolition Debris Recycling review (if required);

If the application is incomplete, or if changes must be made, the Community Development Department will require those changes before the applicant may proceed. Any required application fees and/or deposits must be paid.

Step 2:

City of Concord Building, Engineering, and Neighborhood Services Department (BENS)

The City of Concord will review the plans for sanitary sewer compliance, if required. A Sewer Connection Permit in the City of Clayton must be issued before or at the time the building site plans are signed verifying the availability of sewer.

Step 3:

Contra Costa County Department of Conservation, Application & Permit Center

The plans are reviewed for:

- Construction plan check;
- Payment of building permit fees; and
- Issuance of building permits.

The County performs inspection during construction. The City of Clayton will also perform inspections during construction, as applicable, to verify conformance with the planning entitlement issued, the Stormwater Permit, and the Construction and Demolition Debris Recycling Plan.

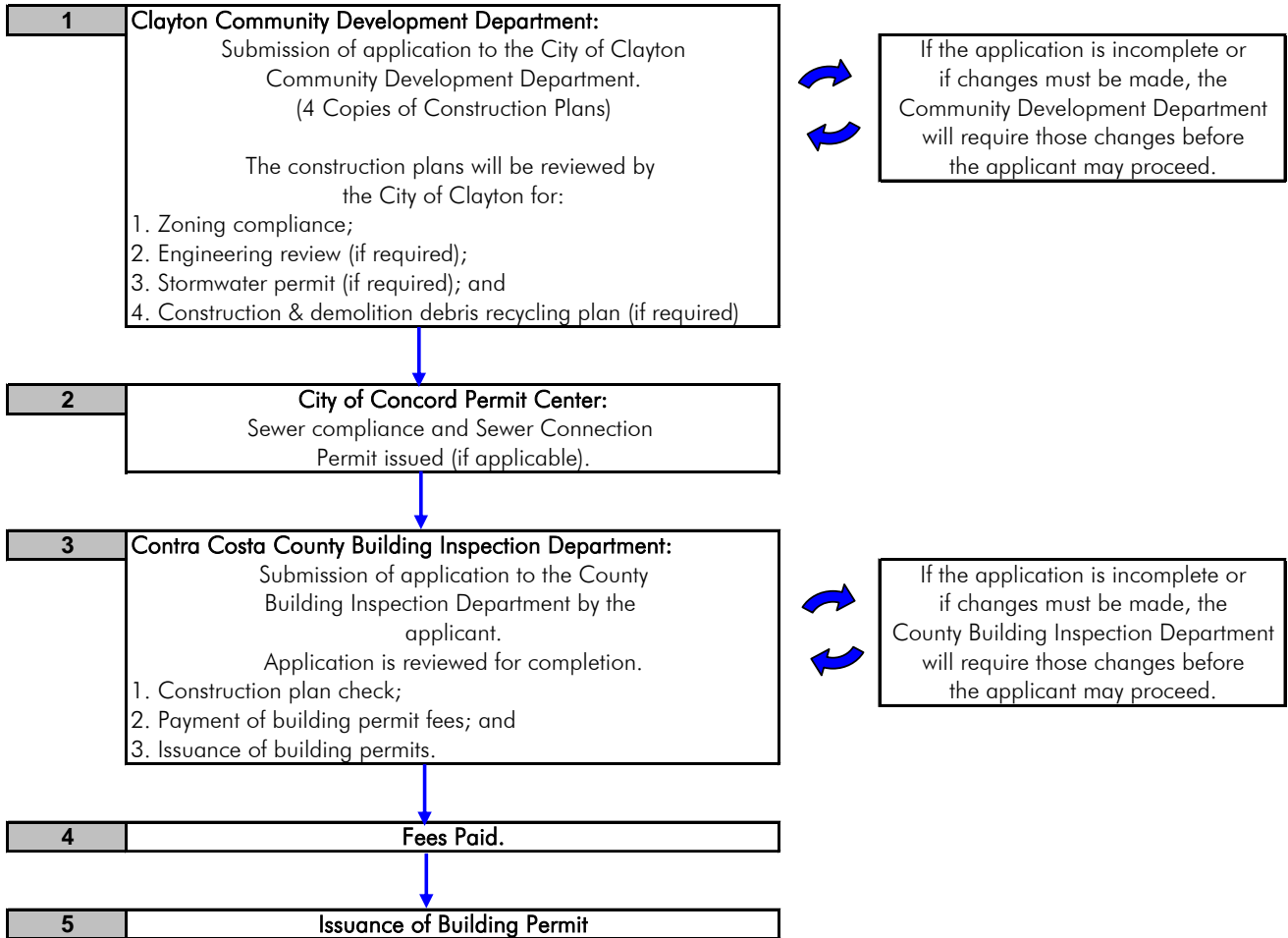
What type of work requires a building permit?

Building permits are required before one erects, constructs, enlarges, alters, repairs, moves, improves, removes, converts or demolishes any building, structure, and/or plumbing, gas, electrical facility. It is the responsibility of the homeowner and/or contractor to ensure that permits are obtained prior to beginning the work.

Examples of construction projects which require building permits include:

- Accessory Buildings and Structures
- Commercial Buildings Additions/alterations
- Commercial Buildings – New
- Decks, Gazebos, and Overhead Arbors
- Electrical – Alteration/Addition
- Electrical – New
- Kitchen and Bath Remodels
- Pools and Spas
- Replacement Furnaces & Air Conditioners
- Replacement Patio & Exterior Doors
- Replacement Water Heaters
- Replacement Windows
- Re-Roofs
- Residential Buildings - Addition/Alterations
- Residential Buildings - New
- Re-siding of Exterior Walls
- Signs

5. Building Permit Process



When is a building permit NOT required?

- One-story detached accessory buildings used as a sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet and there is no plumbing or electrical associated with the building.
- Fences not over six feet high.
- Retaining walls which are not over three feet in height measured from the top of the footing to top of the wall, unless supporting a surcharge or ground slope exceeding 1:2 or impounding class I, II, or III-a liquids.
- Painting, papering, and similar finish work.
- Platforms, decks, walks and driveways not more than 30 inches above grade and not over any basement or story below.

Note:

- See the California Building Code for further exemptions.
- Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.
- Exemption from the permit requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of any City code or ordinance.
- Check with the Clayton Community Development Department for applicable zoning requirements. A plot plan may be needed to determine consistency with the zoning requirements.



How long does it take to obtain a building permit?

The answer depends on the scope of the work. Permits that can be issued by fax or mail are generally issued on the same day. Some projects require approval either by the County Planning Division or City Planning Department and other agencies before the Building Inspection Division can proceed with the plan review. Then depending on the scope of the project, it may take anywhere from one day to several weeks depending on the amount of structural and non-structural review required.

Permits that can be issued over the counter, by fax or mail (1-2 days):

- Repair Gas Line
- Install Lawn Sprinkler Systems (electrical)
- Repair Water Line
- Repair Sewer Line
- Replace Electrical Service < 200 amps
- HVAC replacements
- Re-roof (complete Reroof Worksheet)

- Install Gas shut-off devices (plumbing)
- Vinyl siding
- Electrical upgrades
- Water heater replacements
- Wall heater replacements

Conditions for fax or mail permits:

1. The project location must be within the unincorporated County or the City of Clayton.
2. The permit must be taken out by either the owner of record or by a licensed contractor.
3. If the owner is going to do the construction, they must also sign and fax an Owner/Builder Declaration.
4. No special conditions or encumbrances to the building process may be on the project location.
5. Only the permits listed above may be applied for by fax or mail. Permits requiring plan check or special planning department or other agency approvals must be applied for in person at the Martinez location. (See contacts section for address)
6. The credit card listed must be valid and have the appropriate amount of credit.

Minor projects: Permits issued within 1-2 days:

(Over the Counter/Fax/Mail)

1. Minor in-kind repairs due to damage caused by fire, termites, or deterioration.
2. Minor interior alterations with no structural work.
3. Plumbing, mechanical, or electrical repairs, change-outs, or alterations
4. Mobile homes

Major projects: permits issued within several weeks:

1. Change in building use or occupancy
2. Major additions (greater than 50 percent of the existing structure)
3. Major structural work (seismic upgrades, major repairs, etc.)
4. Major tenant improvements
5. New residences in subdivisions with established master plans
6. Compliance with Title 24 energy documentation requirements



How are inspections scheduled?

Building inspections are conducted by and through Contra Costa County. An inspection cannot take place until after one's permit application and plans have been approved by the County. If one's inspection is successful, one will obtain a Certificate of Occupancy.

- Inspections can be scheduled 6:30 am -11:30 pm, Monday - Saturday for the next business day through the Interactive Voice Response System (IVR) by calling 925-646-4108.
- Inspections are performed Monday - Friday, 9:00 am - 5:00 pm, excluding federal holidays and any unpaid furlough days.
- Approximate time frames can be obtained after 8:30 am on the morning of the inspections. Please call 925-646-4108 for a time frame.
- If you are unable to keep an inspection, please call 925-646-4108 to cancel or reschedule.
- A re-inspection fee may be applied if no one over the age of 21 is home or access is not provided for the inspector.
- Have your permit card and approved plans available for each inspection upon arrival of the inspector.
- Permit card will expire 180 days from date of issuance or 180 days lapse between valid inspections.
- Building Services - Inspection: 925.335.1158
- Call the Building Services Administration at 925.646.4108 to schedule your inspection.

When do permits become void?

Every permit issued by the City (County) building official becomes void if the building or work authorized is not begun within 180 days from the permit's date, or if it is suspended or abandoned for 180 continuous calendar days without excuse satisfying the City building official as being beyond control and remedy by the permittee.

What signifies work has begun?

Evidence of starting work shall consist of at least one required inspection within 180 days of the permit issuance date or the date the permit was suspended or the work was abandoned.

What happens after a permit becomes void?

Once a permit becomes void, a new permit shall be obtained before any work is commenced or recommenced, and a new permit fee shall be paid.

Are permit extensions granted?

Yes. Any permittee holding an unexpired permit may apply for a permit extension upon a showing of good and satisfactory reason acceptable to the City building official. If the permittee is unable to commence work within the time required, the City building official may extend the time of the permit for a period not exceeding 180 days upon written

request by the permittee. No permit shall be renewed more than once.

When is a Certificate of Occupancy Required?

A Certificate of Occupancy is generally required for any new use of any property or building or change in type of use of a property or building.

What hours is construction permitted to occur?

All grading and excavation, construction, demolition, renovation, and other works of improvement within the City of Clayton and the on-site maintenance and servicing of construction equipment in the City shall occur only between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. Any such work beyond said hours and days is strictly prohibited unless previously specifically authorized in writing by the City Engineer or designee or by project conditions of approval. This ordinance shall not apply to homeowner home improvements.

Will my project be subject to the project construction, demolition debris and recycling program?

The State of California has required that at least 50% of Construction and Demolition Debris be diverted from the main waste stream through recycling and/or reusing/salvaging. Failure to comply with the state regulations to meet the recycling can result in a fine of up to \$10,000 per day by the State of California.

The ordinance and need for a plan and deposit fee apply to all new construction, additions or remodeling projects that involve 500 square feet or more and require either a building, grading or demolition permit.

Visit the City of Clayton Community Development Department to determine if your project is subject to these regulations. If a plan is needed, the department will provide you with information on how to move forward with this program.

Will my project be subject to a project Stormwater Inspection & Compliance Permit?

On November 16, 2004, the City Council of the City of Clayton adopted Ordinance No. 379, which added Chapter 13.12, entitled Storm Water Management and Discharge Control to Title 13 of the Clayton Municipal Code.

The intent of this Chapter is to protect and enhance the water quality in the City of Clayton's watercourses pursuant to, and consistent with the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.) and the Federal Clean Water Act (33 U.S.C. section 1251 et seq.).

It is the purpose of the City Council in enacting this chapter to protect the health, safety and general welfare of Clayton's citizens by:

- o Minimizing non-stormwater discharges, whose pollutants would otherwise degrade the water quality of local streams, to the stormwater system.
- o Minimizing increases in non-point source pollution caused by stormwater runoff from development that would otherwise degrade local water quality.
- o Controlling the discharge to the City's stormwater system from spills, dumping or disposal of materials other than stormwater.
- o Reducing stormwater run-off rates and volumes and nonpoint source pollution whenever possible, through stormwater management controls and ensuring that these management controls are properly maintained and pose no threat to public safety.

Permits

Every application for a development project, including but not limited to a rezoning, tentative map, parcel map, use permit, variance, site plan review permit, grading permit, encroachment permit, or building permit that is subject to the development runoff requirements in the City's NPDES permit, shall be accompanied by a stormwater control plan that meets the criteria in the most recent version of the State permit and Contra Costa Clean Water Program Stormwater Guidebook (C-3 Guidebook).

Inspections

Inspections will be routine or scheduled based on necessity to carry out the intent of the Stormwater Management Program. In the rainy season, an inspection is required every time it rains, therefore; if possible, perform construction in dry seasons to avoid extra cost associated with inspection fees.

Inspections may include random sampling or sampling in areas with evidence of stormwater contamination, evidence of the discharge of non-stormwater to the stormwater system, or similar activities. Inspections may also be conducted in conjunction with routine or scheduled inspections conducted by other public agencies or special districts, including but not limited to the Central

Contra Costa Sanitary District, the Contra Costa County Fire Protection District, County Environmental Health Department, the Contra Costa Mosquito and Vector Control District, or the Regional Water Quality Control Board.

Violations

The violation of any provision or failure to comply with any of the mandatory requirements shall constitute a misdemeanor at the discretion of the Enforcement Officer or city attorney. A violation may also be charged and prosecuted as an infraction.

- o Upon conviction of a misdemeanor, a person shall be subject to payment of a fine, or imprisonment, or both, not to exceed the limits set forth in California Government Code section 36901.
- o Upon conviction of an infraction, a person shall be subject to payment of a fine, not to exceed the limits set forth in California Government Code section 36900.
- o Section 13.12.140 Continuing Violation. Every day that any violation of this Chapter shall continue shall constitute a separate offense.

6. Fees



Development Project Processing and Construction Fees

Development projects are subject to various fees and cost-recovery deposits charged by the City of Clayton and other governmental agencies. The specific fees and deposits which are applicable to a particular project vary by the nature, scale, and location of the project. All development project costs and expenses, including City processing time, are borne by the applicant.

City of Clayton Fees/Deposits

1. Application Processing Fees/Deposits

These are collected at the time an application for a development project is initially submitted for review by the City staff. Some charges are administered on a “time and materials” basis and the deposits may need to be replenished. See the City’s Master Fee Schedule for details on the specific fees and deposits or call 925-673-7340.

2. Development Impact Fees

These are on-time impact fees collected at the time staff approves the zoning clearance for the construction plans. Development impact fees are applicable to new residences as well as commercial additions and new buildings. See the City’s Development Impact Fee Schedule for details on the fees or call 925-673-7340.

3. Construction Fees/Deposits

These are collected prior to issuance of construction permits which include, but are not limited to, those listed below. See the City’s Master Fee Schedule for details on the specific fees and deposits or call 925-673-7340.

- Engineering Plan Check Deposit
- Grading Permit Fee/Deposit
- Encroachment Permit Fee/Deposit
- Stormwater Permit Fee/Deposit
- Construction and Demolition Debris Recycling Management Plan Deposit
- Habitat Conservation Plan/NCCP Administration Fee
- Habitat Conservation Plan Implementation Fee (See Resolution No. 48-2007 for details)

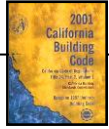
Other Governmental Fees/Deposits

Applicants should check with the following governmental agencies regarding possible fees. This listing is not necessarily inclusive of all agencies that may be involved with a project.

- City of Concord Building, Engineering, and Neighbor Services Department - for sewer services, as applicable.
- Contra Costa County Building Inspection Department - for construction plan check and building permits, as applicable.
- Contra Costa County Fire Protection District - for construction plan check, as applicable.
- Contra Costa County Environmental Health – for food and restaurant uses only.
- Contra Costa Water District for water services, as applicable.
- Mount Diablo Unified School District – for school facility fees for residential and commercial/industrial projects, as applicable.
- Contra Costa Local Agency Formation Commission (LAFCO) – for annexations only, as applicable.
- California Department of Fish and Game – for environmental determination filing, as applicable.

7. Municipal Code Compliance

This section will discuss the building, planning and zoning, and other miscellaneous codes to which your project may be subject.



Building and Fire Codes

The 2010 California Building Codes are the codes observed by the City of Clayton and the Contra Costa County Conservation and Development Department. More specifically, these codes have been adopted and are referenced in the Clayton Municipal Code in Chapters 15.01, 15.02, 15.03, 15.04, and 15.05. The Clayton Municipal Code can be accessed online at www.ci.clayton.ca.us



Zoning Codes

The Clayton Municipal Code includes a broad-range of regulations that guide and govern development activities in the City of Clayton. For examples, Title 17 of the Municipal Code provides the Zoning regulations. These regulations describe the various Zoning districts in Clayton as well as the allowable land uses and development standards within those districts.

8. Miscellaneous Information

Addresses

As new development occurs, the Clayton Community Development Department staff will assign street addresses to properties as needed. These addresses will be based on street names accepted by the City Council and numbering sequences that are determined based on coordination with the local Post Office and pertinent local public safety agency staff members.

Construction and Demolition Recycling and Diversion - Builder's Guide to Reuse & Recycling

The Contra Costa Solid Waste Authority has assembled a pamphlet to help Bay Area builders, contractors, and residents reuse and recycle construction and demolition (C&D) materials. The guide contains information on recycling C&D debris that may assist in complying with the City's Construction and Demolition (C&D) Ordinance requirements, reduce the disposal of reusable resources, and save money. The "Contra Costa Builder's Guide to Reuse & Recycling" can be found at the City of Clayton's Community Development Department or at the County's Building Department. It can also be accessed online at www.wastediversion.org by clicking on the "publications" tab, then the "reuse & recycling guide" tab, and then the "construction and demolition" tab.

City Business License

According to the Clayton Municipal Code, "it is unlawful for a person to transact business, trade, profession, calling or occupation in the City without a business license."

It is recommended that you make sure your contractor, architect, or other party involved in the project, obtain a business license with the City. All Home Occupation Permits also require a City Business License.

If you are unsure if you will need a business license please visit the Community Development Department and discuss your project with appropriate staff members.

For a list of persons that may need a business license see the Clayton Municipal Code Chapter 5.04.320 or call City staff at 925-673-7310.