



CITY OF ORINDA
Planning Application

22 Orinda Way, Orinda, CA 94563
 (925)253-4210 ▪ orindaplanning@cityoforinda.org

PROPERTY

Address:

Assessor's Parcel Number:

PROPERTY OWNER(S)

Name:

Mailing Address:

Phone:

Email:

APPLICANT(S) (If not the property owner)

Name:

Mailing Address:

Phone:

Email:

APPLICATION(S) (Check all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> General Use Permit | <input type="checkbox"/> Small Cell Wireless Facility |
| <input type="checkbox"/> Commercial Use Permit | <input type="checkbox"/> Hillside Grading Permit | <input type="checkbox"/> Temporary Event Permit |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Tree Removal Permit |
| <input type="checkbox"/> Elevated Deck Permit | <input type="checkbox"/> Lot Merger | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Encroachment Agreement | <input type="checkbox"/> Major Subdivision | <input type="checkbox"/> Wireless Facilities Permit |
| <input type="checkbox"/> Exception | <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Zoning Amendment |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Sign Permit | <input type="checkbox"/> Other: |

PROJECT DESCRIPTION

PROPERTY INFORMATION

Is the property located: <i>In the Ridgeline and Environmental Preservation Overlay District?</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<i>On a Severely sloped site? (average slope of 20% or greater)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Have any permits been issued in the last five years? If yes, describe work:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Present use of property and buildings:

ACKNOWLEDGEMENT

1. Failure to provide all pertinent data or providing poorly executed plans may delay the processing of an application.
2. City staff and either the Zoning Administrator or members of the Planning Commission may inspect the site of your proposed project. Access to your property is mandatory, but will be limited to the above mentioned planning agency personnel, as is regulated by the State’s Planning and Zoning Law. You are not required to provide access to your property to the general public. Please make any necessary arrangements with staff regarding their access to your property.
3. Final decisions concerning discretionary permits are within the discretion of the Planning Commission or the Zoning Administrator, as appropriate. Statements made by staff to applicants concerning the merits of a proposed project are intended to guide and assist applicants. Likewise, statements made by individual Planning Commission members during hearings and in other contexts such as study sessions may be intended to guide and assist applicants. However, such comments do not bind either the Planning Commission as a whole or the Zoning Administrator and they may in fact be disregarded by the decisionmaker. The decision to approve, condition, or deny a proposed project is within the sole discretion of either the Planning Commission or the Zoning Administrator, based on the evidence presented at the hearing. The same is true for Council decisions on appeals.
4. Obtaining discretionary permit approvals from the Planning Commission and the Zoning Administrator does not guarantee that a project may be built according to the approved plans if engineering plans for the proposed project are not approved. It is the applicant's choice to proceed in the discretionary review process without first obtaining engineering approvals.
5. If a request for a discretionary permit is based on soils problems, adequate proof (i.e., soils reports) must be provided to the City Engineer before the Planning Commission hearing to enable the City Engineer to assess the validity of the claim, obtain peer review if necessary, and to present a report to the Planning Commission on the subject.
6. Where soil stability is a factor, the soils engineer will be required as part of the application process to verify that the soils report meets city standards for soils reports and at the end of construction to verify that the grading and construction was accomplished as shown in the approved plans.
7. Applicant agrees to defend, indemnify, release and hold harmless the City of Orinda, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively “City”) from any claim, action or proceeding (hereafter collectively “proceeding”) brought against the City to attack, set aside, void or annul the City’s discretionary project approvals and/or any action relating to such project approvals, including actions taken to comply with the California Environmental Quality Act. This indemnification shall include, but not be limited to, any damages awarded against the City, the City’s attorneys’ fees and cost of suit, the cost of preparing the administrative record, any award of opposing counsel’s attorneys’ fees or costs of suit, and any other 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. Applicant acknowledges that the City may elect to retain its own counsel to represent it in such proceeding and agrees to reimburse the City for associated attorneys’ fees and costs of suit. Applicant further agrees to indemnify the City for all costs, attorneys’ fees, and damages, which the City incurs in enforcing this indemnification agreement. In the event any proceeding is brought, City shall promptly notify the Applicant of the proceeding, and City shall coordinate with Applicant regarding defense of the proceeding.

PROPERTY OWNER

Signature:

Date:

APPLICANT (If not the property owner)

Signature:

Date:



CITY OF ORINDA

Design Review (Residential)

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Design review is to preserve and enhance the semi-rural character of Orinda, maintain property values, conserve and enhance the visual character of the community and protect the public health, safety and general welfare of its citizens.

I. **Design review** approval is required prior to issuance of a building permit for the following projects:

1. A new single-family home that is not a renovation;
2. An addition which exceeds one thousand (1,000) square feet;
3. An addition which creates a second story above an existing single story residence and an addition of a second story under an existing single story residence if the City receives a request for design review where one does not presently exist;
4. An addition over one hundred ninety-nine (199) square feet which:
 - a. Is on a small or narrow lot as defined in [Section 17.30.8](#);
 - b. Will result in a residence with a total floor area exceeding seven thousand (7,000) square feet, as provided in [Section 17.30.6](#);
5. An addition over 500 square feet of floor area and over 18 feet in height located partially or entirely in the ridgeline or environmental preservation overlay district, except as provided in [Section 17.5.6](#) of this chapter;
6. An addition that results in a home that is larger than the maximum permissible floor area without design review under [Chapter 17.6](#);
7. A renovation which includes changes in doors or windows, or both, and an affected neighbor requests design review in accordance with Section 17.42.1(B) of this title. All other renovations are exempt from design review so long as proof is made according to Planning Department requirements that the project meets the definition of a renovation;
8. An addition, including one under two hundred (200) square feet, will be subject to design review if an approval for either a new residence or for an exterior addition has been granted for the property within the past five years from the time of the subject application and design review would have been required under this section for the multiple projects combined and deemed to be a single project;
9. An addition of newly created habitable space in an attic or basement which is fully contained within the building envelope of any conforming or legally nonconforming single-family residential structure, as determined by the Zoning Administrator and an affected neighbor requests design review under Subsection 17.42.1.B. of this title.

II. **Special design review** is also required for the following projects:

1. Construction is proposed on a small or narrow lot; a net lot size of less than 5,000 sq. ft. or with front and average width of less than 50'.
2. Construction of a project that is either on a severely sloping development footprint, or on a lot within the Ridgeline and Environmental Preservation Overlay District.
3. Construction of or addition to a residence creating or exceeding a total floor area of 7,000 sq. ft.

FEES

Application Fee (select one): Zoning Administrator review* Planning Commission review* Wilder Subdivision – Zoning Administrator review*	\$639.00 \$1,279.00 + \$5,530.00
Square-Footage Fee*	\$1.60/sq. ft. +
Special Design Review* (if applicable)	\$465.00
Mailing Fee	\$193.00
Public Works Department – Review Fee (Planning Commission review only)	\$1,868.00
Vicinity Map* (Planning Commission review only)	\$814.00
Creek Protection Report (if applicable)	\$750.00
13% Surcharge fee [applied to all fees marked with an asterisk (*)]	\$

+ Subject to a maximum application and square-footage fee of \$8,152.00 for new single-family residences.

SUBMITTAL REQUIREMENTS

1. **Planning Application Form**

2. **Plan Set**

One full-size (24"x36"), one half-size (11"x17"), and one PDF (electronic) set of plans. See the [Plan Set Checklist](#) for required plan set details.

3. **Colors & Materials Board**

An 8 ½"x11" Colors & Materials board depicting the proposed paint colors and exterior materials. Please do not provide physical samples of the materials themselves (i.e. roof shingles, window casings, etc.). Applications for additions which use colors and materials to match the existing residence may include a notation on the plans in lieu of providing a Colors & Materials board.

4. **Preliminary Title Report**

A title report not more than six months old for staff to verify any easements on the property.

5. **Statement of Findings**

Describe on a separate sheet how the project meets each of the Design Review standards (and Special Design Review Standards if applicable) listed below.

6. **Arborist Report (if applicable)**

A written recommendation from a certified arborist that discusses the species, size, location, and health of any protected tree(s) at risk of being damaged or proposed for removal as part of this project.

7. **Story Poles (if applicable)**

A [Story Pole Plan](#) shall be submitted with the plan set. Story poles must be installed to deem the applicable complete. Story poles are required for all new single-family residences. Addition projects may require story poles at the discretion of the project planner.

8. **Soils Report (if applicable)**

Soils/geotechnical reports must be submitted for all new homes. Other projects may require a report as well. A peer review of the report will be required and includes a separate \$2,600 fee. When new

structures or additions are proposed in the vicinity of a creek bank, the report must also address the stability of the creek bank.

9. Project Site Identification Sign (if applicable)

Vacant sites must be marked with an address identification sign. If your project site does not have an address, you must apply for an address assignment with the Moraga-Orinda Fire District.

DESIGN REVIEW STANDARDS ([§17.30.5](#))

To approve a project or to approve it with conditions, the decision-maker shall make findings to support each of the following standards:

1. Siting and Neighborhood Context. The proposed development is designed and located on the site so that it is visually harmonious with, but not necessarily identical to, other structures in the neighborhood. The proposed development is designed to blend into the existing landscape and natural context, protect undeveloped ridgelines and hillsides, maintain the dominance of wooded and open ridges and hillsides, and preserve significant or unique scenic vistas.
2. Design. The design elements are visually harmonious, in scale with the size of the structure, and balance environmental considerations. If the proposed development is an addition or remodel of an existing structure, the existing construction and proposed construction are visually harmonious. Facades and exterior walls shall be designed to reduce the blocky or massive features of building surfaces and provide articulation.
3. Privacy, Views, Light and Air. The proposed development does not impair the existing views, block access to light and air or infringe on the privacy of neighbors in a substantial fashion. In considering this factor, decisionmakers shall balance the importance of minimizing impacts on neighboring properties and the applicant's ability to develop the property. The term "view" shall be defined in [Section 17.22.4](#).
4. Landscaping. Primary landscaping elements complement and are appropriate for the structure, the site, and the neighborhood.

SPECIAL DESIGN REVIEW STANDARDS

Very Large Homes ([§17.30.6](#))

A new home that is seven thousand (7,000) square feet or more, an addition to an existing home that is seven thousand (7,000) square feet or more, or an addition resulting in a home with a total floor area of seven thousand (7,000) square feet or more shall be subject to special design review under this section.

1. The development projects the visual character of a home which appears smaller than its actual floor area, employing vegetation and architectural features and details which subdue, rather than accentuate, the prominence of the structure.

Severely sloped development footprints and lots within the R overlay zone ([§17.30.7](#))

A project which has a severely sloped development footprint or is on a lot in the ridgeline and environmental preservation overlay district (except as provided in [Section 17.5.6](#)). For purposes of this section, the term "severely sloped" means an average slope of twenty (20) percent or more, and the term "development footprint" means the portions of a lot which are altered by grading or by a structure.

1. The project is in substantial compliance with the [Hillside and Ridgeline Design Guidelines](#).
2. For severely sloped development footprints, the floor elevations of the residence shall respond to the existing topography so that the apparent mass is reduced rather than accentuated. Generally, foundations shall be cut into the hillside, with retaining walls concealed by and integral to the proposed structure. Floor elevations shall step with the hillside's existing grades, and skirt walls higher than six feet are generally to be avoided.
3. For ridgeline lots, the natural appearance of the ridgeline is preserved to the greatest extent possible, minimizing the addition of machine-made features to the natural silhouette of the ridge as viewed from throughout the community.

Small and narrow lots ([§17.30.8](#))

A new single-family residence or an addition of two hundred (200) square feet, or larger, on a lot which has either: (i) a net lot size of less than five thousand (5,000) square feet; or (ii) both a front width and an average width of less than fifty (50) feet shall be subject to special design review under this section.

1. The development projects the visual character of a home which appears smaller than its actual floor area, employing vegetation and architectural features and details which subdue, rather than accentuate, the prominence of the structure.