



**CITY OF ORINDA**  
**Planning Application**

22 Orinda Way, Orinda, CA 94563  
 (925)253-4210 ▪ [orindaplanning@cityoforinda.org](mailto: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**

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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. The applicant shall defend, indemnify, and hold the City, its officials, employees, agents, and third parties retained by the City harmless from damages of any kind (including direct or consequential damages) resulting from any actions undertaken pursuant to discretionary applications and from any action challenging a discretionary application. Indemnification includes payment of damages, costs, and attorneys’ fees which may be awarded against the City, its officials, employees, agents, and consultants. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible, but may at its option, defend, indemnify, or hold the City harmless. Nothing contained in this section prohibits the City from participating in the defense of any claim, action, or proceeding.

**PROPERTY OWNER**

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Signature:

Date:

**APPLICANT (If not the property owner)**

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Signature:

Date:



## CITY OF ORINDA

# Revocable Encroachment Agreement

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A Revocable Encroachment Agreement must be obtained for a permanent encroachment into the public right-of-way which is partially or completely above ground. Permanent encroachments include but are not limited to, a fence, gate, post or wall; a driveway bridge or similar structure; and any other above ground improvement of a permanent nature which has the potential to interfere with or otherwise adversely affect the current or future public use and benefit of a right-of-way, has an impact on the visual context of the right-of-way, or has the potential to otherwise adversely affect the public welfare.

### FEES

Application Fee (select one):	
Encroachment Agreement only*	\$1,649.00
Combined with Design Review application*	\$274.00
Mailing Fee	\$193.00
13% Surcharge fee [applied to application fee]	

### 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. *Preliminary Title Report*

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

#### 4. *Statement of Findings*

Describe on a separate sheet how the project meets each of the Design Review (for a permanent encroachment) standards listed below.

#### 5. *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.

### DESIGN REVIEW (FOR PERMANENT ENCROACHMENT) STANDARDS ([§12.08.060](#))

*The decision maker shall approve the design of an encroachment if written findings are made that meet all of the following standards:*

1. *Aesthetics.* The encroachment is designed so that it blends into the existing streetscape, reflecting the dominant visual character of the natural and man-made context.
2. *Function.* The design and location will not adversely affect the use and enjoyment of neighboring properties and structures.
3. *Other code requirements.* The encroachment meets all other applicable requirements of this Code.