



Date Stamp:

Town of Moraga

PLANNING DEPARTMENT APPLICATION FORM

TOWN STAFF	File Number: _____	Project Name: _____
	Fee/Deposit: _____	Deposit Account Number: _____

APPLICATION FOR (CHECK ALL THAT APPLY):

<input type="checkbox"/> Address Memo	<input type="checkbox"/> Grading Permit	<input type="checkbox"/> Planned Development
<input type="checkbox"/> Condo Conversion	<input type="checkbox"/> Hillside Development Permit	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Environmental Review	<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Study Session
<input type="checkbox"/> Fence >3ft in Front Yard	<input type="checkbox"/> Major Subdivision (5 lots or more)	<input type="checkbox"/> Variance
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Minor Subdivision (4 lots or less)	<input type="checkbox"/> Permitted Use Determination
		<input type="checkbox"/> Other

PROPERTY ADDRESS/LOCATION: _____

ASSESSOR'S PARCEL NO.: _____ **PARCEL SIZE (SQ.FT.):** _____

ZONE: _____ **GENERAL PLAN DESIGNATION:** _____

PROJECT DESCRIPTION: _____

ATTACH SEPARATE SHEET OF PAPER DESCRIBING THE PROJECT/APPLICATION IN DETAIL

APPLICANT INFORMATION:	PROPERTY OWNER INFORMATION:
NAME _____	NAME _____
ADDRESS _____	ADDRESS _____
CITY, STATE, ZIP _____	CITY, STATE, ZIP _____
PHONE _____	PHONE _____
EMAIL _____	EMAIL _____

Indemnification/Reimbursement Agreement

Project Address and description of project (“Project”)

As part of the application for the Project, the applicant and/or property owner (collectively “Applicant”) agree to defend, indemnify, and hold harmless the Town of Moraga, its agents, officers, council members, employees, boards and commissions from any and all claims, actions or proceedings (collectively “Claims”) brought against any of the foregoing individuals or entities, seeking to attack, set aside, void or annul any approval of the application or related decision, or the processing or adoption of any environmental documents or negative declarations which relate to the approval. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the application or related decision, whether or not there is concurrent, passive or active negligence on the part of the Town of Moraga, its agents, officers, council members, employees, boards, commissions. If for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

The Town of Moraga may, but is not obligated to, defend such Claims as the Town of Moraga, in its sole discretion, determines appropriate, all at Applicant’s sole cost and expense. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the Town of Moraga, if any, and costs of suit, attorney’s fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, Town of Moraga, and/or parties initiating or bringing such proceeding. If the Applicant is required to defend the Town of Moraga as set forth above, the Town of Moraga shall retain the right to select the counsel who shall defend the Town of Moraga. Per Government Code Section 66474.9, the Town of Moraga shall promptly notify Applicant of any proceeding and shall cooperate fully in the defense. The Financially Responsible Party acknowledges and agrees that additional deposits may be required while the application is processed, in such amounts and at such times as the Town deems necessary to cover the Town’s incurred and projected processing costs including but not limited to environmental studies. Deposit accounts are required to maintain a minimum balance of 20% of the original deposit amount at all times. If your account drops below that threshold, you will be asked to remit the balance due plus the 20% maintenance balance. Failure to maintain your account in this standing will result in a hold placed on the account and work will stop on all project processing until the necessary payment has been remitted. The payment and acceptance of requested deposits does not constitute an approval of permits, entitlements, or authorizations to begin work.

The Financially Responsible Party agrees to be jointly and severally liable with the Property Owner for payment of all fees referenced above. The sale or other disposition of the property does not relieve the Financially Responsible Party of their obligation to maintain a positive balance in the deposit account unless the Town grants prior approval. The Financially Responsible Party agrees to notify the Town in writing prior to any change in ownership or status of any option agreements. The Financially Responsible Party is required to submit a written request for withdrawal of the application or written assumption of the obligations under this agreement signed by the new owner or his/her authorized agent.

Withdrawal or denial of an application does not relieve the Financially Responsible Party of its obligation to pay for costs incurred in connection with this application. The Financially Responsible Party shall be liable for and will pay all costs incurred for the project, up through the date of the written request for application withdrawal or date of approval or denial, whether or not such work is complete and whether or not the costs have previously been billed. Any funds remaining in the account after all associated processing activities have been completed shall be returned to the Financially Responsible Party.

I have read and agree with all of the above.

Applicant (please print name)

Applicant signature

Date

Property owner name (if different from the applicant)

Property owner signature (if different from the applicant)

Date

Deposits for Planning Projects

The cost for each application, except those which have a fixed fee, shall be the actual cost incurred by the Town based upon the time spent by staff, work performed by consultants and legal counsel for the Town, materials and other related incidental expenses such as printing, mailing and CEQA filing fees. The initial deposit specified for the application is based upon the average cost of previous applications; therefore, it may not be sufficient to cover the actual cost incurred in processing a particular project.

Applicant/Owner Authorization

Check the appropriate box:

- I am the property owner and hereby authorize the filing of this application.
- I am the applicant and am authorized by the owner to file this application.

By signing below the applicant acknowledges the Town of Moraga deposit account system and agrees to pay any additional charges that may be incurred beyond the initial deposit.

Sign: _____ Date: _____

SUBMITTAL REQUIREMENTS

The following information represents the basic application requirements for a project. Additional information may be requested on a case-by-case basis. Where multiple applications may be involved, the submittal requirements need not be repeated for each application.

ALL APPLICATIONS

- Appropriate Fee (refer to the Town of Moraga Fee Schedule)
- Detailed Project Description
- Minimum 11" x 17" plans folded to 8 ½ x 11 and electronic copies.
- Site Plan, drawn to scale, showing:
 - north arrow
 - dimensioned property lines
 - existing and proposed structures/buildings (proposed should have cross-hatching/shading to differentiate from existing)
 - existing and proposed setbacks
 - building footprints
 - building envelopes (when different from footprint)
 - roof overhangs
 - location of existing and proposed improvements (i.e. paved patios, accessory buildings, pools etc.)
 - location of exterior air conditioning units or other mechanical equipment that generate noise
 - location of walks and access driveways for circulation of pedestrians and vehicles
 - adjacent streets and location of curb and sidewalk improvements
 - indicate whether buildings or units are one or two stories
 - structures on adjacent lots
 - existing and proposed parking and dimensions
 - existing and proposed landscaping (identify native trees and trees to be removed or relocated)

- exterior lighting
- existing and proposed public and private easements
- location and width of creeks, water courses, drainage easements, and facilities
- location of natural features
- location and height of existing and proposed retaining walls and fences
- total existing and proposed impervious surface area on the project site (including area of all roofs and paved surfaces)
- a table containing:
 - total lot area of the project site (in square feet)
 - total existing Floor Area Ratio of buildings (including garage areas and accessory buildings) per Appendix D of the Town of Moraga Design Guidelines.
 - total area of proposed additions, structures, etc.
 - total proposed area of building
 - area and percentage of lot covered by buildings including any additions covering new ground
 - area and percentage of the total lot coverage by impervious surfaces on the lot
- Site plan shall be accompanied by roof plans, floor plans, and elevation plans, all of which shall be to scale and of sufficient detail to show how the project will appear from adjoining properties or public streets.
- A preliminary title report may be required by the project planner. The report shall be no more than six months old, listing all recorded easements and restrictions and providing a legal description of the property.
- A boundary survey may be required by the project planner.
- A preliminary geotechnical report may be required by the project planner.
- An arborist report may be required by the project planner. The report should include; 1) Tree location(s), genus, species, diameter, dripline, and elevation at trunk base; 2) Health and condition of the tree(s), including existing hazards to the tree; 3) Potential impact of development on the tree(s) or existing tree(s) condition; 4) Evaluation of preservation potential based on the tree's existing condition and in relation to any potential development; Recommendations for protection, preservation, and requirements to maintain and improve tree health and assure survival; 5) Tree inventory table listing the tree number (as numerically tagged in the field), species, trunk diameter, health of tree, potential impact of proposal, and indicate whether tree is to be saved or removed 6) Site plan showing: numbered trees, accurate driplines, and proposed location of tree protection fencing; 7) Photos as applicable; and 8)Post construction recommendations as applicable.
- Photo or Visual Analysis may be required by the project planner.

ADDITIONAL REQUIREMENTS BY APPLICATION TYPE

This form may be used when a project requires multiple applications. For projects that have a specific applications, such as a Use Permit or Parcel Map for example, please refer to those applications for the full application submittal requirements. The additional applications and fees are required concurrently at the time of this application.

- **Use Permits** - Detailed description should include, when appropriate, information such as hours of operation, number of employees, shipping or delivery needs, drive-through service, outdoor storage needs, outdoor display needs, square footage of buildings/units, noise levels, parking, exterior modifications/additions, signage, exterior lighting, landscaping, etc. See Use Permit application for full requirements.

- **Hillside Development Permit** – Topographic survey; grading plan; calculation of existing (pre-developed) average slope of the parcel and/or area within the limit of construction and/or grading on the property; Engineering Geology and Geotechnical report. See Hillside Development application for full requirements.
- **Grading Permit** - See grading application for full submittal requirements.
- **Fence Permit** – See fence permit application for full submittal requirements.
- **Variance** – Three findings need to be made in order to grant a variance (Moraga Municipal Code Section 8.12.130). An applicant should try to make the best case possible for each finding. A survey is required. See Variance application for full submittal requirements.
- **Lot Line Adjustment** - Legal descriptions of existing and proposed parcels and closure calculations prepared by licensed surveyor or civil engineer; Preliminary Title Report for each affected property; information, acceptance statement, and signatures from all participating property owners; survey. See Lot Line Adjustment application for full requirements.
- **Condominium Conversion** – See condominium conversion application for full submittal requirements.
- **Parcel Maps** (Subdivision of 4 or less lots) - Parcel map containing all information required by Moraga Municipal Code and State Law; Preliminary Title Report; survey. See Subdivisions application for full requirements.
- **Tentative Maps** (Subdivision of 5 or more lots) - Tentative map containing all information required by Moraga Municipal Code and State Law; site development plans to the same scale as the tentative map; copy of proposed Conditions, Covenants & Restrictions; Preliminary Title Report; survey. See subdivision application for full requirements.
- **Rezoning/General-Plan Amendment** - Preliminary Title Report; legal description; survey.
- **Planned Developments** – See submittal requirement of Moraga Municipal Code §8.48.090.B for the Conceptual Development Plan; Moraga Municipal Code §8.48.110.B for the General Development Plan; and Moraga Municipal Code §8.48.120.B for the Precise Development Plan.
- **Permitted Use Determination** - Uses found by the Planning Commission or Zoning Administrator to be consistent with the purpose of the district and compatible with surrounding existing uses.