



CITY OF ORINDA

Guide to Property Development Application Process

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General Information

The **general application form** and **environmental information form** are attached to this guide. They must be completed and submitted with your request in addition to any **specific application forms**.

The rules governing the decisions to be made on your application are in Title 17 of the Orinda Municipal Code, with the exception of the additional requirements of area specific plans and guidelines, as listed below. A copy of Title 17, (City of Orinda Planning and Zoning Code), is available for purchase or review at the front desk or may be viewed on-line at www.cityoforinda.org.

Please review the following additional guidelines as they apply to your project:

- The City of Orinda General Plan
- Orinda Hillside & Ridgeline Design Guidelines
- Downtown Design Guidelines
- North Orinda Specific Plan

REVIEW PROCESS

On average, the total processing time for applications exempt from the California Environmental Quality Act (CEQA) is approximately three to five months from the time an application is submitted. The length of time it takes depends on the type of application, complexity of your proposed project, the duration of the public review process, how quickly and completely you are able to respond to requests for information, and how many other applications are in the review process ahead of your application. Project exempt from CEQA will be acted on within sixty days of being deemed complete.

A. Conceptual Development Review (*project subject to review by Planning Commission*)

1. Prior to beginning the design process, obtain and review the applicable code sections, policies and applications. Please feel free to ask a Planner any questions regarding the code or submittal requirements.
2. Prepare preliminary plans; turn these plans into the Planning Department for review. Within a week of submitting the preliminary plans a planner will review these plans with city staff and reply to the applicant with comments and suggestions. Please be advised that your application may be subject to a final decision by the Planning Commission or Zoning Administrator, as appropriate, and statements made by staff are intended only to guide and assist applicants and such comments do not bind the decision making body.
3. It is strongly recommended that you check with your adjacent neighbors and homeowner's association to determine their concerns regarding your project prior to completing your design and submitting your application, so that you may make an effort to address these concerns.

B. Submittal of Application

The complete application package (application, plans and fees) shall be submitted in person to the Orinda Planning Department, 22 Orinda Way, Orinda, CA 94563. Applications cannot be submitted by mail and ***will not be accepted for processing unless all pertinent information required by the attached checklist is provided.***

C. City Staff Review and Time Schedule for Application Decision

1. Within 30 days of receiving the application, the Project Planner will determine if your application is complete and notify you in writing of their determination and of any additional items necessary to complete the application, if it is incomplete. Upon receipt of additional information, a new 30-day period of review for completeness will begin.

2. Within 30 days of deeming your application complete, your Project Planner will determine whether or not the project is subject to the California Environmental Quality Act (CEQA). If the project is not exempt (statutorily or categorically) from CEQA then an Initial Study will be prepared. Based on the outcome of the Initial Study, a draft negative declaration or mitigated negative declaration will be prepared and circulated for public review and comment or an Environmental Impact Report will be prepared.
3. Per the **California Permit Streamlining Act** (Gov. Code section 65920 et seq.) a final decision must be made within 60 days of deeming an application complete for projects exempt from CEQA, within 180 days when a negative declaration is required and one year when an EIR is required. One extension of up to 90 days (section 65950) may be granted if agreed to, in writing by the City and applicant.
4. The Project Planner will assess whether the project complies with applicable regulations and guidelines on each application in a written staff report. As part of that report, the Project Planner may suggest modifications to the project in order to achieve compliance with code and guideline requirements. The staff report does not determine the outcome of the project. It is a form of evidence, along with other evidence, to be considered by the decision-maker(s).

D. Analysis and Public Review

1. Ten days prior to a public hearing, a notice of public hearing on your application will be sent to all residents and property owners within 300 feet of the site. In addition, notice of the hearing will be posted on the project site. Projects not exempt from CEQA require a 20-day notice period when a negative declaration is prepared and a 45-day "Notice of Preparation" before an EIR is prepared and another 45-day comment period on a draft EIR prior to preparation and certification of a Final EIR.
2. Before the hearing, the decision-maker(s) may visit the site.
3. The Zoning Administrator or the Planning Commission may hold at least one public hearing on permit applications. However, depending on the complexity of the application and the need for additional information, the Administrator or Commission, may continue the matter to additional meetings.
4. At the hearing, public testimony and analysis on your project will be received. You and your design professional may speak for a set time limit of no more than ten (10) minutes including rebuttal. Other persons such as neighbors may also speak for a set time limit no more than three (3) minutes. The decision-maker(s) will consider the staff report, staff recommendations, the plans, public testimony, and any other written or oral evidence presented at or before the hearing when making a decision. If the decision-making body is the Planning Commission or City Council, there may be substantial discussion among the members as they deliberate on the merits of the project.
5. New information must be submitted to staff in sufficient time prior to publication of the notice for sufficient analysis. Otherwise, it may not receive the attention you would like it to at the time of the hearing.
6. The decision making body may attach conditions of approval, to achieve compliance with the purposes of Title 17 and the Orinda General Plan.
8. If you, a neighbor, or any other interested party does not like the decision, it may be appealed. An appeal of the decision of the Zoning Administrator or the Planning Commission must be submitted within ten calendar days of the decision, with appropriate fees. The Planning Commission hears the appeals of the Zoning Administrator; the City Council hears the appeals of the Planning Commission.