



CITY OF ORINDA

Hillside Grading Permit Application

Planning

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The hillside grading permit is intended to ensure projects involving grading work will take into consideration the environmental characteristics of the land, and preserve the natural appearance to the greatest extent possible. A wide variety of lot sizes, shapes, and topography exist within a single zoning district. Additionally, there are many sloping and ridgeline lots which require review to guarantee engineering best practices. Due to these variations, a discretionary grading permit is required for certain projects in Orinda with the following triggers:

Any developed parcel of land with an average slope (calculated per O.M.C. 17.7.4) greater than 15% is subject to a Hillside Grading Permit for a project involving any amount of grading work UNLESS:

1. The grading will take place outside a required yard setback; and
2. The grading will take place no more than 30 feet away from the footprint of the primary residence; and
3. The grading will result in a grade alteration not to exceed 12 feet above or below the elevation of the existing grade at the closest portion of the residence.

Permits may be granted subject to the following development standards: [section 17.7.7]

1. Encourage minimal grading which respects the natural contour of the land and which will round off, in a natural manner, sharp angles at the top and ends of cut-and-fill slopes;
2. Require retention of trees and other vegetation which stabilize steep hillsides, retain moisture, minimize erosion and enhance the natural scenic beauty, and where necessary, require additional landscaping to enhance the scenic and safety qualities of the hillsides;
3. Require planting wherever appropriate to maintain necessary cut-and-fill slopes, to stabilize them by plant roots, and to conceal the raw soil from view;
4. Require retention of natural landmarks and prominent natural features that enhance the character of a particular area of the city;
5. Achieve land-use residential densities that are in keeping with the City's General Plan, with the result that such densities will usually diminish as the slope of terrain increases, in order to retain the significant natural features of hillside areas;
6. Minimize the water runoff and soil erosion problems incurred in adjustment of hillside terrain to meet on-site and off-site development needs;
7. Retain open hillsides and significant ridgelines in as near a natural state as is feasible as an important community value;
8. Encourage the planning, design, and development of hillside area building sites so as to provide maximum safety and human enjoyment;
9. Provide for the preservation and maintenance of significant ridgelines, open space, and recreation lands;
10. Provide minimum lot size standards for future subdivisions while avoiding the characterization of existing legal lots as nonconforming.

About the Process

Complete this application and submit it along with a general application form. Take care to give responses to the findings that are requested in this application because they will be used by the decisionmaker to evaluate the compliance of the application with city code.

After you have submitted your application, it will be assigned to a project planner for processing. Your project planner, along with the Department of Engineering and the Moraga-Orinda Fire District, will then review your application for completeness. You will be notified within 30 days as to whether or not any additional information or plans will be required by staff to complete the processing of your application.

APPLICATION CHECKLIST

Submit this checklist with a checkmark next to each item submitted.

The application will not be accepted for processing unless all pertinent information is provided. See the checklist below.

- ___ a. Completed general planning application form and the attached specific application form.
- ___ b. Completed checklist signed and dated (this list).
- ___ c. Required fees payable upon submission.

Hillside Grading (Review under OMC 17.7.7.)	\$754
Mailing	\$183
10% General Plan Update surcharge fee	\$75.40
- ___ d. Written description of project.
- ___ e. Written approval of your local homeowner's association is strongly recommended, if applicable.
- ___ f. Project site must be marked with an identification sign (address or lot number)
- ___ g. Property lines within 40 feet of any proposed site improvement must be staked or otherwise marked.
- ___ h. All trees with a trunk diameter of six (6) inches or greater measured at 4½ feet above grade which will be, or are at risk of being damaged or removed, must be flagged.

The following items may be required, if applicable:

- ___ j. Soils Report (2 copies) - Soils and geotechnical reports are required for certain properties. *Contact the Engineering Department at (925) 253-4231 before submitting your application to determine the level of soils review required for your project.* Soils and geotechnical reports will require peer review, which involves a separate application that must be filed with the Engineering Department. When new structures are proposed in the vicinity of a creek bank, the soils report must also address the stability of the creek bank.
- ___ k. Preliminary Title Report not more than 2 years old (2 copies).

II.Plans

GENERAL REQUIREMENTS

- _____ 1. One (1) full-size, one (1) 11"x17" and one electronic (.PDF) set of plans.
- _____ 2. Full size plans shall be on sheets no larger than 24" x 36".
- _____ 3. Electronic (.PDF) plans must be provided on a flash/thumb drive at the time of application submittal.
- _____ 4. All plans must be drawn neatly and to scale (with scale indicated).
- _____ 5. Plan sets must be stapled or otherwise bound together along the left edge.
- _____ 6. Plan sets must be folded to a size not exceeding 9" x 12" with the title block visible.

SITE PLAN

- _____ 1. Drawn to the largest scale which can fill a 24" x 36" sheet, but not smaller than 1"=20'
- _____ 2. Include a north arrow.
- _____ 3. All property lines shown and dimensioned with metes and bounds
- _____ 4. Indicate all required setbacks.
- _____ 5. Indicate location, dimension, and heights of existing and proposed retaining walls and fences.
- _____ 6. Indicate the average slope of the property.
- _____ 7. Show all public and private roads, rights-of-way, and easements within and adjacent to the parcel, fully dimensioned. Indicate whether public or private. Indicate nature of easements.
- _____ 8. Indicate the trunk location, dripline, and species type and size of all existing trees with a trunk diameter of six (6) inches or greater measured at 4½ feet above grade, if a proposed site improvement will encroach upon the dripline.
- _____ 9. Mark any trees listed under item #7 above, which are to be removed, with an "X".
- _____ 10. Show any significant drainage features, including swales, creeks (with required creek setbacks shown in plan and section view), and riparian habitat if altered by the project.
- _____ 11. 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.

Items 12-14 do not need to be included if they are not changed or affected by the project.

- _____ 12. Show all existing and proposed impervious surfaces, including but not limited to sidewalks, roofs, patios, stairs, pool decks, and driveways, with square footage of all existing and new impervious surfaces noted.
- _____ 13. Indicate all existing and proposed covered/uncovered parking facilities and driveways.
- _____ 14. Indicate location of existing and proposed sanitary sewers.

GRADING PLAN

The following requirements apply to applications that involve grading more than a total of 50 cubic yards of cut or fill. Projects proposing less than 50 cubic yards of cut or fill may indicate minor grading on the site plan.

- _____ 1. Drawn to the largest scale which can fill a 24" x 36" sheet, but not smaller than 1"=20'
- _____ 2. Include a north arrow.
- _____ 3. All property lines shown and dimensioned with metes and bounds.
- _____ 4. Existing and proposed contours shown and labeled. Contour lines shall have a maximum interval of two (2) feet. Extend contours a minimum of fifty (50) feet beyond the property lines.
- _____ 5. Note amount of cut, fill, import, or export.

- _____ 6. Show all existing and proposed drainage facilities, including but not limited to: swales, creeks, drainage ditches, discharge facilities, catch-basins, and subsurface drainage pipes (closed and open), within and adjacent to the site.
- _____ 7. Show the location or outline of any geologic or potentially hazardous soil condition, and areas subject to inundation or ponding.
- _____ 8. Show all public and private roads, rights-of-way, and easements, within and adjacent to the parcel, fully dimensioned. Indicate whether public or private. Indicate nature of easements.

LANDSCAPE PLANS

The following requirements apply to all applications except as follows: Projects with only minor alterations to existing landscaping may include the landscape plan as part of the site plan. Projects with no new landscaping planned may include a “no new landscaping proposed” notation on the site plan.

- _____ 1. Drawn at the same scale as the site plan.
- _____ 2. Include a north arrow.
- _____ 3. Indicate general type of plant material with species name, size, and method of irrigation.
- _____ 4. Include vegetation key, box sizes, planting details, etc.

CROSS SECTIONS

- _____ 1. Drawn at the same scale as the elevations.
- _____ 2. Locations where cross sections are taken shall be indicated on the site plan and/or floor plans.
- _____ 3. Indicate foundation, finished grade, and top of wall elevations.

Applications for projects on parcels with average slopes of greater than 20% must also include the following on the cross sections:

- _____ 4. Cross sections must extend across the full extent of the property, including adjoining roads.

STATEMENT FOR FINDINGS

The Zoning Administrator or Planning Commission must make findings of fact for each of the following standards which are applicable to the exception you have requested. In this section, please respond using facts and observations which you believe are pertinent to each of these standards. Attach additional sheets of paper as necessary.

1. The proposed grading will be minimal in nature and respect the natural contours of the land, avoid sharp angles of cut and fill, retain natural landmarks and features, maintain residential density, avoid significant erosion and drainage issues, retain open hillsides and ridgelines as much as possible, provide maximum safety, and provide at least minimum lot size standards while avoiding nonconformities.

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 within its natural setting.

Lastly, City staff and either the Zoning Administrator or members of the Planning Commission will inspect the property. 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 Hillside Grading Permit application:

Signature of Owner or Authorized Agent

Date