



CITY OF ORINDA

RESIDENTIAL DESIGN REVIEW APPLICATION

Planning

• 22 Orinda Way • Orinda, CA 94563 • (925) 253-4210 • FAX (925) 253-7719
• <http://www.cityoforinda.org> • orindaplanning@cityoforinda.org

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 Requirement: 17.30.3

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 Section 17.42.1(B) of this title;
10. A second unit, regardless of size, proposed as part of a project for a new residence or an attached second unit which is proposed as part of an addition that is otherwise subject to design review under this section.

For purposes of this section 17.30.3.A, the method of calculating floor area found in Chapter 17.6 shall apply.

II. Special Design Review Requirement 17.30.6, 17.30.7, 17.30.8

For additions >199 square feet please see Special Design Review worksheet

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.

III. Design Review Standards

The following is a summary of the required standards under section 17.30.5. Please describe on a separate sheet how your project meets each of the following:

A. General Design Review Standards

The proposed development(s):

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.

B. Special Design Review Standards: 17.30.6

A residence with a total floor area exceeding 7,000 sq. ft shall:

1. Employ vegetation and architectural features to minimize the visual prominence of the structure.
2. Articulate the structure so as to reduce the appearance of blocky or massive features.

C. Special Design Review: Severely sloped development footprints/ Lots in the R overlay zone. 17.30.7.

Projects with footprints of an average slope of 20 percent or greater or lots within the Ridgeline and Environmental Preservation Overlay District.

1. The project complies with the hillside and ridgeline design guidelines.
Hillside and Ridgeline Design Guidelines: Architecture, siting, landscaping, and grading shall be environmentally sensitive to the hillside and ridgeline setting.
2. Reduce apparent mass of structure by responding to the existing topography.
3. Ridgeline lots shall preserve ridgelines by subduing building features as viewed throughout the community.
4. Additional considerations
 - a. Development may not protrude above a line sloping downward at an inclination of fifteen (15) degrees from the highest point of the ridge, the ridgeline.
 - b. On ridgeline lots where development already exists, or on undeveloped lots, a project on the ridgeline may be approved if the height, massing and color of the architectural elements reduce the potential visual intrusion to a relatively insignificant level.

D. Special Design Review Standards for Small and Narrow Lots 17.30.8

The following standards apply to a project that is on a small or narrow lot. (A parcel with a net lot size of less than 5,000 sq. ft. or a lot with a front and average width of less than 50’):

1. The proposed project shall employ vegetation and architectural features which reduce, rather than accentuate, the prominence of the structure.
2. The building’s surfaces are articulated in a manner which reduces the appearance of blocky or massive features.

APPLICANT ACKNOWLEDGEMENT

Residential 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 house 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

Residential Design Review 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 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. Completed Design Review Application and Checklist
4. Other Discretionary Applications related to the project as necessary

B. Fees payable upon submission:

Addition, Zoning Administrator Review	\$592 plus \$1.45 / sq ft*
Addition, Planning Commission Review	\$1,185 plus \$1.45 / sq ft*
New: Single-family	\$1,185 plus \$1.45 / sq ft* up to a maximum of \$7,542 (non-Wilder) or \$5,117 (Wilder)
Multi-family	Staff hourly rate charges. A cash deposit will be required before work commences.
Special Design Review (for each special standard)	\$431
Re-submittal (modified plan)	50% of original application fee
Creek Protection Report	\$750
Vicinity Map	\$754
Mailing (Required)	\$183
10% General Plan Update surcharge fee (Required)	_____

* Square Foot as calculated in OMC Chapter 17.6

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. All trees with a trunk diameter of six (6) inches or greater measured at 4½ feet above grade, which will be at risk of being damaged or removed, or grading /construction within the dripline must be flagged.
- E. Story poles must be installed to deem the application complete. All New Single-Family Residences require Story Poles. Story Poles, at the discretion of the planner may be required for additions.
- F. 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 include a notation on the plans that colors and materials will match existing, to fulfill this requirement.*

- G. An arborist report will be required if any portion of the project encroaches into the drip-line of protected trees.
- H. A creek protection report will be required if any portion of the project encroaches into a water channel setback.
- I. Preliminary Title Report not more than 6 months old (2 copies) – Verification of ownership and easements, etc.

II. Plans

General Requirements

One (1) full-size, one (1) 11" x 17" 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 $\frac{1}{4} = 1'$.
- 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. Trunk location, drip-line and species type and size of all existing trees with a trunk diameter of six (6) inches or greater measured at 4 ½ feet above grade;
 - f. Mark any trees which are to be removed with an "X";
 - g. Show all drainage features, including swales, water channels (with required water channel setbacks shown in plan and section view), and riparian habitat;
 - h. 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 proposed impervious surfaces noted;
 - i. Indicate all existing and proposed covered/uncovered parking facilities and driveways;
 - j. Indicate location and dimensions of existing and proposed retaining walls and fences

2. Provide a project data table to include the following :
 - a. An itemized floor area ratio as calculated in sections 17.6.3 and 17.6.4 of the Orinda Municipal Code O.M.C.
 - b. Net parcel area- total horizontal area included within the property lines of a parcel, excluding the area within vehicular rights-of-way and vehicular easements serving 4 or more parcels;
 - c. Area Ratio F.A.R.-(required for lots of 20,000 square feet or larger), adjusted floor area divided by the net parcel area;
 - d. The average slope of the development footprint of the project;
 - e. An itemized calculation of existing and proposed impervious surface;
 - 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. Conceptual Grading Plans

The following requirements apply to applications that involve grading a total of 50 cubic yards of cut or fill or more. Projects proposing less than 50 cubic yards of cut or fill may indicate “minor grading” on the site plan. Grading will not be allowed between October 15 and April 15 of any year without approval of an erosion control plan.

1. Show and label existing and proposed contours with a maximum interval not to exceed two (2) feet;
2. Show the location or outline of any geologic or potentially hazardous soil conditions and areas subject to inundation or ponding (note if there are none);
3. All items required under Section B items (a.) through (j.) of the Site Plan requirements

C. 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

D. Landscape Plans

(NOTE: Landscape plans shall show all large shrubs and trees with mature heights of three feet high or more used for screening, and areas of ground cover or lawn. Please review the Disallowed Vegetation List)

The landscape plan must include the following:

1. Drawn at the same scale as the site plan. *For smaller projects landscaping may be shown on the site plan.*
2. Include vegetation key with the following information, for both existing and proposed landscaping:

a) Species, including variety or cultivar;	c) Number/Quantity;
b) Common name;	d) Size
3. Indicate the total square footage of irrigated area.

E. 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.

F. Elevations

1. Include full exterior dimensions including building heights per section 17.4.19 and 17.4.20 O.M.C.
2. Indicate both existing and finished grade.
3. Show roof, doors, windows, trim and all other architectural features.
4. Indicate both colors and materials for all exterior walls, trim and roofing.
5. Include retaining wall and fence elevations/profiles, indicating heights, colors, and materials.
6. 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:

7. 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.

G. Cross Sections

The following requirements apply to all applications involving construction or remodeling of a residence that contains more than two floor levels:

1. Cross sections shall be coincident with critical roof ridges;
2. Locations where cross sections are taken shall be indicated on the site plan and/or floor plans;
3. Indicate foundation, finished floor, existing grade, finish grade and roof ridge elevations;

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

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

III. Visual Aids (optional)

Visual aides to conceptualize the project in its natural setting may be submitted at the Planning Commission hearing. 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. Written approval of your local homeowner's association is strongly recommended, if applicable;
- B. Property lines within 40 feet of any proposed site improvement must be staked or otherwise marked;
- C. Soils Report (2 copies) – Prior to building/grading permits, soils/geotechnical reports must be submitted for all new homes; residential additions over 500 square feet must submit a soils/geotechnical reconnaissance letter and may require a soils/geotechnical report to be submitted.

Soils/geotechnical reports will require peer review, which involves a separate application and fees that must be filed with the Planning Department prior to building/grading permits. When new structures or additions are proposed in the vicinity of a creek bank, the soils/geotechnical report must also address the stability of the creek bank. **(Please note that there may be a 3 to 4 week peer review period for projects that require a soils/geotechnical report. Early submittal is recommended.)**

E. Drainage Plan

Projects requiring drainage permits will require drainage plans to be submitted and approved prior to issuance of building permits. **(Please note that a drainage permit plan check may take three or more weeks - longer if revisions are necessary.) Early submittal is recommended.**

The following projects are required to obtain a drainage permit prior to issuance of building permits:

- *Any work which increases the impervious surface on the property by 500 square feet or more;*
- *Any work in a watercourse;*
- *Installation, expansion, or alteration of a storm water drainage system;*
- *Excavating or grading projects subject to a grading permit.*

The following are required for the Drainage Plans (Drainage plans may be combined with the Grading Plan, if required; see Grading Plan above):

1. Note on plans if there are no drainage improvements proposed;
2. All items listed under Site Plan;
3. Topographic contours of existing and proposed ground surface based on a topographic survey (survey preparation by a licensed surveyor may be required);
4. Existing and proposed surface and subsurface drainage facilities and watercourses including but not limited to creeks, swales, drainage ditches, discharge facilities, dissipaters, catch basins, and subsurface drainage pipes. Also indicate septic tanks, with, or as part of, or subsequent to the proposed work.
5. Areas subject to inundation or ponding. (Note if there are none);
6. Detail methods proposed to intercept and carry off surface and subsurface water;
7. Include details of engineered treatment at discharge points and pipe specifications (size, material, etc.);
8. Drainage across interior lot lines creating cross-lot drainage is not permitted nor changes in the drainage pattern which alter or increase the quantity which discharges to adjoining properties;
9. Hydrologic calculations and plans stamped by a California licensed professional are required for new homes or additions of 1,500 square feet or more;

10. Existing and proposed grading contours if grading is more than 50 cubic yards (note on plans if grading is less than 50 cubic yards);

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