



Planning Division: FAQ

Where can I find the zoning of my property?

The Planning Division maintains a map that shows the zoning for every parcel in the City. Zoning and property information can be found online with a street address or an Assessor's Parcel Number (APN) at www.concordprospector.com and in the Permit Center where the current zoning map is posted. Copies of the zoning map can also be purchased at the Permit Center. For zoning and land use questions, ask for the Planner on Duty at (925) 671-3152.

What are the setback requirements for my property?

Setbacks vary by zoning district and type of structure. Residential setbacks can be found in Table 18.30.030 of the Concord Municipal Code. The Planner on Duty can assist with setback questions at (925) 671-3152.

Is my property in an Earthquake Fault Zone?

The Concord-Green Valley Fault extends through a portion of the City. Fault zone maps are prepared by the California Geological Survey (CGS) and are available online from the California Department of Conservation. The fault zones are also identified on the City's zoning map. Earthquake fault zones are regulatory zones that have a potential for future surface fault rupture. Check with the Planning Division at (925) 671-3152 for specific determination of fault zone limits.

Where can I build my fence?

A six-foot tall fence is generally allowed on property lines at the rear and sides of most properties. A fence of up to three feet in height is allowed within the first 20 feet of a property, as measured from the front property line. Fences must not obstruct sight visibility at intersections and driveways. Section 18.150.040 of the Concord Development Code contains regulations concerning fences and walls. Although most wooden fences do not require a building permit, they still need to comply with the setbacks. Contact the Permit Center at (925) 671-3454 for more information.

Can I build a fence up to eight feet tall?

Fences or walls within a side and rear yard setback may be increased in height up to eight feet, depending on conditions and subject to approval of a Minor Exception Permit. Minor Exceptions require an application to the Planning Division and can only be approved if no practical alternative exists, other code provisions will not be compromised, no negative aesthetic impact will result, and the project complies with other Municipal Code standards and requirements. The Planning Division recommends homeowners consider additional landscaping to improve screening and privacy.

What is an accessory structure?

An accessory structure is a building or structure that is not part of the principal dwelling on the lot, the use of which is incidental and subordinate to the use of the principal dwelling. Examples of accessory structures include, but are not limited to: a separate garage, tool shed, storage shed, carport, greenhouse, pool cabana, gazebo, pergola, arbor, patio cover, underground shelter, and other similar outbuildings or structures. We recommend contacting the Permit Center at (925) 671-3454 before constructing or purchasing an accessory structure.

What accessory structures do not require a building permit?

Certain small accessory structures in residential districts may not need a permit if they meet all of the following conditions: 1) are less than 120 square feet in area; 2) are six feet or less in height; 3) do not also require a Building Permit, including electrical or mechanical; and 4) are not placed on a permanent foundation. All accessory structures must comply with the zoning district setback requirements, even if a permit is not required.

Can I add onto my house?

House additions are allowed up to the limits of the minimum setback and maximum lot coverage requirements based on each Zoning District's standards. Typical maximum lot coverage is 35% for a single family residence. Lot coverage calculations include the house, garage, and all accessory structures. Homeowners should determine if their home addition complies with setbacks and lot coverage requirements before proceeding with any permit applications.

Can I add a second-floor above my existing house?

Yes, in most cases. In very rare instances, there may be private deed restrictions or City requirements prohibiting or limiting second stories on existing homes or lots. But, typically there are no zoning restrictions to adding a second floor above an existing residence.

Can I convert my garage into an extra room?

Single family homes are required to have a minimum of one covered parking space. Homes with four or more bedrooms require at least two enclosed parking spaces. Homes with more than six bedrooms require at least three enclosed parking spaces. The California Building Code also has a number of regulations applicable to converting garages into living spaces. The Permit Center should be contacted for assistance prior to moving forward with any garage conversion at (925) 671-3454.

Can I get a variance?

A variance is to allow special consideration of unique and exceptional conditions that apply to the parcel in question with the purpose of restoring a property right. State law says that a variance *"shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification."*

A variance is not intended to simply "set aside" a requirement that is otherwise applicable to all other similar properties. To qualify for a variance, a number of findings are required to be made concerning special circumstances pertaining to the subject site; it is the applicant's responsibility to present the rationale that complies with the Development Code, State law (Cal. Gov. Code §65906), and supports the required findings at a public hearing to the City's decision makers. Eligibility for a variance is uncommon and, in most instances, other alternatives must be considered.

Can I split my large lot into two parcels and sell the new parcel?

A lot split is known as a "minor subdivision" under the Municipal Code and referred to as a tentative parcel map under State law. A minor subdivision involves up to four lots and requires review at a public hearing conducted by the City's Zoning Administrator. Parcel maps are required to be prepared by a licensed civil engineer or surveyor and typically require submittal of detailed grading, utility, and stormwater plans. Anyone interested in proceeding with a lot split or any subdivision of land should consult with a qualified professional before proceeding.

What is required for my home business?

Concord allows home based businesses under certain conditions. In general, a home based business must not create a nuisance or disturbance for neighbors. Home based businesses are prohibited from clients or customers visiting the home with the exception of limited individual instruction, such as for music lessons. There are very specific restrictions on commercial vehicles and parking. Outdoor storage, beauty salons, and automotive service and repair are prohibited. Section 18.200.100, Home-Based Businesses, should first be consulted for all requirements before proceeding with any permit applications. An operator of a home business must obtain a business license from the City's Finance Department.

Can I display a banner on my storefront?

Any business can apply for an Administrative Permit to allow a temporary banner sign on their storefront. The permit allows banners for special events, seasonal sales, or grand openings to be erected for up to 30 days. After the 30 day display period ends, there is a waiting period of 150 days before another permit for a banner can be issued. The property manager or property owner must provide authorization with the application and the size of the banner identified should not exceed what would normally be permitted for a permanent sign.

I bought a house with an illegal addition and I want to make things legal. Can I get a permit for any work done before I owned the house?

While these situations are often difficult to resolve, it is to the property owner's advantage to make past construction legal. It is important to determine what permits were previously issued, if any, and what construction has been inspected and properly completed. Some of the questions that will need to be answered include:

- Were permit(s) issued by Contra Costa County before the subject site was within Concord's jurisdiction?
- Was a permit issued by the City?
- Were the permits finalized?
- Was any of the construction inspected but not finalized?

If such information can be clarified by the County and City Building Divisions or Tax Assessors' records, Permit Center staff will be able to provide a property owner with options for obtaining the proper permits and inspections. Contact the Building Division for further assistance.

There are "Covenants, Codes, and Restrictions" (CC&R's) that apply to my home in my neighborhood. Does the City enforce CC&R's?

Private covenants, and/or private restrictions (CC&R's) are a separate and distinct form of land use regulations from the City's Development Code. CC&R's are enforced through a private civil action and the City has no authority or jurisdiction. A private attorney or homeowner association can be consulted regarding the enforcement of CC&R's. City staff is unable to advise, intervene, or provide assistance with issues related to CC&R's and homeowner associations.

What is the General Plan?

The General Plan is a comprehensive policy document which aids City decision-makers in guiding future development in a manner that is consistent with the needs, goals, and interests of the public. It is often described as a "constitution" for the City. The General Plan provides policy direction regarding "what the City wants" on a variety of topics, called elements. The General Plan is accompanied by a General Plan Land Use Map which identifies the City's land use policies. Our current General Plan was adopted in 2006. The Transportation Element was amended to include Complete Streets policies in 2013 and a new Housing Element was adopted in 2015. State law requires each municipality to prepare and adopt a General Plan with a long-range perspective that is comprehensive and internally consistent. As Concord is a "General Law" city, California state law limits General Plan amendments to four per year.

What is the Development Code?

The Development Code is a section of the Municipal Code which deals with land use and development regulations. The Development Code consists of Title 18 of the Municipal Code. Subdivision regulations are found in Title 17. Concord's Municipal Code is posted online at <http://www.codepublishing.com/ca/concord/>. Printed copies of the code may be purchased from the City Clerk's office.

What is a General Plan element?

Each component or "element" of the General Plan focuses on a specific topic. Concord's General Plan contains elements that include Economic Vitality, Land Use, Growth Management, Transportation, Housing, Parks, Open Space, and Conservation, Safety and Noise, and Public Facilities.

What is a land use designation?

The General Plan designates different types of land uses such as residential, commercial, industrial, and parks/recreational facilities for different areas of the City. Each land use designation also identifies standards for population density and development intensity.

What is the difference between zoning and land use?

The General Plan is a long-term policy document for the type and location of future development. Zoning provides site-specific standards for development. Concord's Development Code lists permitted uses and development standards within each zoning district. The Development Code is influenced by General Plan policy. All land use and development must comply with both the Development Code and the General Plan.

I heard about Complete Streets policies being discussed. What are Complete Streets?

A Complete Street is a street designed for all users, including bicyclists, pedestrians, transit vehicles, and motorists. Every community's complete street can look different, depending on the needs of the community and the local context. A Complete Street should make it easy to cross the street, walk to shops, and bicycle to work. A Complete Street should allow buses to run on time and make it safe for people to walk to and from train stations. Complete Streets are designed so that people of all ages and abilities can travel easily and safely. California State law requires that all cities and counties incorporate Complete Streets policies into their General Plan. The City of Concord updated its General Plan to incorporate Complete Streets in 2013.