

CITY OF PIEDMONT
120 VISTA AVENUE
PIEDMONT, CA 94611
TEL: (510) 420-3050
FAX: (510) 658-3167

RECEIVED BY _____
FEE PAID _____
DATE FILED _____
NUMBER _____
PLANNER _____
(For staff use only)

For any **RETAINING WALL GREATER THAN 30" IN HEIGHT, FENCE, or SITE FEATURE** located **WITHIN TWENTY FEET OF A STREET YARD SETBACK**, please complete the following application form and submit a **\$643 application fee (includes a \$28 records management fee)**. Site Features of any height located within the 20-foot street yard setback and site features greater than 7 feet in height located within the 5-foot side or rear yard setbacks require review by the Planning Commission.

Please note that planning application fees are non-refundable.

Property Owner Information

Name(s) of Property Owner(s) _____	
Address of Property _____	Zip Code: _____
Mailing Address of Property Owner(s) (if different from above) _____	
_____ City, State, Zip Code: _____	
Telephone Number _____	Email _____

Design Professional/Property Owner Agent Information

Name of Design Professional/Agent _____	
Address of Design Professional/Agent _____	
_____ City, State, Zip Code: _____	
Telephone Number _____	Email _____
Professional License Number _____	Expiration Date _____
Piedmont Business License Number _____	Expiration Date _____
(required for all design professionals/contractors/engineers/agents)	
(Please contact the City Clerk at 510-420-3040 for Piedmont Business License information.)	

Detailed Description of Proposed Project _____

Estimated cost of proposed exterior improvements \$ _____

Please indicate what steps you have taken to discuss this project with your neighbors prior to submittal: _____

Please indicate what steps you have taken to discuss this project with City staff prior to submittal: _____

Authorization of Design Review Permit Submittal

My signature below signifies that I:

- have read the background document and have provided all applicable information per the attached Fence Design Review Permit checklist;
- have reviewed the legal description on my property deed and indicated all recorded easements and deed restrictions on the submitted site plan (*Please provide a description here of the easements and restrictions that were indicated on your property deed*) _____;
- believe the information provided in this application is accurate to the best of my knowledge;
- am aware that City staff and/or Planning Commissioners will be on my property to view proposed construction. (*Please note any special instructions regarding access to your property such as dogs, gates, alarms, etc.*) _____;
- understand that if this application is approved, a building permit (issued within one year from the approval date) is required for construction and that no construction may commence prior to the issuance of the building permit. No changes may be made without City approval, and changes may require a new application; and
- understand that if there is a third party administrative, legal or equitable action challenging the project approvals, including CEQA issues, that I, the Property Owner, shall defend and indemnify the City against any liability, fees and costs arising out of the defense, including the costs of City’s own counsel. If such an action is filed, the Property Owner and City shall then enter into an agreement regarding selection of counsel and other provisions related to the defense. For this purpose, "City" includes the City and its elected and appointed officials, agents, officers and employees.

➤ SIGNATURE(S) OF PROPERTY OWNER(S) _____ date _____

Agent Authorization

This authorization permits City staff to contact your agent if necessary.

I authorize _____ to act as my agent (architect, contractor, engineer, etc.) in the processing of all matters pertaining to this application.

➤ SIGNATURE(S) OF PROPERTY OWNER(S) _____ date _____

APPLICANT'S DESIGN REVIEW PERMIT FINDINGS

(a) Please describe how the proposed project meets the standards for approving a Design Review Permit (17.66.060):

A. The proposed design is consistent with the City's General Plan and Piedmont Design Guidelines. *(Describe how the project's design elements are aesthetically pleasing as a whole and harmonious with existing and proposed neighborhood development. These elements include but are not limited to: height, bulk, area openings, breaks in the façade, line and pitch of the roof, materials, arrangements of structures on the parcel, and concealment of mechanical and electrical equipment. You may cite specific guidelines and General Plan goals and policies.)*

B. The design has little or no effect on neighboring properties' existing views, privacy, and access to direct and indirect light.

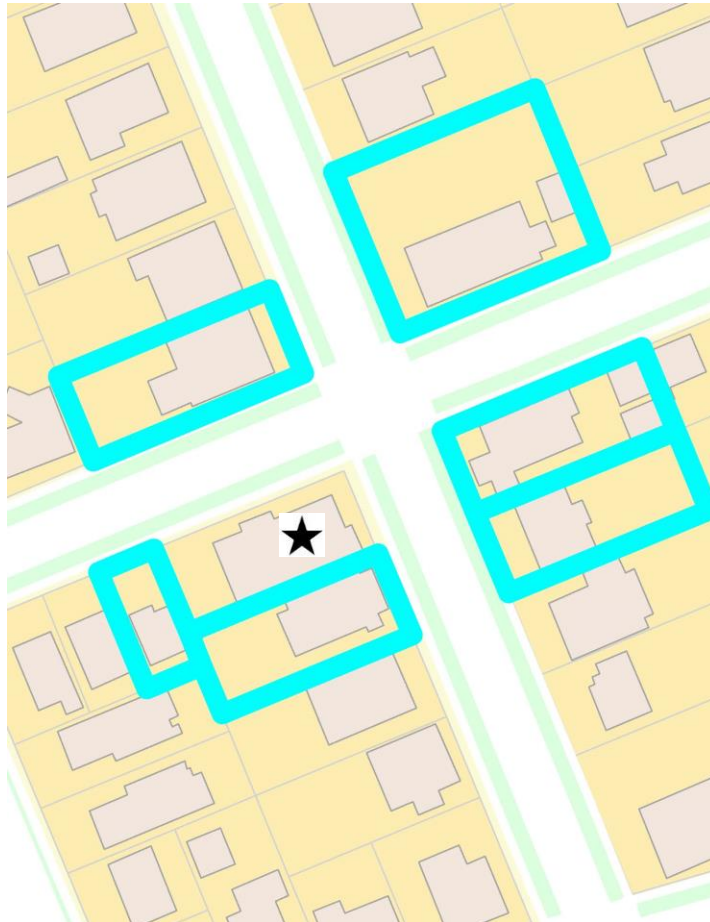
C. The proposed design does not adversely affect pedestrian or vehicular safety.

NOTICE INSTRUCTIONS

1. Complete the attached Notice and make one photocopy for each adjacent neighbor.
2. Hand deliver or mail one copy of the Notice to each adjacent neighbor at least 30 days before the initial hearing. Adjacent neighbors often include one neighbor on each side, three across the street, and three in the rear. You may address the notices to "Property Owner", if you do not know the names of your adjacent neighbors.
3. Complete the attached Affidavit of Service and return it along with one copy of the Notice to the Department of Public Works at least 30 days before the hearing. Please note the Affidavit of Service is not required to be notarized.
4. Please call the Department of Public Works at (510) 420-3050, if you have any questions or would like help in determining the addresses or names of your adjacent neighbors.

Example Map of Neighbor Notices:

If the applicant lives at the "star" property, the applicant shall notify the adjacent affected (highlighted) properties.



NOTICE OF AN APPLICATION FOR
PLANNING COMMISSION DESIGN REVIEW PERMIT

Dear Neighbor:

I/ We have submitted an application for consideration by the Piedmont Planning Commission. I am seeking City approval of an application to (description of project)

The purpose of this form is to notify you of my application. My application will be considered by the Planning Commission on or after (date) _____.

This notice will be followed by a notice from the City confirming the date of the hearing and inviting you to comment on the application. The Planning Commission regularly meets at 5:00 p.m. on the second Monday of every month in the Council Chambers at City Hall, 120 Vista Avenue. Please contact the Department of Public Works at 420-3050, if you have any questions regarding my application.

Signed,

Name of Applicant

Address of Project

Date

AFFIDAVIT OF SERVICE BY APPLICANT/ AGENT

(To be attached to a copy of the Notice and returned to the Department of Public Works.)

_____ being sworn, says that he or she is over 18 years
of age affiant (applicant/agent) name

and a resident of _____
County, Country

That affiant's **residence address** is _____.

That affiant served a copy of the attached notice of an application for variance and/or Planning Commission Design Review Permit by placing said copy in an envelope addressed to:

which envelope was then sealed and postage fully prepaid thereon, and thereafter was on _____,
date

deposited in the United States mail or delivered personally by hand.

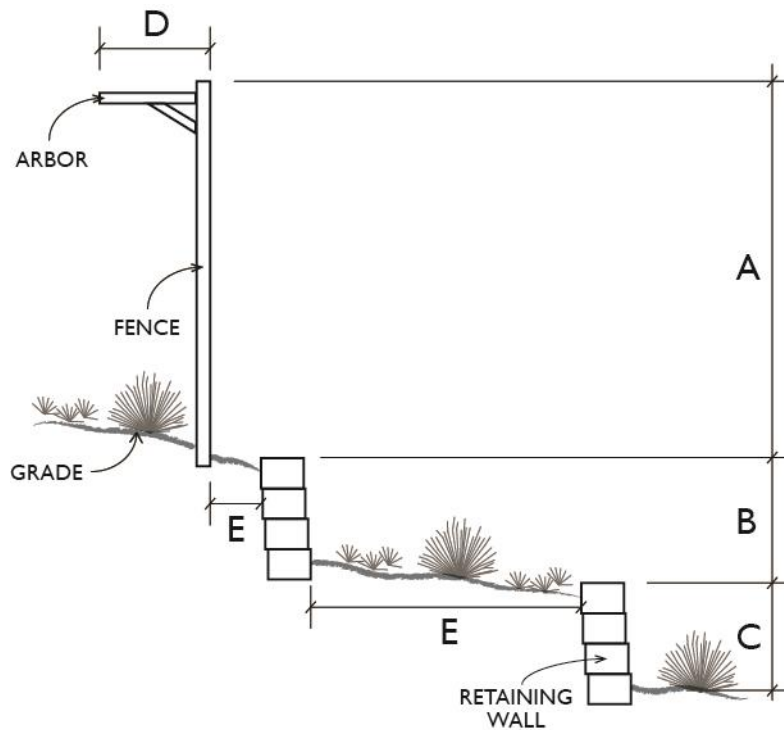
I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____,
California. date address

Signed _____
Affiant's signature

CITY OF PIEDMONT
THE MEASUREMENT AND TERRACING OF FENCES AND RETAINING WALLS
See section 17.30.010

Fence includes a railing, free-standing wall, or a decorative element such as lattice, trellis, and covered gate, or any combination of these features. Neither the trellis or any part of the fence may be wider than 24 inches in the smallest plan dimension. A *fence* may be free-standing or self-supporting.



- If measurement "E" is less than 24 inches, the fence and retaining walls are measured together (e.g., $A+B=$ Height).
- If measurement "E" is greater than 24 inches, the fence and retaining walls are measured independently (e.g., measurement C would be independent of $A+B$).
- If measurement "D" is less than or equal to 24 inches, the improvement is considered a fence.
- If measurement "D" is greater than 24 inches, the improvement is considered a site feature.

DESIGN REVIEW GUIDELINES

The following is a list of applicable design guidelines for retaining walls, fences, and site features. The complete document including a full list of guidelines, visuals, and comments is available on the City Website at the following url:

http://www.ci.piedmont.ca.us/publicworks/docs/planning/design_guidelines/Chap3.pdf

3.08 RETAINING WALLS

3.08.01 NEIGHBORHOOD COMPATIBILITY

3.08.01.1 The design of new retaining walls that are visible from the street should be consistent with the scale and proportion of existing retaining walls on contiguous parcels, except when they exceed the recommended maximum heights outlined in these guidelines.

3.08.01.2 The design of new retaining walls that are visible from the street, as well as those that are close to side and rear property lines should be no more than four feet, unless physical limitations on the site prevent this from occurring. If the change in grade is greater than four feet, a series of retaining walls, interspersed by planting areas in a stepped or terraced fashion should be constructed to create a less visually-prominent monolithic appearance.

3.08.02 ON-SITE AESTHETIC DESIGN AND COMPATIBILITY

3.08.02.1 Retaining walls should be constructed in stepped or terraced fashion with the maximum height for any single wall no more than four feet, unless physical limitations on the site or structural engineering conditions do not make terracing feasible. Any retaining wall in excess of six feet should be avoided whenever possible. The height of a retaining wall shall be measured from whichever of the following is lower:

- A. The finished grade surface of the ground, or
- B. The natural surface of the ground.

The surface of the ground for measurement purposes shall be determined by the specific plane of the proposed retaining wall.

3.08.02.2 The design of a retaining wall should be compatible with the architectural style of the residence which it serves and should provide visual variety and interest through the use of form, texture, detailing and planting. When a retaining wall contains an entry stairway to the residence, the design of the wall should give visual prominence and attention to the entryway. When a retaining wall is adjacent to a garage, the two should have a unified design. While a retaining wall should be well-designed and visually interesting, it should not call attention to itself, but instead should focus and direct attention to the residence.

3.08.02.3 Where a single large retaining wall is used, its design should incorporate a planting strip and irrigation system at its toe strip to allow for the planting of screening vegetation, or planting strip with irrigation system should be incorporated at the top of the wall. Ideally, both toe and top planting strips should be provided.

3.08.02.4 The design of stepped or terraced retaining walls should incorporate planting strips to allow for the planting of screening vegetation at each level. A toe planting strip is preferred because the vegetation it supports is generally a more effective visual screen than overhanging vegetation.

3.08.02.5 Stepped retaining walls should be consistent and should not result in significant alterations to the natural topography. The example shown at right violates this principle and detracts from the views from the street right-of-way.

3.08.02.6 A retaining wall should avoid the creation of a tunnel effect which may result when a high retaining wall is built along one side of a narrow street and residences are built close to curb on the other side of the street.

3.08.03 SAFETY

3.08.03.1 A retaining wall located adjacent to a driveway should not obstruct the view of a driver exiting a driveway.

3.09 FENCES AND WALLS

3.09.01 NEIGHBORHOOD AND CONTIGUOUS PARCEL COMPATIBILITY

3.09.01.1 The design of fences or walls should be consistent with the character of existing fences or walls in the neighborhood and on contiguous parcels, except when they exceed the recommended maximum heights outlined in these guidelines.

3.09.01.2 A fence or wall should minimize any adverse impacts on the neighborhood and on residences located on contiguous parcels. The quality of design reflected by the fence or wall should be directly related to its visual prominence.

3.09.02 ON-SITE AESTHETIC DESIGN AND COMPATIBILITY

3.09.02.1 The design of a fence or wall should be compatible with the architectural style of the residence which it serves and should provide visual interest and variety. A fence or wall should be well-designed and visually interesting. It should not call attention to itself, but instead should focus and direct attention to the residence.

3.09.02.2 When a fence or wall contains an entry to the residence, its design should give visual prominence to the residence and direct attention to the entry.

3.09.02.3 Fences or walls in front yards are to be avoided except in rare circumstances. However, if a residence is located on a corner or through lot, a fence or wall greater than four feet in height should be permitted to enclose the property's private outdoor living area in the side or rear yard.

3.09.02.4 With the exception of corner lots, fences or walls greater than four feet in height should not be located between the sidewalk and a house.

3.09.03 CONTIGUOUS PARCELS AND ON-SITE SAFETY

3.09.03.1 A fence or wall located in a side yard should not obstruct emergency access between the street and the side and rear yards of a contiguous residence.

3.09.03.2 A fence or wall located in a side yard should not obstruct emergency access from the street, through the side yard, and into the rear yard of the residence. A gate located in a side yard fence or wall should be wide enough to accommodate an emergency stretcher. Its locking mechanism should be a type that can be unlocked or removed by police and fire department personnel in an emergency. A gate in a fence or wall located within side yards and permitting access to rear yards should be equipped with an adequate lock which can be unlocked or removed by police and fire department personnel in an emergency.

3.09.03.3 A fence or wall located adjacent to a driveway should not obstruct the view of a driver exiting a driveway.

3.09.03.4 A fence or wall located in the side yard of a corner lot adjacent to a street should not obstruct the view of the cross street for drivers approaching the cross street.

3.13 LOCATION OF SITE FEATURES

3.13.02 NEIGHBORHOOD AND CONTIGUOUS PARCEL COMPATIBILITY

3.13.02.1 The placement of site features, when viewed from the street right-of-way, should be compatible with structures on adjacent parcels and those within the surrounding neighborhood.

3.13.02.2 Recreational site features that create gathering, play or active areas within the side yard or rear yard private outdoor space should not be located within side yard or rear yard setback areas. Additionally, they should be adequately shielded from street view and from contiguous parcels.

3.13.02.3 Outdoor kitchens should be integral with the design of the private outdoor space.

3.13.02.4 The location of noise generating equipment, such as pool and spa equipment, should be properly enclosed and/or have sound attenuating devices to reduce the noise from traveling to contiguous parcels as required by the Building Code. The installation of permanent exterior audio speakers is discouraged.

3.13.03 ON-SITE AESTHETIC DESIGN COMPATIBILITY

3.13.03.1 The design and location of site features should be compatible with the design and location of primary and accessory structures on the property.

3.13.03.2 The materials used for a site feature should be of high quality to ensure its long term durability.

3.13.04 ON-SITE SAFETY

3.13.04.1 Water features, including hot tubs, pools and fountains with reservoirs greater than 12 inches in depth should be locked from public access as required by the Building Code.

3.13.04.2 Heat generating equipment, such as pool heating equipment, fire pits, fire place openings, and cooking appliances should be a minimum of 36 inches clear from plant materials, unless they are rated to be in closer proximity to flammable materials.

FENCE AND SITE FEATURE DESIGN REVIEW PERMIT SUBMITTAL CHECKLIST

- ___ Application form signed by property owner(s)
- ___ Application Fee + any additional fees advised by staff (check or online credit card payment)

Digital copies of plans and application materials must be submitted to

ondutyplanner@piedmont.ca.gov In general, the following are required for Design Review Permit applications unless specifically noted otherwise by Planning Department staff. Please contact the Planning Department and staff will assist you with application submittal requirements.

If you wish to submit hard copies of plans, they may be no larger than 24"x 36", and to scale. For a complete list of submittal requirements please see section 2.06 of the Piedmont Design Guidelines.

Please label all drawings and supporting documents with the property's address.

- ___ **Site Plan** (preferred scale 1/8")
Please indicate the location of all existing structures, hard-surface areas, property lines, and easements. Provide setback dimensions from the proposed walls or fences to property lines (setbacks are measured from the property line to the nearest point of the walls or fences) and call out the City's Right-of-Way. Please note that proposed construction within the City's Right-of-Way requires an Encroachment Permit. Please show and call out all existing and proposed features (including walls and fences proposed to be removed). Please show a North arrow and label adjacent streets.
- ___ **Existing Elevations or Photographs** (preferred scale 1/4")
Elevations or photographs of all existing walls, fences, or site features. Include all existing materials, styles and height dimensions. Please do not abbreviate architectural terms. Label each elevation as "existing" and indicate the direction of view (i.e. north, south, east, west or front, rear, left side, or right side).
- ___ **Proposed Elevations** (preferred scale 1/4")
North, South, East and West elevations of the proposed walls, fences or site features. Include all proposed materials, styles, and height dimensions. Please do not abbreviate architectural terms. Label each elevation as "proposed" and indicate the direction of view (i.e. north, south, east, west or front, rear, left side, or right side).
- ___ **Landscape Plans** when required by Section 17.34 of the Piedmont City Code.
Landscape Plans should include property lines, the location of all structures and hardscape surfaces, and a plant list including the size and spacing of plants to be installed and the location of proposed planting. Irrigation must also be addressed in the landscape plans.

Prior to Submitting an Application

If you believe that any of the above requirements do not pertain to your project, please call the Planning Department at (510) 420-3050 and make an appointment to meet with a planner. Applicants and their agents (architect, contractor, engineer, etc.) are encouraged to discuss the application with the Planning staff early in the planning process. Planning staff will be happy to review all procedures with you and answer any questions you have. There is no fee charged for any meetings or discussions prior to the submittal of an application fee. *Please note that all design review applications will require a [building permit](#) application if approved.*

CONSTRUCTION COST ESTIMATION GUIDELINES

To calculate the estimated cost of the exterior improvements (from page 2 of this application) please include the following expenditures associated with the work being proposed under this application. For the purposes of this requirement, please use industry standards for estimating the construction materials and labor, whether or not you plan on doing the construction yourself.

As provided for in the City Code, the Director of Public Works will make an assessment of the information submitted, and will determine whether the plans will require a Design Review Permit reviewed by Staff or Planning Commission. Please note that should staff request additional information to support your indicated estimated construction cost, you may be requested to submit information in the form of bids from three different construction contractors with active Piedmont business licenses. Alternatively, you may directly apply for Planning Commission review without providing the above-requested information.

Please include all materials and labor associated with this application including but not limited to:

Landscaping: grading, fencing, decking, retaining walls, railings, fountains, water features, patios, trellises, lighting, built-in barbecues, pavers, asphalt, and concrete.

Demolition: all demolition, hauling, recycling, and excavation work.

Foundation Work: form work, gravel, steel, and concrete.

Framing: sheathing, insulation, water proofing, doors, windows, and wall framing.

Roofing: roofing materials, gutters, chimneys, water proofing, skylights, and flashing.

Exterior Finishes: siding materials, trim, repairs, and paint.

Mechanical Equipment: plumbing, electrical, heating, ventilation, and air conditioning.

Fee's: architectural fees, engineering fees, permit fees, inspection fees, and consultant fees.

Labor: all labor costs associated with the exterior improvements must be included.

Please **Do Not Include** the following items in your cost estimate: all interior finishes, appliances, furniture, plumbing fixtures, interior lighting fixtures, interior paint, and cabinetry.

**Review by the
PIEDMONT PLANNING COMMISSION**

**DESIGN REVIEW PERMIT APPLICATION DUE DATES
AND MEETING DATES FOR 2023**

Please note there will not be a regular Planning Commission meeting in January 2023.

APPLICATION DUE DATES:

Design review permit applications must be submitted to the Planning Department, 120 Vista Avenue, **by 4:30 pm**, 30 days prior to the meeting.

MEETING DATES:

The Planning Commission meets on the **second Monday of each month at 5:30 pm**, on digital format or at Piedmont City Hall, 120 Vista Avenue, in the Council Chambers.

THURSDAY, JANUARY 12, 2023

MONDAY, FEBRUARY 13, 2023

THURSDAY, FEBRUARY 9, 2023

MONDAY, MARCH 13, 2023

THURSDAY, MARCH 9, 2023

MONDAY, APRIL 10, 2023

THURSDAY, APRIL 6, 2023

MONDAY, MAY 8, 2023

THURSDAY, MAY 11, 2023

MONDAY, JUNE 12, 2023

THURSDAY, JUNE 8, 2023

MONDAY, JULY 10, 2023

THURSDAY, JULY 13, 2023

MONDAY, AUGUST 14, 2023

THURSDAY, AUGUST 10, 2023

MONDAY, SEPTEMBER 11, 2023

THURSDAY, SEPTEMBER 7, 2023

MONDAY, OCTOBER 9, 2023

THURSDAY, OCTOBER 12, 2023

MONDAY, NOVEMBER 13, 2023

THURSDAY, NOVEMBER 9, 2023

MONDAY, DECEMBER 11, 2023

THURSDAY, DECEMBER 7, 2023

MONDAY, JANUARY 8, 2024

THURSDAY, JANUARY 11, 2024

MONDAY, FEBRUARY 12, 2024

THURSDAY, FEBRUARY 8, 2024

MONDAY, MARCH 11, 2024

THURSDAY, MARCH 7, 2024

MONDAY, APRIL 8, 2024