



## Development Application Process

There are three basic steps in Oakley's development process and a professional planner within the City's Planning Division will assist and help you determine the steps necessary for your project. A key component of this review process is fairly applying the same criteria and placing the same requirements on all proposed developments. Each application is fully vetted using local, state and federal laws and regulations. Each application is provided the fair, due process of review. (The aforementioned laws do not allow the review process to consider the race, ethnicity, gender, religion, or sexual preference of the applicants, or any other arbitrary criteria).

### **Step #1: Application Submission**

The development process begins with the Planning Division. You must complete the "Uniform Application" and any additional forms that may be required for the project. Submit your application in person to the Planning Division with the correct number of sets of plans (plan sets vary by application) and a deposit to cover the cost of plan review services.

It is a good idea to meet with a City planner to review the application and other forms before you submit. You may or may not have to complete some additional forms such as an "Environmental Information Form" or a "Hazardous Waste Statement." Please make sure all information on the application is legible and includes the property owner, or the legal agent's signature. Applications without the proper signature will delay processing.

You will be required to pay a deposit when you turn in your application. The City bills deposit accounts on a time and materials basis. There may be other fees that apply. Any unused funds will be returned to you and/or additional fees may be required. The deposit will vary depending on the complexity and type of your project.

To better understand the steps and procedures towards the approval process please refer to the City's [\*Applicant's Guide to Procedures\*](#).

### **Types of Applications:**

#### **Conditional Use Permit**

In each zoning district of the City's Zoning Ordinance, specific uses are permitted for property in that zone. Each zoning district also lists various "conditional uses" which are permitted subject to approval of a Conditional Use Permit (CUP). The CUP process provides the City sufficient flexibility to determine whether a specific land use with unusual characteristics will be compatible with its surrounding area, the General Plan, and the zoning on adjacent properties. In reviewing a use permit application, the City staff and City Council will evaluate such items as building placement and size, traffic generation, compatibility of the use with

adjoining properties and other related development impacts. Conditions may be imposed as necessary to ensure the project's compatibility with surrounding neighborhoods and the Oakley General Plan.

### **Design Review**

The Design Review application process provides for the review and analysis of proposed projects' design, including site plans, architectural elevations, conceptual landscape plans, and other physical development for all lots within all zoning districts. Design review conditions should be the minimum necessary to achieve the purposes, intents, and goals of the General Plan, Zoning, and the Oakley Residential and Commercial and Industrial Design Guidelines.

### **Subdivisions**

The California Subdivision Map Act authorizes local governments to regulate and control the design and development of subdivisions. A subdivision is defined as "the division of any improved or unimproved land for the purpose of sale, lease, or financing." A subdivision also includes the conversion of a structure to condominiums. Subdivision regulations and review procedures for a division of property into five or more lots requires a Tentative *Subdivision* Map approval; four lots or less requires Tentative *Parcel* Map approval. The subdivision review procedure is designed to ensure that such things as street alignments, drainage and sanitary facilities, location and size of easements and rights-of-way, trees, traffic access, grading, and numerous other features conform to City regulations and are arranged in the best possible manner to serve the public. Subdivision maps are evaluated for consistency with the General Plan and zoning designation and the compatibility of the site plan and public improvements with surrounding development.

### **Legislative Actions**

Applications such as General Plan Amendments, Rezones, and Zoning Text Amendments require legislative action and final approval by the City Council. The process for these requested actions provides for the review and analysis of not only the specific application request, but sometimes a conceptual review of a future project, if applicable. For requested General Plan Amendments involving changes to an existing land use type (eg. Single Family Residential to Commercial) staff may encourage the applicant to first file an application for a Preliminary General Plan Amendment. A Preliminary General Plan Amendment application allows the applicant to take a conceptual project through the public hearing process so they may receive comments from the public, applicable agencies, Staff and the City Council prior to filing an official application, which would incur much higher costs to the applicant.

## **Step 2: Plan Review**

Submitting your application plans and making the required deposit starts the Plan Review Process. At this point a planner will be assigned as your project leader who will coordinate the necessary reviews by distributing your Application Submission to the appropriate City divisions and other outside agencies (Sanitary District, Water District, Fire District, etc.); this is called "Plan Review."

The goals of Plan Review are to:

- Ensure that your application packet is complete
- Analyze the project; and, when applicable, formulate recommendations for City Council approvals (referred to as discretionary approvals)
- Verify compliance with zoning and other regulations

Your project leader will review any environmental issues associated with your project, as required by the California Environmental Quality Act (CEQA). All discretionary projects require an Environmental Review. Your project leader will determine the applicable process for your project which may require the submittal of various technical studies depending on the type of project and the intensity of the project. Some projects may require a Traffic Impact Study, a Biological Assessment, a Noise Study or other studies as determined by local, state and federal laws. It may become evident during the review of a project that r other studies will be required to fully evaluate a project and to conduct the CEQA review, as mentioned above.

### **Step 3: City Council Approval**

If it is determined that your project required discretionary action (an action requiring City Council approval), it will be scheduled on the City Council's agenda and public notice will be given. Property owners within 500 feet of your proposed project will also be notified.

If a public hearing is held, you will have an opportunity to speak before the City Council. The public may also provide comments and express any concerns about the project. It is helpful to try and work out any potential problems with neighboring residents or business owners before the City Council meeting.

City Council meetings are open to the public. The City Council meets on the second and fourth Tuesday of each month at 6:30 p.m. in the City Council Chambers.