



CITY OF OAKLAND CREEK DETERMINATION

PERMIT NO. CDET
FEE PAID: _____
RECEIPT NO: _____
RELATED PERMITS _____

Pursuant to the *Creek Protection, Storm Water Management and Discharge Control Ordinance*, (Chapter 13.16 of the Oakland Municipal Code), a "Creek Determination" may be requested (**but only once per property**) to identify whether or not a property within the City of Oakland is a creekside property, and therefore subject to regulation by the Creek Protection Ordinance.

1. GENERAL DATA REQUIRED

A. PROPERTY ADDRESS: _____

B. ASSESSOR'S PARCEL NUMBER: _____

C. APPLICANT'S NAME/COMPANY: _____

MAILING ADDRESS _____

CITY/STATE _____ ZIP _____

PHONE _____ FAX _____ OTHER _____

☐ I REQUEST A FIELD INSPECTION BY THE CITY OF OAKLAND TO DETERMINE IF THERE IS A CREEK ON THE PROPOSED PROJECT SITE. I AGREE TO PAY THE REQUIRED NON-REFUNDABLE 'CREEK DETERMINATION' FEE TO THE CEDA CASHIER.

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT ALL THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.

NAME: _____ PROPERTY OWNER ☐

ADDRESS: _____ AGENT FOR OWNER ☐

TELEPHONE: _____ DATE: _____ SIGNATURE: _____

Applicant or interested party has the right to appeal a Creek Determination to the City Planning Commission if filed within 10 days of the date of a written decision. Appeal application is filed at the Zoning counter.

TO BE COMPLETED BY STAFF IF FIELD INSPECTION IS REQUESTED. (PTS APP. TYPE: 'CDET' AND PAYMENT CODE: 'PWCD')

DATE FORWARDED FOR FIELD INSPECTION: _____ INSPECTOR NAME: _____

FIELD INSPECTOR'S FINDING: ☐ CREEKSIDE ☐ NOT CREEKSIDE

GUIDE TO OAKLAND'S CREEK PROTECTION ORDINANCE

WHAT IS A CREEK?

*“A **Creek** is a watercourse that is a naturally occurring swale or depression, or engineered channel that carries fresh or estuarine water either seasonally or year around.”*

A creek must include the following two components:

1. The channel is part of a contiguous waterway. It is hydrologically connected to a waterway above or below the site or is connected to lakes, the estuary, or Bay. Creek headwaters, found at the top of watersheds, are connected in the downhill direction. Additionally, creeks in Oakland are often connected through underground culverts. Only the open sections of creeks are subject to the permit, and
2. There is a creek bed, bank and topography such as a u-shape, v-shape channel, ditch or waterway. (Identified through field investigation, topographical maps, and aerial photos).

To help with identification in the field a creek may also have the following features (the absence of these features does NOT mean there is no creek):

- A riparian corridor: a line of denser vegetation flowing downhill, this is sometimes missing due to landscaping or vegetation removal practices, landslide or fire.
- The channel has a bed with material that differs from the surrounding material (i.e. more rocky, or gravelly, little or no vegetation).
- There are man-made structures common to waterways, for example bank retaining walls, trash racks, culverts, inlets, rip rap, etc.

CREEK PROTECTION PERMIT CATEGORIES

The extent to which your development or construction will be regulated by the Creek Protection Ordinance depends on the location and type of work proposed. Each category has varying requirements for compliance.

- CATEGORY 1:** Interior construction and alterations including remodeling. *This is a no fee permit and only requires distribution of educational materials.*
- CATEGORY 2:** Exterior work that does not include earthwork and is located more than 100 feet from the centerline of the Creek. *This permit requires a site plan and distribution of educational materials.*
- CATEGORY 3:** Exterior work that is located between 20 feet from the top of the Creek bank and 100 feet from the centerline of the Creek; Exterior work that includes earthwork involving more than three (3) cubic yards of material, beyond 20 feet from the top of the Creek bank. *This permit requires site plan, creek protection plan and environmental review.*
- CATEGORY 4:** Exterior work conducted from the centerline of the Creek to within 20 feet from the top of the Creek bank. *This permit requires site plan, creek protection plan, environmental review and hydrology report.*