

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, or any new FENCE located WITHIN TWENTY FEET OF A STREET SIDE SETBACK, please complete the following application form and submit a \$510 application fee.

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 Submittal

My signature below signifies that I:

- have read the background document and have provided all applicable information per the attached Retaining Wall/Fence Design Review 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.
- 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.

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.

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.

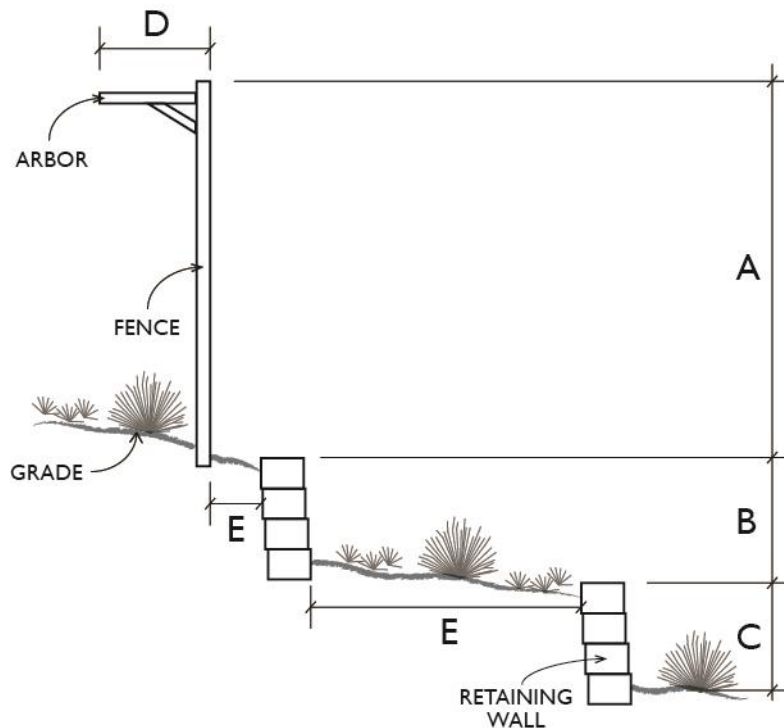
I declare under penalty of perjury that the foregoing is true and correct.

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.

**PHYSICAL CONSTRUCTION
- CATEGORY IV -
RETAINING WALLS**

Aesthetic Design

Neighborhood and Contiguous Parcels

Guideline IV-1: The design of retaining walls should be consistent with the character of retaining walls in the neighborhood and on contiguous parcels.

Comments:

IV-1(a): In several areas of Piedmont, retaining walls along sidewalks provide a strong visual element which unifies a neighborhood otherwise characterized by a variety of architectural styles. An excellent example of this is along Oakland Avenue, where the wall in front of each residence has its own characteristic design, yet overall the appearance is one of continuity achieved by a uniform wall height and the sense of common design features.

IV-1(b): In situations where retaining walls are being introduced for the first time or where walls are used but there is no unified design theme, a new or reconstructed wall should establish a design theme which may be followed by subsequent retaining wall projects.

On-Site

Guideline IV-2: 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 make terracing unfeasible. 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.

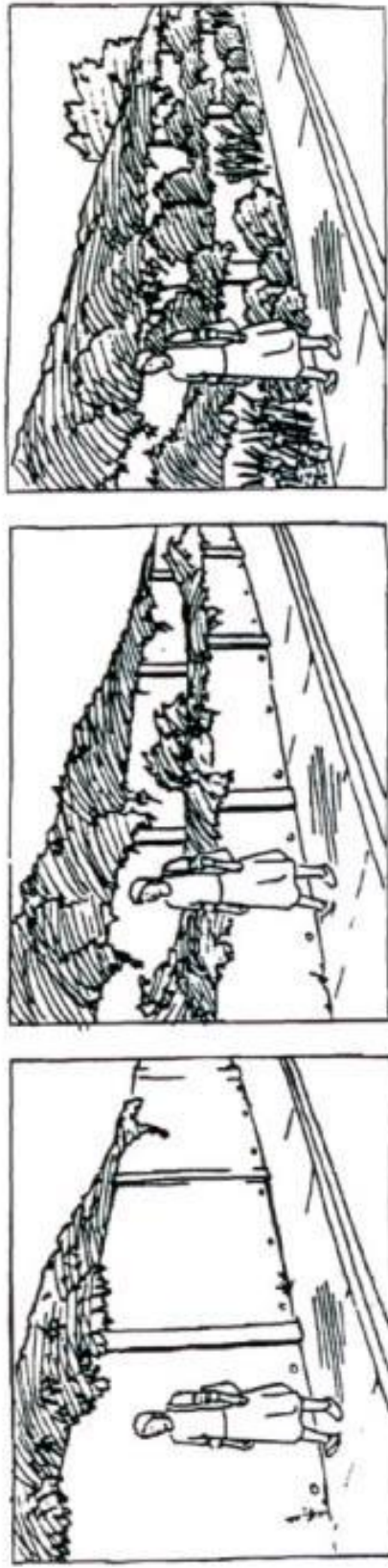
FIG. 8



RETAINING WALLS CAN PROVIDE A STRONG VISUAL ELEMENT WHICH UNIFIES A NEIGHBORHOOD. FOR EXAMPLE, OAKLAND AVENUE HAS AN ELEGANTLY UNIFIED SERIES OF STUCCO WALLS TOPPED BY

A COURSE OF BRICKS, AND STUCCO GARAGES SHARING SUBTLY PEAKED ROOF OPENINGS. OWNERS' PLANTING TREATMENTS GIVE PERSONALITY.

FIG. 9



RETAINING WALLS SHOULD BE CONSTRUCTED IN A STEPPED OR TERRACED FASHION. OBTRUSIVE, MONOLITHIC STRUCTURES SHOULD

BE AVOIDED. A PLANTING STRIP AT THE TOE OF THE WALL SCREENS AND SOFTENS ITS APPEARANCE.

Comments:

IV-2(a): The intent of Guideline IV-2 is to encourage the construction of retaining walls which are divided into a series of less visually-prominent monolithic structure. Guideline IV-2 recognizes that in certain situations it may be physically impossible to construct a series of terraces, and the only alternative is to construct one or more large monolithic structures. In this situation, the maximum height limit will apply.

Guideline IV-3: 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. As shown in, when a retaining wall is adjacent to a garage, the two should have unified design. 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.

Comments:

IV-3(a): The intent of Guideline IV-3 is that retaining walls present a unified appearance along with the architectural design of the residence and with an adjacent garage if one is present. The retaining wall should complement the residence, rather than obscure or overwhelm it. This relationship may be established by designing a wall which incorporates one or two of the distinguishing design features of the residence and which is physically connected to the adjacent garage; represents several illustrations of how this may be accomplished.

Guideline IV-4: Where a single large retaining wall is used, its design should incorporate either 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. The design of stepped or terraced retaining walls should incorporate planting strips to allow for the planting of screening vegetation at each level.

FIG. 10

RETAINING WALLS SHOULD RELATE TO THE ARCHITECTURAL DESIGN OF THE RESIDENCE, AND TO AN ADJACENT GARAGE IF ONE IS PRESENT, SO THAT TOGETHER THEY ALL PRESENT A UNIFIED APPEARANCE.



Comments:

IV-4(a): A toe planting strip is preferred because the vegetation it supports is generally a more effective visual screen than overhanging vegetation.

Compatibility

Neighborhood and Contiguous Parcels

Guideline IV-5: 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.

Comments:

IV-5(a): The intent of Guideline I-5 is to prevent and creation of this “tunnel effect” by lowering the height of a retaining wall to four feet - the approximate eye level of a person in an automobile.

Safety

On-Site

Guideline IV-6: A retaining wall located adjacent to a driveway should not obstruct the view of a driver exiting a driveway.

RETAINING WALL/FENCE DESIGN REVIEW SUBMITTAL CHECKLIST

___ Application form signed by property owner(s)

___ Fee (cash or check only)

2 sets of plans must be submitted with this application for an initial staff review for completeness.

8 additional sets of half sized plans (11" x 17" or 12" x 18") must be submitted at least 12 calendar days prior to the Planning Commission meeting if your application is scheduled on the agenda. Please submit 8 copies only after your plans are deemed complete by staff.

Plans must be folded, no larger than 24"x 36", and to scale. Unless otherwise determined by staff, plans submitted for RETAINING WALL/FENCE DESIGN REVIEW must include:

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 primary, secondary, and accessory 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 or fences, including 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 or fences, including 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 17.18 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.

If you believe that any of the above requirements do not pertain to your project, please call the Department of Public Works at 510 420 3050 and make an appointment to meet with a planner.

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 Staff Design Review or Planning Commission review. 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 2019**

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.

FRIDAY, OCTOBER 12, 2018

FRIDAY, NOVEMBER 9, 2018

FRIDAY, DECEMBER 14, 2018

FRIDAY, JANUARY 11, 2019

FRIDAY, FEBRUARY 8, 2019

FRIDAY, MARCH 8, 2019

FRIDAY, APRIL 12, 2019

FRIDAY, MAY 10, 2019

FRIDAY, JUNE 7, 2019

FRIDAY, JULY 12, 2019

FRIDAY, AUGUST, 9, 2019

FRIDAY, SEPTEMBER 13, 2019

FRIDAY, OCTOBER 11, 2019

FRIDAY, NOVEMBER 8, 2019

FRIDAY, DECEMBER 13, 2019

MEETING DATES:

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

TUESDAY, NOVEMBER 13, 2018

MONDAY, DECEMBER 10, 2018

MONDAY, JANUARY 14, 2019

MONDAY, FEBRUARY 11, 2019

MONDAY, MARCH 11, 2019

MONDAY, APRIL 8, 2019

MONDAY, MAY 13, 2019

MONDAY, JUNE 10, 2019

MONDAY, JULY 8, 2019

MONDAY, AUGUST 12, 2019

MONDAY, SEPTEMBER 9, 2019

MONDAY, OCTOBER 14, 2019

TUESDAY, NOVEMBER 12, 2019

MONDAY, DECEMBER 9, 2019

MONDAY, JANUARY 13, 2020