
City Attorney

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OFFICE OF THE CITY CLERK
OAKLAND

22 JAN 20 PM 4:53

OAKLAND CITY COUNCIL

RESOLUTION No. 89013 C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE CITY OF PIEDMONT ESTABLISHING THAT THE CITY OF OAKLAND WILL PROCESS PLANNING AND BUILDING ENTITLEMENTS FOR A CATEGORY I ACCESSORY DWELLING UNIT (ADU) CONVERSION AT 564 CROFTON AVENUE, A PROPERTY LOCATED WITHIN BOTH JURISDICTIONS; AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

WHEREAS, the applicant for the property owner of 564 Crofton Avenue, which is located in the cities of Oakland and Piedmont, approached both jurisdictions regarding conversion of an existing detached garage into a Category I Accessory Dwelling Unit (ADU) at 564 Crofton Avenue; and

WHEREAS, the applicant and the City of Piedmont request that land use and building permits for the development proposal be processed by the City of Oakland; and

WHEREAS, the City of Oakland agrees that the issuance of planning and building permits and building inspections should be solely handled by the City of Oakland, as the single family residence at 564 Crofton Avenue is being serviced by City of Oakland public services; and

WHEREAS, the City of Oakland is committed to seeing properties developed in as efficient a manner as possible; and

WHEREAS, the City Council hereby finds and determines that California Environmental Quality Act (CEQA) exemptions 15268(b) (Projects that are Ministerial), which provides a basis for CEQA clearance; now, therefore, be it

RESOLVED: that the City Administrator is authorized to negotiate and execute a Memorandum of Agreement (MOA), in substantially similar form as to the MOA attached hereto at *Exhibit A*, for the development of a Category I ADU at 564 Crofton Avenue and to negotiate and execute all documents, amendments, agreements and instruments reasonably necessary or required to implement this Resolution; and be it

FURTHER RESOLVED: that the MOA and all such other documents, amendments, agreements and instruments, shall be reviewed and approved by the City Attorney's Office as to form and legality prior to execution; and be it

FURTHER RESOLVED: that CEQA exemption 15268(b) (Projects that are Ministerial) applies to this project, which provides a basis for CEQA clearance.

IN COUNCIL, OAKLAND, CALIFORNIA,

FEB 01 2024

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, ~~WIKO~~ AND
PRESIDENT FORTUNATO BAS - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REED

City Clerk and Clerk of the Council of the
City of Oakland, California

EXHIBIT A

Title No. 11-1100363-JG
Locate No. CAPNT0901-0938-0019-0001180362

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND AND PIEDMONT, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERN LINE OF CROFTON AVENUE, DISTANT THEREON SOUTHWESTERLY TWO HUNDRED (200) FEET FROM THE INTERSECTION THEREOF WITH THE SOUTHWESTERN LINE OF BOULEVARD WAY, AS SAID AVENUE AND WAY ARE SHOWN ON THE MAP HERINAFTER REFERRED TO, RUNNING THENCE SOUTHWESTERLY ALONG SAID LINE OF CROFTON AVENUE FIFTY (50) FEET; THENCE AT RIGHT ANGLES NORTHWESTERLY ONE HUNDRED AND TWENTY FIVE (125) FEET, THENCE AT RIGHT ANGLES NORTHEASTERLY FIFTY (50), FEET, THENCE AT RIGHT ANGLES; SOUTHEASTERLY ONE HUNDRED AND TWENTY FIVE (125) FEET TO THE POINT OF BEGINNING.

BEING LOT 23 IN BLOCK LETTERED "C" AS SAID LOT AND BLOCK ARE DELINEATED AND SO DESIGNATED UPON THAT CERTAIN MAP ENTITLED, "MAP OF GRAND AVENUE HEIGHTS (BY-THE-PARKS), OAKLAND TOWNSHIP, ALAMEDA COUNTY, CALIFORNIA", FILED AUGUST 26, 1907 IN LIBER 23 OF MAPS, PAGE 28 IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

APN: 011-0855-020, 011-0855-021

READ & APPROVED

BY _____

DATE _____

READ & APPROVED

BY _____

DATE _____

Cindy YP Lan
 Design
 PO Box 903
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Homeowner:
 Raquel Softon & Dan Sharp
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 (415) 867-4379
 rsofton13@gmail.com

CROFTON ADU
 564 CROFTON AVENUE
 OAKLAND, CA 94610
 APN 11-0855-20

DRAWING INDEX		STRUCTURAL DRAWINGS	
NO.	TITLE	NO.	TITLE
AD 0	PROJECT INFORMATION, GENERAL NOTES & SCHEDULES		
AD.1	VICINITY MAP, PHOTO EXHIBIT OF NEIGHBORS		
AD.2	EXISTING & PROPOSED SITE PLANS		
AD.3	CALIFORNIA GREEN BUILDING STANDARDS		
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AD.7	EXISTING & PROPOSED ADU ELEVATIONS		

PROJECT NOTES	
<p>OWNER: RAQUEL SOFTON & DAN SHARP 564 CROFTON AVENUE OAKLAND, CA 94610 TEL NO. (415) 867-4379 RSOFTON13@GMAIL.COM</p> <p>DESIGN: CINDY LAN PO BOX 903 JUNCTION CITY, CA 96048 TEL NO. (510) 517-2874 CINDY@NEWAVENUEHOMES.COM</p> <p>STRUCTURAL ENGINEER: PATRICK VENNARL, S.E. CIVIL STRUCTURAL ENGINEERING 211 WAWONA STREET SAN FRANCISCO, CA 94103 TEL NO. (415) 971-5231 PATRICKVENNAR@GMAIL.COM</p> <p>PROJECT ADDRESS: 564 CROFTON AVENUE OAKLAND, CA 94610</p>	<p>ASSESSOR'S PARCEL NO.: 11-0855-20</p> <p>PROJECT SCOPE: 336 SQFT (E) GARAGE CONVERSION TO CATEGORY 3 ADU</p> <p>GENERAL PLAN: DETACHED UNIT RESIDENTIAL ZONING DISTRICT: RH-2 OCCUPANCY TYPE: R-3 CONSTRUCTION TYPE: V-B</p> <p>PROPERTY SIZE: 50' X 123' 6250 SQFT</p> <p>SQUARE FOOTAGE: (E) GARAGE 336 SQFT, PROPOSED ADU 336 SQFT, (E) MAIN DWELLING 2041 SQFT TOTAL CONDITIONED 2377 SQFT</p> <p>BUILDING HEIGHT ADU (6'-0" MAX): (E) 13'-3" (NO CHANGE) BUILDING HEIGHT MAIN DWELLING (30'-0" MAX): (E) 21'-10"</p> <p>% INTERIOR TARD AREA: 32.3% (NO CHANGE)</p> <p>LOT COVERAGE (60% MAX): 32.2% (NO CHANGE)</p> <p>PARKING SPACES: ONE (E) COVERED SPACE CONVERTED INTO ADU, NO REPLACEMENT PARKING REQUIRED FOR CATEGORY 3 ADU, NO ADDITIONAL PARKING REQUIRED FOR ADU WITHIN 0.5 MI OF PUBLIC TRANSIT, TWO (E) UNCOVERED SPACE FOR (E) MAIN HOUSE.</p> <p>FIRE SPRINKLERS: (E) AUTOMATIC FIRE EXTINGUISHING SYSTEM, VOLUNTARY APFS TO BE PROVIDED AT PROPOSED ADU.</p>

GENERAL NOTES

- Confirm with Designer that these contract documents are the most recent issue before layout and construction.
- All work and materials shall be in full accord with the latest rules and regulations of the Safety Orders of the Division of Industrial Safety, California Labor Code, 2016 California Building Code and all applicable federal, state and/or local health regulations. References to "code" or "building code" not otherwise identified shall mean the Edition of the Uniform Building Code in effect in Alameda County, CA on the date(s) permits are granted. Nothing in the Drawings or these Specifications is to be construed as requiring or permitting work that is contrary to these rules, regulations and codes.
- Any reference to standards shall comply with requirements of latest revision.
- Construction shall comply with all State of California Title 24 requirements and mandatory measures per Compliance certification herein.
- Documents: The Construction Documents include these Drawings and Notes, Specifications and all revisions, additions and addenda. Drawings are as accurate as possible, but are not guaranteed. Drawings do not illustrate every detail but show only special requirements to assist subcontractors. Subcontractors are to thoroughly examine the drawings and specifications, and existing site conditions. By entering into the work, subcontractor warrants that the documents are sufficient to provide a complete installation of the project portions of the work. Report any questions or requests for clarification to Owner immediately. In the opinion of any contractor, any contract details shown or otherwise specified are in conflict with accepted industry standards for quality construction or might interfere with his full guarantee of the work, he/she is to notify Owner immediately for clarification. No omission or lack of detailed requirements in the drawings or specifications is to be construed as allowing any materials or workmanship below industry standards.
- Do not scale drawings. Drawings of larger scale or greater detail take precedence over drawings of smaller scale. Specifications take precedence over drawings.
- The drawings are intended as instruments of service and shall remain property of Designer.
- All dimensions are as indicated on drawings and are to be measured from the inside or outside sill planes. Vertical dimensions are to finish floor unless noted otherwise. It is the subcontractor's responsibility to establish sub floor elevations.
- It is the subcontractor's responsibility to maintain a complete and organized set of construction documents pertinent to their work at the project site at all times when work is in progress.
- Site Conditions: Subcontractors shall verify and be responsible for all job site conditions, measurements and details pertinent to their work. If they differ from Contract Drawings or reviewed Submittals, discrepancies shall be brought to Owner's attention immediately.
- At all times the subcontractors shall be solely and completely responsible for the conditions of the job site pertinent to their work, including safety measures and property, and for all necessary independent engineering reviews of these conditions. The Structural Engineer's job site review is not intended to constitute a review of the adequacy of the subcontractor's safety measures. The subcontractor shall take all precautions necessary to protect workers and public from damage to existing utility lines, structures, and property, and on and adjacent to project site, keep the job site and adjoining premises free from accumulations of waste materials resulting from the Work. The subcontractor shall not bury or burn rubbish on Owner's premises. Subcontractor will only utilize a concrete washout slab which has been explicitly approved by Owner. Subcontractor will bear the costs of cleanup if any supplier or manufacturer discards concrete, mortar, plaster or stucco waste in any site other than that designated by Owner.
- The subcontractors are responsible for all safe temporary shoring and bracing necessary to support the incomplete structure as is pertinent to their work.
- Subcontractors shall supervise and direct the permit work. Inspect all work in progress and materials as they arrive for compliance with the Contract Documents and reject defective work or materials immediately upon performance or delivery; deliver, store and handle all materials and products in a manner which will prevent their damage and deterioration; make all repairs or replacement necessary at no additional cost to the Owner in the event of damage.
- Prior to commencement of any portion of work, the subcontractor shall carefully inspect and verify that work is complete to the point where new work may properly be commenced. In event of failure to do so, the subcontractor shall be responsible for correction of any errors at no expense to the Owner.
- All materials and equipment are to be installed in strict accordance with the latest edition of manufacturer's written installation instructions and specifications. Generic materials not specified by manufacturer are to be installed in accordance with recommendations of applicable trade associations. (For example, Concrete Steel Institute, Gypsum Association, etc.)
- Owner shall coordinate work in order to produce harmony of existing finishes, materials, colors, etc. throughout various components of the project.
- Wood imbedded into the ground, in direct contact with the earth and for the support of permanent structures shall be treated wood. All foundation plates or sills and sleepers on a concrete or masonry slab which are in direct contact with the earth, and sills which rest on concrete or masonry foundations, shall be treated wood.
- Provide draft stops and fire blocking as required by UBC Chapter 25.
- Interior wall and ceiling finishes shall comply with UBC Chapter 42.
- Stucco on exterior walls shall be three (3) 7/8" min. thick exterior stucco application per UBC sect. 4203.
- Do not allow suspended baffle surfaces in cavities with minimum 1" plaster. Lime, earth and cement plasters are acceptable.
- Doors and jambs of shower and bath enclosures and adjacent wall openings within 60 inches above a standing surface and drain inlet shall be fully tempered, laminated safety glass or approved plastic and shall comply with UBC sect. 5406.
- Showers area walls shall be finished water resistant gypsum board to a height of not less than 70" above drain outlets. Provide water resistant oversize plywood underlayment installed at all joints under adhesive ceramic tile application.
- Provide perimeter drains around entire building foundation and at retaining walls upslope of buildings as required or unless otherwise noted. Extend drains to daylight with a slope of 1/16"-1/8" per foot. Drain to daylight to well-drained, gently sloped area, or drywells as required.
- All chimneys shall terminate with a 10-gauge wire or 24-gauge stainless steel spark arrester. The top of the spark arrester shall be a minimum of 2" above the top of the chimney. The spark arrester shall have a heat and corrosion resistance equivalent to 1/2 B.G. gauge galvanized wire, or 24 B.G. gauge stainless steel. Openings shall not permit passage of spheres having a diameter larger than 3/2" and shall not block the passage of spheres having a diameter of less than 3/8".
- Provide sweep screen (minimum 20 gauge galvanized steel mesh, with 3/16" vertical attachment flange) at the foundation plate line on all exterior plaster walls. The screen shall be placed a minimum of 4" above surrounding natural grade, and allow trapped water to drain to the exterior of the building. Exterior plaster and lath finish shall cover and terminate at the attachment flange.
- Ground immediately adjacent to the foundation shall be sloped away from building at a slope of not less than 1:20 (5 percent) for a minimum distance of 10 feet measured perpendicular to the face of the wall. Impervious surfaces within 10 feet of building shall be sloped a minimum of 2 percent away from building, per CEC 1895.3.
- All construction to comply with Division 4.4 Material Conservation and Resource Efficiency and Division 4.5 Environmental Quality, of the California Green Building Standards. See Sheet A1.1 & A1.2.

WINDOW SCHEDULE - ADU						
NO.	SIZE: W X H	TYPE	ROOM	HEADER	NOTES	
1	1'-6" X 6'-8"	PICTURE	ENTR	7'-3"	W. MULLIONS TO MATCH MAIN HOUSE	
2	1'-6" X 6'-8"	PICTURE	ENTR	7'-3"	W. MULLIONS TO MATCH MAIN HOUSE	
3	2'-6" X 3'-6"	CASEMENT	KITCHEN	7'-3"	W. MULLIONS TO MATCH MAIN HOUSE	
4	6'-0" X 3'-6"	PICTURE	GREAT ROOM	6'-6"	MULL TO WINDOW 5 TRANSOM	
5	6'-0" X 1'-2"	AWNING	GREAT ROOM	7'-6"	MULL TO WINDOW 4 W. MULLIONS, SEE #50 ELEVATIONS	
6	2'-0" X 2'-0"	FIXED SATLIGHT	BED AREA	NA	W. BLINDS	

GENERAL WINDOW NOTES

- All windows to be fiberglass frame with U factor and SHGC per T24 compliance report. Provide screens at operable windows, verify with Owner. Color at exterior white to match existing and interior TBD, verify with Owner. Interior wood trim to be 2-1/2" wide, verify finish with Owner.
- All dimensions are to rough opening. Verify window sizes with Manufacturer.
- All glass is to be dual pane.
- Provide egress windows at bedrooms as required by code.
- Provide tempered glass at all doors.
- See exterior elevations for window operation.

DOOR SCHEDULE - ADU				
NO.	SIZE: W X H	DESCRIPTION	ROOM	NOTES
A	3'-0" X 6'-8"	ENTR INSWING	GREAT ROOM	FULL-LITE
B	2'-8" X 6'-8"	INTERIOR POCKET	BATHROOM	SOLID CORE
C	2'-3" X 6'-8"	INTERIOR BI-FOLD	LAUNDRY	SOLID CORE

GENERAL DOOR NOTES

- Exterior doors to be noncombustible or listed under SFM 127A-1, or 20 minute listed assembly or solid core 1-3/4" with interior fire rated (thickness not less than 2-1/4", as required per CFC 705A.2.2)
- Fiberglass clad at exterior and wood at interior, verify with Owner. Standard white color at exterior to match existing and interior TBD, verify with Owner.
- All exterior door dimensions are sash size, verify sizes with Manufacturer. All interior doors are sash size.
- All glass is to be dual pane.
- Provide tempered glass at all doors.
- Hardware is TBD, verify with Owner/Designer.

ABBREVIATIONS				
ABV	above	F	furnace	
AP	at	FIN	finished	
BLDG.	building	FLSH.	flushing	
B.O.D.	bottom of both sides	FL	floor	
C	chime	FURN	furniture	
CAB.	cabinet	F.O.	face of	
CL	centerline	GA	gauge	
CLB	clear	GALV.	galvanized	
CMU	concrete masonry unit	GSM	galvanized sheet metal	
CONC.	concrete	GYP. BD.	gypsum board	
CONT	continuous	H.B.	hose bib	
D	dryer	H	hour	
DB	downspout	H.L.	height	
DET	detail	INSUL.	insulation	
DF	draft stop	INT	interior	
DM	dimension	LTC	lighting	
DN	down	MEP	mechanical electrical plumbing	
DWG.	drawing	MNL	minimum	
E	existing	MNT	metal	
ELEC.	electrical	N	new	
EPS	expanded polystyrene	NEW	new	
EQUIP.	equipment	PL	property line	
EXT.	exterior	PLYWD.	plywood	
			W/O	wood out

DRAWING SYMBOL KEY			
SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
---	Property Line	18	Door No.
1	Drawing No.	A	Window No.
18	Section No.	○	Datum Or Control Point
18	Elevation No.	△	Revision No./ Area To Be Revised
18	Interior Elevation No.		

WALL SYMBOL KEY			
SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
Typical Exterior Wall- 2x4 Studs per S.E. Stucco Over Plywood Ext. Fin. With 1/2" Gyp. Bd. Int. Fin. Water Resistant Wall Board At Wet Locations Provide Insulation At Exterior Walls		Typical Interior Wall- 2x4 Studs per S.E. With 1/2" Gyp. Bd. Int. Fin. Water Resistant Wall Board At Wet Locations	

MECHANICAL & ELECTRICAL SYMBOL KEY			
SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
Wall mounted duplex electrical receptacle. Verify location in field with Owner.	GFCI APC	GFC or AFC Wall mounted duplex electrical receptacle as noted. Verify location in field with Owner.	Wall mounted telephone receptacle. Verify location in field with Owner.
Wall mounted quadplex electrical receptacle. Verify location in field with Owner.	EXT	Exterior type wall mounted duplex electrical receptacle. Cover with weatherproof cap. Verify location in field with Owner.	Wall mounted cable receptacle. Verify location in field with Owner.
To half outlet. Verify location in field with Owner.	APP	House bib. Verify location in field with Owner.	

LIGHTING & SWITCHING SYMBOL KEY			
SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
Ceiling mounted pendant lighting fixture. All fixtures to be provided by Owner. Verify location in field with Owner.	\$	Wall mounted switch. All fixtures to be provided by Owner. Verify location in field with Owner.	Smoke Detector or Carbon Monoxide Detector as noted. Verify location in field with Owner.
Ceiling mounted recessed directional lighting fixture. All fixtures to be provided by Owner. Verify location in field with Owner.	\$	Wall mounted dimmer switch. Verify location in field with Owner.	Doorbell or chime as noted. Verify location in field with Owner.
Exterior Wall mounted light fixture. Verify location in field with Owner.	\$	Switch At Fixture. Verify location in field with Owner.	Thermostat. Verify location in field with Owner.
Under Cabinet mounted lighting fixture. To be hard wired. Verify location in field with Owner.	MAPS	Exhaust fan. Verify location in field with Owner.	High efficiency. See Title 24 documents for all compliant requirements.

GENERAL MECHANICAL & ELECTRICAL NOTES

- Provide separate branch circuit read per manufacturer's recommendations for furnace, pumps, and other equipment and appliances.
- Provide separate 20 amp. circuit to bathroom receptacles.
- Provide one min. separate 20 amp. circuit to laundry appliances.
- Provide (two min.) separate 20 amp. circuit to kitchen appliances.
- Provide two separate circuits to garage.
- Mount all switches at 48" above finish floor. Mount outlets horizontally at 12" above finish floor. Stack outlets and jacks horizontally at 6" o.c. where shown grouped on plate. Mount switches and outlets horizontally at 9" to centerline above countertop. Gang all switches and outlets with single piece cover plate where shown grouped on the drawings.
- Align all switches and outlets on centerline vertically where shown grouped on drawings. Locate switches with minimum 4" space from door/wall jamb. When questions arise as to exact locations of outlets, fixtures and switches, center in relationship to adjacent perpendicular surfaces or verify with Owner/Designer.
- Provide GFCI protected outlets in the following locations and as shown on plans:
 - In bathrooms.
 - Provide AFC protected outlets in the following locations and as shown on plans:
 - In all bedrooms.
 - In all bedrooms.
 - Provide weatherproof cap and GFC outlets at exterior locations.
 - Provide fluorescent fixtures as shown on plan.
 - Smoke detectors shall be hardwired and interconnected with battery backup.
 - Provide non-removable backflow prevention devices on all exterior hose bibs and vacuum breakers as required.
 - Individual control valves of the pressure balance or the thermostatic mixing valve type at all showers and tub showers per CPC 420.
 - Stop water heater air vents with upper and lower thick, lower point shall be minimum 4" above controls.
 - Water heater to have temperature and pressure release valve as required.
- Comply with general notes to sheet A1.8 and mandatory requirements of Title 24.

REVISION:
 ZONING PERMIT, SEPTEMBER 27, 2021

Drawing Title:
 PROJECT INFO,
 GENERAL NOTES,
 ADU SCHEDULES

Scale: NTS DWG NO.
 Drawn by: CL A0.0
 1 OF 8



REAR - NORTH



SIDE - WEST



FRONT - SOUTH



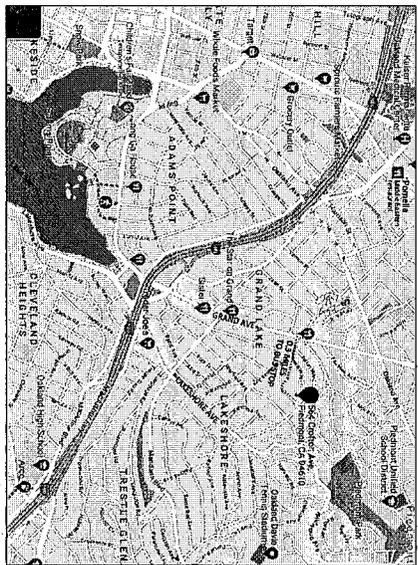
SIDE - EAST

2

1:10

NTS

SUBJECT SITE ELEVATIONS



1

1:10

NTS

VICINITY MAP



530 CROFTON

538 CROFTON

544-546 CROFTON

552 CROFTON

556 CROFTON

SUBJECT SITE: 564 CROFTON AVE

570 CROFTON

576 CROFTON

580 CROFTON

585 BOULEVARD

3

1:10

NTS

SUBJECT SITE & ADJUTING PROPERTIES



577 CROFTON

575 CROFTON

571 CROFTON

563-565 CROFTON

559 CROFTON

557 CROFTON

553-555 CROFTON

551 CROFTON

547 CROFTON

543 CROFTON

4

1:10

NTS

ACROSS FROM SUBJECT SITE

Cindy YP Lan

Design

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(530) 517-2874

cindy@newavenueforms.com

Handwritten signature

Handwritten: Raphael, Jeffrey & D. Sharp

564 Crofton Avenue

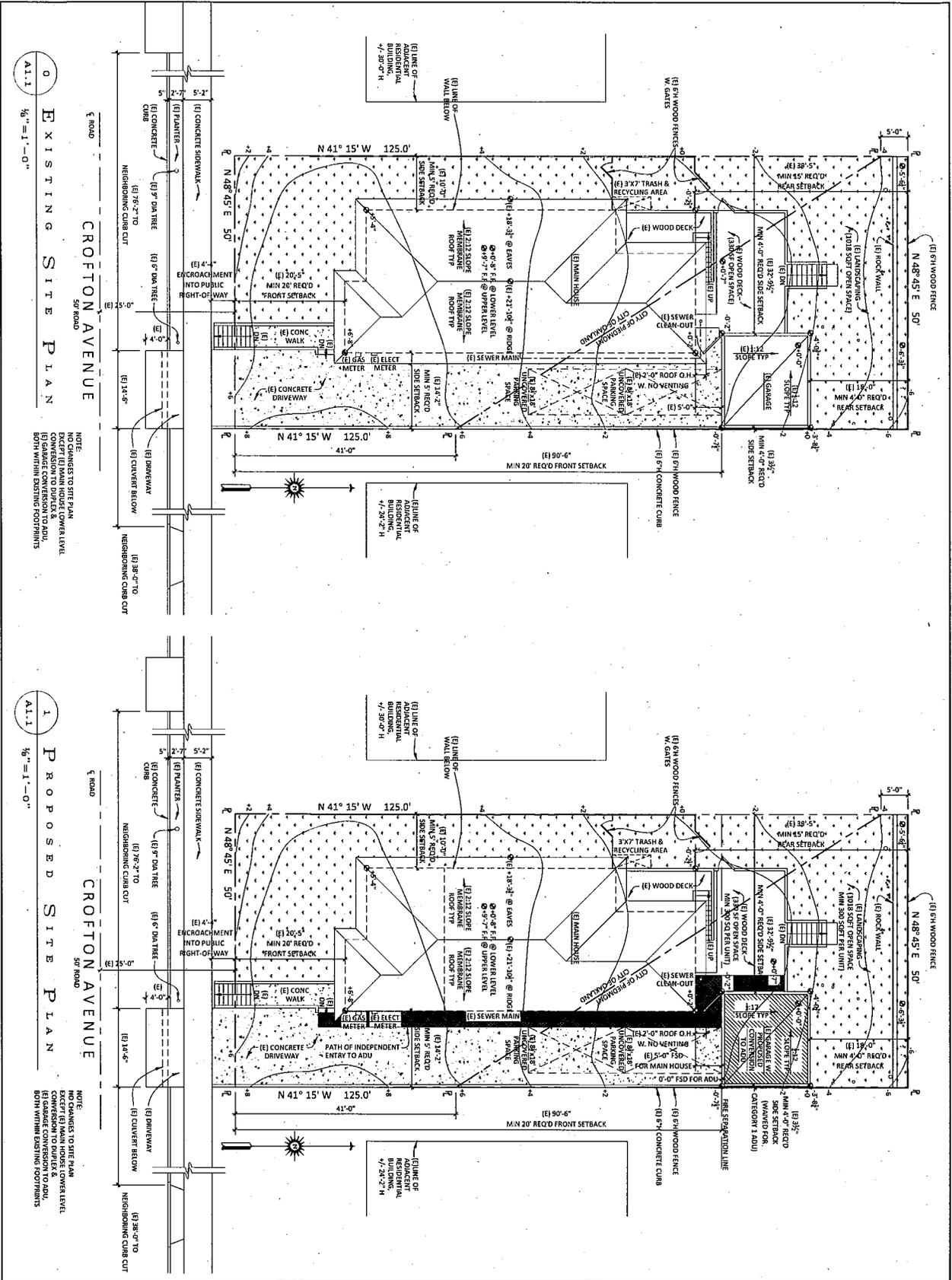
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CROFTON ADU
564 CROFTON AVENUE
OAKLAND, CA 94610
APN 11-0855-20

Map/Title:	VICINITY MAP
Scale:	AS NOTED
Drawn by:	CL
Project No.:	A1.0
Drawn on:	2018
Revision:	
Zone/Permit:	SEPT/NOV/17/2011



<p>Design Title: EXISTING & PROPOSED SITE PLANS</p> <p>Scale: AS NOTED</p> <p>Drawn By: G</p> <p>Checked By: A1.1</p> <p>Date: 3/2/8</p>	<p>Resident:</p> <p>Design Period: SEPTEMBER 22, 2021</p>	<p>CROFTON ADU 564 CROFTON AVENUE OAKLAND, CA 94610 APN 11-0855-20</p>	<p>Homeowner: Request Form & Design Sheet Dallas CA 94612 (424) 967-4379 cindy@hvw.com</p>	<p>Design: Cindy YP Lan PO Box 303 Junction City, CA 96048-0303 (531) 517-2874 cindy@hvw.com</p>
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2019 CALIFORNIA GREEN BUILDING STANDARDS CODE RESIDENTIAL MANDATORY MEASURES, SHEET 1 (January 2020, Includes August 2019 Supplement)

MAXIMUM INCREMENTAL REACTIVITY (MIR). The maximum change in weight of ozone formed by adding a pound of the "Three Reactive Organic Gas (ROG) Mixtures" per cubic foot of compound added, expressed in hundreds of a gram (0.01 ROG).
Note: MIR values for individual compounds and hydrocarbon solvents are specified in CCR, Title 17, Sections 94700 and 94701.

MOISTURE CONTENT. The weight of the water in wood expressed as a percentage of the weight of the oven-dry wood.

PRODUCT-WIGHTED MIR (PW-MIR). The sum of all PW-MIRs for all ingredients in a product subject to this article. The PW-MIR is the total product reactivity expressed in hundreds of a gram of ozone formed per gram of product (including container and packaging).

Note: PW-MIR is calculated according to equations found in CCR, Title 17, Section 94921 (a).

REACTIVE ORGANIC COMPOUND (ROC). Any compound that has the potential, once emitted, to contribute to ozone formation in the troposphere.

VOC. A volatile organic compound (VOC) broadly defined as a chemical compound based on carbon chains of rings with vapor pressures greater than 0.1 millibars at room temperature. These compounds typically contain hydrogen and may contain oxygen, nitrogen and other elements. See CCR Title 17, Section 94504(a).

4.503 FIREPLACES
4.503.1 GENERAL. Any installed gas fireplace shall be a direct-vent sealed-combustion type. Any installed woodstove or pellet stove shall comply with U.S. EPA New Source Performance Standards (NSPS) emission limits as applicable, and shall have a permanent label indicating the maximum BTU per hour. Woodstoves, pellet stoves and fireplaces shall also comply with applicable local ordinances.

4.504 POLLUTANT CONTROL
4.504.1 COVERING OF DUCT OPENINGS & PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION. All the site of rough installation, during storage on the construction site and until final start-up of the heating, cooling and ventilating equipment, all duct or other intake or distribution component openings shall be covered with tarp, plastic, steel mesh or other methods acceptable to the enforcing agency to reduce the amount of air, dust or debris from entering the system.

4.504.2 FRESH MATERIAL POLLUTANT CONTROL. Fresh materials shall comply with the section.

4.504.3 FRESH MATERIAL POLLUTANT CONTROL. Fresh materials shall comply with the section.

4.504.3.1 Adhesives, adhesive primers, adhesive promoters, sealants, sealant primers and caulks. Sealants and caulks shall comply with local or regional air quality management control rules where applicable or SCQMD Rule 1106 VOC limits, as shown in Table 4.504.3, or 4.504.7, as applicable. Sealant primers shall also comply with the Rule 1106 prohibition on the use of certain lead compounds (chromates, ethylene dichloride, methylene chloride, perchloroethylene and trichloroethylene, except for second products, as specified in Subsection 2 below).

4.504.3.2 Aerosol adhesives, and smaller unit sizes of adhesives, and sealed or caulking compounds (in unit of product, less packaging, which do not weigh more than 1 pound and do not consist of more than 10 fluid ounces) shall comply with solvent VOC standards and other requirements, including prohibitions on use of certain toxic compounds of California Code of Regulations, Title 17, Section 94504, with section 94507.

4.504.3.3 Paints and Coatings. Architectural paints and coatings shall comply with VOC limits in Table 1 of the ARD Architectural Supplemental Control Measure, as shown in Table 4.504.3, unless more stringent local rules apply. The VOC content limit for coatings that do not cover the definition for the specialty coatings categories listed in Table 4.504.3 shall be determined by classifying the coating as a Flat, Nonflat or Nonflat-High Gloss coating, based on its gloss, as defined in subsections 4.504.3.1, 4.504.3.2 and 4.504.3.3 of the 2007 California Air Resources Board, Supplemental Control Measure, and the corresponding Flat, Nonflat or Nonflat-High Gloss VOC limit in Table 4.504.3, shall apply.

4.504.3.4 Aerosol Paints and Coatings. Aerosol paints and coatings shall meet the Product-weighted MIR Limits for VOC in Section 94504(a)(2) and other requirements, including prohibitions on use of certain toxic compounds and solvent quantity restrictions in Section 94504(a)(1) and (2) of the California Code of Regulations, Title 17, Chapter 1, Section 94500, and in which shall be the jurisdiction of the Bay Area Air Quality Management District, additionally comply with the percent VOC by weight of product limits in Regulation 8, Rule 49.

4.504.2.4 Verifications. Verification of compliance with this section shall be provided at the request of the enforcing agency. Documentation may include, but is not limited to, the following:
1. Manufacturer's product specifications.
2. Field verification of on-site product containers.

TABLE 4.504.2 - SEALANT VOC LIMIT
(Less Water and Less Exempt Compounds in Grams per Liter)

SEALANTS	VOC LIMIT
ARCHITECTURAL	250
MARINE DECK	750
NONMEMBRANE ROOF	300
ROADWAY	250
SINGLEPLY/FLY ROOF-MEMBRANE	450
GLUES	420
SEALANT PRIMERS	
ARCHITECTURAL	
NONPOROUS	250
POROUS	775
MODIFIED BITUMINOUS	560
MARINE DECK	750
OTHER	750

TABLE 4.504.3 - VOC CONTENT LIMITS FOR ARCHITECTURAL COATINGS:

COATING CATEGORY	VOC LIMIT
FLAT COATINGS	90
NON-FLAT COATINGS	100
NON-FLAT HIGH GLOSS COATINGS	150
SPECIALTY COATINGS	
ALUMINUM ROOF COATINGS	430
BASEMENT SPECIALTY COATINGS	400
BUTYRACIOUS ROOF COATINGS	50
BUTYRACIOUS ROOF PRIMERS	350
BOHM BREAKERS	350
CONCRETE CURING COMPOUNDS	350
CONCRETE/MASSONRY SEALERS	100
DRIVEWAY SEALERS	50
DIRT FILL COATINGS	150
PAULS FRESHWATER COATINGS	350
FIRE RESISTIVE COATINGS	200
FLOOR COATINGS	100
FORM-RELEASE COATINGS	250
GRAPHIC ARTS COATINGS (SIGN PAINTS)	500
HIGH TEMPERATURE COATINGS	420
INDUSTRIAL MAINTENANCE COATINGS	250
LOW SOLIDS COATINGS	120
SANIMENTE CEMENT COATINGS	450
TEXTURE COATINGS	100
METALLIC PIGMENTED COATINGS	150
MULTICOLOR COATINGS	250
PRETREATMENT WASH PRIMERS	400
PRIMERS, SEALERS & UNDERCOATERS	100
REACTIVE PENETRATING SEALERS	350
RECYCLED COATINGS	250
ROOF COATINGS	50
RUBBER PRESERVATIVE COATINGS	250
SHALLS	350
GLASS	750
OPACIFY	550
SPECIALTY PRIMERS SEALERS & UNDERCOATERS	100
STAINS	250
STONE CONSOLIDANTS	450
SWIMMING POOL COATINGS	300
TAR/FAC MARKING COATINGS	100
TUB & TILE REFINISH COATINGS	420
WATERPROOFING MEMBRANES	250
WOOD COATINGS	275
WOOD PRESERVATIVES	350
ZINC-RICH PRIMERS	300

TABLE 4.504.5 - FORMALDEHYDE LIMITS
MAXIMUM FORMALDEHYDE EMISSIONS IN PARTS PER MILLION

PRODUCT	CURRENT LIMIT
HARDWOOD PLYWOOD VENEER CORE	0.05
HARDWOOD PLYWOOD COMPOSITE CORE	0.05
PARTICLE BOARD	0.25
MEDIUM DENSITY FIBERBOARD	0.11

1. THIN MEDIUM DENSITY FIBERBOARD: 0.10

2. VALUES IN THIS TABLE ARE DERIVED FROM THOSE SPECIFIED BY THE CALIF. AIR RESOURCES BOARD, AIR TOXIC CONTROL MEASURE FOR COMPOSITE WOOD AS TESTED IN ACCORDANCE WITH ASTM E 1333. FOR ADDITIONAL INFORMATION, SEE CALIF. CODE OF REGULATIONS, TITLE 17, SECTIONS 9312 THROUGH 93120.12.

3. THIN MEDIUM DENSITY FIBERBOARD HAS A MAXIMUM THICKNESS OF 9/16" (18mm).

DIVISION 4.5 ENVIRONMENTAL QUALITY (continued)

4.504.1 GREEN BUILDING CERTIFICATION - All projects included in the building program shall meet the testing and product requirements of at least one of the following:
1. Green and Blue Builders Green Label Plus Program.
2. California Department of Public Health - Standard Method for the Testing and Evaluation of Volatile Organic Compounds Emissions from Interior Coatings Environmental Compliance Verification Program.
3. California Department of Public Health - Green Seal.
4. GreenSource Certification System Interior Air Quality Gold.

4.504.2 GREEN BUILDING CERTIFICATION - All projects included in the building program shall meet the requirements of the California Green Building Code program.
4.504.3 Green Building - All projects included in the building program shall meet the requirements of the California Green Building Code program.

4.504.4 RESILIENT FLOORING SYSTEMS. Where resilient flooring is installed, at least 60% of floor area receiving resilient flooring shall comply with one or more of the following:
1. Products certified by the California Department of Public Health, "Standard Method for the Testing and Evaluation of Volatile Organic Compounds Emissions from Interior Coatings Environmental Compliance Verification Program," Version 1.1, February 2010 (also known as Specification 01300), certified as a CHPS Low-Emitting Material in the Collaborative for High Performance Schools (CHPS) High Performance Products Database.
2. Products certified under LE GREENGUARD Gold (formerly the GreenGuard Children's Schools program).
3. Products certified under the National Floor Air Emissions Test (NFAT) program.
4. Meet the California Department of Public Health, "Standard Method for the Testing and Evaluation of Volatile Organic Compounds Emissions from Interior Coatings Environmental Compliance Verification Program," Version 1.1, February 2010 (also known as Specification 01300).

4.504.5 COMPOSITE WOOD PRODUCTS. Hardwood plywood, particleboard and medium density fiberboard composite wood products used on the interior surfaces of the building shall meet the requirements for formaldehyde as specified in ARB's Air Toxics Control Measure for Composite Wood (11 CCR 93.120 et seq.), by or before the specified test methods, as shown in Table 4.504.5.

4.504.6 Verifications. Verification of compliance with this section shall be provided as requested by the enforcing agency. Documentation shall include at least one of the following:
1. Product certificates and specifications.
2. Chain of custody certificates.
3. Product labels and invoices as meeting the Composite Wood Products regulation, see CCR, Title 17, Section 93120.12 et seq.
4. Exterior grade products certified as meeting the PS1 or PS2 standards of the Engineered Wood Association (EWA) and California Air Resources Board (CARB) standards, and California Code of Regulations, Title 17, Section 93120.12 et seq. and other methods acceptable to the enforcing agency.

4.505 INTERIOR MOISTURE CONTROL

4.505.1 BUILDING ENVELOPE. Buildings shall meet or exceed the provisions of the California Building Standards Code.
4.505.2 CONCRETE SLAB FOUNDATIONS. Concrete slab foundations required to have a vapor retarder by California Building Code Chapter 19, or concrete slab-on-ground floors required to have a vapor retarder by the California Residential Code, Chapter 19, shall also comply with the section.
4.505.3.1 Capillary break. A capillary break shall be installed in compliance with at least one of the following:
1. A 4-mil (101.5 micrometer) thick base of 1/2 inch (12.7 mm) or larger clean aggregate shall be provided with a rigid barrier in direct contact with concrete and in concrete not design, which will address shrinkage, cracking, and curing, shall be used. For additional information, see American Concrete Institute, ACI 308.2R-06.
2. Other equivalent methods approved by the enforcing agency.

4.505.3.2 Moisture content of building materials. Building materials with visible signs of water damage shall not be installed. Wall and floor framing shall not be installed when the framing members exceed 19 percent moisture content. Moisture content shall be verified in compliance with the following:
1. Moisture content shall be determined with either a pin-type or a non-invasive moisture meter. Equivalent moisture verification methods may be approved by the enforcing agency and shall satisfy requirements listed in Section 101.4 of this code, as shown in Table 4.505.3.
2. Moisture readings shall be taken at a point 2 feet (610 mm) to 4 feet (1219 mm) from the base grade exposed end of each joist.
3. At least three random moisture readings shall be performed on wall and floor framing with documentation acceptable to the enforcing agency provided at the time of approval to install the wall and floor framing.
Insulation products which are readily wet or have a high moisture content shall be replaced or allowed to dry prior to installation in wall or floor cavities. The applicable section product shall follow the manufacturer's dry recommendations prior to enclosure.

4.506 INDOOR AIR QUALITY AND EXHAUST

4.506.1 Bathrooms and showers. Each bathroom shall be mechanically ventilated and shall comply with the following:
1. Fans shall be ENERGY STAR compliant and be ducted to terminate outside the building.
2. Unless a bathroom is a component of a whole house ventilation system, fans must be controlled by a humidity control.
3. Humidity controls shall be capable of adjustment between a relative humidity range less than or equal to 50% to a maximum of 60%. A humidity control may utilize manual or automatic means of adjustment.
4. Humidity controls may be a separate component of the exhaust fan and is not required to be integral (i.e., built-in).

Note:
1. For the purposes of this section, a bathroom is a room which contains a bathtub, shower or tub/shower combination.
2. Lighting integrated to bathroom exhaust fans shall comply with the California Energy Code.

4.507 ENVIRONMENTAL COMFORT

4.507.1 HEATING AND AIR-CONDITIONING SYSTEM DESIGN. Heating and air conditioning systems shall be sized, designed and have their equipment selected using the following methods:
1. The load loss and heat gain is established according to ANSI/ACCA 2 Manual J - 2011 (Residential Load Calculations), ASHRAE Handbook or other equivalent design load calculation software.
2. Duct systems are sized according to ANSI/ACCA 1 Manual D - 2014 (Residential Duct Systems), ASHRAE Handbook or other equivalent design load calculation software.
3. Select heating and cooling equipment according to ANSI/ACCA 3 Manual S - 2014 (Residential Equipment Selection), or other equipment design software or methods.
Exception: Low air density design temperatures necessary to ensure the system functions are acceptable.

**CHAPTER 7
INSTALLER & SPECIAL INSPECTOR QUALIFICATIONS**

702 QUALIFICATIONS

702.1 INSTALLER TRAINING. HVAC system installers shall be trained and certified in the proper installation of HVAC systems including ducts and equipment by a nationally or regionally recognized training or certification program. Unlicensed persons may perform HVAC installations when under the direct supervision and responsible of a person trained and certified to install HVAC systems or contractors licensed to install HVAC systems. Examples of acceptable HVAC training and certification programs include but are not limited to the following:
1. State certified apprenticeship programs.
2. Public utility training programs.
3. Training programs sponsored by trade, labor or statewide energy consulting or ventilation organizations.
4. Programs sponsored by manufacturing organizations.
5. Other programs acceptable to the enforcing agency.

702.2 SPECIAL INSPECTION (HCC). When required by the enforcing agency, the owner or the responsible entity acting as the owner's agent shall employ one or more special inspectors to provide inspection or other duties necessary to substantiate compliance with this code. Special inspectors shall demonstrate competence in the installation of the enforcing agency for the particular type of inspection or task to be performed. In addition to other certifications or qualifications acceptable to the enforcing agency, the following certifications or education may be considered by the enforcing agency when evaluating the qualifications of a special inspector:
1. Certification by a national or regional green building program or student program.
2. Certification by a statewide energy consulting or ventilation organization, such as HERI rates, building performance contractors, and home energy rater.
3. Successful completion of a third party apprentice training program in the appropriate trade.
4. Other programs acceptable to the enforcing agency.

Note:
1. Special inspectors shall be independent entities with no financial interest in the materials or the project they are inspecting for compliance with this code.
2. HERI rates are special inspectors certified by the California Energy Commission (CEC) to rate homes in California according to the Home Energy Rating System (HERS).

(BCC) When required by the enforcing agency, the owner or the responsible entity acting as the owner's agent shall employ one or more special inspectors to provide inspection or other duties necessary to substantiate compliance with this code. Special inspectors shall demonstrate competence in the installation of the enforcing agency for the particular type of inspection or task to be performed. In addition, the special inspector shall have a certification from a recognized trade, national or international association, as determined by the local agency. The area of certification shall be closely related to the primary job function, as determined by the local agency.
Note: Special inspectors shall be independent entities with no financial interest in the materials or the project they are inspecting for compliance with this code.

703 VERIFICATIONS

703.1 DOCUMENTATION. Documentation used to show compliance with this code shall include but is not limited to construction documents, plans, specifications, builder or installer certification, inspection reports or other methods acceptable to the enforcing agency which demonstrate substantial conformance. Where specific documentation or special inspection is necessary to verify compliance, that method of compliance shall be specified in the appropriate section or identified applicable checklist.

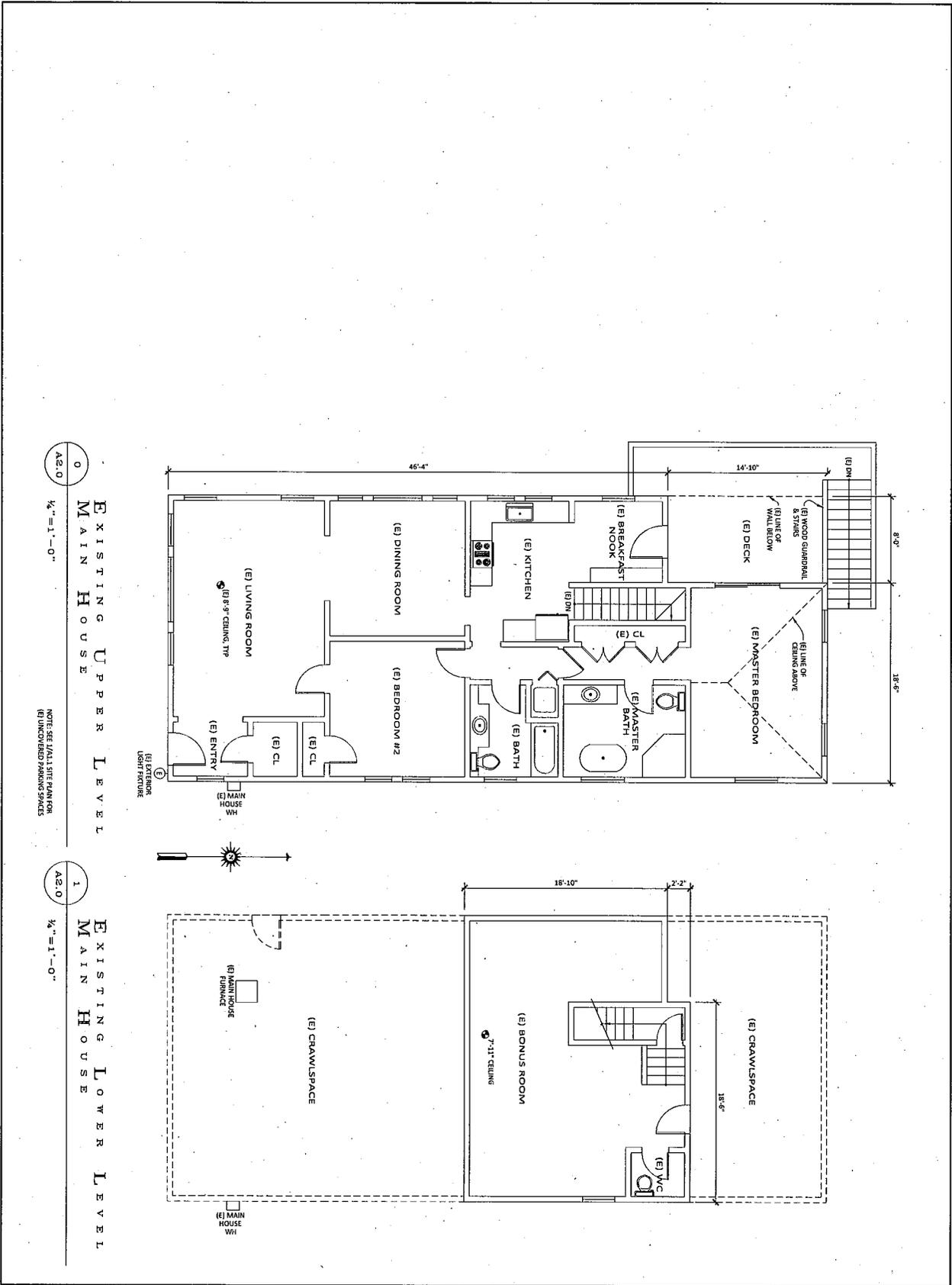
Cindy YP Lan
Design
PO Box 303
Junction City, CA 96048-0303
(510) 517-2874
cindy@newavehomes.com

Homeowner:
Raquel Sefton & Dan Sharp
564 Crofton Avenue
Oakland, CA 94610
(415) 867-4379
sefton19@gmail.com

CROFTON ADU
564 CROFTON AVENUE
PIEDMONT, CA 94610
APN 11-0855-21

Revision:
ZONING PERMIT SEPTEMBER 27, 2021

Drawing Title: CALIFORNIA GREEN BUILDING STANDARDS
Scale: NTS DWG NO.
Drawn By: CL A1.3
5 OF 8



0
A2.0
1/4" = 1'-0"

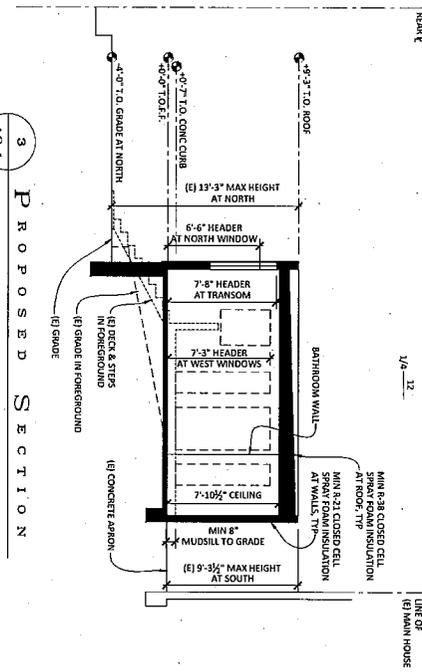
EXISTING UPPER LEVEL
MAIN HOUSE

NOTE SEE 1/AL1 SITE PLAN FOR
(E) UNCOVERED PARKING SPACES

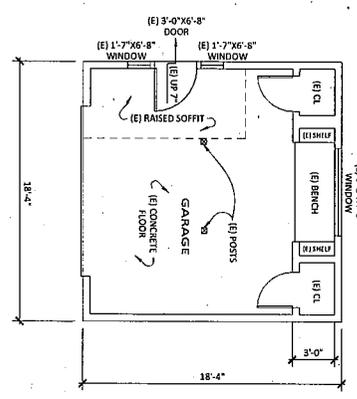
1
A2.0
1/4" = 1'-0"

EXISTING LOWER LEVEL
MAIN HOUSE

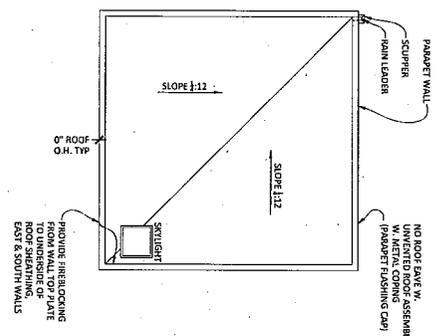
<p>CROFTON ADU 564 CROFTON AVENUE OAKLAND, CA 94610 APN 11-0855-20</p>		<p>Homeowner: Requiel Sotelo & Dan Sharp 564 Crofton Avenue Oakland, CA 94610 (415) 887-4379 rsharp@2@gmail.com</p>	<p>Designer: Cindy YP Lan PO Box 100 Junction City, CA 96048-0103 (510) 517-2874 cindy@newventurhomes.com</p>
<p>Project No.: (E) MAIN HOUSE PLANS</p>	<p>Scale: 1/4" = 1'-0"</p>	<p>Date: 08/25</p>	<p>Sheet No.: A2.0</p>



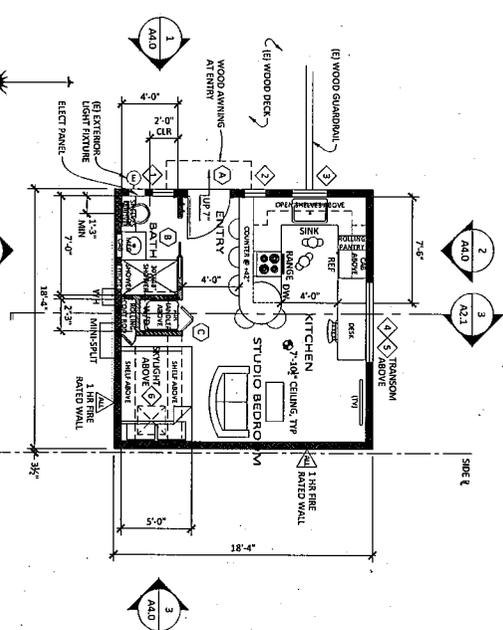
3 PROPOSED SECTION
 1/4" = 1'-0"



0 EXISTING GARAGE
 1/4" = 1'-0"



2 ROOF PLAN
 1/4" = 1'-0"



1 PROPOSED ADU
 1/4" = 1'-0"

NOTE: ALL WALLS TO BE DEMOLISHED AND REBUILT WITHIN SAME FOOTPRINT. EXISTING CONCRETE FOOTINGS TO REMAIN.

NOTE: ALL ROOF TO BE DEMOLISHED AND REBUILT WITHIN SAME FOOTPRINT. W/ BRANCHED & VENTILATED ROOFING MATERIAL TO REMAIN THE SAME.

NOTE: PERMITS REQUIRED BECAUSE ADU IS WITHIN 5.5 MI TO PUBLIC TRANSIT

CROFTON ADU
 564 CROFTON AVENUE
 OAKLAND, CA 94610
 APN 11-0855-20

Designer:
 Cindy YP Lan
 Project No: 202408-0033
 Junction City, OR 97131
 (503) 517-2824
 cindy@newwayarchitects.com

Homeowner:
 Rachel Sifton & Dan Sharp
 564 Crofton Avenue
 Oakland, CA 94610
 (415) 867-4379
 crofton13@gmail.com

Drawing Title:	(E) GARAGE PLAN & PROPOSED ADU PLAN & ROOF PLAN & SECTION
Scale:	1/4" = 1'-0"
Sheet No.:	018.8
Project No.:	A2.1
Revision:	
DATE:	SEPTEMBER 27, 2024

MEMORANDUM OF AGREEMENT

This MEMORANDUM OF AGREEMENT (“MOA”), dated as of this ____ day of _____, 2022 (“Effective Date”), is entered into by and between the City of Piedmont, a municipal corporation (“Piedmont”) and the City of Oakland, a municipal corporation (“Oakland”), with reference to the following facts and circumstances:

RECITALS

A. The property located at 564 Crofton Avenue (the “Property”) consists of one lot, and two tax parcels (APN No. 011 -0855-020-00 and 011 -0855-021-00), that straddles the Piedmont/Oakland border. The assessor parcel map for the Property is provided as Exhibit A, which is attached hereto and incorporated herein. The Property is generally bounded by single-family properties at 558 & 570 Crofton Avenue on either side, single-family properties on 535 & 533 Boulevard Way at the rear, and single-family properties 565 & 569 Crofton Avenue across the street. The Property consists of 6,375 square feet (determined by a survey dated March 25, 2021), with approximately 2,225 square feet or 35 percent of which is located in Piedmont, and approximately 4,150 square feet or 65 percent of which is located in Oakland.

B. When considering properties intersected by the border between the City of Piedmont and the City of Oakland, by long-standing arrangement between the cities, certain properties are considered Piedmont properties for the purposes of providing 911 and other municipal services, and certain properties are considered Oakland properties for the purposes of providing 911 and other municipal services. The Property is considered an Oakland property eligible for Oakland 911 services, municipal waste removal services, access to Oakland schools, and other municipal services. The neighboring residences which have vehicular and pedestrian access to Crofton Avenue are also considered Oakland properties for those same services.

C. Cindy YP Lan/ New Avenue Inc. (“Applicant”) for Property owners Raquel Sefton and Dan Sharp desire to convert the existing 336-square-foot detached garage to an Accessory Dwelling Unit (ADU), with the entirety of the project located in Piedmont (“Project”).

D. The entire garage, approximately 336 square feet footprint, is located in Piedmont.

E. In order to efficiently consider the Project, the cities desire to enter into this MOA to memorialize the designation of Oakland as the lead agency for the purposes of both land use approvals and building inspection of the Project, including but not limited to issuance of building and occupancy permits, and the provision of 911 and other municipal services to the Project, consistent with the terms and conditions contained in this MOA.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

I. Lead Agency under CEQA

Oakland shall serve as Lead Agency for purposes of review under the California Environmental Quality Act (CEQA).

II. Planning Approval Process

The City of Oakland will be the approval authority for all land use approvals regarding the Property, including but not limited to the current ADU proposal, zoning approvals, variances, and issuance of conditional use permits or the like, to the extent any such approvals may be necessary. Oakland shall apply its land use regulations, except as may be otherwise stated in this MOA.

- A. Applications. The Applicant has submitted an application for an Accessory Dwelling Unit (ADU) to the City of Oakland Planning Department for the Project. The project is subject to ministerial approval within sixty (60) days pursuant to Government Code section 65852.2
- B. Conditions of Approval. The City of Oakland will provide the City of Piedmont a copy of the Conditions of Approval for the Project, if any, if and when the Project is approved.
- C. Ongoing Jurisdiction. Both Piedmont and Oakland understand that, by virtue of the proposed location of this Project, the Project, if approved, will be constructed both within the City of Oakland and the City of Piedmont. As a consequence, except as otherwise provided in this MOA, the Property is subject to the laws of both cities.
 - Oakland acknowledges the continuing jurisdiction of the City of Piedmont, its Charter, and its Municipal Code within those portions of the Property located within the City of Piedmont and will not undertake any action or approval that will result in any violation of any of those laws. Piedmont acknowledges the continuing jurisdiction of the City of Oakland, its Charter, and Municipal Code within those portions of the Project located within the City of Oakland and will not undertake any action or approval that will result in any violation of those laws, except as may regard planning or building approvals for buildings on the Property. The City of Oakland shall have jurisdiction over planning and building approvals for the Property.
 - The City of Oakland and the City of Piedmont both reserve the right to take such actions as necessary to enforce the laws, conditions or requirements within each city. Both cities agree to cooperate with the other city in any action undertaken to enforce any condition or requirement imposed on the Project.

III. Building and Permit Issues

- A. Building Permit and Plan Check. Oakland will be responsible for building permit issuance, plan check, issuance of certificates of occupancy, building inspections, assignment of unit address and similar activities for the entire Project consistent with the appropriate procedures, fees, and standards of Oakland. Except as set forth elsewhere in this MOA, inspections of the Project will be conducted by the City of Oakland. Prior to the issuance of a building permit, the City of Oakland Fire Department shall review and approve the fire and life safety systems including, but not limited to, fire hydrants, fire sprinkler systems, fire alarm systems, fire department access, and water distribution systems. In addition, prior to the issuance of a building permit, the Oakland Planning Department shall review the building permit plans to ensure compliance with the approved Conditions of Approval, if any. The City of Oakland retains the authority to issue future building permits for buildings on the Property located either partially or wholly within its jurisdiction.

IV. Emergency Service

The Oakland Fire Department shall be responsible for the provision of emergency and public safety services to the Project, including those portions located in the City of Piedmont. Each City shall provide reciprocal response assistance as needed.

V. Fees

- A. Public Improvement Fees. The Applicant shall be responsible for paying any public improvement fees required for the Project in Oakland, including sewer connection fees and sewer user fees as applicable. The Applicant shall be responsible for paying sewer connection fees to the City of Oakland for those units in the Project that discharge to the City of Oakland sewer system. The sewer user fees are collected by East Bay Municipal Utility District as a part of water bills.
- B. Other Fees. The Applicant shall be responsible for paying any fees required by Oakland for staff review of encroachment permits, building permit plans, public improvement plans, and subdivision maps for consistency with Project approvals and city design standards.
- C. Not Comprehensive. The listing of specified fees in this Section V is not intended to serve as a comprehensive list of applicable fees from either jurisdiction.

VI. Indemnification

- A. No Liability To Third Parties. Nothing in this MOA shall be deemed to create rights or obligations in the Applicant or third parties not signatories to this MOA.
- B. Indemnification.
- Oakland. Oakland shall defend, indemnify and hold harmless Piedmont from and against any and all liability, loss, expense (including reasonable attorneys' fees) or claims for injury or damage arising out of the performance of this MOA or arising from or connected to the approval process or relating to the Project, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or the result of the negligent or intentional acts or omissions of Oakland, its officers, agents or employees.
 - Piedmont. Piedmont shall defend, indemnify and hold harmless Oakland from and against any and all liability, loss, expense (including reasonable attorneys' fees) or claims for injury or damage arising out of the performance of this MOA or arising from or connected to the approval process or relating to the Project, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or the result of the negligent or intentional acts or omissions of Piedmont, its officers, agents or employees

VII. Miscellaneous Provisions

- A. Notice. For any action related to this MOA. each City shall be sent notices at the following addresses:

To Piedmont:

City of Piedmont
120 Vista Avenue
Piedmont, CA 94611
Attention: Kevin Jackson, Planning & Building Director
Phone: 510-420-3050 FAX: 510-658-3167
Email: kjackson@piedmont.ca.gov

With a copy to:

City of Piedmont
Attention: City Attorney
120 Vista Avenue Piedmont, CA 94611

Phone: 510-273-8780 FAX: 510-839-9104

To Oakland:

City of Oakland
Dept. of Planning and Building
250 Frank H Ogawa Plaza, Suite 2114, Oakland, CA 94612
Attention: Heather Klein
Phone: (510) 238-3659
FAX: (510) 238-6538
Email: hklein@oaklandca.gov

With a copy to:

Office of the City Attorney
1 Frank H. Ogawa Plaza,
Floor Oakland, CA 94612
Attention: Brian P. Mulry
Phone: (510) 238-6839
FAX: (510) 238-6500
Email: bmulry@oaklandcityattorney.org

- B. Headings. The headings in this MOA are for reference and convenience of the parties and do not represent substantive provisions of this MOA.
- C. Governing Law. This MOA shall be governed by the laws of the State of California.
- D. Modifications. Any modification of or amendment to this MOA will be effective only if it is signed in writing by all parties.
- E. Counterparts. This MOA may be executed in any number of counterparts (including by fax, PDF, or other electronic means), each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- F. Project Permit File. This MOU shall be kept and maintained at all times in the Property's Planning Permit file with the City of Oakland Planning Department. The City of Piedmont shall be provided a copy of this MOU upon request.

[Signatures on Following Page]

IN WITNESS WHEREOF, Piedmont and Oakland have each caused this MOA to be duly executed on its behalf as of the Effective Date.

City of Piedmont

City of Oakland

By: _____
Name: Theadora Gray King
Title: Mayor

Attest:
By: _____
Name: John Tulloch
Title: City Clerk

Authorized by Resolution No. _____
Adopted _____, 2022

By: _____
Name: William Gilchrist as designee for
Edward Reskin, City Administrator
Title: Director, Department of Planning
and Building

Approved as to form:

By: _____
Name: Brian Mulry
Title: Senior Deputy City Attorney

Approved as to form:

By: _____
Name: Michelle Marchetta Kenyon
Title: City Attorney