

**GRADING APPROVAL APPLICATION
(MINOR GRADING, MAJOR GRADING AND REMEDIAL GRADING)**

According to Section 17.76.040 of the City's Development Code, there are three types of grading permits that may be issued with this application. These are described below.

- I. A Minor Grading Permit is required for all earthwork projects which involve any of the following:
 1. An excavation, fill, or combination thereof, in excess of twenty (20) cubic yards (exclusive of footing and foundation wall excavations) in any two (2) year period on a slope of less than 35%.
 2. An excavation three (3) feet or more, but less than five (5) feet below natural grade, or a fill three (3) feet or more, but less than five (5) feet above natural grade on a slope less than 35%.
- II. A Major Grading Permit is required for all earthwork projects which involve any of the following:
 1. An excavation or fill, or combination thereof, in excess of fifty (50) cubic yards in any two (2) year period;
 2. An excavation five (5) feet or more below natural grade or fill five (5) feet or more above natural grade;
 3. Any excavation or fill which encroaches on or alters a natural drainage channel or water course; and,
 4. Unless otherwise exempted, an excavation or fill on an extreme slope (i.e. 35% or great).
- III. A Remedial Grading Permit is required for excavations, fill or any redistribution of earth materials for the purpose of enhancing soil stability and/or reducing geotechnical hazards due to natural land movement or the presence of natural hazards.

If grading is proposed in conjunction with a proposed addition or new residence, a grading application may substitute for the submittal of a Site Plan Review Application.

The City's primary concern in processing a Grading Approval Application is to ensure that the proposed grading and/or construction is consistent with the City's Development Code. If you are unsure of any of the City's requirements in these areas, it is suggested that you contact one of our planners before you go to the expense of having plans drawn. Preliminary discussions with the Planning staff may reveal potential conflicts with the Development Code, or may indicate that different application forms are required.

When you are ready to file the application, please make sure that the entire form is completed and that you have all the required materials. This will allow us to process your

application without unnecessary delay.

- Three (3) copies of a grading plan (Note: For applications that are to be reviewed by the Planning Commission, once the application has been deemed complete, you will be required to submit an electronic version of the plans) showing the following:

A plot plan of the subject property, at a reasonable scale, identifying all property lines, existing and proposed structures, accurate contours of existing topographic conditions, and finished contours of all proposed grading. Unless waived by the Director, said plan shall be signed by a registered professional engineer, architect or landscape architect. Although one [1] foot contour intervals are preferred, five [5] foot contour intervals may be accepted, if deemed appropriate by the Director.

The location of any existing structure on an adjacent property if within fifteen (15) feet of the proposed grading.

The location of any existing private disposal system.

Driveways, Easements, Building Pad Elevations, Retaining Walls (T.W. call-outs).

Typical and highest/greatest point cross sections of retaining walls, cut slopes and fill slopes.

Any additional plans, drawings, or calculations deemed necessary by the Director in order to illustrate conformance of the proposed grading with the provisions of the Development Code.

If requested by the Director, the elevation of some permanent benchmark or other reference point on or directly adjacent to the subject property. The reference point shall not be altered in elevation or location. Any grading depths and heights of future structures on this property shall be referenced to this permanent point.

All limits of grading, with areas of cut and fill clearly labeled as such.

- If a structure is being proposed, three (3) copies of all visible elevations of the structure.
- If a structure is being proposed, three (3) copies of all floor plans (12 copies for applications reviewed by the Planning Commission).
- If determined necessary by the Director, geological and/or soils reports which indicate that the grading will not aggravate the existing soils and/or geologic conditions.
- A completed Grading Application. The application must be signed by the owner of each property where grading is proposed to occur.
- A completed copy of the "Storm Water Planning Program Priority Project Checklist" form. If necessary, a Standard Urban Stormwater Mitigation Plan (SUSMP) and/or a Site Specific Stormwater Mitigation Plan (SSSMP), along with associated Maintenance Agreements, Transfer Forms and Trust Deposit (amount to be determined by Staff) shall also be completed. Prior to preparing a SUSMP or SSSMP, please consult with the Planning Division Staff.

If a Grading Permit is required for the construction of a new single family residence or an addition to an existing single-family residence that requires the Neighborhood Compatibility analysis or review by the Planning Commission, the following must be submitted:

- If the voluntary Neighborhood Compatibility pre-application step was completed, submit the Neighborhood Compatibility Consultation Form (NC-F). A copy can be obtained from the Neighborhood Compatibility Handbook.
- Two (2) copies of a "vicinity map", prepared to scale, which shows all neighboring properties within a 500 foot radius of the subject property (applicant). The "Vicinity Map" must be prepared exactly as described in the attached instruction sheet.
- Two (2) sets of self-adhesive mailing labels and one (1) photocopy of the labels which list the property owner of every parcel which falls within a 500 foot radius of the subject property (applicant). The name and address of every property owner (including applicant) and the local Homeowners' Association, if any, must be typed on 8 1/2" X 11" sheets of self-adhesive labels. The mailing labels must be keyed to the corresponding lots, as shown on the vicinity map described above. The property owners mailing list must be prepared exactly as described in the attached instruction sheet. If the property owners mailing list is not prepared by a Title Company or other professional mailing list preparation service, the applicant must sign and submit the attached "Certification of Property Owners Mailing List" form.
- Filing Fees:
 - Minor Grading Permit: \$190.00 Filing Fee + \$4.00 Data Entry Fee = **\$194.00**
 - Major Grading Permit (Staff Review): \$2,345.00 Filing Fee + \$4.00 Data Entry Fee = **\$2,349.00**
 - Major Grading Permit (Planning Commission Review): \$3,312.00 Filing Fee + \$4.00 Data Entry Fee = **\$3,316.00**

In addition to the above Filing Fees, the following fees may be assessed if applicable:

- Historic Data Entry Fee: \$18.00 (one time fee per property).
- * If the grading requested is in connection with the construction of a new single-family residence or an addition to an existing single-family residence that requires the processing of the Neighborhood Compatibility finding an additional processing fee of \$1,727.00 will be assessed.
- * Applications requiring a foliage analysis will be assessed an addition \$198.00 processing fee.
- * If applicable, this application may require the submittal of a Trust Deposit (the minimum amount to be determined by Staff) to recover costs associated with the City's consultants review of this application.

Application Review

When a Major Grading Application proposes earth movement involving 1,000CY or more or when a Remedial Grading Application proposes earth movement involving 5,000CY or more, the application shall be referred to the Planning Commission for a decision. Otherwise, all other Grading

GRADING APPROVAL APPLICATION NO. ZON _____

APPLICANT/CONTRACTOR:

LANDOWNER:

 (Name)

 (Name)

 (Address)

 (Address)

 Telephone:

 Telephone:

 Email

 Email

Lot and Tract No: _____

Project Location: _____

Project Description: _____

General Information:

- _____ 1. Maximum height of project, measured from top to lowest foundation wall to ridge.
- _____ 2. Maximum height of project above finished grade.
- _____ 3. Square footage of project. (Building footprint)
- _____ 4. If addition, square footage of existing structure (including any covered or enclosed patios).
- _____ 5. Square footage of driveways, parking areas, and impervious surfaces impervious surfaces less than 5 feet in width and/or one patio area less than 500 square feet in area shall be excluded from the lot coverage calculation).
- _____ 6. Square footage of lot.
- _____ 7. Percentage of existing open space.
- _____ 8. Percentage of open space after development.

Grading Information:

Lot Type: Pad _____ Upslope _____ Downslope _____

- _____ 1. Maximum depth of cut.
- _____ 2. Total cubic yards of cut.
 - _____ A. Under the building (excluding footings).
 - _____ B. Outside of building footprint.
- _____ 3. Maximum height of fill.
- _____ 4. Total cubic yards of fill.
 - _____ A. Under the building.
 - _____ B. Outside of building footprint.
- _____ 5. Total volume of earth to be moved.
 - _____ A. Under the building (sum of lines 2A & 4A).
 - _____ B. Outside of building footprint (sum of lines 2B & 4B).
- _____ 6. Maximum percentage of created slopes.
- _____ 7. Total average slope of site.
- _____ 8. Maximum height of downslope retaining wall.
- _____ 9. Maximum height of upslope retaining wall.
- _____ 10. Maximum percentage grade of driveway.
- _____ 11. Maximum percentage of existing slope.

Does the project involve any work, activity, or encroachment in the public right-of-way or public drainage structure? _____. If so, you must obtain approval from the Public Works Department prior to issuance of construction permits.

Does the project require any off-site grading (remedial, contour, utilities, etc.) or stockpile of excavated materials? _____. If so, provide a written explanation as to why it is necessary, the quantity, and length of time the stockpile will remain. Also, delineate on a plan the limits of off-site grading and/or stockpile. If off-site grading is required provide proof of landowner approval.

Information to Determine if a Foliage Analysis is Necessary

_____ Does the proposed project involve an addition or structure which is 120 square feet or more in size and which can be used as a gathering space and viewing area (i.e., decks, covered patios)?

_____ Does the proposed project involve an addition or structure which consists of 120 square feet or more of habitable space (i.e., room expansions, additions, conversions)?

If the answer is "no" to both questions, the proposed project is exempt from the "foliage removal" requirements, and a foliage analysis of the applicant's property is not necessary.

If the answer is "yes" to either question, a foliage analysis must be conducted by Staff **prior to approval of the Grading Permit Application** to determine if any existing foliage on the applicant's property, which exceeds 16 feet or the ridgeline of the primary residence, whichever is lower, impairs a view from any surrounding properties.

Voluntary Neighborhood Compatibility Pre-application Step

Was the voluntary Neighborhood Compatibility Pre-application step completed?

A) Yes B) No

If yes, please include the Neighborhood Compatibility Consultation Form (NC-F) at the time of application submittal.

COMPLIANCE WITH CHAPTER 70 OF THE CITY BUILDING CODE

Upon approval of the application by the Director of Planning or Planning Commission, the application must still conform to all conditions imposed by Chapter 70 of the City Building Code, including all required fees, and approval by the Director is not final until approval has been granted by the City Engineer.

CONTRACTORS PLEASE READ AND INITIAL

I UNDERSTAND that a City business license is required for all work performed in the City of Rancho Palos Verdes. This license is obtainable from the City's Finance Department prior to obtaining a building permit from the Building and Safety Division. _____(initials)

Signature of Applicant/Contractor

Signature of Landowner

Dated: _____

Dated: _____

Staff Signature: _____

Date Received: _____

“Neighborhood Compatibility”

The Development Code is a part of the City’s Municipal Code that guides the growth and development of the City consistent with its land use policies. On November 7, 1989, the voters of the City of Rancho Palos Verdes approved, as a part of the Development Code, the “Cooperative View Preservation and Restoration Ordinance” (Proposition M). The adopted Ordinance, among other things, “insures that the development of each parcel of land or additions to residences or structures occurs in a manner that is harmonious and maintains neighborhood compatibility and the character of contiguous sub-community development.” In other words, the modernization of the City’s existing housing stock must be done in a manner that recognizes and respects the unique features and characteristics of a neighborhood, and properly balances residential development with the preservation of the rural and semi-rural character of the City to ensure continued enjoyment of the City’s quality of life. This is the concept of Neighborhood Compatibility.

In recent years, many of the City’s residential housing stock have become the subject of significant modernization because of size, floor plan and aging conditions. In an attempt to preserve and improve the “character” of established neighborhoods when new homes or additions to existing homes are proposed, the City Council recently amended the City’s Development Code and residential development process for regulating the size and appearance of single-family residential development projects through the Neighborhood Compatibility requirement. The newly adopted Neighborhood Compatibility Ordinance and residential development process is briefly summarized as follows:

When Does Neighborhood Compatibility Apply?

Pursuant to Section 17.02.030(B) of the Rancho Palos Verdes Municipal Code, the Neighborhood Compatibility analysis is required for the following type of residential development projects:

1. A new residence that is proposed to be developed on a vacant lot;
2. A new residence that is proposed to replace an existing residence;
3. An existing residence that is proposed to be remodeled or renovated such that fifty percent or greater of any existing interior and exterior walls or existing square footage is demolished;
4. An addition to an existing single-family residence or the construction of any new detached structure that individually, or when combined with prior additions cumulatively, results in greater than: (i) 750 square feet of additional floor area, or (ii) a 25% expansion of the total square footage of all of the original structures constructed on the property, including the main residence, the garage, and all detached structures;
5. The construction of, or an addition to, a new second story or higher story; pursuant to Chapter 17.02 of the Development Code;
6. Projects that result in lot coverage that exceeds the maximum allowed in Chapter 17.02 of the Development Code;
7. The construction of, or an addition of a deck, balcony or roof deck to a second story or higher story if the total area of the deck, balcony, or roof deck is eighty (80) square feet or larger or projects more than six (6) feet from the existing building; and,

8. An addition of a mezzanine to an existing structure that modifies the exterior of the structure other than the placement of flush mounted doors and windows.

Exemptions

The projects listed in the following subparagraphs (a through d) shall be exempt from the Neighborhood Compatibility requirements of this Paragraph B. However, no property shall be issued a permit for a project that is subject to the same subparagraph more than once in a two-year period without complying with the Neighborhood Compatibility requirements:

- a. An addition to an existing single-family residence that meets the following criteria:
 - i. Is 16-feet or less in height, as measured according to the criteria stated in Section 17.02.040(B); and,
 - ii. Is not being constructed along the facade facing any street,
 - iii. Is 250 square feet or less in floor area; and,
 - iv. Complies with all of the City's residential development standards.
- b. An addition or conversion of non-habitable floor area to habitable floor area that does not result in exterior modifications other than the placement of flush mounted doors and windows.
- c. The construction of a minor non-habitable accessory structure, such as, but not limited to, a cabana, a pool changing room, a storage shed, or a playhouses, that meet the following criteria:
 - i. Is 12-feet or less in height, as measured from lowest adjacent grade as stated in Section 17.48.050(D); and,
 - ii. Is less than 250 square feet in floor area; and,
 - iii. Complies with all of the City's residential development standards.
- d. The enclosure of a roofed breezeway between legally permitted structures or the enclosure of a 250 square foot or less patio cover, provided the enclosure:
 - i. Is 16-feet or less in height, as measured according to the criteria stated in Section 17.02.040(B); and,
 - ii. Is attached to the primary structure; and,
 - iii. Complies with all of the City's residential development standards.

If the Neighborhood Compatibility requirement is triggered, the analysis is based, at a minimum, on the review of the residences within the immediate neighborhood. For the purposes of Neighborhood Compatibility, the immediate neighborhood is normally considered to be at least the twenty (20) closest residences within the same zoning district. Pursuant to Section 17.02.030(B)(2) of the RPVMC, the analysis of Neighborhood Compatibility is based on the following criteria:

- A. Scale of surrounding residences
- B. Architectural styles and building materials
- C. Front, side, and rear yard setbacks

Neighborhood Compatibility Review Process

The Neighborhood Compatibility requirement is evaluated by the City in conjunction with the processing of a residential development application. The type of residential development application that needs to be submitted is determined by the nature of the proposed project. It is suggested that a property owner/applicant contact the Planning Department to determine the appropriate development application.

Neighborhood Compatibility Voluntary Pre-Application Step

If a proposed project requires the Neighborhood Compatibility analysis, the City strongly encourages the property owner to complete a "Pre-Application Step." This is a voluntary step in the residential development process, but has been found to be helpful in addressing neighborhood issues early in the process that commonly cause delays in the formal process and added expense to the applicant. The Pre-Application Step involves three action items:

1. Notification to at least the 20 closest Neighbors
2. Conducting a neighborhood meeting to review preliminary plans
3. Documentation of meeting attendance

Silhouette Construction

If the Neighborhood Compatibility analysis is required, the property owner/applicant will be required to construct a silhouette, certified by a licensed engineer or architect, that depicts the proposed project.

Who Reviews a Neighborhood Compatibility Project Application?

The analysis of the Neighborhood Compatibility requirement shall be made by either the Director of Planning, Building, and Code Enforcement or the Planning Commission, depending upon the review process of the requested development application. Notwithstanding, the Director of Planning, Building and Code Enforcement shall refer a development application directly to the Planning Commission for consideration, as part of a public hearing, if any of the following are proposed (see next page):

1. Any portion of a structure that exceeds sixteen (16) feet in height and extends closer than twenty-five (25) feet from the front or street-side property line; or,
2. The area of the structure that exceeds sixteen (16) feet in height (the second story footprint) and exceeds seventy-five percent (75%) of the existing first story footprint area (residence and attached garage); or,
3. Sixty percent (60%) or more of an existing garage footprint that is covered by a structure that exceeds sixteen (16) feet in height (a second story); or,
4. Based on an initial site visit, the Director determines that any portion of a structure that is proposed to exceed sixteen (16) feet in height may significantly impair a view as defined in Section of the RPVMC 17.02.040; or,
5. The portion of the structure which exceeds sixteen (16) feet in height is being developed as part of a new single-family residence; or,
6. Grading involving more than 1,000 cubic yards of combined cut and fill.

Public Notification

Regardless of whether a development application requiring the Neighborhood Compatibility analysis is considered by the Director of Planning, Building, and Code Enforcement or by the Planning Commission, a public notice is required to be published in a newspaper and given to owners of property within a 500-foot radius of the proposed project. A public notice shall be given at least 15 days prior to a decision being rendered, unless a Height Variation application is requested, which requires a public noticing period of at least 30 days. It is important to note that comments and concerns raised by the public during the noticing period will be considered in the determination of a development application requiring Neighborhood Compatibility.

Neighborhood Compatibility Handbook

In order to better inform the general public of the City's residential development process, specifically pertaining to the Neighborhood Compatibility requirements and procedures, the City Council adopted a Neighborhood Compatibility Handbook. The Handbook provides a detailed explanation of the City's Neighborhood Compatibility procedures and process, as well as includes suggested design tips and guidelines that may be used when preparing architectural plans for a new residence or an addition to an existing residence. The Handbook is intended to assist residents, architects, designers, and real estate professionals in understanding the City's procedure for processing residential development applications requiring the analysis of Neighborhood Compatibility.

For more information regarding the City's Neighborhood Compatibility requirements or to view the Neighborhood Compatibility Handbook contact the Planning Department at 310-544-5228 or visit the City's Website at www.palosverdes.com/rpv.

Removal of Foliage as a Condition of Permit Issuance

As a result of a voter approved initiative in 1989, Section 17.02.040(B)(4) of the City's Municipal Code prohibits the issuance of a permit or other entitlement to construct, or to add livable area to a residential structure unless the owner removes foliage on the lot which exceeds sixteen (16) feet in height or the ridgeline of the primary structure, whichever is lower, that significantly impairs a view from the viewing area of another parcel. For the purpose of this requirement, "livable area" means an area of 120 square feet or more in size which 1) consists of habitable space (room expansions, additions); **or** 2) can be used as a gathering space **and** viewing area (decks, covered patios). Additions or structures which are less than 120 square feet in area and projects which do not involve habitable space (antennas, skylights, storage shed/garage, garden windows, etc.) are exempt from the requirements.

If it is determined that a proposed project is not exempt from the "foliage removal" requirements, a foliage analysis of the applicant's property must be conducted by Staff **prior to approval of the Grading Permit Application**. The purpose of the foliage analysis is to determine if any existing foliage on the applicant's property, which exceeds 16 feet or the ridgeline of the primary residence, whichever is lower, impairs a view from any surrounding properties. Project plans cannot be approved until Staff completes the foliage analysis. In general, foliage analyses will be completed within 2 to 3 days from application submittal.

If after conducting a foliage analysis, foliage on the applicant's property is found to exceed the prescribed height limits and to significantly impair a view, specific conditions of approval will be placed on the Site Plan Review Application to trim, lace or remove such vegetation **prior to issuance of a building permit**. The property owner has the ability to appeal the conditions of

approval or findings of the Director of Planning, Building and Code Enforcement to the Planning Commission. Once the foliage is trimmed, laced or removed, the applicant must contact the City Staff to inform them that the work has been completed. City Staff will then verify that the work was performed in accordance with the specific conditions of approval. Once trimmed to a specific height, it will be the responsibility of the property owner to maintain the foliage at the prescribed height.

If you have any questions regarding the City's requirements described above please contact a planner by phone at (310) 544-5228, or in person, between the hours of 7:30 a.m. and 5:30 p.m. Monday through Thursday and 7:30 a.m. and 4:30 p.m. on Friday.