



CITY OF ORINDA
Planning Application

22 Orinda Way, Orinda, CA 94563
(925)253-4210 ▪ 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)

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

PROJECT DESCRIPTION

Does the project include new landscaping or rehabilitating existing landscaping? If yes, indicate:	☐ Yes	☐ No
<i>Total Square-feet (sf) of New Landscaping:</i>	_____ sf	
<i>Total Square-feet (sf) of Rehabilitated Existing Landscaping:</i>	_____ sf	
Is the property located:		
<i>In the Ridgeline and Environmental Preservation Overlay District?</i>	☐ Yes	☐ No
<i>On a Severely sloped site? (average slope of 20% or greater)</i>	☐ Yes	☐ No

ACKNOWLEDGEMENT

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

Signature: _____

Date: _____

APPLICANT (If not the property owner)

Signature: _____

Date: _____



CITY OF ORINDA

Wireless Communications Facility Permit

22 Orinda Way, Orinda, CA 94563

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A wireless communications facility may be allowed in commercial districts, on publicly-owned or utility-owned property, and on property used for utility facilities and structures. A wireless communications facility shall not be located in a residential district or in a visually sensitive area unless it is determined by the city that there is no other alternative location for the carrier to provide adequate coverage.

FEES

Application Fee*	\$7,008.00
Mailing Fee	\$213.00
Landscape Water Efficiency Checklist Review (if applicable)*	\$132.00
Peer Review	\$TBD (deposit) ¹
13% Surcharge fee [applied to all fees marked with an asterisk (*)]	\$

¹ A deposit reflects the average amount of time for a specific component of your application review. When you pay a deposit, an account will be set-up for the project that will be charged at the hourly rate for staff time. In some instances, complex project reviews may exceed the deposit amount, which would require the deposit to be replenished. Any deposit amount remaining at the end of the project will be refunded to the applicant.

SUBMITTAL REQUIREMENTS

How To Submit Your Application – Applications are only accepted electronically. Submit your complete application online at <https://www.cityoforinda.org/527/Application-Submittal>.

1. Planning Application Form

2. Plan Set

One PDF (electronic) set of plans. See the [Plan Set Checklist](#) for required plan set details. Other details that shall be included on the plan set include:

- Specifying proposed access roads, parking areas and new utilities service connections that would be necessary to either construct or maintain the proposed facility.
- Specifying the placement and design of any proposed equipment enclosure.
- A map with the site specific search ring indicating the geographic area in which the site must be located to meet coverage objectives.
- A map showing the area to be serviced by the site.

3. Written Description

A written description explaining:

- The site selection process, including information about alternative sites and why they were not selected.
- A description of the type of facility that would be required to locate the facility at an alternate location, including height, antenna configuration and equipment location.
- A description of any proposed noise-generating equipment, including the times and decibel levels of the noise which would be produced.

4. Five Year Master Plan

A five (5) year master plan that consists of the following:

- A written description of the type of technology each company/carrier will provide to its customers over the next five years (cellular, PCS, ESMR, etc.);
- A description of the radio frequencies to be used for each technology;
- A description of the type of consumer services (voice, video, data transmissions) and consumer products (mobile phones, laptop PC's, modems) to be offered;
- A written list of all existing, existing to be upgraded or replaced, and proposed cell sites within the city for these services by the company making the application;
- A map of the city which shows the five year plan cell sites, or if individual properties are not known, the geographic service areas of the cell sites;
- The written list of cell sites shall include all anticipated cell sites over a five-year period; the written list shall include the following information:
 - List of the cell sites first by address then by Assessor's parcel number,
 - List the zoning district in which the cell sites are to be located,
 - List the other land use or uses on the site at which each facility would be located, and include a detailed description of the existing structure or structures on that site,
 - List the carrier or carriers who would occupy the site,
 - List the square footage or acreage of the site and describe the topography of the site,
 - If the site is governed by certain easement restrictions, or other restrictions on location imposed by the property owner or easement-holder, describe those restrictions as they relate to the placement of wireless communications facilities on the site,
 - List the number of antennae and base transceiver stations per site by carrier, and if there are other installations on a site, list the number by each carrier,
 - Describe the location and type of antennae installation(s) (facade-mounted, roof-mounted, ground-mounted, freestanding monopole) and location of the base transceiver installation(s),
 - Describe any efforts to camouflage or otherwise "stealth" the proposed antennae installation(s), base transceiver station(s) or other proposed installation(s),
 - List the properties and public rights-of-ways from which the proposed wireless communications facilities would be visible, and, to the extent feasible, provide photographs of these facilities from the relevant vantage points,
 - List the height from grade to the top of the antennae installation(s) and the base transceiver installation(s),
 - List the Radio Frequency range in Megahertz and list the wattage output of the equipment.

5. Noise Documentation

Documentation demonstrating that use of the site will not result in levels of radio frequency (RF) emissions which will exceed Federal Communication Commission (FCC) standards. This documentation will be independently verified by a third party reviewer prior to issuance of a permit.

6. Statement of Findings

Describe on a separate sheet how the project meets each of the Wireless Communications Facility Permit standards listed below.

7. Arborist Report (if applicable)

A written recommendation from a certified arborist that discusses the species, size, location, and

health of any protected tree(s) at risk of being damaged or proposed for removal as part of this project.

8. Landscape Water Efficiency Checklist (if applicable)

The [Landscape Water Efficiency Checklist](#) must be submitted with your application if the project meets any of the following criteria:

1. New construction projects with a landscape area greater than 500 square-feet,
2. Rehabilitated landscape projects with a landscape area greater than 2,500 square-feet,
3. Existing landscapes installed prior to December 2015, that are greater than 1 acre in size, or
4. Cemeteries.

9. Story Poles

A [Story Pole Plan](#) shall be submitted with the plan set. Story poles must be installed to deem the application complete.

WIRELESS COMMUNICATIONS FACILITY PERMIT STANDARDS ([§17.34.4](#))

The following standards shall apply to a new wireless communications facility:

- A. A carrier shall not prohibit the use of a parcel by other carriers if that carrier is not the property owner.
- B. A wireless communications facility shall be visually unobtrusive and compatible with the surroundings. To make this determination, the Planning Commission or Zoning Administrator may require that evidence be presented concerning: (1) the minimum height and size necessary for the facility to perform its intended function; and (2) whether the facility is necessary for effective coverage.
- C. All ground-mounted wireless communications facilities shall be camouflaged by structures, topography and landscaping.
- D. Wireless communications facilities shall not violate the provisions of the tree management regulations in [Chapter 17.21](#).
- E. All roof-mounted wireless communications equipment antennas, poles and equipment enclosures shall be located in the least visible location.
- F. Coaxial cables, conduit lines and other electrical boxes for ground-mounted antennas shall be placed underground or within the approved structures. Coaxial cables and conduit lines for roof and facade-mounted antennas shall be placed or camouflaged to minimize their visual impact.
- G. A wireless communications facility shall comply with all applicable Federal Communications Commission's standards for radio frequency radiation emission and shall not adversely affect the public health, safety or welfare.
- H. Monopoles and telecommunications towers are prohibited unless the decisionmaker determines that no reasonable alternative is available to the carrier to provide personal wireless services.
- I. Stealth antenna design shall be encouraged, including the incorporation of antennas within attics, steeples, existing towers, fence posts, chimneys, artificial rock structures, artificial trees, behind or below building parapets, or concealed within building additions that are compatible with the existing building or architecture.
- J. If the facility is proposed for a single-family residential zone or in a ridgeline area, a minimum three

hundred (300) foot setback shall be provided between a wireless communications facility (except for the associated PG&E meter) and the nearest residential structure on an adjacent parcel, unless the facility is incorporated within or attached in a stealth manner to the main structure on the parcel or is attached to a public utility structure in a visually unobtrusive manner.

- K. If located in a ridgeline or environmental preservation overlay zone, the wireless communications facility complies with [Chapter 17.5](#).
- L. No wireless communications facility may exceed the maximum height permitted for the main structure in any zone, except that roof-mounted and facade-mounted facilities in nonresidential zones or on public, semi-public or nonprofit buildings may project up to fifteen (15) feet above the roofline of the existing structure regardless of total height. Wireless communications facilities attached to a public utility structure may not exceed the existing height of the public utility structure regardless of total height.