



Planning & Building Department
3675 Mt. Diablo Boulevard, Suite 210
Lafayette, CA 94549
Tel. (925) 284-1976
<http://www.ci.lafayette.ca.us>

APPLICATION FOR HILLSIDE DEVELOPMENT PERMIT SUBMITTAL REQUIREMENTS FOR SUBDIVISIONS

For all hillside development applications, one (1) reduced set of plans (11" x 17") and one (1) electronic (PDF) set of plans on a CD or by email shall be submitted for initial review unless otherwise specified in this checklist or by staff. If special reports such as geotechnical investigations or biological resources reports are necessary, two (2) copies shall be submitted for initial review. If the reports are in color or contain color exhibits, nine (9) copies are required.

Once Planning Services Division staff has reviewed the plans (within 30 days), the applicant will be notified of any necessary alterations to the plans, any additional submittals required, and the number of full-size and/or mid-size (15" x 22") plans required for the review process. All plans shall be clearly and legibly drawn to scale (not less than 1" = 30'). Full-size sheets shall not exceed a maximum size of 24" x 36". Text and linework shall be clear and visible. Plan sets are to be folded to a size not exceeding 9" x 12" with title block visible.

A signed copy of this checklist is required with each box checked affirming submittal of the required item(s). The application will not be accepted for processing unless all pertinent information listed in this checklist is provided. The reason for the absence of any required items must be acknowledged and substantiated in writing to the satisfaction of the Planning Services Manager or the application will not be accepted.

All plan sheets shall have a north arrow, scale, graphic (bar) scale, name of the project owner/proponent and name of the engineer, architect, or owner's representative, site address, and assessor's parcel number (or name of subdivision and lot number). All plans shall be dated; all revised plans shall include revision date and revised portions shall be clearly identified.

SUBMITTAL REQUIREMENTS

- 1. Application form completed and signed by the current property owner.
- 2. Completed Response to Findings.
- 3. Application supplemental forms, as applicable, signed by the preparer.
- 4. Required fee and Agreement for Planning Services. Make check payable to **CITY OF LAFAYETTE**.
- 5. Completed Environmental Information Form if applicable. Based on an Initial Study, your project may be subject to additional environmental review fees to be paid to the California Department of Fish and Game. These fees, if required, are due at the time of project approval. The fee for an EIR is \$875 and for a Negative Declaration is \$1275. These fee amounts were set by the State, not the City. The

planner working on your development application will notify you whether your project has been determined to be exempt from AB3158 fees, based on the Initial Study prepared for your application.

- 6. Two (2) copies of a preliminary title report not more than six months old.
- 7. Context map (minimum 1" = 50') showing all parcels immediately adjacent to the site, property ownership, the footprints of all structures, significant landscaping, and any significant topographic or man-made landforms or features on said parcels. Label and note the distance to existing structures on adjacent lots. Indicate the approximate finished floor elevations of these adjacent residences.
- 8. Two (2) copies of a narrative text that includes:
 - Proposed use of the land
 - Preliminary report indicating provision of storm drainage, sewage disposal and public utilities
 - Statement indicating how the development conforms to the General Plan
- 9. Site plan showing:
 - Vicinity map
 - Existing natural land features and topography including each designated ridgeline. The topography shall be shown at a maximum of two foot contour intervals in the area to be developed.
 - All property lines and dimensions and square footage of property
 - All public and private roads, rights-of-way, and easements, within and to the parcel, fully dimensioned. Indicate whether public or private.
 - Existing street improvements (curb, gutter, sidewalk, extent of paving)
 - Location and dimensions of all existing structures with dimensions to all property lines
 - Proposed building site(s) and footprint(s) of all proposed structures with dimensions to all property lines. All changes or additions to existing structures shall be hatched, shaded, or otherwise highlighted. A conceptual siting, massing and design study is required for each building site less than 15, 000 square feet.
 - Circulation plans for each vehicular and pedestrian way.
 - Location, dimensions and quantity of existing and proposed covered and uncovered parking facilities and driveways
 - All existing and proposed impervious surfaces, including but not limited to sidewalks, roofs, patios, stairs, pool decks, and driveways (shaded or hatched appropriately). Call out square footage of impervious surfaces on the site plan.
 - Location and dimensions of existing and proposed fences and retaining walls with top-of-wall (TW) and bottom of wall (BW) spot elevations.

- Surveyed locations of each tree having a trunk of 4 or more inches in diameter at 4'6" above grade and within 100 feet of all construction and grading. The plan shall denote tree species, accurate drip lines, base of trunk elevations, and indicate with an "X" any trees proposed for removal.
 - Proposed or altered landscaping. New or replacement vegetation in a restricted ridgeline area shall be native to the surrounding area.
 - General location of each hiking, riding and bicycle trail and recreational facility
 - Areas of natural open space that will remain upon completion of development
 - Location of any Class I, Class II, or Class III ridgelines within the project boundaries or within 100 feet beyond the project boundaries
 - Ridgeline setback areas (measured in plan view from the centerline of the ridge). The ridgeline setback for Class I ridges is 400 feet and 250 feet for Class II ridges
10. Cross-sections through the project site as follows:
- For Class I and Class II ridges, provide an adequate number of cross-sections through the project site to show ridgeline declination. 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 degrees from the horizontal intercept of the ridge. 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. The declination line terminates at the boundary line of the hillside overlay district.
 - For Class III ridges, provide an adequate number of cross-sections through the project site to show horizontal planes intercepting the ridge. No portion of a structure may be erected higher than the horizontal plane. 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 degrees from the endpoint of the ridgeline.
11. Grading and/or improvement plans showing:
- Anticipated grading for the development; note amount of cut, fill, import or export and destination of exported earth shall be indicated on building permit application.
 - Existing and proposed drainage facilities including swales, creeks, drainage ditches, discharge facilities, catch basins, and subsurface drainage pipes (closed and open), within and adjacent to the site. (See separate handout entitled "Drainage Plan Guidelines".)
 - Location of existing and proposed sanitary sewers and storm drain facilities
12. Current preliminary soils and geological report for each proposed building site prepared by a registered geotechnical engineer.

- 13. Biotic resources analysis that includes the following:
 - Type and location of threatened and endangered plant and animal species
 - Riparian vegetation on and within 100 feet of subject property
 - Oak woodland and other plant communities providing habitat
 - Location of watercourses, springs, drainage swales and other natural features that may provide habitat
 - Wildlife corridors
 - Area and location of undeveloped land on the subject property required to protect and enhance the continued viability of significant biotic resources, where applicable.
 - Mitigation measures for impacts on significant biotic resources.

- 14. Two (2) copies of average slope calculations for the entire, unsubdivided property and for each proposed lot. The calculation of the average percent slope shall be based upon a complete topographic survey of the property at a contour interval no greater than five feet and a horizontal map scale of one inch equals 100 feet, or as required by the Planning & Building Dept. manager, shall be used.

- 15. Additional information required by the Planning and Building Dept. manager or imposed by the city's zoning, subdivision, building and grading regulations, and environmental review procedures.

SIGNATURE OF PREPARER: _____ DATE: _____

PRINT FULL NAME: _____



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 <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Multi-Family Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Office <input type="checkbox"/> Vacant <input type="checkbox"/> Other (specify) _____			
Proposed Land Use <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Multi-Family Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Office <input type="checkbox"/> Vacant <input type="checkbox"/> Other (specify) _____			

APPLICANT INFORMATION			OWNER INFORMATION		
Applicant Name			Owner Name		
Applicant Address			Owner Address		
City	State	Zip	City	State	Zip
Phone () - -	Fax () - -		Phone () - -	Fax () - -	
Cell () - -	Email (for official use only)		Cell () - -	Email (for official use only)	

CHECK ALL APPLICABLE REQUESTS		
<input type="checkbox"/> 15-Degree Declination Exception	<input type="checkbox"/> Hillside Development Permit	<input type="checkbox"/> Right-of-Way Abandonment
<input type="checkbox"/> Address Assignment / Change	<input type="checkbox"/> Land Use Permit	<input type="checkbox"/> Second Unit Permit
<input type="checkbox"/> Appeal (App. # _____)	<input type="checkbox"/> Lot Line Revision	<input type="checkbox"/> Senior Housing Permit
<input type="checkbox"/> Certificate of Compliance	<input type="checkbox"/> Major Subdivision / Tract (≥ 5 lots)	<input type="checkbox"/> Sign Permit
<input type="checkbox"/> Change of Conditions	<input type="checkbox"/> Minor Subdivision (4 lots or fewer)	<input type="checkbox"/> Study Session
<input type="checkbox"/> Design Review	<input type="checkbox"/> Public Art Permit	<input type="checkbox"/> Temporary Land Use Permit
<input type="checkbox"/> Family Day Care	<input type="checkbox"/> Reasonable Accommodation	<input type="checkbox"/> Tree Removal Permit
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Reconsideration (App. # _____)	<input type="checkbox"/> Variance / Exception
<input type="checkbox"/> Grading Permit (≥ 50 cu. yds.)	<input type="checkbox"/> Re-Zone Property	<input type="checkbox"/> Zoning Text Amendment
	<input type="checkbox"/> Ridgeline Setback Exception	<input type="checkbox"/> Other _____

OWNER / AGENT STATEMENT
<p>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).</p> <div style="text-align: right; margin-top: 20px;"> X _____ Signature and Date </div>

Standard Application Form

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Planning Services Division
3675 Mt. Diablo Boulevard, Suite 210
Lafayette, CA 94549
Tel. (925) 284-1976 • Fax (925) 284-1122
www.ci.lafayette.ca.us

APPLICATION FOR HILLSIDE DEVELOPMENT PERMIT
FOR SUBDIVISIONS

APPLICANT: _____ PHONE NO. _____

APPLICANT'S MAILING ADDRESS: _____

LEGAL OWNER: _____ PHONE NO. _____

OWNER'S MAILING ADDRESS: _____

PROJECT ADDRESS: _____ PARCEL NO. _____

APPROXIMATE LOCATION IF ADDRESS UNKNOWN: _____

TOTAL AREA OF PARCEL: _____ NUMBER OF LOTS PROPOSED: _____

ZONING DESIGNATION: _____ FLOOD ZONE: _____

RIDGELINE SETBACK REQUIRED: [] No [] Yes [] Class I Ridge [] Class II Ridge [] Class III Ridge

EXCEPTION(S) REQUESTED: [] No [] Yes [] Subdivision within a Class I ridgeline setback (Complete FORM HDP-SUBD-A)
[] Subdivision within a Class II or III ridgeline protected area (Complete FORM HDP-SUBD-B)
[] Increase the maximum allowed density (Complete FORM HDP-SUBD-C)
[] Allow for a building site with greater than a 30 percent slope (Complete FORM HDP-SUBD-D)
[] Alteration of a slope in excess of 35 percent (Complete FORM HDP-SUBD-E)
[] Development exceeds the 15-degree declination (Complete FORM HDP-SUBD-F)

IN GRANTING APPROVAL FOR THIS APPLICATION, A NUMBER OF FINDINGS MUST BE MADE. PLEASE RESPOND TO EACH STATEMENT LISTED ON THE FOLLOWING PAGES OF THIS APPLICATION AND TO ANY OTHER ACCOMPANYING FORM(S).

SIGNATURE OF APPLICANT: _____ DATE: _____

SIGNATURE OF PROPERTY OWNER: _____ DATE: _____

PRINT FULL NAME: _____

HILLSIDE DEVELOPMENT PERMIT NO. _____

In granting approval of a subdivision in the Hillside Overlay District, a number of findings must be made per Section 6-2072. Please respond to each of the following statements on a separate sheet.

- (a) The design of the subdivision is consistent with the applicable goals and policies of the general plan and is in conformance with applicable zoning regulations;
- (b) The design of the subdivision 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;
- (c) The design of the subdivision and the proposed development are derived from naturally contoured sites of reasonably regular configuration, do not create building sites on slopes exceeding 30 percent nor result in the need for construction of primary structures outside the areas of 30 percent or less slopes;
- (d) The design of the subdivision and the proposed development will result in each structure being substantially concealed, as required by section 6-2048, when viewed from lower elevations from public places, using the viewing evaluation map as a guide to establish locations from which views are considered;
- (e) The design of the subdivision provides for a trail or portions of trails in conformance with the city's adopted master trails map or an adopted regional trail plan, and the trail is dedicated and conditioned for improvement in accordance with adopted standards;
- (f) The design of the subdivision and proposed development use clustering or other site planning techniques to preserve hillsides, ridgelines, knolls and open space, minimize impacts on wildlife habitats to the extent feasible, and provide for the preservation of vegetation, terrain, scenic vistas, trail corridors, streams or water courses, or other areas of ecological significance through dedication, easement, land trust or other suitable regulation;
- (g) 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;
- (h) The design of the subdivision and the proposed development are arranged so that no portion of the lot exceeding a slope of 35 percent, is proposed to be altered by grading removal or alteration of a natural feature, the removal of vegetation or other activity related to the preparation of the site for development, except fire protection, or other measures necessary for public safety, slope or geologic stabilization or the provision of a trail in conformance with the city's adopted master trails map or an adopted regional trail plan or where the planning commission finds that an exception is necessary to provide the least intrusive or damaging access to an approved building site;
- (i) The development, including site design and the location and massing of all structures and improvements will be located away from prominent locations such as ridgelines, hilltops, knolls and open slopes, preserve the open and uncluttered topography of the city, and not interfere with a ridgeline corridor or compromise the open space or scenic character of the corridor;
- (j) The development and each associated improvement is located and designed to complement the natural terrain and landscape of the site and surrounding properties, and in when in close proximity to an existing neighborhood relates to the development pattern, including density and distribution, of that neighborhood;
- (k) 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, excluding planting for erosion control or land stabilization, and conforms to the policies of Section 6-2051;
- (l) The development complies with the city's residential design guidelines, and landscaping will ensure visual relief and complement each proposed structure to provide an attractive environment;
- (m) Each proposed house location and the location of each related structure is sited to minimize loss of privacy and not unduly impact, restrict or block significant views;

- (n) The design of streets, streetlights, storm drainage, utilities and other common improvements incorporated into the subdivision comply with adopted city standards and are designed to preserve the character of the site and surrounding area, minimize visual impact and avoid adverse impacts on surrounding properties and neighborhoods;
- (o) Street right-of-way incorporated into the design of the subdivision is based on the conditions set forth in Section 6-2054 "Streets";
- (p) The design of the subdivision and the proposed development provide adequate emergency vehicle access, including turn-around space, to each building site and surrounding undeveloped areas, while protecting valuable trees, minimizing grading and preserving the natural hillside character of the site and vicinity; and
- (q) 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.

Hillside Development Subdivision Application

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Required for Subdivision
Within a Class I
Ridgeline Setback



CITY OF LAFAYETTE
APPLICATION FOR HILLSIDE DEVELOPMENT PERMIT
SUPPLEMENTAL FORM HDP-SUBD-A

REQUEST FOR EXCEPTION TO PERMIT SUBDIVISION WITHIN A CLASS I
RIDGELINE SETBACK PER SECTIONS 6-2026 AND 6-2068.

APPLICANT: _____ PHONE NO. _____

PROPERTY ADDRESS: _____ PARCEL NO. _____

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.

- A. Explain in detail how the 400-foot setback requirement from the Class I ridge and/or the structure height limitation based on the 15-degree declination have the effect of depriving the property of all economically viable use.
- B. Describe how the proposed density does not exceed the density permitted by the underlying zoning district or the slope density formula (Section 6-2043A), whichever is less.
- C. Explain in detail how the proposed density does not exceed that necessary to provide the property with an economically viable use. *(The information required from the applicant to support this finding is found on the reverse side of this form.)*

SIGNATURE OF PREPARER: _____ DATE: _____

PRINT FULL NAME: _____

HILLSIDE DEVELOPMENT PERMIT NO. _____

ECONOMICALLY VIABLE USE SUBMITTAL REQUIREMENTS

The applicant shall provide the following information setting forth the basis upon which the applicant believes that the exception is necessary to provide the property with economically viable use. The applicant shall cooperate with City requests for financial information regarding the property. Confidential business information provided by the applicant to the City shall remain confidential consistent with the requirements of the Public Records Act (Government Code §6250 et. seq.) Please respond to the following statements on a separate sheet.

1. Basis for application.
 - a. Date of acquisition of the property.
 - b. Purchase prices of property.
 - c. An explanation of how the exception is necessary to provide the property with an economically viable use.
2. Economic data
 - a. Current market value of the property.
 - b. Dates and amounts of invested capital following acquisition of the property.
 - c. Description and amount of each assessment imposed upon the property for public improvements.
 - d. Existing activities for the property.
 - e. Planned activities for the property including the timing for development.
 - f. Market value claimed if the exception is denied.
 - g. Portion of the property retaining economic use if the exception is not granted.
 - h. Reduced profits if the exception is not granted including the assumption underlying the estimates.
3. Such additional information as the City may request in order to take action on the request.
4. The name, address and occupation of each consultant and expert providing information or in any way assisting in the preparation of the application.

Required for Subdivision
Within a Class II or III
Ridgeline Protected Area



CITY OF LAFAYETTE
APPLICATION FOR HILLSIDE DEVELOPMENT PERMIT
SUPPLEMENTAL FORM HDP-SUBD-B

REQUEST FOR EXCEPTION TO PERMIT SUBDIVISION WITHIN A CLASS II OR
CLASS III RIDGELINE PROTECTED AREA PER SECTIONS 6-2027 AND 6-2069

APPLICANT: _____ PHONE NO. _____

PROPERTY ADDRESS: _____ PARCEL NO. _____

EXCEPTION(S) REQUESTED: Ridgeline setback requirement of 250 feet (Class II ridge)
 Height limitation based on horizontal plane of ridge (Class III ridge)

In order to grant an exception to the prohibition of subdivision within a Class II or Class III ridgeline protected area, the hearing authority must make a finding for either A or B, below. Please respond to either A or B, as applicable.

- A. Explain in detail the special conditions and unique characteristics of the subject property and how the site plan and design are such that the proposed development would provide a result that satisfies the policies in section 6-2071, which may be found in the handout entitled "Subdivision in Hillside Overlay District", respectively, OR
- B. Explain how prohibition of subdivision within a Class II or Class III ridgeline protected area would deprive the property of all economically viable use and how the subdivision meets the standards in section 6-2071, as the case may be; AND
1. How the proposed density does not exceed the density permitted by the slope density formula (Section 6-2043A) or the underlying zoning district, whichever is less; AND
 2. How the proposed density does not exceed that necessary to avoid an unconstitutional taking of property. *(The information required from the applicant to support this finding is found on the reverse side of this form.)*

HILLSIDE DEVELOPMENT PERMIT NO. _____

In order to grant an exception to the prohibition of development within the 15-degree declination, the Planning Commission must make a finding for either A or B or C, below. Please respond to either A or B or C, as applicable.

A. Explain in detail that topography or existing vegetation is such that:

- (1) 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
- (2) Grant of an exception will not interfere with an existing or proposed ridge trail or compromise its open space and scenic character. OR

B. When it is not possible to substantially conceal the building in conformance with §6-2070(A) above:

- (1) Explain how 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
- (2) Grant of an exception will not interfere with an existing or proposed ridge trail or compromise its open space and scenic character, OR

C. When the prohibition would deprive the property of all economically viable use and the subdivision meets the standards of section 6-2071 to the maximum extent feasible:

- (1) Explain how granting an exception under this subsection the density shall not exceed that permitted by the slope density formula or the underlying zoning district, whichever is less; AND
- (2) Explain how granting an exception under this subsection the density shall not exceed that necessary to avoid an unconstitutional taking of property.

SIGNATURE OF PREPARER: _____ DATE: _____

PRINT FULL NAME: _____

HILLSIDE DEVELOPMENT PERMIT NO. _____

ECONOMICALLY VIABLE USE SUBMITTAL REQUIREMENTS

The applicant shall provide the following information setting forth the basis upon which the applicant believes that the exception is necessary to provide the property with economically viable use. The applicant shall cooperate with City requests for financial information regarding the property. Confidential business information provided by the applicant to the City shall remain confidential consistent with the requirements of the Public Records Act (Government Code §6250 et. seq.) Please respond to the following statements on a separate sheet.

1. Basis for application.
 - a. Date of acquisition of the property.
 - b. Purchase prices of property.
 - c. An explanation of how the exception is necessary to provide the property with an economically viable use.

2. Economic data
 - a. Current market value of the property.
 - b. Dates and amounts of invested capital following acquisition of the property.
 - c. Description and amount of each assessment imposed upon the property for public improvements.
 - d. Existing activities for the property.
 - e. Planned activities for the property including the timing for development.
 - f. Market value claimed if the exception is denied.
 - g. Portion of the property retaining economic use if the exception is not granted.
 - h. Reduced profits if the exception is not granted including the assumption underlying the estimates.

3. Such additional information as the City may request in order to take action on the request.

4. The name, address and occupation of each consultant and expert providing information or in any way assisting in the preparation of the application.

HILLSIDE DEVELOPMENT PERMIT NO. _____

Hillside Development Permit – Form HDP-SUBD-B

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Required for Subdivision
that Exceeds the
Maximum Density



CITY OF LAFAYETTE
APPLICATION FOR HILLSIDE DEVELOPMENT PERMIT
SUPPLEMENTAL FORM HDP-SUBD-C

REQUEST FOR EXCEPTION TO ALLOW AN INCREASE IN MAXIMUM DENSITY
PER SECTION 6-2045

APPLICANT: _____ PHONE NO. _____

PROPERTY ADDRESS: _____ PARCEL NO. _____

For properties zoned R-6, R-10, R-12, R-15, R-20, or R-40, the Planning Commission may grant an increase in the maximum density, not to exceed a total of 40 percent, only if it can make the findings outlined below. Please respond to each of the following statements on a separate sheet.

- A. Provide documentation to support that the resulting dwelling unit density will not exceed the average density of existing dwelling units on properties any portion of which is within 500 feet of the subject property and within the same zoning district as the subject property.
- B. Explain how the resulting density will not be greater than the maximum density allowed by the underlying land use district.

For properties zoned R-65 or R-100, the Planning Commission may grant an increase in the maximum density, not to exceed a total of 20 percent, only if it can make the findings outlined below. This exception applies only to the division of land into not more than two lots. Please respond to each of the following statements on a separate sheet.

- A. Provide documentation to support that the resulting dwelling unit density will not exceed the average density of existing dwelling units on properties any portion of which is within 500 feet of the subject property and within the same zoning district as the subject property.
- B. Explain how the resulting density will not be greater than the maximum density allowed by the underlying land use district.

SIGNATURE OF PREPARER: _____ DATE: _____

PRINT FULL NAME: _____

HILLSIDE DEVELOPMENT PERMIT NO. _____

Hillside Development Permit – Form HDP-SUBD-C

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Required for Subdivision
Where Building Site(s)
Exceed(s) 30% Slope



CITY OF LAFAYETTE
APPLICATION FOR HILLSIDE DEVELOPMENT PERMIT
SUPPLEMENTAL FORM HDP-SUBD-D

REQUEST FOR EXCEPTION TO PERMIT A BUILDING SITE
GREATER THAN 30 PERCENT PER SECTION 6-2047B

APPLICANT: _____ PHONE NO. _____

PROPERTY ADDRESS: _____ PARCEL NO. _____

Section 6-2047 states that each lot shall have a suitable naturally contoured building site of 30 percent or less slope and that the 30 percent slope area shall be of reasonably regular configuration.

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.

- A. Explain how restricting construction and development to a naturally contoured building site of 30 percent or less slope would deprive the property of all economically viable use.
- B. Describe how the proposed density does not exceed the density permitted by the underlying zoning district or the slope density formula (Section 6-2043A), whichever is less.
- C. Explain in detail how the proposed density does not exceed that necessary to avoid an unconstitutional taking of property. *(The information required from the applicant to support this finding is found on the reverse side of this form.)*

SIGNATURE OF PREPARER: _____ DATE: _____

PRINT FULL NAME: _____

HILLSIDE DEVELOPMENT PERMIT NO. _____

ECONOMICALLY VIABLE USE SUBMITTAL REQUIREMENTS

The applicant shall provide the following information setting forth the basis upon which the applicant believes that the exception is necessary to provide the property with economically viable use. The applicant shall cooperate with City requests for financial information regarding the property. Confidential business information provided by the applicant to the City shall remain confidential consistent with the requirements of the Public Records Act (Government Code §6250 *et. seq.*) Please respond to the following statements on a separate sheet.

1. Basis for application.
 - a. Date of acquisition of the property.
 - b. Purchase prices of property.
 - c. An explanation of how the exception is necessary to provide the property with an economically viable use.
2. Economic data
 - a. Current market value of the property.
 - b. Dates and amounts of invested capital following acquisition of the property.
 - c. Description and amount of each assessment imposed upon the property for public improvements.
 - d. Existing activities for the property.
 - e. Planned activities for the property including the timing for development.
 - f. Market value claimed if the exception is denied.
 - g. Portion of the property retaining economic use if the exception is not granted.
 - h. Reduced profits if the exception is not granted including the assumption underlying the estimates.
3. Such additional information as the City may request in order to take action on the request.
4. The name, address and occupation of each consultant and expert providing information or in any way assisting in the preparation of the application.



Required for Subdivision
Where Alteration of Slope
in Excess of 35%

CITY OF LAFAYETTE
APPLICATION FOR HILLSIDE DEVELOPMENT PERMIT
SUPPLEMENTAL FORM HDP-SUBD-E

REQUEST FOR EXCEPTION TO ALLOW ALTERATION OF A SLOPE
IN EXCESS OF 35 PERCENT PER SECTION 6-2050

APPLICANT: _____ PHONE NO. _____

PROPERTY ADDRESS: _____ PARCEL NO. _____

Section 6-2050 states that the portion of a lot which has a ground slope in excess of 35 percent may not be altered by grading, the removal or alteration of a natural feature, such as a stream, rock outcrop, ridgeline, drainage swale, the removal of vegetation or other activity related to the preparation of the site for development.

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.

- A. Explain how the restriction against altering a ground slope in excess of 35 percent would deprive the property of all economically viable use AND
 - 1. How the exception is required in the interest of public safety, such as for the removal of poisonous or noxious plants, the controlled removal or thinning of vegetation as a part of a fire protection program required by the fire district, or other public safety purpose approved by the manager; OR
 - 2. How the exception is necessary for provision for a trail comprising a component of the city's adopted master trails plan or an adopted regional trail plan; OR
 - 3. How the exception is necessary in order to provide the least intensive or damaging access to an approved building site.
- B. Describe how the proposed density does not exceed the density permitted by the underlying zoning district or the slope density formula (Section 6-2043A), whichever is less.
- C. Explain in detail how the proposed density does not exceed that necessary to avoid an unconstitutional taking of property. *(The information required from the applicant to support this finding is found on the reverse side of this form.)*

SIGNATURE OF PREPARER: _____ DATE: _____

PRINT FULL NAME: _____

HILLSIDE DEVELOPMENT PERMIT NO. _____

ECONOMICALLY VIABLE USE SUBMITTAL REQUIREMENTS

The applicant shall provide the following information setting forth the basis upon which the applicant believes that the exception is necessary to provide the property with economically viable use. The applicant shall cooperate with City requests for financial information regarding the property. Confidential business information provided by the applicant to the City shall remain confidential consistent with the requirements of the Public Records Act (Government Code §6250 *et. seq.*) Please respond to the following statements on a separate sheet.

1. Basis for application.
 - a. Date of acquisition of the property.
 - b. Purchase prices of property.
 - c. An explanation of how the exception is necessary to provide the property with an economically viable use.
2. Economic data
 - a. Current market value of the property.
 - b. Dates and amounts of invested capital following acquisition of the property.
 - c. Description and amount of each assessment imposed upon the property for public improvements.
 - d. Existing activities for the property.
 - e. Planned activities for the property including the timing for development.
 - f. Market value claimed if the exception is denied.
 - g. Portion of the property retaining economic use if the exception is not granted.
 - h. Reduced profits if the exception is not granted including the assumption underlying the estimates.
3. Such additional information as the City may request in order to take action on the request.
4. The name, address and occupation of each consultant and expert providing information or in any way assisting in the preparation of the application.



Required for Subdivision
Where Development
Exceeds the 15-Degree
Declination

CITY OF LAFAYETTE APPLICATION FOR HILLSIDE DEVELOPMENT PERMIT SUPPLEMENTAL FORM HDP-SUBD-F

REQUEST FOR EXCEPTION TO ALLOW DEVELOPMENT WITHIN THE 15-DEGREE DECLINATION PER SECTION 6-2070

APPLICANT: _____ PHONE NO. _____

PROPERTY ADDRESS: _____ PARCEL NO. _____

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 in A or B or C 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.

- A. The topography or existing vegetation are such that:
 - 1. 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
 - 2. Grant of exception will not interfere with an existing or proposed ridge trail or compromise its open space and scenic character.

- B. 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:
 - 1. 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
 - 2. Grant of an exception will not interfere with an existing or proposed ridge trail or compromise its open space and scenic character.

- C. 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:
 - 1. Shall not exceed the density permitted by the slope density formula or the underlying zoning district, whichever is less; and
 - 2. Shall not exceed that necessary to avoid an unconstitutional taking of the property.

SIGNATURE OF PREPARER: _____ DATE: _____

PRINT FULL NAME: _____

HILLSIDE DEVELOPMENT PERMIT NO. _____

Hillside Development Permit – Form HDP-SUBD-F

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City of Lafayette • Planning Services Division

AGREEMENT TO PAY FOR CITY SERVICES

Directions: 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.
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 under this Agreement.

PRINT NAME: _____

TELEPHONE: _____

MAILING ADDRESS: _____

SIGNATURE: _____

CITY, STATE, ZIP: _____

DATE _____

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

APPLICATION NO. _____

FOR OFFICIAL USE ONLY

ACCOUNT NO. _____

Hillside Development Subdivision Application

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