



CITY OF PORTERVILLE

HILLSIDE DEVELOPMENT PERMIT

NOTE: The basic purpose of the Hillside Zone Overlay District and the regulations contained in Chapter 501 of the Porterville Development Ordinance is to facilitate and permit the orderly development of property within the hillside areas through a set of hillside development standards aimed at protecting the public health, safety and welfare.

PROJECT NAME & BRIEF DESCRIPTION (include proposed use): _____

NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF PROPERTY OWNER(S):

NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF APPLICANT /CONTACT PERSON:

PROJECT ADDRESS AND NEAREST CROSS STREETS:

FOR OFFICE USE ONLY:

SUBMITTAL DATE: _____

PRC NUMBER: _____

Z.A. NUMBER: _____

RESUBMITTAL: YES _____ NO _____

IF RESUBMITTAL:

ORIGINAL REVIEW NO. _____ ORIGINAL SUBMITTAL DATE: _____

GENERAL PLAN LAND USE: _____

ZONING: _____

REQUIRED APPLICATION MATERIALS:

- A. Completed Application
- B. Signed Indemnification Agreement
- C. A minimum of **NINE (9) FOLDED** copies of maps or plans **DRAWN TO A READABLE SCALE** must be submitted on a minimum sheet size of 8 ½” x 11” (18” x 24” minimum size for parcel/subdivision maps and development site plans).

THE FOLLOWING SHALL BE SHOWN ON ALL SUBMITTALS (*):

- 1. Address and Assessor’s Parcel Number
- 2. Vicinity Map
- 3. Scale and North Arrow
- 4. Dimensions of property, square footage or acreage
- 5. Topographical Map
- 6. Conceptual Grading Plan
- 7. Cut and Fill Map*
- 8. Slope Analysis Map
- 9. Future House Plotting Map
- 10. Site Sections*
- 11. Technical Reports*
- 12. Architectural and Landscaping Design Guidelines Manual*
- 13. Single Lot Applications*
- 14. Additional Analysis*
- 15. Landscape and Irrigation*
- 16. Visual Simulation*

** Not required for a parcel map applications containing four (4) or fewer lots.*

Detailed explanation of these requirements can be found in Chapter 501.03 of the Porterville Development Ordinance. See excerpt attached.

RIGHT OF ENTRY: As owner or legal representative of the owner for the property described herein, I authorize City personnel to enter said property for the sole purpose of performing preliminary field inspection(s) for the proposed project area. Right of entry must be granted to complete the application process.

Signature (Owner or Legal Representative)



CITY OF PORTERVILLE INDEMNIFICATION AGREEMENT

Pursuant to Porterville Municipal Code Chapter 21, Section 601.02(b)(4), and to the fullest extent permitted by law, the “Applicant” (owner of the subject property; and an agent representing the owner, duly authorized to do so in writing by the owner, including a person with a duly executed written contract or exclusive option to purchase the subject property or a lessee in possession of the subject property) hereby agrees to defend, indemnify and hold harmless the City of Porterville, its officers, attorneys, agents, and employees:

1. From any claims, actions, proceedings or liability of any nature (collectively referred to as proceeding) brought against the City or its officers, attorneys, agents or employees, to attack, set aside, void, or annul:
 - a. Any action or decision by City Staff, City Council or any other City entity related to the subject property.
 - b. An action taken to provide related environmental clearance under the California Environmental Quality Act (CEQA) by City Staff, City Council or any other City entity concerning the subject property.

The indemnification is intended to include but not be limited to damages, fees, and/or costs awarded against the City, if any, and cost of suit, attorney’s fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, the City, and/or the parties initiating or bringing such proceeding.

2. The Applicant hereby agrees to indemnify the City for all of the City’s costs, fees, and damages which the City incurs enforcing the indemnification provisions of this Agreement.
3. In the event of a proceeding, the City retains the right to approve counsel to defend the City, all significant decisions concerning the manner in which the defense is conducted, and any and all settlements, which approval shall not be reasonably withheld. The City has the right not to participate in the defense, except that the City agrees to cooperate with the applicant in the defense of the proceeding. If the City chooses its own counsel to defend the City, the fees and expenses of the counsel selected by the City shall be paid by the City. Notwithstanding the above, if the City Attorney’s office participates in the defense, all City Attorney fees and costs shall be paid by the Applicant.
4. The defense and indemnification of the City set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceeding.

Print Name and Date

Signature (Owner or Legal Representative)

Print Name and Date

Signature (Zoning Administrator)

PRC AND/OR ZA Number: _____

Project Title: _____

APN: _____

Project Location: _____

501.03 Required Plans and Materials

The following information is supplemental to the basic requirements for submittal of subdivision maps, information and/or other entitlement applications required for review by the Zoning Administrator and City Council. The specified data shall be submitted concurrently with all required application forms and fees, provided that the Zoning Administrator may waive submission of items deemed unnecessary. Where appropriate, the following information may be combined onto submittal exhibits. The submittal of applications for parcel maps, containing four (4) or fewer lots, shall only require items A, B, D and E.

- (a) **Topographical Map.** A topographical map at a scale specified in development applications. This map shall identify all existing slope banks, ridgelines, canyons, natural drainage courses, federally recognized blue-line streams or Waters of the United States, rock outcroppings, existing manmade features, mines, and existing vegetation. The topographic map shall include areas of protected plant or animal communities identified in the biological resource survey report described in Subsection G2 below. Also depicted shall be known landslides and other existing geologic conditions.
- (b) **Conceptual Grading Plan.** A conceptual grading plan, which shall include the following items in addition to those required by the City Code:
 - (1) Top of walls
 - (2) Top of curbs
 - (3) High point and low point elevations
 - (4) Pad and/or finished floor elevations
 - (5) Areas of cut and fill, calculated as a percentage of the total site area
 - (6) Contours for existing and proposed topography. Existing contours shall be depicted with a dashed line with every fifth contour darker, and proposed contours shall be depicted as above except with a solid line. Contours shall be shown at minimum intervals of five (5) feet of change in elevation, with two (2) foot contours shown in the flatter areas below ten (10) percent
 - (7) Lot and pad dimensions, along with a statistical summary of lot and pad sizes
 - (8) Design of roads and driveways, including average grades indicated, as well as areas of the steepest grade
 - (9) Lot drainage, including the gradient of the drainage and flow velocities
- (c) **Cut and Fill Map.** A cut and fill map identifying proposed fill areas colored blue and cut areas colored red, with depths of such areas clearly shown in ten (10) foot major contour lines. Quantities of each cut and fill area shall also be clearly specified on the map.
- (d) **Slope Analysis Map**
 - (1) A detailed slope analysis map to use in determining the average slope and the amount and location of land as it exists in its natural state. For the slope analysis map, the applicant shall use a base topographical map of the subject site, prepared and signed by a registered civil engineer or licensed land surveyor. The map shall have a scale of not less than one (1) inch to one hundred (100) feet and a two (2) foot contour interval. This interval may be adjusted with the approval of the Zoning Administrator and City Engineer on the basis of good engineering principles. This base topographical map shall include all adjoining properties to the extent necessary to determine impacts to neighboring properties to portray the site's context. The slope map shall delineate slope bands, with monochromatic but distinct colors for the following slope ranges:
 - a. Up to five (5) and nine-tenths (5.9) percent
 - b. Six (6) percent to ten and nine-tenths (10.9) percent
 - c. Eleven (11) percent to twenty and nine-tenths (20.9) percent
 - d. Twenty-one (21) percent to twenty-five and nine-tenths (25.9) percent
 - e. Twenty-six (26) percent to thirty and nine-tenths (30.9) percent
 - f. Thirty-one (31) percent to fifty (50) percent
 - g. Greater than fifty (50) percent

- (2) Also included shall be a tabulation of the land/area by slope percentage specified in acres. Such slope map shall be prepared using CAD-based or GIS-based software specifically designed for such purpose and approved for such use by the City Engineer.
 - (3) A calculation of the average slope of the entire parcel pursuant to Section 103.07, Determining Average Slope.
 - (4) Calculations of average slope percent shall be based upon accurate topographic surveys using a two (2) foot contour interval and a horizontal map scale of one (1) inch : 100 feet or larger.
 - (5) The slope analysis shall be stamped and signed by a registered or licensed professional to provide such analysis and indicating the datum, source, and scale of topographic data used in the slope analysis.
- (e) **Future House Plotting Map.** In the event that no grading is proposed, a statement to that effect shall be filed with a plan that shows possible future house plotting and driveway design for each parcel proposed. This future house plotting map shall be prepared on a topographic map at the scale required in the development application. Access drive and street elevations must be provided.
- (f) **Site Sections.** Sufficient number of site sections to clearly illustrate the extent of the proposed grading. The sections shall:
- (1) All be drawn at the same scale and indexed, or keyed, to the existing topography, grading plan, and project site map. Both vertical and horizontal scales shall be indicated and not overly exaggerated. The site section shall extend at least one hundred fifty (150) feet outside the project site boundary to clearly show impact on adjacent property.
 - (2) The site sections shall be stamped and signed by a licensed professional registered in the State of California indicating the datum, source, and scale of topographic data used in the slope profiles.
 - (3) The site sections shall be stamped and signed by a registered civil engineer indicating the datum, source, and scale of topographic data used in the slope profiles, and attesting to the fact that the slope profiles have been accurately calculated and identified.
- (g) **Technical Reports.** The following technical reports:
- (1) A geologic and soils report prepared by a licensed professional, in sufficient detail to substantiate and support the design concepts presented in the application as submitted
 - (2) A biological resource survey report identifying all existing plant communities, with sensitive or protected species or communities clearly delineated, as well as known habitat area for protected animal species, including the location of sensitive biological resources. All sensitive species surveys shall be conducted in accordance with any applicable protocols established by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The applicant shall engage in a third party agreement with the City and the selected biological consultant and provide the funding for purposes of payment to the consultant. The report shall be signed by the person preparing such report, with the signature intended to verify that the mandatory protocols were conformed to in the analysis as per the City's local guidelines for implementing the California Environmental Quality Act (CEQA). The submission of the biological survey may be deferred until after initial project submittal as approved by the Environmental Coordinator.
 - (3) An archaeological survey subject to the same terms as provided in Subsection G2. above.
- (h) **Architectural and Landscaping Design Guidelines Manual.** A comprehensive architectural and landscaping design guideline manual shall be part of the development application. Such manual shall be required for all Hillside Development Permit applications except those involving the construction of one (1) single-family dwelling unit on an existing lot, in which case Subsection I below shall apply. Such manual shall be approved as part of the applicable Hillside Development Permit and shall be binding upon all subsequent development authorized by that applicable Hillside Development Permit. The manual shall include the following, but the applicant/land owner may include additional information at his/her discretion.
- (1) Illustrative, color drawings, photos or similar representations of the various architectural styles to be used with text and visual descriptions on the overall architectural theme of the project.
 - (2) A neighborhood design diagram depicting the locations of proposed vehicular and pedestrian circulation, utility easements, developable pad, property lines, perimeter setbacks, parks, and recreation centers.
 - (3) Identification of exterior building materials (structure and trim), roofing materials, and colors for primary structures.

- (4) Illustrations and descriptions of permitted fencing and wall materials.
 - (5) Illustrations and descriptions of permitted/proposed signage and entry treatments.
 - (6) Description and illustrative drawings or similar representations of how the architecture and building approaches established in the manual implement the Architectural Standards set forth in Subsection 501.11(g), Architectural Standards – General.
 - (7) Identification of landscaping approaches and plant palettes for all common open space areas, roadway medians, edge and berm treatments, common slopes, and private front yard areas.
 - (8) Description of how the landscaping approaches and plant palettes established in the manual implement the Landscape Standards set forth in Section 501.10, Landscaping and Irrigation.
- (i) **Single Lot Applications.** For applications involving one (1) single-family dwelling unit residence on an existing lot or a second unit on a single lot, architectural and landscaping treatment materials shall be provided.
- (j) **Additional Analysis.** The following items shall also be required as part of an application, unless waived or conditionally waived by the Community Development Director or the City Council to aid in the analysis of the proposed project to illustrate existing or proposed conditions or both:
- (1) A topographic model and/or large scale detailed partial model at a one (1) : one (1) vertical to horizontal relationship.
 - (2) A line of site or view analysis as described in Subsection L below.
 - (3) Visual simulation of the post-development condition, including use of photographic and/or computer generated graphic renderings as described in Subsection L below.
- (k) **Landscape and Irrigation.** Preliminary landscape and irrigation plans for all common areas showing project compliance with the provisions of this Article and requirements of the City Fire Chief for fire hazard mitigation and brush management zones in Chapter 12, Article III of the City Code and the State Code regarding wild land interface in State Response Areas.
- (l) **Visual Simulation**
- (1) **Photography.** The requirement for a visual simulation provides decision makers with a pictorial representation of the future condition of a development project as close to reality as possible. The photograph is the basis of view simulation, and care shall be taken in the camera selection. The goal is to provide an analysis that, as closely as possible, represents site views from a variety of locations distant from the project and from surrounding areas that will have a direct view of the project.
 - (2) **Control Data.** The location of the camera shall be recorded as accurately as possible at the time the photograph is taken.
 - (3) **Computer Modeling.** Depending on the project site location, the proposed project may be required to be modeled based on subdivision design, architectural, and landscape data. Existing terrain, buildings, survey data, and any field notes shall be included in the modeling effort. The level of detail included in the computer model will be determined by the intended use of the simulation.
 - (4) **Staging.** The computer model shall be aligned to the photographs in the rendering software utilizing the alignment data and the lens and focal length of the camera used. The model shall be lighted according to the time of day and year and the views rendered.
 - (5) **Rendering.** The rendering process shall be completed after aligning the model to the photograph. The subject matter shall be colored and textured to simulate the proposed project as closely as possible.
 - (6) **Photocomposition.** Any retouching undertaken to make foreground objects visible shall be done in such a way so as to preserve the original photograph and the rendered image intact.