



CITY OF
WALNUT
CREEK

CITY OF WALNUT CREEK

Design Review Process Manual

SEPTEMBER 2024



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PURPOSE OF THIS MANUAL

This manual is intended to assist applicants with the design review process for the City of Walnut Creek. It is the City's goal to provide all applicants with a clear and common understanding of the process at the early stages of their project to allow for predictability and efficiency in the process. It is recommended that all applicants also consult with the Planning Division to be sure their project conforms to the procedures and submittal requirements provided below.

This manual is meant to accompany the City's [1996 Design Review Guidelines](#) and the [Residential and Residential Mixed-Use Design Review Standards and Guidelines](#) and complement other citywide guidance such as the City's 2025 General Plan, applicable Specific Plans, Walnut Creek Municipal Code (WCMC), and other relevant documents.

WHAT PROJECTS ARE SUBJECT TO DESIGN REVIEW?

Any construction or alteration of the exterior of any building, structure, or sign, or substantial alteration of any landscape or hardscape feature, including parking layout, will require Design Review approval prior to the issuance of a Building Permit or Site Development Permit.

Project Classification

Projects that are subject to design review are classified as either a Minor Project or a Major Project. This classification determines the required level of review and Design Review Authority.

Minor Projects are any of the following:

- A) The construction of up to four single family homes or duplexes on up to four lots when designed by a registered architect.
- B) The construction of up to four new residential units on one lot when designed by a registered architect.
- C) The construction of a new structure of 500 square feet or less in size.
- D) Additions to an existing single family home or duplex.

WHO SHOULD I CONTACT WITH QUESTIONS?

Planning Division:

Duty Planner

dutyplanner@walnut-creek.org

(925) 256-3558

Building Division:

Building Tech

buildingtech@walnut-creek.org

(925) 943-5834

Engineering Services:

Duty Engineer

dutyengineer@walnut-creek.org

(925) 943-5839

- E) Additions of 500 square feet or less in size to an existing multifamily or non-residential development.
- F) Satellite antennas and modifications to existing wireless communication facilities.
- G) Outdoor dining spaces pursuant to Title 6, Chapter 13, Outdoor Dining and the Outdoor Dining Policy.
- H) Condominium conversions of existing buildings.
- I) Remodels to the exterior of existing buildings that are limited to the following: a relocation or expansion of doorways and/or windows, change in paint colors and/or building materials.
- J) Modifications of and/or additions to awnings and/or canopies.
- K) New, expanded, or restriped parking lots.
- L) Minor revisions to approved projects in which a minor revision is defined as no more than a 10% deviation to any landscape quantity or building dimension, unless the proposed deviation is the subject of a previously imposed condition of approval or conflicts with an existing development standard.
- M) Other non-residential projects of a similarly minor nature as determined by the Community Development Director.

Major Projects are any projects that do not meet the definition of a Minor Project.

What Projects are **NOT** subject to Design Review?

- Some single-family dwellings and additions to single family dwellings based on exceptions provided in [WCMC Section 10-2.4.1202 \(E\)](#).
- Accessory dwelling units (ADUs) or junior accessory dwelling units (JADUs) (regulations for ADUs and JADUs can be found in the [City's ADU Ordinance](#)).
- SB 9 dwelling units (regulations for SB 9 can be found in the [City's SB 9 Ordinance](#) and the [Residential and Residential Mixed Use Design Standards and Guidelines](#)).
- Exterior paint color change to a building constructed prior to the enactment of the Design Review regulations in 1973. Alternatively, Design Review is not required if the Community Development Director determines the change in color is in substantial compliance with the original Design Review approval.

WHO IS RESPONSIBLE FOR CONDUCTING DESIGN REVIEW?

Applications for design review are acted upon by the applicable Design Review Authority or the Community Development Director depending upon the aforementioned project classifications and whether the project includes other applications. Minor Projects are typically acted upon by the Community Development Director or their designee. Major Projects are acted upon by the Planning Commission, with advisory input provided by the Design Review Commission, unless it is a project subject to Ministerial Design Review.*

WHAT TYPE OF DESIGN REVIEW IS MY PROJECT SUBJECT TO?

There are three types of design review applications: 1) Ministerial, 2) Objective, and 3) Discretionary.

Ministerial Design Review

Any project that is required to be reviewed and approved ministerially without discretion pursuant to an applicable State law, including but not limited to the provisions under California Government Code section 65913.4 (commonly referred to as SB 35), shall undergo Ministerial Design Review.

Objective Design Review

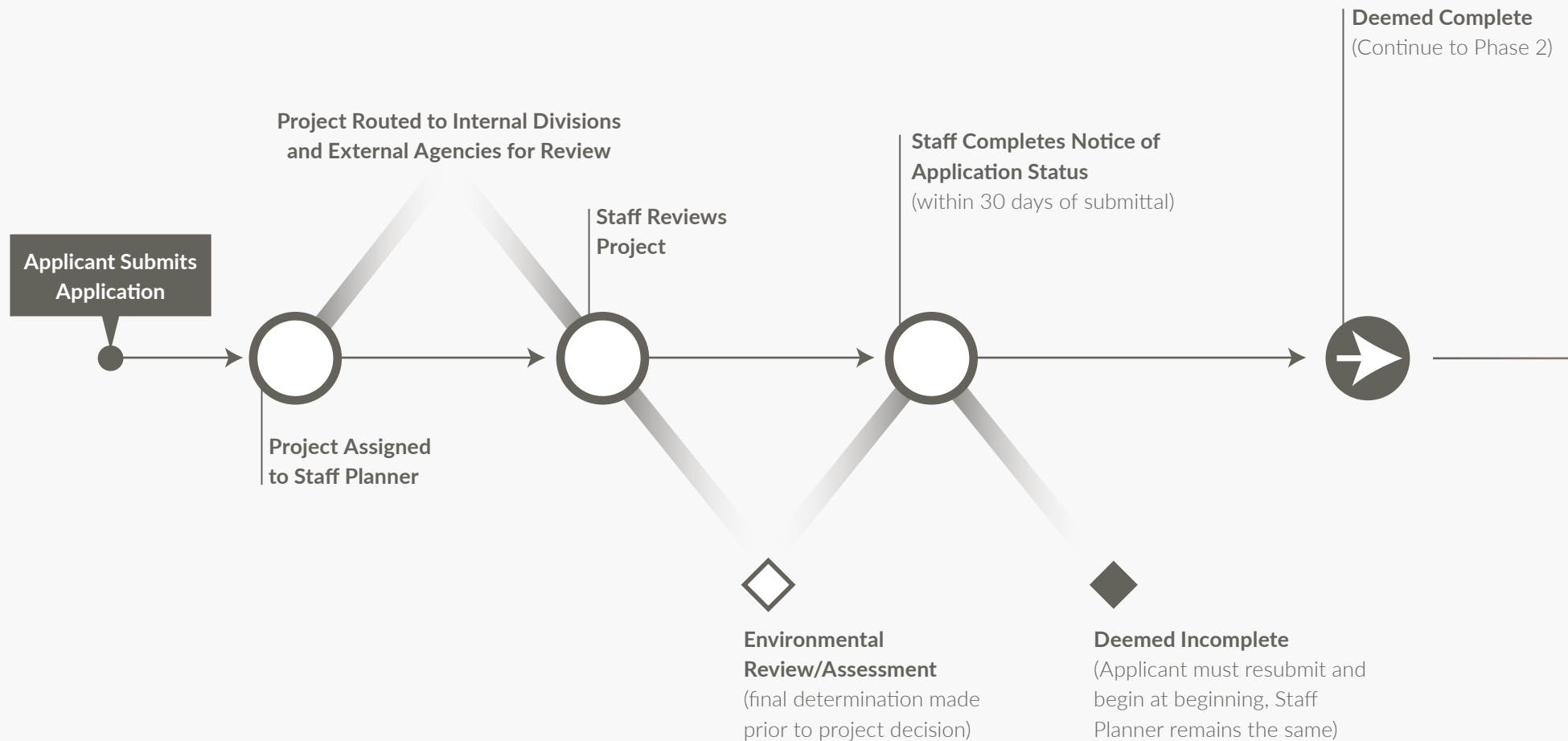
Any residential development project proposing to construct one or more dwelling units, including any residential mixed-use project that designates at least two-thirds of its square footage for residential use, or a transitional or supportive housing project pursuant to an applicable State law, including but not limited to the provisions under SB 330, that does not otherwise require a legislative amendment, and which does not otherwise qualify for Ministerial Design Review, shall undergo Objective Design Review.

Discretionary Design Review

Any project that does not qualify for Ministerial or Objective Design Review, including any residential development projects requiring a legislative amendment or additions to an existing residential project, shall undergo Discretionary Design Review unless specified otherwise in the Walnut Creek Municipal Code. All non-residential projects are subject to this category of design review. Residential development project applicants may elect processing under Discretionary Design Review if they seek exceptions or modifications to mandatory design standards.

**Ministerial Design Review is explained further on Page 6.*

THE DESIGN REVIEW PROCESS— *Ministerial Design Review (No City Discretion, e.g. SB 35)*



Staff Design Review



Minor & Major
Projects



COMPLIANCE REVIEW

Determination of compliance with objective standards in compliance with applicable State Housing legislation.

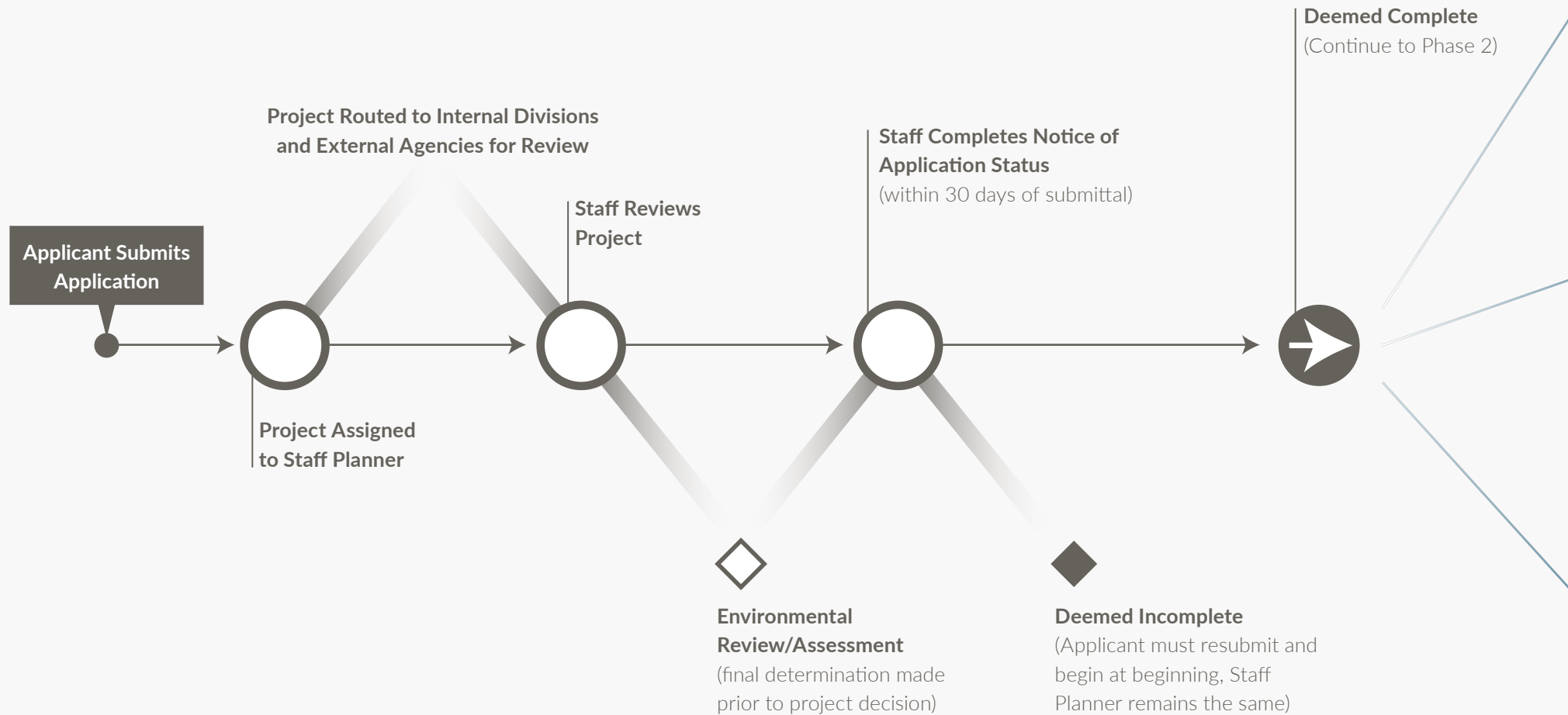


10-day appeal period and potential appeal to the Planning Commission.

Staff issues approval if project is in compliance with applicable standards

THE DESIGN REVIEW PROCESS—

Objective Residential Design Review Process (Limited City Discretion)



PHASE 2: Project Processing

Staff Design Review



COMPLIANCE REVIEW

Determination of compliance with objective standards.



10-day appeal period and potential appeal to the Planning Commission.

Staff issues findings and decision if project complies with all applicable objective standards.

Zoning Administrator or Planning Commission Design Review



COMPLIANCE REVIEW

Staff determination of compliance with objective standards for design review and review of project materials related to associated entitlements. Staff provides recommendation to the Zoning Administrator or Planning Commission.

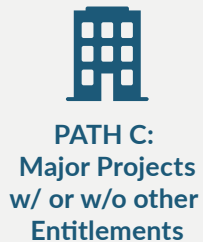


10-day appeal period and potential appeal to the Planning Commission or City Council.

HEARING AND DECISION

Zoning Administrator or Planning Commission grants design review approval if project complies with all applicable objective standards and concurrently renders a decision on any other associated project entitlements.

Planning Commission Design Review



COMPLIANCE REVIEW

Staff determination of compliance with objective standards for design review and review of project materials related to associated entitlements. Staff provides recommendation to the Design Review Commission.



DRC STUDY SESSION

DRC provides advisory input at a singular meeting on the project's compliance with objective standards for design review, and recommended action on any other associated entitlements. At the request and cost of the applicant, additional study sessions can be held.



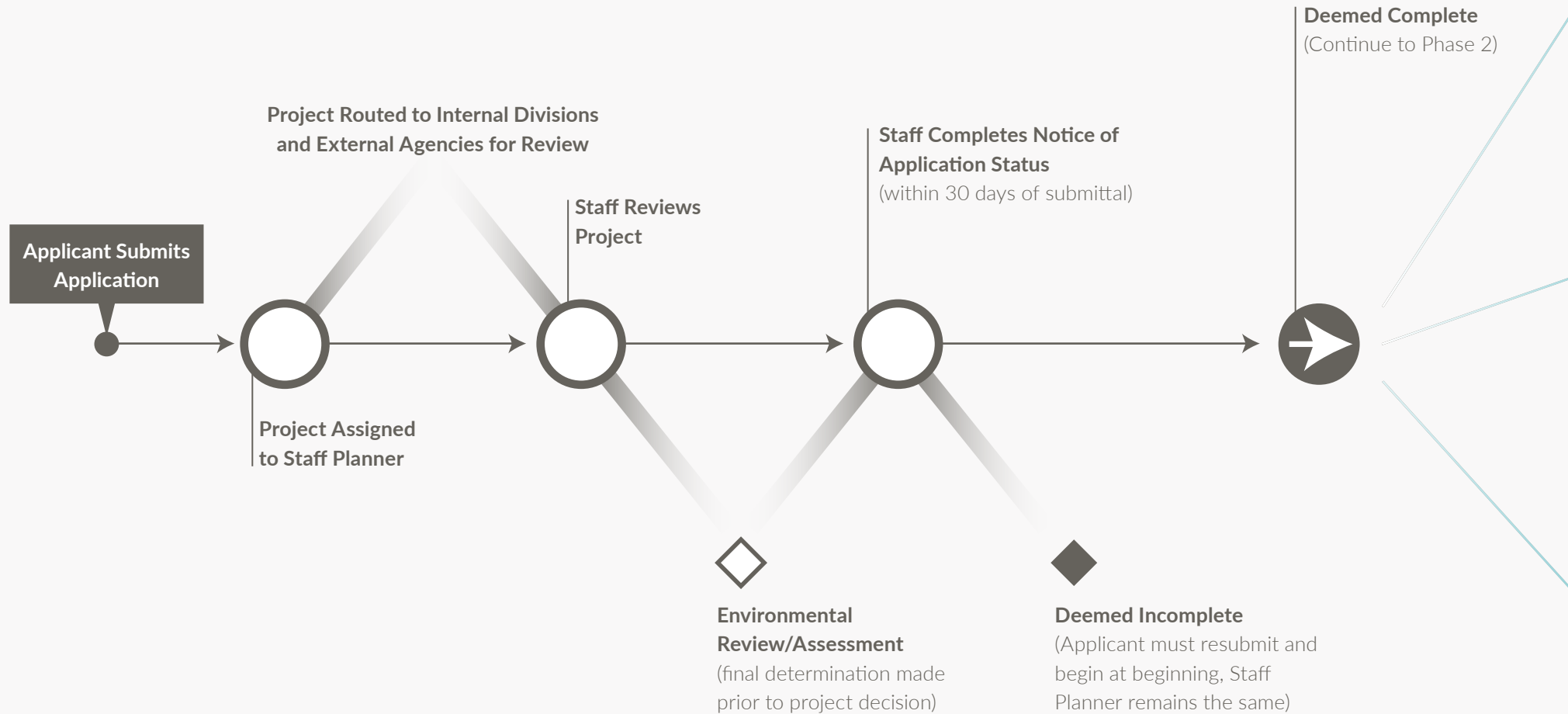
10-day appeal period and potential appeal to the City Council.

HEARING AND DECISION

Planning Commission grants design review approval if project complies with all applicable objective standards and concurrently renders a decision on any other associated project entitlements.

THE DESIGN REVIEW PROCESS—

Discretionary Design Review Process (Broad City Discretion)



PHASE 2: Project Processing

Staff Design Review



A

COMPLIANCE REVIEW

Staff determination of compliance with the intent of all applicable design review standards and guidelines.



10-day appeal period and potential appeal to the Planning Commission.

Staff issues findings and decision.

Zoning Administrator or Planning Commission Design Review



B

COMPLIANCE REVIEW

Staff determination of compliance with the intent of all applicable design review standards and guidelines, and review of other application documents related to associated entitlements. Staff provides recommendation to the Zoning Administrator or Planning Commission.

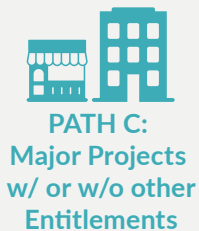


10-day appeal period and potential appeal to the Planning Commission.

HEARING AND DECISION

Zoning Administrator or Planning Commission grants design review approval if all discretionary design review findings can be made and concurrently renders a decision on any other associated project entitlements.

Planning Commission Design Review



C

COMPLIANCE REVIEW

Staff determination of compliance with the intent of all applicable design review standards and guidelines, and review of other application documents related to associated entitlements. Staff provides recommendation to the Design Review Commission.



DRC STUDY SESSION

DRC provides advisory input on the project's compliance with the intent of all applicable design review standards and guidelines, and recommended action on any other associated entitlements.



10-day appeal period and potential appeal to the City Council.

HEARING AND DECISION

Planning Commission grants design review approval if all discretionary design review findings can be made and concurrently renders a decision on any other associated project entitlements.

WHAT IS THE DESIGN REVIEW PROCESS?

The Design Review process is comprised of Two Phases: Phase 1 Staff Review and Analysis, and Phase 2 Project Processing. These are described below and illustrated in the Design Review Process Diagrams.

Phase 1: Staff Review and Analysis

Staff Review and Analysis is applicable to all Design Review projects and is comprised of the following five steps:

1. Applicant Submits Application

All Design Review applications shall be submitted electronically using the City's Online Permit Portal. When submitting an application, please include all applicable items listed in the "Application Checklist." Incomplete, inaccurate, and unorganized submittals may result in significant delays. A signed application and fee payment are required for an application to be considered submitted.

**The applicant shall submit a completed Environmental Checklist (CEQA Guidelines - Appendix G) to Staff for review prior to the application being deemed complete.*

2. Project Assigned to Staff Planner

After the project is filed and the application fee is paid with the Planning Division, it will be assigned to a staff Project Planner. The assigned Project Planner will be your primary contact and staff liaison throughout the Design Review process.

3. Project Routed to Internal Divisions and External Agencies for Review

The Project Planner will route the project to all applicable internal divisions (including Engineering, Building, Traffic Engineering, Transportation, etc.) for their comments. Applications are also routed to relevant outside agencies (PG&E, Central San, EBMUD, Fire District, the County and adjacent cities, etc.) as a courtesy. While the Project Planner will work toward a timely reply from outside agencies on your project, the applicant assumes the burden of obtaining all necessary outside agency requirements, approvals, or permits.

4. Thirty-Day Notice of Application Status

The Project Planner will provide the applicant with a Notice of Application Status letter within 30 calendar days from the application submittal date. This letter will indicate whether the application is determined to be complete for processing and whether additional or updated information is required to complete the application. If additional or updated information is required, the applicant shall resubmit to the Project Planner for review until the project has been deemed complete (each re-submittal commences another 30-day review period).

5. Environmental Review and Assessment

Almost all Design Review applications are required to have an assessment to determine if the project would result in any potentially significant environmental impacts. An environmental assessment can result in one of the following three actions:

- a. **Project Exemption.** The project meets certain requirements to be considered Exempt from the California Environmental Quality Act (CEQA) as set forth specifically in State Resources Code Section.
- b. **Negative Declaration/Mitigated Negative Declaration (ND/MND).** Subsequent to an Initial Study, a formal statement issued by the City that either, 1) the project will not result in a “significant effect” on the environment (ND) and therefore does not require the preparation of an EIR, or 2) the project as mitigated, will not result in a significant effect on the environment (MND). Such mitigation measures identified must be incorporated into the project and the applicant must agree to those mitigation measures.
- c. **Environmental Impact Report (EIR).** Subsequent to an Initial Study, a detailed, formal report describing and analyzing the significant effects that the project will have on the environment. The EIR must be adopted by City Council.

All initial environmental assessments are presented as recommendations to the Design Review Authority for the project. The Design Review Authority makes the final environmental determination at the time that it reviews the project.

WHAT IS UNDER THE PURVIEW OF DESIGN REVIEW?

- All elevations of proposed new or remodeled buildings or structures
- Pedestrian and vehicular circulation
- All proposed new or remodeled landscaped areas, including layout, plant species, irrigation, and the manner by which the landscaping will be maintained
- Proposed roads, walks and paths
- Site grading
- Location of off-street parking
- Location, height, and design of all fences or walls
- Color and material palette
- Exterior site and building lighting, and the light cast by the building's interior, its signs, etc., which is visible from adjacent or neighboring properties
- Signs (location, dimension, illumination, etc.), including all identifications and direction signs and graphics visible from the exterior of a proposed structure
- All provisions for and design of the following appurtenances if visible from the exterior such as stairs, balconies, refuse enclosures, etc.



PHASE 2: Project Processing

Once a project is deemed complete, it moves on to Phase 2 of the process (Note: At the request of the applicant, a Design Review Study Session for preliminary review may be scheduled with the Design Review Commission prior to a project being deemed complete.) A project in Phase 2 will be processed through either Ministerial, Objective, or Discretionary Design Review. Each process is described in detail below and are also illustrated in the Design Review Process Diagrams (Page 6–11).

Ministerial Design Review Process (e.g. SB 35)

If the project is a housing development that qualifies for Streamlined Ministerial Design Review under State Law, including SB 35, then the project will be evaluated by Staff for compliance with all applicable objective plans, regulations, policies, development standards, and Objective Design Standards. If the project is in compliance, the Community Development Director will issue an approval within the required timeline.



Objective Design Review Process (e.g. SB-330)

1. **Once the project has been determined to be complete**, then Staff has 30 days (for projects with 150 units or less) or 60 days (for projects with more than 150 units) to determine compliance with all applicable plans, regulations, policies, development standards, and Objective Design Standards. If Staff determines the project is not in compliance, they shall provide the applicant with written documentation identifying the specific provision(s) and an explanation of the reason for the inconsistency. The following are potential situations that may occur based on Staff's various determinations:
 - a. **Situation #1.** Staff determines the project to be in compliance with all applicable and objective plans, regulations, policies, development standards, and Objective Design Standards. Unless findings of specific, adverse impacts can be made, the project will be approved subject to reasonable conditions that do not limit overall density. Minor Projects will be approved by either the Community Development Director or the Zoning Administrator while Major Projects will be approved by the Planning Commission. Projects that go to the Planning Commission must first go to the Design Review Commission for a Study Session.
 - b. **Situation #2.** Staff determines the project is not in compliance with all applicable and objective plans, regulations, policies, development standards, and Objective Design Standards, then the applicant has three options for how to proceed:
 - The project applicant can make revisions to bring the project in compliance, at which point the applicant then follows the path outlined in Situation #1.
 - The project applicant can choose not to make revisions to the project, and instead process the application through Discretionary Design Review. Doing so forfeits the benefits of Objective Design Review and the project will proceed to the Discretionary Design Review Process.
 - If the project applicant disagrees with Staff's determination of non-compliance, they may request the Community Development Director make a final recommendation on the project's compliance. If the Community Development Director determines the project is in compliance, then the project will follow the path outlined in Situation #1.



Discretionary Design Review Process

1. **Project Scheduling.** Formal consideration before the Design Review Authority can be scheduled once the project has been deemed complete and an assessment of environmental status is completed. Scheduling depends on several factors:
 - a. Resolution of outstanding design issues
 - b. Resubmission of required plan revisions
 - c. The number of other projects pending Design Review
 - d. Commission schedule
2. **Design Review Commission Meetings.**
 - a. **Study Session.** Major projects requiring an action by the Planning Commission are first scheduled for a Study Session with the Design Review Commission for review and feedback on site planning, architecture, and landscape design. No formal decision on the project is considered at a Study Session. If the project requires other entitlements such as General Plan Amendments, Rezones, Tentative Maps, and Conditional Use Permits, the Design Review Commission will also provide its recommendation on the requested entitlement as this meeting.
3. **Design Review Authority Actions.** Any action taken by the Community Development Director or Zoning Administrator is final unless appealed to the Planning Commission, and any decision by the Planning Commission is final unless appealed to the City Council. A request by the applicant for final approval by the Community Development Director, Zoning Administrator, or Planning Commission may result in one of the following actions conducted administratively by the Community Development Director, or by the Zoning Administrator or Planning Commission at a public hearing:
 - a. **Approval.** After the project is considered and the resolution is adopted by the Planning Commission or the Findings & Decision document is approved by the Zoning Administrator or Community Development Director, there is a 10 calendar-day appeal from the time the resolution is officially mailed to the applicant.
 - b. **Conditional Approval.** In approving a project, the Planning Commission, Zoning Administrator, or Community Development Director may impose conditions of approval not shown on the submittal exhibits.
 - c. **Continuance.** If there are outstanding issues at the conclusion of a hearing, the Planning Commission or Zoning Administrator may continue the item to a future meeting for additional discussion (plan revisions are typically required).
 - d. **Denial.** If the Design Review Authority determines that the project does not meet the intent of all applicable standards and guidelines, or if the applicant will not agree to resolve outstanding design issues, the Design Review Authority is obligated to deny the project.

APPEALS

Any action taken by the Community Development Director or the Zoning Administrator may be appealed to the Planning Commission. Any action taken by the Planning Commission may be appealed to the City Council. An appeal must be filed within 10 calendar-days from the time the adopted decision document is officially mailed. An appeal of a decision may be filed only once and any consideration of an appeal will be the final decision on an application.



WHAT HAPPENS ONCE I RECEIVE DESIGN REVIEW APPROVAL?

Once the application has received Design Review Approval along with any other required entitlements, applicants may submit for Building and Site Development Permits.

HOW CAN I MAKE THE PROCESS RUN SMOOTHLY?

To help make the Design Review process run smoothly and efficiently, consider following these tips:

- 1. Review all applicable General Plan provisions, Specific Plan requirements, Zoning Development standards, and Objective Design Standards prior to submitting your application.** These documents are available through the City's website but if you need assistance, please contact the Duty Planner for copies of these documents.
- 2. Know your site's history and features.** Know your project site including all physical characteristics, previous building records, and any previous applications filed.
- 3. Hire quality design professionals.** The single most important aspect of your project is professional help you get in designing 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.
- 4. Reach out to your neighbors.** All public hearings include notification to property owners within 300 feet of your project site. It is recommended that each application conduct their own outreach as well to address any neighborhood concerns early in the process and prior to any public hearings.
- 5. Apply for a Preliminary Review Team (PRT) Review.** For more complex projects, or for applicants seeking informal feedback prior to application submittal, it is recommended that the applicant file a preliminary application to Planning Staff for a Preliminary Review Team Review (PRT).

RESOURCES

Find links to documents referenced throughout the Process Manual in the section below:

- 1996 Design Review Guidelines
- Design Standards & Guidelines Checklists
 - Single-Family Residential Projects
 - Plexes/Townhome Residential Projects
 - Multifamily and Mixed-Use Residential Projects
- Development Standards Checklists
 - Single-Family Residential Projects
 - Plexes/Townhome Residential Projects
 - Multifamily and Mixed-Use Residential Projects
- City of Walnut Creek Planning Application
- City of Walnut Creek Planning Application Checklist
- Preliminary Review Team (PRT) Information Sheet
- SB 330 Preliminary Application Guidelines
- Walnut Creek Municipal Code, Section 10-2.3, Article 5 (Accessory Dwelling Units)
- Walnut Creek Municipal Code, Section 10-2.4, Article 5 (Appeals)
- Walnut Creek Municipal Code, Section 10-2.4, Article 12 (Design Review)
- Walnut Creek Municipal Code, Section 10-2, Article 15 (Qualified Senate Bill 9 Subdivisions)



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