

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)

ACCESSORY DWELLING UNIT PERMIT APPLICATION

This application was previously called "Second Unit Permit." Please complete this application form and submit a \$805 application fee for construction of an accessory dwelling unit on property with an existing single-family residence. If your project requires a design review permit or variance, staff will advise you of the fee(s).

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 _____	Preferred Contact Method: _____
Mobile Number _____	Email _____

Design Professional/Property Owner Agent Information

Name of Design Professional/Agent _____	
Address of Design Professional/Agent _____	
_____ City, State, Zip Code: _____	
Telephone Number _____	Preferred Contact Method: _____
Mobile 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: _____

Accessory Dwelling Unit Permit Requirement

An accessory dwelling unit is allowed on any parcel in the City that has a primary single-family residence, subject to the issuance of an Accessory Dwelling Unit Permit. There may be no more than one accessory dwelling unit on a parcel. No subdivision of land is permitted that would result in an accessory dwelling unit being located on a separate parcel, unless each parcel meets all of the zoning requirements of the zoning district in which it is located. All accessory dwelling units require approval and the submittal of a completed Accessory Dwelling Unit Permit Application, but each of the five types of accessory dwelling units requires different review procedures, as follows:

Ministerial Review

- **Accessory dwelling units that meet all of the development standards listed in section 17.38.060.** If your proposed accessory dwelling unit meets all development standards and does not require any variances or exceptions, your application will be reviewed by Planning staff, and *will* be approved without a public hearing (§17.38.050.B.1). No notice to your neighbors will be required.

Planning Commission Review

- **Applications for Variance and Design Review Permit for Structures Housing an Accessory Dwelling Unit (section 17.38.060.A).** If the structure or property housing the proposed ADU requires a variance from one or more of the development standards for single-family residential uses in divisions 17.20 through 17.28, regulating setbacks, lot coverage, height restriction, and floor area ratio (but not unit size), the separate application for variance and design review permit will be reviewed by the Planning Commission at a public hearing after a notice to your neighbors is sent (divisions 17.62 and 17.64). The Planning Commission will review the application for variance and design review permit to determine if the project meets the criteria for approval of a variance in division 17.70 of the City Code. If the concurrent application for ADU permit meets all the development standards listed in section 17.38.060, it will be reviewed ministerially by staff.
- **Accessory Unit Permit Applications that Require an Exception to Unit Size Requirements (section 17.38.070.C).** If your application does not meet the unit size development standards, your application is eligible for consideration of an exception from those standards pursuant to sections 17.38.050.B.2.a and 17.38.070.C of the Code. Your application will be reviewed by the Planning Commission at a public hearing after a notice to your neighbors is sent. This option is available to property owners who agree to rent-restrict their accessory dwelling units for 10 years in exchange for the exception from the maximum unit size requirement, including the percentage of the existing floor area represented by size of the proposed ADU.
- **Applications for a New Primary Residence and Accessory Dwelling Unit that Seek an Exception to the Floor Area Ratio Requirements (section 17.38.070.B).** If you submit applications seeking to construct a new primary residence and an accessory dwelling unit, then you may request an exemption from the floor area ratio requirements without having to agree to rent restrictions. In such applications the square footage of the accessory dwelling unit will not count toward the total floor area ratio for the property up to 800 square feet or 10% of the lot size, whichever is less (§17.38.070.B). Your application for Design Review Permit Application - New House will be reviewed by the Planning Commission at a public hearing after a notice to your neighbors is sent. If the concurrent application for ADU permit meets all the development standards listed in section 17.38.060, it will be reviewed ministerially by staff.
- **Applications for a Pre-existing Exempt Accessory Dwelling Unit (section 17.38.030.A.4).** If your property contains an accessory dwelling unit that was established before 1930, it may be an Exempt Accessory Dwelling Unit (§17.38.050.B.2.b). You may seek approval of the accessory dwelling unit by submitting an Accessory Dwelling Unit Application along with sufficient evidence (such as an inspection by City Staff to verify pre-1930 improvements, rental records, City or County records, written or verbal testimony). The application and evidence will be reviewed by the Planning Commission at a public hearing after a notice to your neighbors is sent. An Exempt Accessory Dwelling Unit is not subject to the development standards in section 17.38.060.

Development Standards (section 17.38.060)

The following are the development standards for an accessory dwelling unit. Please indicate whether the proposed project meets these standards by filling in the blanks and circling “YES” or “NO” for each section. If you answer yes to all of the questions, your application is eligible for ministerial review by staff. If you have answered no to any of the questions, your application may be reviewed by the Planning Commission:

- (a) Size. An attached accessory dwelling unit may not exceed 50% of the existing living area up to a maximum of 800 square feet, subject to the zoning regulations (including floor area ratio). A detached accessory dwelling unit may not exceed 800 square feet, subject to the zoning regulations (including floor area ratio).

What is the size of the proposed accessory dwelling unit? _____square feet

Does the proposal meet the size standard? YES NO

If no, your application requires an exception from the unit size requirement and review by the Planning Commission under sections 17.38.050.B.2.a and 17.38.070.C. The Planning Commission may grant an exception to the unit size requirement ONLY if the property owner agrees to comply with all the terms of section 17.38.070.C, including rent restrictions as follows:

IF THE LOT SIZE:	THE ACCESSORY DWELLING UNIT MAY BE:	UNIT UP TO 1000 SQ. FT.	UNIT UP TO 1,200 SQ. FT.
is less than the minimum for the zoning district:	only located within an existing building, without expansion of the existing building envelope.	rent restriction for low income housing applies	rent restriction for very low income housing applies
equals or exceeds the minimum for the zoning district:	within existing building, an expansion, or a detached building	rent restriction for low income housing applies	rent restriction for very low income housing applies

- (b) Floor area ratio (FAR). The total proposed floor area (see §17.90.020 for definition) of ALL habitable structures on the lot (including all habitable floors of the primary residence and proposed accessory dwelling unit, and some basement and attic areas, but not including the garage) shall be less than or equal to the following percentages for the following lot sizes in Zone A and Zone E (§17.20.040 and 17.28.040):

- 55% for 0 - 5,000 sq. ft. lots
- 50% for 5,001 – 10,000 sq. ft. lots
- 45% for 10,001 sq. ft. and greater lots

What is the lot size? _____square feet.

What is the *existing* floor area ratio for the subject property? _____%

What is the *proposed* floor area ratio for the subject property? _____%

Does the *proposal* meet the floor area ratio standard? YES NO

If no, your application may require a variance and review by the Planning Commission under sections 17.38.070.A, UNLESS the additional floor area meets the exemption criteria under sections 17.20.040 or 17.28.040 or it is an application for a new accessory dwelling unit that is being constructed along with a new primary residence, in which case the applicant may seek an exception to the FAR limit under review by the Planning Commission per section 17.38.070.B.

Do your applications for Design Review Permit - New House and Accessory Dwelling Unit Permit seek an exception to the floor area ratio limit? YES NO

- (c) Lot coverage. The lot on which the proposed accessory dwelling unit will be located must comply with the lot coverage requirements of the zone in which it is located.

In which zone is your property located? Circle one: A C D or E

A maximum of 40% of the lot may be covered by structures (including the primary residence, accessory dwelling unit, garage, decks, structural stairs, etc. – See definitions for structure and coverage: §17.90.010 and §17.90.020).

What is the *existing* structure coverage for the subject property? _____%

What is the *proposed* structure coverage for the subject property? _____%

Does the *proposal* meet the lot coverage/structure standard? YES NO

If no, your application for design review seeking approval for exterior improvements requires a variance and review by the Planning Commission under sections 17.38.050.A.1 and 17.38.070.A.

A minimum of 30% of the lot must be landscaped within Zones A, C and D and 40% within Zone E. Landscape is defined in §17.090.010 and includes the planting, irrigation, and maintenance of land with living plants and other organic materials (ponds, bark mulch, etc.).

What is the *existing* landscape coverage for the subject property? _____%

What is the *proposed* landscape coverage for the subject property? _____%

Does the *proposal* meet the landscaping coverage standard? YES NO

If no, your application for design review seeking approval for exterior improvements requires a variance and review by the Planning Commission under sections 17.38.050.A.1 and 17.38.070.A.

- (d) Setbacks. For new construction, the dimension of the street yard setback shall be at least 20 feet, measured from the property line.

What is/are the City street(s) adjacent to your property? _____

What is/are the setback dimension(s) measured from the street property line to the footprint (§17.90.020) of the new construction? _____

Does the proposal meet the front and other street yard setback standard? YES NO

If no, your application for design review seeking approval for exterior improvements requires a variance and review by the Planning Commission under sections 17.38.050.A.1 and 17.38.070.A.

The dimensions of the side and rear yard setbacks (not adjacent to a street) shall be at least 5 feet in Zones A, C, and D. In Zone E, 20-foot side and rear yard setbacks are required to habitable structures. What are the side and rear yard setback dimensions measured from the property line to the footprint of existing and proposed construction?

<u>Existing Structures</u>	<u>Proposed Construction</u>
Right side yard _____	Right side yard _____
Left side yard _____	Left side yard _____
Rear yard _____	Rear yard _____

Does the *proposal* meet the side and rear yard setback standards? YES NO

If no, your application for design review seeking approval for exterior improvements requires a variance and review by the Planning Commission under sections 17.38.050.A.1 and 17.38.070.A.

- (e) No reduction of existing parking. No person may alter, eliminate, or restrict access to an existing parking space unless the Planning Director first determines that the space is (1) unusable, (2) is to be restored or replaced with a parking space which meets the requirements of division 17.30, or (3) is permitted with a variance approved by the Planning Commission or City Council (section 17.30.060). However, pursuant to section 17.38.060.B.5.a., when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, any required replacement parking spaces may be located in any configuration on the lot .

NOTE: If a nonconforming garage or carport is being demolished in conjunction with the development of an accessory dwelling unit (e.g., a one-car garage for a four-bedroom house), then the property owner no longer has a right to the nonconformity (§17.50.020.B).

17.90.010: BEDROOM. A “bedroom” is defined in the Piedmont City Code to mean a room with certain features characteristic of bedrooms generally, which include but are not limited to the following: access to a full bathroom on the same floor or within half a floor, if the house has a split level; access to the bedroom through a common hallway or other common space such as a kitchen, living room and/or dining room; adequate privacy; meets minimum size requirements of the 2016 California Residential Building Code and as amended by the Piedmont Residential Building Code [minimum area of 70 square feet, with a minimum dimension of 7’0” in any horizontal direction and a minimum ceiling height of 7’6”]. A bedroom need not have a closet.

Using the above definition, what is the current total proposed number of bedrooms within the primary residence, not including bedrooms in the accessory dwelling unit? _____

The number of covered, non-tandem parking spaces required for the primary residence is related to the number of bedrooms as follows:

- 0 – 4 bedrooms require 2 covered, non-tandem parking spaces
- 5 – 6 bedrooms require 3 covered, non-tandem parking spaces
- 7 or more bedrooms require 4 covered, non-tandem parking spaces

Please indicate the number and interior clearance dimensions of all existing covered, non-tandem parking spaces that are currently on the property that serve the primary residential unit:

<u>Space</u>	<u>Width</u>	<u>Depth</u>
1	____ feet ____ inches	____ feet ____ inches
2	____ feet ____ inches	____ feet ____ inches
3	____ feet ____ inches	____ feet ____ inches
4	____ feet ____ inches	____ feet ____ inches

Existing number of covered, non-tandem parking spaces: _____

Proposed number of covered, non-tandem parking spaces: _____

- (f) Residential Design Review Guidelines. Pursuant to section 17.38.060.A., if a proposed accessory dwelling unit requires new exterior construction, the applicant must submit a separate application for a design review permit and must comply with the zoning regulations for the district in which is it located. (See divisions 17.20 through 17.28.) The applicant may apply for a variance to these zoning regulations. The design of the structure(s) housing the proposed accessory dwelling unit must meet the design criteria in the Piedmont Design Guidelines. As provided in section 17.66.030.B, an Accessory Dwelling Unit Application that proposes only interior remodeling of an existing building and does not propose to change the exterior form of the building is exempt from the design review permit requirement.

- (g) Owner occupancy. With the exception of Exempt Units, the owner of an accessory dwelling unit must occupy either the primary unit or the accessory dwelling unit, if both units are used for habitation. Should the owner gain approval of an Accessory Dwelling Unit Permit with an exception for unit size, then the unit is subject to rent restrictions for a period of ten years, during which the owner may not occupy the Accessory Dwelling Unit. The owner must have submitted the attached signed Declaration of Restrictions, to be recorded before or concurrently with, and as a condition of, issuance of the Accessory Dwelling Unit Permit, reflecting this restriction.

OWNER ACKNOWLEDGEMENTS

Authorization of Accessory Dwelling Unit Permit Application Submittal My signature below signifies that I:

- Have reviewed the Accessory Dwelling Unit Code (Division 17.38) and have provided all applicable information per the attached Accessory Dwelling Unit Permit Submittal 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 and show on your site plan*) _____

- Believe the information provided in this application is accurate to the best of my knowledge.
- Am aware that City staff and City officials will be on my property to view the 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.
- Understand that the accessory dwelling unit is prohibited from being used as a short-term rental.

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

Pursuant to Section 17.38.070.C, this form only pertains to applications requesting a unit size exception.

APPLICANT’S UNIT SIZE EXCEPTION FINDINGS

In order for the Planning Commission to approve an application requesting an exception from the unit size regulations of the City Code (pursuant to section 17.38.070.C.), required findings must be made. Please describe below how the proposed project meets the criteria of sections 17.38.070.C.1:

- a) The proposed accessory dwelling unit will not create a significant adverse impact on any adjacent property and the surrounding neighborhood.

- b) The lot and the arrangement of existing and proposed physical improvements on the lot can accommodate the proposed accessory dwelling unit size without adversely affecting the views, privacy, or access to light and air of neighboring properties.

ACCESSORY DWELLING UNIT PERMIT SUBMITTAL CHECKLIST

- ___ Application form signed by property owner(s)
- ___ Application Fee + any additional fees advised by staff (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 plans must be submitted at least 12 calendar days prior to the Planning Commission meeting if your application is required to be considered by the Planning Commission. 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 PLANNING COMMISSION VARIANCE AND/OR DESIGN REVIEW must include:

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

- ___ **Existing Site Plan** (preferred scale 1/8")
Please indicate the location of all existing structures, hard-surface areas, lot lines, and easements. Provide setback dimensions from all existing structures to lot lines (*Setback* means the required distance that a building, structure or other designated item must be located from a lot line. Setbacks are measured from the *lot line* to the *footprint* of the *structure* or *building*. See city code section 17.90.020.) Please show a North arrow, label adjacent streets, and call out existing features.

- ___ **Proposed Site Plan** (preferred scale 1/8")
Please indicate the location of all existing and proposed structures, hard-surface areas, lot lines, and easements. Provide setback dimensions from all proposed construction to lot lines (*Setback* means the required distance that a building, structure or other designated item must be located from a lot line. Setbacks are measured from the *lot line* to the *footprint* of the *structure* or *building*. See city code section 17.90.020.) Please show a North arrow, label adjacent streets, and call out proposed modifications.

For any application that seeks to construct a new structure or make a building footprint expansion, please include the footprints of all adjacent structures within 20 feet of the proposed new construction (50 feet in zone E), excluding structures across the street. The adjacent structures may be indicated with a solid or dotted line that outlines the footprints of the structures, including decks and structural stairs. Please identify the structures by use (i.e. "residence", "deck", "stairs", and "garage", etc.), and indicate the dimensions between the closest point of any adjacent structure and the proposed construction.

- ___ **Roof Plans (Existing and Proposed)** (preferred scale 1/8")
Roof plans should include the pitch, overhangs, skylights, chimneys, vents, and gutters. they may be shown on the site plans.

- ___ **Existing Floor Plans** (preferred scale 1/4")
Please provide plans for all floor levels including basements and attics, and indicate include room names, window and door locations, built-in cabinet, appliance and fixture locations, ceiling heights, and parking space dimensions. Please show a north arrow and label the floor level.

- ___ **Proposed Floor Plans** (preferred scale 1/4")
Please provide plans for all floor levels including basements and attics, and indicate include room names, window and door locations, built-in cabinet, appliance and fixture locations, ceiling heights, and parking space dimensions. Please show a north arrow, label the floor level, and call out proposed modifications.

- ___ **Existing Elevations** (preferred scale 1/4")
North, south, east and west elevations (proposed to be changed or affected by new construction) including all existing materials, styles and operational characteristics of windows and doors, and roof slopes. Additionally, if the height of the building is changing, please show the average existing building height (See §17.90.020). 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 (proposed to be changed or affected by new construction) including all proposed materials, styles and operational characteristics of windows and doors, and roof slopes. Please include exterior vents, downspouts, gutters and exterior light fixtures. Additionally, if the height of the building is changing, please show the average proposed building height (See §17.90.020). 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).

— **Window Schedule**
If your proposed project includes window and/or door modifications, please submit a window and door schedule which notes existing and proposed window size, material, operation, sash dimension, recess dimension, and divided lite type (i.e. true divided lites or three-dimensional simulated divided lites).

— **Graphic Calculations (1 set only)**
Please submit plans which graphically illustrate the required calculations with an itemized list of existing and proposed structures, landscape areas and floor area. Calculations are expressed as percentages and must be recorded on page 3 of this application form. Please request a graphic calculations sample for your reference. Separate graphic calculations are to be submitted, as follows:

— **Existing and proposed lot coverage/structures** equals the number of square feet of structures covering the lot divided by the number of square feet in the lot. For a complete definition of structure coverage, please see Piedmont City Code §17.90.020.

— **Minimum landscape coverage** equals the number of square feet of landscaped area divided by the number of square feet in the lot. For a complete definition of landscape please see Piedmont City Code §17.90.020.

— **Existing and proposed floor area ratio (FAR)** equals the number of square feet of floor area divided by the number of square feet in the lot. For a complete definition of floor area ratio, please see Piedmont City Code §17.90.020.

— **Landscape Plans** when required by Section 17.34 of the Piedmont City Code.
Landscape Plans should include lot lines, indicate landscape areas, identification of vegetation, the location of all structures and hardscape surfaces. The landscape plans may also include a plant list including the size and spacing of plants to be installed and the location of proposed planting. Landscape plans must also address irrigation and comply with the *California Water Efficient Landscape Ordinance*.

— **Story Pole Certification** when required. Please see the attached Story Pole Protocol.

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.

Upon approval, the following documents will be required:

— **Notarized Declaration of Owner Occupancy** (for all applications)

— **Notarized Declaration of Rent Restrictions** (for discretionary applications pursuant to section 17.38.070.c.2)

— **Affordable Rent Certification** (for discretionary applications pursuant to section 17.38.070.c.2)

**Review by the
PIEDMONT PLANNING COMMISSION**

**DESIGN REVIEW PERMIT APPLICATION DUE DATES
AND MEETING DATES FOR 2018**

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 13, 2017

THURSDAY, NOVEMBER 9, 2017

FRIDAY, DECEMBER 8, 2017

FRIDAY, JANUARY 12, 2018

FRIDAY, FEBRUARY 9, 2018

FRIDAY, MARCH 9, 2018

FRIDAY, APRIL 13, 2018

FRIDAY, MAY 11, 2018

FRIDAY, JUNE 8, 2018

FRIDAY, JULY 13, 2018

FRIDAY, AUGUST 10, 2018

FRIDAY, SEPTEMBER 7, 2018

FRIDAY, OCTOBER 12, 2018

FRIDAY, NOVEMBER 9, 2018

FRIDAY, DECEMBER 14, 2018

MEETING DATES:

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

MONDAY, NOVEMBER 13, 2017

MONDAY, DECEMBER 11, 2017

MONDAY, JANUARY 8, 2018

MONDAY, FEBRUARY 12, 2018

MONDAY, MARCH 12, 2018

MONDAY, APRIL 9, 2018

MONDAY, MAY 14, 2018

MONDAY JUNE 11, 2018

MONDAY, JULY 9, 2018

MONDAY, AUGUST 13, 2018

MONDAY, SEPTEMBER 10, 2018

MONDAY, OCTOBER 8, 2018

TUESDAY, NOVEMBER 13, 2018

MONDAY, DECEMBER 10, 2018

MONDAY, JANUARY 14, 2019



City of Piedmont CALIFORNIA

Stormwater Requirements Checklist for Small Projects

- All applicants for Staff or Planning Commission Design Review must complete and submit this form.

Municipal Regional Stormwater Permit (MRP)
Order No. R2-2009-0074 ; Order No. R2-2011-0083; NPDES No. CAS612008

Purpose: The Alameda Countywide National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit, which is issued and enforced by the San Francisco Regional Water Quality Control Board, requires that the City of Piedmont, as a member agency of the Alameda Countywide Clean Water Program, track and report the development of impervious surfaces.

Impervious Surfaces include any surface that cannot be effectively (easily) penetrated by water, thereby resulting in runoff. Examples: pavement (asphalt, concrete, etc.), buildings/structures, decks, driveways, swimming pools, and on-grade paths.

Permeable Surfaces include pervious concrete, porous asphalt, sand-set unit pavers, and granular materials.

A. Applicant Information

A.1 Property Owner Name: _____

A.2 Project Address: _____
Number Street City Zip Code

A.3 Mailing Address: _____
(If different from above) Number Street City State Zip Code

A.4 Property Owner Phone Number: _____ Email Address: _____

A.5 Architect/Contractor: _____
Name Phone Number

Address City Zip Code Email Address

B. Project Information

B.1 Total Lot Area in Sq. Ft.: _____ APN #: _____

B.2 Please select the correct description of the project from one of the six selections below:

- | <u>Yes</u> | <u>No</u> | | |
|--------------------------|--------------------------|-------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | B.2.a | The project proposes no disturbance to the site (only changes to the interior, existing roof and/or existing walls). (MRP Provision C.3.b.ii.(1)(b) and C.3.b.ii.(3))
⇒ The project is exempt from MRP provisions. Please complete section F of this form. |
| <input type="checkbox"/> | <input type="checkbox"/> | B.2.b | The project proposes to disturb the site and will create and/or replace less than 2,500 square feet of impervious surface. (MRP Provision C.3.i.i)
⇒ The project is exempt from MRP provisions but you are encouraged to incorporate into your plans one or more of the design measures listed under section C of this form. Please complete section E of this form, which notes Construction Site Control requirements. |
| <input type="checkbox"/> | <input type="checkbox"/> | B.2.c | The project is a new or existing single-family home project that proposes to create and/or replace 2,500 square feet or more of impervious surface. (MRP Provision C.3.i.i)
⇒ Please complete sections C and E of this form, both of which note the stormwater protection requirements for the project. |
| <input type="checkbox"/> | <input type="checkbox"/> | B.2.d | The project is commercial, industrial, multi-family (town homes, condominiums, and/or apartments), mixed-use, and/or public project that proposes to create and/or replace 2,500 square feet or more of impervious surface but less than 10,000 square feet of impervious surface. (MRP Provision C.3.i.i)
⇒ Please complete sections C and E of this form, both of which note the stormwater protection requirements for the project. |
| <input type="checkbox"/> | <input type="checkbox"/> | B.2.e | The project proposes to create and/or replace 5,000 square feet or more of impervious surface (collectively over the entire project site) and is a restaurant, auto service facility, retail gasoline outlet, or uncovered parking lot. (MRP Provision C.3.b.ii(1)) |

⇒ The project is regulated. Please complete sections D and E of this form, both of which note the stormwater protection requirements for Regulated Projects.

- B.2.f The project is a commercial, industrial, multi-family (town homes, condominiums, and/or apartments), mixed-use, and/or public project that proposes to create and/or replace 10,000 square feet or more of impervious surface (collectively over the entire project site). (MRP Provision C.3.b.ii(2 and 3))

⇒ The project is regulated. Please complete sections D and E of this form, both of which note the stormwater protection requirements for Regulated Projects.

C. Small Projects and Single-Family Home Projects

MRP Provision C.3.i requires single-family home projects that create and/or replace 2,500 square feet or more of impervious surface; and all commercial, industrial, multi-family (town homes, condominiums, and/or apartments), mixed-use, and/or public projects, which create and/or replace 2,500 square feet or more of impervious surface but less than 10,000 square feet of impervious surface, to install **one** or more of the site design measures listed under C.2.

C.1 The project proposes to create and/or replace _____ square feet of impervious surface.

C.2 Please indicate which of the following six site design measures are incorporated into the project plans:

Yes No Plan Sheet # Site Design Measure

- _____ Direct roof runoff into cisterns or rain barrels for reuse.
- _____ Direct roof runoff onto vegetated areas.
- _____ Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
- _____ Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
- _____ Construct sidewalks, walkways, and/or patios with permeable surfaces.
- _____ Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.

D. Regulated Projects

MRP Provision C.3.b requires Regulated Projects to implement Low Impact Development (LID) source control, site design, and stormwater treatment onsite or at a joint stormwater treatment facility in accordance with MRP Provisions C.3.c and C.3.d, unless the Provision C.3.e alternate compliance options are evoked.

D.1 The project proposes to create and/or replace _____ square feet of impervious surface.

D.2 Please contact City staff for a Stormwater Requirements Checklist for Regulated Projects, which you must complete and submit.

Yes

- I have completed and attached a Stormwater Requirements Checklist for Regulated Projects

E. Construction Site Best Management Practices and Control Measures

Yes No

- I understand that because the project proposes to disturb the site, the Chief Building Official may require the implementation of appropriate and effective erosion and other construction pollutant controls (Best Management Practices, BMPs) by the project's construction site operators/developers as outlined under MRP Provision C.6.

F. Owner Signature

I declare under penalty of perjury, that to the best of my knowledge, the information presented herein is accurate and complete. Incorrect information may delay my project application(s) and/or permit(s).

Signature of Property Owner

Date

More information on the Alameda County Clean Water Program and additional literature such as *Stormwater Requirements Checklist for Regulated Projects*, *C3 Builder's Outreach 2012 Update*, *C3 Technical Guidance Manual*, and *Construction Best Management Practices* are available at www.ci.piedmont.ca.us and <http://cleanwaterprogram.org>.

CITY OF PIEDMONT
PROTOCOLS AND PROCEDURES

SUBJECT: Story Poles
SECTION: Planning

PURPOSE: To enable neighbors, Planning Commissioners and staff to envision the proposed construction of design review applications and ensure the accuracy of the story pole representations, in accordance with Piedmont City Code Sections 17.66.010, and 17.66.020.

PROTOCOL: The Planning Department shall require the installation and verification of story poles for design review applications when:

1. A new residence and/or any other detached structure requiring design review is proposed;
2. An upper level expansion of an existing residence (including decks and dormers) is proposed, when a neighbor's light, view and/or privacy is in question; and
3. As needed by the staff or Planning Commission to assess the proposed height and/or bulk of large single story expansions or any other proposed expansions.

PROCEDURES: Unless otherwise directed by the Director of Planning or the Director's designee, story poles are to be erected by the applicant or the applicant's representative and verified by a California Licensed Land Surveyor or Licensed California Civil Engineer. Verification must be in the form of a completed Story Pole Certification form that is stamped and signed by the licensed professional along with photographs of the story poles. The Certification form, the format of which shall be determined by the Director of Planning, shall state that the story poles are in compliance with the proposed application.

The verification shall be submitted to the Planning Department no later than 12:00 noon, 14 days before a scheduled Planning Commission hearing in accordance with the schedule attached to this policy. **Without exception, applications that do not have verification received by noon on the required deadline date will not be eligible for the Planning Commission agenda.** For Staff Design Review applications, staff will not consider the application to be complete or send the required notice to neighbors until verification is received, and will not take action on the application until at least 14 days from the receipt of the story pole verification. Applicants are encouraged to install and verify well in advance of the deadline to avoid problems with weather and surveyor scheduling.

Story poles shall be installed to define the outlines of the proposed construction in order to show the proposed height and mass of the construction. Typically there will be a pole at every proposed corner to indicate the wall planes, and poles that represent roof points, with tape or strings that connect the poles to indicate the roof height, ridges, slopes and relationship to the walls. There are no required materials for the poles, but the poles must be clearly visible and stable (wood and aluminum stud framing and rigid PVC pipes are typical materials), and the tape or strings should be brightly colored, clearly visible and strongly attached. Staff and the Planning Commission may require colored flags or plastic construction netting to help understand the proposed construction. Please contact staff if you have questions about a specific project.

Story poles shall remain erected through the appeal period after action is taken on the application, and shall be removed promptly after the end of the appeal period if an appeal has not been filed. If an appeal is filed, the story poles must remain erected until final action is taken on the application.

Rev. 10/20/2016

STORY POLE VERIFICATION DEADLINE SCHEDULE

APPLICATIONS SUBJECT TO PLANNING COMMISSION REVIEW

Verification from a California Licensed Surveyor or California Licensed Civil Engineer shall be received in writing to the Department of Planning no later than 12:00 noon, 14 days before the scheduled hearing in accordance with the Story Pole Protocol and Procedures on the reverse side of this schedule. *Without exception, applications that do not have written verification received by noon on the required deadline date will not be eligible for the Planning Commission agenda.* Applicants are encouraged to install and verify well in advance of the deadline to avoid problems with weather and surveyor scheduling.

<u>MEETING DATES</u> For the meeting of:	<u>VERIFICATION RECEIPT DEADLINE</u> Verification must be received by:
MONDAY, NOVEMBER 13, 2017	NOON, MONDAY, OCTOBER 30, 2017
MONDAY, DECEMBER 11, 2017	NOON, MONDAY, NOVEMBER 27, 2017
MONDAY, JANUARY 8, 2018	NOON, THURSDAY, DECEMBER 21, 2018
MONDAY, FEBRUARY 12, 2018	NOON, MONDAY, JANUARY 29, 2018
MONDAY, MARCH 12, 2018	NOON, MONDAY, FEBRUARY 26, 2018
MONDAY, APRIL 9, 2018	NOON, MONDAY, MARCH 26, 2018
MONDAY, MAY 14, 2018	NOON, MONDAY, APRIL 30, 2018
MONDAY JUNE 11, 2018	NOON, FRIDAY, MAY 25, 2018
MONDAY, JULY 9, 2018	NOON, MONDAY, JUNE 25, 2018
MONDAY, AUGUST 13, 2018	NOON, MONDAY, JULY 30, 2018
MONDAY, SEPTEMBER 10, 2018	NOON, MONDAY, AUGUST 27, 2018
MONDAY, OCTOBER 8, 2018	NOON, MONDAY, SEPTEMBER 24, 2018
TUESDAY, NOVEMBER 13, 2018	NOON, MONDAY, OCTOBER 29, 2018
MONDAY, DECEMBER 10, 2018	NOON, MONDAY, NOVEMBER 26, 2018
MONDAY, JANUARY 14, 2019	NOON, MONDAY, DECEMBER 31, 2018

APPLICATIONS SUBJECT TO STAFF REVIEW

Staff will not consider an application to be complete or take action on the application until at least 14 days from the receipt of the story pole verification from a California Licensed Surveyor or California Licensed Civil Engineer.

City of Piedmont
California



City use only
Date Received _____
Time Received _____

STORY POLE CERTIFICATION

(Must be prepared by a California Licensed Surveyor or Civil Engineer)

On _____, I surveyed the story poles located at
date
_____, Piedmont, Ca., related to plans
property address
submitted as part of design review application _____.
application number

I have determined that the story poles are in substantial compliance with the plans dated
_____, and accurately represent the proposed
plan date or City date-stamp date
construction in terms of dimensions, corner/wall locations, and ridge heights/locations.

PLEASE STAMP AND SIGN BELOW

name (please print)

company

address

phone

fax

Piedmont Business License #

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RECORDING REQUESTED BY And when recorded return to: Director of Public Works City of Piedmont 120 Vista Avenue Piedmont, CA 94611	
GOV. CODE: 27383 – NO FEE	ADDRESS: _____ Piedmont, CA _____ APN: _____

DECLARATION OF RESTRICTIONS

Owner Occupancy for Property With Approved Accessory Dwelling Unit

Property address: _____, Piedmont, California, zip code _____ Alameda County
 APN # _____

Property description attached as Exhibit A

A. Background. I am/We are the owner(s), _____ ("Owner") of real property described above and in Exhibit A, attached. Owner applied to the City for an Accessory Dwelling Unit permit under Section 17.38 of the Piedmont Municipal Code. The City approved Owner's application # _____ subject to certain conditions of approval and the recording of this Declaration in the Office of the County Recorder of Alameda County.

The Owner wishes to impose on the Property the beneficial restrictions contained in this Declaration for the benefit of the Property and its present and future owners.

B. Owner occupancy requirement. Owner declares that the Property described in Exhibit A shall be held, conveyed, leased, rented, used, occupied and improved in accordance with Chapter 17 of the City Code, subject to the following restrictions:

1. If both the primary unit and the accessory dwelling unit on the Property are used for habitation, Owner must occupy one of the units, in accordance with P.M.C. Section 17.38 and the conditions of approval for Owner's application. If Owner does not reside at the Property, only one of the units may be inhabited.
2. These restrictions shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in the Property.
3. Any amendment or cancellation of this Declaration must first be approved by the City of Piedmont.

Property Owner Signature: _____

Date: _____

Print Name: _____

Property Owner Signature: _____

Date: _____

Print Name: _____

(Signatures must be notarized)

Exhibit “A”

Description

All that certain real property situated in the City of Piedmont, County of Alameda, State of California described as follows:

Commonly known as:

Alameda County APN Number:

City of Piedmont
RENT-RESTRICTED ACCESSORY DWELLING UNIT
ANNUAL AFFORDABLE RENT CERTIFICATION

This Certification is to be completed on an annual basis, effective each December 31 and submitted by the Owner concurrently with the Owner's application for and/or renewal of the City's business license, and upon any change in occupancy or any change in the composition of the accessory dwelling unit household. Please provide all required information below.

Primary Unit Address: _____

Rent-Restricted Accessory Dwelling Unit for (please check one):

Low Income Households Very Low Income Households Extremely Low Income Households

Accessory Dwelling Unit Type (please check one):

Studio 1-Bedroom 2-Bedroom 3-Bedroom

Owner's Name: _____

Owner's Mailing Address: _____

Is accessory dwelling unit currently occupied? Yes _____ No _____

If the accessory dwelling unit is rented, date current lease expires _____

Please provide a copy of the written lease agreement, if any.

Monthly Rent for the Accessory Dwelling Unit*: \$ _____

Utilities Provided by Owner, the cost of which is Included in the Monthly Rent:

____ Electricity

____ Gas

____ Water and Sewer Service

____ Garbage Collection

I declare, under penalty of perjury under the laws of the State of California, that the foregoing statements are true of my own knowledge.

Signature of Owner(s)

Date

* As per your Declaration of Rent Restrictions, the accessory dwelling unit must be rented to an extremely low, very low or low income household at an affordable rent level. The California Department of Housing and Community Development defines these income categories and establishes State Income Limits on an annual basis. Please see the Planning Staff for a copy of current State Income Limits and a schedule of Maximum Affordable Rent Levels.

Tenant's Name (if applicable): _____

Accessory Dwelling Unit Occupants' Mailing Address: _____

Number of Occupants in the Accessory Dwelling Unit: _____

Occupants:

	Name	Age
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

Accessory Dwelling Unit Household's Gross Annual Income
Include only income from occupants age 18 and over.

	Occupant 1	Occupant 2	Occupant 3
Wages	_____	_____	_____
Child/Spousal Support (deduct if paid out)	_____	_____	_____
Social Security Benefits	_____	_____	_____
Pensions and Annuities	_____	_____	_____
Unemployment Compensation	_____	_____	_____
Welfare	_____	_____	_____
Disability Benefits	_____	_____	_____
VA Benefits	_____	_____	_____
IRA Distributions	_____	_____	_____
Interest and Dividends	_____	_____	_____
Business Net Income	_____	_____	_____
Capital Gains	_____	_____	_____
Other Income	_____	_____	_____
TOTAL	_____	_____	_____

I declare, under penalty of perjury under the laws of the State of California, that the foregoing statements are true of my own knowledge.

Signature of Accessory Dwelling Unit Occupant

Date

RECORDING REQUESTED BY And when recorded return to: Director of Public Works City of Piedmont 120 Vista Avenue Piedmont, CA 94611	
GOV. CODE: 27383	ADDRESS: APN:

DECLARATION OF RENT RESTRICTIONS

FOR A _____ INCOME ACCESSORY DWELLING UNIT AT _____ , PIEDMONT, CALIFORNIA

Property address:
APN #
Unit type: Income
Property description attached as Exhibit A

A. Background. I am/We are the owners ("Owner") of real property described above and in Exhibit A. Owner applied to the City for an accessory dwelling unit permit under Chapter 17.38 of the Piedmont Municipal Code. The City approved Owner's application No. _____ with a unit size exception, under Piedmont Municipal Code section 17.38.070.C, subject to certain conditions of approval and the signing and recording of this Declaration in the Office of the County Recorder of Alameda County.

Condition of Approval No. _____ states:

[state condition related to rent restriction. Condition should be drafted to include the key requirements, though you can refer to the Code for definitions, so as not to unnecessarily lengthen this document.]

B. Ten-year term. This restriction remains in effect for ten years from the date of recordation and is then automatically terminated.

C. Rent Restriction. Owner agrees to restrict the rental or occupancy of the accessory dwelling unit to households that qualify as _____ , as that term is defined in Piedmont Municipal Code section 17.38.020. If rent is charged for the accessory dwelling unit, the monthly rent and all utilities (electricity, gas, water, sewer service, garbage collection) for the accessory dwelling unit shall not exceed the maximum affordable rent level. If all utilities for the accessory dwelling unit are separately metered and billed to the tenant, the maximum rent may not exceed 90% of the maximum affordable rent level.

D. Binding on successors. Owner voluntarily requested approval of the accessory dwelling unit subject to these rent restrictions, and understands that the recording of this Declaration allows Owner to construct and maintain the accessory dwelling unit in the City. Owner declares that the Property shall be held and conveyed subject to these restrictions. These restrictions shall run with the land and are binding on successors in interest to the Property.

E. Annual Affordable Rent Certification. During the ten years this Declaration is in effect, Owner agrees to submit an annual Affordable Rent Certification to the City by each December 31st, as required by Municipal Code section 17.38.070.C.2.a.ii.

F. Enforcement; Costs; Penalties. Owner agrees that if Owner violates the terms of this Declaration, the City may pursue any remedies permitted by law. The City may recover reasonable attorney's fees and costs incurred in bringing legal action to enforce this Declaration. It may also recover from Owner any rents received during any unauthorized occupancy of the accessory dwelling unit. Owner remains subject to section 17.38, the Accessory Dwelling Unit Ordinance and if Owner does not comply with the rent restrictions in this Declaration, Owner may be required to modify the Property so as to remove the accessory dwelling unit.

G. No amendment. Any amendment or cancelation of this Declaration before the ten-year term has expired is subject to the written approval of the City.

*Property Owner Signature

*Property Owner Signature

Print Name

Print Name

Date

Date

*Owner signature(s) must be acknowledged before a notary public.

Exhibit "A"

Description

All that certain real property situated in the City of Piedmont, County of Alameda, State of California described as follows:

Commonly known as:

Alameda County APN Number: