



# CITY OF ORINDA

## COMMERCIAL DESIGN REVIEW APPLICATION

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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.

### **APPLICANT ACKNOWLEDGEMENT**

Development Standards. When a project is subject to Design Review **quantitative criteria are not entitlements** and are at the discretion of the Zoning Administrator or Planning Commission. More restrictive standards may apply.

The undersigned acknowledges that he/she has read and understands the following:

1. The General Plan. The General Plan of the City of Orinda, which governs all land use decisions in Orinda, requires that all development must reflect and preserve the semi-rural character of the City. According to the General Plan, the City's semi-rural character derives from homes which are "small in relation to their lots" where "heavy tree cover and other vegetation dominate" the site. This semi-rural environment contributes both to the quality of life in Orinda and also to the value of real property in the City.
2. The Code. The Planning and Zoning Code must be consistent with the General Plan. Thus, many of the regulations in Title 17 are designed to ensure that a new home or a remodeled home is small in relation to its lot and that there is room for heavy tree cover and other vegetation to dominate.
3. Standards and Evidence. Final decisions on applications for design review and other land use permits are made by the Planning Commission, the Zoning Administrator, or the City Council on appeal. The decision will be based on the applicable **standards** in the Orinda Municipal Code and the **evidence** (such as plans, testimony, and staff reports). Statements by staff about proposed plans are intended to guide and assist applicants or to assist the Planning Commission. However, such comments do not bind the Planning Commission, City Council, or the Zoning Administrator, and they may in fact be disregarded by the decision-maker.
4. Structure Size and Design. The size of a structure or an addition, its height, and its location, among other things, will be assessed under the **discretionary design review standards** of Chapter 17.30 of the Code. These standards look at how well the proposed structure blends into its natural and built context, the size of the structure compared with nearby existing structures which meet current code, whether landscape dominates, and how the proposed structure affects existing views, privacy and access to light of nearby residences, in addition to other criteria.
5. FAR. Because of the need to meet the **discretionary design review standards**, there is no "right" to a certain size of structure. For example, the floor area ratio (FAR) **does not confer a right to a certain structural size**. The FAR is simply a trigger for additional standards that must be met. The same is true for setbacks, height limitations and other quantitative limitations. A chart attached to this acknowledgement statement shows the divergence between the FAR limits and the size of actual projects approved under the design review standards.
6. Engineering. Obtaining design review and other similar 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 design review process without first obtaining engineering approvals.

7. Soils. If a request for an exception or other type of approval 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. 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. In addition, the soils engineer will be required to provide written instructions to the property owner concerning drainage maintenance and other maintenance necessary to prevent soils movement, with written property owner acknowledgement for city records.

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Date

# Commercial Design Review Application Checklist

**The application will not be accepted for processing unless all pertinent information required on this checklist is provided.**

## I. General

### A. Application Forms:

1. Completed General Planning Application
2. Copy of Conceptual Development Review (CDR) comment sheet (if applicable)
3. Other Discretionary Application Forms related to the project as necessary

### B. Fees payable upon submission:

Commercial/Office Exterior work only:	
Zoning Administrator Review	\$592 plus \$1.45/sq ft of exterior surface area affected
Planning Commission Review	\$1,185 plus \$1.45/sq ft up to a maximum of \$9,481
Commercial/Office (less than 1000 square feet)	\$4,148
Commercial/Office (1,000 or more square feet)	\$4,148 + \$44/100 square feet in excess of 1,000 square feet
Mailing ( <i>Required</i> )	\$183
10% General Plan Update surcharge ( <i>Required</i> )	_____

### Other Discretionary Applications (see specific application for fee amount)

- C. Project site must be marked with an address identification sign. ***(If your project site does not have an address, you must apply to the Moraga-Orinda Fire District for an address assignment)***
- D. An 8 ½" x 11" Colors and Materials board is required. Foam core, or like material, not to exceed 1/8" in thickness should be use for the materials board. **Physical paint chips representing the colors of the proposed exterior materials must be provided.** Paint colors generated by a printer are not acceptable, as the accuracy of color renderings vary greatly when produced by printers. However, ***please do not provide physical samples of the materials themselves*** (e.g. roof shingles, window casings, architectural elements, etc.). Color photographs of these materials should be submitted to accompany the paint chips provided. *Applications for additions which will use colors and materials to match the existing residence may submit photos of the existing residence, along with a notation on the plans that colors and materials will match existing, to fulfill this requirement.*

## II. Plans

### General Requirements

One (1) full-size, one (1) 11"x17" size and an electronic (.PDF) set of plans must be submitted with your application.

1. Full size plans shall be on sheets no larger than 24" x 36".
2. Electronic (.PDF) plans must be provided on a flash/thumb drive at the time of application submittal.
3. Elevation, floor and building sections shall be at a scale no smaller than ¼" = 1'.
4. All plans shall be of the same scale and shall be no smaller than 1:20.
5. Include a north arrow on each sheet of plans excluding elevations and building sections.

6. Indicate all property lines, rights of way and easements shown and dimensioned with metes and bounds.
7. Indicate all required setbacks including creek setbacks if applicable.
8. All plans must be drawn neatly and to scale (with scale indicated).
9. Plan sets must be arranged in the order indicated in this checklist.
10. Plan sets must be stapled or otherwise bound together along the left edge.
11. Plan sets must be folded to a size not exceeding 9" x 14" with the title block visible.

A. Site Plan

1. Include all existing and proposed site structures including but not limited to:
  - a. All public and private roads.
  - b. Edge of pavement.
  - c. Footprints with dimensions to all property lines of all existing and proposed structures.
  - d. Footprints of all proposed structures with dimensions ballooned, hatched or otherwise highlighted.
  - e. Existing and proposed topographic contours (with minimum contour intervals of 10 feet), for land within 20 feet of any proposed site improvements or drainage facilities. **For better clarity you may provide a separate site plan with contour lines.**

B. Roof Plan

1. Drawn to the same scale, and superimposed over, the grading plan (or the site plan if a grading plan is not required).
2. Note elevation of each roof ridge above established data.
3. Note the pitch of the roof(s).
4. Indicate all changes or additions to existing structures with ballooning, hatching, or by otherwise highlighting.

C. Floor Plans

1. Show all existing and proposed rooms and label their use.
2. Show all existing and proposed usable or potentially usable areas or spaces (including basements, attics, crawl spaces with significant headroom, lofts, accessory buildings, etc.) and label their use.
3. Show all existing and proposed decks, balconies, porches, garages/carports, etc., and label their use.
4. Indicate all exterior dimensions.
5. Indicate the limits of the floor above and the floor below on multi-level structures.  
***Applications for projects involving additions or remodels involving structural changes must also include the following on the floor plans:***
6. Clearly indicate any existing walls that are to be removed.

D. Elevations

1. Include full exterior dimensions including building heights per section 17.4.19 and 17.4.20 O.M.C.
2. Show roof, doors, windows, trim and all other architectural features.
3. Indicate both colors and materials for all exterior walls, trim and roofing.
4. All changes or additions to existing structures shall be ballooned, hatched, or otherwise highlighted.

**Applications for projects involving additions or structural changes greater than 500 square feet in area must also include the following on the elevations:**

5. Show existing and proposed conditions with two separate elevation view drawings, done at the same scale, for each building elevation to be modified by the addition.

### **III. Visual Aids (optional)**

***Visual aides to conceptualize the project in its natural setting may be submitted. They may include, but are not limited to the following:***

- A. Colored elevations that indicate shadow, relief, and proposed colors.
- B. Photomontage (a panoramic photo with the proposed project graphically set into the scene).
- C. Scaled Architectural model.
- D. Perspective elevation.

### **IV. Recommended Items**

***The following items are recommended but are not required to be submitted with all design review applications for residential additions or new buildings. However, they are required prior to obtaining a building permit.***

- A. Preliminary Title Report not more than 6 months old (2 copies) – Verification of ownership and easements, etc.

The above checklist outlines the minimum information and plans that must be submitted as part of your application. Please keep in mind that the project planner may require additional information or materials. The burden of proof rests on the applicant to prove the project meets the standards.

Lastly, City Staff and either the Zoning Administrator or members of the Planning Commission will inspect the property where your project is being proposed. This access to your property is a mandatory part of your application, 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.

I have read and understand my obligations regarding the information necessary for a Design Review application to be deemed complete and that incomplete or inadequate submittals may delay my application:

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Date