CREEK STRUCTURE SETBACK AREA

CREEK

CREEK

CREEK STRUCTURE SETBACK LINE

PROPERTY

Example aerial view of property traversed by a natural (unimproved) channel.

Provide CSS line determinations (by the method explained on the other side of this pamphlet) for at least three locations of the channel. The red stars ( ) show a few potential locations at which to calculate the setback distance.

Note: There may be other regulations that need to be investigated before working near natural (unimproved) channels, such as the County's Floodplain Management Ordinance.

An exception to the CSS may be granted provided that the requirements outlined in Section 92-6.002 are satisfied. You will need to verify that the creek banks are stable and not susceptible to erosion by submitting supporting technical data.

Other Useful Information

"FAQ for Property Owners Near Creeks" by Contra Costa County Flood Control and Water Conservation District

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Hours

Monday - Thursday 7:00 a.m. - 5:00 p.m.
Friday 7:00 a.m. - 4:00 p.m. Closed 12:00-1:00 p.m.
Records Counter is closed on Fridays

Phone numbers:

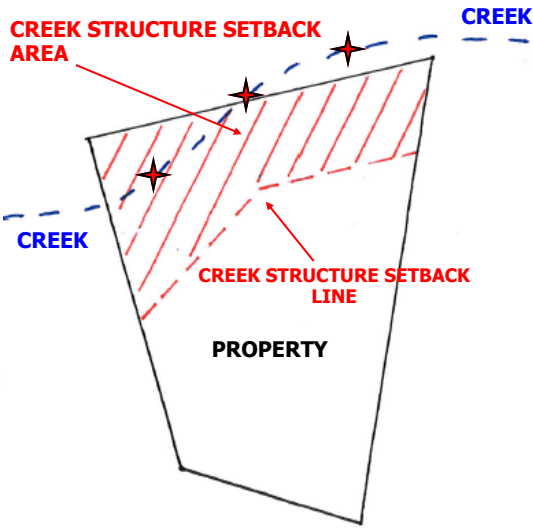|	
Main number:	(925) 313-2000
Fax number:	313-2333
Administrative Services:	313-2340
Buchanan Airport:	681-4200
Byron Airport:	608-8383
Capital Projects:	957-2471
County Clean Water Program:	313-2360
Custodial:	313-7096
Design/Construction Division:	313-2320
Engineering Services Division:	313-2170
Facilities Maintenance:	313-7052
Finance Division:	313-2344
Fleet Services:	313-7021
Flood Control District:	313-2270
Information Technology Division:	313-2261
Kids at Work:	313-2380
Maintenance Division:	313-7000
Materials Management:	313-2000
Print and Mail:	646-5521
Purchasing:	957-2499
Real Property Division:	957-2467
Records Section:	313-2356
Special Districts Section:	313-2170
Transportation Engineering:	313-2370
Traffic Section:	313-2370
Watershed Program:	313-2236

Public Works Website:
www.cccpublicworks.org

Contra Costa County
Public Works
Department

August 2019

CREEK STRUCTURE SETBACK REQUIREMENTS
FOR NATURAL (UNIMPROVED) CHANNELS

Contra Costa County
Public Works Department
255 Glacier Dr.
Martinez, CA
(925) 313-2000

Brian M. Balbas, Director

Deputy Directors
- *Stephen Kowalewski, Chief*
- *Allison Knapp*
- *Warren Lai*
- *Carrie Ricci*
- *Joe Yee*

What is a creek structure setback?

If your property is traversed by, or is adjacent to, a natural (unimproved) channel, you must determine the CSS area, as required by the County Title 9 Ordinance Code and the County General Plan. No permanent structures of any kind, other than drainage structures, may be constructed within, under, or over the structure setback area (Ordinance Sections 914-14.010 and 74-6.010).

The CSS area will need to be shown on the site plan for building permits.

If you are subdividing the property, you will be conditioned to relinquish "development rights" over the structure setback area of the creek. When you "relinquish development rights" over an area, it means that you are forfeiting your right to construct buildings or structures within that area. The CSS area will need to be shown on the final/parcel map and the improvement plans.
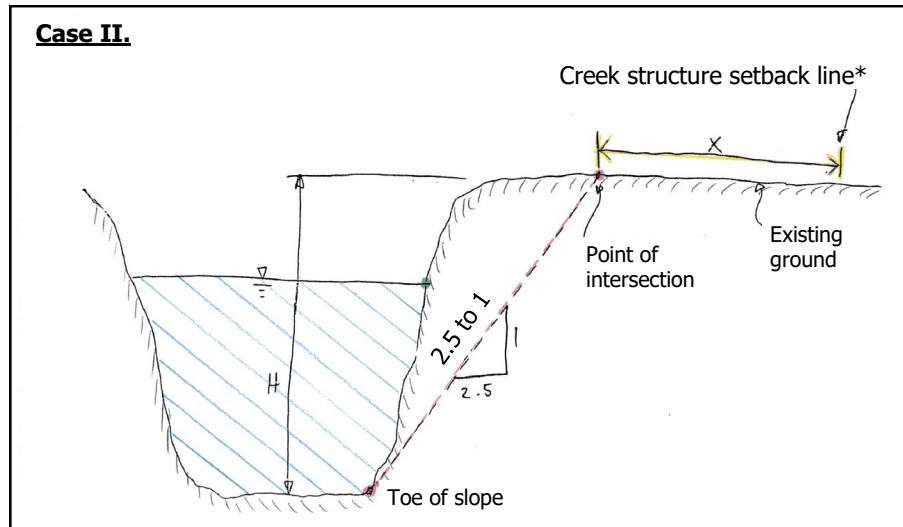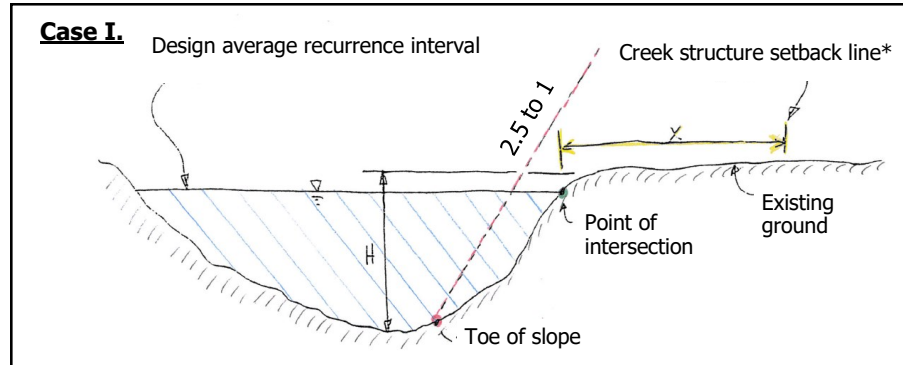
How do I determine the CSS area?

You may wish to consult a registered Civil Engineer and/or a licensed Land Surveyor for assistance in determining the CSS area.

Chapter 914-14 of the County Title 9 Ordinance Code, entitled "Rights-of-Way and Setbacks," outlines the procedure for defining a structure setback area.

Per Section 914-14.012 of Title 9, the structure setback line is determined by measuring a horizontal distance from the top of bank on each side of the watercourse. Section 914-14.012 provides the following table:

Height of top of bank above channel invert	Horizontal distance between top of bank and setback line
Less than 20'	30'
20'-29.99'	35'
30'-39.99'	40'
40'-49.99'	45'
50' and greater	50'

Case I.

Design average recurrence interval — Creek structure setback line*

2.5 to 1

Point of intersection

Existing ground

Toe of slope

H — X

Case II.

Creek structure setback line*

X

Point of intersection

Existing ground

2.5 to 1

2.5

H

Toe of slope

"Top of bank" is defined as the following:

I)   The point where the water surface plus sufficient free-board for the design average recurrence interval run-off (see Section 914-2.010 on how to determine the design average recurrence interval runoff) intersects the existing ground, OR

II) The point where a line with slope of 2.5 horizontal to 1 vertical, extending from the toe of the channel, intersects the existing ground.

Whichever point is the greatest vertical distance above the channel invert will be the point used in determining the setback line, per Section 914-14.012.*

For examples on how to determine the CSS line, see the two diagrams above, where

H = Height of top of bank above channel invert

X = Horizontal distance between top of bank and setback line

See the back for an aerial view of the CSS area.

*Policy 8-89 of the County General Plan, Chapter 8, "Conservation Element," states that the creek setback area shall be a minimum of 100 feet; 50 feet on each side of the centerline of the creek. The setback line will need to meet this policy, in addition to meeting the Title 9 CSS requirements.