

City of Piedmont  
CITY COUNCIL AGENDA REPORT

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DATE: February 2, 2026

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Public Hearing – Consideration of a Resolution Adopting the Piedmont Objective Design Standards; Introduction and First Reading of Ordinance 788 N.S. Amending the City Code Chapter 17, and Consideration of a Resolution Amending the Piedmont Design Standards and Guidelines.

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RECOMMENDED ACTION

- 1) Adopt the attached Resolution, Attachment A, adopting the Objective Design Standards.
- 2) Approve the Introduction and First Reading of Attached Ordinance 788 N.S. (Attachment B), amending divisions 17.20 Zone A: Single Family Residential, 17.28 Zone E: Estate Residential, 17.30 Parking, 17.32 Fences; Trash Enclosures; Corner Obstructions, 17.34 Landscaping, 17.38 Accessory Dwelling Units, 17.46 Wireless Communication Facilities, 17.54 Urban Lot Splits and Two-Unit Housing Developments (SB 9), and 17.67 Ministerial Design Review Permit, to bring the City Code into compliance with the Objective Design Standards and updates clarifying maximum retaining wall height for SB 9 projects and clarifying locations where parking is prohibited on single family parcels in zones A and E.
- 3) Adopt the attached Resolution, Attachment C, recommending amendments to Piedmont Design Standards and Guidelines that are related to the Objective Design Standards and updates modifying the list of projects that are exempt from needing a design review, amending the submittal checklist for all planning project types, and adding information related to water efficient landscape ordinance.
- 4) Find that the Objective Design Standards was studied under Environmental Impact Report (EIR) for the Housing Element Implementation Project (SCH 2022020362) in accordance with the California Environmental Quality Act (CEQA) and that the Resolutions and the Ordinance are exempt under CEQA Guidelines Sections 15061(b)(3), the common-sense exception that CEQA applies only to projects which have the potential for causing a significant effect on the environment and 15183, projects consistent with a community plan, general plan or zoning.

## EXECUTIVE SUMMARY

Piedmont's 6th Cycle Housing Element, adopted in March 2023, requires additional work to implement key programs that establish and update objective design standards (ODS) to ensure that the City is able to retain control over development to the extent authorized under State law. While the City has already adopted ODS for accessory dwelling units and multi-family/mixed-use projects, the current effort focuses on developing ODS for one-to-four-unit residential developments in single-family zones (A and E) to streamline SB 9 projects (Housing Element Program 1.J) and updating existing standards for accessory dwelling units (ADUs) multi-family/mixed-use projects to expedite approvals under State laws, including SB 35 and SB 330 (Housing Element Program 4.M).

The primary objective of the ODS is to ensure that all ministerial projects involving new housing units conform to clear, non-subjective standards. In contrast, remodels of existing housing, commercial developments, and site features that do not result in new housing—such as fences, stand-alone accessory structures, exterior mechanical equipment, and signage—will continue to be regulated under the Piedmont Design Guidelines and remain subject to discretionary review. This distinction ensures that while the City facilitates new housing production through an expedited ministerial process, the aesthetic and neighborhood character of existing structures is maintained through established review procedures. The standards would also not apply to commercial-only projects.

In August 2024, the City Council contracted Good City Company and its subconsultant, Van Meter Williams Pollack, to engage the community and prepare draft comprehensive ODS. Concurrently with the drafting of the ODS document, staff has prepared related updates to the Zoning Ordinance and the Piedmont Design Standards and Guidelines. The Draft Zoning Ordinance update also includes some Code maintenance items, including a prohibition of vehicle parking on landscaped surfaces between a house and the street and clarifying the allowed height of retaining walls outside the 20-foot street yard setback for SB 9 projects. Finally, staff reviewed the current list in the Piedmont Design Standards and Guidelines for projects exempted from design review and recommends updates to improve and expedite service.

To facilitate public transparency and feedback, three Planning Commission study sessions were held between August and November 2025 to discuss the ODS document and associated code amendments. The draft ODS were subsequently made available for a formal public comment period from November 7 through December 7, 2025. This report provides a detailed summary of the ODS document, the proposed Code amendments, and a comprehensive overview of the public engagement process conducted throughout the project.

## BACKGROUND

Objective Design Standards (ODS) are defined by State law as “standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal.” (Government Code section 65913.4(a)(C)(5).).



Unlike traditional guidelines that use interpretive language—such as requiring a building to be "attractive" — objective standards use specific metrics, like a minimum square footage for an entryway, to ensure a predictable and streamlined review.

To implement these changes, the City is restructuring its regulatory documents, and this item implements these changes. Existing standards for ADUs and multifamily housing will be moved into a new "Piedmont Objective Design Standards" document, while the current "Design Standards and Guidelines" will be renamed back to "Piedmont Design Guidelines." This update also incorporates necessary adjustments to the Zoning Ordinance and addresses recent changes in state law, such as allowing for two-story ADUs and ADUs in street yard setbacks. In addition to compliance with State laws, the ultimate goal is to provide clear expectations for applicants, ensure new developments remain compatible with Piedmont's historic character, and facilitate housing production without imposing excessive costs on homeowners.

### **ODS Subcommittee**

On August 12, 2024, the Planning Commission appointed Commissioners Aradhana Jajodia and Julie Ortiz to an Ad Hoc Subcommittee (ODS Subcommittee). Starting September 18, 2024, the ODS Subcommittee has met ten times to discuss the City's approach to drafting the standards, discuss the communitywide survey, review public engagement plans, review and provide feedback on the preliminary draft objective standards, review the public review draft of the ODS document, and finally review the public comments received and recommend revisions in response to the public comments. During the regular meetings of the Planning Commission, the ODS Subcommittee has verbally updated the Planning Commission and the public on the Project's progress. The ODS Subcommittee recommended that the Planning Commission recommend that the City Council adopt the Piedmont ODS. The subcommittee will be dissolved after the adoption of the Piedmont ODS by the City Council.

Starting in August 2025 the Planning Commission held three study sessions reviewing and discussing each chapter of the draft ODS, the amendments proposed to the City Code, and the proposed revisions to the Piedmont Design Standards and Guidelines.

### **DRAFT PIEDMONT OBJECTIVE DESIGN STANDARDS**

The Piedmont Objective Design Standards (ODS) are organized into five chapters that cover administrative procedures, 1–4-unit residential developments, ADUs, multifamily/mixed-use projects, and specific definitions. To ensure high-quality development that integrates with the community, chapters 2 through 4 categorize requirements into site organization and building design, utilizing a consistent format that distinguishes between mandatory, quantifiable "Standards" and non-enforceable "Guidelines." Rather than enforcing rigid architectural styles, the document adopts a flexible, non-prescriptive approach intended to accommodate Piedmont's diverse aesthetic character and prevent "cookie-cutter" results. Ultimately, this structure provides clear objective standards for the ministerial review process, ensuring that housing developments—from SB 9 duplexes to larger multifamily projects—align with the City's established neighborhood context.

The Draft Piedmont Objective Design Standards can be found at the end of this report, Exhibit A of Attachment A.

Based on the public comments received and an internal review of the posted draft ODS, staff recommends revisions to the Draft ODS, as summarized below:

1. Section 2.10.3 Plants (agenda report page 57): This section provides objective standards for plant sizes, spacing, species, location and amount of landscape coverage for 1-4-unit developments. In response to the public comments, staff and the ODS subcommittee recommend that the language describing the type of planting allowed be revised from native, low water usage and meeting Water Efficient Landscape Ordinance to plants that are climate appropriate to avoid being too restrictive and offer flexibility in plant selection. See revised language below:

~~“S.2.10.3.b Plant species shall be native, low water usage, and low maintenance, meeting Water Efficient Landscape Ordinance requirements~~ **be selected from the East Bay Municipal Utility District (EBMUD) document *Plants and Landscapes for Summer Dry Climates* (as may be amended from time to time).**”

2. Section 5.1 Definitions (agenda report page 159): Currently, the definition of “Landscape/Landscaping” includes hardscape materials such as gravel. In contrast, Chapter 17 (Planning and Land Use) of the City’s Zoning Ordinance excludes hardscape, defining landscaping only as areas capable of supporting live plant growth. To ensure internal consistency and address public comments, staff and the ODS subcommittee recommend revising the ODS definition to align with the Zoning Ordinance. See revised language below:

~~“Landscape/Landscaping. Pervious areas containing organic and inorganic elements. It includes but is not limited to xeriscaping, soft landscape (organic elements such as plants, soil, mulch, trees, shrubs), and hard landscape (inorganic elements such as rocks, pathways, and bricks).~~ **The planting, irrigation, and maintenance of land with living plant and other organic materials.**”

3. Section 1.5.2.1 (agenda report page 32): Section 1.5.2 outlines submittal requirements for 1–4-unit projects, including the mandate for a Site Survey and Topographic Map. Currently, these must be prepared within 12 months of submission. In response to public comments, staff and the ODS subcommittee recommend extending this validity period to 36 months. This change aligns with industry best practices and provides greater flexibility for project development timelines. See revised language below:

**“S.1.5.2.1. Site Survey and Topographic Map (preferred scale 1/8”) ”**

Provide a survey and topographic map, prepared within the last ~~12~~ **36** months, accurately showing contours and other features of the existing terrain within the subdivision or parcel, existing drainage channels, roads, culverts, overhead and underground utility lines and

structures (Sewer, Gas, Water, Electric) which affect the design of the subdivision or parcel, wells and springs, structures, retaining walls, show building wall outlines, 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, significant trees with a minimum of 12" trunk diameter, irrigation ditches, utility poles, other improvements in their correct location, and provide a north arrow. Elevations shall be in accord with U. S. Geological Survey (1929 Sea Level datum.) The map shall be drawn to an engineer's scale large enough to show all information clearly."

4. Section 2.19.3 (agenda report page 70): This section defines standards for wood and fiber cement siding, covering both horizontal and vertical profiles such as shingles, shiplap, and board and batten. It requires a minimum 6-inch exposure for boards, uniform spacing for vertical layouts, and mandates that all materials be factory-finished or fully treated on all six sides. Based on public comment, staff and ODS Subcommittee recommend deleting the 6-inch requirement for board siding in this standard as in present day the siding thickness can vary anywhere between 3-6 inches and new application techniques are continually developed. See revised language below:

#### **"S.2.19.3 Wood and Fiber Cement Siding**

Wood siding includes horizontal siding consisting of shakes, shingles, shiplap, tongue and groove, v-groove, or lapped profiles in wood or materials that emulate wood such as fiber cement. Vertical siding includes board and batten or v-groove profiles in wood or materials that emulate wood such as fiber cement.

- ~~Board siding materials shall provide a minimum exposure of 6 inches.~~
- Board Siding Materials shall either be factory finished; or stained or primed and painted on all six sides.
- Vertical board or board and batten siding should be detailed with uniform exposure widths."

5. Section 2.7.4, Section 3.2.5 and Figure 3.2.4 (agenda report pages 51 & 78): These sections establish standards for fire-safe landscaping and fencing for ADUs and 1–4-unit developments. While they previously required projects to meet Zone Zero (0–5 ft ember-resistant zone) standards, staff and the Fire Chief now recommend eliminating this requirement. This change follows the City's reclassification out of the High Fire Hazard Severity Zone and aligns the ODS with the recently adopted Building Code, which no longer mandates Zone Zero compliance. See revised language below:

#### **"S.2.7.4 Side and Rear Yard Fencing**

Fencing up to 6 feet in height is allowed outside the street yard setback, provided ~~portions closer 5 feet or closer to the building are made of noncombustible materials (as defined in the California Building Code)~~ meets the fire safe vegetation requirements as determined by the Piedmont Fire Marshal and as specified in the Wildland Urban Interface Fire Code, Part 7 of Title 24 of the California Code of Regulations."

### **“S.3.2.5 Fire Safe Landscaping and Fencing**

~~Construction of any ADU or JADU shall be designed to meet fire safe vegetation requirements as determined by the Piedmont Fire Marshal. This includes (but is not limited to) eliminating vegetation and/or wooden fencing within 5 feet of all sides of the structure.~~ **Construction of any ADU or JADU shall be designed to meet the fire safe vegetation requirements as determined by the Piedmont Fire Marshal and as specified in the Wildland Urban Interface Fire Code, Part 7 of Title 24 of the California Code of Regulations.”**

6. Chapter 2.4 Building Access and Entrance Design (agenda report pages 45 & 64): The ODS subcommittee noted that Section 2.4 and Section 2.15 share identical titles ("Building Access and Entrance Design") and similar purpose statements, which may cause confusion. To differentiate them, staff recommends refocusing Section 2.4 on site planning (access and visibility from the public realm) and Section 2.15 on architectural design (the physical treatment of the entrance). Additionally, Figure 2.4.1 should be moved to Section 2.15 to better illustrate building design, while a new image depicting site access and entrance orientation should be added to Section 2.4. Finally, this Section 2.4 title change will also be reflected in the document’s Table of Content. See revisions below:

### **“2.4 Building Site Access and Entrance Visibility Design**

#### **PURPOSE**

~~Well designed and easily accessible building entrances perform a key role in the overall design and character of neighborhoods.~~

~~Entrances visible from the street help to animate neighborhoods and make them safe and walkable. Building entrances include doorways and elements such as stoops stairways, landings, and porches. They add visual interest to the building and streetscape.~~

**Well-designed site access ensures that entrances and access points are clearly visible, easily identifiable, and safely accessible from the public street. New development should promote intuitive pedestrian access, enhance safety and wayfinding, and reinforce a residential streetscape by orienting building entries toward the street or other clearly defined common access areas.”**

### **“2.15 Building Access and Entrance Design**

**Figure 2.15.1 Primary building entrances must include weather protection, such as a covered porch.”**

The above-referenced recommended revisions will be brought forward with the draft ODS as one recommendation to the City Council and would be incorporated into the ODS after a decision by

the City Council is made.

### ZONING ORDINANCE AMENDMENTS

Provided below is a bullet list of all proposed amendments to the Zoning Ordinance, Chapter 17 Planning and Land Use for the purpose of achieving consistency with the ODS, and to reflect state law. A detailed description of these changes can be found in the January 12, 2026 Planning Commission staff report linked [here](#). A redlined version of the edits is included as Attachment E to this report.

- Allowing retaining walls and structures up to 8 feet tall in the 20-foot setback to support pedestrian and vehicular access
- Allowing tandem parking for an SB 9 unit
- Allowing shared parking for mixed-use developments
- Allowing parking in the street yard setback for multifamily and mixed-use developments in Zones C and D
- Allowing fences up to 8 feet tall in Zones C and D under certain circumstances
- Excluding multifamily development projects from landscaping all of the street setback areas.
- Replacing the text “Piedmont Design Standards and Guidelines” with “Piedmont Design Guidelines” and “Piedmont Objective Design Standards” where applicable because the objective standards from *Piedmont Design Standards and Guidelines* are proposed to be moved (and updated) to a new document. Moving forward the “Piedmont Objective Design Standards” will be used to review ministerial projects and renamed “Piedmont Design Guidelines” will be used to review projects that are discretionary in nature.
- Specifying the corresponding new ODS section numbers where applicable due to the Draft ODS now housing pre-approved ADU prototype plans and objective standards for SB 9 development.

In addition there are two amendments recommended by staff to provide more clarity for homeowners:

- For single-family development, prohibiting parking of vehicles between the street facing façade and front property line in Zones A and E with certain exceptions.
- Allowing retaining walls up to 5 feet tall outside the street yard setback for SB 9 projects.

### DESIGN STANDARDS AND GUIDELINES AMENDMENTS

Provided below is an outline of the draft revisions to the *Piedmont Design Standards and Guidelines*, including revising the document title to *Piedmont Design Guidelines* and other changes. A detailed description of these changes can be found in the January 12, 2026 Planning Commission staff report linked [here](#). A redlined version of the edits is included as Exhibit A-Attachment C, at the end of this report.

- Removing ADU standards and placing them in the Piedmont ODS document with updates made to reflect recent state regulations.
- Removing Multi-family and Mixed-Use development standards and placing them in the Piedmont ODS with updates made where needed.
- Removing Appendix A- Pre Approved ADU plans and placing them in the Piedmont ODS document.
- Updating the list of projects that are exempt from needing a design review (planning permit).
- Updating the application submittal checklist for most planning permit types to reflect recent change sin City's General Plan and to comply with new State laws.
- Updating the permitting process to reflect the City's new online permitting system-eTRAKiT.
- Adding some guidelines related to the California Water Efficient Landscape Ordinance (WELO) to provide applicants with better information.
- Revising a design guideline (3.09.01) for front yard enclosure to include the content of General Plan Design and Preservation Element Policy 29.3 that will augment the guidelines for fences in front yards.

#### CALIFORNIA ENVIRONMENTAL QUALITY ANALYSIS (CEQA REVIEW)

On February 20, 2024, the City of Piedmont adopted a program-level Environmental Impact Report (EIR) for the Housing Element Implementation Project (SCH 2022020362) in accordance with the California Environmental Quality Act (CEQA). The proposed amendments to Piedmont City Code Chapter 17 are consistent with and fall within the scope of this adopted Housing Element Implementation EIR. The EIR comprehensively analyzed the potential environmental impacts of implementing Housing Element programs, including Program 4.M (Facilitating Multi-Family and Residential Mixed-Use Projects by Right Subject to Objective Standards) and Program 1.J (SB 9 Facilitation Amendments), both of which are directly addressed by these code amendments.

Furthermore, the consideration of Objective Design Standards and related amendments to the City Code and Design Guidelines are exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), the common-sense exception that CEQA applies only to projects which have the potential for causing a significant effect on the environment and 15183, projects consistent with a community plan, general plan or zoning. The other amendments including clarifying the maximum retaining wall height for SB 9 projects and updating the locations where parking is prohibited on single family residential properties in Zone A and E are also exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15601(b)(3), the common-sense exception that the proposed amendments are aesthetic in nature, do not increase development capacity, and do not authorize any specific development. Future projects will still be subject to site-specific environmental review where applicable.

## CITY CHARTER

The proposed modifications to the City Code are in conformance with the City Charter, including section 9.02. No zones are proposed to be reduced or enlarged, and no zones are proposed to be reclassified. City Charter provisions are expressly referred to in City Code division 17.02.C.

## FISCAL IMPACT

If adopted by City Council, the proposed revisions and the new Piedmont Objective Design Standard document are not expected to result in a fiscal impact. The development of the ODS was included in the Department budget 2024-2025 and no further cost is anticipated. The proposed amendments to the City Code are a routine component of project review and approval administered by the Planning & Building Department, which collects fees established in the Master Fee Schedule to help cover the costs of the services provided. Cities are obligated to expend resources needed to regulate development in compliance with both local goals and State law. City staff will develop any new application materials using existing resources and personnel.

## CITY ATTORNEY REVIEW

The draft ODS and proposed amendments to the Zoning Ordinance and *Piedmont Design Standards and Guidelines* have been reviewed by the City Attorney.

## PUBLIC PARTICIPATION

The public engagement process was robust and multi-faceted, successfully leveraging several channels to gather community input on the ODS. This comprehensive approach, which included both in-person and digital platforms, significantly informed and shaped the final Draft ODS posted for public review and comment and presented for the Commission's consideration.

- **Planning Commission Study Sessions:** These sessions provided valuable opportunities for verbal public comments, which were directly incorporated into the Draft ODS. (list dates)
- **Community-Wide Survey:** The community-wide survey prior to the preparation of the Draft ODS was instrumental in guiding the draft's revisions.
- **Dedicated Online Presence:** A project-specific webpage, accessible at [https://piedmont.ca.gov/services\\_departments/planning\\_building/general\\_plan\\_ot\\_her\\_policy\\_documents/objective\\_design\\_standards\\_for\\_1-4\\_unit\\_buildings](https://piedmont.ca.gov/services_departments/planning_building/general_plan_ot_her_policy_documents/objective_design_standards_for_1-4_unit_buildings), served as the central hub for periodic updates, meeting details, and public comment opportunities.
- **Targeted Outreach:** Postcards were sent to all homes within the City limits to notify the community about the two Open Houses held for the Project, ensuring broad awareness.
- **Digital Communication:** Periodic updates were emailed to subscribers via the Planning & Building Newsletter throughout the Project's development, maintaining continuous communication.
- **Written Comments:** Written feedback received following the posting of draft ODS informed some of the recommended revisions discussed tonight. Written public comments

received are attached at the end of this report, Attachment D.

- **Public Hearing Notification:** A public hearing notice for this agenda item was officially posted on December 12, 2025.

The community continues to have the opportunity to directly address the City Council during meetings related to the adoption of the recommended code changes.

### PLANNING COMMISSION DISCUSSION AND RECOMMENDATION

On January 12, 2026, the Planning Commission held a public hearing to consider the adoption of the Objective Design Standards, along with proposed amendments to the Zoning Ordinance and the Piedmont Design Standards and Guidelines. The project's consultant team delivered a presentation outlining the documents before the Commission, and four community members addressed the Commission during the meeting. Following public testimony, Commissioner Yee noted that the City, like all other jurisdictions in California, is required to comply with State laws, including those governing ADUs and SB 9—which primarily mandate ministerial review without subjectivity. Commissioner Yee emphasized that the ODS currently under consideration represents a foundational step in balancing State mandates with the Piedmont community's desire for local design sensitivity. The development of the ODS utilized the existing Piedmont Design Standards and Guidelines as a baseline, converting them into objective standards to the greatest extent possible. Director Jackson added that the ODS is a living document that is expected to be revised in the future when implementation identifies the need for improvement.

After careful consideration of the presented documents and public testimony, the Commission unanimously recommended that the City Council adopt the proposed ODS with changes as noted in the Resolution, proposed amendments to the Zoning Ordinance and proposed amendments to the *Piedmont Design Standards and Guidelines*. The meeting video is linked at the end of this staff report.

### CONCLUSION AND NEXT STEPS

The development of the Objective Design Standards for 1-4-unit residential buildings, alongside critical updates to the existing ADU, multi-family, mixed-use objective design standards and related City Code, represent the successful implementation of key programs mandated by Piedmont's Housing Element. This comprehensive, two-year effort – guided by rigorous research, expert consultation, and extensive public engagement – culminates in a unified ODS document designed to achieve dual objectives: complying with State streamlining requirements for housing production while preserving Piedmont's high-quality residential character through clear, measurable, and predictable design criteria.

Staff recommends that the City Council receive Planning Commission's recommendation and adopt the Objective Design Standards, Ordinance 788 N.S. amending City Code Chapter 17, Planning and Land Use, and the amendments to *Piedmont Design Standards and Guidelines*. The tentative date for the second reading of Ordinance 788 N.S, by the City Council is Tuesday,



February 17, 2026. The City Council is the decision-making body. The ODS and the Piedmont Design Guidelines would become effective on February 2, 2026, and the Ordinance 788 N.S. would become effective 30 days after the second reading.

Report By: Kevin Jackson, Director Planning & Building  
Gopika Nair, Senior Planner

#### ATTACHMENTS AND RELEVANT DOCUMENTS

<u>Pages</u>	
A 12-162	Resolution adopting the Objective Design Standards
B 162-180	Ordinance 788 N.S.
C 181-183	Resolution adopting the amendments to Piedmont Design Standards and Guidelines
D 184-190	Written Public Comments
E 191-245	Redline Edits of the Zoning Ordinance
F 246-275	Slide Deck- Council Hearing

#### LINKS TO RELEVANT DOCUMENTS:

Piedmont City Code Chapter 17, Planning and Land Use:  
[https://piedmont.ca.gov/government/charter\\_\\_city\\_code](https://piedmont.ca.gov/government/charter__city_code)

6<sup>th</sup> Cycle Housing Element:  
[https://piedmont.ca.gov/services\\_\\_departments/planning\\_\\_building/general\\_plan\\_\\_other\\_policy\\_documents/general\\_plan](https://piedmont.ca.gov/services__departments/planning__building/general_plan__other_policy_documents/general_plan)

6<sup>th</sup> Cycle Housing Element Environmental Impact Report:  
<https://piedmont.ca.gov/cms/One.aspx?portalId=13659823&pageId=14125320>

Existing Piedmont Design Standards and Guidelines:  
[https://piedmont.ca.gov/services\\_\\_departments/planning\\_\\_building/about\\_planning\\_/design\\_standards\\_and\\_guidelines](https://piedmont.ca.gov/services__departments/planning__building/about_planning_/design_standards_and_guidelines)

Draft Objective Design Standards- Public Review Draft Posted on November 7, 2025:  
[https://piedmont.ca.gov/services\\_\\_departments/planning\\_\\_building/general\\_plan\\_\\_other\\_policy\\_documents/objective\\_design\\_standards\\_for\\_1-4\\_unit\\_buildings](https://piedmont.ca.gov/services__departments/planning__building/general_plan__other_policy_documents/objective_design_standards_for_1-4_unit_buildings)

January 12, 2026, Planning Commission Public Hearing Meeting Video:  
[https://piedmont.granicus.com/player/clip/3125?view\\_id=9&redirect=true](https://piedmont.granicus.com/player/clip/3125?view_id=9&redirect=true)

## ATTACHMENT A

**RESOLUTION No. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PIEDMONT  
ADOPTING OBJECTIVE DESIGN STANDARDS FOR ACCESSORY DWELLING  
UNITS, ONE-TO-FOUR UNIT RESIDENTIAL DEVELOPMENTS, MULTIFAMILY  
DEVLEOPMENTS AND MIXED-USE DEVELOPMENTS**

**WHEREAS**, Piedmont's 6th Cycle Housing Element, adopted in March 2023, requires additional work to implement key programs that establish and update objective design standards (ODS) to comply with state housing mandates. While the City has already adopted ODS for accessory dwelling units and multi-family/mixed-use projects, the ongoing effort focuses on developing ODS for one-to-four-unit residential developments in single-family zones (A and E) to streamline SB 9 projects (Housing Element Program 1.J) and updating existing standards for accessory dwelling units (ADUs) multi-family/mixed-use projects to expedite approvals under state laws like SB 35 and SB 330 (Housing Element Program 4.M); and

**WHEREAS**, in August 2024, the City Council contracted Good City Company and its subconsultant, Van Meter Williams Pollack, to engage the community and prepare draft comprehensive ODS; and

**WHEREAS**, on August 12, 2024, the Planning Commission appointed Commissioners Aradhana Jajodia and Julie Ortiz to an Ad Hoc Subcommittee (ODS Subcommittee). In September 2025 Commissioner Thomas Yee replaced Commissioner Jajodia on the Subcommittee. The Subcommittee's role was to collaborate with staff and consultants to develop draft objective design standards for one-to-four-unit residential buildings and update the City's objective design standards for accessory dwelling units and multi-family and mixed-use buildings. Starting September 18, 2024, the ODS Subcommittee has met ten times to discuss the City's approach to drafting the standards, discuss the communitywide survey, review public engagement plans, provide feedback on the preliminary draft objective standards, review the public review draft of the ODS document, and finally review the public comments received and discuss any related changes. During the regular meetings of the Planning Commission, the ODS Subcommittee has verbally updated the Planning Commission and the public on the Project's progress. The subcommittee will be dissolved after the adoption of the Piedmont ODS; and

**WHEREAS**, State law defines objective standards as those that are measurable and verifiable, requiring no subjective judgment from public officials; and

**WHEREAS**, since 2020, ADU laws have changed significantly, prompting staff to re-evaluate current standards. These changes include allowing for taller 2-story ADUs and ADUs in the 20-foot street yard setback. Staff has processed several ADU and JADU applications since 2020 and have found it necessary to clarify certain existing standards. The recommended updates standardize recurring practices, such as the installation of at least one heat pump and exterior water heater, the installation of roof-mounted skylights, and other necessary modifications to the objective standards for ADUs. Although staff has not yet processed any multi-family, commercial,

## ATTACHMENT A

or mixed-use development projects using the current objective design standards, several areas for improvement and clarification have been identified; and

**WHEREAS**, the proposed objective design standards serve to streamline the review of the following eligible development applications: 1-4 Unit Residential Developments, Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), Multifamily Residential Developments, and Mixed-Use Residential Developments. The proposed Objective Design Standards are not applicable to the following development applications: single-family house remodels/additions unrelated to the development of a new housing unit and commercial developments that do not include residential units; and

**WHEREAS**, the overall goal of the updated standards is to provide clear guidance and design expectations to applicants, staff, and decision-makers while ensuring new multi-unit housing is designed to be sensitive and compatible with existing architecture, historic resources, streetscapes, and neighborhoods. Additionally, these standards aim to ensure that objective design requirements do not impose excessive costs on homeowners and instead facilitate housing production and affordability, all while maintaining consistent formatting throughout the document; and

**WHEREAS**, beginning in September 2024, the City introduced the project and sought community engagement through a series of events and opportunities starting with the Harvest Festival. This was followed by a stakeholder meeting on December 3, 2024, and a public open house on February 12, 2025. The project was later featured at the Piedmont Food Festival on April 19, 2025, which coincided with a community-wide survey conducted from April through June 2025. A second open house took place on August 21, 2025, leading into a series of Planning Commission study sessions held from August to November 2025 to discuss each ODS chapter and related amendments to City Code and Piedmont Design Standards and Guidelines. These events and the survey explored key themes related to neighborhood design and development, allowing the community to provide input on topics such as neighborhood character, preferred architectural styles and elements, the impact of new development on neighboring properties, the architectural consistency of ADUs, and the importance of landscaping, all of which informed the standards in the ODS document; and

**WHEREAS**, the draft ODS was made available for public review and comment from November 7 through December 7, 2025; and

**WHEREAS**, on January 12, 2026, the Piedmont Planning Commission held a duly noticed public hearing at which time it reviewed the Draft Objective Design Standards, related amendments to City Code and Piedmont Design Standards and Guidelines, the staff report and all attachments, and oral and written public comments; and

**WHEREAS**, Section 25.3 of the Piedmont City Code outlines the powers and duties of the Planning Commission including to consider and make recommendations to the City Council on real property, subdivisions, lot building restrictions, planning and zoning matters, matters affecting the design and aesthetics of buildings, structures and other improvements and methods of

## ATTACHMENT A

encouraging and promoting good design in construction in order to maintain the high quality of aesthetic values which make the City unique; and

**WHEREAS**, the January 12, 2026, public hearing met the requirements of Government Code Sections 65090 et. seq., 65453 and 65353, and City Code division 17.62; and

**NOW, THEREFORE, BE IT RESOLVED** that, after reviewing the revised document, staff report, and all documents and public testimony received, the City Council of the City of Piedmont does hereby resolve, declare, determine and order as follows:

**SECTION 1.** The City Council finds that:

1. The facts set forth in the recitals in this Resolution are true and correct and hereby incorporated by this reference;
2. The recitals constitute findings in this matter and, together with the staff report, and other written reports, public testimony and other information contained in the records, are an adequate and appropriate evidentiary basis for the actions taken in this Resolution;
3. The provisions in this Resolution, as adopted, are consistent with General Plan Policies Policy 1.3 Harmonious Development, Policy 1.7 Incentives for Affordable Accessory Dwelling Units, Policy 1.9 Implement Housing Element, Policy 2.2 Mixed Use Development, Policy 2.4 Parking, Policy 6.4 Community Input, Policy 11.4 Shared Parking, Policy 13.1 Respecting Natural Terrain, Policy 14.5 Landscaping, Policy 19.3 New Development Siting, Policy 19.12 Fire Safe Regulations, 19.20 Emergency Access, Policy 29.7 Signs, Policy 28.1 Scale, Height and Bulk Compatibility, Policy 28.7 Hillside Home Design, Policy 28.10 Multifamily Design, Policy 29.5 Fence and Wall Design, Policy 29.6 Retaining Walls, Policy 29.7 Driveway and Parking Location, Policy 29.8 Exterior Lighting, Policy 1.J SB 9 Facilitation Amendments and Policy 4.M Facilitate Multi-Family and Residential Mixed-Use Projects by Right Subject to Objective Standards; the proposed Objective Design Standards and staff recommended updates to implement best and current practices; and
4. This Resolution will not be detrimental to the public interest, health, safety, convenience or welfare.

**SECTION 2.** On February 20, 2024, the City of Piedmont adopted a program-level Environmental Impact Report (EIR) for the Housing Element Implementation Project (SCH 2022020362) in accordance with the California Environmental Quality Act (CEQA). The proposed amendments to Piedmont City Code Chapter 17 are consistent with and fall within the scope of this adopted Housing Element Implementation EIR. The EIR comprehensively analyzed the potential environmental impacts of implementing Housing Element programs, including Program 4.M (Facilitating Multi-Family and Residential Mixed-Use Projects by Right Subject to Objective Standards) and Program 1.J (SB 9 Facilitation Amendments), both of which are directly addressed by these code amendments. Furthermore, the consideration of Objective Design Standards and related amendments to the City Code and Design Guidelines are exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), the common-sense exception that

## ATTACHMENT A

CEQA applies only to projects which have the potential for causing a significant effect on the environment and 15183, projects consistent with a community plan, general plan or zoning. Other amendments including clarifying the maximum retaining wall height for SB 9 projects and updating the locations where parking is prohibited on single family residential properties in Zone A and E are also exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15601(b)(3), the common-sense exception that the proposed amendments are aesthetic in nature, do not increase development capacity, and do not authorize any specific development. Future projects will still be subject to site-specific environmental review.

### SECTION 3. Revisions to Objective Design Standards [Exhibit A]

#### A. The City Council recommends the following changes to the text of the Objective Design Standards:

1. Section 2.10.3 Plants (agenda report page 57): This section provides objective standards for plant sizes, spacing, species, location and amount of landscape coverage for 1-4-unit developments. In response to the public comments, staff and the ODS subcommittee recommends that the language describing the type of planting allowed be revised from native, low water usage and meeting Water Efficient Landscape Ordinance to plants that are climate appropriate to avoid being too restrictive and offer flexibility in plant selection. See revised language below:

~~“S.2.10.3.b Plant species shall be native, low water usage, and low maintenance, meeting Water Efficient Landscape Ordinance requirements~~ **be selected from the East Bay Municipal Utility District (EBMUD) document *Plants and Landscapes for Summer Dry Climates* (as may be amended from time to time).”**

2. Section 5.1 Definitions (agenda report page 159): Currently, the definition of “Landscape/Landscaping” includes hardscape materials such as gravel. In contrast, Chapter 17 (Planning and Land Use) of the City’s Zoning Ordinance excludes hardscape, defining landscaping only as areas capable of supporting live plant growth. To ensure internal consistency and address public comments, staff and the ODS subcommittee recommend revising the ODS definition to align with the Zoning Ordinance. See revised language below:

~~“Landscape/Landscaping. Pervious areas containing organic and inorganic elements. It includes but is not limited to xeriscaping, soft landscape (organic elements such as plants, soil, mulch, trees, shrubs), and hard landscape (inorganic elements such as rocks, pathways, and bricks).~~ **The planting, irrigation, and maintenance of land with living plant and other organic materials.”**

3. Section 1.5.2.1 (agenda report page 32): Section 1.5.2 outlines submittal requirements for 1–4-unit projects, including the mandate for a Site Survey and Topographic Map. Currently, these must be prepared within 12 months of submission. In response to public comments, staff and the ODS subcommittee recommend extending this validity

## ATTACHMENT A

period to 36 months. This change aligns with industry best practices and provides greater flexibility for project development timelines. See revised language below:

**“S.1.5.2.1. Site Survey and Topographic Map (preferred scale 1/8”)**

Provide a survey and topographic map, prepared within the last ~~12~~ **36** months, accurately showing contours and other features of the existing terrain within the subdivision or parcel, existing drainage channels, roads, culverts, overhead and underground utility lines and structures (Sewer, Gas, Water, Electric) which affect the design of the subdivision or parcel, wells and springs, structures, retaining walls, show building wall outlines, 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, significant trees with a minimum of 12” trunk diameter, irrigation ditches, utility poles, other improvements in their correct location, and provide a north arrow. Elevations shall be in accord with U. S. Geological Survey (1929 Sea Level datum.) The map shall be drawn to an engineer’s scale large enough to show all information clearly.”

4. Section 2.19.3 (agenda report page 70): This section defines standards for wood and fiber cement siding, covering both horizontal and vertical profiles such as shingles, shiplap, and board and batten. It requires a minimum 6-inch exposure for boards, uniform spacing for vertical layouts, and mandates that all materials be factory-finished or fully treated on all six sides. Based on public comment, staff and ODS Subcommittee recommend deleting the 6-inch requirement for board siding in this standard as in present day the siding thickness can vary anywhere between 3-6 inches and new application techniques are continually developed. See revised language below:

**“S.2.19.3 Wood and Fiber Cement Siding**

Wood siding includes horizontal siding consisting of shakes, shingles, shiplap, tongue and groove, v-groove, or lapped profiles in wood or materials that emulate wood such as fiber cement. Vertical siding includes board and batten or v-groove profiles in wood or materials that emulate wood such as fiber cement.

- ~~Board siding materials shall provide a minimum exposure of 6 inches.~~
- Board Siding Materials shall either be factory finished; or stained or primed and painted on all six sides.
- Vertical board or board and batten siding should be detailed with uniform exposure widths.”

5. Section 2.7.4, Section 3.2.5 and Figure 3.2.4 (agenda report pages 51 & 78): These sections establish standards for fire-safe landscaping and fencing for ADUs and 1–4-unit developments. While they previously required projects to meet Zone Zero (0–5 ft ember-resistant zone) standards, staff and the Fire Chief now recommend eliminating this requirement. This change follows the City’s reclassification out of the High Fire Hazard Severity Zone and aligns the ODS with the recently adopted Building Code, which no longer mandates Zone Zero compliance. See revised language below:

## ATTACHMENT A

**“S.2.7.4 Side and Rear Yard Fencing**

Fencing up to 6 feet in height is allowed outside the street yard setback, provided ~~portions closer 5 feet or closer to the building are made of noncombustible materials (as defined in the California Building Code)~~ **meets the fire safe vegetation requirements as determined by the Piedmont Fire Marshall and as specified in the Wildland Urban Interface Fire Code, Part 7 of Title 24 of the California Code of Regulations.”**

**“S.3.2.5 Fire Safe Landscaping and Fencing**

~~Construction of any ADU or JADU shall be designed to meet fire safe vegetation requirements as determined by the Piedmont Fire Marshal. This includes (but is not limited to) eliminating vegetation and/or wooden fencing within 5 feet of all sides of the structure.~~ **Construction of any ADU or JADU shall be designed to meet the fire safe vegetation requirements as determined by the Piedmont Fire Marshal and as specified in the Wildland Urban Interface Fire Code, Part 7 of Title 24 of the California Code of Regulations.”**

6. Chapter 2.4 Building Access and Entrance Design (agenda report pages 45 & 64): The ODS subcommittee noted that Section 2.4 and Section 2.15 share identical titles ("Building Access and Entrance Design") and similar purpose statements, which may cause confusion. To differentiate them, staff recommends refocusing Section 2.4 on site planning (access and visibility from the public realm) and Section 2.15 on architectural design (the physical treatment of the entrance). Additionally, Figure 2.4.1 should be moved to Section 2.15 to better illustrate building design, while a new image depicting site access and entrance orientation should be added to Section 2.4. Finally, this Section 2.4 title change will also be reflected in the document’s Table of Content. See revisions below:

**“2.4 Building Site Access and Entrance Visibility Design****PURPOSE**

~~Well designed and easily accessible building entrances perform a key role in the overall design and character of neighborhoods.~~

~~Entrances visible from the street help to animate neighborhoods and make them safe and walkable. Building entrances include doorways and elements such as stoops stairways, *landings*, and porches. They add visual interest to the building and *streetscape*.~~

**Well-designed site access ensures that entrances and access points are clearly visible, easily identifiable, and safely accessible from the public street. New development should promote intuitive pedestrian access, enhance safety and**

ATTACHMENT A

**wayfinding, and reinforce a residential streetscape by orienting building entries toward the street or other clearly defined common access areas.”**

**“2.15 Building Access and Entrance Design**

**Figure 2.15.1 Primary building entrances must include weather protection, such as a covered porch.”**

- B. The City Council hereby approves the Objective Design Standards, attached as **Exhibit A**, and with the changes described in Section 3.A above.

**SECTION 4.** All portions of this resolution are severable. If an individual component of this Resolution is adjudged by a court to be invalid and unenforceable, then the remaining portions will continue in effect.

[END OF DOCUMENT]





# **DRAFT** City of Piedmont Objective Design Standards

1-4 Unit Residential Developments

Accessory Dwelling Units (ADUs)

Multifamily Residential Developments

Mixed Use Residential Developments

**PUBLIC REVIEW DRAFT**

**November 4, 2025**



## EXHIBIT A- ATTACHMENT A

# Acknowledgments

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# EXHIBIT A- ATTACHMENT A

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INTRODUCTION

INTRODUCTION

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# 1.1 Introduction

With its well-maintained neighborhoods, abundant greenery, attractive streetscapes and varied topography, the City of Piedmont is renowned for its distinct physical and architectural character. Piedmont has the largest per capita supply of pre-World War II single-family housing in the State of California. A diversity of homes and lot sizes can be found between and within its different neighborhoods. This includes modestly sized houses on flat parcels framed by relatively rectangular blocks, multi-story and stepped houses on irregular sized lots facing winding streets that follow the sloping terrain, and large parcels containing magnificent estates. Piedmont's compact civic and commercial district, with its nearby public open spaces, acts as the hub for the city.

State laws such as SB 9, SB 35, AB 686 incentivize the production of housing and direct the City of Piedmont to take an active role in the planning for new housing units, including housing affordable to all income levels in the Piedmont community. These Objective Design Standards implement state housing laws by providing clear, objective and enforceable design requirements to facilitate streamlined review of eligible housing projects. This means that the consistency of an eligible development application with the Objective Design Standards will be considered and decided by the Planning & Building Director (which is defined in the City Code, and referred to as Director hereafter).

## 1.1.1 OBJECTIVES

The Piedmont Objective Design Standards have been developed to be used by builders, design professionals, interested neighbors, and City Staff. They incorporate planning and land use provisions from the General Plan, and relevant aspects of the City Code, Chapter 17 Planning and Land Use (Zoning Ordinance), henceforth referred to as the Zoning Ordinance.

The Objective Design Standards demonstrate, through photos, diagrams, and graphic examples, how to determine appropriate design solutions to address context, architectural character, building form, landscape, site amenities and their relationship to the street and neighboring properties. This allows for a more comprehensive and consistent method for project reviews, while outlining expectations by the City Staff for project applicants and their neighbors.

The Objective Design Standards help implement Housing Element policies and programs to streamline the review of eligible development applications, such as SB 9 and SB 35 development proposals.



### 1.1.2 RELATIONSHIP TO THE GENERAL PLAN

The General Plan consists of elements (chapters) that set forth the City of Piedmont's priority planning policies. These policies govern the Zoning Ordinance and the Objective Design Standards. Among the topics in the General Plan are the preservation of existing terrain and natural vegetation, maintaining the public rights-of-way, protecting public open space, maintaining compatibility among buildings within established neighborhoods, ensuring the preservation of existing structures, promoting sustainable development and green building practices, and ensuring reasonable accommodation to those with disabilities.

The pertinent elements within the General Plan that outline these policies and give direction to the Objective Design Standards include the Land Use Element, the Transportation Element, the Environmental Hazards Element, the Natural Resources and Sustainability Element, the Design and Preservation Element, and the Housing Element. Each element stipulates particular design policies and standards that must be met by the Objective Design Standards.

### 1.1.3 RELATIONSHIP TO THE ZONING ORDINANCE

The Zoning Ordinance also governs the Objective Design Standards. It translates the policies of the General Plan into regulatory language. The design standards in the Zoning Ordinance instruct the way in which the Objective Design Standards may be applied.

Zoning districts are established to determine allowable land use and occupancies. Specific regulations are included in the Zoning Ordinance and within the Objective Design Standards for building and site development, the administration of development agreements, design review, permit approvals, and enforcement.

As a city comprised primarily of well-maintained and established residential districts, a major focus of the Zoning Ordinance is the preservation of the City of Piedmont's existing architectural and natural setting. Nevertheless, the Zoning Ordinance provides the flexibility for incremental growth within Piedmont's neighborhoods, allowing for modest changes to reflect more current needs.

### 1.1.4 RELATIONSHIP TO THE PIEDMONT DESIGN STANDARDS AND GUIDELINES

The City of Piedmont Design Standards and Guidelines regulate the design and development of additions and remodels to existing single family dwellings that do not include new residential units, and existing and new commercial developments that do not include new residential units. The design standards for Accessory Dwelling Units (ADUs), Multifamily Residential, and Mixed Use Residential projects that were formally included in the Design Standards and Guidelines have been superseded by the Objective Design Standards in this document.

### 1.1.5 APPLICABILITY

The Objective Design Standards are offered as a means to streamline the review of the following eligible development applications:

- 1-4 Unit Residential Developments
- Accessory Dwelling Units (ADUs)
- Multifamily Residential Developments
- Mixed Use Residential Developments

The Objective Design Standards are not applicable to additions to or remodels of existing single family dwellings that are unrelated to the development of a new housing unit.

Applicants wishing to propose design approaches differing from the Objective Design Standards may voluntarily apply for discretionary design review, if they choose to do so and communicate the request to the Planning & Building Director in writing. In those cases, the project would be reviewed by the Planning Commission and evaluated under the Piedmont Design Standards and Guidelines.



## 1.2 Structure

### 1.2.1 DOCUMENT STRUCTURE

The Objective Design Standards and Guidelines are organized in Chapters based on specific development types in Piedmont - one-to-four residential units, Accessory Dwelling Units (ADUs), multifamily, and mixed-use developments.

Each chapter includes the following sections which then have subsections to provide guidance into two design categories:

#### Site Organization, Planning, and Design

This section covers the layout of sites to support cohesive neighborhoods, complement surrounding buildings, bolster multimodal connectivity, and create comfortable and inviting places. It also contains Guidelines which communicate the City's intent for certain design requirements, but are not quantifiable.

#### Building Design

This section covers architectural detailing of buildings, including sculpting the building mass, articulating facades, creating visual interest, and communicating building functionality and hierarchy through design.

#### Defined Terms

Definitions for terms shown in *italics* are provided in Chapter 5 — Definitions.

### 1.2.2 PAGE STRUCTURE

Refer to *Fig. 1.2.1* for a visual guide of where to find individual features on each Subsection page. Each Subsection includes the following:

- **Section Name** is the topic group that encompasses one or more Subsections
- **Subsection Name** includes the Subsection number and a title that briefly summarizes its content.
- **Objective** identifies the purpose or primary objective of a Subsection.
- **Purpose** explains the reasoning for a Subsection and introduces larger considerations for that specific topic.
- **Objective Standards** are objective requirements that are quantifiable and verifiable. Development projects must comply with Standards identified within this document (unless the Zoning Ordinance has a different requirement).
- **Guidelines (Optional)** outline best practices and offer overarching design principles that help clarify the design objectives. They are intended to complement the mandatory design standards. **These are not considered objective standards and are therefore optional.**

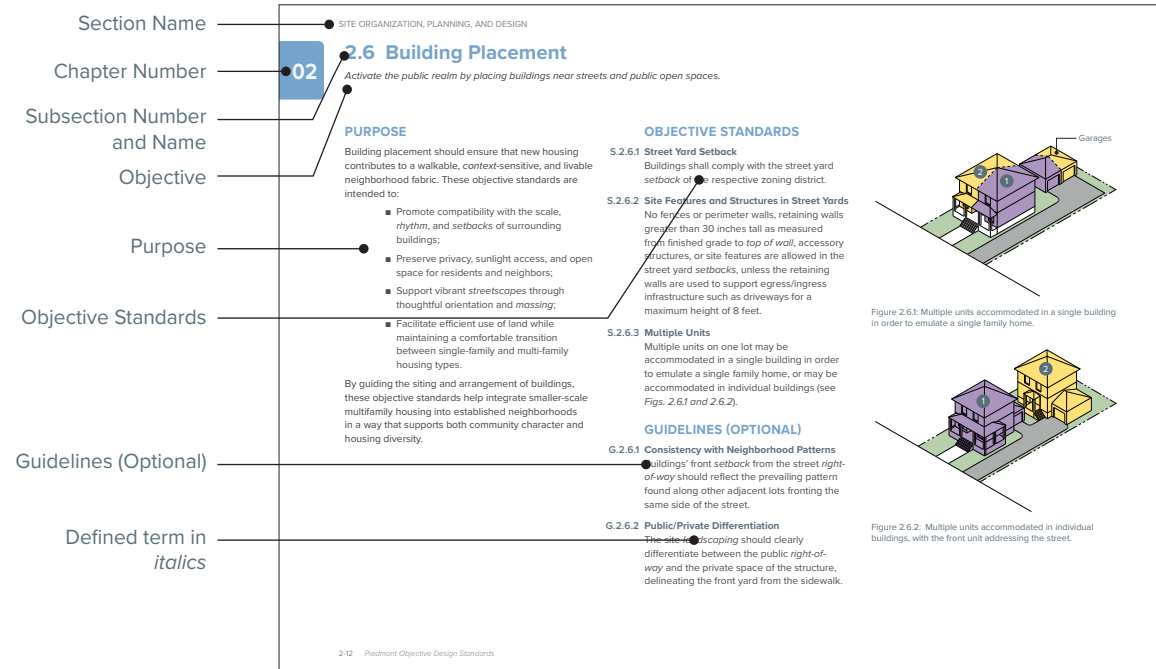


Fig. 1.2.1: Visual guide of where individual features are on each page.



# 1.3 How to Use This Document

The following infographics illustrate the step-by-step process that designers and developers should follow for designing a project and identifies the sections of this document containing the relevant Design Standards and Guidelines for each step.

## 1. BUILDING ENVELOPE

Determine the basic building envelope by referring to the **Zoning Ordinance** (Chapter 17 of the Piedmont City Code). Zoning standards such as setbacks and building heights define how much buildable area is available on a given site.

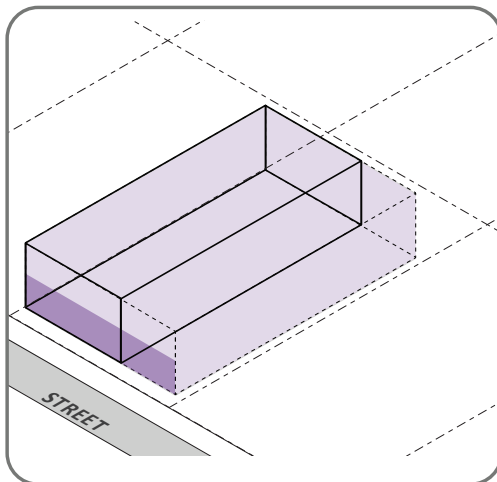


Fig. 1.3.1: Building Envelope

## 2. SITE PLANNING

Examine the character of the site's surroundings, including neighboring buildings, significant landscape features, and pedestrian and vehicle access. Use the existing patterns of development to inform site planning, organization, and design. Refer to the **Site Organization, Planning, and Design** standards and guidelines in the respective chapter for site standards such as location of pedestrian access, building entries and landscaping for open spaces.

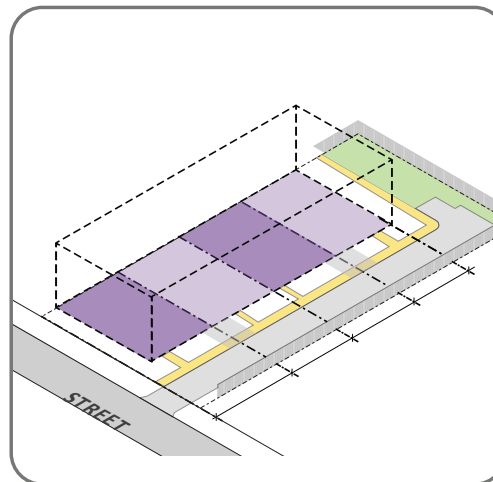


Fig. 1.3.2: Site Planning

## 2. BUILDING DESIGN

Design building massing and form to promote visual interest, support active uses, and provide appropriate transitions to neighboring structures. Use facade articulation to create engaging, human-scale development that contributes to a vibrant public realm. Refer to the **Building Design** standards and guidelines in the respective chapter for detailed direction on massing breaks, facade treatments, entry design, and window patterns and detailing.



Fig. 1.3.3: Building Design

## 1.4 Ministerial Review Process

Development projects eligible to utilize the Objective Design Standards and Guidelines are subject to the Ministerial Design Review process, consistent with State Law for the applicable development types.

Ministerial review refers to a type of government review or approval that is *non-discretionary* — meaning the decision-making authority must approve a project as long as it meets all applicable laws and regulations. There is no subjective judgment or personal interpretation involved in the approval.

Key characteristics of ministerial review include:

- **By-right approval:** If the applicant complies with objective standards (like zoning, height, setbacks, etc.), the project must be approved.
- **No public hearing required:** Unlike discretionary reviews, ministerial reviews do not involve public comment or deliberation.
- **No environmental review under the California Environmental Quality Act (CEQA):** In California, ministerial projects are exempt from the California Environmental Quality Act (CEQA).
- **Objective standards only:** Decisions are based on quantifiable, measurable rules rather than design preferences or policy considerations.

California state law requires that ADUs, new 1-4 unit residential developments eligible under SB 9, and certain multifamily residential projects eligible under SB 35 be reviewed through a ministerial process. However, applicants wishing to deviate from the Objective Design Standards may voluntarily apply for discretionary design review before the Planning Commission.

### 1.4.1 IMPLEMENTATION

The standards in this document are applicable to two types of ministerial permits:

- **Ministerial Design Review:** Proposals to construct new 1-4 unit residential projects, multifamily residential development, or mixed-use residential development that meet the eligibility criteria of Zoning Ordinance Sec. 17.67.030.
- **Accessory Dwelling Unit Permit:** Proposals to add an accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU), as defined in Zoning Ordinance Sec. 17.38.020 and meet the requirements of Division 17.38.

Each type of planning permit application has its own unique approval process. The two diagrams on the following pages map each type of permit review process, from initial contact with the Planning Department to a final approval for construction. These diagrams enable project applicants, design professionals and the general public to better understand project review procedures.

## 1.4.2 MINISTERIAL DESIGN REVIEW PROCESS

Applicable to:

- 1-4 Unit Residential Developments
- Multifamily Residential Developments
- Mixed Use Residential Developments

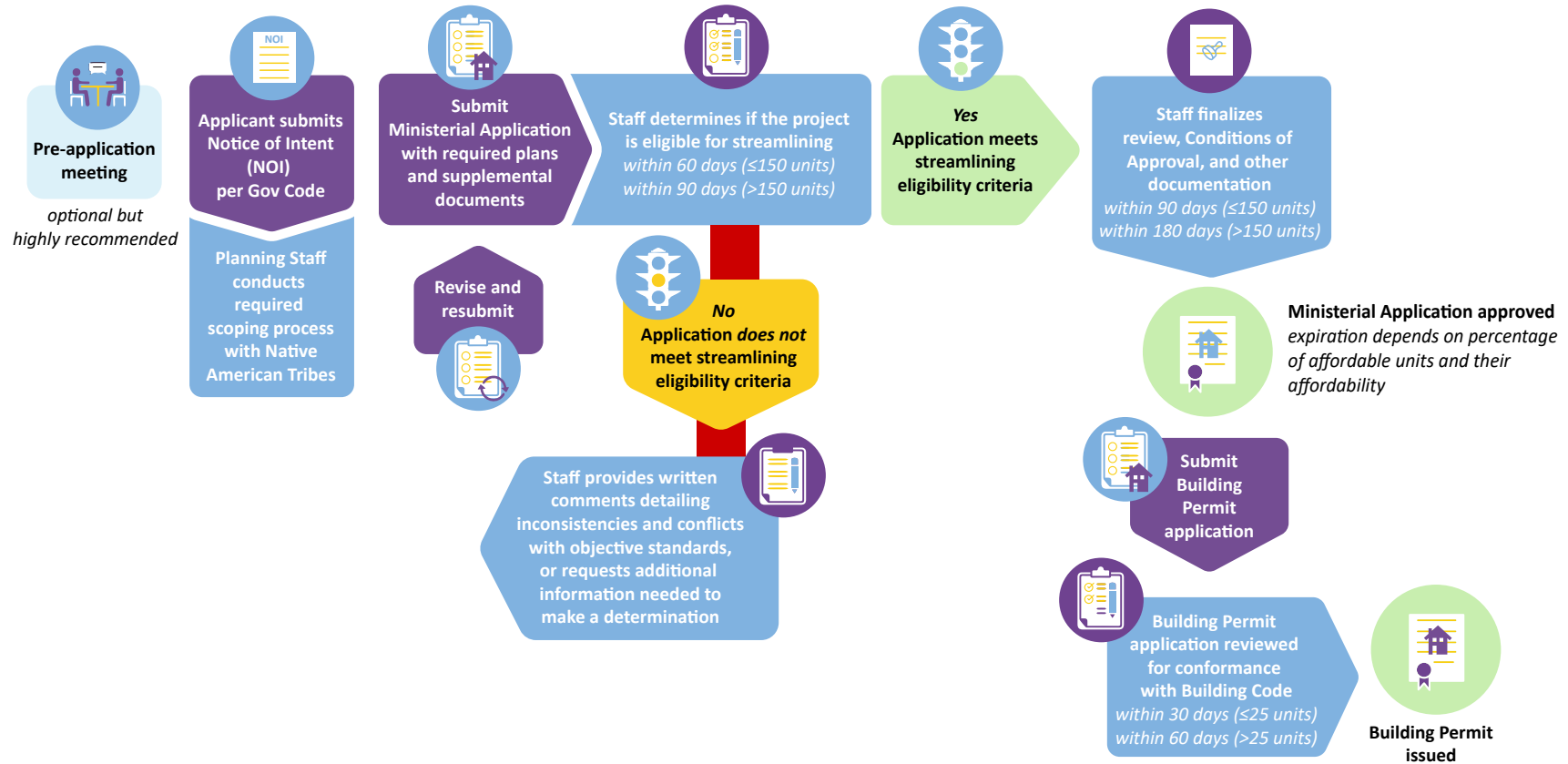


Fig. 1.4.1: Ministerial Design Review Process

### 1.4.3 ACCESSORY DWELLING UNIT REVIEW PROCESS

Applicable to:

- Accessory Dwelling Units (ADUs)
- Junior Accessory Dwelling Units (JADUs)

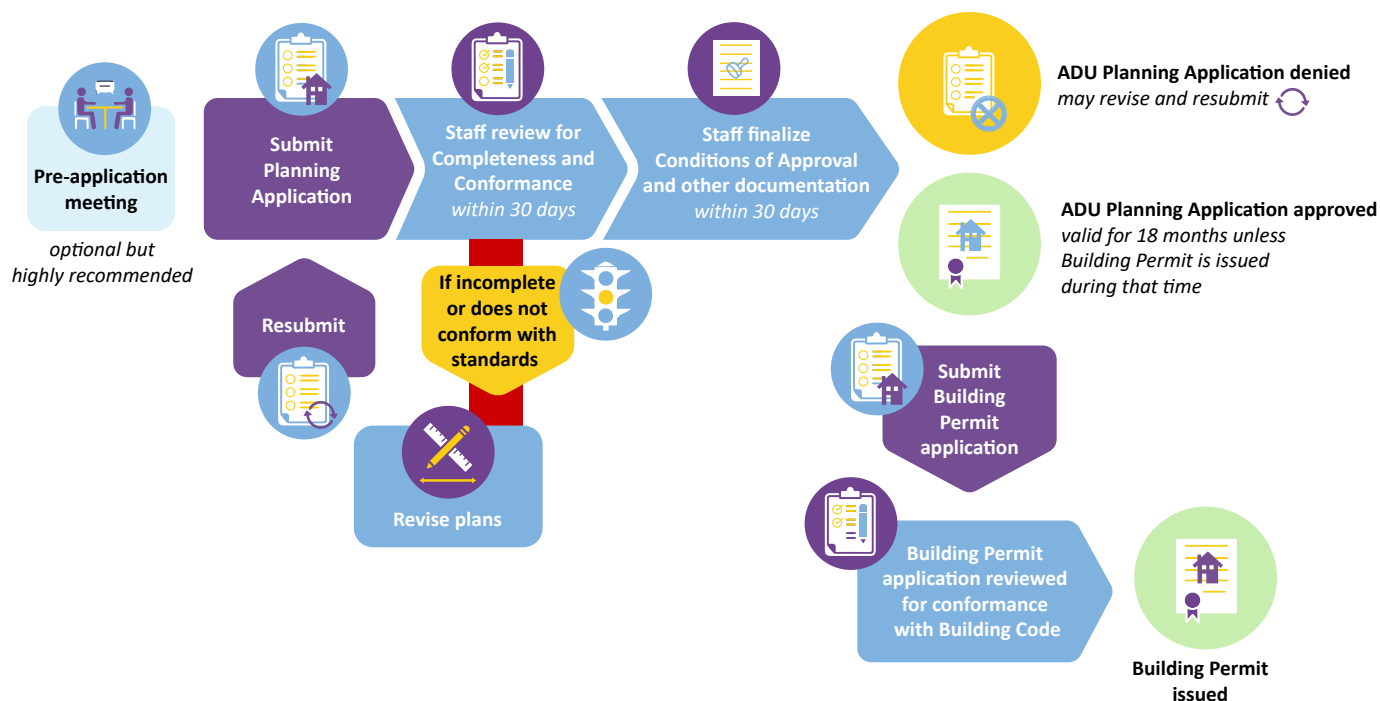


Fig. 1.4.2: Accessory Dwelling Unit Review Process

# 1.4.4 ACCESSORY DWELLING UNIT REVIEW PROCESS WITH ADU PROTOTYPE PLANS

Applicable to:

- Accessory Dwelling Units (ADUs) utilizing prototype building elevations and floor plans provided by the Planning & Building Department

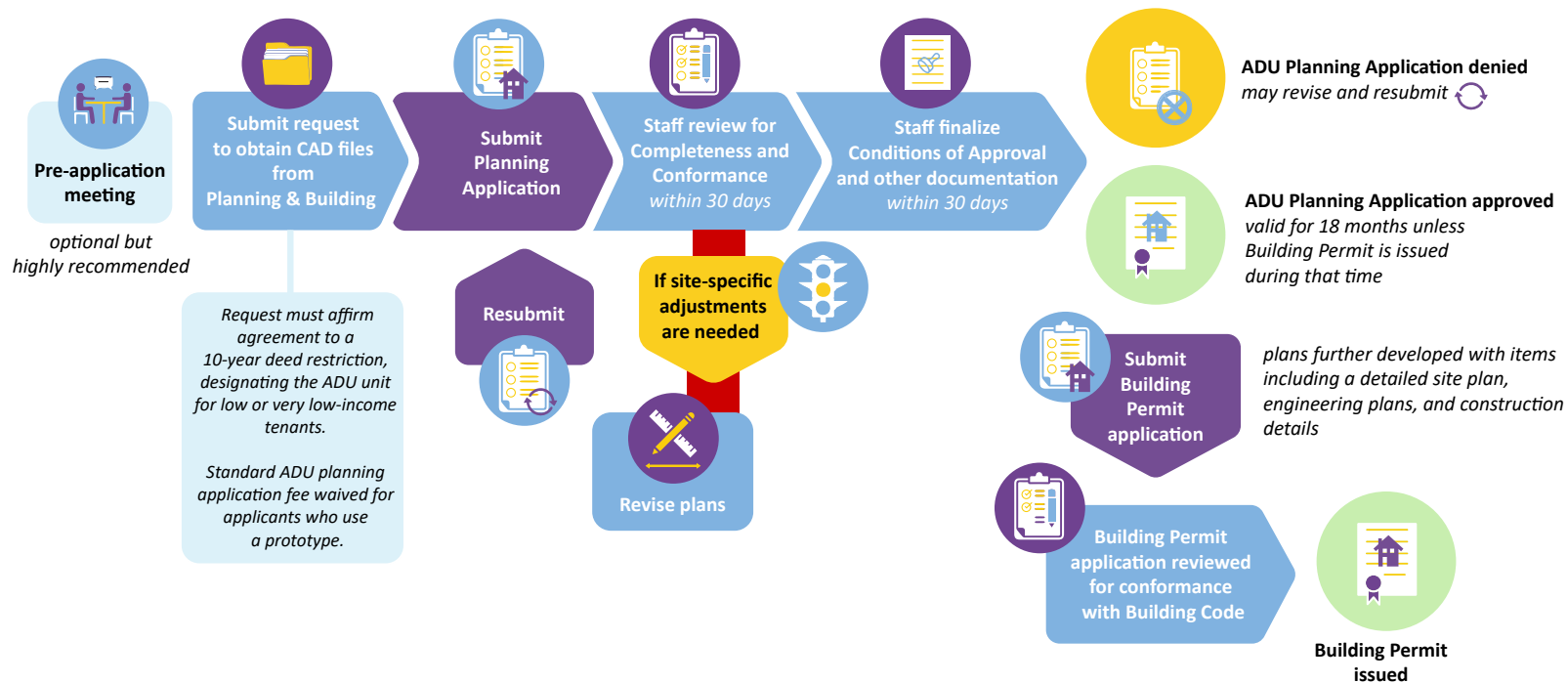


Fig. 1.4.3: Accessory Dwelling Unit Review Process with ADU prototype plans

## 1.5 Design Review Submittal Guidelines

### 1.5.1 FORMS, FEES, NUMBER OF PLANS AND PLAN SIZES

1. Planning Permit Application Form signed by the property owner(s), or apply online via eTRAKiT
2. Application Submittal Checklist Form. This form may be found at the end of this chapter and in more detail on each of the application forms.
3. Fee payment, as specified on the application form or online portal.
4. Electronic Plan Set Submittal. Instructions for submitting planning applications electronically are available on the applications webpage of the City website here: [www.piedmont.ca.gov](http://www.piedmont.ca.gov).

### 1.5.2 ITEMS TO BE INCLUDED IN THE PLANS

#### 1. Site Survey and Topographic Map (preferred scale 1/8")

Provide a survey and topographic map, prepared within the last 12 months, accurately showing contours and other features of the existing terrain within the subdivision or parcel, existing drainage channels, roads, culverts, overhead and underground utility lines and structures (Sewer, Gas, Water, Electric) which affect the design of the subdivision or parcel, wells and springs, structures, retaining walls, show building wall outlines, 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, significant trees with a minimum of 12" trunk diameter, irrigation ditches, utility poles, other improvements in their correct location, and provide a north arrow. Elevations shall be in accord with U. S. Geological Survey (1929 Sea Level datum.) The map shall be drawn to an engineer's scale large enough to show all information clearly.

#### 2. Tentative Map

A plat or map shall show the following information. Where dimensioning is appropriate, dimensions shall be annotated to what is, in the surveyor's professional opinion, the appropriate degree of precision based on the existing or planned use of the surveyed property.

- a. Field Locations and City Monuments
- b. Boundary, Descriptions, Dimensions, and Closures
- c. Easements, Servitudes, Rights of Way, Access, and Documents

#### 3. Housing Development Plan

A housing development plan consisting of the architectural design (existing and proposed site plan, floor plans, elevations, and details), unit access, parking space(s), 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.

#### 4. Accessory Dwelling Unit (ADU)

Per sections 17.20.040.C and 17.28.040.C of the Piedmont City Code, for lots that are larger than 5,000 square feet, an ADU shall be constructed:

- a. when a new single-family residence is proposed on a vacant lot.
- b. when an existing single-family residence is demolished for a remodel or reconstruction, except when a single-family residence is being reconstructed to the same or similar square footage due to damage or destruction by accident, fire, flood, earthquake, or other act of nature.

Please include location of the proposed ADU on the site plan and floor plans. A complete

ADU submittal will be reviewed along with an ADU application. Please submit a separate ADU application. Please note that separate fees would apply for the ADU application.

#### 5. Existing Site Plan (preferred scale 1/8")

Please indicate the location of all existing structures (including accessory structures), retaining walls, fences, handrails, guardrails, site features, trees, landscaping, hard-surface areas, other outdoor amenities, lot lines, front, side and rear yard setback lines, any body of water (creek, pond, lake, riparian area, wetland, flood hazard area, etc.) 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 and exterior wall outline of structures on the property rather than the interior floor plans. Show location of any existing exterior heat pumps or other noise generating equipment. See "proposed" below for formatting instructions.

#### 6. Proposed Site Plan (preferred scale 1/8")

Please indicate the location of all existing and proposed structures (including accessory structures), retaining walls, fences, handrails, guardrails, site features, trees, landscaping, hard-surface areas, other outdoor amenities, lot lines, front, side and rear yard setback lines, any body of water (creek, pond, lake, riparian area, wetland, flood hazard area, etc.) and easements. Indicate utility service meters (Water, Gas, Electrical).

Please outline the locations of structures on adjacent properties (up to 25 feet from the property line) and label their uses and addresses. 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 and exterior wall outline of structures on the property rather than the interior floor plans. Show a minimum 3-foot-wide unobstructed, permanent and lighted all-weather path of travel from ROW to entry door(s). Indicate

location of addresses markers for each individual unit proposed. Show location of any proposed exterior heat pumps or other noise generating equipment. **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.**

#### 7. 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 and color. Note roof planes that will accommodate photovoltaic panels to comply with requirements of California Energy Code Section 150.1.c.14.

#### 8. 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 interior dimensions. Show the removal of any existing features, including roofs, walls, ceilings, windows, doors, built-in-cabinets, appliances, fixtures and parking spaces. Provide window and door marks that correspond to their respective schedules.

Please show a north arrow and label the floor level. See "proposed" below for formatting instructions.

**Show locations of any exterior wall mounted water heater or other mechanical equipment. For existing ADU show locations of water heater and HVAC equipment. Show level landing locations at each entry door.**

**9. 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 interior dimensions.

Please show a north arrow, label the floor level, and call out proposed modifications. Provide window and door marks that correspond to their respective schedules.

**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. Show locations of any exterior wall mounted water heater or other mechanical equipment. For proposed ADU, show locations of water heater and HVAC equipment. Show level landing locations at each entry door.**

**10. 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. Provide

window and door marks that correspond to their respective schedules.

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.

**11. 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. Provide window and door marks that correspond to their respective schedules. 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.**

**12. 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.

**13. Window Door 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, window recess, 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). Provide window and door marks that correspond to the floor plans and elevations. At the discretion of the Planning Director, a window schedule can be omitted only if all the above information is otherwise provided.

**14. Graphic Calculations**

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:

- a. **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.
- b. **Minimum landscape coverage** equals the number of square feet of green and growing 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.
- c. **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.

#### 15. 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.

#### 16. Landscape Plans

Landscape Plans should include lot lines, indicate landscape areas, identification of vegetation, the location of all structures, lighting 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 (WELO). New house on a vacant lot requires WELO, rehabilitated landscape of 500 s.f. for a new house on a developed lot requires WELO.

#### 17. Access To Right-of-Way

The applicant must demonstrate access to the lot from the public-right-of-way or fronting roadway showing driveway slope, cross-slope and width. Access may be by easement. If the parcel to be developed is fronting on public right of way, frontage improvements (curb gutter/sidewalk) conforming with Public Works Standards is required.

#### 18. Drainage Plan

The drainage plan shall be prepared by a licensed civil engineer and include the following:

- a. An outline of the development footprint of any unit(s)/house(s) proposed within the newly subdivided lots.
- b. Geotechnical remediation / grading improvements, amount of cut and fill,
- c. Drainage and, depending upon the parcel size, C.3 stormwater treatment

improvements or stormwater management plan, e.g. Location of surface and subsurface drainage facilities, bioretention, and direction of runoff/drainage.

#### 19. Utilities Plan

Provide details on how the lot will be served with utilities including sewer, water, gas, and electric. Indicate the points of connection and/or meter locations for each.

#### 20. Stormwater Requirements Checklist

All applications must complete the *Applicability C.3 Stormwater Requirements Worksheet*.

#### 21. Engineering Plan Set

Complete structural 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 a foundation plan, framing plans and calculations.

#### 22. Soils Report

A preliminary geologic and/or soils reconnaissance report. Each report of a geological investigation shall be prepared and signed by a licensed engineering geologist.. The required report should be based on the latest grading plan for the subject development and shall reference the date of that grading plan. All reports shall include the following:

- a. A detailed geologic map showing the location and extent of any geologic hazard or potentially hazardous soil condition

within or immediately adjoining the subject property which warrants special management and/or further evaluation.

- b. Recommendations outlining an exploration program to fully define and delineate any geologic hazard or potentially hazardous soil condition, and to accurately identify developable areas,
- c. Conclusions regarding the effect of any geologic hazard or potentially hazardous soil condition within or immediately adjoining the project site on the design of the proposed subdivision,
- d. Recommendations for redesign of the subdivision and/or recommendations for construction procedure to mitigate potentially hazardous conditions, if warranted

### **23. Title Report**

A title report not more than six months old.

### **24. List of Waivers**

If the proposed project is seeking a waiver from any objective standard, provide a letter detailing the requested waiver (s).

### **25. Memorandum of Agreement**

If the proposed project is on a property split between City of Piedmont and City of Oakland, provide a copy of the executed Memorandum of Agreement between both cities.

### **26. Intent to Occupy Affidavit**

(Applicable to 1-4 residential unit developments submitted under Senate Bill (SB) 9.)

### **27. Biological Site Assessment**

The applicant shall provide a Biological Assessment (wildlife or botanical surveys) for any project which could alter or damage the habitat of special status species, as defined by the California Department of Fish and Wildlife or the US Fish and Wildlife Service, including wetland species, nesting birds, Dusky Footed Woodrats, roosting bats, et al.

### **28. Archeological and Tribal Cultural Resources**

Prior to approval of development projects (excluding small structures exempt under CEQA) that have the potential to impact an archaeological resource(s), such as through grading, excavation for foundations or basements, or new swimming pools, the applicant shall provide an Archaeological Resources Assessment that shall be conducted under the supervision of an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in either prehistoric or historic archaeology. Assessments shall be completed in accordance with the California Office of Historic Preservation guidance and will follow the Archaeological Resource Management Reports (ARMR): Recommended Contents and Format guidelines. If the Archaeological Resource Assessment identifies resources that may be affected by the project, Phase II testing and evaluation will be required. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, appropriate site-specific mitigation measures shall be identified in the Phase II evaluation. These measures may include,

but would not be limited to, the Applicant's submittal of a Phase III data recovery program, avoidance, or other appropriate actions to be determined by a qualified archaeologist.

### **29. Paleontological Site Assessment**

For new development that involves ground disturbance within the high sensitivity Pleistocene alluvial fan and fluvial deposits (Qpaf) geologic unit, the project applicant shall provide a report prepared by a Qualified Paleontologist who shall direct all mitigation measures related to paleontological resources. If evidence of subsurface paleontological resources is found during construction, excavation and other construction activity shall cease and the construction contractor shall contract a qualified paleontologist to evaluate the find and make appropriate recommendations. If warranted, the paleontologist shall prepare and implement a standard Paleontological Resources Mitigation Program for the salvage and curation of the identified resources.

### **30. Historic Resources Site Assessment**

The applicant shall provide a historic resources assessment including State of California Department of Parks and Recreation (DPR) 523 forms for development projects involving the demolition or substantial alteration (alteration of 30 percent or more of the building exterior) of buildings 45 years or older. DPR forms shall include a Primary Record (523A), Location Map (523J), and appropriate detailed recording forms (e.g., BSO Record (523B), Archaeological Site Record (523C), or District Record (523D)).

## EXHIBIT A- ATTACHMENT A

The forms shall be prepared by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in architectural history or history (as defined in Code of Federal Regulations, Title 36, Part 61). If the property is already listed in the NRHP or CRHR or if DPR forms or an historical resources evaluation (HRE) has been prepared for the property in the past five years, preparation of new DPR forms shall not be required.

**31. Sewer Capacity Study (if an SB9 application is for 3 or more units)**

The applicant must provide a sewer capacity study prepared by a licensed civil engineer within the last 12 months that meets the requirements of Piedmont City Code Section 8.12 and includes estimated amounts of effluent generated from the project for average daily and peak flow conditions. Additionally, the analysis shall evaluate the existing flow in the sewer main where the effluent from the proposed units will flow to evaluate if sufficient capacity is available for the additional flows.

**Prior to Submitting an Application**

If an applicant believes that any of the above requirements do not pertain to their project, they should 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 applicants and answer any questions applicants may 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, including ADU application, will require a building permit application if approved.*



ONE-TO-FOUR RESIDENTIAL UNIT DEVELOPMENTS

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## 2.1 Context

*Ensure that new 1–4 unit housing blends with the character, scale, and rhythm of existing neighborhoods while supporting gentle density and a walkable, community-oriented environment.*

### PURPOSE

New developments and additions and alterations to existing buildings and lots should reflect the characteristics of the surrounding *context* to help create and maintain cohesive neighborhoods. Design strategies for each development can vary depending on a project's size, location, topography and relationship to streets.

The standards and guidelines in this chapter are intended to guide new 1–4 unit residential buildings in Piedmont so that they are compatible with the city's established neighborhood character—defined by varied architectural styles, mature *landscaping*, and a strong sense of scale—while supporting the City's housing goals in a *context*-sensitive manner.

### OBJECTIVE STANDARDS

#### S.2.1.1 Adherence to Zoning Development Standards

New developments shall adhere to the development standards for Urban Lot Splits and Two-Unit Housing Developments specified in Chapter 17 of the Piedmont City Code.

#### S.2.1.2 Adherence to Objective Design Standards

In addition to compliance with Chapter 17 zoning standards, new 1-4 unit developments shall adhere to the objective design standards outlined in this chapter. However, per Chapter 17 an exception from a development standard shall be granted if the standard would have the effect of physically precluding:

- an urban lot split of a vacant parcel where the resulting lot size is 1,200 square feet or more for both parcels;

- an urban lot split of a parcel with existing development, where the resulting lot size is 1,200 square feet or more for both parcels, and the urban lot split does not increase any nonconformity with underlying zoning regulations for the parcel with existing development; or
- the construction of up to two units that are 800 square feet in floor area or less, each.

#### S.2.1.3 Guidelines (Optional)

New 1–4 unit developments are encouraged to consult the optional supplemental guidelines included in each section. These guidelines outline best practices and offer overarching design principles that help clarify the design objectives. They are intended to complement the mandatory design standards but are generally not objective or quantifiable.

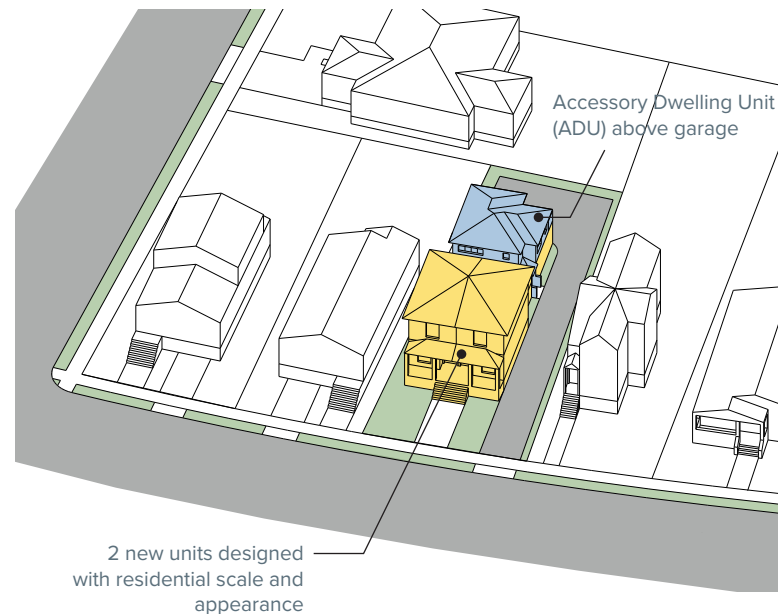


Figure 2.1.1: The objective standards and guidelines in this chapter are intended to ensure that new 1–4 unit residential buildings in Piedmont are compatible with the city's established neighborhood character.

## 2.2 Urban Lot Splits

*Increase housing supply and diversity while being sensitive to neighborhood character.*

### PURPOSE

Urban lot splits are intended to allow increased housing diversity, affordability, and accessibility within established neighborhoods. By facilitating the subdivision of single-family lots, smaller, more attainable housing options for a range of household types and income levels can be created.

Lot splits promote efficient land use, encourage walkable and vibrant communities, and align with local and regional goals for sustainable growth, equitable housing opportunities, and climate resilience.

By applying the objective design standards, lot splits will meet the above stated purpose, while supporting neighborhood character.

*Urban Lot Splits shall be governed by Piedmont City Code Chapter 17.54.050 Urban Lot Split Standards, and Piedmont City Code Chapter 19 Subdivisions.*

*Objective design standards that preclude the development of two lots, each containing an 800 square foot primary structure, shall not be imposed.*

### OBJECTIVE STANDARDS

#### S.2.2.1 Lot Sizes

- One lot shall not be less than 40 percent of the lot area of the original lot (see Fig. 2.2.1).
- Each of the newly created lots is no smaller than 1,200 square feet (see Fig. 2.2.1).

#### S.2.2.2 Number of Units

Once a lot has been divided pursuant to the Urban Lot Split provisions, each lot is allowed to contain up to two units in one or two primary buildings, inclusive of any Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Units (JADUs) (see Fig. 2.2.2)

#### S.2.2.3 Accessory Dwelling Units

- Projects Without Urban Lot Split:
  - One ADU and/or JADU is allowed on the lot in addition to two primary dwelling units, with the total not exceeding four units.
- Projects with Urban Lot Split:
  - One ADU or Junior ADU is allowed on the lot if the lot contains one primary dwelling unit, with the total not exceeding two units.
  - No ADU or JADU is allowed when the lot contains two primary dwelling units.

#### S.2.2.4 Lot Access

- Each lot shall have minimum 3-foot pedestrian pathway to the public *right-of-way*, either through direct lot *frontage* or an easement through the existing lot. The easement shall be dedicated as a public right of way if used for egress.

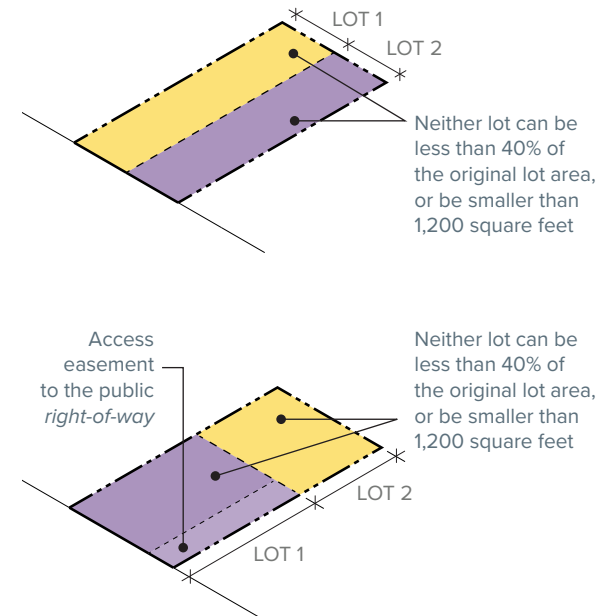


Figure 2.2.1: With lots splits, one lot shall not be less than 40 percent of the lot area of the original lot, and the newly created lots shall be no smaller than 1,200 square feet.

# EXHIBIT A- ATTACHMENT A

02

- b. Vehicular driveways to the new lot, where parking is required or provided, shall meet the driveway width and slope standards outlined in Section 2.4.
- c. Access easements shall be recorded prior to final map recordation.
- d. Final map to be recorded prior to issuance of a building permit.

## S.2.2.5 Lot Frontage

The lot shall have a minimum *frontage* of 60 feet.

## S.2.2.6 Flag Lots

*Flag lots* are not permitted under an urban lot split permit. If a new lot is created without *direct access* to the public *right-of-way*, an access utility easement(s) shall be provided through the original lot, under the provisions in Piedmont City Code Chapter 19. The easement shall meet the following requirements:

- a. The easement shall have a minimum width of 12 feet.
- b. The easement shall provide access for utilities to be connected to the public right of-way.
- c. The easement shall provide direct and unobstructed access to a public way for egress.

## S.2.2.7 Existing Dwellings

If an urban lot split is proposed for a property with an existing dwelling unit:

- a. the split must result in the existing dwelling unit (including all attached accessory structures like deck, exterior stairs) being completely located on the same lot; and
- b. the urban lot split does not increase any nonconformity with underlying zoning regulations for the parcel with existing development.

## S.2.2.8 Utilities

- a. The new lot shall have separate utilities, including but not limited to electric, gas, water, and sewer. The new lot shall adhere to the standards outlined in the Piedmont

Public Works Standard Details, available on the Department of Public Works Department page on [www.piedmont.ca.gov](http://www.piedmont.ca.gov).

- b. Utility easements shall be recorded prior to final map recordation.

## GUIDELINES (OPTIONAL)

### G.2.2.1 Grading

Shared driveways encouraged where there is an opportunity for two lots to utilize the same driveway; widths shall be as specified in *Section 2.5*.

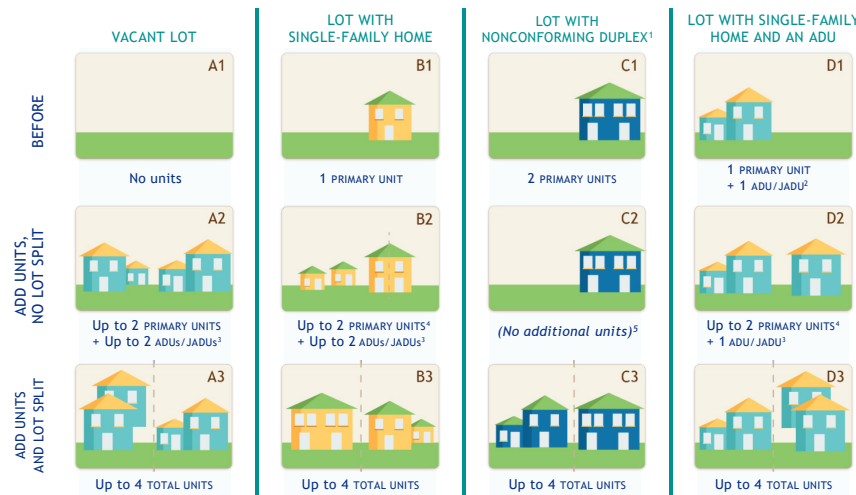


Figure 2.2.2: Maximum number of units under various configurations (this is not an exhaustive set of examples). (Source: Association of Bay Area Governments (ABAG))



## 2.3 Site Grading

1-4 unit developments in Piedmont should be designed to integrate with existing topography.

### PURPOSE

Grading shall promote compatibility with surrounding topography and neighborhood character while facilitating accessible site circulation, utility placement, and stormwater management in compliance with applicable building, safety, subdivision, and environmental standards.

### OBJECTIVE STANDARDS

#### S.2.3.1 Grading or Regrading of Lots

When existing lot topography is proposed to be changed, grading shall not result in any of the following:

- Retaining walls centered on lot lines, resulting in portions of the wall encroaching onto neighboring properties (retaining walls including any associated drainage must be constructed entirely within the property boundary);
- Creation of retaining walls taller than 30 inches above finished grade within required *street setbacks*, unless the retaining walls are used to support egress/ingress infrastructure such as driveways for a maximum height of 8 feet;
- Retaining walls along side lot lines taller than four feet as measured from finished grade to *top of wall*;
- Retaining walls taller than 8 feet and longer than 50 feet not within the building footprint along the rear lot line or any side lot line within the rear *setback*, as measured from finished grade to *top of wall*;
- Cut and/or fill exceeding 16 feet in height from top to toe;
- Cut or graded slopes exceeding 30%; or
- Graded slopes not contoured to blend

with existing terrain, such that proposed cuts and fills exceed one foot of added/subtracted rise for each one and one-half feet of run.

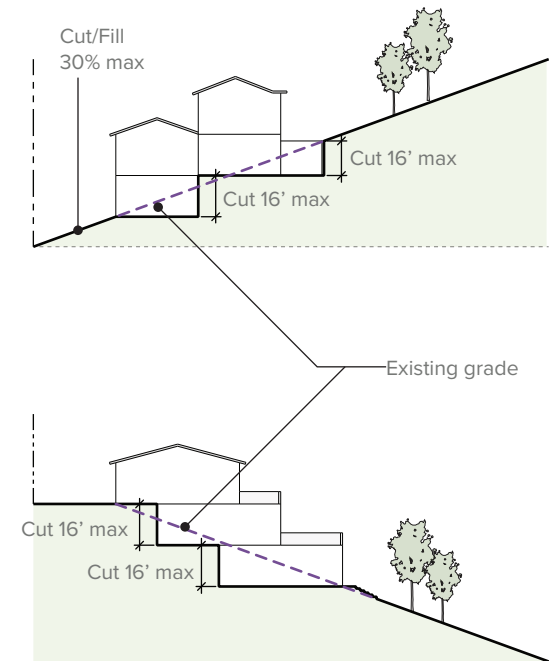


Figure 2.3.1: Site grading for new developments limited to 16 feet in height maximum from top to toe from cut and/or fill, and cut/fill slope no greater than 30%.

## GUIDELINES (OPTIONAL)

### G.2.3.1 Grading Best Practices

On steeply sloping properties, it is important to minimize building bulk. This is accomplished by respecting existing topography and following the contours of the existing slope. “Stepping down” with the slope reduces the building’s effective visual bulk and avoids the appearance of an excessively large, bulky building (see *Fig. 2.3.2*).

- a. Plan developments on hillside sites should follow the existing topography, maintain significant site views, and not obscure the silhouette of prominent ridge lines.
- b. Where cut-and-fill slopes are unavoidable on hillside sites, sculpt them to blend with the adjacent terrain.

### G.2.3.2 Natural Amenities

Preserve on-site natural amenities such as mature trees, creeks, and riparian corridors and integrate them into the site planning and organization as design features or organizing elements. For example, locate a courtyard or an outdoor recreational space around an existing mature tree.



Figure 2.3.2: “Stepping down” with the slope reduces the building’s effective visual bulk and avoids the appearance of an excessively large, bulky building.

## EXHIBIT A- ATTACHMENT A

### 2.4 Building Access and Entrance Design

Maximize pedestrian access and shape project identity around clearly defined, inviting entrances.

#### PURPOSE

Well-designed and easily accessible building entrances perform a key role in the overall design and character of neighborhoods.

Entrances visible from the street help to animate neighborhoods and make them safe and walkable. Building entrances include doorways and elements such as stoops stairways, *landings*, and porches. They add visual interest to the building and *streetscape*.

#### OBJECTIVE STANDARDS

##### S.2.4.1 Building Entrance Locations

- A minimum of one unit located along public rights-of-way must have the *primary building entrance* facing this *right-of-way* and not rear yards, or opening onto a porch with an entrance that faces the street. Additional units on such lots may face the *right-of-way*.
- Buildings fronting the street yard must include their entry along the street yard (see *Fig. 2.4.1*).
- All buildings not fronting a street must have their entry facing or visible from the street or a walkway connecting to the street (see *Fig. 2.4.2*).

##### S.2.4.2 Pedestrian Walkways

A minimum three-foot wide permanent, unobstructed pedestrian pathway constructed of *noncombustible materials* (as defined in the California Building Code) shall be provided to access entrances of each dwelling unit.

#### GUIDELINES (OPTIONAL)

##### G.2.4.1 Visible Entries

The entryways to the new residences should be visible from the street. No fencing or intervening structures on private property should obstruct the sightline from the sidewalk to the entryways.



Figure 2.4.1: Buildings fronting the street yard must include their entry along the street yard.



Figure 2.4.2: All buildings not fronting a street must have their entry facing or visible from the street by a walkway connecting to the street.

## 2.5 Vehicular Access and Parking

*Separate driveways from pedestrian rights-of-way.*

### PURPOSE

The purpose of vehicle access and parking standards is to ensure that new residential projects provide safe, efficient, and convenient access for residents and visitors while minimizing negative impacts on surrounding neighborhoods. These objective standards aim to balance the need for sufficient parking with the goal of maintaining the character of the community.

### OBJECTIVE STANDARDS

#### S.2.5.1 Driveways and Curb Cuts

- Driveway widths shall adhere to the standards in *Table 2.5.1: Driveway Width Standards*.
- New driveways shall not be less than 10 feet in width.
- Driveways shall adhere to the backup standards in *Table 2.5.2: Driveway Backup Standards*.
- For corner lots, provide the curb cut on the *side street* or the street with lesser pedestrian, bicycle, and vehicular circulation.
- All driveway cuts must be a minimum of 10 feet from the beginning of any curb return of a street.

DRIVEWAY WIDTH STANDARDS		
DESCRIPTION	MINIMUM WIDTH	MAXIMUM WIDTH
For a residential driveway leading to a single car garage, single car	10'-0" *	12'-0"
For a residential driveway leading to a double car garage, double car <i>carport</i> of unenclosed spaces	10'-0" *	18'-0"
* For any units for which the closest portion of the parking enclosure is located in excess of 75 feet from the closest street, the minimum driveway width is 12 feet for up to two parking spaces, or 18 feet for more than two parking spaces.		

Table 2.5.1: Driveway Width Standards

DRIVEWAY BACKUP STANDARDS		
DESCRIPTION	MINIMUM BACKUP DISTANCE *	MAXIMUM BACKUP DISTANCE *
For an <i>existing</i> residential driveway less than 10 feet in width	18'-0"	50'-0"
For a <i>new</i> or <i>existing</i> residential driveway 10 feet or greater in width	18'-0"	75'-0"
* Backup distance is measured between the inside edge of sidewalk to the front wall of the parking enclosure.		

Table 2.5.2: Driveway Backup Standards

### S.2.5.2 Access to Driveways

- For developments with two or fewer dwelling units, vehicles may enter or exit the driveway in either direction – pulling forward or backing up.
- For developments with three or more dwelling units, vehicles must exit the driveway pulling forward; configurations requiring vehicles to back down the driveway in reverse are not permitted.

### S.2.5.3 Driveway Turn-Arounds

Driveways that exceed the maximum backup distance shall have a turnaround area immediately adjacent to the front wall of the garage or *carport*. The turnaround shall be adequate in size to allow a standard vehicle one (1) two-point maneuver and an exit onto a public street in a forward direction.

- One (1) two-point maneuver consists of one (1) forward motion and one (1) backward motion (See Figure 2.5.1: Driveway turnarounds).

DRIVEWAY TURNAROUND STANDARDS		
DESCRIPTION	MINIMUM WIDTH	MAXIMUM DEPTH
For a turnaround in front of a one car garage or <i>carport</i> , including driveway width and turnaround hammerhead	25'-0"	44'-6"
For a turnaround in front of a two car garage or <i>carport</i> , including driveway width and turnaround hammerhead	34'-0"	44'-6"

Table 2.5.3: Driveway Turnaround Standards

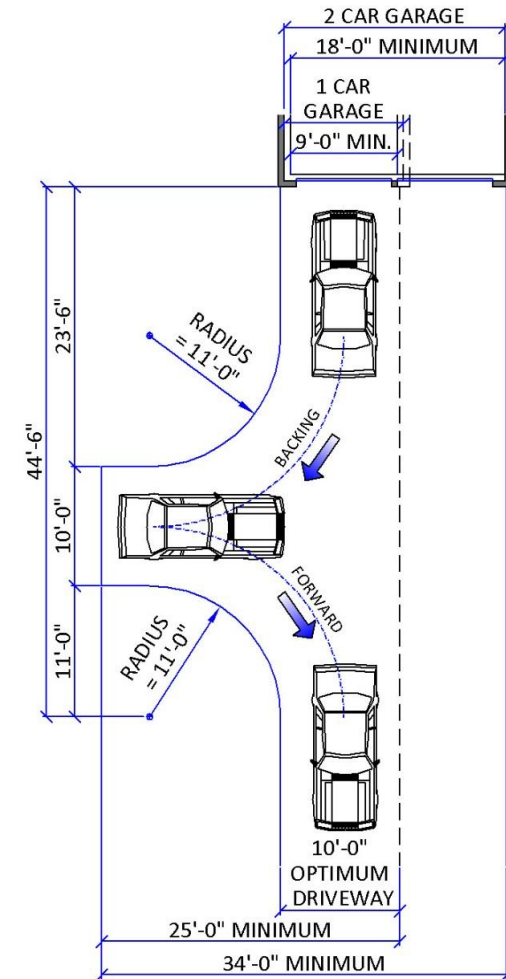


Figure 2.5.1: Driveway turnarounds

#### S.2.5.4 Driveway Gradient

- When provided, start the ramp for driveways at the property line at the same elevation as the street right of way and meet the slope requirements mentioned in *Table 2.5.4: Driveway gradient standards*.
- The cross slope of driveways shall not exceed 5 percent.

DRIVEWAY GRADIENT	
*DRIVEWAY LENGTH	REQUIREMENT
Up to 14'	Maximum 10%
From 14'-1" to 24'	Maximum 10% for the first 10'; Maximum 15% for the remaining length to garage entrance
Greater than 24'-1"	Maximum 10% for the first 10';  Maximum 15% for the last 10' adjacent to the garage entrance; Maximum 20% between these two points

The cross slope of driveways shall not exceed 5%

\*Driveway length measured from the start of the driveway at the property line.

Table 2.5.4: Driveway Gradient Standards

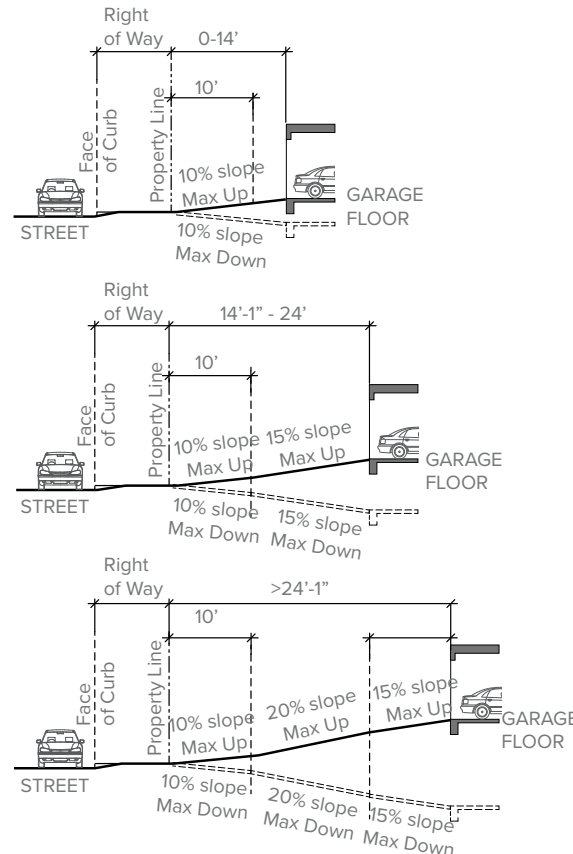


Figure 2.5.2: Driveway gradients

#### S.2.5.5 Numbers of Curbcut

- Vacant lot:
  - On a vacant lot, no more than one driveway curb cut is allowed.
  - Units on two lots created through an urban lot split with only one lot having *frontage* on a public *right-of-way* must share one driveway, with an access easement to the lot that does not have *frontage* recorded as necessary, with a Homeowners Association or covenant recorded with the final map addressing shared responsibility for driveways and curb cut, site drainage, trash and recycling, utilities, and general maintenance.
- Lot with an existing home:
  - Two driveway curb cuts are allowed only if the existing site layout or other physical constraints physically precludes shared use of a single driveway curb cut.
  - The maximum width of a second curb cut where allowed shall be consistent with the City of Piedmont Department of Public Works Standard Details.



## EXHIBIT A- ATTACHMENT A

### S.2.5.6 Maximum Garage Width

- For garages that face the street, the maximum width allowed is the amount needed to fit two cars side by side.
- A garage facing the street may not occupy fifty percent or more of the width of the primary structure.

### S.2.5.7 Carports

New or expanded *carports* must be located behind or to the side of the buildings in relation to any streets fronting the subject property. They may not be located between a building and the street.

### S.2.5.8 Stacked and Tandem Parking

- Required parking spaces are allowed to be stacked through mechanical means, provided spaces assigned to different dwelling units can be accessed independently.
- Tandem spaces are not allowed. All required parking spaces must conform with Piedmont City Code division 17.30.

### S.2.5.9 Stormwater Management

Integrate *green stormwater infrastructure* and *Low Impact Development (LID)* infrastructure into design of surface parking areas per C.3 checklist.

### S.2.5.10 Driver Visibility

Maintain driver visibility while entering or exiting a development site from the *public realm* by keeping the sides of the driveway clear of *landscaping* and screening elements exceeding 30 inches in height from finished grade.

## GUIDELINES (OPTIONAL)

### G.2.5.1 Parking Location

- Placing garages to the rear or side of buildings is encouraged (see *Fig 2.5.3*).
- Site and building design shall be utilized to minimize the impact of parking aprons and garages on the *streetscape*.

### G.2.5.2 Visual Impact

Garage layout and design should minimize the visual impact of the garage door and parking apron on the *streetscape*.



Figure 2.5.3: Placing garages to the rear or side of buildings is encouraged.



Figure 2.5.4: Example of a *carport* in the rear yard provides sense of openness and maintains flexibility for uses in the *private open space*.

## 2.6 Building Placement

Activate the public realm by placing buildings near streets and public open spaces.

### PURPOSE

Building placement should ensure that new housing contributes to a walkable, *context*-sensitive, and livable neighborhood fabric. These objective standards are intended to:

- Promote compatibility with the scale, *rhythm*, and *setbacks* of surrounding buildings;
- Preserve privacy, sunlight access, and open space for residents and neighbors;
- Support vibrant *streetscapes* through thoughtful orientation and *massing*;
- Facilitate efficient use of land while maintaining a comfortable transition between single-family and multi-family housing types.

By guiding the siting and arrangement of buildings, these objective standards help integrate smaller-scale multifamily housing into established neighborhoods in a way that supports both community character and housing diversity.

### OBJECTIVE STANDARDS

#### S.2.6.1 Street Yard Setback

Buildings shall comply with the street yard *setback* of the respective zoning district.

#### S.2.6.2 Site Features and Structures in Street Yards

No fences or perimeter walls, retaining walls greater than 30 inches tall as measured from finished grade to *top of wall*, accessory structures, or site features are allowed in the street yard *setbacks*, unless the retaining walls are used to support egress/ingress infrastructure such as driveways for a maximum height of 8 feet.

#### S.2.6.3 Multiple Units

Multiple units on one lot may be accommodated in a single building in order to emulate a single family home, or may be accommodated in individual buildings (see *Figs. 2.6.1 and 2.6.2*).

### GUIDELINES (OPTIONAL)

#### G.2.6.1 Consistency with Neighborhood Patterns

Buildings' front *setback* from the street *right-of-way* should reflect the prevailing pattern found along other adjacent lots fronting the same side of the street.

#### G.2.6.2 Public/Private Differentiation

The site *landscaping* should clearly differentiate between the public *right-of-way* and the private space of the structure, delineating the front yard from the sidewalk.

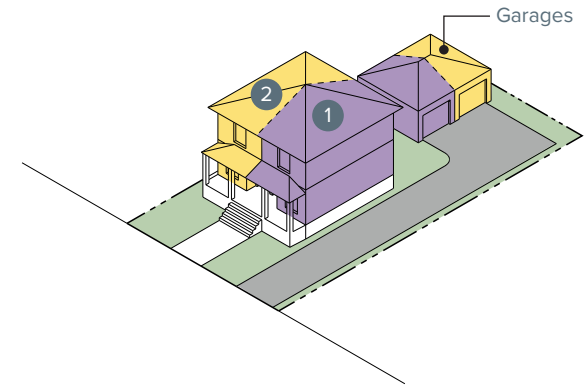


Figure 2.6.1: Multiple units accommodated in a single building in order to emulate a single family home.

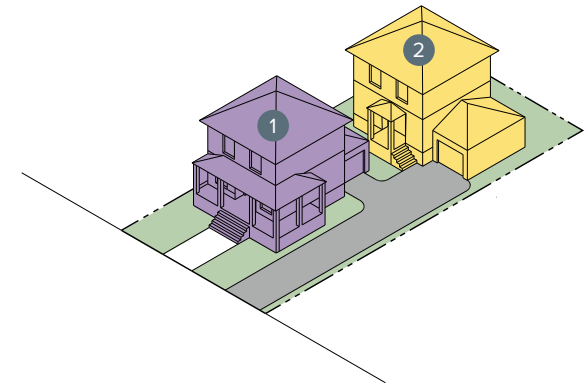


Figure 2.6.2: Multiple units accommodated in individual buildings, with the front unit addressing the street.



## EXHIBIT A- ATTACHMENT A

## 2.7 Walls and Fences

*Minimize the visual prominence of walls and fences.*

### PURPOSE

Walls and fences should provide privacy, security, and delineation of private and shared spaces while maintaining the open quality of Piedmont's *streetscape*. They should support a pedestrian-friendly environment by maintaining visibility at key *frontages*, ensuring compatibility with adjacent properties, and enhancing the aesthetic quality of the development. Materials, height, and placement should balance resident needs for privacy with community integration and visual openness.

### OBJECTIVE STANDARDS

#### S.2.7.1 Height of Fences and Retaining Walls in Front/Street Yards

- No walls or fences of any height will be allowed in the 20 -foot street yard *setback*, except for retaining walls. Retaining walls in the street yard shall be no taller than 30 inches tall as measured from finished grade, unless the retaining walls are used to support egress/ingress infrastructure such as driveways for a maximum height of 8 feet.
- Fences, gates or free standing walls of any height are not allowed in the street yard.

#### S.2.7.2 Retaining Wall Materials

Retaining wall material shall be concrete, tile, brick, split face block, or El Dorado stone. CMU is allowed provided it is covered with plaster stucco a minimum of 1/2 inch thick.

#### S.2.7.3 Planting Strips Alongside Retaining Walls

Where a single large retaining wall greater than 20 feet in length is used, its design shall incorporate a 6-inch or larger planting strip and irrigation system at its toe strip to allow for the planting of screening vegetation and/ or a planting strip with irrigation system at the top of the wall (see *Fig. 2.7.1*).

#### S.2.7.4 Side and Rear Yard Fencing

Fencing up to 6 feet in height is allowed outside the street yard *setback*, provided portions closer 5 feet or closer to the building are built of *noncombustible materials* (as defined in the California Building Code).



Figure 2.7.1: Retaining walls in street yards shall be no taller than 30 inches from finished grade. Where a single large retaining wall greater than 20 feet in length is used, its design shall incorporate a planting strip and irrigation system at its toe strip to allow for the planting of screening vegetation, or planting strip with irrigation system shall be incorporated at the top of the wall.



Figure 2.7.2: Privacy fencing with a finished appearance on both sides

## EXHIBIT A- ATTACHMENT A

02



Figure 2.7.3: *Privacy fencing* with a finished appearance on both sides and a wood lattice top

### S.2.7.5 Visibility

- a. A retaining wall, hedge, or vegetation located adjacent to a driveway may be no taller than 30 inches within 10 feet of the front edge of the property, so that it does not obstruct the view of a driver exiting a driveway.
- b. No fence, wall, retaining wall, hedge, or vegetation may be erected or grown in the front or street side yard of a corner lot to a height of more than 30 inches within the *sight distance zone*, defined as a triangular area formed by measuring 30 feet along the front and side lot lines along the right-of way from their “extended” intersection and connecting these two points.

### S.2.7.6 Gates

- a. A gate located in a street or side yard fence or wall should be a minimum 36 inches in width in order to accommodate an emergency stretcher.
- b. If a gate in a fence or wall located within street or side yards and permitting access to rear yards has a lock, it will require a Knox Box for access by emergency services.

## 2.8 Services and Utilities

Locate services, utilities, and their access away from street view.

### PURPOSE

Properly designed and located services and utilities support functional service access, maintain the aesthetic quality of residential areas, and contribute to a high-quality living environment for all residents.

### OBJECTIVE STANDARDS

#### S.2.8.1 Location of Ground-Mounted Equipment

- a. Equipment must not be placed within required street yard *setbacks* unless required by the utility service provider as demonstrated by written documentation from the provider.
- b. Placement must not obstruct pedestrian paths, fire lanes, or site lines at driveways and intersections.

#### S.2.8.2 Screening of Ground-Mounted Equipment

- a. Equipment shall be fully screened from public view, with screening at least 6 inches higher than the equipment but no more than 6 feet tall (except for planting), unless otherwise required for safety or noise control.
- b. Equipment shall be fully screened using one or more of the following:
  - Solid wood or composite fencing (see *Fig. 2.8.1*)
  - Masonry walls finished to match the primary structure
  - Evergreen *landscaping* or trellises with climbing vines (minimum 3 feet at installation, achieving full screening within two years)
- c. In new construction, conduits shall not be exposed on exterior walls and shall be embedded in walls or within a chase designed for such use.

- d. In retrofits, surface mounted conduits may be a *concealed* in a gutter or raceway system provided they are painted the same color as the wall.

#### S.2.8.3 Wall-Mounted Equipment

- a. Wall-mounted water heaters must either:
  - Be mounted inside the dwelling; or
  - If mounted outside, must be enclosed in a cabinet and painted the same color as the adjacent wall.
- b. Wall-mounted heat pump units must be screened by fencing or walls built from *noncombustible materials* (as defined in the California Building Code) if placed 6 feet or more above ground.



Figure 2.8.1: Example of a wall-mounted water heater enclosed in a cabinet.

#### S.2.8.4 Roof-Mounted Equipment (except solar equipment)

Roof mounted equipment shall be:

- Located so as not to be visible from any adjacent street, which shall mean not visible from the sidewalk level of the opposite side of any street fronting the site;
- Located at least five feet from the edge of any roof of a *street-facing building façade*; or
- Screened with an enclosure that matches the color and texture of the building exterior.

#### S.2.8.5 Location of Refuse and Recycling Containers

Common refuse and recycling containers shall not be located:

- Within any required street *setback*, except during staging for pickups, or unless on a sloping lot in which the portion of the lot outside of the *setback* is uphill or downhill from the street;
- Within any required parking and *landscaped* areas, except during staging for pickups;
- Within any other area required to remain unencumbered, according to fire and other applicable building and public safety codes.

#### S.2.8.6 Design of Refuse and Recycling Container Enclosures

- All trash bins shall be enclosed and shielded from view from the public *right-of-way* and neighboring properties.
- Trash enclosures shall be of a height at least 4 inches taller than the carts, and shall be any of the following:
  - Any solid fence, wall, or combination of a fence and wall at least 4 feet in height and up to 6 feet in height (see *Fig. 2.8.1*).
  - An open fence up to 6 feet in height in combination with dense evergreen *landscaping*.
- Trash enclosures may be provided separately for each unit, or may be combined for multiple units provided the grouped enclosure meets the above design standards.



Figure 2.8.2: Example of refuse container enclosure

### GUIDELINES (OPTIONAL)

#### G.2.8.1 Utilities Screening

- Conceal* runs of all supply, exhaust and venting plumbing, conduits, and flues within the walls of a building. If *concealment* is infeasible, the run should be minimized, discretely placed, and painted to match the adjacent wall. Multiple conduits may be combined if allowed into one *concealed* chase.
- If allowed by utility companies and Fire Department, screen or paint utility connections to blend in with the exterior materials to which they are mounted.
- In unusual circumstances such as conversion of an existing dwelling, when it is physically not possible to install wall mounted equipment inside a building, equipment may be mounted within an enclosed alcove on the exterior of a building, provided that the alcove door is flush with the exterior wall and painted to match the surrounding wall material, and all plumbing and electrical lines are not visible on the exterior. Vents for equipment must not project more than 12 inches from the roof or wall surface.

#### G.2.8.2 External venting

The placement of ports or exterior wall openings for clothes dryer vents, kitchen and stove exhaust fans, air conditioning equipment and other appliances should be sensitive to their acoustical impacts on adjacent residences.



## 2.9 Open Spaces

*Open spaces define community character and create livable environments.*

### PURPOSE

The purpose of open spaces in 1–4 unit “missing middle” housing developments is to foster livable, healthy, and connected residential environments by providing shared and private outdoor areas that enhance quality of life, promote social interaction among neighbors, support environmental sustainability, and contribute to the neighborhood’s visual character. These spaces must be thoughtfully integrated into the site design to balance privacy with community, ensure access to light and air, and offer opportunities for recreation, gardening, and passive enjoyment for residents of all ages.

### OBJECTIVE STANDARDS

#### S.2.9.1 Private Open Spaces

Any *private open space* designated for individual units shall have a minimum area of 35 square feet.

### GUIDELINES (OPTIONAL)

#### G.2.9.1 Private Open Spaces

*Private open spaces* should be directly accessible from and adjacent to the associated dwelling unit (see *Fig. 2.9.1*).

#### G.2.9.2 Semi-Private Open Spaces

Create *semi-private open spaces* to transition between the *public realm* and residential units.

#### G.2.9.3 Solar Exposure

Proposed open spaces should be oriented appropriately for solar exposure when possible to create a more comfortable micro-climate.



Figure 2.9.1: Examples of small open spaces for individual units.

## 2.10 Landscaping

Create welcoming places and enhance the quality of the environment with sustainable landscaping areas.

### PURPOSE

*Landscaping* softens open spaces and buildings to create welcoming, attractive places and maintain privacy between neighbors. Rather than being used as an afterthought to mask inappropriately positioned or designed structures, they should instead be part of a comprehensive site development design scheme and should be compatible with the design of structures found on the property.

*Green stormwater infrastructure* and *Low Impact Development (LID)* techniques when used for *landscaping* can create unique features, manage stormwater, and enhance environmental quality and character of developments.

### OBJECTIVE STANDARDS

#### S.2.10.1 Street Yard Setback Landscaping

- a. The 20-foot street *setback* area must be *landscaped* except for areas of ingress and egress.
- b. No artificial turf is permitted in street yards or street-facing side yards.

#### S.2.10.2 Interior Side and Rear Setback Landscaping

- a. Provide a fence or *landscape* screening (e.g., hedges or trellises) along side and rear property lines (see *Fig. 2.10.1*).
  - If a project is proposing to convert existing home to a duplex or adding a second floor to make two units, fencing/*landscape* screening must be provided.
  - If a project is proposing a lot split and developing only the resulting parcel, fencing/*landscape* screening is only required for the resulting parcel where the new development is proposed.
- b. *Landscape* screening shall be a minimum of six feet tall at *maturity*.
- c. Artificial turf is allowed in interior side and rear yards, but as a hardscape material, it does not count towards the 30% *landscape* minimum.



Figure 2.10.1: This side yard incorporates hedges along the property line to provide *landscape* screening. This example also includes windows placed high for to provide privacy between neighbors.

## EXHIBIT A- ATTACHMENT A

**S.2.10.3 Plants**

- a. Plant size at *maturity* shall not exceed:
  - 30 inch height within 10 feet of a sidewalk or driveway.
  - The height of any *building aperture* within 10 feet of the *aperture*.
- b. Plant species shall be native, low-water usage, and low maintenance, meeting Water Efficient Landscape Ordinance requirements.
- c. Planting shall cover at least 30 percent of the entire development site and provide shade in south-facing and west-facing areas.

**S.2.10.4 Trees**

- a. Tree wells shall be at least four feet larger than the tree trunk diameter at *maturity*.
- b. Designate 700 cubic feet of non-compacted soil for *small trees*, 1400 cubic feet of non-compacted soil for *medium trees*, and 2100 cubic feet of non-compacted soil for *large trees* to allow trees to reach their *maturity*. Structural soil systems, soil cells, or *continuous soil trenches* are example of ways to reach to the above soil volumes.
- c. When planting trees on *green roofs*, provide a minimum soil depth of 36 inches and soil volume for each tree as identified in (c), and irrigation to support the vegetation.

**S.2.10.5 Tree Distances from Buildings**

Notwithstanding Fire Code requirements for the Wildland-Urban Interface (WWUI), the following minimum distances shall be provided from the center of trees to the edges of buildings for all trees to reach *maturity* and to prevent unnecessary tree removal:

- a. Five feet for *small trees* (a tree which is a maximum of 25 feet in height or canopy spread at *maturity*),
- b. 12 feet for *medium trees* (a tree which is 26 to 50 feet at height or canopy spread at *maturity*), and
- c. 20 feet for *large trees* (a tree which is 51 feet or more at height or canopy spread at *maturity*).

**S.2.10.6 Vertical Clearances**

- a. Provide minimum vertical clearance for tree canopies at *maturity* as follows:
  - 14 feet around driveways, and
  - 10 feet for tree canopies immediately adjacent to sidewalks and patios.

**S.2.10.7 Onsite Drainage**

Drainage shall comply with current version of the C.3 Stormwater Program guidelines as adopted by the Alameda County.

**GUIDELINES (OPTIONAL)****G.2.10.1 Existing Trees**

Existing mature trees should be preserved and incorporated as part of the overall *landscape* design.

**G.2.10.2 Shading**

- a. Place planting according to sunlight needs
- b. Locate shade trees strategically to reduce building energy consumption.

## 2.11 Site Lighting

*Use lighting to create safe and inviting places.*

### PURPOSE

Site lighting should ensure safety, security, and accessibility for residents and visitors while preserving neighborhood character and minimizing light pollution. Lighting should enhance the pedestrian experience, support *wayfinding*, and provide adequate illumination for shared paths, entries, and parking areas without negatively impacting adjacent properties or the nighttime environment.

### OBJECTIVE STANDARDS

#### S.2.11.1 Orientation

Orient all site lighting directly downwards to prevent light pollution and excess glare in the *public realm*.

#### S.2.11.2 Outdoor Lighting Fixtures

- Exterior lighting shall be shielded, directed downward, and located only at exterior doors and along the *path of travel* from the public *right-of-way*.
- The source of the light (light bulb) shall not be visible from 4 feet away from the fixture (see *Figs. 2.11.1 and 2.11.2*).
- Flood-lights, LED flashing, and strobe lighting are prohibited.

### GUIDELINES (OPTIONAL)

#### G.2.11.1 Outdoor Lighting Fixtures

- Install energy-efficient lighting fixtures that provide an adequate level of lighting for the safety of building occupants and visitors, without spilling onto adjacent properties
- Use daylight sensors for site lighting to limit excess lighting and conserve energy.
- Choose fixtures with Backlight, Up light, and Glare (BUG) rating of B0, U0, G0.

#### G.2.11.2 Landscape Lighting

Incorporate subtle *landscape* lighting that highlights key features without overwhelming the natural surroundings.



Figure 2.11.1: Example of exterior lighting that is shielded, directed downward, located along the *path of travel* from the public *right-of-way*.



Figure 2.11.2: Examples of exterior lighting that are shielded and directed downward.



## 2.12 Massing, Form, and Scale

*Buildings with design, form, and massing similar to surrounding buildings support a cohesive urban fabric.*

### PURPOSE

New 1-4 unit developments should be designed to be compatible with the surrounding neighborhood context while supporting increased housing diversity. These objective standards aim to promote house-scale building forms that integrate into established residential areas, preserve neighborhood character, and support a walkable, livable environment.

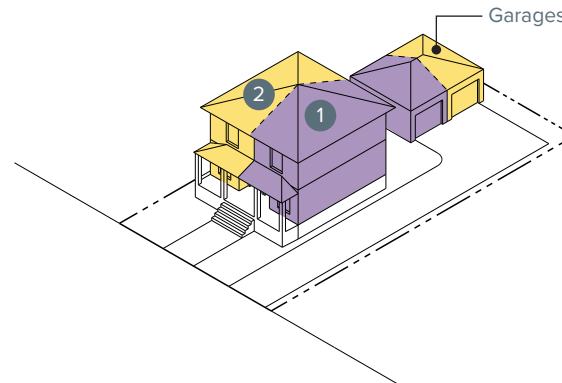


Figure 2.12.1: Duplex with two side-by-side units

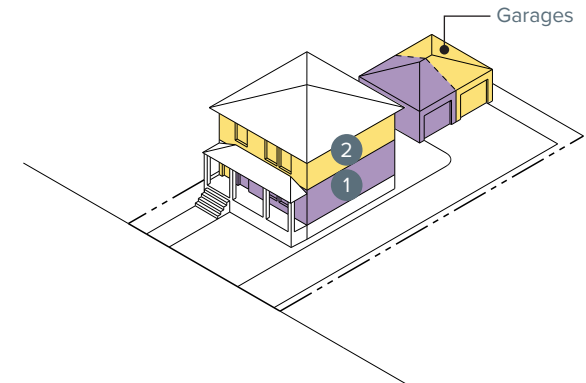


Figure 2.12.2: Duplex with two stacked units

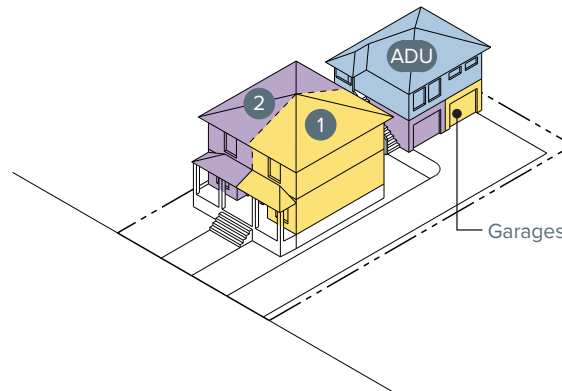


Figure 2.12.3: Duplex with detached Accessory Dwelling Unit (ADU)

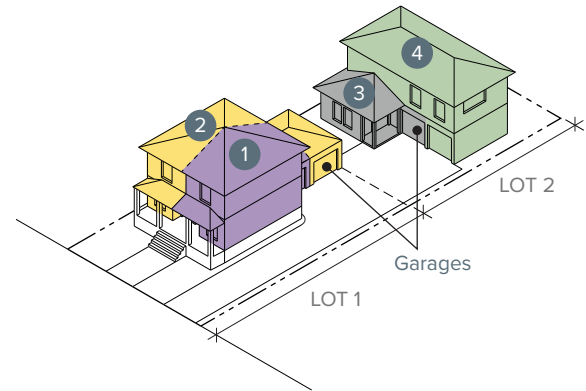


Figure 2.12.4: Urban lot split with two duplexes (one on each lot)

## OBJECTIVE STANDARDS

### S.2.12.1 Allowed Building Types

- a. Detached building with one unit.
- b. Duplex consisting of two side-by-side units, both along the front of the building and within a single building *massing*. The type has the appearance of a medium-to-large, single-unit house.
- c. Duplex consisting of two stacked units, both along the front of the building and within a single building *massing*. The type has the appearance of a medium-to-large, single-unit house.
- d. Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), *subject to the limitations specified in Section 2.2.*

## GUIDELINES (OPTIONAL)

### G.2.12.1 Neighborhood Compatibility

New buildings should be physically integrated into the neighborhood. Maintaining compatibility with the scale and mass of the existing buildings on contiguous lots prevents the new structures from overpowering or dominating the existing buildings within the neighborhood.



Figure 2.12.5: This example features two units accommodated in a single building in order to emulate a single family home.



Figure 2.12.6: This example has one unit in the front facing the street, and a second unit at the rear.

## 2.13 Roof Form and Design

*Design roofs to be compatible with surroundings and add character to buildings.*

### PURPOSE

Roof form and design are important for how new buildings contribute to the visual coherence and character of the surrounding neighborhood while supporting the scale, variety, and livability appropriate to their residential *context*. Roof designs should help reduce the perceived mass of larger structures, create architectural interest, and support functional needs such as drainage, solar energy systems, and habitable attic space. These objective standards promote compatibility with adjacent single-family homes and reinforce a human-scaled *streetscape* through thoughtful variation in form, pitch, orientation, and detail.

### OBJECTIVE STANDARDS

#### S.2.13.1 Roof Articulation

Rooflines twenty-five feet or longer that face a street or an adjacent residential use shall be articulated with recessed or projecting gabled roof elements, roof dormers, changes in roof heights, changes in direction or pitch of roof slopes, and other similar methods.

#### S.2.13.2 Skylights

Skylights are permitted provided they are flat-profile skylights that project no more than 12 inches from the roof surface, or tubular daylighting devices with a maximum 14 inch diameter tube.

#### S.2.13.3 Gutters

All gutters shall contain features to direct rainwater away from exterior walls including one or more of the following:

- a. Projecting eaves (minimum 12-inch projection)
- b. Scuppers (minimum 12-inch projection if no downspouts are used)
- c. Gutters with downspouts



Figure 2.13.1: The variation in roof form provides scale and visual interest.

## GUIDELINES (OPTIONAL)

### G.2.13.1 Preferred Roof Forms

- While flat roofs are allowed, gabled roofs, hipped roofs, and other traditional styles are preferred (see *Fig. 2.13.2*).
- Roofs should include overhangs and eaves appropriate to the architectural style of the building.

### G.2.13.2 Mechanical Equipment

Group vents, exhausts, and other roof penetrations so that they do not create visual clutter.

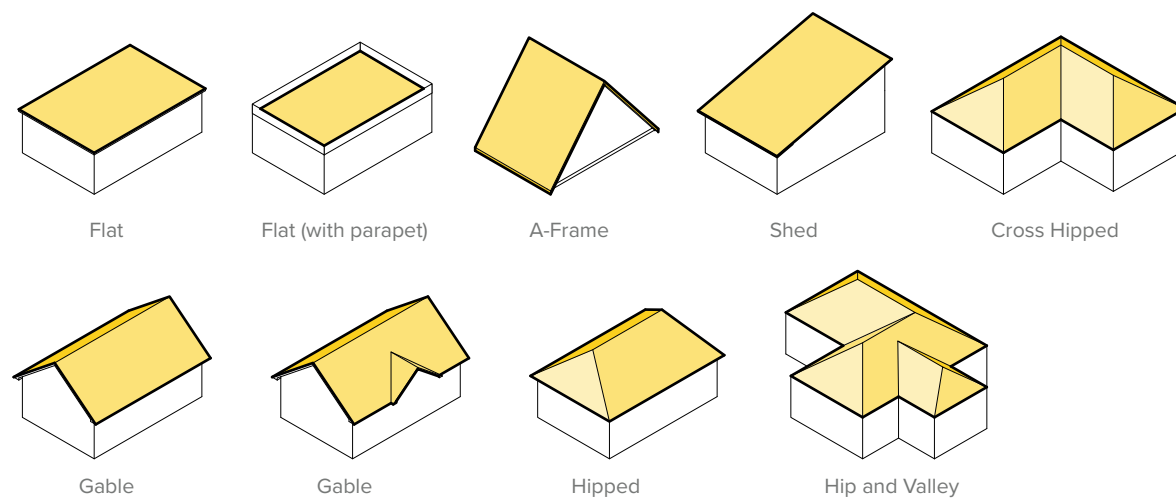


Figure 2.13.2: Examples of common roof forms.

## 2.14 Facade Articulation

*Design buildings with attractive, timeless, and sophisticated architecture.*

### PURPOSE

The design and *articulation* of building façades adds to the visual richness of developments and creates patterns and scale within neighborhoods. Elements such as bay windows, changes in plane and height, and differentiation of materials and colors facilitate façade *articulation* and mitigate the monolithic appearance of large walls and roofs.

### OBJECTIVE STANDARDS

#### S.2.14.1 Horizontal Articulation

- a. *Facades* over 25 feet in length (measured parallel to the street) must include at least one horizontal wall plane offset of at least 2 feet.
- b. *Articulation* must occur at a minimum interval of every 20 to 30 feet.
- c. Acceptable methods of articulation are:
  - Projecting or recessed bays, at least 2 feet in depth
  - Building step-backs, at least 2 feet in depth
  - Covered porches, stoops, or loggias with a minimum depth of at least three feet and a minimum horizontal area of thirty square feet
  - Variation in roof form



Figure 2.14.1: Examples of horizontal *articulation* elements.



## 2.15 Building Access and Entrance Design

*Provide welcoming entries that contribute to the streetscape.*

### PURPOSE

Well-designed and easily accessible entrances perform a key role in the overall design and character of neighborhoods. Elements such as stoops stairways, *landings*, and porches add visual character to the building and *streetscape*.

### OBJECTIVE STANDARDS

#### S.2.15.1 Individual Unit Expression

Each dwelling must have a distinct entry, visible and oriented toward the street, or a pedestrian walkway, or common open space.

#### S.2.15.2 Entry Recesses and Projections

*Primary building entrances* must include weather protection with one of the following:

- a. A recess in the building wall with a minimum width of 4 feet and depth of 3 feet.
- b. A roofed projection (such as a porch) with a minimum depth of at least three feet and a minimum horizontal area of thirty square feet. Roofed projections may encroach into required street yard *setbacks* up to a maximum three feet.

#### S.2.15.3 Addressing Standards

New and existing buildings shall be provided with approved address identification:

- a. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property.
- b. Address identification characters shall be clearly distinguishable from their background by ensuring the characters are a light color on a dark background, or a dark color on a light background.
- c. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out.

- d. Each character shall be not less than 4 inches high with a minimum stroke width of 1/2 inch.
- e. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.
- f. Where access is by means of a *private road* and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.
- g. Address identification shall be maintained and remain in perpetuity.



Figure 2.15.1: Buildings shall be provided with approved address identification that is legible and placed in a position that is visible from the street or road fronting the property.

## 2.16 Conversion of Existing Single Family Dwellings

*Maintain architectural integrity of homes converted into multiple units.*

### PURPOSE

Conversion of single-family homes into multiple units should involve thoughtful planning and respect of the existing neighborhood setting.



Figure 2.16.1: Example of a single family home converted into a duplex. The entrance to the second unit is at the back of the porch.

### OBJECTIVE STANDARDS

#### S.2.16.1 Preserve Street Presence

Retain existing porches and stoops. An alteration shall not result in the enclosure of an existing porch.

#### S.2.16.2 Original Architectural Details and Materials

Construction of additions and alterations shall not obscure, damage, destroy or remove any original architectural details or materials of an existing main building, except as necessary to construct and integrate an addition.

Original architectural details refer to any distinctive or unique design elements, features, or materials that were part of the building's initial construction, including:

- original brickwork
- specific types of stone cladding
- handcrafted wood siding
- unique plaster finishes
- carved woodwork
- decorative iron railings
- cornices, medallions
- specific molding around windows and doors
- pattern of exterior tiles; and
- detailed trims.

#### S.2.16.3 Second Story Additions

The floor area of any upper (second or higher) story may not exceed 100% of the floor area of the story directly below plus the area of any recesses on the story directly above.

#### S.2.16.4 Raising a Building to Create a New Ground/First Floor

An existing single story structure can be raised to create a new full story under the original structure if the project incorporates all of the following design treatments:

- a. The *finished floor* level of the new full story is at or above the average grade of the highest and lowest portion of the lot covered by the existing structure, and on the front elevation at least two stair steps above grade.
- b. The height of the new first floor, as measured from the top of the floor joist to the bottom of the ceiling joist, shall match the height of the original lower floor.
- c. In instances when a building is raised more than 50% of the height of the original lower floor, as measured from grade to the top of the floor joist, entry porches and stairs shall be relocated to the new lower floor.
- d. The grade at the bottom of the staircase or the front of the entire building is elevated to provide terraced *landings* necessary to step up to the existing staircase without extending the staircase.

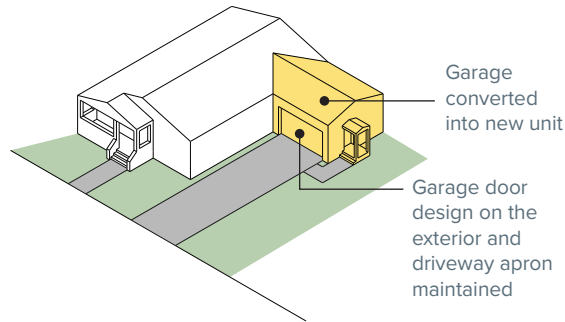


Figure 2.16.2: Garage converted to new unit with garage door design and driveway apron maintained.

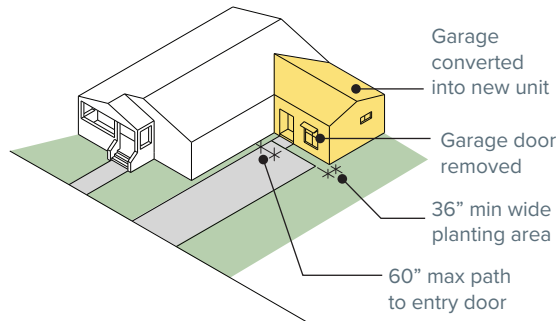


Figure 2.16.3: If the garage door design is to be eliminated and window(s) and/or door(s) installed, the driveway may be maintained with the existing paved area except for a 36-inch-wide, minimum, planting area between the driveway and the subject wall of the converted garage, and except for a maximum 60-inch-wide path to the entry door.

#### S.2.16.5 Roof Forms

- An addition or alteration shall maintain the roof form(s) of the existing building and match the existing roof pitch.
- An addition, or alteration, must include eaves that match the eaves on the existing building, including depth.

#### S.2.16.6 Materials

The primary exterior material(s) used on an addition or alteration, must be selected from primary exterior materials of the existing building.

#### S.2.16.7 Garage Conversions

A garage conversion shall either:

- Maintain the garage door design on the exterior if adjacent to a driveway or garage apron; or
- If the garage door design is to be eliminated and window(s) and/or door(s) installed, then:
  - The driveway may be maintained with the existing paved area except for a 36-inch-wide, minimum, area for low planting between the driveway and the subject wall of the converted garage, and except for a maximum 60-inch-wide path to an entry door;
  - The outline of the previous garage door(s) shall no longer be visible; and
  - The walls replacing the previous garage door(s) must match the existing house's wall material and color.

### GUIDELINES (OPTIONAL)

#### G.2.16.1 Sensitive Conversion

Consider converting the main home into a duplex or triplex by reconfiguring the interior, adding a rear or side addition, or converting the basement/attic.

#### G.2.16.2 Maintain Neighborhood Character

- Keep the street yard and maintain a clear front door.
- Avoid placing parking in the street yard *setback* — tuck it behind or beside the home.
- Maintain existing *landscaping*, including hedges and trees.

#### G.2.16.3 Addition Design

If additions are necessary, they should be subordinate to the original structure and placed to the rear or side of the building.



## 2.17 Balconies and Decks

*Balconies and decks enhance enjoyment of the outdoors, and can add detail and visual interest to buildings.*

### PURPOSE

Balconies and decks serve as *private* or *semi-private open spaces* that enhance the livability of 1–4 unit developments. These elements provide residents with direct access to outdoor areas for relaxation, gardening, and social interaction, particularly in compact environments where private yards may be limited or unavailable. Well-designed balconies and decks contribute to quality of life, support indoor-outdoor living, and can be strategically located to ensure privacy, minimize noise impacts, and promote a sense of community while respecting adjacent properties.

### OBJECTIVE STANDARDS

#### S.2.17.1 Balconies

- Balconies shall be made of wood or metal, and may be open or covered (see Fig. 2.17.1).
- Second floor balconies shall have a minimum height clearance of 10 feet from grade. Supporting brackets shall have 8 feet minimum clearance from grade.
- Balcony railings must be constructed with balusters, posts or pickets that are no more than 1.5 inches wide and are spaced at least 3 inches apart. Alternatively, the railing can be constructed with tempered glass or clear polycarbonate panels. The applicant shall submit a material specification sheet and a construction drawing that clearly indicates the dimensions and spacing of all railing components.

#### S.2.17.2 Roof Decks

- Roof decks are only permitted when located on an upper floor of a multi-story building where the deck is situated above a projecting lower floor.
- Stand-alone decks situated on rooftops are not permitted.

#### S.2.17.3 Neighbor Privacy

- Balconies and decks within 15 feet from side or rear property lines shall utilize screening barriers (min. 5 ft. 6 in.) to prevent views toward an adjacent property line.



Figure 2.17.1: Balconies shall be made of wood or metal, and may be open or covered.

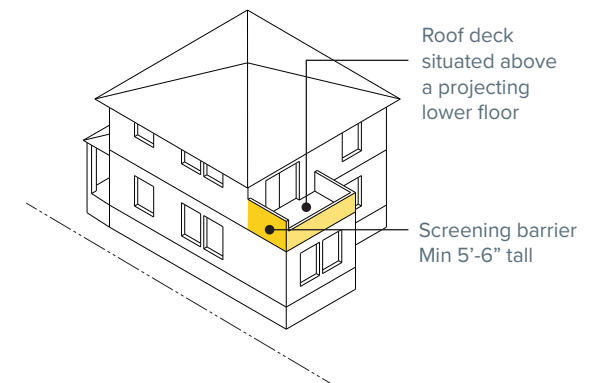


Figure 2.17.2: Roof decks are only permitted when located on an upper floor of a multi-story building where the deck is situated above a projecting lower floor, and shall be screened if located within 15 feet of side or rear property lines.

## 2.18 Windows

*Windows as an important architectural element.*

### PURPOSE

In addition to their functional aspects, windows are an important component in the overall architectural design. Window placement and design ensure compatibility with the neighborhood's character while maximizing the functionality and livability of the units.

### OBJECTIVE STANDARDS

#### S.2.18.1 Window Recess or Trim

- For windows on *street-facing building facades*, provide a recess of at least two inches in depth from the building *facade* (see Fig. 2.18.1).
- When no inset is provided for a window, provide a minimum of three inches wide and one-inch-thick exterior window trim (see Fig. 2.18.1).
- Use the same color for all window frames and trims along a building *facade*.
- Foam is not permitted as a window trim material.

#### S.2.18.2 Window Placement and Privacy

- New windows facing existing dwellings (on abutting property) within 10 feet of the property line shall be offset (horizontal and vertical) by a minimum of twelve inches, as measured from the window frame, from the adjacent property window frame to avoid direct view into adjacent properties (see Fig. 2.18.2).
- Second-story windows within 10 feet of property lines must be:
  - *Translucent/frosted glass* up to 6 feet above the floor;
  - *Clerestory*; or
  - Face away from (be perpendicular to) the property line

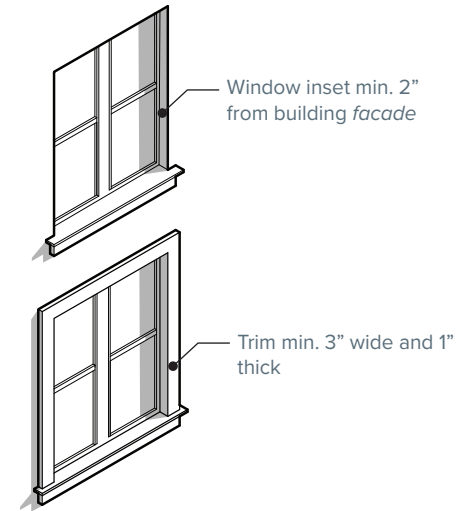


Figure 2.18.1: Windows that are inset from the building *facade* help create a shadow detail that adds to the richness of the building *facade*. For windows on building walls of wood exterior materials, provide a trim or recess of at least two inches in width, or a combination of trim and recess at least two inches in width

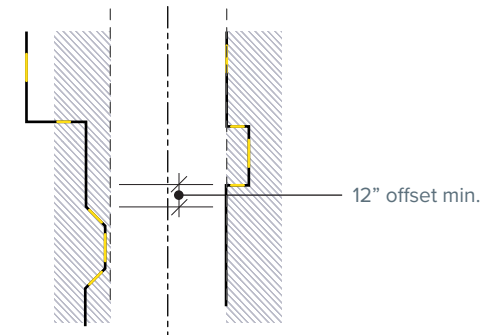


Figure 2.18.2: Windows shall be offset 12 inches from windows on adjacent dwellings, or use obscured glass.

# EXHIBIT A- ATTACHMENT A

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## S.2.18.3 Divided Lites/Simulated Divided Lites

If windows include mullion/muntin grids, simulated *divided-lite* grilles are acceptable only if they are located on both the outside and inside faces of the window, have spacer bars between the double panes of glass, and a thickness of at least 1/2 inch on each side of the window.

## S.2.18.4 Glazing

Reflective tinting of glazing is not permitted.

## S.2.18.5 Materials

- a. Foam is not permitted as a window material
- b. Vinyl is not a permitted window material, unless it is paintable.

## GUIDELINES (OPTIONAL)

### G.2.18.1 Window Hierarchy

Maintain window hierarchy of primary and secondary windows by providing greater level of detail for the former such as divided lites, increased size, and arches. In all cases, there should be consistency in window proportions, operation, trim, and appearance.



Figure 2.18.3: For windows on building walls of wood exterior materials, provide a trim or recess of at least two inches in width, or a combination of trim and recess at least two inches in width.



Figure 2.18.4: For windows on building walls of stucco, provide a recess of at least two inches from the outer wall surface.



Figure 2.18.5: Windows with three-dimensional divided-lite grilles

## 2.19 Building Materials and Finishes

*The quality of the materials helps define a building's character and creates durability.*

### PURPOSE

The choice of building materials and finishes ensures that new housing blends seamlessly into existing neighborhoods while promoting durability, sustainability, and design quality. The selection and application of materials and finishes should support cohesive architectural character, enhance visual interest at the pedestrian scale, and reinforce neighborhood identity.

### OBJECTIVE STANDARDS

#### S.2.19.1 Primary Building Materials

A primary building material shall mean a material that covers 60 percent or more of a *facade* surface area excluding windows. When there is a change in exterior building material, the material change shall occur at the inside corner of a building form, or a minimum of 8 feet beyond an outside corner. The following primary cladding materials are allowed:

- Wood
- Composition board siding
- Fiber cement siding
- Stucco (minimum 2-coat)
- Stone (real stone – not faux stone – and shall extend vertically to the foundation)
- Stone-colored brick (shall extend vertically to the foundation)
- Brick or brick veneer (shall extend vertically to the foundation)

#### S.2.19.2 Secondary Building Materials

A secondary building material shall mean a material that covers 40 percent or less of a *facade* surface area excluding *transparent* surfaces. The following secondary cladding materials are allowed:

- Metal (wrought iron, copper, bronze) with a non-reflective finish
- Terra-cotta tile
- Brick or brick veneer (shall extend vertically to the foundation)
- Glazed tile

#### S.2.19.3 Wood and Fiber Cement Siding

Wood siding includes horizontal siding consisting of shakes, shingles, shiplap, tongue and groove, v-groove, or lapped profiles in wood or materials that emulate wood such as fiber cement. Vertical siding includes board and batten or v-groove profiles in wood or materials that emulate wood such as fiber cement.

- Board siding materials shall provide a minimum exposure of 6 inches.
- Board Siding Materials shall either be factory finished; or stained or primed and painted on all six sides.
- Vertical board or board and batten siding should be detailed with uniform exposure widths.

#### S.2.19.4 Stone and Brick Siding

- Face brick and stone shall provide full units or custom corner modules at outside corners.
- Adhered masonry and tile should provide mitered joints or manufacturer's adhered whole corner piece at outside corners to create the appearance of a corner block.
- All Masonry Materials shall provide 3/8" maximum concave or v-joint mortar or grout joints in colors matching the color of the block or tile material.
- Where masonry spans an opening, masonry units shall be oriented to provide an arch, jack arch, masonry lintel, or soldier row extending beyond the opening.

## EXHIBIT A- ATTACHMENT A

### S.2.19.5 Prohibited Materials

The following materials shall be prohibited:

- a. Vinyl siding
- b. T1-11 siding
- c. Plastic
- d. Sheet fiberglass
- e. Rolled metal sheet, rolled residential aluminum siding, and extruded aluminum siding
- f. Concrete blocks

### S.2.19.6 Roof Materials

All materials listed below are allowed for roofs:

- a. Dimensional ('architectural') asphalt shingle
- b. Composition shingle
- c. Spanish barrel tile, regularly or irregularly laid, and brown or brown-red in color
- d. Concrete roof tiles
- e. Slate tile
- f. Powder-coated standing seam metal in a non-reflective dark brown or dark bronze color.
- g. Modified bitumen, tar and gravel (or other granular), PVC, SPF (flat roofs only)
- h. Cool roof membrane roofing, non-reflective and medium gray color (flat roofs only, *concealed* by solid raised parapets no less than 36" in height)

### S.2.19.7 Trim and Utilities Materials

- a. Downspouts shall be round or rectangular metal; PVC not allowed.
- b. Gutter shall be half round or ogee-profile metal; PVC not allowed.
- c. Railings shall have square balusters, turned spindles in wood or metal; PVC trim not allowed.
- d. Trim shall be wood, composition board, fiber-cement board, and molded millwork for built-up sections. For soffits and porch ceilings, exterior-grade paintable gypsum sheathing, plaster, T&G wood, exposed rafters, or composite. Continuous perforated soffit materials and the use of vinyl panel systems are not permitted.

### S.2.19.8 Timber Protection

Exterior timber should be protected from decay by stain and sealant.

### S.2.19.9 Ferrous Material Protection

Exterior ferrous metals should be protected from corrosion either using galvanized, stainless, or weathering steel.

## GUIDELINES (OPTIONAL)

### G.2.19.1 Alternating Siding Exposures

Alternating horizontal lap siding exposures should be considered where ground floors benefit from a greater level of detail.



## 2.20 Parking Design

*Accommodate parking needs while respecting neighborhood character.*

### PURPOSE

Thoughtful design of garages, driveways, and *carports* should support neighborhood character, reduce visual dominance of vehicles, minimize curb cuts and paving, and maintain a pedestrian-oriented *streetscape*. Parking elements should be safe, functional, and visually subordinate to the overall building design.



Figure 2.20.1: The garage door in this example is situated behind the front elevation wall plane.

### OBJECTIVE STANDARDS

#### S.2.20.1 Covered Parking

All required parking must be covered, either by a *carport* or enclosed garage.

#### S.2.20.2 Tandem Parking

Required parking may not be provided in a tandem configuration.

#### S.2.20.3 Attached Garages

- a. In order to limit the appearance of new or expanded attached garages that face the street, garage width shall not exceed fifty percent of the linear *street-facing building facade* of any 1-4 unit development.
- b. Attached garages located on the front of the building shall be recessed at least 5 feet behind the front elevation wall plane of the primary dwelling unit.

#### S.2.20.4 Detached Garages

- a. The width and depth of the garage shall not exceed the dimensions of the minimum parking required for the primary unit(s);
- b. The garage height shall not exceed 60% of the height of the primary unit or 16 feet, whichever is higher;
- c. When both the primary unit and garage are newly constructed, the same materials shall be used for each.

#### S.2.20.5 Shared Garages

*Shared garages* shall not be wider and deeper than a maximum of 25 feet.

#### S.2.20.6 Garage Doors

All garages are to have electrically motorized doors that cover their vehicular entrances.

#### S.2.20.7 Carports

- a. *Carports* shall be located behind or to the side of the primary structure.
- b. *Carports* shall utilize the same materials and have the same paint colors as the primary structure.
- c. Structural supports (posts/columns) must be designed as finished architectural elements (e.g., wood, steel, or masonry — no unfinished metal poles).
- d. Trash and storage areas within or adjacent to *carports* must be enclosed with fire resistant construction or screened from view, and must be outside the required parking space minimum dimensions.

#### S.2.20.8 Gates

Any existing or new driveway gates in front of a garage or *carport* shall be motorized.

## 2.21 Architectural Lighting

Create safe and inviting places with lighting that highlights buildings' distinctive elements while respecting neighbors.

### PURPOSE

Architectural lighting is intended to enhance safety, support neighborhood compatibility, and highlight key architectural features in a manner that is both functional and *context-sensitive*. Lighting should create a welcoming environment for residents and visitors, ensure visibility and security at entries and walkways, and contribute to the overall aesthetic of the development without disrupting neighbors or impacting the night sky.

### OBJECTIVE STANDARDS

#### S.2.21.1 Building-Mounted Lighting

Lights on the building *facade* shall be incorporated into *facade* design for all *facades*. Fixtures shall be:

- Fully shielded and directed downward onto the building *facade* and onto paving of entrance areas;
- The same materials as the building trim/ accent; and
- Covered with frosted or opaque glass.

#### S.2.21.2 Floodlighting

The use of *floodlights* is prohibited.

#### S.2.21.3 Electrical Boxes and Conduits

- Electrical boxes shall be placed on the non-street facing *facade*.
- Electrical boxes on a street facing *facade* shall be enclosed by a covering that utilizes the same material and colors as the structure it is installed on.
- Conduits cannot be exposed on exterior walls and must be embedded either in walls or *landscaping*.



Figure 2.21.1: Lights on the building *facade* shall fully shielded and directed downward onto the building *facade* and onto paving of entrance areas.



## EXHIBIT A- ATTACHMENT A

02

ACCESSORY DWELLING UNITS

APPLICABILITY

3.1 Applicability .....3-2

SITE ORGANIZATION, PLANNING, AND DESIGN

3.2 Site Organization, Planning, and Design ..... 3-3

BUILDING DESIGN

3.3 Building Design .....3-5

CITY APPROVED ADU PLANS

3.4 City Approved Plans for Rent-Restricted ADUs. 3-12

## 3.1 Applicability

*In this chapter, the term “ADU” shall refer to both Accessory Dwelling Units and Junior Accessory Dwelling Units as defined in Chapter 17 of the Piedmont City Code, unless otherwise specified.*

### S.3.1.1 Zoning Standards

All ADUs are subject to the zoning standards as outlined in Chapter 17 of the Piedmont City Code.

### S.3.1.2 Government Code Section 66323 Qualifications

Government Code section 66323 creates four categories of ADUs that are only subject to the zoning standards outlined in Chapter 17 of the Piedmont City Code, and are not subject to the additional standards or guidelines in this chapter.

The four categories of ADUs specified in section 66323 are:

- a. Single-Family Converted ADUs and JADUs.** One ADU per lot is permitted within the converted space of a proposed or existing single-family dwelling or accessory structure. This type of ADU must have exterior access and setbacks for fire and safety but is not subject to a four-foot side and rear yard setback.
- ADUs converted from accessory structures are eligible for a 150 square-foot expansion to accommodate ingress and egress. For example, if a second story from a single family dwelling is converted into an ADU, a stairwell of not more than 150 square feet could be added, among other types

of ingress and egress configurations that comply with the local building code.

- In addition, one JADU per lot is permitted within the proposed or existing space of a single-family dwelling or attached accessory structure and must have exterior access, side and rear setbacks for fire and safety.
  - JADUs must also comply with the provisions of JADU Law found in Government Code sections 66333-66339. For the purposes of constructing a JADU, attached garages are part of a single family dwelling.
- b. Single-Family Detached ADUs.** One detached new construction ADU that does not exceed four-foot side and rear yard setbacks is permitted on lots with an existing or proposed single-family dwelling. The maximum unit size is 800 square feet with a height limitation as specified in Chapter 17 of the Piedmont City Code.
- c. Multifamily Converted ADUs.** ADUs may be created within the portions of existing multifamily structures that are not used as livable space. At least one ADU is allowed within an existing multifamily dwelling, as well as up to 25 percent of the existing multifamily dwelling units. Examples of structures that are not used as livable space include, but are not limited to: storage rooms, boiler rooms, passageways, attics, basements, or garages.

- d. Multifamily Detached ADUs.** Up to two detached ADUs are allowed on a lot that has a proposed multifamily dwelling, or up to eight detached ADUs are allowed on a lot with an existing multifamily dwelling, not to exceed the number of existing units on the lot. These ADUs are subject to four foot rear and side yard setbacks, and height limits as specified in Chapter 17 of the Piedmont City Code. A setback on an existing multifamily dwelling that is less than four feet is not required to be modified in order to accommodate an ADU.

## EXHIBIT A- ATTACHMENT A

### 3.2 Site Organization, Planning, and Design

*Maintain privacy and support thoughtful design and site planning, as well as encourage coordination and cooperation between neighbors.*

#### PURPOSE

The purpose of Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) regulations in Piedmont is to facilitate the development of well-integrated, *context-sensitive* ADUs that expand the City's housing options while preserving neighborhood character, ensuring public safety, and maintaining community livability.

These regulations are intended to support housing affordability, provide opportunities for multi-generational living, and align with state housing law, all while respecting the unique scale and design qualities of Piedmont's residential neighborhoods.

#### OBJECTIVE STANDARDS

##### S.3.2.1 Pedestrian Access

ADUs shall have a 3-foot wide minimum continuous paved pedestrian pathway connecting it to the public *right-of-way*.

##### S.3.2.2 Entrance Orientation

Entrances closer than 10 feet measured to a side property line shall be oriented away from adjacent neighbors, either facing the public *right-of-way* or facing the interior of the property.

- Exception: An existing doorway on an existing structure may remain in place as the ADU entrance.

##### S.3.2.3 Relationship to Entrance of Primary Residence

The entrance to the ADU shall have an entry doorway that is clearly subordinate to the primary dwelling (smaller than the primary residence entry, recessed, and/or on a different wall plane).



Figure 3.2.1: The entrance of the ADU is greater than 10 feet from the shared property line and does not duplicate the entry of the primary dwelling.



Figure 3.2.2: The entrance(s) of the ADU(s) should be oriented away from adjacent neighbors where feasible.

#### S.3.2.4 Screening Between Properties

For any detached ADU or ADU-related residential addition, the developer must provide a solid fence, wall, or vegetative screen at least 6 feet tall along the side and/or rear property lines adjacent to the ADU and its *path of travel* from the public *right-of-way*, (excluding areas within the street yard *setback*).

- Exception if there is a shared driveway with a neighboring property.

#### S.3.2.5 Fire Safe Landscaping and Fencing

Construction of any ADU or JADU shall be designed to meet fire safe vegetation requirements as determined by the Piedmont Fire Marshal. This includes (but is not limited to) eliminating vegetation and/or wooden fencing within 5 feet of all sides of the structure.

#### S.3.2.6 Curb Cuts

No new sidewalk curb cut is permitted as part of an ADU or JADU construction.

#### S.3.2.7 Street Trees

No street tree may be removed as part of an ADU or JADU construction.

#### S.3.2.8 Site Grading

Site grading shall adhere to Objective Standards for 1-4 Residential Unit Developments, found in Section 2.3 of Chapter 2.

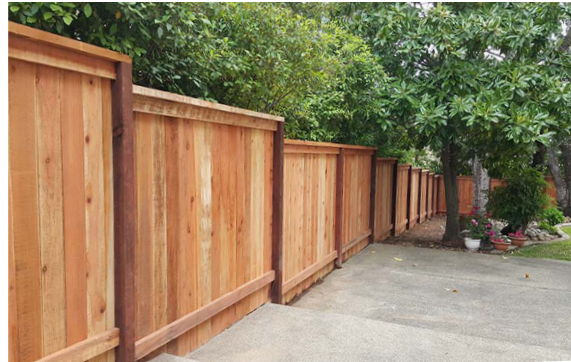


Figure 3.2.3: A 6-foot-tall fence, wall, or vegetative screen is a requirement for any newly constructed detached ADU in a new residential addition. If a wood fence, it must have top and bottom rails, and have the same appearance on both sides (or an equivalent *landscape* screen), and not be positioned within 5 feet of the structure.

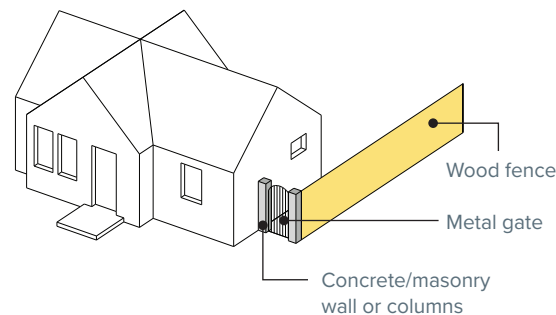


Figure 3.2.4: Wood fences may not be positioned within 5 feet of the structure. Any portion of the enclosure within 5 feet of the structure shall be non-combustible, such as a concrete or masonry wall and/or a metal gate.

## EXHIBIT A- ATTACHMENT A

## 3.3 Building Design

*Design Accessory Dwelling Units to be complementary to primary residences and the surrounding neighborhood.*

### PURPOSE

The ADU building design Objective Standards are intended to ensure that accessory dwelling units are thoughtfully integrated into existing residential properties in a way that is compatible with neighborhood character, maintains privacy for adjacent properties, and supports a high quality of design. These standards promote ADUs and JADUs that respect the scale, form, and architectural integrity of primary residences.

### OBJECTIVE STANDARDS

#### S.3.3.1 Design Compatibility

ADUs that are either (a) an addition to an existing structure, or (b) situated in front of the primary dwelling and viewable from the street shall include:

- Use of the same wall material, or wall material that visually appears the same as the existing primary residence, including color and texture;
- Use of same trim material and trim profile;
- Use of same roof form, roofing material and roof slope;
- Use of the same window size, proportion, operation, recess or reveal, *divided light* pattern (true *divided lights* or 3-dimensional simulated *divided lights*), and spacing distance between placements of windows;
- Use of same building ornamentation, including exterior trim;
- Use of the same foundation materials and foundation appearance above grade;
- Use of the same wall plate height and roof eave height, projection, and materials;
- Use of same railing design and material; and
- Use of an entry doorway that is not located on the same *facade* as the entry door to the primary residence.



Figure 3.3.1: This horizontal addition to the primary residence uses the same exterior wall material and ornamentation to unify the addition with the main building.



Figure 3.3.2: In this example the new ADU window (lower level) matches the placement, proportions, and *divided lights* of the existing corner window on the upper floor.



# EXHIBIT A- ATTACHMENT A

03



Figure 3.3.3: This ADU incorporates similar architectural design and materials as the adjacent primary dwelling.



Figure 3.3.4: In this example the ADU below the kitchen of the primary residence replicates the building's architecture and takes advantage of the existing plumbing layout.

## S.3.3.2 Rear Yard ADUs

- a. ADUs that are in the rear yard and not visible from the street may match the existing architectural style of the primary residence or structure to which they are an addition per S.3.3.1, but are also allowed to incorporate a different style.
- b. Skylights mounted on sloped roofs may face the primary residence, but shall not face adjacent properties.

## S.3.3.3 Window Recess or Trim

- a. For windows on street-facing building walls, provide a recess of at least two inches in depth from the building *facade* (see Fig. 3.3.5).
- b. When no inset is provided for a window, provide a minimum of three inches wide and one-inch-thick exterior window trim (see Fig. 3.3.5).
- c. Use the same color for all window frames and trims along a building *facade*.
- d. Foam is not permitted as a window trim material.

## S.3.3.4 Window Placement and Privacy

- a. New windows within 10 feet of, and on a wall facing, an adjacent dwelling shall either:
  - have frosted/*translucent* glazing, or
  - unless a required egress, have a sill height at least 6 feet above the floor, in which case the glazing can be clear.
  - New windows facing existing dwellings (on abutting property) within 10 feet of the property line shall be offset (horizontal and vertical) by a minimum of twelve inches, as measured from the window frame, from the adjacent property window frame to avoid direct view into adjacent properties (see Fig. 3.3.2).

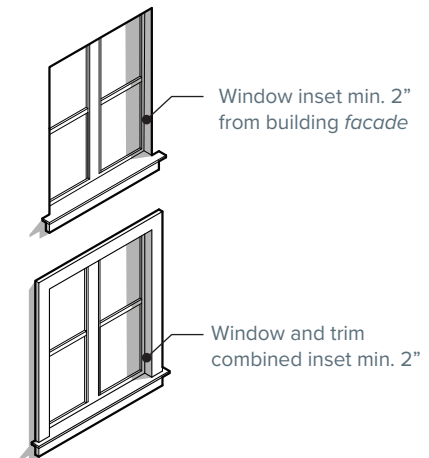


Figure 3.3.5: Windows that are inset from the building *facade* help create a shadow detail that adds to the richness of the building *facade*. For windows on building walls of wood exterior materials, provide a trim or recess of at least two inches in width, or a combination of trim and recess at least two inches in width



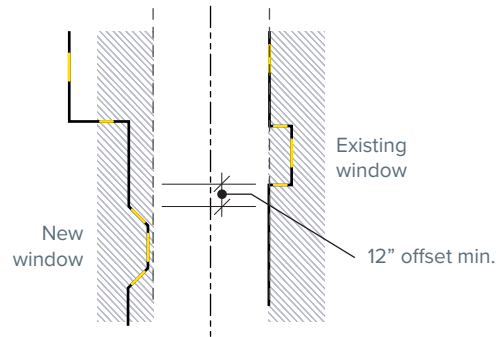


Figure 3.3.6: Windows shall be offset at least 12 inches from windows on adjacent dwellings, or use obscured glass.

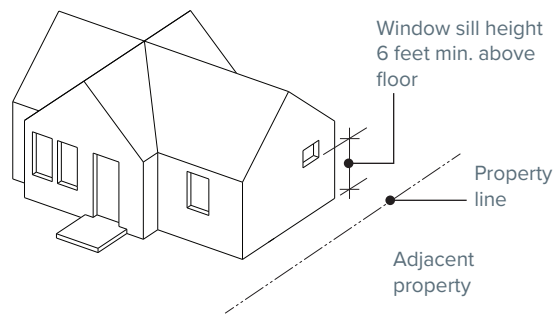


Figure 3.3.7: New windows within 10 feet of, and on a wall facing, an adjacent dwelling shall have frosted and translucent glazing, unless a window is installed so that the sill height is at least 6 feet above the floor.

#### S.3.3.5 ADUs Located Above or Below Detached Garages

ADUs that are located over or below detached garages are subject to the following requirements:

- Stairs or access to the Adu shall not encroach into any required parking area. Stairs may encroach into the parking area of a garage; provided, that the front end of a standard size automobile can fit under the stair projection. The bottom of the stairwell shall be a minimum of 5 feet above the garage floor.
- If facing a neighboring property line, second floor non-egress windows shall either:
  - have frosted/translucent glazing, or
  - have a sill height at least 6 feet above the floor, in which case the glazing can be clear.
- Second floor windows shall be offset at least twelve inches (horizontally and vertically) from neighbor's windows to maximize privacy.

#### S.3.3.6 Two-Story ADUs

- Maximum building height (measured from finished grade):
  - Detached Adu: Maximum height of 18 feet, or 20 feet if needed to match the primary dwelling's roof pitch.
  - Attached Adu: Maximum height shall be the lesser of 25 feet or the height of the primary dwelling.
- Maximum floor-to-ceiling heights shall be no greater than 9 feet for the ground floor, and up to the roof height on the second floor.
- The second story shall be stepped back a minimum of 2 feet from the first story along any side or rear property line facing an adjoining residential lot.
- If facing a neighboring property line, second floor non-egress windows shall either:
  - have frosted/translucent glazing, or
  - have a sill height at least 6 feet above the floor, in which case the glazing can be clear.
- Second floor windows shall be offset at least twelve inches (horizontally and vertically) from neighbor's windows to maximize privacy.

# EXHIBIT A- ATTACHMENT A

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## S.3.3.7 Maximum Height of Balconies, Patios, and Decks

Construction of any new balcony, patio, and/or deck greater than 30 inches above grade is not permitted.

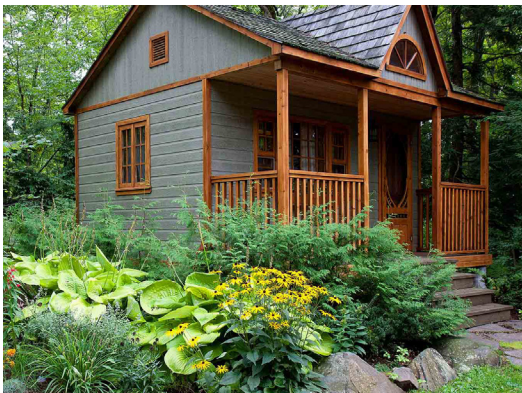


Figure 3.3.8: The ADU follows existing grade with minimal retaining walls. The porch is 30 inches above grade.



Figure 3.3.9: This lighting example includes a shielded design so that the source of the light (light bulb) is not visible from 4 feet.

## S.3.3.8 Exterior Lighting

Exterior lighting shall be shielded, directed downward, and located only at exterior doors and along the *path of travel* from the public *right-of-way*. The source of the light (light bulb) shall not be visible from 4 feet away from the fixture.

## S.3.3.9 Addressing Standards

- ADUs shall have approved address identification that is separate from the primary residence.
- The address identification shall be placed in a position that is visible from the street or road fronting the property.
- The address number shall also be mounted next to ADU exterior door for way finding purposes.
- Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out.
- Each character shall be not less than 4 inches high with a minimum stroke width of 1/2 inch.
- Identification characters shall be clearly distinguishable from their background by ensuring the characters are a light color on a dark background, or a dark color on a light background.



Figure 3.3.10: Examples of exterior lighting that are shielded and directed downward.



Figure 3.3.11: ADUs shall be provided with approved address identification that is placed in a position that is visible from the street or road fronting the property. The address number shall also be mounted next to ADU exterior door for way finding purposes.

#### S.3.3.10 Location of Ground-Mounted Equipment

- a. Equipment must not be placed within required street yard *setbacks* unless required by the utility service provider as demonstrated by written documentation from the provider.
- b. Placement must not obstruct pedestrian paths or fire lanes.

#### S.3.3.11 Screening of Ground-Mounted Equipment

- a. Screening shall be fully screened from public view, with screening at least 6 inches higher than the equipment but no more than 6 feet tall (except for planting), unless otherwise required for safety or noise control.
- b. Equipment shall be fully screened using one or more of the following:
  - Solid wood or composite fencing (see *Fig. 3.3.10*)
  - Masonry walls.
  - Evergreen *landscaping* or trellises with climbing vines (minimum 3 feet at installation, achieving full screening within two years)
- c. In new construction, conduits shall not be exposed on exterior walls and shall be embedded in walls or within a chase designed for such use.
- d. In retrofits where installations cannot be embedded in walls, surface mounted conduits shall be a *concealed* in a gutter or raceway system and painted to match.

#### S.3.3.12 Wall-Mounted Equipment

- a. Wall-mounted water heaters must either:
  - Be mounted inside the ADU; or
  - If mounted outside, must be enclosed in a cabinet and painted to match the adjacent wall color.
- b. Wall-mounted heat pump units must be screened if placed 6 feet or more above ground, using screening standards as outlined in S.3.2.13..

#### S.3.3.13 Roof-Mounted Equipment (except solar equipment)

Roof mounted equipment shall be:

- a. Located so as not to be visible from any adjacent street, which shall mean not visible from the sidewalk level of the opposite side of any street fronting the site;
- b. Located at least five feet from the edge of any roof of a *street-facing building facade*; or
- c. Screened with an enclosure that matches the color and texture of the building exterior.



Figure 3.3.12: Example of utility screening enclosure



Figure 3.3.13: Example of refuse container enclosure

#### S.3.3.14 Refuse and Recycling Containers

- a. ADUs may request a separate refuse and recycling account from the primary dwelling, but are not required to.
- b. Refuse and recycling containers shall not be located:
  - Within any required street *setback*, except during staging for pickups, or unless on a sloping lot in which the portion of the lot outside of the *setback* is uphill or downhill from the street;
  - Within any required parking and *landscaped* areas, except during staging for pickups;
  - Within any other area required to remain unencumbered, according to fire and other applicable building and public safety codes.

#### S.3.3.15 Design of Refuse and Recycling Container Enclosures

- a. All trash bins shall be enclosed and visually screened from view from the public *right-of-way* and neighboring properties.
- b. Trash enclosures shall be of a height at least 4 inches taller than the carts, and shall be any of the following:
  - Any solid fence, wall, or combination of a fence and wall at least 4 feet in height and up to 6 feet in height (see *Fig. 3.3.11*).
  - An open fence up to 6 feet in height in combination with dense evergreen *landscaping*.



# EXHIBIT A- ATTACHMENT A

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## GUIDELINES (OPTIONAL)

### G.3.3.1 Windows

Consider orienting windows of an ADU to face the interior yard, in order to maximize natural light into the ADU and minimize privacy impacts on neighbors.

### G.3.3.1 Adaptability and Versatility

Consider designs that can be adapted to different uses and needs over time, such as a rental property or a living space for aging family members.

### S.3.3.2 Garage Conversions

An ADU garage conversion should consider either:

- a. Maintaining the garage door design on the exterior if adjacent to a driveway or garage apron (see Fig. 3.3.13); or
- b. If the garage door design is to be eliminated and window(s) and/or door(s) installed, then:
  - Add a planting area between the driveway and the subject wall of the converted garage, at least 36 inches in width, and a path to the entry door (see Fig. 3.3.14); and
  - Remove the outline of the previous garage door opening.

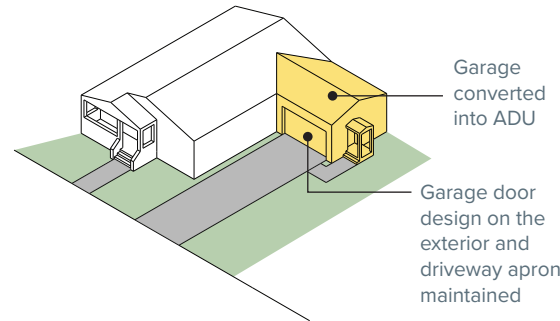


Figure 3.3.14: Garage converted to ADU with garage door design and driveway apron maintained.

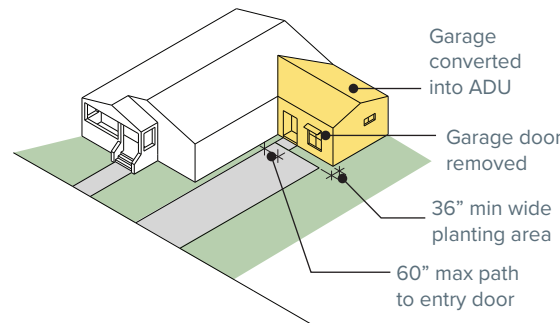


Figure 3.3.15: If the garage door design is to be eliminated and window(s) and/or door(s) installed, the driveway could be maintained with the existing paved area except for a planting area between the driveway and the subject wall of the converted garage (at least 36 inches in width), and a path to the entry door.



Figure 3.3.16: This ADU, created by the conversion of an existing detached garage, maintains the exterior appearance of a garage door and maintains the paved area in the driveway to the previous garage.



Figure 3.3.17: Not recommended:

- The outline of the previous garage door remains as incongruous exterior trim in the example above.
- Previous garage driveway apron does not include a *landscape* strip along the wall of the ADU.
- Windows and doors lack 3-dimensional simulated *divided lights*.

## 3.4 City Approved Plans for Rent-Restricted ADUs

*An incentive program for homeowners to use City approved plans to facilitate construction of ADUs.*

### PURPOSE

California law and Health and Safety Code Section 65583(c)(7) require cities, towns, and counties to develop a plan that incentivizes and promotes the creation of ADUs that can be offered at affordable rent to lower-income renters. Division 17.38.075 of the City Code establishes an incentive program to homeowners to use City approved plans consistent with this section of the Objective Design Standards. The pre-approved plans, approved by the City Council and owned by the City of Piedmont, for the construction of a new detached ADUs and/or a JADU conversion can be found in this chapter. The digital files will be shared with applicants according to this section.

### OBJECTIVE STANDARDS

#### S.3.4.1 Use of Plans

The Director may authorize an applicant's use of floor plans and elevations to obtain Planning Division approval of an Accessory Dwelling Unit Permit, if all of the following findings are made:

- The design unit meets the requirements of Section 17.38.060 of the City Code.
- The roofing material and exterior siding material of the proposed unit are the same as that of the primary residence.
- The plans are the same as those in this chapter of the Piedmont Objective Design Standards with only a 3 percent variation or less in any one dimension.

#### S.3.4.2 Affordability Covenant

If the approval is granted, the applicant must record a covenant requiring a rent level affordable to households of very low income, and the accessory dwelling unit shall be subject to all the requirements set forth in City Code Section 17.38.075.

#### S.3.4.3 Prototype Plans

The following pages of this chapter consists of the prototype building elevations and floor plans for accessory dwelling units (ADUs),

the use of which is subject to Piedmont City Code Sec. 17.38.075. The Planning & Building Director is authorized to share CAD files for eligible applications.

The plans sets include three different single-story accessory dwelling units that are code-compliant, feasible on a typical Piedmont lot, and demonstrative of design priorities and preferences expressed by the Piedmont community. Included are:

- A detached studio ADU, 500 gross square feet, shown in Tudor, Craftsman, and Spanish styles.
- A detached one-bedroom ADU, 800 gross square feet, shown in Tudor, Craftsman, and Spanish styles.
- A garage conversion, 484 gross square feet.

These are "Planning permit-ready" designs that can be submitted to Piedmont's Planning Department for issuance of Planning permit for rent-restricted ADUs for a period of 10 years. The ADU designs must then be further developed with items including a detailed site plan, engineering plans, and construction details, and submitted to Piedmont's Building Department for formal review and issuance of a Building permit.

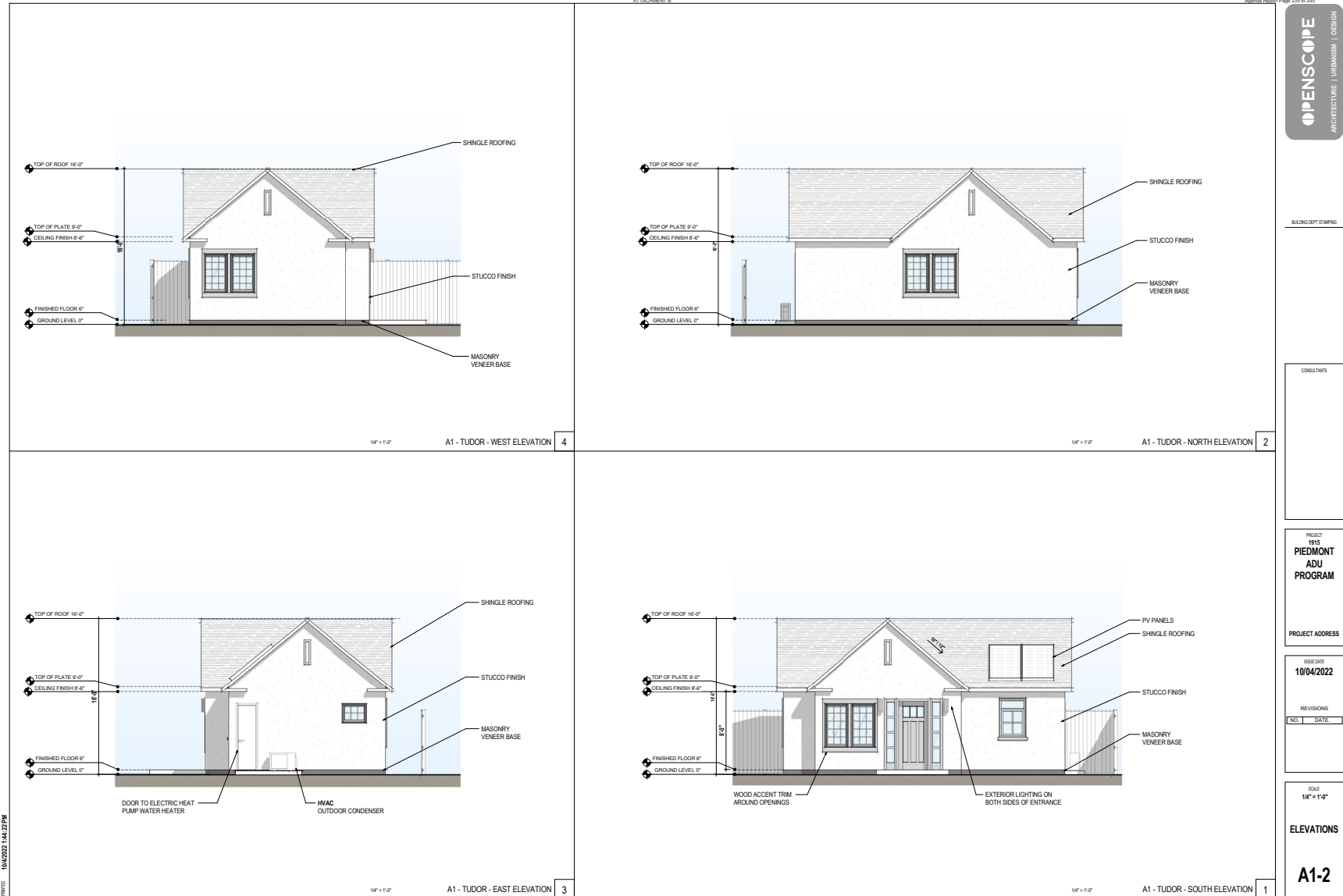


## 03

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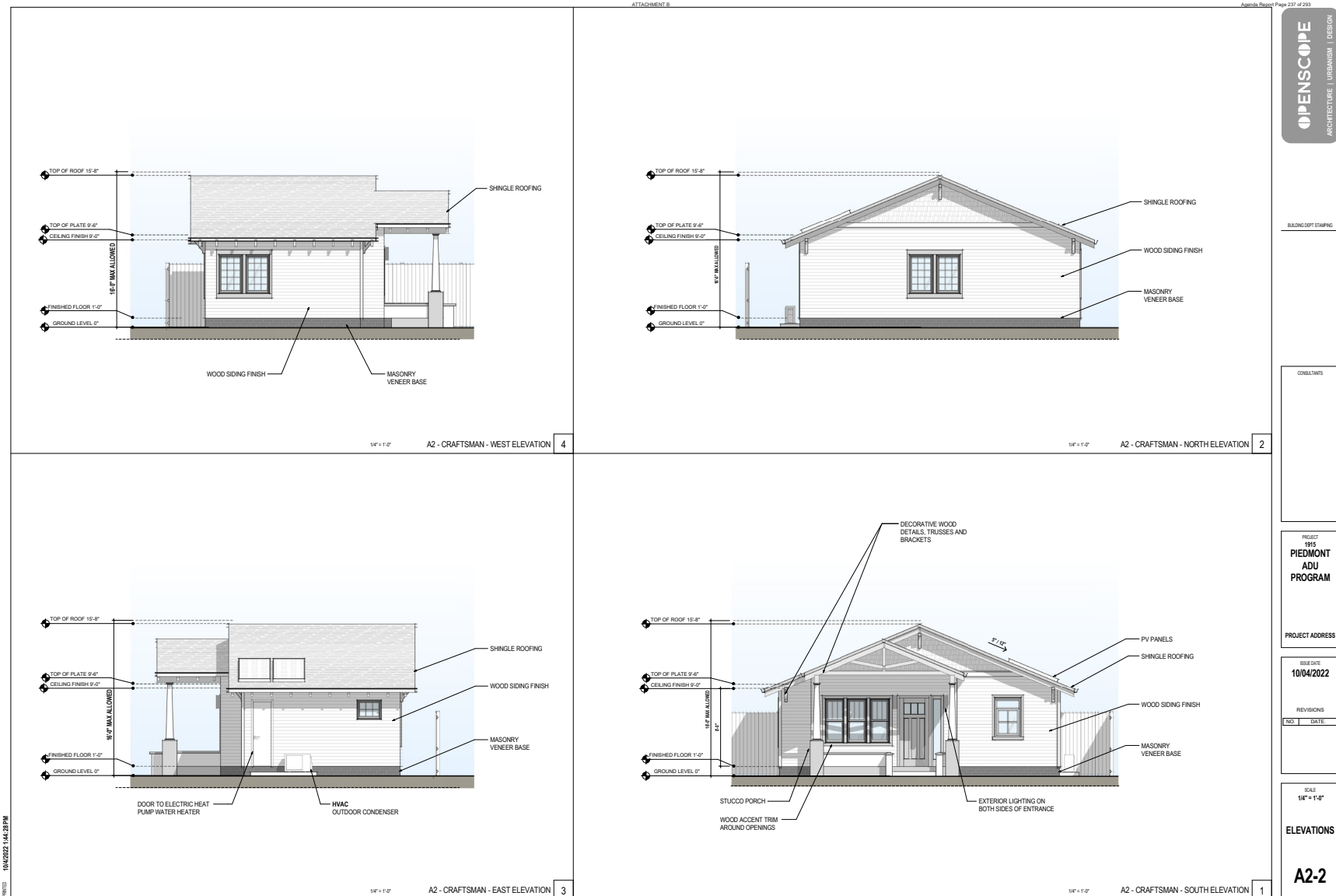
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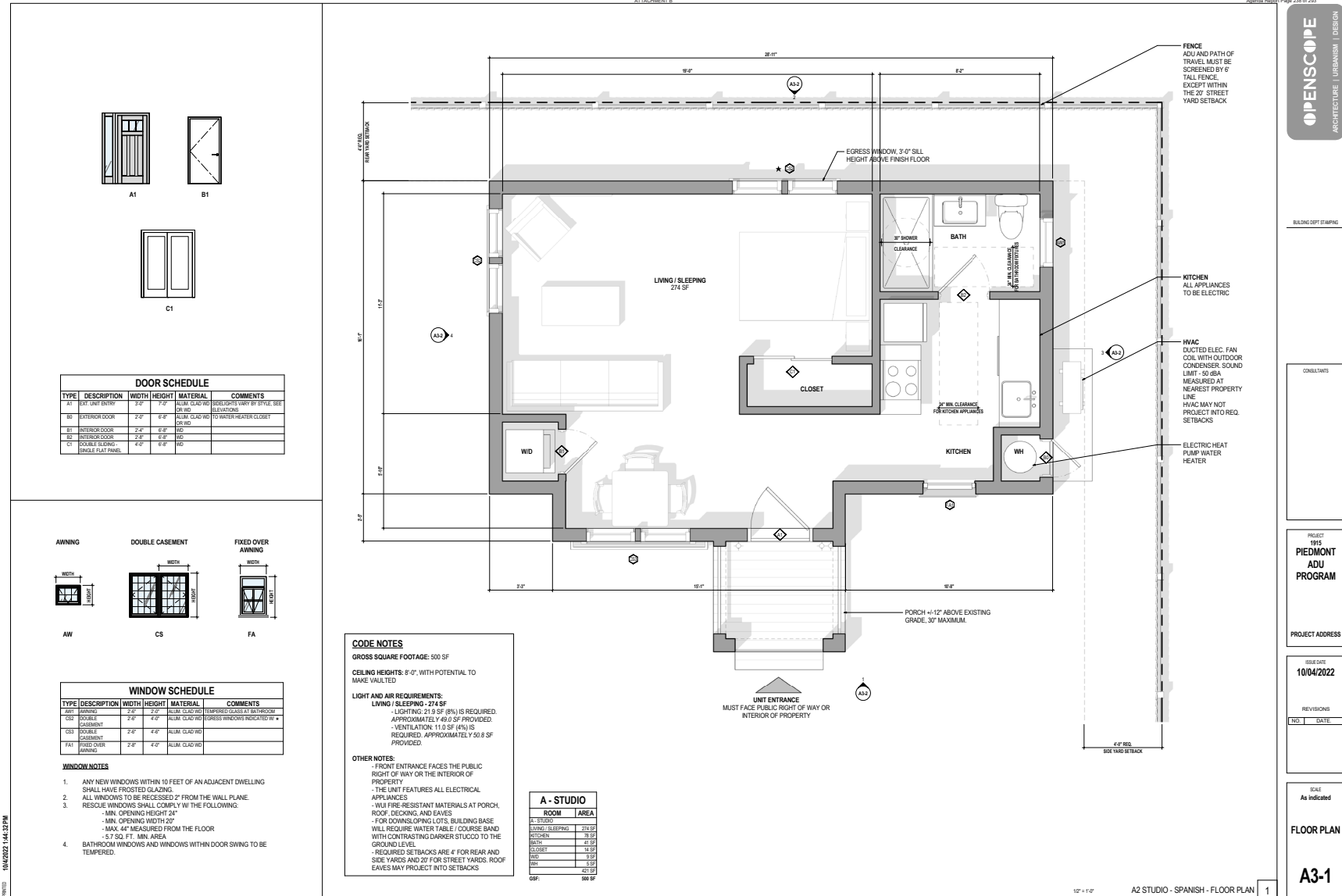
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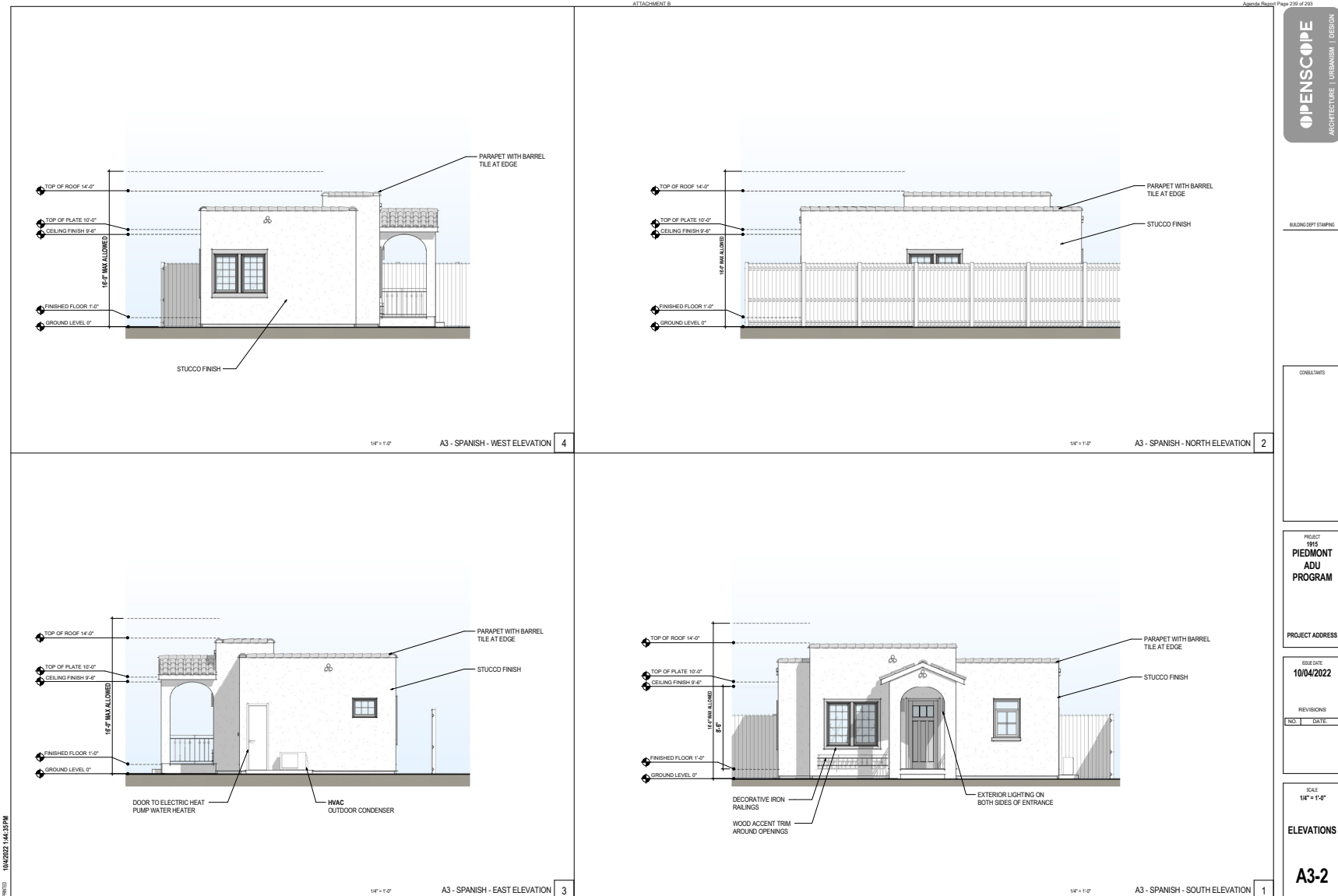


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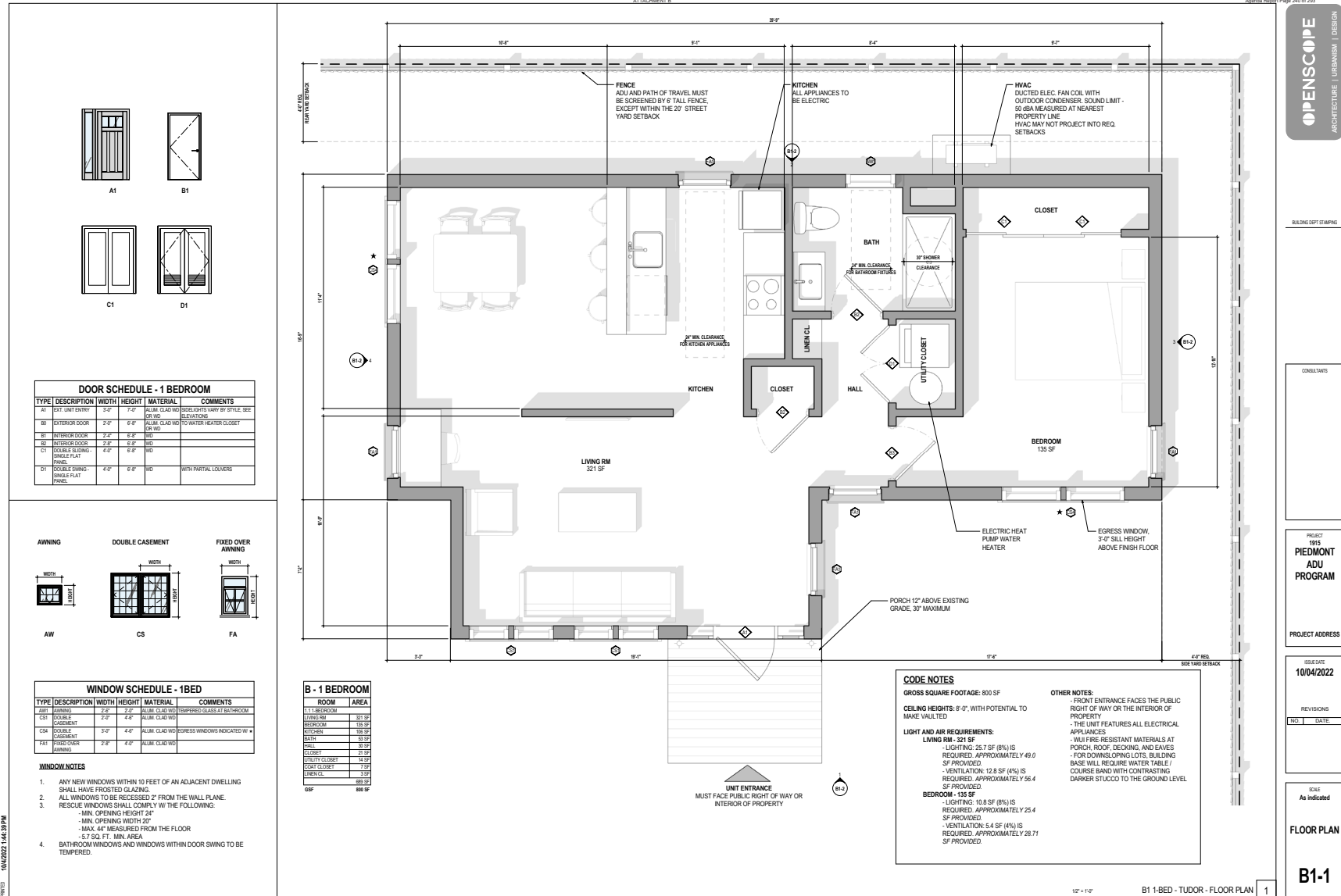
BUILDING DESIGN

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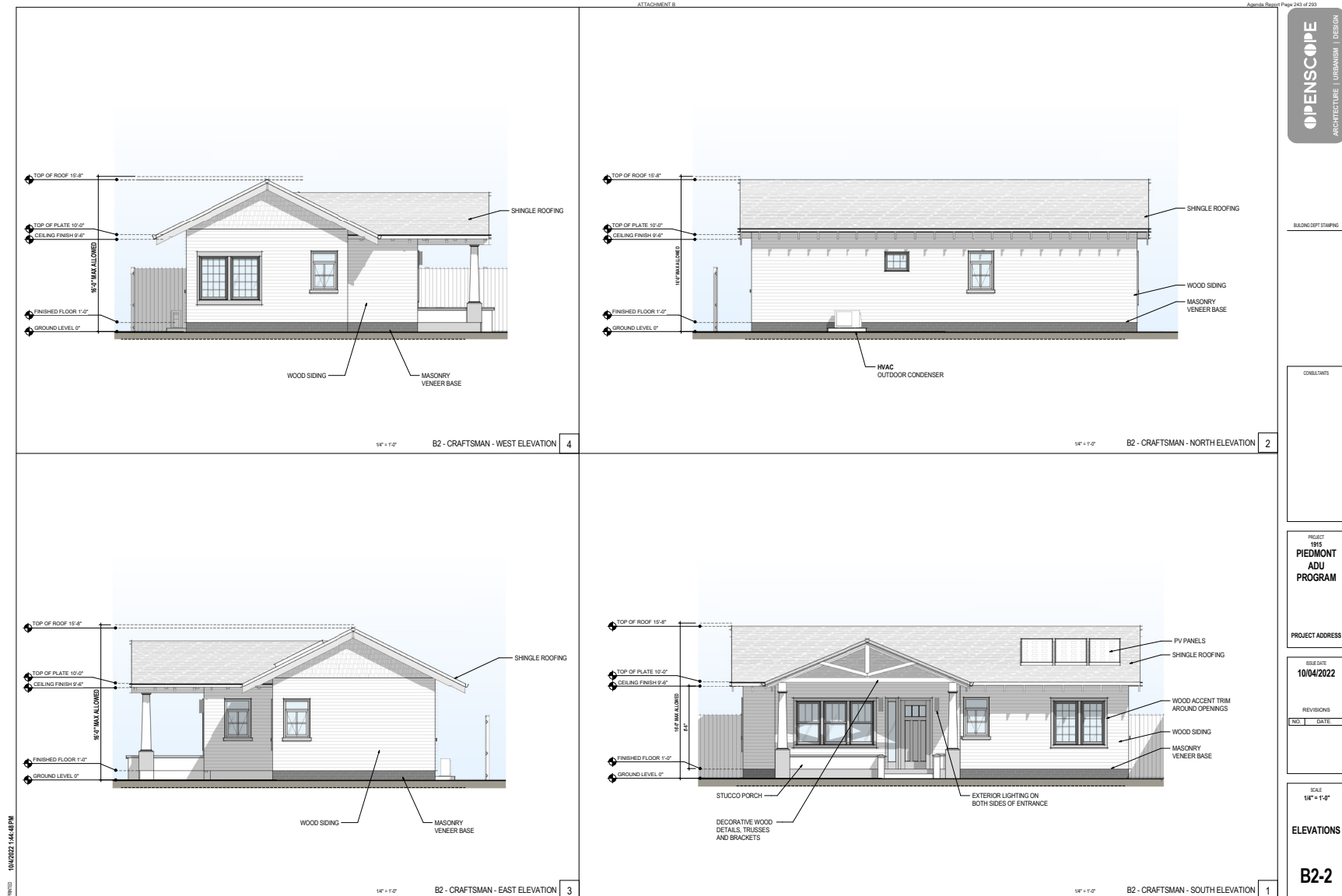


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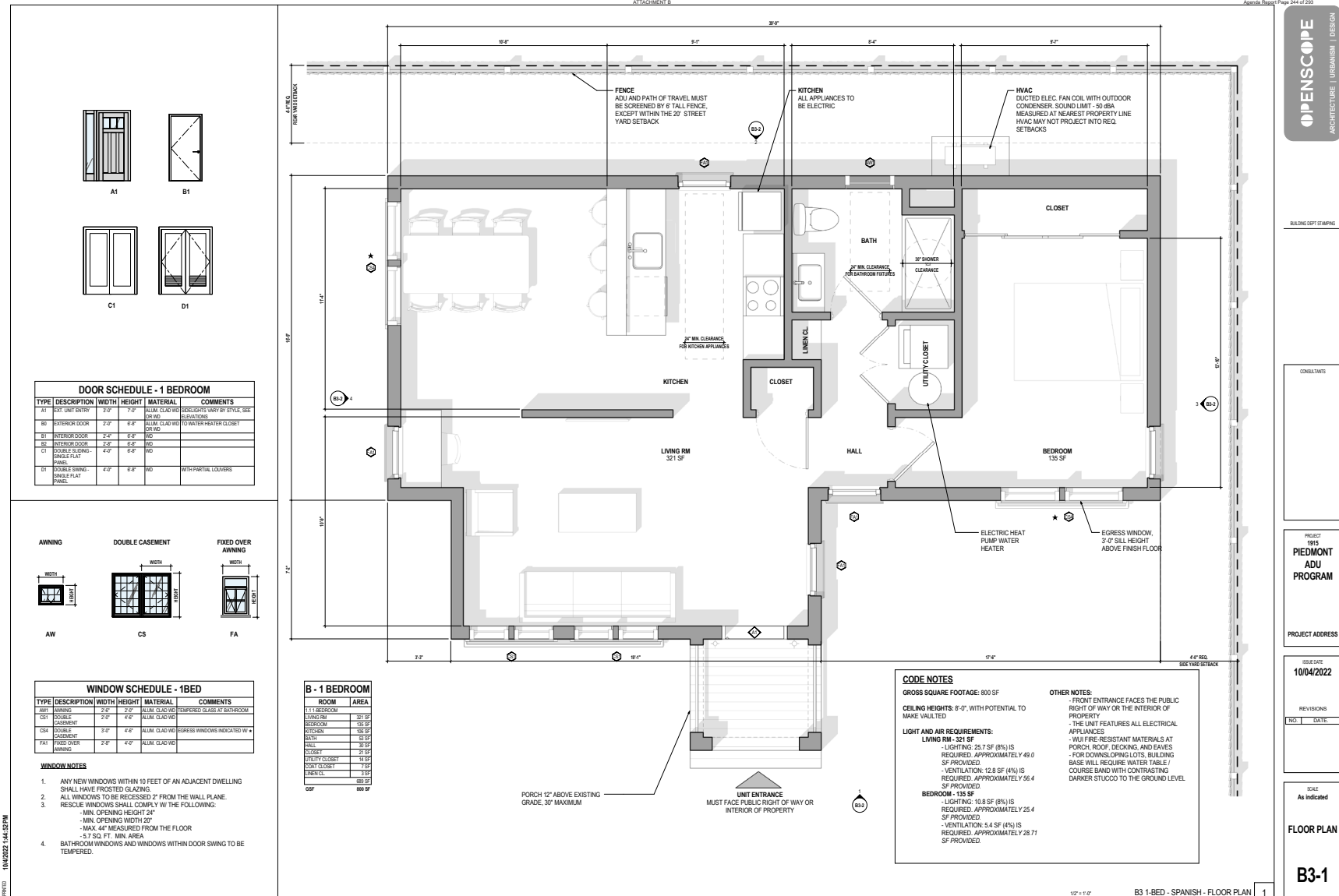
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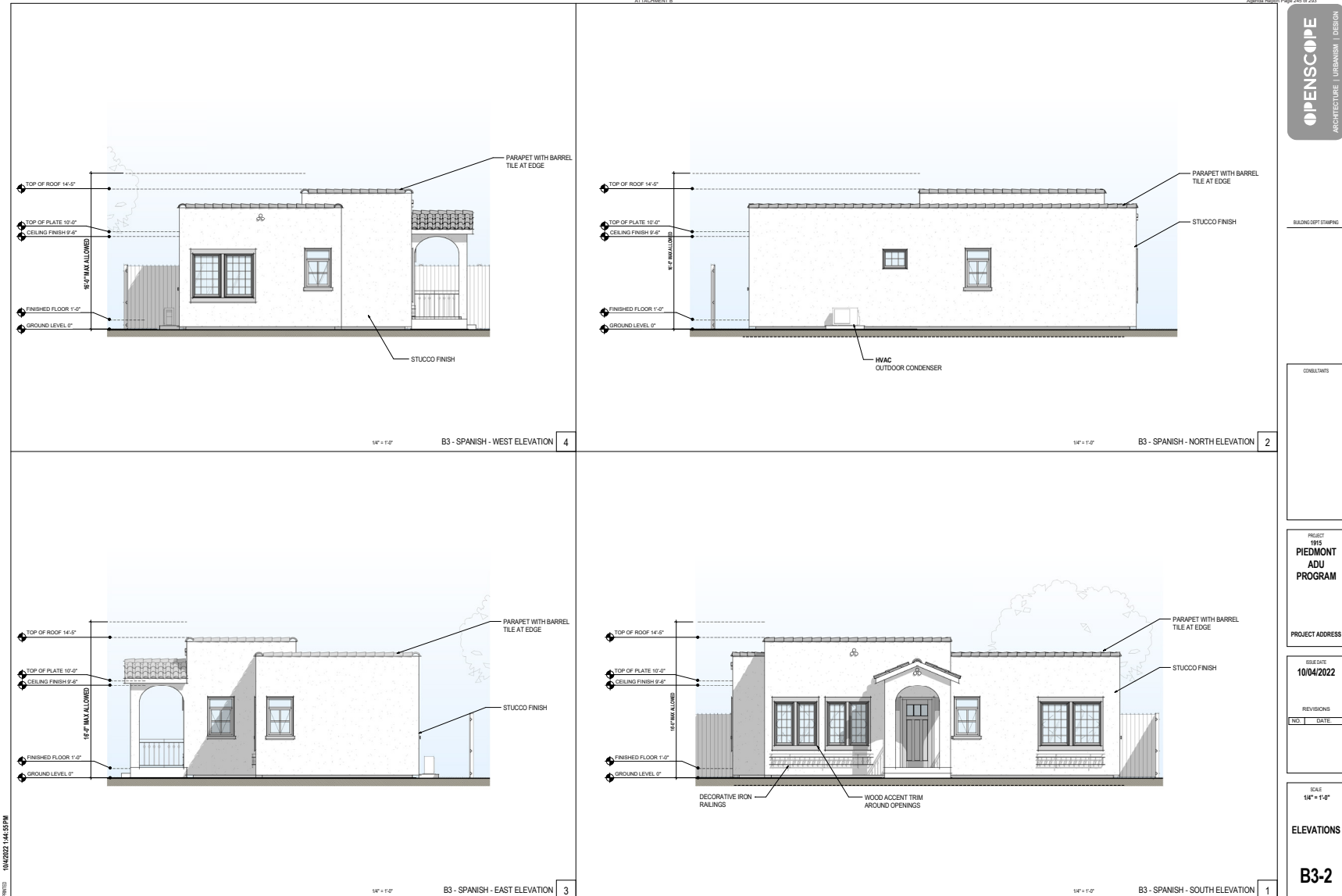
BUILDING DESIGN

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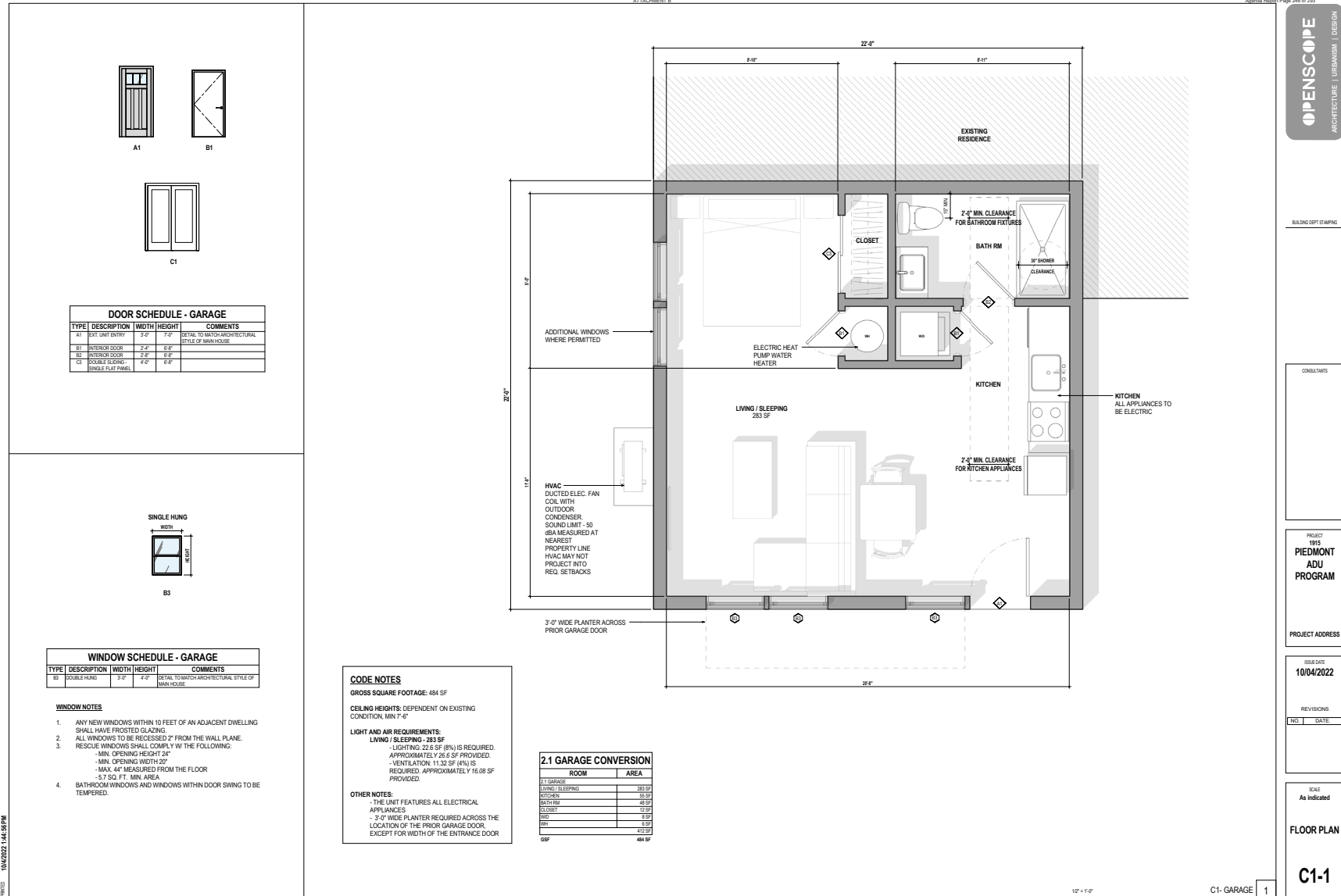


# EXHIBIT A- ATTACHMENT A

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## EXHIBIT A- ATTACHMENT A

03

MULTIFAMILY, COMMERCIAL (APPROVED  
MINISTERIALLY), AND MIXED-USE DEVELOPMENTS

SITE ORGANIZATION, PLANNING, AND DESIGN

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## 4.1 Context

Understand the importance of individual locations and how they respond to and connect with the surrounding context.

### PURPOSE

New developments and additions and alterations to existing buildings and lots should reflect the characteristics of the surrounding *context* to help create and maintain cohesive neighborhoods. Design strategies for each development can vary depending on a project's size, location, topography and relationship to streets, transit, and pedestrian circulation. Smaller blocks and more frequent street connections enhance pedestrian and bicycle movement and safety. For larger sites, it is important to use internal circulation to connect developments with their surroundings and integrate better into their *context*.

Developments near transit should maximize access to transit through building orientation and entrance locations. Locating active ground floor *frontages* and amenities near transit stops also encourages the use of transit by creating a safe environment and access route for residents, employees and visitors.

### OBJECTIVE STANDARDS

#### S.4.1.1 Building Entrance

For sites with a street-facing property line within 500 feet of a transit stop, locate the *primary building entrance* at the building *facade* closest to the transit stop (see Fig. 4.1.1).

#### S.4.1.2 Driveways

Do not locate driveways within 30 feet of bus stops, rail stations, and light rail corridors, unless there is no alternative location.

#### Grading

- To minimize impacts on existing terrain, do not cut deeper than 10 feet below the *natural grade* and fill higher than three feet above the *natural grade* on sites greater than 20 percent of slope.
- Grading within 10 feet of property line may not create retaining walls more than four feet above finished grade (see Fig. 4.1.1).

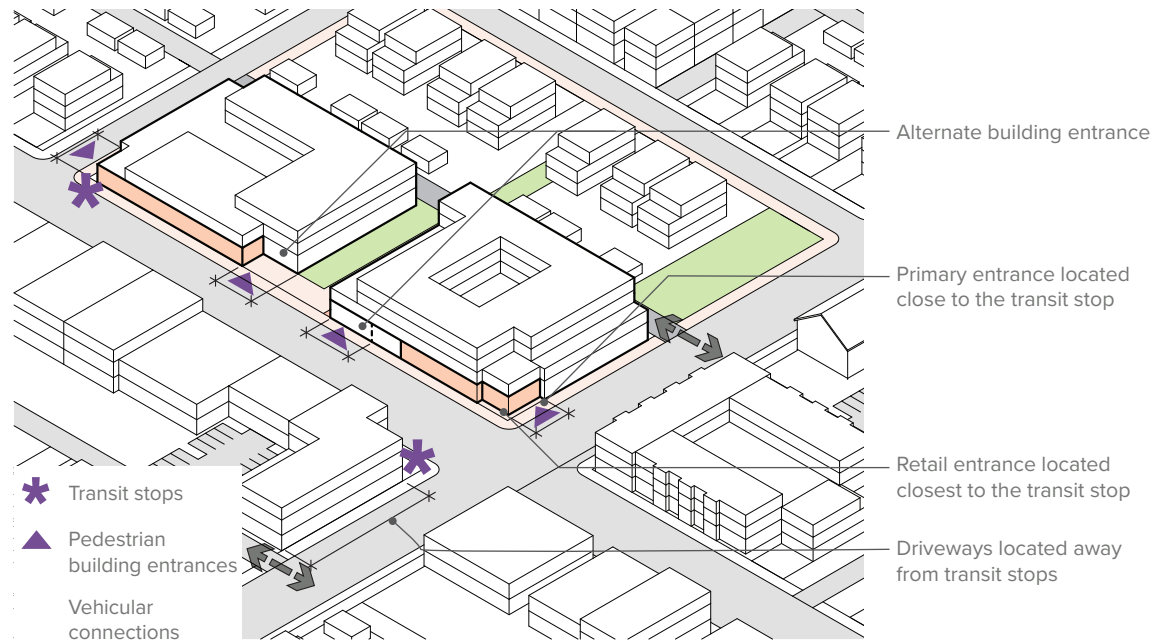


Fig. 4.1.1: Building entrances located close to transit stops.

## GUIDELINES (OPTIONAL)

### G.4.1.1 Uses and Density

- Locate residential and mixed-use activities near similar existing, planned, and allowed uses to reinforce surrounding activities, uses, and patterns of streets and block sizes.
- In mixed-use developments, arrange *active frontages*, such as retail stores, offices, restaurants, and on-site amenities on the part of site closest to transit stops.
- Locate the highest intensity of any development(s) near transit stops.

### G.4.1.2 Pedestrian Connections

Create *accessible pedestrian connections* between new construction, transit stops, and community facilities such as parks, trails, community centers, religious buildings, and schools.

### G.4.1.3 Grading

- Plan developments on hillside sites to follow the existing topography, maintain significant site views, and not obscure the silhouette of prominent ridge lines.
- Where cut-and-fill slopes are unavoidable on hillside sites, sculpt them to blend with the adjacent terrain (see Fig. 4.1.2).

### G.4.1.4 Natural amenities

Preserve on-site natural amenities such as mature trees, creeks, and riparian corridors and integrate them into the site planning and organization as design features or organizing elements. For example, locate a courtyard or an outdoor recreational space around an existing mature tree.

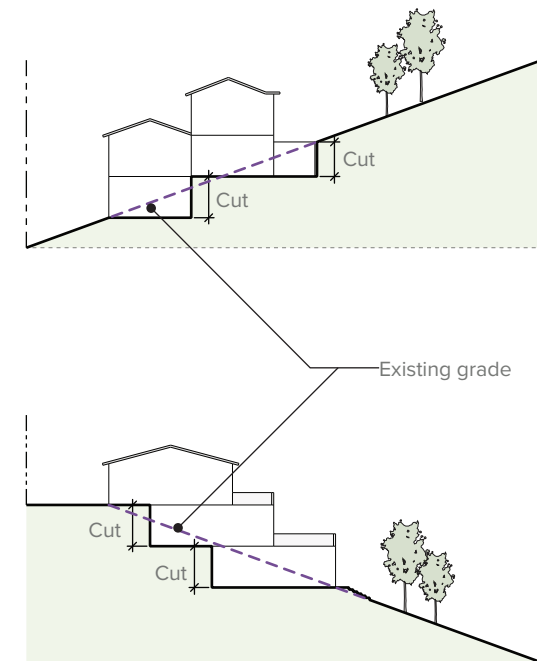


Fig. 4.1.2: Site grading for new developments limited to 10' from natural grade.

## 4.2 Pedestrian Access and Bicycle Parking

Maximize pedestrian access and shape project identity around entrances that accommodate both pedestrians and bicycles.

### PURPOSE

Pedestrian and bicycle entrances connect buildings to their surroundings and encourage street activity. They should be clearly identifiable and easily accessible. Orienting them towards streets helps create active sidewalks and promotes a safe *public realm*.



Fig. 4.2.1: Example of a conveniently-located and clearly-visible pedestrian and bicycle entrance.



Fig. 4.2.2: Vehicular rated decorative paving at driveway shared with a pedestrian pathway leading to unit entrances.

### OBJECTIVE STANDARDS

#### S.4.2.1 Primary Building Entrances

When a mixed-use development with commercial uses on the ground floor has multiple street-facing *facades*:

- Locate the *primary building entrance* for commercial uses along the building edge that faces a *main street* or a *public open space*.
- Locate the *primary building entrance* for residential uses at the *side street* to maximize the leasable space for commercial uses.
- Locate the primary entrances to commercial uses and residential lobbies at the ground floor level.

#### S.4.2.2 Multiple Entrances

When developments have multiple entrances, locate secondary entrances based on the following priority:

- Public transit (when located within 500 feet of the development site)
- Main streets*
- Side streets* (if they exist)
- Publicly-accessible open spaces
- Alleys* or internal site circulation (if provided)
- Provide *direct access* to the residential lobby for each building in a development from the street or publicly-accessible pedestrian walkways. If there is more than one residential lobby in one building, access shall be provided for at least one lobby.

#### S.4.2.3 Ground floor residential unit entrances

All ground floor residential units fronting a street or *paseo* shall have either one or a combination of:

- A primary *front door access* from the street or *paseo*; or
- A patio, balcony, or similar private open space placed along the street or *paseo* that is at least five feet wide and five feet deep.
  - If provided, the enclosure/railing for such an amenity shall be at least 50 percent *transparent*.
  - If a patio or balcony is provided, it shall be a minimum of 12 inches above the sidewalk grade.

#### S.4.2.4 Pedestrian Pathway

A minimum five-foot wide pedestrian pathway shall be provided to access building entrances, lobbies, and ground floor dwelling units, unless otherwise specified in Piedmont City Code or required by Fire Code (see *Fig. 4.2.3*).

- The pathway shall be unobstructed and shall have a minimum clear height of one story. When fences are provided for security, fence gates shall not be considered obstructions for the purpose of this standard.
  - Exception for additions and renovations- If the existing side yard is narrower than five feet, a minimum three-foot-wide pedestrian pathway shall be allowed to access the additions in the rear of an existing building.



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- Exception for individual ground floor units- Pathway to individual ground floor units may be as narrow as three feet.
- b. The pathway can be shared between new and existing buildings on the same site if it does not traverse through another dwelling unit or garage.
- c. When ground floor units are entered from a driveway, the pedestrian pathway is allowed to be shared with the drive. Permeable and vehicular rated decorative paving or stamped concrete is allowed at the driveway, to emphasize the pedestrian character (see Fig. 4.2.2).

**S.4.2.5 Long-term Bicycle Parking Location**

Long-term bicycle parking must be located on the same lot as the use it serves and in any of the following locations:

- a. In a parking facility,
- b. In an enclosed bicycle locker, or
- c. In a fenced, covered, and locked bicycle storage area.

**S.4.2.6 Bicycle and Auto Parking Clearance**

Provide at least five feet of horizontal clearance between vehicle and bicycle parking spaces (see Fig. 4.2.4).

**S.4.2.7 Long-term Bicycle Parking**

Long-term bicycle parking must meet the following requirements:

- a. Provide a minimum of one long-term bicycle parking space for every four residential units.

- b. Provide long-term bicycle parking equal to at least 15 percent of the required vehicular parking for commercial uses.

**S.4.2.8 Short-term Bicycle Parking**

Short-term bicycle parking must meet the following requirements:

- a. Provide short-term bicycle parking at a rate of 10 percent of the required vehicular spaces or housing units, whichever is greater.
- b. Short-term bicycle spaces shall be a stationary, securely anchored bicycle rack to which a bicycle frame and one wheel (two points of contact) can be secured if both wheels are left on the bicycle. One such bicycle rack may serve multiple bicycle parking spaces.

**GUIDELINES (OPTIONAL)****G.4.2.1 Pedestrian and Bicycle Entrances**

Place pedestrian and bicycle entrances such that they are connected to transit stops via streets, pedestrian walkways, and *paseos* lined with *active frontages*, either directly or via a *path of travel* uninterrupted by a driveway or parking area.

**G.4.2.2 Pedestrian and Bicycle paths**

For medium and large development sites, create pedestrian walkways and bicycle paths that provide easy access to and through the development site from public rights-of-way.

- a. When short-term bicycle parking is located in the street right -of-way, provide Class 2 racks.

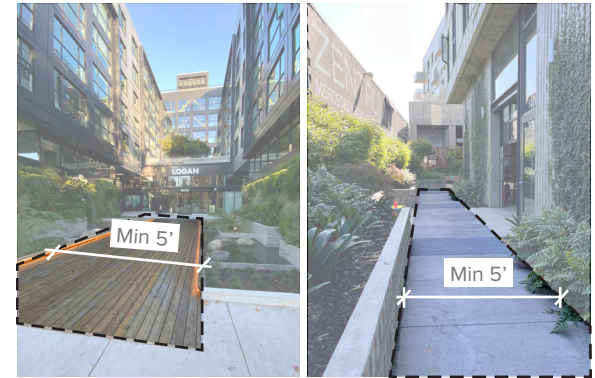


Fig. 4.2.3: Unobstructed 5' wide pedestrian pathway.



Fig. 4.2.4: Distance between vehicle and bicycle parking within the same parking garage.

## 4.3 Driveways and Surface Parking Design

Separate driveways from pedestrian rights-of-way and other multi-modal transportation services.

### PURPOSE

Driveways and curb cuts for vehicular access to a development can create large gaps in the *streetwall*, increase safety risks for pedestrians and bicyclists, and negatively impact the continuity of walkways and *active frontages*. Sharing driveways, limiting the number of driveways for each development, and designing them thoughtfully can help mitigate some of these negative impacts.

For structured/podium parking, see Section 4.21 *Parking Garage Design*.

### OBJECTIVE STANDARDS

#### S.4.3.1 Surface Parking Location

Locate surface parking in the rear or side of the site. Parking in the front *setback* is allowed only if the site slopes up or down more than 10 percent from the front property line to the rear.

#### S.4.3.2 Parking Setback

When parking is located in the front *setback* area or at the front property line:

- It shall occupy less than 50 percent of the *frontage* length for lots with less than 100 feet of street *frontage*.
- It shall occupy less than 25 percent of the street *frontage* for lots with a street *frontage* of 100 feet or greater.

- Parking in the front *setback* is not allowed in the required 20-foot *setback* for individual ground floor units.

#### S.4.3.3 Driveway Location

- Locate driveway to the side or rear of the development site (see *Fig. 4.3.1*).
- On corner lots, locate parking facilities along *side streets* and at least 10 feet away from street intersections and building entrances.

#### S.4.3.4 Curb Cuts and Driveway Location

- Provide a maximum of one curb cut for driveway access per 100 feet of street *frontage* per development.
- Locate curb cuts at least 20 feet away from publicly-accessible open spaces and pedestrian and bicycle entrances, except within porte-cochères or sites with less than 60 feet of street *frontage*, which are allowed to located curb cuts a minimum of 10 feet away.
- For corner lots, locate curb cuts to be at least 10 feet from the beginning of a curb return of a street (see *Fig. 4.3.5*).
- For corner lots, provide the curb cut on the *side street* unless no other alternative is available.
- When a development has multiple individual garages or tuck-under parking, access shall be provided from an internal driveway instead of multiple curb cuts along these streets (see *Fig. 4.3.1* and *Fig. 4.3.4*).

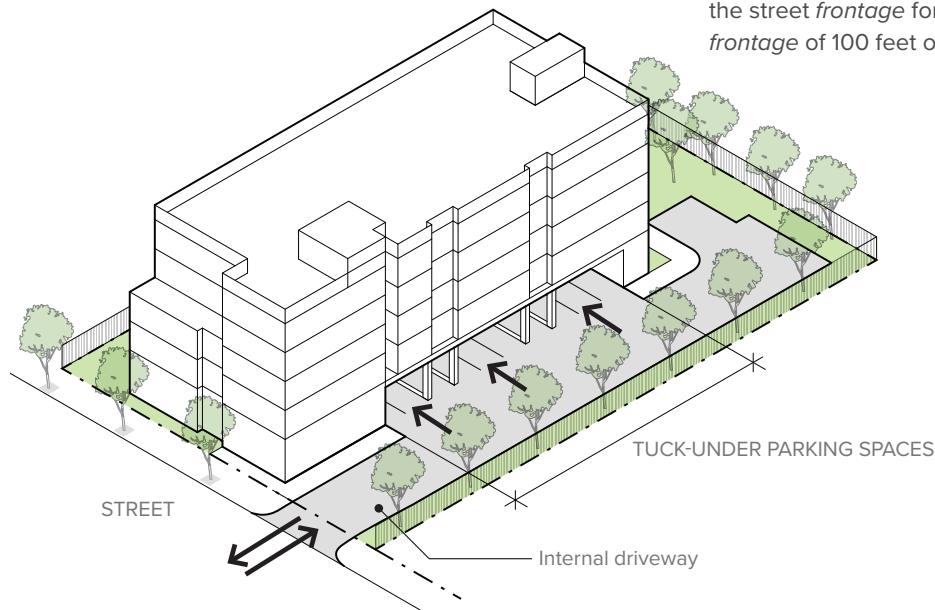


Fig. 4.3.1: An internal driveway to access tuck-under parking spaces located along the side of the development.

# EXHIBIT A- ATTACHMENT A

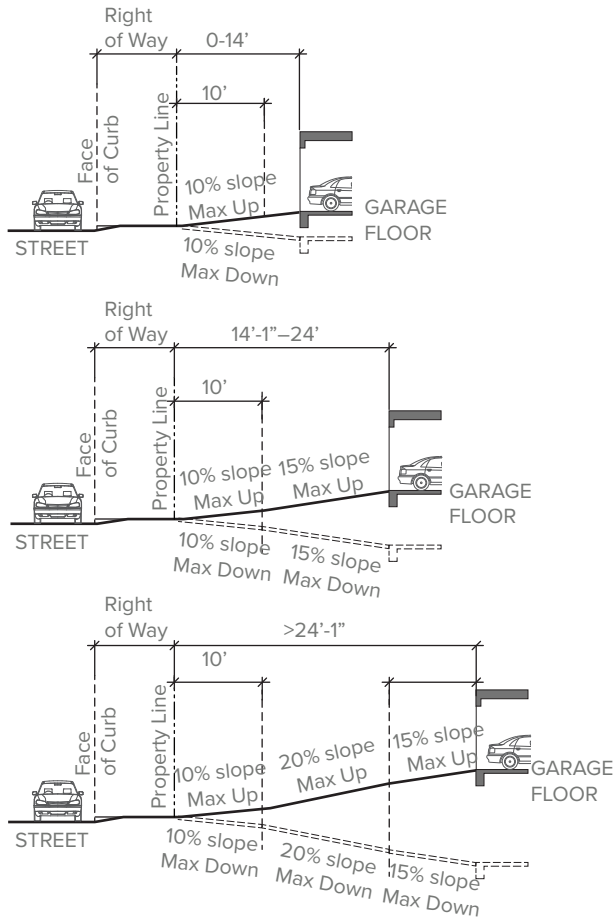


Fig. 4.3.3: Maximum driveway slope based on length from property line.



Fig. 4.3.4: Individual garages and tuck-under parking accessed from a shared driveway located at the side of the property.

DRIVEWAY GRADIENT	
*DRIVEWAY LENGTH	REQUIREMENT
Up to 14'	Maximum 10%
From 14'-1" to 24'	Maximum 10% for the first 10'; Maximum 15% for the remaining length to garage entrance
Greater than 24'-1"	Maximum 10% for the first 10'; Maximum 15% for the last 10' adjacent to the garage entrance; Maximum 20% between these two points

\*Cross slopes shall be a maximum of 5%. Where utilized as shared access for pedestrians and vehicles cross slopes shall be a maximum of 2%

\*Driveway length is measured from the start of the driveway at the property line.

Table 4.3.1: Driveway gradient standards

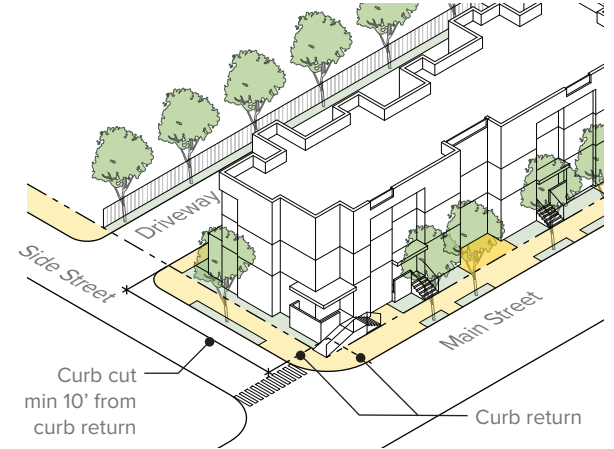


Fig. 4.3.5: Curb cut located at least 10' from the beginning of curb return for corner lots.

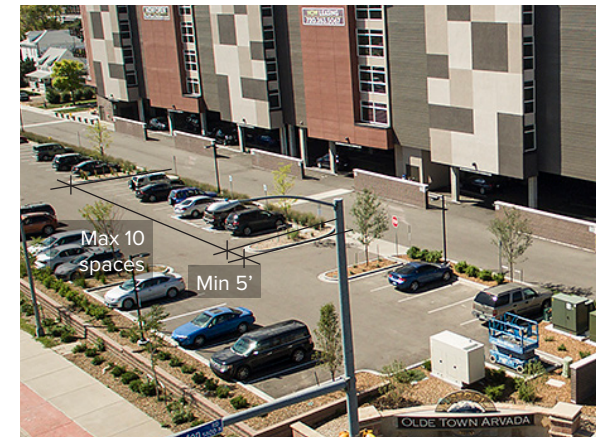


Fig. 4.3.2: Planting at surface parking with at least 5' wide landscape finger islands protected with curbs.



- f. Do not create single-purpose driveways to roll out *solid waste* bins or access utility rooms. These facilities shall be accessed through internal driveway aisles or shared with the main driveway.

#### S.4.3.5 Driveway width

Driveway width shall be a minimum of 12 feet and a maximum of 20 feet. Exception- Fire lanes and driveways required by local utility companies (see *Fig. 4.3.6*).

#### S.4.3.6 Driveway Design

- a. When provided, driveway ramps shall start at the property line at the same elevation as the street *right-of-way* and meet the requirements mentioned in *Table 4.3.1: Driveway gradient standards* (also see *Fig. 4.3.3*).
- b. When provided, driveways and driveway ramps must meet the *Standard Details* per *City of Piedmont Public Works Department*.

#### S.4.3.7 Parking Stalls

Locate the first parking stall in a surface parking lot at least 30 feet away from the back of curb (see *Fig. 4.3.6*).

#### S.4.3.8 Pedestrian Walkways

For surface parking lots with more than 15 parking spaces, provide at least a five-foot-wide pedestrian walkway at a minimum of every 200 feet to connect buildings and parking or other walkways (see *Fig. 4.3.6*).

#### S.4.3.9 Planting at Surface Parking

- a. Provide at least five-foot-wide landscape finger islands at a maximum interval of 10 parking stalls (see *Fig. 4.3.6*).
- b. Protect planted islands and stormwater retention areas from vehicles by curbs or wheel stops (see *Fig. 4.3.2*).
- c. Planting and screening elements shall be held back a minimum of five feet from the edge of a driveway and be no taller than three feet to maintain driver visibility.

#### S.4.3.10 Security gates for Surface Parking

When provided, locate security gates and check point kiosks a minimum of 40 feet from the property line to provide enough on-site queuing length for at least two vehicles to stack.

#### S.4.3.11 Screening

Screen at least 75 percent of surface parking from *main streets*, *side streets*, *public open spaces*, and adjacent sites with Mixed-Use and Residential General Plan land use designations using *landscaping* or three-foot-tall architectural elements that (at least one of the following):

- a. Utilize the same materials, colors, and lighting fixtures as the site or building *facades* on the property for at least 75 percent of the area.
- b. Are covered with *landscaping* or public art for at least 75 percent of the total length along *public open spaces*, *main streets*, and *side streets*.

## GUIDELINES (OPTIONAL)

#### G.4.3.12 Driveway Materials

Vary the color and texture of paving materials to distinguish pedestrian and vehicular areas, improve pedestrian safety, and minimize asphalt usage, using colored, textured, or patterned concrete pavers or aggregate.

#### G.4.3.13 Stormwater Management

Integrate stormwater infrastructure and *Low Impact Development (LID)* infrastructure into parking lot design.

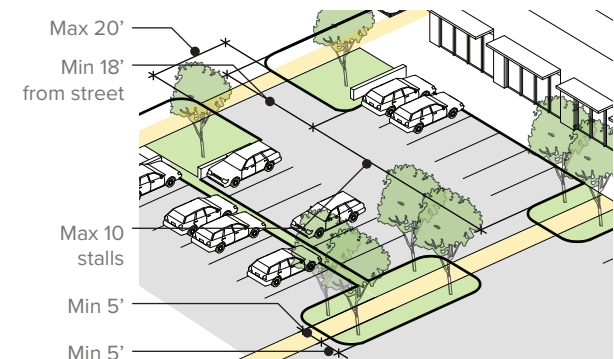


Fig. 4.3.6: Surface parking with landscape islands and pedestrian walkways.

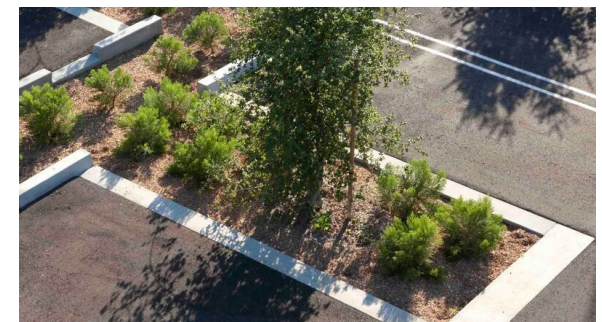


Fig. 4.3.7: Example of stormwater infrastructure in surface parking lots.

## 4.4 Walls and Fences

*Minimize the visual prominence of walls and fences.*

### PURPOSE

Walls and fences provide privacy, security, and delineation of private and shared spaces while contributing to the overall neighborhood character. They should support a pedestrian-friendly environment by maintaining visibility at key *frontages*, ensuring compatibility with adjacent properties, and enhancing the aesthetic quality of the development. Materials, height, and placement should balance resident needs with community integration and visual openness.

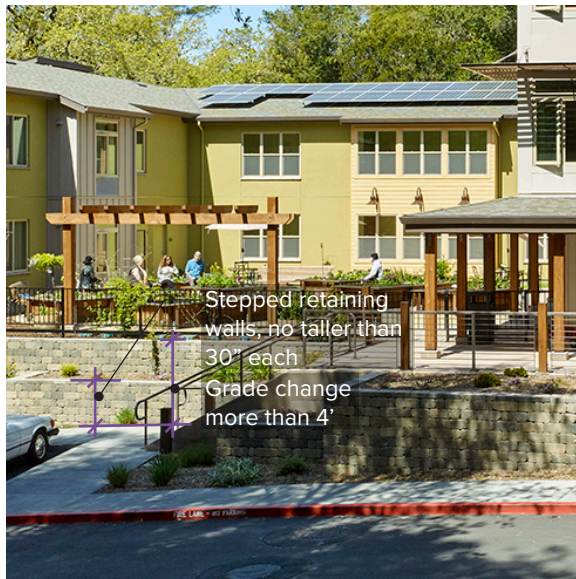


Fig. 4.4.1: Stepped retaining walls to avoid a monolithic appearance.

### OBJECTIVE STANDARDS

#### S.4.4.1 Perimeter Features Height

When provided, limit the height of retaining walls in street-facing yards to a maximum of 30 inches.

#### S.4.4.2 Retaining Wall Height

If the street-facing change in grade is greater than 30 inches, a series of retaining walls interspersed by planting areas in a stepped or terraced fashion shall be constructed to minimize the retaining wall's monolithic appearance according the following:

- Each retaining wall step shall be a maximum of 30 inches tall.
- The steps shall be at a minimum of two feet intervals at minimum two feet intervals (see Fig. 4.4.1).

#### S.4.4.3 Retaining Wall Design

Retaining wall material shall be concrete or CMU covered with plaster stucco a minimum of half (1/2) inch thick. They could be covered with other masonry materials including tiles, stone etc.

#### S.4.4.4 Freestanding Walls and Fences at shared property lines

Provide a minimum six feet tall and maximum eight feet tall fence or freestanding wall along property lines shared with single-family uses on lots in Zone A.

#### S.4.4.5 Fencing over Retaining Walls

Fencing on *top* of retaining walls or adjacent to retaining walls along side and rear shared property lines shall not exceed eight feet in height, measured from the lowest grade on either side of the retaining wall (see Fig. 4.4.2).

#### S.4.4.6 Screening of Retaining Walls

Where a retaining wall taller than four feet is used, incorporate a planting strip and irrigation system at its toe strip to allow for the planting of screening vegetation and/or a planting strip with irrigation system at the *top of the wall*.

- Planting strip must be a minimum three feet long and two feet wide.
- If three feet planting strip cannot be provided, use one-foot wide and one-foot deep planting pockets to provide vines that can grow on the wall surface.

#### S.4.4.7 Materials

Fences and walls shall have the same materials and color as that of the primary or secondary building materials.

- When the fence is not within five feet of the primary structure, other materials including metal, wood, stone, concrete and stucco are allowed.

#### S.4.4.8 Gates

Residential security gates, when installed, shall be no more than 50 percent opaque.

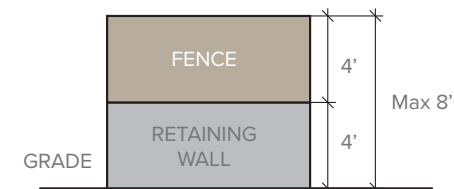


Fig. 4.4.2: Fencing on top of retaining walls along side and rear shared property lines.

## 4.5 Building Placement

Activate the public realm by locating buildings near streets and public open spaces.

### PURPOSE

Places designed for people encourage interaction and connections between people and environment. Locating buildings with *active frontages* along streets and public spaces such as sidewalks, *paseos*, parks, and plazas helps frame the space and contributes energy, visual interest, and eyes-on-the-street.



Fig. 4.5.1: Frontage and corner lot requirements.

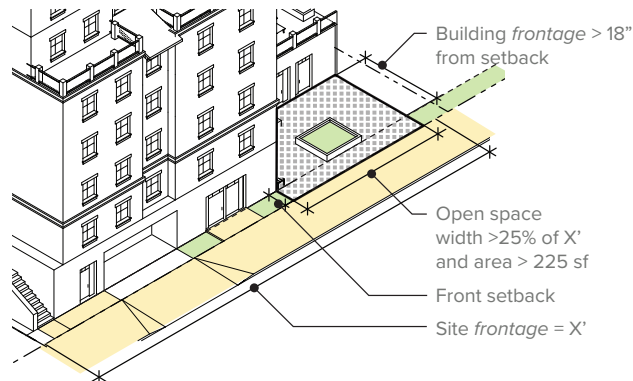


Fig. 4.5.2: Greater than 25% of site frontage as privately owned (and maintained) public open space.

### OBJECTIVE STANDARDS

#### S.4.5.1 Frontage

- Build a minimum 75 percent of ground-floor building *frontage* at or within 18 inches of the required front *setback* to create a continuous street wall (see Fig. 4.5.1 and Fig. 4.5.3).
- Exception. This standard does not apply if any of the following conditions exist:
  - Ground floor residential units with *dooryards* that meet Table 4.13.3: *Dimension standards for entrance dooryards* or stoops that meet Table 4.13.4: *Standard dimensions for entrance stoops*.
  - Greater than 25 percent of the linear *frontage* between the building and the sidewalk is a privately owned (and maintained) publicly accessible open space greater than 225 square feet, such as a plaza (see Fig. 4.5.2).

#### S.4.5.2 Corner Lot

- At street corners, buildings shall be placed at the street yard *setback* lines and for a minimum 25 feet distance from the intersecting front and street side *setback* lines (see Fig. 4.5.1 and Fig. 4.5.2).
- Ensure clear visibility around corners by following the *Line of Sight and Visibility Requirements per City of Piedmont, Public Works Department–Standard Details*.

#### S.4.5.3 Additions

Detached additions shall be located such that they either face a public street or open space, or an interior courtyard of at least 10 feet by 10 feet.

- When an interior courtyard is provided for access to additions, it shall be accessible from the street by a pedestrian pathway.

#### S.4.5.4 Buildings abutting Zone A

Building *facade* planes facing and abutting properties in Zone A may not exceed 35 feet in width without a break a minimum six feet depth.

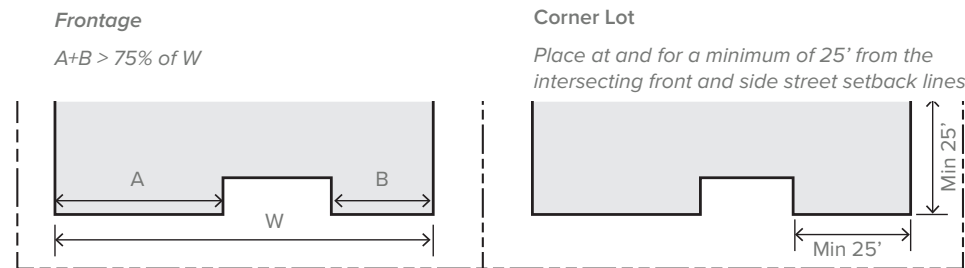


Fig. 4.5.3: Frontage and corner lot requirements.



## 4.6 Services and Utilities

Locate services, utilities, and their access away from active frontages, pedestrian, bicycle, and transit areas.

### PURPOSE

Adequate service and utility facilities are critical to the functionality of buildings. However, these facilities interfere with the continuity of *active frontages*, *facade transparency*, and other community characteristics that support a positive *public realm*.

Sensitive placement of service areas, utilities, and service entrances supports pleasant and safe public spaces, and makes walking, bicycling and riding public transit enjoyable.

### OBJECTIVE STANDARDS

#### S.4.6.1 Location

- Locate all utility and service areas and access at least 50 feet away from street intersections and *primary building entrances*, measured from the edge of the driveway to the closest edge of the building entrance or open space.
- For *small sites* or *mid-block parcels* that can only be accessed from the front, on a site less than 50 feet wide, place all utilities and services at a location farthest from any street intersections and *primary building entrance*.

#### S.4.6.2 Location of Ground Floor Utilities

- For street-facing *facades* wider than 60 feet, ground floor utilities shall occupy no more than 25 percent of the *facades* when access is required for utilities and services from the street (see Fig. 4.6.1).
- Locate service yards, utilities, and access for mixed-use developments at least five feet away from abutting residential uses.

#### S.4.6.3 Location of Ground-mounted Equipment

- Neither mechanical nor electrical equipment is allowed in street-facing and interior side *setbacks* abutting single-family uses on lots in Zone A, unless no other alternative is permitted by the local utility provider. The applicant shall provide documentation from the utility company or the company completing the design and installation of the utilities.

- Do not locate mechanical equipment within *setback* areas unless it is enclosed within an allowable site feature.

#### S.4.6.4 Location of refuse and recycling containers

- Do not locate common refuse and recycling containers within:
  - Any required street-facing *setback*, except during staging for pickups. Exception. Sites with cross slopes greater than 10 percent.
  - Any required parking and landscaped areas, except during staging for pickups.
  - Any other area required to remain unencumbered, according to fire and other applicable building and public safety codes.
- Provide a covered area for *solid waste* collection when it is located outside the building envelope (see Fig. 4.6.2).

#### S.4.6.5 Access

Access location for utilities and waste collection from shall be based on the following priority:

- Alleys* (if available).
- Private driveways (if provided), when there are no *alleys*.
- Side streets*, when a development has multiple *frontage* and no *alleys* or private driveways.
- Main street* (only when no other street *frontage* is available).

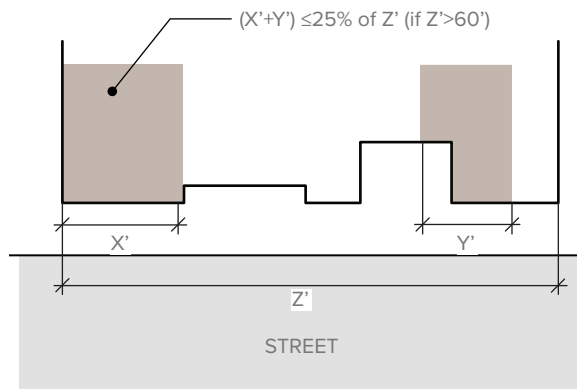


Fig. 4.6.1: On-site facilities occupy a maximum of 25% of the street-facing ground floor building *facade*.

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Fig. 4.6.2: Covered area for *solid waste* collection when located outside the building.



Fig. 4.6.3: Services and utilities outside the building screened from public view using a fence.

#### S.4.6.6 Clear Zone

Maintain at least a five-foot-wide and five-foot-deep accessible area in front of all enclosure types clear of obstructions.

#### S.4.6.7 Trash Staging

If a development has multiple street *frontages* and trash collection staging or pickup is required to be along the street, locate it along the *side street*.

#### S.4.6.8 Transformers

When transformers are located outside the building, place them below grade in vaults, unless prohibited by local utility companies. The applicant shall provide documentation from the utility company or company completing the design and installation of the utilities

#### S.4.6.9 Storage Containers

Containers used for the collection and storage of refuse and recyclable materials shall meet the standards of the waste collection company and be:

- Constructed of waterproof and rustproof materials.
- Enclosed and covered.
- Secured from unauthorized entry or removal of material.

- Sized to accommodate the volume of materials collected between collection schedules. The applicant shall provide a trash management plan to demonstrate that they have met the requirements of the local trash company.

#### S.4.6.10 Screening

- Screen all transformers, backflow preventers, utilities, equipment, and trash collection containers located outside the building envelope that are within 30 feet of a public *right-of-way* (see Fig. 4.6.2) using plant materials, fencing, or walls.
- When located along shared property lines, enclose all utilities and equipment or paint them the same color as the adjacent walls along neighboring properties.

#### S.4.6.11 Screening height

- All screening devices (except planting) shall be as high as the highest point of the equipment being screened.
- Planting shall be at least as tall as the equipment being screened within 5 years.

#### S.4.6.12 Drain-Waste-Vent System

Supply, exhaust and venting plumbing, conduits, and flues shall be *concealed* within the walls of a building.

#### S.4.6.13 Drainage

Provide a hosebib and a drain in the floor of trash enclosures such that it connects to the sanitary sewer system.

## EXHIBIT A- ATTACHMENT A

### GUIDELINES (OPTIONAL)

#### S.4.6.14 Cluster Mailboxes

If exterior cluster mailboxes are provided in any development, they shall meet the following standards:

- The cluster mailbox unit(s) and any associated shelters shall be designed using exterior finish materials and/or colors used on the surrounding residential units (see Fig. 4.6.4).
- Freestanding cluster mailboxes shall be protected from the elements with a roof or canopy.
- Illuminate the cluster mailbox area. Motion-activated lights are allowed.



Fig. 4.6.4: Example of exterior cluster mailboxes.

#### G.4.6.1 Location

- Locate service and utility access points for development sites with multiple *frontages* based on the following priorities:
  - *Alleys* and on-site parking lots
  - *Side streets*
  - Publicly-accessible open spaces
  - *Main streets*
- For purposes of screening, locate utilities and services (e.g., transformers, backflow preventers, electrical and mechanical equipment rooms, service yards, and *solid waste* collection) at the side or rear of the development site, while still allowing enough space for maintenance.

#### G.4.6.2 Screening

- Conceal* runs of all supply, exhaust and venting of plumbing, conduits, and flues within the walls of a building. If concealment is infeasible, the run should be minimized, discretely placed, and painted to match the adjacent wall.
- If permitted by utility companies and Fire Department, screen or paint utility connections to blend in with the exterior materials to which they are mounted (see Fig. 4.6.5).

#### G.4.6.3 Noise

Locate noise generating equipment, such as water pumps, heat pumps, air conditioning condensers, kitchen hood exhaust fans, and pool equipment, so that noise levels in public areas is within the maximum decibel limit regulated by the Piedmont Building Code.



Fig. 4.6.5: Service access door painted the same color as the building facade.



## 4.7 Open Spaces

Open spaces define community character and create livable environments.

### PURPOSE

Well-placed open spaces can support quality connections and *active uses*, provide transitions between various uses, and be a destination for recreation, gatherings, and community activities.

Open spaces can be divided into three categories (see Fig. 4.7.2):

- Private Open Spaces
- Semi-Private Open Spaces
- Shared Open Spaces

### OBJECTIVE STANDARDS

#### S.4.7.1 Private Open Space Size

Provide a minimum of 35 square feet of private open space for each residential unit in a multifamily or mixed-use development.

- a. If private open spaces are not provided for residential units, provide 80 square feet of *shared open space* per residential unit, in addition to the minimum open space required by the underlying Zoning.

#### S.4.7.2 Location

- a. When provided, locate *shared open spaces* either at-grade, elevated or at the roof level.
- b. When provided, locate *semi-private open spaces* within two vertical feet of grade from the adjacent sidewalk.

X'—Height of building along the perimeter of a *shared open space*.

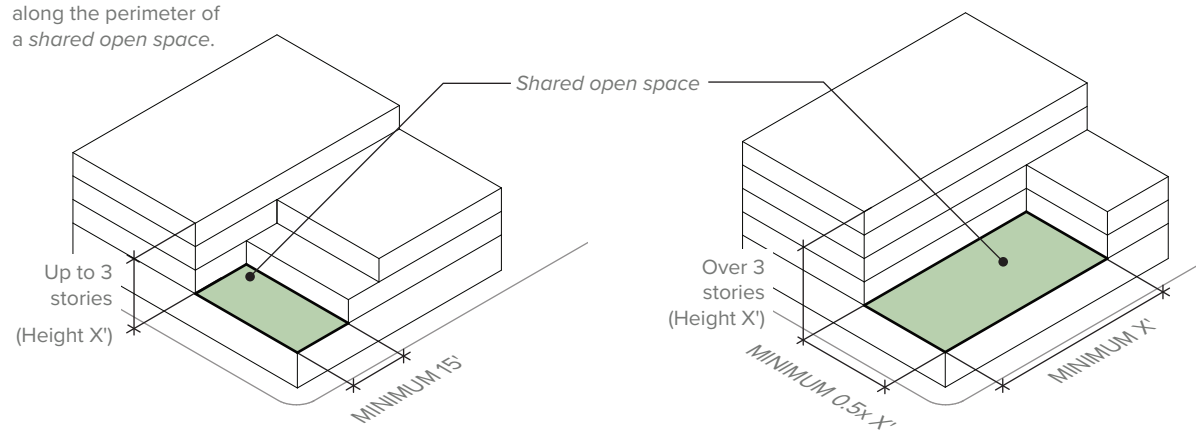


Fig. 4.7.1: Open space dimensions based on the height of building facing the open space.

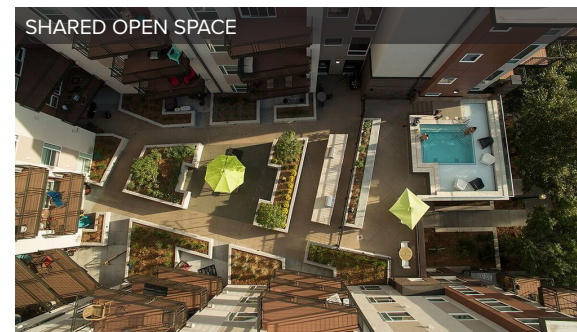
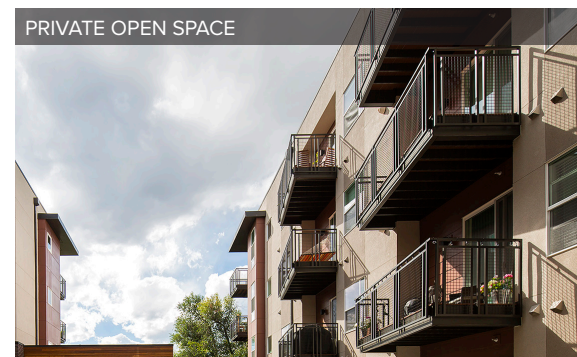


Fig. 4.7.2: Examples of private, *semi-private*, and *shared open spaces*.

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### S.4.7.3 Shared Open Spaces

- Minimum 400 square feet per lot or 20 square feet per unit whichever is greater.
- When all the building walls facing a *shared open space* are up to three stories tall, each *shared open space* dimension shall be at least 15 feet (see Fig. 4.7.1).
- When one or more building walls facing a *shared open space* are taller than three stories, at least one of the *shared open space* dimensions shall be equal to or greater than the height of the tallest building wall facing the *shared open space*. The other dimension shall be 50 percent or more of the height of the tallest building wall facing the *shared open space* (see Fig. 4.7.1).
- Where required *shared open space* abuts private open space, an access drive or public *right-of-way*, a minimum three-foot wide planting buffer shall be provided to screen the private open space.

### S.4.7.4 Seating in Publicly Accessible Ground-floor Plaza

- When provided adjacent to on-site residential uses, a minimum of six linear feet of seating shall be provided per 100 square feet of each public ground-floor plaza area.
- When provided adjacent to on-site ground floor commercial uses, a minimum of five percent of the total public ground-floor plaza area shall be designated for outdoor seating.

- If there are food service businesses abutting, 10 percent of the total public ground-floor plaza area shall be designated for seating. This seating could be a combination of built-in or movable furniture.

### S.4.7.5 Children's Play Area

Provide a minimum of one children's play area if at least one of the following is true:

- A development with *family dwelling units* has more than one *shared open space*.
- A development has at least 20 *family dwelling units* and the majority are two-bedroom units.
- A development has at least 20 *family dwelling units* and more than 50 percent are larger than 700 square feet.

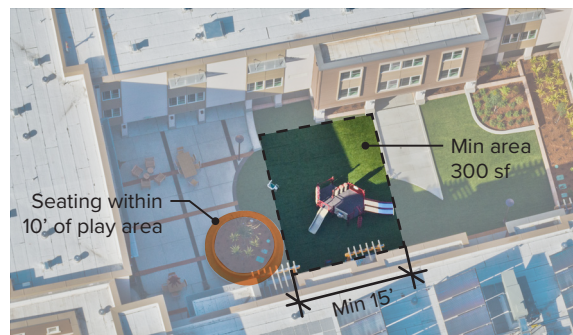


Fig. 4.7.4: Children's play area in group usable open space with adjacent seating.

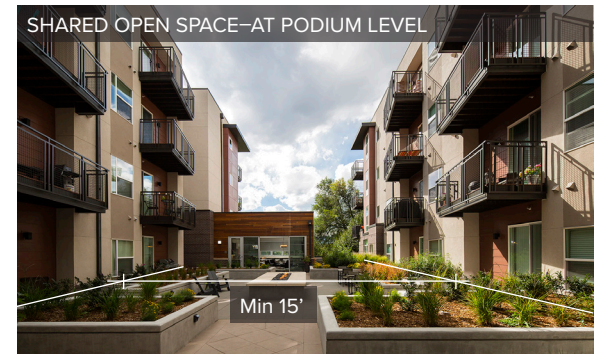


Fig. 4.7.3: Examples of *shared open spaces* roof level, elevated and at-grade.



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**S.4.7.6 Children's Play Area**

When provided, design each children's play to have the following (see Fig. 4.7.4):

- a. A minimum area of 300 square feet and a minimum dimension of 15 feet in any direction.
- b. A minimum of six linear feet of seating within 10 feet of the play area.

**S.4.7.7 Roof Decks**

Roof decks are limited to a maximum of 30 percent of each building footprint in a development.



Fig. 4.7.5: Example of *semi-private open space* to create a transition between the *public realm* and ground floor residential units.

**GUIDELINES (OPTIONAL)****G.4.7.1 Semi-private open spaces**

Create *semi-private open spaces* to transition between the *public realm* and ground-floor building uses, such as residences, retail storefronts, and administrative industrial operations (see Fig. 4.7.5).

**G.4.7.2 Connections**

When provided, create visual connections between shared and *semi-private open spaces* and the *public realm* using portals or other *transparent materials*.

**G.4.7.3 Recreational facilities**

- a. Include outdoor recreational facilities, furniture, seating, and amenities, such as sport courts and par courts, as parts of project landscape design and to define on-site circulation.
- b. Provide a variety of spaces and amenities for different activities and occupant groups, such as seating areas, pet areas, and playgrounds (see Fig. 4.7.6).



Fig. 4.7.6: Examples of amenities- roof deck BBQ facility, picnic area, and outdoor fitness area.



## 4.8 Landscaping

Create welcoming places and enhance the quality of the environment with sustainable landscaping areas.

### PURPOSE

*Landscaping* softens open spaces and buildings to create welcoming, attractive places and maintain privacy between neighbors. Rather than being used as an afterthought to mask inappropriately positioned or designed structures, landscape should instead be part of a comprehensive site design and should be compatible with the design of structures found on the property.

*Green stormwater infrastructure* and *Low Impact Development (LID)* techniques when used for *landscaping* can create unique features, manage stormwater, and enhance environmental quality and character of developments.

Utilize *Firewise Landscaping* techniques to design and maintain landscapes with fire safety in mind and create defensible space and using fire-resistant plants and materials.

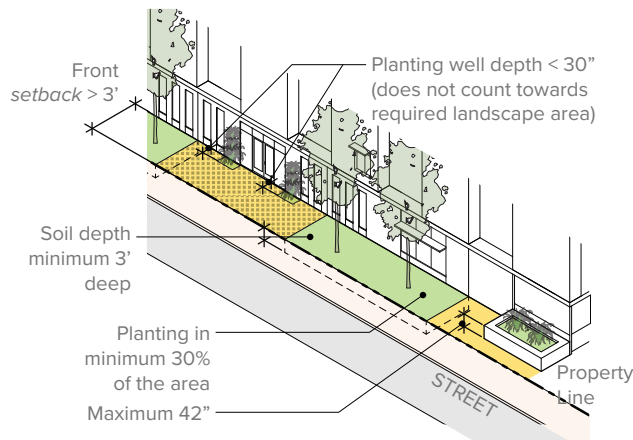


Fig. 4.8.1: Landscaping in the front setback.

### OBJECTIVE STANDARDS

#### S.4.8.1 Landscaping Coverage

- Provide landscape plantings for a minimum of 15 percent of a lot in Zone C and 10 percent of a lot in Zone D.
- The following does not count toward the required landscape area:
  - Artificial turf; and
  - Any area with a minimum dimension in any direction less than 30 inches (see Fig. 4.8.1).

#### S.4.8.2 Buffer from Residential Uses

Provide a minimum five-foot-wide landscape buffer at the side and rear shared property lines where commercial and mixed-use developments abut residential developments.

- If the side yard is utilized for accessing any structures in the back of the property, the pathway shall be at least three feet wide.
- For additions and alterations, if the existing side yard is utilized for accessing any structures in the back of the property, maintain the existing pathway width and provide a landscape buffer that is five feet wide or as wide as the remaining width, whichever is lesser.
- For additions and alterations, if the existing side yard is narrower than five feet and if there are no pathways, provide a three-foot wide landscape buffer at the shared property lines.

#### S.4.8.3 Frontage Landscaping

- When a front *setback* of more than three feet is required, a minimum of 30 percent of the area between the *street-facing building facade* and property line that is not a part of a stoop, *forecourt*, *dooryard*, pedestrian pathway shall be planted using trees, ground cover, foundation plantings, or wall plantings (see Fig. 4.8.1).
- In the Grand Avenue Subarea, 100 percent of the required street *setback* area shall be planted except for outdoor seating areas, on-site plazas, and areas of ingress and egress. *Landscaping* may include container plantings, ground-cover, climbing vines, shrubs, low hedges, and trees.
- In the Civic Center subarea, provide planter beds, window boxes, and/or container plantings at all *facade* insets over one-foot deep, niches, and entrances.

#### S.4.8.4 Planting at Street Frontage

When planting is provided along the street *frontage* between the building and the property line:

- It shall be at least three feet wide.
- It shall have a minimum soil depth of three feet to allow for planting at street grade (see Fig. 4.8.1). Some trees may require deeper soil depth based on species and size.
- When raised planting beds are provided along the street facing building *facade*, they shall not be taller than 42 inches above grade (see Fig. 4.8.1 and Fig. 4.8.2).

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**S.4.8.5 Interior Side and Rear Setback Landscaping**

- Landscaping* within side and rear setback areas used to delineate property lines or for screening from the adjacent residences shall be a minimum of six feet tall at *maturity*.
- All interior side and rear setbacks abutting Zone A shall be planted with a mix of trees and shrubs. At least one tree of at least 15-gallon size shall be planted per 20 linear feet or as appropriate to create a tree canopy over the required setback. In addition, at least three shrubs shall be planted per 20 linear feet.

**S.4.8.6 Plants other than Trees**

- Plant size at *maturity* shall not exceed:
  - 30 inches within 10 feet of a sidewalk or driveway.
  - The height of any *building aperture* within 10 feet of the aperture.
- Plant species shall meet Water Efficient Landscape Ordinance requirements.
- Planting shall cover at least 50 percent of the undeveloped site area.
- Plant ground cover at a maximum of 1 foot on center.

**S.4.8.7 Trees**

- Select trees which at *maturity* create a tree canopy cover that shades a minimum of 50 percent of each on-site surface parking area and *shared open space* at ground level (see Fig. 4.8.3).

- Tree wells shall be at least four feet larger than the tree trunk diameter at *maturity*.
- Designate 700 cubic feet of non-compacted soil for *small trees*, 1400 cubic feet of non-compacted soil for *medium trees*, and 2100 cubic feet of non-compacted soil for *large trees* to allow trees to reach their *maturity*. Structural soil systems, soil cells, or *continuous soil trenches* are example of ways to reach to the above soil volumes.
- When planting trees on *green roofs* or above underground parking, provide a minimum soil depth of 36 inches and soil volume for each tree as identified in (c).



Fig. 4.8.2: Example of 42" tall planter along the street frontage.

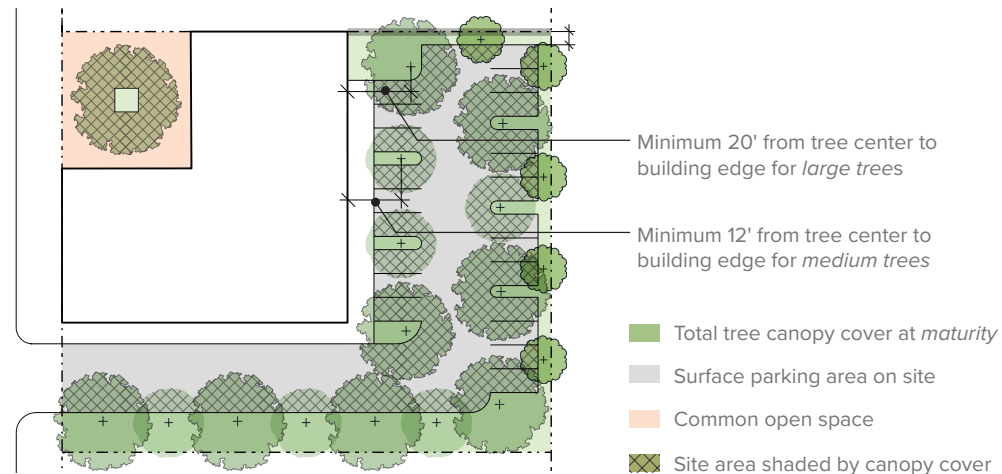


Fig. 4.8.3: Tree canopy cover that shades a minimum of 50 percent of all on-site parking areas and common open spaces.

#### S.4.8.8 Tree Distance from Buildings

Provide the following minimum distances from the center of trees to the edges of buildings for all trees to reach *maturity* and to prevent unnecessary tree removal:

- Five feet for *small trees*,
- 12 feet for *medium trees*, and
- 20 feet for *large trees*.

#### S.4.8.9 Tree Spacing

- Provide a maximum distance of 20 feet on center for *small trees*, 25 feet for *medium trees*, and 35 feet for *large trees*, or 75 percent of the mature canopy size distance for each tree type measured from the center (see Fig. 4.8.4).
- Maximum spacing distances may be achieved with a combination of new and existing trees to remain.

#### S.4.8.10 Vertical Clearance

Provide minimum vertical clearance between the grade to bottom of the structure above to allow for tree canopies to reach their maximum height at *maturity* as follows (see Fig. 4.8.5):

- 14 feet in and around service and loading areas and driveways,
- 12 feet for parking lots,
- Coordinate with Fire Access requirements for buildings over 40 feet in height.

#### S.4.8.11 Street Trees

Introduce new street trees to match the spacing of existing street trees in front of contiguous neighboring properties. If there are no street trees in front of contiguous neighboring properties, provide new street trees with a minimum spacing of 25 feet.

- Exception: If a tree lawn or sidewalk does not exist or is narrower than five feet, no additional street trees need to be provided.

#### S.4.8.12 Stormwater Management

Utilize at least 50 percent of the total landscaped area on a development site for LID site design measures, source controls, and *green stormwater infrastructure*, including but not limited to bioretention, rain gardens, LID planters, and permeable pavers (see Fig. 4.8.6).

#### S.4.8.13 On-site Stormwater Control

Drainage shall be provided on-site using natural drainage channels, bioretention areas, or other landscape areas that filter surface water run-off before it enters the storm drain system.

#### S.4.8.14 Hardscape Materials

- Use permeable or pervious on-site hardscape materials. Examples include pervious pavers or concrete, compacted decomposed granite or sand set pavers to allow for water to flow through.
- Do not place decorative paving in the *path of travel* of waste collection vehicles.

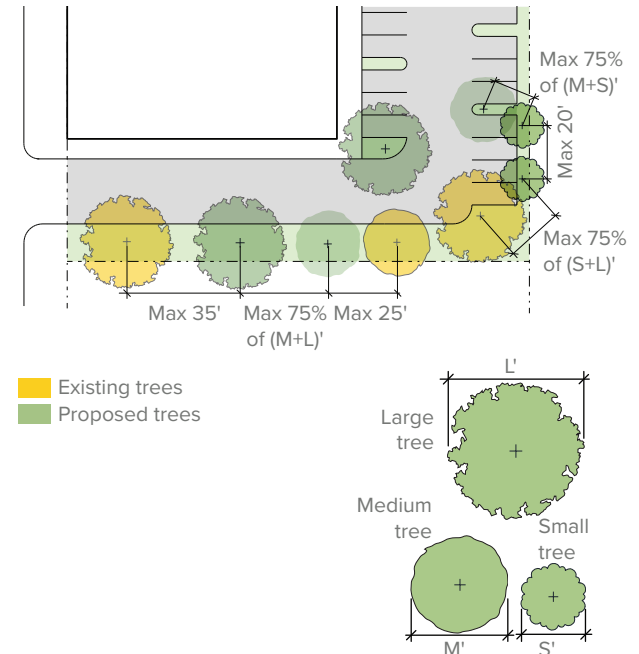


Fig. 4.8.4: Location of new trees in relation to the existing ones on site.



Fig. 4.8.5: Vertical clearance for tree canopies based on location.



Fig. 4.8.6: Bioretention planters help manage site stormwater runoff as well as run-off from building roofs using downspouts.

#### S.4.8.15 Paving within Setback Area

Paving within required *setback* areas shall be distinct from the adjacent public sidewalk in color, design, and/or texture.

#### S.4.8.16 Hillside developments

For developments on sites with an up-or down-slope of greater than 20 percent, at least one of the following shall be provided:

- Skirt walls at the sides of driveway bridges with guardrail designs.
- Planting that will screen the skirt walls at *maturity*.
- Terraced planters with cascading vines.
- Attached exterior stairs.
- Pergolas/trellises.
- Variations in the wall forms and surface treatments.

#### S.4.8.17 Prohibited Species and Materials

Plant species that are listed by California Invasive Plant Council (Cal-IPC) as invasive are prohibited as is flammable mulch.

### GUIDELINES (OPTIONAL)

#### G.4.8.1 On-site circulation

Use *landscaping* to define on-site circulation and highlight focal points, building entrances, and open spaces, such as public and *semi-private open spaces*. For example, tree-lined walkways and special paving materials can shape entrances, plazas, and activity areas.

#### G.4.8.2 Existing Trees

Preserve existing mature trees and include them in the overall landscape design.

#### G.4.8.3 Shading

- Place planting according to sunlight needs.
- Locate shade trees strategically to reduce building energy consumption.

#### G.4.8.4 Planting

- Protect plants in high traffic areas, such as residential community spaces, with raised curbs, seat walls, tree guards, and/or other devices.
- Use a mix of trees, shrubs, and ground cover in the transition area between buildings and sidewalks to maintain visual connections.
- Restrict the use of turf and artificial grass, which can be contributors of microplastics into the environment.

#### G.4.8.5 Hardscape Materials

Use hardscape materials with a high solar reflective index (SRI).



## 4.9 Site Lighting

*Use lighting to create safe and inviting places.*

### PURPOSE

Site lighting should ensure safety, security, and accessibility for residents and visitors while preserving neighborhood character and minimizing light pollution. Lighting should enhance the pedestrian experience, support *wayfinding*, and provide adequate illumination for shared paths, entries, and parking areas without negatively impacting adjacent properties or the nighttime environment.

### OBJECTIVE STANDARDS

#### S.4.9.1 Location

- At least one pedestrian and bicycle circulation route shall have an unbroken line of lighting from site entrance to building entrance.
- Illuminate all service yards and access to services and utilities. Motion-activated lights are allowed.
- Illuminate all parking lots and open spaces.

#### S.4.9.2 Orientation

Orient all site lighting directly downwards to prevent light pollution and excess glare in the *public realm*.

#### S.4.9.3 Illumination Zone

Illuminate a zone of a maximum of five feet in front of the ground floor *facade* for all *active frontages* such as retail, offices, and community rooms.

#### S.4.9.4 Lighting Fixture Height

Install lighting fixtures with heights based on the location as follows:

- Up to three feet for walking paths through open space.
- Up to 12 feet, when the distance of the fixture from the adjacent residential property line is less than twice the height of the fixture.
- Up to 25 feet, when the distance of the fixture from the adjacent shared property line is more than twice the height of the fixture.
- 12 to 16 feet tall when adjacent to retail.

#### S.4.9.5 Outdoor Lighting Fixtures

- All site lighting fixtures shall be fully shielded (full cut-off) to prevent light from aiming skyward and light spillage and glare that can be seen from above.
- Keep the maximum color temperature for outdoor lighting below 2700 Kelvin, except for outdoor decorative lighting from November 15 to January 15.
- Flood lights are prohibited.

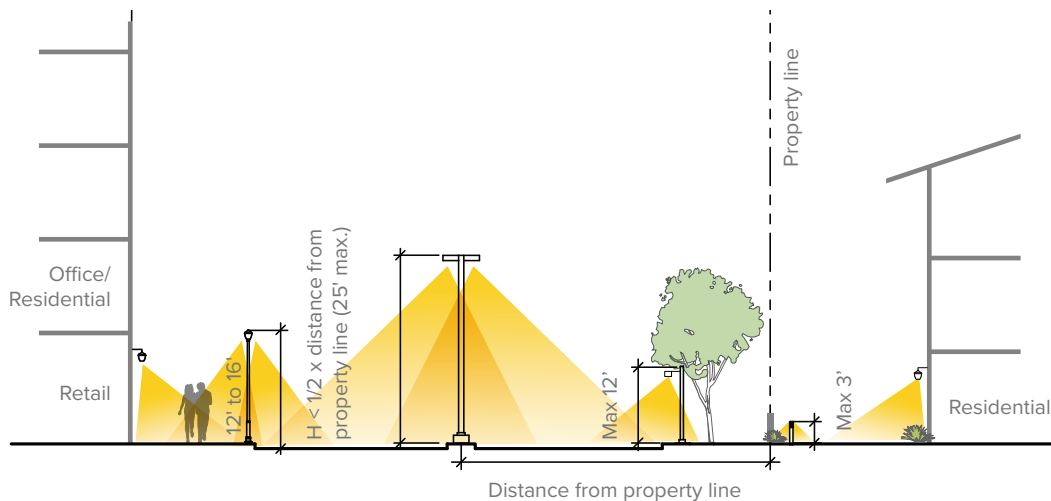


Fig. 4.9.1: Provide site lighting at multiple levels that is sensitive to adjacent uses.

## GUIDELINES (OPTIONAL)

### G.4.9.1 Location

- Design lighting for all open spaces, parking lots, pedestrian paths, and *landscaping* to be consistent with each other and the overall lighting scheme for the development site.
- Ensure adequate light levels in utility and service areas and entrances.

### G.4.9.2 Lighting Fixtures

- Install lighting that consistently and evenly illuminates sidewalks in and around ground floor *active frontages*.
- Install energy-efficient lighting fixtures that provide an adequate level of lighting for the safety of building occupants and visitors, without spilling onto adjacent properties. Developments are encouraged to go above Title 24 minimums.
- Use daylight sensors for site lighting to limit excess lighting and conserve energy.
- Avoid flood-lighting, LED flashing, or strobe lights.
- Choose fixtures with Backlight, Up light, and Glare (BUG) rating of B0, U0, G0.

### G.4.9.3 Lighting Schedule

Dim or turn off outdoor lighting from 11pm to 6am.



Source: 2018 Mike Butler

Fig. 4.9.2: Examples of site lighting.





## 4.10 Massing, Form, and Proportions

Mixed-use and multifamily building design, form and massing should support a cohesive urban fabric.

### PURPOSE

The size and proportions of Piedmont's multi-family lots generally limit their capacity. A few of the lots with existing apartment buildings are larger. Thus, the focus of the multifamily guidelines is to accommodate diverse housing types while recognizing the constraints of small parcels and respecting Piedmont's architectural heritage.

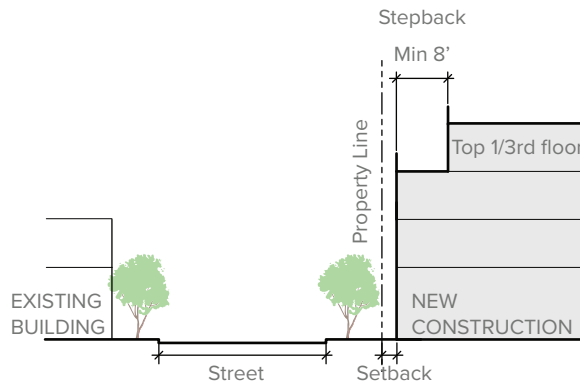


Fig. 4.10.1: Stepback at street frontage.

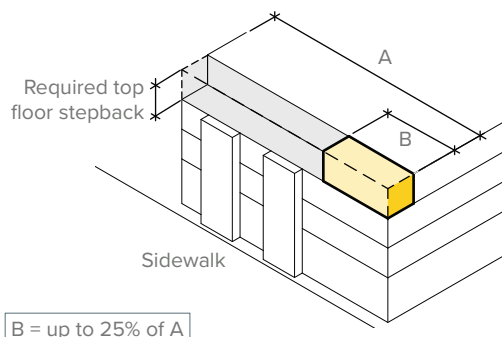


Fig. 4.10.2: Intrusion into the required stepback at the top floor.

### OBJECTIVE STANDARDS

#### S.4.10.1 Stepbacks

For buildings taller than three floors, step back the top one-third of the floors by a minimum of eight feet along the street frontage (see Fig. 4.10.1).

- Intrusion into the required stepback shall be allowed for up to 25 percent of the building facade along the shared property line (see Fig. 4.10.2).

#### S.4.10.2 Multiple Uses in Mixed-use Developments

Differentiate ground floor commercial uses from upper level residential uses by utilizing one or more of the following: stepbacks, cornices, awnings, sunshades, window sizes and patterns, or changes in planes or materials.

#### S.4.10.3 Buildings at Street Intersections

For buildings at street intersections with traffic signals, terminus points, and open spaces, include at least two of the following architectural features for a minimum of 20 percent and not less than 15 feet of each building facade measured from the corner of the property lines in both directions:

- Articulated corner with vertical or horizontal projections.
- Building entrances with a minimum recess of three feet (see Fig. 4.10.3).
- Window grouping or spacing that is different from the rest of the building facade (see Fig. 4.10.3).
- Windows that are at least 30 percent larger than 75 percent of the windows on that building facade.

- Different material or color at the building corner that extends the entire height of the building corner for buildings up to four stories tall and a minimum of two-thirds height of the building corner for taller buildings (see Fig. 4.10.3). The ground floor facade may use a different material.

#### S.4.10.4 Streetwalls

For streetwalls more than 100 feet in length, provide any one of the following (see Fig. 4.10.5):

- At least one recess or projection that is a minimum of 15 feet wide and 10 feet deep.
- An exterior court at the street level that is a minimum of 10 feet by 10 feet, is open to the sky, and is visually open to the street on at least one side. This court could be a part of the setback required by the underlying



Fig. 4.10.3: Example of an articulated building facade with stepback at the top floor.

# EXHIBIT A- ATTACHMENT A

04



Source: 2017 © Corey Gaffer

Fig. 4.10.4: An exaggerated roof form or step-down *massing* at building corner.

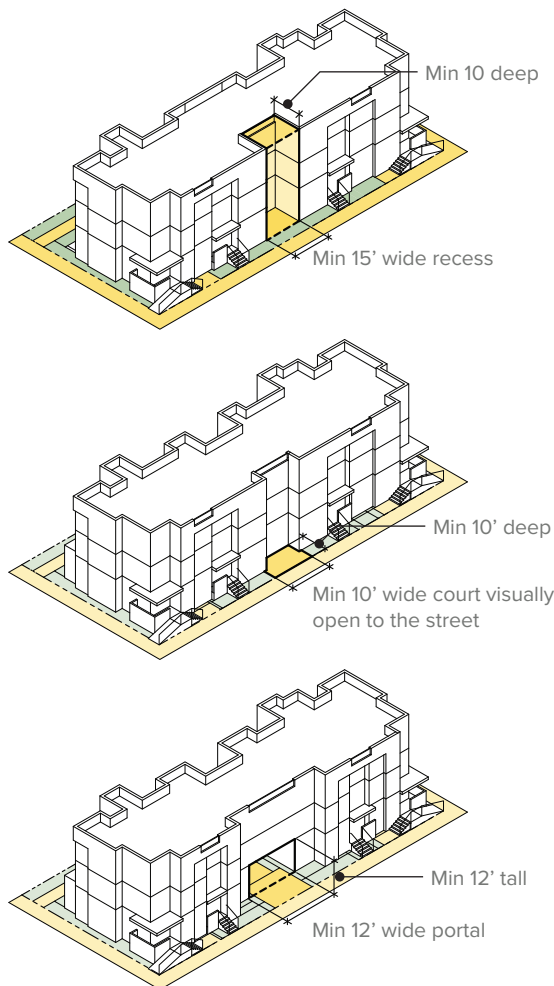


Fig. 4.10.5: Treatments for *streetwalls* longer than 100' in length.

Zoning district. Fences are allowed if they comply with Zoning.

- c. A portal that is at least 12 feet wide and has a vertical clearance of 12 feet. Fences and gates are allowed at such portals if they comply with Zoning (see Fig. 4.10.7).

## S.4.10.5 Developments abutting Zone A

Do not exceed the length of building *facade* planes facing and abutting properties in Zone A greater than 35 feet in width without a minimum of six feet deep and 10 feet wide *massing* break (see Fig. 4.10.8).

## S.4.10.6 Developments along Sloping Frontages

Step the *street-facing building facade*s with grade at a minimum (see Fig. 4.10.9):

- a. Every 120 feet along streets with grades over 10 percent and up to 20 percent.



Source: Designed by Leddy Maytum Stacy Architects

Fig. 4.10.6: Example of *streetwall massing* breaks.



Fig. 4.10.7: Example of *streetwall massing break* using a portal.

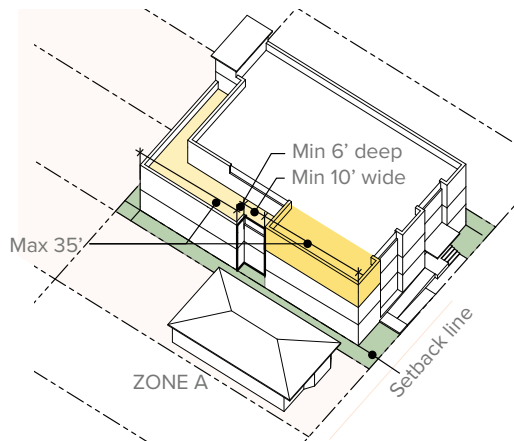


Fig. 4.10.8: *Massing breaks* for developments abutting Zone A.

- b. Every 80 feet along streets with grades greater than 20 percent.
- S.4.10.7 Stepping for Sloping Sites**  
Create stepping in the *street-facing building facade* for sloping sites using at least one of the following:
- a. Changing the elevations of *finished floors* and/or *roofs* for no less than four feet between steps (see Fig. 4.10.9)
  - b. Adding floors at higher grade elevations as allowed by the underlying Zoning district (see Fig. 4.10.9).
  - c. Eliminating or stepping back upper floors at the lowest point of the slope by a minimum of five feet.



Fig. 4.10.9: Building *massing* along sloping *frontages*.

## GUIDELINES (OPTIONAL)

### G.4.10.1 Relationship to surroundings

Take cues for form, proportions, roof forms, and building elements from nearby buildings of similar size to establish building *massing* elements.

### G.4.10.2 Building Bulk

Locate the major bulk of building *massing* towards *main streets* and transit stops.

### G.4.10.3 Historic Adjacency

Scale the height and mass of new developments to be compatible with and avoid dominating nearby historic and civic structures.

### G.4.10.4 Multiple Uses

Differentiate the ground floor commercial use from upper floor residential use with front *setbacks*, *cornices*, *awnings*, or other architectural elements.

### G.4.10.5 Townhouses/Rowhouses

When more than one unit is housed in the same building, the building composition should be read as a whole, rather than one that creates different architectural styles for the separate units.



## 4.11 Roof Form and Design

*Design roofs to be compatible with surroundings and add character to buildings.*

### PURPOSE

Roof forms and materials greatly impact the appearance and character of buildings and neighborhoods. Articulated roof forms create additional interest to all developments. They can emphasize certain elements of the building *massing* using a combination of roof forms such as flat, gables, pitched roofs, and other design strategies such as variations in roof and parapet heights.

Some roof shapes, such as flat roofs, allow for a contemporary design and provide space for multipurpose facilities including community spaces, low maintenance *green roofs*, *green stormwater infrastructure*, renewable energy generation, and mechanical equipment required for the building.

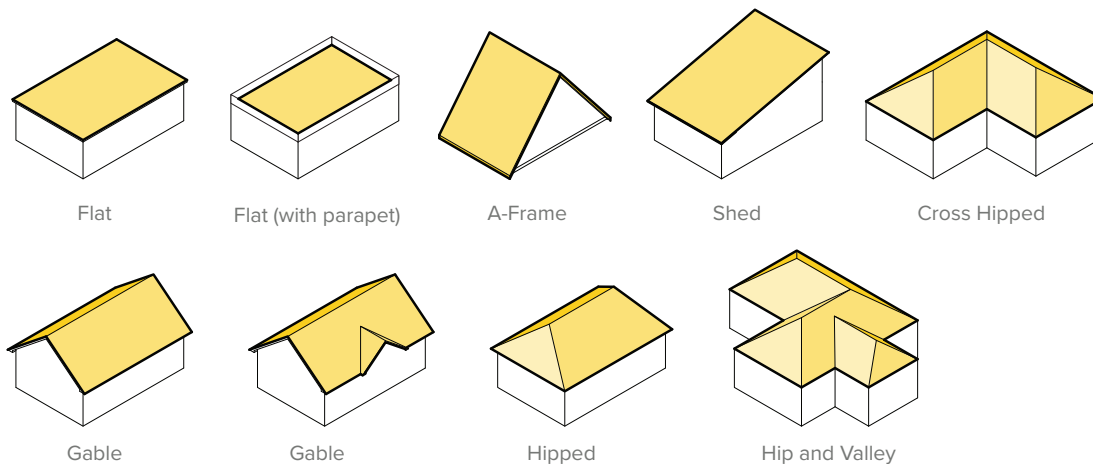


Fig. 4.11.1: Examples of common roof forms.

### OBJECTIVE STANDARDS

#### S.4.11.1 Continuity

Break the continuity of pitched roofs and roofs with horizontal eaves more than 100 feet in length using gables, building projections, massing breaks, *facade* plane changes, or sunshades (see Fig. 4.11.2).

#### S.4.11.2 Roof Treatment

Design buildings with at least one of the following roofline edge treatments:

- A decorative *cornice* treatment (other than colored stripes or bands) (see Fig. 4.11.2)
- A sloped roof with overhangs that extend a minimum 12 inches and maximum 36 inches, including the eave and gutter profile (see Fig. 4.11.2).
- A parapet not exceeding the maximum height as permitted by the underlying Zoning district.



Fig. 4.11.2: Pitched roofs no longer than 150' with overhang extending 12"-36".

#### S.4.11.3 Dormers

When provided, do not design dormers to exceed eight feet in width (see Fig. 4.11.5).

#### S.4.11.4 Roof Decks

When provided, set back roof decks a minimum of 10 feet from the building edges on all sides. They could be enclosed on the sides and rear, either partially or completely.

#### S.4.11.5 Pitch

The pitch of the roof shall be 3:12 to 5:12 ratio (see Fig. 4.11.3). Flat roofs with parapets are also permitted.

#### S.4.11.6 Eaves

Where eaves exceed 18 inches in depth, exterior brackets or beams are required. The width of each bracket member shall be at least three inches and the thickness of each bracket member shall be at least two inches.

#### S.4.11.7 Cornices

When provided, *cornices* shall:

- Be a minimum of 12 inches tall (see Fig. 4.11.6).
- Project from the face of the building for at least six inches (see Fig. 4.11.6).

#### S.4.11.8 Parapet and Parapet Caps

- Parapet segments may not exceed 25 feet in length without interruption in height, form, or plane change (see Fig. 4.11.7).
- For buildings with parapets, provide parapet caps which are a minimum of six inches tall and project from the building *facade* for at least three inches (see Fig. 4.11.6).

#### S.4.11.9 Roofs at Bays

The eave or roof form of a recessed *facade* bay shall not be taller than those of the bays not recessed (see Fig. 4.11.7).

#### S.4.11.10 Solar Equipment

- Solar roofs and other Building Integrated Photovoltaic (BIPV) roof designs are exempt from roof form standards above if needed to achieve a net zero energy consumption result on site.

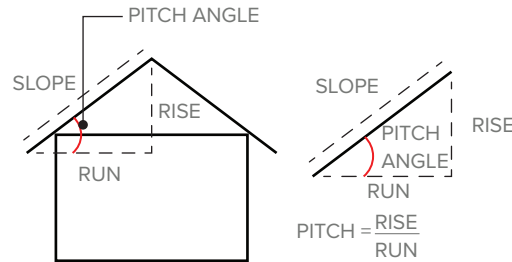


Fig. 4.11.3: Example of how to calculate the roof pitch.



Fig. 4.11.4: Examples of cornices.

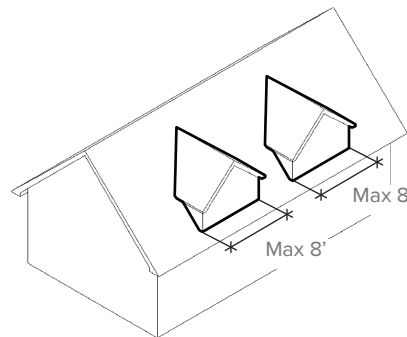


Fig. 4.11.5: Limit the width of dormers to 8', when provided.

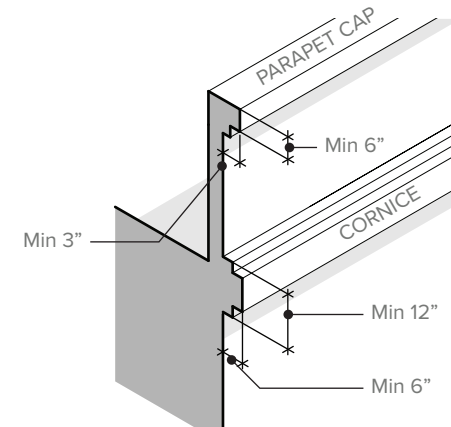


Fig. 4.11.6: Requirements for *cornices* and parapet caps.



Source: Bruce Damonte

Fig. 4.11.7: Roof forms at recessed bays not taller than others.

## EXHIBIT A- ATTACHMENT A

## GUIDELINES (OPTIONAL)

- b. Rooftop solar panels shall have a low-profile, flush-mounted design, with a maximum of six-inch gap between the solar panel and the roof material unless the roof is flat. If solar panels are mounted on a flat roof and are tilted or angled to maximize solar energy production, building parapets or other architectural elements shall provide screening from view from the public *right-of-way* and from adjacent single-family uses within 300 feet. Screening shall be architecturally continuous with the building in color, material, and trim cap detail.

**S.4.11.11 Height of Roof-mounted Equipment**

Screen roof mounted equipment greater than 12 inches above the roof line, except for roof exhaust vents, plumbing vents, and solar panels on pitched roofs, from the public *right-of-way* and from adjacent single-family uses within 300 feet.

**S.4.11.12 Gutters**

All gutters shall contain features to direct rainwater away from exterior walls including one or more of the following:

- Projecting eaves (minimum 12-inch projection)
- Scuppers (minimum 12-inch projection if no downspouts are used)
- Gutters with downspouts

**G.4.11.1 Roof Articulation**

Design articulated roof forms for new developments and building extensions with elements such as parapets, parapet caps, and *cornices* to create strong edges and reinforce *massing* and building *facade articulation*.

**G.4.11.2 Roof Decks**

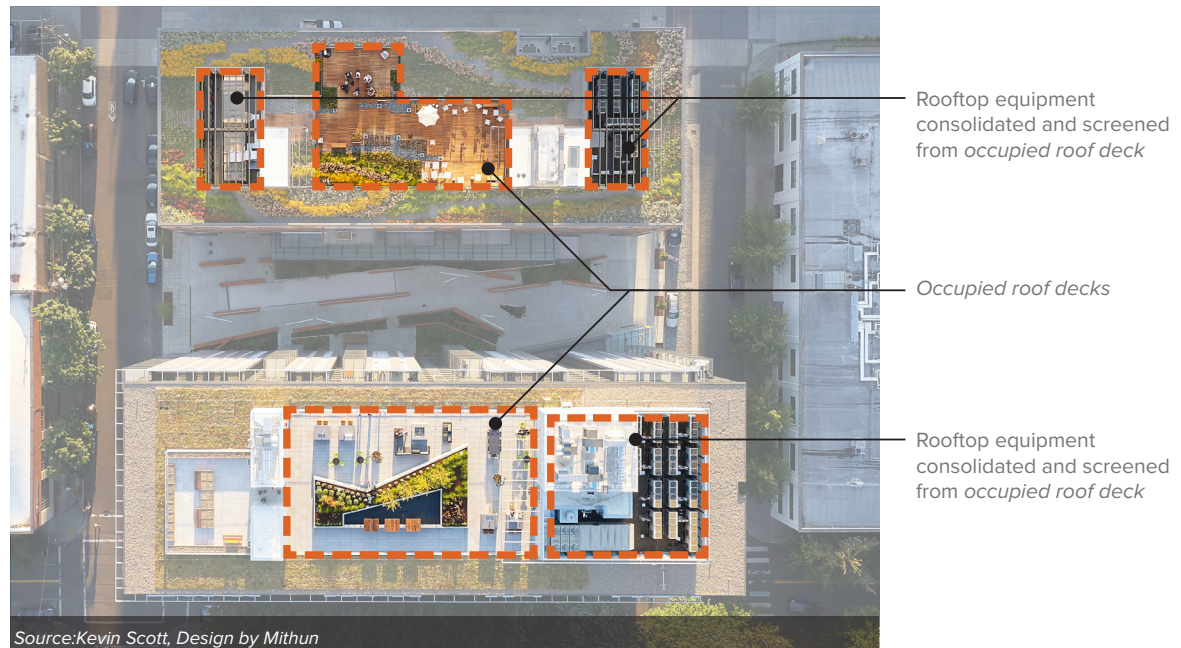
When roof decks are added as a *shared open space* or recreational facility, all mechanical equipment and service rooms should be screened from the shared space (see *Fig. 4.11.8*).

**G.4.11.3 Sustainability**

To reduce the heat island effect and energy loads, use LID strategies such as “cool roofs” with non-reflective and low-intensity (light and dull color) materials and finishes.

**G.4.11.4 Mechanical Equipment**

Group plumbing, mechanical, and other roof penetrations so that they do not create visual clutter.



Source: Kevin Scott, Design by Mithun

Fig. 4.11.8: Rooftop equipment shall be screened from roof terraces or group usable open spaces at the roof level using architectural or landscape elements as allowed by Zoning.



## 4.12 Facade Articulation

*Design buildings with attractive, timeless, and sophisticated architecture that is contemporary and corresponds to the existing neighborhood.*

### PURPOSE

The design and *articulation* of building *facades* adds to the visual richness of developments and creates patterns and scale within neighborhoods. Elements such as bay windows, balconies, changes in plane and height, and differentiation of materials and colors facilitate *facade articulation* and mitigate the monolithic appearance of large walls and uninterrupted rooflines. New buildings should be designed such that all of its *facades* are coordinated and create a cohesive architectural idea.

### OBJECTIVE STANDARDS

#### S.4.12.1 Applicability

Where a building is designed to appear as separate buildings, each portion that appears as a separate building shall be separately subject to the following standards.

#### S.4.12.2 Articulation

- Articulate new building *facades* for at least 70 percent of the building *facade* fronting a *main street* or *public open space* and 50 percent of the building *facade* fronting a *side street*.
- Buildings over three stories tall shall be articulated with a *base*, *middle* and *top* to comply with standards S.4.12.3 to S.4.12.5.

#### S.4.12.3 Base

The *base* of new buildings and street-facing additions shall be articulated using at least two of the following (see *Fig. 4.12.1*):

- Columns that are a maximum of 30 feet on center and project from the *street-facing building facade* by at least six inches.
- Bays that are at least five feet wide and project from the *street-facing building facade* by at least two feet and not more than five feet (see *Fig. 4.12.2*).
- Windows that meet the standards mentioned in 4.18 *Windows*.
- Stoops that meet standards in *Table 4.13.4: Standard dimensions for entrance stoops* located at a maximum distance of 40 feet from each other.
- Porches that are a minimum of six feet wide and six feet deep, located at a maximum distance of 40 feet apart.
- A different *facade* cladding material for a minimum of 20 percent of the building *facade* area with no area of difference less than three feet by 10 feet.
- Plane changes of at least two feet (see *Fig. 4.12.2*). Exception. To allow for *facade* elements such as trims, *cornices*, screens, up to 10 percent of the length of the plane changes can be less than two feet but shall not be less than six inches.



Fig. 4.12.1: Distinct examples of *facades* articulated as *base*, *middle*, and *top*.

- h. Repeating pattern of *awnings*, sunshades or screens that meet the standards mentioned in 4.17 *Awnings, Sunshades, and Screens*.

#### S.4.12.4 Middle Articulation

The *middle* of new buildings and street-facing additions shall be articulated using at least two of the following (see Fig. 4.12.1):

- a. Columns that are a maximum of 30 feet on center and project from the *street-facing building facade* by at least six inches.
- b. Bays that are at least five feet wide and project from the *street-facing building facade* by at least two feet and not more than five feet (see Fig. 4.12.2).
- c. Material changes that are a minimum of 20 percent of the building *facade* area with no change less than three feet by 10 feet.
- d. Plane changes that of at least two feet.  
Exception. To allow for *facade* elements such as trims, *cornices*, screens, up to 10 percent of the length of the plane changes can be less than two feet but shall not be less than six inches (see Fig. 4.12.2).
- e. Repeating pattern of *awnings*, sunshades or screens that meet the standards mentioned in 4.17 *Awnings, Sunshades, and Screens*.
- f. Repeating pattern of windows that meet the standards mentioned in 4.18 *Windows*.
- g. Repeating pattern of balconies that meet standards mentioned in 4.16 *Balconies and Decks*.

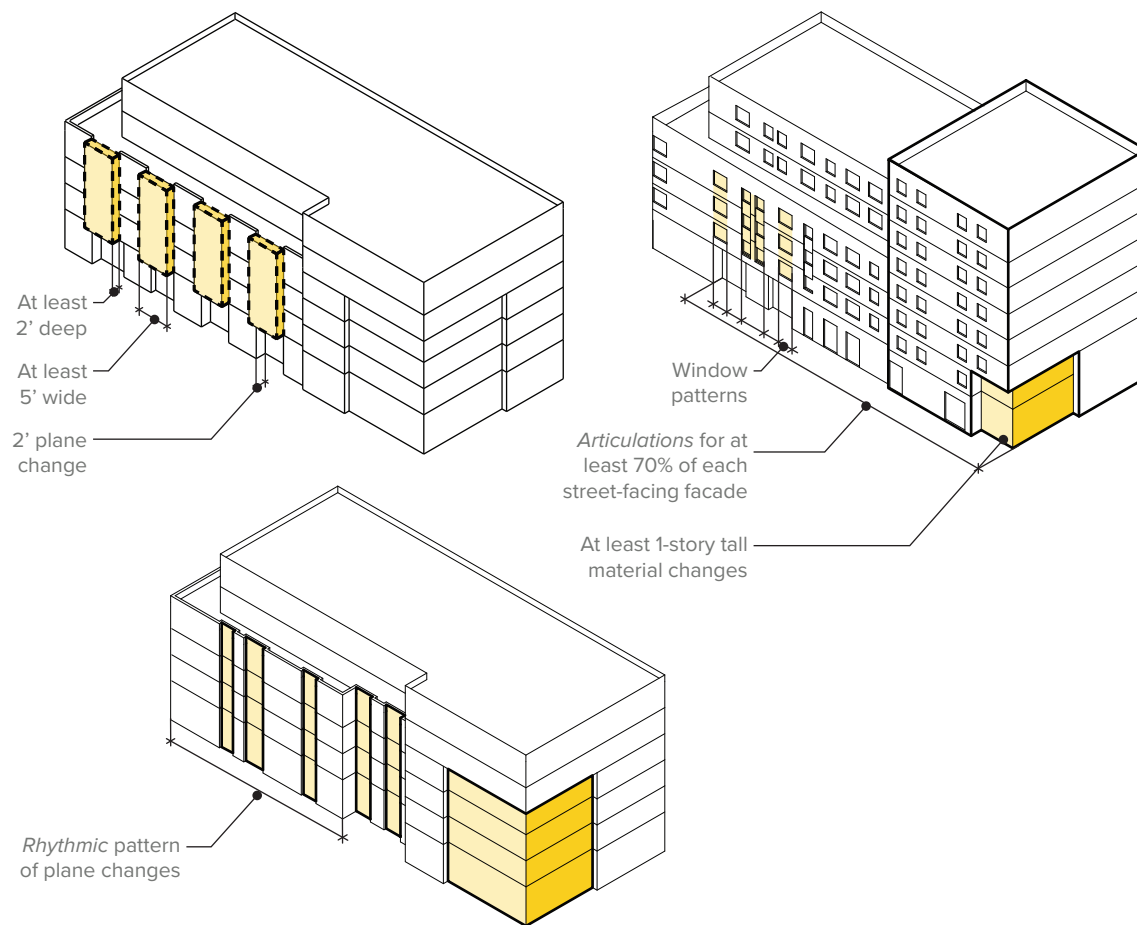


Fig. 4.12.2: Examples of building facade articulation.

**S.4.12.5 Top Articulation**

Articulate the *top* of new buildings and street-facing additions using at least one of the following (see *Fig. 4.12.1*):

- a. Material changes that are a minimum of 20 percent of the building *facade* area with no change less than three feet by 10 feet.
- b. Plane changes of at least two feet.  
Exception. To allow for *facade* elements such as trims, *cornices*, screens, up to 10 percent of the length of the plane changes can be less than two feet but shall not be less than six inches.
- c. Changes in roof forms and parapet heights that meets the standards mentioned in *4.11 Roof Form and Design*.

**S.4.12.6 Vertical Articulation**

Incorporate at least one of the following for building *facades* up to 50 feet in length along a public *right-of-way* (see *Fig. 4.12.3*):

- a. Window bays a minimum of two feet in depth from building *facade* at a maximum of 30 horizontal feet.
- b. Recesses a minimum of two feet in depth from building *facade* at a maximum of 30 horizontal feet.
- c. Stoops, porches or decks over a minimum of 25 percent of the building *facade*.

**S.4.12.7 Vertical Articulation**

When a building *facade* exceeds 50 feet in length along a public *right-of-way*, it shall be separated into *facade* bays no greater than 30 feet in width defined by a recess of minimum of five feet in width and maximum of five feet in depth and at least one of the following strategies (see *Fig. 4.12.3*):

- a. Change in roof parapet height or shape of at least six feet.
- b. Change in roof form and type (e.g., flat pitch roof to gable).
- c. Change in building height with a minimum eight-foot difference.
- d. Columns that are a maximum of 30 feet on center and project from the street-face building *facade* by at least 6 inches.
- e. Bays that are at least five feet wide and project from the street-fronting building *facade* by at least two feet and not more than five feet.
- f. *Rhythmic* pattern of balconies that meet standards mentioned in *4.16 Balconies and Decks*.
- g. *Rhythmic* pattern of *awnings*, sunshades, or screens *4.17 Awnings, Sunshades, and Screens*.
- h. *Rhythmic* grouping or spacing of windows that meet the standards mentioned in *4.18 Windows*.
- i. Change in material that is a minimum of four feet wide and one story tall.

**S.4.12.8 Ornamental Features**

Buildings must exhibit at least two of the following ornamental features, over 15 percent or more of each *facade*:

- a. Patterned accent material applied consistently across all *street-facing building facades*.
- b. A pattern of carved insets with grilles on all *street-facing building facades*.
- c. A pattern of stucco or tile motifs or vents on all *street-facing building facades*.
- d. Terra-cotta tile chimney top (enclosing equipment or not).

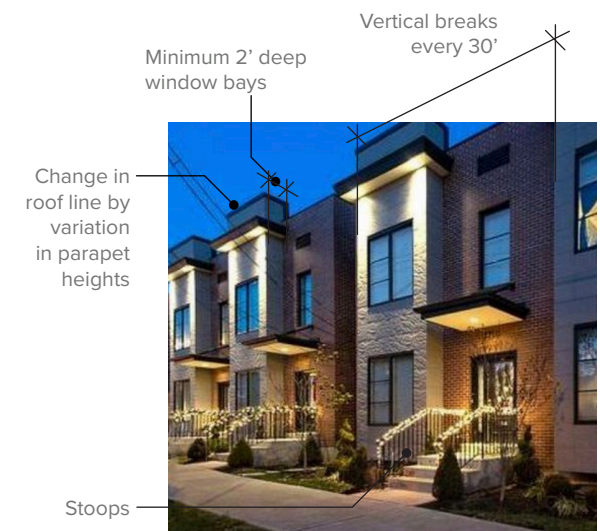


Fig. 4.12.3: Example of vertical facade articulation.

**S.4.12.9 Structural Elements**

Locate visible structural elements along the building exterior (e.g. rafters, purlins, posts, beams, balconies, brackets, trusses, columns, arches, etc.), even when ornamental, to frame *building apertures* and bays.

**S.4.12.10 Townhouse/Rowhouses**

Not more than six units per building/row shall be provided for *townhouses*. They shall be configured in one of the following ways:

- In a row facing the front parcel line or street or shared driveway
- In a row or series of rows perpendicular to the front parcel line or street or shared driveway along a landscaped central open space that is at least 30 feet wide between buildings. This central open space shall connect each individual unit to the street/public right-of way. Building projections can encroach within the open space if a clear eight-foot-wide and 10-foot-tall pathway is maintained for pedestrian movement.

**S.4.12.11 Townhouse/Rowhouse Facade Articulation**

In *townhouse* and *rowhouse* development types, the *street-facing building facade* (front for dwelling units oriented parallel to the street and side for those oriented perpendicular to the street) shall be articulated using at least one of the following strategies to avoid monotony in design:

- Facades* of adjacent attached units staggered or offset a minimum of 12 inches.

- A minimum of two feet of change in building *facade* plane at a maximum of 40 horizontal feet.
- Change in building material, color, or finish at a maximum of 40 horizontal feet.

**S.4.12.12 Skirt Wall Height on Hillside**

Limit skirt wall height for *street-facing building facades* on hillsides as follows:

- On slopes parallel to the street with 20 to 60 percent, skirt wall heights shall not exceed two feet per 10 percent of slope, with a maximum skirt wall height of four feet for a 20 percent slope and 12 feet for a 60 percent slope (see Fig. 4.12.4).
- Exception. This standard shall not be required for buildings on lots with slope greater than 60 percent.

**S.4.12.13 Skirt Wall Design**

De-emphasize skirt wall bulk along *street-facing building facades* by using at least one of the following design methods (see Fig. 4.12.5):

- Incorporating horizontal molding or a cap at the top of the skirt wall.
- A different material at the skirt wall than used in the primary building volume.
- Integrating terraces at the skirt wall that horizontally expand beyond the building perimeter.
- Recessing the skirt wall from the face of the upper floors and planting that will screen the skirt walls at *maturity*.



Fig. 4.12.4: Skirt wall height for street facing building facades on hillsides.

## GUIDELINES (OPTIONAL)

### G.4.12.1 360 Degree Design

New buildings should be designed such that all sides of a building are coordinated and create a cohesive architectural idea.

### G.4.12.2 Ornamentation

The ornamentation and design details within new construction should be consistent with and help define the architectural style of the building.

### G.4.12.3 Ornamentation for Remodels and Additions

The ornamentation and the design details of additions and remodels should be consistent with those of the existing structure.

### G.4.12.4 Foundations for Additions

The appearance of the foundation of an addition along *street-facing building facade* and *facades* within five feet of adjacent parcels should match the appearance of the foundation of an existing structure, so that it appears that the two are continuous.

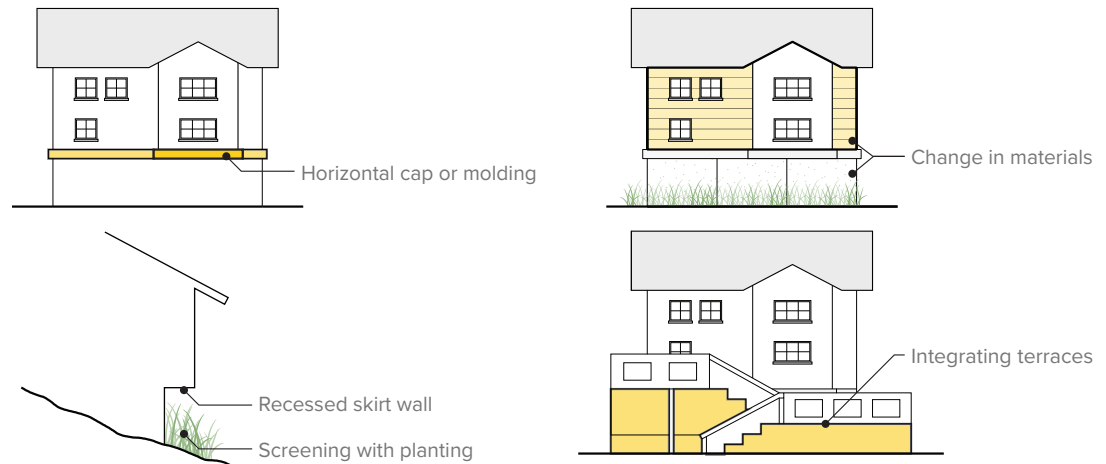


Fig. 4.12.5: Examples of design strategies that can be utilized to de-emphasize skirt wall bulk.



## 4.13 Building Access and Entrance Design

Well-designed and easily accessible building entrances perform a key role in the overall design and character of neighborhoods.

### PURPOSE

Frequent entrances to small groups of units and generous lobbies to multifamily and commercial buildings, visible from the street, help to animate neighborhoods and make them safe and walkable.

Building entrances include doorways and elements such as stoops stairways, *landings*, and porches. They add visual character to the building and *streetscape*. They are critical for creating welcoming connections between private and public spaces. When a development has entrances for residential units at the ground level, they are generally accessed from:

- Shared landscaped *forecourt*
- Terrace
- Dooryard
- Stoops



Fig. 4.13.1: Example of *primary building entrance* and ground floor residential unit entrances.

### OBJECTIVE STANDARDS

#### S.4.13.1 Primary Building Entrance

For new developments that have *frontage* along one public *right-of-way*, the *primary building entrance* shall meet at least one of the following requirements:

- a. Face the street.
- b. Be accessed through a porch that faces the street and is connected to the street with an unobstructed pedestrian pathway that has vertical clearance of at least one floor.
- c. Be accessed through a street-facing *forecourt*. All or part of a *forecourt* can be located within a *setback* required by the underlying Zoning district (see Fig. 4.13.2).
- d. If a development has multiple street-facing ground floor units, each of those units shall have a unit entrance door that faces the street. Exception: A unit entrance door may be oriented towards the side if it is accessed through a stoop or porch that faces the public *right-of-way*. The porch may be recessed or projected but it shall have a minimum of five feet wide and five feet long space in front of the entrance door.

#### S.4.13.2 Commercial Ground Floor Entrances in Mixed-use Developments

Entrances are limited to a minimum two per *facade* facing and abutting the public *right-of-way* or one for every 20 housing units per *facade* facing the public *right-of-way*, whichever is greater, in Zone D.

#### S.4.13.3 Forecourt

When shared landscaped *forecourts* are provided, design them to:

- a. Provide a minimum five-foot-wide view and non-combustible access *path of travel* from abutting public rights-of-way.
- b. Be enclosed on at least three sides by buildings or landscape walls.
- c. Remain open to the sky (arbors and trellises are allowed).
- d. Have dimensions as indicated in *Table 4.13.1: Standard dimensions for forecourts*.

#### S.4.13.4 Terrace

Shared or individual terrace (*forecourt* above or below sidewalk level) *frontage* with dimensions as indicated in *Table 4.13.2: Dimension standards for terraces*.

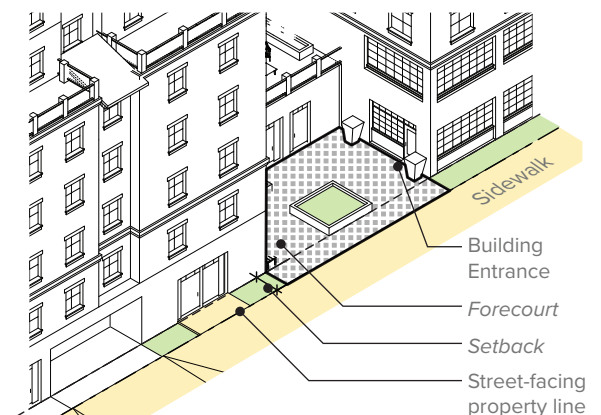


Fig. 4.13.2: Example of a *forecourt* partially located in the *setback* required by the underlying Zoning District.

FORECOURT DIMENSIONS	
	REQUIREMENT
Forecourt Depth	Minimum 15'
Forecourt Width	Minimum 15'
Ratio of forecourt width-to-lowest building height	Maximum 2:1
Building entrance above the level of forecourt	Maximum 3'

Table 4.13.1: Standard dimensions for *forecourts*

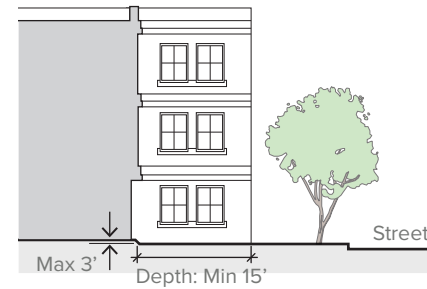
TERRACE DIMENSIONS	
	REQUIREMENT
Terrace Depth	Minimum 8'
Terrace Width	Minimum 8'; Maximum 120'
Distance of terrace between stairs	Maximum 50'
Terrace level above sidewalk	Minimum 18"; Maximum 5' (Maximum 42" when at street-or-public open space-facing ground floor residential lobbies or individual dwelling units)

Table 4.13.2: Dimension standards for terraces

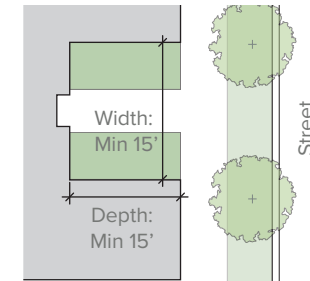
DOORYARD STANDARDS	
	REQUIREMENT
Dooryard Depth	Minimum 5'; Maximum 8'
Dooryard Width	Minimum 6'
Overhead projection depth	Maximum 6'
Clear height	Minimum 8'
Wall/planter/fence height	Maximum 3'

\*Allowed for residential uses in mixed-use developments in Zone D

Table 4.13.3: Dimension standards for entrance *dooryards*

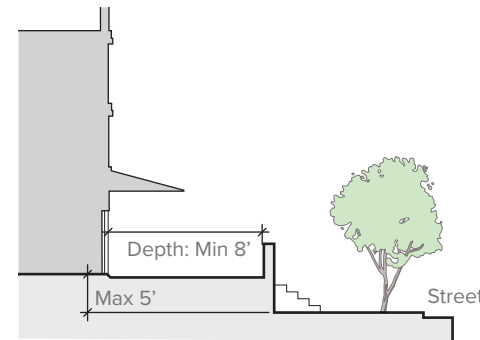


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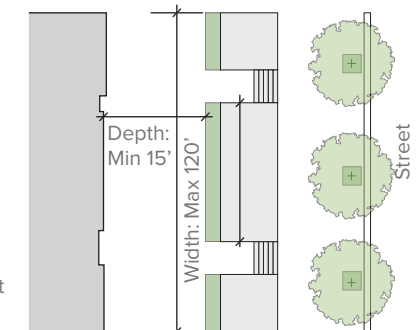


PLAN

Fig. 4.13.3: *Forecourt* dimensions

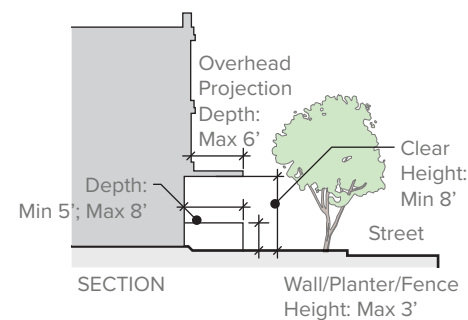


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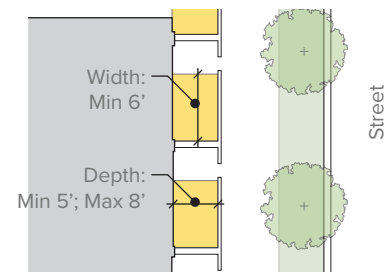


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Fig. 4.13.4: *Terrace* dimensions



SECTION



PLAN

Fig. 4.13.5: *Dooryard* dimensions

#### S.4.13.5 Dooryards at Ground Floor Units

Entrances for individual ground floor units with covered *dooryard frontages* with dimensions as indicated in *Table 4.13.3: Dimension standards for entrance dooryards*.

#### S.4.13.6 Ground floor unit entrances

Provide entrances from the street for a minimum of 75 percent of the ground floor residential units. Design residential entrances to meet the following standards:

- Location.** Locate any shared or individual entrances to residential units at least eight horizontal feet from any entrances to non-residential uses in the same development. The maximum distance between individual ground floor residential unit entrances shall be an average of 25-to-35 feet and no more than 50 feet.
- Unit Identification.** For a street-fronting unit with entrance only from the street, locate unit identification either on the door or the adjacent wall.
- Grouping of entrances.** A maximum of two units may share an entrance.
- Roof projections.** Provide a roofed projection or recess with a minimum depth of four feet from the building *facade* and a minimum horizontal area of 40 square feet for shared unit entrances (see *Fig. 4.13.6*).

STOOP DIMENSIONS	
	REQUIREMENT
Clear height	Minimum 8' (measured from the top of landing in front of the door to the underside of the ceiling or projecting element defining the entryway)
Height above sidewalk	Minimum 18"; Maximum 5' (up to 25% of stoops along any frontage can deviate from these requirements to account for sloping site conditions)
Width	Minimum 5'; Maximum 8'
Depth	Minimum 5'; Maximum 8'
Entry recession from building facade	Minimum 6'; Maximum 8'
Clear projection height	Minimum 8'
Distance from sidewalk	Maximum 5' (does not apply to additions and remodels)

\*Allowed for residential uses in mixed-use developments in Zone D

Table 4.13.4: Standard dimensions for entrance stoops



Fig. 4.13.6: Building *facade* with recessed residential unit entrances along the street.

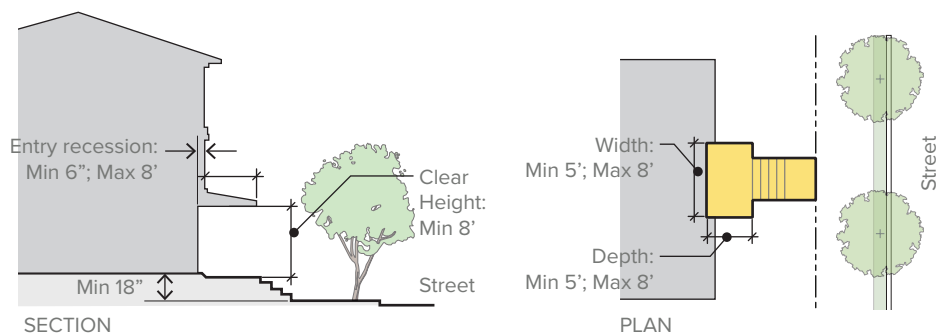


Fig. 4.13.7: Stoop dimensions



## EXHIBIT A- ATTACHMENT A

04

**S.4.13.7 Stoops**

Individual and shared residential stoops shall meet the following requirements:

- Standards indicated in *Table 4.13.4: Standard dimensions for entrance stoops.*
- Maintain a minimum of 60 percent *transparency* for street-facing railings or low walls along stoops oriented parallel to the street (partially or entirely) (see *Fig. 4.13.8*).

**S.4.13.8 Upper Floor Entrances**

Exterior stairs to entrances to upper floor units above the second floor are not permitted.

**GUIDELINES (OPTIONAL)****G.4.13.1 Multiple entrances**

Mixed-use buildings with multiple ground floor commercial tenants should be designed to emphasize an overall sense of project and place, rather than the prominence of the individual tenants.

**G.4.13.2 Doors**

Doors for new structures and additions, as well as new or replacement doors for existing structures, should be consistent with the architectural style of the building, while maintaining security.



Source: Bruce Damonte

Fig. 4.13.8: Example of stoops running parallel to the building facade with a door facing the street.



Fig. 4.13.9: Examples of stoops running perpendicular to the building facade.

## 4.14 Ground Floor Treatment–Residential

*Design ground floor residential frontages to directly connect with the public realm, create eyes-on-the-street, and add visual interest to public spaces while still maintaining tenant privacy.*

### PURPOSE

Visually connected ground floor uses in residential developments allows internal uses to engage with the *public realm* and create a safe environment for pedestrians.

Placing shared spaces and amenities such as fitness centers, common spaces, and management offices along *main street frontages* helps create connections between the building and the streets. Sidewalk-accessible entry stoops for ground floor residential units support safe, active, and comfortable pedestrian environments.

### OBJECTIVE STANDARDS

#### S.4.14.1 Ground floor height

The minimum ground floor to ceiling height for buildings containing street-fronting ground floor residential uses shall be no less than 12 feet.

#### S.4.14.2 Finished Ground Floor Elevation

- The ground level *finish floor* elevation shall be within five vertical feet above the sidewalk elevation.
- For sites sloping down away from the street, the ground level finish floor elevation may be up to 30 inches below the sidewalk elevation (see Fig. 4.14.2).

- For sites sloping along the street, up to 50 percent of the ground floor level is allowed to be above five vertical feet but not more than 12 vertical feet above the closest sidewalk along that property line. Exception: A dwelling unit can be elevated higher if required due to a 100-year designated flood zone or other safety or engineering requirements.
- If accessible residential units on the ground floor are not at the same level as the sidewalk elevation, provide at least one of the following:
  - A ramp from the ground level to the finished ground floor elevation,
  - A secondary unit entrance from an interior corridor or courtyard that is at the same level as the *finished ground floor* elevation.



Fig. 4.14.1: Residential entrances and *active uses* such as gyms and community spaces located along street frontages.



Fig. 4.14.2: Residential entrance less than 30" below sidewalk.



**S.4.14.3 Active Uses**

Provide active residential uses such as lobbies, management offices, fitness rooms and common spaces such that they occupy:

- A minimum of 25 feet along the ground floor street *frontage* for sites up to 100 feet wide.
- A minimum of 25 percent of the ground floor street *frontage* for sites over 100 feet wide.
- Exception: This standard does not apply if any of these uses are provided as a standalone building.

**S.4.14.4 Residential Active Frontage and Transparency**

For all residential *active frontages*, provide at least six-foot-tall *transparent* windows or clear glazing that cover a minimum of 60 percent of the *active frontage* length along *main streets* and 40 percent along *side streets*. When provided, glazing area in glass doors shall be counted towards the total glazing area. This standard does not apply to building *facades* with street-facing ground floor residential units (see *Fig. 4.14.3*).

**S.4.14.5 Frontage Zone**

Include a minimum three-foot-wide *frontage zone* at building entrances for residential and mixed-use developments. This transition space is useful for any doors opening out to the sidewalk and for providing stoops for raised residential units (see *Fig. 4.14.1*). Stoops are allowed to encroach in the *frontage zone*.

**S.4.14.6 Head Height of Ground Floor Glazing**

Align the head height for all ground floor glazing along the same building *facade*. This standard does not apply to the following:

- Active uses* along ground floor *facade* are allowed to have floor-to-ceiling glazing which does not match the rest of the ground floor glazing.
- Sizes and head or sill heights of glazing in the stair towers do not need to align with the rest of the glazing along the *facade*.

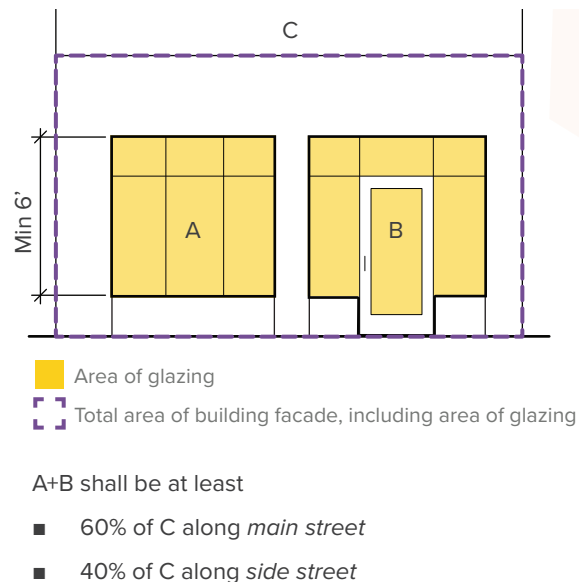


Fig. 4.14.3: *Active frontage* and *transparency* along ground floor residential *facades*.

**GUIDELINES (OPTIONAL)****G.4.14.1 Pedestrian Safety**

Support pedestrian safety by locating residential stoops and community spaces such as gyms, management offices, and indoor recreation areas, along street and *public open spaces* to enliven street life and create eyes-on-the-street (see *Fig. 4.14.4*).

**G.4.14.2 Security Gates**

Residential security gates, when installed, should be compatible with the building style, be as visually open as possible and be pedestrian friendly.



Fig. 4.14.4: Example of ground floor active residential *frontage* with community spaces along the street.

## 4.15 Ground Floor Treatment–Commercial

Support interesting and safe public spaces with active commercial frontages.

### PURPOSE

Well-designed ground floor commercial spaces enliven the street and pedestrian experience. *Transparency*, appropriate sizing and outdoor uses contribute to the success of these spaces. To maintain *active frontage* throughout the lifespan of buildings, the *pedestrian level* should provide a high level of flexibility to accommodate not only present but future needs for high quality commercial or other *active use*.

SHOPFRONT COVERED PROJECTION DIMENSIONS	
	REQUIREMENT
Depth	Minimum 4'
Height	Minimum 8'; Maximum 10'
Distance from curb	Minimum 2'

Table 4.15.1: Standard dimensions for covered projections shopfronts

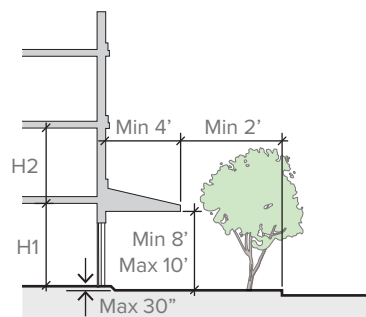


Fig. 4.15.1: Examples of ground floor commercial *frontage* with *transparent facades* and outdoor seating for dining.

### OBJECTIVE STANDARDS

#### S.4.15.1 Shopfronts

- All ground floor commercial tenant spaces shall be at least 45 feet deep for a minimum of 50 percent of *main street* building *facades* or a minimum of 30 feet, whichever is greater, and at least 25 feet deep for a minimum of 50 percent of *side street* *facades*. This standard does not apply to curved lots with less than 75 feet depth.
- Shopfront* finish floor level shall be a maximum 30 inches above sidewalk (see Fig. 4.15.1).
- Shopfront* bay shall be a minimum six feet and maximum of 20 feet wide (see Fig. 4.15.1).
- Covered *shopfront* projections when provided shall have dimensions in Table 4.15.1: *Standard dimensions for covered projections shopfronts*.



SECTION

$$H1 = H2 + \text{Min } 12''$$

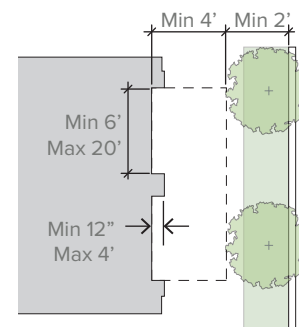
#### S.4.15.2 Shopfront Design

On buildings on lots with street *frontages* that exceed 50 feet, *shopfront frontages* must incorporate:

- Building recesses that are a minimum 12 inches and maximum four feet deep (see Fig. 4.15.1).
- Bulkheads, *awnings*, materials and/or color change to articulate the *shopfront* into bays a maximum of 20 continuous feet wide (see Fig. 4.15.1).

#### S.4.15.3 Ceiling Height

The ground floor ceiling height must be a minimum 12 inches taller than upper floor levels' floor-to-ceiling height.



PLAN

Fig. 4.15.1: Dimensions for *shopfront* design.

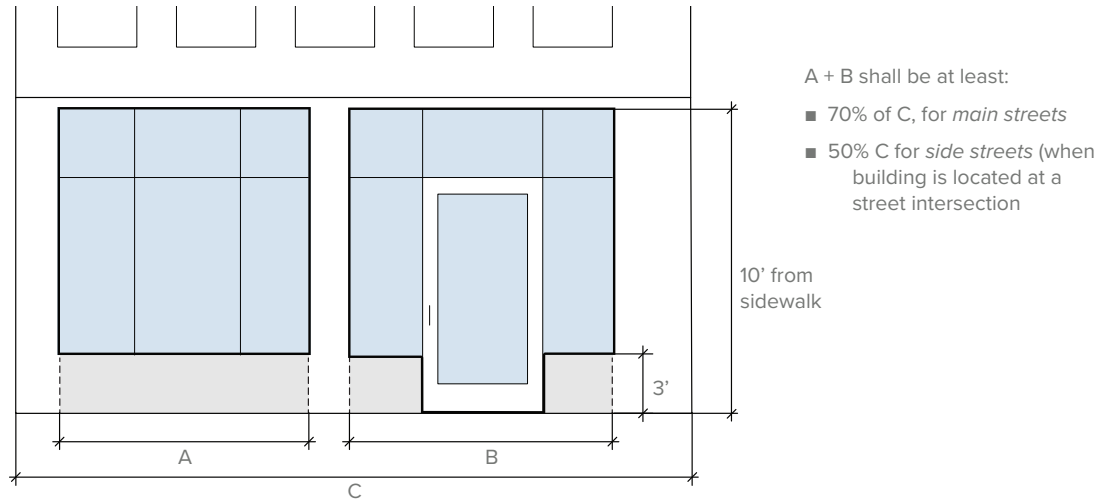


Fig. 4.15.2: Building *facades* for ground floor commercial uses with clear glazing.



Fig. 4.15.3: Example of *transparent* ground floor commercial uses.

#### S.4.15.4 Transparency

- Create *transparent facades* with windows or clear glazing for at least 70 percent of the *active frontage* length along *main streets* or *public open space* and 50 percent of the *active frontage* length along *side streets* (see Fig. 4.15.2).
- Glazing at the ground floor *facade* shall be clear between three and 10 feet in height (see Fig. 4.15.3).
- Provide a *transparent facade* at building corners extending at least 20 feet from the corner in both directions. If a corner *facade* is fronting a *main street* or *public open space* on one side and a *side street* on the other, refer to S.4.15.4a for the total *transparent facade* length requirements for each building *facade*.

### GUIDELINES (OPTIONAL)

#### G.4.15.1 Location

In mixed-use buildings with ground floor residential and commercial uses, locate the commercial spaces towards the street, at street intersections, or where a *public open space* or *paseo* intersects with the sidewalk.

#### G.4.15.2 Setback

Provide a *setback* for commercial uses on the ground floor along *main streets* to allow for transitions, *frontage zone* for outdoor seating, and future sidewalk widening.



## 4.16 Balconies and Decks

*Balconies and decks enhance enjoyment of the outdoors, and can add detail and visual interest to buildings.*

### PURPOSE

**Deck** – Decks are ground-level or slightly raised platforms that are typically attached to a home's entrance or door. Typically designed as open spaces that may or may not have railings, decks are accessible from the yard or public street and provide an intermediary living space between the residence and streets or *public open spaces*.

**Balcony** – Balconies are exterior floor systems projecting from a structure and supported by that structure, with no additional independent support. They have private entrances from a bedroom or living space and are generally smaller than decks in size, enclosed with a railing, and may feature a roof or be stacked.

### OBJECTIVE STANDARDS

#### S.4.16.1 Placement

Primary living spaces located along a side *setback* shall orient balconies and decks towards the front and rear of the building.

#### S.4.16.2 Recesses at Projecting Occupied Balconies

Recess projecting *occupied balconies* into the building *facade* by a minimum of 12 inches to avoid a tacked-on look (see Fig. 4.16.1).

#### S.4.16.3 Balconies at Building Corners

When balconies are provided at building corners at least one side of the balcony shall be a minimum of five feet wide.

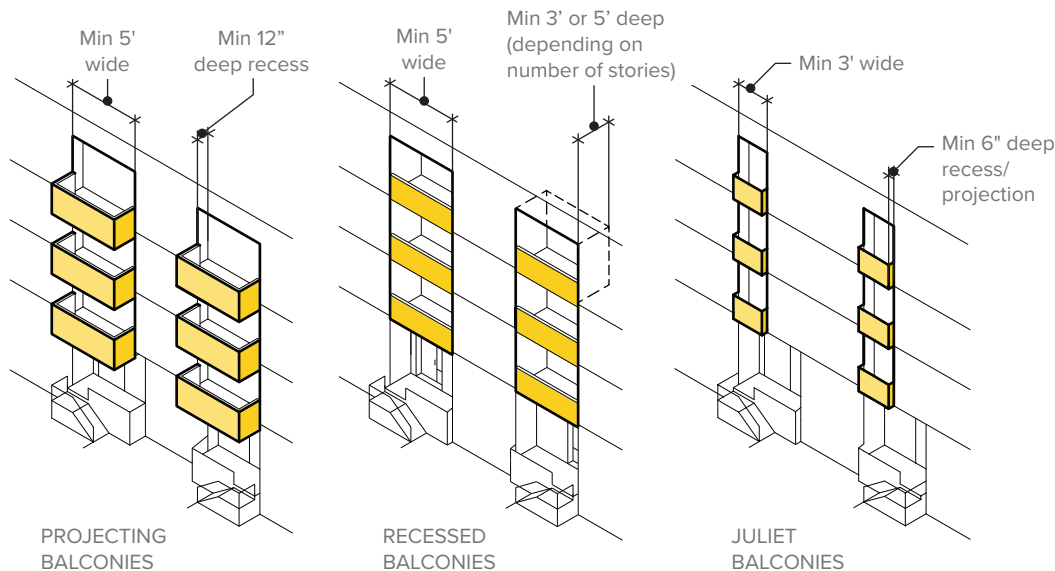


Fig. 4.16.1: Examples of private balconies designed to look integrated into the building *facade*.

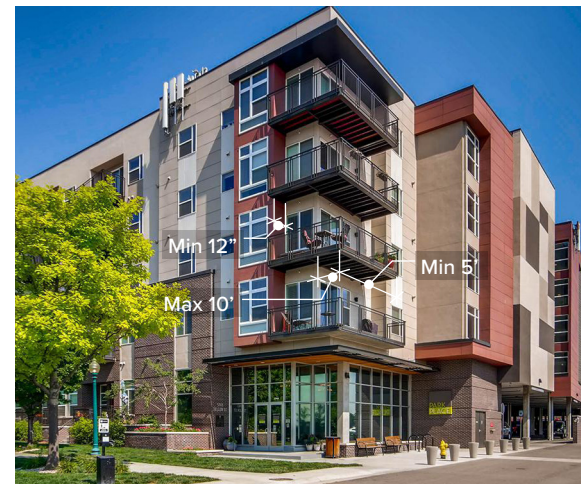


Fig. 4.16.2: Minimum 5' wide *occupied balconies* with a maximum projection of 10' when facing the street.

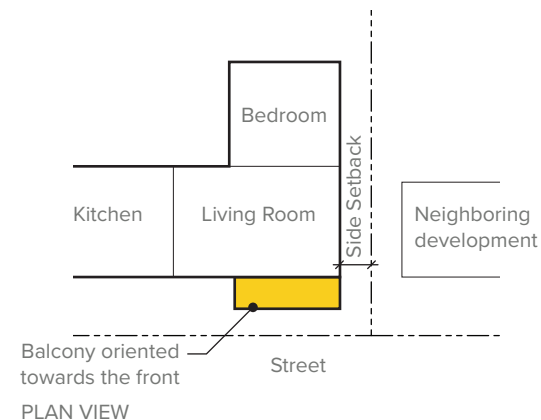


Fig. 4.16.3: Balcony orientation for primary living spaces along a side *setback*.

BALCONY DIMENSIONS	
	REQUIREMENT
Occupied (recessed and projected) Balcony Width	Minimum 5'
Occupied (recessed and projected) Balcony Depth	Minimum 3' for buildings up to 3 stories; Minimum 5' for buildings over 3 stories
Juliet or Unoccupied Balcony Width	Minimum 3'
Juliet or Unoccupied Balcony Depth	Minimum 6"

Table 4.16.1: Standard dimensions for balconies



Fig. 4.16.4: Balconies providing coverage for building entrance.



Fig. 4.16.5: Examples of projecting and recessed balconies.

#### S.4.16.4 Dimensions

*Occupied and unoccupied balconies shall comply with the dimensions in Table 4.16.1: Standard dimensions for balconies.*

#### S.4.16.5 Exterior Projecting Balconies

When balconies project out of a building *facade* along the public *right-of-way*, they shall not extend more than 10 feet from building *facades* (see Fig. 4.16.2). Projecting balconies shall not exceed the allowed encroachment in the public *right-of-way* as mentioned in the California Building Code.

#### S.4.16.6 Balcony projections

When decks and balconies project into public rights-of-way, they shall meet the both the following standards:

- Maintain a minimum vertical clearance of 15 feet between the *finished floor* of the public space and the finished bottom of the balcony based on ground floor use.
- Do not extend in the public rights-of-way for more than four feet depth.

#### S.4.16.7 Transparency

When private balconies are provided along *street-facing building facades*, they shall have a *transparency* of no less than 25 percent.

#### S.4.16.8 Developments abutting Zone A

Balconies, decks, and other habitable outdoor spaces are not allowed on any upper-story *facades* on facing and abutting lots in Zone A.

### GUIDELINES (OPTIONAL)

#### G.4.16.1 Building articulation

Integrate balconies, decks and porches into the building form so they do not appear tacked on.

#### G.4.16.2 Mitigation of visual impact

Avoid decks and porches along downslopes with overpowering visual impact by using at least one of the following strategies:

- Divide single deck into two or more terraced levels
- Use the roof of lower levels as the surface for a deck or porch serving the upper floors.
- Higher attention to the level of detailing and materials of the deck or porch
- Painting the support structure in a color that blends in with the building
- Enclose the area under the deck to visually integrate it with the building
- Planting

#### G.4.16.3 Balcony projections as entry cover

When located above building entrances, design balconies to provide coverage or act as a projection for the building entrance.



## 4.17 Awnings, Sunshades, and Screens

Reduce heat gain and provide visual interest to buildings with awnings, sunshades, and screens.

### PURPOSE

Awnings, sunshades, and screens are important for *facade articulation* and weather protection. Combinations of materials and screens create interesting shadow patterns and can provide a sense of verticality or horizontality. Awnings at ground floor level add human scale to the *pedestrian level* and visually separate the *base* from the *middle* of the building.

Awnings and sunshades reduce solar heat gain and glare in buildings and can reduce the amount of energy required to keep interior spaces cool and comfortable.

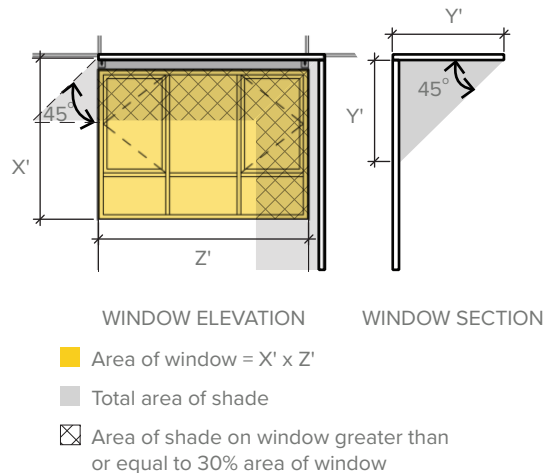


Fig. 4.17.1: Calculation of the amount of shade on a window.

### OBJECTIVE STANDARDS

#### S.4.17.1 Shading Devices

When sunshades, awnings, recessed windows, screens, or any other shading devices are provided on South and West building *facades*, they shall provide shade on at least 30 percent of each exposed exterior window surface on those building *facades* (see Fig. 4.17.1):

- Calculate the amount of shading on each window using a 45-degree angle with the base equal to the depth of the sunshade for both horizontal and vertical shading.
- Use horizontal or vertical shading devices or a combination of both for this calculation.

#### S.4.17.2 Ground Floor Awnings and Sunshades

- Awnings and sunshades provided at the ground level shall maintain a vertical clearance of at least eight feet from the sidewalk (see Fig. 4.17.2).
- When transom windows are provided, awnings, canopies, and similar weather protection elements shall be installed between the transom windows and display windows to allow for light to enter the storefront through the transom windows (see Fig. 4.17.2).
- Awnings shall not extend across more than one set of windows, or over columns or structural piers/pilasters. Individual segments shall be installed over each storefront entry or set of storefront windows to reflect the major vertical divisions of the building *facade* (see Fig. 4.17.2).

#### S.4.17.3 Awning Illuminations

Awnings and canopies shall not be internally illuminated.

#### S.4.17.4 Prohibited Materials

Canvas and vinyl awnings are prohibited for residential entrances.



Fig. 4.17.2: Awnings at ground floor that do not extend across more than 1 set of windows or over columns and have a minimum vertical clearance of 8'.

## 4.18 Windows

*Contextual, climate-responsive windows create an interesting and sustainable cityscape.*

### PURPOSE

Buildings with no or few windows do not engage with the street and are often over-reliant on mechanical systems and are unsustainable. Sealed off spaces can be less healthy due to poor air quality. Windows that respond to *context*, climate and orientation will create a cityscape that is interesting and sustainable.

Individual in-window and through-wall air conditioning units are undesirable as they become dirty with lack of external maintenance. Replacement with mismatched units creates a haphazard appearance.

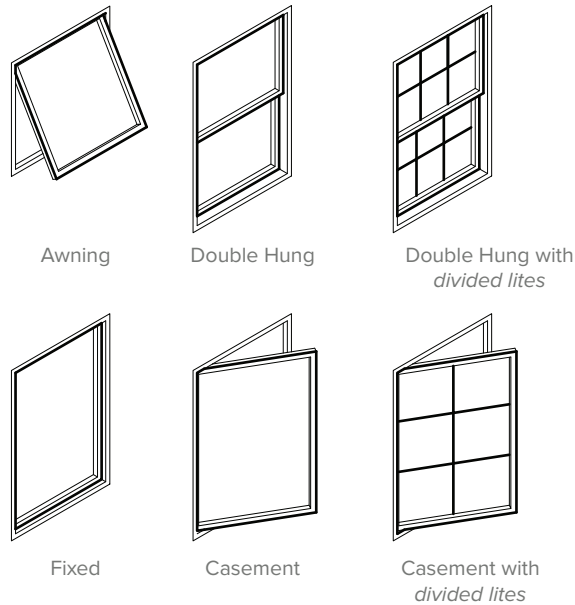


Fig. 4.18.1: Examples of windows by operation.

### OBJECTIVE STANDARDS

#### S.4.18.1 Privacy

Windows to primary living spaces with sill height eight feet above grade and within 10 feet of or facing a shared property line or abutting a facing window within 15 feet on-site shall:

- Be angled away from the adjacent side *setback* line a minimum of 30 degrees, measured from a line perpendicular to the side *setback* line (see Fig. 4.18.2), or
- Have a minimum sill height of 42 inches from the *finished floor* and a maximum of 44 inches above the *finished floor* for a code-required egress window (see Fig. 4.18.2), or
- Use permanently *translucent* or frosted glazing (see Fig. 4.18.3).
- Exception: If existing building side facing new construction does not have a window, this standard does not apply.

#### S.4.18.2 Openable windows

When openable windows are provided at a ground floor *facade* with zero front *setback*, they shall either open inwards or be recessed at least three feet so that they do not interfere with the pedestrian movement on the sidewalk.

#### S.4.18.3 Window alignment at Shared Property Lines

Do not directly align windows on a building *facade* parallel to and within 20 feet of shared property line with windows on the adjacent property.

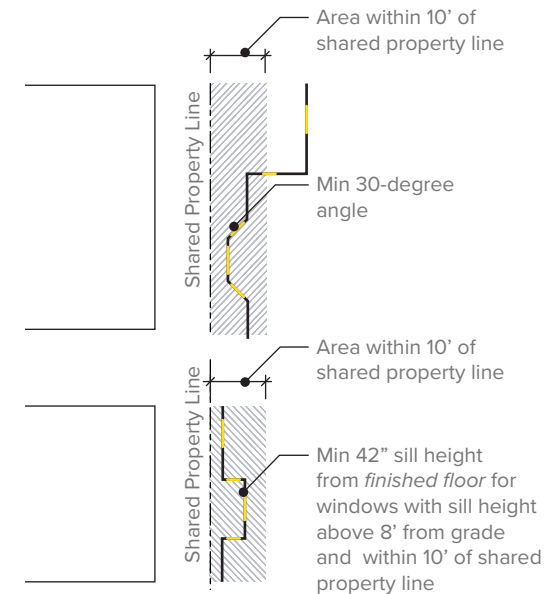


Fig. 4.18.2: Window alignment at shared property lines.

#### S.4.18.4 Window Recess and Trim

- For windows on street-facing building walls, provide a recess of at least two inches in depth from the building *facade* (see Fig. 4.18.4).
- When no inset is provided for a window, provide a minimum of three inches wide and one-inch-thick exterior window trim (see Fig. 4.18.4).
- Use the same color for all window frames and trims along a building *facade*.
- Foam is not permitted as a window trim material.

#### S.4.18.5 Divided Lites

Simulated *divided-lite* grilles are acceptable only if they are located on both the outside and inside faces of the window, have spacer bars between the double panes of glass, and a thickness of at least 1/2 inch on each side of the window.

#### S.4.18.6 Divided lites for Additions and Remodels

When simulated *divided-lite* grilles are provided on new windows, they shall have grilles located on both the outside and inside faces of the window, have spacer bars between the double panes of glass and are three dimensional, with profiles that are similar to the design of the original windows.

#### S.4.18.7 Window Proportions for Additions and Remodels

A minimum of 50 percent of the street-fronting windows for additions and remodels shall have the same proportions (ratio of height to width) as more than 50 percent of the street-fronting windows on the reference building(s).

#### S.4.18.8 Individual air conditioning units

Do not place Individual through-window or through-wall air conditioning units on *street-facing building facades* over three stories tall.

#### S.4.18.9 Glazing

Reflective or opaque tinting of glazing is not permitted.



Fig. 4.18.3: Example of a window with frosted glazing.

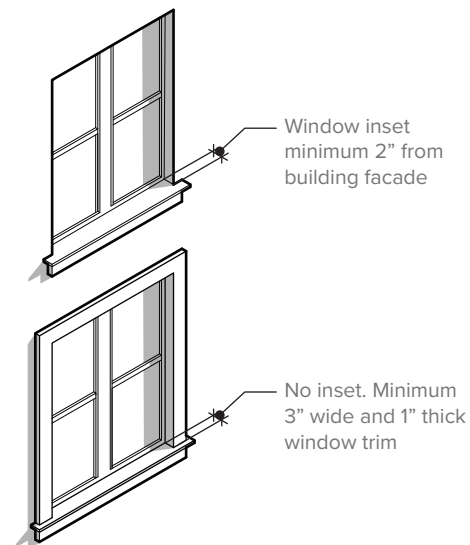


Fig. 4.18.4: Example of window recess and trims that help create a shadow detail that adds to the richness of the building *facade*.



Fig. 4.18.5: Different sizes for primary and secondary windows.



Fig. 4.18.6: Residential windows on upper floors with proportions different from ground floor retail windows.

## GUIDELINES (OPTIONAL)

### G.4.18.1 “360-Degree” Design

All primary windows on each floor of each *facade* should be the same design, proportions, trim, material, and color.

### G.4.18.2 Window Hierarchy

Maintain window hierarchy of primary and secondary windows by providing greater level of detail for the former such as *divided lites*, increased size, and arches. In all cases, there should be consistency in window proportions, operation, trim, and appearance (see Fig. 4.18.6).

### G.4.18.3 Window Sizes

Limit the number of different window sizes and types, to maintain an overall *rhythm* of the building design and preventing the placement of windows from appearing arbitrary.

### G.4.18.4 Window replacements

Where non-original windows are replaced on a building with a mix of existing window styles, the replacement window should more closely replicate or simulate the original windows.



## 4.19 Building Materials, Colors, and Finish

*Quality, durable building materials help define a building's character.*

### PURPOSE

Quality materials on building *facades* convey longevity and sustainability. Unique materials inspired by the *context* create a sense of place and activity. The composition of materials and colors grounds a building in its surroundings.



Fig. 4.19.1: Example of material combinations for buildings taller than three stories with stucco as the primary, wood panels as the secondary, and metal as the tertiary material.

### OBJECTIVE STANDARDS

#### S.4.19.1 Protection for exterior materials

- All exterior materials shall meet the Wildland-Urban Interface (WUI) requirements per the California Fire Code.
- Exterior wood cladding shall be protected from decay by stain and sealant.
- Exterior ferrous metals shall be protected from corrosion either using galvanized, stainless, or weathering steel.

#### S.4.19.2 Primary Building Materials

A primary building material shall mean a material that covers 60 percent or more of a *facade* surface area excluding *transparent* surfaces. When there is a change in exterior building material, the material change shall occur at the inside corner of a building form, or a minimum of eight feet beyond an outside corner. The following primary cladding materials are allowed:

- Stucco (minimum 2-coat)
- Stone (shall extend vertically to the foundation)
- Stone-colored brick (shall extend vertically to the foundation)
- Fiber cement siding or fire-retardant treated wood siding
- Non-reflective metal panels

#### S.4.19.3 Secondary Building Materials

A secondary building material shall mean a material that covers 40 percent or less of a *facade* surface area excluding *transparent* surfaces. The following secondary cladding materials are allowed:

- Metal (wrought iron, copper, bronze) with a non-reflective finish
- Split-face Concrete Masonry Unit (CMU)
- Terra-cotta tile
- Brick or brick veneer
- Glazed tile
- Wood siding
- Stone Veneer

#### S.4.19.4 Variation in Materials

Do not continue unbroken multi-story sections of the same material, texture, or color for more than 150 feet in length of any building *facade*.

#### S.4.19.5 Building Colors

A maximum of four colors shall be applied to be the building *facade*:

- Primary color comprising 60 percent or more of the *facade*.
- Secondary color comprising no more than 30 percent of the *facade*.
- Tertiary color comprising no more than 10 percent of the *facade*.
- Accent color for use on trim and architectural details.



- e. Wood, brick, stone, materials with pre-finished color such as stucco, and colorized metal shall constitute a color for this requirement.

#### S.4.19.6 Stucco

For buildings taller than three stories, the use of stucco shall be limited to a maximum of 60 percent of non-glazed areas for a public space facing building *facade* (see Fig. 4.19.2).



Fig. 4.19.2: Building *facade* with stucco, siding, and metal railings and sunshades.

#### S.4.19.7 Color or material changes

- a. When there is a change in exterior building color or material, the material change shall occur at the inside corner of a building form, rather than the outside corner (see Fig. 4.19.3).
- b. If there is a material change in the same plane or building *facade*, provide a minimum of six inches depth change between materials.

#### S.4.19.8 Railings at porches, balconies, decks, and exterior stairs

Railings at porches, balconies, decks, and exterior stairs shall be metal, stucco, or wood. Metal cable railings are prohibited (see Fig. 4.19.2).

#### S.4.19.9 Prohibited Materials

- a. Concrete blocks and reflective metal siding or panels are not allowed for building *facades*.
- b. Glass is not allowed as a building material for over 40 percent of any building *facade*.

#### S.4.19.10 Roof Materials

All materials listed below are allowed for roofs:

- a. Fire-rated composition shingle (Timberline Lifetime Architectural), brown or brown-red in color.
- b. Spanish barrel tile, regularly or irregularly laid, and brown or brown-red in color.
- c. Standing seam metal in a non-reflective dark brown or dark bronze color.

- d. Concrete roof tiles.

- e. Cool roof membrane roofing, non-reflective and medium gray color.

### GUIDELINES (OPTIONAL)

#### G.4.19.1 Exterior wall materials

Muted tones are generally preferred with stronger accent colors limited to trim. In most cases, a range of complementary colors is preferred over painting all wall surfaces with the same paint color and shade.

#### G.4.19.2 Exterior Wall Material for additions and renovations

The material used on the exterior walls of an addition or remodeled portion of a structure should be consistent with the original material.

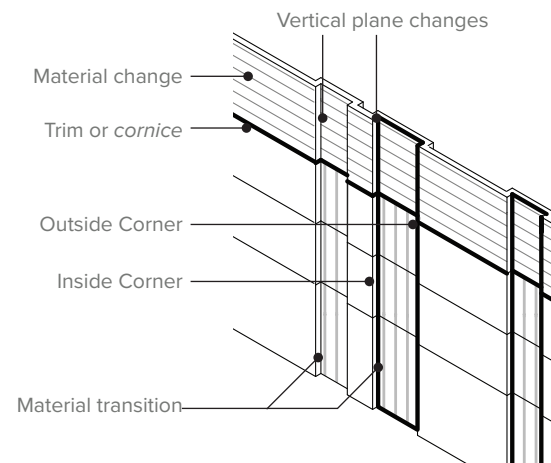


Fig. 4.19.3: Create material transitions for continuous *facades* on inside corners of plane changes.

## 4.20 Mitigation of Blank Walls

Mitigate long blank walls along main streets and public open spaces by using design strategies to create interesting facades.

### PURPOSE

Blank walls make places feel uninviting and sometimes unsafe. Minimizing long stretches of unbroken *facades* and *non-active frontages*, such as parking garages and service and utility areas, creates an active and safe *public realm*.

### OBJECTIVE STANDARDS

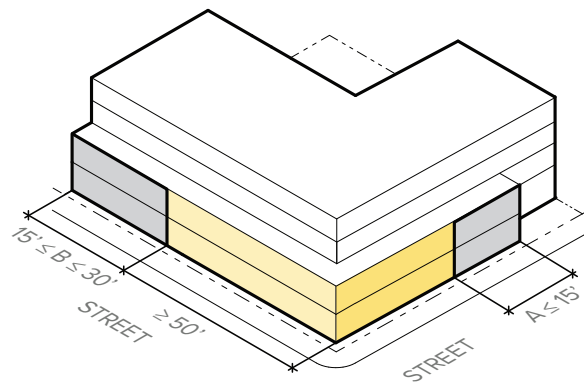
#### S.4.20.1 Blank Wall Dimensions

- Blank walls shall not exceed 30 horizontal feet on any floor along any street-or-public open space-facing building facade (see Fig. 4.20.1).
- Do not create a blank wall longer than 15 feet in the 50 feet closest to a building corner along a street intersection or public open space (see Fig. 4.20.1).

#### S.4.20.2 Enhancement of Blank Walls

Mitigate blank walls at the ground floor that continue for more than 15 feet along streets or public open spaces by providing at least one of the following design treatments on the blank wall facade:

- Architectural treatments such as reveals, projections, setbacks, indentations, lighting, awnings, trim or material changes (see Fig. 4.20.2 and Fig. 4.20.3).
- Interactive public art or a pattern of motifs or insets in tile or stucco that is at least 100 square feet in area and occupies at least 10 linear feet of the wall.
- Murals that are at least eight feet in any dimension and cover at least 75 percent of the blank wall area (see Fig. 4.20.2).
- Landscaping that at maturity, obscures a minimum 50 percent of the wall area, and that is guaranteed for a period of 10 years minimum.
- Landscaped trellises or lattices over a minimum 50 percent of the wall area that is guaranteed for a period of 10 years minimum (see Fig. 4.20.3).



A and B = Total width of blank wall

Active frontage

Blank wall

Fig. 4.20.1: Blank wall dimensions



Fig. 4.20.2: Mural to mitigate a ground floor blank wall.

## GUIDELINES (OPTIONAL)

### G.4.20.1 Facade Treatment

- Use different materials, textures, colors, patterns, lighting, canopies, landscape treatments, and public art to create visual interest on blank and unbroken walls (see *Fig. 4.20.3*).
- Coordinate *facade* treatments of *blank walls* at the *pedestrian level* with the overall character, architecture, and building materials (see *Fig. 4.20.3*).
- Use *facade* treatment on portions of buildings that house secure business operations as an opportunity for public art, architectural features, or articulated *facade* elements.



Fig. 4.20.3: Examples of facade treatments for *blank wall* mitigation.



## 4.21 Parking Garage Design

Balance efficient vehicle circulation with pedestrian safety and comfort, creating a well-organized, accessible, and walkable environment that supports seamless movement for all.

### PURPOSE

Lining parking structures with *active frontages* and occupied spaces brings activity and life to streets. Placing parking garages towards the rear of developments helps to avoid disruptions to the *public realm*.



Fig. 4.21.1: Examples of recessed parking garage entrances.

### OBJECTIVE STANDARDS

#### S.4.21.1 Garage Parking Configuration

Locate vehicular parking in one of the following configurations:

- Shared garages* (underground or podium) in Zone C and D,
- Individual garages, or
- Tuck-under or individually secured garages on the ground level of a structure in Zone C oriented to not face the street.

#### S.4.21.2 Parking Garage Location

Locate parking garages based on the following priority:

- Completely subgrade or partially subgrade parking garage that meet the requirements mentioned in *S.4.21.10 Subgrade Parking Garages*.
- Above ground lined with a minimum 25-foot-deep habitable residential spaces or other *active uses* such as common spaces, fitness centers, and commercial uses for at least 50 percent of the street-facing building with less than 100 feet of site *frontage* and 65 percent for sites longer than 100 feet.

#### S.4.21.3 Parking Garages on Hillsides

When provided, locate garages and driveways at the lowest end of a sloping street *frontage* (see Fig. 4.21.2).

#### S.4.21.4 Controlled Entrance Location

Locate controlled entrances to shared parking facilities (gates, doors, etc.) a minimum 10 feet from the back of sidewalk.

#### S.4.21.5 Corner Parking Garage Entrance Location

Locate parking garage entrances on corner lots shall be located at the maximum practical distance from the corner and shall be based on the following priority:

- Alley* (if available)
- Side street* (second option)
- Main street* (if no other option is available)

#### S.4.21.6 Garage Entrance Design

Design *flare-out openings* at garage entrances with a minimum width of 26 feet for two-way traffic and 20 feet for one-way traffic to provide line-of-sight between vehicles and pedestrians.

#### S.4.21.7 Garage Doors

- All garage doors must be motorized.
- Controlled entrances to shared parking facilities (gates, doors etc) shall not exceed 20 feet in width.



Fig. 4.21.2: Garage entrance located at the lowest end of the sloping street *frontage*.

**S.4.21.8 Garage Door Setbacks**

- a. Recess garage doors for individual dwelling units from the building *facade* by at least six inches.
- b. Set the garage doors for shared parking garages that are located along a street facing building *facade* back by a minimum of two feet and not more than five feet from the building *facade* (see Fig. 4.21.1).
- c. Exception. If a street facing building *facade* with a *shared garage* door is set back a minimum of two feet from the adjacent building *facade*, the garage door is only needed to recess for a minimum of six inches.

**S.4.21.9 Individual Garages**

When provided, access individual garages using one of the following:

- a. A single driveway from the street or
- a. From *alleys* or *private streets*.

**S.4.21.10 Subgrade Parking Garages**

Partially sub-grade podium garages along streets and pedestrian walkways shall:

- a. Not extend more than four feet above grade (see Fig. 4.21.3).
- b. Not have *blank walls*.
- c. Screen mechanical equipment and air exhaust windows from view.
- d. Have openings and *articulations* that are consistent with the rest of the building *facade*.

**S.4.21.11 Parking Visibility**

When visible from the public *right-of-way*, screen a minimum of 50 percent of the visible structured parking using:

- a. Regular punched openings designed to resemble windows of habitable spaces, or
- b. Trellis/living wall surfaces.

**S.4.21.12 Parking Separation**

- a. Dedicate at least 80 percent of the total parking spaces within a mixed-use development for residential use.
- b. Physically separate it from parking for other uses via a controlled fence, gate, or other barrier.
- c. The remaining 20 percent may be allocated for shared use or non-residential purposes.

**S.4.21.13 Garage Ventilation**

Locate openings and exhaust vents on the *top* of buildings or on second levels to direct air away from the *public realm* and adjacent structures.

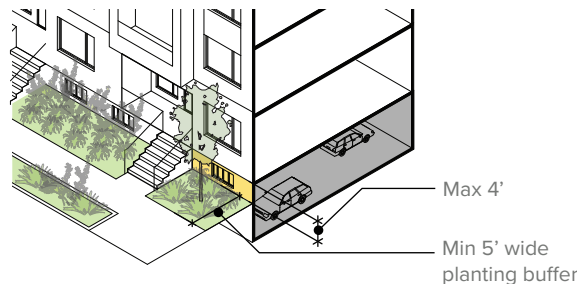


Fig. 4.21.3: Subgrade parking garage not extending more than 4' above the ground.

**GUIDELINES (OPTIONAL)****G.4.21.1 Parking Garage Design**

- a. Design parking structures using building *massing*, *articulation*, window patterns, and other *facade* treatments that are consistent with neighboring buildings.
- b. *Conceal* all ramped floors from the *public realm* and surrounding buildings.

**G.4.21.2 Stand-alone parking garages**

For *stand-alone parking garages*, if rooftops are not utilized for parking, provide renewable energy, *green stormwater infrastructure*, *patios*, *landscaping*, or other *green roof* strategies.

**G.4.21.3 Design for future**

Design parking structures for possible future conversion to a different use by incorporating the following features:

- a. Flat floors.
- b. Clear heights of minimum nine feet from floor to finished ceiling.
- c. Structurally separate vehicle ramps that are partially or fully removable.
- d. Structural strength that is sufficient for conversion to other uses.
- e. Structural depth that is shallow enough to allow necessary daylight access if converted to another use, or a plan to reduce the structural depth to the necessary amount.



## 4.22 Architectural Lighting

Highlight buildings' distinctive elements while ensuring visibility, safety, and creating a welcoming atmosphere for all.

### PURPOSE

Lighting can serve multiple essential functions in the built environment including *wayfinding*, highlighting entrances or key architectural elements, creating a sense of identity, and enhancing the comfort and safety of outdoor spaces. It is important to balance these benefits while minimizing light spill and avoiding disruption of nearby residents and protecting the integrity of the night sky.



Fig. 4.22.1: Fully-shielded lighting fixtures at the ground floor building facade with the same material as building accent.

### OBJECTIVE STANDARDS

#### S.4.22.1 Entrance Lighting

Provide light fixture(s) at all building entrances.

#### S.4.22.2 Facade Lighting

Use fully-shielded light fixtures that are directed onto the building *facade* or onto paving of entrance areas (see Fig. 4.22.2).

#### S.4.22.3 Pedestrian-Scale Lighting

Provide pedestrian-scale lighting to illuminate the ground floor building *facades* and an adjacent four-foot-wide zone with lighting fixtures that are placed:

- Every 40 feet or less for all *street-facing building facades* (see Fig. 4.22.1).
- Every 30 feet or less for all building *facades* facing *public open spaces* and mid-block connections.
- Every 20 feet or less for all ground floor *blank walls*.

### GUIDELINES (OPTIONAL)

#### G.4.22.1 Low-level Lighting

Provide lighting with low-level illumination to ensure entry paths, entry stairs and driveways, garage and building entries are illuminated while avoiding light pollution.

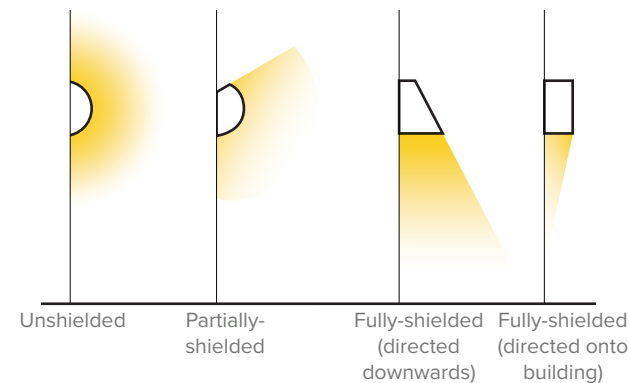


Fig. 4.22.2: Fully-shielded light fixtures prevent light pollution, glare, and waste.

## 4.23 Bird Safety

*Building design and materials should not cause negative impacts of development on birds.*

### PURPOSE

It is vital to ensure that building design, *facade* materials, and artificial night lighting do not confound birds and lead to their injury or death.

New developments and building renovations should avoid adverse consequences that impact birds by using *bird-safe* design techniques. *Bird safety treatments* are important for all buildings, especially for those near bird habitats, such as open spaces and water.

### OBJECTIVE STANDARDS

#### S.4.23.1 Bird Safety treatments

Apply *bird safety treatments* on:

- Areas of glazing that are taller than one story within 10 feet of a building corner.
- Areas of any building *facade* with more than 10 percent glazing that is within 15 vertical feet and 20 horizontal feet of a *green roof* or a vegetated courtyard, within or outside of the development.
- Parallel panes of glass 30 feet or less apart, such as skyways, walkways, and other glass building connectors.

- Transparent* atria, free-standing glass features, and glass architectural elements that protrude from the primary building mass.
- Facades* with more than 20 percent glazing within 60 feet of grade and located within 300 feet from a body of water, including creeks and vegetated flood control channels or within 100 feet of a landscaped area, open space, or park larger than one acre in size. Apply a *bird safety treatment* to at least 90 percent of the glazed areas within 60 feet of grade.

#### S.4.23.2 Prohibited glazing

Do not use mirrored glass or glazing with a reflective index above 20 percent.

### GUIDELINES (OPTIONAL)

#### G.4.23.1 Glazing

Use *bird safety treatment* on windows or other glazed areas in which trees, *landscaping*, water features, or the sky will be reflected or seen through the glass.

#### G.4.23.2 Exterior Lighting Timing

Turn off decorative exterior lighting between 11:00 p.m. and 6:00 a.m. except during June, July, December, and January due to bird migration.

#### G.4.23.3 Vegetation

Do not plant trees in a line perpendicular to glass *facades*.

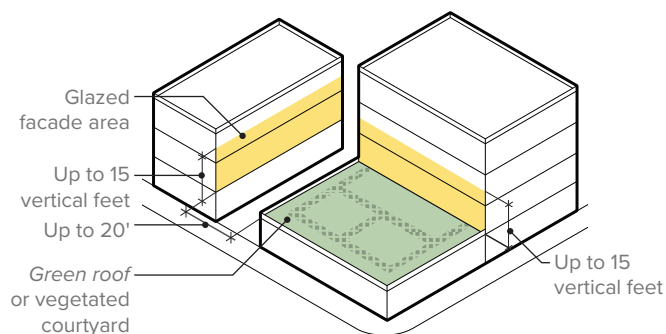


Fig. 4.23.1: Use a *bird safety treatment* on glazed facades that are visible from and within 15 vertical feet and 20 horizontal feet of a *green roof* or vegetated courtyard.

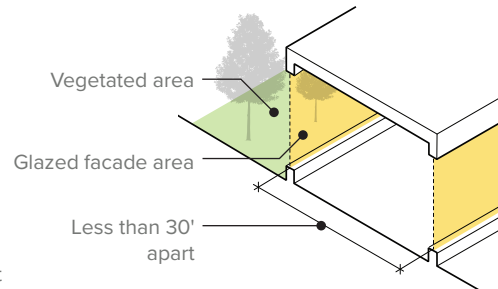


Fig. 4.23.2: Use a *bird safety treatment* for parallel glazed facades that are less than 30 feet apart.

## 4.24 Signage

*Design building signage to clearly communicate with occupants and visitors and complement site surroundings*

### PURPOSE

Signage helps animate and harmonize projects with their environments.

Well-designed and placed signage conveys information, imparts a human scale to buildings, creates a unique and artistic character for developments, and enhances the *public realm*.



Fig. 4.24.1: Examples of signage at residential and ground floor commercial *frontages*.

### OBJECTIVE STANDARDS

#### S.4.24.1 Orientation

Direct all building addresses and primary building signage towards the street *frontage* and visible from the street without obstructions.

#### S.4.24.2 Signage Illumination

- Illuminate signage through external “spotlight” or integrated “halo” illumination.
- Backlit signs* are prohibited.
- Lighted address signs are prohibited unless their lighting levels can be adjusted.

#### S.4.24.3 Shape

When provided, exterior building signage shall consist of individually formed lettering or a projecting sign. Box signs are prohibited.

### GUIDELINES (OPTIONAL)

#### G.4.24.1 Design

- Develop signage plans early in the design process so they are part of the overall building architecture and are consistent with the size and scale of building(s).
- Design building signage to reflect the character of business or interior use to create a unique and individual identity. This can be done by utilizing color and material schemes similar to the proposed development aesthetic.
- Signage should be integrated into *landscaping* or building architecture.
- Attractive signage directories are encouraged to help provide way finding within residential and mixed-use developments.

#### G.4.24.2 Lettering

Provide *awning signs*, *wall signs*, and signs with individual lettering to identify building addresses and names of residential, commercial, and industrial buildings.

#### G.4.24.3 Retail Signage

Provide *pedestrian level* signage such as *blade or fin signs* and *wall signs* for ground floor retail in mixed-use developments to match the character of the neighborhood.

DEFINITIONS

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DEFINITIONS

5.1 Definitions .....5-2



## 5.1 Definitions

**Accessible Pedestrian Connection.** A path or walkway that connects one place to another and is for use by all pedestrians, irrespective of their physical abilities, and meets Americans with Disabilities Act (ADA) standards.

**Active Uses.** Uses and occupancy types that encourage actual or visual engagement between building tenants and the public. Examples include but are not limited to retail storefronts, bars and restaurants, entertainment venues and businesses, personal services businesses, art galleries, gyms and fitness studios, offices, salons.

**Active Frontages.** Building frontages with occupied spaces that encourage engagement between the building tenants and the public realm. They allow visual or physical access to the active uses within the building from streets, sidewalks, and paseos.

**Alley.** A narrow passage behind or between buildings generally used to access building services and parking.

**Arched Window.** Window that is rounded at the top.

**Articulation.** The way portions of a building form are expressed (materials, color, texture, pattern, modulation, etc.) and come together to define the structure.

**Awning.** A sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a storefront, window, doorway, or deck. It is a type of sunshade.

**Awning Sign.** A sign integrally attached or imprinted on the face of an awning or built as a part of an awning.

**Backlit Sign.** See *Sign, Backlit*.

**Base (of building).** The bottom section of buildings, including the ground floor level and up to the third story or 45 feet high, whichever is higher that forms the primary street facade and pedestrian interface.

**Bird-safe Pattern.** A pattern on the glass intended to reduce bird collisions. The pattern must be visible to birds from the exterior of the building and have lines, circular, or square markers at least 0.25 inches in width or diameter, spaced at most four inches apart vertically and two inches apart horizontally.

**Bird Safety Treatment.** Building treatments or methods to reduce the likelihood of bird collisions. These treatments must include at least one or a combination of the following: exterior screens, louvers, grilles, shutters, or bird-safe patterns as recommended by the American Bird Conservancy.

**Blade or Fin Sign.** A two-sided projecting sign mounted on a building facade, storefront pole, or a surface perpendicular to the normal flow of traffic, intended to be viewed from either side. These signs are one of the most effective ways of attracting foot traffic into an establishment.

**Blank Wall.** A portion of a facade on any floor of a building that does not include a transparent window or door between the level of the finished floor and the level of the ceiling.

**Building Aperture.** Any intentional opening in the building envelope (the walls, roof, or sometimes floors) that allows for the passage of light, air, people, or objects.

**Carport.** A type of covered parking structure designed to shelter vehicles, typically automobiles, from weather elements like sun and rain. Unlike a fully enclosed garage, a carport is open on at least one or more sides, offering partial protection while being lighter, cheaper, and easier to construct.

**Clerestory Window.** A high, horizontally placed window that is typically located near the top of a wall, above eye level. It is most often used to bring natural light into a space while maintaining privacy and wall space below.

**Conceal.** Hide or keep from sight or public view by using architectural elements.

**Context.** The characteristics of the buildings, streetscape, and landscape that supports or surrounds a given building, site, or area such as predominance of period architecture or materials, wide sidewalks, continuous and overhead weather protection, or consistent street trees.

**Continuous Soil Trench.** A continuous trench that stretches from tree to tree, sometimes under paving strengthened by reinforcement, that greatly increases the soil volume available to each tree. Continuous soil trenches and other technologies, including soil cells, allow for the expansion of root systems, reduce soil compaction, and can increase the longevity of street trees.

**Cornice.** A molded and projecting horizontal feature that crowns a facade.

**Detached Sign.** Any sign that is not attached to a building but is connected to the ground.



**Direct Access.** A connection or access between two locations uninterrupted by vehicular traffic.

**Dentilled Cornice.** A dentil, or small block, used as a repeating ornament under a cornice.

**Divided Lites.** A window with individual panes of glass separated by muntins, typically arranged in a grid. Simulated divided lite windows are made from a single, large pane of glass with a surface grid attached to one or more sides.

**Dooryard.** A small outdoor space located directly adjacent to the entrance of a residential unit. It serves as a transitional area between the public realm (such as a sidewalk or street) and the private interior space. Dooryards can include elements like gardens, porches, seating areas, or decorative landscaping, and are designed to provide a welcoming entry, enhance curb appeal, and offer a semi-private outdoor area for residents.

**Facade.** Any exterior face or wall of a building.

**Facade Bay.** A section of a building between vertical lines or planes, as defined by columns, pilasters, bay windows, or other horizontal projections or recesses.

**Family Dwelling unit.** A residential unit designed for occupancy by a single household. It includes essential living spaces such as a private kitchen, bathroom, sleeping areas, and living room, and is intended to provide complete living accommodations for individuals or families within a multi-unit residential structure.

**Finished Floor.** Finished floor level refers to the uppermost surface of a floor once construction has been completed and all floor finishes have been applied.

**Flag Lot.** A parcel that has less than the minimum required frontage on a public road and has access to the public right-of-way by a narrow strip of land, with the largest portion of the lot being situated behind adjoining lots which front a public right-of-way.

**Flare-out Opening.** An opening that widens more than the width of the path leading to it.

**Floodlight.** A broad-beamed, high-intensity artificial light designed to illuminate a wide area.

**Forecourt.** A type of frontage with a portion of the facade set back from the primary facade creating a small courtyard space. The courtyard may be used as an entry court or as shared garden space for apartment buildings, or as an additional shopping or restaurant seating area within retail and service areas.

**Front Door Access.** An entrance to a dwelling unit that opens into a hallway, circulation, or living space and not a bedroom.

**Frontage (Building).** The building facade facing a street or public open space.

**Frontage (Site).** The length of a lot line contiguous with a portion of a public or private street or public open space, as defined in the Piedmont Zoning Code.

**Frontage (Street).** The property line or part of the site facing a street or public open space.

**Frontage Zone.** The area between the through way (the main pedestrian walking space) and adjacent property, which may accommodate pedestrian-oriented activities and elements, such as street furniture, planting, café seating, and outdoor retail displays. It can act as a buffer between doorways and other entries bridging private and public spaces.

**Grade, Natural.** The elevation of the undisturbed slope of the ground prior to any excavation or fill.

**Green Roof.** A roof that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It often includes additional layers such as root barrier, drainage, and irrigation systems.

**Green Stormwater Infrastructure.** Drainage practices in urban environments that retain, treat, infiltrate, evapotranspire, and harvest and use rainwater and stormwater runoff as valuable resource instead of directly piping and discharging it to the Bay as quickly as possible.

**Green Wall.** A vertical structure that is embedded with living plants and has a growth medium and a built-in irrigation system.

**Landing (stairs).** Platforms constructed where the direction of stairs changes, between stair flights, or at the top of stair flights.

**Landscape/Landscaping.** Pervious areas containing organic and inorganic elements. It includes but is not limited to xeriscaping, soft landscape (organic elements such as plants, soil, mulch, trees, shrubs), and hard landscape (inorganic elements such as rocks, pathways, and bricks).

## EXHIBIT A- ATTACHMENT A

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**Large tree.** A tree which is 51 feet or more at height or canopy spread at maturity.

**Low Impact Development (LID).** A land planning and engineering design approach which aims to reduce stormwater runoff and mimic a site's pre-development hydrology by minimizing disturbed areas and impervious cover, infiltrating, storing, evapotranspiring, retaining, and/or biotreating stormwater runoff close to its source, or on site.

**Main Street.** The street along a mid-block parcel's property line. For corner parcels, the wider street is considered the main street.

**Massing.** The three-dimensional bulk of a structure: height, width, and depth.

**Maturity (Trees).** Maturity is when a tree reaches 12.1 inches diameter at four and a half feet above grade.

**Medium Tree.** A tree which is 26 to 50 feet at height or canopy spread at maturity.

**Mid-Block Parcel.** A parcel located in the interior and not at the corner of a city block.

**Middle (of building).** The middle vertical section of buildings that often contains the bulk of a buildings primary use(s) and tenant(s).

**Natural Grade.** See *Grade, Natural*.

**Non-active Uses.** Uses and occupancy types that do not attract public users or foster vibrant street life. Examples include but are not limited to service and utility areas, parking lots and garages, and professional offices.

**Non-active Frontage.** Building frontage with unoccupied spaces that are meant for building operations, such as services, trash, and utilities.

**Noncombustible Material.** A building material which, in the form in which it is used, meets the acceptance criteria for noncombustibility as defined in the California Building Code, Title 24, and is thereby classified as noncombustible under the California Fire Code. Such material shall not ignite, burn, or release combustible vapors when exposed to the test conditions specified (e.g., ASTM E-136). Examples include (but are not limited to) concrete, concrete block (CMU), brick, stone, tile, tempered glass, and fiber-cement siding.

**Occupied Deck or Balcony.** A deck or a balcony that is intended to be used for recreational purposed by the building occupants and visitors.

**Occupied Space.** An enclosed space in a building intended for human activities, including bathrooms and circulation, but not including vehicle parking or space for other building functions such as storage, solid waste storage, equipment, or computer servers.

**Paseo.** A landscaped pathway exclusively for pedestrians and bicyclists. Paseos are mid-block connections that improve pedestrian circulation along extra-long blocks.

**Pedestrian Level.** The first 30 vertical feet of a building above grade. This part is the most critical for creating a good pedestrian environment.

**Primary Building Entrance.** A single entrance to a building that provides access to the use with the maximum area in the building program. A building can have several uses and more than one separate entrance for each of those uses, but a building can have only one primary entrance; all others are secondary building entrances.

**Private Road/Private Street.** An internal circulation road or street which is meant to be used by the occupants of the development and not meant to be used as a thoroughfare.

**Portal.** A doorway, gate, or other entrance to a space, especially a large one.

**Privacy Fence.** A fence, typically constructed from wood, having the same board pattern on both sides, so that neither side shows exposed posts or rails.

**Private Open Space.** A yard, patio, porch, or balcony directly accessible from the dwelling unit for which the open space provides an opportunity for private outdoor recreation and relaxation of the resident(s) of the associated dwelling unit.

**Public Open Space.** Publicly-owned parks, plazas, and other spaces meant for repose and recreation.

**Public Realm.** The area outside a building accessible or visible to the public, including public right-of-way, sidewalk easement, and publicly accessible open space.

**Right-of-Way.** A public highway, street, alley, sidewalk, or parkway that is subject to Public Utilities Code section 7901.

**Rhythm.** A regular and repeating pattern of objects or architectural elements such as a bays, windows, sunshades, awnings, doors, projections etc.

**Rowhouse.** A single-family dwelling that shares a party wall with another of the same type placed side-by-side with individual entries along the front and dedicated private open space for each unit typically located in the rear. Each unit has its own front access at the ground floor. Also known as a townhouse or townhome.

**Secondary Building Entrance.** Any building entrance other than the primary building entrance.

**Semi-Public Open Space/Semi-Private Open Space.** Privately-owned or controlled outdoor space accessible from the public realm but not intended for public use (e.g., setback to ground floor residential space). Similar to *Shared Open Space*, but it is perceived as more “public-facing” because of visibility, location, or design.

**Setback.** The minimum distance by which buildings, structures, and parking must be separated from any lot line, as defined in the Piedmont Zoning Code.

**Shared Garage.** A structured parking area that is shared by multiple residential units or commercial spaces.

**Shared Open Space.** Privately-owned and controlled outdoor spaces for communal use within a development and accessible by all residents and visitors, including courtyards, sport courts, play areas, gardens, or other open spaces.

**Shopfront.** A type of frontage, typically for commercial and retail use, where the facade is aligned close to the frontage line with the building entrance at the level of the sidewalk.

**Side Street.** For corner parcels, the narrower and/or less traffic street is considered the side street.

**Sight Distance Zone.** A triangular area formed by measuring 30 feet along the front and side lot lines along the right-of way from their “extended” intersection and connecting these two points, as defined in the Piedmont Zoning Code.

**Sign, Backlit.** Also known as a halo-lit sign, is a type of sign illuminated from behind, creating a glowing halo effect around the letters or logo by shining light onto the mounting surface.

**Small Site.** A development site that has a total area of less than 10,000 square feet.

**Small Tree.** A tree which is a maximum of 25 feet in height or canopy spread at maturity.

**Solid Waste.** All putrescible and non-putrescible solid and semisolid waste material including garbage, rubbish, demolition and construction wastes, industrial wastes, vegetable and animal solid and semisolid wastes, reusable or recyclable material, bulky goods, and other discarded solid and semisolid wastes.

**Stand-alone Parking Garage.** A multi-story parking structure that is not connected to any other buildings and does not house any uses other than parking.

**Stepback Plane.** An imaginary inclined plane that defines the building envelope to preserve a minimum threshold of light and air access and to limit the impact of new developments on adjacent properties and uses.

**Stepback.** The required or actual placement of a building a specified distance away from a road, property line, or other structure at a level above the first floor.

**Street-facing Building Facade.** A facade of the building that faces a street.

**Streetscape.** The visual character of a street as determined by elements such as structures, access, greenery, open space, view, etc. The scene as may be observed along a public street composed of natural and man-made components, including buildings, paving planting, street hardware, and miscellaneous structures.

**Streetwall.** The building facade(s) along a public street, public open space, or a paseo from ground level to 70 feet above. For a portion of the facade to count as a streetwall, it must lie within ten feet of the property line or setback line, if there is one, from ground level to the top of the highest occupied floor of that portion of the building.

**Toe of Wall.** The base point at the front (or downslope side) of a wall, typically where the wall meets the ground surface.

**Top (of building).** The highest section of buildings, including the roof, cornices, and at most the top three stories that identifies building prominence via architectural design and helps shape the skyline.

**Top of Wall.** The finished vertical height of a wall measured from a designated base point (often finished grade or floor level) up to the very highest point of that wall's structure.

**Townhouse.** See Rowhouse.

**Translucent Glass.** Glass that allows light to pass through but obscures or diffuses it, so that objects on the other side are not clearly visible. It provides natural illumination while preserving privacy.

**Transparency.** The of a glazing material, such as glass or plastic, to transmit light without significant scattering, allowing objects behind it to be seen clearly. For example, an opaque glazing that transmits no light has 0% transparency, and a glazing that allows a clear view of the objects on the other side has a 100% transparency.

**Transparent.** A clear glazing/material that allows unobstructed passage of light and provides a clear view of objects or scenes on the other side.

**Travel Path (or Path of Travel).** A continuous, unobstructed pedestrian passage by means of which the altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility, and other parts of the facility.

**Unoccupied Space.** An enclosed space in a building not intended for human activities but only for building services, such as storage, trash, equipment, building utilities.

**Urban Fabric.** The physical aspect of urbanism, emphasizing building types, thoroughfares, open space, frontages, and streetscapes but excluding environmental, functional, economic, and sociocultural aspects.

**Wall Signs.** Signs with a face generally parallel with and affixed to an exterior wall of any building. They could be directly painted on the exterior wall or be attached flat on the wall using different materials.

**Wayfinding.** The ability to orient oneself in a physical space and navigate from one place to another by looking at visual cues.

## Attachment B

## ORDINANCE NO. 788 N.S.

**AN ORDINANCE AMENDING SECTIONS OF DIVISIONS 17.20 ZONE A: SINGLE FAMILY RESIDENTIAL, 17.28 ZONE E: ESTATE RESIDENTIAL, 17.30 PARKING, 17.32 FENCES; TRASH ENCLOSURES; CORNER OBSTRUCTIONS, 17.34 LANDSCAPING, 17.38 ACCESSORY DWELLING UNITS, 17.46 WIRELESS COMMUNICATION FACILITIES, 17.54 URBAN LOT SPLITS AND TWO-UNIT HOUSING DEVELOPMENTS (SB 9), AND 17.67 MINISTERIAL DESIGN REVIEW PERMIT; AND ADDING A SECTION TO DIVISION 17.30 PARKING OF CHAPTER 17 OF THE PIEDMONT CITY CODE TO INCORPORATE OBJECTIVE DESIGN STANDARDS AND UPDATES CLARIFYING MAXIMUM RETAINING WALL HEIGHT FOR SB 9 PROJECTS AND LOCATIONS WHERE PARKING IS PROHIBITED ON SINGLE FAMILY RESIDENTIAL PROPERTIES IN ZONES A AND E**

**WHEREAS**, the proposed amendments are consistent with the proposed Objective Design Standards, and other updates propose clarifying maximum retaining wall height for SB 9 projects and locations where parking is prohibited on single family residential properties in zones A and E; and

**WHEREAS**, On February 20, 2024, the City of Piedmont adopted a program-level Environmental Impact Report (EIR) for the Housing Element Implementation Project (SCH 2022020362) in accordance with the California Environmental Quality Act (CEQA). The proposed amendments to Piedmont City Code Chapter 17 are consistent with and fall within the scope of this adopted Housing Element Implementation EIR. The EIR comprehensively analyzed the potential environmental impacts of implementing Housing Element programs, including Program 4.M (Facilitating Multi-Family and Residential Mixed-Use Projects by Right Subject to Objective Standards) and Program 1.J (SB 9 Facilitation Amendments), both of which are directly addressed by these code amendments. Furthermore, the consideration of Objective Design Standards and related amendments to the City Code and Design Guidelines are exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), the common-sense exception that CEQA applies only to projects which have the potential for causing a significant effect on the environment and 15183, projects consistent with a community plan, general plan or zoning. Other amendments recommended by staff and unrelated to the ODS relating to clarifying the maximum retaining wall height for SB 9 projects and updating the locations where parking is prohibited on single family residential properties in Zone A and E are also exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15601(b)(3), the common-sense exception, due to the fact that the proposed amendments are aesthetic in nature, do not increase development capacity, and do not authorize any specific development, as future projects will still be subject to site-specific environmental review; and

**WHEREAS**, the Planning Commission has held a duly noticed public hearing and has taken public testimony on the proposed amendments to City Code Chapter 17 on January 12, 2026, consistent with existing City Code section 17.72.040 and recommended adoption of the proposed amendments to the Zoning Ordinance; and



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**WHEREAS**, the City Council has held a duly noticed public hearing and took public testimony on the proposed amendments to City Code Chapter 17 on [to be inserted], consistent with existing City Code section 17.72.050.

**NOW, THEREFORE**, the City Council of the City of Piedmont hereby ordain, based on the oral and written staff report, all oral and written comments received and all other evidence in the record, as follows:

### SECTION 1 – BACKGROUND AND INTENT

Piedmont's 6th Cycle Housing Element requires the City to implement key programs that establish and update objective design standards (ODS) to ensure that the City is able to retain some local control over developments that the City is required to approve ministerially, and comply with state law. The City has previously adopted ODS for accessory dwelling units and multi-family/mixed-use projects, and this ordinance adopts ODS for one-to-four-unit residential developments in single-family zones (A and E) to streamline SB 9 projects (Housing Element Program 1.J) and updating existing standards for accessory dwelling units (ADUs) multi-family/mixed-use projects to expedite approvals under state laws such as SB 35 and SB 330 (Housing Element Program 4.M).

### SECTION 2. Findings. The City Council hereby makes the following findings:

- A. The above recitations are true and correct and incorporated herein by reference.
- B. On February 20, 2024, the City of Piedmont adopted a program-level Environmental Impact Report (EIR) for the Housing Element Implementation Project (SCH 2022020362) in accordance with the California Environmental Quality Act (CEQA). The proposed amendments to Piedmont City Code Chapter 17 are consistent with and fall within the scope of this adopted Housing Element Implementation EIR. The EIR comprehensively analyzed the potential environmental impacts of implementing Housing Element programs, including Program 4.M (Facilitating Multi-Family and Residential Mixed-Use Projects by Right Subject to Objective Standards) and Program 1.J (SB 9 Facilitation Amendments), both of which are directly addressed by these code amendments. Furthermore, the consideration of Objective Design Standards and related amendments to the City Code and Design Guidelines are exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), the common-sense exception that CEQA applies only to projects which have the potential for causing a significant effect on the environment and 15183, projects consistent with a community plan, general plan or zoning. Other amendments clarifying the maximum retaining wall height for SB 9 projects and updating the locations where parking is prohibited on single family residential properties in Zone A and E are also exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15601(b)(3), the common-sense exception that the proposed amendments are aesthetic in nature, do not increase development capacity, and do not authorize any specific development. Future projects will still be subject to site-specific environmental review.
- C. The proposed revisions implement amendments related to objective design standards in

## Attachment B

compliance with state law, and include revisions that clarify the maximum height of retaining walls allowed for SB 9 projects and locations where parking is prohibited on single-family residential parcels in Zones A and E. Pursuant to City Code Section 17.72.040(C), the amendments are consistent with Housing Element Programs 1.J and 4.M, the Piedmont General Plan, as recommended to be amended, the purposes of Chapter 17, and the provisions in City Charter Section 9.02.

D. The proposed amendments further public health, safety, and welfare of the community.

### SECTION 3 – AMENDMENT OF SUBSECTION 17.20.040.A

Subsection 17.20.040.A of Section 17.20.040 [Regulations] of the City Code is amended in its entirety to read as follows:

“A. The following development standards apply to the development of all uses in Zone A, except those listed in Section 17.20.040.B:

	<b>Zone A requirements</b>
Lot area	Minimum 8,000 square feet, subject to exception for accessory dwelling unit construction set forth in division 17.38 or for a lot split under SB 9 set forth in division 17.54.
Frontage, on public or private street	Minimum 60 feet, subject to an exception for a lot split under SB 9 as set forth in division 17.54.
Lot coverage; Landscaping	Maximum 40% lot coverage for primary and accessory structures, subject to exception for accessory dwelling unit construction set forth in division 17.38. (A site feature is not calculated in the lot coverage if (1) the feature is not more than 7 feet height and (2) the total of all site features is 400 square feet or less.) Minimum 30% landscaping, subject to exception for accessory dwelling unit construction set forth in division 17.38.
Structure height	Maximum 35 feet, except accessory dwelling units shall be subject to restrictions set forth in division 17.38.
Street yard setback	Minimum 20 feet for primary or accessory structure, subject to exception for accessory dwelling unit construction set forth in division 17.38. However, structure to support pedestrian and vehicular access, such as retaining walls and driveway bridges, not taller than 8 feet, shall be allowed in the street yard setback.

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	No minimum setback for a site feature, but a site feature may require a design review permit under division 17.66.
Side yard and rear yard setback	<p>Minimum 5 feet for a primary or accessory structure, unless the yard is street facing, in which case the minimum is 20 feet, except that a setback of only 4 feet is required for a new structure to be used as an accessory dwelling unit, and no setback is required for conversions of an existing structure to an accessory dwelling unit or portion thereof in the same location and same dimensions.**</p> <p>However, an accessory structure 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 property to the rear; (c) may not exceed 15 feet in height; and (d) may not be habitable.</p> <p>A dwelling unit developed under SB 9 is subject to a 4 foot side and rear setback.</p> <p>A site feature proposed within these distances may require a design review permit under division 17.66.</p>
Floor area ratio*	<p>Subject to exception for accessory dwelling unit construction set forth in division 17.38 or for a dwelling unit developed under SB 9 set forth in division 17.54:</p> <p>Maximum 55% of the lot area if the parcel is 5,000 square feet or less.</p> <p>Maximum 50% of the lot area if the parcel is 5,001 square feet to 10,000 square feet.</p> <p>Maximum 45% of the lot area if the parcel is more than 10,000 square feet.</p>

\* In order to encourage development within the existing building envelope instead of building outwards or upwards, 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. (Ordinance 772 N.S., 03/2024)

\*\* Pursuant to Government Code section 65852.2(a)(1)(D)(vii). (Ord. 747 N.S., 02/2020, Ord. 768 N.S., 01/2023, Ord. 772 N.S., 03/2024)

Please refer to division 17.54 for standards for a lot split and two-unit housing developments performed under SB 9.”

#### SECTION 4 – AMENDMENT OF SUBSECTION 17.28.040.A

Subsection 17.28.040.A of Section 17.28.040 [Regulations] of the City Code is amended in its entirety to read in its entirety as follows:

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“A. The following development standards apply to the development of all uses in Zone E, except those listed in Section 17.28.040.B.:

	<b>Zone E requirements</b>
Lot area	Minimum 20,000 square feet, subject to exception for accessory dwelling unit construction set forth in division 17.38 or for a lot split under SB 9 set forth in division 17.54
Frontage, on public or private street	Minimum 120 feet, subject to an exception for a lot split under SB 9 as set forth in division 17.54
Lot coverage; landscaping	Subject to exception for accessory dwelling unit construction set forth in division 17.38: Maximum 40% lot coverage for primary and accessory structures. (A site feature is not calculated in the lot coverage if (1) the feature is not more than 7 feet height and (2) the total of all site features is 400 square feet or less.) Minimum 40% landscaping.
Structure height	Maximum 35 feet, except accessory dwelling units shall be subject to restrictions set forth in division 17.38.
Street yard setback	Minimum 20 feet for primary and accessory structure, subject to exception for accessory dwelling unit construction set forth in division 17.38. However, structure to support pedestrian and vehicular access, such as retaining walls and driveway bridges, no taller than 8 feet, shall be allowed in the street yard setback. No minimum setback for a site feature, but a site feature may require a design review permit, under division 17.66.
Side yard and rear yard setback	Minimum 20 feet for primary or accessory structure, unless the yard is street facing, in which case the minimum is 20 feet, except that a setback of only 4 feet is required for a new structure to be used as an accessory dwelling unit, and no setback is required for conversions of an existing structure to an accessory dwelling unit or portion thereof in the same location and same dimensions.** However, an accessory structure not to be used as an accessory dwelling unit 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 property to the rear; (c) may not exceed 15 feet in height; and (d) may not be habitable. These distance requirements for an accessory structure also apply to a garage or carport attached to a primary structure. No minimum setback for a site feature, but a site feature may require a design review permit under division 17.66.

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	A dwelling unit developed under SB 9 is subject to a 4 foot side and rear setback.
Floor area ratio*	Subject to exception for accessory dwelling unit construction set forth in division 17.38, or for a dwelling unit developed under SB 9 set forth in division 17.54: Maximum 55% of the lot area if the parcel is 5,000 square feet or less. Maximum 50% of the lot area if the parcel is 5,001 square feet to 10,000 square feet. Maximum 45% of the lot area if the parcel is more than 10,000 square feet.

\* In order to encourage development within the existing building envelope instead of building outwards or upwards, 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.

\*\* Pursuant to Government Code section 65852.2(a)(1)(D)(vii). (Ord. 743 N.S., 05/2018, Ord. 747 N.S., 02/2020, Ord. 768 N.S., 01/2023, Ord. 772 N.S., 03/2024)

Please refer to division 17.54 for standards for a lot split and two-unit housing developments performed under SB 9.”

## SECTION 5 – AMENDMENT OF SUBSECTION 17.30.010.B.1

Subsection 17.30.010.B.1 of Section 17.30.010 [Single family residential and similar use] of the City Code is amended to in its entirety to read as follows:

### “1.General.

<b>Dwelling Unit</b>	<b>Minimum number of off-street, covered, non-tandem parking spaces</b>
Accessory dwelling unit (division 17.38)	0*
New primary unit** 800 square feet or less	1
New primary unit** greater than 800 square feet	2
Primary unit that exceeds FAR, lot coverage or structure height of the underlying zone	1 additional parking space; for a maximum total of 3 parking spaces.
SB-9 development (division 17.54)	1 per primary unit. If the parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code,



## Attachment B

	then parking is not required for the new primary unit. Additional parking spaces for a unit can be stacked or tandem.
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\* Under Government Code section 65852.2, the city may not require parking for an accessory dwelling unit located within 1/2 mile of public transit, and all Piedmont properties are within 1/2 mile.

\*\* primary unit refers to single family residence, small and large family day care homes, manufactured and mobile homes, low barrier navigation centers, supportive and transitional housing, residential care facilities or group homes that provide licensable services for up to 6 residents, residential care facilities or group homes that do not provide licensable services, and employee housing for up to 6 employees.”

#### SECTION 6 – ADDITION OF SUBSECTION 17.30.030.C

Subsection 17.30.030.C is added to Section 17.30.030 [Commercial use and mixed-use residential/commercial (Zone D)] of the City Code to read as follows:

“C. Shared Parking: At least 80% of the total residential parking spaces within a mixed-use development parking arrangement (parking garage or surface parking) shall be dedicated to residential uses. The remaining residential parking spaces can be shared between commercial and residential uses.”

#### SECTION 7 – AMENDMENT OF SECTION 17.30.040

Section 17.30.040 [Location of Parking Spaces] of the City Code is amended to read in its entirety as follows:

##### **“17.30.040 Location of parking spaces.**

A. Parking for a permitted use in any zone must be located: (1) on the same lot as the permitted use; and (2) not within the street setback in Zones A, B and E. Parking for a conditional use in any zone will be provided as required by the conditional use permit authorizing the use.

B. In Zones A and E, the parking of vehicles between the street-facing façade of a building and a lot line is prohibited, except for the parking of vehicles on driveways, parking pads and within parking structures.”

#### SECTION 8– AMENDMENT OF SECTION 17.32.010

Section 17.32.010 [Fence, wall, retaining wall, terracing] of the City Code is amended to read in its entirety as follows:

##### **“17.32.010 Fence, wall, retaining wall, terracing.**

A fence, wall, retaining wall, or terracing is subject to these height limit and design review permit requirements:

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	<b>Height, measured from existing or proposed grade; Design review permit requirement</b>
<b>Retaining wall, with or without guardrail</b>	Maximum 30 inches. (No design review permit required.) If more than 30 inches, requires a design review permit under division 17.66.
<b>Fence, wall, or a combination of either with a retaining wall within 24 inches</b>	
Within street setback	Requires a design review permit under division 17.66 for any height.
Other areas	If 6 feet or less: exempt from design review permit. If more than 6 feet high, requires a design review permit, under division 17.66. If more than 8 feet high, requires a design review permit, under division 17.66, with notification requirements of division 17.62. Up to 8 feet tall allowed in Zones C and D when property line is shared with single-family uses or lots in all zones.
<b>Retaining wall under SB 9 for Zones A and E</b>	
Within street setback	Up to 8 feet tall to support pedestrian and vehicular egress and ingress needs such as driveways and entry pathways.
Other Areas	Maximum of 5 feet.
<b>Trash enclosure</b>	(See general requirements in subsection B.1, below.)
Within street setback	No building permit or design review permit required if the enclosure complies with section 17.32.020, subsections A and B below. Otherwise requires design review permit under division 17.66.
Other areas	No building permit or design review permit required if the enclosure complies with section 17.32.020 B below.
<b>Terracing</b>	Design review is not required if a series of one or more retaining walls and fences, at least 24 inches apart, on a single slope is designed so that no single wall or fence exceeds the height limits in this subsection.

SECTION 9– AMENDMENT OF SECTION 17.34.040

Section 17.34.040 [Requirements] of the City Code is amended to read in its entirety as follows:

**“17.34.040 Requirements.**

The minimum dimensions and areas for landscaping are set forth in the regulations for each zoning district.

A residential property owner must landscape all required street setback areas, except for areas paved for ingress and egress. This requirement does not apply to a mixed use or multifamily development.”

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SECTION 10– AMENDMENT OF SUBSECTION 17.38.060.B.5

Subsection 17.38.060.B.5 of Section 17.38.060 [Zoning regulations; Accessory dwelling unit development standards; Junior accessory dwelling unit development standards; Projects subject to state mandated approval] of the City Code is amended to read in its entirety as follows:

“5. Design Criteria. The design of the structure(s) housing the proposed accessory dwelling unit must meet applicable objective design criteria in the Piedmont Objective Design Standards and any additional design standards applicable to accessory dwelling units approved by the City Council.”

SECTION 11– AMENDMENT OF SUBSECTION 17.38.060.C.2.j

Subsection 17.38.060.C.2.j of Section 17.38.060 [Zoning regulations; Accessory dwelling unit development standards; Junior accessory dwelling unit development standards; Projects subject to state mandated approval] of the City Code is amended to read in its entirety as follows:

“j. An expansion to an accessory structure of up to one hundred fifty (150) square feet to accommodate ingress and egress for a proposed junior accessory dwelling unit must meet applicable design criteria in the Piedmont Objective Design Standards. This 150-square-foot of expansion can include removal of an uncovered parking space.”

SECTION 12– AMENDMENT OF SUBSECTION 17.38.075.A

Subsection 17.38.075.A of Section 17.38.075 [Pre-Approved Plans Incentive] of the City Code is amended to read in its entirety as follows:

“A. The Director may authorize an applicant’s use of floor plans and elevations, owned by the City of Piedmont, and approved by the City Council, Chapter 3.4 of the Piedmont Objective Standards, to obtain Planning Division approval of an Accessory Dwelling Unit Permit if all of the following findings are made:

1. The design unit meets the requirements of section 17.38.060.
2. The roofing material and exterior siding material of the proposed unit are the same as that of the primary residence.
3. The plans are the same as those in Chapter 3.4 of the Piedmont Objective Design Standards with only a 3 percent variation or less in any one dimension.

If the approval is granted, the applicant must agree to the imposition of a rent restrictions on the unit requiring that any rent for the unit be affordable to households of very low income, and the accessory dwelling unit shall be subject to all the requirements set forth below.”

SECTION 13– AMENDMENT OF SUBSECTION 17.38.075.B

Subsection 17.38.075.B of Section 17.38.075 [Pre-Approved Plans Incentive] of the City Code is amended to read in its entirety as follows:

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“B. Additional requirements. If an accessory dwelling unit permit using City-owned plans in Chapter 3.4 of the Piedmont Objective Design Standards is approved, it is subject to the following additional requirements.

1. Rent restriction.

- a. Declaration of rent restrictions. The accessory dwelling unit permit constructed using City-owned plans shall be subject to declaration of rent restrictions (in a form provided by the city), which shall be recorded in the county recorder's office, as a declaration of rent restrictions, and will remain in effect for ten years. The ten-year period of rent restriction begins either: (a) on the date of recordation or date of final building inspection, whichever is later; or (b) according to the terms of the recorded declaration.

If, after ten years, the termination of the recorded declaration is not automatic (by its terms), the city will record a document terminating the declaration of rent restrictions, upon the written request of the property owner.

- b. Affordable rent certification. An owner who has executed a declaration must submit to the city an accessory dwelling unit affordable rent certification: (i) on an annual basis, by each December 31 and as part of the annual city business license application and renewal; and (ii) upon any change in occupancy of the accessory dwelling unit. The accessory dwelling unit affordable rent certification must be on a form provided by the city and must specify whether or not the accessory dwelling unit is being occupied; the rent charged; the utilities that are included in the cost of rent; the household size of the accessory dwelling unit; the names and ages of the accessory dwelling unit occupants; the gross household income of the accessory dwelling unit household; and other information as determined appropriate by the city.”

SECTION 14– AMENDMENT OF SUBSECTION 17.46.050.B.1.d

Subsection 17.46.050.B.1.d of Section 17.46.050 [Permit; Application] of the City Code is amended to read in its entirety as follows:

“d. all applicable documents outlined in the submittal checklist in section 8.03.04 of the Piedmont Design Guidelines titled Submittal Checklist.”

SECTION 15– AMENDMENT OF SUBSECTION 17.46.050.B.2

Subsection 17.46.050.B.2 of Section 17.46.050 [Permit; Application] of the City Code is amended to read in its entirety as follows:

“2. Application for location on city property. An applicant for a wireless communication facility proposed to be located on city property or in a public right-of-

## Attachment B

way must submit a Letter of Authorization signed by the City of Piedmont City Council and all documents listed in Chapter 8 of the Piedmont Design Guidelines.”

#### SECTION 16– AMENDMENT OF SUBSECTION 17.46.070.C

Subsection 17.46.070.C of Section 17.46.070 Standards, of the City Code is amended to read in its entirety as follows:

“C. Term of permit. A wireless communication facility permit is valid for an initial period of ten years as specified in the Piedmont Design Guidelines unless: (i) a longer period is required by state or federal law; or (ii) a shorter time is required as a condition of approval for particular circumstances set forth in the decision, particularly with respect to public safety or substantial land use reasons under California Government Code section 65964(b). The Director may administratively extend a permit upon verification of continued compliance with this division 17.46 and any conditions of approval.”

#### SECTION 17– AMENDMENT OF SUBSECTION 17.46.080.A.1

Subsection 17.46.080.A.1 of Section 17.46.080 [Review Body; Findings] of the City Code is amended to read in its entirety as follows:

“1. Permit and Reviewing Body.

Location	Type of WCF	Design Standards Criteria	Type of Permit Required
WCF in the Right-of-Way	6409 Collocation	Meets the design criteria outlined in Design Guidelines Section 8.02.03	Building Permit
			Encroachment Permit
	Small Cell or DAS Application	Meets the Design Guidelines Section 8.02.03	Building Permit
			Encroachment Permit
		Does not meet the Design Guidelines	WCF Planning Permit, Review by Planning Commission
	Collocation (not under 6409) with existing structure		Building Permit
			Encroachment Permit
			WCF Planning Permit, Review by Director



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WCF On Public or Private Property	New structure		WCF Planning Permit, Review by Planning Commission Building Permit
	Collocation (not under 6409) with existing structure		WCF Planning Permit, Review by Director Building Permit
	6409 Collocation	Meets Design Guidelines in Section 8.02.04	Building Permit

SECTION 18– AMENDMENT OF SUBSECTION 17.46.080.B.1.c

Subsection 17.46.080.B.1.c of Section 17.46.080 [Review Body; Findings] of the City Code is amended to read in its entirety as follows:

“c. The proposed design is consistent with the Piedmont Design Guidelines.”

SECTION 19– AMENDMENT OF SUBSECTION 17.46.080.B.2.b

Subsection 17.46.080.B.2.b of Section 17.46.080 [Review Body; Findings] of the City Code is amended to read in its entirety as follows:

“b. Modification. The Director may consider and grant, modify and grant or deny a modification to an existing wireless communications facility if the modification meets the requirements of section 6409. In determining whether to approve the requested modification the Director shall approve if the project meets the criteria outlined in section 8.03.03 of the Piedmont Design Guidelines titled 6409 (a) Eligible Facilities Request Checklist.”

SECTION 20– AMENDMENT OF SUBSECTION 17.54.040.B

Subsection 17.54.040.B of Section 17.54.040 [Permit Application and Review Procedures] of the City Code is amended to read in its entirety as follows:

“B. Ministerial Review. The Director shall review each application ministerially to determine if the development standards in section 17.54.050 are met for an urban lot split or the development standards in section 17.54.060 are met for a two-unit housing development. The Director will review the application without notice or public hearing, and shall approve the application if the application meets the applicable requirements of the division and Piedmont Objective Design Standards Chapter 2: One to Four Residential Unit Developments.”

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SECTION 21– AMENDMENT OF SECTION 17.54.050

Section 17.54.050 [Urban Lot Split Standards] of the City Code is amended to read in its entirety as follows:

**“17.54.050 Urban Lot Split Standards**

The Director may not approve an application for an urban lot split permit unless the project conforms to all of the standards listed below and in Chapter 2 of the Piedmont Objective Design Standards. A waiver may be granted for an exception to the standards as provided in section 17.54.080.

**A. Size Requirements**

1. The parcel subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.
2. The newly created parcels are no smaller than 1,200 square feet.

**B. Location Requirements**

1. The parcel is not located in an area identified in subparagraphs (B) to (K) of paragraph (6) of subdivision (a) of Section 65913.4 of the Government Code.
  - a. The parcel is not located within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
  - b. The parcel is not located on a hazardous waste site, as defined by Government Code Section 65913.4(a)(6)(H).
  - c. The parcel is not located within a special flood hazard area subject to inundation by the one percent annual chance flood (one hundred (100)- year flood) as defined by Government Code Section 65913.4(a)(6)(G).
  - d. The property is not located within a regulatory floodway, as defined by Government Code Section 65913.4(a)(6)(H).
2. The proposed urban lot split would not require demolition or alteration of the housing types listed in Government Code section 66411.7(a)(3)(D)(i)-(iv) nor the following types of housing:
  - a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

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- b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
  - c. A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 of the California Government Code (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
  - d. Housing that has been occupied by a tenant in the last three years.
3. The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.
  4. The parcel has not been established through prior exercise of an urban lot split as provided for in this division.
  5. Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split as provided for in this division.

C. Lot Configuration

1. Access to Public Right-of-Way. The new parcel shall have vehicular access to the public right-of-way, either through direct lot frontage or an easement through the existing parcel.
2. Existing Dwelling Unit. If an urban lot split is proposed for a property with an existing dwelling unit, the split must result in the existing dwelling unit being completely located on one parcel. There shall be no existing or proposed structure in the setback along the new lot line for the lot on which the existing house remains. The lot on which the existing primary residence remains shall comply with the underlying zoning regulations such that no nonconformity is introduced, and no existing nonconformity is increased by the subdivision.
3. Lot Frontage. The lot shall have a minimum frontage of 60 feet, unless the frontage requirement precludes the development of two lots containing an 800 square foot primary structure. A new lot may be accessed via an easement across a pre-existing lot that contains street frontage.
4. Flag Lots. Flag lots are not permitted under an urban lot split permit. If a new parcel is created without direct access to the public right-of-way, an easement shall be provided through the original lot. The easement shall meet the following requirements:
  - a. The easement shall have a minimum width of 12 feet.
  - b. The easement shall provide access for utilities to be connected to the public right-of-way.

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5. The side line of all lots shall be at right angles to the street which the lot faces, or approximately radial to the center of the curvature, if the street is curved. Side lines of lots shall be approximately radial to the center of the curvature of a cul-de-sac on which the lot faces.
6. For a newly created lot that is located in both Piedmont and Oakland, the applicant shall obtain all the required permits in both jurisdictions.
7. Lots of an unusual shape, as defined in section 17.54.030, are not permitted.
8. Access to the new lot shall meet the driveway width, slope standards, and other standards for vehicular access outlined in Chapter 2.5 of the Piedmont Objective Design Standards.

D. Utilities

1. The new parcel shall have separate utilities, including but not limited to electric, gas, water, and sewer. The new parcel shall adhere to the standards outlined in the Piedmont Public Works Standards.
2. Utility easements shall be recorded prior to final map recordation.”

SECTION 22– AMENDMENT OF SECTION 17.54.060

Section 17.54.060 [Two-Unit Housing Development Standards] of the City Code is amended to read in its entirety as follows:

**“17.54.060 Two-Unit Housing Development Standards**

The Director may not approve an application for a two-unit housing development permit unless the project conforms to all of the standards listed below and Chapter 2 of the Piedmont Objective Design Standards. A waiver may be granted for an exception to the standards as provided in section 17.54.080.

A. Size.

- a. The SB 9 unit is no more than 800 square feet in size.
- b. For an SB 9 unit that exceeds the 800 square foot size limit, the SB 9 unit shall meet the floor area ratio criteria for the underlying zoning district, unless the development falls under section E below.

B. Height. The maximum height of a new SB 9 unit shall meet the requirements of the underlying zoning district.

C. Setbacks.

- a. The side and rear setback is four feet for an SB 9 unit in any zone.
- b. The street-side setback, including for corner lots, is 20 feet.
- c. For the development of a new SB 9 unit within an existing structure that does not meet the four-foot setback requirement, the new unit is allowed to keep the nonconforming

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condition so long as the nonconformity is not increased within the setback area. The converted structure must be in the same footprint and dimensions as the existing non-conforming structure.

D. Parking. New SB 9 units are required to have at least one parking space that meets the parking regulations in Section 17.30.040 and Section 17.30.050 of the Piedmont City Code. If the parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code, then parking is not required for the new SB 9 unit. Additional parking spaces for a unit can be stacked or tandem.

E. Lot Coverage.

- a. When a two-unit housing development is proposed on a new lot created pursuant to the urban lot split provisions specified in this division, the new SB 9 unit(s) shall conform to the structure coverage, landscape coverage, and floor area ratio of the underlying zoning district.
- b. When a new SB 9 unit is constructed on a lot with an existing dwelling unit, the floor area ratio may exceed the code required maximums so long as structure and landscape coverage conform to the requirements of the underlying zoning district.

F. Path of Travel. The path of travel to the new SB 9 unit shall be clearly marked by providing an address marker visible from the street and at the main entry door to the new unit. If needed, path lights shall also be installed. The path of travel shall have a minimum width of 3 feet.”

SECTION 23– AMENDMENT OF SECTION 17.54.080

Section 17.54.080 [Waivers from Standards] of the City Code is amended to read in its entirety as follows:

**“17.54.080     Waivers from Standards**

A. An applicant may request a waiver from the development standards provided in this division and Chapter 2 of the Piedmont Objective Standards if the following criteria are met:

1. Application. The applicant requests an exception as a part of the application materials.
2. Approval Authority. The exception request shall be submitted to the Director for review. The Director shall determine if the exception meets the standards for approval.
3. Standards for Approval. An exception from a development standard shall be granted if the standard would have the effect of physically precluding: (1) an urban lot split of a vacant parcel where the resulting lot size is 1,200 square feet or more for both parcels; (2) an urban lot split of a parcel with existing development, where the resulting lot size is 1,200 square feet or more for both parcels, and the urban lot split does not increase any nonconformity with underlying zoning regulations for the parcel with existing development; or (3) the



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construction of up to two units that are 800 square feet in floor area or less, each.

Waivers from objective zoning standards shall not be granted if the floor area and/or structure coverage of each new housing development would exceed 800 square feet. The city shall determine the extent of relief necessary to allow two 800 square foot units. Waivers from zoning standards for accessory structures, such as decks and garages, shall be only for the minimum size structure required to serve each housing unit according to state law and Chapter 8 Building Code standards. A waiver cannot be approved for an application that proposes new construction within the four-foot side and rear setbacks.”

#### SECTION 24– AMENDMENT OF SUBSECTION 17.67.020.A

Subsection 17.67.020.A of Section 17.67.020 [Implementation] of the City Code is amended to read in its entirety as follows:

“A. Piedmont Objective Design Standards. The City Council has adopted the Piedmont Objective Design Standards that are available online and at City Hall. The Piedmont Objective Design Standards are for the review of projects that meet the requirements for ministerial review. The Piedmont Objective Design Standards are one of the criteria for the applicant and Director in determining whether a specific project conforms to section 17.67.060 Standards; Findings.”

#### SECTION 25– AMENDMENT OF SUBSECTION 17.67.030.A

Subsection 17.67.030.A of Section 17.67.030 [Permit Required] of the City Code is amended to read in its entirety as follows:

“A. Permit required. A ministerial design review permit is required for any development which meets the eligibility criteria for ministerial review under State law, subject to review under Chapter 17 division 17.38, (2) Two-unit housing developments and/or urban lot splits, which are subject to review under Chapter 17 division 17.54, and (3) other ministerial projects including certain multifamily and mixed-use developments as required by law;”

#### SECTION 26– AMENDMENT OF SECTION 17.67.060

Section 17.67.060 Standards; Findings, of the City Code is amended in its entirety to read as follows:

#### **“17.67.060 Standards; Findings.**

The Director may not approve a ministerial design review permit unless the Director first finds that the design of the project conforms to all of the following standards:

- A. The proposed development meets the criteria for ministerial approval under State law.
- B. The proposed development meets applicable design standards as provided in the Piedmont Objective Design Standards, as they may be amended from time to time by the City Council.

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- C. The proposed development complies with zoning ordinance regulations for the zone in which the project site is located.”

SECTION 27 – CONFLICTS

If a previous City Council ordinance or resolution is in conflict with this ordinance, that ordinance or resolution is superseded, and the provisions of this ordinance prevail.

SECTION 28 – SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

SECTION 29 – CODIFICATION

The City Clerk is directed to codify this ordinance in a manner which reflects the legislative intent of the City Council

SECTION 30 – POSTING, EFFECTIVE DATE, AND SUBMISSION

This Ordinance shall be posted at City Hall after its second reading by the City Council for at least 30 days and shall become effective 30 days after the second reading. The City Clerk is directed to submit a copy of this ordinance to the Department of Housing and Community Development in the manner required by law.

[END OF ORDINANCE]

## ATTACHMENT C

**RESOLUTION No. \_\_\_\_\_****A RESOLUTION OF  
THE CITY COUNCIL THE CITY OF PIEDMONT ADOPTING AMENDMENTS TO  
THE CITY OF PIEDMONT DESIGN STANDARDS AND GUIDELINES**

**WHEREAS**, the purpose of the Piedmont Design Standards and Guidelines is to implement design and appearance policies outlined in the General Plan and Chapter 17 of the Piedmont City Code; and

**WHEREAS**, in February 2020, the City adopted design standards and guidelines for ADUs and JADUs. Then, in September 2023, the city adopted objective design standards for multi-family, mixed-use, and commercial developments, as well as pre-approved ADU plans. These were added to Chapters 5, 6, 7, and Appendix A of the Piedmont Design Standards and Guidelines document; and

**WHEREAS**, other chapters provide information, guidelines and standards for projects exempt from design review, list of streets in Piedmont, landscaping and hardscaping, accessory structures, placement of windows, design of additions, location and design of site features, exterior mechanical equipment, fencing, retaining walls, wireless communication facilities, commercial uses, and permit submittal requirements; and

**WHEREAS**, as proposed, the existing standards for ADUs, multifamily development and mixed-use development will be removed from Piedmont Design Standards and Guidelines and updated standards would be placed in the Draft Piedmont Objective Design Standards (Draft ODS) along with new standards for 1–4-unit housing and the current Piedmont Design Standards and Guidelines will be renamed to Piedmont Design Guidelines; and

**WHEREAS**, in addition, the proposed amendments update the list of projects exempt from design review and implementing other minor revisions throughout the remaining chapters of the Guidelines. These revisions are designed to reflect current and best practices, incorporate necessary procedural changes, and update application submittal checklists; and

**WHEREAS**, the draft amendments to the Piedmont Design Standards and Guidelines were presented and discussed at the November 10, 2025, Planning Commission study session and an opportunity for public comment was provided at that study session; and

**WHEREAS**, the Planning Commission convened a public hearing on the draft amendments to the Piedmont Design Standards and Guidelines on January 12, 2026, and provided an opportunity for public and Commissioner comments at that time; and

**WHEREAS**, the amendments to the Piedmont Design Standards and Guidelines as outlined in the staff report is consistent with Piedmont City Code, the draft Piedmont Objective Design Standards and best practices; and

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**WHEREAS**, City Council approval of the amendments to the Piedmont Design Standards and Guidelines is required before they become effective; and

**WHEREAS**, after the amendments to the Piedmont Design Standards and Guidelines becomes effective, the new document would be titled Piedmont Design Guidelines and would continue to have regulations for discretionary projects; and

**WHEREAS**, the existing objective standards in the Piedmont Design Standards and Guidelines and the new objective standards for ministerial projects will be placed in a new and separate document titled Piedmont Objective Design Standards; and

**NOW, THEREFORE, BE IT RESOLVED** that, after reviewing the revised document, staff report, and all documents and public testimony received, the City Council of the City of Piedmont does hereby resolve, declare, determine and order as follows:

**SECTION 1.** The City Council finds that:

1. The facts set forth in the recitals in this Resolution are true and correct and hereby incorporated by this reference;
2. The recitals constitute findings in this matter and, together with the staff report, and other written reports, public testimony and other information contained in the records, are an adequate and appropriate evidentiary basis for the actions taken in this Resolution;
3. The provisions in this Resolution, as adopted, are consistent with General Plan Policies Policy 1.3 Harmonious Development, Policy 1.7 Incentives for Affordable Accessory Dwelling Units, Policy 1.9 Implement Housing Element, Policy 2.2 Mixed Use Development, Policy 2.4 Parking, Policy 6.4 Community Input, Policy 11.4 Shared Parking, Policy 13.1 Respecting Natural Terrain, Policy 14.5 Landscaping, Policy 19.3 New Development Siting, Policy 19.12 Fire Safe Regulations, 19.20 Emergency Access, Policy 29.7 Signs, Policy 28.1 Scale, Height and Bulk Compatibility, Policy 28.7 Hillside Home Design, Policy 28.10 Multifamily Design, Policy 29.5 Fence and Wall Design, Policy 29.6 Retaining Walls, Policy 29.7 Driveway and Parking Location, Policy 29.8 Exterior Lighting, Policy 1.J SB 9 Facilitation Amendments and Policy 4.M Facilitate Multi-Family and Residential Mixed-Use Projects by Right Subject to Objective Standards; the proposed Objective Design Standards and staff recommended updates to implement best and current practices; and
4. This Resolution will not be detrimental to the public interest, health, safety, convenience or welfare.

**SECTION 2.** On February 20, 2024, the City of Piedmont adopted a program-level Environmental Impact Report (EIR) for the Housing Element Implementation Project (SCH 2022020362) in accordance with the California Environmental Quality Act (CEQA). The proposed amendments to Piedmont City Code Chapter 17 are consistent with and fall within the scope of this adopted Housing Element Implementation EIR. The EIR comprehensively analyzed the potential environmental impacts of implementing Housing Element programs, including Program

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4.M (Facilitating Multi-Family and Residential Mixed-Use Projects by Right Subject to Objective Standards) and Program 1.J (SB 9 Facilitation Amendments), both of which are directly addressed by these code amendments. Furthermore, the consideration of Objective Design Standards and related amendments to the City Code and Design Guidelines are exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), the common-sense exception that CEQA applies only to projects which have the potential for causing a significant effect on the environment and 15183, projects consistent with a community plan, general plan or zoning. Other amendments including modifying the list of projects that are exempt from needing a design review, amending the submittal checklist for all planning project types, and adding information related to water efficient landscape ordinance are also exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15601(b)(3), the common-sense exception that the proposed amendments are aesthetic in nature, do not increase development capacity, and do not authorize any specific development. Future projects will still be subject to site-specific environmental review.

**SECTION 3.** The amendments to the Piedmont Design Standards and Guidelines, attached as **Exhibit A**, and a revision to the document title to **Piedmont Design Guidelines**, are hereby adopted.

**SECTION 4.** All portions of this resolution are severable. If an individual component of this Resolution is adjudged by a court to be invalid and unenforceable, then the remaining portions will continue in effect.

[END OF DOCUMENT]



## ATTACHMENT D

**Public Comments received on Draft Piedmont Objective Design Standards**

12/3/2025

Hello Kevin:

I've reviewed the "Objective Design Standards Draft" (11.04.25 Public Review Draft) and have a few landscape related comments for your review:

1. **S.2.10.3 Plants (page 39):** Including a requirement that the plants are 'native', creates too much restriction. If the key consideration is water-use, perhaps a term such as '*climate appropriate*' or '*Mediterranean climate appropriate*' would be more accurate. For example, we have many useful low-water plants with Australian or South African origins.
2. **In 5.1 Definitions Landscape/Landscaping (page 141):** It includes "hard landscape" such as gravel. Is this a change that allows gravel to be defined as "landscape" in calculating landscape coverage of the lot? This seems in conflict with Piedmont's previous definition requiring landscape area to be "growing green material".
3. **1.5.2 (page 14):** requires that the Topographic Survey must have been prepared within the previous 12 months. With larger renovation project timelines and the potential for new homeowners to "inherit" a topographic survey from previous owners, these are often prepared 2-3 years prior. I understand the need for the survey to be current, but is a 24-36 month window an option?

Thank you. I appreciate the opportunity to provide feedback.

Alexis

Alexis Davis Millar Landscape Architecture  
Principal / Landscape Architect CLA 6542  
(510) 282-0039

December 5, 2025, from Gary Z.

Comments on proposed "Objective Design Standards" for new homes in Piedmont:

I attended the August 21st open house, where portions of the objective design standards were displayed only in partial, draft form. I shared informal verbal feedback with your staff and the City's consultant, but the materials were clearly still in development, and nothing indicated this was a formal public-comment process. The standards now dated November 4th are substantially more developed, and my earlier input does not appear to be reflected. For transparency, the City should release the next iteration of the standards, explain how community feedback has been incorporated, and provide an actual opportunity for formal public comment. The August open house was informational only and should not be characterized as a public-feedback round.

When you adopt objective design standards for SB 9 and ADU projects, the legal baseline is state law, not existing local practice. Under Gov. Code §§ 65852.21 and 66411.7, qualifying SB 9 and

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ADU applications are entitled to ministerial approval so long as they meet objective standards that do not physically preclude the project or otherwise make it infeasible. Any objective standard that is too restrictive, impossible to satisfy in practice, or not tied to a legitimate health, safety, or historic resource concern effectively converts a ministerial process back into a discretionary one—contrary to state law and subject to HCD enforcement. That is why it is critical that Piedmont’s objective standards remain narrowly tailored and non-preclusive. Several of the proposed appear to go beyond what SB 9 and state ADU law allow and risk invalidating the City’s entire ministerial framework if challenged, for example:

### **SB 9 Waiver Interpretation Makes Custom Lot-Split Homes Impossible — Contrary to State Law**

I would like to bring attention to a serious inconsistency in the City’s SB 9 application materials that is creating confusion for applicants and appears to conflict with both state law and the City’s own SB 9 ordinance. The application form states that “if any standard is waived, the project is limited to unit size not exceeding 800 square feet.” This language effectively traps applicants into believing that requesting a required waiver—such as for lot frontage--forces an SB 9 home that by state law mandates be at least 800 square feet to be exactly 800 square feet, **no larger and no smaller**. This is not supported anywhere in Government Code §§65852.21 or 66411.7, nor in Chapter 17.54 of the Piedmont Municipal Code, which expressly allows SB 9 units to exceed 800 square feet so long as they meet applicable FAR or coverage. State law requires waivers to ensure feasibility, not to down-zone projects or impose new size caps. As currently written, the form misleads the public, frustrates the ministerial intent of SB 9, and introduces a requirement that is neither objective nor lawful. I respectfully request that the City study this scenario and correct this language to align with state law and the adopted ordinance so applicants have a clear, accurate understanding of their rights and obligations under SB 9.

If the City’s intent is in fact to require any SB 9 lot-split home requesting a waiver to measure exactly 800 square feet—and not one foot larger or smaller—that would be even more problematic. Such a requirement is functionally impossible to implement, has no basis in SB 9, and amounts to an unlawful substantive restriction masquerading as a procedural condition. State law does not permit cities to force precision sizing that no architectural, structural, or code-compliant residential design can realistically achieve. Imposing an “exact 800-square-foot” mandate would not only misapply the statute; it would effectively prohibit otherwise feasible SB 9 housing, in direct conflict with the Legislature’s intent to remove—not add—local barriers to development.

### **60-Foot Frontage Objective Standard With Regard to SB9 Lot Splits is an Unlawful Barrier**

The proposed 60-foot minimum frontage requirement in S.2.2.5 directly conflicts with state law and should be removed. Under Government Code §66411.7, cities may not impose lot-dimension standards that would preclude an SB 9 urban lot split, and minimum frontage requirements are specifically identified by HCD as an unlawful barrier.

### **S 3.2.6 Blanket Prohibition on Curb Cuts is an Unlawful Barrier**

The proposed curb-cut restriction in S.3.2.6 risks conflicting with state ADU and SB 9 law, both of which guarantee applicants the ability to create the access necessary for safe, functional

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parking and site circulation. Many SB 9 and ADU projects—particularly those located behind an existing residence or on constrained lots—cannot be built without a new or modified curb cut, and a categorical prohibition would effectively block otherwise qualifying ministerial housing. Government Code §§65852.2, 65852.21, and 66411.7 require that objective standards not physically preclude the development, and access is a fundamental, safety-related site requirement. For this reason, curb-cut decisions must remain flexible and project-specific rather than barred outright. A blanket prohibition would overreach, create noncompliance with state law, and undermine feasible small-scale infill.

### **S2.10.2 Mandatory Fencing or Landscape Screening Around ADUs Is an Unlawful Barrier and is Inconsistent with Accessory Housing Intent**

The mandatory landscape-screening requirement in Section 2.10.2 exceeds local authority and is inconsistent with both the intent and the legal framework of California’s ADU statutes and SB 9. State law (Gov. Code §§ 65852.2, 65852.21) expressly limits local regulation of ADUs and SB 9 units to objective standards that do not “physically preclude” or unreasonably burden the creation of these units. A blanket requirement that homeowners install six-foot fencing or dense landscape screens around an ADU imposes a new development condition that is neither required nor permitted under state law. These mandatory barriers can physically and functionally interfere with accessible circulation between the main home and the ADU—particularly for multigenerational households, caregivers, seniors, and residents with mobility limitations—and therefore conflict with statutory protections guaranteeing feasibility and flexibility in ADU use. Additionally, privacy treatments are discretionary lifestyle choices, not objective health-and-safety standards, and the ADU statute explicitly prohibits local agencies from imposing subjective design preferences or conditions unrelated to health, safety, or objective development performance. Because family-oriented SB 9 units and ADUs are often intentionally designed for close interaction and visual connection, the City may not mandate screening that forces separation, restricts accessibility, or imposes artificial barriers between the two units. The landscape-screening requirement therefore conflicts with state preemption and should be removed or made optional.

### **S2.5 Overly Restrictive Driveway Standards That Risk Functioning as a Barrier to SB 9 Housing**

The proposed driveway standards are excessively rigid and risk undermining the very feasibility of SB 9 and other ministerial housing projects. Requirements such as fixed width ranges, tightly constrained backup distances, highly prescriptive slope limits, and mandatory turnaround geometries impose a level of precision and site engineering that many small residential lots—especially on Piedmont’s hilly terrain—simply cannot meet without extraordinary cost or physical reshaping of the land. These standards go far beyond what is necessary for safe access and, in practice, function as discretionary design requirements disguised as “objective.” Under SB 9 and state housing law, cities may not create access or circulation standards that effectively preclude development on otherwise eligible parcels. Driveway rules must be reasonably flexible, context-sensitive, and grounded in what typical small-lot residential construction can achieve—not so rigid that they become a de facto barrier to housing production.

### **S2.18.2 Impossible to Legally Obtain Neighboring Window Property Dimensions in Most Situations**

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The proposed window-placement privacy standard is unworkable in practice and functions as a barrier to SB 9 and ADU production. Requiring applicants to measure horizontal and vertical offsets between new windows and windows on neighboring homes assumes access to precise architectural data that homeowners simply do not have and cannot lawfully obtain. In most cases, applicants cannot enter a neighbor's property or there are obstacles block the view to measure window locations, sill heights, or framing dimensions, and cities cannot condition ministerial approval on information that applicants have no legal means to collect. SB 9 explicitly prohibits local standards that effectively preclude development, and this requirement—by demanding impossible measurements—creates exactly that outcome.

### **S 2.19.3 Siding Thickness Standard Does Not Comport with --is Inconsistent with-- Standards to Match Character of Main House or Neighborhood**

The proposed siding requirement in S.2.19.3 does not reflect the architectural reality of Piedmont's older homes and would frustrate efforts to create compatible infill. Many historic and pre-war houses in the city use traditional narrow siding profiles—often 3–5 inches exposed—which are a defining feature of their character. Requiring new construction to use a minimum 6-inch exposure forces homeowners into a wider, less traditional look that directly conflicts with the very structures applicants are trying to match. This undermines design compatibility rather than promoting it. Homeowners should be allowed to use narrower siding where it aligns with the existing architectural vocabulary of the neighborhood, rather than being restricted by an inflexible dimension that does not reflect the city's historic housing stock.

### **CEQA Should not be Legally Imposed for Ministerial Projects**

The City must ensure that none of the proposed SB 9 or ADU objective standards function as back-door CEQA requirements, because state law is unambiguous that these projects are ministerial and therefore categorically exempt from CEQA review. Government Code §§65852.21 and 66411.7 require cities to approve qualifying SB 9 projects ministerially, and Public Resources Code §21080(b)(1) makes clear that ministerial actions are not subject to CEQA. Any standard that requires environmental studies, discretionary findings, mitigation analysis, or other CEQA-like procedures would violate state law and undermine the ministerial pathway the Legislature created to deliver small-scale infill housing. For this reason, the City must avoid adopting objective standards that effectively reintroduce CEQA barriers, as even unintentional overreach could place Piedmont in conflict with HCD and the Attorney General's SB 9 enforcement mandate.

### **Tribal Consultation Should Not Be Legally Imposed for Ministerial Projects**

The City should not adopt any standard that requires or implies tribal consultation for SB 9 or ADU applications, as such a process is legally impermissible. Tribal outreach under AB 52 is a CEQA procedure, and CEQA applies only to discretionary actions. SB 9 projects, by statute, must be approved ministerially under Government Code §§65852.21 and 66411.7, which makes them categorically exempt from CEQA and therefore not subject to AB 52. Requiring applicants to contact tribes, obtain responses, or wait for consultation would unlawfully introduce discretion, delay, and third-party review into a ministerial process, directly conflicting with state housing law and HCD guidance. While cities may offer optional courtesy information, they may not mandate tribal outreach as a condition of SB 9 approval.

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**No Biological Report for Ministerial Projects**

The City should avoid any requirement—explicit or implied—for a biological resource report or similar environmental analysis as part of an SB 9 or ADU application. Biological assessments are CEQA documents, and CEQA applies only to discretionary approvals. SB 9 projects must be approved ministerially under Government Code §§65852.21 and 66411.7, making them categorically exempt from CEQA under Public Resources Code §21080(b)(1). Requiring a biological survey would unlawfully introduce discretion, delay, professional judgment, and environmental review into a process the Legislature mandated be purely objective and ministerial. For this reason, biological reports cannot be a condition of SB 9 approval and should not appear, directly or indirectly, in the City’s objective standards.

I’m submitting this feedback because it’s in everyone’s interest—including the City’s—to ensure that our objective standards are both legally compliant and genuinely workable. Piedmont can maintain strong design expectations without imposing requirements that conflict with state law or unintentionally limit homeowners’ property rights. My comments are offered to help clarify that balance so the final standards serve the community fairly and predictably.

Sincerely,  
/Anonymous Resident/

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December 7, 2025, from Gary Z.

(Additional) Comments on proposed “Objective Design Standards” for new homes in Piedmont:

The City has been unable to provide a clear timeline for when the new Objective Standards will be released, revised, or adopted, or even explain how public comments will be processed, incorporated, and re-circulated for review. Applicants need to know when revisions will appear, when these new standards will incorporate the current public comments, and when will final standards be deemed available for public comment. Without this clarity and ability to iterate, the process remains opaque and unworkable.

State law is explicit that SB 9 projects must be reviewed only against objective standards that are publicly available, knowable in advance, and in effect at the time of application. Without firm publication and adoption timelines, Piedmont is effectively creating a moving target that forces applicants to design in the dark—despite the fact that SB 9 projects require months of structural, civil, geotechnical, landscape, utility, and Title-24 preparation. This uncertainty suppresses housing production and directly conflicts with SB 9, the Housing Accountability Act, and SB 330’s prohibition on introducing new standards without clear transition rules. The City must provide applicants with a defined release schedule, an adoption timeline, and a guaranteed transition period, or it risks undermining both public trust and compliance with state housing law.

Piedmont’s must provide a clear timeline for releasing or adopting Objective Standards. State law requires that SB 9 projects be reviewed only against objective standards that are publicly available and knowable *before* an application is submitted. In reality, preparing an SB 9 project



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is *not instantaneous*—it requires at least six months and can reach \$100,000 of expenses for architectural design, structural engineering, civil plans, soils investigations, utility coordination, landscape documentation, and Title-24 compliance. When the City refuses to publish a firm release schedule, adoption date, or transition window for new standards, it forces applicants to design blindfolded. This uncertainty functions as a barrier to housing production and violates the intent of SB 9, the Housing Accountability Act, and SB 330's ban on surprise rule changes. The City must provide a defined draft schedule, a clear Council adoption timeline, and a guaranteed transition period of sufficient length—otherwise applicants cannot reasonably plan or invest, and Piedmont risks noncompliance with state housing law.

Thank you  
/Anonymous Resident/

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December 7, 2025  
11/04/2025 Draft Objective Design Standards

Hi Kevin,

I would like to share some of my thoughts with you regarding the most recent version of the City's Design Standards.

I applaud the effort of the City to further develop their Objective Design Standards. The City, its staff and its consultants have come a long way in putting together this 140 page plus document.

Due to the State forcing a housing issue, the City is not in a good place regarding the SB-9 situation. I believe it is unfortunate that the State of California has killed off the historic, discretionary City of Piedmont Design Review Process that has been in place for almost 50 years for a "Streamline Permit" process, or a "By-Right" building process, or a "Builder's Remedy" or a "Ministerial Review" process. These various fast track processes do not allow neighbors and Piedmont residents, in a public forum, to voice opinions about residential projects that affect a Piedmont citizen's quality of life. I still can't support the fact that the State has forced this terrible situation upon an older Charter City, like Piedmont, where our City's hillside terrain may not necessarily support the construction of architecturally rich SB-9 housing projects.

A read of the 11/4/2025 Draft Objective Design Standards in conjunction with the City's current Division 17.54 "Urban Splits and Two Unit Housing Developments (SB 9) indicates to me that a new SB-9 4 unit development similar to last year's 210 Howard Avenue Flag Lot proposal would not be granted. Various provisions in the City's Division 17.54 and the State's PUC 21155 and PUC 21064.3 sections require that there be one parking space per unit on a SB-9 property. The proposed ODS states that 1 to 4 unit developments grading shall facilitate accessible site circulation (Section 2.3), which will require either a series of ramps or stairs in the 11' wide flag pole section or driveway area of the property. Another ODS issue that will prevent development of the property is the need for a 12' wide easement across the lot closest to the street (Section S.2.2.6). Section 2.3.1.a, regarding retaining walls centered on lots, makes the effective width of any driveway either 9 ½ to 10 feet wide. This section also impacts negatively the required 4' side and rear yard of any SB-9 project. The Vehicular Access and Parking part of the ODS,

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Section 2.5, states that any driveway that exceeds 75' from Howard Avenue will be required to be either 12' or 18' in width, which means getting an easement from neighbors or purchasing 1 foot or 7 feet from neighboring properties. Unfortunately, in regards to the ODS desire to create welcoming places and to enhance the quality of the environment with sustainable landscaping areas (Section 2.10) likely won't occur in the side and rear yard areas of any SB-9 housing proposed for 210 Howard Avenue. There will be unsightly, shear walls perhaps 35' in height in any future SB project with no landscape or tree buffering. Section S2.10.5, when discussing Fire code requirements for the Wildland-Urban Interface, states that small trees must be a minimum of 5' from a building, which would be impossible to achieve when the building is only four feet from the property line. Medium and large trees can't even be considered in a massive SB-9 project. Neighbors may turn down a request to plant on their property for various, legitimate reasons.

I could go on. I believe the Draft Objective Design Standards is an attempt to come to grips with the mess that the State has gifted to Piedmont and other California Charter Cities. Doing away with an established, well-thought out Discretionary Design Review will only to lessen the wonderful and varied architectural heritage of Piedmont's residential neighborhoods. It is unfortunate that the City must bend to the will of the State on this major issue that affects what gets built in our neighborhoods.

Regards, Bernie Stein

**Chapter 17**  
**PLANNING AND LAND USE**

**ARTICLE 1. GENERAL PROVISIONS**

- 17.02 Title; Intent; City Charter
- 17.04 Applicability and interpretation
- 17.06 General requirements
- 17.08 Establishment of zones; Zoning map; Interpretation

**ARTICLE 2. ZONING DISTRICTS: USES AND REGULATIONS**

- 17.20 Zone A: Single family residential
- 17.22 Zone B: Public facilities
- 17.24 Zone C: Multi-family residential
- 17.26 Zone D: Commercial and mixed-use
- 17.28 Zone E: Estate residential

**ARTICLE 3. SPECIAL REGULATIONS**

- 17.30 Parking
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**ARTICLE 5. DEFINITIONS; MEASUREMENTS**

17.90 Definitions & Measurements

**ARTICLE 2. ZONING DISTRICTS: USES AND REGULATIONS****Divisions**

- 17.20 Zone A: Single family residential
- 17.22 Zone B: Public facilities
- 17.24 Zone C: Multi-family residential
- 17.26 Zone D: Commercial and mixed-use
- 17.28 Zone E: Estate residential

**DIVISION 17.20****ZONE A: SINGLE FAMILY RESIDENTIAL****Sections:**

- 17.20.010 Intent
- 17.20.020 Permitted uses
- 17.20.030 Conditional uses
- 17.20.040 Regulations

**17.20.010 Intent.**

Zone A is established for single-family residential and other allowed uses. The intent is to:

- Preserve, maintain, and enhance Piedmont's residential character and the quiet community atmosphere of neighborhoods.
- Mitigate adverse environmental impacts and site constraints, such as excessive noise, light deprivation, incompatible land uses, unsafe overcrowding, obstructed pedestrian and vehicular access and circulation, and blockage of significant views.
- Create, maintain, and enhance a living environment that builds community for people of all income levels.
- Maintain openness and areas of vegetation to enhance a healthy environment.
- Achieve design compatibility and orderly arrangement of development by establishing regulations for the siting, massing, and building form on properties throughout the zone. (Ord. 772 N.S., 03/2024)

**17.20.020 Permitted uses.**

The following are permitted uses in Zone A:

- A. Single-family residence.



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- B. Rented room, subject to section 17.40.020, or short-term rental, subject to a short-term rental permit under section 17.40.030.
- C. Accessory dwelling unit, subject to division 17.38.
- D. Small family day care home in accordance with California Health and Safety Code sections 1597.43 - 1597.47. (Ord. 742 N.S., 05/2017, Ord. 772 N.S., 03/2024)
- E. Religious institution affiliated housing development projects, and religious institution affiliated emergency shelters.
- F. Manufactured and mobile homes on a permanent foundation.
- G. Low barrier navigation centers.
- H. Residential care facilities or group homes that provide licensable services for up to six residents.
- I. Residential care facilities or group homes that do not provide licensable services.
- J. Supportive housing and transitional housing developments.
- K. Accessory structures with accessory uses located on the same lot as the primary structure.
- L. Employee housing for 6 or fewer persons. (Ord. 772 N.S., 03/2024)

**17.20.030 Conditional uses.**

The following are allowed in Zone A with a conditional use permit:

- A. Religious assembly.
- B. Private school, or day care facility associated with a religious assembly use. A pre-existing school not having a use permit may continue as a non-conforming use as long as the use is not expanded.
- C. Reservoir.
- D. Wireless communication facility, subject to a wireless communication facility permit (rather than a use permit) under division 17.46.
- E. Residential care facilities or group homes that provide licensable services for seven or more residents.
- F. Large family day care home in accordance with California Health and Safety Code sections 1597.43 - 1597.47. (Ord. 772 N.S., 03/2024)

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**17.20.040 Regulations.**

- A. The following development standards apply to the development of all uses in Zone A, except those listed in Section 17.20.040.B:

	<b>Zone A requirements</b>
Lot area	Minimum 8,000 square feet, subject to exception for accessory dwelling unit construction set forth in division 17.38 or for a lot split under SB 9 set forth in division 17.54.
Frontage, on public or private street	Minimum 60 feet, subject to an exception for a lot split under SB 9 as set forth in division 17.54.
Lot coverage; Landscaping	Maximum 40% lot coverage for primary and accessory structures, subject to exception for accessory dwelling unit construction set forth in division 17.38. (A site feature is not calculated in the lot coverage if (1) the feature is not more than 7 feet height and (2) the total of all site features is 400 square feet or less.) Minimum 30% landscaping, subject to exception for accessory dwelling unit construction set forth in division 17.38.
Structure height	Maximum 35 feet, except accessory dwelling units shall be subject to restrictions set forth in division 17.38.
Street yard setback	Minimum 20 feet for primary or accessory structure, subject to exception for accessory dwelling unit construction set forth in division 17.38. <u>However, structure to support pedestrian and vehicular access, such as retaining walls and driveway bridges, not taller than 8 feet, shall be allowed in the street yard setback.</u> No minimum setback for a site feature, but a site feature may require a design review permit under division 17.66.
Side yard and rear yard setback	Minimum 5 feet for a primary or accessory structure, unless the yard is street facing, in which case the minimum is 20 feet, except that a setback of only 4 feet is required for a new structure to be used as an accessory dwelling unit, and no setback is required for conversions of an existing structure to an accessory dwelling unit or portion thereof in the same location and same dimensions.** However, an accessory structure may be located anywhere within the side and rear setback areas except that it: (a) must be

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	<p>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 property to the rear; (c) may not exceed 15 feet in height; and (d) may not be habitable.</p> <p>A dwelling unit developed under SB 9 is subject to a 4 foot side and rear setback.</p> <p>A site feature proposed within these distances may require a design review permit under division 17.66.</p>
Floor area ratio*	<p>Subject to exception for accessory dwelling unit construction set forth in division 17.38 or for a dwelling unit developed under SB 9 set forth in division 17.54:</p> <p>Maximum 55% of the lot area if the parcel is 5,000 square feet or less.</p> <p>Maximum 50% of the lot area if the parcel is 5,001 square feet to 10,000 square feet.</p> <p>Maximum 45% of the lot area if the parcel is more than 10,000 square feet.</p>

\* In order to encourage development within the existing building envelope instead of building outwards or upwards, 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. (Ordinance 772 N.S., 03/2024)

\*\* Pursuant to Government Code section 65852.2(a)(1)(D)(vii). (Ord. 747 N.S., 02/2020, Ord. 768 N.S., 01/2023, Ord. 772 N.S., 03/2024)

Please refer to division 17.54 for standards for a lot split and two-unit housing developments performed under SB 9.

B. The development standards for the following uses are as indicated below:

- a. Wireless communications facility, as provided in division 17.46.
- b. Religious institution affiliated housing development projects, as provided in section 17.24.040.A. except that there is no minimum density and maximum allowable density is 21 dwelling units per acre.
- c. Reservoir has no applicable development standards.

C. For lots that are larger than 5,000 square feet, an ADU shall be constructed:

- a. when a new single-family residence is proposed on a vacant lot.
- b. when an existing single-family residence is demolished for a remodel or reconstruction, except when a single-family residence is being reconstructed to the same or similar square footage due to damage or destruction by accident, fire, flood, earthquake, or other act of nature. (Ord. 772 N.S., 03/2024)

**DIVISION 17.28****ZONE E: ESTATE RESIDENTIAL**

## Sections:

- 17.28.010 Intent
- 17.28.020 Permitted uses
- 17.28.030 Conditional uses
- 17.28.040 Regulations

**17.28.010 Intent.**

Zone E is established for estate residential homes, which tend to be larger lots. The purposes set forth for Zone A also apply to Zone E.

**17.28.020 Permitted uses:**

The following are permitted uses in Zone E:

- A. Single-family residence.
- B. Rented room, subject to section 17.40.020, or short-term rental, subject to a short-term rental permit under section 17.40.030.
- C. Accessory dwelling unit, subject to division 17.38.
- D. Small family day care home in accordance with California Health and Safety Code sections 1597.43 - 1597.47.
- E. Manufactured and mobile homes on a permanent foundation.
- F. Low barrier navigation centers.
- G. Residential care facilities or group homes that provide licensable services for up to six residents.
- H. Residential care facilities or group homes that do not provide licensable services.
- I. Supportive housing and transitional housing developments.
- J. Accessory structures with accessory uses located on the same lot as the primary structures under this section.
- K. Employee housing for 6 or fewer persons. (Ord. 772 N.S., 03/2024)

**17.28.030 Conditional uses.**

The following are allowed as conditional uses in Zone E:

- A. Wireless communication facility, subject to a wireless communication facility permit (rather than a use permit) under division 17.46.

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- B. Residential care facilities or group homes that provide licensable services for seven or more residents.
- C. Large family day care home in accordance with California Health and Safety Code sections 1597.43 - 1597.47. (Ord. 772 N.S., 03/2024)

**17.28.040 Regulations.**

- A. The following development standards apply to the development of all uses in Zone E, except those listed in Section 17.28.040.B.:

	<b>Zone E requirements</b>
Lot area	Minimum 20,000 square feet, subject to exception for accessory dwelling unit construction set forth in division 17.38 or for a lot split under SB 9 set forth in division 17.54
Frontage, on public or private street	Minimum 120 feet, subject to an exception for a lot split under SB 9 as set forth in division 17.54
Lot coverage; landscaping	Subject to exception for accessory dwelling unit construction set forth in division 17.38: Maximum 40% lot coverage for primary and accessory structures. (A site feature is not calculated in the lot coverage if (1) the feature is not more than 7 feet height and (2) the total of all site features is 400 square feet or less.) Minimum 40% landscaping.
Structure height	Maximum 35 feet, except accessory dwelling units shall be subject to restrictions set forth in division 17.38.
Street yard setback	Minimum 20 feet for primary and accessory structure, subject to exception for accessory dwelling unit construction set forth in division 17.38. <u>However, structure to support pedestrian and vehicular access, such as retaining walls and driveway bridges, no taller than 8 feet, shall be allowed in the street yard setback.</u> No minimum setback for a site feature, but a site feature may require a design review permit, under division 17.66.
Side yard and rear yard setback	Minimum 20 feet for primary or accessory structure, unless the yard is street facing, in which case the minimum is 20 feet, except that a setback of only 4 feet is required for a new structure to be used as an accessory dwelling unit, and no setback is required for conversions of an existing structure to an accessory dwelling unit or portion thereof in the same location and same dimensions.** However, an accessory structure not to be used as an accessory dwelling unit 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

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	<p>lot, at least 5 feet from a side lot line of an abutting property to the rear; (c) may not exceed 15 feet in height; and (d) may not be habitable. These distance requirements for an accessory structure also apply to a garage or carport attached to a primary structure.</p> <p>No minimum setback for a site feature, but a site feature may require a design review permit under division 17.66.</p> <p>A dwelling unit developed under SB 9 is subject to a 4 foot side and rear setback.</p>
Floor area ratio*	<p>Subject to exception for accessory dwelling unit construction set forth in division 17.38, or for a dwelling unit developed under SB 9 set forth in division 17.54:</p> <p>Maximum 55% of the lot area if the parcel is 5,000 square feet or less.</p> <p>Maximum 50% of the lot area if the parcel is 5,001 square feet to 10,000 square feet.</p> <p>Maximum 45% of the lot area if the parcel is more than 10,000 square feet.</p>

\* In order to encourage development within the existing building envelope instead of building outwards or upwards, 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.

\*\* Pursuant to Government Code section 65852.2(a)(1)(D)(vii). (Ord. 743 N.S., 05/2018, Ord. 747 N.S., 02/2020, Ord. 768 N.S., 01/2023, Ord. 772 N.S., 03/2024)

Please refer to division 17.54 for standards for a lot split and two-unit housing developments performed under SB 9.

- B. In Zone E, for uses other than those listed above, the development standards are as follows:
  - 1. Wireless communications facility as provided in division 17.46.
- C. For lots that are larger than 5,000 square feet, an ADU shall be constructed:
  - a. when a new single-family residence is proposed on a vacant lot.
  - b. when an existing single-family residence is demolished for a remodel or reconstruction, except when a single-family residence is being reconstructed to the same or similar square footage due to damage or destruction by accident, fire, flood, earthquake, or other act of nature. (Ord. 772 N.S., 03/2024)



### ARTICLE 3. SPECIAL REGULATIONS

#### Divisions:

17.30	Parking
17.32	Fences; Trash enclosures; Corner obstructions
17.34	Landscaping
17.36	Signs
17.38	Accessory dwelling units
17.40	Residential Rentals
17.42	(Not used)
17.44	Home occupations
17.46	Wireless communications
17.48	Cannabis cultivation and facilities
17.50	Non-conforming uses and structures

#### DIVISION 17.30

#### PARKING

#### Sections:

- 17.30.010 Single family residential and similar use (All zones)
- 17.30.020 Multi-family residential and similar group residential use (Zones A, B, C and D)
- 17.30.030 Commercial use and mixed-use residential/commercial (Zone D)
- 17.30.040 Location of parking spaces
- 17.30.050 Size and specifications
- 17.30.060 No reduction of existing parking
- 17.30.070 Compliance with Americans with Disabilities Act (ADA)

#### **17.30.010 Single family residential and similar use. (All zones)**

A. Applicability. This section 17.30.010 applies to the following uses: single-family residential, small and large family day care homes, manufactured and mobile homes, low barrier navigation centers, supportive and transitional housing, residential care facilities or group homes that provide licensable services for up to 6 residents, residential care facilities or group homes that do not provide licensable services, and employee housing for up to 6 employees, and development projects under division 17.54 in any zone:

1. new development; and
2. existing development (which may be nonconforming under division 17.50), when an applicant seeks a building permit or land use approval for an improvement or change that may affect the need for parking. Exceeding certain underlying zoning regulations as indicated in the table in section 17.30.010.B.1 or an increase in the intensity of use will

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affect the need for parking. Existing street width and existing demand for on-street parking are factors in considering the intensity of use.

B. Regulations.

1. General.

<b>Dwelling Unit</b>	<b>Minimum number of off-street, covered, non-tandem parking spaces</b>
Accessory dwelling unit (division 17.38)	0*
New primary unit** 800 square feet or less	1
New primary unit** greater than 800 square feet	2
Primary unit that exceeds FAR, lot coverage or structure height of the underlying zone	1 additional parking space; for a maximum total of 3 parking spaces.
SB-9 development (division 17.54)	1 per primary unit. If the parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code, then parking is not required for the new primary unit. <u>Additional parking spaces for a unit can be stacked or tandem.</u>

\* Under Government Code section 65852.2, the city may not require parking for an accessory dwelling unit located within 1/2 mile of public transit, and all Piedmont properties are within 1/2 mile.

\*\* primary unit refers to single family residence, small and large family day care homes, manufactured and mobile homes, low barrier navigation centers, supportive and transitional housing, residential care facilities or group homes that provide licensable services for up to 6 residents, residential care facilities or group homes that do not provide licensable services, and employee housing for up to 6 employees.

2. Parking spaces may not be located within a 20-foot street setback.

3. When considering an application, the city may strictly apply the parking regulations under subsection B.1 above if the proposed construction will have an undue adverse impact on neighborhood vehicular congestion. A determination of undue adverse impact must be based on evidence considering one or more of the following factors: existing street width; existing on-street parking conditions; lack of sidewalks; and street slope and curvature. (Ord. 747 N.S., 02/2020, Ord. 772 N.S., 03/2024)

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**17.30.020 Multi-family residential and similar group residential use. (Zones A, B, C and D).**

A. Applicability. This section applies to each multi-family and similar group residential use in Zones A, B, C and D, including but not limited to: large family day care home, residential care facilities or group homes that provide licensable services for more than 7 residents, single-room occupancy, co-housing, multi-family residential, senior housing, housing for persons with disabilities, and religious institution affiliated housing.

	Minimum number of off-street covered parking spaces	
Accessory dwelling unit (division 17.38)	0*	
Multi-family development, Independent living senior housing, independent living disabled persons housing	1 space per studio or 1 bedroom unit	Exception: Planning Commission shall reduce to 50% of required spaces when: a. Development is within ½ mile of regularly scheduled public transit stop; and b. At least 50% of units are deed-restricted for a period of 55 years to low-income households.
	1.5 space per 2 or more-bedroom unit	
Licensed residential facility or group home for 7 or more residents	1 space per bedroom	
Single room occupancies or co-housing	1 space per bedroom Exception: Planning Commission shall reduce to 50% of required spaces when: a. Development is within ½ mile of regularly scheduled public transit stop; and b. At least 50% of units are deed-restricted for a period of 55 years to low-income individuals.	
Religious institution affiliated housing	as provided in Section 65913.6 of the Government Code	
Senior housing, disabled persons housing (Assisted Living)	0.5 space per studio or 1 bedroom unit	Additionally, 1 parking space for each employee on-site at peak staffing.
	0.75 space per 2 or more-bedroom unit	

\* Under Government Code section 65852.2, the city may not require parking for an accessory dwelling unit located within 1/2 mile of public transit, and all Piedmont properties are within 1/2 mile.

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(Ord. 747 N.S., 02/2020, Ord. 772 N.S., 03/2024)

B. Additional Parking. Guest or management parking shall be provided for all development types under this section with the exception of accessory dwelling units and religious institution affiliated housing development.

Guest or management Parking	1 space plus an additional parking space for every 10 dwelling units. Exception: Planning Commission shall reduce to 50% of required spaces when: <ul style="list-style-type: none"> <li>a. Development is within ½ mile of regularly scheduled public transit stop; and</li> <li>b. At least 50% of units are deed-restricted for a period of 55 years to low-income households.</li> </ul>
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(Ord. 772 N.S., 03/2024)

**17.30.030 Commercial use and mixed-use residential/commercial. (Zone D).**

A. Residential uses in mixed use commercial/residential: same as provided in section 17.30.020.

B. Commercial uses:

Use Type	Minimum number of off-street, covered, non-tandem parking spaces per floor area	
	First 1,500 square feet	In excess of 1,500 square feet
Eating places and similar, high-intensity on premise customer uses	Each 500 square feet: 1 <sup>1</sup>	Each 250 square feet: 1 <sup>1</sup>
Retail stores, offices, and other low-intensity uses	Each 750 square feet: 1 <sup>1</sup>	Each 350 square feet: 1 <sup>1</sup>

<sup>1</sup>Or as required by conditional use permit. (Ord. 747 N.S., 02/2020)

C. Shared Parking: At least 80% of the total residential parking spaces within a mixed-use development parking arrangement (parking garage or surface parking) shall be dedicated to residential uses. The remaining residential parking spaces can be shared between commercial and residential uses.

**17.30.040 Location of parking spaces.**

A. Parking for a permitted use in any zone must be located: (1) on the same lot as the permitted use; and (2) not within the street setback in zZones A, B and E; ~~and (3) not between the street-facing facade of a building and the lot line in Zone D~~. Parking for a conditional use in any zone will be provided as required by the conditional use permit authorizing the use.

B. In Zones A and E, the parking of vehicles between the street-facing façade of a building and a lot line is prohibited, except for the parking of vehicles on driveways, parking pads and within parking structures.

**17.30.050 Size and specifications.**

Except as otherwise provided, a parking space required by this section must have unrestricted access to a public street with a grade not more than 20%. In Zone A, one of every three required parking spaces may be for a compact car, and in Zones C and D, one of every four required parking spaces may be for a compact car.

The minimum parking space dimensions are:

8-1/2 feet x 18 feet, or

7-1/2 feet x 15 feet for compact car.

A minimum 1-foot clearance must be provided between the length side of a parking space and the nearest wall or similar obstruction. (Ord. 743 N.S., 05/2018)

**17.30.060 No reduction of existing parking.**

Except for (1) the demolition of a garage, carport, uncovered parking space, or covered parking structure in conjunction with the construction of an accessory dwelling unit, or (2) conversion of a garage, carport, uncovered parking space, or covered parking structure for use as an accessory dwelling unit, no person may alter, eliminate, or restrict access to an existing parking space unless the Planning Director first determines that the space is (1) unusable, (2) is to be restored or replaced with a parking space which meets the requirements of this division 17.30, or (3) is permitted with a variance approved by the Planning Commission or City Council. For purposes of making this determination, the term unusable means that the parking space is not large enough to contain a compact-sized automobile or that the driveway to the parking space is so steep, narrow or otherwise configured that it precludes safe passage of the vehicle, and that enlargement to permit safe passage would result in severe economic hardship.

No garage or other off-street parking may be altered for a use other than parking, unless otherwise allowed under this chapter. (Ord. 777 N.S., 01/2025)

**17.30.070 Compliance with American with Disabilities Act (ADA).**

The Chief Building Official may adjust the parking requirements in zones B, C or D without a conditional use permit or design review permit, to meet the requirements of the Americans with Disabilities Act.

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**DIVISION 17.32****FENCES; TRASH ENCLOSURES; CORNER OBSTRUCTIONS**

## Sections:

17.32.010 Fence, wall, retaining wall, hedge, terracing

17.32.020 Trash enclosure

17.32.030 Corner obstructions

**17.32.010 Fence, wall, retaining wall, terracing.**

A fence, wall, retaining wall, or terracing is subject to these height limit and design review permit requirements:

	<b>Height, measured from existing or proposed grade; Design review permit requirement</b>
<b>Retaining wall, with or without guardrail</b>	Maximum 30 inches. (No design review permit required.) If more than 30 inches, requires a design review permit under division 17.66.
<b>Fence, wall, or a combination of either with a retaining wall within 24 inches</b>	
Within street setback	Requires a design review permit under division 17.66 for any height.
Other areas	If 6 feet or less: exempt from design review permit. If more than 6 feet high, requires a design review permit, under division 17.66. If more than 8 feet high, requires a design review permit, under division 17.66, with notification requirements of division 17.62. <u>Up to 8 feet tall allowed in Zones C and D when property line is shared with single-family uses or lots in Zone A, C or D in all zones.</u>
<b><u>Retaining wall under SB 9 for Zones A and E</u></b>	
<u>Within street setback</u>	<u>Up to 8 feet tall to support pedestrian and vehicular egress and ingress needs such as driveways and entry pathways.</u>
<u>Other Areas</u>	<u>Maximum of 5 feet.</u>
<b>Trash enclosure</b>	(See general requirements in subsection B.1, below.)
Within street setback	No building permit or design review permit required if the enclosure complies with section 17.32.020, subsections A and B below. Otherwise requires design review permit under division 17.66.
Other areas	No building permit or design review permit required if the enclosure complies with section 17.32.020 B below.
<b>Terracing</b>	Design review is not required if a series of one or more retaining walls and fences, at least 24 inches apart, on a single slope is designed so that no single wall or fence exceeds the height limits in this subsection.

(Ord. 743 N.S., 05/2018)

**17.32.020 Trash enclosure.**



A. General requirement. A trash enclosure must be:

1. a solid fence, wall, or combination of fence and retaining wall at least four feet in height and up to six feet in height; or
2. an open fence up to six feet in height in combination with dense, evergreen landscaping at least four feet in height at maturity and up to any height; or
3. dense, evergreen landscaping at least four feet in height at maturity and up to any height.

B. Standards. A design review permit is not required, but a trash enclosure within a street setback will be reviewed at the planning counter for compliance with this chapter and the Piedmont Design Standards and Guidelines (Trash Enclosures). The enclosure must be:

1. located as far away from the street as possible;
2. as small as is necessary to enclose the carts;
3. as low in height as necessary to adequately screen the carts; and
4. designed in compliance with the Piedmont Design Standards and Guidelines.

(Ord. 769 N.S., 10/2023)

**17.32.030 Corner obstructions.**

No fence, wall, retaining wall, hedge, or vegetation may be erected or grown in the front or street side yard of a corner lot to a height of more than three feet within the sight distance zone, a triangular area formed by measuring 30 feet along the front and side lot lines along the right-of-way from their “extended” intersection and connecting these two points, or as otherwise may be approved by the Planning Commission.

**DIVISION 17.34****LANDSCAPING.**

## Section:

- 17.34.010 Intent
- 17.34.020 Landscape plans
- 17.34.030 Decision
- 17.34.040 Requirements
- 17.34.050 Completion
- 17.34.060 Maintenance

**17.34.010 Intent.**

The regulations in this division are intended to maintain and enhance the city's residential character, preserve the architectural heritage, protect the city's natural beauty and visual character, improve property values, and prevent blighted areas.

**17.34.020 Landscape plans.**A. When required.

1. An applicant must include landscape plans in an application for a conditional use permit, design review permit, or variance for a new residence or other building.
2. The Planning Director, Planning Commission or City Council may request that an applicant prepare landscape plans with an application for a building permit, conditional use permit, design review permit, wireless communications facility, or variance for improvements which substantially disturb the site.

B. Application fee. The fee for approval of a landscape plan is included in the fee for the accompanying application as provided in section 17.60.040.

C. Contents. Plans must clearly set forth the areas and types of existing and proposed landscaping, and their relation to the structure(s) requiring the approval or permit. Landscaping must conform to Piedmont Design Standards and Guidelines as well as any state regulations, including the California Water Efficient Landscape Ordinance (23 Cal. Code of Regulations Division 2, Chapter 2.7).  
(Ord. 769 N.S., 10/2023)

**17.34.030 Decision.**

The decision-making body for the accompanying application will take action on the landscape plan, at the same time and in the same manner as that required for the underlying application. That body may modify the design and attach conditions as appropriate to assure compliance with this division. The conditions may include installation of an irrigation system.

The applicant may appeal a decision on the landscape plan under division 17.78, Appeals.

**17.34.040 Requirements.**

The minimum dimensions and areas for landscaping are set forth in the regulations for each zoning district.

A residential property owner must landscape all required street setback areas, except for areas paved for ingress and egress. This requirement does not apply to a mixed use or multifamily development.

**17.34.050 Completion.**

The applicant must complete the landscaping to the satisfaction of the Planning Director and/or Chief Building Official. The city may require a cash deposit or letter of credit to assure completion. If required, the city will release the financial security in increments proportionate to the progress of landscape completion. The city may withhold final approval of a project until landscaping is completed.

**17.34.060 Maintenance.**

All landscaped areas required here or as a condition of approval must be planted with living materials, and if mulch is used it must be made from organic material. The landscaped area must be maintained in a healthy and attractive state, with irrigation, weeding, and replacement as needed. The decision-maker may, as a condition of approval of any landscaping, require execution of a contract for the maintenance of the landscaping.

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**DIVISION 17.38****ACCESSORY DWELLING UNITS**

## Sections

17.38.010	Purpose and intent
17.38.020	Definitions
17.38.030	Legal accessory dwelling units; Non-conforming accessory dwelling units; Requirements for rented accessory dwelling units
17.38.040	Permit requirement
17.38.050	Permit application and review procedures
17.38.060	Zoning regulations; Accessory dwelling unit development standards; Junior accessory; dwelling unit development standards; Projects subject to state mandated approval
17.38.070	Accessory dwelling unit size exception
17.38.075	Pre-approved Plans Incentive
17.38.080	Unpermitted accessory and junior accessory dwelling unit
17.38.090	Removal of Owner Occupancy Restrictions
17.38.100	Separate conveyance

**17.38.010 Purpose and intent.**

The State Legislature has declared that accessory dwelling units are a valuable form of housing in California. Accessory dwelling units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices, and within existing neighborhoods. Homeowners who create accessory dwelling units benefit from added income, and an increased sense of security. (Gov't. Code § 65852.150.)

The city has a long history of various types of accessory dwelling units. By enacting this division 17.38, the City Council intends to:

- A. Establish the requirements for accessory dwelling units and junior accessory dwelling units in the city, consistent with California Government Code section 65852.2 and 65852.22;
- B. Encourage the use of existing accessory dwelling units and the construction of new accessory dwelling units, consistent with this Division;
- C. Help achieve the goals and policies of the General Plan Housing Element by encouraging a mix of housing types affordable to all economic segments of the community; and
- D. Clarify the requirements for the various kinds of accessory dwelling units in the city. (Ord. 768 N.S., 01/2023)

**17.38.020 Definitions.**

In this division 17.38, the following definitions apply, in addition to the definitions set forth in division 17.90:

*Accessory dwelling unit* means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a

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proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated. An accessory dwelling unit may also include (1) an efficiency unit, as defined in Health and Safety Code section 17958.1 and (2) a manufactured home as defined in Health and Safety Code section 18007. (Formerly called second dwelling unit. See section 17.38.030 for types of accessory dwelling units and permits.) (Ord. 769 N.S., 10/2023)

*Affordable housing* definitions:

*Affordable Rent Level* means that the accessory dwelling unit household's monthly cost of rent, plus the cost of electricity, gas, water and sewer service, and garbage collection ("utilities") is 30% or less than the upper limit of the annual gross household income, divided by 12, for a specified income category and household size as last published by the California Department of Housing and Community Development (HCD). The City shall determine maximum affordable rent levels for rent-restricted accessory dwelling units following the annual publication of the State Income Limits by HCD. In determining rent levels, the household size for rent-restricted accessory dwelling units shall be: studio, 1 person; one-bedroom, 2 persons; two-bedroom, 3 persons; and, three-bedroom, 4 persons. The cost of utilities for the accessory dwelling unit shall be included in the affordable rent level. For rent-restricted accessory dwelling units where utilities are separately metered and billed, and where the accessory dwelling unit household is responsible for the costs of that household's use of utilities, the maximum rent shall be set at 90% of the affordable rent level. (California Health and Safety Code section 50053)

*Affordable unit* means a dwelling unit for sale or rent that meets the California State Department of Housing and Community Development standards of income eligibility and affordable rent levels for Alameda County. (Health and Safety Code sections 50052.5(h) and 50053.)

*Gross Household Income* means the total monies earned or received by all occupants of an accessory dwelling unit age 18 and over, including: wages and all types of compensation, before any payroll deductions; spousal and child support; social security, retirement, disability, insurance, and other types of periodic payments; unemployment compensation and other payments in-lieu of earnings; welfare and other public assistance; interest, dividends and other payments generated from any real or personal property; net business income; and, any other type of payment determined to qualify as income by the U.S. Department of Housing and Urban Development (HUD) and as published in HUD's Housing Choice Voucher Program Guidebook. The annual gross household income is calculated by multiplying the monthly amounts earned or received at the time of certification by 12 and adjusting for anticipated payments and changes in amounts over the next 12 months.

*Household* means those persons who collectively occupy a housing unit. A household shall include any child or dependent, as defined Internal Revenue Code section 152, who is under the age of 18 or who is under the age of 24 and is a full-time student.

*Household Size* means the number of persons in a household.

*Household, Extremely Low Income* means a household with an annual gross household income of 30% or less than the Alameda County median annual gross household income for that household size as last published by HCD. (Health and Safety Code section 50079.5.)

*Household, Low Income* means a household with an annual gross household income between 50% and 80% of the Alameda County median annual gross household income for that household size as last published by HCD. (Health and Safety Code section 50079.5.)

*Household, Moderate Income* means a household with an annual gross household income between 80% and 120% of the Alameda County median annual gross household income for that household size as last published by HCD. (Health and Safety Code section 50093)

*Household, Very Low Income* means a household with an annual gross household income between 30% and 50% of the Alameda County median annual gross household income for that household size as last published by HCD. (Health and Safety Code section 50079.5.)

*Junior accessory dwelling unit* means a unit that is no more than 500 square feet in size and contained within a single-family residence, with a separate entrance. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure, but shall include an efficiency kitchen that provides for a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

*Primary unit* means a principal, permitted single-family or multi-family dwelling. (Ord. 768 N.S., 01/2023; Ord. 769 N.S., 10/2023)

**17.38.030 Legal accessory dwelling units; Non-conforming accessory dwelling units; Requirements for rented accessory dwelling units.**

**A. Legal accessory dwelling units.**

The following are kinds of legal accessory dwelling units and permits. Each may be used and rented (subject to the business tax for rental property):

1. Accessory dwelling unit permit. An accessory dwelling unit or junior accessory dwelling unit permitted under an accessory dwelling unit permit is a legally existing accessory dwelling unit. (This includes an accessory dwelling unit approved subject to a variance and an accessory dwelling unit approved subject to exceptions and rent-restrictions, both under section 17.38.070.) If the unit is rent-restricted, then a tenant must be qualified by income level under the permit conditions of approval and the terms of the recorded declaration.
2. Second unit permit. A second unit permit issued before December 31, 2016 is a legal accessory dwelling unit.
3. Conditional use permit second unit. Between January 19, 1994 and July 1, 2003, second units were approved by conditional use permit. A second unit permitted under a conditional use permit during that period of time is a legal accessory dwelling unit.



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4. Exempt accessory dwelling unit. If an accessory dwelling unit was established before 1930, and the City has confirmed the exempt status in writing, the accessory dwelling unit is a legally existing accessory dwelling unit.
5. Temporary use permit second unit. A temporary use permit second unit approved by the City between May 6, 1987 and July 1, 2003, under former Chapter 17D, is a legal accessory dwelling unit (and the temporary nature now recognized as permanent).

Any accessory dwelling unit or junior accessory dwelling unit that is not established pursuant to one of the above categories shall not be a legal accessory dwelling unit, except as may be specifically permitted under Government Code section 65852.23.

B. Non-conforming accessory dwelling units. A legal, non-conforming unit may not be modified or expanded except in compliance with division 17.50, Nonconforming buildings and uses.

C. Requirements for legal accessory dwelling units that are rented. If an accessory dwelling unit is rented to a tenant, these additional requirements apply:

1. Business tax. An accessory dwelling unit that is rented is subject to an annual business tax for rental property, under City Code chapter 10.
2. Rent restrictions. An accessory dwelling unit that has rent restrictions under the conditions of approval and recorded declaration(s) must be rented in accordance with those limitations. (See section 17.38.070.) (Ord. 768 N.S., 01/2023)

#### **17.38.040 Permit requirement.**

A. Accessory dwelling unit permit. An accessory dwelling unit permit is required for construction of an accessory dwelling unit or junior accessory dwelling unit or the modification of exterior features, size, or height of an existing accessory dwelling unit or junior accessory dwelling unit.

B. Building permit. A building permit shall be required for construction or modification of an accessory dwelling unit or junior accessory dwelling unit as set forth in the California Residential Code and other building standards adopted by the City. (Ord. 768 N.S., 01/2023)

#### **17.38.050 Permit application and review procedures.**

A. Application.

1. Application. An owner may apply for an accessory dwelling unit permit (or other city approval) by submitting a complete application to the Director on a form provided by the city.
2. Application fee. The owner shall pay an application fee in the amount established by City Council resolution.

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B. Ministerial review. The Director shall review each application ministerially to determine if the development standards in section 17.38.060 are met, and shall within 60 days of a completed application approve or deny the application, except if the application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with an application to create a new single-family or multi-family dwelling on the lot, the Director shall delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until permits for the new single-family or multi-family dwelling are approved. The Director will review the application without notice or public hearing. The time period for review may be tolled at the request of the applicant.

C. Decision and conditions. The Director shall render a decision in writing and shall state the reasons for approval or denial. The decision of the Director shall be final. (Ord. 768 N.S., 01/2023)

**17.38.060 Zoning regulations; Accessory dwelling unit development standards; Junior accessory dwelling unit development standards; Projects subject to state mandated approval.**

A. Zoning regulations. A proposed accessory dwelling unit must comply with the zoning regulations for the district in which it is located, subject to the requirements or exclusions in this section. (See divisions 17.20 through 17.28.)

B. Accessory dwelling unit development standards. An accessory dwelling unit shall comply with all of the following development standards, except the Director may grant an exception to the unit maximum size restriction under section 17.38.070.

1. Size. An attached accessory dwelling unit may not exceed 50% of the existing living area up to a maximum of 850 square feet, or 1,000 square feet if the accessory dwelling unit will include more than one bedroom, except where a restriction to 50% of existing living area would result in a maximum size of less than 800 square feet, an attached accessory dwelling unit of no more than 800 square feet shall be permitted, subject to the zoning regulations and development standards in this section. A detached accessory dwelling unit may not exceed 850 square feet, or 1,000 square feet if the accessory dwelling unit will include more than one bedroom. The minimum floor area for an accessory dwelling unit shall be 150 square feet. The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.
2. Access. The accessory dwelling unit must have independent, exterior access.
3. Subdivision. No subdivision of land is authorized that would result in an accessory dwelling unit being located on a separate parcel, unless each parcel meets all of the zoning requirements for the zoning district in which it is located.
4. Building Height. A detached accessory dwelling unit shall not exceed a building height of 18 feet. An additional height of two feet for a detached accessory dwelling unit shall

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be allowed to accommodate a roof pitch that is aligned with the roof pitch of the primary dwelling unit. An attached accessory dwelling unit shall not exceed a building height of 25 feet or the height limitations for a primary dwelling unit of the underlying zoning district, whichever is lower.

5. Design Criteria. The design of the structure(s) housing the proposed accessory dwelling unit must meet applicable objective design criteria in the Piedmont Objective Design Standards ~~and Guidelines~~ and any additional design standards applicable to accessory dwelling units approved by the City Council ~~resolution~~.
6. Limitations on city's approval. Under Government Code section 66314, or any successor statute, the following limitations apply to any city approval:
  - a. Parking. When a garage, carport, uncovered parking space or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the City shall not require the replacement of off-street parking spaces.
  - b. Side and Rear Setbacks. No setback is required to construct an accessory dwelling unit within an existing structure that is converted to an accessory dwelling unit or a new structure constructed in the same location and the same dimension as an existing structure. If an accessory dwelling unit is not converted from an existing structure, the minimum setback is four feet from the side and rear lot line.
  - c. Street Yard Setback. Accessory dwelling units of 800 square feet or less can be constructed in the street yard setback only if it is determined by the Director that there is no other configuration on the property that would allow for the construction of an 800 square foot accessory dwelling unit outside the four feet side and rear setbacks and in compliance with all other standards in this section, including height limits.
  - d. Fire sprinklers. Accessory dwelling units shall not be required to have fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in any other existing dwelling. Fire sprinklers shall be considered "required for the primary dwelling unit" in any of the following circumstances:
    - i. When fire sprinklers are currently installed in the primary dwelling unit; or
    - ii. When fire sprinklers will be installed in a new primary dwelling unit constructed concurrently with an accessory dwelling unit.
  - e. Passageway. No passageway will be required.
  - f. Minimum lot area or lot size. Notwithstanding anything in divisions 17.20 through 17.28, no minimum lot area or lot size shall be imposed with respect to the approval of permits for an accessory dwelling unit.

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## g. Floor Area Ratio, Lot Coverage, and Landscaping.

- i. Lot coverage. An accessory dwelling unit eight hundred (800) square feet in floor area or less, shall have no maximum lot coverage. Maximum lot coverage for an accessory dwelling unit greater than eight hundred (800) square feet in floor area shall be that of the underlying zoning district.
  - ii. Landscaping. An accessory dwelling unit eight hundred (800) square feet in floor area or less, shall have no minimum landscape area. Minimum landscape area for an accessory dwelling unit greater than eight hundred (800) square feet in floor area shall be that of the underlying zoning district.
  - iii. Floor Area Ratio. An accessory dwelling unit eight hundred (800) square feet in floor area or less, shall have no maximum floor area ratio requirement. Maximum floor area ratio for an accessory dwelling unit greater than eight hundred (800) square feet in floor area shall be that of the underlying zoning district.
  - h. Certificate of Occupancy. The building official shall not issue a certificate of occupancy for an accessory dwelling unit before issuance of a certificate of occupancy for the primary dwelling or multi-family dwelling.
  - i. Utility Connections. For an accessory dwelling unit described in section 17.38.060.D.1, the accessory dwelling unit shall not be required to install a new or separate utility connection directly between the accessory dwelling unit and the utility, and the accessory dwelling unit shall not be subject to a related connection fee or capacity charge, unless the accessory dwelling unit is constructed concurrently with a new single-family dwelling.
7. An ADU or JADU shall not be permitted on a lot created pursuant to Government Code Sections 65852.28 and 66499.41, as they may be amended from time to time.

C. Junior accessory dwelling unit development standards.

- 1. General provisions. The following provisions shall apply to junior accessory dwelling units:
  - a. A junior accessory dwelling shall not be constructed unless a single-family dwelling unit exists on a site and such single-family dwelling unit has been constructed lawfully, or the junior accessory dwelling unit is proposed as part of the construction of the single-family dwelling unit. A junior accessory dwelling unit shall be a permitted use in any lot zoned to allow a single-family residential use.
  - b. No lot shall contain more than one (1) junior accessory dwelling unit.

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- c. A junior accessory dwelling unit shall be constructed within the existing space of the proposed or existing single-family dwelling, however, an expansion of not more than one hundred fifty (150) square feet beyond the same physical dimensions of the existing space of a single-family dwelling shall be permitted for purposes of accommodating ingress and egress. For purposes of this provision, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence.
  - d. A junior accessory dwelling unit shall not be sold or otherwise conveyed separate from the single-family dwelling unit.
  - e. A junior accessory dwelling unit shall have an exterior point of access directly into the junior accessory dwelling unit that is separate and independent from the single-family dwelling unit.
  - f. A building permit shall be required to construct a junior accessory dwelling unit or to establish a junior accessory dwelling unit within the existing space of a single-family dwelling. Occupancy of a junior accessory dwelling unit shall be prohibited until the junior accessory dwelling unit receives a successful final inspection pursuant to a valid building permit and receives a certificate of occupancy issued on or after the date of the successful final inspection.
  - g. A junior accessory dwelling unit that shares a bathroom with the existing or proposed single-family dwelling unit shall provide an interior entry to the existing or proposed single-family dwelling unit's "main living area".
2. Development standards. The following provisions shall apply to junior accessory dwelling units:
- a. A junior accessory dwelling unit shall not be considered a separate or a new dwelling unit for purposes of applying building or fire codes. Installation of fire sprinklers in a junior accessory dwelling unit of any type shall be required only if they are required for the primary dwelling unit. Fire sprinklers shall be considered "required for the primary dwelling unit" under the circumstances as specified in section 17.38.060.B.6.d.
  - b. The minimum floor area for a junior accessory dwelling unit shall be 150 square feet.
  - c. The maximum floor area for a junior accessory dwelling unit shall not exceed five-hundred square feet. If the sanitation facility is shared with the remainder of the single-family dwelling, it shall not be included in the square footage calculation for the junior accessory dwelling unit.
  - d. Setbacks for a junior accessory dwelling unit constructed with a new single-family dwelling shall be that of the underlying zoning district. No setback shall be required for a junior accessory dwelling unit contained within the existing space of a single-

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- family dwelling or accessory structure. However, as permitted in this section, an expansion to an accessory structure of up to one hundred fifty (150) square feet to accommodate ingress and egress may be constructed only if the following setbacks are maintained:
- i. a street yard setback accordance with the applicable zoning district.
  - ii. a minimum side yard setback of four feet.
  - iii. a minimum rear yard setback of four feet.
- e. No parking shall be required for a junior accessory dwelling unit.
  - f. No lot coverage or landscaping requirement shall apply to a junior accessory dwelling unit.
  - g. No height restriction shall apply to a junior accessory dwelling unit.
  - h. A junior accessory dwelling unit shall not be required to install a new or separate utility connection directly between the junior accessory dwelling unit and the utility.
  - i. A junior accessory dwelling unit may be constructed on a site that does not meet the minimum lot or parcel size requirements or minimum dimensional requirements of the underlying zoning district, provided that it is constructed in compliance with all building standards and other standards of this division.
  - j. An expansion to an accessory structure of up to one hundred fifty (150) square feet to accommodate ingress and egress for a proposed junior accessory dwelling unit must meet applicable design criteria in the Piedmont ~~Objective Design Standards~~ ~~Standards and Guidelines~~. This 150-square-foot of expansion can include removal of an uncovered parking space.
  - k. An ADU or JADU shall not be permitted on a lot created pursuant to Government Code Sections 65852.28 and 66499.41, as they may be amended from time to time.
3. Use Restrictions. The following restrictions shall apply to junior accessory dwelling units:
- a. The City shall record a deed restriction with the County Recorder Office. The deed restriction shall prohibit the sale or other conveyance of the junior accessory dwelling unit separate from the single-family dwelling; specify that the deed restriction runs with the land and is therefore enforceable against future property owners; and restrict the size and features of the junior accessory dwelling unit in accordance with this section.
  - b. The site's owner may at any time offer for rent either the single-family dwelling unit or the junior accessory dwelling unit. The site's owner shall be required to reside in



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the single-family dwelling unit as their primary residence at any time while the junior accessory dwelling unit is occupied by a tenant.

- c. A site's owner shall not allow occupancy of a junior accessory dwelling unit by a tenant for any reason, with or without payment of rent, unless the site owner maintains occupancy of the primary dwelling unit as their primary residence.
- d. Owner-occupancy shall not be required if the owner is a government agency, land trust, or housing organization.
- e. A junior accessory dwelling unit may be rented but shall not be used for rentals of a term less than thirty (30) consecutive days.

D. Projects subject to state mandated approval. Notwithstanding anything in this code to the contrary, the Director and Building Official shall ministerially approve permits required to create any of the following within a residential or mixed-use zone:

- 1. One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:
  - a. The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
  - b. The accessory dwelling unit has exterior access that is separate from the exterior entrance proposed or existing single-family dwelling.
  - c. The side and rear setbacks are sufficient for fire and safety.
  - d. The junior accessory dwelling unit complies with the requirements of Government Code Section 65852.22.
- 2. One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling, subject to the following requirements:
  - a. A total floor area limitation of not more than 800 square feet.
  - b. A height limitation of 18 feet, plus for single family residential zoned lots an additional two feet to accommodate a roof pitch that is aligned with the roof pitch of the existing or proposed main house.

The new construction detached accessory dwelling unit in this subsection may be combined with a junior accessory dwelling unit as described in subparagraph 1 above.

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3. Not more than eight (8) detached accessory dwelling units located on a lot that has an existing multi-family dwelling, with the maximum number of allowed accessory dwelling units equal to the number of existing primary multifamily units on the lot, subject to a height limit of 18 feet and four-foot yard setbacks. If the existing multi-family dwelling has a rear or side setback of less than four feet, modification of the existing multifamily dwelling is not required as a condition of constructing the accessory dwelling unit.
4. Conversion of portions of existing multi-family dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, into new accessory dwelling units, provided that each unit shall comply with state building standards for dwellings. The number of new accessory dwelling units authorized for conversion under this subsection shall not exceed 25 percent of the existing dwelling units in the multi-family dwelling structure or one new accessory dwelling unit, whichever is greater. (Ord. 768 N.S., 01/2023; Ord. 769 N.S., 10/2023; Ord 782 N.S. 07/2025)

**17.38.070 Unit size exception.**

A. Exception to unit size. The Director shall approve an exception to the maximum unit size set forth in section 17.38.060 B.1 for an accessory dwelling unit upon request of an applicant in accordance with the requirements of this section. If an exception is granted, the accessory dwelling unit shall be subject to all the requirements set forth below.

If the unit includes:	expansion up to 1,000 square feet	expansion to 1,200 square feet
One bedroom or less	Imposition of covenants requiring an affordable rent level to households of low income	Imposition of covenants requiring an affordable rent level to households of very low income
More than one bedroom	N/A	Imposition of covenants requiring an affordable rent level to households of very low income

B. Additional requirements. If an accessory dwelling unit permit with a unit size exception is approved, it is subject to the following additional requirements.

1. Rent restriction.
  - a. Declaration of rent restrictions. The accessory dwelling unit permit with a unit size exception shall have a condition describing the type of rent restriction applicable to the property. The rent-restriction shall be recorded in the county recorder's office, as a declaration of rent restrictions (in a form provided by the city), and will remain in effect for ten years. The ten-year period of rent restriction begins either: (a) on the date of recordation or date of final building inspection, whichever is later; or (b) according to the terms of the conditions of approval or a recorded declaration.

If, after ten years, the termination of the recorded declaration is not automatic (by its terms), the city will record a document terminating the declaration of rent restrictions, upon the written request of the property owner.

- b. Affordable rent certification. An owner who has executed a declaration must submit to the city an accessory dwelling unit affordable rent certification: (i) on an annual basis, by each December 31 and as part of the annual city business license application and renewal; and (ii) upon any change in occupancy of the accessory dwelling unit. The accessory dwelling unit affordable rent certification must be on a form provided by the city and must specify whether or not the accessory dwelling unit is being occupied; the rent charged; the utilities that are included in the cost of rent; the household size of the accessory dwelling unit; the names and ages of the accessory dwelling unit occupants; the gross household income of the accessory dwelling unit household; and other information as determined appropriate by the city. (Ord. 768 N.S., 01/2023)

#### **17.38.075 Pre-approved Plans Incentive.**

A. The Director may authorize an applicant's use of floor plans and elevations, owned by the City of Piedmont, and approved by the City Council, ~~Appendix A of the Piedmont Design Standards and Guidelines~~ Chapter 3.4 of the Piedmont Objective Standards, to obtain Planning Division approval of an Accessory Dwelling Unit Permit if all of the following findings are made:

1. The design unit meets the requirements of section 17.38.060.
2. The roofing material and exterior siding material of the proposed unit are the same as that of the primary residence.
3. The plans are the same as those in ~~Appendix Chapter 3.4 A~~ of the Piedmont Objective Design Standards ~~and Guidelines~~ with only a 3 percent variation or less in any one dimension.

If the approval is granted, the applicant must agree to the imposition of a rent restrictions on the unit requiring that any rent for the unit be affordable to households of very low income, and the accessory dwelling unit shall be subject to all the requirements set forth below.

B. Additional requirements. If an accessory dwelling unit permit using City-owned plans in ~~Appendix A Chapter 3.4~~ of the Piedmont Objective Design Standards ~~and Guidelines~~ is approved, it is subject to the following additional requirements.

1. Rent restriction.
  - a. Declaration of rent restrictions. The accessory dwelling unit permit constructed using City-owned plans shall be subject to declaration of rent restrictions (in a form provided by the city), which shall be recorded in the county recorder's office, as a declaration of rent restrictions, and will remain in effect for ten years. The ten-year period of rent restriction begins either: (a) on the date of recordation or date of final

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building inspection, whichever is later; or (b) according to the terms of the recorded declaration.

If, after ten years, the termination of the recorded declaration is not automatic (by its terms), the city will record a document terminating the declaration of rent restrictions, upon the written request of the property owner.

- b. Affordable rent certification. An owner who has executed a declaration must submit to the city an accessory dwelling unit affordable rent certification: (i) on an annual basis, by each December 31 and as part of the annual city business license application and renewal; and (ii) upon any change in occupancy of the accessory dwelling unit. The accessory dwelling unit affordable rent certification must be on a form provided by the city and must specify whether or not the accessory dwelling unit is being occupied; the rent charged; the utilities that are included in the cost of rent; the household size of the accessory dwelling unit; the names and ages of the accessory dwelling unit occupants; the gross household income of the accessory dwelling unit household; and other information as determined appropriate by the city. (Ord. 769 N.S., 10/2023)

**17.38.080 Unpermitted accessory and junior accessory dwelling unit.**

A. An owner may apply for an accessory dwelling unit permit (or other city approval) to legalize and permit an unpermitted accessory dwelling unit or junior accessory dwelling unit that was constructed before January 1, 2020.

B. 1. An application to legalize an unpermitted accessory dwelling unit or junior accessory dwelling unit under section 17.38.080 above shall be approved if the City can make findings that the unpermitted construction complies with the standards specified in Section 17920.3 of the California Health and Safety Code. Compliance with either of the following shall not be required:

- a. building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code; and
- b. division 17.38 of Piedmont City Code regulating accessory dwelling units or junior accessory dwelling units, or California Government Code Section 66333 et seq., as may be amended, applicable.

2. The application shall be denied if the City finds that the accessory dwelling unit or junior accessory dwelling unit is in violation of standards specified in Section 17920.3 of the California Health and Safety Code.

C. This section shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the California Health and Safety Code.

D. A homeowner applying for an accessory dwelling unit permit under section 17.38.080.A above, shall not be required to pay impact fees or connection or capacity charges except when

utility infrastructure is required to comply with Section 17920.3 of the California Health and Safety Code and when the fee is authorized by Government Code Section 66324(e).

E. Upon receiving an application pursuant to section 17.38.080.A, an inspector from the City shall inspect the unit for compliance with health and safety standards and provide recommendations to comply with health and safety standards necessary to obtain a permit. If the inspector finds noncompliance with health and safety standards, the City shall not penalize an applicant for having the unpermitted accessory dwelling unit or junior accessory dwelling unit, shall provide in writing how the building can be brought into compliance, and shall approve necessary permits to correct noncompliance with health and safety standards.  
(Ord. 777 N.S., 01/2025)

### **17.38.090 Removal of Owner Occupancy Restrictions.**

A. The Director shall be authorized to remove any previously imposed owner-occupancy requirements imposed via deed restriction on any accessory dwelling unit previously permitted, by recording any appropriate documents rescinding the restriction, if the following criteria are met:

- i. the applicant shall provide a copy of the original recorded deed restriction.
- ii. the applicant agrees to an imposition of covenants either on the accessory dwelling unit or on the primary dwelling unit requiring an affordable rent level to households of very low-income for a period of 15 years, which shall be recorded in the county recorder's office, as a declaration of rent restrictions (in a form provided by the city), and will remain in effect for fifteen years. The fifteen-year period of rent restriction shall begin on the date set forth in the recorded declaration.

If, after fifteen years, the termination of the recorded declaration is not automatic (by its terms), the city will record a document terminating the declaration of rent restrictions, upon the written request of the property owner.

B. A property owner that receives removal of owner occupancy restrictions shall comply with certification requirements related to affordable rent set forth in section 17.38.070 B.1.b.

This section does not apply to owner-occupancy deed restrictions imposed on Junior Accessory Dwelling Units. (Ord. 768 N.S., 01/2023)

### **17.38.100 Separate Conveyance.**

The City shall allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all of the criteria listed under Government Code Section 65852.26 are met. (Ord. 747 N.S., 02/2020; Ord. 768 N.S., 01/2023)

## DIVISION 17.46      WIRELESS COMMUNICATION FACILITIES

### Sections:

17.46.010	Purpose
17.46.020	Definitions
17.46.030	Applicability; Exemptions
17.46.040	Location; City site agreement
17.46.050	Permit; Application.
17.46.060	Independent Technical Review
17.46.070	Standards
17.46.080	Review Body; Findings
17.46.090	Batch Processing
17.46.100	Appeals

### **17.46.010      Purpose.**

The purpose of this division is to provide a comprehensive set of standards for the development and installation of wireless communication facilities. The regulations are designed to facilitate the appropriate deployment of wireless networks and improvements to existing wireless network infrastructure to provide coverage and capacity throughout the City. These standards create a clear set of design requirements and application processes that allow wireless carriers to deploy their networks effectively, while not detracting from the aesthetics of the streetscapes, buildings, light standards, utility poles, and structures inside and outside of the public right-of-way in the City of Piedmont. These requirements aim to protect public health, safety, and community welfare while balancing the benefits of robust wireless services with the community's architectural character, aesthetics, and landscaping of the City. The purpose of these standards is not to regulate what technologies are being deployed, but to regulate the manner in which wireless equipment is deployed to ensure that such are not detrimental or injurious to the public health, safety, and general welfare; and that the aesthetic appearance shown in approved plans is continuously preserved. This division applies to applications for approval of the installation of new or modified wireless communication facilities, including applications previously received by the city but not yet approved, disapproved or conditionally approved by a final city decision.

### **17.46.020      Definitions.**

In this division:

*Antenna* means an apparatus designed for the purpose of emitting radiofrequency (RF) signal, to be operated or operating from a fixed location pursuant to Federal Communications Commission (FCC) authorization, for the provision of personal wireless service and any commingled public information services. For purposes of this definition, the term antenna does not include an unintentional radiator, mobile station, or device authorized under part 15 of title 47 of the Code of Federal Regulations.

*Base station* means an authorized wireless communications facility that connects wireless equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.



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*Batch processing* means a type of permit submittal that consists of: (1) two or more WCF permit applications for “substantially similar WCF project sites,” (2) the applications are submitted at the same time; and (3) by the same applicant.

*Collocation* means multiple telecommunications service providers using the same structure, including new and existing infrastructure. A new or replacement utility pole, streetlight, or tower is not a collocation and shall be reviewed as a new facility.

*Concealment* means a wireless facility that is covered, blended, disguised, camouflaged, or integrated to make a wireless facility look like something other than a wireless facility (as defined by FCC Declaratory Ruling FCC-CIRC2006-003). Concealment includes incorporating *stealth* design (see definition below).

*Camouflage* means designed to mask or blend with the surrounding environment in such a manner to render it generally unrecognizable as a wireless facility to the casual observer. By way of example, a wireless communication facility may be camouflaged in a faux tree, faux bush, flagpole, or designed in a manner to be compatible with the appurtenant architecture, building, or natural surroundings.

*DAS* means distributed antenna system. DAS is a series of antennas that are usually lower power that have a connected fiber network to provide coverage to a specific location.

*6409(a) Eligible Facilities Request* refers to section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act). Congress provided that state and local government review may not deny, and shall approve, *Eligible Facilities Requests* to modify existing wireless towers or base stations that do not substantially change the physical dimensions of the structure, defeat the concealment element, nor violate certain conditions associated with the siting approval.

*Equipment cabinet* means a cabinet or structure used to house equipment associated with a wireless communication facility.

*FCC* means Federal Communications Commission.

*FCC Shot Clock* or *shot clock* means the FCC’s presumptively reasonable time frame, accounting for any tolling or voluntary extension, or unusual circumstances justifying additional time, within which the City generally must act on a duly filed request for authorization in connection with a personal wireless service facility, as such time frame is defined by the FCC and as may be amended or superseded. For batched applications, the longest shot clock applicable to any small wireless facility in the batch shall be applicable to the entire batch (e.g., in a batch with four collocations and one new/replacement pole, the FCC Shot Clock would be 90 days for the entire batch even though the collocation applications would be 60 days if submitted on an individual basis)

*GO95* is CPUC General Order 95 which outlines rules for overhead electric line construction.

*Macrocell Site* means any WCF that is not a small wireless facility or Eligible Facilities Request.

*Monopole* means a single free-standing pole, post, or similar structure, used to support equipment associated with a wireless communication facility.

*Public right-of-way* means a public highway, street, alley, sidewalk, or parkway that is subject to Public Utilities Code section 7901.

*Related equipment* means equipment ancillary to the transmission and reception of voice and data via radio frequencies. *Related equipment* may include, but is not limited to, cable, conduit and connectors.

*Service provider* means an authorized provider of wireless communication services, including a neutral host carrier.

*Shroud* is a physical barrier that encloses and conceals a WCF located atop a pole or on a structure or line. Examples include a radome.

*Small Cell Facility* has the same meaning as a small wireless facility, as set forth in 47 C.F.R. 1.6002(l).

*Stealth Design* means using concealment so that a wireless communications facility is designed to look like something other than a wireless tower or base station. Stealth design includes, but is not limited to:

- a. Integrating a WCF within the architecture of an existing structure outside the public right-of-way;
- b. Using a new structure built to conceal the WCF in its entirety, such as a stealth water tower or clock tower outside of the public right-of-way.
- c. Using a new architectural feature added to an existing structure outside of the public right-of-way to conceal the WCF; such as a faux vent, faux chimney, or faux penthouse.
- d. Using an architectural feature added to an existing or proposed structure in the public right-of-way to conceal the WCF in its entirety such as a protrusion on a streetlight or utility pole, new streetlight that integrates wireless equipment in its entirety, a new bus stop shelter, a faux trash can enclosure adjacent to an existing or proposed structure, or traffic signage added to a streetlight to cover and conceal WCF equipment.

*Substantial change* means it meets the requirements in the eligible facilities checklist, outlined in section 8.03.03 of the Piedmont Design Standards and Guidelines titled 6409 (a) Eligible Facilities Request Checklist

*Toll, tolled, or tolling* is defined as days that are not included in the calculation of the deadline for action by a jurisdiction due to incomplete application materials or voluntary agreement between the wireless service provider and the jurisdiction.

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*Tower* means a structure built for the sole or primary purpose of supporting Federal Communications Commission-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site improvements.

*Sidewalk vault* is a base station for equipment in an underground facility located in a cabinet beneath the sidewalk.

*Wireless communications facility (WCF)* means any facility constructed, installed, or operated for wireless service. *Wireless communications facility* includes, but is not limited to, antennas or other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting such equipment, related accessory equipment, equipment buildings, parking areas, and other accessory development. "Wireless communications facility" does not mean any of the following:

- a. A facility that qualifies as an amateur station as defined by the FCC, 47 C.F.R. Part 97, of the Commission's Rules, or its successor regulation.
- b. An antenna facility that is subject to the FCC Over-The-Air-Receiving Devices rule, 47 C.F.R. Section 1.4000, or any successor regulation, including, but not limited to, direct-to-home satellite dishes that are less than one meter in diameter, TV antennas used to receive television broadcast signals and wireless cable antennas.
- c. Portable radios and devices including, but not limited to, hand-held, vehicular, or other portable receivers, transmitters or transceivers, cellular phones, CB radios, emergency services radio, and other similar portable devices as determined by the city manager.
- d. Telecommunications facilities owned and operated by any government agency.
- e. Telecommunications facilities owned and operated by any emergency medical care provider.
- f. Mobile services providing public information coverage of news events of a temporary nature.
- g. Any wireless communications facilities exempted from the Piedmont City Code by federal law or state law.

#### **17.46.030      Applicability; Exemptions.**

A. Applicability. This division 17.46 applies to all wireless communication facilities, except those exempted in subsection B below (though other permit requirements may apply).

B. Exemptions. The following facilities are exempt from this division:

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1. Wireless communication facility for which a federal or state statute or regulation exempts the facility from the imposition of the permit requirements of this division but only to the extent of such exemption.
2. Satellite dish antenna, less than one meter in diameter for receiving radio or television stations by the property owners, occupants or guests.
3. City-owned or operated communication facilities.
4. Communication equipment located completely inside a structure, not visible from the outside, whose purpose is solely to provide wireless communications within the same structure, including Wi-Fi hotspots and access points, with no alteration to the exterior of the structure.

**17.46.040 Location; City site agreement.****A. Priority for location.**

1. Preference for Zone B, Zone D, and public right of way sites. In order of preference, wireless communication facilities should be located (i) on publicly-owned property outside of the public right of way in Zone B, (ii) property in Zone D, or (iii) public rights-of-way.
2. Alternative locations. Any location for a wireless site outside of Zone B not on publicly-owned property, or not with a public right of way will be considered according to the following priority:
  - a. The applicant must first attempt to locate a site in Zone D, the commercial zone, that is not used for residential purposes.
  - b. If it is infeasible to locate in Zone D, the applicant must attempt to locate at a non-residential property in Zone A, C or E.
3. General. In all cases, the preference, in order, is to locate on or in an existing structure which the wireless communication facility can be concealed; or to collocate on an existing wireless communication facility with a stealth design; or to locate on a new structure that can be incorporated in a stealth manner compatible with the surrounding area.
4. Prohibition. Wireless communication facilities are prohibited on properties that contain a residential use, regardless of zone.

**B. City site agreement.**

1. Consideration by staff. If the applicant wishes to locate on city-owned property or facilities, the applicant must discuss its desired location(s) with staff (Public Works Director and Planning & Building Director, as appropriate) before the submittal of an

application. If the location appears to be generally feasible, city staff will negotiate the principal terms for a proposed site agreement with the applicant, spelling out in detail the specific facilities to be located on city property or facilities, the term of the agreement, the compensation to be provided the city, and other terms.

2. Consideration by City Council. When the principal terms for a proposed agreement have been prepared and approved by city staff, staff will schedule the matter for hearing before the City Council. The City Council will consider the proposed agreement as part of an ordinance, required by City Charter Section 2.11(6). The City Council may defer its final decision regarding the agreement until after the wireless communication facility permit is approved.

3. Limited nature of consent. The city's consent as property owner to process a wireless communication facility permit is not be deemed city consent to lease or license the property.

C. No wireless communication facilities on residential property. Wireless communication facilities shall not be installed on property which is used for residential purposes, irrespective of the zoning district in which such residential property is located.

#### **17.46.050 Permit; Application.**

A. Permit. A wireless communication facility permit is specifically for wireless communication facilities and is required for each facility. If the wireless communication facility permit is approved, the owner or operator must also obtain a building permit before beginning construction.

#### **B. Application.**

1. All applications. An application for a wireless communication facility permit must include:

- a. a complete application to the City with all relevant fields completed and all required documents attached;
- b. evidence of a significant gap in coverage or capacity or introduction of new services or other service capability improvements, which the application seeks to address if the applicant's facility will be located on a less preferred structure or in a less preferred zone; and
- c. applicable fees and/or deposits, including a deposit for independent technical review under section 17.46.060 below.
- d. all applicable documents outlined in the submittal checklist in section 8.03.04 of the Piedmont Design ~~Standards and~~ Guidelines titled Submittal Checklist.

2. Application for location on city property. An applicant for a wireless communication facility proposed to be located on city property or in a public right-of-way must submit a Letter of Authorization signed by the City of Piedmont City Council and all documents listed in Chapter 8 of the Piedmont Design ~~Standards and~~ Guidelines.

#### **17.46.060 Independent Technical Review.**

The Director is authorized in his or her discretion to retain an independent technical consultant to review materials submitted by the applicant and to provide an analysis of issues including but not limited to: whether the wireless communication facility meets the applicable radio frequency emission regulations; whether a significant gap in coverage or capacity exists and whether the proposed facilities are the least intrusive means of doing so; whether there are alternative sites and the feasibility of those sites; whether there are ways to mitigate aesthetic impacts; and any other specific technical issues designated by the Director. The applicant must pay the consultant's costs, and must increase the deposit to cover the anticipated amount as the Director may deem necessary from time-to-time.

#### **17.46.070 Standards.**

A. Development Standards. The following development standards apply.

1. Collocation. New wireless communication facilities must be collocated with existing facilities and with other planned new facilities whenever feasible. A new wireless tower must be designed and constructed to accommodate future collocation(s) unless the city determines that collocation would be infeasible because of physical or design issues specific to the site.
2. Height limits. Wireless Facilities must follow height limits of the zoning district they are proposed to be installed in, height limits of the City of Piedmont Public Works Standard Details, height limits set by the FCC, and/or height limits outlined in GO95 regulations. Ground mounted wireless communication equipment, base station, antenna, pole, or tower must be the minimum functional height, unless as required by federal or state law. Roof mounted equipment and antennas must be located to minimize visibility.
3. Visual impact. Wireless communication facilities must be designed to minimize visual impacts. Facilities must be concealed or camouflaged to the greatest extent practicable in accordance with this Division, as determined by the Planning & Building Director. The facilities must have a non-reflective finish and be painted or otherwise treated to minimize visibility and the obstruction of views.

The facilities may not bear signs, other than certification, warning, emergency contacts, or other signage required by law or expressly required by the city.

4. Public health, peace and safety. A wireless communication facility may not adversely affect the public health, peace and safety.
5. Public right-of-way. A wireless communication facility located in the public right-of-way may not cause: (i) physical or visual obstruction, or safety hazard, to



pedestrians, cyclists, or motorists; or (ii) inconvenience to the public's use of the right-of-way. Equipment, walls, and landscaping located above grade must comply with the City of Piedmont Public Works Department Standard Details and not interfere with the public's use of the right-of-way.

6. Compliance with laws. Each wireless communication facility must comply with federal and state statutes governing local agencies' land use authority regarding the siting of wireless communication facilities, including without limitation 47 USC sections 253, 332(c)(7), 47 USC section 1455 (also known as section 6409 of the 2012 Middle Class Tax Relief and Jobs Act), California Government Code sections 50030, 65850.6 and 65964, and California Public Utilities Code sections 7901 and 7901.1. Each reference to a federal and state statutes is to the statute as it may be as amended from time-to-time and to the extent the statute remains in effect.

B. Operation and Maintenance Standards

1. Contact and site information. The owner or operator of a wireless communication facility must submit basic contact and site information to the city, and notify the city within 30 days of any changes to this information, including the transfer of ownership. The contact and site information must include: (i) the name, address, email address, telephone number, and legal status of the owner of the facility, including official identification number and FCC certification, and, if different from the owner, the identity and legal status of the person or entity responsible for operating and maintaining the facility; and (ii) the name, address, email address, and telephone number of a local contact person for emergencies.

2. Signage. The owner and/or operator must post an identification sign at each facility, including owner/operator emergency telephone numbers. The design, materials, colors, and location of the identification signs shall be subject to review and approval by the Director. If at any time a new owner or operator provider takes over operation of an existing personal wireless service facility, the new personal wireless service provider shall notify the Director of the change in operation within 30 days and the required and approved signs shall be updated within 30 days to reflect the name and phone number of the new wireless service provider. The colors, materials and design of the updated signs shall match those of the required and approved signs. No sign shall be greater than two square feet in size.

3. FCC compliance. Each wireless communication facility must comply with FCC regulations, and avoid interfering with any city communication facilities, operations, utilities, equipment, or public safety communications. If the facility negatively impacts city facilities or equipment, the operator must comply with all FCC regulations and orders to resolve the interference. At the city's discretion, and at the operator's expense, the city may retain an outside technical consultant to evaluate and verify compliance with FCC regulations and to determine the cause of interference for an existing facility.

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4. Facility maintenance. Each wireless communication facility must be maintained in good repair, free from trash, debris, litter, graffiti, and other forms of vandalism. The operator must repair any damage as soon as reasonably possible, but no later than 90 days from the time of notification.

Landscaping elements at a wireless communication facility site must be maintained in good condition, and in compliance with the approved landscape plan. The owner or operator is responsible for replacing any damaged, dead, or decayed landscape materials and making necessary irrigation and equipment repairs as soon as reasonably possible.

5. Noise. A wireless communication facility must be operated to minimize noise that is audible as provided in Chapter 8 of the City Code

6. Removal. All wireless communication facility equipment must be removed within 30 days of the discontinuation of the use, and the site restored to its original, preconstruction condition. In addition, the service provider must provide the city with a notice of intent to vacate a site a minimum of 30 days before the vacation. For a wireless communication facility to be located on public property, this removal requirement will be included within the lease. For a facility to be located on private property, the property owner is encouraged to also include this in the lease, because the property owner will otherwise be responsible for removal.

C. Term of permit. A wireless communication facility permit is valid for an initial period of ten years as specified in the Piedmont Design ~~Standards and~~ Guidelines unless: (i) a longer period is required by state or federal law; or (ii) a shorter time is required as a condition of approval for particular circumstances set forth in the decision, particularly with respect to public safety or substantial land use reasons under California Government Code section 65964(b). The Director may administratively extend a permit upon verification of continued compliance with this division 17.46 and any conditions of approval.

However, a permit granted for a collocation or modification under section 17.46.080 D.2.b will be effective for the shorter of: (i) the term of the original permit; or (ii) a longer period if required by state or federal law.

#### **17.46.080 Review Body; Findings.**

##### **A. Review Body.**

##### **1. Permit and Reviewing Body.**

## ATTACHMENT E

## Planning &amp; Land Use

Location	Type of WCF	Design Standards Criteria	Type of Permit Required
WCF in the Right-of-Way	6409 Collocation	Meets the design criteria outlined in Design <del>Standards and</del> Guidelines Section 8.02.03	Building Permit Encroachment Permit
	Small Cell or DAS Application	Meets the Design <del>Standards and</del> Guidelines Section 8.02.03	Building Permit Encroachment Permit
		Does not meet the Design <del>Standards and</del> Guidelines	WCF Planning Permit, Review by Planning Commission Building Permit Encroachment Permit
	Collocation (not under 6409) with existing structure		WCF Planning Permit, Review by Director Building Permit Encroachment Permit
WCF On Public or Private Property	New structure		WCF Planning Permit, Review by Planning Commission Building Permit
	Collocation (not under 6409) with existing structure		WCF Planning Permit, Review by Director Building Permit
	6409 Collocation	Meets Design <del>Standards and</del> Guidelines in Section 8.02.04	Building Permit

2. Planning Commission. After receiving a completed application, the city staff will schedule a noticed public meeting before the Planning Commission consistent with divisions 17.62 and 17.64. Any application submitted to be reviewed by the Director outlined in section 17.46.080.A may be referred to the Planning Commission unless otherwise stated by federal law.

B. Required findings; Exceptions.

## ATTACHMENT E

## Planning &amp; Land Use

1. Findings. Before approving a wireless communication facility permit as provided in City Code section 17.46.080.A.3 and 17.46.080.A.4, the reviewing body must make the following findings:

- a. The applicant has evaluated and met the priority for location standards of section 17.46.040 A above.
- b. The proposal satisfies each of the applicable development standards in section 17.46.070 above.
- c. The proposed design is consistent with the Piedmont Design ~~Standards and~~ Guidelines.
- d. The proposed facility has been located and designed for concealment and collocation to the greatest extent reasonably feasible, and the applicant has submitted a statement of its willingness to allow other wireless service providers to collocate on the proposed facility.

2. Exceptions.

- a. General. The decision-making body may grant an exception to any requirement of this division 17.46, including without limitation the priority for location under section 17.46.040 A, if the applicant establishes that strict compliance would violate federal or state law.
- b. Modification. The Director may consider and grant, modify and grant or deny a modification to an existing wireless communications facility if the modification meets the requirements of section 6409. In determining whether to approve the requested modification the Director shall approve if the project meets the criteria outlined in section 8.03.03 of the Piedmont Design ~~Standards and~~ Guidelines titled 6409 (a) Eligible Facilities Request Checklist.
- c. The exemptions listed in the definition of *wireless communication facility* in section 17.46.020.

Any proposed modification that is not a collocation, or for which the wireless communication facility will be fully concealed or camouflaged, or that does not fall within the requirements of section 6409 shall be reviewed and considered under the same provisions and requirements as those required for the original consideration of the permit proposed for modification.

#### **17.46.090 Batch Processing.**

In accordance with Assembly Bill 965, an applicant may submit a “batch WCF processing permit” when it receives two or more WCF permit applications for substantially similar WCF project sites, submitted at the same time, and are submitted by the same applicant.

##### **A. Requirements**

## ATTACHMENT E

## Planning &amp; Land Use

1. The City will consider applications under Assembly Bill 965 for WCF batch processing as “nearly identical in terms of equipment and general design, but not location” if they meet the following criteria.
  - a. Require the same permits;
  - b. Are the same kind of facilities (for example, all the applications received are stealth facilities, are on streetlights, are on utility poles, etc.);
  - c. Must be on the same type of property (for example, the City will not batch process an application on private property along with an application on public property);
  - d. Must be in the same zoning district;
  - e. The proposed facilities are within 5 feet of each other in height/elevation;
  - f. The proposed facilities have similar power output and operating frequency for any proposed antenna array;
  - g. Use of substantially the same equipment in the same configuration on the same support structure type;
  - h. Have similar accessory equipment which is located in similar locations, whether above ground or below ground;
  - i. Use the same material for exterior finishes, including color and texture;
  - j. Do not require illumination of the wireless facilities with the exception of security and maintenance lighting;
  - k. Only collocation applications can be considered substantially similar to other collocation applications; and
  - l. No more than 25 sites are included in a batch processing application.
- B. Review Body. Applications submitted under a batch processing permit shall be subject to review by the body outlined under section 17.46.080.A.
- C. Application Fee. The applicant shall pay an application fee in the amount established by City Council resolution.
- D. Application Determination. Each application in a batch must meet all the requirements for a complete application, which includes without limitation the application fee for each site in the batch. If any application in a batch is incomplete, the entire batch shall be deemed incomplete. If an applicant removes more than 50% of the facilities from a batch application,

the entire batch application shall be withdrawn. If any application in a batch fails to meet the required findings for approval, the entire batch shall be denied.

**17.46.100 Appeals.**

An appeal of a wireless communication facility application may be submitted for any application reviewed by the Director or reviewed by the Planning Commission. During an appeal, the burden of proof is on the appellant. The appeal will be submitted to the City Administrator or the City Administrator's designee. The appellant shall pay an appeal fee in the amount established by the City Council resolution. The appeal must be submitted within five days of a decision made by the Director or Planning Commission. Upon receiving the appeal, in not less than 5 business days, the City Clerk shall give written notice to the applicant, the appellant in those cases where the applicant is not the appellant, and other parties involved, of the date and place of hearing of the appeal. In considering the appeal, the City Administrator or designee shall review all documents submitted and findings made by the Director or Planning Commission. The hearing will not be a de novo hearing. The City Administrator or designee may overrule the action of the decision maker only if one of the following occurs:

- a. the findings made by the decision maker as a basis for its action are not supported by the weight of the evidence;
- b. there is a significant error in the application of the requirements of this chapter 17 or other requirements of the City Code;
- c. there is a significant error in the application of the Piedmont Design Standards and Guidelines; or
- d. significant errors in the application, plans, drawings or other materials provided to the decision maker are discovered after the hearing, which were a basis of the decision.

Any appeal shall be conducted so that a timely written decision may be issued in accordance with applicable law.

There is not an appeal process for applications submitted under a ministerial review permit.

(Ord. 778 N.S., 03/2025)



**DIVISION 17.54      URBAN LOT SPLITS AND TWO-UNIT HOUSING  
DEVELOPMENTS (SB 9)**

Sections

17.54.010	Purpose and intent
17.54.020	Permit requirement
17.54.030	Definitions
17.54.040	Permit Application and review procedures
17.54.050	Urban Lot Split Standards
17.54.060	Two-Unit Housing Development Standards
17.54.070	Accessory Dwelling Units
17.54.080	Waivers from Standards
17.54.090	Recording

**17.54.010      Purpose and intent**

The State Legislature has declared that local jurisdictions must allow for a ministerial review of up to two residential dwelling units on each lot where single-family uses are authorized, and urban lot splits in order to allow for the construction of additional housing units. (Government Code Sections 66411.7 and 65852.21.) Proposed housing developments of up to two dwelling unit and urban lot splits in Zones A and E shall be considered ministerially, without discretionary review or a hearing, if the proposed housing development or urban lot split meets all of the applicable requirements. Urban lot splits and housing developments of up to two dwellings units shall not be allowed in Zones B, C, and D. This division shall adhere to the Government Code sections referenced below, which Government Code provisions may be amended from time to time. This division shall be interpreted in accordance with state law requirements.

**17.54.020      Permit requirement**

A. SB9 – Urban lot split permit. A permit is required for an urban lot split in Zones A and E in accordance with the provisions of Government Code Section 66411.7.

B. SB9 – Two-unit housing development permit. A permit is required for a housing development of up to two units in Zones A and E in accordance with the provisions of Government Code section 65852.21.

C. An application for a two-unit housing development permit may be submitted in conjunction with an urban lot split permit application.

D. Building permit. A building permit shall be required for construction of any proposed new dwelling units.

**17.54.030      Definitions**

In this division:

*Accessory dwelling unit* or “ADU” shall have the same meaning as specified in Section 17.38.020 of the Piedmont City Code.

## ATTACHMENT E

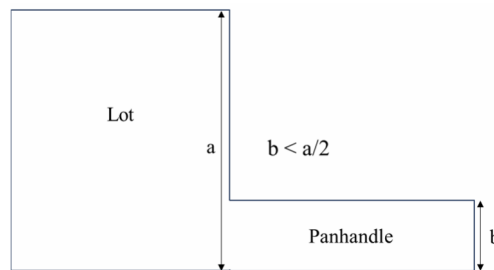
## Planning &amp; Land Use

*Existing dwelling unit* means a primary dwelling unit or other dwelling unit on a parcel that exists prior to any voluntary demolition or reconstruction or remodel where more than 50 percent of the exterior wall framing has been removed or altered. Any existing dwelling unit where more than 50 percent of the exterior wall framing has been removed is considered a new dwelling for purposes of this division.

*Flag lot* means a parcel that has less than the minimum required frontage on a public road and has access to the public right-of-way by a narrow strip of land, with the largest portion of the lot being situated behind adjoining lots which front a public right-of-way.

*Junior accessory dwelling unit* or “JADU” shall have the same meaning as specified in Section 17.38.020 of the Piedmont City Code.

*Panhandle lot* is a lot containing a narrow strip of land that is connected on its shorter side (b) to the larger portion of the lot where the narrow strip does not provide access to the public right-of-way, and the length of the shorter side (b) of the narrow strip of land is less than 50 percent of the parallel width (a) of the larger portion of the lot.



*Primary dwelling unit* means a single-family residence or a residential unit within a multi-family residential development. A primary unit is distinct from an ADU or a JADU. Examples of primary units include a single-family residence (i.e., one primary unit) and a duplex (i.e., two primary units).

*SB 9 dwelling unit* or *SB 9 unit* means a dwelling unit that is developed using the provisions in this division and the provisions identified in California Government Code Section 65852.21.

*Two-unit housing development* means a development containing no more than two primary dwelling units. A two-unit housing development may include two new units or one new unit added to an existing unit.

*Unusual shape* means (1) a parcel with more than 6 sides; (2) a parcel created by a lot split that necessitates more than three property line segments; (3) a panhandle lot; or (4) a parcel where an interior angle is less than 50 degrees unless the curvature of an existing street or lot line precludes the possibility of a corner that meets the angle requirement.

*Urban lot split* means the subdivision of a parcel within a residential single-family zone into no more than two parcels pursuant to the authority set forth in Government Code section 66411.7.

#### **17.54.040 Permit application and review procedures**

##### **A. Application.**

1. Application. An owner is required to submit an application for an urban lot split permit and a two-unit housing development permit. An application for an urban lot split may be submitted concurrently with an application for a two-unit housing development. A complete application will be reviewed for conformance with this division and the applicable standards by the Planning & Building Director.

2. Application fee. The owner shall pay an application fee in the amount established by City Council resolution.

3. Affidavit. Upon the submittal of an urban lot split application, the property owner must sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum period of three years from the date of the lot split. If there is no residence existing on either lot, the applicant shall sign the affidavit stating that they will intend to live in one of the new units for a minimum of three years.

B. Ministerial Review. The Director shall review each application ministerially to determine if the development standards in section 17.54.050 are met for an urban lot split or the development standards in section 17.54.060 are met for a two-unit housing development. The Director will review the application without notice or public hearing, and shall approve the application if the application meets the applicable requirements of the division and Piedmont Objective Design Standards Chapter 2: One to Four Residential Unit Developments.

C. Subdivision Map Act. An application for an urban lot split permit must adhere to the objective requirements outlined in the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as otherwise expressly provided in this section. A tentative map shall be submitted to the City Engineer for a lot split application.

D. Inconsistencies. If the proposed urban lot split or two-unit housing development is inconsistent with applicable requirements, the planning director shall provide the applicant notice describing the inconsistency(ies) in the same manner prescribed by Government Code section 65589.5(j)(2).

E. Decision and conditions. The Director shall render a decision in writing and shall state the reasons for approval or denial. The decision of the Director shall be final. The City may deny an urban lot split permit or a two-unit housing development permit if the Director makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment

and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

### **17.54.050 Urban Lot Split Standards**

The Director may not approve an application for an urban lot split permit unless the project conforms to all of the standards listed below and in Chapter 2 of the Piedmont Objective Design Standards. A waiver may be granted for an exception to the standards as ~~described~~ underprovided in section 17.54.080.

#### **A. Size Requirements**

1. The parcel subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.
2. The newly created parcels are no smaller than 1,200 square feet.

#### **B. Location Requirements**

1. The parcel is not located in an area identified in subparagraphs (B) to (K) of paragraph (6) of subdivision (a) of Section 65913.4 of the Government Code.
  - a. The parcel is not located within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
  - b. The parcel is not located on a hazardous waste site, as defined by Government Code Section 65913.4(a)(6)(H).
  - c. The parcel is not located within a special flood hazard area subject to inundation by the one percent annual chance flood (one hundred (100)- year flood) as defined by Government Code Section 65913.4(a)(6)(G).
  - d. The property is not located within a regulatory floodway, as defined by Government Code Section 65913.4(a)(6)(H).
2. The proposed urban lot split would not require demolition or alteration of the housing types listed in Government Code section 66411.7(a)(3)(D)(i)-(iv) nor the following types of housing:
  - a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

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## Planning &amp; Land Use

- b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
  - c. A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 of the California Government Code (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
  - d. Housing that has been occupied by a tenant in the last three years.
- 3. The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.
  - 4. The parcel has not been established through prior exercise of an urban lot split as provided for in this division.
  - 5. Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split as provided for in this division.

C. Lot Configuration

- 1. Access to Public Right-of-Way. The new parcel shall have vehicular access to the public right-of-way, either through direct lot frontage or an easement through the existing parcel.
- 2. Existing Dwelling Unit. If an urban lot split is proposed for a property with an existing dwelling unit, the split must result in the existing dwelling unit being completely located on one parcel. There shall be no existing or proposed structure in the setback along the new lot line for the lot on which the existing house remains. The lot on which the existing primary residence remains shall comply with the underlying zoning regulations such that no nonconformity is introduced, and no existing nonconformity is increased by the subdivision.
- 3. Lot Frontage. The lot shall have a minimum frontage of 60 feet, unless the frontage requirement precludes the development of two lots containing an 800 square foot primary structure. A new lot may be accessed via an easement across a pre-existing lot that contains street frontage.
- 4. Flag Lots. Flag lots are not permitted under an urban lot split permit. If a new parcel is created without direct access to the public right-of-way, an easement shall be provided through the original lot. The easement shall meet the following requirements:
  - a. The easement shall have a minimum width of 12 feet.
  - b. The easement shall provide access for utilities to be connected to the public right-of-way.

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## Planning &amp; Land Use

5. The side line of all lots shall be at right angles to the street which the lot faces, or approximately radial to the center of the curvature, if the street is curved. Side lines of lots shall be approximately radial to the center of the curvature of a cul-de-sac on which the lot faces.
6. For a newly created lot that is located in both Piedmont and Oakland, the applicant shall obtain all the required permits in both jurisdictions.
7. Lots of an unusual shape, as defined in section 17.54.030, are not permitted.
8. ~~Access to the new lot shall meet the driveway width, ~~and~~ slope standards, and other standards for vehicular access~~ outlined in Chapter ~~3.072.5~~ of the Piedmont Objective Design Standards, ~~and Guidelines~~.

D. Utilities

1. The new parcel shall have separate utilities, including but not limited to electric, gas, water, and sewer. The new parcel shall adhere to the standards outlined in the Piedmont Public Works Standards.
2. Utility easements shall be recorded prior to final map recordation.  
(Ord 782 N.S., 08/2025)

**17.54.060 Two-Unit Housing Development Standards**

The Director may not approve an application for a two-unit housing development permit unless the project conforms to all of the standards listed below and Chapter 2 of the Piedmont Objective Design Standards. A waiver may be granted for an exception to the standards as ~~described~~ underprovided in section 17.54.080.

A. Size.

- a. The SB 9 unit is no more than 800 square feet in size.
- b. For an SB 9 unit that exceeds the 800 square foot size limit, the SB 9 unit shall meet the floor area ratio criteria for the underlying zoning district, unless the development falls under section E below.

B. Height. The maximum height of a new SB 9 unit shall meet the requirements of the underlying zoning district.

C. Setbacks.

- a. The side and rear setback is four feet for an SB 9 unit in any zone.
- b. The street-side setback, including for corner lots, is 20 feet.
- c. For the development of a new SB 9 unit within an existing structure that does not meet the four-foot setback requirement, the new unit is allowed to keep the nonconforming condition so long as the nonconformity is not increased within the setback area. The



converted structure must be in the same footprint and dimensions as the existing non-conforming structure.

D. Parking. New SB 9 units are required to have at least one parking space that meets the parking regulations in Section 17.30.040 and Section 17.30.050 of the Piedmont City Code. If the parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code, then parking is not required for the new SB 9 unit. Additional parking spaces for a unit can be stacked or tandem.

E. Lot Coverage.

- a. When a two-unit housing development is proposed on a new lot created pursuant to the urban lot split provisions specified in this division, the new SB 9 unit(s) shall conform to the structure coverage, landscape coverage, and floor area ratio of the underlying zoning district.
- b. When a new SB 9 unit is constructed on a lot with an existing dwelling unit, the floor area ratio may exceed the code required maximums so long as structure and landscape coverage conform to the requirements of the underlying zoning district.

F. Path of Travel. The path of travel to the new SB 9 unit shall be clearly marked by providing an address marker visible from the street and at the main entry door to the new unit. If needed, path lights shall also be installed. The path of travel shall have a minimum width of 3 feet. (Ord 782 N.S., 08/2025)

#### **17.54.070 Accessory Dwelling Units**

Accessory dwelling units (ADU) and junior accessory dwelling units (JADU) are permitted on a parcel that has undergone an SB9 urban lot split or is a two-unit housing development that conforms with California Government Code Sections 65852.2 (ADUs) and 65852.22 (JADUs). Once a parcel has been divided pursuant to the urban lot split provisions, the maximum number of dwellings on each resulting parcel, inclusive of any ADUs or JADUs, is two. On a parcel with a two-unit housing development, the maximum number of units allowed is four (inclusive of two primary units, an ADU, and a JADU).

#### **17.54.080 Waivers from Standards**

A. An applicant may request a waiver from the development standards provided in this division and Chapter 2 of the Piedmont Objective Standards if the following criteria are met:

1. Application. The applicant requests an exception as a part of the application materials.
2. Approval Authority. The exception request shall be submitted to the Director for review. The Director shall determine if the exception meets the standards for approval.
3. Standards for Approval. An exception from a development standard shall be granted if the standard would have the effect of physically precluding: (1) an urban lot split of a vacant parcel where the resulting lot size is 1,200 square feet or more for both parcels; (2) an urban

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## Planning &amp; Land Use

lot split of a parcel with existing development, where the resulting lot size is 1,200 square feet or more for both parcels, and the urban lot split does not increase any nonconformity with underlying zoning regulations for the parcel with existing development; or (3) the construction of up to two units that are 800 square feet in floor area or less, each.

Waivers from objective zoning standards shall not be granted if the floor area and/or structure coverage of each new housing development would exceed 800 square feet. The city shall determine the extent of relief necessary to allow two 800 square foot units. Waivers from zoning standards for accessory structures, such as decks and garages, shall be only for the minimum size structure required to serve each housing unit according to state law and Chapter 8 Building Code standards. A waiver cannot be approved for an application that proposes new construction within the four-foot side and rear setbacks. (Ord. 782 N.S., 08/2025)

**17.54.090 Recording**

If a parcel is developed with a housing unit and/or a lot split pursuant to Government Code sections 65852.21 and 66411.7, then the applicant shall record a document indicating the exercise of Government Code sections 65852.21 and/or 66411.7 in a form approved by the city. The document shall be recorded by the applicant prior to final inspection or final map approval. (Ord. 782 N.S., 08/2025)

**DIVISION 17.67 MINISTERIAL DESIGN REVIEW PERMIT**

## Sections:

17.67.010	Intent
17.67.020	Implementation
17.67.030	Permit required
17.67.040	Approval authority
17.67.050	Procedure: Application; Notice; Decision; Decision of Director is final
17.67.060	Standards; Findings

**17.67.010 Intent.**

It is the intent of the City in establishing this ordinance to support equitable distribution of affordable housing units across the City; promote and enhance community design and neighborhoods; remove barriers to development and access to housing through clear and objective standards; and facilitate the development of new multifamily housing units.

**17.67.020 Implementation.**

~~A. Piedmont Design Standards and Guidelines. The City Council has adopted the Piedmont Design Standards and Guidelines that are available online and at city hall. The Piedmont Design Standards and Guidelines are one of the criteria for the applicant and Director in determining whether a specific project conforms to section 17.67.060, Standards; Findings.~~

A. Piedmont Objective Design Standards. The City Council has adopted the Piedmont Objective Design Standards that are available online and at City Hall. The Piedmont Objective Design Standards are for the review of projects that meet the requirements for ministerial review. The Piedmont Objective Design Standards are one of the criteria for the applicant and Director in determining whether a specific project conforms to section 17.67.060, Standards; Findings.

B. Director. The Director will prepare:

1. The permit application forms; and
2. Information to provide technical assistance to residents and applicants.

C. Voluntary discretionary review. Any applicant eligible for ministerial design review pursuant to section 17.67.030, may submit in writing to the Director a voluntary request to have the design review permit application considered according to the provisions of division 17.66 to receive discretionary design review for the applicant's development proposal.

**17.67.030 Permit required.**

A. Permit required. A ministerial design review permit is required for any development which meets the eligibility criteria for ministerial review under State law, subject to review under ~~PCC~~ Chapter 17 division 17.38, ~~and (2) Two-unit housing developments and/or urban lot splits,~~ which are subject to review under ~~PCC~~ Chapter 17 division 17.54, and (3) other ministerial projects including certain multifamily and mixed-use developments as required by law under State Law; (Ord. 772 N.S., 03/2024)

B. The building official will not issue a building permit under chapter 8 of the City of Piedmont City Code until the applicant has obtained the required ministerial design review permit. The city will not allow demolition pursuant to division 17.67 unless the applicant has approval of plans for a replacement structure pursuant to this chapter 17 and has obtained a building permit under chapter 8.

#### **17.67.040 Approval authority.**

##### **A. Director.**

1. Applicability. The Director has the authority to review and approve a ministerial design review permit application submitted pursuant to section 17.67.030, and any application to amend a previously approved ministerial design review permit, pursuant to State law.
2. Notice. No notice shall be provided for ministerial design review applications submitted pursuant to section 17.67.030.
3. Standards and Findings. In reviewing an application for a ministerial design review permit, the Director shall apply the standards set forth in section 17.67.060, Standards; Findings.

#### **17.67.050 Procedures: Application; Notice and hearing; Decision; Effective date; Appeal.**

- A. Application. An applicant for a ministerial design review permit must submit a complete application, accompanied by plans and materials in the form approved by the Director, and the application fee, which fee shall be established by resolution. The Director may waive in writing submission of items deemed unnecessary to determine compliance with this chapter. An application is considered complete in accordance with section 17.60.020.
- B. Notice and hearing. The Director shall review the ministerial design review permit application without notice or public hearing, unless otherwise required by State law.
- C. Decision. The Director shall notify the applicant of the decision in writing.
- D. Director's decision is final. Permits approved by the Director for ministerial design review permit applications are final.

#### **17.67.060 Standards; Findings.**

The Director may not approve a ministerial design review permit unless the Director first finds that the design of the project conforms to all of the following standards:

- A. The proposed development meets the criteria for ministerial approval under State law.
- B. The proposed development meets applicable design standards as provided in the Piedmont Objective Design Standards ~~and Guidelines~~, as they may be amended from time to time by the City Council.
- C. The proposed development complies with zoning ordinance regulations for the zone in which the project site is located.

~~(Ord. 769 N.S., 10/2023, Ord. 772, N.S. 03/2024)~~



# City of Piedmont Objective Design Standards and Related Amendments

City Council  
Public Hearing  
February 2, 2026





# Objective Design Standards (ODS)

## Purpose:

Objective Design Standards (ODS) are intended to streamline the design review process and provide clear and consistent expectations of high-quality design.

## Applicable to new unit types:

- One-to-Four-Unit Residential Development
- Accessory Dwelling Units (ADUs)
- Multi-Family Residential Development
- Mixed-Use Residential Development



**Piedmont  
is Home**

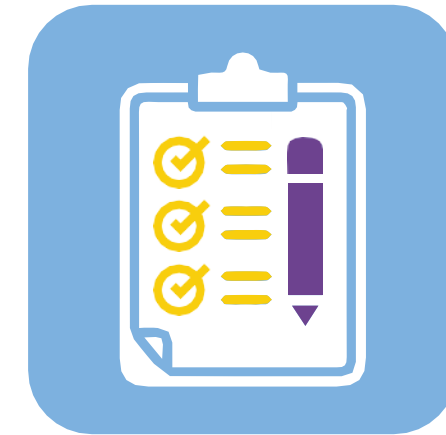
**Piedmont Objective Design Standards**



**VAN METER  
WILLIAMS  
POLLACK LLP**



# Objective Design Standards (ODS)



**Objective and Enforceable**



**Measurable and Verifiable**



**Use words such as “shall,”  
“must” or “required”**

# Objective Design Standards (ODS)

## Subjective Design Guidelines

- Open to Interpretation
- Not Measurable
- Use words: “should” or “may”

### Subjective Example:

*A building front entrance should have a “welcoming front entry”*

## Objective Design Standards

- Objective and Enforceable
- Measurable and Verifiable
- Use words: “shall” or “must”

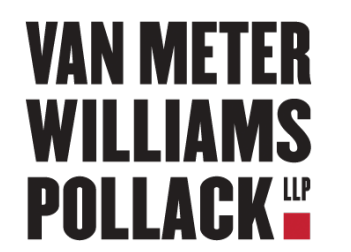
### Objective Example:

*Front entryway shall have a minimum area of 40-square feet*



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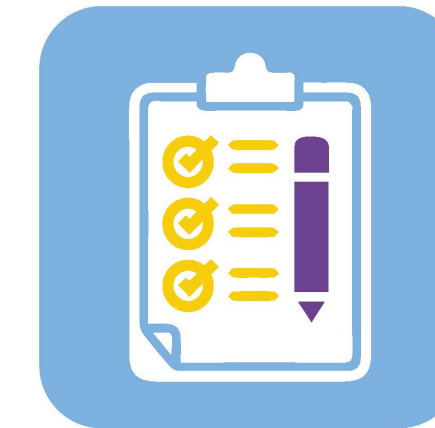
**Piedmont Objective Design Standards**



# Why are they being developed?



**Streamline Design Review  
and Facilitate More Housing**



**Define Community's  
Development Goals**



**Follow State Laws**



**Maintain Neighborhood  
Character**



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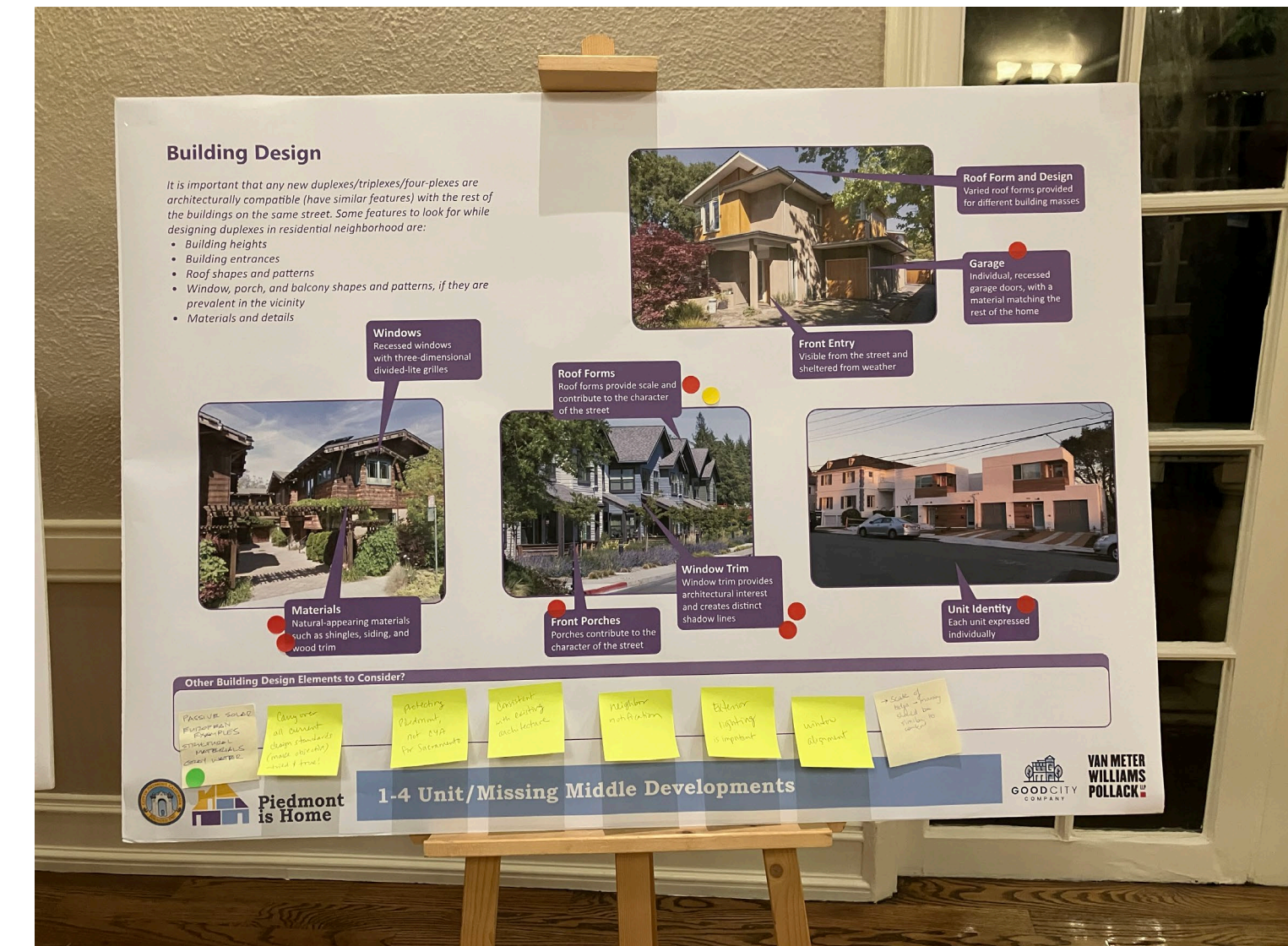
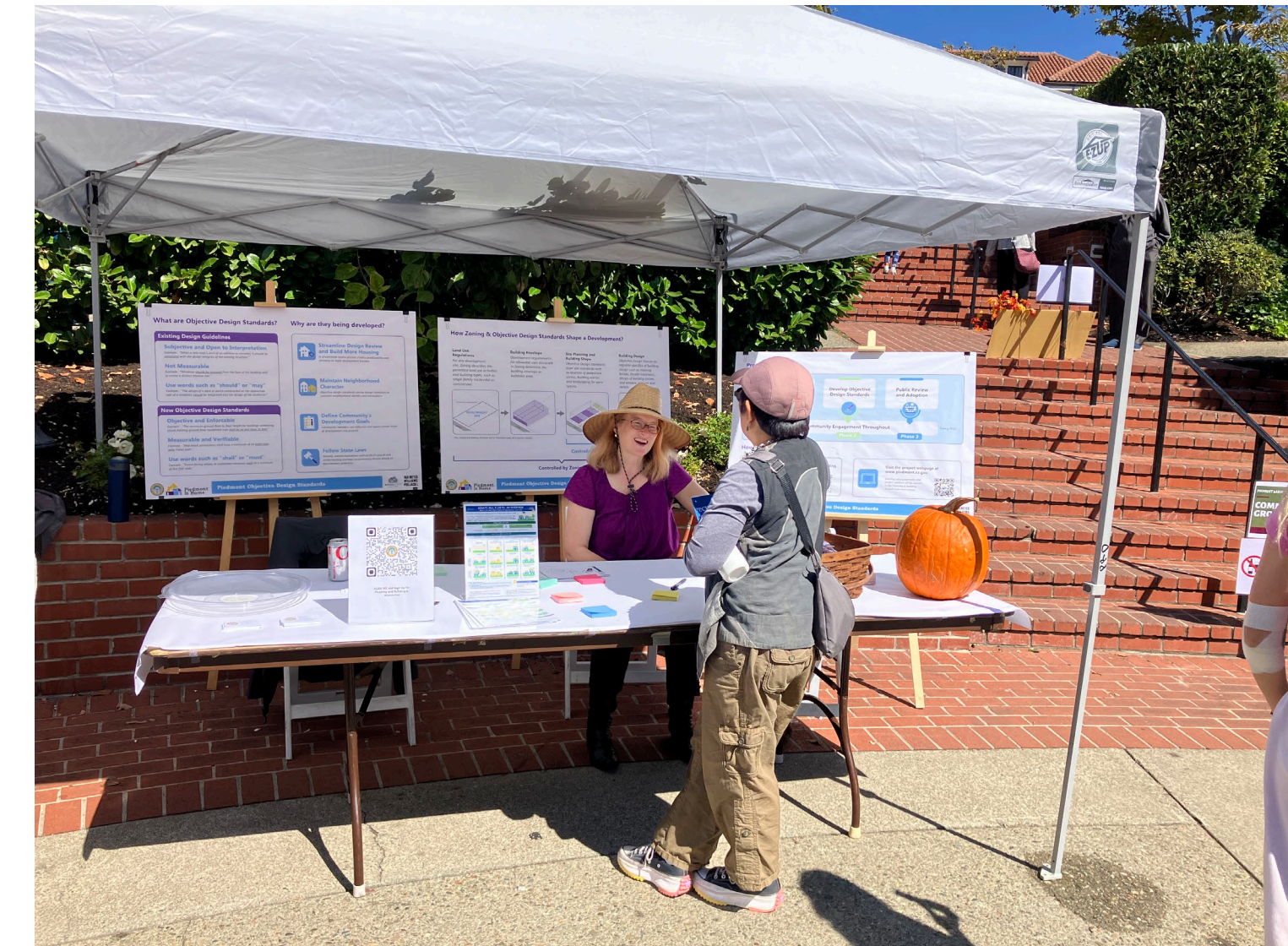


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# Community Engagement

- **September 2024:** Project introduced at the Harvest Festival
- **December 3, 2024:** Stakeholder meeting with architects, designers and builders
- **February 12, 2025:** Open House
- **April 19, 2025:** Piedmont Food Festival
- **April - June 2025:** Community-wide survey
- **August 11 and September 8, 2025:** Planning Commission study sessions
- **January 12, 2026:** Planning Commission Public Hearing





# Community Survey

- Held online **April 19 - June 4, 2025**
- **241 Responses** – 95% identified as Piedmont residents
- **Neighborhood character:** Tree canopy and landscaping (65%), building height and massing (61%), and the spacing between homes (54%)
- Top priorities for regulating **new construction and additions:** Preserving privacy (44%) and access to daylight (39%)



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# Community Survey

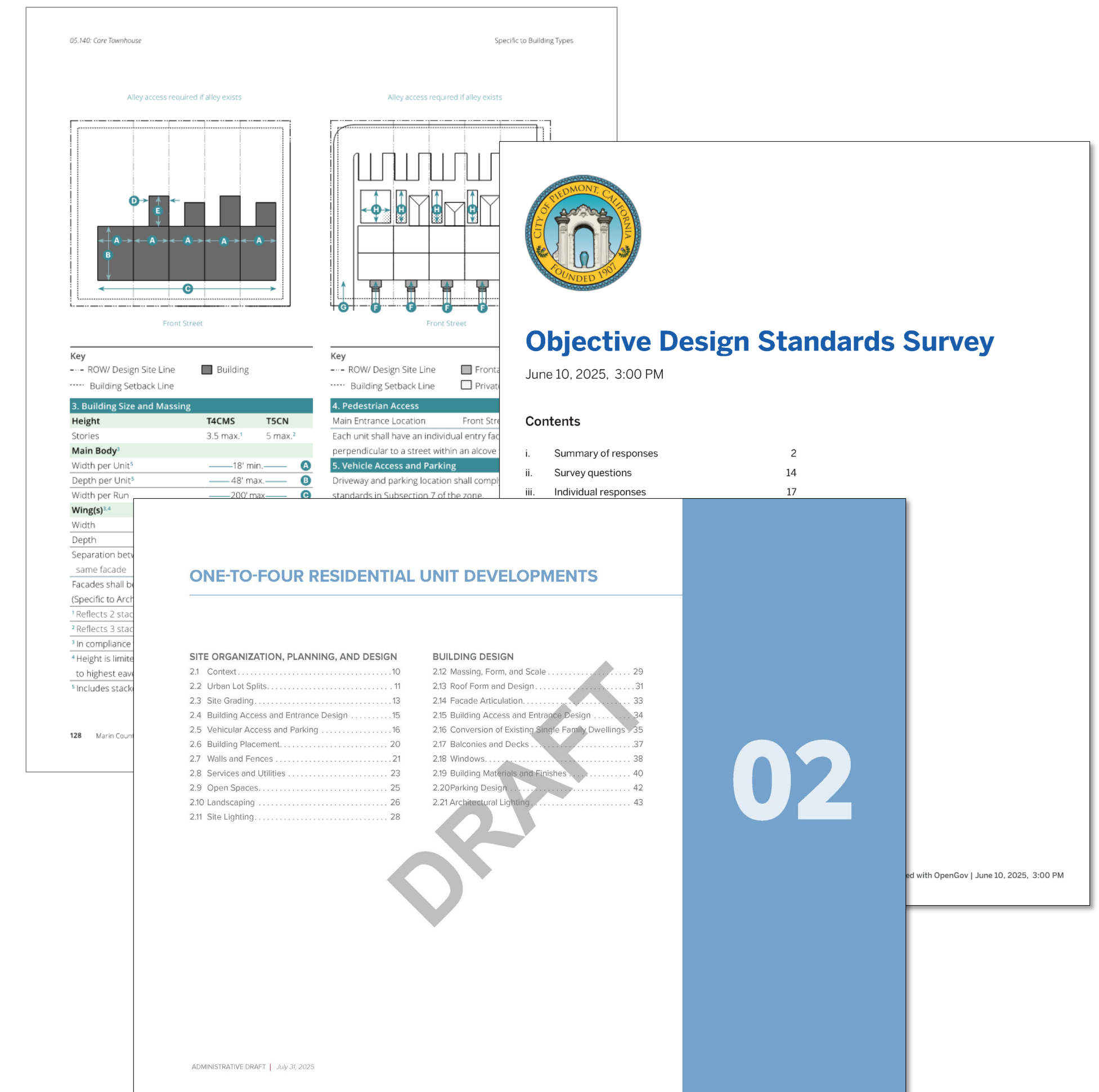
- **Architectural Consistency and Style:** Majority (56%) comfortable with a mix of styles, though 31% preferred traditional styles.
- **Architectural Priorities:** Across all styles, a large majority emphasized the importance of massing and proportions (79%) and exterior materials (49%)





# Planning Commission Subcommittee

- Commissioners Jajodia, Ortiz and Yee
- Role was to collaborate with staff and consultants to develop and update draft objective design standards
- 10 meetings:
  - Approach to structure and format the standards
  - Review of communitywide survey
  - Review public engagement plans
  - Feedback on the preliminary draft standards
  - Review the public review draft of the ODS document
  - Review the public comments received



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# ODS Examples

Objective Design Review Standards  
Adopted 2/22/21

5. MIXED-USE DEVELOPMENT

Principles

Create pedestrian interest, orientation, and access at the ground floor of mixed-use buildings.  
Ensure that development in Alameda's traditional business districts is compatible with the character of those districts by applying special standards within the "Traditional Design Area."

Standards--Mixed-Use Development, Citywide	Project Completes		
	Yes	No	N/A
<b>5A. Applicability.</b> In addition to meeting the other Objective Design Review Standards, mixed-use buildings with ground-floor commercial uses located anywhere in the city shall meet the standards of Sections 5B through 5E. <i>Is the project a mixed-use development? <input type="checkbox"/> Yes <input type="checkbox"/> No</i> <i>If "no," Section 5 does not apply. Skip to Section 6.</i>			
<b>5B. Ground-floor Height.</b> The ground floor shall be at least 14 feet in height, measured from floor to ceiling.	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5C. Ground-floor Transparency.</b> The ground floor of exterior walls facing a street shall meet the following standards: 1. Windows, doors, or other openings shall constitute at least 75 percent of the ground-floor building wall area. Openings fulfilling this requirement shall have transparent glazing (not tinted glass, or reflective film or coating) and shall provide views into window displays at least five feet deep or into sales areas, lobbies, work areas, or similar active commercial spaces. 2. No ground-floor exterior wall may run in a continuous plane for more than 15 feet without such an opening.	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5D. Vertical Articulation.</b> 1. <b>Ground-Floor Distinction.</b> The ground floor of any building that has two or more stories must be distinguished from upper floors by incorporating <b>at least one</b> of the following elements: a. Larger storefront windows on the ground floor and smaller "punch out" windows on upper floors; b. A material distinct from the remainder of the facade, along with a change in plane of at least one inch from the wall surface of the remainder of the building; or c. A horizontal design feature such as a water table, belt course, or bellyband applied to the transition between the ground floor and upper floors. <b>5E. Treatment of Street-facing Yards.</b> If buildings are set back from property lines, front yards and corner side yards shall be designed as follows. 1. <b>Surface.</b> Street-facing yards may be landscaped and/or landscaped. Any landscaped areas shall be set with decorative paving materials such as concrete pavers, bricks, or colored concrete. 2. <b>Use.</b> Street-facing yards shall be designed for pedestrian uses, including but not limited to outdoor dining, the display of retail goods, and public seating.	<input type="checkbox"/>	<input type="checkbox"/>	<div>Projects must include one or more of the following three</div>
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

Page 11

SITE - ACCESS

Sidewalk widths and requirements can vary by municipality but should rarely be less than 4 feet clear.

Neighborhood character and identity is on display in the streetscape. Consistent use of streetscape elements establish cohesion in the public realm.

C. Sidewalk and Walkway Design

1. **Sidewalk Dimensions.** Publicly accessible sidewalks and walkways shall have a minimum total width of 10 feet when adjacent to ground-floor commercial, with six feet clear for pedestrians and an additional 4 feet for tree planting strip; and shall have a minimum total width of five feet in all other locations.

2. **Sidewalk and Walkway surfaces.** Publicly accessible walkways and sidewalks shall be hard-surfaced, and paved with scored concrete, stone, tile, brick, or comparable material.

3. **Crossings.** Where any sidewalk or walkway crosses parking areas, loading areas, or other streets, it must be clearly identifiable through the use of a combination of raised crosswalk, a different paving material, striping, bollards, or similar method to enhance pedestrian safety.

4. **Separation from Automobile Travel Lanes.** Where a required walkway or sidewalk is parallel and within two feet of an auto travel lane, it must be separated from the auto travel lane by a physical barrier consisting of a raised curb at least four inches high, or by another permanent physical barrier as determined by the Public Works Director.

5. **Curb Cuts.** Curb cuts and driveways providing access to parking facilities shall be from an alley or secondary street, rather than from the principal street, wherever such alley or secondary access is feasible, to avoid impacts on pedestrian sidewalks and walkways.

Sidewalk and Walkway Design Diagrams: The sidewalk is typically broken into the zones to address different circumstances. The Frontage Zone sometimes extends beyond the property line as a setback. The Amenity Zone is sometimes called different things, but is typically where street trees, bike racks, parking meters, and other amenities are located. The Multi-Use Street Zone typically includes curbside parking, but where appropriate may also include outdoor seating or other types of uses.

Project: Milpitas Metro Specific Plan, UPS

Project: Arcata Gateway, UPS

25.06.040: Craftsman Style Group

Architectural Design

Elements of Craftsman Style

Example Building Elevation: Craftsman

C.1.Wall: Craftsman

Height Limitation

Building Height

Trim

Width

2.5 stories max.

6' min.

C.1.Wall: Craftsman (Continued)

Base

Height

Required

Articulation

Base is required for this sub-style.

1'-0" min.; 1 story max.

Projecting Profile/Molding

Base is required for this sub-style.

130

Santa Barbara Objective Design and Development Standards

Proposed for Adoption - August 21, 2024

## “Minimalist”

- Sticks to essentials
- Provides flexibility

## “Key Design Elements”

- Standards focused on site planning and massing
- Building design elements, but not specific to particular architectural styles

## “Maximalist”

- Architectural style standards
- Guidelines converted into standards
- Detailed materials and finishes specifications

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# Draft Piedmont ODS – Document Structure

**Chapter 1 – Introduction:** Applicability, instructions on how to use the document, description of the ministerial review processes.

**Chapter 2 – 1-4 Unit Residential Developments:** New standards for smaller residential projects, including single-family homes, duplex development under SB 9, existing single-family home conversions to duplex.

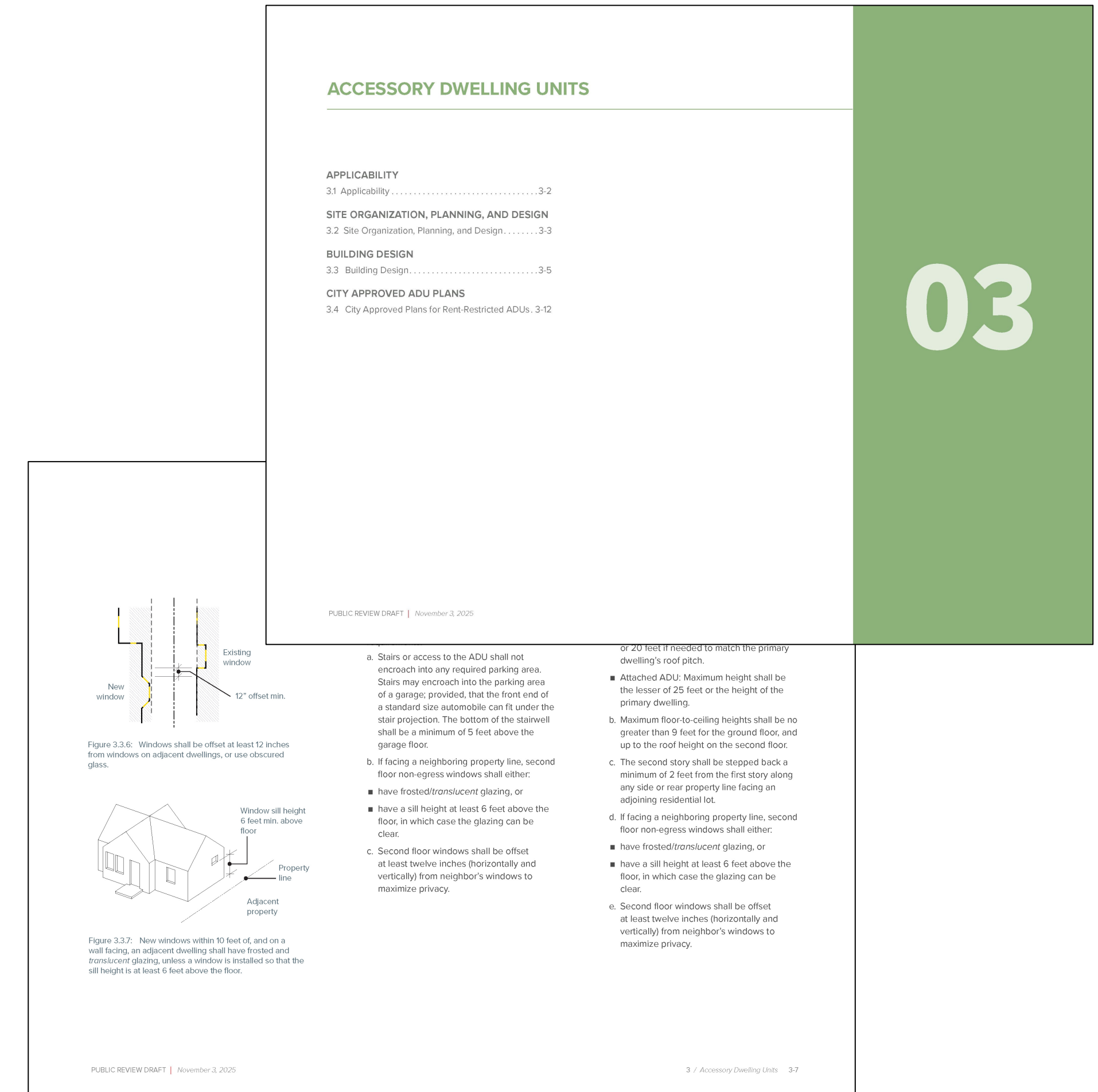
**Chapter 3 – Accessory Dwelling Units (ADUs):** Revised and updated ADU standards.

**Chapter 4 – Multifamily, Commercial (approved Ministerially), and Mixed-Use Residential Developments:** Revised and updated standards for multifamily, commercial (approved ministerially), and mixed-use projects.

**Chapter 5 – Definitions:** Key terms used in the objective design standards that are not already present in the Piedmont City Code.

# Accessory Dwelling Units (ADUs)

- Subjective guidelines adapted into objective standards
- Additional new standards reflecting review of ADU projects in Piedmont
- Compliance with Gov. Code, § 66323: Local governments may not impose their own standards on the following ADUs:
  - ✓ 800 square feet or less;
  - ✓ Within the converted space of a proposed or existing single-family dwelling or accessory structure; or
  - ✓ Certain multifamily ADUs



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# Multifamily, Commercial (Ministerially) and Mixed Use

- Subjective guidelines adapted into objective standards
- Additional new standards providing additional design direction and reflecting best practices

**MULTIFAMILY, COMMERCIAL (APPROVED MINISTERIALLY), AND MIXED-USE DEVELOPMENTS**

<b>SITE ORGANIZATION, PLANNING, AND DESIGN</b>	<b>BUILDING DESIGN</b>
4.1 Context ..... 4-2	4.10 Massing, Form, and Proportions ..... 4-23
4.2 Pedestrian Access and Bicycle Parking ..... 4-4	4.11 Roof Form and Design ..... 4-26
4.3 Driveways and Surface Parking Design ..... 4-6	4.12 Facade Articulation ..... 4-29
4.4 Walls and Fences ..... 4-9	4.13 Building Access and Entrance Design ..... 4-34
4.5 Building Placement ..... 4-10	4.14 Ground Floor Treatment—Residential ..... 4-38
4.6 Services and Utilities ..... 4-11	4.15 Ground Floor Treatment—Commercial ..... 4-40
4.7 Open Spaces ..... 4-14	4.16 Balconies and Decks ..... 4-42
4.8 Landscaping ..... 4-17	4.17 Awnings, Sunshades, and Screens ..... 4-43
4.9 Site Lighting ..... 4-21	4.18 Windows ..... 4-45
	4.19 Building Materials, Colors, and Finish ..... 4-48
	4.20 Mitigation of Blank Walls ..... 4-50
	4.21 Parking Garage Design ..... 4-52
	4.22 Architectural Lighting ..... 4-54
	4.23 Bird Safety ..... 4-55
	4.24 Signage ..... 4-56

ADMINISTRATIVE DRAFT | September 30, 2025

04

Forecourt Width	Minimum 15'
Ratio of forecourt width-to-lowest building height	Maximum 2:1
Building entrance above the level of forecourt	Maximum 3'

Table 4.13.1: Standard dimensions for forecourts

TERRACE DIMENSIONS	
	REQUIREMENT
Terrace Depth	Minimum 8'
Terrace Width	Minimum 8'; Maximum 120'
Distance of terrace between stairs	Maximum 50'
Terrace level above sidewalk	Minimum 18"; Maximum 5" (Maximum 42" when at street-or-public open space-facing ground floor residential lobbies or individual dwelling units)

Table 4.13.2: Dimension standards for terraces

DOORYARD STANDARDS	
	REQUIREMENT
Dooryard Depth	Minimum 5'; Maximum 8'
Dooryard Width	Minimum 6'
Overhead projection depth	Maximum 6'
Clear height	Minimum 8'
Wall/planting height	Maximum 3'

\*Allowed for residential uses in mixed-use developments in Zone D

Table 4.13.3: Dimension standards for entrance dooryards

ADMINISTRATIVE DRAFT | September 30, 2025

**BUILDING DESIGN**

04

Fig. 4.13.3: Forecourt dimensions

Fig. 4.13.4: Terrace dimensions

Fig. 4.13.5: Dooryard dimensions

4 / Multifamily, Commercial (approved Ministerially), And Mixed-use Developments 4-35



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# Design Categories

## Site Organization, Planning, and Design

- Context
- Urban Lot Splits
- Grading
- Building Access (Pedestrian and Bicycle)
- Vehicular Access and Surface Parking
- Building Placement
- Walls and Fences
- Utilities and Services
- Open Spaces
- Landscaping
- Site Lighting

## Building Design

- Massing, Form, and Scale
- Roof Form
- Façade Articulation
- Entrances
- Ground Floor Treatment
- Single-Family Conversions
- Balconies and Decks
- Awnings, Sunshades, and Screens
- Windows
- Materials
- Mitigation of blank walls
- Parking Garage Design
- Architectural Lighting
- Bird safety
- Signage



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Page Structure

Section Name	
Chapter Number	
Subsection Number and Name	
Objective	
Purpose	
Standards	
Guidelines	
Defined term in <i>italics</i>	

●

SITE ORGANIZATION, PLANNING, AND DESIGN

02

2.6 Building Placement

Activate the public realm by placing buildings near streets and public open spaces.

PURPOSE

Building placement should ensure that new housing contributes to a walkable, *context*-sensitive, and livable neighborhood fabric. These objective standards are intended to:

■

Promote compatibility with the scale, *rhythm*, and *setbacks* of surrounding buildings;

■

Preserve privacy, sunlight access, and open space for residents and neighbors;

■

Support vibrant *streetscapes* through thoughtful orientation and *massing*;

■

Facilitate efficient use of land while maintaining a comfortable transition between single-family and multi-family housing types.

By guiding the siting and arrangement of buildings, these objective standards help integrate smaller-scale multifamily housing into established neighborhoods in a way that supports both community character and housing diversity.

OBJECTIVE STANDARDS

S.2.6.1 **Street Yard Setback**  
Buildings shall comply with the street yard *setback* of the respective zoning district.

S.2.6.2 **Site Features and Structures in Street Yards**  
No fences or perimeter walls, retaining walls greater than 30 inches tall as measured from finished grade to *top of wall*, accessory structures, or site features are allowed in the street yard *setbacks*, unless the retaining walls are used to support egress/ingress infrastructure such as driveways for a maximum height of 8 feet.

S.2.6.3 **Multiple Units**  
Multiple units on one lot may be accommodated in a single building in order to emulate a single family home, or may be accommodated in individual buildings (see *Figs. 2.6.1 and 2.6.2*).

GUIDELINES (OPTIONAL)

G.2.6.1 **Consistency with Neighborhood Patterns**  
Buildings' front *setback* from the street *right-of-way* should reflect the prevailing pattern found along other adjacent lots fronting the same side of the street.

G.2.6.2 **Public/Private Differentiation**  
The site *landscaping* should clearly differentiate between the public *right-of-way* and the private space of the structure, delineating the front yard from the sidewalk.

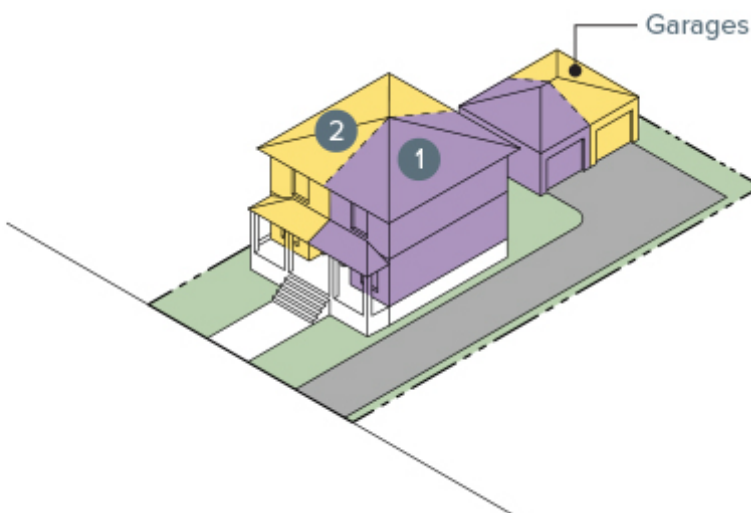


Figure 2.6.1: Multiple units accommodated in a single building in order to emulate a single family home.

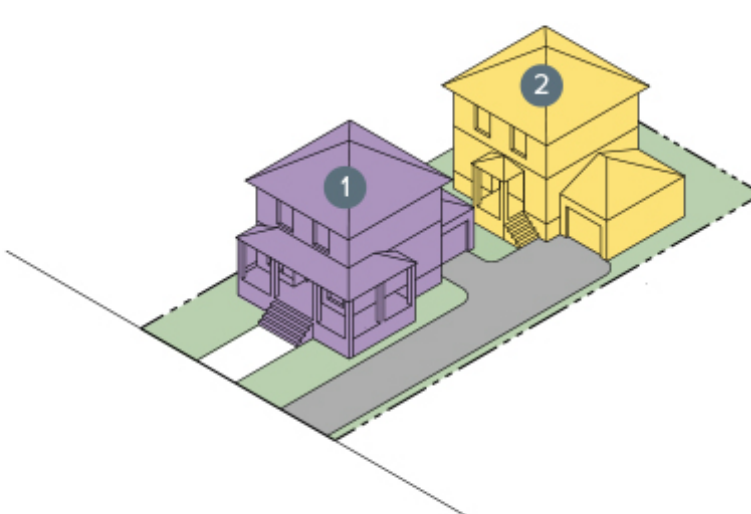


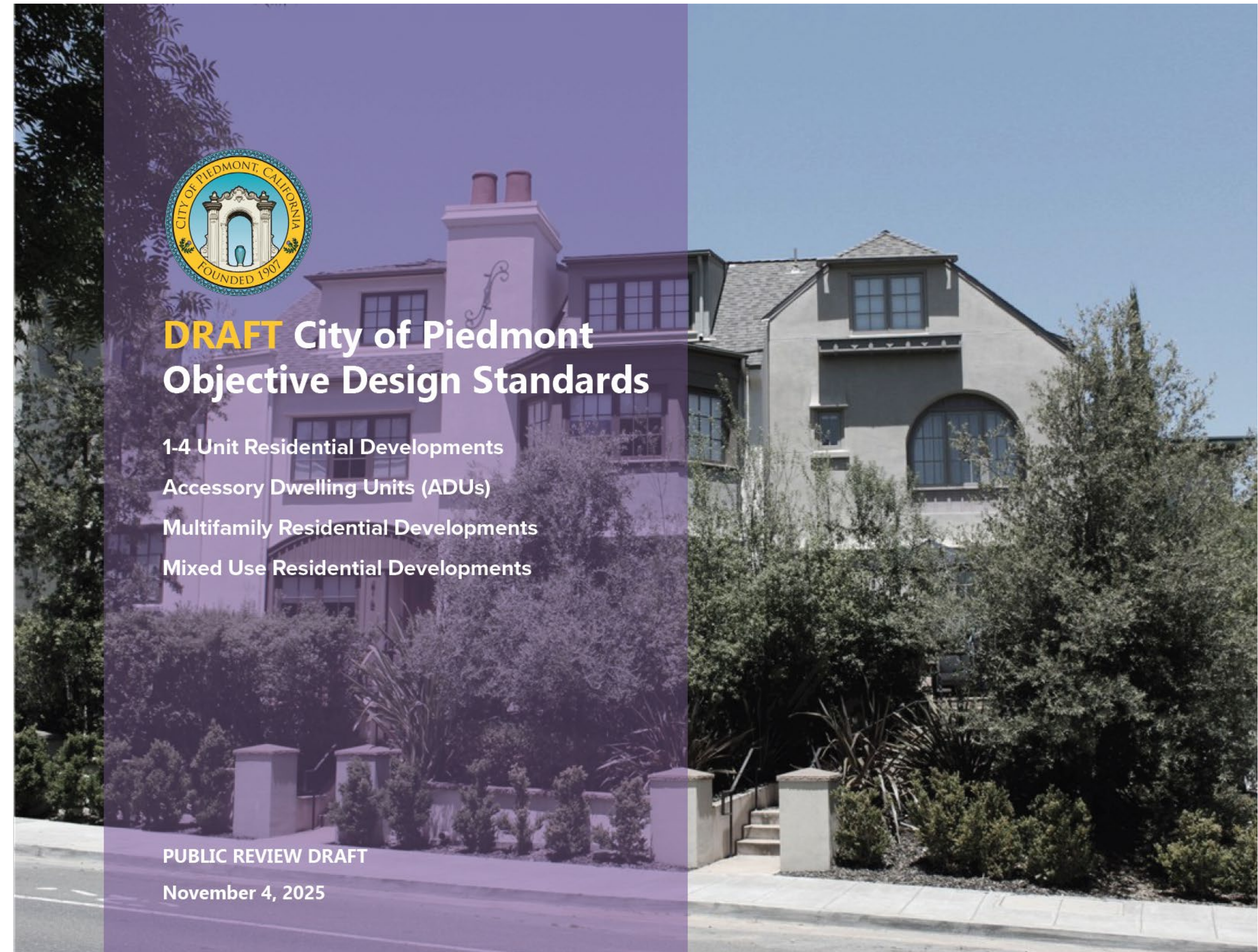
Figure 2.6.2: Multiple units accommodated in individual buildings, with the front unit addressing the street.

2-12    *Piedmont Objective Design Standards*



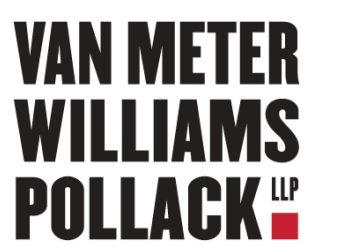
# Public Review Draft

- Posted November 7, 2025
- Comments received through December 7, 2025
- Comments included in staff report



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# Recommended Revisions to Public Review Draft

## 1.5.2 ITEMS TO BE INCLUDED IN THE PLANS

### 1. Site Survey and Topographic Map (preferred scale 1/8")

Provide a survey and topographic map, prepared within the last ~~42~~ 36 months, accurately showing contours and other features of the existing terrain within the subdivision or parcel, existing drainage channels, roads, culverts, overhead and underground utility lines and structures (Sewer, Gas, Water, Electric) which affect the

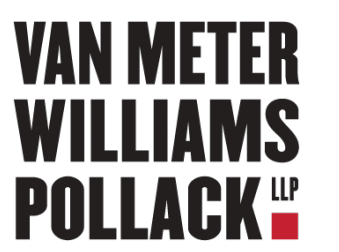
### Recommendation:

Planning Commission recommend extending the validity period of topographic maps from 12 months **to 36 months**. This change aligns with industry best practices and provides greater flexibility for project development timelines.



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# Recommended Revisions to Public Review Draft

## 2.4 **Building Site Access and Entrance Visibility Design**

~~Maximize pedestrian access and shape project identity around clearly defined, inviting entrances.~~

### PURPOSE

~~Well-designed and easily accessible building entrances perform a key role in the overall design and character of neighborhoods.~~

~~Entrances visible from the street help to animate neighborhoods and make them safe and walkable. Building entrances include doorways and elements such as stoops stairways, landings, and porches. They add visual interest to the building and streetscape.~~

Well-designed site access ensures that entrances and access points are clearly visible, easily identifiable, and safely accessible from the public street. New development should promote intuitive pedestrian access, enhance safety and wayfinding, and reinforce a residential streetscape by orienting building entries toward the street or other clearly defined common access areas.

### OBJECTIVE STANDARDS

#### S.2.4.1 Building Entrance Locations

- A minimum of one unit located along public rights-of-way must have the *primary building entrance* facing this *right-of-way* and not rear yards, or opening onto a porch with an entrance that faces the street. Additional units on such lots may face the *right-of-way*.
- Buildings fronting the street yard must include their entry along the street yard (see Fig. 2.4.1).
- All buildings not fronting a street must have their entry facing or visible from the street or a walkway connecting to the street (see Fig. 2.4.2).

#### S.2.4.2 Pedestrian Walkways

A minimum three-foot wide permanent, unobstructed pedestrian pathway constructed of *noncombustible materials* (as defined in the

### Recommendation:

To differentiate Sections 2.4 and 2.15, Planning Commission recommended refocusing Section 2.4 on site planning (access and visibility from the public realm) and Section 2.15 on architectural design (the physical treatment of the entrance).

Additionally, Figure 2.4.1 should be moved to Section 2.15 to better illustrate building design, while a new image depicting site access and entrance orientation should be added to Section 2.4.



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# Recommended Revisions to Public Review Draft



Figure 2.15.1: Primary building entrances must include weather protection, such as a covered porch.

weather protection with one of the following:

- a. A recess in the building wall with a minimum width of 4 feet and depth of 3 feet.
- b. A roofed projection (such as a porch) with a minimum depth of at least three feet and a minimum horizontal area of thirty square feet (see Fig. 2.15.1). Roofed projections may encroach into required street yard setbacks up to a maximum three feet.

## S.2.15.3 Addressing Standards

New and existing buildings shall be provided with approved address identification:

- a. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property.
- b. Address identification characters shall be clearly distinguishable from their background by ensuring the characters are

## Recommendation:

To differentiate Sections 2.4 and 2.15, Planning Commission recommended refocusing Section 2.4 on site planning (access and visibility from the public realm) and Section 2.15 on architectural design (the physical treatment of the entrance).

Additionally, Figure 2.4.1 should be moved to Section 2.15 to better illustrate building design, while a new image depicting site access and entrance orientation should be added to Section 2.4.



# Recommended Revisions to Public Review Draft

## S.2.7.4 Side and Rear Yard Fencing

Fencing up to 6 feet in height is allowed outside the street yard setback, provided ~~portions closer 5 feet or closer to the building are built of noncombustible materials (as defined in the California Building Code).~~ it meets the fire safe vegetation requirements as determined by the Piedmont Fire Marshal and as specified in the Wildland Urban Interface Fire Code, Part 7 of Title 24 of the California Code of Regulations.

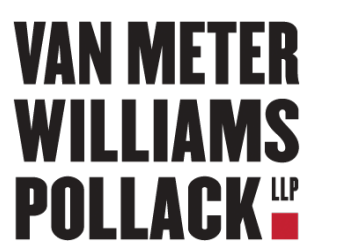
## Recommendation:

The language specifying no combustible materials be closer than 5 feet be revised to reference the specifications of the Wildland Urban Interface Fire Code, Part 7 of Title 24 of the California Code of Regulations.



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# Recommended Revisions to Public Review Draft

## S.2.10.3 Plants

- a. Plant size at *maturity* shall not exceed:
  - 30 inch height within 10 feet of a sidewalk or driveway.
  - The height of any *building aperture* within 10 feet of the *aperture*.
- b. Plant species shall ~~be native, low-water usage, and low maintenance, meeting Water Efficient Landscape Ordinance requirements~~ be selected from the East Bay Municipal Utility District (EBMUD) document *Plants and Landscapes for Summer Dry Climates* (as may be amended from time to time).
- c. Planting shall cover at least 30 percent of the entire development site and provide shade in south-facing and west-facing areas.

## Recommendation:

Planning Commission recommended that the language describing the type of planting allowed be revised from "native, low water usage and meeting Water Efficient Landscape Ordinance" to plants selected from the East Bay Municipal Utility District (EBMUD) document *Plants and Landscapes for Summer Dry Climates*.



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# Recommended Revisions to Public Review Draft

## S.2.19.3 Wood and Fiber Cement Siding

Wood siding includes horizontal siding consisting of shakes, shingles, shiplap, tongue and groove, v-groove, or lapped profiles in wood or materials that emulate wood such as fiber cement. Vertical siding includes board and batten or v-groove profiles in wood or materials that emulate wood such as fiber cement.

- ~~Board siding materials shall provide a minimum exposure of 6 inches.~~
- Board Siding Materials shall either be factory finished; or stained or primed and painted on all six sides.
- Vertical board or board and batten siding should be detailed with uniform exposure widths.

### Recommendation:

Planning Commission recommended deleting the 6-inch requirement for board siding in this standard, as in present day the siding thickness can vary anywhere between 3-6 inches and new application techniques are continually developed.



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# Recommended Revisions to Public Review Draft

## S.3.2.5 Fire Safe Landscaping and Fencing

~~Construction of any ADU or JADU shall be designed to meet fire safe vegetation requirements as determined by the Piedmont Fire Marshal. This includes (but is not limited to) eliminating vegetation and/or wooden fencing within 5 feet of all sides of the structure.~~ Construction of any ADU or JADU shall be designed to meet the fire safe vegetation requirements as determined by the Piedmont Fire Marshal and as specified in the Wildland Urban Interface Fire Code, Part 7 of Title 24 of the California Code of Regulations.

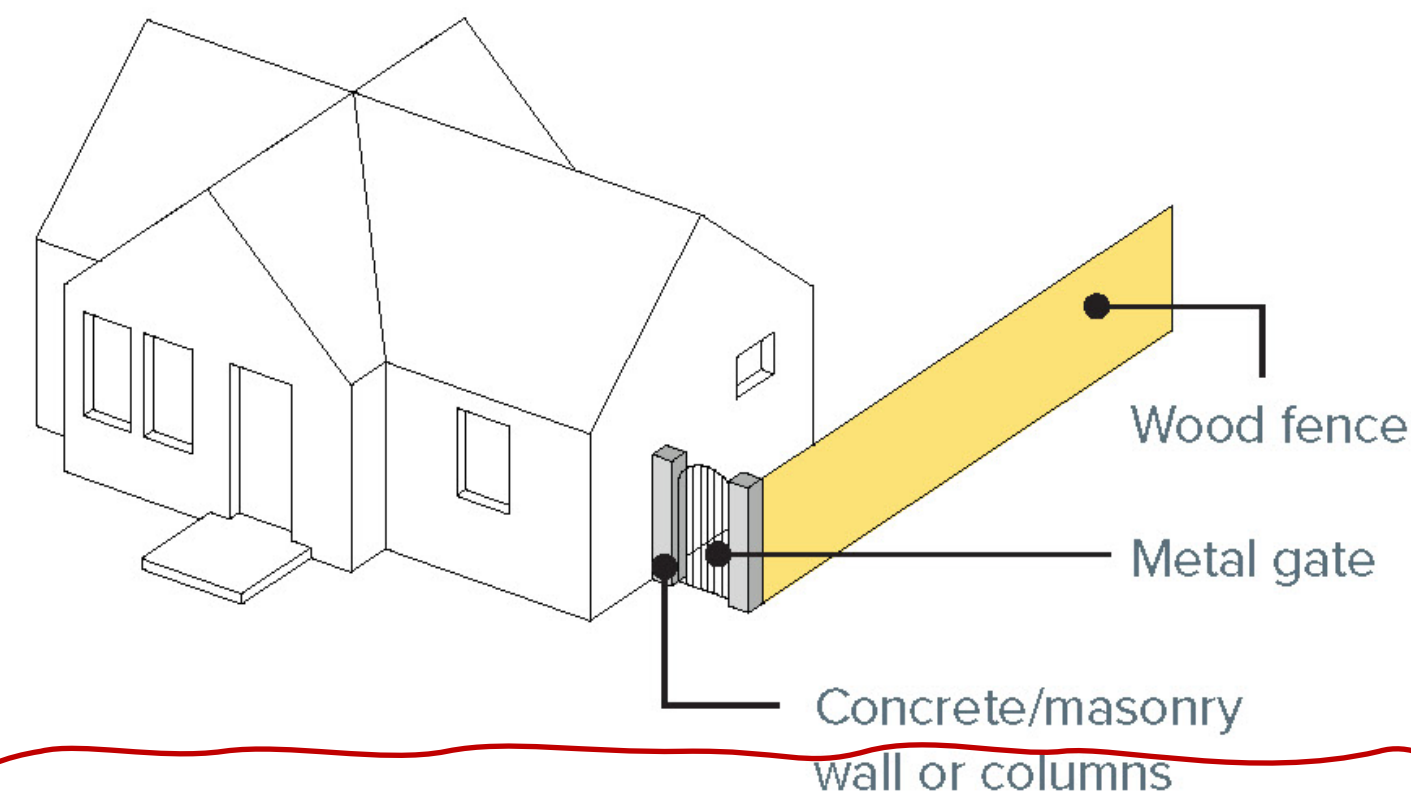
## S.3.2.6 Curb Cuts

No new sidewalk curb cut is permitted as part of an ADU or JADU construction.

## S.3.2.7 Street Trees

No street tree may be removed as part of an ADU or JADU construction.

Figure 3.2.3: A 6-foot-tall fence, wall, or vegetative screen is a requirement for any newly constructed detached ADU in a new residential addition. If a wood fence, it must have top and bottom rails, and have the same appearance on both sides (or an equivalent *landscape* screen), and not be positioned within 5 feet of the structure.



~~Figure 3.2.4: Wood fences may not be positioned within 5 feet of the structure. Any portion of the enclosure within 5 feet of the structure shall be non-combustible, such as a concrete or masonry wall and/or a metal gate.~~ Fencing shall be designed to meet the fire safe vegetation requirements as determined by the Piedmont Fire Marshal and as specified in the Wildland Urban Interface Fire Code, Part 7 of Title 24 of the California Code of Regulations.

## Recommendation:

While the draft previously required projects to meet Zone Zero (0–5 ft ember-resistant zone) standards, the Planning Commission has recommended eliminating this requirement. This change follows the City's reclassification out of the High Fire Hazard Severity Zone and aligns the ODS with the recently adopted Building Code, which no longer mandates Zone Zero compliance.



# Recommended Revisions to Public Review Draft

**Landscape/Landscaping.** ~~Pervious areas containing organic and inorganic elements. It includes but is not limited to xeriscaping, soft landscape (organic elements such as plants, soil, mulch, trees, shrubs), and hard landscape (inorganic elements such as rocks, pathways, and bricks).~~ The planting, irrigation, and maintenance of land with living plant and other organic materials.

## Recommendation:

To ensure internal consistency and address public comments, the Planning Commission recommended revising the ODS definition to align with the Zoning Ordinance.



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# Recommended Amendments – Zoning Ordinance

## Recommendations Related to ODS:

1. Allowing retaining walls and structures up to 8 feet tall in the 20-foot setback to support pedestrian and vehicular access.
2. Allowing tandem parking for an SB 9 unit
3. Allowing shared parking for mixed-use developments
4. Allowing parking in the street yard setback for multifamily and mixed-use developments in Zones C and D
5. Allowing fences up to 8 feet tall in Zones C and D under certain circumstances
6. Other minor updates

Planning & Land Use

**Chapter 17**  
**PLANNING AND LAND USE**

**ARTICLE 1. GENERAL PROVISIONS**

- 17.02 Title; Intent; City Charter
- 17.04 Applicability and interpretation
- 17.06 General requirements
- 17.08 Establishment of zones; Zoning map; Interpretation

**ARTICLE 2. ZONING DISTRICTS: USES AND REGULATIONS**

- 17.20 Zone A: Single family residential
- 17.22 Zone B: Public facilities
- 17.24 Zone C: Multi-family residential
- 17.26 Zone D: Commercial and mixed-use
- 17.28 Zone E: Estate residential

**ARTICLE 3. SPECIAL REGULATIONS**

- 17.30 Parking
- 17.32 Fences; Walls; Retaining walls
- 17.34 Landscaping
- 17.36 Signs
- 17.38 Accessory dwelling units
- 17.40 Residential rentals
- 17.42 Additional bedrooms in existing dwelling units
- 17.44 Home occupations
- 17.46 Wireless communication facilities
- 17.48 Cannabis cultivation and facilities
- 17.50 Non-conforming uses and structures
- 17.52 Density Bonus
- 17.54 Urban Lot Splits and Two-Unit Housing Developments (SB 9)
- 17.56 Emergency Shelters

**ARTICLE 4. ADMINISTRATION**

- 17.60 General provisions
- 17.62 Notice requirements
- 17.64 Hearings; Review; Term of approval; Conditions
- 17.66 Design review
- 17.67 Ministerial Design Review Permits
- 17.68 Conditional use permits
- 17.70 Variances
- 17.72 Zoning amendments
- 17.74 Development agreements
- 17.76 Reasonable accommodation
- 17.78 Appeals; Calls for review
- 17.80 Enforcement

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# Recommended Amendments – Zoning Ordinance

Planning & Land Use

## Chapter 17 PLANNING AND LAND USE

### ARTICLE 1. GENERAL PROVISIONS

- 17.02 Title; Intent; City Charter
- 17.04 Applicability and interpretation
- 17.06 General requirements
- 17.08 Establishment of zones; Zoning map; Interpretation

### ARTICLE 2. ZONING DISTRICTS: USES AND REGULATIONS

- 17.20 Zone A: Single family residential
- 17.22 Zone B: Public facilities
- 17.24 Zone C: Multi-family residential
- 17.26 Zone D: Commercial and mixed-use
- 17.28 Zone E: Estate residential

### ARTICLE 3. SPECIAL REGULATIONS

- 17.30 Parking
- 17.32 Fences; Walls; Retaining walls
- 17.34 Landscaping
- 17.36 Signs
- 17.38 Accessory dwelling units
- 17.40 Residential rentals
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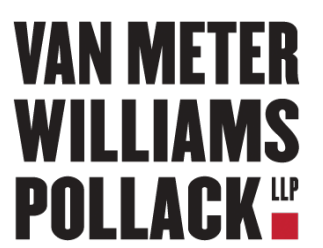
## Staff Recommended Recommendations:

1. **Allowing retaining walls up to 5 feet tall outside the street yard setback for SB 9 projects.** This specific limit provides applicant with a clear, objective standard to follow during project development.
2. **For single-family development, prohibiting parking of vehicles between the street facing façade and front property line in Zones A and E with certain exceptions.** This amendment is intended to keep Piedmont's residential streetscape free of vehicles parked in front yards and on lawns.



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# Recommended Amendments – Development Standards and Guidelines



SINGLE-FAMILY, MULTI-FAMILY, ADU, COMMERCIAL AND MIXED-USE

## DESIGN STANDARDS AND GUIDELINES

ADOPTED BY THE PIEDMONT CITY COUNCIL SEPTEMBER 5, 2023

Revising the document title to *Piedmont Design Guidelines* and other changes.

Among the changes:

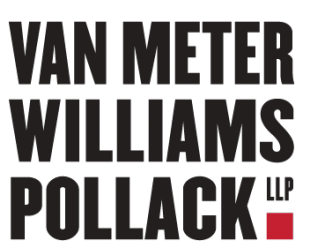
- Move the ADU standards and guidelines to the ODS document
- Move the Multifamily and Mixed Use standards and guidelines to the ODS document
- Move the ADU Prototype Plans to the ODS document

*Design Guidelines* will continue to apply to single family development (including remodels and additions).



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# Recommended Amendments – Development Standards and Guidelines

## Other Staff Recommended Changes



SINGLE-FAMILY, MULTI-FAMILY, ADU, COMMERCIAL AND MIXED-USE

### DESIGN STANDARDS AND GUIDELINES

ADOPTED BY THE PIEDMONT CITY COUNCIL SEPTEMBER 5, 2023

- Modifying Planning Permit Types and Adding language related to the new online permitting portal.
- Modifying the list of projects that are exempt from needing design review, such as: exposed conduits if painted to match the adjacent wall color, exemption of up to 2 heat pump or air conditioning units meeting certain criteria, adding handrail/guardrail when required by building code.
- Adding a guideline for front yard enclosure to be consistent with General Plan.
- Adding Guidelines related to WELO.



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**VAN METER  
WILLIAMS  
POLLACK** LLP



# Planning Commission Public Hearing – January 12, 2026

## Recommendations

1. Recommend that the City Council **adopt the Objective Design Standards with the revisions as presented**.
2. Recommend that the City Council **adopt an ordinance amending Piedmont City Code** divisions 17.20 Zone A: Single Family Residential, 17.28 Zone E: Estate Residential, 17.30 Parking, 17.32 Fences; Trash Enclosures; Corner Obstructions, 17.34 Landscaping, 17.38 Accessory Dwelling Units, 17.46 Wireless Communication Facilities, 17.54 Urban Lot Splits and Two-Unit Housing Developments (SB 9), and 17.67 Ministerial Design Review Permit, to bring the City Code into compliance with the Objective Design Standards and various staff recommended updates to codify best and current practices.
3. Recommend that the City Council adopt **amendments to Piedmont Design Standards and Guidelines** that are related to the Objective Design Standards and some staff recommended updates to codify current practices and procedural changes.



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Thank You



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