



**CITY OF ORINDA**  
**Planning Application**

22 Orinda Way, Orinda, CA 94563  
 (925)253-4210 ▪ [orindaplanning@cityoforinda.org](mailto: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)**

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

**PROJECT DESCRIPTION**

**PROPERTY INFORMATION**

Is the property located: <i>In the Ridgeline and Environmental Preservation Overlay District?</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<i>On a Severely sloped site? (average slope of 20% or greater)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Have any permits been issued in the last five years? If yes, describe work:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Present use of property and buildings:

**ACKNOWLEDGEMENT**

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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**

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Signature:

Date:

**APPLICANT (If not the property owner)**

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Signature:

Date:



**CITY OF ORINDA**  
**Subdivision Application**

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A subdivision means the division by any subdivider of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as continuous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easements, or railroad rights-of-way.

The Subdivision Application follows the guidelines of California state code specified in the Subdivision Map Act, Division 2 of Title 7, and the regulations set forth in [Orinda Municipal Code §16.04](#). **Tentative Maps** must be submitted prior to seeking approval of a final map or parcel maps. A **Vesting Tentative Map** may be filed instead of a Tentative Map. In most cases, the subdivision ordinance applies to vesting tentative maps and the same procedure for tentative maps is followed.

The subdivider may submit a request for exceptions as to street improvements, widths, grades, and other subdivision matters or variances from zoning requirements if the advisory findings listed below can be made.

**FEES**

Application Fee	Staff hourly rate. A deposit is required before work commences.
Mailing Fee	\$193.00
Surcharge fee	\$197.00

**SUBMITTAL REQUIREMENTS**

**1. Planning Application Form**

**2. Tentative Map/Vesting Tentative Map ([§16.20.020](#))**

For subdivisions of five lots or more, the subdivider shall file twenty-five (25) prints of the tentative map of the subdivision. For subdivisions of four lots or less, the subdivision shall file twelve (12) prints. The tentative map shall be clearly and legibly drawn on one sheet and shall contain the following information:

- The title, which shall contain the subdivision number assigned by the Community Development Department and the type of subdivision, and may contain such name as may be selected by the subdivider;
- Name and address for:
  - Legal owner of property,
  - Subdivider, and
  - Peron or persons who prepared the map;
- A topographical map accurately showing contours and other features of the existing terrain with the subdivision, existing drainage channels, roads, culverts, overhead and underground utility lines which may affect the design of the subdivision, wells and springs, major structures, irrigation ditches, utility poles, and other improvements in their correct location. Contour interval shall not be greater than two feet if the ground slope is less than ten percent nor larger than five feet for ground slopes greater than ten percent. The map shall show:

- The outline of any geologic or potentially hazardous soil condition, and areas subject to inundation or ponding,
  - The edge of pavement of existing streets, private roads, driveways and other paved areas,
  - Location of existing property lines and approximate boundaries of existing easements within the subdivision, with the names of the owners of record, of easements, exclusions, and the properties abutting the subdivision,
  - The proposed lot and street layout with scaled dimensions of each lot. Lot dimension shall conform to the requirements of County Code Division 82 as to size and dimensions.
- Lots, where not served by public sewers, shall not be smaller in area than the health department shall approve for septic tanks and drain field installation.
  - Side lot lines shall be substantially at right angles or radial to street lines.
  - Each lot shall be identified by: (a) lot number, beginning with number "1" in each subdivision requiring a final map; or (b) lot letters, beginning with letter "A" in each subdivision requiring a parcel map. Numbers or letters shall be consecutive with no omissions or duplications.
  - The subdivider shall show the area of each lot on the tentative map. The area shall be exclusive of the portion lying in the street,
    - The locations of all proposed easements for drainage and access,
    - The location and species of all trees or, if massed, the outline of the tree mass. Trunk diameter of all trees six inches in diameter and over shall be noted,
    - Street names, width of streets and easements, approximate grade, and radius of curves along property lines of each street,
    - Typical geometric sections for streets showing pavement width, curbs, sidewalks, grading in margin strips, slopes of cuts and fills, and other construction proposed or applicable,
    - Areas to be used for public purposes,
    - Location, approximate grade, direction of flow and type of facility of existing drainage channels and storm drains,
    - A vicinity map showing roads, adjoining subdivisions, towns, creeks, railroads, and other data sufficient to locate the proposed subdivision and show its relation to community development,
    - North arrow, scales for maps and contour interval,
    - Boundary lines or existing land use zones shall be delineated,
    - Statement or plan as to proposed plans for draining the area subject to flooding or inundation by waters flowing into or from the subdivision,
    - If to be developed in increments, the map shall indicate the approximate sequence of development by units.

### **3. Data To Accompany Tentative Map/Vesting Tentative Map ([§16.20.030](#))**

The tentative map shall be accompanied by the following data:

- A written statement of general information which shall contain:
  - Existing use or uses of property,
  - A description of the proposed subdivision, including the number of lots, their average and minimum size, and the nature of development,
  - Source of water supply,
  - The method of sewage disposal proposed,
  - Other improvements proposed;

- Two copies of a preliminary geologic and/or soils reconnaissance report. Each report of a geological investigation shall be prepared and signed by an engineering geologist. Each report of a soil investigation shall be prepared and signed by a soil engineer. The required report should be based on the latest grading plan for the subject development and shall reference the date of that grading plan. All reports shall include the following:
  - A detailed geologic map showing the location and extent of any geologic hazard or potentially hazardous soil condition within or immediately adjoining the subject property which warrants special management and/or further evaluation,
  - Recommendations outlining an exploration program to fully define and delineate any geologic hazard or potentially hazardous soil condition, and to accurately identify developable areas,
  - Conclusions regarding the effect of any geologic hazard or potentially hazardous soil condition within or immediately adjoining the project site on the design of the proposed subdivision,
  - Recommendations for redesign of the subdivision and/or recommendations for construction procedure to mitigate potentially hazardous conditions, if warranted.

NOTE: The requirement for a preliminary geologic or soils reconnaissance report may be waived if the Community Development Department determines that there are no apparent hazardous geologic or soils conditions within, adjacent to, or affecting the subdivision, based upon the geotechnical knowledge the department possesses.

For subdivisions of four lots or less there is no mandatory requirement for a preliminary geologic or soils reconnaissance report. Such a report may be required if the Community Development Department determines that there are apparent hazardous geologic or soils conditions within, adjacent to, or affecting the subdivision.

#### **4. Statement of Findings**

Describe on a separate sheet how the project meets each of the Tentative Map and Advisory Findings (if an exception is being requested) listed below.

#### **TENTATIVE MAP FINDING ([§16.20.120](#))**

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*The advisory agency shall not approve a tentative map unless it shall find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general and specific plans required by law. When approving the tentative map for a minor subdivision, the advisory agency shall make findings as required concerning the fulfillment of construction requirements.*

#### **ADVISORY FINDINGS FOR EXCEPTION ([§16.12.010](#))**

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*Subject to the Subdivision Map Act, the advisory agency may authorize exceptions to any of the requirements and regulations set forth in Title 16. Before granting any such exception, the advisory agency shall find:*

- A. That there are unusual circumstances or conditions affecting the property;
- B. That the exception is necessary for the preservation and enjoyment of a substantial property rights of the applicant;
- C. That the granting of the exception will not be materially detrimental to the public welfare or injurious to other property in the territory in which the property is situated.