



17575 Peak Avenue
Morgan Hill, CA 95037-4128
TEL: (408) 778-6480
FAX: (408) 779-7236
www.morganhill.ca.gov

DEVELOPMENT SERVICES CENTER – PLANNING DIVISION

HILLSIDE DEVELOPMENT GUIDELINES

A “Hillside Property” is a property with an average slope of 10% or greater. The City’s [Hillside Ordinance](#) outlines site and development standards, including requirements and restrictions for existing and new development on Hillside properties. While the Zoning Map identifies properties located within the Hillside Combining District, **the Hillside Ordinance applies to all properties with an average slope of 10% or greater.**

It is important to understand constraints and requirements that apply to Hillside properties and to make informed property decisions. Some lots may be undevelopable due to steep slopes. No development can occur on lots that do not contain slopes less than 20% unless the lot is a legally recorded parcel and is approved by the Development Services Director.

Please contact the Planning Division at planning@morganhill.ca.gov or (408) 778-6480 for questions.

NEW CONSTRUCTION OR SITE ALTERATIONS TO HILLSIDE PROPERTIES

A Design Permit is required for the following types of projects located in the Hillside District:

- New residential developments, including single-family residences
- New additions to existing residences or structures
- Accessory Dwelling Units (“ADU”)
- Accessory structures (garages, sheds, etc.)
- New non-residential developments
- New or updates to existing driveways/roads
- New or extensive landscaping projects
- New pool or retaining walls over 4 ft.
- New patio, deck, or courtyard
- Expansions to existing decks, patios, or courtyards

A Design Permit is **not** required for:

- Converting existing garages or accessory structures into an ADU if no expansion to existing structure
- Junior Accessory Dwelling Unit (JADU) of less than or equal to 500 sq. ft. and fully contained within the walls of an existing residence or structure.
- Structures or decks that are cantilevered over the slope and supported by pillars/piers, AND do not change the existing grade/slope/natural features

HILLSIDE PROJECT FEES

Proposed Project	Application Fees*
New Dwelling Unit(s): includes new single-family residences regardless of size	\$30,192.00
Accessory Dwelling Unit (ADU): Both detached and attached, regardless of size	\$7,740.00
Accessory Structures, Garages, Patios, and Pools greater than or equal to 1,000 square feet and pools	\$7,740.00
Accessory Structures, Garages, Patios, and Pools less than 1,000 square feet	\$4,644.00
New retaining walls over 4 feet in height, driveways, roads	\$4,644.00
Expansions to existing patios and courtyards	\$3,715.20
Accessory structures and decks cantilever over the slope and supported by pillars, AND do not change the existing grade	No Planning permit required. Building Permit may be required. Contact the Building Division: permits@morganhill.ca.gov

*Fees may be subject to change at the discretion of the Development Services Director

DEVELOPMENT SPECIFICATIONS

Developments including buildings, private streets, driveways, grading, alterations of natural features, removal of natural vegetation, or any activities related to development of the property are **not permitted on the portion of a site with an average slope of 20% or more**, except when the Development Services Director finds the development will not conflict with the purpose of the Hillside Combining District. Some properties located on the Hillside have a zoning designation for Open Space or have split zoning.

If the property has an average slope of 20% but contains portions on the property that are less than 20%, then development may potentially occur. A formal review of the required submittal documents will determine if any additional requirements are necessary.

A portion of Open Space lots must remain as open space with no grading or land modifications. Refer to the [Open Space](#) zoning ordinance. Some properties might contain Open Space easements that may restrict development or alterations.

For uses that are permitted within your zoning designation, please refer to [Title 18 Zoning Code](#) for development specifications or email/call the Planning Division.

SUBMITTAL REQUIREMENTS

Refer to the [Application Submittal Checklist](#) ("All Projects") for requirements of all applications.

- **Uniform Application** for Design Permit with signatures and contact information.
- **Written Statement:** Provide a written narrative describing the existing conditions and proposed project.
- **Site plan:** The site plan should show existing conditions, proposed changes, project scope of work areas, setbacks, property lines, easements/utilities (if any), etc.
 - **Plans MUST show the existing and final slope of the property.** Slope calculation must be provided – development is not permitted on areas sloped more than 20% unless otherwise specified by Planning staff.

$$S = \frac{100 I L}{A}$$

Where:
S = Average slope (in percent)
I = Contour interval (in feet)
L = Total length of all contour lines on the parcel (in feet)
A = Area of subject parcel (in square feet)

- **Title Report:** Must not be older than 90 days.
- **Topography map:** To ensure the development will not impact areas of the property that have a 20% or greater sloped area, a topography map is required. The map must clearly show changes in grade and slope percentages.
- **Geotechnical Survey:** A certified engineer can survey your property's average slope and provide a Geotechnical and Soil Analysis for your property with any mitigation measures to ensure stability. See [Geologic Hazards](#).
- **Storm Water Control Plan:** Plans must show existing and proposed impervious surface, drainage patterns, land disturbance including grading, clearing, excavating, etc. See [Stormwater Pollution Prevention](#).
- **Elevations:** Front, rear, and side elevations of proposed dwelling unit, ADU, and accessory structures.
- **Landscaping (if major improvements):** Existing versus proposed landscaping, proposed tree removals, list of existing plants/trees and proposed plants/trees, areas of grading for landscaping. See [Landscaping Code](#).
- **Tree Removal Permit** if proposing to remove protected or ordinance-sized trees.

ENGINEERING IMPACT FEES

To offset the financial impact of new development or new business on public infrastructure, new projects may be subject to impact or development fees. Impact fees are calculated by the Engineering and Land Development Division and due at the time of building permit issuance.

For specific impact fees related to your project, the [Engineering Division](#) can provide estimates for a fee.