

# Port of Oakland Development Permit Application

Permit No: \_\_\_\_\_

APPLICANT TO COMPLETE ITEMS WITHIN BOX ONLY and SIGN BOTTOM OF 2<sup>nd</sup> PAGE

Project Address: \_\_\_\_\_ APN: \_\_\_\_\_

Applicant: \_\_\_\_\_

Contact: Telephone / E-mail: \_\_\_\_\_ / \_\_\_\_\_

Project Sponsor (Property Owner): \_\_\_\_\_

Contact: Telephone / E-mail: \_\_\_\_\_ / \_\_\_\_\_

Tenant Name: \_\_\_\_\_ Applicant \_\_\_\_\_ Owner

Describe Use: \_\_\_\_\_

Type of Project (check all that apply):    \_\_\_ New Construction    \_\_\_ Remodel    \_\_\_ Demolition  
   \_\_\_ Exterior    \_\_\_ Interior    \_\_\_ Site Utilities    \_\_\_ HazMat

Size of Property (sf): Site: \_\_\_\_\_ Existing Improvements: \_\_\_\_\_ Project: \_\_\_\_\_

Proposed Improvements (sf): \_\_\_\_\_ Parking; existing \_\_\_\_\_ proposed \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_ Valuation: \$ \_\_\_\_\_

## Submittals / Approvals (X indicates required):

**Drawings/Project Description**

Applications must include drawings and a written description of the proposed work.

**Airport (OAK) Projects-**

Applications for work at OAK must include the completed form attached.

**Property Owner Verification**

Applicant must submit a "Letter of Agency" signed by the property owner if requested, except for Port of Oakland property, to verify authorization to represent the property owner.

**Initial Study Checklist for California Environmental Quality Act (CEQA) Compliance**

A CEQA determination by Port staff is required for each permit application. If Categorical Exempt (CatEx), no further analysis is required. If not CatEx, an Initial Study Checklist must be prepared, at the applicant's expense, to evaluate potential impacts and to determine the level of CEQA review.

**General Plan Conformity Determination**

A conformity determination may be required if the project proposes a new use. Port staff will perform the required analysis.

**Height Review - FAA 7460**

Height limits in the vicinity of the Oakland International Airport (OAK) are based on FAA flight clearances. The applicant will be required to file a Form 7460 if the proposal includes increased structure height. Port approval will be subject to the findings of the FAA.

**Exterior Lighting Review**

New or replacement exterior lighting must comply with the Port's Exterior Lighting Policy. Lighting details must be submitted to demonstrate compliance.

**Storm Water Permit**

Projects that include a change in area of impervious surfaces and/or modifications to the site drainage systems may be required to comply with the Port's Municipal Storm Water Permit.

**Maritime and Aviation Project Labor Agreement (MAPLA)**

Projects by Port Maritime and Aviation tenants must comply with MAPLA if they exceed the cost threshold of \$150,000. Sign and submit the attached acknowledgement letter if cost exceeds threshold.

**Utilities**

The Port is the utility provider for some of the property under its land use jurisdiction. Such properties will be subject to additional review relating to utility use and equipment.

**Fees**

Fees will be determined upon evaluation of the Application based on the Engineering Master Fee Schedule.

# Port of Oakland Development Permit Application (p2) Permit No: \_\_\_\_\_

## Agreement:

By the signature below, the Applicant agrees to comply with the standard conditions listed on this page, and specific conditions delineated at the time of approval. The Applicant certifies that s/he has permission from the property owner to carry out the work described herein. If the Applicant is not the Contractor, the Applicant hereby certifies that the Contractor will be directed to meet all the conditions of this permit approval. Applicant certifies that the property owner authorizes Applicant on his/her behalf to submit and further agrees to be bound by the material representations herein. These representations are made to induce the Port to approve this application and the Port approval of this application is made in reliance on the foregoing representations.

## Standard Conditions of Approval:

1. All conditions of approval shall be printed on the final permit set of plans.
2. The project shall conform to the Port-stamped approved plans, including the conditions of approval, unless otherwise approved by the Port. The applicant is responsible for including all details agreed upon, or conditions made by the Port, during the approval process. Failure to include any such details will not exempt the applicant from including them at a later time. The applicant is responsible for obtaining approval from the Port for any changes prior to construction.
3. The use shall be fully described on the plans and is deemed approved by the Port approval stamp. Any modifications or clarifications will be included in the Specific Conditions. Any changes from the approved plans must be approved in writing by the Port.
4. The Applicant shall comply with the policies and standards for the Land Use and Development Code (LUDC) for the Oakland Airport Business Park (Business Park only).
5. The Applicant shall confirm that an aviation easement in favor of Oakland International Airport in a form approved by the Port Attorney has been recorded on the subject property. If not, the applicant shall grant and record an aviation easement. (Business Park only.)
6. The Applicant shall make improvements for sidewalk(s) as required. Such improvements shall be included in the approved plans, unless otherwise specified in the Specific Conditions. (Business Park only.)
7. The Applicant shall meet all conditions and requirements of all outside agencies having jurisdiction over the project, including but not limited to: the City of Oakland, Federal Aviation Administration, Regional Water Quality Control Board, Airport Land Use Commission, Alameda County Health Department, and State Lands Commission. The applicant shall report any conflicts with Port requirements to the Port prior to construction. Any such conflicts must be resolved by the applicant to the satisfaction of the Port and the outside agency involved.
8. The Applicant shall comply with the requirements of all environmental documents prepared under the California Environmental Quality Act applicable to the subject project including mitigation and monitoring requirements approved for the Development Permit.
9. The Applicant shall comply with the current version of the Port of Oakland Exterior Lighting Policy.
10. The Applicant shall comply with applicable storm water quality requirements including Low Impact Development site design.
11. The Applicant shall provide as-built drawings at the conclusion of any project on Port-owned property.
12. The applicant shall defend, indemnify, and hold harmless the Port and its agents, officers, and employees from any claim, action or proceeding against the Port or its agents, officers or employees to attack, set aside, void, annul, or invalidate any Port approval concerning the subject project provided that the Port has promptly notified the Applicant of any such claim, action or proceeding and cooperates in the defense. Counsel retained in such defense shall be subject to the mutual approval of the Applicant and the Port. The Applicant shall reimburse the Port for its reasonable attorney and consultant fees incurred in such defense including amounts attributable to the Port Attorney's legal services.

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Port Approval:

The signature below certifies that the Port of Oakland has approved the project, and the applicant is free to start work. This page serves as the applicant's approved permit.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  Additional Conditions Attached

# Port of Oakland Development Permit Application - Instructions

Permit #: Port will assign.

## Information Box, Top of Page 1:

Project Address: Location of the proposed work by street address, the Alameda County Assessor's Parcel Number (APN) should be included and will be required for City of Oakland Building Permit.

Applicant: Name and contact information for the person who will be the primary contact during the approval process.

Project Sponsor (Property Owner): Name and contact information for the person who owns the property (or representative of the business entity that owns the property.) If a representative, include the official owner name (i.e. Joe Marsh for "Port of Oakland")

Tenant Name: Provide the name of the business or person that will occupy the space, if known. Check if they are the owner or the applicant (may be neither).

Describe Use: Provide a brief but concise description of the activities intended by the tenant.

Type of Project (check all that apply): Check one of "New Construction" or "Remodel". "Demolition" is the removal of more than 50% of the floor area of the existing building. Indicate if work will be inside and/or outside the building. "Site Utilities" are facilities and connections outside the building envelope. HazMat are any hazardous materials that are being removed or otherwise mitigated inside or outside the building, including asbestos or lead paint removal, contaminated soil handling, etc.

Size of Property (sf): List the size of the lot, the existing building(s), and the construction area in square feet.

Project Description: Provide a brief description of the construction and modifications proposed for the site and buildings. A more complete description should be filed with the application.

Valuation: This should be an estimate to the nearest \$1000 of the materials and labor for construction work proposed for the permit. This is only used by the Port to gauge the size and scope of the work, the fee is not based on this number.

## Submittals/Approvals, Bottom of Page 1:

Port staff will complete this section after evaluating the permit application and return a copy to the applicant. This could be done during an initial meeting with the applicant, by appointment, or the applicant can submit the application by mail, e-mail, or drop-off in person. The Port can usually do an initial evaluation within 48 hours of submittal.

Supplemental materials to describe the project and a permit fee are always required for the application. The Port Development Permit is a land use approval that takes the place of a City of Oakland Zoning permit in the Port Area. For this approval, the applicant must include materials that describe all parts of the project, including details specific to the proposed use and any exterior modifications. The applicant must show how the project may affect neighboring uses and views from the public ways. Traditional drawing sets are preferred though not required. It is understood that the Port approval is discretionary, and that the applicant may not want to spend the time and resources to fully detail the project as will be required for the City of Oakland building permit (a ministerial action.) The Port will review and approve any drawings for City building permits prior to their submittal for compliance with the Port's development permit.

Other Submittals/Approvals listed include a description. Further assistance, including additional materials, will be provided for these if required.

## Agreement, Top of Page 2:

The applicant agrees to follow the conditions of the permit and convey those conditions to the property owner and contractor, who will also be bound by the permit conditions.

## Standard Conditions of Approval, Middle of Page 2:

These are standard conditions that apply to all projects, except where noted otherwise.

## Applicant Signature, Bottom of Page 2:

The applicant must sign the application, and by doing so agrees to the conditions set forth herein.

## Port Approval, Bottom of Page 2:

The Port will sign the application once approved to provide a record for the applicant. Drawings and other documents submitted for permits with other agencies must be stamped and signed separately.