Design Review Procedures:
A step-by-step guide
Foreward

This booklet was prepared by the Planning Division staff and Public Information Office under direct review by the Walnut Creek Design Review Commission. It is intended to assist applicants in adhering to City requirements to expeditiously process a project application. We appreciate any comments on how we can improve this service to better serve the public's needs.
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WHY DESIGN REVIEW?

Purpose of Design Review

The focus of Design Review is to enhance the community character and create an individual identity for Walnut Creek. The Design Review process is intended to promote quality architectural design, site planning and landscape development in Walnut Creek. The process is aimed at improving and augmenting other development controls included in the City’s planning and building ordinances. The process seeks to promote diversity and creativity in the development of building structures, site relationships and other aesthetic considerations. Further, the process specifically seeks to preserve property values throughout the community.

Local Ordinance Authority

The City’s 1989 General Plan and Design Review Ordinance (Title 10 Chapter 4 of the Municipal Code) provide policy guidance for the orderly development of structures and site planning within the city. The “City Design” sub-element of the General Plan provides specific policies for design review within the City of Walnut Creek.

The Design Review Ordinance sets forth the specific requirements for projects submitted for Design Review approval. This ordinance outlines the intent, purpose and powers of the Design Review Commission, together with general information on filing and submittal criteria. This ordinance also requires Design Review approval prior to the issuance of any building or site development permit.

Legal Authority

Most California communities have enacted regulations providing for design review of development, including architectural standards and site planning controls. The purpose of these controls is to assure that the appearance of developments will be compatible and harmonious with the use and enjoyment of surrounding properties. The validity of the design review process has been consistently upheld by reviewing courts as an appropriate local government function.
WHO DOES DESIGN REVIEW?

Design Review Commission

The Design Review Commission is composed of five members appointed for three-year terms on a staggered basis. The composition of the commission includes three registered architects or registered landscape architects and two residents-at-large. The three registered design professionals need not be residents of the city. The commission generally meets the first and third Wednesday of each month.

Staff Review

The Design Review Commission has delegated authority for design review of some small projects to the planning staff. The coordinating staff planner will assume the primary role for reviewing and approving these small design review applicants. Some items that may be approved at the staff level include, but are not necessarily limited to:

1) Custom single-family homes when:
   a) Prepared by an architect licensed by the State of California
   b) There are no unique or special conditions to the site
   c) There is no known or potential for neighborhood controversy

2) Projects or additions 500 square feet or less in size which complement and enhance the existing buildings on site

3) Storefront remolds having only a minor effect on the existing building (e.g., changing a door, expanding a window, paint change, etc.)

4) Awnings, when in conformance with the adopted awning guidelines

5) Minor revisions to approved landscaping plans when they are equivalent or superior quality to the original plan

6) Addition of outdoor decks which do not eliminate parking or landscaping

Consult the Planning Division to clarify whether your item may be processed by staff.
WHAT IS THE DESIGN REVIEW PROCESS?

This booklet was written primarily for larger scale projects. Some of the requirements may not apply for small projects or single-family homes. Consult with the Planning Division to be sure your project should conform with the procedures and submittal requirements provided below.

Staff-Supported Procedures

1. Preliminary information gathering

Early in the consideration of a potential project, the applicant should carefully review and obtain copies of the specific zoning regulations and the General Plan criteria for the desired project location. It is imperative that the proposed project is consistent with both zoning and General Plan regulations. Information regarding the zoning and General Plan may be obtained at the Planning Division Counter on the second floor of City Hall.

The applicant is also encouraged to research the site history and obtain aerial photographs from the City. Information regarding past applications on any property which may provide valuable information is available either through the Planning Division or Building Division.

Technical information regarding drainage, grading requirements and frontage improvements can be obtained through the Engineering Division. You should make direct contact with local utilities and special agencies (e.g., P.G.&E., the Contra Costa Fire Protection District, State Department of Fish & Game, Flood Control, etc.) early in the process to make sure you know the specific requirements.

Creeks, drainage, trees, traffic
Special planning consideration must be given to sites containing creek ways, drainage ways, significant trees or sites affected by nearby traffic and circulation problems. If there are trees on the site, they should be carefully inventoried, accurately located and be given special consideration in the initial stages of the project.

Information regarding trees is specifically contained in the Walnut Creek Tree Ordinance available from the Planning Division and Parks Superintendent. Generally, trees may not be removed in the City unless the requirements of the Tree Ordinance are met.

Preliminary proposal recommended
It is strongly recommended that the applicant submit a preliminary proposal to the planning staff prior to submission of the formal application. This will allow the planning and engineering staff to review the request and provide input to the applicant prior to a formal submittal. Initially, the applicant may file a preliminary application with the Development Review Team (see below).

Finally, all applicants are urged to contact the immediate neighbors with information of a proposed project.

2. Development Review Team Meeting (Optional)

Preliminary review by the Walnut Creek Development Review Team is not compulsory and may be used solely at the applicant's discretion. The Development Review Team consists of representatives from the Planning Division, Engineering Division, Transportation Division, Code Enforcement Division and Public Safety representatives. The Development Review Team meets weekly to discuss preliminary
projects prior to an actual submittal. However, the Development Review Team is not a substitute for formal staff review. It will focus on specific environmental concerns, zoning constraints and engineering deficiencies that may relate to traffic, site planning, landscaping, building design criteria, etc.

Applicants wishing to receive responses from the Development Review Team should submit:

✓ A one page written description of the project
✓ A preliminary site plan drawn to scale
✓ Preliminary building elevations.

To file a Development Review Team request, simply contact the Duty Planner and submit your preliminary plans. Following the Team meeting, applicants will be contacted regarding the items discussed. Follow-up items can be discussed individually with the Planning, Engineering or Transportation Divisions. If there are outstanding design issues that cannot be resolved, the applicant may wish to file for a Workshop Session before the Design Review Commission (see Workshop below.)

3. Submit Application

Once the applicant has compiled a "completed application," it should be submitted at the permit counter of the Community Development Department. The applicant should follow the "Application Checklist" included with the submittal requirements and attached to the application form. The check list is intended to be comprehensive. Smaller projects, such as single-family homes, do not need to conform to all of the submittal requirements. The Duty Planner will briefly review the submittal to make sure required information is provided. However, it is the responsibility of the applicant to ensure that all necessary submittal requirements are provided. Incomplete, inaccurate and unorganized submittals cannot be processed and will result in significant delays. A submitted application must include:

☐ completed checklist
☐ a Statement of Understanding acknowledging the fee requirements
☐ a completed application form signed by the applicant and property owner
☐ the requisite number of folded plans
☐ a one-page written description of the project, including profile data summary
☐ a one-page written description of the design concept

Applications are accepted any day of the week but are recorded for bookkeeping purposes on Friday of each week.

4. Project Assigned to Staff Planner

After the project is filed at the counter, the Chief of Planning briefly reviews the submittal and assigns the project to a staff planner. Project assignments are made weekly. The staff planner assigned the project will be your primary contact and staff liaison regarding your project through the Design Review process.

5. Project Referral to Reviewing Agencies

Once the project is assigned to the staff planner, a cursory review of the project is performed to determine those outside agencies and City divisions necessary to provide input into the project. These internal divisions include the Transportation, Engineering, Park...
Superintendent, and Code Enforcement Divisions. Outside agencies may include the Flood Control District, the State Department of Fish and Game, Fire District, Sanitary District, Air Quality Control Board, Regional Water Quality Control Board, adjacent cities and public utilities.

The City typically gives each agency two weeks to respond to the applicant’s plans and written description of the project. Each agency is also asked to send copies of the responses directly to the applicant. In some instances, outside agencies do not respond within the requested two-week period. Failure of an agency to respond, however, is not an implied approval of the project as proposed. While the planning staff liaison will work toward a timely reply on your project, you assume the burden of obtaining requirements from the various outside agencies.

6. Thirty-Day Notice of Application Status

Thirty calendar days after you submit your application, the staff planner assigned to your project will provide you with a Notice of Application Status. This will indicate whether your application is complete for processing or whether additional information is required on the application. Comments from outside reviewing agencies will be included in the Notice of Application Status. You may wish to discuss any items contained in the Notice of Application Status with the staff planner.

7. Environmental Determination

Virtually all design review requests are required to have an environmental assessment to determine if the preparation of an Environmental Impact Report is necessary. See the City brochure entitled “Applicant’s Guide to Procedures for Environmental Review” for information on the timing and sequence of the environmental process. During the initial 30-day review of your project, staff will determine whether specific environmental reports are necessary to support the City’s environmental determination. These reports may include traffic studies, noise studies, soils reports, visual impact analysis and other documentation necessary to arrive at an informed environmental determination under the terms of the California Environmental Quality Act (CEQA). An environmental determination can result in one of the following three decisions:

(a) Project Exempt — the project is small enough to be considered exempt from the California Environmental Quality Act. These exemptions are not arbitrary. The exemptions are set forth specifically in the California Environmental Quality Act.

(b) Negative Declaration — a statement issued by the City that the project will not have a “significant effect” on the environment and therefore does not require the preparation of an EIR. Negative Declarations customarily include documentation that the City used to determine that no significant effect would result from the project. Further, Negative Declarations often cite mitigation measures that must be incorporated into the project. The Negative Declaration is required to be posted for 21 days to allow interested parties, residents or property owners to appeal the City’s determination.

(c) Environmental Impact Report — a detailed report describing and analyzing the significant effects of the project. The EIR must include alternatives to the project and ways to mitigate identified significant effects. Depending upon the complexity of the project and the significant environmental effects analyzed, preparation of an EIR can be a lengthy process. An EIR requires a 45- to 60-day public review and comment. Following the public comment period, the City is required to respond to all correspondence received on the EIR and conduct additional studies as necessary.
8. Project Scheduling

The Planning Division will reserve space on a future Design Review Commission agenda when plans have been submitted and determined acceptable for Commission review. Formal consideration before the Design Review Commission can be tentatively scheduled after the initial 30-day review period and a determination of environmental status. Scheduling depends on several factors:

a) Resolution of outstanding design issues
b) The applicant has re-submitted required plan revisions
c) The number of other projects pending Design Review scheduling

Projects are customarily scheduled at least once before the Design Review Commission at a Preliminary Review Session following the initial set of plan revisions and during the environmental determination stage. The preliminary review is intended to provide initial feedback on-site planning, architectural, and landscape issues.

Design Review Commission Hearings

1. Preliminary Review

A preliminary review before the Design Review Commission is intended to allow you to discuss your project concepts before the plans are fully developed. Preliminary review is usually scheduled during the environmental determination phase of the process. This allows for simultaneous processing of your design review plans and environmental review of those plans.

Preliminary Review serves to familiarize the Commission with a project before the formal public hearing is scheduled. Generally, only the Planning Staff, Design Review Commission and Project Applicant participate in Preliminary Review, although any interested party may comment on the proposal. A submittal for a preliminary review must be reasonably well developed and presented so that the Commission is clearly informed as to:

- design intent and concept
- site planning and circulation relationships
- indication of landscape elements
- impact on adjacent land
- architectural plans.

Generally, submittals conforming to the application checklist requirements are suitable for preliminary review. Site photos should be available at the meeting.

It is not unusual for complex projects to be discussed at several preliminary review sessions prior to scheduling for final design review. Efforts are made to resolve outstanding design issues at the informal preliminary review session rather than at the public hearing at the time of final design review.

2. Workshop Session

Workshop sessions before the Design Review Commission are intended to be short, focused discussions to clarify one or two specific design issues before you incur major expenses developing final plans. A workshop can occur any time in the process, even before an actual submittal is made. A fee to cover City expenses of a workshop session may be charged.

3. Input Session

Projects that are "permitted" by the Zoning Ordinance and conform to the General Plan typically need only Design Review approval prior to a building permit application. On all projects requiring review and approval by the Planning Commission, a prior Input Session before the Design Review Commission is required. These types of projects include use permits, subdivisions and planned developments. Those areas that the Commission provides input include:

Site Plan
- Concept
- Compatibility with surroundings
- Vehicular Circulation and Access
- Pedestrian Circulation and Access
- Landscaping and Grading
design review approval documents. Any subsequent modifications of Building Permit plans that do not conform with the final Design Review Commission approval are invalid. No modifications to final design review plans, exhibits and adopted resolution are permitted unless specifically requested in writing and granted by the Commission.

5. Consent Calendar

Items scheduled on the consent calendar are considered routine by the Design Review Commission. Several items are acted upon simultaneously by the same motion at the beginning of each meeting. No testimony by the applicant, staff or general public is accepted on consent items unless requested and removed from the consent calendar by the chairperson for independent consideration.

Items that may be placed on the commission’s consent calendar include small projects and items that have been previously reviewed by the Commission and require only minimal revision.

6. Commission Actions

The Design Review Commission is an independent body with discretionary powers provided within the standards of the General Plan and Municipal Code. As such, any action taken by the Commission is final unless appealed to the City Council. A request for final approval by the Design Review Commission may result in various actions:

a) Approval

After the project is considered and the resolution adopted by the Commission, there is a 10-calendar day appeal from the time the resolution is officially mailed.

- Public Spaces
- Solar Orientation
- Noise Orientation

Buildings

- Concept
- Compatibility with Surrounding
- Compatibility of use with Design
- Height
- Mass
- Style
- Internal Relationships

4. Final Design Review

Almost all development projects in Walnut Creek require final design review approval at a formal public hearing before the Design Review Commission. Final design review approval is required prior to filing for a Building or Site Development Permit. Final approval is typically the last forum for formal public consideration of a development project. Final design review considerations will likely include a public hearing at which interested persons may testify in support or in opposition to your project. A hearing may be required if:

a) No other public hearing on the item was conducted by the Planning Commission and/or City Council
b) At prior public hearings opposition was expressed by persons concerned about design related issues
c) The project is in, or adjacent to, residential areas
d) The project is likely to be controversial because of design related issues of significant public concern

Final approval of your project requires that environmental documentation be completed and that all outside agencies and internal City divisions have completed their analyses of your project. The plans and exhibits you submit for final design review approval must be thorough and reflect significant detail.

You should closely review the staff report and “Proposed Resolution” prepared for the Commission regarding your proposed project. The final resolution as adopted by the Commission, together with the plans and exhibits you submit are the official
b) Conditional approval

In approving a project, the Commission may impose conditions of approval not shown on the submitted exhibits. Those conditions of approval must be incorporated into the plans submitted for a Building or Site Development Permit. In some instances, the commission may approve a project but require specific components to return for approval at a future meeting (e.g. revised landscape plan on consent calendar).

c) Continuance

If there are outstanding issues at the conclusion of a hearing, the Commission may continue the item to a future meeting with the consent of the applicant. Typically, if the item is continued, plan revisions are required.

d) Denial

If the Commission determines that the project is inappropriate and not in the best interest of the community, or if the applicant will not agree to a continuance to resolve outstanding design issues, the Commission is obligated to deny the project. Projects denied may not be re-filed until six months after the Commission’s action. However, a project denied “without prejudice to re-file” may be re-filed at any time and need not wait for the six-month re-filing period.

7. Appeals to the City Council

Any action taken by the Design Review Commission may be appealed to the City Council. An appeal must be filed within 10 calendar days from the time the adopted Design Review Resolution is officially mailed. An appeal may be filed by the applicant regarding a project denial or condition of approval. An appeal may also be filed by any person residing or owning property within the city who objects to a project approval. A member of the City Council may also call any item up for review by the full City Council. Because of the volume of issues acted on by the City Council, scheduling an appeal hearing can take several months.
WHAT ARE THE SUBMITTAL REQUIREMENTS?

The following submittal requirements constitute a comprehensive list for design review. This list is intended for large complex projects.

For smaller projects, such as single family homes, an applicant need only submit those items designated with an asterisk (*). This identical list is contained along with your design review application entitled "Application Checklist." You should review each item below to ensure your plans include the necessary components. Consult with the Duty Planner to determine if your project should conform to all of the requirements listed. Significant delays to your project will result if required submittals are not completed. Your application may not be accepted, routed for comments or scheduled for hearing unless all required items are contained in your submittal.

A.* Application Form (signed by applicant and property owner)
B.* Application Checklist
C.* Filing Fee
   1. Flat Fee, or
   2. Deposit (billed on an hourly basis)
D.* Statement of Understanding Regarding Fee Structure
E.* Vicinity Area Map (include scale and north arrow)
F.* Site Photographs
G.* Written Description
   1.* Project Description and Profile Data Summary (one page maximum)
   2. Design and Architectural Concept (one page maximum)
H.* Plans — 14 sets (drawn to scale and submitted on 11" x 17" minimum to 30" x 42" medium sized sheets)

1. Site Plans (see example in appendix)
   a)* Proposed Site Plan (drawn to the center line of adjacent streets and to all adjacent structures)
   b) Site Boundary and Topographical Survey including public and private easements
   c)* Existing Structures and Proposed Structures and Uses
   d)*Existing Natural Features (e.g. creeks, drainage swales, rock outcroppings, etc.
   e)*Trees (accurately plotted showing the trunk location and the actual spread of the drip line. Must include type, size, and whether they will be removed or retained)
      Note: An arborist report and tree appraisal may be required for tree removal.
   f)* Proposed Building Footprint dimensioned to property lines include proposed uses
   g) Parking spaces including handicapped stalls showing aisle and space dimensions
   h) Landscaped Areas
   i) Circulation (vehicular & pedestrian) including surface and posted directional signs
   j) Contiguous off-site features (sidewalks, driveways, buildings, street furniture, traffic signs, traffic signals, etc.)
   k) Location of light fixtures, fences, trash areas, recycling areas, etc.
   l) Loading and Unloading areas
   m)*Conceptual grading and drainage showing existing and proposed drainage patterns and retaining walls including height and material.
   n) Existing and proposed Right-of-Way alignment
2. **Architectural Drawings** — scaled and dimensioned both vertically and horizontally (see example in appendix)
   a) Exterior Elevations — 1/8" minimum scale with sample representations at 1/4" for detail areas. Elevations must show:
      1) Materials, details and features (include visible roof equipment, plumbing and electrical meter locations and method of concealment, downspouts, lighting fixtures, etc).
      2) Heights scaled and identified. Topography must be accurately represented with building heights measured at any and all points from existing or finished grade, whichever is lower.
      3) All sides of the building with compass reference settings
   b) Roof plan (include proposed mechanical equipment and screen)
   c) Floor plans (include handicapped access)

g. Light stanchions, bollards, transformers, etc.
h. Trash area and landscape screening.
i. Utility transformer locations
(Note: All landscaping must conform to the Walnut Creek Water Conservation Guidelines)

4. **Signage Plans** (including individual submittals and Sign Programs)
   a) Site plan referencing all sign locations
   b) Table indicating total site signage square footage, sign message and sign type
   c) Signs shown as proposed on architectural elevations
   d) One colored elevation
   e) Actual sign copy
   f) Sign details, scaled and dimensioned, showing:
      • color
      • material
      • cabinet details
      • sign returns
      • illumination method, type, level
      • method of attachment
   g) Site directional signs keyed to site plan
(Note: Sign applications not associated with a new development project must also comply with these submittal requirements)

5. **Color and Material Palette** (two upon project approval) submitted on 11" x 17" foam core board. Paint chips and individual material samples shall be no smaller than 3" x 5."

6. **Optional Requirements**
The following optional items need not be submitted at the time of an initial application filing. They may be requested by the staff planner or the Commission at a study session to clarify issues. The applicant may also elect to prepare any of the following:

- Perspective Drawings
- Conceptual Model
- Color Rendering
- Sectional Drawings
- Shade Diagram
HOW LONG WILL IT TAKE?

It takes time to process a Design Review application, but how much time is necessary varies. Projects are generally processed on a first-come, first-served basis. Timing is never guaranteed at the initial phases of an application submittal. Only a few weeks may be required for small, staff-delegated projects, while many months may be required for complex projects requiring an environmental impact report. Much depends on the quality of the application, timely responses from outside agencies and the diligence of the applicant. The staff planner can provide a tentative time estimate after an initial review of the project.
HOW CAN I GUARANTEE SUCCESS?

There are no guarantees that a project will be approved by the Design Review Commission. However, the following tips should help make the process a successful one.

A. Review Site History

1. Know your project site. Document all the physical characteristics. Note unusual features.
   2. Ask for microfiche records of files for any applications that were previously filed on your site.
   3. Ask for any prior Building Permit Records.
   4. Ask to review aerial photos of your site.

B. Comply with all zoning requirements

1. Obtain copies and review the Zoning Ordinance and provisions that pertain to the site. There is a nominal cost for a copy of an entire ordinance.
   2. Don’t rely solely on oral information at the counter. Ask for copies of the specific code provisions and ask for clarification for those items you don’t understand.

3. The Zoning Ordinance is The Law. It is not advisory. You must comply with all development standards.

C. Review General Plan Provisions which apply to your site

1. Obtain copies and review General Plan provisions that pertain to the site.
   2. Specifically examine the FAR Map, the Height Map, the Setback Map, the Land Use Descriptions and the Design Review Sub-element. Again, don’t rely solely on summarized oral information obtained at the counter.

D. Use Quality Design Professionals

The single most important aspect of your project is the professional help you get in doing your project. Architects, landscape architects, engineers and sign consultants are trained and practice in the development field. The quality of the plans and project presentation reflect on the applicant and the quality of the application.

E. Respect the Character of the Area

A proposed development does not stop at the property lines. A multi-story granite and reflective glass office building next to a Victorian mansion creates a sharp contrast in character. Large buildings with no setback can screen the sunlight and street exposure to a smaller neighboring structure with gracious setbacks. The project designer should examine and give thoughtful consideration to the life of the building and its contribution to the community over the years.
F. Public Contact

1. Obtain a copy of the mailing list.

All public hearings include notification to neighbors within 300 feet of your project site. You can use this mailing list to provide your own correspondence.

2. Meet with neighbors.

Get together with neighboring property owners and tenants to discuss your proposal early in the process or prior to filing an application. Although they may not agree to portions of your project, they will generally respect your efforts to keep them informed.

3. Follow up with outside agencies.

Ask to be on the mailing list for all correspondence relating to your project. When plans are referred to outside agencies, follow-up by making direct contact with those agencies to find out the status of your project review.
APPENDIX
THE PROCESS: STEP-BY-STEP

- Final Design Review
- Notice of Hearing Public
- Preliminary Application Review
- Application Complete
- Status Notice
- Application Incomplete
- Revision Prepare
- Environmental Initial Study
- Project Report
- Application Submit
- Development Review Team
- Preliminary Catering

This flow chart shows only the design review process; it does not include Planning Commission actions or appeals.
# Submittal Requirements

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<th>Type of work</th>
<th>Large projects</th>
<th>Small projects</th>
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<td>Filing Fee</td>
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<td>Vicinity Area Map</td>
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<td>Written project description</td>
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<td>Plans (14 sets)</td>
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<tr>
<td>Architectural Drawings</td>
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<td>Color and material palette</td>
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APPLICATION CHECKLIST

☐ Site Plans

☐ Proposed site plan
☐ Site boundary and topographical survey
☐ Existing/proposed structures and uses
☐ Existing natural features
☐ Trees
☐ Proposed building footprint
☐ Parking spaces
☐ Landscaped areas
☐ Circulation
☐ Contiguous off-site features
☐ Location of light fixtures, fences, etc.
☐ Conceptual grading and drainage
☐ Existing/proposed right-of-way
☐ Existing/proposed fence locations
☐ Site lighting plan

☐ Preliminary landscape plans

☐ Plant legend
☐ Planting plan
☐ Trees to remain or be removed
☐ Tree preservation information
☐ Hardscape features
☐ Schematic irrigation plans
☐ Light stanchions
☐ Trash area and landscaping screening
☐ Utility transformer locations

☐ Signage plans

☐ Site plan
☐ Table of total site signage square footage
☐ Signs shown as proposed on architectural elevations
☐ One colored elevation
☐ Actual sign copy
☐ Sign details
☐ Site directional signs keyed to site plan

☐ Architectural drawings

☐ Exterior elevations
  ☐ Materials, details, features
  ☐ Heights
  ☐ All sides of building
  ☐ At least one representative colored elevation
☐ Roof plan
☐ Floor plans

☐ Color and material palette

☐ Optional requirements

☐ Perspective drawings
☐ Conceptual model
☐ Color rendering
☐ Sectional drawings
☐ Shade diagram
## Application Checklist

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- Floor plans

### Color and material palette

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- Conceptual model
- Color rendering
- Sectional drawings
- Shade diagram
LAW OFFICES

OPTIONAL RENDERING