



Planning & Building Department
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HILLSIDE DEVELOPMENT PERMIT GENERAL HDP & PHASE 2 APPLICATION INSTRUCTIONS

GENERAL

A Hillside Development Permit (HDP) is required for development in the Hillside Overlay District (HOD). The Hillside Overlay District is intended to protect the health, safety and welfare of the city by establishing regulations for the development of ridgeline, hillside and other rural residential areas within the city.

The development of a new building on a vacant lot in the Hillside Overlay District shall be reviewed in two separate Hillside Development Permit applications:

- **Phase 1:** Siting and massing determination by the Planning Commission
- **Phase 2:** Review of the design and impacts of the project by the Design Review Commission (and Planning Commission for ridgeline development or as determined by the Commissions)

This application is to be used for Phase 2 Hillside Development Applications.

Activities and development subject to approval of a Hillside Development Permit include:

- Construction involving the erection, modification, or relocation of a structure
- Grading or other site work
- Removal of native riparian vegetation
- Change in density or intensity of land use
- Subdivision of land
- Lot line adjustment

A Hillside Development Permit is not required if:

- The construction does not require a building or grading permit
- The construction is entirely within the interior of an existing structure
- The construction is routine maintenance or replacement work that does not change the exterior appearance of the existing structure

PROCEDURES

Step 1: Pre-application (optional)

Prior to applying for a Hillside Development Permit, it is recommended that the applicant discuss the proposed project with a member of Planning staff (by appointment) to determine what regulations may apply. Once it is clear that an HDP is required, the applicant should carefully assess the aesthetic and environmental impacts and public service demands of the project. Are there likely to be problems with utilities, street improvements, drainage, visibility, privacy or other identifiable issues? The applicant should discuss any potential problems with the appropriate governmental agency, as well as those neighboring property owners that may be affected by the proposed project.

Step 2: Study Session (optional)

The Design Review Commission (“DRC”) may conduct study sessions on the aesthetic aspects and possible issues related to a proposed hillside project, at the request of the applicant. A study session can be particularly useful for a project involving new construction or significant reconstruction or additions as it allows the applicant to get feedback from the DRC early on in the design process, before becoming overly invested in a given design. Ideally, study sessions take place around 30% design, with significant background information, but without hardline design drawings or finished presentation graphics. To schedule a Study Session, submit preliminary plans and a letter of request to planner@lovelafayette.org, indicating the location of the project and its general scope along with the required fee¹ to the Planning Services Division. Please see the Study Session application packet for more information on how to request a study session.

Step 3: Filing the Application

The applicant should carefully complete the application form (to be signed by the applicant *and* the current property owner) and ensure that all submittal requirements are included. The application will be assigned to a staff planner who will check the application for completeness and provide an invoice for the applicable fee. Once staff has reviewed the plans (within 30 days), the applicant will be notified whether the application is complete or incomplete. If the application is incomplete, the applicant will be notified of any necessary alterations to the plans or additional information and submittals required. Once an application is deemed complete, it will be reviewed for compliance with the California Environmental Quality Act (CEQA) before being scheduled for a hearing.

Step 4: Environmental Review

The staff planner will notify the applicant (within 30 days after the application is deemed complete) whether the proposed project is exempt from CEQA or requires an additional level of environmental review such as a negative declaration, mitigated negative declaration, or environmental impact report (EIR). If the project is not exempt, requests for supplementary information, further fees, and additional processing time are to be expected.

Step 5: Public Notification and Project Determination

The Planning Commission (“PC”) is the hearing authority for (1) Phase 1 HDP, siting and massing determination for vacant hillside land, and (2) subdivision of land. The Design Review Commission (“DRC”) is the hearing authority for Phase 2 Hillside Development applications. The Zoning Administrator (“ZA”) has authority to review minor HDP applications and, based on the scope of the proposed project, will determine if the hearing authority will be the Zoning Administrator and whether or not a public hearing will be required. The application may be referred to the Design Review Commission or Planning Commission at the discretion of the Zoning Administrator. The Design Review Commission can also refer applications to the Planning Commission for their consideration. If applications are referred to the DRC or PC, additional application fees may be required.

Once an application is deemed complete, staff will confirm the public notification and hearing process and decision-making authority. Project determination is based on information contained in the application, site visits, staff analyses and reports, conformance with applicable ordinances, regulations, development criteria, policies and findings, and all correspondence and testimony presented by the public.

Public Notification and Hearing. If an application requires a public hearing, written notice of the hearing is mailed at least 10 days in advance to all property owners within 300 feet of the project site. Notified parties may provide written and/or oral comments. The applicant or representative should be present at the hearing

¹ A schedule of Planning & Development fees is available at www.lovelafayette.org > City Hall > City Departments > Planning & Building > [Fees](#)

to make a presentation and answer questions. Project determination can consist of approval, approval with amendments and/or conditions, or denial. The hearing authority may continue an application to a future date if additional information or staff review is required or project revisions requested. The decision becomes effective upon expiration of a 14-day appeal period. In considering an HDP, the authority may impose conditions on the project to make the use more acceptable, to correct existing deficiencies, or to carry out the purpose and intent of Chapter 6-20 of the Hillside Development ordinance.

APPEAL OF DETERMINATION

The applicant or other aggrieved party may appeal the action of the decision-making authority within 14-calendar days following the determination to the next level of decision-making authority. The decision-making hierarchy is Zoning Administrator, Design Review Commission, Planning Commission, and City Council. The appeal must be in writing and explain the grounds for the appeal. The fee to file an appeal is 75 percent of the original application fee. If an appeal has been timely filed, a de novo public hearing before the appropriate Commission or the City Council will be scheduled. The applicant should be present and any interested person(s) may submit testimony. After close of testimony, the hearing authority for the appeal will make a decision on the appeal, or if necessary, continue the matter to a date certain for future action. Action taken by the City Council is final.

PROCESSING TIME

The total time for processing a Hillside Development Permit varies depending on the complexity and magnitude of the project. After an application has been deemed complete, it usually takes five to six weeks for the first meeting before the hearing authority. The requirement for a negative declaration or environmental impact report could add six to twelve months to the processing time, respectively.

TIME AND PLACE OF MEETINGS

NOTE: Design Review Commission and Planning Commission hearings occur on **MONDAYS**. Zoning Administrator hearings occur on Thursdays.

- Zoning Administrator hearings: **first** and **third** Thursdays of each month, commencing at 2:00 p.m. at the City Offices, 3675 Mt. Diablo Boulevard, Suite 210.
- Design Review Commission hearings: **second** and **fourth** Mondays of each month, commencing at 7:00 p.m. at the new Lafayette Library and Learning Center, 3491 Mt. Diablo Boulevard in the Arts and Science Discovery Center.
- Planning Commission hearings: **first** and **third** Mondays of each month, commencing at 7:00 p.m. at the new Lafayette Library and Learning Center, 3491 Mt. Diablo Boulevard in the Community Hall.

A calendar of adopted meeting dates is available at www.lovelafayette.org.

PERMIT EXPIRATION

An approval automatically expires if the use or action authorized is not started or construction incident thereto is not begun on or before the time limit specified in the permit, and thereafter diligently pursued. If no time is specified, the permit expires 12 months after the date of approval. The Planning and Building Department Director may grant one 12-month extension of time upon written request prior to the expiration date of the permit if the City has not made relevant changes to the Lafayette Municipal Code and the development is not changed.

Hillside Development Permit – Instructions

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**HILLSIDE DEVELOPMENT PERMIT
GENERAL & PHASE 2 APPLICATION
SUBMITTAL REQUIREMENTS**

This checklist is intended to cover all types of development, large and small. Not all items may be applicable for the scope of your development, in which case check the N/A box. Please check all items and indicate the sheet number(s) where prompted. An applicant may obtain preliminary review from a planner during Planning Counter Hours.² The Planning & Building Department will ultimately determine the level of detail needed to process your application once it has been submitted and is being processed. Hyperlinks are provided for the applicable handouts referenced in this document; however are also available on the City's website, www.lovelafayette.org, or at the City offices.

GENERAL SUBMITTAL REQUIREMENTS

YES N/A

- 1. APPLICATION MATERIALS**
- a. Standard application form, completed and signed
 - b. Response to findings
 - c. Brief description of the scope of work
 - d. Checklist completed and signed by the preparer with each box checked acknowledging submittal of the required item(s) and listing the corresponding sheet number(s)
 - e. Agreement to Pay for City Services (ACS) , completed and signed³
 - f. Processing fee(s): credit card (Visa, MasterCard, or Discover) or check (payable to City of Lafayette)
-
- 2. PRELIMINARY TITLE REPORT**
- One (1) electronic (PDF) copy of report not more than six (6) months old, listing all recorded easements and restrictions, and providing legal description of the property
-
- 3. PRELIMINARY SOILS REPORT** prepared by a registered geotechnical engineer
- One (1) electronic (PDF) copy of report (which may include colored attachments and/or exhibits)
-
- 4. ARBORIST REPORT** prepared by a certified or consulting arborist⁴
- One (1) electronic (PDF) copy of report (which may include colored attachments and/or exhibits), including:
- a. Tree location, genus, species, diameter, dripline, and elevation at trunk base
 - b. Health and condition of the tree, including existing hazards to the tree
 - c. Potential impact of development on the tree
 - d. Preservation potential based on the tree's existing condition and in relation to development
 - e. Recommendations for protection, preservation, and requirements to maintain and improve tree health and ensure survival
 - f. Tree inventory table listing the tree number (as numerically tagged in the field), species, trunk

² [In person Tuesdays & Thursdays](#) by appointment and [online Mondays & Wednesdays](#) (no appointment). [link info]

³ The ACS is for services and fees that are in addition to the application fee(s). The signee agrees to pay for services of consultants retained by the City in connection with the development application at the hourly rate charged by each consultant. These services include but are not limited to review of legal, landscape, engineering, technical reports, site analysis, and environmental services

⁴ Required if the proposal entails development within the dripline of an existing protected tree $\geq 4''$ in diameter

YES N/A

diameter, health of tree, potential impact of proposal, and indicate whether tree is to be saved or removed

- g. Site plan showing numbered trees, accurate driplines, and proposed location of tree protection fencing
- h. Photos as applicable
- i. Post construction recommendations as applicable

5. COLORS AND MATERIALS BOARD

One (1) electronic (PDF) copy with a colored elevation of the proposal and referencing the color chips and manufacturers' specifications for body/siding, trim, windows, roof, exterior light fixtures (residential and landscaping), fences and retaining walls, and hardscape

6. PHOTO AND VISUAL ANALYSIS

- a. Site and neighborhood photos compiled as one (1) electronic (PDF)
 - i. If possible, provide field markers identifying the following: Green ribbon tied around all trees to be maintained, red ribbon tied around all trees to be removed, and yellow ribbon outlining property lines and proposed building footprint.
- b. Story pole or ground staking
 - i. Submit a story pole or ground staking plan (certified by a California Licensed Surveyor or a California Licensed Civil Engineer, showing its layout, height and location)⁵
- c. Photo montage
 - i. Outline the project or graphically set it into the photos
 - i. Submit photos from most prominent public vantage points and existing surrounding residences

7. ENVIRONMENTAL INFORMATION FORM

Based on the [Environmental Information Form](#), your project may be subject to additional environmental review set by the State. Additional environmental review is not included in the Planning Application fee. Please refer to the [Planning Fee Schedule](#) for current fees.

8. BIOTIC RESOURCES ANALYSIS⁶

One (1) electronic (PDF) copy of report, including:

- a. Type and location of threatened and endangered plant and animal species.
- b. Riparian vegetation on and within 100' of subject property.
- c. Oak woodland and other plant communities providing habitat.
- d. Location of watercourses, springs, drainage swales, wetlands, wildlife corridors, other natural features that may provide habitat or be subject to Department of Fish and Wildlife or Army Core of Engineers jurisdiction.
- e. Area and location of undeveloped land on the subject property required to protect and enhance the continued viability of significant biotic resources, where applicable.
- f. Mitigation measures for impacts on significant biotic resources.

⁵ Story poles do not need to be erected until requested by the project planner, typically at least 14 days before the scheduled hearing date. Once installed, submit photos from public vantage points and neighboring residences. See separate handout entitled "[Ground Staking & Story Poles](#)"

⁶ Required if the site is environmentally sensitive, including but not limited to open slopes and hillsides, native plant communities, wildlife corridors, wetlands and waterways, habitat for protected species, etc.

PLAN SET SUBMITTAL REQUIREMENTS ⁷

YES N/A

9. NUMBER OF PLAN SETS

One (1) electronic (pdf) 24" x 36" copy by email or Dropbox, Google Drive, etc. (sent to planner@lovelafayette.org)

10. LAYOUT

All sheets shall be the same size, oriented in the same direction, and include the following:

- a. North arrow
- b. Scale - drawn at the largest architectural scale that can fill the sheet unless otherwise specified
- c. Graphic (bar) scale
- d. Date of preparation
- e. Revision date(s)
- f. Changes or modifications clearly identified
- g. Title block including:
 - i. Site address
 - ii. Assessor's parcel number (APN) or name of subdivision and lot number

11. COVER SHEET with the following:

- a. Sheet index
- b. Contact information for the owner, Architect/landscape architect, arborist, and engineer
- c. Area calculations – gross and net parcel area, gross floor area, living area, and impervious surface

12. MAPS

Sheet Number(s) _____

- a. Vicinity map (minimum 1" = 600') showing the approximate location of the subject property within the vicinity of Lafayette.
- b. Context map (minimum 1" = 50') showing the location of the subject property within the context of the neighborhood. ⁸
 - i. Show and label the following:⁹
 1. All parcels immediately adjacent to and around the site
 2. Approximate distance of the proposed addition (upper & lower story) to structures on adjacent lots
 3. Footprints of all structures
 4. Vacant parcels or open space
 5. Property ownership
 6. Property address
 7. Finished floor elevations
 8. Number of stories
 9. Approximate square footage
 10. Significant landscaping
 11. Significant topographic or man-made landforms and features

⁷ [Example Submittals](#) are available online.

⁸ An aerial can be used to create the context map; however, it does not replace the context map.

⁹ Show buildings outlined in black, background in white, and vegetation/trees in gray.

YES N/A

13. SURVEY – wet stamped and signed ¹⁰

Sheet Number(s) _____

- a. All property lines with metes, bounds, and dimensions
- b. Building footprint of all structures with dimensions to property line
- c. Easements and rights-of-way, fully dimensioned, as reflected on a current title report
- d. Street improvements - (curb, gutter, sidewalk, edge of paving)
- e. Topography – (2' contour intervals in area to be developed)
- f. Drainage features including:
 - i. Swales
 - ii. Creeks (with required creek setbacks shown in both plan and sectional view) 11
 - iii. Wetlands
 - iv. Riparian habitat
- g. Trees - show all trees > 4" in diameter at 4.5' above grade within 100' of proposed development, with the following labeled:
 - i. Tree species
 - ii. Diameter of trunk
 - iii. Elevation at trunk base
 - iv. Field surveyed accurate driplines (generic symbols are not accepted)
 - v. Tree identification number, provided by the arborist
 - vi. Trees proposed to be removed with a prominent "X"

14. SITE PLAN – based on the aforementioned survey

Sheet Number(s) _____

- a. Property and zoning information, including:
 - i. Property lines, dimensioned.
 - ii. Setbacks (front, side, and rear), dashed.
 - iii. Sewage disposal and public utilities.
 - iv. Recorded easements (utility, drainage, access, etc.), labeled.
 - v. Total and net ¹² parcel square footage.
- b. Building site(s) and footprint(s)
 - i. Existing and proposed structures with dimensions to property lines.
 - ii. Changes or additions to existing structures shown as hatched, shaded or otherwise highlighted.
- c. Parking and circulation
 - i. Location, dimensions, and quantity of existing and proposed covered and uncovered parking facilities, labeled or numbered
 - ii. Compliance with ADA standards (ramps, path of access, van/standard spaces, etc.)
 - iii. Circulation plans for each vehicular and pedestrian way
 - iv. Bicycle parking
 - v. Fire District turnarounds (such as a shunt, t-turn, or circle); road width, slope, and vertical clearance shall be overlaid or highlighted on circulation plans
- d. Impervious surface, existing and proposed
 - i. Include a table calculating the square footage, including building footprint, driveway, patios, walkways, pools, etc.
 - ii. Shade or hatch changes and additions

¹⁰ Required if proposal encroaches within 5' of required setbacks, or if the property is within a ridgeline setback

¹¹ See separate handout entitled "[Creek Setback Determination Guide](#)"

¹² Excludes the area within vehicular rights-of-way and vehicular easements

YES N/A

- e. Structures - existing and proposed fences and retaining walls
 - i. Label top-of-wall (TW) and bottom of wall (BW) spot elevations
 - ii. Shade or hatch changes and additions
- f. Existing trees - show all trees $\geq 4''$ in diameter at 4.5' above grade within 100' of proposed development and label:
 - i. Tree species
 - ii. Diameter of trunk
 - iii. Elevation at base of trunk
 - iv. Field surveyed accurate driplines (generic symbols are not accepted)
 - v. Tree identification number, provided by the arborist
 - vi. Trees proposed to be removed with a prominent "X"
- g. Trails - general location of each hiking, riding and bicycle trail and recreational facility
- h. Open space that will remain upon completion of development
 - i. Designate a development boundary line that limits the area of development
- i. Ridgelines
 - i. Class I, Class II, or Class III ridgelines located within the project boundaries or within 100' beyond the project boundaries
 - ii. Setback areas (measured in plan view from the centerline of the ridge)
 - 12. Class I ridgeline setback is 400'
 - 13. Class II ridgeline setback is 250'



15. SITE-SECTIONS

Sheet Number(s) _____

- a. For all Hillside Applications:
 - i. Provide cross-section(s) across the full extent of the property. Be sure to show the relationship of the proposal with the neighboring properties to demonstrate massing, neighborhood context, and privacy impacts.
- b. For Class I and Class II ridges:
 - i. Provide an adequate number of cross-sections through the project site to show ridgeline declination.
 - 1. No portion of a structure may be erected adjacent to a Class I or Class II ridge that is higher than a plane sloping downward at a declination of 15° from the horizontal intercept of the ridge.
 - 2. The measurement shall be made at the nearest point of the development to the ridgeline and measured perpendicular to the ridgeline or as a radius from the endpoint of the ridgeline.
 - 3. The declination line terminates at the boundary line of the hillside overlay district.
- c. For Class III ridges:
 - i. Provide an adequate number of cross-sections through the project site to show horizontal planes intercepting the ridge.
 - 1. No portion of a structure may be erected higher than the horizontal plane.
 - 2. The horizontal plane shall be at the nearest point of the development to the ridgeline and perpendicular to the ridgeline or have an arc of 90° from the endpoint of the ridgeline.

YES N/A

16. FLOOR PLANS

Sheet Number(s) _____

- a. Gross floor area –Table calculating existing and proposed¹³
 - i. Include all existing and proposed structures having three walls/columns and a roof, such as attached/detached accessory structures, garage, carport, basement, second stories, area capable of being developed as habitable space.
- b. Rooms - label all existing and proposed rooms for each floor level including:
 - i. All usable or potentially usable areas or spaces (including basements, attics, crawl spaces with significant headroom, lofts, accessory buildings, etc.)
 - ii. All decks, balconies, porches, garages/carports, etc.
 - iii. Exterior and interior building dimensions.
 - iv. Existing and proposed square footage of all usable or potentially usable areas.
 - v. Doors, windows, bay windows, chimneys, stairways, other architectural features.
- c. Demolitions, changes, and additions shown as dashed, highlighted, or otherwise called out
- d. Existing and proposed floor plans shown with (2) two separate plan view drawings, done at the same scale and shown on the same sheet.
 - i. For example, on one sheet, side-by-side or one-above-the-other, show existing and proposed conditions for the same floor plan, labeled accordingly
- e. Lighting (exterior residential):
 - i. List and label existing and proposed lighting
 - ii. Provide a legend and indicate quantity of each lighting type

17. ELEVATIONS

Sheet Number(s) _____

- a. Dimensions
- b. Building height as defined by the Lafayette Municipal Code Section 6-313¹⁴
- c. Finished grade indicating existing and proposed
- d. Demolitions, changes, and additions shown as dashed, highlighted, or otherwise called out
- e. Existing elevations with dashed lines over proposed elevations
- f. Existing and proposed elevations shown with two separate plan view drawings, done at the same scale and shown on the same sheet.
 - i. For example, on one sheet, side-by-side or one-above-the-other, show existing and proposed conditions for the same elevation, labeled accordingly
- g. Indicate roof, doors, windows, trim, down spouts, and all other architectural features
 - i. Call out manufacturers' specifications for exterior walls, trim, and roofing materials.
- h. Retaining wall and fence elevations/profiles indicating heights, colors, and materials
- i. Perspective, colored elevations to indicate shadow and visual relief. Renderings shall include site development, accurate topography, and vegetation.

18. BUILDING SECTIONS

Sheet Number(s) _____

- a. Coincident with critical roof ridges or site conditions
- b. Locate where cross sections are taken on the site plan and/or floor plans
- c. Indicate foundation, finished floor, and roof ridge elevations (above established datum)

¹³ Total horizontal area in sq. ft. of each floor level within the exterior walls of all buildings on a parcel, as measured at the exterior face of the enclosing walls

¹⁴ See separate handout entitled "[Building Height](#)"

YES N/A

19. GRADING AND DRAINAGE PLANS ¹⁵

Sheet Number(s) _____

- a. Contours, existing and proposed
 - i. 2' contour intervals in the area to be developed
 - ii. Extend contours a minimum of 50' beyond property lines
- b. Calculate the amount of cut, fill, import or export in cubic yards
- c. Drainage facilities ¹⁶ - existing and proposed drainage facilities within and adjacent to the site, including but not limited to:
 - i. Swales
 - ii. Creeks
 - iii. Drainage ditches
 - iv. Discharge facilities
 - v. Catch basins
 - vi. Subsurface drainage pipes (closed and open)
- d. Sanitary sewers and storm drain facilities, existing and proposed
- e. Incorporate appropriate pollutant source control and design measures,¹⁷ to treat runoff
- f. Existing trees - show all trees > 4" in diameter at 4.5' above grade within 100' of proposed development and label:
 - i. Tree species
 - ii. Diameter of trunk
 - iii. Elevation at trunk base
 - iv. Field surveyed accurate driplines (generic symbols are not accepted)
 - v. Tree identification number, provided by the arborist
 - vi. Trees proposed to be removed with a prominent "X"
- g. Open space - areas of natural open space that will remain upon completion of development
 - i. Designate a development boundary line that limits the area of development
- h. Roof plan – elevation of each roof ridge above established datum shall be noted.
 - i. Changes or additions to existing structures shall be hatched, shaded, or otherwise highlighted.
- i. Prepare a Stormwater Control Plan ¹⁸ if your project meets either of the following:
 - i. Single-family residence creating or replacing > 10,000 sq. ft. of impervious surface.
 - ii. All other projects creating or replacing between 5,000 sq. ft. and one acre of impermeable surface.

20. LANDSCAPE AND IRRIGATION PLANS

Sheet Number(s) _____

- a. Topography - show existing topography with a light line weight and proposed topography with a darker or heavier line weight
- b. Existing trees - show all trees \geq 4" in diameter at 4.5' above grade within 100' of proposed development and label:
 - i. Tree species
 - ii. Diameter of trunk
 - iii. Elevation at trunk base
 - iv. Field surveyed accurate driplines (generic symbols are not accepted)
 - v. Tree identification number, provided by the arborist

¹⁵ Required if project involves \geq 500 sq. ft. of new or replacement impervious surface or \geq 50 cubic yards of grading.

¹⁶ See separate handout entitled "[Drainage Plan Guidelines](#)"

¹⁷ See separate handout entitled "[Stormwater Quality Control Guidelines](#)"

¹⁸ See separate handout entitled "[Stormwater Control Plan Submittal Requirements](#)" (PDF pg. 11)

YES N/A

- vi. Trees proposed to be removed with a prominent "X"
- c. Plant list table – list proposed planting as follows:
 - i. Trees – species (common and botanical name), quantity, size to be planted, and whether species is native.
 - ii. Shrubs - species, quantity, size to be planted, and whether species is native.
 - iii. Groundcover - species, size and spacing, and whether species is native.
 - iv. All other plants may be shown and referred to in general terms.
 - v. Only list those plants shown in the plan.
- d. Irrigation - submit a preliminary plan showing:
 - i. Watering zones (drip/spray) with corresponding legend and table
 - ii. No spray irrigation or lawn shall be within 15’ of oak trees (existing or proposed)
- e. Lighting (landscape):
 - i. List and label existing and proposed lighting.
 - ii. Provide a legend and indicate quantity of each lighting type.
- f. Water Efficient Landscape Ordinance (WELO) ¹⁹:
 - i. Total landscaped area (sq. ft) – all planting areas, turf, and water features
 - ii. Note that “all proposed planting and irrigation shall be WELO compliant” ²⁰

PLEASE NOTE: There may be additional requirements after initial review by the city landscape consultant, city staff or the hearing authority.

SIGNATURE OF PREPARER: _____

DATE: _____

PRINT FULL NAME: _____

¹⁹ Refer to Lafayette’s WELO [website](#) for a complete list of triggers

²⁰ Required if landscaped area ≥ 500 sq. ft.

BEYOND THE REQUIREMENTS – SUGGESTIONS FOR SUCCESS!

PRESENTATION

Presentation can greatly affect the success of your project. **Clear** and **concise** plans can be processed faster and more effectively. The City provides [examples](#) online and at the City Offices of **clear** and **concise** submittals to emulate. Below are some tips on how your plans can read better!

Light Line Weights:

- Existing topography
- Existing trees (**X** for trees to be removed)
- Existing structures (to be maintained)

Shaded, Hatched

- Proposed additions
- Proposed impervious surface
- Proposed native trees and plants

Dashed Lines:

- Existing topography
- Existing structures (to be removed)
- Existing elevations (superimposed over proposed)

Dark/Heavy Line Weights:

- Proposed topography
- Proposed trees

DESIGN

Development should be sensitively designed to work with the site's constraints and natural features, and to reduce its impacts (visually and physically) to the site, the neighborhood, and the public at large. A successful project substantially complies with the [Residential Design Review Guidelines](#) and follows the city's [Tips for Success](#). Here are some additional tips!

Colors and materials:

- Dark, natural, and mixed colors and materials decrease visibility and reduce the apparent massing of a residence or structure. These are encouraged.
- Light, bright, or high contrasting trim and windows increase visibility. These are discouraged.

Landscape/Hardscape:

- Grading and landscaping should appear natural and semi-rural, especially as it reaches property lines, open space, or public views.
- New or replacement vegetation in areas within or abutting open space and natural areas should be native to the surrounding area. The goal of the planting should be a seamless blending with the natural vegetation.
- Small gardens, ornamental plantings, and lawn areas should be clustered near the home and not visible from public places listed in the viewing evaluation map.
- Terracing or padding of the lot should be avoided and is discouraged.
- Off-haul excess soil rather than balance onsite to maintain natural grades.
- Walls and retaining walls should be kept at a minimum. Where needed, they should be naturally designed, low in height, and organically configured with dark colors/materials and landscape mitigation.
- Pervious surfaces should be used in lieu of impervious surfaces for hardscape.
- Native, drought tolerant, deer resistant plantings are encouraged.

Lights:

- To reduce a project's offsite visibility at night and to reduce impacts to neighbors, exterior light fixtures (residential and landscaping) should be shielded, low wattage, and directed downward.
- Shielded means the light source (bulb) is not visible. Opaque, seeded, or colored glass does not meet this requirement.
- Consider using recessed can lights where feasible and reducing the overall quantity of fixtures.

Hillside Development Permit – Instructions

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**HILLSIDE DEVELOPMENT PERMIT
SUPPLEMENTAL FORM HDP-A**

**Required for
Hillside Development Permit &
Restricted Ridgeline Setback Exception**

REQUIRED FINDINGS PER SECTIONS 6-2028, 6-2067, AND 6-2071

HILLSIDE DEVELOPMENT PERMIT and/or RESTRICTED RIDGELINE EXCEPTION

- REQUEST(S): Hillside Development Permit
 Class I Ridgeline Setback Exception (development within 400 feet of ridge)
 Class II Ridgeline Setback Exception (development within 250 feet of ridge)
 Exception to Exceed Height Limitation Based on Horizontal Plane of Class III Ridge

In granting approval for a Hillside Development Permit or Restricted Ridgeline Exception, a number of findings must be made. Please respond to each of the following statements on a separate sheet.

- (1) Explain how the development is consistent with the applicable goals and policies of the General Plan and is in conformance with applicable zoning regulations.
- (2) Explain how the development will preserve open space and physical features, including rock outcroppings and other prominent geological features, streams, streambeds, ponds, drainage swales, native vegetation, native riparian vegetation, animal habitats and other natural features.
- (3) Explain how structures in the Hillside Overlay District will, to the extent feasible, be located away from prominent locations such as ridgelines, hilltops, knolls and open slopes;
- (4) Explain how the development, including site design and the location and massing of all structures and improvements will, to the extent feasible:
 - A. Minimize the loss of privacy to surrounding residents and not unduly impact, restrict or block significant views;
 - B. Not have a significant visual impact when viewed from lower elevations from public places, using the viewing evaluation map as a guide to establish locations from which views are considered; and
 - C. Not interfere with a ridgeline trail corridor or compromise the open space or scenic character of the corridor.
- (5) Within 100 feet of a restricted ridgeline area, or when an exception to a ridgeline setback has been granted, explain how the development will result in each structure being substantially concealed by terrain or vegetation when viewed from lower elevations from public places, using the Viewing Evaluation Map as a guide to establish locations from which views are considered.
- (6) Explain how development grading will be minimized to limit scarring and cutting of hillsides especially for long roads or driveways, preserve existing geologic features, topographic conditions and existing vegetation,

reduce short and long-term erosion, slides and flooding, and abate visual impacts.

- (7) Explain how the development provides adequate emergency vehicle access, including turn-around space, to the building site and surrounding on-site undeveloped or isolated areas.
- (8) Explain how each structure and proposed landscaping complies with the City's Residential Design Guidelines.
- (9) Explain how the new or replacement vegetation for the development is native to the surrounding area in areas abutting open space and natural areas, such as oak woodland, chaparral, grassland and riparian areas, and conforms to the following policies, pursuant to Section 6-2051: *New or replacement vegetation in an area abutting open space and natural areas, such as oak woodland, chaparral, grassland and riparian areas, excluding planting for erosion control or land stabilization, shall be native to the surrounding area. The goal of the planting should be a seamless blending with the natural vegetation. The reviewing authority may grant an exception to this requirement for a small garden area near the home provided it is not visible from public places and contains no non-native trees or shrubs over six feet in height, or large green expanses.*
- (10) Explain how the development will not create a nuisance, hazard or enforcement problem within the neighborhood or the city, nor require the city to provide an unusual or disproportionate level of public services.

**REQUIRED FINDINGS PER SECTION 6-2029 AND 6-2070
DEVELOPMENT WITHIN THE 15-DEGREE DECLINATION OF A CLASS I OR CLASS II RIDGELINE SETBACK**

Section 6-2070 states that the Planning Commission may grant an exception to the restriction of development within the 15-degree declination line of a class I or class II ridge if it makes the findings below. In granting approval for this exception, a number of findings must be made. Please respond to each of the following statements on a separate sheet.

- (1) The topography or existing vegetation are such that:
 - A. The building will not have a substantial visual impact and will not silhouette above the ridge when viewed from lower elevations in the city, using the Viewing Evaluation Map as a guide for areas from which views are considered; and
 - B. Grant of exception will not interfere with an existing or proposed ridge trail or compromise its open space and scenic character.

- (2) For existing lots of record where it is not possible to substantially conceal the building in conformance to section (A) above, the Planning Commission may grant an exception if it finds that:
 - A. The height, size, siting, design and landscaping are such that the building is concealed to the maximum extent feasible and the structure will not silhouette above the ridge when viewed from lower elevations in the city, using the Viewing Evaluation Map as a guide for areas from which views are considered; and
 - B. Grant of an exception will not interfere with an existing or proposed ridge trail or compromise its open space and scenic character.

- (3) For subdivision, when the prohibition would deprive the property of all economically viable use and the subdivision meets the standards in section 6-2071 to the maximum extent feasible. In granting an exception under this subsection the density:
 - A. Shall not exceed the density permitted by the slope density formula or the underlying zoning district, whichever is less; and
 - B. Shall not exceed that necessary to avoid an unconstitutional taking of the property.

Hillside Development Permit - Required Findings

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STANDARD APPLICATION FORM

PROJECT INFORMATION

Project Address / Location		Assessor's Parcel Number (APN)	Zoning District	Flood Zone
General Plan Designation	Parcel Size (sq.ft.)	Grading: Cut (cu.yds.)	Grading: Fill (cu.yds.)	
Existing Gross Floor Area (sq.ft.)	Existing Building Footprint (sq.ft.)	Existing Impervious Surface (sq.ft.)	Existing # Parking Spaces (sq.ft.)	
Proposed Gross Floor Area (sq.ft.)	Proposed Building Footprint (sq.ft.)	Proposed Impervious Surface (sq.ft.)	Proposed # Parking Spaces (sq.ft.)	

Existing Land Use
 Single-Family Residential Multi-Family Residential Commercial Office Vacant Other (specify) _____

Proposed Land Use
 Single-Family Residential Multi-Family Residential Commercial Office Vacant Other (specify) _____

APPLICANT INFORMATION

OWNER INFORMATION

Applicant Name:			Owner Name:		
Applicant Address			Owner Address		
City	State	Zip	City	State	Zip
Phone () -	Cell () -		Phone () -	Cell () -	
Email (for official use only):			Email (for official use only):		
Party Responsible for Fee Payment: <input type="checkbox"/> Owner <input type="checkbox"/> Applicant			Payment Method: <input type="checkbox"/> Check <input type="checkbox"/> Cash <input type="checkbox"/> Credit Card* * Online payment includes a 2.9% convenience fee		

CHECK ALL APPLICABLE REQUESTS

- | | | |
|---|---|--|
| <input type="checkbox"/> 15-Degree Declination Exception | <input type="checkbox"/> Land Use Permit | <input type="checkbox"/> Sign Permit |
| <input type="checkbox"/> Accessory Dwelling Unit Permit (Class C) | <input type="checkbox"/> Lot Line Revision | <input type="checkbox"/> Study Session |
| <input type="checkbox"/> Address Assignment / Change | <input type="checkbox"/> Major Subdivision / Tract (≥ 5 lots) | <input type="checkbox"/> Temporary Land Use Permit |
| <input type="checkbox"/> Appeal (App. # _____) | <input type="checkbox"/> Minor Subdivision (4 lots or fewer) | <input type="checkbox"/> Tree Removal Permit |
| <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Preapproved ADU (vendor only) | <input type="checkbox"/> Variance / Exception |
| <input type="checkbox"/> Change of Conditions | <input type="checkbox"/> Public Art Permit | <input type="checkbox"/> Wireless Communications Facilities Permit |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Reasonable Accommodation | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Family Day Care | <input type="checkbox"/> Reconsideration (App. # _____) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Re-Zone Property | SB 9 Application |
| <input type="checkbox"/> Grading Permit (≥ 50 cu. yds.) | <input type="checkbox"/> Ridgeline Setback Exception | <input type="checkbox"/> SB 9 Housing Development |
| <input type="checkbox"/> Hillside Development Permit | <input type="checkbox"/> Right-of-Way Abandonment | <input type="checkbox"/> SB 9 Urban Lot Split |

OWNER / AGENT STATEMENT

Property Owner Consent – I am the legal owner of record of the land specified in this application or am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application. I hereby grant permission to access the property to individuals involved in the processing of the subject application(s). I agree to defend, indemnify and hold harmless the City, its agents, officers, officials, and employees from all claims, demands, lawsuits, writs of mandamus, and other actions or proceedings (collectively "Actions") brought against the City or its departments, commissions, agents, officers, officials, or employees to challenge, attack seek to modify, set aside, void or annul any City decision made in connection with this application. In the event the City becomes aware of any such Actions, the City shall promptly notify me and shall cooperate fully in the defense. It is expressly agreed that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and I shall reimburse City for any attorney's fees, costs and expenses, including any plaintiff's or other third party's attorneys' fees, costs and expenses, directly and necessarily incurred by the City in the course of the defense.

Print Name _____ Signature _____ Date _____

Standard Application Form

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**City of Lafayette
Planning & Building Department**

AGREEMENT TO PAY FOR CITY SERVICES

Complete and submit this form with the development application.

In consideration for the City providing the services described in this Agreement, the undersigned agrees as follows:

1. The City services requested relate to development application number _____, property in the City of Lafayette located at _____, assessor's parcel number _____.
2. This Agreement is for services and fees that are in addition to the planning fees paid upon the filing of the referenced development application. I agree to pay for the additional charges imposed by the City for staff time spent processing the application based upon an hourly rate established by resolution of the City Council. These services include but are not limited to City staff time spent for engineering and other City administrative services regarding the application. In addition, I agree to pay for services of consultants retained by the City and required by it in connection with the development application at the hourly rate charged by each consultant to the City. These services include but are not limited to legal, landscaping, traffic engineering and environmental services and may also include the costs associated with such services such as mileage and photographic copies.
3. The City will bill for the services performed under this Agreement upon a monthly or other periodic basis. If at any time the balance due exceeds \$500.00, the City may cease processing the application, prepare a recommendation for taking action on the application and present the application to the appropriate hearing body for final action.
4. The development application account will remain open until it is paid in full. Final payment in full is due as follows:
 - a. In the case of a subdivision, upon release of the final improvement bond or when conditions of approval are satisfied, which ever is later in time;
 - b. In the case of all other applications, when the City authorizes Contra Costa County to issue final building inspection clearance or when work for which a permit is issued is completed;
 - c. If an application is denied, upon expiration of the appeal period or upon a final decision on appeal;
 - d. If an application is withdrawn, when all remaining staff work on the application is completed;
 - e. Upon the expiration of 12 consecutive months during which there was no activity on the application.
5. The undersigned is responsible for the payment of the costs and charges involved with the application even though the property or project is sold or assigned to another party. If the undersigned desires to transfer payment responsibility to another, it is the undersigned's responsibility to have this Agreement replaced by a new agreement with the responsible party. Any outstanding balance must be paid before the City will accept a replacement agreement.
6. The undersigned agrees to advise the City in writing of any change to their billing address and represents that (s)he is the party responsible for payment of the costs or any other obligations incurred under this Agreement.
7. The undersigned agrees to defend, indemnify and hold harmless the City, its agents, officers, officials, and employees from all claims, demands, lawsuits, writs of mandamus, and other actions or proceedings (collectively "Actions") brought against the City or its departments, commissions, agents, officers, officials, or employees to challenge, attack seek to modify, set aside, void or annul any City decision made in connection with this application or Agreement. In the event the City becomes aware of any such Actions, the City shall promptly notify the undersigned and shall cooperate fully in the defense. It is expressly agreed that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the undersigned shall reimburse City for any attorney's fees, costs and expenses, including any plaintiff's or other third party's attorneys' fees, costs and expenses, directly and necessarily incurred by the City in the course of the defense.

PROPERTY OWNER NAME (Print): _____ MAILING ADDRESS: _____

PROPERTY OWNER SIGNATURE: _____ CITY, STATE, ZIP: _____

DATE: _____ TELEPHONE: _____

NOTE: THIS DOCUMENT IS NOT TRANSFERABLE • ORIGINAL TO FINANCE • COPY TO APPLICANT • COPY TO APPLICATION FILE

APPLICATION NO. _____

FOR OFFICIAL USE ONLY

ACCOUNT NO. _____

Agreement for City Services

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