

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)

APPLICATION FOR SB 9 MINISTERIAL HOUSING DEVELOPMENT

Please complete this application form to request consideration of a housing development project of up to two new dwelling units per lot and any associated urban lot split pursuant to Sections 6585.21, 66411.7, and 66452.6 of the California Government Code and Chapter 17.60 of the Piedmont City Code.

_____ MINISTERIAL DESIGN REVIEW _____ URBAN LOT SPLIT SUBDIVISION

Fees. Please add those that apply to your project (*includes a \$56 records management fee*)

_____ (\$2,126)	Ministerial Housing Development Design Review
_____ (\$2,105)	Urban Lot Split Subdivision
_____ TOTAL	Please note that planning application fees are non-refundable.

Property Owner Information

Name(s) of Property Owner(s): _____
Address of Property: _____ Zip Code: _____
Mailing Address of Property Owner(s) (if different from above): _____
_____ City, State, Zip
Code: _____
Telephone Number: _____ Preferred Contact Method: _____
Mobile Number: _____ Email: _____
 Is this property owned in trust or by a corporation? Please provide articles of incorporation.

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.)

Description of proposed project: _____

Estimated cost of proposed exterior improvements: \$ _____

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

Authorization of Ministerial Housing Development Project Submittal (SB 9)

My signature below signifies that I:

- have read the background document and have provided all applicable information per the attached checklist;
- have reviewed the legal description on my property deed and indicated all recorded easements and deed restrictions on the submitted site plan (*Please provide a description here of the easements and restrictions that were indicated on your property deed*) _____
_____;
- believe the information provided in this application is accurate to the best of my knowledge.
- agree to provide city staff access to my property to view existing conditions and proposed construction. (*Please note any special instructions regarding access to your property such as dogs, gates, alarms, etc.*) _____;
- confirm that I am not acting in concert with the owner of any adjacent property;
- confirm that, if approved, the housing unit(s) created under this application will never be used for short-term rental of any sort;
- 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 to the approved construction may be made without city approval, and changes may require a new application; and
- understand that I, the property owner, shall defend (with counsel acceptable to the city), indemnify and hold harmless the city (including its agents, officers, and employees) from any claim, action, or proceeding to challenge an approval of the Planning Commission, City Council, or any officer or department concerning a permit granted under City Code Chapter 17.

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

Mortgage Lender Authorization for Urban Lot Split Ministerial Approval

I authorize the filing of a ministerial permit to subdivide the property as described herein.

Name _____ date _____

Financial Institution _____ Telephone Number _____

➤ SIGNATURE OF MORTGAGE LENDER _____ date _____

Agent Authorization

This authorization permits City staff to contact the property owner’s 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 _____

ZONE A or ZONE E INFORMATION

Please complete all applicable zoning information below.

Zone <u>A</u> or Zone <u>E</u> (Circle one)	Lot Area _____ square feet	Lot Frontage _____ feet		
Code Requirements Zone A See §17.20.040 Zone E See §17.28.040	To Existing Structures	To Proposed Construction	Standard	Conforming? (circle one)
Lot Coverage/Structures	_____ %	_____ %	<u>40%</u>	<u>Yes</u> No
Minimum Landscaped Area	_____ %	_____ %	<u>30% (A) / 40% (E)</u>	<u>Yes</u> No
Building Height	_____	_____	<u>35 ft</u>	<u>Yes</u> No
Street Yard Setback ¹	_____	_____	<u>20 ft</u>	<u>Yes</u> No
_____ Side Yard Setback ^{2,2}	_____	_____	<u>4 ft (Zone A)</u> <u>4 ft (Zone E)</u>	<u>Yes</u> No
_____ Side Yard Setback ^{2,3}	_____	_____	<u>4 ft (Zone A)</u> <u>4 ft (Zone E)</u>	<u>Yes</u> No
Rear Yard Setback ^{2,3}	_____	_____	<u>4 ft (Zone A)</u> <u>4 ft (Zone E)</u>	<u>Yes</u> No
Floor Area Ratio ³	_____ %	_____ %	<u>55% 0 - 5,000 sq.ft.</u> <u>50% 5,001 - 10,000 sq.ft.</u> <u>45% 10,001+ sq.ft.</u>	<u>Yes</u> No
Proposed Lot Split Ratio	_____	_____	<u>40-60%</u>	<u>Yes</u> No
Proposed Lot Area, Parcel A	_____	_____	<u>8,000 s.f. (Zone A)</u> <u>20,000 s.f. (Zone E)</u>	<u>Yes</u> No
Proposed Lot Area Parcel B	_____	_____	<u>8,000 s.f. (Zone A)</u> <u>20,000 s.f. (Zone E)</u>	<u>Yes</u> No
Proposed Street Frontage, Parcel A	_____	_____	<u>60 ft (Zone A)</u> <u>120 ft (Zone E)</u>	<u>Yes</u> No
Proposed Street Frontage, Parcel B	_____	_____	<u>60 ft (Zone A)</u> <u>120 ft (Zone E)</u>	<u>Yes</u> No
Proposed Corner Street Frontage	_____	_____	<u>60 ft (Zone A)</u> <u>120 ft (Zone E)</u>	<u>Yes</u> No

¹ *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*. (§17.90.020)

² An accessory structure in both Zones A and E may be located anywhere within the side and rear setback areas except that it: (a) must be located within 35 feet of the rear lot line; (b) must be located at least 5 feet from a habitable structure on an abutting property, and, for a corner lot, at least 5 feet from a side lot line of an abutting lot to the rear; (c) may not exceed 15 feet in height; and (d) may not be habitable.

³ The floor area ratio standard is not applied to finishing an area into habitable space if: (1) there is no expansion of the exterior building envelope; and (2) the owner has not obtained a final inspection within the prior three years on a building permit issued for an expansion of the building envelope.

Does the urban lot split include a new lot with more than one street frontage (e.g. a corner lot)? _____

What is the proposed total area of each dwelling unit? _____ square feet

Does the project involve a property within the jurisdictions of both Piedmont and Oakland? _____

Are waivers of the Zone A and/or Zone E zoning standards required in order to accommodate at least two housing units with floor area of 800 square feet each to be built on each single-family lot? _____

Which standards must be waived? _____

Is the project within ½ mile walking distance of a transit stop, car share vehicle, or high-quality transit corridor, e.g. a bus route with 15 minute headways? _____

If yes, does the project involve the creation or development of one or more voluntary parking spaces?

No

Yes – How many spaces? _____

§17.90.010 Bedroom includes any room with features generally characteristic of bedrooms, regardless of its designation on a building plan. A bedroom has adequate privacy and meets the minimum size and habitation requirements of the Building Code. It includes and is not limited to a room with: (a) access to a full bathroom on the same floor or within half a floor, if the house has a split level; (b) access to a full bathroom through a common hallway or other common space such as a kitchen, living room and/or dining room. A *bedroom* need not have a closet.

Based on the definition above, how many *bedrooms* are existing: _____

What is the total number of *bedrooms* under the current proposal, per housing unit? _____

Please describe the existing parking that is covered, non-tandem, and at least 8-1/2 feet wide by 18 feet deep that is on the property: _____

Please describe the proposed parking that is covered, non-tandem, and at least 8-1/2 feet wide by 18 feet deep: _____

SB 9 STANDARDS
(To be completed by the applicant.)

Please describe how the proposed project meets the City of Piedmont's objective standards for development:

A. The proposed design is consistent with the Piedmont Design Guidelines, including Chapter 3, Site Design. *(Describe how the project's exterior design elements are consistent with objective standards in Chapter 3 of the Piedmont Design Guidelines.)*

B. The proposed design is consistent with the Piedmont Design Guidelines, including Chapter 5, Building Design: Single-Family. *(Describe how the project's exterior design elements are consistent with objective standards in Chapter 5 of the Piedmont Design Guidelines.)*

C. The proposed design is consistent with the Public Works Standard Details and also does not remove any City street tree. *(Describe how the project's compliance with Public Works Standard Details and Chapter 3 regulations for City street trees.)*

D. The proposed design is consistent with the Piedmont Fire Code, including Appendix D, without waivers or discretionary exceptions to Fire Code requirements. *(Describe how the project's compliance with Appendix D of the Fire Code.)*

E. The proposed design does not obstruct access to any property or obstruct access to any public or private easement. *(Describe how the project's design does not interfere with access or with public or private easements in existence at the time of the application submittal.)*

F. The property is not: listed in any inventory of historic properties; designated an historic property or historic landmark; or included in any historic district. *(Describe how the analysis leading to this conclusion was conducted.)*

G. The proposed subdivision is consistent with Chapter 18 objective standards, including the Subdivision Manual and/or Condominium Manual regulations. *(Describe how this analysis was conducted.)* _____

SB 9 HOUSING DEVELOPMENT DESIGN REVIEW PERMIT SUBMITTAL CHECKLIST

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

Digital copies of plans and application materials must be submitted to ondutyplanner@piedmont.ca.gov

Digital plans must include the required scale. In general, the following are required for a complete application unless specifically noted otherwise in writing by Planning Division staff. Please contact the Planning Division, and staff will assist you with application submittal requirements.

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

- ✓ **Site Survey and Topographic Map** (preferred scale 1/8")
Provide an ALTA survey and topographic map meeting the requirements of the American Land Title Association (ALTA) and the National Society of Professional Surveyors (NSPS), including all Table A checklist requirements. Please dimension and show coordinates for all lot lines; show the location of street right-of-way and nearest sidewalk; show the location of all existing structures, utilities, fences, retaining walls, and significant trees with a minimum of 12" trunk diameter; show spot grade elevations at building corners; show existing floor elevations; show existing roof eave and roof peak elevations; show easements; provide contour lines at a minimum of 2 ft. intervals, and provide a north arrow.
- ✓ **Housing Development Plan**
A housing development plan consisting of the architectural design (existing and proposed site plan, floor plans, elevations, and details) and civil engineering design and calculations (grading, foundation, framing, and utilities) for the development of one or two new housing units must be filed concurrently with the application for any ministerial urban lot split filed under SB 9 authority. If more than two new housing units are proposed, file two application forms, application materials, and associated fees.
- ✓ **Existing Site Plan** (preferred scale 1/8")
Please indicate the location of all existing structures, retaining walls, fences, site features, trees, landscaping, hard-surface areas, lot lines, front, side and rear yard setback lines, and easements. Please outline the locations of structures on adjacent properties (up to 25 feet from the property line) and label their uses. 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 Zoning Ordinance Sec. 17.90.020.). Please show all curbs, sidewalks, street trees and the street right-of-way bordering the subject property. Please show a North arrow, label adjacent streets, and call out existing features. It is preferred that the site plan shows the roof of structures on the property rather than the interior floor plans. See "proposed" below for formatting instructions.
- ✓ **Proposed Site Plan** (preferred scale 1/8")
Please indicate the location of all existing and proposed structures, retaining walls, fences, site features, trees, landscaping, hard-surface areas, lot lines, front, side and rear yard setback lines, and easements. Please outline the locations of structures on adjacent properties (up to 25 feet from the property line) and label their uses. Provide setback dimensions from all existing and proposed 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 Zoning Ordinance Sec. 17.90.020.). Please show all curbs, sidewalks, street trees and the street right-of-way bordering the subject property, and any changes proposed to these features. Please show a North arrow, show grade changes at the property line, label adjacent streets, and call out existing features and proposed modifications. It is preferred that the site plan shows the roof of structures on the property rather than the interior floor plans. **Please show each proposed site plan either side by side on the same page as the corresponding existing floorplan or in a manner where a contrasting outline of the existing construction is shown on the proposed plan, if possible.**

- ✓ **Roof Plans (Existing and Proposed)** (preferred scale 1/8")
Roof plans should include the pitch, overhangs, skylights, chimneys, vents, and gutters. Roof plans may be shown on the site plans. Please specify all existing and proposed roof materials.

- ✓ **Existing Floor Plans** (preferred scale 1/4")
Please provide plans for all floor levels including basements and attics, and include room names, window and door locations, built-in cabinets, appliance and fixture locations, ceiling heights, exterior light fixture locations and parking space dimensions. Show the removal of any existing features, including roofs, walls, ceilings, windows, doors, built-in-cabinets, appliances, fixtures and parking spaces. Please show a north arrow and label the floor level. See "proposed" below for formatting instructions.

- ✓ **Proposed Floor Plans** (preferred scale 1/4")
Please provide plans for all floor levels including basements and attics, and include room names, window and door locations, built-in cabinets, appliance and fixture locations, ceiling heights, exterior light fixture locations and parking space dimensions. Please show a north arrow, label the floor level, and call out proposed modifications. **Please show each proposed floorplan either side by side on the same page as the corresponding existing floorplan or in a manner where a contrasting outline of the existing construction is shown on the proposed plan, if possible.**

- ✓ **Existing Elevations** (preferred scale 1/4")
Please provide North, South, East and West elevations (proposed to be changed or affected by new construction) including all existing materials (including roofing 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 existing building height (See Zoning Ordinance Sec. 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). See "proposed" below for formatting instructions.

- ✓ **Proposed Elevations** (preferred scale 1/4")
Please provide North, South, East and West elevations (proposed to be changed or affected by new construction) including all proposed materials (including roofing 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 Zoning Ordinance Sec. 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). **Please show each proposed exterior elevation either side by side on the same page as the corresponding existing exterior elevation, or in a manner where a contrasting outline of the existing construction is shown on the proposed elevation, if possible.**

- ✓ **Building Section: When required for additions and new construction** (Preferred scale 1/4")
Please provide a minimum one building cross section showing the relationship between existing and new construction, and/ or new construction and existing grade.

- ✓ **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, a typical window detail in a partial wall section showing the window recess dimension from the face of the exterior wall, and divided lite type (i.e. true divided lites or three-dimensional simulated divided lites). At the discretion of the Planning Director, a window schedule can be omitted only if all the above information is otherwise provided.

- ✓ **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 the permit 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 Zoning Ordinance Sec. 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 Zoning Ordinance Sec. 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, please see Zoning Ordinance Sec. 17.90.020.

✓ **Photographs**

Please provide photographs of the front (street), rear and side views of the existing structures on the subject property. Please also provide a front (street) view of the structures on the two adjacent properties. The photographs may be placed either on a standard permit application sheet size and be part of the submittal package, or may be placed on 8 ½" x 11" sheets as an accompanying submittal package.

✓ **Landscape Plans**

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*.

✓ **Stormwater Requirements Checklist and Drainage Plan** (see attached)

✓ **Geotechnical Analysis/Soils Report and Foundation Engineering Design and Calculations.** Geotechnical analysis must be completed by a licensed engineer and completed within the last calendar year.

✓ **Civil Engineering Plan Set.** Complete civil engineering plans and calculations are required. Engineering must be based on the specific soil conditions and topography of the site, as analyzed in the project Geotechnical Analysis completed within the last calendar year. Engineering must include framing plan and calculations.

✓ **Reach Code Compliance**

If your proposed project has a stated value cost of over \$25,000, expands the roof area by at least 30%, affects the electrical panel, or alters the kitchen or laundry room; you may be affected by building code requirements for energy efficiency. Please visit the webpage below and click on "Checklist for requirements" to see if your project is affected:

Webpage: (https://piedmont.ca.gov/services_departments/planning_building/about_building_)

Or **PDF:**

(https://piedmont.ca.gov/UserFiles/Servers/Server_13659739/File/Government/Departments/Planning%20Division/Climate%20Action%20Program/Piedmont%20Checklist%20for%20Homeowners.pdf).

✓ **Preliminary Title Report** prepared within 1 year of the SB 9 application.

Prior to Submitting an Application

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

- 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>.

**14-DAY NOTICE BY APPLICANT
of
START OF CONSTRUCTION**

Dear Neighbor:

I/ We have obtained a Ministerial Housing Development Permit and a Building Permit pursuant to Senate Bill 9 (2021) to complete the following construction (description of project) _____

The approved project includes a subdivision or condominium?

- YES
- NO

The purpose of this form is to notify you of the start of construction. My approved construction is expected to begin on or after _____ (date at least 14 days from the date of this notice).

Please contact me with any questions at the following phone number and email:

Phone Number

Email Address

Signed,

Signature of applicant

Print name of applicant

Address of project (number and street)

Date

AFFIDAVIT OF SERVICE BY APPLICANT/ AGENT

(To be attached to a copy of the notice and returned to the Planning Director.)

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

and a resident of _____
County, Country

That affiant's residence address is _____.

That affiant served a copy of the attached notice of the start of construction by placing said copy in an envelope addressed to (please list the names and addresses of all the property owners to whom the notice was served):

which envelope was then sealed and postage fully prepaid thereon, and thereafter was on _____,
date
deposited in the United States mail or delivered personally by hand.

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

Executed on _____ at _____, California.
date address

Signed _____
Affiant's signature