



CITY OF ORINDA
Planning Application

22 Orinda Way, Orinda, CA 94563
 (925)253-4210 ▪ 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

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.

PROPERTY OWNER

Signature:

Date:

APPLICANT (If not the property owner)

Signature:

Date:



CITY OF ORINDA
Commercial Use Permit

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A Commercial Use Permit is required for the following uses in the downtown commercial (DC) zoning district:

1. **Class B uses:** service retail use in a Type I retail space
 - Class B service retail use is generally defined as the following types of business:
 - *Personal care* –beauty parlors, barber shops, fitness centers, dry cleaners, travel agencies, dance, music and martial arts studios (but excluding health care offices)
 - *Retail financial institutions* – banks, savings and loans, credit unions and free-standing automatic teller machines
 - *Automotive services*
 - Type I retail space is generally defined as ground floor retail space which faces the following streets and street segments, or face a plaza or parking lot adjacent to the following streets:
 - Avenida De Orinda (both sides of the eastern half and northern side of western half)
 - Brookwood Rd (between Moraga Way & Camino Pablo)
 - Bryant Way
 - Camino Pablo (east side between Highway 24 & Moraga Way)
 - Camino Sobrante
 - Moraga Way
 - Orinda Way
 - Santa Maria Way
2. **Class C uses:** office use in a Type II retail space
 - Class C use is defined as those office uses that are compatible with a village atmosphere such as medical and professional offices, real estate sales and financing.
 - Type II retail space is general defined as ground floor/retail spaces which are *NOT* located on the streets listed above, such as those along the rear side of the Orinda Way commercial buildings.
3. **Other uses:** specific uses that require a commercial use permit

<ul style="list-style-type: none"> • Adult business • Animal sales and services • Bar and tavern • Commercial recreation and entertainment • Convenience market • Convenience market at a service station • Farmer’s market • Game center 	<ul style="list-style-type: none"> • Liquor Store • Live entertainment • Maintenance and repair services • Outdoor sales • Service stations • Vehicles sales and services • Visitor accommodations • Ancillary retail uses
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4. **Extended hours:** any use which operates before five a.m. or after eleven p.m.

FEES

Application Fee (select one):	
Class B use in Type I space	\$613.00 plus \$1.15/sq. ft. +
Modification or Expansion of existing business	\$781.00
Other Use	\$1,609.00
Mailing Fee	\$189.00
13% Surcharge fee [applied to application fee]	

+ Subject to a maximum application and square-footage fee of \$8,706.00.

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 attached Plan Set Checklist for required plan set details. For commercial or institutional properties where a change/expansion in or of use is proposed, a plan showing the parking access, layout and capacity is also required.

3. *Written Description*

A complete written description of the specific use, business or institution you are seeking approval to establish or expand; with such information (if applicable) as hours of operation, number of employees, size (in square feet) of space to be used, estimate of expected attendance/enrollees, etc.

4. *Statement of Findings*

Describe on a separate sheet how the project meets each of the Commercial Use Permit standards listed below.

COMMERCIAL USE PERMIT STANDARDS ([§17.36.1](#))

A commercial use permit may be granted if findings of fact are made to support each of the following standards:

- A. The use is of benefit to Orinda residents as well as to visitors;
- B. The use will promote a diversity and variety of commercial uses and will not contribute to an undue concentration of similar uses;
- C. The use will not adversely affect pedestrian and vehicular traffic;
- D. Adequate parking exists or will be provided for the use;
- E. The use will contribute to a vibrant, active pedestrian environment and an intimate-scale village ambience;
- F. The use does not create excessive noise, litter or other enforcement problems;
- G. Considering the scale and design of the exterior and the quality of the goods or services provided, the use is reminiscent of a traditional Main Street environment;
- H. Under all the circumstances and conditions of the particular case, the use will not have a material adverse effect on the health or safety of persons residing or working in the vicinity.



CITY OF ORINDA

Plan Set Checklist

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The plan set checklist outlines information that shall be submitted as part of your application. Depending on the application(s) being submitted, some of the listed details may not apply to your project. Please keep in mind that the project planner may require additional information or materials.

1. Site Plan

- Include a north arrow, legend, and scale.
- All property lines shown and dimensioned with metes and bounds.
- Indicate all required setbacks.
- 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.
- Show footprints of all existing and proposed structures with dimensions to all property lines. All changes or additions to existing structures shall be ballooned, hatched, or otherwise highlighted.
- 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. Mark any trees proposed for removal with an “X”. If there are no trees on site, state on plans that “No trees are present on site.”
- Show any significant drainage features, including swales, creeks (with required creek setbacks shown in plan and section view), and riparian habitat. Note on plans if there are no existing and/or proposed drainage improvements.
- 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.
- Indicate all existing and proposed covered/uncovered parking facilities and driveways.
- Indicate location and dimensions of existing and proposed retaining walls and fences.
- Indicate location of existing and proposed sanitary sewers.
- For properties with average slopes of greater than 20%, 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.

2. Project Data Table (see [Floor Area Calculation Handout](#) for a detailed example)

- Gross Floor Area per [Section 17.6.3](#) and [Section 17.6.4](#) (show existing and proposed) - total horizontal area in square feet of each floor within the *exterior* walls of all buildings on a parcel, as measured at the exterior face of the enclosing walls. Gross floor area includes attached and detached primary accessory buildings, garages, carport roof coverage and space which is capable of being developed as habitable area (including basements, attics, crawl spaces with significant headroom, lofts, accessory buildings, etc).
- Adjusted Floor Area per [Section 17.6.3](#) and [Section 17.6.4](#) (show existing and proposed) – Gross floor area as measured above, subtracting 400 sq ft. of the garage/carport’s floor area if such is existing or proposed. Garage areas in excess of 400 sq. ft. shall be included as part of the adjusted floor area calculation.
- 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.

- Floor area ratio (existing and proposed) - adjusted floor area divided by the net parcel area.
- The average slope of the development footprint of the project.
- An itemized calculation of existing and proposed impervious surface.

3. Floor Plans

- Show all existing and proposed rooms and label their use (including basements, attics, detached accessory structures, etc.).
- Show all doors, windows, bay windows, chimneys, stairways, etc.
- Show all existing and proposed decks, balconies, porches, garages/carports, etc., and label their use.
- Indicate all areas to be demolished with proposed walls and existing walls clearly indicated.
- Indicate all exterior dimensions.
- Indicate the limits of the floor above and the floor below on multi-level structures.
- Clearly indicate any existing walls that are to be removed.

4. Roof Plan

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

5. Elevations

- Include full exterior dimensions including building heights per [Section 17.4.19](#) and [Section 17.4.20](#).
- Indicate both existing and finished grade.
- All proposed exterior elevations showing existing and proposed exterior walls, roof, architectural features, doors, windows, trim, down spouts, exterior wall, and roofing materials.
- Indicate both colors and materials for all exterior walls, trim, and roofing.
- Include retaining wall and fence elevations/profiles, indicating heights, colors, and materials, if retaining wall and fence are part of the project.
- All changes or additions to existing structures shall be ballooned, hatched, or otherwise highlighted.
- 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.

6. Cross Sections

- Drawn at the same scale as the elevations.
- Locations where cross sections are taken shall be indicated on the site plan and/or floor plans.
- Indicate foundation, finished floor, existing grade, finished grade and roof ridge elevations.
- For properties with average slopes of greater than 20%, cross sections must extend across the full extent of the property, including adjoining roads.

7. 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". If the project does not require grading, note "project does not involve grading" on plans.

- Include a north arrow, legend, and scale.
- All property lines shown and dimensioned with metes and bounds.
- Existing and proposed contours shown and labeled. Contour lines shall have a maximum interval of two (2) feet.
- Note amount of cut, fill, import, or export.
- 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. Please provide the location of the creek setback and the creek setback calculations.
- Show the location or outline of any geologic or potentially hazardous soil condition, and areas subject to inundation or ponding.
- 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. Drainage Plans

The following requirements apply to projects that require a drainage permit: (1) any work which increases the impervious surface on the property by 500 square feet or more; (2) any work in a watercourse; (3) installation, expansion, or alteration of a storm water drainage system; or (4) excavating or grading projects subject to a grading permit. Drainage plans may be combined with the grading plan, if required.

- Note on plans if there are no drainage improvements proposed.
- All items listed under Site Plan.
- Topographic contours of existing and proposed ground surface based on a topographic survey (survey preparation by a licensed surveyor may be required).
- 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.
- Areas subject to inundation or ponding. (Note if there are none)
- Detail methods proposed to intercept and carry off surface and subsurface water.
- Include details of engineered treatment at discharge points and pipe specifications (size, material, etc.).
- 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.
- Hydrologic calculations and plans stamped by a California licensed professional are required for new homes or additions of 1,500 square feet or more;
- Existing and proposed grading contours if grading is more than 50 cubic yards (note on plans if grading is less than 50 cubic yards).

9. 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.

- Drawn at the same scale as the site plan.
- Include a north arrow, legend, and scale.

- Include vegetation key with the following information for both existing and proposed landscaping:
 - Species
 - Common Name
 - Number
 - Size
 - Method of Irrigation
- Indicate the total square footage of irrigated area.

10. Visual Aids (Optional)

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