



CITY OF ORINDA

Discretionary Application Triggers (Residential)

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The project types listed below require discretionary planning approval in a residential zoning district. Discretionary projects include a public notice mailed to all properties within a 300-foot radius of the project site and may require a public hearing. The criteria for discretionary approval are qualitative and based on the unique facts of each application.

Projects that require more than one discretionary application will be processed as one combined project. If any component of a combined project requires Planning Commission approval, then the entire project will be considered by the Planning Commission.

Findings of approval must be made in order for a project to be approved. Discretionary projects must obtain approval before submittal for a building permit. Review the relevant application form(s) to determine application fees, submittal requirements, and findings of approval.

PLANNING COMMISSION PROJECTS

The following projects require approval by the Planning Commission at a public hearing.

Project Description	Application Type	Municipal Code
New single-family residence <i>(Projects that qualify as a SB 9 unit are exempt)</i>	Design Review	§17.30.3(A)(1)
Addition of 1,500 square-feet or greater	Design Review	§17.30.3(A)(2)
Subdivision of a residential legal lot <i>(Projects that qualify as a SB 9 lot split are exempt)</i>	Subdivision	§16.04
New Wireless Communication Facility	Wireless Permit	§17.34.6(A)

ZONING ADMINISTRATOR PROJECTS

The following projects require approval by the Zoning Administrator. A public hearing is not required for Zoning Administrator projects, but any member of the public may request a public hearing during the public notice period. If a public hearing is requested, a Zoning Administrator hearing will be scheduled.

Note that the Zoning Administrator may refer a project to the Planning Commission when, at the discretion of the Zoning Administrator, it is determined that the public interest would be served.

Project Description	Application Type	Municipal Code
Addition between 1,000sf - 1,499sf	Design Review	§17.30.3(A)(2)
2 nd story addition to an existing single-story residence	Design Review	§17.30.3(A)(3)
Addition greater than 199sf on a “small” or “narrow” lot	Design Review	§17.30.3(A)(4)

Addition that results in a home greater than 7,000sf	Design Review	§17.30.3(A)(4)
Addition over 500sf and over 18 feet in height in the <i>Ridgeline and Environmental Preservation Overlay District</i> .	Design Review	§17.30.3(A)(5)
Addition that exceeds the maximum floor area	Design Review	§17.30.3(A)(6)
Changes to existing doors or windows and an affected neighbor requests design review	Design Review	§17.30.3(A)(7)
Multiple additions in 5 years which combined would require design review	Design Review	§17.30.3(A)(8)
Conversion of attic or basement to habitable space fully contained within the building envelope and an affected neighbor requests design review	Design Review	§17.30.3(A)(9)
Deck greater than 6' above finished grade and more than 200sf	Elevated Deck Permit	§17.35.3(A)
Exception from setback, building height, number of stories, fence and retaining wall, or parking requirements	Exception	§17.32.2(A)
Grading on a developed site with an average slope greater than 15% unless: <ul style="list-style-type: none"> 1. The grading takes place outside a required setback, 2. The grading is no more than 30ft 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 existing grade. 	Hillside Grading Permit	§17.7.7
Lot line adjustments or lot mergers	Lot Line Adjustment/Merger	§17.20.3
Fence, gate, post, wall, or other similar structures that will permanently encroach into the public right-of-way	Revocable Encroachment Agreement	§12.08.010(C)
Removal of 12' diameter or greater oak tree on a developed property	Tree Removal Permit	§17.21.2
Removal of 4' diameter or greater native riparian tree	Tree Removal Permit	§17.21.2
Removal of any tree 6' diameter or greater on an undeveloped (vacant) property	Tree Removal Permit	§17.21.2
Temporary events including car shows, arts and craft shows, Christmas tree lots, commercial filming, philanthropic events, street fairs, etc.	Temporary Event Permit	§17.37.2
Ancillary uses such as garage structure for more than four cars, energy generation or similar activities	General Use Permit	§17.3.3

<p>Outdoor lighting with height over seven feet – for sports courts, pools or similar uses <i>Excludes lights attached to residence.</i></p>	<p>General Use Permit</p>	<p>§17.3.3</p>
<p>Trailer for Construction or Real Estate Sales <i>For new home development</i></p>	<p>General Use Permit</p>	<p>§17.3.3</p>