



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)

- | | | |
|--|--|---|
| ☐ Certificate of Compliance | ☐ General Use Permit | ☐ Small Cell Wireless Facility |
| ☐ Commercial Use Permit | ☐ Hillside Grading Permit | ☐ Temporary Event Permit |
| ☐ Design Review | ☐ Lot Line Adjustment | ☐ Tree Removal Permit |
| ☐ Elevated Deck Permit | ☐ Lot Merger | ☐ Variance |
| ☐ Encroachment Agreement | ☐ Major Subdivision | ☐ Wireless Facilities Permit |
| ☐ Exception | ☐ Minor Subdivision | ☐ Zoning Amendment |
| ☐ General Plan Amendment | ☐ Sign Permit | ☐ Other: |

PROJECT DESCRIPTION

Does the project include new landscaping or rehabilitating existing landscaping? If yes, indicate:	☐ Yes	☐ No
<i>Total Square-feet (sf) of New Landscaping:</i>	_____ sf	
<i>Total Square-feet (sf) of Rehabilitated Existing Landscaping:</i>	_____ sf	
Is the property located:		
<i>In the Ridgeline and Environmental Preservation Overlay District?</i>	☐ Yes	☐ No
<i>On a Severely sloped site? (average slope of 20% or greater)</i>	☐ Yes	☐ No

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.
7. Applicant agrees to defend, indemnify, release and hold harmless the City of Orinda, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "City") from any claim, action or proceeding (hereafter collectively "proceeding") brought against the City to attack, set aside, void or annul the City's discretionary project approvals and/or any action relating to such project approvals, including actions taken to comply with the California Environmental Quality Act. This indemnification shall include, but not be limited to, any damages awarded against the City, the City's attorneys' fees and cost of suit, the cost of preparing the administrative record, any award of opposing counsel's attorneys' fees or costs of suit, and any other liabilities and expenses incurred in connection with such proceeding, whether incurred by the Applicant, the City, and/or the parties initiating or bringing such proceeding. Applicant acknowledges that the City may elect to retain its own counsel to represent it in such proceeding and agrees to reimburse the City for associated attorneys' fees and costs of suit. Applicant further agrees to indemnify the City for all costs, attorneys' fees, and damages, which the City incurs in enforcing this indemnification agreement. In the event any proceeding is brought, City shall promptly notify the Applicant of the proceeding, and City shall coordinate with Applicant regarding defense of the proceeding.

PROPERTY OWNER

Signature: _____

Date: _____

APPLICANT (If not the property owner)

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*	\$1,980.00
Combined with Design Review application*	\$1,585.00
Mailing Fee	\$213.00
Landscape Water Efficiency Checklist Review (if applicable)*	\$132.00
13% Surcharge fee [applied to all fees marked with an asterisk (*)]	\$

SUBMITTAL REQUIREMENTS

How To Submit Your Application – Applications are only accepted electronically. Submit your complete application online at <https://www.cityoforinda.org/527/Application-Submittal>.

1. Planning Application Form

2. Plan Set

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.

6. Landscape Water Efficiency Checklist (if applicable)

The [Landscape Water Efficiency Checklist](#) must be submitted with your application if the project meets any of the following criteria:

1. New construction projects with a landscape area greater than 500 square-feet,
2. Rehabilitated landscape projects with a landscape area greater than 2,500 square-feet,

3. Existing landscapes installed prior to December 2015, that are greater than 1 acre in size, or
4. Cemeteries.

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.