

Part 1 of 3 includes items,

- 1.3 Proclamation Designating June 2016 as **Immigrant Heritage Month** (You, Me, We = Oakley Ambassadors)
- 1.4 Proclamations Honoring the **Oakley Youth Advisory Council**
- 3.1 **Approve the Minutes** of the Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Meeting held May 24, 2016 (Kim Carmody, Records Management Clerk)
- 3.2 Report out of **Closed Session Memo** (William Galstan, Special Counsel)
- 3.3 Acceptance of Work Associated with **Capital Improvement Project No. 170** – FY 2015-16 Frontage Gap Closure Improvement Project (Kevin Rohani, Public Works Director/City Engineer)
- 3.4 **Creating Zone 159** within the Oakley Special Police Tax Area for Minor Subdivision 14-978 (Bella Estates) (Kevin Rohani, Public Works Director/City Engineer)
- 3.5 Resolution **Naming Parcel A of Subdivision 9027**, “Duarte Ranch Park” (Kevin Rohani, Public Works Director/City Engineer)
- 3.6 Ordinance Accepting the Requirements Relating to **Peace Officer Training and Recruitment** (William Galstan, Special Counsel)
- 3.7 Appointment of **Citizen Planning Advisors** (Kevin Romick, Mayor and Sue Higgins, Vice Mayor)
- 4.1 *Continued from May 24, 2016.* **Hamman Tentative Parcel Map** (TPM 02-16) Request for a Tentative Parcel Map (TPM 02-16) to subdivide 3.96-Acre Parcel into two lots with a remainder parcel. Parcel A will be 1.347-Acres, Parcel B will be 1.842-Acres and the Remainder Parcel will be .702-Acres. No Construction is Proposed at this time. The site is designated as Light Industrial in the Oakley 2020 General Plan and Zoned Light Industrial (LI) District. The Property is Located at 2540 Oakley Road (APN: 037-080-021) (Joshua McMurray, Planning Manager)
- 4.2 **Emerson Ranch Neighborhood 6 - Woodbury** (GPA 01-15, RZ 01-15, FDP 01-15, TM 01-15, and DR 05-15) - Adopt resolutions for a General Plan Amendment, Final Development Plan, Tentative Map, and Design Review, and waive the first reading and introduce an ordinance for a Rezone. (Ken Strelo, Senior Planner)

- 4.3 Adopt Ordinance No.09-16 Authorizing the **Levy of a Special Tax on Parcels of Land within Tax Area Zone 158** within the Oakley Special Police Tax Area for Police Protection Services for Minor Subdivision 14-977 (Doyle Rd) (Kevin Rohani, Public Works Director/City Engineer)
- 4.4 Adopt Ordinance No.08-16, Establishing Oakley **Special Police Area Zone 157** within the Oakley Special Police Tax Area for a Special Tax for Police Protection Services for Subdivision 9027 (Duarte Ranch). (Kevin Rohani, Public Works Director/City Engineer)

Proclamation Designating June 2016 as Immigrant Heritage Month

Whereas generations of immigrants from every corner of the globe have built our country's economy and created the unique character of our nation; and

Whereas immigrants continue to grow businesses, innovate, strengthen our economy, and create American jobs; and

Whereas immigrants have provided the United States with unique social and cultural influence, fundamentally enriching the extraordinary character of our nation; and

Whereas immigrants have been tireless leaders not only in securing their own rights and access to equal opportunity, but have also campaigned to create a fairer and more just society for all Americans; and

Whereas despite these countless contributions, the role of immigrants in building and enriching our nation has frequently been overlooked and undervalued throughout our history and continuing to the present day.

Now, therefore, be it resolved that I Kevin Romick, Mayor of the City of Oakley, on behalf of the City Council do hereby designate June 2016 as "Immigrant Heritage Month."

June 14, 2016

Kevin Romick, Mayor

Proclamation
Honoring the Oakley
Youth Advisory Council
John Thomas

WHEREAS, the City of Oakley, a place for families in the heart of the Delta, takes pride in its sense of community and youth involvement; and

WHEREAS, the Oakley Youth Advisory Council was established in 2004 to provide youth increased opportunities; and

WHEREAS, the vision of the Oakley Youth Advisory Council is to create programs and partnerships that build character and integrity; and

WHEREAS, the Youth Council has participated in events including the Heart of Oakley, Harvest Festival, Christmas Tree Lighting, YES Conference and YAC Attack; and

WHEREAS, the Youth Council established new programs including the Oakley Youth Summit, Outstanding Youth Volunteer Award and We Speak for the Trees; and

WHEREAS, the Youth Council provided over 100 hours of community service this year; and

WHEREAS, the Youth Council demonstrated hard work, commitment and innovation in their endeavors.

NOW, THEREFORE, BE IT RESOLVED that I, Kevin Romick, Mayor of the City of Oakley on behalf of the City Council, do hereby honor the Youth Advisory Council for service to the City of Oakley.

Dated: June 14, 2016

Kevin Romick, Mayor

*Proclamation
Honoring the Oakley
Youth Advisory Council
Cameron Manning*

WHEREAS, the City of Oakley, a place for families in the heart of the Delta, takes pride in its sense of community and youth involvement; and

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Dated: June 14, 2016

Kevin Romick, Mayor

*Proclamation
Honoring the Oakley
Youth Advisory Council
Andrea Chavez*

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Proclamation
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Ryan Thornton

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*Proclamation
Honoring the Oakley
Youth Advisory Council
Nathan Shaffer*

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Kevin Romick, Mayor

*Proclamation
Honoring the Oakley
Youth Advisory Council
Jazlyn Castro*

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Proclamation
Honoring the Oakley
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Joe Lagano

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Proclamation
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Jazzlyn Riddle

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Proclamation
Honoring the Oakley
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Julissa Ramirez

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*Proclamation
Honoring the Oakley
Youth Advisory Council
Derek Furr*

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*Proclamation
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Claudia Franco*

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*Proclamation
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Sara Erickson*

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Kevin Romick, Mayor

Proclamation
Honoring the Oakley
Youth Advisory Council
Morgan Henderson

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Ivan Chavez*

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Dated: June 14, 2016

Kevin Romick, Mayor

*Proclamation
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Simon Mendez*

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Proclamation
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Dalton Puckett

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Kevin Romick, Mayor

Proclamation
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Youth Advisory Council
Hannah McCartney

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Proclamation
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Youth Advisory Council
Elias Juarez

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Dated: June 14, 2016

Kevin Romick, Mayor

**Minutes of the Regular Joint Meeting of the Oakley City Council/Oakley City Council
Acting as the Successor Agency to the Oakley Redevelopment Agency
Tuesday, May 24, 2016**

1.0 OPENING MATTERS

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

**1.1 Call to Order and Roll Call of the Oakley City Council and Oakley City Council
Acting as the Successor Agency to the Oakley Redevelopment Agency**

Mayor Romick called the meeting to order at 6:30p.m. Sue Higgins, Doug Hardcastle, Vanessa Perry, Randy Pope and Kevin Romick were in attendance.

1.2 Pledge of Allegiance to the Flag

Alizea Marin, a student from Oakley Elementary School led the Pledge of Allegiance

1.3 Update from the Oakley Library (Andrea Freyler)

Andrea Freyler reminded everyone to vote on June 7th and mentioned that if the Library and Community Center moves forward it would mean the library would be open more hours, there would be more programming and more technology, she also gave an update on the summer programs at the Library.

1.4 Playful City USA Proclamation (Lindsey Bruno, Recreation Manager)

Mayor Romick read the proclamation.

1.5 Proclamation recognizing May as Mental Health Awareness Month

Mayor Romick read the proclamation.

2.0 PUBLIC COMMENTS

Online Comment Forms

Juli Del Barba Favalora mentioned that in regards to the eminent domain at 3530 Main St. she doesn't believe there is an easement that runs through or under this building, she also mentioned she has been working with staff in hopes of retaining a section of the building and is working with an engineer and structural contractor to provide calculations and estimates to retrofit the remaining area of the building.

Dezi Pina mentioned the buildings on Main Street have been part of the community for 100 years and does not like the idea of demolishing them to put in a train platform.

Dawn Morrow asked for clarification on the train service and platform, and mentioned that she likes the idea of the bike trails, but does not like the idea of extending Vintage Parkway out to Bridgehead Road.

Public Comment Cards

Mark Weder commented that he doesn't agree with the train platform and believes the citizens should have been more involved in the decision, he also believes that having an unmanned platform could bring in more homeless people and more drugs, he also mentioned his concern with the history downtown and doesn't agree with the decision to eminent domain the property on Main Street and believes the amount that was offered to buy the property is low.

Mayor Romick asked Mr. Montgomery how the amount was determined.

City Manager Bryan Montgomery mentioned that the amount offered was an appraised value, not a value that the City came up with he also mentioned that the city approached the family about an appraiser they would prefer to use; the city paid and commissioned the appraiser recommended by the family to come up with a value and that is the amount that was offered.

At 6:55p.m. the Mayor announced a temporary adjournment to introduce the Oakley Union Elementary School District Choir who was performing at the amphitheater outside and mentioned the meeting would reconvene at 7:20 p.m.

3.0 CONSENT CALENDAR

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

- 3.1 Approve the Minutes of the Special City Council Meeting and Regular Joint Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Meeting held May 10, 2016 (Kim Carmody, Records Management Clerk)**

Oakley City Council

- 3.2 Report out of Closed Session Memo (Derek Cole, City Attorney)**
- 3.3 Adopt a Resolution Authorizing the City Manager to Execute an Agreement for Services with St. Francis Electric to Provide Contract Electrical Maintenance and Repair Services for City of Oakley Traffic Signals, Street Lights, Park & Parking Lot Lights in an Amount not to Exceed \$85,701 Annually from July 1, 2016 through June 30, 2018 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.4 Approval of Subdivision Improvement Agreement, Subdivision Annexation and Assessment Deferral Agreement, Final Map and Modification of Conditions of Approval for Subdivision 8836 Vintner View (South of Grapevine Lane, East of O'Hara Avenue)(Kevin Rohani, Public Works Director/City Engineer)**

- 3.5 Authorize the City Manager to Execute an agreement for Street Sweeping Services with Contract Sweeping Services in an amount not to exceed \$144,547.20 Annually from July 1, 2016 through June 30, 2017 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.6 Amendment to the Consulting Services Agreement with Dean Hurney Access Inspection (Bryan Montgomery, City Manager)**
- 3.7 Agreement with Shine House Cleaning for Facility Maintenance Services (Bryan Montgomery, City Manager)**
- 3.8 Authorize the City Manager to Execute an Agreement Extension for Services with Terracare Associates Inc. to Provide Landscape Maintenance for City of Oakley in an Amount not to Exceed \$617,552 Annually from November 1, 2016 through October 30, 2018 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.9 Authorize the City Manager to Execute an Agreement Extension for Services with Marina Landscape Inc. to Provide Contract Landscaping Maintenance for City of Oakley in an Amount not to Exceed \$320,783 Annually from November 1, 2016 through October 30, 2018 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.10 Authorize the City Manager to Execute an Agreement Extension for Services with Commercial Support Services to Provide Landscape Maintenance Services for City of Oakley in an Amount not to Exceed \$70,485 Annually from November 1, 2016 through October 30, 2018 (Kevin Rohani, Public Works Director/City Engineer)**
- 3.11 Acceptance of Work Associated with CIP Project No. 169 – FY 2015/2016 Curb, Gutter, Sidewalk Repair and Replacement Project (Kevin Rohani, Public Works Director/City Engineer)**
- 3.12 Resolution confirming the Costs for Emergency abatement of Non Storm Water Pollutant at 4309 Redwood Drive (APN 035-555-017) (Troy Edgell, Code Enforcement Manager)**
- 3.13 Acceptance of Subdivision Improvements Associated with Subdivision 9104 (Cutino Property, Cedar Glenn Drive South of Laurel Road, Approximately 450' east of Rose Ave) and Beginning the One Year Warranty Period (Kevin Rohani, Public Works Director/City Engineer)**
- 3.14 A Resolution Authorizing the City Manager to Pursue Either the potential Formation of a Joint Powers Authority (JPA) or the Negotiation of a Memorandum of Understanding (MOU) for the Regional Regulation of Taxicab Services within Contra Costa County (Chris Thorsen, Chief of Police)**

3.15 Approval of purchase of Parks assorted furniture from Outdoor Creations Inc. in amount of \$83,143.55 (Kevin Rohani, Public Works Director/City Engineer)

Items 3.1 and 3.15 were pulled from the Consent Calendar

It was moved by Councilmember Pope and seconded by Councilmember Hardcastle to approve the remainder of the Consent Calendar. Motion was unanimous and so ordered. 5-0

3.1

Councilmembers Perry and Higgins pulled item 3.1 to abstain since they were absent for that meeting, Mayor Romick informed them that they can vote as long as they read the minutes and agree.

It was moved by Councilmember Pope and seconded by Councilmember Hardcastle to approve item 3.1. Motion was unanimous and so ordered.

3.15

Councilmember Pope asked why only two of the tables have checkered tops, he thinks it's a nice attribute to have and would like to see more of them, he would also like staff to look into having benches with armrests in the middle to deter lounging on the benches.

Mayor Romick mentioned that he would also like to see more of the checkered table tops.

It was moved by Councilmember Pope and seconded by Councilmember Hardcastle to approve item 3.15, directing staff to maximize the checkered table tops and research features on the benches to deter lounging. Motion was unanimous and so ordered.

4.0 PUBLIC HEARING

Oakley City Council

4.1 4190 Brown Road (MS 08-978) Tentative Parcel Map Extension (TME 02-16)

Request for approval of a Tentative Parcel Map Extension. The applicant is requesting to extend the approval of Tentative Parcel Map MS 08-978 (known as "4190 Brown Road Minor Subdivision") for an additional three (3) years. The map was set to expire on June 12, 2016. The minor subdivision consists of a 2.0 acre site subdivided into 4 lots with one remainder lot. The project is located at 4190 Brown Road and zoned R-10 (Single Family Residential) District. (Ken Strelo, Senior Planner)

It was moved by Councilmember Hardcastle and seconded by Councilmember Perry to adopt the resolution approving 4190 Brown Road (MS 08-978) Tentative Parcel Map Extension (TME 02-16). Motion was unanimous and so ordered.

4.2 Hamman Tentative Parcel Map (TPM 02-16) Request for a Tentative Parcel Map (TPM 02-16) to subdivide 3.96-Acre Parcel into two lots with a remainder parcel. Parcel A will be 1.347-Acres, Parcel B will be 1.842-Acres and the Remainder Parcel will be .702-Acres. No Construction is Proposed at this time. The site is designated as Light Industrial in the Oakley 2020 General Plan and Zoned Light Industrial (LI) District. The Property is Located at 2540 Oakley Road (APN: 037-080-021) (Joshua McMurray, Planning Manager)

It was moved by Councilmember Pope and Seconded by Councilmember Hardcastle to continue item 4.2 to the June 14, 2016 meeting. Motion was unanimous and so ordered.

4.3 Downtown Oakley Commercial Mixed Use Design Review (DR 15-16)

Design Review (DR 15-16) approval for a new two-story, mixed use project. The project consists of a 1st floor retail and 2nd floor office building totaling 40,001 square feet, a 54 parking space parking lot and landscaping. The Variance (VA 01-16) has been requested for a reduction in the number of parking spaces required for the project. This project is associated with the approved Main Street Improvement and Development Agreement (DA 02-15). The 1.68-acre project site is designated Commercial Downtown in the Oakley 2020 General Plan and zoned Downtown Specific Plan (SP-4). The project is located along the North side of Main Street between 2nd Street and 5th Street (APN: 035-122-008 and 035-164-002). (Joshua McMurray, Planning Manager)

Joshua McMurray presented a PowerPoint and mentioned that the builder has agreed to construct the Mixed Use Project in two phases, landscaping and site improvements and mentioned that when phase 1 is leased out, they will continue with phase 2.

Councilmembers asked how deliveries would be made; if conditions could be set for the timing of deliveries and what the longevity is for the fabric awnings.

Mr. McMurray responded that how deliveries will be made still needs to be worked out, appropriate signage would have to be posted for timing of deliveries and the new material used for the awnings is long lasting.

It was moved by Councilmember Hardcastle and seconded by Councilmember Pope to Adopt the Resolution Approving Design Review (DR 15-16) for the Construction of a new 2 Story Mixed Use Building and a Variance (VA 01-16) for a reduction in parking Standards on a 1.68-Acre Site located along the North Side of Main Street Between 2nd Street and 5th Street as Conditioned. Motion was unanimous and so ordered.

5.0 REGULAR CALENDAR

5.1 Two Resolutions Initiating the Fiscal Year 2016-17 Oakley Street Lighting and Landscape Assessment District No. 1 proceedings; initiating the process and declaring the intention to order improvements levy and collect assessments, and Setting June 14, 2016 as the date for the Public Hearing)(Kevin Rohani, Public Works Director/City Engineer)

It was moved by Councilmember Pope and seconded by Vice Mayor Higgins to adopt the Resolution of Initiation and Resolution of Intention to Levy and Collect Assessments, and Setting June 14, 2016 as the Date for the Public Hearing for the City of Oakley Street Lighting and Landscape Assessment District No. 1.

5.2 Authorize the City Manager to enter into a MOU with the Oakley Chamber of Commerce for Occupation of 3330 Main Street Building and Future Partnership (Dwayne Dalman, Economic Development Manager)

It was moved by Councilmember Perry and seconded by Vice Mayor Higgins to Adopt the Resolution Approving a Memorandum of Understanding and Lease Agreement with the Oakley chamber of Commerce for Space at 3330 Main Street and Authorizing the City Manager to Execute the Agreements. Motion was Unanimous and so Ordered.

5.3 Main Street Downtown Improvement Project Gateway Design Monument Selection (Kevin Rohani, Public Works Director/City Engineer)

Councilmembers reviewed the selections and narrowed it down to three choices and those three choices will be put up on Engage in Oakley to obtain citizens input and the results will be brought back to the June 14, 2016 meeting.

5.4 2016-2018 Strategic Plan (Nancy Marquez, Assistant to the City Manager)

It was moved by Councilmember Pope and Seconded by Councilmember Perry to adopt the resolution formally adopting the 2016-2018 Strategic Plan.

Online Comment Forms

None

Public Comment Cards

None

6.0 REPORTS

6.1 CITY MANAGER

(a) City Manager

City Manager Bryan Montgomery reminded everyone that the annual Memorial Day event is Saturday, the next movie in the plaza is June 11th and he thanked staff for their work on the strategic plan.

6.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY

(a) Reports from Council Liaisons to Regional Committees, Commissions and Boards AND Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Comments

Councilmember Pope reported his attendance at the East County Water Managers Association Meeting and mentioned the next FireBoard Meeting will be June 6th.

Mayor Romick reported that Contra Costa Transportation Authority approved a transportation expenditure plan that will also be presented to the City Council for approval.

Councilmember Hardcastle reported his attendance at the Oakley Chambers Wine and Whiskey event, Relay for Life and reminded everyone that Freedom High Schools graduation is June 4th.

(b) Requests for Future Agendas

Vice Mayor Higgins would like staff to extend an invitation to Ben Johnson, the Mayor of Pittsburg to come and talk about his efforts fighting the twin tunnels and water conservation, she would also like to invite the Freedom High School Dance Team to be recognized by the Mayor, and would like to discuss Railroad Safety.

7.0 WORK SESSION

Oakley City Council

7.1 Discussion of 2016-2017 Budget and 5 Year Capital Improvement Plan (Deborah Sultan, Finance Director)

Finance Director, Deborah Sultan presented the staff report.

Councilmember Perry asked if getting a new system in the chambers is included in the budget.

City Manager, Bryan Montgomery responded that there is an equipment replacement fund and that project is expected to commence early in the next Fiscal Year.

Mayor Kevin Romick thanked staff for a job well done.

Kevin Rohani presented the 2016-2017 Capital Improvement Plan.

Councilmembers asked questions and staff responded.

City Manager Bryan Montgomery mentioned that there is still time for continued input as the final document will be coming back for final adoption on June 14th.

8.0 CLOSED SESSIONS

8.1 CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6

City Designated Representative: Bryan Montgomery, City Manager

Unrepresented Employees: Records Management Clerk, Receptionists (3), Paralegal/City Clerk, Program Coordinator/Human Resources Assistant, Human Resources Manager/Assistant to the City Manager, Facilities Maintenance/Code Enforcement Technician, Finance Director, Senior Accountant, Senior Accounting Technician, Accounting Assistant, Permit Technician, Building Inspector II, Code Enforcement Manager, Code Enforcement/Building Inspector II, Chief of Police, Administrative Assistants (3), Police Services Assistant, Assistant to the Chief, Police Services Assistant/ Code Enforcement Technician, Economic Development Manager, Planning Manager, Senior Planner, Public Works Director/City Engineer, Senior Engineer, Associate Engineer, Assistant Engineer, Public Works Administrative Specialist, Public Works Inspector II, Public Works Maintenance Worker, Public Works Maintenance Laborer, Recreation Manager/Website Coordinator, Recreation & Events Coordinator, Senior Recreation Leader, Recreation Leaders(3), Recreation Aides(2), Facilities Maintenance, Parks & Landscape Maintenance Division Manager, Maintenance Foreman, Public Works Laborer II, Tree Maintenance Laborer, Seasonal Parks and Maintenance Laborers(3), Sports Field Maintenance Laborer, Park Monitor, Facilities Attendant, Police Lieutenant, Police Sergeant, Police Officers.

No reportable action was taken and direction was given to management.

9.0 ADJOURN

There being no further business, the meeting was adjourned at 9:50p.m.

Respectfully Submitted,

Kim Carmody
Records Management Clerk



MEMORANDUM
Office of the City Attorney

Date: May 25, 2016
To: Mayor and Members of City Council
Cc: Bryan Montgomery, City Manager; William R. Galstan, Special Counsel
From: Derek P. Cole, City Attorney *William R. Galstan*
Subject: Closed Session Report-Out Memo

FOR CONSIDERATION AT THE CITY COUNCIL MEETING OF JUNE 14, 2016

Background and Analysis


The City Council considered a closed session item at its meeting of May 24, 2016, pursuant to Government Code Section 54957.6 to conference with labor negotiators regarding unrepresented city employees.

No reportable action was taken and direction was given to management.

STAFF REPORT

Date: Tuesday, June 14, 2016
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, Public Works Director/City Engineer

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

SUBJECT: Acceptance of work associated with CIP Project No. 170 – FY 2015-16 Frontage Gap Closure Improvement Project

Background and Analysis

On October 13, 2015 the City Council approved the Reimbursement Agreement with Claremont Homes, Inc. for the construction of Capital Improvement Project (CIP) No. 170 for FY 2015-16 Frontage Gap Closure Improvement Project in an amount not to exceed \$297,700. The improvements consisted of frontage improvements, including curb, gutter, sidewalk, storm drain, roadway widening, and street lights along the west side of Main Street between Almondtree Lane and Bernard Road.

This project closed a gap between the Heartwood Estates subdivision frontage improvements and the existing sidewalk fronting the Pompei Nursery; providing approximately 850 feet of continuous sidewalk and the ultimate roadway width along the west side of Main Street.

The successful completion of this project added a new asset to the City of Oakley public infrastructure system and provides a significant improvement on this arterial roadway.

Fiscal Impact

A contingency amount of an additional \$72,700 was appropriated in addition to the original budget of \$225,000, bringing the total authorized construction budget to \$297,700. This construction contract was successfully completed under the authorized budget on time, with the final construction cost of \$281,850.48.

Pursuant to the contract documents, 5% of the accrued costs were withheld from the amount paid to the contractor. These funds are called "retention", and are held until the end of the project to ensure that the contractor completes the project in a timely manner. Approval of this item will authorize the release of the retention payment to the contractor. Additionally, the shared cost for construction staking and material and testing as identified in the Reimbursement Agreement have been withheld upon completion of the project. Both the retention and shared costs were already budgeted as part of the Reimbursement Agreement and change order approvals, so there is no additional fiscal impact associated with this action.

Recommendation

Staff recommends that the City Council Adopt the Resolution accepting FY 2015-16 Frontage Gap Closure Improvement Project, CIP Project No. 170 as constructed according to the Reimbursement Agreement with Claremont Homes, Inc., to be complete, and to direct the City Clerk to file a Notice of Completion for the project with the County Recorder.

Attachments

- 1) Resolution
- 2) Notice of Completion

RESOLUTION NO. __-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING AS COMPLETE THE WORK PERFORMED THROUGH THE REIMBURSEMENT AGREEMENT WITH CLAREMONT HOMES, INC., FOR THE CONSTRUCTION OF FY 2015-16 FRONTAGE GAP CLOSURE IMPROVEMENT PROJECT – CIP 170

WHEREAS, Mark Thomas & Company Inc., in 2008 prepared the plans for the construction of the Main Street frontage improvements from Almondtree Lane to Bernard Road, which includes construction of new curb, gutter, sidewalk, storm drain system, roadway widening and street lights; and

WHEREAS, the recession of 2008 prevented this project from moving forward, with no construction activity having taken place at the project site for the past eight (8) years; and with the end of the recession and improved economic climate, this project has been reactivated; and

WHEREAS, on October 13, 2015, by adopting Resolution No. 120-15, the City Council approved the Reimbursement Agreement with Claremont Homes, Inc., for the construction of CIP No. 170 – FY 2015-16 Frontage Gap Closure Improvement Project; and

WHEREAS, the invoiced amount for the shared costs for construction staking and material and testing in accordance with the Reimbursement Agreement will be paid in the invoice amount of \$8,966.15 upon acceptance of the project; and

WHEREAS, during the life of the project one (1) change order was issued, and the final invoiced amount for this project is \$281,850.48; and

WHEREAS, Claremont Homes, Inc., has satisfied the Reimbursement Agreement requirements necessary for the acceptance of CIP No. 170 – FY 2015-16 Frontage Gap Closure Improvement Project; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that CIP Project No. 170 – FY 2015-16 Frontage Gap Closure Improvement Project is hereby accepted as complete.

BE IT FURTHER RESOLVED AND ORDERED, that the City Clerk is hereby directed to file a Notice of Completion for CIP No. 170 – FY 2015-16 Frontage Gap Closure Improvement Project with the County Recorder.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of June, 2016 by the following vote:

AYES:
NOES:
ABSENT:

ABSTENTIONS:

APPROVED:

ATTEST:

Kevin Romick, Mayor

Libby Vreonis, City Clerk

Date

PURSUANT TO GOVERNMENT
CODE §6103 NO FEE IS REQUIRED
FOR THE RECORDATION OF THIS
DOCUMENT

WHEN RECORDED MAIL TO:

City Clerk
City Of Oakley
3231 Main Street
Oakley, Ca 94561

RECORDING REQUESTED BY:

City Of Oakley
3231 Main Street
Oakley, Ca 94561

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

NOTICE OF COMPLETION

CIP 170 – FY 2015-16 Frontage Gap Closure Improvement Project

NOTICE IS HEREBY GIVEN THAT:

The CITY OF OAKLEY, a political subdivision of the State of California, did, on October 13, 2015, enter into a Reimbursement Agreement with Claremont Homes, Inc., for the construction of Capital Improvement Program Project Number 170 – FY 2015-16 Frontage Gap Closure Improvement Project.

The work described in the Reimbursement Agreement was to furnish all material, labor, and equipment necessary to complete CIP No. 170 – FY 2015-16 Frontage Gap Closure Improvement Project. The project is located along the west side of Main Street near Bernard Road in Oakley.

On June 14, 2016 said contract, as a whole was completed and the work was accepted by the City Council of the City of Oakley.

I hereby certify under penalty of perjury that the facts set forth in the foregoing Notice of Completion are true and correct.

Executed at Oakley, Contra Costa County, State of California, on June 14, 2016.

By: _____
Libby Vreonis, City Clerk
City of Oakley, California



STAFF REPORT

Date: Tuesday, June 14, 2016
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, Public Works Director/City Engineer
SUBJECT: Creating Zone 159 within the Oakley Special Police Tax Area for Minor Subdivision 14-978 (Bella Estates)

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Background and Analysis

On February 10, 2015 the City Council adopted Resolution 25-15 which approved Tentative Parcel Map 03-14 (Bella Estates), which consists of 5 single-family lots located at 1289 Laurel Road (APN 034-080-034)

The Conditions of Approval for Minor Subdivision No. 14-978 require the property owner(s) to augment the financial impact that their development project has on the City's police services budget. The City of Oakley previously formed the Oakley Special Police Tax Area District that authorizes the levy of an annual special tax on parcels to augment their financial impact to the City's police services budget. The property owner(s) for Minor Subdivision No. 14-978 has requested that the City assist with annexing Minor Subdivision No. 14-978 into the Oakley Special Police Tax Area.

On June 12, 2000, the City Council approved a sample resolution and ordinance to be used for the annexation and formation of new zones within the City of Oakley Special Police Tax Area. On June 26, 2000, the City Council approved a rate schedule for the police service tax. On July 8, 2002, the City Council approved an amendment to the rate schedule that included an automatic annual inflator based upon the prior year's change in the Consumer Price Index - All Urban Consumers for the Bay Area. On March 22, 2004, the rate schedule was again amended to include an automatic inflator based on the actual cost increase in police services. The most recent approved Council items have been used for the proposed creation of Zone 159 within the Special Police Tax Area to satisfy the conditions of approval for this project. Adoption of the attached resolution and introduction of the attached ordinance will set an election date for July 14, 2016, which shall be conducted by the City Clerk via a mail ballot election. The vote will then be ratified at the August 9, 2016 regular City Council meeting, and the ordinance will take effect at that time assuming a favorable vote.

Fiscal Impact

There will be no financial impact to the City's General Fund. The applicants have funded all costs associated with the annexation of Zone 159 to the Oakley Special Police Tax Area. The FY 2015-16 special tax rate per single family parcel is \$975.84

and \$487.92 per undeveloped parcel. Therefore, successful creation of the zone could provide up to \$4,879.20 (in FY 2015-16 dollars) in revenue annually when all of the units are occupied. The taxes will be collected on the property tax rolls commencing in FY 2016-17.

Recommendation

The conditions of approval for Minor Subdivision No.14-978 require the property owners to augment police services. Adoption of this resolution and ordinance will set an election to be held on July 14, 2016. The election will then be ratified at the August 9, 2016 regular City Council meeting. Staff recommends that the City Council:

1. Adopt the Resolution creating Oakley Special Police Tax Zone 159 for Minor Subdivision No.14-978; and
2. Introduce the Ordinance establishing a special tax for police protection.

Conclusion

Staff recommends that the City Council adopt the Resolution creating Oakley Special Police Tax Zone 159 within the Oakley Special Police Tax Area for Minor Subdivision No. 14-978, and introduce the Ordinance establishing a special tax for police protection.

Attachments

- 1) Resolution Creating Oakley Special Police Tax Zone 159
 - a. Exhibit A - Diagram
- 2) Ordinance Establishing a Special Tax
 - a. Exhibit A – Diagram
 - b. Exhibit B – Schedule for Police Service Tax

CITY OF OAKLEY

RESOLUTION NO. __-16

A RESOLUTION CREATING OAKLEY SPECIAL POLICE TAX AREA ZONE 159 WITHIN THE OAKLEY SPECIAL POLICE TAX AREA FOR MINOR SUBDIVISION NO. 14-978 TO ESTABLISH A SPECIAL TAX FOR POLICE PROTECTION SERVICES

WHEREAS, it is the intention of the City Council to create Oakley Special Police Tax Area Zone 159 (Zone 159) within the Oakley Special Police Tax Area and authorize an election; and

WHEREAS, it is the intention of the City Council to adopt an ordinance establishing a special tax for police services within Zone 159; and

WHEREAS, the City recognizes the need for increased police protection services within Zone 159 and the difficulty of funding the current or increased level of police services with revenues now available; and

WHEREAS, it is the intention of the City Council to direct the City Clerk to conduct the election required by Government Code Section 53978, to be conducted by mail ballot pursuant to Elections Code Section 4108 and to be held on the earliest date permitted by law; and

WHEREAS, on February 10, 2015 the City Council adopted Resolution 25-15 which approved Tentative Parcel Map 03-14 (Bella Estates), which consists of 5 single-family lots located at 1289 Laurel Road (APN 034-080-034). The Conditions of Approval for Minor Subdivision No. 14-978 require the property owner(s) to augment the financial impact that their development project has on the City's police services budget. The City of Oakley previously formed Oakley Special Police Tax Area that authorizes the levy of an annual special tax on parcels to augment their financial impact to the City's police services budget. The property owner(s) for Minor Subdivision No. 14-978 has requested that the City assist with annexing Minor Subdivision No. 14-978 into the Oakley Special Police Tax Area. The initial annual special tax rate is \$975.84 per single-family parcel and \$487.92 per undeveloped parcel (all FY 2015-16 rates) per the rate schedule that was adopted by the City Council on March 22, 2004, by Resolution No. 26-04; and

WHEREAS, this Resolution is adopted pursuant to Government Code section 53978; and

WHEREAS, under Government Code section 53978 and for the purposes of this Resolution, a "voter" entitled to vote on the creation of Zone 159 is a person who owns real property within Zone 159 at the time Ordinance No. __ is adopted, as shown on the last equalized assessment roll prepared by the Contra Costa County Assessor's Office.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oakley hereby finds and determines as follows:

1. All of the City of Oakley shall be considered as the Oakley Special Police Tax Area.
2. That portion of the City of Oakley shown on the plats titled Exhibit "A" is established as Zone 159 of the Oakley Special Police Tax Area.
3. That Ordinance No. ___ adopted this date is to be presented for approval of the voters of Zone 159 by a mail ballot election, to be held on July 14, 2016. The ballot proposition shall read as follows:

"Shall Ordinance No. ___ of the City Council of the City of Oakley be approved so as to authorize a special tax on property located in Zone 159 of the Oakley Special Police Tax Area to maintain the present level of police protection service and provide additional funding for increased police protection service? The initial annual tax is to be \$975.84 per single family lot and \$487.92 per vacant lot (all FY 2015-16 rates) per the current rate schedule."

4. The City Clerk is directed to take all steps necessary to conduct the election required by this order. Said election shall be conducted by mailed ballot pursuant to Elections Code Section 4000 and shall be held on a date other than the same date as a statewide direct primary election on statewide general election as specified above.
5. Zone 159 of the Oakley Special Police Tax Area shall not be created, and the tax authorized in Ordinance No. ___ shall not be imposed if the Ordinance is not approved by two-thirds of the voters participating in the election called in Ordinance No. ___.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on June 14, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

ATTEST:

Kevin Romick, Mayor

Libby Vreonis, City Clerk

Date

EXHIBIT A - BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA ZONE 159
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

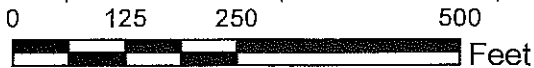
Laurel Road

Assessor
Parcel
Number
034-080-034



Nutmeg Drive

Thyme Court

Daniel Drive



Legend

-  Zone 159 Boundary
-  Parcel Lines

CITY OF OAKLEY

ORDINANCE NO. __-16

**AN ORDINANCE OF THE CITY OF OAKLEY ESTABLISHING
OAKLEY SPECIAL POLICE TAX AREA ZONE 159 WITHIN
THE OAKLEY SPECIAL POLICE TAX AREA FOR A SPECIAL
TAX FOR POLICE PROTECTION SERVICES FOR MINOR
SUBDIVISION NO. 14-978**

The Voters of the City of Oakley do ordain as follows:

Section 1. Purpose, Intent and Authority.

It is the purpose and intent of this Ordinance to authorize the levy of a special tax on parcels of real property on the secured property tax roll of Contra Costa County that are within Oakley Special Police Tax Area Zone 159 (Minor Subdivision No.14-978) of the Oakley Special Police Tax Area in order to provide funding for police protection to serve the property and persons within said Zone.

This Tax is a special tax within the meaning of Section 4 of the Article XIII A of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Section 4 of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary for the benefit of the residents of Zone 159.

This Ordinance is enacted pursuant to the authority of Government Code Section 53978.

Section 2. Definitions.

The following definitions shall apply throughout this Ordinance.

A. "Constant first year dollars" shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing price

as the base amount in first fiscal year dollars as measured by the actual cost of services for the City of Oakley's cost of obtaining police services, measured currently using its contract with the Contra Costa County Sheriff's Department. The base amount shall be the amount of tax per parcel as specified in Section 3.A herein. The adjustments from actual to constant dollars shall be made by use of the actual cost of services, as specified in Section 3.B herein.

B. "Actual Cost of Services" means the estimated fully-loaded average cost for the positions of police officer, Sergeant and Lieutenant [or comparable positions while the City contracts for police services with Contra Costa County] as provided to the City by the Contra Costa County Sheriff's Department during or about March of each calendar year.

C. "Fiscal year" means the period of July 1 through the following June 30.

D. "Oakley Special Police Tax Area" includes all properties within the jurisdictional limits of the City of Oakley.

E. Oakley Special Police Tax Area Zone 159 (hereinafter called "Zone") means that portion of the incorporated area of the City of Oakley located within the boundaries as shown on the map Exhibit A hereto.

F. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of this Ordinance, parcel does not include any land or improvements outside and boundaries of Zone 159 nor any land or improvements owned by any governmental entity.

G. Pursuant to Government Code §53978, "voter" means a person owning real property within the Zone at the time this Ordinance was adopted, as shown on the last equalized assessment role prepared by the Contra Costa County Assessor's Office.

Section 3. Amount and Level of Taxes.

The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2015 through June 30, 2016) shall be the amount of Tax Per Parcel for a Property Use Code Category as set forth on Exhibit B hereto. If any new development, including new residential units, is completed prior to the tax being effective for the first fiscal year, the owner of the Parcel, as shown on the latest assessment roll, shall pay the tax for the remainder of such fiscal year on a pro-rated basis to the City, no later than receipt of Certificate of Occupancy or final building permit inspection.

B. For Subsequent Fiscal Year:

In order to keep the tax on each parcel in constant first year dollars for each fiscal year subsequent to the first fiscal year, the tax per year shall be adjusted as set forth below to reflect any increase in the Actual Cost of Services beyond the first fiscal year the tax is levied.

In June or July of each year, City Council shall determine the amount of taxes to be levied upon the parcels in the Zone for the then current fiscal year as set forth below.

For each Property Use Category on Exhibit B, the tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount determined as follows:

$$\begin{array}{l} \text{Tax Per Parcel} \\ \text{For then Current} \\ \text{Fiscal Year} \end{array} = \begin{array}{l} \text{Tax Per Parcel} \\ \text{For First} \\ \text{Fiscal Year} \end{array} \times \begin{array}{l} \text{(Actual Cost of Services} \\ \text{for immediately} \\ \text{Preceding Fiscal Year)} \\ \text{(Actual Cost of Services} \\ \text{for First Fiscal Year} \\ \text{of Levy)} \end{array}$$

Provided, however, that in no event shall the tax per parcel for any fiscal year be less than the amount established for the first fiscal year.

C. The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Section 4, below.

Section 4. Collection and Administration.

A. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

B. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes and are to be collected in the same manner in which the County of Contra Costa collects secured roll ad valorem property taxes. Insofar as feasible and insofar as not inconsistent with this Ordinance, the times and procedure regarding exceptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax:

- i) The secured roll tax bills shall be the only notices required for this tax, and
- ii) The homeowners and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount of value.

C. Costs of Administration by County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

Section 5. Severability Clause.

If any article, section, subsection, sentence, phrase of clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of the Zone hereby declare that they would have adopted the remainder of this Ordinance, including each article, section, subsection, sentenced phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

Section 6. Effective Date and Posting.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting within the Zone in an election to be held on July 14, 2016 so that taxes shall first be collected hereunder for the tax year beginning July 1, 2016. If not confirmed by two-thirds of the voters participating in the election, this Ordinance and the tax approved herein shall not become effective.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on August 9, 2016 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

EXHIBIT A - BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA ZONE 159
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

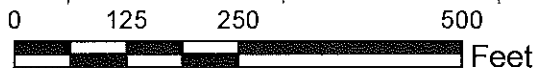
Laurel Road

**Assessor
Parcel
Number
034-080-034**



Nutmeg Drive

Thyme Court

Daniel Drive



Legend

-  Zone 159 Boundary
-  Parcel Lines

CITY OF OAKLEY SCHEDULE FOR POLICE SERVICE TAX
FOR FISCAL YEAR 2015/2016

PROPERTY USE CODE CATEGORY	EXPLANATION	FY14/15 TAX PER PARCEL	FY15/16 TAX PER PARCEL
11	Single Family Residence – 1res., 1 site	\$964.42	\$975.84
12	Single Family Residence – 1 res., 2 or more sites	\$964.42	\$975.84
13	Single Family Residence – 2 res., on 1 or more sites	\$1,543.08	\$1,561.34
14	Single Family Residence – other than single fam. Land	\$964.42	\$975.84
15	Misc. Improvements – 1 site	\$964.42	\$975.84
16	Misc. Improvements – 2 or more sites	\$964.42	\$975.84
17	Vacant – 1 site	\$482.21	\$487.92
18	Vacant – 2 or more sites	\$482.21	\$487.92
19	Single Family Residence – Det. W/common area	\$964.42	\$975.84
20	Vacant – Multiple	\$482.21	\$487.92
21	Duplex	\$1,543.08	\$1,561.34
22	Triplex	\$2,314.61	\$2,342.02
23	Fourplex	\$3,086.15	\$3,122.68
24	Combinations	\$964.42	\$975.84
25	Apartments (5 –12 Units)	\$3,869.74	\$3,915.54
26	Apartments (13 – 24 Units)	\$10,029.99	\$10,148.68
27	Apartments (25 – 59 Units)	\$19,288.44	\$19,516.70
28	Apartments (60+ units)	\$46,292.26	\$46,840.06
29	Attached PUDs: Cluster Homes, Condos, etc.	\$964.42	\$975.84
30	Vacant – Commercial	\$482.21	\$487.92
31	Commercial Stores – Not Supermarkets	\$1,928.84	\$1,951.68
32	Small Grocery Stores – (7-11, etc.)	\$2,893.27	\$2,927.52
33	Office Buildings	\$1,928.84	\$1,951.68
34	Medical, Dental	\$1,928.84	\$1,951.68
35	Service Stations, Car Wash	\$1,928.84	\$1,951.68
36	Garages	\$1,928.84	\$1,951.68
37	Community Facilities (Recreational, etc.)	\$3,857.69	\$3,903.34
38	Golf Courses	\$1,928.84	\$1,951.68
39	Bowling Alleys	\$964.42	\$975.84
40	Boat Harbors	\$2,411.06	\$2,439.80
41	Supermarkets – (not shopping centers)	\$2,893.27	\$2,927.52
42	Shopping Centers	\$3,857.69	\$3,903.34
43	Financial Buildings – (Ins., Title, Banks, S&L)	\$964.42	\$975.84
44	Motels, Hotels & Mobile Home Parks	\$4,822.11	\$4,879.18
45	Theaters	\$2,169.95	\$2,195.64
46	Drive-in Restaurants	\$1,446.63	\$1,463.76
47	Restaurants	\$1,446.63	\$1,463.76
48	Multiple & Commercial	\$1,446.63	\$1,463.76
49	New Car Agencies	\$1,446.63	\$1,463.76
50	Vacant Land (not part of Ind. Park or P. & D.)	\$361.66	\$365.94
51	Industrial Park	\$2,893.27	\$2,927.52
52	Research & Development	\$1,446.63	\$1,463.76
53	Light Industrial	\$1,446.63	\$1,463.76
54	Heavy Industrial	\$1,446.63	\$1,463.76
55	Mini Warehouses (public storage)	\$2,893.27	\$2,927.52
56	Misc. Improvements	\$2,893.27	\$2,927.52
61	Rural, Res., Improvement 1A-10A	\$723.32	\$731.88
62	Rural, w/or w/o structure 1A-10A	\$723.32	\$731.88
70	Convalescent Hospitals / Rest Homes	\$1,446.63	\$1,463.76
73	Hospitals	\$1,446.63	\$1,463.76
74	Cemeteries / Mortuaries	\$1,446.63	\$1,463.76
75	Fraternal & Service Organizations	\$1,446.63	\$1,463.76
76	Retirement Housing Complex	\$4,822.11	\$4,879.18
78	Parks & Playgrounds	\$2,893.27	\$2,927.52
85	Public & Private Parking	\$1,446.63	\$1,463.76
87	Common Area	\$1,446.63	\$1,463.76
88	Mobile Homes	\$723.32	\$731.88
89	Other (split parcels in different tax code areas)	\$723.32	\$731.88
99	Homeowner's Association Owned Common Areas	\$587.17	\$594.14

The City Manager shall automatically adjust the amounts shown on this schedule on July 1 of each fiscal year by the increase or decrease in the cost to the City for police services, which increase or decrease shall be calculated by taking the annual increase/decrease in the fully-loaded average cost for the positions of Deputy, Sergeant and Lieutenant [or comparable positions while the City contracts for police services with Contra Costa County] and applying that percentage to the prior year amounts for each property use code category.

CALCULATION OF COST OF LIVING INCREASE

Average Cost Per Officer for FY 2014/15 (previous period) ¹	\$	257,883.49
Average Cost Per Officer for FY 2015/16 (current period) ¹	\$	260,935.11
Difference (equals current period minus previous period)	\$	3,051.62
Percent Change (equals difference divided by previous index times 100)		1.18%

¹Source for average cost per officer data is "Personnel Costs, Estimated Salary and Benefits" published by the Contra Costa County Sheriff's Fiscal Services



STAFF REPORT

Date: Tuesday, June 14, 2016
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, Public Works Director/City Engineer

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

SUBJECT: Resolution Naming Parcel A of Subdivision 9027, "Duarte Ranch Park"

Background and Analysis

Seeno Homes is the developer of Subdivision 9027, the neighborhood south of Laurel Road and east of Rose Avenue. The subdivision includes Parcel A that is dedicated for public park purposes. Parcel A is a 2.1 acre parcel park between Mosswood Drive and Sapphire Parkway.

Seeno Homes is currently preparing the construction documents for the park and intends to start construction in the coming months. Seeno Homes proposed the following three (3) park names for consideration: Duarte Ranch Park, Laurelwood Park, and Rosewood Park.

Seeno Homes prefers and recommends the park be named "Duarte Ranch Park". The park name is in line with the City's adopted Facilities Naming Policy (attached) and Staff supports naming the park "Duarte Ranch Park".

Fiscal Impact

There is no budgetary impact to this policy decision. The cost to incorporate the permanent park name into a park sign is included in the Seeno Homes contract to design and build the park.

Recommendation

Staff recommends that the City Council adopt the resolution formally naming the Parcel A park of Subdivision 9027 "Duarte Ranch Park".

Attachments

- 1) Resolution
- 2) Vicinity Map
- 3) City Facilities Naming Policy

RESOLUTION NO. __-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY NAMING PARCEL A OF SUBDIVISION 9027, "DUARTE RANCH PARK"

WHEREAS, Seeno Homes is the developer of Subdivision 9027 (aka Duarte Ranch Subdivision); and

WHEREAS, Parcel A of Subdivision 9027 has been dedicated to the City of Oakley for public park and landscape purposes; and

WHEREAS, in February 2007 the City Council approved a City Facilities Naming Policy; and

WHEREAS, the use of geographic identifiers to aid the public in locating City facilities is preferred; and

WHEREAS, Seeno Homes has recommended a park name, which Staff supports for the name of the park development.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the City Council of the City of Oakley hereby names the dedicated park Parcel A of Subdivision 9027, as "Duarte Ranch Park".

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of June, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

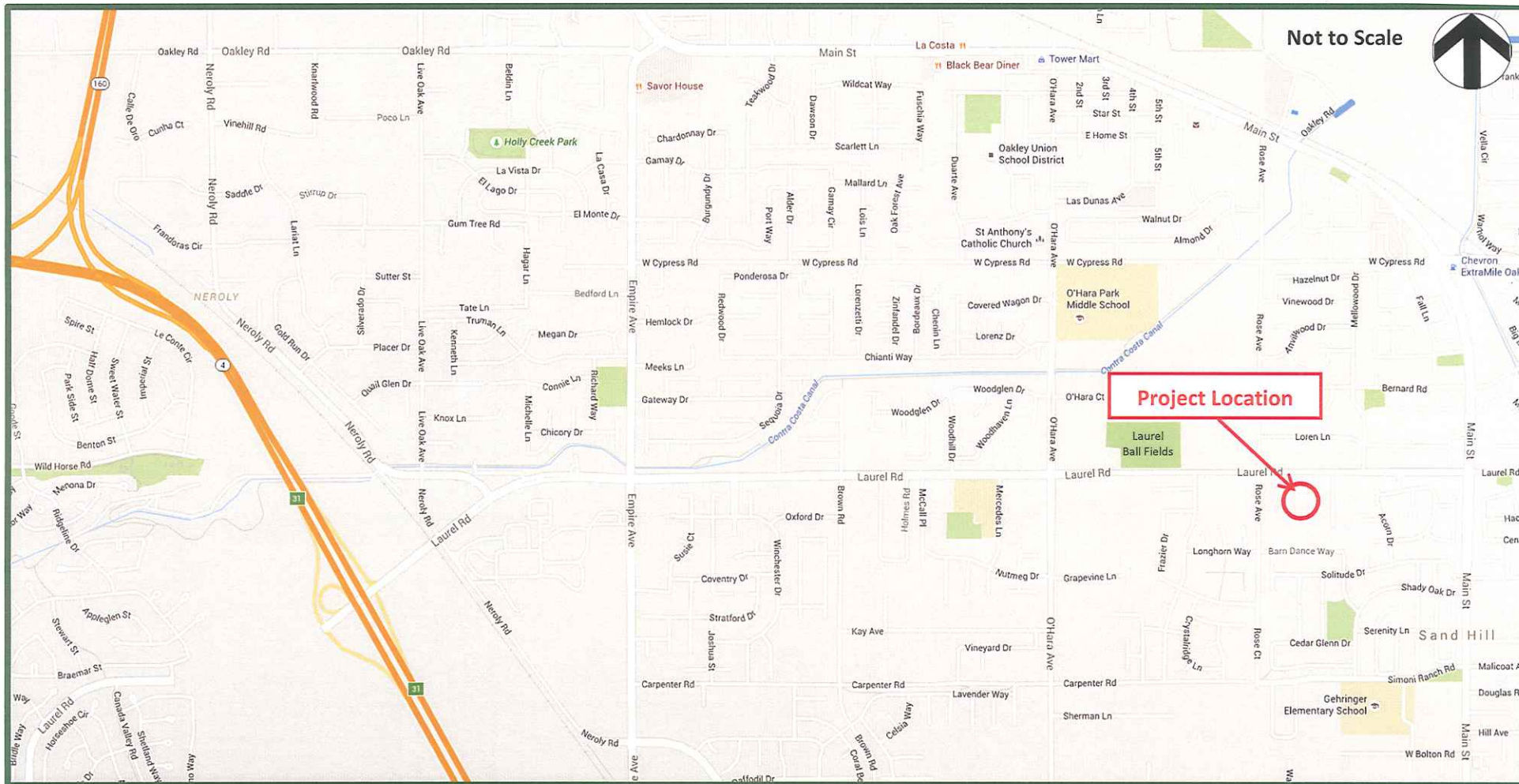
APPROVED:

ATTEST:

Kevin Romick, Mayor

Libby Vreonis, City Clerk

Date



PROJECT LOCATION MAP
Duarte Ranch Park





CITY FACILITIES NAMING POLICY

Approved February 26, 2007

PURPOSE:

To provide guidelines and procedures for naming of City Facilities and Parks.

DEFINITIONS:

City Facilities: Any facility, park or property owned, controlled and/or maintained by the City to conduct City business or City-sponsored activities, including developed areas, undeveloped areas and designated open spaces.

PROCEDURE:

City staff will coordinate the generation of potential names and forward them to the City Manager. The City Manager will provide recommendation(s) regarding the proposed name(s) to the City Council for its consideration and the City Council shall have final approval.

POLICY:

- 1) Naming shall be of such that it would provide an easy and recognizable reference to the facility and be compatible to the area in which the facility is located.
- 2) Naming based on a geographic location should reflect the well-known geographic name of the area within which the facility is located, the street adjacent to the facility, or other acceptable identification with the consideration of specific place, neighborhood, subdivision, or well-confirmed cultural or historical significance.
- 3) Naming based on a person or family should be done only for an individual (or family) that has had a clearly positive and significant impact or contribution to the City, State or Country. (This could include significant donors to the facility or previous property owners). Names should be avoided that would cause undue contention or concern.
- 4) Naming should take into account the names of other facilities (public or private) so as to not duplicate or utilize a name that could be readily confused by others, particularly emergency response personnel.



STAFF REPORT

Date: Tuesday, June 14, 2016
To: Honorable Mayor and City Councilmembers
From: William R. Galstan, Special Counsel *William R. Galstan*
SUBJECT: Ordinance Accepting Requirements of POST

Summary and Recommendation

Staff recommends that the City Council introduce the attached Ordinance accepting the requirements of the California Commission on Peace Officer Standards and Training ("POST").

Fiscal Impact

None anticipated.

Background and Analysis

The California Commission on POST establishes standards for training of police officers. By becoming a member agency of POST, our officers will be eligible to attend training sessions sponsored by POST. Before we can become a member, we must adopt an ordinance verifying that Oakley will adhere to the standards for recruitment and training established by POST.

Attachment

- 1) Ordinance accepting the requirements relating to peace officer training and recruitment.

Cc w/encl: Chris Thorsen, Police Chief

ORDINANCE NO.XX-XX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING
THE REQUIREMENTS OF THE PENAL CODE RELATING TO THE TRAINING OF
LAW ENFORCEMENT OFFICERS**

The City Council of the City of Oakley does ordain as follows:

Section 1. The governing body of the City of Oakley declares that it desires to qualify to receive aid from the State of California under the provisions of Section 13522, Chapter 1 of Title 4, Part 4 of the California Penal Code.

Section 2. Pursuant to Sections 13510.1 and 13512 of said Chapter 1, the City of Oakley will adhere to the standards for recruitment and training established by the Commission on Peace Officer Standards and Training.

Section 3. The Commission and its representatives may make such inquiries as deemed necessary to ascertain that the peace officer personnel of the City of Oakley adhere to the standards for recruitment and training established by the California Commission on Peace Officer Standards and Training.

Section 4. The ordinance shall take effect and be in full force and effect thirty (30) days from and after its date of passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the office of the City Clerk at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on June 14, 2016 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor

ATTEST

Libby Vreonis, City Clerk

Date



MEMORANDUM

Date: June 14, 2016
To: City Council
From: Mayor Kevin Romick
Vice-Mayor Sue Higgins

SUBJECT: Appointments of Citizen Planning Advisors

Background

In March of 2014 the City Council adopted Resolution 15-14 (attached) that formed the Citizen Planning Advisors. Due to a lack of applications, no appointments were made. Earlier this year the City Council reviewed various concepts to encourage more public input in the Planning/Zoning process (attached) and directed Staff to once again work to obtain volunteers willing to serve as Citizen Planning Advisors. These volunteers would function in a capacity similar to a more formal Design Review Board.

Significant outreach was conducted again to solicit applications and nine residents ended up applying. After a thorough review of the applications, all nine were interviewed by the Mayor and Vice-Mayor, as a Council subcommittee, and members of City staff. We were all impressed with the quality of the candidates and our recommendation focuses on those that have some specific technical expertise that is relevant to Planning, and to those that have not been able to participate much, but are desirous to do so. (Some candidates are already very involved and would continue to be so).

The appointed Citizen Planning Advisors would receive subdivision and Design Review applications and would have the opportunity to submit comments regarding the applications, which would then be included in staff reports presented to the City Council. The Advisors would use the adopted Residential and Commercial/Industrial Design Guidelines to review the projects.

Resolution 15-14 calls for a City Council review of this program at the conclusion of the first two years of operation. Also, the Resolution specifies the rule applicable to all volunteer City committees, which is that members serve at the pleasure of the majority of the Council and can be removed at any time and without cause.

Staff believes that this program will be an effective method of obtaining focused citizen input early on in the community development process.

Fiscal Impact

Anticipated minor costs for orientation/training, duplication and/or transmittal of materials and associated Staff time would likely be between \$5,000 and \$10,000 per year.

Recommendation

Appoint Ravi Batth, Samuel Drucker, Nicholas Garcia, Roni Gomez and Nick Lawrence as Citizen Planning Advisors; and, Patricia Twigg to be designated as an alternate.

Attachments

1. Resolution 15-14 Establishing Citizen Planning Advisors
2. Summary of actions to increase public input in Planning/Zoning processes
3. Applications of recommended candidates

RESOLUTION NO. 15-14

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
ESTABLISHING CITIZEN PLANNING ADVISORS**

WHEREAS the City Council is the Planning Agency of the City of Oakley; and

WHEREAS the Council desires to encourage more citizen participation and input in the subdivision and Design Review process;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. There is hereby established the volunteer office of "Citizen Planning Advisor", which shall have the duties as specified herein.
2. The City Council may, from time to time, appoint three, but not more than five, Citizen Planning Advisors, who shall serve terms of two years.
3. The City shall use its established application process for recruiting and selecting the Advisors. Emphasis in the appointment selection shall be based upon each applicant's knowledge and interest in urban and community planning and any knowledge or experience in the disciplines of architecture, urban design, landscape architecture, environmental studies, traffic engineering, or related disciplines.
4. Every Citizen Planning Advisor shall be deemed to be a "designated employee" under the City's Conflict of Interest Code and shall be assigned Disclosure Categories 1 – 4 and file Disclosure Statements and otherwise comply with all requirements of the Conflict of Interest Code and regulations of the City and the State of California. Although they are included in the term "designated employee", Citizen Planning Advisors shall be volunteers and not be employees of the City and not be entitled to compensation or benefits of any kind or nature. They may, however, be entitled to receive training or reimbursement of expenses if approved in advance of incurring any expense or training by the City Manager.
5. City staff will route to Citizen Planning Advisors subdivision and Design Review projects after the applications for such projects are "deemed complete" per Government Code Section 65920 et. seq. Each Advisor will use the adopted Residential and Commercial/Industrial Design Guidelines to review projects and may submit comments on the project to City staff.
6. City staff shall attach any comments received from the Citizen Planning Advisors to the reports given to the City Council.
7. City staff shall have no obligation to respond to comments from Citizen Planning Advisors.

8. City staff shall conduct at least one training session for each Citizen Planning Advisor and shall coordinate at least an annual meeting for the Citizen Planning Advisors to discuss the operations of this program.
9. Notwithstanding the creation of the Citizen Planning Advisor program, the City Council shall remain the Planning Agency for the City of Oakley.
10. This program shall be reviewed by the City Council at the conclusion of the first two years and thereafter from time to time. Citizen Planning Advisors serve at the pleasure of the majority of the City Council, and may be removed from office prior to the expiration of the term at the discretion of a majority of the members of the City Council.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 11th of March, 2014 by the following vote: 5-0

AYES: Burgis, Hardcastle, Pope, Rios, Romick

NOES:

ABSTENTION:

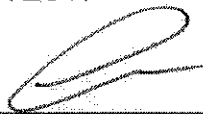
ABSENT:

APPROVED:



Randy Pope, Mayor

ATTEST:



Libby Vreonis, City Clerk

13 MAR 14

Date

More public input in the Planning/Zoning process

This is a follow-up to the discussions of how to encourage even further input in planning and zoning items that come before the City Council.

- Increasing noticing area from 300' (State law) to 500' *(this has been implemented)*
- Placing all development projects and CEQA items on the City website *(this is being implemented)*
- Providing a biweekly update on new projects received for the FYI *(this is being implemented)*
- Continue efforts to encourage residents to sign up to receive City Council Meeting agendas via email *(this is being implemented)*
- Hold PRELIMINARY work session on any proposed General Plan Amendment *(this has been implemented)*
- Staff to hold community meetings on larger projects (commercial projects over 2,000 sq. ft., subdivisions over 50 units, rezones and General Plan Amendments)
- Include significant project in the weekly *Oakley Outreach* email blast and FYI *(this is being implemented)*
- Incorporate these items in the online town hall software "*Engage in Oakley*" *(this is being implemented)*
- Continuing Citizen Leadership Academy to help further prepare community leaders *(this is being implemented)*
- Appoint 3-5 Citizen Planning Advisors *(in process)*

OAKLEY



CALIFORNIA

* APPLICATION FOR APPOINTMENT
BY THE OAKLEY CITY COUNCIL
FOR
CITIZEN PLANNING ADVISORS

(Please Print Clearly)

Name: SAMUEL DRUCKER

Home Address: 25 MORE CT.
OAKLEY, CA 94561

Mailing Address: SAME AS ABOVE
(if different)

Home Phone: 925-878-5677

Work Phone: SAME AS ABOVE

E-Mail: SDRUCH28@GMAIL.COM

Are you a graduate of the City of Oakley Citizen Leadership Academy? Yes No

Please provide a written or typed response for each item below. Please use no more than 200 words per item. Please attach additional pages as needed.

1. Please state your interest in the position.

I AM INTERESTED IN PURSUING THE POSITION OF CITIZEN PLANNING ADVISOR. I AM A HUSBAND AND NEW FATHER WITH A PASSION FOR DESIGN AND PLANNING AND FEEL THAT I CAN PROVIDE INSIGHT AS WELL AS GAIN A UNIQUE OPPORTUNITY FOR EXPERIENCE.

2. Qualifications: Please describe your educational, work and other experience which would make you a valuable addition to the position.

I AM CURRENTLY IN MY THESIS YEAR (5TH) OF A BACHELOR OF ARCHITECTURE DEGREE AT THE ACADEMY OF ART UNIVERSITY IN SAN FRANCISCO.

I AM ALSO AN ARCHITECTURE INTERN AT SDG ARCHITECTS IN BRENTWOOD. I AM A 5 YEAR VETERAN OF THE U.S. COAST GUARD AND AN EAGLE SCOUT FROM TROOP 204 IN LAFAYETTE, CA.

3. Please describe your involvement with any local, civic or community groups?

THIS OPPORTUNITY WOULD BE MY FIRST INVOLVEMENT WITH ANY LOCAL, CIVIC AND COMMUNITY GROUP.

4. As a resident of Oakley, what do you see as the strengths of the community?
Conversely, what are its weaknesses?

AS A THIRD YEAR RESIDENT, ORIGINALLY FROM LAFAYETTE, I SEE OAKLEY'S FAMILY-ORIENTED DEMOGRAPHIC, SMALL TOWN FEEL, RICH REGIONAL HISTORY, AND ECOLOGICAL ADJACENCY AS NOTABLE STRENGTHS.

WEAKNESSES MAY INCLUDE ISSUES OF SUBURBAN SPRAWL (ALTHOUGH PUBLIC TRANSIT AND BIKIE LINES AID IN REMEDIATING THIS).

A LACK OF WALKABILITY AND DISTANT PROXIMITY OF AMENITIES CAN BE SEEN AS A DETERRENT.
I AM AWARE OF OAKLEY'S DOWNTOWN REVITALIZATION.

5. Have you previously or are you currently serving on any board or commission for Oakley or any other governmental agency? If so, please include.

NO, I AM NOT, NOR HAVE I DONE SO.

6. What do you hope to accomplish by your participation with the Citizen Planning Advisory group?

I HOPE TO PROVIDE THE CITY WITH WHATEVER INSIGHT I CAN PROVIDE WITH AN OPINION ON DESIGN, PLANNING, AND THE NEEDS & WANTS OF THE PUBLIC.

ALSO, I WOULD LIKE TO GAIN SOME INSIGHT TO THE CITY PLANNING PROCESS, POSSIBLY INSPIRING FURTHER INTEREST.

Additional relevant comments:

I WOULD GREATLY APPRECIATE YOUR CONSIDERATION FOR THIS POSITION. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ME. THANK YOU.

Date: 12 MAY 2016

Please return this application no later than 6 p.m. on Thursday, May 19th to:

City of Oakley
Office of the City Clerk
3231 Main Street
Oakley, CA 94561

*All information contained in this application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Oakley. All information in this application will be provided to the Oakley City Council in a public forum and will be reviewed in public. It will, therefore, be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information may be used to determine your suitability for appointment.

OAKLEY



CALIFORNIA



*** APPLICATION FOR APPOINTMENT
BY THE OAKLEY CITY COUNCIL
FOR
CITIZEN PLANNING ADVISORS
(Please Print Clearly)**

Name: Ravinder S Batth

Home Address: 61 Gull View Ct.
Oakley, CA 94561

Mailing Address: _____
(if different) _____

Home Phone: 925-420-6955

Work Phone: 925-323-8626

E-Mail: rvbaat@gmail.com

Are you a graduate of the City of Oakley Citizen Leadership Academy? Yes No

Please provide a written or typed response for each item below. Please use no more than 200 words per item. Please attach additional pages as needed.

1. Please state your interest in the position.

Being a resident of the city for the last 8 years, I feel concerned about every aspect of the city. I want to see this city as one of the best cities to live and like to contribute, in whatever way I can, towards the development of the Oakley.

2. Qualifications: Please describe your educational, work and other experience which would make you a valuable addition to the position.

M.A. Economics.

- I have worked as a Statistician where I did collection, compilation and interpretation of data
- I worked in a petroleum company and worked on various positions that involved management, customer service and auditing.
- I have been working full time Realtor now, so very familiar with the changing landscape.

3. Please describe your involvement with any local, civic or community groups?

- I am an Ambassador with 'You Me We Oakley'
- Completed my Leadership training with the City
- Part of the Police Advisory Group.

4. As a resident of Oakley, what do you see as the strengths of the community?
Conversely, what are its weaknesses?

Strengths: ^{relatively}

- Being a ~~small~~ city, it has a community feel.
- Close to water fronts, Delta and open spaces and farming lands on one side of hills on other.
- Easy access to major metropolitan or business centers (San Francisco, Sacramento.)

Weaknesses:

- Does not have much shopping options that may attract the city's revenues rather there can be an outflow of revenue.
- Need to develop some attractions to increase outside visitors & shoppers.

5. Have you previously or are you currently serving on any board or commission for Oakley or any other governmental agency? If so, please include.

NO

6. What do you hope to accomplish by your participation with the Citizen Planning Advisory group?

I shall be able to give my input from the concerned public member that may help the City planners to develop strategies for the better development of the city.

Additional relevant comments:

Date: 5/19/16

Praninder Singh

Please return this application no later than 6 p.m. on Thursday, May 19th to:

City of Oakley
Office of the City Clerk
3231 Main Street
Oakley, CA 94561

*All information contained in this application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Oakley. All information in this application will be provided to the Oakley City Council in a public forum and will be reviewed in public. It will, therefore, be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information may be used to determine your suitability for appointment.

OAKLEY



CALIFORNIA

*** APPLICATION FOR APPOINTMENT
BY THE OAKLEY CITY COUNCIL
FOR
CITIZEN PLANNING ADVISORS
(Please Print Clearly)**

RECEIVED
MAY 16 2016
BY:

Name: Nicholas Garcia

Home Address: 2116 El Lago Drive
OAKLEY Ca, 94561

Mailing Address: _____
(if different)

Home Phone: 925 - 679 1236

Work Phone: 408 - 582 - 2938

E-Mail: Nicholas.Garcia@AITSource.com

Are you a graduate of the City of Oakley Citizen Leadership Academy? Yes No

Please provide a written or typed response for each item below. Please use no more than 200 words per item. Please attach additional pages as needed.

1. Please state your interest in the position.

I have a vested interest in the community as a citizen, landowner, and top 15.5% in education. With my background in civil construction and land development I feel obligated to my brethren to take care of them

2. Qualifications: Please describe your educational, work and other experience which would make you a valuable addition to the position.

Since the 90's I have worked in the various aspects of construction from the trades, inspection, design, land development, and utilities, I have worked with various jurisdictions. My deep understanding of E.I.R., drainage, staking, and Terrain analysis with regards to some zoning are unique items I bring to the team. I own a degree in construction and currently taking ~~my~~ graduate courses from my M.B.A. as well.

3. Please describe your involvement with any local, civic or community groups?

My family and I are frequently involved with OAKLEY community service such as Marsh creek cleanup.

4. As a resident of Oakley, what do you see as the strengths of the community?

Conversely, what are its weaknesses?

I see the layout and space allocation of great advantage to residents, in particular the runoff ponds and vineyards to create a sustainable environment.

As far as weaknesses education is the weakest area along with the ability to prevent crime from predators from Antioch, Pittsburg, and Oakland.

5. Have you previously or are you currently serving on any board or commission for Oakley or any other governmental agency? If so, please include.

No, I have never served but I have 8 years preparing engineering documentation working with civil engineers as a public servant, in addition to manage the construction process in various jurisdictions from Tulare the Reno.

6. What do you hope to accomplish by your participation with the Citizen Planning Advisory group?

I want to serve the community as a human resource and as a role model for fellow residents

Additional relevant comments:

Projects list I have worked on as an example;

- Anderson Reservoir (civil) SCVWD
- Guadalupe Freeway (civil) SCVWD
- Alviso Clay Cap (civil) BKF
- Various building construction (various)

Date:

5/16/16

Please return this application no later than 6 p.m. on Thursday, May 19th to:

City of Oakley
Office of the City Clerk
3231 Main Street
Oakley, CA 94561

***All information contained in this application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Oakley. All information in this application will be provided to the Oakley City Council in a public forum and will be reviewed in public. It will, therefore, be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information may be used to determine your suitability for appointment.**

OAKLEY



CALIFORNIA

RECEIVED
MAY 19 2016
BY: _____

*** APPLICATION FOR APPOINTMENT
BY THE OAKLEY CITY COUNCIL
FOR
CITIZEN PLANNING ADVISORS
(Please Print Clearly)**

Name: Roni Gomez

Home Address: 4608 La Vista Drive
Oakley

Mailing Address: _____
(if different)

Home Phone: 925-699-3701

Work Phone: 925-699-3701

E-Mail: fishdancin@yahoo.com

Are you a graduate of the City of Oakley Citizen Leadership Academy? Yes No

Please provide a written or typed response for each item below. Please use no more than 200 words per item. Please attach additional pages as needed.

1. Please state your interest in the position.

I have been a resident of Oakley since 1988 and have seen many changes, good and bad. The incredible growth of our small town has been amazing. I wish to be more a part of it, more invested. I was in the inaugural Leadership Academy and have looked for the right project fit to commit myself.

- 2. Qualifications: Please describe your educational, work and other experience which would make you a valuable addition to the position.**

I have no experience except as a citizen who is ready to commit the time and energy to a project that matters. And it does matter. To the existing citizens of the city, the ones that will come in the future to live and the businesses that will locate within our city limits, bringing tax dollars and infrastructure.

- 3. Please describe your involvement with any local, civic or community groups?**

I am very active in the Veteran community. I volunteer for fund raisers and events in the city. I also spend a good amount of time making dresses for at-risk little girls around the world to keep them safe from predators and traffickers.

4. **As a resident of Oakley, what do you see as the strengths of the community?
Conversely, what are its weaknesses?**

It's People! It's small town atmosphere. It's city government that has the city, as a whole, in it's best interest.

The greatest weaknesses we have are bigger than just our city. They are societal issues.

On a local level, citizen involvement must be increased. There is too much complaining about every issue, plan or decision, yet no one is willing to get involved.

5. **Have you previously or are you currently serving on any board or commission for Oakley or any other governmental agency? If so, please include.**

No

6. What do you hope to accomplish by your participation with the Citizen Planning Advisory group?

A greater understanding of the planning process. The who, when, why and how of all of it. Experience to continue my involvement in my city. A sense of involvement, commitment and accomplishment.

Additional relevant comments:

Date: 5-17-2016

Please return this application no later than **6 p.m. on Thursday, May 19th** to:

City of Oakley
Office of the City Clerk
3231 Main Street
Oakley, CA 94561

***All information contained in this application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Oakley. All information in this application will be provided to the Oakley City Council in a public forum and will be reviewed in public. It will, therefore, be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information may be used to determine your suitability for appointment.**

*** APPLICATION FOR APPOINTMENT
BY THE OAKLEY CITY COUNCIL
FOR
CITIZEN PLANNING ADVISORS**

Name: Nick Lawrence

Home Address: 135 Edmeades Ct., Oakley, CA 94561

Mailing Address: Same as above

Home Phone: 317-441-9294

Work Phone: 510-220-5178

Email: nmlawrence1422@gmail.com

Are you a graduate of the City of Oakley Citizen Leadership Academy? Yes No

Please provide a written or typed response for each item below. Please use no more than 200 words per item. Please attach additional pages as needed.

1. Please state your interest in the position.

As a citizen of Oakley, I'm interested in providing guidance and input on projects that the city is undertaking. I appreciate the council's approach on requesting additional input and feel a responsibility to help with this.

2. Qualifications: Please describe your educational, work and other experience which would make you a valuable addition to the position.

I have 30+ years of engineering and program management experience and while not in the urban planning or other related disciplines in the advertisement, I feel that I could contribute to the discussions on city projects.

3. Please describe your involvement with any local, civic or community groups?

At this time, I am not involved in any of the groups mentioned.

**4. As a resident of Oakley, what do you see as the strengths of the community?
Conversely, what are its weaknesses?**

I think the small town feel near the larger metropolis areas around us is a strong characteristic of the community. I think our reputation of a clean and safe environment is well founded. I would like to see the city grow to offer more business and community assets. I think the city can and should continue to build around the downtown and surrounding areas.

5. Have you previously or are you currently serving on any board or commission for Oakley or any other governmental agency? If so, please include.

I am not and have not served on boards or governmental agencies.

6. What do you hope to accomplish by your participation with the Citizen Planning Advisory group?

I would like to offer input from, possibly, a different perspective since I don't have the direct experience in the related fields. I also see this as a way to participate in the community and help it continue to be a great location.

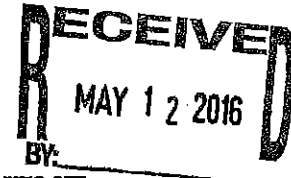
Additional relevant comments:

Date: 19-May-2016

OAKLEY



CALIFORNIA



*** APPLICATION FOR APPOINTMENT
BY THE OAKLEY CITY COUNCIL
FOR
CITIZEN PLANNING ADVISORS**

(Please Print Clearly)

Name: Patricia A. Twigg

Home Address: 1886 Santa Fe St.
Oakley, CA 94561

Mailing Address: _____
(if different) _____

Home Phone: (925) 625-3686

Work Phone: _____

E-Mail: patwigg@att.net

Are you a graduate of the City of Oakley Citizen Leadership Academy? Yes No

Please provide a written or typed response for each item below. Please use no more than 200 words per item. Please attach additional pages as needed.

1. Please state your interest in the position.

As a 27.5 year resident of Oakley, I would like to provide input into the decision making process as it pertains to the growth of Oakley (residential and business).

2. **Qualifications:** Please describe your educational, work and other experience which would make you a valuable addition to the position.

In college (UC-Davis + Fresno State), I took a lot of Political Science courses, including local and state government classes. My work experience included 35 years in the financial world (25 years doing productivity studies for Bank of America + 10 years ~~in~~ the mortgage banking field).

3. Please describe your involvement with any local, civic or community groups?

As a part of being a graduate of the 2015 City of Oakley Citizen Leadership Academy, I am currently involved in the Oakley Police Chief's Advisory Group. ~~I~~ I am also a member of Beta Sigma Phi, which is a Women's cultural, civic and philanthropic organization.

4. As a resident of Oakley, what do you see as the strengths of the community?
Conversely, what are its weaknesses?

The strengths and weaknesses are in the diversities of the Oakley residents.

Also, one of the main weaknesses is that the city government doesn't listen enough to its citizens when making decisions.

5. Have you previously or are you currently serving on any board or commission for Oakley or any other governmental agency? If so, please include.

No

6. What do you hope to accomplish by your participation with the Citizen Planning Advisory group?

I am hoping that the city will start listening to its citizens as it pertains to city growth (residential and business).

I, as a long time resident, would like more businesses (shopping) so that Oakley residents will pay taxes to Oakley and not nearby cities (Antioch, Brentwood and Concord).

Additional relevant comments:

Date: 5/9/16

Please return this application no later than 6 p.m. on Thursday, May 19th to:


City of Oakley
Office of the City Clerk
3231 Main Street
Oakley, CA 94561

***All information contained in this application is public data and will be made available for public review and copying for anyone requesting it, and may be posted on the website of the City of Oakley. All information in this application will be provided to the Oakley City Council in a public forum and will be reviewed in public. It will, therefore, be part of the public record. Although you are not legally required to provide any of the information requested in this application, the information may be used to determine your suitability for appointment.**



STAFF REPORT

Date: June 14, 2016
To: Bryan Montgomery, City Manager
From: Joshua McMurray, Planning Manager

Approved and Forwarded to City Council:

Bryan Montgomery, City Manager

SUBJECT: **Continued May 24, 2016 - Hamman Minor Subdivision MS 16-977 (Tentative Parcel Map TPM 02-16) - A Request to subdivide 3.96-acre parcel into two lots with a remainder parcel located at 2540 Oakley Road APN: 037-080-021**

SUMMARY

This item was continued from the May 24, 2016 City Council meeting. At the meeting, the Applicant and Staff requested additional time to discuss alternatives to Condition #13, which requires the Oakley Road frontage to be constructed prior to the approval of a Final Map. After the meeting, Staff asked the applicant to provide the City a written proposal that we could review (as several alternatives were discussed at the meeting). The applicant has had ongoing discussions with the property owner over these past two weeks and they have concluded that the original Staff Recommendation is appropriate at this time and they wish to proceed with the project as proposed and conditioned. They plan to market the property with an approved Tentative Parcel Map and the frontage improvements will be a condition of the property sale. This relieves the City of any obligation as the City does not have control over the Title of private property. As was stated at the May 24th meeting, the Draft Resolution has an original approval timeframe of three (3) years and after that there are up to an additional six (6) years of eligible extensions to the Tentative Parcel Map that can be applied for.

The May 24, 2016 Staff Report and attachments as well as an updated Draft Resolution with new dates are included as attachments to this report.

RECOMMENDATION

Staff recommends the City Council adopt the resolution approving the Hamman Minor Subdivision MS 16-977 (Tentative Parcel Map TPM 02-16), as conditioned.

ATTACHMENTS

1. May 24, 2016 Staff Report
2. Draft Resolution

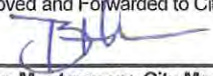
Agenda Date: 05/24/2016
 Agenda Item: 4.2



STAFF REPORT

Date: May 24, 2016
To: Bryan Montgomery, City Manager
From: Joshua McMurray, Planning Manager
SUBJECT: **Hamman Minor Subdivision MS 16-977 (Tentative Parcel Map TPM 02-16) - A Request to subdivide 3.96-acre parcel into two lots with a remainder parcel located at 2540 Oakley Road APN: 037-080-021**

Approved and Forwarded to City Council:


 Bryan Montgomery, City Manager

SUMMARY

This is a public hearing on a request for approval of a Tentative Parcel Map (TPM 02-16) to subdivide 3.96-acre parcel into two lots with a remainder parcel. Parcel A will be 1.347-acres, Parcel B will be 1.842-acres and the Remainder Parcel will be .702-acres. No construction is proposed at this time. The legal non-conforming single-family residential dwelling will remain on a proposed remainder parcel. The site is located at 2540 Oakley Road and is designated as Light Industrial in the Oakley 2020 General Plan and zoned Light Industrial (LI) District.

Staff recommends the City Council adopt the resolution approving the Hamman Minor Subdivision MS 16-977 (Tentative Parcel Map TPM 02-16), as conditioned.

BACKGROUND

General Plan and Zoning

The General Plan Land Use Designation for the project site is *Industrial* as depicted in the [Oakley 2020 General Plan](#) Figure 2-2 (Land Use Diagram). The site is zoned "LI" (Light Industrial) District. Applicable lot requirements for the LI District include a 7,500 square foot minimum lot size, 0.67 maximum base floor area ratio (FAR), 50% maximum lot coverage, and no applicable minimum lot width or lot depth.

Existing Conditions and Surrounding Uses

Project Site: The project site at 2540 Oakley Road is 3.96-acres and currently has one single-family home and several accessory structures.

North: A vineyard exists to the north on land designated and zoned for Light industrial uses.

South: Land designated and zoned for Single-Family Residential uses exist to the south of the project site, across Oakley Road.

East: A vineyard exists to the east on land designated and zoned for Light industrial uses.

West: Contimente Nut exists to the west on land designated and zoned for Light industrial uses.

PROJECT DESCRIPTION

Tentative Parcel Map

The proposed tentative parcel map (MS 16-977) does not include plans for development at this time. The purpose of the project is to subdivide existing parcel into two lots, with a remainder lot, so that the two new lots can be sold and developed at some time in the future. If approved, the subdivision would result in two parcels; Parcel A at 58,668 square feet (1.347-acres), and Parcel B at 80,256 square feet (1.842-acres). The remainder parcel would be 30,599 square feet (0.702-acres).

The project site is accessed from Oakley Road and the applicant has proposed a 30 foot wide access easement (20 feet of pavement and 5' feet of landscaping on both sides) to provide access to the two new parcels and remainder parcel. The project has been conditioned to dedicate an 8 foot deep section of the project frontage and construct improvements to Oakley Road consisting of curb, gutter, sidewalk, landscaping and street lights.

ENVIRONMENTAL REVIEW

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15 – Minor Land Divisions) of the State CEQA Guidelines. This project can be classified as Class 15 in that:

- The project is a division of land, in an urbanized area zoned for industrial use, into four or fewer parcels;
- The division is in conformance with the General Plan and zoning ordinance, and no variances or exceptions are required; and
- All services and access to the proposed parcels to local standards are available, and the parcel was not involved in a larger subdivision within the last two years.

REQUIRED FINDINGS

The tentative parcel map was analyzed in relation to the required findings found in the City's subdivision ordinance (adopted County ordinance by reference), which generally state, "the City Council shall not approve a tentative map unless it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable

general plan 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." The proposed parcels must also comply with the regulations set forth in the Light Industrial "LI" District.

ANALYSIS AND FINDINGS

The main purpose of the subdivision is to subdivide the land in order to sell the two parcels being created. The proposed tentative parcel map represents a subdivision of land that is consistent with the applicable General Plan policies and guidelines in that it brings the project site into further conformance by allowing additional Light Industrial lots to be created that have future development potential.

From a zoning perspective, the lot sizes are consistent with the applicable LI District zoning regulations of 7,500 square foot minimum lot sizes. No development is proposed at this time. Any development on the future lots would require at a minimum a Design Review approval for the site development and building design.

FINDINGS

Complete draft findings are included in the attached resolution.

RECOMMENDATION

Staff recommends the City Council adopt the resolution approving the Hamman Minor Subdivision MS 16-977 (Tentative Parcel Map TPM 02-16), as conditioned.

ATTACHMENTS

1. Vicinity Map
2. Public Hearing Notice
3. Applicant's Plans
4. Draft Resolution

Hamman Property Minor Subdivision MS 16-977
Tentative Parcel Map TPM 02-16
APN: 037-080-021





City of Oakley
3231 Main Street
Oakley, CA 94561
www.oakleyinfo.com

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **May 24, 2016** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for the **Hamman Minor Subdivision MS 16-977 (Tentative Parcel Map TPM 02-16)**.

Project Name: Hamman Minor Subdivision MS 16-977 (Tentative Parcel Map TPM 02-16).

Project Location: 2540 Oakley Road, Oakley, CA 94561. APN 037-080-021.

Applicant: Ken Alcock, Milani & Associates, 2520 Stanwell Drive, Suite 250, Concord, CA 94520

Request: This is a public hearing on a request for approval of a Tentative Parcel Map (TPM 02-16) to subdivide 3.96-acre parcel into two lots with a remainder parcel. Parcel A will be 1.347-acres, Parcel B will be 1.842-acres and the Remainder Parcel will be .702-acres. No construction is proposed at this time. The legal non-conforming single-family residential dwelling will remain on a proposed remainder parcel. The site is designated as Light Industrial in the Oakley 2020 General Plan and zoned Light Industrial (LI) District.

CEQA: The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15 – Minor Land Divisions) of the State CEQA Guidelines.

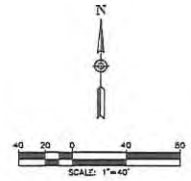
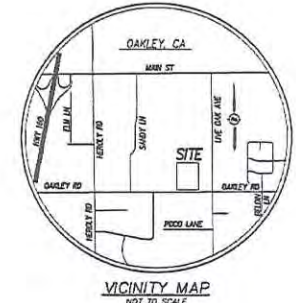
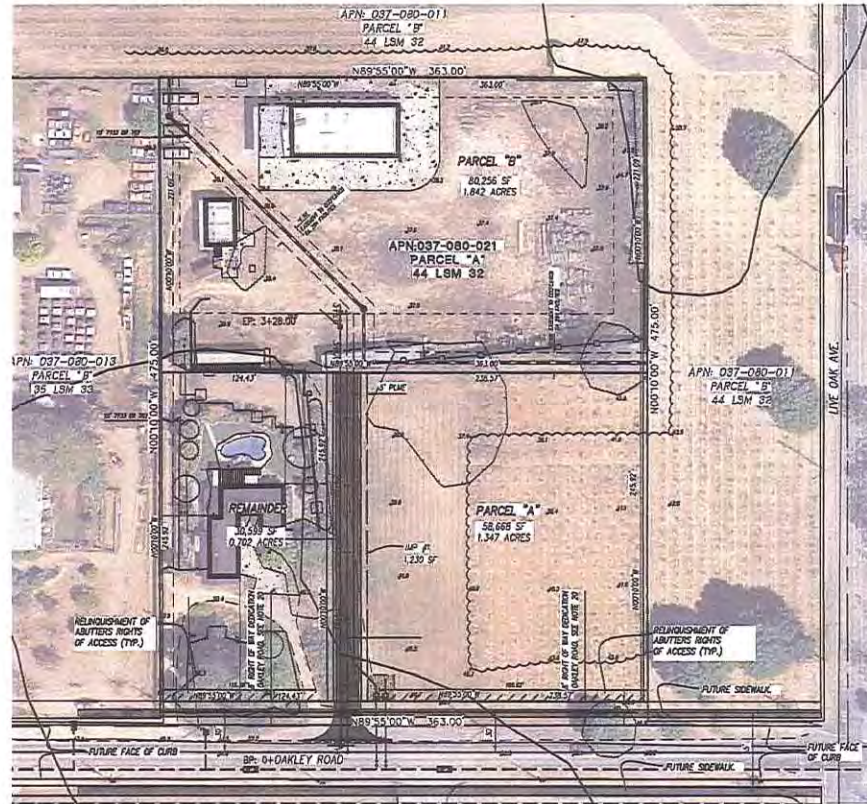
The Staff Report and its attachments will be available for public review, on or after **May 19, 2016** at City Hall, 3231 Main Street, Oakley, CA 94561 or on the City's website www.oakleyinfo.com/city-meetings/.

Interested persons are invited to submit written comments prior to and may testify at the public hearing. **Written comments may be submitted to Joshua McMurray, Planning Manager at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to mcmurray@ci.oakley.ca.us.**

NOTICE IS ALSO GIVEN pursuant to Government Code Section 65009(b) that, if this matter is subsequently challenged in Court by you or others, you may be limited to raising only those issues you or someone else has raised at a Public Hearing described in this notice or in written correspondence delivered to the City of Oakley City Clerk at, or prior to, the Public Hearing.

GENERAL NOTES

- OWNER/DEVELOPER
SIOGA HUBMAN
2549 OAKLEY ROAD
OAKLEY, CA 94621
- SOILS ENGINEER
STEVENS FERROVIC & BAILEY
1120 WILLOW PARK COURT
CONCORD, CA 94501
PHONE: (925) 668-1201
ATTN: ROBERT FERROVIC
- CIVIL ENGINEER
MILANI & ASSOCIATES
2520 STANWELL DRIVE, SUITE 250
CONCORD, CA 94509
PHONE: (925) 674-9082
ATTN: VERA ALDORE
- ADDRESS: 2549 OAKLEY ROAD, OAKLEY, CA 94621
- ASSESSOR PARCEL NUMBER: 037-080-021
- LEGAL DESCRIPTION: SEE PRELIMINARY TITLE REPORT FOR PROPERTY DESCRIPTION.
- TOTAL SITE AREA: 3.98 AC. (172,427 SF)
- LOT SIZE: 89-2,025 SF
89-10,500 SF
AVERAGE: 45,500 SF
AVERAGE (EXCLUDING REMAINDER) - 49,500 SF
- TOTAL NUMBER OF LOTS: 2 PARCELS WITH REMAINDER
- C.A. DESIGNATION - 5H (SINGLE FAMILY, HIGH DENSITY-5.5 UNITS PER ACRE)
- EXISTING ZONING: U - LIGHT INDUSTRIAL
- PROPOSED ZONING: R-20 (SAL. LOT AREA=20,000 SF, MIN. FRONT YARD SET BACK=25 FT., MIN. REAR YARD SET BACK=10 FT., MIN. ADJACENT WIDTH OF SIDE YARD=25 FT., WITH ONE SIDE=10 FT.)
- EXISTING USE: SINGLE FAMILY RESIDENTIAL, LIGHT INDUSTRIAL
- PROPOSED USE: SINGLE FAMILY RESIDENTIAL, LIGHT INDUSTRIAL
- FLOOD ZONE: "X" (OUTSIDE THE 100 AND 500 YEAR FLOODPLAINS)
- UTILITIES & SERVICES:
WATER: SHAD-D WATER DISTRICT
SEWER: HOUSEHOLD SANITARY DISTRICT
GAS & ELECTRIC: PACIFIC GAS & ELECTRIC
TELEPHONE: AT&T
POLICE: CITY OF OAKLEY
DRAINAGE: CONTRA COSTA COUNTY FLOOD CONTROL & CONSERVATION DISTRICT (CCFCMCD) - SA 29H
- NO NEW STREET NAMES ARE PROPOSED.
- EXISTING SITE TOPOGRAPHY GENERATED FROM FIELD DATA GENERATED BY MILANI & ASSOCIATES IN NOVEMBER OF 2015.
- THE PROJECT IS HEAVY CROSSLAND DRAINAGE ZONE 29H AND IS SUBJECT CURRENT 29H DRAINAGE FEES.
- UTILITY IMPROVEMENTS WILL BE DEFERRED UNTIL DEMAND NECESSARY BY THE CITY ENGINEER. GOVERNMENT OF FUTURE IMPROVEMENTS WILL BE SUBJECT TO A DEFERRED IMPROVEMENT AGREEMENT.



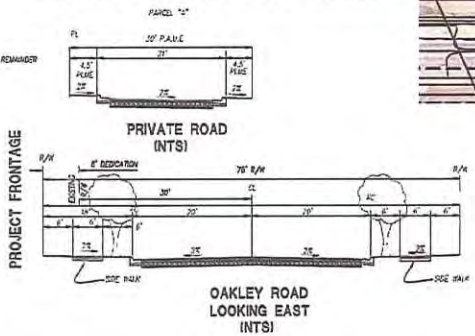
SHEET INDEX

SHEET 1 COVER SHEET & LEGEND
SHEET 2 EXISTING SITE CONDITIONS
SHEET 3 SITE PLAN
SHEET 4 PLANNING EXHIBIT

Planning Department

MAR 30 2016

RECEIVED



SITE PLAN
SCALE: 1" = 40'

LEGEND AND ABBREVIATIONS:

- | | | | | | |
|-----|----------------------|------|--|------|-----------------------------------|
| BP | BOUNDARY FRESH FLOOD | PAVE | PRIVATE ADJEST & UTILITY EASEMENT | EVE | EMERGENCY VEHICLE ACCESS EASEMENT |
| BSB | BELOW SETBACK LINE | ROW | RIGHT-OF-WAY | ES | EXISTING SIDEWALK |
| EX | EXISTING | SDC | STORM DRAIN EASEMENT | FS | FRESH FLOOD |
| FC | FACE OF CURB | SF | SQUARE FEET | SE | SEWER EASEMENT |
| H | FRESH FLOOD | SS | SEWER | SESE | SEWER EASEMENT |
| FC | FRESH GRADE ELEV. | TOP | TOP OF GRADE | TYP | TYPICAL |
| FL | FLOW LINE ELEV. | WEL | WATER LINE EASEMENT | WLE | WATER LINE EASEMENT |
| HE | HIGHEST ELEVATION | WLE | WATER LINE EASEMENT | WLD | WATER LINE DRAINAGE FLOW |
| LF | LINEAR FEET | PLM | PRIVATE LANDSCAPE AND MAINTENANCE EASEMENT | | |
| PL | PROPERTY LINE | | | | |
| RE | REMARKED PARCEL | | | | |
- DISJUNCT TENDENT (PCL. B AND REMAINDER)
SERVENT TENDENT (PCL. A)

REVIEW COPY
SUBJECT TO REVISION
NOT FINAL
THIS NOTICE IS TO BE REMOVED UPON COMPLETION OF THE PROJECT AND BEFORE ANY COMMENCEMENT OF CONSTRUCTION.

HAMMAN PROPERTY - TENTATIVE MAP

Planning & Mapping
Surveying & Engineering
Land Development Engineering
Municipal Engineering
Construction Staking
Construction Management
SNPPP Monitoring & Reporting

2520 Stanwell Drive, Suite 250
Concord, CA 94509
Phone: (925) 674-9082
Fax: (925) 674-9279
Web: www.milaniassociates.com

2549 OAKLEY ROAD
MINOR SUBDIVISION 16 - 977
A.P.N. 037-080-021

HAMMAN PROPERTY
TENTATIVE MAP 02-16

CITY OF OAKLEY
CONTRA COSTA COUNTY
CALIFORNIA

DESIGNED UNDER THE DIRECTION OF:

03/30/2016 DATE

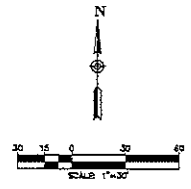
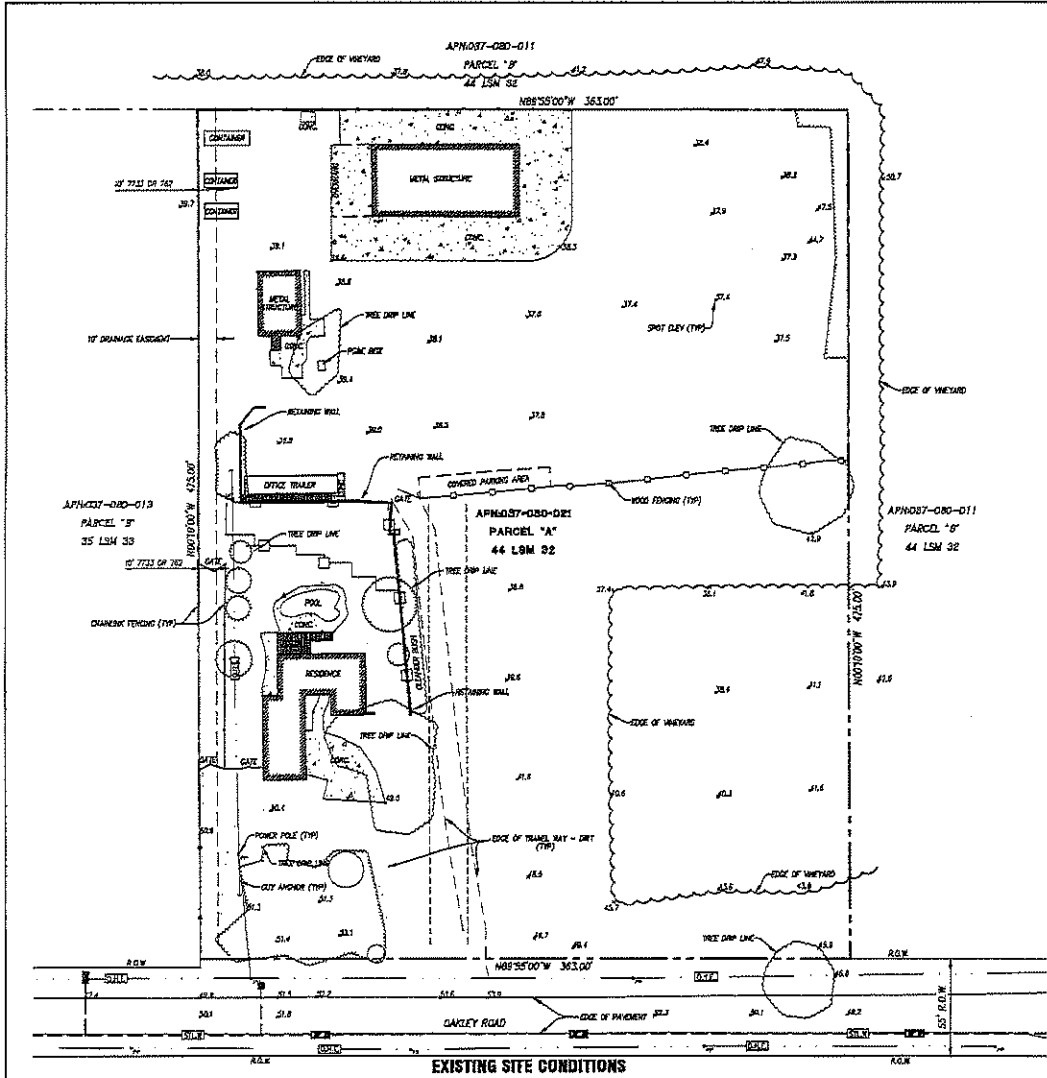
MICHAEL S. MILANI
P.E. IN 2013 REGISTRATION NUMBER 15032-17
P.L.S. FOR S.U.T. REGISTRATION DATED 12-01-11

DESIGNER: MCA
DRAWN: MESA
CHECKED: RJA

JOB NO. 250
DATE: MARCH 2016
SCALE: AS SHOWN

NO.	REVISIONS	BY	APP.	DATE	SHEET
					1
					4

E:\Projects\037-080-021\037-080-021-Tentative Map\02-16.dwg 3/23/16 06:05:55 AM MSA 10/17



- BOUNDARY LINE
- LOT LINE
- FACE OF CURB (FO)
- CENTERLINE (CL)
- PROPOSED UTILITY EASEMENT
- EXISTING UTILITY EASEMENT
- EXISTING CHIMNEY FORCE
- EXISTING WOOD FENCE
- DL STORM DRAIN LINE
- CL SANITARY SEWER LINE
- EXISTING WATER LINE
- CL OVERHEAD ELECTRIC LINES
- WOODEN DRIP LINE

LEGEND AND ABBREVIATIONS:

- | | | | | | |
|-----|------------------------|-----|-------------------------|------|----------------------------------|
| BY | SECONDARY FINISH FLOOR | FAE | PRIVATE ACCESS EASEMENT | EVAE | INTERLOCK MURKLE ACCESS EASEMENT |
| SSZ | BUILDING SETBACK LINE | ROB | ROBT-OF-WAY | SDR | STORM DRAIN EASEMENT |
| DL | EXISTING | SDC | STORM DRAIN EASEMENT | SSQ | SQUARE FOOT |
| CL | FACE OF CURB | SP | SQUARE FOOT | SSS | SANITARY SEWER EASEMENT |
| FF | FINISH FLOOR | SSZ | SANITARY SEWER EASEMENT | SSC | TOP OF CURB |
| FG | FINISH GRADE DECK | TOP | TOP OF CURB | TRM | TYPICAL |
| FL | FLOW LINE ELEM. | TRM | TYPICAL | WLS | WATER LINE EASEMENT |
| HW | HEIGHT | WLS | WATER LINE EASEMENT | ODD | ORIENTATIONAL DRAINAGE FLOW |
| LF | LINEAR FEET | | | | |
| P | PROPERTY LINE | | | | |

EXISTING SITE CONDITIONS

REVIEW COPY
SUBJECT TO REVISION
NOT FINAL
THE USER OF THIS MAP ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS.

Planning
Surveying & Mapping
Land Development Engineering
Marketed Engineering
Construction Staging
Construction Management
SWPPP Inspecting & Reporting



2530 Stewart Ave., Suite 250
Oakland, CA 94607
Phone: (925) 874-0022
Fax: (925) 874-4273
Web: www.milaniassociates.com

2840 OAKLEY ROAD

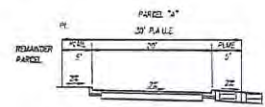
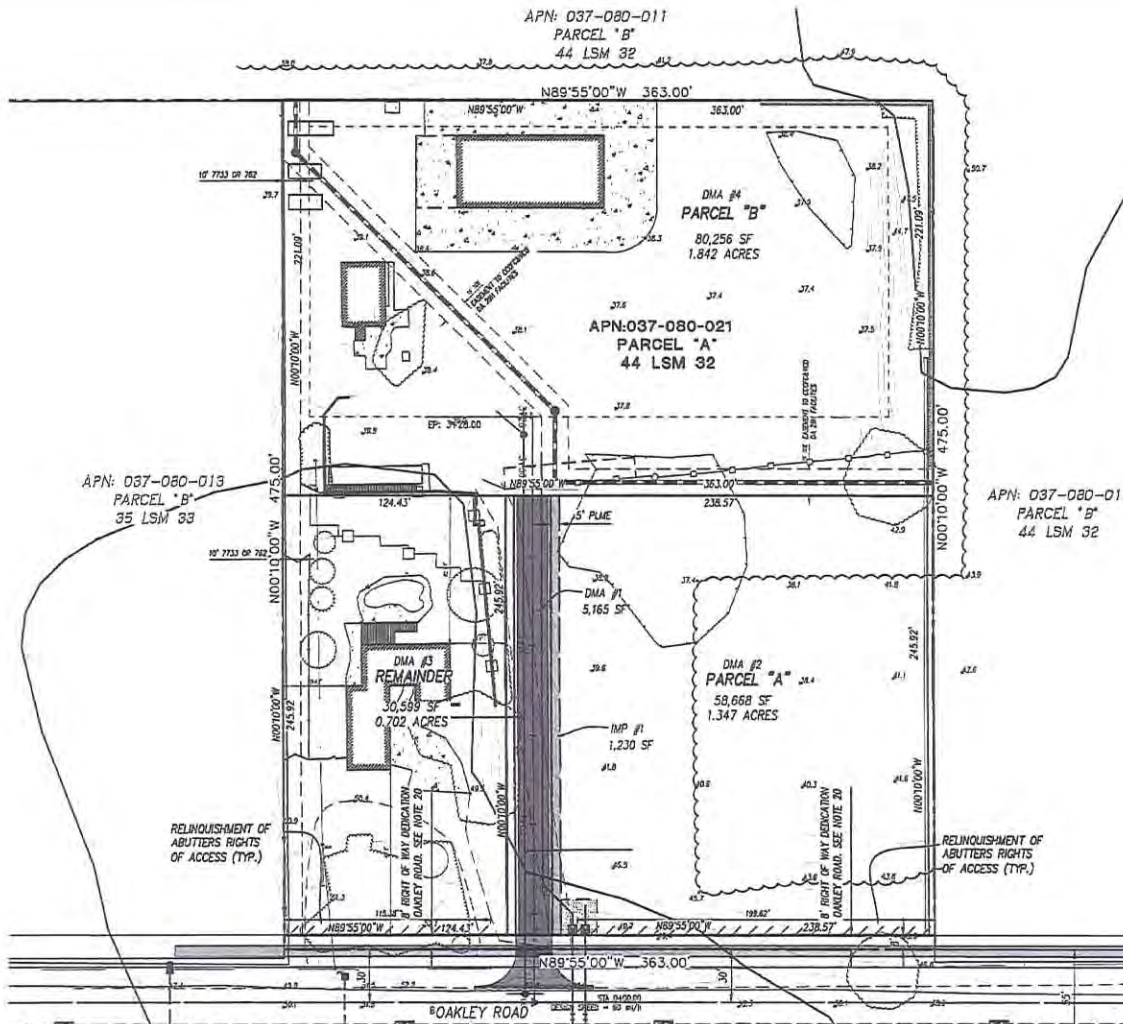
MUNICIPAL SUBDIVISION 18 - 377
HAMMAN PROPERTY
TENTATIVE MAP 02-16
CONTRA COSTA COUNTY

A.P.N. 837-080-021

DESIGNED UNDER THE DIRECTION OF: 03/29/2016
MICHAEL C. MILANI DATE:
ALL THE DATA REPRESENTED HEREON IS SUBJECT TO THE SURVEY REVISIONS DATED 10/27/17
DESIGN: KA JOB NO: 589
DRAWN: MBM DATE: MARCH 2016
CHECKED: KX SCALE: AS SHOWN



NO.	REVISIONS	BY	APP.	DATE	SHEET
					2
					4



C.S. COMPLIANCE NOTES:
THE INTERIM ACCESS DRIVEWAY TO PARCEL "B" WILL DRAIN TO PARCEL "A" THROUGH CURB CUTS SET TWENTY-FIVE FEET ON CENTER. THE PROPOSED 5' PLUME WILL BE CONSTRUCTED AS A LID TREATMENT FACILITY SERVING THE PRIVATE DRIVEWAY THROUGH PARCEL "A" WHEN PARCEL "A" DEVELOPS IN THE FUTURE.

Project Name: Job No. 559 - Hamman - 2549 Oakley Road
 Project Type: Treatment Only
 APN: 037-080-021
 Drainage Area: 172.425
 Mean Annual Precipitation: 17.6

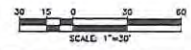
Self-Treating DMAs

DMA Name	Area (sq ft)
DMA #1	5,165
DMA #2	58,668
DMA #3	30,589
REMAINDER	1,230

IV. Areas Draining to IMPs
 IMP Name: IMP-1
 IMP Type: Retention Facility
 Soil Depth: IMP-1

DMA Name	Area (sq ft)	Prop. Precip. (in/yr)	DMA Runoff Coefficient	DMA Area 2 (sq ft)	IMP Slope	IMP Slope Factor	Rain Adjustment Factor	Minimum Area or Volume	Proposed Area or Volume
DMA #1	5,165	17.6	0.75	0	0.01	1.00	1.00	0	0
DMA #2	58,668	17.6	0.75	0	0.01	1.00	1.00	0	0
DMA #3	30,589	17.6	0.75	0	0.01	1.00	1.00	0	0
REMAINDER	1,230	17.6	0.75	0	0.01	1.00	1.00	0	0
Total	95,652	17.6	0.75	0	0.01	1.00	1.00	0	0

Revised spreadsheet on 5/4/2016 12:00:00 AM by the Contra Costa Clean Water Program IMP Sizing Tool software (version 1.3.1.0)



**REVIEW COPY
SUBJECT TO REVISION
NOT FINAL**
 THIS MAP IS TO BE REVIEWED UPON
 COMPLETION OF MAP AND UPON
 RECEIPT OF APPROVAL BY CITY

Planning
Surveying & Mapping
Land Development Engineering
Municipal Engineering
Construction Staking
Construction Management
SWPPP Monitoring & Reporting

MILANI & Associates

2520 Shattuck Drive, Suite 150
Concord, CA 94520
Phone: (925) 874-9082
Fax: (925) 874-9279
Web: www.milaniasociates.com

2540 OAKLEY ROAD
MINOR SUBSTITUTION 16 - 677
A.P.N. 037-080-021

**HAMMAN PROPERTY
TENTATIVE MAP 02-16**
CONTRA COSTA COUNTY
CALIFORNIA

DESIGNED UNDER THE DIRECTION OF:

APPROVED: MICHAEL E. MILANI
P.E. No. 37272 REGISTRATION EXPIRES 9-30-17
P.L.S. No. 5211 REGISTRATION EXPIRES 12-31-17

DATE: 03/29/2016

DESIGNER: KA
JOB NO: 559

DRAWN: MEM
DATE: MARCH 2016

CHECKED: KA
SCALE: AS SHOWN

NO.	REVISIONS	BY	APP.	DATE	SHEET
					4

4 SHEETS

HAMMAN PROPERTY - TENTATIVE MAP

RESOLUTION NO. XX-16

**A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS
AND APPROVING A TENTATIVE PARCEL MAP FOR "HAMMAN MINOR
SUBDIVISION MS 16-977 (TPM 02-16)" LOCATED AT 2540 OAKLEY ROAD
APN 037-080-021**

FINDINGS

WHEREAS, on February 2, 2016, Milani and Associates ("Applicant") filed an application requesting approval of a Tentative Parcel Map (TPM 02-16) to subdivide a 3.96-acre parcel into two lots with a remainder parcel. Parcel A will be 1.347-acres, Parcel B will be 1.842-acres and the Remainder Parcel will be .702-acres. The legal non-conforming single-family residential dwelling will remain on a proposed remainder parcel. The site is located at 2540 Oakley Road and zoned "LI" (Light Industrial) District. APN 037-080-021; and

WHEREAS, on April 25, 2016 the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project site is designated "Light Industrial" on the Oakley 2020 General Plan Land Use Map, and zoned LI (Light Industrial) District; and

WHEREAS, the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15315 (Class 15 – Minor Land Divisions); and

WHEREAS, on or prior to May 13, 2016, the Notice of Public Hearing for the project was posted in the Contra Costa Times, at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to outside agencies, and to parties requesting such notice; and

WHEREAS, on May 24, 2016, the City Council held a public hearing and received a report from City Staff, oral and written testimony from the applicant and public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

WHEREAS, if any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City; and

WHEREAS, these Findings are based on the City's General Plan, the City's Zoning and Subdivision Ordinances, and the information submitted to the City Council at its May 24, 2016 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the project (hereafter the "Record").

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above Findings and the entire Record, the City Council makes the following additional findings in support of the recommended approvals:

- A. Regarding the application requesting approval of a Tentative Parcel Map for the project titled, "Hamman Minor Subdivision MS 16-977 (TPM 02-16)", the City Council finds that:
1. The proposed tentative parcel map represents a subdivision of land that is consistent with the applicable General Plan policies and guidelines in that the subdivision will bring the existing legal non-conforming property into a conforming state. The subdivision will provide for two new lots that would allow for development consistent with the Light Industrial zoning. From a zoning perspective, the lot sizes are consistent with the applicable LI District zoning regulations of 7,500 square foot minimum lot sizes; and
 2. The subdivision requires that the project frontage be dedicated and improved with road widening, curb, gutter and sidewalk.
- B. The Project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves the applicant's request for approval of a Tentative Parcel Map for "Hamman Minor Subdivision MS 16-977 (TPM 02-16)", subject to the following conditions:

Applicant shall comply with the requirements of the Oakley Municipal Code, unless otherwise stipulated in this resolution. Conditions of Approval are based on the plans received by the Planning Division and made a part of the City Council's meeting packet for the May 24, 2016 City Council meeting.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):

Planning Division Conditions

General:

1. This Tentative Parcel Map is approved, as shown on the revised plans date stamped by the Planning Division on March 30, 2016, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.
2. This approval shall be effectuated within a period of three (3) years from the effective date of this resolution by the recording of a Parcel Map and if not effectuated shall expire on May 24, 2019. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code and Subdivision Map Act.
3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on May 24, 2016, and as conditioned herein.
4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
5. There shall be no construction associated with this Tentative Parcel Map. The applicant has stated that the Final Parcel Map will only result in the division of land, and no development related improvements to the site.
6. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

Public Works and Engineering Conditions

THE FOLLOWING PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE APPROVAL OF A FINAL PARCEL MAP UNLESS OTHERWISE NOTED:

7. Submit improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and pay the appropriate processing costs in accordance with the Municipal Code and these conditions of approval. The plans shall be consistent with the Stormwater Control Plan for the project, include the drawings and specifications necessary to implement the required stormwater control measures, and be accompanied by a Construction Plan C.3 Checklist as described in the Stormwater C.3 Guidebook.

8. Submit a final map prepared by a licensed land surveyor or qualified registered civil engineer to the City Engineer and pay appropriate fees in accordance with the Code and these conditions of approval.
9. Submit grading plans including erosion control measures and revegetation plans prepared by a registered civil engineer to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.
10. Submit landscaping plans for publicly maintained landscaping, including planting and irrigation details, as prepared by a licensed landscape architect to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.
11. Execute any agreements required by the Stormwater Control Plan which pertain to the transfer of ownership and/or long term maintenance of stormwater treatment mechanisms required by the plan prior to the final inspection of the first house within the subdivision.
12. Building permits for house construction shall not be issued until the shared driveway serving the lots has been paved.

Roadway Improvements:

13. Construct the frontage of Oakley Road to City public road standards for a 40-foot wide roadway within a 76-foot right of way, including curb, six-foot detached sidewalk (parallel to the curb face and offset from the face of curb by six feet), right of way landscaping, necessary longitudinal and transverse drainage, pavement widening to a minimum of 28 feet, and conforms to existing improvements. The face of curb shall be located 20 feet from the centerline and any conforms to existing improvements must take place outside of the limits of the project.
14. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.

Road Alignment/Sight Distance:

15. Submit a preliminary plan and profile to the City Engineer for review showing all required improvements to Oakley Road. The sketch plan shall be to scale, show horizontal and vertical alignments, transitions, curb lines, lane striping and cross sections and shall provide sight distance for a design speed of 45 miles per hour. The plan shall extend a minimum of 150 feet \pm beyond the limits of the proposed work.

Road Dedications:

16. Convey to the City, by offer of dedication, the right of way for Oakley Road for the planned future half width of 38-feet along the project frontage.
17. Relinquish abutter's rights of access along the Oakley Road frontage to the satisfaction of the City Engineer.
18. Furnish necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road, utility and drainage improvements.

Street Lights:

19. Install streetlights along the project Oakley Road frontage. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. The lights along Oakley Road shall be General Electric spun aluminum "cobra head" style with LEDs.

Grading:

20. Submit a geotechnical report to the City Engineer for review that substantiates the design features incorporated into the subdivision including, but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections.
21. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.
22. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer.
23. Grade all pads so that they drain directly to the public street at a minimum of one percent without the use of private drainage systems through rear and side yards.
24. Grade any slopes with a vertical height of four feet or more at a slope of 3 to

1. Retaining walls that may be installed to reduce the slope must be masonry and comply with the City's building code.
25. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities.
26. Submit a haul route plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan the City Engineer shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.
27. Prior to commencement of any site work that will result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.
28. Submit an updated erosion control plan reflecting current site conditions to the City Engineer for review and approval no later than September 1st of every year while the Notice of Intent is active.
29. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.
30. The burying of any construction debris is prohibited on construction sites.

Utilities/Undergrounding:

31. Underground all new and existing utility distribution facilities, including those along the frontage of Oakley Road. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.
32. All utility boxes shall be installed underground and all wires and cables must be installed in conduits. Compliance with this condition shall be at the discretion of the City Engineer.

33. Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

Drainage Improvements:

34. Collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse consistent with the plans for Drainage Area 29H as prepared by the Contra Costa County Flood Control and Water Conservation District.
35. Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system and stormwater pond to the City Engineer for review and approval.
36. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.
37. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
38. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.

Landscaping in the Public Right of Way:

39. Install public right of way landscaping along Oakley Road prior to the issuance of the first building.
40. Maintain all landscaping within the public right of way until such time that the adjacent roadway improvements have been accepted for maintenance.

National Pollutant Discharge Elimination System (NPDES):

41. Comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley - Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at www.cccleanwater.org.

Compliance shall include developing long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long-term BMP's in accordance with the Contra Costa Clean Water Program for the site's storm

water drainage:

- Offer pavers for household driveways and/or walkways as an option to buyers.
- Minimize the amount of directly connected impervious surface area.
- Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City standards.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Distribute public information items regarding the Clean Water Program to buyers.
- Other alternatives as approved by the City Engineer.

Fees/Assessments:

42. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 85-00 and 08-03. The applicant shall pay the fees in the amounts in effect at the time each building permit is issued.
 - a. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);
 - b. Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);
 - c. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);
 - d. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);
 - e. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);
 - f. Fire Facilities Impact Fee, collected by the City (adopted by Resolution No. 09-01);
 - g. General Plan Fee (adopted by Resolution No. 53-03)
 - h. East Contra Costa County Habitat Conservation Plan Fee (adopted by Resolution No. 112-07 & 124-07)

The applicant should contact the City Engineer prior to constructing any public improvements to determine if any of the required improvements are eligible for credits or reimbursements against the applicable traffic benefit fees or from future

developments.

43. The applicant shall be responsible for paying the County Recorder's fee for the Notice of Determination as well as the State Department of Fish and Game's filing fee.
44. Either a) Annex the property to the City of Oakley's Community Facilities District No. 2015-2 (CFD No. 2015-2) which provides a funding mechanism to mitigate the Development's fiscal impact associated with the City's regional, community and neighborhood parks, public area landscaping, street lights and storm water facilities, or b) establish a separate funding mechanism acceptable to the City of Oakley to mitigate the Development's fiscal impact associated with the City's regional, community and neighborhood parks, public area landscaping, street lights and storm water facilities. If the applicant elects to annex into CFD No. 2015-2, the applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of the annexation shall be paid by applicant in advance. The CFD's annual special tax rates per parcel will be set at the time of annexation. The annexation shall be completed prior to filing of the final parcel map.
45. Participate in the provision of funding to maintain police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to filing of the final map. Should the homes be occupied prior to the City receiving the first disbursement from the tax bill, the project proponent shall be responsible for paying the pro-rata share for the remainder of the tax year prior to the City conducting a final inspection.
46. Applicant shall comply with the drainage fee requirements for Drainage Area 29H as adopted by the County Board of Supervisors. The applicant shall pay the fee in effect at the time of final map approval. Certain improvements required by the Conditions of Approval for this development or the Code may be eligible for credit or reimbursement against the drainage area fee. The developer should contact the City Engineer to personally determine the extent of any credit or reimbursement for which they might be eligible. Any credit or reimbursements shall be determined prior to filing the final map or as approved by the Flood Control District.

ADVISORY NOTES

THE FOLLOWING ADVISORY NOTES ARE PROVIDED TO THE APPLICANT AS A COURTESY BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE REQUIREMENTS THAT MUST BE

MET IN ORDER TO PROCEED WITH DEVELOPMENT.

- A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.
- B. The project will require a grading permit pursuant to the Ordinance Code.
- C. Applicant shall comply with the requirements of Ironhouse Sanitary District.
- D. The applicant shall comply with the requirements of the Diablo Water District.
- E. Comply with the requirements of the East Contra Costa Fire Protection District.
- F. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
- G. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
- H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- I. The applicant shall obtain an encroachment permit for construction within existing City rights of way.
- J. The applicant shall obtain an encroachment permit from Caltrans for construction within the State right of way.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 24th day of May, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Kevin Romick, Mayor

Date

ATTEST:

Libby Vreonis, City Clerk

Date

RESOLUTION NO. XX-16

**A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS
AND APPROVING A TENTATIVE PARCEL MAP FOR "HAMMAN MINOR
SUBDIVISION MS 16-977 (TPM 02-16)" LOCATED AT 2540 OAKLEY ROAD
APN 037-080-021**

FINDINGS

WHEREAS, on February 2, 2016, Milani and Associates ("Applicant") filed an application requesting approval of a Tentative Parcel Map (TPM 02-16) to subdivide a 3.96-acre parcel into two lots with a remainder parcel. Parcel A will be 1.347-acres, Parcel B will be 1.842-acres and the Remainder Parcel will be .702-acres. The legal non-conforming single-family residential dwelling will remain on a proposed remainder parcel. The site is located at 2540 Oakley Road and zoned "LI" (Light Industrial) District. APN 037-080-021; and

WHEREAS, on April 25, 2016 the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project site is designated "Light Industrial" on the Oakley 2020 General Plan Land Use Map, and zoned LI (Light Industrial) District; and

WHEREAS, the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15315 (Class 15 – Minor Land Divisions); and

WHEREAS, on or prior to May 13, 2016, the Notice of Public Hearing for the project was posted in the Contra Costa Times, at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to outside agencies, and to parties requesting such notice; and

WHEREAS, at the May 24, 2016 City Council meeting, the City Council continued the project to the June 14, 2016 meeting (a date certain) to allow the Applicant time to provide a proposal as an alternative to Condition #13. Staff has discussed the issue with the applicant and the applicant has indicated they would like to move forward with the project as conditioned; and

WHEREAS, on June 14, 2016, the City Council held a public hearing and received a report from City Staff, oral and written testimony from the applicant and public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

WHEREAS, if any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City; and

WHEREAS, these Findings are based on the City's General Plan, the City's Zoning and Subdivision Ordinances, and the information submitted to the City Council at its June 14, 2016 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the project (hereafter the "Record").

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above Findings and the entire Record, the City Council makes the following additional findings in support of the recommended approvals:

- A. Regarding the application requesting approval of a Tentative Parcel Map for the project titled, "Hamman Minor Subdivision MS 16-977 (TPM 02-16)", the City Council finds that:
 - 1. The proposed tentative parcel map represents a subdivision of land that is consistent with the applicable General Plan policies and guidelines in that the subdivision will bring the existing legal non-conforming property into a ore conforming state. The subdivision will provide for two new lots that would allow for development consistent with the Light Industrial zoning. From a zoning perspective, the lot sizes are consistent with the applicable LI District zoning regulations of 7,500 square foot minimum lot sizes; and
 - 2. The subdivision requires that the project frontage be dedicated and improved with road widening, curb, gutter and sidewalk.
- B. The Project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves the applicant's request for approval of a Tentative Parcel Map for "Hamman Minor Subdivision MS 16-977 (TPM 02-16)", subject to the following conditions:

Applicant shall comply with the requirements of the Oakley Municipal Code, unless otherwise stipulated in this resolution. Conditions of Approval are based on the plans received by the Planning Division and made a part of the City Council's meeting packet for the June 14, 2016 City Council meeting.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED (BOLD CONDITIONS ADDED OR AMENDED AT PUBLIC HEARING):

Planning Division Conditions

General:

1. This Tentative Parcel Map is approved, as shown on the revised plans date stamped by the Planning Division on March 30, 2016, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.
2. This approval shall be effectuated within a period of three (3) years from the effective date of this resolution by the recording of a Parcel Map and if not effectuated shall expire on June 14, 2019. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code and Subdivision Map Act.
3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on June 14, 2016, and as conditioned herein.
4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
5. There shall be no construction associated with this Tentative Parcel Map. The applicant has stated that the Final Parcel Map will only result in the division of land, and no development related improvements to the site.
6. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

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7. Submit improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and pay the appropriate processing costs in

accordance with the Municipal Code and these conditions of approval. The plans shall be consistent with the Stormwater Control Plan for the project, include the drawings and specifications necessary to implement the required stormwater control measures, and be accompanied by a Construction Plan C.3 Checklist as described in the Stormwater C.3 Guidebook.

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13. Construct the frontage of Oakley Road to City public road standards for a 40-foot wide roadway within a 76-foot right of way, including curb, six-foot detached sidewalk (parallel to the curb face and offset from the face of curb by six feet), right of way landscaping, necessary longitudinal and transverse drainage, pavement widening to a minimum of 28 feet, and conforms to existing improvements. The face of curb shall be located 20 feet from the centerline and any conforms to existing improvements must take place outside of the limits of the project.
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and cross sections and shall provide sight distance for a design speed of 45 miles per hour. The plan shall extend a minimum of 150 feet ± beyond the limits of the proposed work.

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19. Install streetlights along the project Oakley Road frontage. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. The lights along Oakley Road shall be General Electric spun aluminum "cobra head" style with LEDs.

Grading:

20. Submit a geotechnical report to the City Engineer for review that substantiates the design features incorporated into the subdivision including, but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections.
21. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.
22. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer.

23. Grade all pads so that they drain directly to the public street at a minimum of one percent without the use of private drainage systems through rear and side yards.
24. Grade any slopes with a vertical height of four feet or more at a slope of 3 to 1. Retaining walls that may be installed to reduce the slope must be masonry and comply with the City's building code.
25. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities.
26. Submit a haul route plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan the City Engineer shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.
27. Prior to commencement of any site work that will result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.
28. Submit an updated erosion control plan reflecting current site conditions to the City Engineer for review and approval no later than September 1st of every year while the Notice of Intent is active.
29. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.
30. The burying of any construction debris is prohibited on construction sites.

Utilities/Undergrounding:

31. Underground all new and existing utility distribution facilities, including those along the frontage of Oakley Road. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

32. All utility boxes shall be installed underground and all wires and cables must be installed in conduits. Compliance with this condition shall be at the discretion of the City Engineer.
33. Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

Drainage Improvements:

34. Collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse consistent with the plans for Drainage Area 29H as prepared by the Contra Costa County Flood Control and Water Conservation District.
35. Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system and stormwater pond to the City Engineer for review and approval.
36. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.
37. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
38. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.

Landscaping in the Public Right of Way:

39. Install public right of way landscaping along Oakley Road prior to the issuance of the first building.
40. Maintain all landscaping within the public right of way until such time that the adjacent roadway improvements have been accepted for maintenance.

National Pollutant Discharge Elimination System (NPDES):

41. Comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley - Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at www.ccleanwater.org.

Compliance shall include developing long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long-term BMP's in accordance with the Contra Costa Clean Water Program for the site's storm water drainage:

- Offer pavers for household driveways and/or walkways as an option to buyers.
- Minimize the amount of directly connected impervious surface area.
- Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City standards.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Distribute public information items regarding the Clean Water Program to buyers.
- Other alternatives as approved by the City Engineer.

Fees/Assessments:

42. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 85-00 and 08-03. The applicant shall pay the fees in the amounts in effect at the time each building permit is issued.
 - a. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);
 - b. Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);
 - c. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);
 - d. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);
 - e. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);
 - f. Fire Facilities Impact Fee, collected by the City (adopted by Resolution No. 09-01);
 - g. General Plan Fee (adopted by Resolution No. 53-03)
 - h. East Contra Costa County Habitat Conservation Plan Fee (adopted by

Resolution No. 112-07 & 124-07)

The applicant should contact the City Engineer prior to constructing any public improvements to determine if any of the required improvements are eligible for credits or reimbursements against the applicable traffic benefit fees or from future developments.

43. The applicant shall be responsible for paying the County Recorder's fee for the Notice of Determination as well as the State Department of Fish and Game's filing fee.
44. Either a) Annex the property to the City of Oakley's Community Facilities District No. 2015-2 (CFD No. 2015-2) which provides a funding mechanism to mitigate the Development's fiscal impact associated with the City's regional, community and neighborhood parks, public area landscaping, street lights and storm water facilities, or b) establish a separate funding mechanism acceptable to the City of Oakley to mitigate the Development's fiscal impact associated with the City's regional, community and neighborhood parks, public area landscaping, street lights and storm water facilities. If the applicant elects to annex into CFD No. 2015-2, the applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of the annexation shall be paid by applicant in advance. The CFD's annual special tax rates per parcel will be set at the time of annexation. The annexation shall be completed prior to filing of the final parcel map.
45. Participate in the provision of funding to maintain police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to filing of the final map. Should the homes be occupied prior to the City receiving the first disbursement from the tax bill, the project proponent shall be responsible for paying the pro-rata share for the remainder of the tax year prior to the City conducting a final inspection.
46. Applicant shall comply with the drainage fee requirements for Drainage Area 29H as adopted by the County Board of Supervisors. The applicant shall pay the fee in effect at the time of final map approval. Certain improvements required by the Conditions of Approval for this development or the Code may be eligible for credit or reimbursement against the drainage area fee. The developer should contact the City Engineer to personally determine the extent of any credit or reimbursement for which they might be eligible. Any credit or reimbursements shall be determined prior to filing the final map or as approved by the Flood Control District.

ADVISORY NOTES

THE FOLLOWING ADVISORY NOTES ARE PROVIDED TO THE APPLICANT AS A COURTESY BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

- A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.
- B. The project will require a grading permit pursuant to the Ordinance Code.
- C. Applicant shall comply with the requirements of Ironhouse Sanitary District.
- D. The applicant shall comply with the requirements of the Diablo Water District.
- E. Comply with the requirements of the East Contra Costa Fire Protection District.
- F. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
- G. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
- H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- I. The applicant shall obtain an encroachment permit for construction within existing City rights of way.
- J. The applicant shall obtain an encroachment permit from Caltrans for construction within the State right of way.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th day of June, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Kevin Romick, Mayor

Date

ATTEST:

Libby Vreonis, City Clerk

Date

OAKLEY

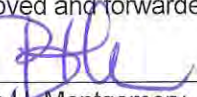


CALIFORNIA

STAFF REPORT

Date: June 14, 2016
To: Bryan H. Montgomery, City Manager
From: Kenneth W. Strelow, Senior Planner

Approved and forwarded to City Council


Bryan H. Montgomery, City Manager

Subject: Emerson Neighborhood 6 – Woodbury (General Plan Amendment (GPA 01-15), Rezone (RZ 01-15), Vesting Tentative Map (TM 01-15), Final Development Plan (FDP 01-15), and Design Review (DR 05-15))

SUMMARY

This is a public hearing on an application by Mike Evans of DeNova Homes (“Applicant”) requesting approval of “Emerson Neighborhood 6 – Woodbury,” including:

- A General Plan Amendment to designate approximately 16 acres of an existing 25 acre undeveloped commercial site from “Commercial” to “Multi-Family Residential, Low Density” (GPA 01-15);
- A Rezone to amend a Planned Unit Development (P-1) District (RZ 01-15);
- A Vesting Tentative Map to subdivide approximately 16 acres into 104 single family lots with associated improvements (TM 01-15);
- A Final Development Plan for the portion of the P-1 District modified by the tentative map (FDP 01-15); and
- Design Review of house plans and architecture, and a development plan (neighborhood plotting plan) (DR 05-15).

The project site is located within the existing Emerson Ranch Subdivision 9032 at the northwest corner of East Cypress Road and Sellers Avenue and east of Emerson Ranch Way. The site is zoned P-1 (Planned Unit Development) District. APN 037-192-031 (portion).

Staff recommends the City Council approve the Emerson Neighborhood 6 – Woodbury project, as conditioned.

BACKGROUND

Previous Emerson Ranch Subdivision Entitlements

City Council approval of the Emerson Ranch Subdivision project occurred in September of 2010 (Ordinance No. 18-10 and CC Resolution Nos. 105-10, 106-10, and 107-10). That project approval included 578 single family dwelling units, an approximately 25-acre commercial site, a neighborhood park, stormwater pond, trails, and design review of homes, walls, and landscaping within the 140-acre Emerson Ranch. In May of 2013, per the request of a new developer (Brookfield Homes), the City Council approved an amendment to the Final Development Plan along with updated home design review. That approval included minor changes to internal road circulation and the typical lot sizes and setbacks in Neighborhoods 1, 2, 3, and 5; removal of the “Z” lot design from the original plan; removal of the lots adjacent to the park; and other minor changes to lot layout and common landscaped areas. The ingress and egress locations, general circulation, and park location remained the same. The total lot number and overall density of the project was reduced. The end result was a reduction of 11 lots for a revised total of 567 single family dwelling units.

Following the revised project layout, design reviews (i.e. home architecture and design) were approved for Neighborhoods 1 (Merritt), 2a (Laurel), 2b (Aspen), 3 (Orchard), and 5 (Willow). As of the date of this report, there are four active developers building homes within the Emerson Ranch Subdivision; Brookfield Homes, DeNova Homes, Richmond American Homes, and Signature Homes.

Preliminary General Plan Amendment Hearing

On April 28, 2015, the Emerson Neighborhood 6 project was brought to the City Council as a work session. The entire project, including the proposed General Plan Amendment and Tentative Map, was presented to the City Council, and topics were recommended for discussion. As a result of that work session, the City Council provided feedback to the applicant on ideas for project design and details. A summary of the topics and discussion follows:

- With the exception of one Councilmember, the proposed lot sizes did not seem to remain an issue, as long as there was an added benefit to the project. A HOA was the main topic of discussion for that benefit. The applicant was asked to look into whether a gated neighborhood with private streets would be possible.
- The Council wanted to maintain at least a five foot side yard setback on all lots.
- The loss of undeveloped commercial land was discussed. The applicant explained that an eight acre site was sufficient for the type of commercial development being

sought for the site (grocery anchor with possible gas station and minor tenants). The Council stated that if commercial land were to be lost to residential development, that the residential development would need to be unique and special.

- The Council had comments on density and whether a gradient of density would be possible.

Since the preliminary hearing and Council feedback, the applicant made some changes to the plans and submitted the formal application. After one round of Staff comments on the plans, additional changes were made and the plans were resubmitted. The plans proposed as a part of this application are in response to the Council's feedback from the Preliminary General Plan Amendment work session, as well as additional Staff comments made after submittal of the formal application.

General Plan and Zoning

The project site is designated as "Commercial" in the Oakley 2020 General Plan (Figure 2 – Land Use Designations), and is zoned P-1 (Planned Unit Development) District (as adopted by Ordinance 18-10).

Existing Conditions and Surrounding Land Uses

The commercial corner is undeveloped and there are no applications filed for commercial development of the site at this time. As of the date of this staff report, residential portions of the Emerson Ranch Subdivision are under construction. Neighborhood 1 (Merritt by Brookfield Homes), Neighborhood 2b (Aspen by Denova Homes), Neighborhood 3 (Orchard by Signature Homes), and Neighborhood 5 (Willow by Richmond American Homes) have model homes in place and have begun individual home sales and construction. The centrally located Emerson Ranch Park is completed, and Brookfield Homes hosted a grand opening event for the park on May 7 of this year. Figure 1 shows the project location in relation to Emerson Ranch.



Figure 1. Emerson Ranch and Project Location (Labeled as "6")

The project site is surrounded by both developed and undeveloped land.

North – The remaining portion of the Emerson Ranch Subdivision, and beyond that the sites of the future Oakley community park and Dutch Slough Tidal Marsh Wetland Restoration project.

East – The approved and undeveloped Gilbert Ranch Subdivision 9033. This project is similar to Emerson Ranch. It consists of 506 detached single family residential homes, a neighborhood park, and stormwater treatment pond on approximately 120 acres.

South – Rural residential and undeveloped areas with approved tentative maps beyond East Cypress Road. Land use designations include varying densities of residential and a small commercial portion on the southwest corner of Sellers Avenue and East Cypress Road (currently rural residential use).

West - The existing Cypress Grove Subdivision, which is developed with existing single family detached residential development, a neighborhood park, and an elementary school (Ironhouse Elementary) and middle school (Delta Vista Middle School) that share a site location.

PROJECT DESCRIPTION

The project description is written in separate subheadings related to each entitlement request. Tables and figures are used as supplementary information to the attached project plans.

Proposed General Plan Amendment

The proposed general plan amendment is the first step required in order to approve the proposed project. The underlying General Plan Land Use Designation is currently "Commercial", which would not be consistent with the proposed single family residential project. Therefore, the underlying designation must be amended in order to approve the other requested entitlements. The applicant has requested the portion of the existing commercial parcel proposed for the project (approximately 16 acres) be amended to "Multi-Family Residential, Low Density ("ML")". As stated in the Oakley 2020 General Plan, one purpose of the "ML" designation is to provide more affordable, small lot development. In this instance, "affordable" is in reference to the design of the development (e.g. smaller lots, square footage of homes, etc.), and does refer to a subsidized housing development. Exhibit "A" to the proposed General Plan Amendment resolution shows the existing and proposed land use designations.

Proposed Rezoning

The entire Emerson Ranch project site is zoned P-1 District, as adopted by Ordinance No. 18-10. Since a P-1 District is normally related to a development project, the rezoning request would amend the existing P-1 District to allow the proposed project as well as some minor modifications to Emerson Ranch Neighborhood 4 to the north to accommodate a second entry to the proposed project. If approved, the amended P-1 District would not alter the City's zoning map for the project site. All changes associated with the rezone would be at the project level, and approved as a part of the "Final Development Plan," which is discussed later in this staff report. The P-1 District ordinance contains the development

regulations (e.g. setbacks, minimum lot size, maximum height, etc.) that would apply to construction of the project (See Table 1).

Table1. P-1 District Proposed Development Regulations

Development Regulation	Proposed P-1 District
Minimum Lot Size	3,600 sf.
Minimum Front Yard Setback	20' to garage 10' to living space 5' to porches
Minimum Side Yard Setback	5' for interior lot lines 10' for corner side yard lot lines
Minimum Rear Yard Setback	10'
Projections Into Yards	Pursuant to OMC Section 9.1.1122(g)

Proposed Vesting Tentative Map

The project's proposed vesting tentative map (or "VTM") is the plan that creates all of the parcels, streets and other right of way, public areas, and project entries. It contains the number, sizes, dimensions, and locations of the proposed lots, as well as other pertinent project information. The approved VTM becomes the "blueprint" for the Final Map, a ministerial approval which legally creates the lots when recorded. The VTM proposed with this application varies slightly from the map presented to the City Council back in April of 2015. Some of the major elements of the proposed VTM are provided in Table 2, below.

Table 2. Vesting Tentative Map Major Elements

Major Elements	Project Details
Gross Acreage (including commercial)	25.20 acres
Commercial Remainder Acreage	7.81 acres
Net Acreage (project after dedication)	15.81 acres
Total Lots	104
Net Density	6.58 du/acre
Average Lot Size	4,063 sf
Minimum Lot Size	3,600 sf

Figure 2. Roundabout at Project Entrance



The VTM shows the main entrance to the neighborhood in a different location than previously proposed. Rather than along Emerson Ranch Way, which is the main entry road to Emerson Ranch and off of East Cypress Road, it is proposed further from East Cypress Road and off of Shearwater Way, the street that loops around the park and pond. This was a change suggested by Staff and accommodated by the applicant. In conjunction with this change, the applicant has implemented another Staff recommendation and proposed a

roundabout, which intersects with two other residential streets, just inside of the project entry (See Figure 2). Another entrance to the project is connected to Neighborhood 4 to the north. Use of this entrance would most likely be via the future Emerson Ranch entry off of Sellers Avenue.

Other design elements of the VTM include two areas that are proposed as a landscaped project entry at Shearwater Way. Also, a water quality and utility corridor is proposed opposite the roundabout from the project entry and in the interior of the neighborhood. This area is proposed as a passive open space with no access except for the path and bridge that run through the site. It would include landscaped water quality treatment area and a "dry creek bed" that would flow during rain events via a circulating pump. Potable or recycled water will not be used to provide flows through the man-made creek.

Two sides of the project are adjacent to the remaining commercial site. A sound wall is proposed along the property lines at those locations. The previously proposed pedestrian entry to the northwest corner of the future commercial site has been removed per Staff's recommendation. There are still two pedestrian access points further from that back corner.

The existing Emerson Ranch subdivision has an approved tentative map and final maps recorded for Neighborhoods 1, 2b, 3 and 5. Final maps have yet to be recorded for Neighborhoods 2a and 4. A comparison of the total number of lots, and minimum and average lot sizes for each neighborhood, including the proposed project, is provided in Table 3.

Table 3. Neighborhood Lot Details

Neighborhood	Total Lots	Minimum Lot Size	Average Lot Size
1 – Merritt	97	6,000 sf	6,780 sf
2a – Laurel	117	4,800 sf	5,550 sf
2b – Aspen	104	4,800 sf	5,290 sf
3 – Orchard	86	3,655 sf	3,970 sf
4 – Citrus	60	3,600 sf	4,940 sf
5 – Willow	103	3,150 sf	3,400 sf
6 – Woodbury*	104	3,600 sf	4,063 sf

*Proposed Project

Proposed Final Development Plan

The Final Development Plan is the site plan equivalent to the P-1 District project. Pursuant to Oakley Municipal Code ("OMC") section 9.1.1002 (Planned Unit Development) it may be filed and approved in conjunction with a P-1 District. In the case of this project, the VTM, landscaping plans, wall and fence details, conceptual site plan, and development plan will make up the Final Development Plan. The development plan sheet of the project plans is a pre-plotted map that shows where each home type and architectural elevation is planned to be built. It provides a product mix summary as well.

Another aspect of the project plans is the “Maintenance Responsibilities” plan. This plan, found in the attached “Applicant’s Plans” shows area subject to a Homeowner Association’s (“HOA”) maintenance responsibility and that of the future Community Facility District’s (“CFD”) responsibility. In general, all visible landscaping within the project boundaries (including front yards), and sound walls adjacent to the commercial site will be HOA maintained. All public landscaping and the sound walls adjacent to the project, such as along East Cypress Road, Sellers Avenue, Emerson Ranch Way, and Shearwater Way will be CFD maintained.

There are other design elements of the FDP worth mentioning. One element is the enhanced paving at the project entry off of Shearwater Way and Coolcrest Drive, as well as on the several crosswalks within the project. Other elements include the entry monuments at either side of the main entry, at the pedestrian accesses to the commercial site (See Figure 3), and in the middle of the roundabout (see Figure4).

Figure 3. Pedestrian Entries to Commercial



Figure 4. Roundabout Landscaping and Monument



Proposed Design Review

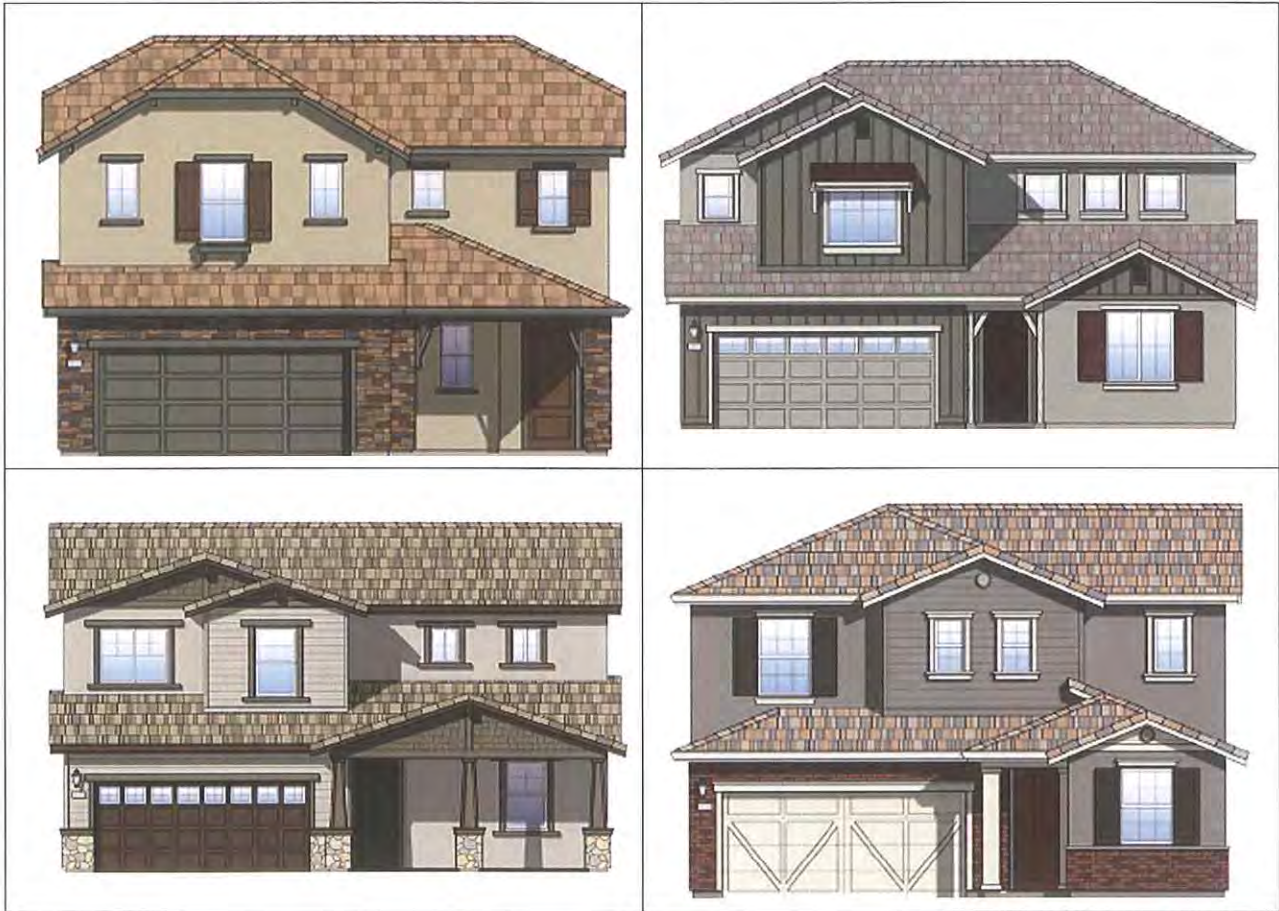
The applicant has proposed four floor plans, all of which are two-story with front-facing, two car garages. The house sizes range from 1,942 square feet to 2,240 square feet of livable area (excludes garages and optional “California rooms”). Each floor plan has four options for architectural styles, which are the same for each plan. All four architectural styles include stucco siding and stucco over foam trim, as well as theme specific garage doors. Other style specific elements are as follows:

- “Cottage” – Decorative corbels and shutters, stone veneer, and slate profile concrete tile roofing.
- “Farmhouse” – Board and batten gable ends, panel shutters, metal awning over second floor window, and slate profile concrete tile roofing.

- “Traditional” – Lap siding at accent areas, brick veneer, louver shutters, and shake style concrete tile roofing.
- “Craftsman” – Lap siding at gable ends, stone veneer, shake style concrete tile roofing.

In addition to the combination of floor plans and architectural elevations, the applicant has proposed 12 different color schemes (three for each architectural style). This means any lot may have one of 36 appearance options (four styles each with three schemes (12 options) and four plans (36 options)). With 104 homes proposed, there should be no more than three identical floor plan, architecture style, and color scheme combinations within the entire subdivision for any given home. Figure 5 shows an example of each floor plan with one of the four architectural styles. The combinations shown are (clockwise from top left) Plan 1 (Cottage), Plan 2 (Farmhouse), Plan 3 (Traditional), and Plan 4 (Craftsman).

Figure 5. Examples of Proposed Homes



The applicant has also proposed elements such as shutters, board and batten, and lap siding on side and rear elevations of “enhanced lots”. These lots are typically those found to have either a side or rear elevation visible from a public view, such as a park, or a public street, such as East Cypress Road or Emerson Ranch Way.

Another feature proposed by the applicant to make the project stand out is plan-specific driveway and walkway scoring designs. The scoring design for each plan is found on Sheet L-4 of the Applicant's Plans. Plan 1's driveway and walkway are scored in a diagonal pattern with border on all sides of the driveway. A rectangular design with a wide border and an enhanced walkway-to-driveway intersection is proposed for Plan 2. A similar rectangular pattern as Plan 2, but with accented border lines and a rounded porch landing, is proposed for Plan 3. Plan 4 combines large rectangular design with a large diamond design in the center of the driveway, as well as a matching walkway-to-driveway intersection.

Good neighbor fencing is proposed as either a six foot tall redwood louvered fence, or a combination of a five foot tall redwood louvered fence with one foot of open lattice on top. The fence with one foot of lattice is typically installed on corner side yards and street-facing fences and gates. The precast concrete wall proposed between the subdivision and arterial streets, as well as that between the subdivision and the commercial parcel, is proposed to match the existing Emerson Ranch sound walls. They are designed with a stucco finish and stone veneer columns with pyramid caps every three panels visible from the project boundary and at all corner locations.

Analysis

General Plan Amendment

The proposed General Plan Amendment to designate approximately 16 acres of "Commercial" ("C") land to "Multi-Family Residential, Low Density" ("ML") land would result in the reduction of the approximately 25 acre portion of the Emerson Ranch Subdivision planned for commercial development to approximately eight acres. The applicant and their commercial broker have stated 25 acres of commercial land in this location is a surplus for a single site, and eight acres is sufficient to accommodate an anchor grocery store and smaller tenants, plus at least one stand-alone pad. Staff researched the sizes of existing commercial shopping centers in Oakley and adjacent cities and found between eight and 11 acres to be common sizes.

Overall, Oakley has vacant and underutilized commercially designated land. However, along the East Cypress Road corridor commercially designated land is limited to the project site, the two parcels south of Emerson ranch (approximately 2.5 acres), and areas within the East Cypress Corridor Specific Plan to the east (potentially 20 – 40 acres). As suggested in the preliminary project hearing, if the Council were to approve an amendment resulting in a net loss of commercially designated land, the applicant would need to offset that loss with a special project. As further analyzed later, Staff believes the applicant has met the Council's request and designed a special project through the implementation of an HOA, unique subdivision design features, and well thought out home design.

The allowable density of the ML land use designation is a maximum of 9.6 dwelling units per acre. The proposed project's gross density (excluding the remaining commercial parcel) would be 5.89 dwelling units per acre. After dedication of East Cypress Road, the net

density would be 6.58 dwelling units per acre. The next lower density range of the General Plan is the "Single-Family Residential, High Density", which maxes out at 5.5 dwelling units per acre. The proposed ML designation is appropriate for the proposed project in that it allows for the type and density of development being proposed.

- Staff recommends approval of the proposed General Plan Amendment.

Rezone

The proposed rezone would amend the existing P-1 District by adding the proposed project's development regulations as described in the "Project Description" section above. The P-1 District would also be tied to the approved Final Development Plan, which is analyzed below. Other existing neighborhoods within the Emerson Ranch Subdivision have similar development regulations, so the proposed project would provide the same style of detached single family residential development that is currently under construction and approved.

- Staff recommends approval of the Rezone.

Vesting Tentative Map

The vesting tentative map was analyzed in relation to the required findings found in the City's subdivision ordinance (adopted County ordinance by reference), which generally states that the City Council shall not approve a tentative map unless it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general plan required by law. When approving the tentative map, the decision making body shall make findings as required concerning the fulfillment of construction requirements. The proposed parcels must also comply with the regulations set forth in the applicable zoning district, in this case the P-1 District.

The proposed tentative map represents a subdivision of land that is consistent with the applicable General Plan policies and guidelines in that it results in a density of approximately 6.6 du/ac after road dedication along East Cypress Road (and excluding the commercial parcel), which is below the midrange of the density range for the MFL land use designation. Proposed lot sizes and the gross density will mesh well with the existing residential development within the Emerson Ranch subdivision in that the current average lot sizes in Neighborhoods 1-5 range from 3,400 square feet to 6,480 square feet, and the proposed project's average lot size is 4,063 square feet. As a result of the subdivision, street and frontage improvements and a sound wall will be constructed along Emerson Ranch Way and adjacent to the commercial parcel, as well as at the main project entry along Shearwater Way. The main location will provide close pedestrian access to the Emerson Ranch Park and an attractive physical entry to the neighborhood as viewed from the park. The sound wall along the commercial property lines will also be heavily planted with trees, acting as both a visual softening of the wall and better mitigating any noise created by the future commercial uses, while allowing for at least two pedestrian accesses to discourage unnecessary vehicle trips from the project to the future adjacent commercial uses.

- Staff recommends approval of the Vesting Tentative Map.

Final Development Plan

The proposed final development plan is required to include many of the details found in the proposed vesting tentative map, landscape plans, design review plans and other accompanying plans. It acts as the final piece of an approved P-1 District, and pursuant to OMC section 9.1.1002(h)(3)(c) it may be combined in an application with the proposed P-1 District, which is the case on this project. For the purposes of this project, the proposed plans will be referenced as the final development plan.

When evaluating a rezoning and final development plan application, OMC section 9.1.1002(h)(4)(c) sets forth criteria. First, the applicant should intend to start construction within two years from the date of project approval. Second, the project shall be consistent with the General Plan. Third, residential development shall constitute an environment of sustained desirability and stability, and be in harmony with the character of the surrounding neighborhood. Last, the criteria state that development of a harmonious, integrated plan justifies exceptions from the normal application of the OMC.

In the case of the proposed final development plan, the applicant intends to begin development as soon as spring of 2017. As stated previously in this Staff Report, the project is consistent with the Oakley 2020 General Plan. Also, with the integration of an HOA, similar lot size to the existing neighborhoods within Emerson Ranch, the addition of design features such as the roundabout at project entry, uniquely scored driveways, and stamped crosswalks throughout the neighborhood, the project constitutes an environment of sustained desirability and stability, and is harmonious with the character of the surrounding neighborhoods. All of these reasons lead to justifying exceptions (such as development regulations) from the standard OMC zoning districts.

- Staff recommends approval of the Final Development Plan.

Design Review

The project plans were analyzed for consistency with the adopted [City of Oakley Residential Guidelines](#) ("Guidelines"). Since, the Vesting Tentative Map and Final Development Plan are discussed elsewhere in this Staff Report, Staff has focused this analysis on residential siting and lot design of the neighborhoods, and architectural character and details of each house.

Residential Siting and Lot Design

Staff analyzed the variation in setbacks for front yards. The applicant has plotted the homes, as seen on the proposed "Development Plan", to provide setback variations. Normally, smaller lot neighborhoods result in a lack of front yard setback variations; however, because of the proposed floor plans, there are substantial variations in setbacks

for both living areas and front porches. Even with the smaller and shallower lots than those of a typical R-6 District, some setback variation is still achieved through the design of the homes. For example, most of the Plan 3s, which include a projecting den/bedroom, show an 11 foot front yard setback to the living area. In contrast, most Plan 1s, which include a recessed living area, show a 24 foot setback to the front porch, with the living area setback even further than the porch. The typical front yard setbacks to living areas for Plans 2 and 4 fall in between those for Plans 1 and 3. The homes will maintain several feet of variation with porch and living area setbacks, which will help avoid long, straight "walls" of buildings along the street frontages and create visual interest within the front yards. Garage setbacks are more conventional and typically placed 20 to 22 feet behind the property line.

The Oakley Residential Design Guidelines include a provision to provide adequate setbacks between adjacent homes, specifically, increased setbacks of 15 feet between adjacent second stories. The narrow lots (apx. 45 – 50 feet) combined with the full second story width of the proposed homes will not allow the project to implement this element of the guidelines. However, that applicable design guideline is intended for at least 6,000 sf lots, which have a minimum lot width requirement of 60 feet. Because this is a P-1 District that has allowed for smaller square footage, depth and width than a typical R-6 District lot, Staff does not recommend strictly enforcing this guideline on the project. This would be consistent with how it has been relaxed on other approved small-lot neighborhoods, such as Orchard at Emerson and Willow at Emerson. Relaxation or omission of typical development standards, or design guidelines that function like development standards, is sometimes necessary in order to allow a P-1 District to achieve marketable and well-designed homes.

Building mass is an element of lot siting and design. The covered porches, projecting architectural elements, and varying roof plans within the same plan types all add to the diversity of the house styles. Also, as a result of the smaller lot sizes resulting in all two-story house plans, the applicant is unable to provide at least 20% of the lots and 50% of the corner lots to be plotted with one-story homes. Corner lot driveways are located on the interior side of the lots to reduce visual prominence and allow landscaping to wrap around the corner yard. Overall, the applicant has taken into account many of the residential guidelines when plotting and designing the homes, and varying setbacks, resulting in a diverse and interesting streetscape.

Architectural Character

The architectural character and design of the proposed homes have several consistencies with the guidelines. The front elevations of the homes include at least two materials (stucco plus stone or brick veneer, lap siding, or board and batten siding). Window trim is prominent, and the rooflines are varied depending on the specific architectural type, even within the same floor plan. Also, the garage doors are specific to the architectural type. The only modification Staff recommends is that the elements proposed on "enhanced lots" be installed on all elevations on all lots. Staff would work with the applicant to appropriately wrap any front veneer or siding either to the fence line (for wainscot) or just beyond the corner and finish with trim (for full wall veneer and siding). All rear and side gables would be treated with the same material used on front-facing gables, and all side and rear windows

shown to include shutters at enhanced lots would include shutters on all lots. The applicant has agreed to implement this modification.

Depending on the specific architectural style, a variety of rooflines, colors, and materials are used to enhance porches, window treatments, wainscots, and gables. For example, when looking at Plan 1, Elevation A (Cottage) includes the use of shutters, brick veneer and a jerkinhead (or "clipped gable") front gable, as well as a brick veneer porch column and kickers. Elevation B (Farmhouse) includes shutters, prominent board and batten siding, overlapping upper front-facing gables, and a porch supported by square posts with kickers. The porch also contains a gable above the front door. Elevation C (Traditional) includes shutter, both horizontal siding and brick veneer, and a porch supported by cylindrical columns and a decorative wide projecting gable. Finally, Elevation D (Craftsman) includes brick veneer wainscot, lap siding, and shingle siding on the gables. The porch is supported by angled rectangular columns with matching brick veneer wainscot.

Overall, the design of the homes, along with typical front yard landscaping and other common area and right of way area of landscaping, the proposed design review is mostly consistent with the adopted Oakley Residential Design Guidelines. Implementation of the proposed modification requiring more 360 degree architecture with side and rear elevation enhancements brings the project into further compliance with the guidelines.

- With implementation of the proposed modification, Staff recommends approval of the Design Review.

Environmental Review

The proposed project is subject to compliance with the California Environmental Quality Act ("CEQA"). It has been determined that all of the potential impacts associated with the proposed project have been adequately analyzed and mitigated in the Emerson Property Project Environmental Impact Report ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10. The mitigation measures included in that EIR will continue to mitigate the proposed project, and no further environmental analysis is required under CEQA. A background discussion on this determination is included in the attachments. To summarize, the proposed project does not trigger the need for a Subsequent or Supplemental EIR, nor is there a need for an EIR Addendum. A few bullet points from the attachment follow:

- The proposed residential use will create less traffic impacts than the original commercial use analyzed in the EIR (558 fewer PM peak hour trips and 250 fewer AM peak hours trips)¹.
- Impacts related to Hazards, Hydrology/Water Quality/Water Supply, and Public Services and Utilities would all be less than those analyzed under "Apartments and Commercial Alternative" of the Certified EIR. Although the EIR determined this

¹ See traffic memo attached to the EIR discussion attachment.

alternative would have greater impacts than those associated with the adopted Proposed Project Alternative (original Emerson Property Project), it also found that the proposed mitigation would mitigate those impacts to a less than significant level.

- Impacts related to Air Quality, Noise, Biological Resources, Geology/Soils, and Historical/Cultural Resources would be no greater than those analyzed under the Emerson Property Project and Apartments and Commercial Alternative.
- The General Plan Land Use Amendment does not create any additional Land Use impacts beyond those existing and already analyzed under other categories. Also, the impacts to Agricultural Resources remain the same with either type of development.

Findings

Draft findings can be found in the proposed ordinance for the Rezone and resolutions for the General Plan Amendment, Vesting Tentative Map, Final Development Plan, and Design Review.

Recommendation

Staff recommends the City Council take action on each of the resolutions separately as follows:

- Adopt the resolution approving the General Plan Amendment, as conditioned;
- Waive the first reading and introduce the ordinance approving the Rezone, as conditioned;
- Adopt a resolution approving the Vesting Tentative Map, Final Development Plan, and Design Review, as conditioned.

Attachments

1. Vicinity Map
2. Public Hearing Notice
3. Applicant's Plans
4. California Environmental Quality Act (CEQA) Finding and Traffic Memo
5. Proposed General Plan Land Use Amendment Resolution
6. Proposed Rezone Ordinance
7. Proposed Vesting Tentative Map, Final Development Plan and Design Review Resolution

Vicinity Map
Emerson Neighborhood 6 – Woodbury
(GPA 01-15, RZ 01-15, TM 01-15, FDP 01-15, and DR 05-15)





City of Oakley
3231 Main Street
Oakley, CA 94561
www.oakleyinfo.com

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **June 14, 2016** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for a **General Plan Amendment, Rezone, Vesting Tentative Map, Final Development Plan, and Design Review.**

Project Name: Emerson Neighborhood 6 – Woodbury (GPA 01-15, RZ 01-15, VTM 01-15, FDP 01-15, and DR 05-15).

Project Location: The project site is located within the existing Emerson Ranch Subdivision 9032 at the northwest corner of East Cypress Road and Sellers Avenue and east of Emerson Ranch Way. Oakley, CA 94561. APN 037-192-031 (portion).

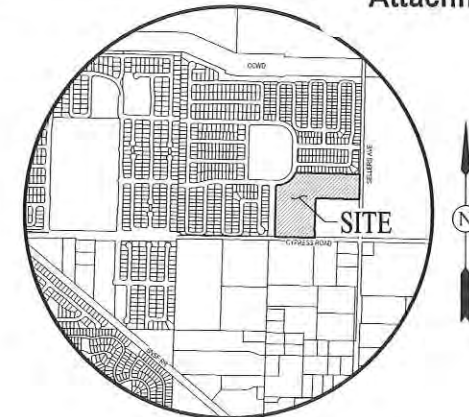
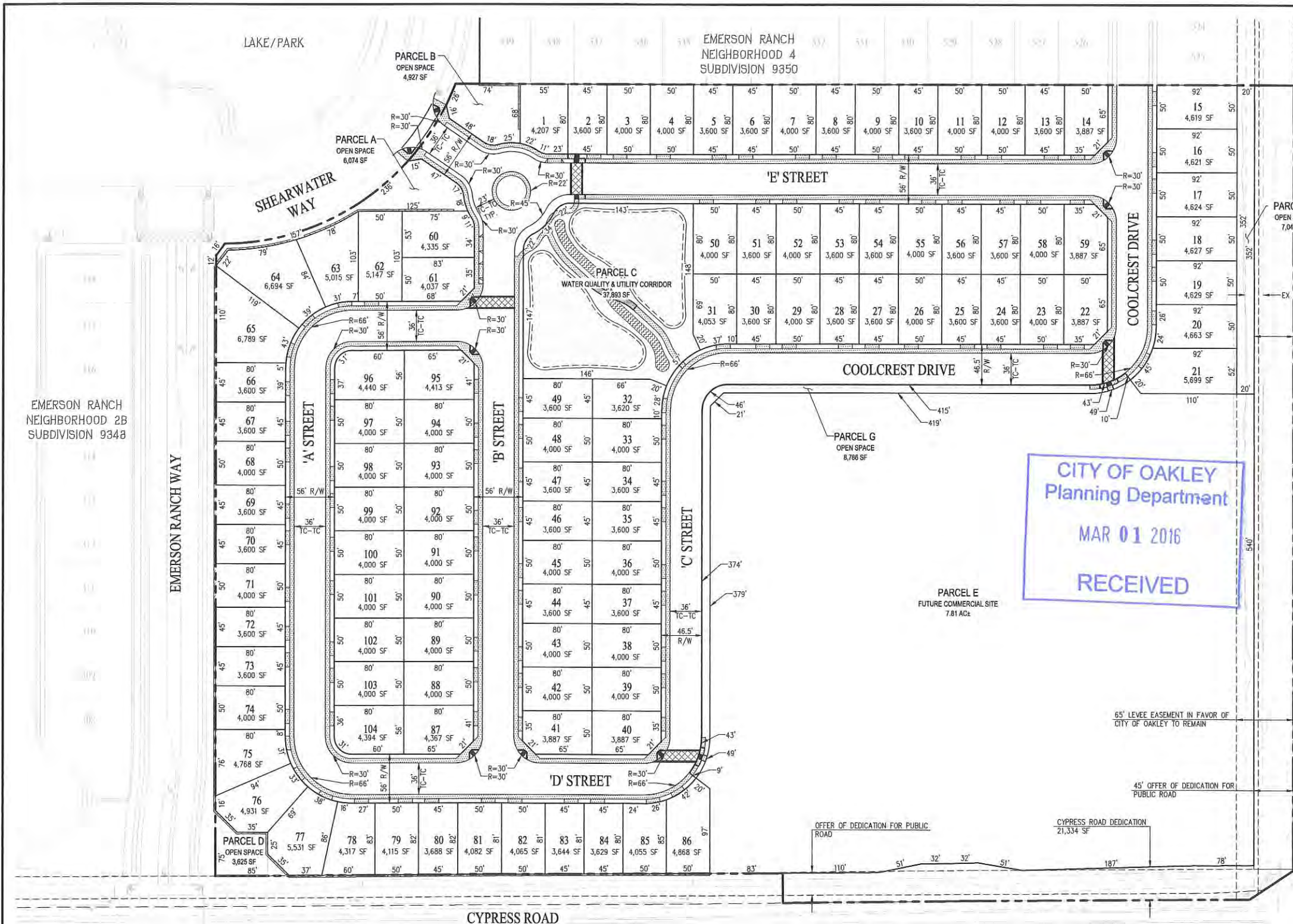
Applicant: Mike Evans, DeNova Homes, 1500 Willow Pass Ct. Concord, CA 94520.

Request: This is a public hearing on a request for approval of: a General Plan Amendment to designate approximately 16 acres of an existing 25 acre undeveloped commercial site from “Commercial” to “Multi-Family Residential, Low Density” (GPA 01-15); a Rezone to amend a Planned Development (P-1) District (RZ 01-15); a Vesting Tentative Map to subdivide approximately 16 acres into 104 single family lots with associated improvements (TM 01-15); a Final Development Plan for the portion of the P-1 District modified by the tentative map (FDP 01-15); and Design Review of house plans and architecture, and a development plan (neighborhood plotting plan) (DR 05-15). The site is zoned P-1 (Planned Unit Development) District. The project falls within the scope of the certified Emerson Property Project EIR (SCH 2007052073).

The Staff Report and its attachments will be available for public review, on or after June 10, 2016 at City Hall, 3231 Main Street, Oakley, CA 94561 or on the City’s website www.oakleyinfo.com.

Interested persons are invited to submit written comments prior to and may testify at the public hearing. **Written comments may be submitted to Kenneth W. Strelo, Senior Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to strelo@ci.oakley.ca.us.**

NOTICE IS ALSO GIVEN pursuant to Government Code Section 65009(b) that, if this matter is subsequently challenged in Court by you or others, you may be limited to raising only those issues you or someone else has raised at a Public Hearing described in this notice or in written correspondence delivered to the City of Oakley City Clerk at, or prior to, the Public Hearing.

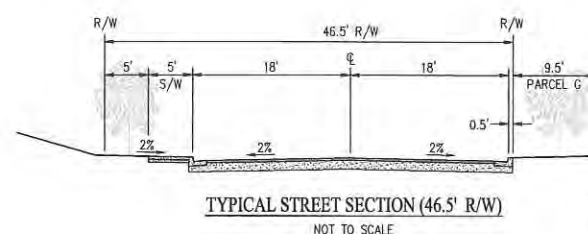
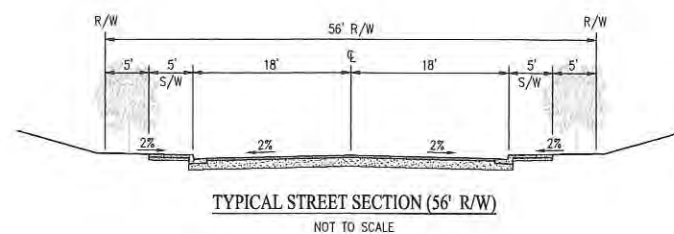


VICINITY MAP
NOT TO SCALE
GENERAL NOTES:

- OWNER: BROOKFIELD HOMES
500 LA GONDA WAY, SUITE 100
DANVILLE, CA 94526
(925) 743-8000
 - APPLICANT: DENOVA HOMES
1500 WILLOW PASS CT
CONCORD, CA 94520
(925) 685-0110
 - CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC.
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CA 94583
(925) 866-0332
 - SOILS ENGINEER: ENGO, INC.
2010 CROW CANYON PLACE, SUITE 250
SAN RAMON, CA 94583
(925) 866-9000
5. LAND AREA SUMMARY:
- | | |
|---|------------|
| LOT AREA | = 9.70 AC |
| PARCEL A - OPEN SPACE | = 0.14 AC |
| PARCEL B - OPEN SPACE | = 0.11 AC |
| PARCEL C - WATER QUALITY & UTILITY CORRIDOR | = 0.87 AC |
| PARCEL D - OPEN SPACE/ENTRY MONUMENT | = 0.08 AC |
| PARCEL G - OPEN SPACE | = 0.20 AC |
| IN-TRACT STREETS | = 4.71 AC |
| SUB-TOTAL RESIDENTIAL AREA | = 15.81 AC |
| CYPRESS ROAD DEDICATION | = 0.49 AC |
| SELLERS AVENUE DEDICATION | = 0.93 AC |
| PARCEL E - FUTURE COMMERCIAL SITE | = 7.81 AC |
| PARCEL F - OPEN SPACE | = 0.16 AC |
| TOTAL AREA | = 25.20 AC |
- TOTAL NUMBER OF LOTS = 104
 - DENSITY: 104 UNITS / 15.81 AC = 6.58 DU/AC
 - LAND USE:
EXISTING: VACANT LAND
PROPOSED: SINGLE FAMILY RESIDENTIAL / COMMERCIAL (PARCEL E)
 - ZONING:
EXISTING: P-1 (PLANNED DEVELOPMENT)
PROPOSED: P-1 (PLANNED DEVELOPMENT)
 - GENERAL PLAN:
EXISTING: COMMERCIAL
PROPOSED: MULTI-FAMILY LOW / COMMERCIAL (PARCEL E)
 - UTILITIES:
WATER: DIABLO WATER DISTRICT
SEWER: IRONHOUSE SANITARY DISTRICT
STORM DRAIN: CITY OF OAKLEY
GAS & ELECTRIC: CITY OF OAKLEY
TELEPHONE: P&E AT&T
 - PROJECT SITE APN: 037-192-031 (PORTION)
 - MULTIPLE FINAL MAPS MAY BE FILED ON THE LANDS SHOWN ON THIS MAP
 - GRADING SHOWN IS PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN. PAID GRADES SHOWN ON SITE DEVELOPMENT PERMIT PLANS MUST BE IN SUBSTANTIAL CONFORMANCE WITH THOSE DEPICTED ON THE APPROVED TENTATIVE MAP.

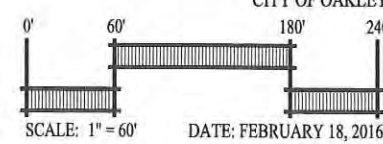
LEGEND:

- 25 LOT NUMBER
- 100' LOT DIMENSION
- PROJECT BOUNDARY
- PROPOSED RIGHT OF WAY
- PROPOSED LOT LINE
- PROPOSED FACE OF CURB
- EXISTING EASEMENT



WOODBURY VESTING TENTATIVE MAP
EMERSON RANCH - SUBDIVISION 9398

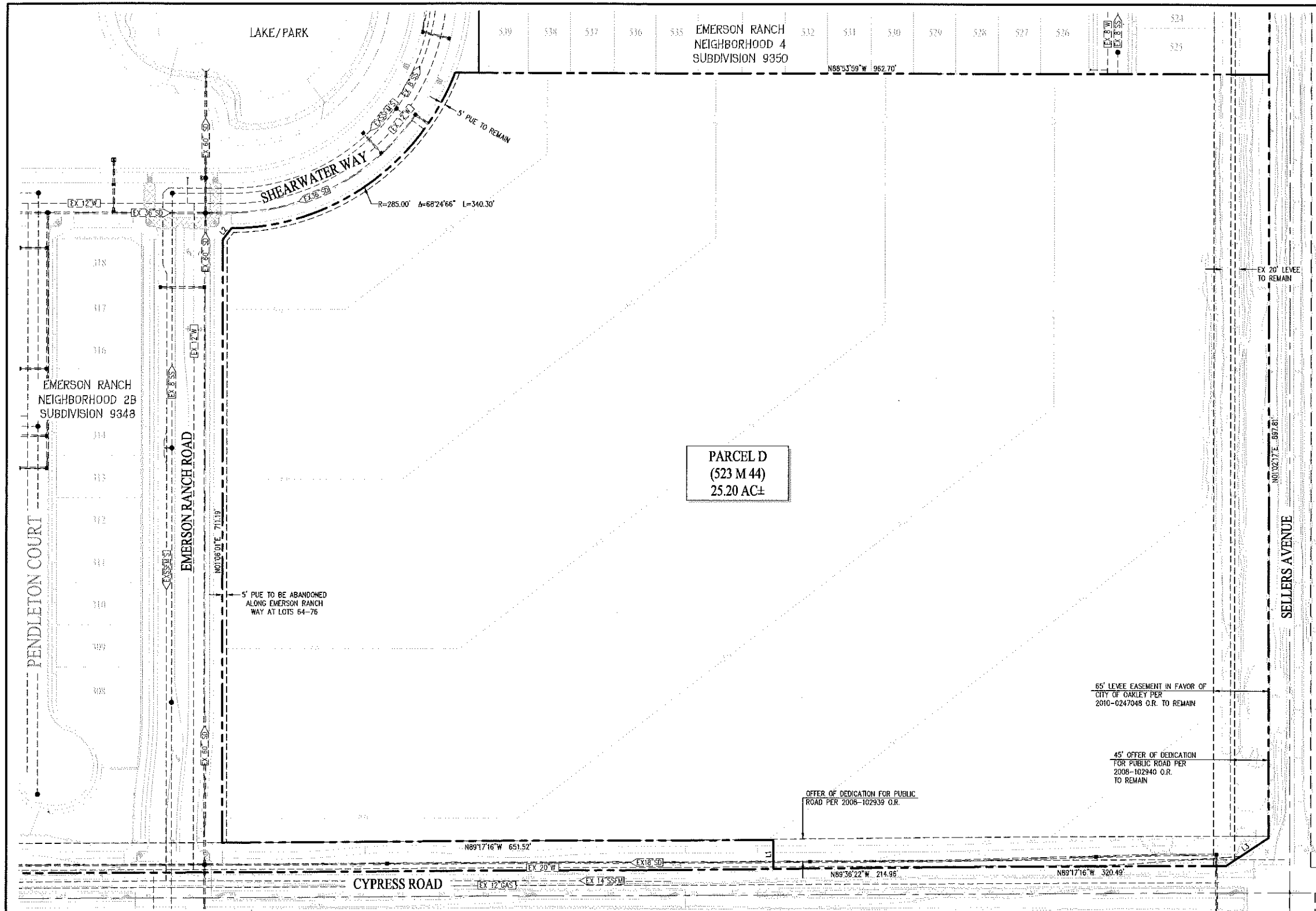
CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA



DATE: FEBRUARY 18, 2016

cbg Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CALIFORNIA 94583
(925) 866-0332

SHEET NO.
TM-1
OF 5 SHEETS



LINE TABLE		
NO	BEARING	LENGTH
L1	N00°23'38"E	34.19'
L2	N38°24'59"E	16.35'
L3	N57°23'34"E	60.07'

LEGEND:

- PROJECT BOUNDARY
- ADJACENT PARCEL LINE
- EXISTING EASEMENT LINE
- EXISTING CONTOUR LINE

FLOOD ZONE:

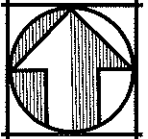
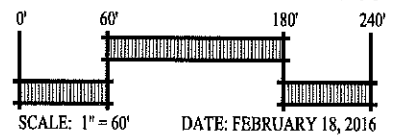
ZONE X (SHADED): AREAS OF 500 YEAR FLOOD. AREAS OF 100 YEAR FLOOD WITH AVERAGE DEPTHS LESS THAN 1 FOOT OR WITH DRAINAGE AREA LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD.

SOURCE: FLOOD INSURANCE RATE MAP PANEL 06013C 0360F


DATED: JUNE 16, 2009

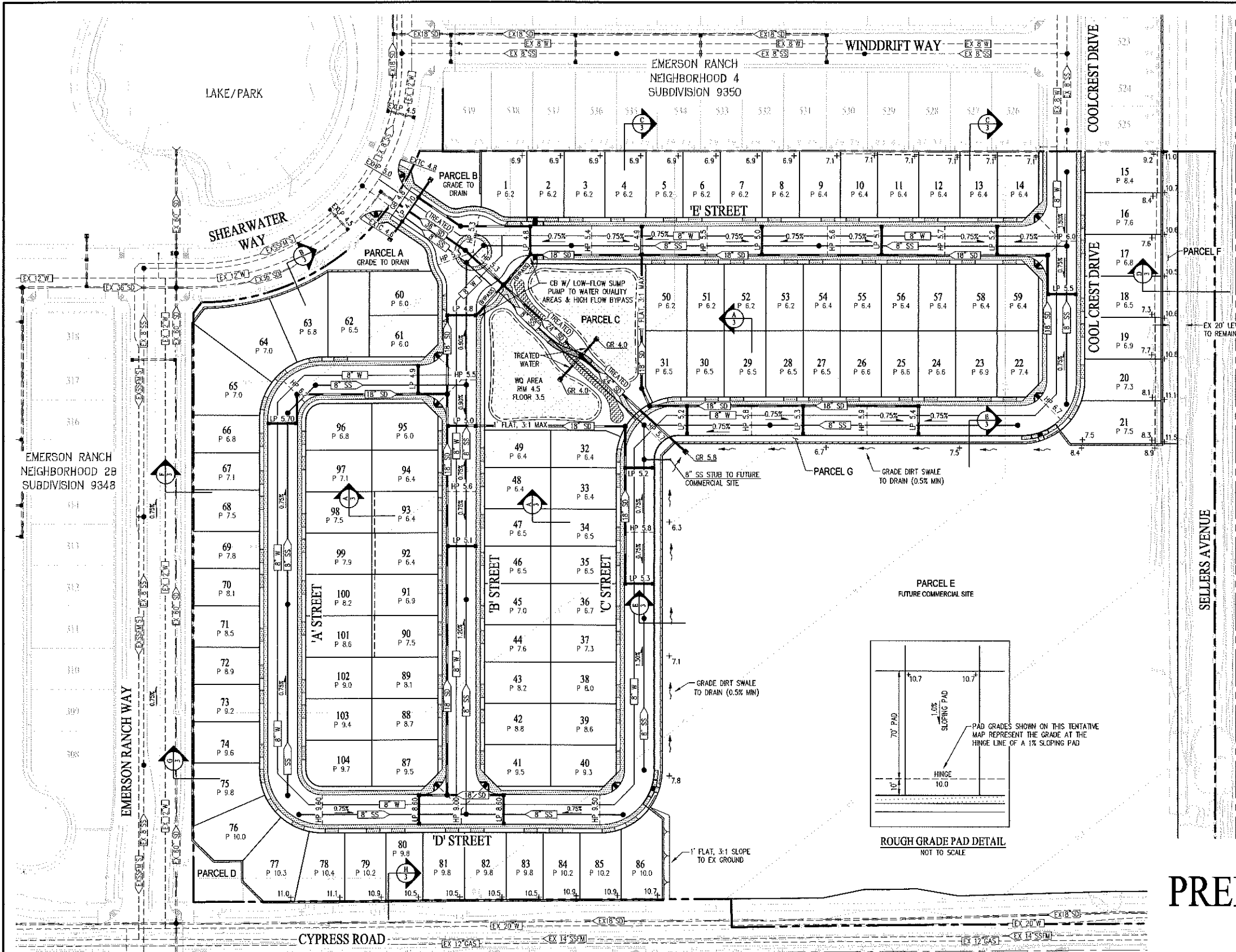
**WOODBURY
EXISTING CONDITIONS
EMERSON RANCH - SUBDIVISION 9398**

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

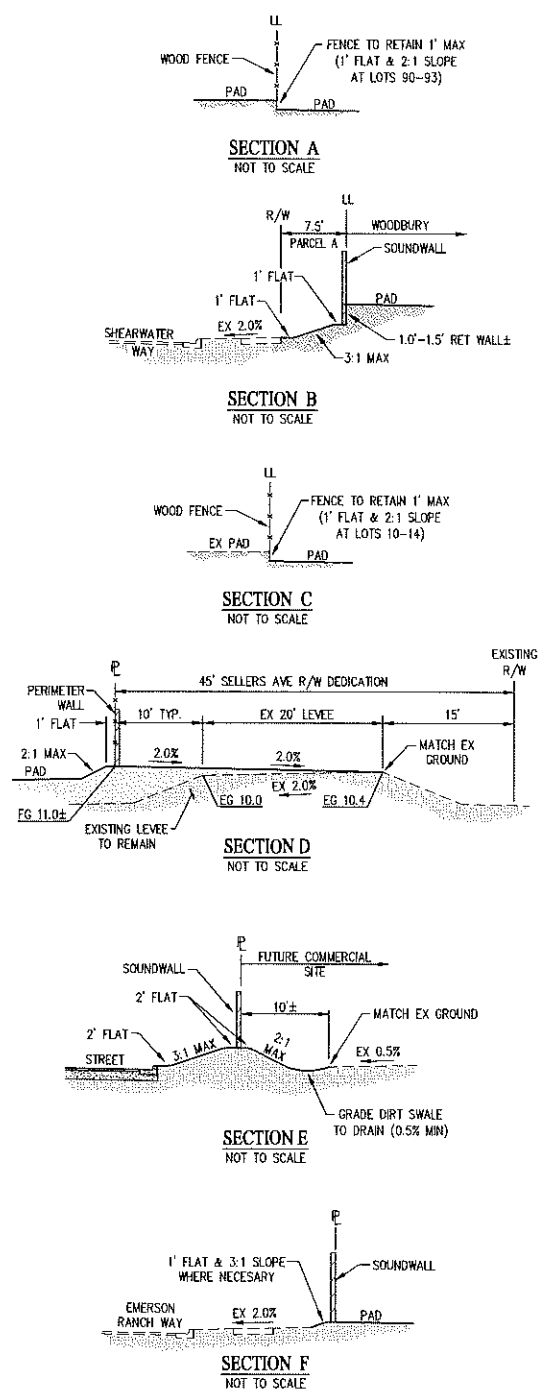



SCALE: 1" = 60' DATE: FEBRUARY 18, 2016

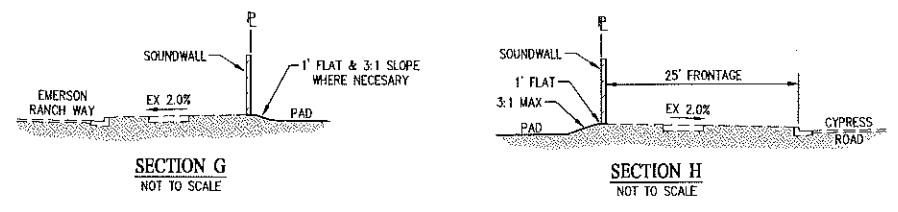
 Carlson, Barbee & Gibson, Inc. CIVIL ENGINEERS • SURVEYORS • PLANNERS	2533 GAMINO RAMON, SUITE 350 SAN RAMON, CALIFORNIA 94583	(925) 866-0322 (925) 866-0322
	SHEET NO. TM-2 OF 5 SHEETS	



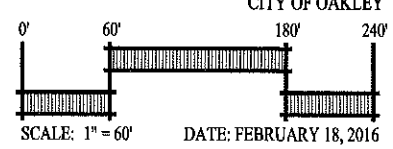
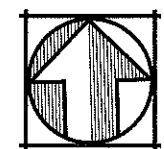
GILBERT
032-081-016
SUBDIVISION 9033



WOODBURY PRELIMINARY GRADING & UTILITY PLAN EMERSON RANCH - SUBDIVISION 9398



- LEGEND:**
- PROJECT BOUNDARY
 - APPROXIMATE PAD ELEVATION
 - EXISTING CONTOUR LINE
 - EXISTING SPOT GRADE
 - STORM DRAIN
 - SANITARY SEWER
 - WATER LINE
 - MANHOLE
 - CATCH BASIN
 - TEMPORARY SWALE
 - RETAINING WALL

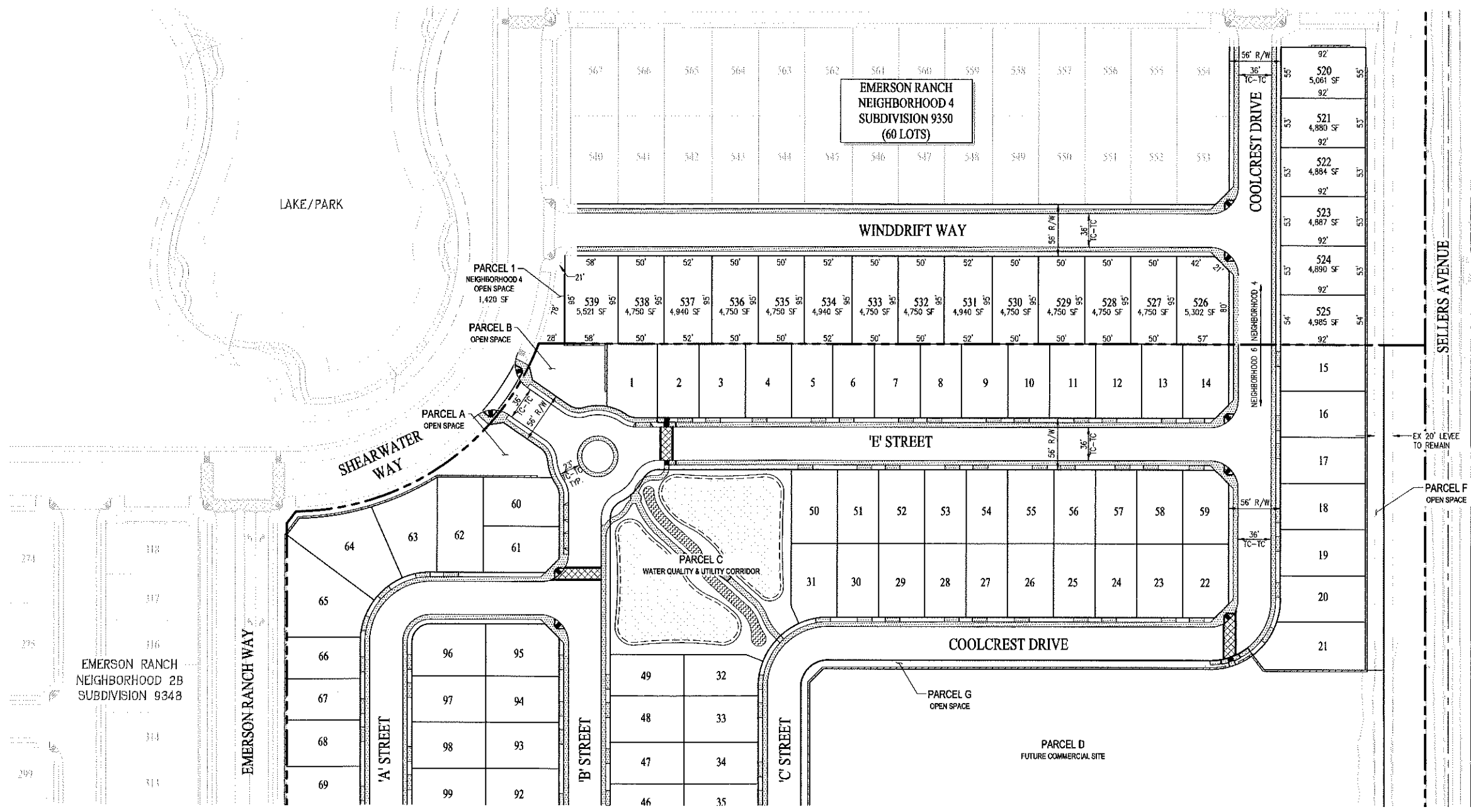


CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

cbg Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS

2533 CAHILL RAMON, SUITE 320
SAN RAMON, CALIFORNIA 94583 (925) 966-9322

SHEET NO.
TM-3
OF 5 SHEETS



EMERSON RANCH
NEIGHBORHOOD 4
SUBDIVISION 9350
(60 LOTS)

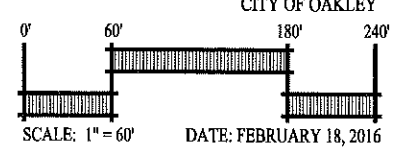
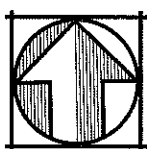
EMERSON RANCH
NEIGHBORHOOD 2B
SUBDIVISION 9348

GILBERT
032-081-016
SUBDIVISION 9033

- LEGEND:**
- 25 LOT NUMBER
 - 100' LOT DIMENSION
 - PROJECT BOUNDARY
 - PROPOSED RIGHT OF WAY
 - PROPOSED LOT LINE
 - PROPOSED FACE OF CURB

WOODBURY NEIGHBORHOOD 4 ADJUSTMENTS

EMERSON RANCH - SUBDIVISION 9398



CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA

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CIVIL ENGINEERS • SURVEYORS • PLANNERS
2533 CAMINO RAMON, SUITE 350
SAN RAMON, CALIFORNIA 94583 (925) 866-0322

SHEET NO.
TM-4
OF 5 SHEETS

DATE: FEBRUARY 18, 2016

LAKE/PARK

EMERSON RANCH
NEIGHBORHOOD 4
SUBDIVISION 9350

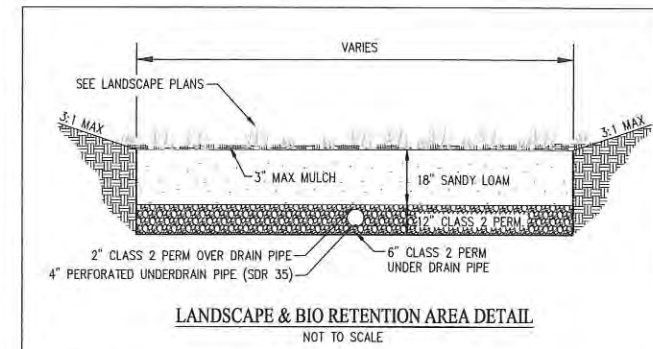
EMERSON RANCH
NEIGHBORHOOD 2B
SUBDIVISION 9348

EMERSON RANCH WAY

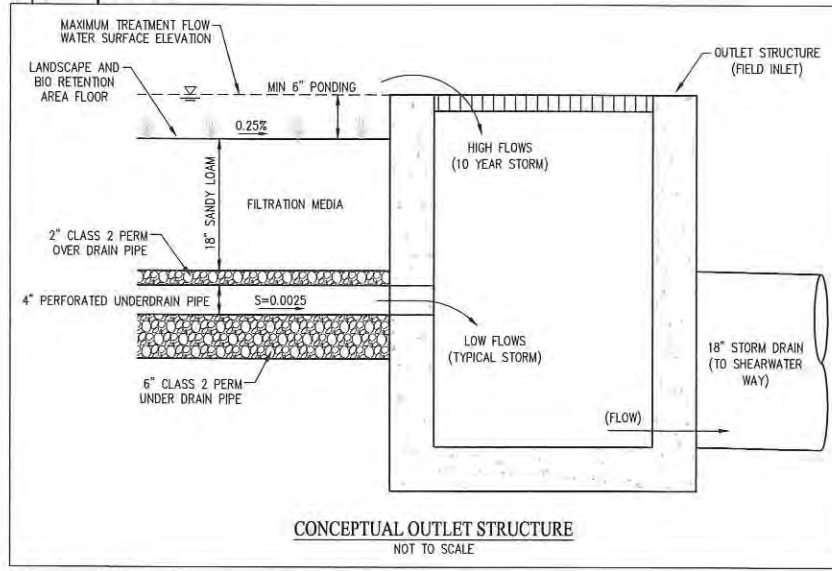


LEGEND

- 25 LOT NUMBER
- PROPOSED RIGHT OF WAY
- PROPOSED LOT LINE
- PROPOSED FACE OF CURB
- DMA BOUNDARY
- BIO-RETENTION AREA
- DMA 1 DRAINAGE MANAGEMENT AREA
- IMP 1 INTEGRATED MANAGEMENT PRACTICE - BIORETENTION AREA



NOTE:
SANDY LOAM SOIL MIX SHALL HAVE MINIMUM
LONG TERM PERCOLATION RATE OF 5"/HOUR.



CYPRESS ROAD

FUTURE
COMMERCIAL SITE

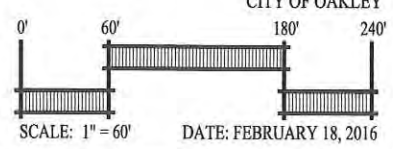
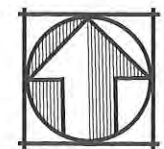
DRAINAGE MANAGEMENT AREA SUMMARY

AREA ID	PRIVATE IMPROVEMENTS		PUBLIC IMPROVEMENTS		TREATMENT AREA	
	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	REQUIRED (SF)	PROVIDED (SF)
DMA 1	277,367	145,173	185,157	57,184	19,310	20,475

- NOTE:**
- VALUES IN THE TABLE ABOVE ARE ESTIMATED BASED UPON THE AVAILABLE INFORMATION AT THE TIME OF THIS TENTATIVE MAP.
 - CALCULATIONS ASSUME FRONT AND BACKYARDS WILL HAVE A C-VALUE OF 0.3 (30% HARDSCAPE & 70% LANDSCAPE).
 - REQUIRED TREATMENT AREAS CALCULATED USING THE 4% RULE WITH A FACTOR OF 1.0 FOR IMPERVIOUS AREAS AND 0.1 FOR PERVIOUS AREAS (CONTRA COSTA COUNTY IMP SIZING TOOL).

**WOODBURY
PRELIMINARY
STORMWATER CONTROL PLAN
EMERSON RANCH - SUBDIVISION 9398**

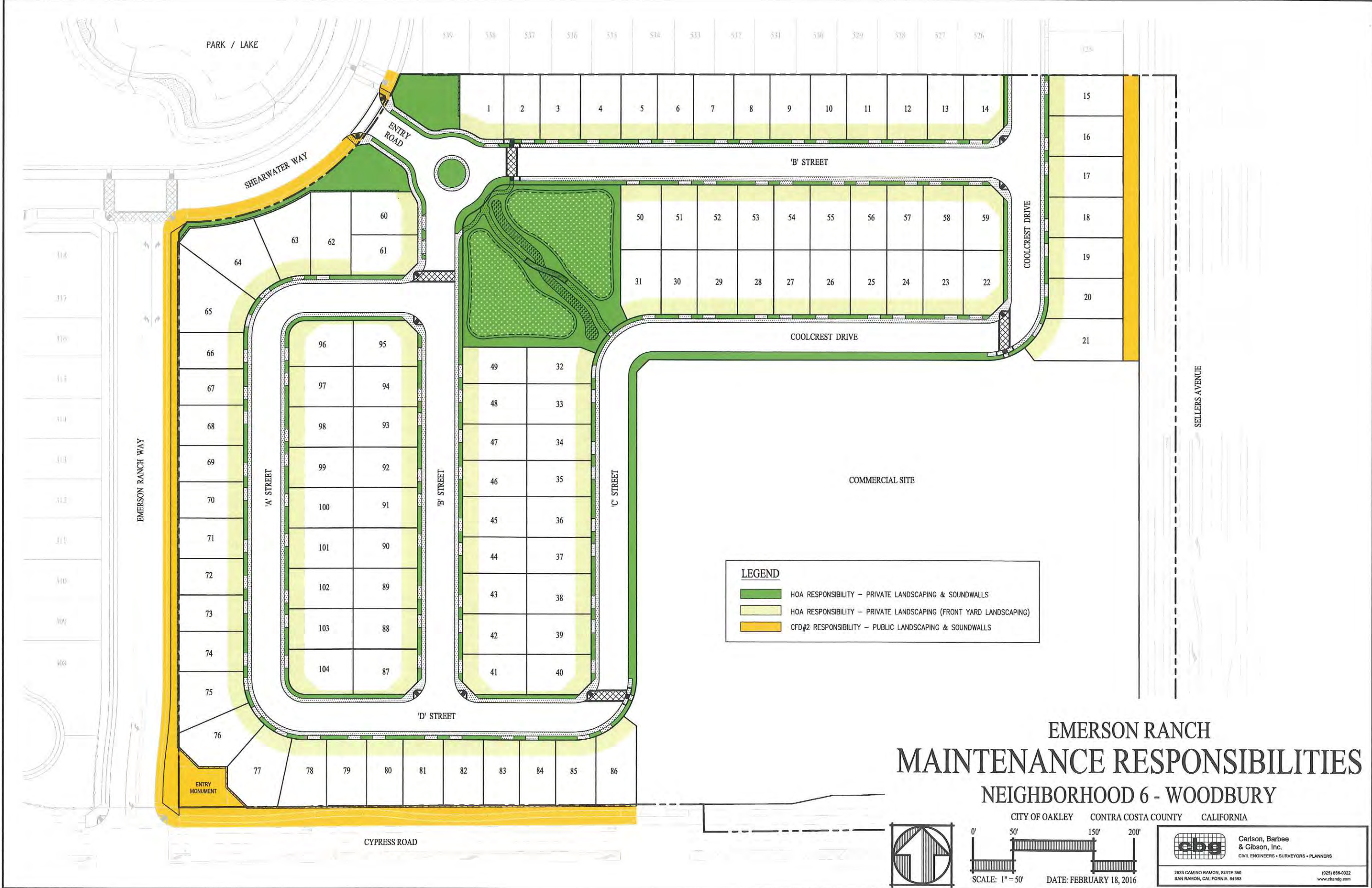
CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA



cbg Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
2933 CAMINO RAMON, SUITE 300
SAN RAMON, CALIFORNIA 94583 (925) 896-6322

SHEET NO.
TM-5
OF 5 SHEETS

DATE: FEBRUARY 18, 2016

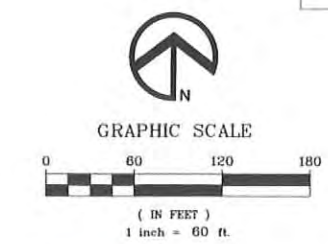




PRELIMINARY PROPOSED PLANT PALETTE

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
STREET TREES			
KOELREUTERIA PANICULATA	GOLDENRAIN TREE	24" BOX	MEDIUM
PISTACIA CHINENSIS	CHINESE PISTACHE	24" BOX	MEDIUM
SCREENING TREES			
LAURUS NOBILIS	GRECIAN LAUREL	24" BOX	LOW
CORRIDOR TREES			
PLATANUS X ACERIFOLIA	LONDON PLANE TREE	24" BOX	MEDIUM
ENTRY TREES			
OLEA EUROPAEA 'SWAN HILL'	FRUITLESS OLIVE	24" BOX	MEDIUM
PYRUS C. 'CHATICLEER'	FLOWERING PEAR	24" BOX	MEDIUM

- NOTES:**
- ALL TREES SHALL BE PLANTED AND STAKED PER CITY STANDARDS.
 - ROOT BARRIERS SHALL BE INSTALLED ON ALL TREES WHICH ARE PLANTED WITHIN 10' OF PAVEMENT, FOUNDATIONS OR FOOTINGS.
 - ALL PLANTING AREAS SHALL BE MULCHED TO A MINIMUM DEPTH OF 3".
 - REFER TO CIVIL ENGINEER'S PLANS FOR STORM WATER MANAGEMENT CALCULATIONS. ALL BIO-FILTER PLANTERS LANDSCAPED PER SWPPP REQUIREMENTS.
 - LANDSCAPE SHALL COMPLY WITH CITY'S CURRENT WATER-EFFICIENT LANDSCAPE ORDINANCE:
 - TOTAL AREA OF HIGH WATER USE PLANTINGS WILL BE IRRIGATED WITH LOW-VOLUME SPRAY HEADS.
 - AT LEAST 80% OF NON-TURF AREA IS NATIVE OR LOW WATER USE PLANTS (LOW WATER USE PLANTINGS = 82%).
 - ALL SHRUB AND GROUND COVER PLANTING AREAS SHALL BE AUTOMATICALLY IRRIGATED PER CITY STANDARDS, USING BUBBLERS OR DRIP METHODS.
 - PLANTS TO BE GROUPED BY HYDROZONES AND IRRIGATED BY SEPARATE VALVES.
 - CONTROLLER SHALL BE ET-BASED, AND HAVE RAIN SHUT-OFF.
 - ALL PLANT MATERIAL AND LANDSCAPE ELEMENTS WITHIN VISION TRIANGLES NOT TO EXCEED 3.5' FROM THE GROUND.
 - ALL ABOVE-GROUND UTILITIES, INCLUDING BACKFLOW PREVENTION DEVICES, FIRE DEPARTMENT CONNECTIONS, AND POST INDICATOR VALVES, SHALL BE SCREENED ON THREE SIDES WITH LANDSCAPE.



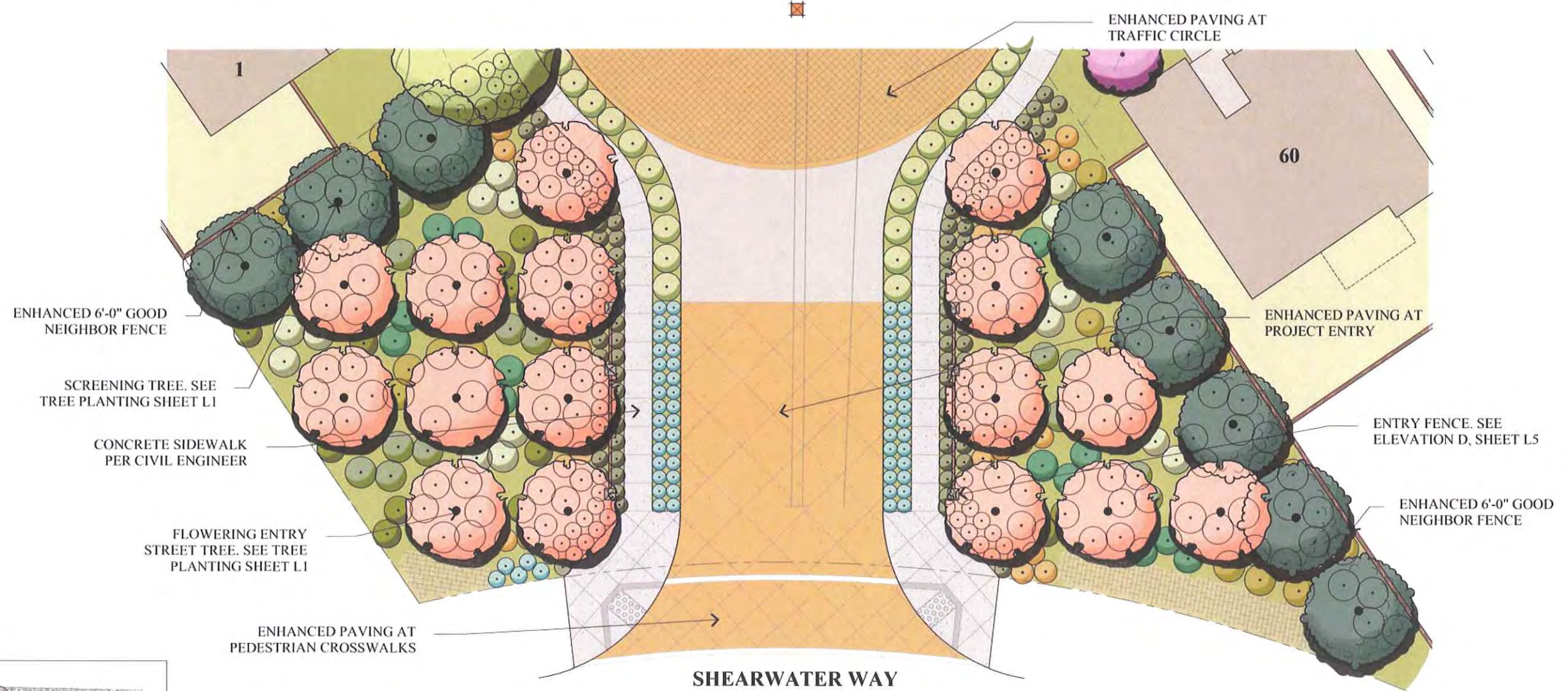
RIPLEY DESIGN GROUP
 LANDSCAPE ARCHITECTURE
 LAND PLANNING
 1615 BONANZA STREET
 SUITE 314
 WALNUT CREEK, CA 94596
 TEL: 925.938.7377
 FAX: 925.938.7436

DENOVA HOMES

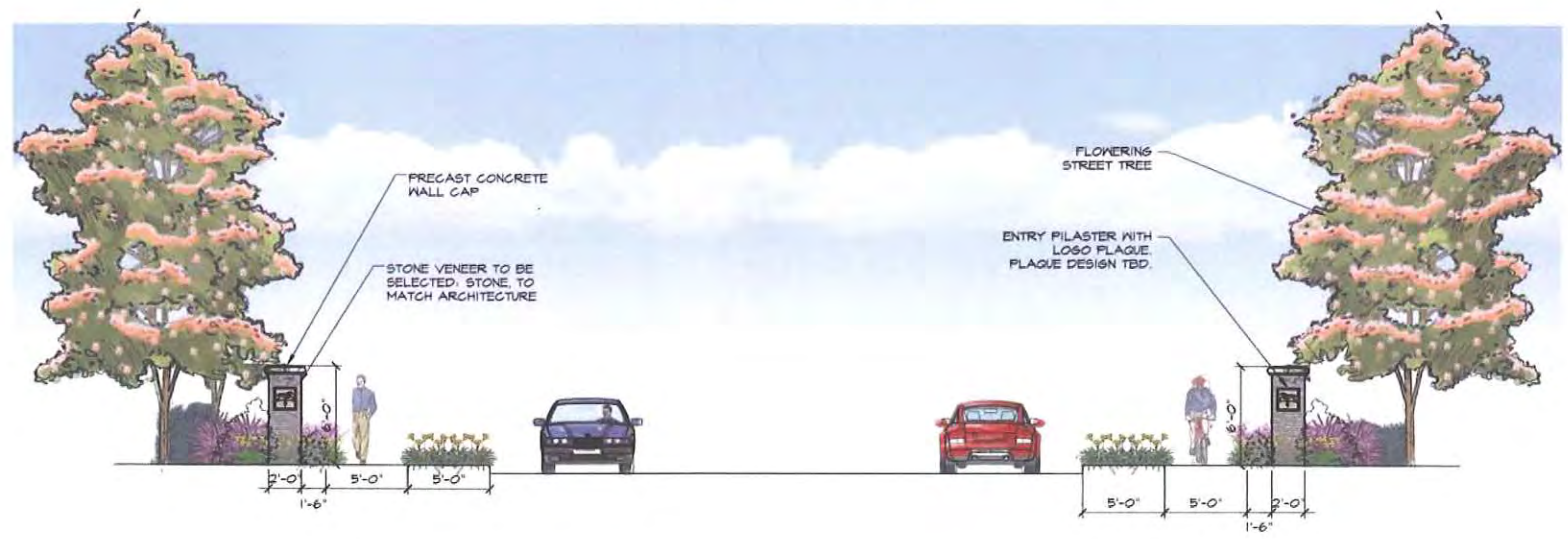
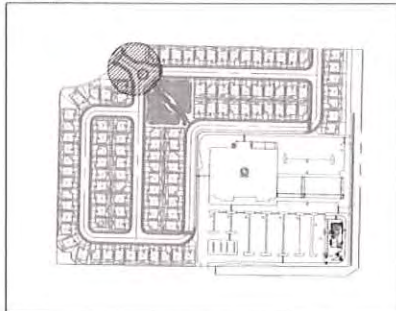
Preliminary Landscape Plan

Woodbury
 Oakley, California

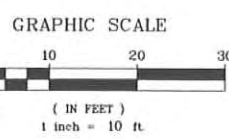
February 22, 2016



KEYMAP



MAIN ENTRY ELEVATION SCALE: 3/16" = 1'-0"



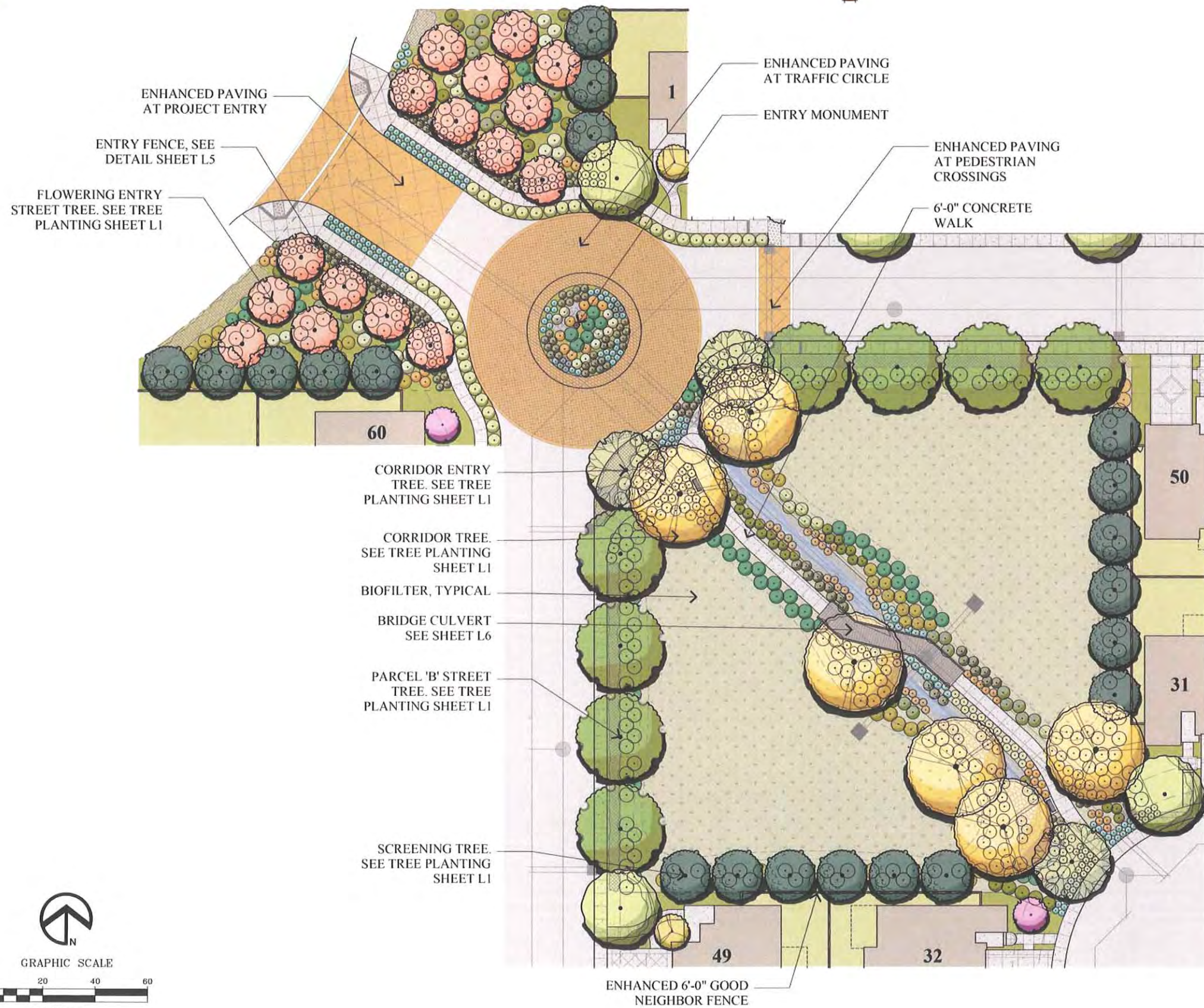
RIPLEY DESIGN GROUP
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 1615 BONANZA STREET
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 TEL: 925.938.7377
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Project Entry

Woodbury
 Oakley, California

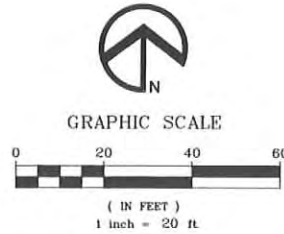
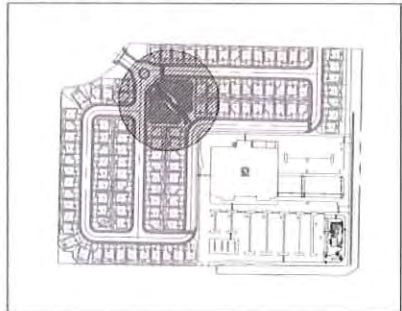
February 22, 2016



PRELIMINARY PROPOSED PLANT PALETTE

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
SHRUBS			
AGAVE ATTENUATA	FOX TAIL AGAVE	5 GALLON	LOW
ALOE Plicatilis	FAN ALOE	5 GALLON	LOW
ARBUTUS U. 'COMPACTA'	COMPACT STRAWBERRY TREE	5 GALLON	LOW
ARCTOSTAPHYLOS 'HOWARD MCMINN'	MANZANITA	5 GALLON	LOW
ARTEMISIA CALIFORNICA	CALIFORNIA SAGEBRUSH	1 GALLON	LOW
BOUTELOUA GRACILIS 'BLONDE AMBITION'	BLUE GRAMA	1 GALLON	LOW
CAREX PANSA	CALIFORNIA MEADOW SEDGE	1 GALLON	LOW
FESTUCA MAHREI	ATLAS FESCUE	1 GALLON	LOW
GALIA LINDHEIMERI 'WHIRLING BUTTERFLIES'	BUTTERFLY GAJRA	1 GALLON	LOW
KNIPHOFIA 'LITTLE MAID'	LITTLE MAID POKER PLANT	1 GALLON	LOW
LUPINUS EXCUBITUS	GRAPE SODA LUPINE	1 GALLON	LOW
MUHLENBERGIA 'PINK FLAMINGO'	PINK FLAMINGO MUHLY	5 GALLON	LOW
MUHLENBERGIA RIGENS	DEER GRASS	5 GALLON	LOW
PENNISETUM SPATHIOLATUM	SLENDER VELOUT GRASS	1 GALLON	LOW
RHUS INTEGRIFOLIA	LEMONADE BERRY	5 GALLON	LOW
GROUNDCOVERS			
LYGUM SPARTUM 1 GALLON @ 36" O.C.	FALSE ESPARTO GRASS		LOW
SHRUBS - BIO-SWALE			
JUNCUS PATENS 1 GALLON @ 36" O.C.	RUSH		MEDIUM

KEYMAP



RIPLEY DESIGN GROUP
**LANDSCAPE ARCHITECTURE
 LAND PLANNING**
 1615 BONANZA STREET
 SUITE 314
 WALNUT CREEK, CA 94596
 TEL: 925.938.7377
 FAX: 925.938.7436

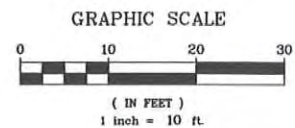
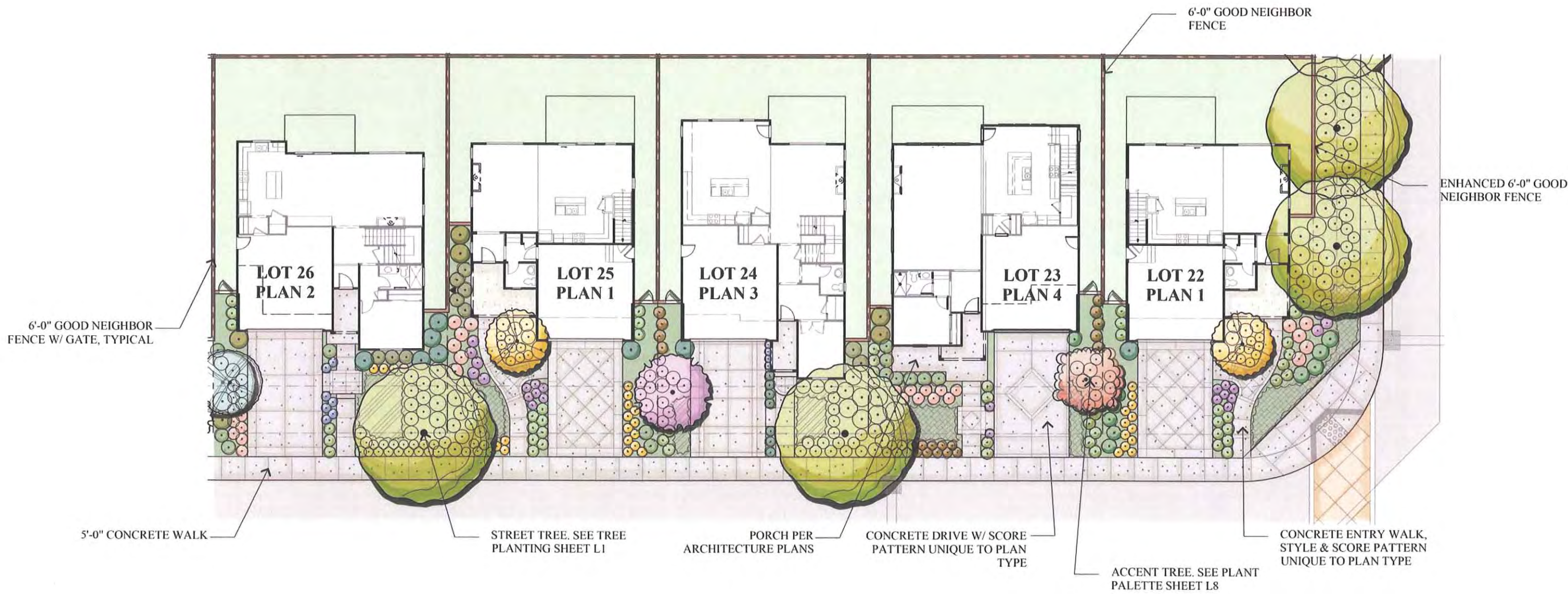
DENOVA HOMES

Parcel 'B' Enlargement

Woodbury
 Oakley, California

February 22, 2016

L3



RIPLEY DESIGN GROUP
 LANDSCAPE ARCHITECTURE
 LAND PLANNING
 1615 BONANZA STREET
 SUITE 314
 WALNUT CREEK, CA 94596
 TEL: 925.938.7377
 FAX: 925.9387436

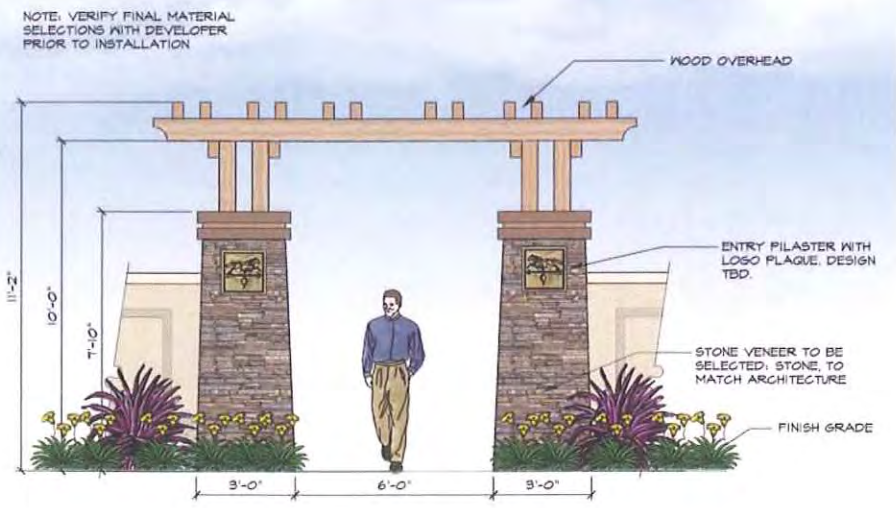
DENOVA HOMES

Preliminary Landscape Typical

Woodbury
 Oakley, California

February 22, 2016

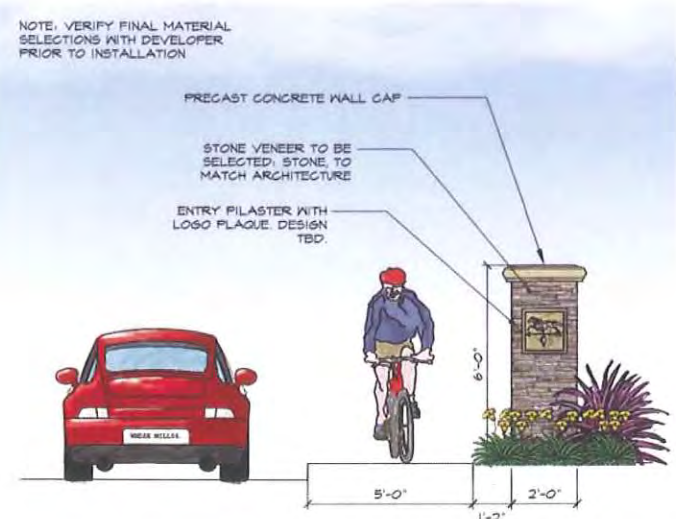
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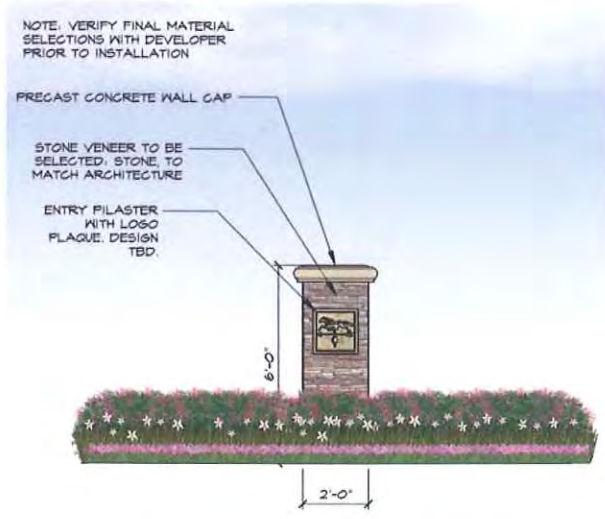
PEDESTRIAN ENTRYWAY SCALE: 3/8" = 1'-0"



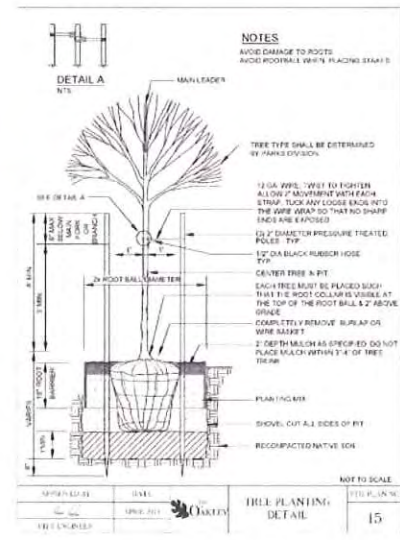
ENTRY FENCE ELEVATION SCALE: 1/2" = 1'-0"



ENTRY PILASTER ELEVATION SCALE: 3/8" = 1'-0"



ENTRY MONUMENT SCALE: 3/8" = 1'-0"



NOTES
 1. TREE TYPE SHALL BE DETERMINED BY PARKS DIVISION.
 2. EACH TREE MUST BE PLANTED SUCH THAT THE ROOT COLLAR IS VISIBLE AT THE TOP OF THE ROOT BALL & 2" ABOVE GROUND.
 3. COMPLETELY REMOVE SURPLUS WIRE MESH.
 4. 2" DEPTH MULCH AS SPECIFIED. DO NOT PLACE MULCH WITHIN 1'-4" OF TREE TRUNK.

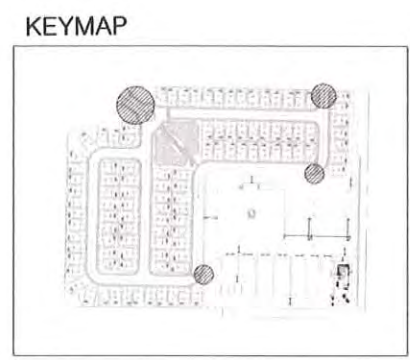
TREE SPECIFICATIONS

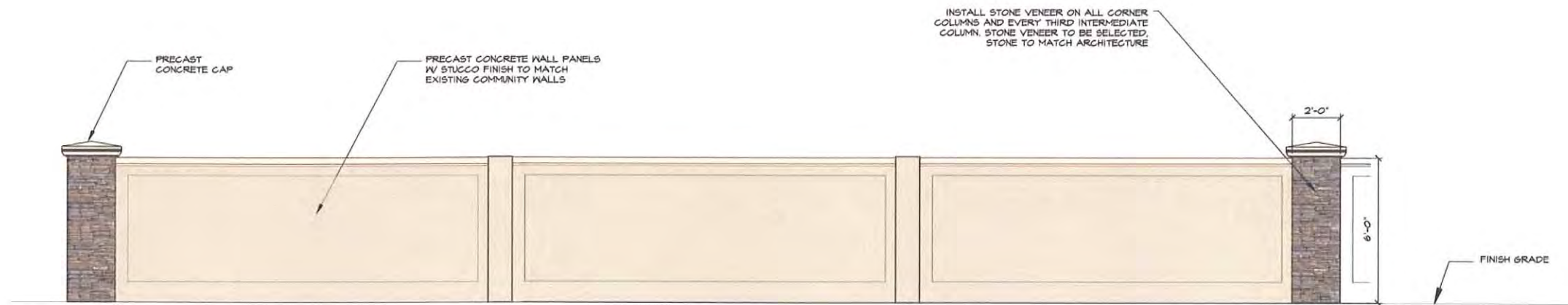
- HEIGHT: 7' - 8' tall (measured to the highest branch)
- CALIPER: 1.5" - 2.0" (measured 4" above the base)
- BRACING: NONE
- CENTRAL LEADER: Single, healthy at age 1

PLANTING SEQUENCE

- Excavate the hole to the depth and diameter specified. The hole should be 2" wider and 2" deeper than the root ball. The hole should be lined with a 2" thick geotextile fabric.
- Place the root ball in the hole. The root ball should be centered in the hole. The hole should be filled with soil to the top of the root ball. The soil should be tamped down.
- Place 2" of mulch around the tree. The mulch should be 2" thick and 1' wide from the trunk of the tree.
- Water the tree thoroughly. The tree should be watered daily for the first 14 days. The water should be applied to the soil around the tree.
- Use the remaining soil to create a berm around the tree.

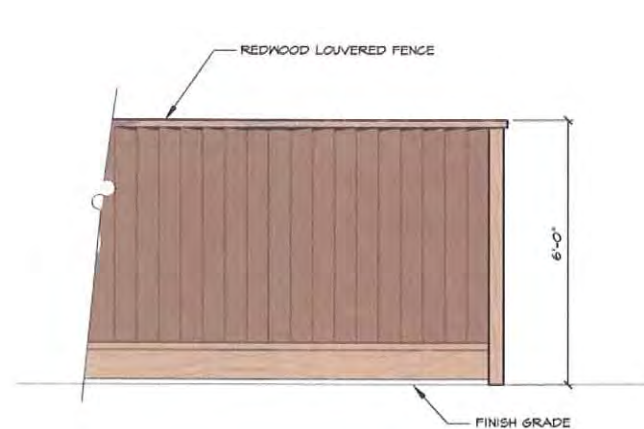
DATE: 02/15/16	SCALE: 1/2" = 1'-0"	PROJECT: DENOVA HOMES	DATE: 02/15/16
DESIGNED BY: [Signature]	CHECKED BY: [Signature]	DATE: 02/15/16	SCALE: 1/2" = 1'-0"





**PRECAST SOUNDWALL
W/ STONE PILASTERS** SCALE: 3/8" = 1'-0"
022 -

- NOTE:
1. COLUMNS ARE EVERY 17.25' O.C. MAXIMUM.
 2. EVERY CORNER VISIBLE FROM TRACT BOUNDARY TO WALL HAS STONE VENEER COLUMN (ON PROJECT SIDE).
 3. EVERY THIRD COLUMN VISIBLE FROM TRACT BOUNDARY TO BRADFORD WAY FROM TRACT BOUNDARY TO WALL HAS STONE VENEER.
 4. ELEVATION DEPICTS WALL FACING PUBLIC STREETS.

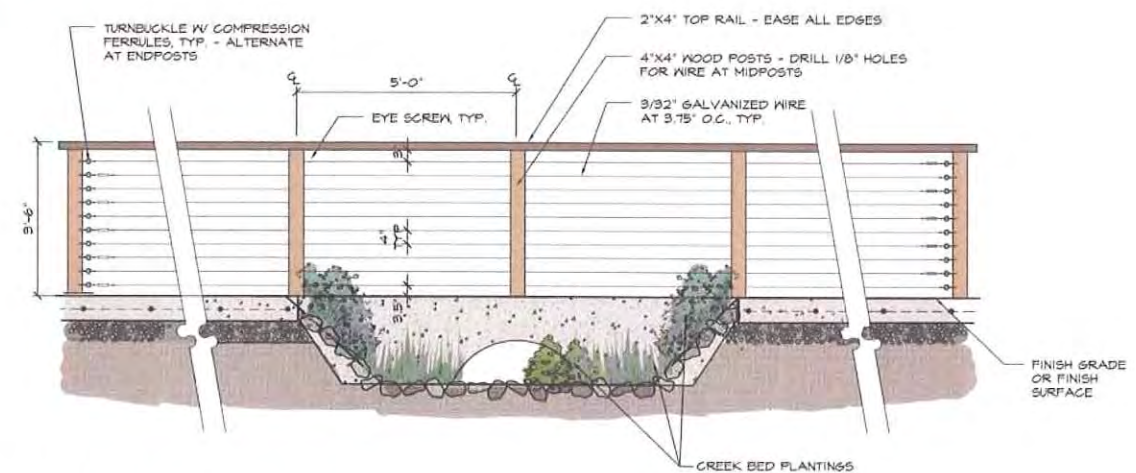


GOOD NEIGHBOR FENCE SCALE: 1/2" = 1'-0"
024 -

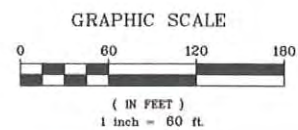


ENHANCED GOOD NEIGHBOR FENCE SCALE: 1/2" = 1'-0"
024 -

NOTES: ALL HARDWARE TO BE GALVANIZED.
WOOD TO BE CONSTRUCTION GRADE REDWOOD,
CEDAR, OR IPE.



BRIDGE CULVERT W/ RAILING SCALE: 1/2" = 1'-0"
024 -



PRELIMINARY PROPOSED PLANT PALETTE

COTTAGE STYLE ELEVATIONS

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
ACCENT TREES			
CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GALLON	LOW
SHRUBS - FRONTYARD			
ACHELLIA MILLEFOLIUM	COMMON YARROW	1 GALLON	LOW
AGAPANTHUS AFRICANUS	LILY-OF-THE-NILE	1 GALLON	MEDIUM
BUDDEJA DAVIDII	BUTTERFLY BUSH	5 GALLON	LOW
CAREX DIPSAEA	AUTUMN SEDGE	1 GALLON	MEDIUM
CALAMAGROSTIS 'KARL FOERSTER'	FEATHER REED GRASS	1 GALLON	MEDIUM
CHRYSANTHEMUM MAXIMUM	SHASTA DAISY	1 GALLON	MEDIUM
DIETES BICOLOR	FORTNIGHT LILY	1 GALLON	LOW
ECHINUM CANDICANS	PRIDE OF MADERA	5 GALLON	LOW
ERIGERON KARVINSKIANUS	SANTA BARBARA DAISY	1 GALLON	LOW
GREVILLEA 'NOELLI'	WOOLY GREVILLEA	5 GALLON	LOW
HELICTOTRICHON SEMPERVIRENS	BLUE OAT GRASS	1 GALLON	LOW
KNIPHOFIA UVARIA 'BLAZE'	RED HOT POKER	1 GALLON	LOW
LAVANDULA A. 'MUNSTEAD'	ENGLISH LAVANDER	1 GALLON	LOW
MUHLENBERGIA RIGENS	DEER GRASS	5 GALLON	LOW
PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	1 GALLON	LOW
ROSA 'CECILE BRUNNER'	CECILE BRUNNER ROSE	5 GALLON	LOW
ROSMARINUS OFFICINALIS 'TUSCAN BLUE'	TUSCAN BLUE ROSEMARY	5 GALLON	LOW
RUDBECKIA FULGIDA 'GOLDSTURM'	BLACK-EYED SUSAN	1 GALLON	MEDIUM
SOLLIA HETEROPHYLLA	BLUEBELL CREEPER	1 GALLON	LOW
XYLOSMA C. 'COMPACTA'	COMPACT XYLOSMA	5 GALLON	LOW

GROUNDCOVERS			
CONVOLVULUS MAURITANICUS	GROUND MORNING GLORY	1 GALLON • 36" O.C.	LOW



Cottage landscape would be typified by loose masses of flowering shrubs. A Cottage garden would contain more perennials than the other styles. Typical plants used would include Shasta Daisy, Black-Eyed Susan, Russian Sage, and Ornamental Grasses.

PRELIMINARY PROPOSED PLANT PALETTE

FARMHOUSE STYLE ELEVATIONS

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
ACCENT TREES			
LAGERSTROEMIA INDICA 'NATCHEZ'	CRAPE MYRTLE	15 GALLON	LOW
SHRUBS - FRONTYARD			
ACANTHUS MOLLIS	BEAR'S BREECH	5 GALLON	MEDIUM
ALTOHYNE HUEGELII	BLUE HIBISCUS	5 GALLON	LOW
ASPARAGUS DENSIFLORUS 'MYERS'	MYERS ASPARAGUS	5 GALLON	MEDIUM
CHOISYA TERNATA	MEXICAN ORANGE	5 GALLON	MEDIUM
EUONYMUS J. 'MICROPHYLLUS'	BOXLEAF EUONYMUS	5 GALLON	LOW
GERANIUM 'JOHNSON'S BLUE'	GERANIUM	1 GALLON	MEDIUM
HEMEROCALLIS HYBRIDS	DAYLILY	1 GALLON	MEDIUM
LIGUSTRUM J. 'TEXANUM'	JAPANESE PRIVET	5 GALLON	MEDIUM
NANDINA D. 'OULF STREAM'	GULF STREAM BAMBOO	1 GALLON	LOW
OLEA E. 'LITTLE OLIE'	DWARF OLIE	5 GALLON	LOW
PHORMIUM 'JACK SPRATT'	NEW ZEALAND FLAX	1 GALLON	LOW
PITTIOSPORUM 'WHEELER'S DWARF'	DWARF TOBIRA	1 GALLON	MEDIUM
PODOCARPUS GRACILIOR	FERN PINE	5 GALLON	MEDIUM
POLYGALA DAL MASSIANA	SWEET PEA SHRUB	5 GALLON	MEDIUM
RHAPHIOLEPIS L. 'BALLERINA'	INDIA HAWTHORN	1 GALLON	LOW
ROSA 'MEIDELAND WHITE'	WHITE SHRUB ROSE	5 GALLON	MEDIUM
SESLERIA AUTUMNALIS	AUTUMN MOOR GRASS	1 GALLON	MEDIUM
STACHYS BYZANTINA	LAMB'S EAR	1 GALLON	LOW
TEUCRIUM CHAMAEDRYIS	THRAIL GERMANDER	1 GALLON	LOW
WESTRINGIA R. 'MORNING LIGHT'	COAST ROSEMARY	1 GALLON	LOW

GROUNDCOVERS			
MYOPORUM PARVIFOLIUM	MYOPORUM	1 GALLON • 36" O.C.	LOW



Farmhouse landscapes would be typified by a mix of textures and foliage colors. A Farmhouse garden would contain more evergreen shrubs than other styles. Typical plants used would include Foxtail Fern, Little Olive, Coast Rosemary, and New Zealand Flax.

PRELIMINARY PROPOSED PLANT PALETTE

TRADITIONAL STYLE ELEVATIONS

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
ACCENT TREES			
PRUNUS C. 'KRAUTER VESUVIUS'	PURPLE-LEAF PLUM	15 GALLON	LOW
SHRUBS - FRONTYARD			
ABELIA G. 'PROSTRATA'	DWARF GLOSSY ABELIA	5 GALLON	MEDIUM
AGAPANTHUS 'TINKER BELL'	LILY-OF-THE-NILE	1 GALLON	MEDIUM
BURUS JAPONICA	BOXWOOD	1 GALLON	MEDIUM
COLEONEMA PULCHELLUM 'SUNSET GOLD'	GOLDEN BREATH OF HEAVEN	5 GALLON	MEDIUM
DIETES IRIDIODES	FORTNIGHT LILY	1 GALLON	LOW
ESCALLONIA 'FRADESII'	ESCALLONIA	5 GALLON	MEDIUM
FATSIA JAPONICA	JAPANESE ARALIA	5 GALLON	MEDIUM
HEUCHERA 'KEY LIME PIE'	CORAL BELLS	1 GALLON	LOW
'LEX VONITORIA 'NANA'	DWARF YAUPOH HOLLY	1 GALLON	LOW
LAVANDULA A. 'MUNSTEAD'	ENGLISH LAVANDER	1 GALLON	LOW
LIGUSTRUM J. 'TEXANUM'	JAPANESE PRIVET	5 GALLON	MEDIUM
LIRIOPE GIGANTEA	GIANT LILY TURF	1 GALLON	MEDIUM
LOROPETALUM C. 'RAZZLEBERRI'	RED FRINGE FLOWER	5 GALLON	LOW
NEPETA FAASSENI	CATMINT	1 GALLON	LOW
PHOTINIA FRASERI	RED-LEAF PHOTINIA	5 GALLON	MEDIUM
PRUNUS 'BRIGHT & TIGHT'	BRIGHT & TIGHT LAUREL	5 GALLON	LOW
ROSA 'FLOWER CARPET PINK'	GROUNDCOVER ROSE	1 GALLON	MEDIUM
SALVIA NEMOROSA 'CARADONNA'	CARADONNA MEADOW SAGE	1 GALLON	LOW
SYRINGA VULGARIS	COMMON LILAC	5 GALLON	LOW
VIBURNUM TINUS	LAURUSTRUS	5 GALLON	MEDIUM

GROUNDCOVERS			
SCAEVOLA 'MAUVE CLUSTERS'	FAN FLOWER	1 GALLON • 36" O.C.	LOW



The Traditional style would have a more tailored landscape, using hedges and Shrub Standards. Shrubs used in these gardens would be Japanese Boxwood and Holly which enclose flowering perennials such as Roses, Lavender and Sage.

PRELIMINARY PROPOSED PLANT PALETTE

CRAFTSMAN STYLE ELEVATIONS

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
ACCENT TREES			
ACER PALMATUM	JAPANESE MAPLE	15 GALLON	MEDIUM
SHRUBS - FRONTYARD			
ABELIA G. 'PROSTRATA'	DWARF GLOSSY ABELIA	5 GALLON	MEDIUM
ABUTILON HYBRIDUM	FLOWERING MAPLE	5 GALLON	LOW
ACACIA COGNATA 'COUSIN ITT'	COUSIN ITT ACACIA	5 GALLON	MEDIUM
AZALEA 'SOUTHERN INDICA'	SUN AZALEA	5 GALLON	MEDIUM
BERBERIS THUNBERGII 'CRIMSON PYGMY'	JAPANESE BARBERRY	5 GALLON	MEDIUM
BUDDEJA DAVIDII	BUTTERFLY BUSH	5 GALLON	LOW
CAMELLIA SASANQUA	CAMELLIA	5 GALLON	MEDIUM
CLIVIA MNATA	BUSH LILY	1 GALLON	MEDIUM
DIETES BICOLOR	FORTNIGHT LILY	1 GALLON	LOW
HELICTOTRICHON SEMPERVIRENS	BLUE OAT GRASS	1 GALLON	LOW
HEUCHERA 'CHOCOLATE VEIL'	CORAL BELLS	1 GALLON	LOW
LIRIOPE MUSCARI	LILYTURF	1 GALLON	MEDIUM
LOROPETALUM CHINENSE	CHINESE FRINGE FLOWER	5 GALLON	LOW
NANDINA D. 'COMPACTA'	DWARF HEAVENLY BAMBOO	1 GALLON	LOW
NEPETA FAASSENI	CATMINT	1 GALLON	LOW
OSMANTHUS FRAGRANS	SWEET OLIVE	5 GALLON	MEDIUM
PHORMIUM 'RAINBOW MAIDEN'	NEW ZEALAND FLAX	5 GALLON	LOW
PINUS MUGO PUMILIO	DWARF MUGO PINE	5 GALLON	LOW
RHAPHIOLEPIS L. 'WHITE ENCHANTRESS'	INDIA HAWTHORN	1 GALLON	LOW
RHOODODENDRON PURPLE	PURPLE RHOODODENDRON	5 GALLON	MEDIUM

GROUNDCOVERS			
ARCTOSTAPHYLOS D. 'EMERALD CARPET'	BEARBERRY	1 GALLON • 36" O.C.	LOW

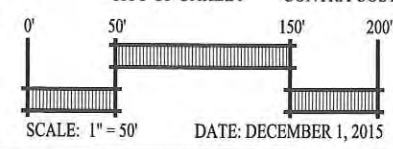
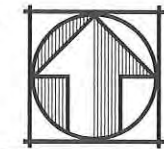


Craftsman landscapes utilize plant materials that exemplify the craftsman tradition. They would concentrate on using a combination of textured foliage and flowering shrubs. We would specify plants such as Acacia Cousin 'Itt', Sun Azalea, Kaffir Lily and grass-like plants.



EMERSON RANCH CONCEPTUAL SITE PLAN NEIGHBORHOOD 6 - WOODBURY

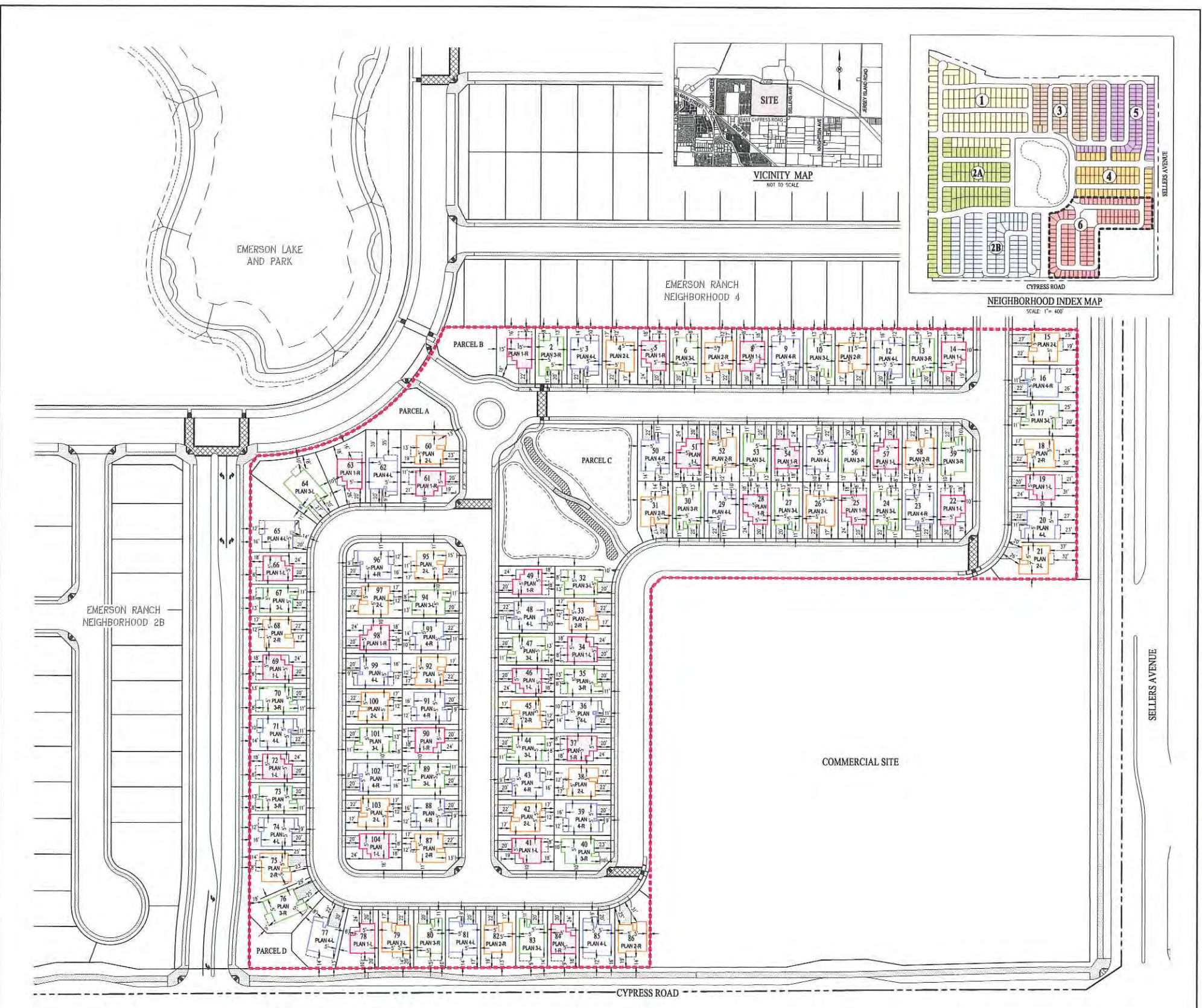
CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA



Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS

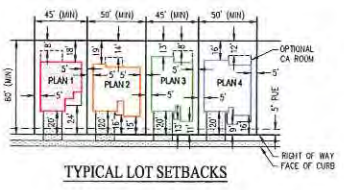
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CALIFORNIA 94583

(925) 895-0377
www.ctandg.com



GENERAL NOTES:

1. OWNER/SUBDIVIDER: DENOVA HOMES
1500 WILLOW PASS COURT
CONCORD, CA 94520
PHONE: (925) 685-0110
CONTACT: MIKE EVANS
2. CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC.
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CALIFORNIA 94583
PHONE: (925) 866-0322
CONTACT: ANGELO ORTEGALLO
3. ACREAGE: 15.8 AC±
4. LAND USE: EXISTING - VACANT LAND
PROPOSED - SINGLE FAMILY RESIDENTIAL/COMMERCIAL
5. ZONING: EXISTING - P-1 (PLANNED DEVELOPMENT) DISTRICT - MATCH NEIGHBORHOOD 5 STANDARDS
PROPOSED - P-1 (PLANNED DEVELOPMENT) DISTRICT - MATCH NEIGHBORHOOD 5 STANDARDS

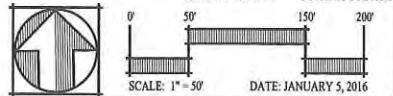


PRODUCT MIX - WOODBURY		
PLAN NUMBER	LOT COUNT	PERCENT OF TOTAL
1	26	25.0%
2	26	25.0%
3	26	25.0%
4	26	25.0%
TOTAL	104	100%

LOT COVERAGE - WOODBURY		
PLAN NUMBER	BLSG FOOTPRINT	TYP. LOT COVERAGE
1	1,270 SF±	35.5%
2	1,547 SF±	38.9%
3	1,621 SF±	45.1%
4	1,706 SF±	47.7%

BUILDING FOOTPRINT ENCLOSES PORCHES

CALIFORNIA ROOM NOTES:
PLAN 3: NO CALIFORNIA ROOM ON LOTS 40 & 59



DeNova Homes
NEIGHBORHOOD 6 - WOODBURY
DEVELOPMENT PLAN
EMERSON RANCH - SUBDIVISION 9398

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA



**PLAN 1C
TRADITIONAL**

**PLAN 2D
CRAFTSMAN**

**PLAN 3A
COTTAGE**

**PLAN 4B
FARM HOUSE**

CITY OF OAKLEY
Planning Department
AUG 17 2015
RECEIVED

 DeNova Homes

**WOODBURY
AT EMERSON RANCH
Oakley, California**

940 Tyler Street #19
Benicia, CA 94510
Phone: (707) 746-6586



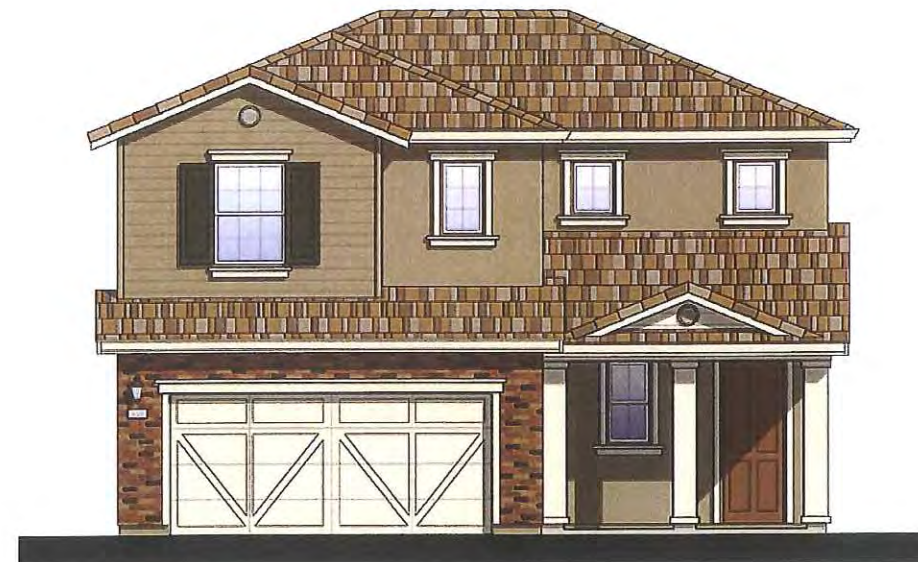
1501 7-24-15



ELEVATION "A"
(COTTAGE)



ELEVATION "B"
(FARMHOUSE)



ELEVATION "C"
(TRADITIONAL)



ELEVATION "D"
(CRAFTSMAN)

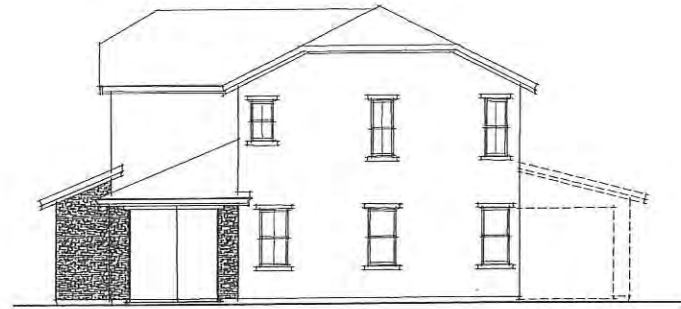
PLAN 1
WOODBURY
AT EMERSON RANCH
Oakley, California



SECOND FLOOR PLAN (1092 S.F.)



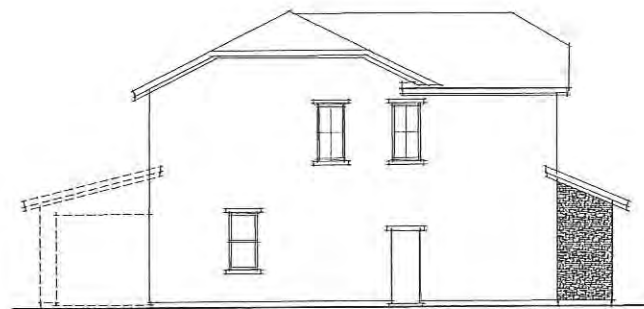
FIRST FLOOR PLAN (850 S.F.; 1942 TOTAL S.F.)



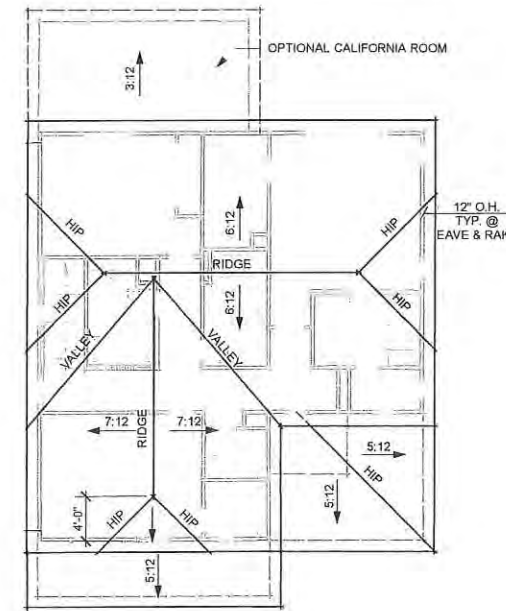
RIGHT SIDE "A"



REAR "A"



LEFT SIDE "A"



ROOF PLAN "A"

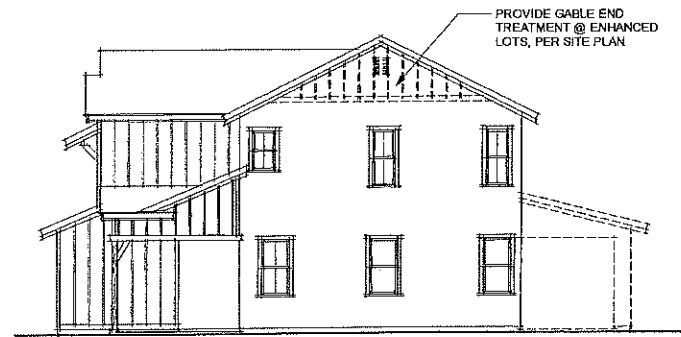
COTTAGE

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- DECORATIVE CORBELS
- DECORATIVE SHUTTERS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SLATE" PROFILE

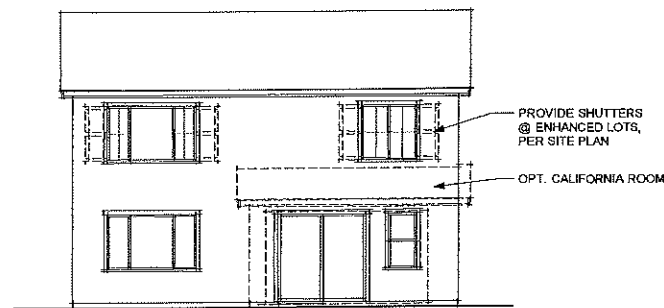
┌─┐ INDICATES RECESS



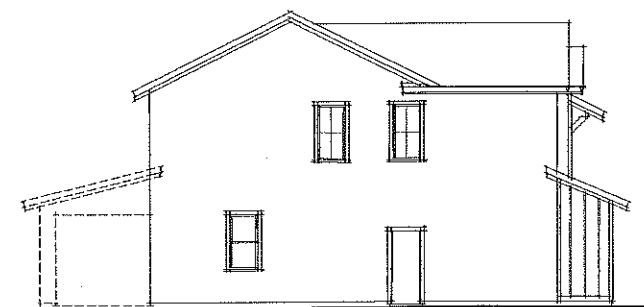
FRONT ELEVATION "A"
(COTTAGE)



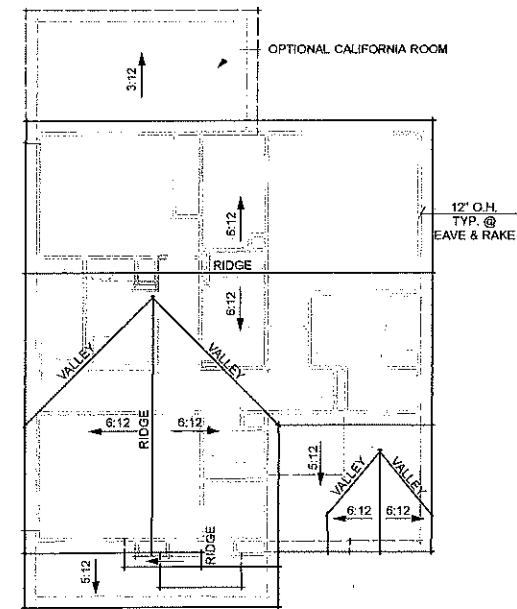
RIGHT SIDE "B"



REAR "B"



LEFT SIDE "B"



ROOF PLAN "B"

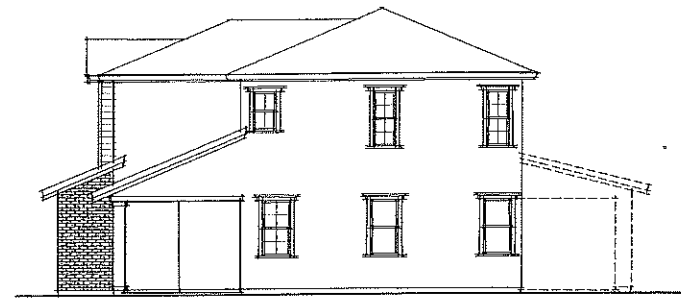
FARMHOUSE

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- BOARD AND BATTEN GABLE ENDS
- WOOD POST W/ KICKERS
- RECESSED PANEL SHUTTERS
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SLATE" PROFILE

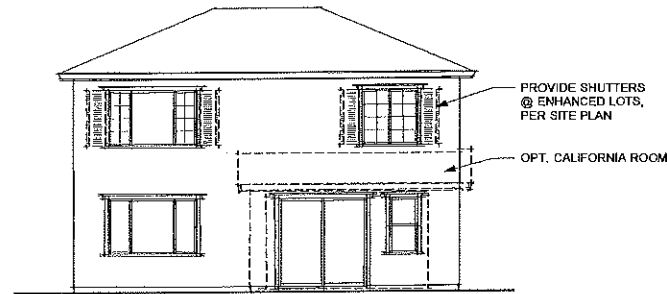
— INDICATES RECESS



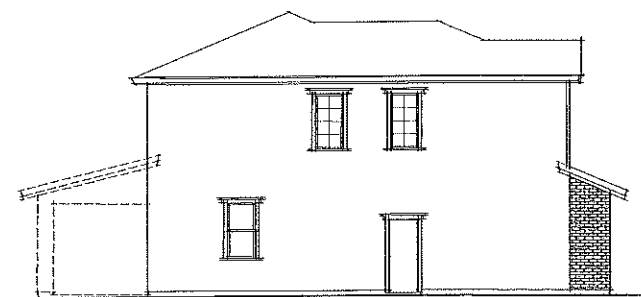
**FRONT ELEVATION "B"
(FARMHOUSE)**



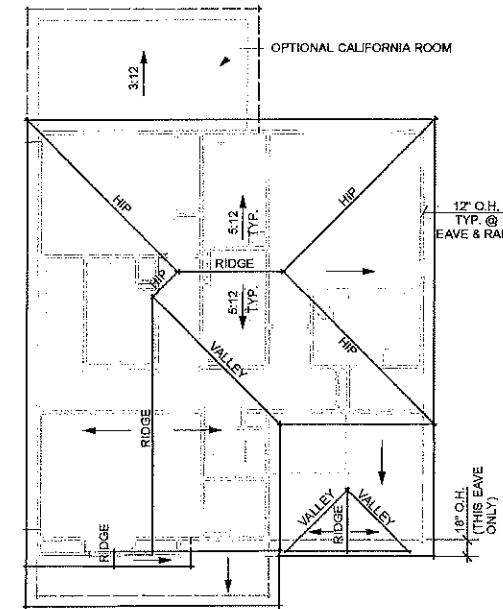
RIGHT SIDE "C"



REAR "C"



LEFT SIDE "C"



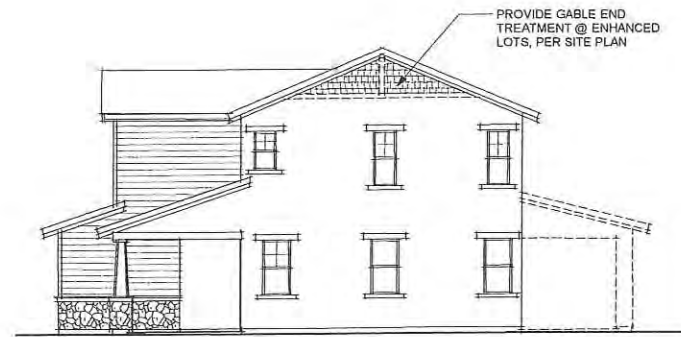
ROOF PLAN "C"

TRADITIONAL

- STUCCO SIDING
- STUCCO O/ FOAM TRIM
- LAP SIDING (AT ACCENT AREAS)
- CULTURED BRICK VENEER
- LOUVER SHUTTERS
- THEME SPECIFIC GARAGE DOOR
- RIBBED TILE GUTTER
- CONCRETE TILE ROOFING - "SHAKE"



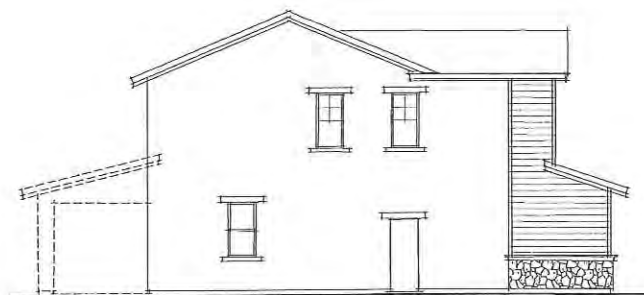
**FRONT ELEVATION "C"
(TRADITIONAL)**



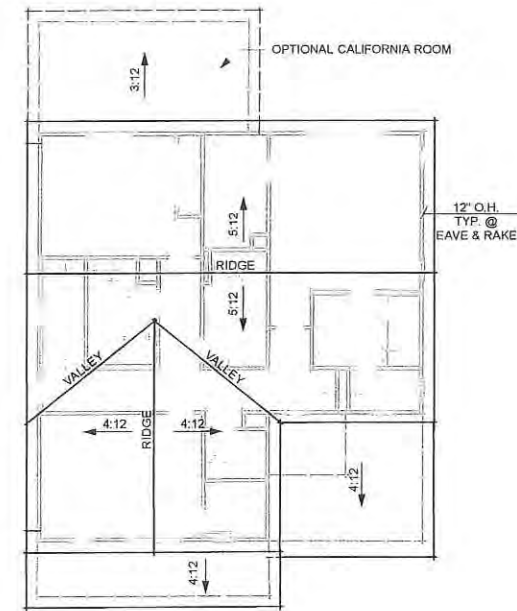
RIGHT SIDE "D"



REAR "D"



LEFT SIDE "D"



ROOF PLAN "D"

CRAFTSMAN

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- LAP SIDING AT GABLE ENDS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SHAKE" PROFILE

— INDICATES RECESS



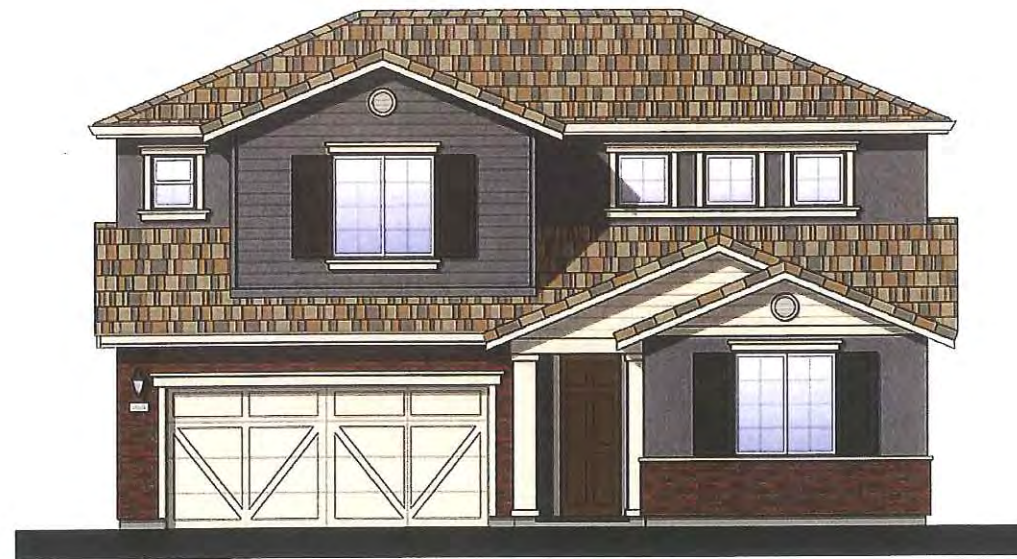
**FRONT ELEVATION "D"
(CRAFTSMAN)**



ELEVATION "A"
(COTTAGE)



ELEVATION "B"
(FARMHOUSE)

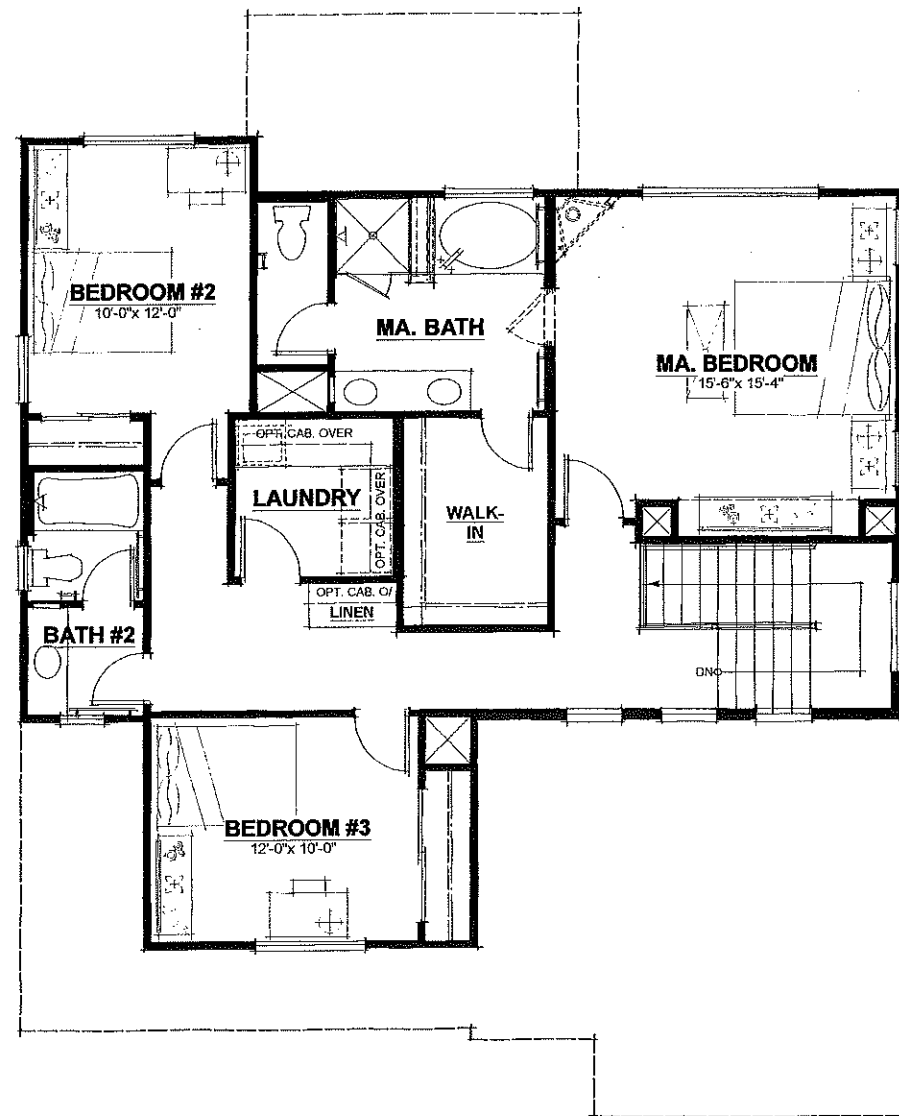


ELEVATION "C"
(TRADITIONAL)

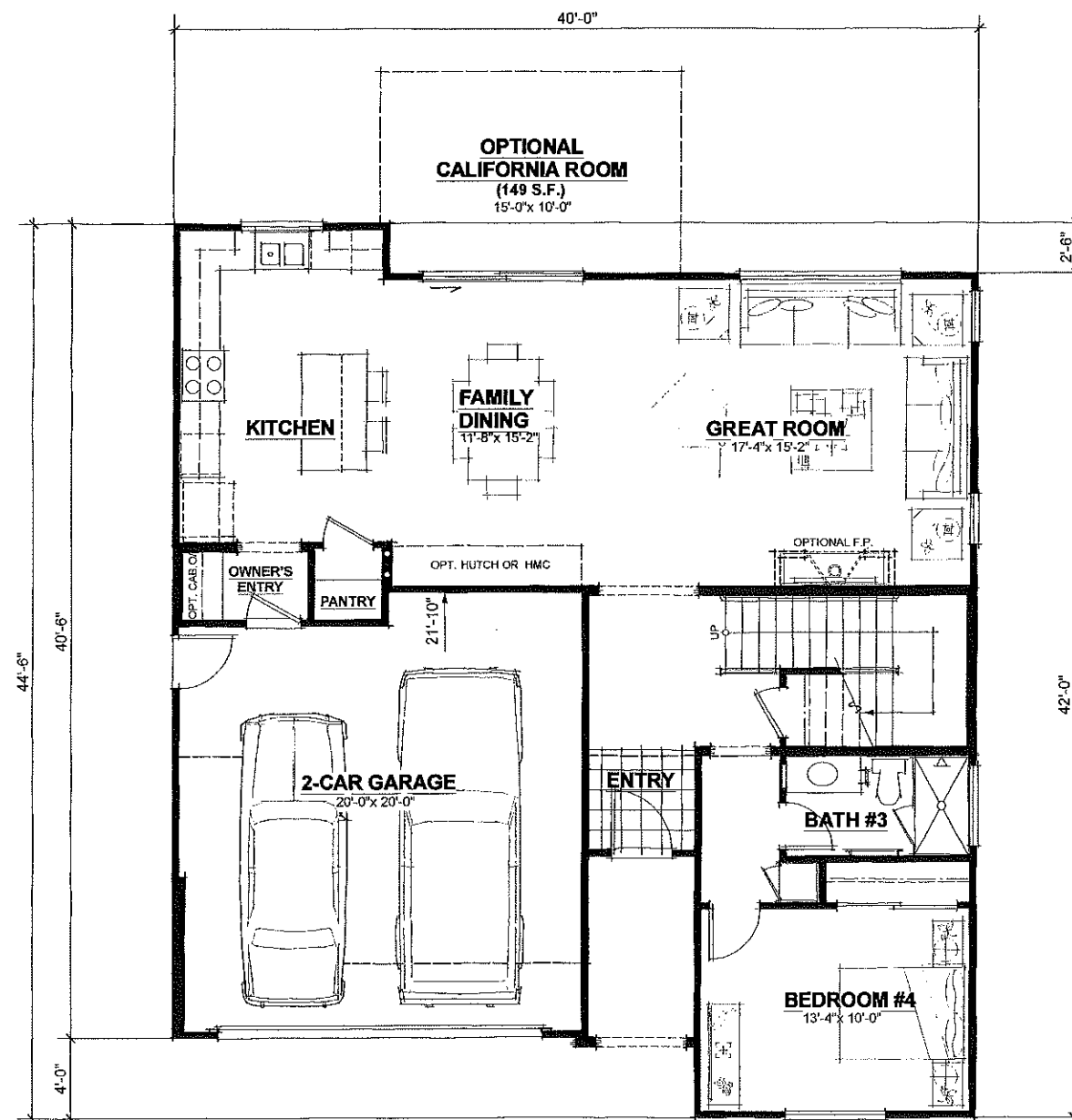


ELEVATION "D"
(CRAFTSMAN)

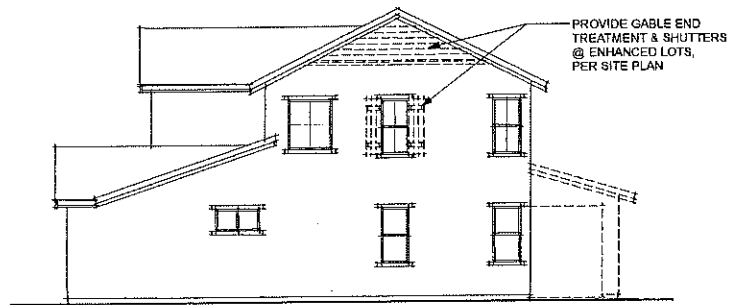
PLAN 2
WOODBURY
AT EMERSON RANCH
Oakley, California



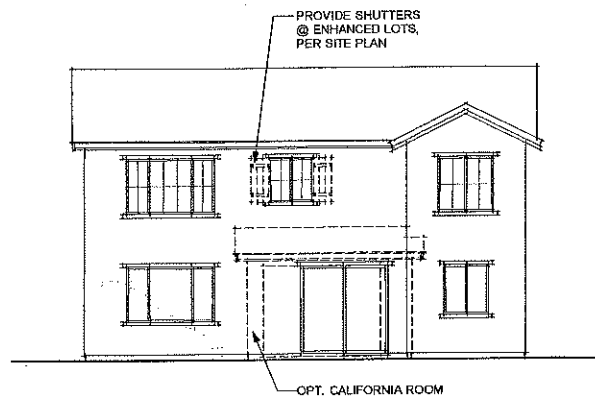
SECOND FLOOR PLAN (1064 S.F.)



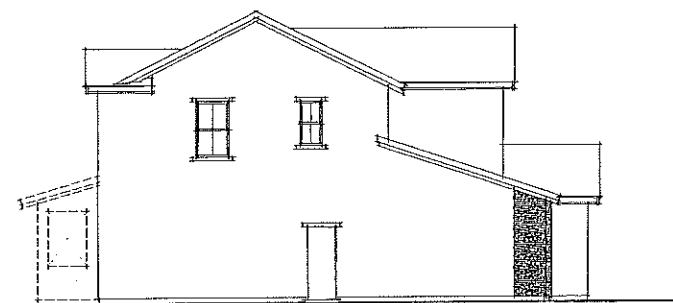
FIRST FLOOR PLAN (1118 S.F.; 2182 TOTAL S.F.)



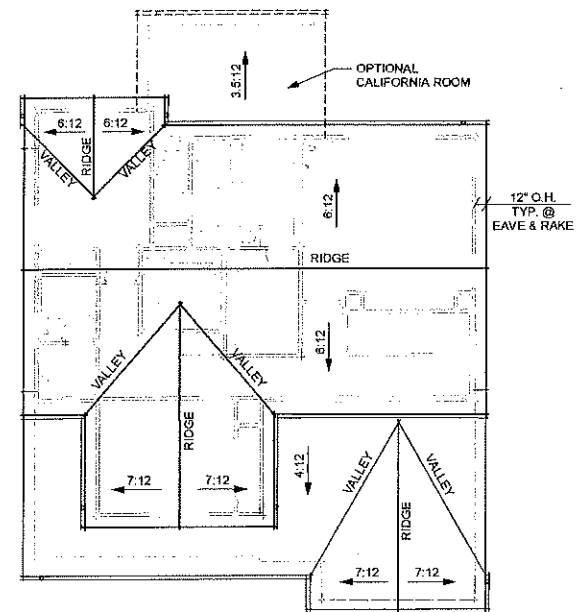
RIGHT SIDE "A"



REAR "A"



LEFT SIDE "A"



ROOF PLAN "A"

COTTAGE

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- DECORATIVE CORBELS
- DECORATIVE SHUTTERS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SLATE" PROFILE

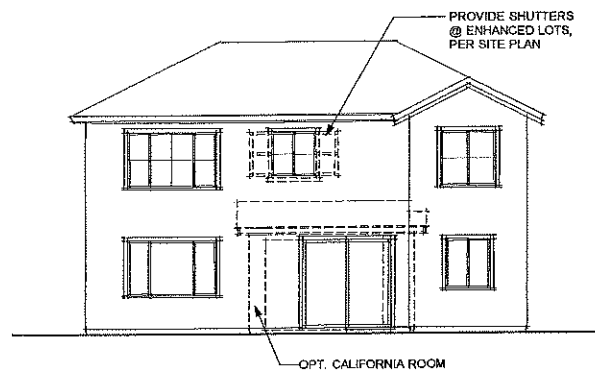
— INDICATES RECESS



FRONT ELEVATION "A"
(COTTAGE)



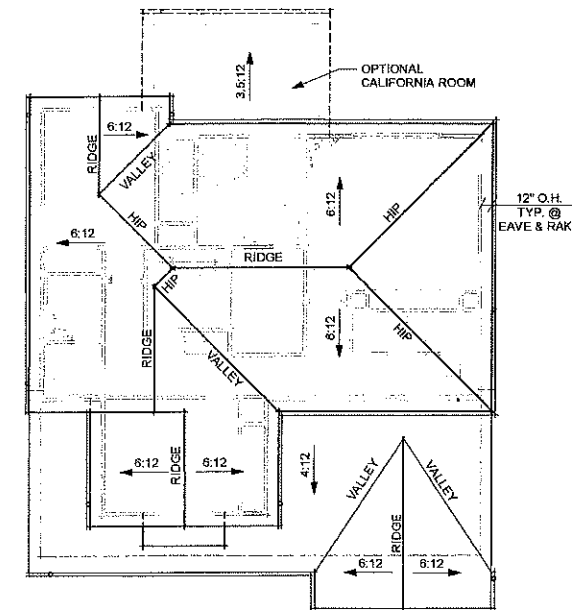
RIGHT SIDE "B"



REAR "B"



LEFT SIDE "B"



ROOF PLAN "B"

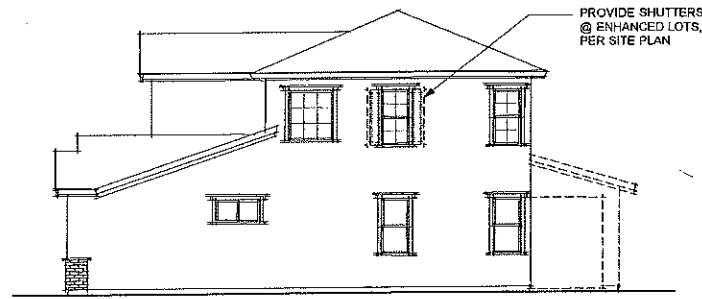
FARMHOUSE

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- BOARD AND BATTEN GABLE ENDS
- WOOD POST W/ KICKERS
- RECESSED PANEL SHUTTERS
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SLATE" PROFILE

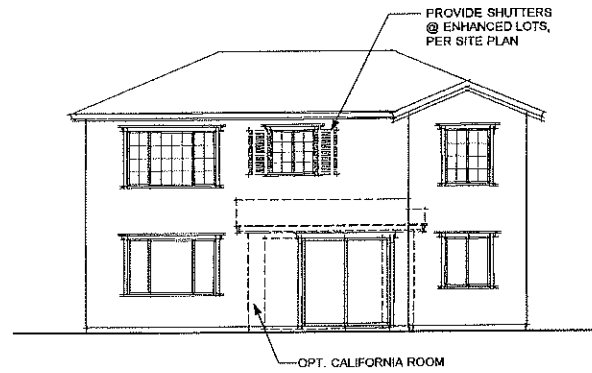
┌─ INDICATES RECESS



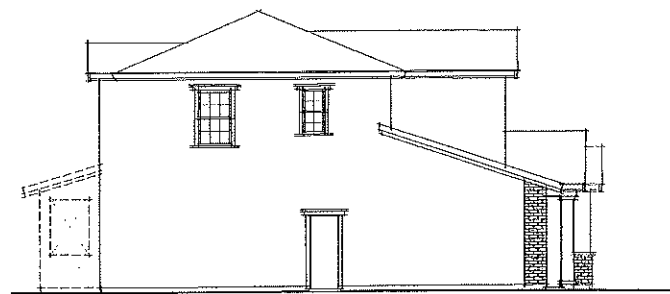
**FRONT ELEVATION "B"
(FARMHOUSE)**



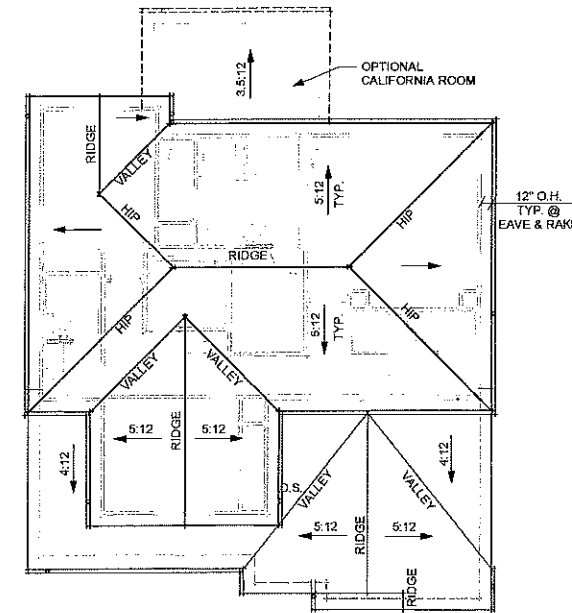
RIGHT SIDE "C"



REAR "C"



LEFT SIDE "C"



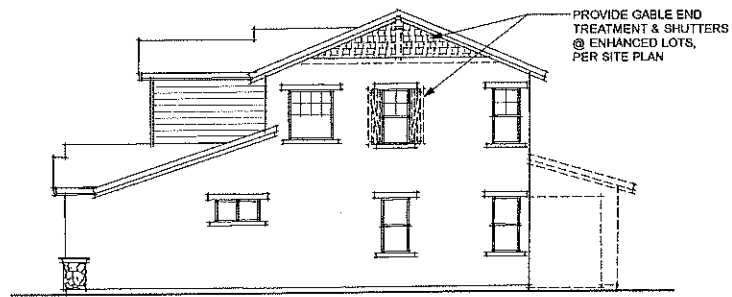
ROOF PLAN "C"

TRADITIONAL

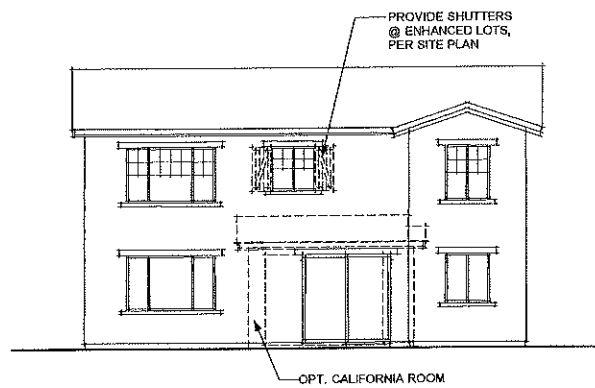
- STUCCO SIDING
- STUCCO O/ FOAM TRIM
- LAP SIDING (AT ACCENT AREAS)
- CULTURED BRICK VENEER
- LOUVER SHUTTERS
- THEME SPECIFIC GARAGE DOOR
- RIBBED TILE GUTTER
- CONCRETE TILE ROOFING - "SHAKE"



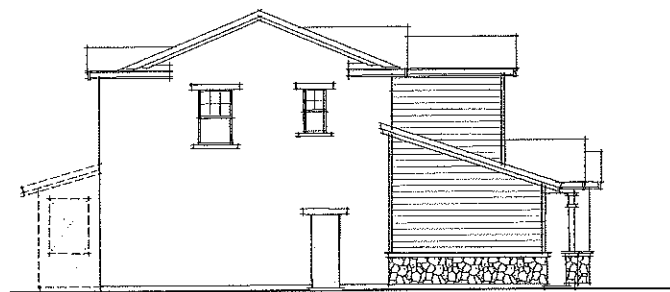
FRONT ELEVATION "C"
(TRADITIONAL)



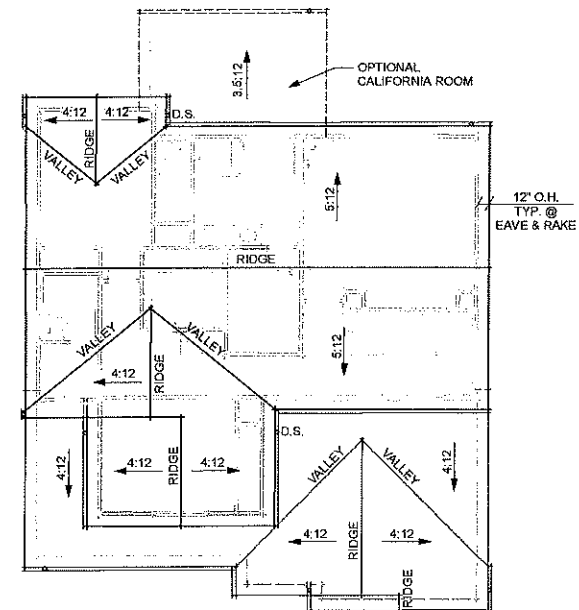
RIGHT SIDE "D"



REAR "D"



LEFT SIDE "D"



ROOF PLAN "D"

CRAFTSMAN

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- LAP SIDING AT GABLE ENDS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SHAKE" PROFILE

— INDICATES RECESS



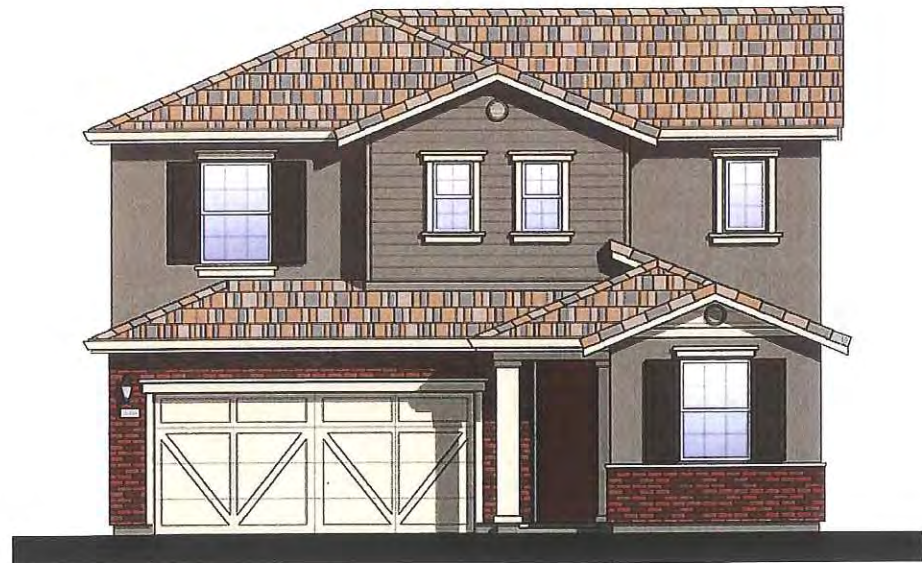
FRONT ELEVATION "D"
(CRAFTSMAN)



ELEVATION "A"
(COTTAGE)



ELEVATION "B"
(FARMHOUSE)

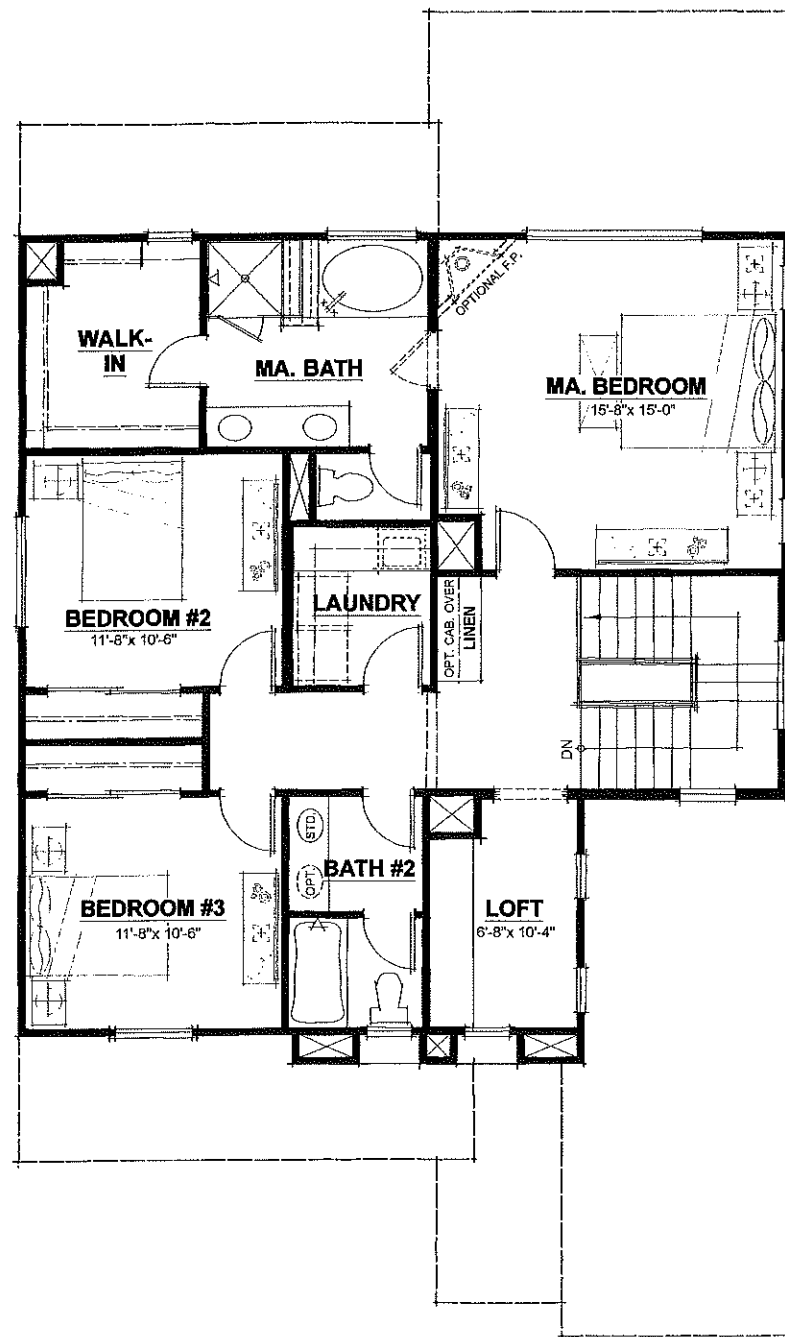


ELEVATION "C"
(TRADITIONAL)

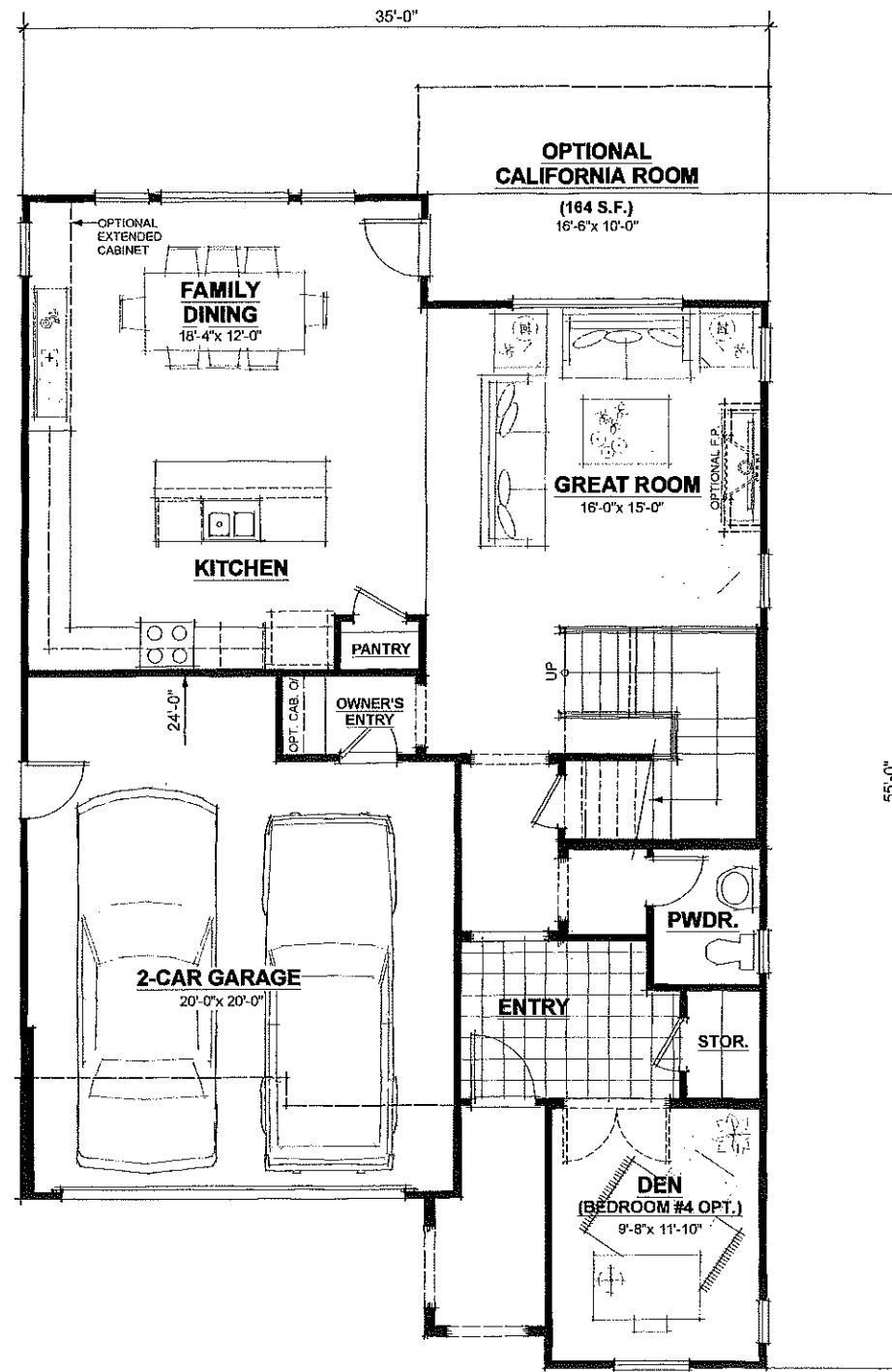


ELEVATION "D"
(CRAFTSMAN)

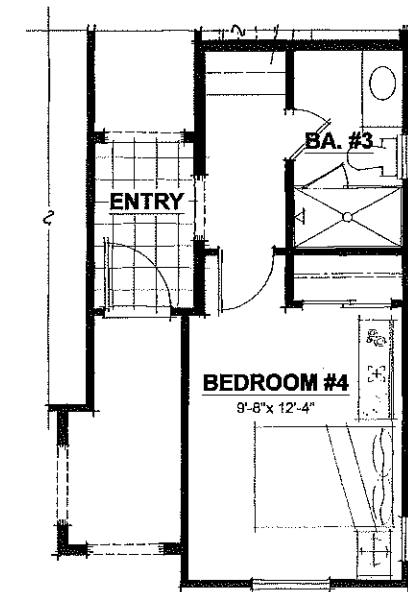
PLAN 3
WOODBURY
AT EMERSON RANCH
Oakley, California



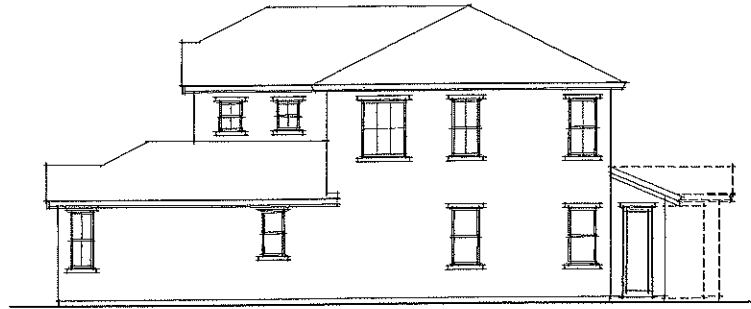
SECOND FLOOR PLAN (1077 S.F.)



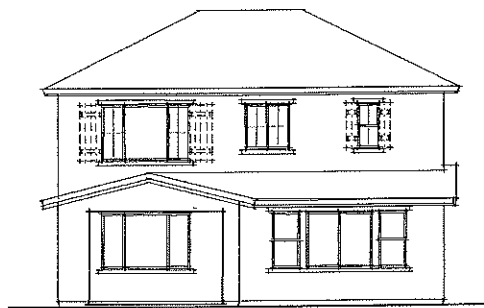
FIRST FLOOR PLAN (1163 S.F.; 2240 TOTAL S.F.)



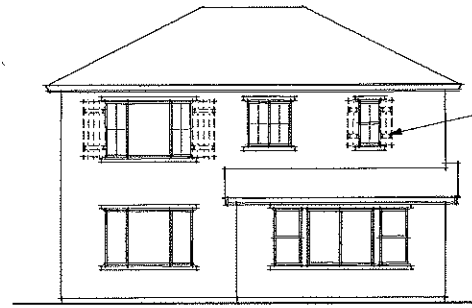
BEDROOM #4 OPTION



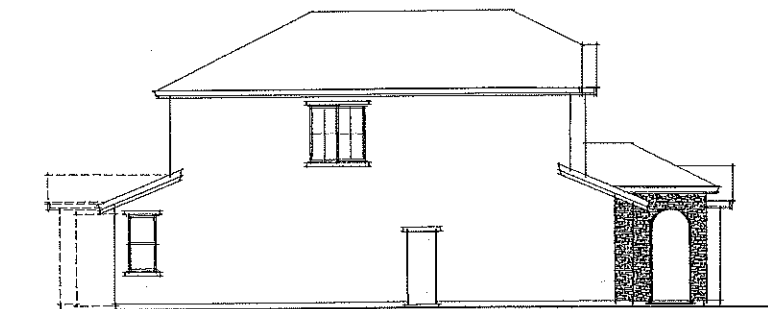
RIGHT SIDE "A"



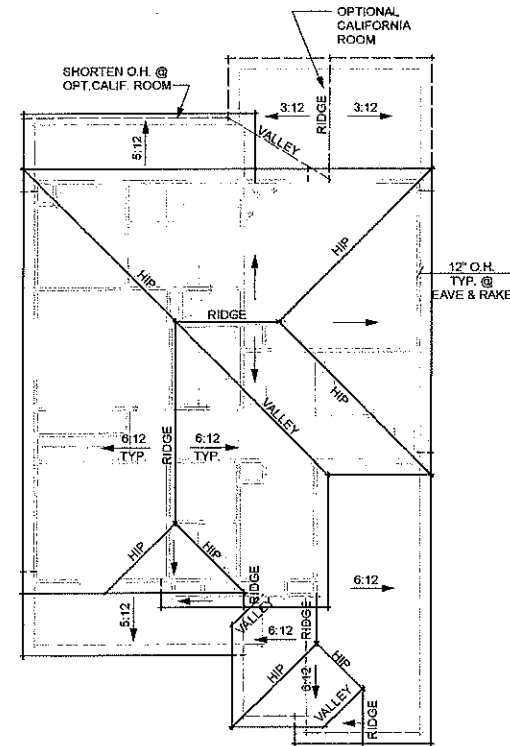
REAR "A"
(OPTIONAL CALIFORNIA ROOM)



REAR "A"



LEFT SIDE "A"



ROOF PLAN "A"

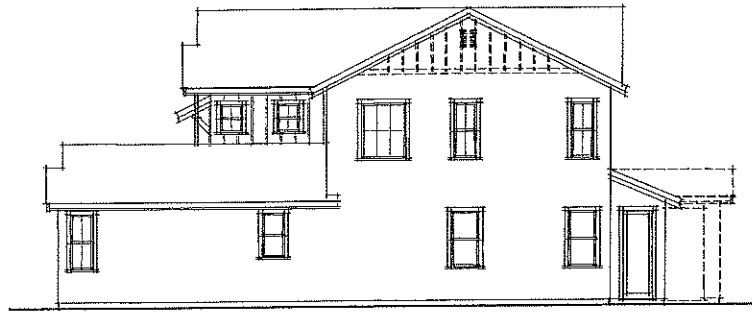
COTTAGE

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- DECORATIVE CORBELS
- DECORATIVE SHUTTERS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SLATE" PROFILE

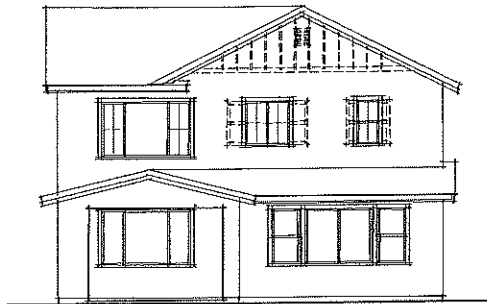
— INDICATES RECESS



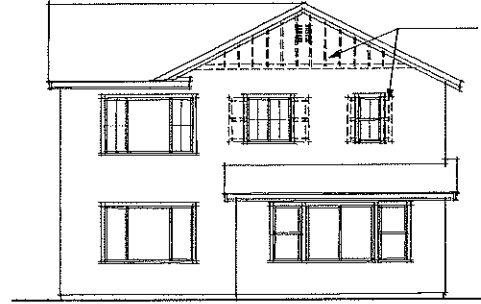
FRONT ELEVATION "A"
(COTTAGE)



RIGHT SIDE "B"

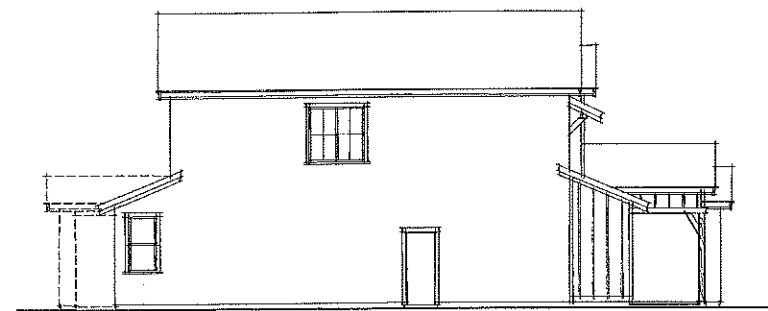


REAR "B"
(OPTIONAL CALIFORNIA ROOM)

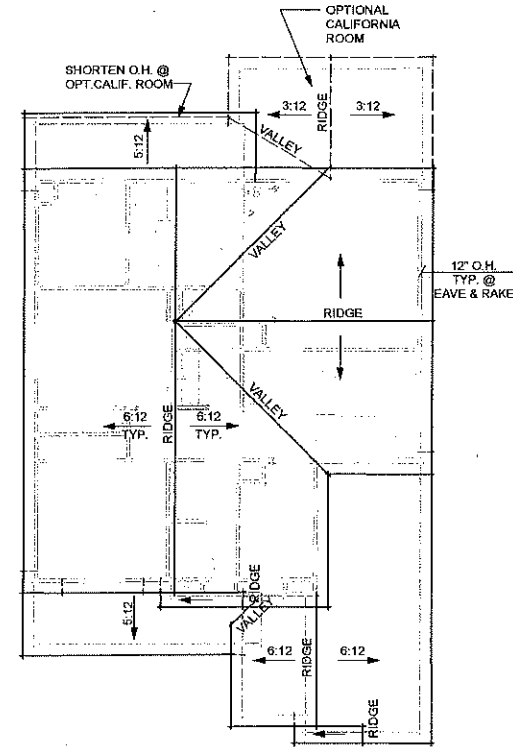


REAR "B"

PROVIDE GABLE END TREATMENT & SHUTTERS @ ENHANCED LOTS, PER SITE PLAN



LEFT SIDE "B"



ROOF PLAN "B"

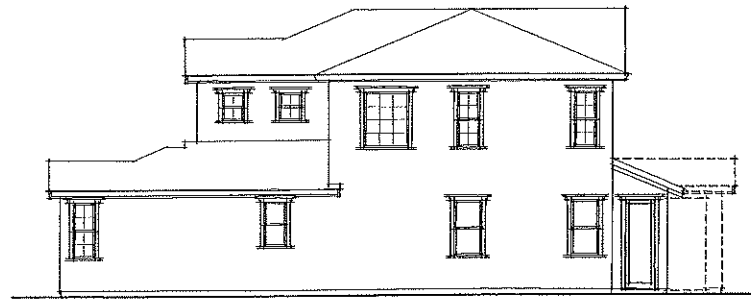
FARMHOUSE

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- BOARD AND BATTEN GABLE ENDS
- WOOD POST W/ KICKERS
- RECESSED PANEL SHUTTERS
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SLATE" PROFILE

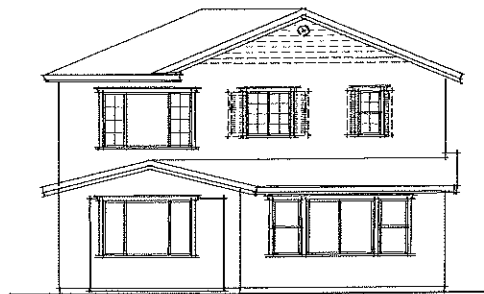
┌─ INDICATES RECESS



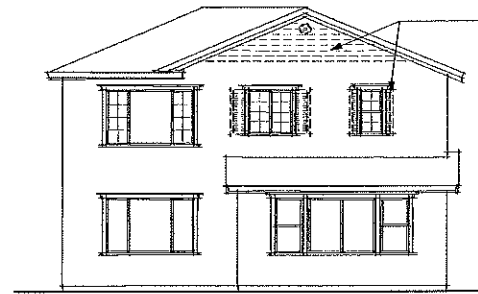
FRONT ELEVATION "B"
(FARMHOUSE)



RIGHT SIDE "C"

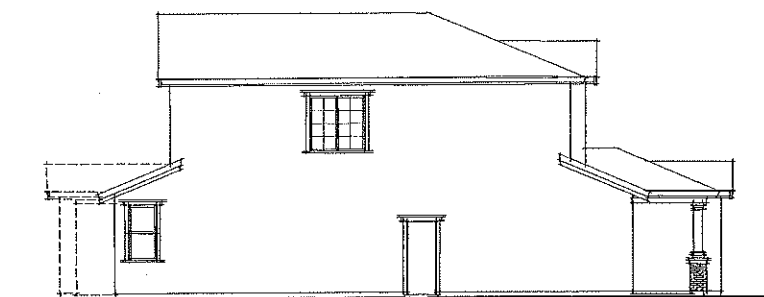


REAR "C"
(OPTIONAL CALIFORNIA ROOM)

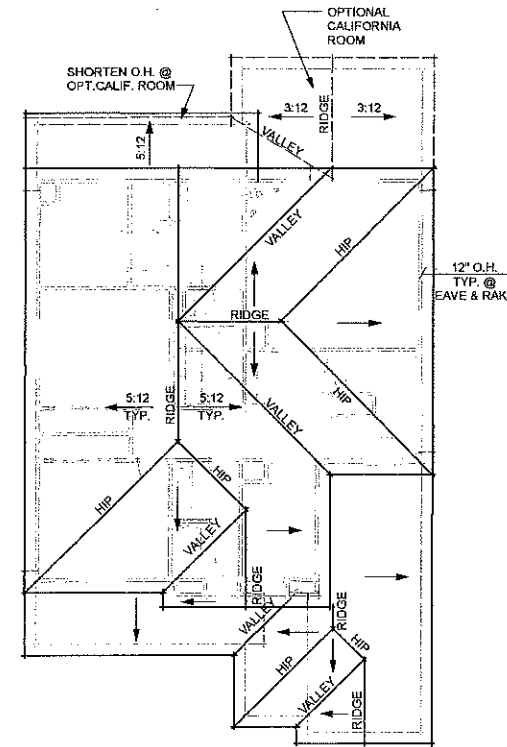


REAR "C"

PROVIDE GABLE END TREATMENT & SHUTTERS @ ENHANCED LOTS, PER SITE PLAN



LEFT SIDE "C"



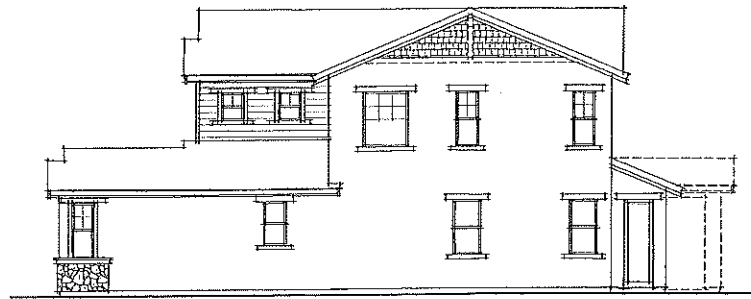
ROOF PLAN "C"

TRADITIONAL

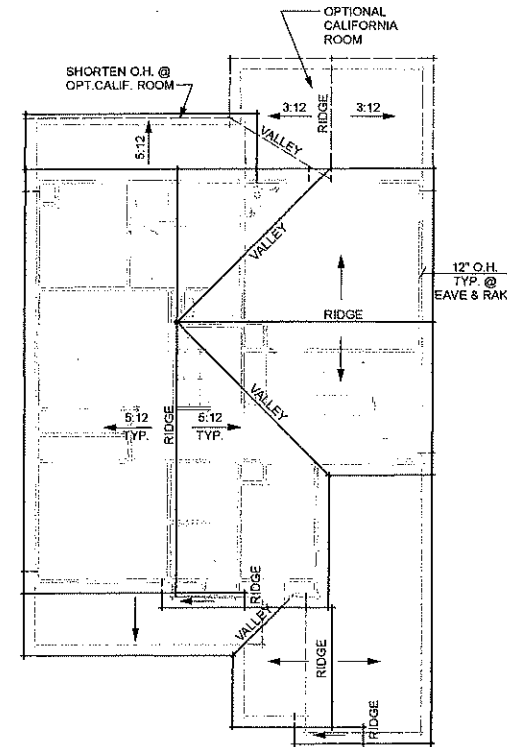
- STUCCO SIDING
- STUCCO OR FOAM TRIM
- LAP SIDING (AT ACCENT AREAS)
- CULTURED BRICK VENEER
- LOUVER SHUTTERS
- THEME SPECIFIC GARAGE DOOR
- RIBBED TILE GUTTER
- CONCRETE TILE ROOFING - "SHAKE"



FRONT ELEVATION "C"
(TRADITIONAL)



RIGHT SIDE "D"

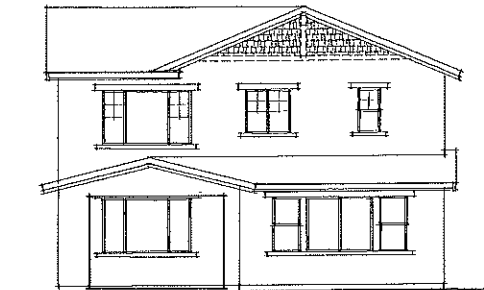


ROOF PLAN "D"

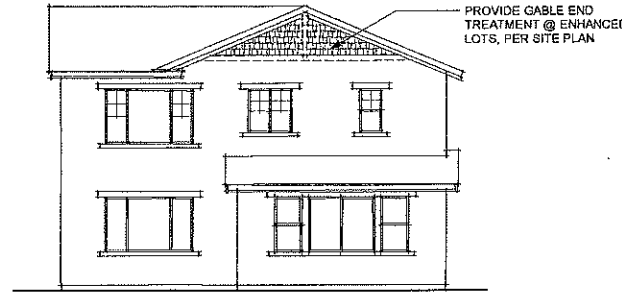
CRAFTSMAN

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- LAP SIDING AT GABLE ENDS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING -
- "SHAKE" PROFILE

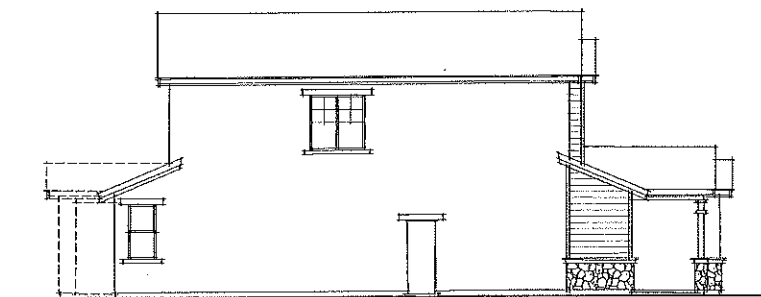
┌─ INDICATES RECESS



REAR "D"
(OPTIONAL CALIFORNIA ROOM)



REAR "D"



LEFT SIDE "D"



FRONT ELEVATION "D"
(CRAFTSMAN)



ELEVATION "A"
(COTTAGE)



ELEVATION "B"
(FARMHOUSE)

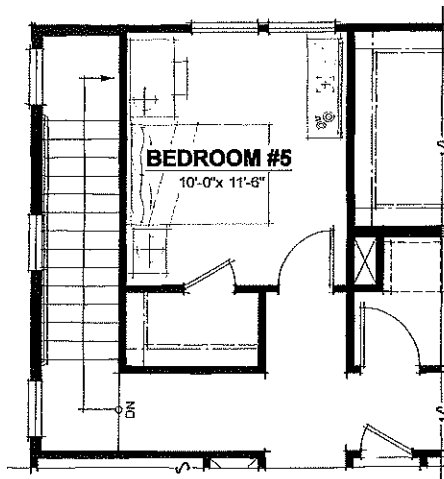


ELEVATION "C"
(TRADITIONAL)

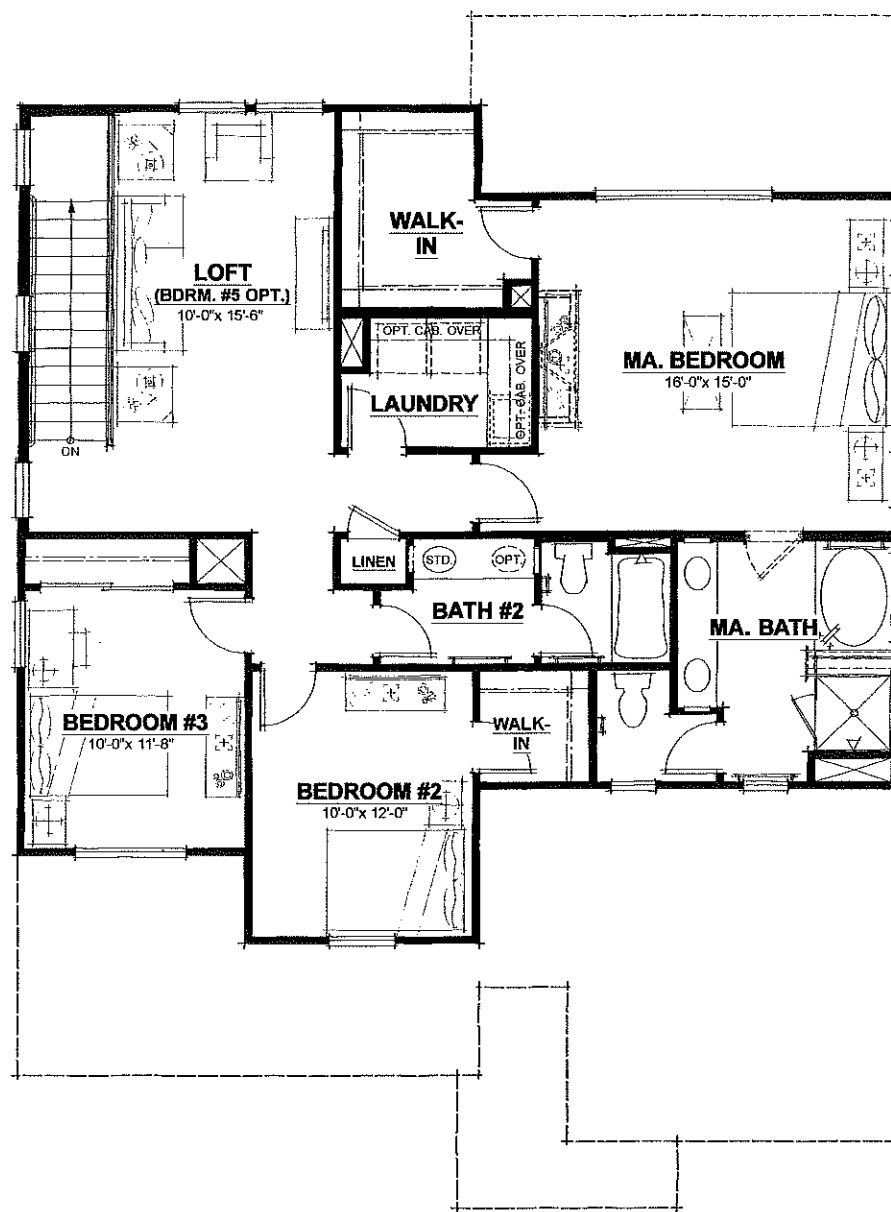


ELEVATION "D"
(CRAFTSMAN)

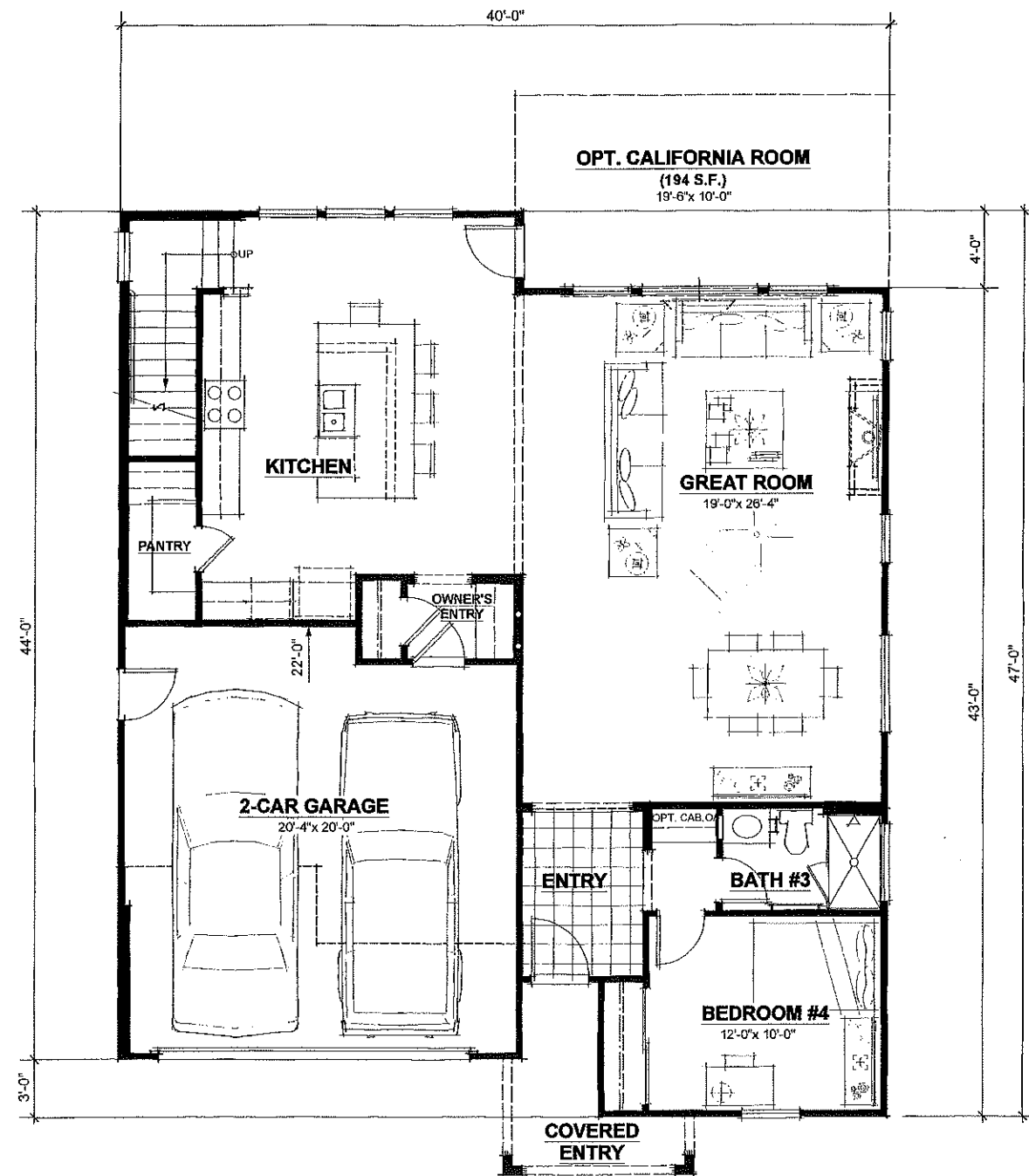
PLAN 4
WOODBURY
AT EMERSON RANCH
Oakley, California



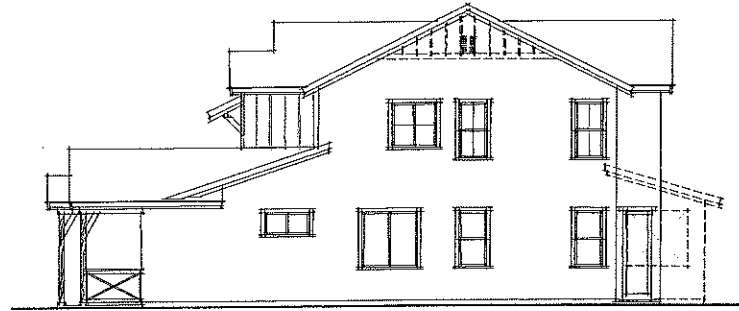
BEDROOM #5 OPTION



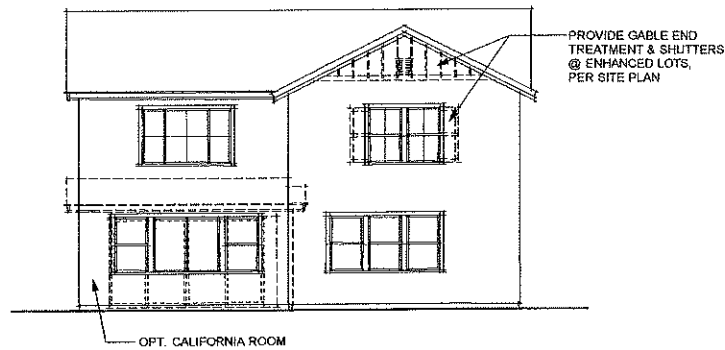
SECOND FLOOR PLAN (1187 S.F.)



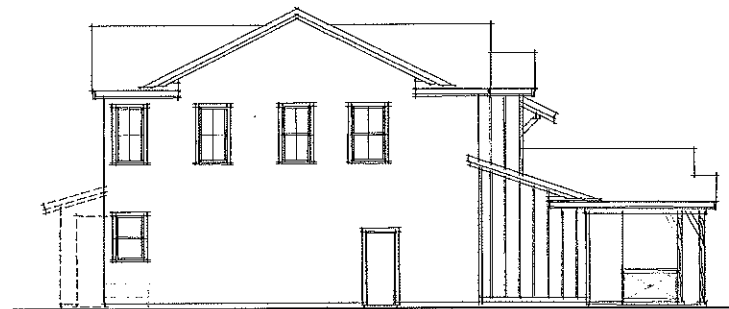
FIRST FLOOR PLAN (1263 S.F.; 2450 TOTAL S.F.)



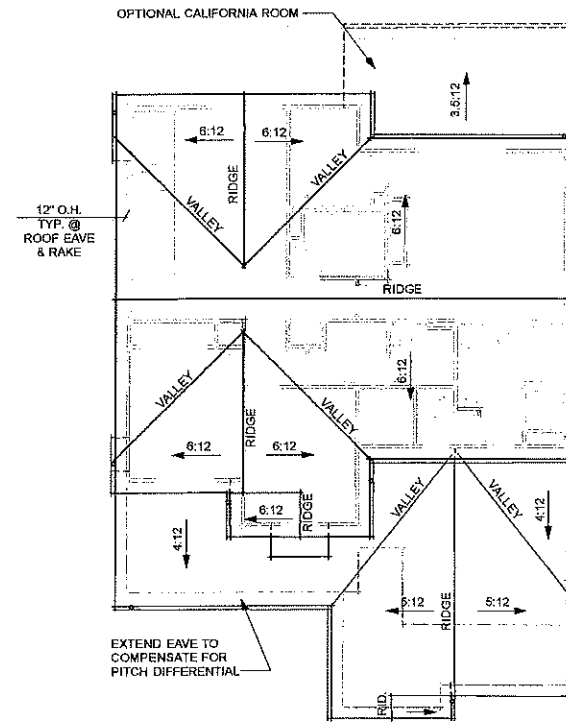
RIGHT SIDE "B"



REAR "B"



LEFT SIDE "B"



ROOF PLAN "B"

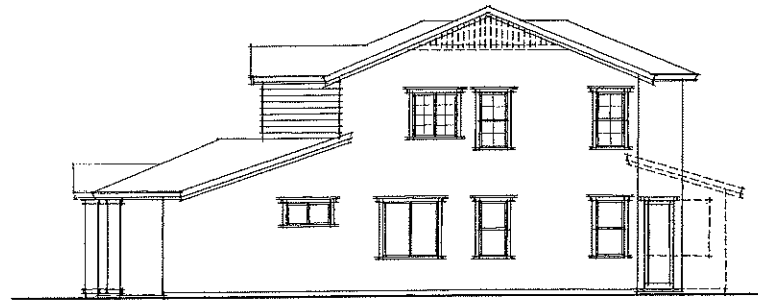
FARMHOUSE

- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- BOARD AND BATTEN GABLE ENDS
- WOOD POST W/ KICKERS
- RECESSED PANEL SHUTTERS
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SLATE" PROFILE

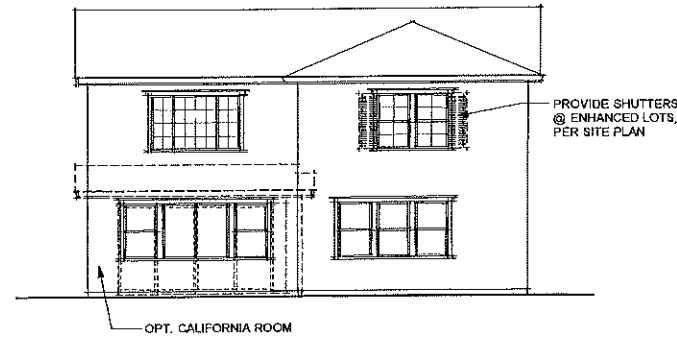
— INDICATES RECESS



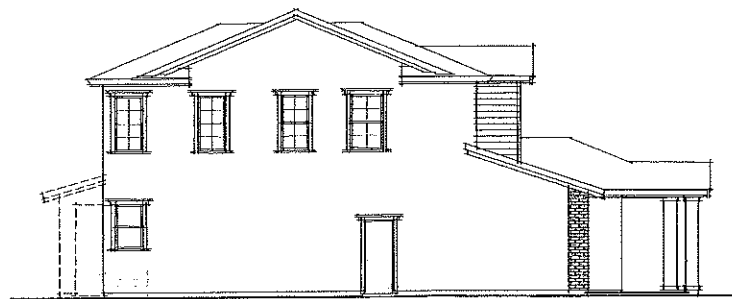
**FRONT ELEVATION "B"
(FARMHOUSE)**



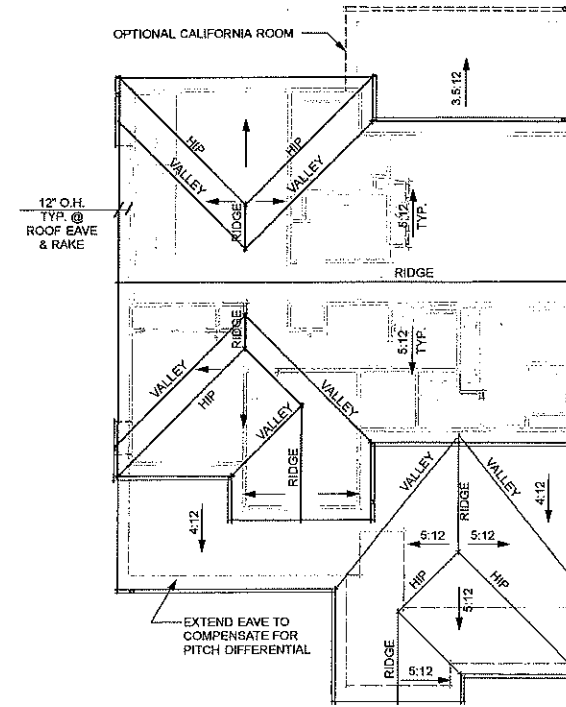
RIGHT SIDE "C"



REAR "C"



LEFT SIDE "C"



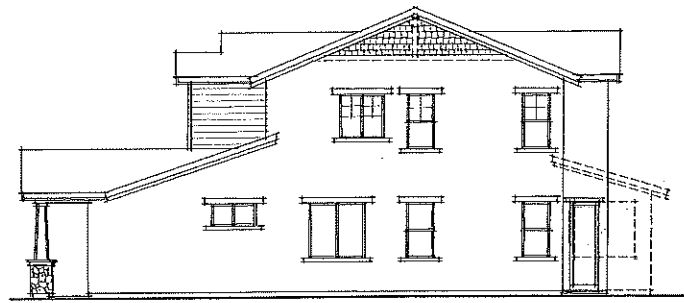
ROOF PLAN "C"

TRADITIONAL

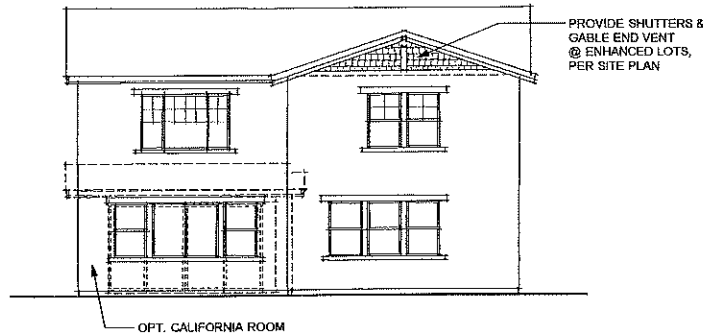
- STUCCO SIDING
- STUCCO O/ FOAM TRIM
- LAP SIDING (AT ACCENT AREAS)
- CULTURED BRICK VENEER
- LOUVER SHUTTERS
- THEME SPECIFIC GARAGE DOOR
- RIBBED TILE GUTTER
- CONCRETE TILE ROOFING - "SHAKE"



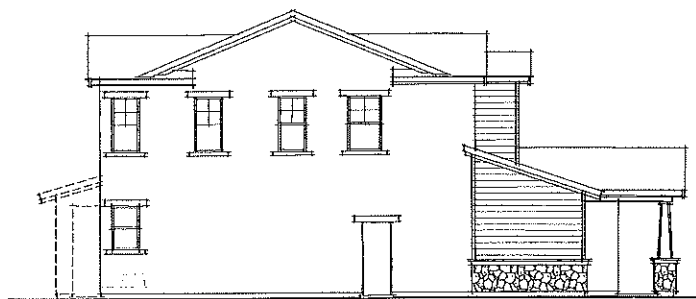
FRONT ELEVATION "C"
(TRADITIONAL)



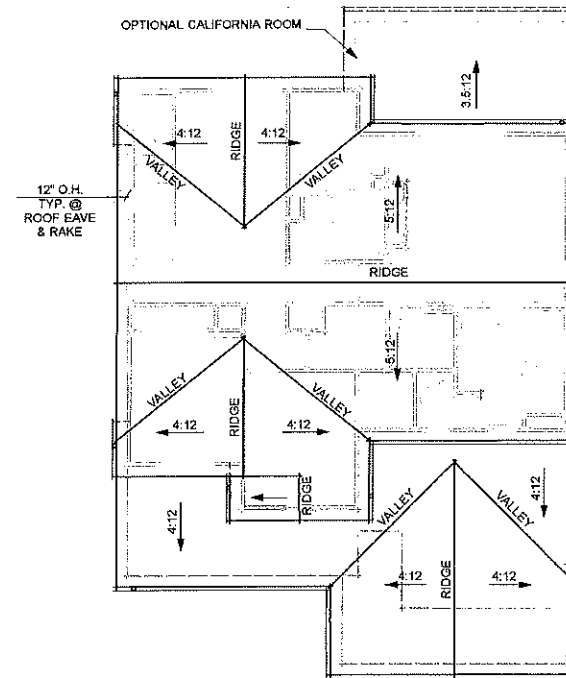
RIGHT SIDE "D"



REAR "D"



LEFT SIDE "D"



ROOF PLAN "D"

CRAFTSMAN

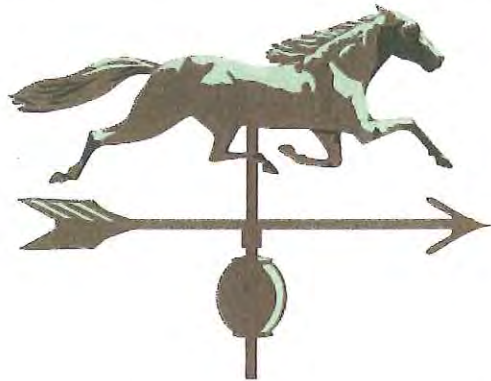
- STUCCO SIDING
- STUCCO OVER FOAM TRIM
- LAP SIDING AT GABLE ENDS
- CULTURED STONE VENEER
- THEME SPECIFIC GARAGE DOOR
- PROFILE TILE GUTTER
- CONCRETE TILE ROOFING - "SHAKE" PROFILE

┌─ INDICATES RECESS



FRONT ELEVATION "D"
(CRAFTSMAN)

WOODBURY



O A K L E Y

Color Scheme Binder

CITY OF OAKLEY
Planning Department

AUG 17 2015

RECEIVED

ROOF: Eagle
 METAL ROOF: Metal Sales
 PAINT: Kelly Moore
 STONE: Cultured
 THIN BRICK: Cultured

"A" ELEVATION - COTTAGE

WOODBURY

OAKLEY, CA

DENOVA HOMES

		SCHEME aa	SCHEME bb	SCHEME cc
	ROOF Concrete Slate Tile	4880 SHASTA BLEND	4671 VILLAGE BLEND	SCB 8802 NANTUCKET BLEND
	TRIM COLOR Corbels Eaves Fascia Garage Door Lap Siding @ Gables Louvered Vents Pot Shelf Trim	KM 4818-5 KNIT CARDIGAN	KM 5818-5 KETTLEMAN	KM 5799-5 DOWNTOWN BENNY BROWN
	BODY COLOR Stucco	KM 4718-2 WAGON WHEEL	KM 5781-3 LIGHT TRUFFLE	KM 4684-2 ALOOOF LAMA
	ACCENT COLOR Entry Door Shutters	KM A75-5 CELLAR DOOR	KM 4498-5 DANCING DOGS	KM 5803-3 AMERICAN RIVER
	STONE	BUCKS COUNTY SOUTHERN LEDGESTONE	HUDSON BAY SOUTHERN LEDGESTONE	FOG SOUTHERN LEDGESTONE

ROOF: Eagle
 METAL ROOF: Metal Sales
 PAINT: Kelly Moore
 STONE: Cultured
 THIN BRICK: Cultured

"B" ELEVATION - FARMHOUSE

WOODBURY

OAKLEY, CA

DENOVA HOMES

		SCHEME dd	SCHEME ee	SCHEME ff
	ROOF Concrete Slate Tile	SCB 8805 SEATTLE BLEND	4883 HILLSBOROUGH BLEND	4602 CONCORD BLEND
	METAL ROOF (26 gauge)	DARK BROWN (44)	DARK BROWN (44)	DARK BROWN (44)
	TRIM COLOR #1 Eaves Fascia Kickers Posts Railing Trim	KM 5819-1 ROTUNDA WHITE	KM 5819-1 ROTUNDA WHITE	KM 5819-1 ROTUNDA WHITE
	TRIM COLOR #2 Board & Batten @ Gables Louvered Vents	KM 4560-5 MEXICAN CHOCOLATE	KM 4944-3 VIKING CASTLE	KM 4498-5 DANCING DOGS
	BODY COLOR Garage Door Stucco	KM 4545-3 GINGER PIE	KM 5828-2 BIG BAND	KM 4567-3 DINOSAUR BONE
	ACCENT COLOR Entry Door Shutters	KM A81-5 EVENING CITYSCAPE	HLS 4234-5 VICTORIA RED	KM A77-5 BROWN BEAR

ROOF: Eagle
 METAL ROOF: Metal Sales
 PAINT: Kelly Moore
 STONE: Cultured
 THIN BRICK: Cultured

"C" ELEVATION - TRADITIONAL
WOODBURY
 OAKLEY, CA
 DENOVA HOMES

		SCHEME gg	SCHEME hh	SCHEME ii
	ROOF Concrete Shake Tile	SCP 8803 ARLINGTON BLEND	SHP 8707 SIERRA BLEND	5808 TOMBSTONE BLEND
	TRIM COLOR Corbels Eaves Fascia Garage Door Lap Siding @ Gables Louvered Vents Posts Trim	KM 4744-1 ALABASTER BEAUTY	KM 4744-1 ALABASTER BEAUTY	KM 4744-1 ALABASTER BEAUTY
	BODY COLOR ³ Corner Boards ³ Lap Siding Stucco	KM 4719-3 HARVEST DANCE	KM 5821-3 SANDPIPER COVE	KM 4930-3 YOUNG COLT
	ACCENT COLOR #1 Shutters	KM 4799-5 TREASURE ISLAND	KM 4911-5 DESERT SHADOW	KM 4946-5 SEAWEED WRAP
	ACCENT COLOR #2 Entry Door	KM A54-5 TOPAZ MOUNTAIN	KM 5247-5 KISS CANDY	HLS 4267-5 REMINGTON RUST
	THIN BRICK	HIGH DESERT USED BRICK	RUSTIC MANOR HANDMADE BRICK	ANTIQUÉ RED USED BRICK

ROOF: Eagle
³METAL ROOF: Metal Sales
 PAINT: Kelly Moore
 STONE: Cultured
 THIN BRICK: Cultured

"D" ELEVATION - CRAFTSMAN

WOODBURY

OAKLEY, CA

DENOVA HOMES

		SCHEME jj	SCHEME kk	SCHEME ll
	ROOF Concrete Shake Tile	SCP 8802 NANTUCKET BLEND	SHP 8706 CASCADE BLEND	5699 CHARCOAL RANGE
	TRIM COLOR #1 Corbels Eaves Fascia Garage Door Outlookers	KM 4589-5 MAMA RACOON	KM A76-5 LOG CABIN	KM A62-5 PARKVIEW
	TRIM COLOR #2 Siding @ Gables Louvered Vents ⁴ Posts Trim	KM 4749-5 RAINFOREST ZIPLINE	KM 5783-3 VILLAGE SQUARE	KM 5797-5 WOODWARD PARK
	BODY COLOR ³ Corner Boards ³ Lap Siding ³ Shingle Siding Stucco	KM 4730-1 PEARLY SWIRLY	KM 5766-1 WHISPER RIDGE	KM 5248-1 CREAMY GELATO
	ACCENT COLOR Entry Door	KM A49-5 FRUIT YARD	KM A70-5 ZIN CLUSTER	KM A66-5 SANTANA SOUL
	STONE	WOLF CREEK ² DRESSED FIELDSTONE	ECHO RIDGE ² DRESSED FIELDSTONE	SEVILLA ² DRESSED FIELDSTONE

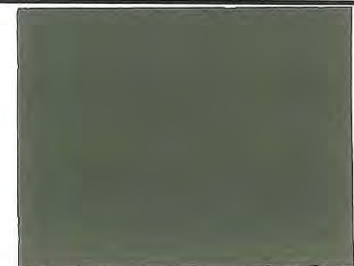
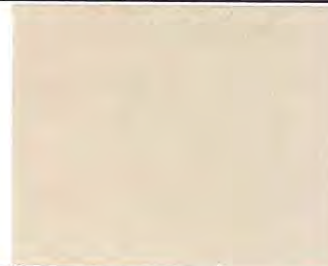
DeNova Homes

Woodbury, Oakley

COLOR SCHEME aa

Cottage
"A" Elevations

ACCENT COLOR	BODY COLOR	TRIM COLOR
Entry Door, Shutters Kelly Moore #KM A75-5 Cellar Door	Stucco Kelly Moore #KM 4718-2 Wagon Wheel	Corbels, Eaves, Fascia, Garage Door, Lap Siding @ Gables, Louvered Vents, Pot Shelf, Trim Kelly Moore #KM 4818-5 Knit Cardigan



STONE	ROOFING
Cultured Bucks County Southern LedgeStone	Eagle Concrete Slate Tile 4880 - Shasta Blend



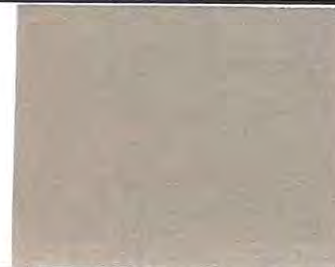
DeNova Homes

Woodbury, Oakley

COLOR SCHEME bb

Cottage
"A" Elevations

ACCENT COLOR	BODY COLOR	TRIM COLOR
Entry Door, Shutters Kelly Moore #KM 4498-5 Dancing Dogs	Stucco Kelly Moore #KM 5781-3 Light Truffle	Corbels, Eaves, Fascia, Garage Door, Lap Siding @ Gabels, Louvered Vents, Pot Shelf, Trim Kelly Moore #KM 5818-5 Kettleman



STONE	ROOFING
Cultured Hudson Bay Southern LedgeStone	Eagle Concrete Slate Tile 4671 - Village Blend



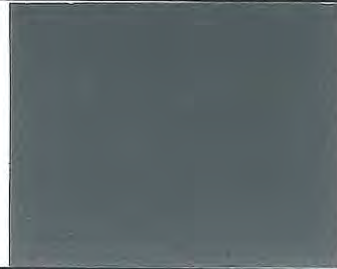
DeNova Homes

Woodbury, Oakley

COLOR SCHEME cc

Cottage
"A" Elevations

ACCENT COLOR	BODY COLOR	TRIM COLOR
Entry Door, Shutters Kelly Moore #KM 5803-3 American River	Stucco Kelly Moore #KM 4684-2 Aloof Lama	Corbels, Eaves, Fascia, Garage Door, Lap Siding @ Gabels, Louvered Vents, Pot Shelf, Trim Kelly Moore #KM 5799-5 Downtown Benny Brown



STONE	ROOFING
Cultured Fog Southern LedgeStone	Eagle Concrete Slate Tile SCB 8802 - Nantucket Blend



dh DeNova Homes

Woodbury, Oakley

COLOR SCHEME dd

Farmhouse
"B" Elevations

BODY COLOR	TRIM COLOR #1	TRIM COLOR #2
Garage Door, Stucco	Eaves, Fascia, Kickers, Posts, Railing, Trim	Board & Batten @ Gables, Louvered Vents
Kelly Moore #KM 4545-3 Ginger Pie	Kelly Moore #KM 5819-1 Rotunda White	Kelly Moore #KM 4560-5 Mexican Chocolate

ACCENT COLOR

Entry Door, Shutters

Kelly Moore #KM A81-5
Evening Cityscape



METAL ROOF

Metal Sales (26 Gauge)
Dark Brown (44)



ROOFING

Eagle Concrete Slate Tile
SCB 8805 - Seattle Blend



DeNova Homes

Woodbury, Oakley

COLOR SCHEME ee

Farmhouse
"B" Elevations

BODY COLOR	TRIM COLOR #1	TRIM COLOR #2
Garage Door, Stucco Kelly Moore #KM 5828-2 Big Band	Eaves, Fascia, Kickers, Posts, Railing, Trim Kelly Moore #KM 5819-1 Rotunda White	Board & Batten @ Gables, Louvered Vents Kelly Moore #KM 4944-3 Viking Castle

ACCENT COLOR

Entry Door, Shutters

Kelly Moore #HLS 4234-5
Victoria Red



METAL ROOF	ROOFING
Metal Sales (26 Gauge) Dark Brown (44)	Eagle Concrete Slate Tile 4883 - Hillsborough Blend



DeNova Homes

Woodbury, Oakley

COLOR SCHEME ff

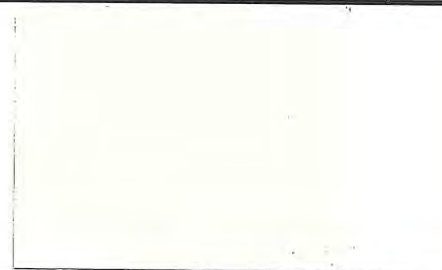
Farmhouse
"B" Elevations

BODY COLOR	TRIM COLOR #1	TRIM COLOR #2
Garage Door, Stucco	Eaves, Fascia, Kickers, Posts, Railing, Trim	Board & Batten @ Gables, Louvered Vents
Kelly Moore #KM 4567-3 Dinosaur Bone	Kelly Moore #KM 5819-1 Rotunda White	Kelly Moore #KM 4498-5 Dancing Dogs

ACCENT COLOR

Entry Door, Shutters

Kelly Moore #KM A77-5
Brown Bear



METAL ROOF

Metal Sales (26 Gauge)
Dark Brown (44)

ROOFING

Eagle Concrete Slate Tile
4602 - Concord Blend



dh DeNova Homes

Woodbury, Oakley

COLOR SCHEME gg

Traditional
"C" Elevations

ACCENT COLOR #2	BODY COLOR	TRIM COLOR
<p>Entry Door</p> <p>Kelly Moore #KM A54-5 Topaz Mountain</p>	<p>Corner Boards, Lap Siding, Stucco</p> <p>Kelly Moore #KM 4719-3 Harvest Dance</p>	<p>Corbels, Eaves, Fascia, Garage Door, Lap Siding @ Gables, Louvered Vents, Posts, Trim</p> <p>Kelly Moore #KM 4744-1 Alabaster Beauty</p>

ACCENT COLOR #1

Shutters

Kelly Moore #KM 4799-5
Treasure Island



THIN BRICK

Cultured
High Desert Used Brick



ROOFING

Eagle Concrete Shake Tile
SCP 8803 - Arlington Blend



DeNova Homes

Woodbury, Oakley

COLOR SCHEME hh

Traditional
"C" Elevations

ACCENT COLOR #2	BODY COLOR	TRIM COLOR
<p>Entry Door</p> <p>Kelly Moore #KM 5247-5 Kiss Candy</p>	<p>Corner Boards, Lap Siding, Stucco</p> <p>Kelly Moore #KM 5821-3 Sandpiper Cove</p>	<p>Corbels, Eaves, Fascia, Garage Door, Lap Siding @ Gables, Louvered Vents, Posts, Trim</p> <p>Kelly Moore #KM 4744-1 Alabaster Beauty</p>

ACCENT COLOR #1

Shutters

Kelly Moore #KM 4911-5
Desert Shadow



THIN BRICK

Cultured
Rustic Manor Handmade Brick



ROOFING

Eagle Concrete Shake Tile
SHP 8707 - Sierra Blend



DeNova Homes

Woodbury, Oakley

COLOR SCHEME ii

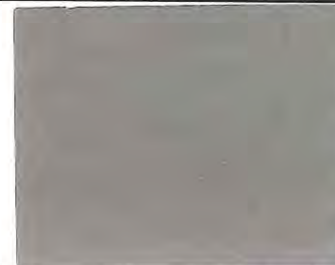
Traditional
"C" Elevations

ACCENT COLOR #2	BODY COLOR	TRIM COLOR
Entry Door Kelly Moore #HLS 4946-5 Remington Rust	Corner Boards, Lap Siding, Stucco Kelly Moore #KM4930-3 Young Colt	Corbels, Eaves, Fascia, Garage Door, Lap Siding @ Gables, Louvered Vents, Posts, Trim Kelly Moore #KM 4744-1 Alabaster Beauty

ACCENT COLOR #1

Shutters

Kelly Moore #KM 4946-5
Seaweed Wrap



THIN BRICK

Cultured
Antique Red Used Brick



ROOFING

Eagle Concrete Shake Tile
5808- - Tombstone Blend



DeNova Homes

Woodbury, Oakley

COLOR SCHEME jj

Craftsman
"D" Elevations

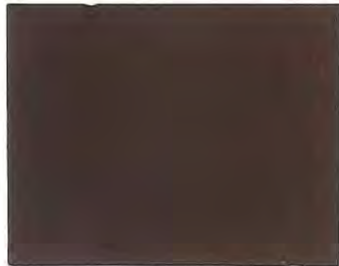
BODY COLOR	TRIM COLOR #1	TRIM COLOR #2
Corner Boards, Lap Siding, Shingle Siding, Stucco	Corbels, Eaves, Fascia, Garage Door, Outlookers	Siding @ Gables, Louvered Vents, Posts, Trim
Kelly Moore #KM 4730-1 Pearly Swirly	Kelly Moore #KM 4589-5 Mama Raccon	Kelly Moore #KM 4749-5 Rainforest Zipline

ACCENT COLOR

Entry Door

Kelly Moore #A49-5
Fruit Yard

		
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STONE

Cultured
Wolf Creek Dressed Fieldstone



ROOFING

Eagle Concrete Shake Tile
SCP 8802 - Nantucket Blend



DeNova Homes

Woodbury, Oakley

COLOR SCHEME kk

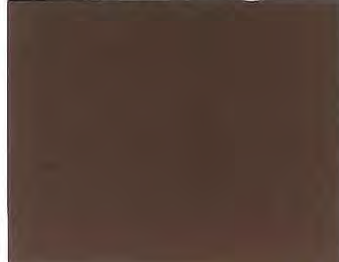
Craftsman
"D" Elevations

BODY COLOR	TRIM COLOR #1	TRIM COLOR #2
Corner Boards, Lap Siding, Shingle Siding, Stucco	Corbels, Eaves, Fascia, Garage Door, Outlookers	Siding @ Gables, Louvered Vents, Posts, Trim
Kelly Moore #KM 5766-1 Whisper Ridge	Kelly Moore #KM A76-5 Log Cabin	Kelly Moore #KM 5783-3 Village Square

ACCENT COLOR

Entry Door

Kelly Moore #KM A70-5
Zin Cluster



STONE

Cultured
Echo Ridge Dressed Fieldstone



ROOFING

Eagle Concrete Shake Tile
SHP 8706 - Cascade Blend



DeNova Homes

Woodbury, Oakley

COLOR SCHEME II



Craftsman
"D" Elevations

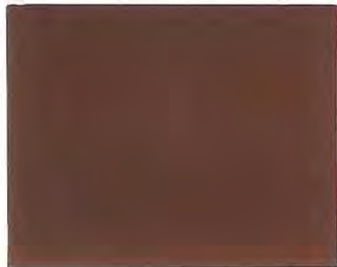
BODY COLOR	TRIM COLOR #1	TRIM COLOR #2
Corner Boards, Lap Siding, Shingle Siding, Stucco	Corbels, Eaves, Fascia, Garage Door, Outlookers	Siding @ Gables, Louvered Vents, Posts, Trim
Kelly Moore #KM 5248-1 Creamy Gelato	Kelly Moore #KM A62-5 Parkview	Kelly Moore #KM 5797-5 Woodward Park

ACCENT COLOR

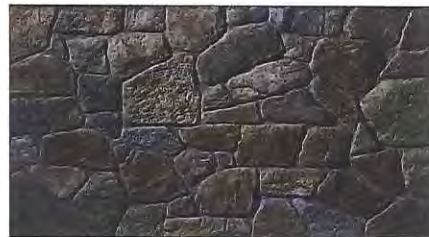
Entry Door

Kelly Moore #KM A66-5
Santana Soul

		
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STONE	ROOFING
Cultured Sevilla Dressed Fieldstone	Eagle Concrete Shake Tile 5699 - Charcoal Range



CEQA Finding Discussion for “Emerson Neighborhood 6 – Woodbury (GPA 01-15, RZ 01-15, VTM 01-15, FDP 01-15, and DR 05-15)”

I. Introduction

The California Environmental Quality Act (“CEQA”) Guidelines sections 15162 through 15164 set forth the criteria for determining the appropriate level of environmental documentation, if any, to be completed when there is a previously certified environmental impact report covering a project wherein subsequent discretionary action is required.

This document explains the appropriate level of environmental review required for the Emerson Ranch Neighborhood 6 – Woodbury Project (“Woodbury Project”). In sum, the Woodbury Project requires no additional environmental review or documentation other than that provided herein since the Project was already adequately analyzed in the Emerson Property Project Environmental Impact Report (SCH 2007052073) (“EIR”) certified by the City in Resolution No. 105-10 on September 14, 2010. The mitigation measures approved for the Emerson Ranch Project will continue to apply to the Woodbury Project. No changes or revisions are needed or suggested to those mitigation measures.

II. CEQA Finding

Any potential significant environmental impacts that may result from the Woodbury Project have already been analyzed in the EIR. The Woodbury Project does not include substantial changes that would require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of significant effects already identified in the EIR (CEQA Guidelines section 15162(a)(1)). In addition, there are no substantial changes in circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts (CEQA Guidelines section 15162(a)(2)). There is no new information of substantial importance that would change the conclusions set forth in the EIR such that a subsequent or supplemental EIR or negative declaration would be required pursuant to CEQA Guidelines sections 15162 or 15163. No changes or additions to the EIR are required since the Woodbury Project is within the scope of the EIR and as a result, an addendum need not be prepared (CEQA Guidelines section 15164). Moreover, the mitigation measures approved for the Emerson Ranch Project will continue to apply to the Woodbury Project. No changes or revisions are needed or suggested to those mitigation measures.

III. Evidence to Support Finding

A. Description of Changes from Emerson Ranch Project to Woodbury Project

The Emerson Ranch Project (140 acres) was approved by the City for 578 single-family residential units and approximately 25 acres (278,046 sq. ft.) of commercial uses. The EIR analyzed the potential significant environmental effects of this project and thoroughly analyzed a wide range of project alternatives.

The Woodbury Project is located on the 25 acre site identified for commercial uses in the Emerson Ranch Project. The Woodbury Project will reduce the commercial area from 25 acres to 7.8 acres and develop the remainder of the site (approximately 17 acres) with 104 single family units. The Woodbury Project reduces the amount of commercial space from 278,046 sq. ft. to 83,825 sq. ft.

B. Traffic and Associated Impacts Compared to the Emerson Ranch Project

To substantiate that the Woodbury Project will result in fewer traffic trips and associated impacts than the Emerson Ranch Project, a traffic trip generation report was prepared¹. The report concluded that the Woodbury Project would generate about two thirds the amount of traffic that was forecasted to be generated by the Emerson Ranch Project. The report shows that the Woodbury Project would generate 558 fewer trips during the PM peak hour and 250 fewer trips during the AM peak hour. Because the Woodbury Project will result in significantly fewer traffic trips, any associated air quality/greenhouse gas emissions and noise impacts from the Project would decrease in proportion.

C. Impacts Compared to the Apartment and Commercial Alternative

1. Impacts Related to Hazards, Hydrology/Water Quality/Water Supply, and Public Services and Utilities.

The EIR analyzed not only the proposed project (the Emerson Ranch Project) but also a wide range of alternatives². The "Apartment and Commercial Alternative" analyzed 578 units, 280 apartments and 122,967 sq. ft. of commercial uses. With respect to residential uses, this Alternative analyzed a total of 858 residential units³. The apartment and commercial component of this Alternative was assumed to be located on the same 25 acre site that encompasses the Woodbury Project. The EIR concluded that this Alternative would have "greater" impacts than the proposed project on hazards, hydrology/water quality/water supply, and public services and utilities

¹ See, Comparison of Trip Generation from the Currently proposed Woodbury-Emerson Project Versus what was Project Previously Studied in the Emerson Ranch Project EIR prepared by Abrams Associates dated April 18, 2016, attached.

² The EIR analyzed several alternatives with residential uses (and commercial uses) on this 25 acre site (see, p. 5-5 of the EIR, attached). This Finding uses the analysis of the "Apartment and Commercial Alternative" to provide the most conservative analysis but the other alternatives can also be used to further substantiate that the Woodbury Project has been adequately analyzed in the EIR.

³ See, p. 5-26 of the EIR, attached.

because more residents would be generated by this Alternative⁴. The EIR also concluded that even though these impacts were “greater” than those same impacts that may be caused by the proposed project, the impacts could be reduced to the same level with the same mitigation measures required for the proposed project. Thus, to the extent the Woodbury project may cause “greater” impacts because it will generate a few more residents than the proposed project, any impacts that can be associated with this increase of residents is covered under this Alternative analysis.

While the Woodbury Project will generate 104 additional units than the proposed project, it will generate 176 fewer units than the Apartment and Commercial Alternative. Moreover, the Woodbury Project includes only 83,825 sq. ft. of commercial uses whereas this Alternative assumed 122,967 sq. ft. of commercial uses. The analysis for the Apartment and Commercial Alternative more than covers the potential impacts that can be created from an increase in residents by the Woodbury Project (specifically, hazards, hydrology/water quality/water supply, and public services and utilities). Thus, no additional analysis is required on these potential impacts for the Woodbury Project.

2. Impacts Related to Traffic.

With respect to traffic, the Woodbury Project would generate 162 fewer AM peak hour trips and 283 PM peak hour trips than the Apartment and Commercial Alternative. As already noted, the Woodbury Project will also generate fewer AM and PM peak hour trips than the proposed project. Thus, no additional traffic analysis is required for the Woodbury Project.

3. Impacts Related to Air Quality, Noise, Biological Resources, Geology/Soils, and Historical/Cultural Resources.

The EIR acknowledges that the proposed project and the Apartment and Commercial Alternative will have “equal” environmental impacts relating to air quality, noise, biological resources; geology and soils; and historical and cultural resources. The Woodbury Project falls within the scope of the analysis for the proposed project and the Apartment and Commercial Alternative. Thus, the Woodbury Project will not have greater impacts than those already analyzed. Rather, the Woodbury Project will have fewer impacts than both the proposed project and this Alternative relating to traffic and those impacts associated with traffic (air quality/greenhouse gas emissions and noise). Thus, no additional analysis is required on these potential impacts for the Woodbury Project.

4. Impacts Related to Land Use/Agricultural Resources.

With respect to potential impacts on land use and agricultural resources, the Woodbury Project will cause a need to amend the General Plan to reduce the commercial area and increase the residential area. An amendment to the General Plan does not cause physical impacts to the environment that are required to be analyzed

⁴ See, p. 5-37 of the EIR, attached.

beyond those environmental categories already analyzed in the EIR. As a result, the Woodbury Project will not change the analysis already included in the EIR for this potential impact and no additional analysis is required.



April 18, 2016

Mike Evans
Denova Homes
1500 Willow Pass Court
Concord, CA 94520

Re: Comparison of trip generation from the currently proposed Woodbury-Emerson Project versus what was project previously studied in the Emerson Ranch Project EIR

Dear Mr. Evans,

This letter was prepared to summarize the comparison of the trip generation from the previously proposed Emerson Ranch Project to the currently proposed Woodbury Emerson Project. The currently proposed project includes 671 units which is an additional 93 single family residential units over what was analyzed as the "proposed project" in the EIR (the proposed project included 578 units). The currently proposed project also includes a corresponding reduction in the amount of commercial space being proposed (83,825 sq. ft. versus the previously proposed 278,046 sq. ft.).

The EIR analyzed a wide range of alternatives. The Medium Density Clustered Development Alternative analyzed 564 homes and 50,000 sq. ft. of commercial, the All Residential Alternative analyzed 585 homes and 278 apartments, the On-Site School Alternative analyzed 522 homes, 278,046 square feet of commercial and a 580 student elementary school, and the Apartment and Commercial Alternative analyzed 578 homes, 280 apartments and 122,967 square feet of commercial. Attached to this letter is Table 5-1 from the EIR showing the trip generation numbers from the proposed project and the alternatives. The Woodbury project's trip generation numbers fall within the analysis of the proposed project and alternatives.

Trip generation for development projects are typically calculated based on rates contained in the Institute of Transportation Engineer's (ITE) publication, *Trip Generation 9th Edition*. *Trip Generation* is the standard reference used by jurisdictions throughout the country for the estimation of potential vehicular trips from proposed developments. For the estimates of traffic from the revised project we used the exact same trip generation rates and trip reductions that were used to calculate the trip generation in the EIR. Please note this assumes that approximately 7% of the retail trips would be internal projects trips to and from the proposed single family residential neighborhoods. A summary of the Emerson-Woodbury trip generation comparison is shown in **Table 1**.

As shown in **Table 1**, the proposed Emerson-Woodbury project is forecast to generate about two thirds the amount of traffic that was forecast to be generated by the previously proposed Emerson Ranch Project that was studied in the EIR. When compared to the previously proposed project the currently proposed project would generate about 560 less trips during the PM peak hour and about 250 less trips during the AM peak hour.

Please don't hesitate to contact me if you have any questions about our analysis.

Sincerely,

A handwritten signature in black ink that reads "Stephen Abrams". The signature is written in a cursive style with a large, prominent initial "S".

Stephen C. Abrams
President, Abrams Associates
Registered Traffic Engineer
T.E. License No. 1852

**TABLE 1
WOODBURY EMERSON PROJECT TRIP GENERATION CALCULATIONS**

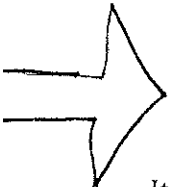
Land Use	ITE Code	Size	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
<i>Project Previously Studied in the EIR</i>									
Single Family Homes	210	578 units	4,219	104	312	416	320	188	509
Supermarket	854	65,000 sq. ft.	3,785	81	52	133	198	190	388
Shopping Center	820	208,459 sq. ft.	6,441	112	84	196	899	312	611
Fast Food Restaurant	934	4,587 sq. ft.	1,013	51	50	101	36	33	69
Gasoline/Service Station	944	18 fueling stations	1,566	58	55	113	64	65	129
Internal Reduction (Residential to Retail)			939	28	26	54	70	52	122
<i>EIR Project Trip Totals</i>			16,085	378	527	905	848	736	1,584
<i>Currently Proposed Woodbury-Emerson Project</i>									
Single Family Homes	210	671 units	4,898	119	357	476	368	216	584
Supermarket	854	56,560 sq. ft.	3,294	71	45	116	173	166	339
Shopping Center	820	27,265 sq. ft.	818	15	11	26	39	41	80
Gasoline/Service Station	944	8 fueling stations	696	26	25	51	28	29	57
Internal Reduction (Residential to Retail)			337	8	6	14	17	16	33
<i>Currently Proposed Project Trip Totals</i>			9,369	223	432	655	591	435	1,026
Net Change in Trip Generation Compared to the Previous EIR			-6,716	-155	-95	-250	-257	-301	-558

- On-Site School Alternative; and
- Apartment and Commercial Alternative.

The evaluation of the above project alternatives discusses the potential to reduce the significant impacts of the proposed project. As shown in Table 5-22 at the end of this chapter, the proposed project would result in less-than-significant impacts with the incorporation of mitigation measures for Land Use and Agricultural Resources; Traffic and Circulation; Hazards; Biological Resources; Geology and Soils; Hydrology, Water Quality, and Water Supply; and Public Services and Utilities. Historical and Cultural Resources impacts, however, would result in a significant and unavoidable impact. Although project-level Noise impacts would be reduced to a less-than-significant level with implementation of mitigation measures, the cumulative noise impact would remain significant and unavoidable. In addition, Air Quality impacts associated with operational project emissions, cumulative contribution to regional emissions, and cumulative contribution to greenhouse gas emissions would be significant and unavoidable.

The abovementioned alternatives were analyzed in detail as part of the traffic analysis. Table 5-1 presents a description of the land use components and the estimated trip generation for each of the alternatives.

Table 5-1 Trip Generation for Project Alternatives							
Number of Vehicle Trips							
Alternative	Daily Trips	AM Peak Hour (8:00-9:00 AM)			PM Peak Hour (5:00-6:00 PM)		
		In	Out	Total	In	Out	Total
Proposed Project (578 homes + 278,046 sq. ft. of commercial)	16,085	378	527	905	848	736	1,584
Minimum Density Clustered Development Alternative (564 homes + 50,000 sq. ft. of commercial)	5,752	123	319	442	382	256	638
All Residential Alternative (585 homes + 278 apartments)	6,114	134	429	563	436	251	687
On-Site School Alternative (522 homes + 278,046 sq. ft. commercial + 580 student elementary school)	16,249	461	573	1,034	849	749	1,598
Apartment and Commercial Alternative (578 homes + 280 apartments + 122,967 sq. ft. of commercial)	12,536	281	536	817	745	564	1,309



It should be noted the project applicant is vested with the right to develop the project site consistent with the densities included in the existing General Plan, Memoranda of Understanding, and Development Agreement.

Table 5-15				
On-Site School Alternative Water Demand				
Land Use Type	Units/Acres	Water Demand Rate	Estimated Water Demand	
Single Family Homes	522 DU	525 gpd / DU	274,050 gpd	307.2 AFY
Commercial	23.74 acres	2,250 gpd / acre	53,415 gpd	59.9 AFY
School ¹	6 acres	1,450 gpd / acre	8,700	9.8 AFY
Parks	10.13 acres	1,450 gpd / acre	14,689 gpd	16.5 AFY
Total Estimated Water Demand			393.4 AFY	
Proposed Project Total Estimated Water Demand			416.2 AFY	
¹ School demand rate provided by RBF Consulting.				
Note: Calculations based on Senate Bill 610 Water Supply Assessment, Diablo Water District, June 22, 2007.				

Public Services and Utilities

The implementation of the On-Site School Alternative would result in a decreased number of residents when compared to the proposed project. However, the On-Site School Alternative would include the construction of an elementary school and would introduce students to the project area, potentially creating an increased need for public services and utilities (i.e., solid waste disposal, police services, and fire protection services). Although the need for services would increase, the same mitigation measures required for the proposed project and collection of development fees would mitigate impacts to the above areas (similar to the proposed project). However, under the On-Site School Alternative, impacts related to the provision of adequate school facilities would be fewer because the alternative would provide an elementary school. In addition, as noted in Table 5-16, this alternative would result in similar wastewater demand as the proposed project. Therefore, although potential impacts from this alternative associated with public services and utilities would initially be somewhat greater, the impacts would be similar with incorporation of the same mitigation measures as the proposed project.

Apartment and Commercial Alternative

Under this alternative, the commercial component of the proposed project would be reduced from 23.74 acres to 12.96 acres. The remaining 10.78 acres would include an apartment complex with up to 280 dwelling units, a recreation center, pool, garages, and on-site parking. An additional right-in-right-out restricted access to the Apartment Site from East Cypress Road would be included as part of the Alternative (See Figure 5-2).

This Apartment and Commercial Alternative assumes up to 280 dwelling units instead of 266 dwelling units as seen in Figure 5-2, to be on the conservative side of the analysis. The remainder of the proposed project would not be changed; therefore, under this alternative, the proposed project would include a total of 858 residential units and 122,967 square feet of commercial, including a gas station.



**Table 5-22
 Comparison of Environmental Impacts from the Proposed Project and Project Alternatives**

Resource Area	Proposed Project	No Project/No Development Alternative	Minimum Density Clustered Development Alternative	All Residential Alternative	On-Site School Alternative	Apartment and Commercial Alternative
Land Use and Agricultural Resources	Less-Than-Significant With Mitigation	Fewer	Fewer	Fewer	Equal	Fewer
Traffic and Circulation	Less-Than-Significant With Mitigation	Fewer	Fewer	Fewer	Equal	Fewer
Air Quality	Significant and Unavoidable (Project-level and Cumulative Emissions)	Fewer	Fewer*	Fewer*	Equal*	Equal*
Noise	Significant and Unavoidable (Cumulative Operational Noise)	Fewer	Fewer*	Fewer*	Greater*	Equal*
Hazards	Less-Than-Significant With Mitigation	Fewer	Fewer	Greater	Greater	Greater
Biological Resources	Less-Than-Significant With Mitigation	Fewer	Fewer	Equal	Equal	Equal
Geology and Soils	Less-Than-Significant With Mitigation	Fewer	Equal	Equal	Equal	Equal
Historical and Cultural Resources	Significant and Unavoidable	Fewer	Fewer	Equal*	Equal*	Equal*
Hydrology, Water Quality, and Water Supply	Less-Than-Significant With Mitigation	Fewer	Fewer	Greater	Fewer	Greater
Public Services and Utilities	Less-Than-Significant With Mitigation	Fewer	Fewer	Greater	Equal	Greater

Less Than PP = "Fewer" Equal to PP = "Equal" Greater Than PP = "Greater"

* Significant and unavoidable impact determined for the proposed project would still be expected to occur.

CITY OF OAKLEY

RESOLUTION NO. XX-16

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING A GENERAL PLAN AMENDMENT TO DESIGNATE APPROXIMATELY 16 ACRES OF AN EXISTING 25 ACRE UNDEVELOPED COMMERCIAL SITE FROM "COMMERCIAL" TO "MULTI-FAMILY RESIDENTIAL, LOW DENSITY" FOR THE PROJECT TITLED "EMERSON NEIGHBORHOOD 6 – WOODBURY (GPA 01-15)" APN 037-192-031 (PORTION)

FINDINGS

WHEREAS, on July 1, 1999, the incorporation of the City of Oakley took effect; and

WHEREAS, after incorporation, the City adopted the Contra Costa County General Plan for the Oakley Area as its general plan, the County's subdivision ordinance as its subdivision ordinance, and the County's zoning ordinance as its zoning ordinance (Ordinance Nos. 1-99, 17-99, 22-99). Since that time, the City has prepared its own general plan, as required by Government Code Section 65360; and

WHEREAS, in December 2002, the Oakley City Council adopted the Oakley 2020 General Plan; and

WHEREAS, on January 6, 2015, Michael Evans of DeNova Homes, Inc. ("Applicant") submitted an application requesting approval of: 1) a General Plan Amendment to designate approximately 16 acres of an existing 25 acre undeveloped commercial site from "Commercial" to "Multi-Family Residential, Low Density" (GPA 01-15); 2) a Rezone to amend a Planned Unit Development (P-1) District (RZ 01-15); 3) a Vesting Tentative Map to subdivide approximately 16 acres into 104 single family lots with associated improvements (TM 01-15); and 4) a Final Development Plan for the portion of the P-1 District modified by the tentative map (FDP 01-15); and

WHEREAS, on April 16, 2015, the Applicant submitted an application requesting Design Review approval of house plans and architecture, and a development plan (neighborhood plotting plan) (DR 05-15); and

WHEREAS, the applications (GPA 01-15, RZ 01-15, TM 01-15, FDP 01-15, and DR 05-15) make up the project known as "Emerson Neighborhood 6 – Woodbury" located within the existing Emerson Ranch Subdivision 9032 at the northwest corner of East Cypress Road and Sellers Avenue and east of Emerson Ranch Way. The site is zoned P-1 (Planned Unit Development) District. APN 037-192-031 (portion); and

WHEREAS, the Applicant has initiated a request to change the General Plan Land Use Designation for a portion of the property from Commercial (CO) to Multi-Family Residential, Low Density (ML) ("project"); and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), it has been determined that all of the potential impacts associated with the proposed project have been adequately analyzed and mitigated in the Emerson Property Project Environmental Impact Report (SCH 2007052073) ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10. The mitigation measures included in that EIR will continue to mitigate the proposed project, and no further environmental analysis is required under CEQA; and

WHEREAS, on June 2, 2016, the Notice of Public Hearing was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to parties requesting such notice, and to outside agencies. On June 3, 2016, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution; and

WHEREAS, on June 14, 2016, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

WHEREAS, these Findings are based on the City's General Plan and the City's Zoning Ordinance, and the information submitted to the City Council at its June 14, 2016 meeting, both written and oral, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

NOW, THEREFORE, on the basis of the above findings of fact and the entire Record, the City Council makes the following findings regarding the General Plan Amendment as shown in "Exhibit A" of this resolution in support of the recommended approvals:

- A. It has been determined that all of the potential impacts associated with the proposed project have been adequately analyzed and mitigated in the Emerson Property Project Environmental Impact Report ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10. The mitigation measures included in that EIR will continue to mitigate the proposed project and no further environmental analysis is required under CEQA (See discussion – Exhibit "B").
- B. The change in Land Use Designation will provide for the orderly, well planned and balanced growth within the City in that:

1. Redesignating this site to allow for additional detached single family residential development in the manner proposed in conjunction with this General Plan Amendment application would result in a residential density (5.9 net and 6.6 gross dwelling units per acre) within the range of the ML designation 5.6 – 9.6 dwelling units per acre) and within that already existing within the Emerson Ranch Subdivision; and
2. It would serve to reduce the commercial portion to a more feasible size for development (from approximately 25 acres to approximately 8 acres) which is more in line with other commercial centers throughout Oakley and neighboring cities.

BE IT FURTHER RESOLVED THAT, on the basis of the foregoing Findings and the entire Record, the City Council hereby approves the amendment to the General Plan as shown in “Exhibit A” of this resolution.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of June, 2016 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor

Date

ATTEST:

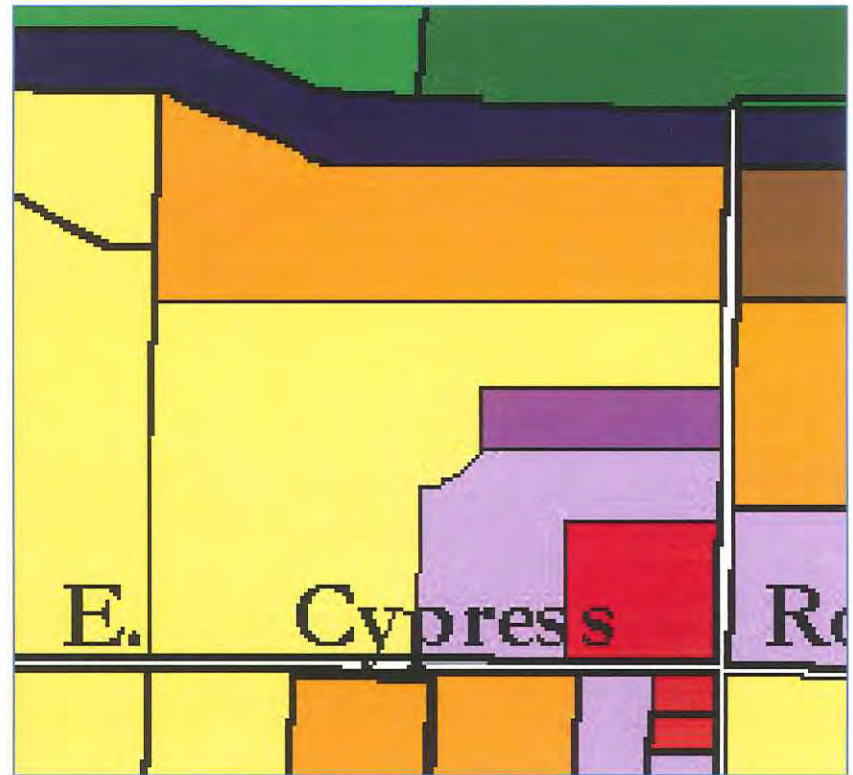
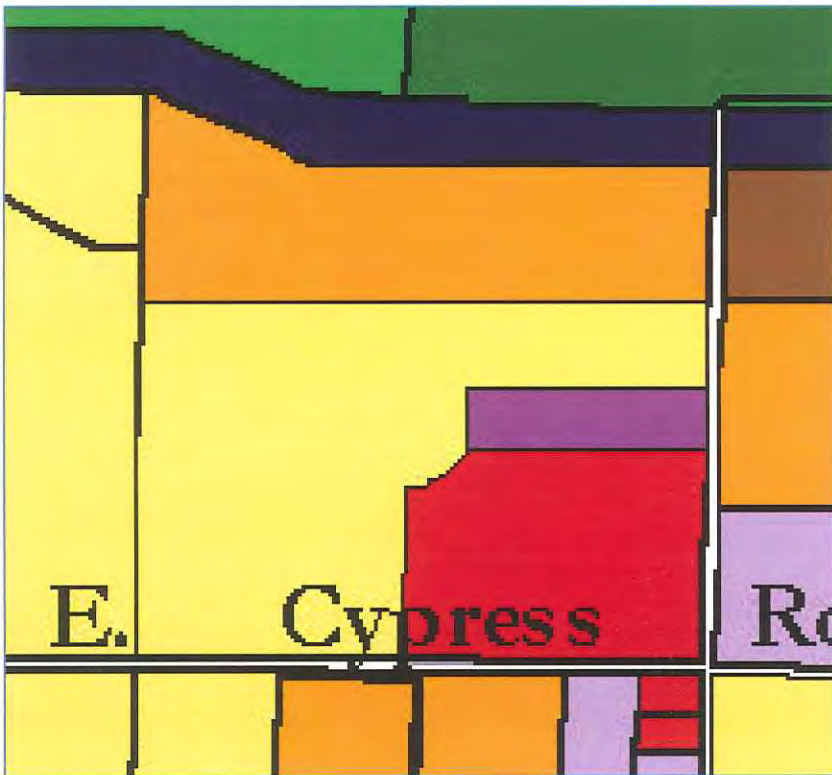
Libby Vreonis, City Clerk

Date

Exhibit A to City Council Resolution _____
Existing and Preliminary Proposed General Plan Land Use Designations
Emerson Neighborhood 6 – Woodbury (GPA 01-15)

Existing: Commercial

Proposed: Multi-Family Residential, Low Density



CEQA Finding Discussion for “Emerson Neighborhood 6 – Woodbury (GPA 01-15, RZ 01-15, VTM 01-15, FDP 01-15, and DR 05-15)”

I. Introduction

The California Environmental Quality Act (“CEQA”) Guidelines sections 15162 through 15164 set forth the criteria for determining the appropriate level of environmental documentation, if any, to be completed when there is a previously certified environmental impact report covering a project wherein subsequent discretionary action is required.

This document explains the appropriate level of environmental review required for the Emerson Ranch Neighborhood 6 – Woodbury Project (“Woodbury Project”). In sum, the Woodbury Project requires no additional environmental review or documentation other than that provided herein since the Project was already adequately analyzed in the Emerson Property Project Environmental Impact Report (SCH 2007052073) (“EIR”) certified by the City in Resolution No. 105-10 on September 14, 2010. The mitigation measures approved for the Emerson Ranch Project will continue to apply to the Woodbury Project. No changes or revisions are needed or suggested to those mitigation measures.

II. CEQA Finding

Any potential significant environmental impacts that may result from the Woodbury Project have already been analyzed in the EIR. The Woodbury Project does not include substantial changes that would require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of significant effects already identified in the EIR (CEQA Guidelines section 15162(a)(1)). In addition, there are no substantial changes in circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts (CEQA Guidelines section 15162(a)(2)). There is no new information of substantial importance that would change the conclusions set forth in the EIR such that a subsequent or supplemental EIR or negative declaration would be required pursuant to CEQA Guidelines sections 15162 or 15163. No changes or additions to the EIR are required since the Woodbury Project is within the scope of the EIR and as a result, an addendum need not be prepared (CEQA Guidelines section 15164). Moreover, the mitigation measures approved for the Emerson Ranch Project will continue to apply to the Woodbury Project. No changes or revisions are needed or suggested to those mitigation measures.

III. Evidence to Support Finding

A. Description of Changes from Emerson Ranch Project to Woodbury Project

The Emerson Ranch Project (140 acres) was approved by the City for 578 single-family residential units and approximately 25 acres (278,046 sq. ft.) of commercial uses. The EIR analyzed the potential significant environmental effects of this project and thoroughly analyzed a wide range of project alternatives.

The Woodbury Project is located on the 25 acre site identified for commercial uses in the Emerson Ranch Project. The Woodbury Project will reduce the commercial area from 25 acres to 7.8 acres and develop the remainder of the site (approximately 17 acres) with 104 single family units. The Woodbury Project reduces the amount of commercial space from 278,046 sq. ft. to 83,825 sq. ft.

B. Traffic and Associated Impacts Compared to the Emerson Ranch Project

To substantiate that the Woodbury Project will result in fewer traffic trips and associated impacts than the Emerson Ranch Project, a traffic trip generation report was prepared¹. The report concluded that the Woodbury Project would generate about two thirds the amount of traffic that was forecasted to be generated by the Emerson Ranch Project. The report shows that the Woodbury Project would generate 558 fewer trips during the PM peak hour and 250 fewer trips during the AM peak hour. Because the Woodbury Project will result in significantly fewer traffic trips, any associated air quality/greenhouse gas emissions and noise impacts from the Project would decrease in proportion.

C. Impacts Compared to the Apartment and Commercial Alternative

1. Impacts Related to Hazards, Hydrology/Water Quality/Water Supply, and Public Services and Utilities.

The EIR analyzed not only the proposed project (the Emerson Ranch Project) but also a wide range of alternatives². The "Apartment and Commercial Alternative" analyzed 578 units, 280 apartments and 122,967 sq. ft. of commercial uses. With respect to residential uses, this Alternative analyzed a total of 858 residential units³. The apartment and commercial component of this Alternative was assumed to be located on the same 25 acre site that encompasses the Woodbury Project. The EIR concluded that this Alternative would have "greater" impacts than the proposed project on hazards, hydrology/water quality/water supply, and public services and utilities

¹ See, Comparison of Trip Generation from the Currently proposed Woodbury-Emerson Project Versus what was Project Previously Studied in the Emerson Ranch Project EIR prepared by Abrams Associates dated April 18, 2016, attached.

² The EIR analyzed several alternatives with residential uses (and commercial uses) on this 25 acre site (see, p. 5-5 of the EIR, attached). This Finding uses the analysis of the "Apartment and Commercial Alternative" to provide the most conservative analysis but the other alternatives can also be used to further substantiate that the Woodbury Project has been adequately analyzed in the EIR.

³ See, p. 5-26 of the EIR, attached.

because more residents would be generated by this Alternative⁴. The EIR also concluded that even though these impacts were “greater” than those same impacts that may be caused by the proposed project, the impacts could be reduced to the same level with the same mitigation measures required for the proposed project. Thus, to the extent the Woodbury project may cause “greater” impacts because it will generate a few more residents than the proposed project, any impacts that can be associated with this increase of residents is covered under this Alternative analysis.

While the Woodbury Project will generate 104 additional units than the proposed project, it will generate 176 fewer units than the Apartment and Commercial Alternative. Moreover, the Woodbury Project includes only 83,825 sq. ft. of commercial uses whereas this Alternative assumed 122,967 sq. ft. of commercial uses. The analysis for the Apartment and Commercial Alternative more than covers the potential impacts that can be created from an increase in residents by the Woodbury Project (specifically, hazards, hydrology/water quality/water supply, and public services and utilities). Thus, no additional analysis is required on these potential impacts for the Woodbury Project.

2. Impacts Related to Traffic.

With respect to traffic, the Woodbury Project would generate 162 fewer AM peak hour trips and 283 PM peak hour trips than the Apartment and Commercial Alternative. As already noted, the Woodbury Project will also generate fewer AM and PM peak hour trips than the proposed project. Thus, no additional traffic analysis is required for the Woodbury Project.

3. Impacts Related to Air Quality, Noise, Biological Resources, Geology/Soils, and Historical/Cultural Resources.

The EIR acknowledges that the proposed project and the Apartment and Commercial Alternative will have “equal” environmental impacts relating to air quality, noise, biological resources; geology and soils; and historical and cultural resources. The Woodbury Project falls within the scope of the analysis for the proposed project and the Apartment and Commercial Alternative. Thus, the Woodbury Project will not have greater impacts than those already analyzed. Rather, the Woodbury Project will have fewer impacts than both the proposed project and this Alternative relating to traffic and those impacts associated with traffic (air quality/greenhouse gas emissions and noise). Thus, no additional analysis is required on these potential impacts for the Woodbury Project.

4. Impacts Related to Land Use/Agricultural Resources.

With respect to potential impacts on land use and agricultural resources, the Woodbury Project will cause a need to amend the General Plan to reduce the commercial area and increase the residential area. An amendment to the General Plan does not cause physical impacts to the environment that are required to be analyzed

⁴ See, p. 5-37 of the EIR, attached.

beyond those environmental categories already analyzed in the EIR. As a result, the Woodbury Project will not change the analysis already included in the EIR for this potential impact and no additional analysis is required.



April 18, 2016

Mike Evans
Denova Homes
1500 Willow Pass Court
Concord, CA 94520

Re: Comparison of trip generation from the currently proposed Woodbury-
Emerson Project versus what was project previously studied in the Emerson
Ranch Project EIR

Dear Mr. Evans,

This letter was prepared to summarize the comparison of the trip generation from the previously proposed Emerson Ranch Project to the currently proposed Woodbury Emerson Project. The currently proposed project includes 671 units which is an additional 93 single family residential units over what was analyzed as the "proposed project" in the EIR (the proposed project included 578 units). The currently proposed project also includes a corresponding reduction in the amount of commercial space being proposed (83,825 sq. ft. versus the previously proposed 278,046 sq. ft.).

The EIR analyzed a wide range of alternatives. The Medium Density Clustered Development Alternative analyzed 564 homes and 50,000 sq. ft. of commercial, the All Residential Alternative analyzed 585 homes and 278 apartments, the On-Site School Alternative analyzed 522 homes, 278,046 square feet of commercial and a 580 student elementary school, and the Apartment and Commercial Alternative analyzed 578 homes, 280 apartments and 122,967 square feet of commercial. Attached to this letter is Table 5-1 from the EIR showing the trip generation numbers from the proposed project and the alternatives. The Woodbury project's trip generation numbers fall within the analysis of the proposed project and alternatives.

Trip generation for development projects are typically calculated based on rates contained in the Institute of Transportation Engineer's (ITE) publication, *Trip Generation 9th Edition*. *Trip Generation* is the standard reference used by jurisdictions throughout the country for the estimation of potential vehicular trips from proposed developments. For the estimates of traffic from the revised project we used the exact same trip generation rates and trip reductions that were used to calculate the trip generation in the EIR. Please note this assumes that approximately 7% of the retail trips would be internal projects trips to and from the proposed single family residential neighborhoods. A summary of the Emerson-Woodbury trip generation comparison is shown in **Table 1**.

As shown in **Table 1**, the proposed Emerson-Woodbury project is forecast to generate about two thirds the amount of traffic that was forecast to be generated by the previously proposed Emerson Ranch Project that was studied in the EIR. When compared to the previously proposed project the currently proposed project would generate about 560 less trips during the PM peak hour and about 250 less trips during the AM peak hour.

Please don't hesitate to contact me if you have any questions about our analysis.

Sincerely,

A handwritten signature in black ink that reads "Stephen Abrams". The signature is written in a cursive style with a large, prominent initial "S".

Stephen C. Abrams
President, Abrams Associates
Registered Traffic Engineer
T.E. License No. 1852

**TABLE 1
WOODBURY EMERSON PROJECT TRIP GENERATION CALCULATIONS**

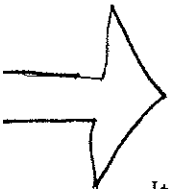
Land Use	ITE Code	Size	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
<i>Project Previously Studied in the EIR</i>									
Single Family Homes	210	578 units	4,219	104	312	416	320	188	509
Supermarket	854	65,000 sq. ft.	3,785	81	52	133	198	190	388
Shopping Center	820	208,459 sq. ft.	6,441	112	84	196	899	312	611
Fast Food Restaurant	934	4,587 sq. ft.	1,013	51	50	101	36	33	69
Gasoline/Service Station	944	18 fueling stations	1,566	58	55	113	64	65	129
Internal Reduction (Residential to Retail)			939	28	26	54	70	52	122
<i>EIR Project Trip Totals</i>			16,085	378	527	905	848	736	1,584
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- On-Site School Alternative; and
- Apartment and Commercial Alternative.

The evaluation of the above project alternatives discusses the potential to reduce the significant impacts of the proposed project. As shown in Table 5-22 at the end of this chapter, the proposed project would result in less-than-significant impacts with the incorporation of mitigation measures for Land Use and Agricultural Resources; Traffic and Circulation; Hazards; Biological Resources; Geology and Soils; Hydrology, Water Quality, and Water Supply; and Public Services and Utilities. Historical and Cultural Resources impacts, however, would result in a significant and unavoidable impact. Although project-level Noise impacts would be reduced to a less-than-significant level with implementation of mitigation measures, the cumulative noise impact would remain significant and unavoidable. In addition, Air Quality impacts associated with operational project emissions, cumulative contribution to regional emissions, and cumulative contribution to greenhouse gas emissions would be significant and unavoidable.

The abovementioned alternatives were analyzed in detail as part of the traffic analysis. Table 5-1 presents a description of the land use components and the estimated trip generation for each of the alternatives.

Table 5-1 Trip Generation for Project Alternatives							
Number of Vehicle Trips							
Alternative	Daily Trips	AM Peak Hour (8:00-9:00 AM)			PM Peak Hour (5:00-6:00 PM)		
		In	Out	Total	In	Out	Total
Proposed Project (578 homes + 278,046 sq. ft. of commercial)	16,085	378	527	905	848	736	1,584
Minimum Density Clustered Development Alternative (564 homes + 50,000 sq. ft. of commercial)	5,752	123	319	442	382	256	638
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Apartment and Commercial Alternative (578 homes + 280 apartments + 122,967 sq. ft. of commercial)	12,536	281	536	817	745	564	1,309



It should be noted the project applicant is vested with the right to develop the project site consistent with the densities included in the existing General Plan, Memoranda of Understanding, and Development Agreement.

Table 5-15 On-Site School Alternative Water Demand				
Land Use Type	Units/Acres	Water Demand Rate	Estimated Water Demand	
Single Family Homes	522 DU	525 gpd / DU	274,050 gpd	307.2 AFY
Commercial	23.74 acres	2,250 gpd / acre	53,415 gpd	59.9 AFY
School ¹	6 acres	1,450 gpd / acre	8,700	9.8 AFY
Parks	10.13 acres	1,450 gpd / acre	14,689 gpd	16.5 AFY
Total Estimated Water Demand			393.4 AFY	
Proposed Project Total Estimated Water Demand			416.2 AFY	
¹ School demand rate provided by RBF Consulting.				
Note: Calculations based on Senate Bill 610 Water Supply Assessment, Diablo Water District, June 22, 2007.				

Public Services and Utilities

The implementation of the On-Site School Alternative would result in a decreased number of residents when compared to the proposed project. However, the On-Site School Alternative would include the construction of an elementary school and would introduce students to the project area, potentially creating an increased need for public services and utilities (i.e., solid waste disposal, police services, and fire protection services). Although the need for services would increase, the same mitigation measures required for the proposed project and collection of development fees would mitigate impacts to the above areas (similar to the proposed project). However, under the On-Site School Alternative, impacts related to the provision of adequate school facilities would be fewer because the alternative would provide an elementary school. In addition, as noted in Table 5-16, this alternative would result in similar wastewater demand as the proposed project. Therefore, although potential impacts from this alternative associated with public services and utilities would initially be somewhat greater, the impacts would be similar with incorporation of the same mitigation measures as the proposed project.

Apartment and Commercial Alternative

Under this alternative, the commercial component of the proposed project would be reduced from 23.74 acres to 12.96 acres. The remaining 10.78 acres would include an apartment complex with up to 280 dwelling units, a recreation center, pool, garages, and on-site parking. An additional right-in-right-out restricted access to the Apartment Site from East Cypress Road would be included as part of the Alternative (See Figure 5-2).

This Apartment and Commercial Alternative assumes up to 280 dwelling units instead of 266 dwelling units as seen in Figure 5-2, to be on the conservative side of the analysis. The remainder of the proposed project would not be changed; therefore, under this alternative, the proposed project would include a total of 858 residential units and 122,967 square feet of commercial, including a gas station.



**Table 5-22
Comparison of Environmental Impacts from the Proposed Project and Project Alternatives**

Resource Area	Proposed Project	No Project/No Development Alternative	Minimum Density Clustered Development Alternative	All Residential Alternative	On-Site School Alternative	Apartment and Commercial Alternative
Land Use and Agricultural Resources	Less-Than-Significant With Mitigation	Fewer	Fewer	Fewer	Equal	Fewer
Traffic and Circulation	Less-Than-Significant With Mitigation	Fewer	Fewer	Fewer	Equal	Fewer
Air Quality	Significant and Unavoidable (Project-level and Cumulative Emissions)	Fewer	Fewer*	Fewer*	Equal*	Equal*
Noise	Significant and Unavoidable (Cumulative Operational Noise)	Fewer	Fewer*	Fewer*	Greater*	Equal*
Hazards	Less-Than-Significant With Mitigation	Fewer	Fewer	Greater	Greater	Greater
Biological Resources	Less-Than-Significant With Mitigation	Fewer	Fewer	Equal	Equal	Equal
Geology and Soils	Less-Than-Significant With Mitigation	Fewer	Equal	Equal	Equal	Equal
Historical and Cultural Resources	Significant and Unavoidable	Fewer	Fewer	Equal*	Equal*	Equal*
Hydrology, Water Quality, and Water Supply	Less-Than-Significant With Mitigation	Fewer	Fewer	Greater	Fewer	Greater
Public Services and Utilities	Less-Than-Significant With Mitigation	Fewer	Fewer	Greater	Equal	Greater

Less Than PP = "Fewer" Equal to PP = "Equal" Greater Than PP = "Greater"

* Significant and unavoidable impact determined for the proposed project would still be expected to occur.

CITY OF OAKLEY

ORDINANCE NO. XX-16

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY
AMENDING AN EXISTING P-1 (PLANNED UNIT DEVELOPMENT) DISTRICT FOR
THE EMERSON RANCH SUBDIVISION TO ACCOMMODATE A FINAL
DEVELOPMENT PLAN FOR THE PROJECT TITLED "EMERSON NEIGHBORHOOD
6 – WOODBURY" (RZ 01-15)"**

WHEREAS, on January 6, 2015, Michael Evans of DeNova Homes, Inc. ("Applicant") submitted an application requesting approval of: 1) a General Plan Amendment to designate approximately 16 acres of an existing 25 acre undeveloped commercial site from "Commercial" to "Multi-Family Residential, Low Density" (GPA 01-15); 2) a Rezone to amend a Planned Unit Development (P-1) District (RZ 01-15); 3) a Vesting Tentative Map to subdivide approximately 16 acres into 104 single family lots with associated improvements (TM 01-15); and 4) a Final Development Plan for the portion of the P-1 District modified by the tentative map (FDP 01-15); and

WHEREAS, on April 16, 2015, the Applicant submitted an application requesting Design Review approval of house plans and architecture, and a development plan (neighborhood plotting plan) (DR 05-15); and

WHEREAS, the applications (GPA 01-15, RZ 01-15, TM 01-15, FDP 01-15, and DR 05-15) make up the project known as "Emerson Neighborhood 6 – Woodbury" located within the existing Emerson Ranch Subdivision 9032 at the northwest corner of East Cypress Road and Sellers Avenue and east of Emerson Ranch Way. The site is zoned P-1 (Planned Unit Development) District. APN 037-192-031 (portion); and

WHEREAS, the rezoning application complies with the requirements of the Oakley Municipal Code ("OMC") Section 2.4.012 (Rezoning); and

WHEREAS, the Applicant has initiated a request to amend the P-1 (Planned Unit Development) District zoning for the Emerson Ranch Subdivision (adopted by Ordinance 18-10) to accommodate the Project's Final Development Plan (FDP 01-15); and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), it has been determined that all of the potential impacts associated with the proposed project have been adequately analyzed and mitigated in the Emerson Property Project Environmental Impact Report (SCH 2007052073) ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10. The mitigation measures included in that EIR will continue to mitigate the proposed project, and no further environmental analysis is required under CEQA; and

WHEREAS, on June 2, 2016, the Notice of Public Hearing was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to parties requesting such notice, and to outside agencies. On June 3, 2016, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution; and

WHEREAS, on June 14, 2016, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, deliberated on the project, and adopted the resolutions approving the Project's General Plan Amendment, Vesting Tentative Map, Final Development Plan, and Design Review; and

WHEREAS, these Findings are based on the City's General Plan and the City's Zoning Ordinance, and the information submitted to the City Council at its June 14, 2016 meeting, both written and oral, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

The City Council of the City of Oakley does ordain as follows:

SECTION 1. FINDINGS. Pursuant to Chapter 2.4.012 of the Oakley Municipal Code, the City Council of the City of Oakley hereby finds and determines as follows:

- A. The change proposed will substantially comply with the Oakley 2020 General Plan in that the proposed amendment to the P-1 (Planned Unit Development) District in conjunction with the proposed General Plan Amendment to Multi-Family Residential, Low Density (ML) will allow the project site to be developed with additional detached, single-family residential homes in the same style and similar density to that already existing and approved within the Emerson Ranch Subdivision.
- B. The allowable uses are the same, and the applicable development regulations are similar to those already permitted in the originally approved P-1 District for Emerson ranch Subdivision.
- C. The Project site of the amended P-1 District is tied to the Project's approved Final Development Plan (Final Development Plan).

SECTION 2. Property Defined and Rezoned.

Pursuant to Section 2.4.012 of the Oakley Municipal Code, the P-1 District for the following property is amended:

- A. Approximately 140 acres of real property located on the northwest corner of East Cypress Road and Sellers (known as "Emerson ranch Subdivision"), as shown on the "Exhibit A" attached to this ordinance.

SECTION 3. Applicable Regulations and Standards.

- A. The regulations for the use, development, improvement and maintenance of the property shall be subject to the City's General Plan, Residential Design Guidelines, Oakley Zoning Ordinance and Municipal Code, and the P-1 District's associated Final Planned Development Plans, previously approved for Neighborhoods 1-5, and currently approved for Neighborhood 6 (FDP 01-15):
- B. Neighborhood 6 shall be subject to the following development regulations:
- Minimum Lot Size: 3,600 sf.
 - Minimum Front Yard Setback: 20' to garage; 10' to living space; 5' to porches
 - Minimum Side Yard Setback: 5' for interior lot lines; 10' for corner side yard lot lines
 - Minimum Rear Yard Setback: 10'
 - Projections Into Yards: Pursuant to OMC Section 9.1.1122(g)
- C. The Oakley Municipal Code R-6 (Single Family Residential) District development standards shall apply where this ordinance does not specify a standard.

SECTION 4. California Environmental Quality Act (CEQA).

It has been determined that all of the potential impacts associated with the proposed project have been adequately analyzed and mitigated in the Emerson Property Project Environmental Impact Report ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10. The mitigation measures included in that EIR will continue to mitigate the proposed project and no further environmental analysis is required under CEQA.

SECTION 5. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be held unconstitutional, invalid or unenforceable.

SECTION 6. Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on _____, 2016 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor

Date

ATTEST:

Libby Vreonis, City Clerk

Date



Emerson Neighborhood 6 - Woodbury (APN 037419240004)

Scale 1:6,572
City of Woodbury GIS Map
Printed: Jun 7, 2016 8:36:04 AM



RESOLUTION NO. XX-16

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING A VESTING TENTATIVE MAP (TM 01-15), FINAL DEVELOPMENT PLAN (FDP 01-15), AND DESIGN REVIEW (DR 05-15) FOR THE PROJECT TITLED "EMERSON NEIGHBORHOOD 6 – WOODBURY" APN 037-192-031 (PORTION)

WHEREAS, on January 6, 2015, Michael Evans of DeNova Homes, Inc. ("Applicant") submitted an application requesting approval of: 1) a General Plan Amendment to designate approximately 16 acres of an existing 25 acre undeveloped commercial site from "Commercial" to "Multi-Family Residential, Low Density" (GPA 01-15); 2) a Rezone to amend a Planned Unit Development (P-1) District (RZ 01-15); 3) a Vesting Tentative Map to subdivide approximately 16 acres into 104 single family lots with associated improvements (TM 01-15); and 4) a Final Development Plan for the portion of the P-1 District modified by the tentative map (FDP 01-15); and

WHEREAS, on April 16, 2015, the Applicant submitted an application requesting Design Review approval of house plans and architecture, and a development plan (neighborhood plotting plan) (DR 05-15); and

WHEREAS, the applications (GPA 01-15, RZ 01-15, TM 01-15, FDP 01-15, and DR 05-15) make up the project known as "Emerson Neighborhood 6 – Woodbury" located within the existing Emerson Ranch Subdivision 9032 at the northwest corner of East Cypress Road and Sellers Avenue and east of Emerson Ranch Way. The TM, FDP, and DR constitute the "Project" approved by this resolution. The site is zoned P-1 (Planned Unit Development) District. APN 037-192-031 (portion); and

WHEREAS, on February 10, 2016, the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project is designated as *Multi-Family Residential, Low Density* in the Oakley 2020 General Plan per City Council Resolution No. ____ and zoned P-1 (Planned Unit Development) District per Ordinance No. ____; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), it has been determined that all of the potential impacts associated with the proposed project have been adequately analyzed and mitigated in the Emerson Property Project Environmental Impact Report (SCH 2007052073) ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10. The mitigation measures included in that EIR will continue to mitigate the proposed project, and no further environmental analysis is required under CEQA; and

WHEREAS, on June 2, 2016, the Notice of Public Hearing was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School

located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to parties requesting such notice, and to outside agencies. On June 3, 2016, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution; and

WHEREAS, on June 14, 2016, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

WHEREAS, these Findings are based on the City's General Plan and the City's Zoning Ordinance, the project's applicable P-1 District, the City of Oakley Residential Design Guidelines, and the information submitted to the City Council at its June 14, 2016 meeting, both written and oral, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

WHEREAS, if any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City; and

NOW, THEREFORE, BE IT RESOLVED THAT, on the basis of the above findings of fact and the entire Record, the City Council makes the following additional findings in support of the approvals:

- A. In regards to approval of the Vesting Tentative Map application (TM 01-15):
1. The proposed tentative map represents a subdivision of land that is consistent with the applicable General Plan policies and guidelines in that it results in a density of approximately 6.6 du/ac after road dedication along East Cypress Road (and excluding the commercial parcel), which is below the midrange of the density range for the Multi-Family Residential, Low Density land use designation;
 2. Proposed lot sizes and the gross density will mesh well with the existing residential development within the Emerson Ranch subdivision in that the current average lot sizes in Neighborhoods 1-5 range from 3,400 square feet to 6,480 square feet, and the proposed project's average lot size is 4,063 square feet. As a result of the subdivision, street and frontage improvements and a sound wall will be constructed along Emerson Ranch

Way and adjacent to the commercial parcel, as well as at the main project entry along Shearwater Way; and

3. The main location will provide close pedestrian access to the Emerson Ranch Park and an attractive physical entry to the neighborhood as viewed from the park. The sound wall along the commercial property lines will also be heavily planted with trees, acting as both a visual softening of the wall and better mitigating any noise created by the future commercial uses, while allowing for at least two pedestrian accesses to discourage unnecessary vehicle trips from the project to the future adjacent commercial uses.

B. In regards to approval of the Final Development Plan application (FDP 01-15):

1. The applicant intends to start construction within two years from the date of project approval in that the intended start date is spring of 2017;
2. The project is consistent with the General Plan;
3. With the integration of a Homeowner's Association, similar lot size to the existing neighborhoods within Emerson Ranch, the addition of design features such as the roundabout at project entry, uniquely scored driveways, and stamped crosswalks throughout the neighborhood, the project constitutes an environment of sustained desirability and stability, and is harmonious with the character of the surrounding neighborhoods. The residential development proposed with the Final Development Plan constitutes an environment of sustained desirability and stability, and be in harmony with the character of the surrounding neighborhood; and
4. All of the above findings justify exceptions (such as development regulations) from the standard OMC zoning districts.

C. In regards to approval of the Design Review application (DR 05-15):

1. The project design implements many of the residential guidelines when plotting and designing the homes, and varying setbacks, resulting in a diverse and interesting streetscape;
2. The design of the homes, along with typical front yard landscaping and other common area and right of way area of landscaping is mostly consistent with the adopted Oakley Residential Design Guidelines. Implementation of the condition of approval requiring more 360 degree architecture with side and rear elevation enhancements brings the project into further compliance with the guidelines.

D. The project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the City Council approves of the Applicant's request for approval of a **Vesting Tentative Map (TM 01-15), Final Development Plan (FDP 01-15), and Design Review (DR 05-15)**, subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the applications received by the Planning Division dated **January 6, 2015 and April 16, 2015**, as well as additional information acquired since that time and made part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF THE FIRST BUILDING PERMIT UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. The **Vesting Tentative Map (TM 01-15), Final Development Plan (FDP 01-15), and Design Review (DR 05-15)** are approved, as shown on the plans, date stamped by the Planning Division on **August 17, 2015 (DR packet) and March 1, 2016 (TM and FDP packet)**, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.
2. This approval for the **Vesting Tentative Map (TM 01-15), Final Development Plan (FDP 01-15), and Design Review (DR 05-15)** shall be effectuated within a period of three (3) years from the effective date of this resolution by pulling a grading or building permit and if not effectuated shall expire. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning Code. Any automatic extensions applicable to the Vesting Tentative Map shall also apply to the Final Development Plan and Design Review. Requests for discretionary extensions shall explicitly request an extension for each entitlement.
3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on **June 14, 2016**.
4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.

5. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.
6. The applicant shall ensure all Contractors maintain a neat and orderly appearance to the work site at all times. Debris and trash developed during construction shall be disposed concurrently with its generation. Stockpiling of debris or construction materials shall not be allowed unless in secure closed containers. Streets adjacent to the construction area and its vicinity shall be swept and kept clean from all debris and trash. Should the Contractor fail to keep trash and debris from streets, the City representative, at the City representative's sole discretion, may elect to have the streets cleaned at the contractor expense. The City representative may take further steps of shutting down the contractor operations if further non-compliance with this task is evident by the Contractor.
7. Should archaeological materials be uncovered during grading, trenching or other on- site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary. If the remains are determined to be that of Native American origin, procedures will be guided by California PRC 5097 through California's Native American Heritage Commission.
8. All uses proposed on the site shall be in accordance with the uses allowed within the project's P-1 District.
9. The project shall implement all applicable mitigation measures addressed in the Emerson Property Project Environmental Impact Report (SCH 2007052073) ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10.
10. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

Homeowners Association:

11. The applicant shall formulate a Homeowner's Association as proposed and with the maintenance responsibilities shown on the Applicant's Plan sheet titled "Emerson Ranch Maintenance Responsibilities Neighborhood 6 – Woodbury" submitted with the proposed Vesting Tentative Map and date stamped March 1, 2016.

Habitat Conservation Plan (HCP):

12. The project shall implement all applicable mitigation measures included in the approved Emerson Property Planning Survey Report for which the Emerson Subdivision project has received Certificates of Coverage.

Development Standards:

13. Development of Neighborhood 6 is subject to the standards adopted in Ordinance No. _____, amending the P-1 District.

Parks and Landscaping:

14. This project has a park requirement of 1.70-acres (neighborhood and community park acreage). The project does not include dedication or improvement of any parkland; therefore, the project shall pay in-lieu fees for the entire park requirement.
15. A mix of evergreen and deciduous trees as well as shrubs and ground cover shall be planted along the street frontages as specified in the Residential Design Guidelines per the review and approval of the Community Development Director.
16. A landscaping and irrigation plan for all front yard, right-of-way, parks, open space, and trail landscaping shall conform to the Oakley Water Efficient Landscape Ordinance and the Guidelines for Implementation of the City of Oakley Water Efficient Landscape Ordinance and shall be installed prior to final occupancy. The plan shall be prepared by a licensed landscape architect and shall be certified to be in compliance with the City's Water Conservation Ordinance.
17. California native drought tolerant plants shall be used as much as possible. All trees shall be a mix of fifteen-gallon and 24" box; all shrubs shall be a minimum five-gallon size, except as otherwise noted.
18. All landscaped areas not covered by shrubs or groundcover shall be covered with bark or acceptable alternative as reviewed and approved by the Community Development Director. On slopes greater than 3 to 1, the applicant shall use an

alternative to bark per the review and approval of the Community Development Director.

19. Each residential lot shall have a minimum of two trees within the front yard, plus corner lots shall have an additional two trees within the corner side yard. At least one of the front yard trees and both of the corner side yard trees shall be within the public right of way, adjacent to the sidewalk. The additional front yard tree may be placed anywhere within the required front yard.
20. The applicant shall maintain all private landscaping until occupancy.
21. A street tree plan shall be submitted for review prior to issuance of Building Permits. The street trees shall be inter-mixed throughout the subdivision, so there are a variety of trees on every street, per review of the Community Development Director.

Fences and Walls:

22. Within the subdivision good neighbor fences shall be constructed of six-foot high redwood louvered fence with metal posts or acceptable alternative as reviewed and approved by the Community Development Director. Fences along corner side yards of corner lots and other fencing facing a street, such as fencing spanning the area between the house and side yard fence, shall consist of a combination of a five foot tall redwood louvered fence with one foot of open lattice on top. All wood fencing visible from the street shall be stained or painted on both sides to prevent water damage to the satisfaction of the Community Development Director.
23. In order to comply with the adopted City of Oakley Commercial and Industrial Guidelines, the masonry wall proposed along the border with the adjacent commercial parcel created by this tentative map shall be at least eight (8) feet in height. The eight foot wall shall continue along the eastern property line of Lot 86 and the southern property line of Lot 21 until it reaches the rear property line wall/fence of each respective lot.
24. Sound walls shall attenuate, not just deflect sound. The use of sound absorbing material should be used for the construction of sound walls per the review and approval of the Community Development Director.
25. Anti-graffiti techniques shall be used on sound walls.

Subdivision Design:

26. Driveway openings shall be a maximum 18' in width or up to 25% of a lot's frontage, whichever is more.

27. The street names shall be approved by the Community Development Department and the East Contra Costa Fire District.

Subdivision Disclosures:

28. The model home complex shall have a copy of the City of Oakley's General Plan land use map posted within the sales office or included with the informational material provided to prospective home buyers.
29. Where a lot/parcel is located within 300' of a high voltage electric transmission line, the applicant shall record the following notice:

"The subject property is located near a high voltage electric transmission line. Purchasers should be aware that there is ongoing research on possible potential adverse health effects caused by the exposure to a magnetic field generated by high voltage lines. Although much more research is needed before the question of whether magnetic fields actually cause adverse health effects can be resolved, the basis for such a hypothesis is established. At this time no risk assessment has been made."

When a Final Subdivision Public Report issued by the California Department of Real Estate is required, the applicant shall also request that the Department of Real Estate insert the above note in the report.

30. The following statements shall be recorded at the County Recorder's Office for each parcel to notify future owners of the parcels that they own property in an agricultural area:

"This document shall serve as notification that you have purchased land in an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust or blowing sand; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment such as zon guns and aerial crop dusting and certain animals, including equestrian trails as well as flies may exist on surrounding properties. This statement is again, notification that this is part of the agricultural way of life in the open space areas of the City of Oakley and you should be fully aware of this at the time of purchase."

Design Review:

31. Final design of all applicable homes shall include wrapping any front veneer or siding either to the fence line (for wainscot) or just beyond the corner and finish with trim (for full wall veneer and siding).

32. The architectural elements (e.g. shutters, gable end treatment) proposed for side and rear elevations at "enhanced lots" shall be installed on all elevations on all lots.
33. The house floor plans and setbacks shall match those provided on the approved Development Plan included with the Vesting Tentative Map submittal.

Energy Efficiency:

34. Air conditioning condenser units shall be located to take advantage of natural shade. Condensers should not be placed on the west or south elevation of a home, unless shade is provided. The location of the condenser shall be added to all plot plans for review and approval of the Community Development Director.

Waste Management Plan:

35. The applicant shall submit a Waste Management Plan that complies with the City of Oakley Construction and Demolition Debris Recycling Ordinance.

Building Division Conditions

36. Plans shall meet the currently adopted Uniform Codes as well as the newest T-24 Energy requirements from the State of California Energy Commission. To confirm the most recent adopted codes please contact the Building Division at (925) 625-7005.
37. Prior to requesting a Certificate of Occupancy from the Building Division, all Conditions of Approval required for occupancy must be completed. When the Public Works Division and the Planning Division place Conditions of Approval on the project, those divisions will sign off on the project prior to the request for a Building division final inspection. Similarly, if the Health Department and/or Fire Department reviewed and approved the original plans, those departments must sign off on the project prior to the request for a final inspection by the Building Division.

Public Works and Engineering Conditions

THE FOLLOWING PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE APPROVAL OF A FINAL MAP UNLESS OTHERWISE NOTED:

General:

38. Submit improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and pay the appropriate processing costs in accordance with the Municipal Code and these conditions of approval. The plans

shall be consistent with the Stormwater Control Plan for the project, include the drawings and specifications necessary to implement the required stormwater control measures, and be accompanied by a Construction Plan C.3 Checklist as described in the Stormwater C.3 Guidebook.

39. Submit a final map prepared by a licensed land surveyor or qualified registered civil engineer to the City Engineer and pay appropriate fees in accordance with the Code and these conditions of approval.
40. Submit grading plans including erosion control measures and revegetation plans prepared by a registered civil engineer to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.
41. Submit landscaping plans for publicly maintained landscaping, including planting and irrigation details, as prepared by a licensed landscape architect to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.
42. Execute any agreements required by the Stormwater Control Plan which pertain to the transfer of ownership and/or long term maintenance of stormwater treatment mechanisms required by the plan prior to the final inspection of the first house within the subdivision.
43. Building permits for house construction shall not be issued until the subdivision streets serving the lots have been paved. When approved by the Fire District, temporary access roads and water supply systems may be installed to serve projects under construction until such time that the permanent access roads or water supply systems are in place.

Roadway Improvements:

44. Construct the project streets to City public road standards and as shown on the Tentative Map with the following exceptions:
 - A. The minimum street grade may be lowered from the standard 1% to 0.75% provided that the project proponent demonstrates that the City's drainage standards can be achieved.
 - B. Submit a turning radius exhibit to the City Engineer for review and approval to illustrate that the ninety-degree turns of project streets can accommodate the largest expected vehicle to use the streets without the inclusion of City standard elbows. If the exhibit illustrates that elbows are necessary to accommodate the expected traffic then they shall be included in the improvement plans.

45. Install traffic calming measures consistent with the City's Neighborhood Traffic Management Program. The traffic calming measures shall be included on the improvement plans and are subject to the review and approval of the City Engineer.
46. Install traffic control devices such as stop signs and other signing and striping on the project streets to the satisfaction of the City Engineer.
47. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.
48. Submit a phasing plan for the project streets to the City Engineer for review if the street improvement will be phased. The plan shall include provisions for emergency vehicle access, temporary turn-around facilities, and access to the occupied lots.

Road Dedications:

49. Convey to the City, by Offer of Dedication, the right of way for the project streets.
50. Relinquish abutter's rights of access along all non-primary frontages to the satisfaction of the City Engineer.
51. Furnish necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road, utility and drainage improvements.

Street Lights:

52. Install streetlights along all project streets. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. The lights on the project streets shall be decorative with LEDs per City standards.

Grading:

53. Submit a geotechnical report to the City Engineer for review that substantiates the design features incorporated into the subdivision including, but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections.
54. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with

authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

55. Grade all pads so that they drain directly to the public street at a minimum of one percent without the use of private drainage systems through rear and side yards.
56. Grade any slopes with a vertical height of four feet or more at a slope of 3 to 1. Retaining walls that may be installed to reduce the slope must be masonry and comply with the City's building code.
57. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer.
58. Submit a haul route plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan the City Engineer shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.
59. Prior to commencement of any site work that will result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.
60. Submit an updated erosion control plan reflecting current site conditions to the City Engineer for review and approval no later than September 1st of every year while the Notice of Intent is active.
61. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.
62. The burying of any construction debris is prohibited on construction sites.

Utilities/Undergrounding:

63. Underground all new and existing utility distribution facilities. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.
64. All utility boxes shall be installed underground and all wires and cables must be installed in conduits. Compliance with this condition shall be at the discretion of the City Engineer.
65. Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

Drainage Improvements:

66. Collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse.
67. Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system and stormwater pond to the City Engineer for review and approval.
68. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.
69. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
70. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.

Landscaping in the Public Right of Way:

71. Install all public right of way landscaping prior to the issuance of the building permit for the 25th unit. Public right of way landscaping along the project streets shall be installed prior to occupancy of homes adjacent to that street.
72. Maintain all landscaping within the public right of way until such time that the adjacent roadway improvements have been accepted for maintenance.

National Pollutant Discharge Elimination System (NPDES):

73. Comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley - Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at www.cccleanwater.org.

Compliance shall include developing long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long-term BMP's in accordance with the Contra Costa Clean Water Program for the site's storm water drainage:

- Offer pavers for household driveways and/or walkways as an option to buyers.
- Minimize the amount of directly connected impervious surface area.
- Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City standards.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Distribute public information items regarding the Clean Water Program to buyers.
- Other alternatives as approved by the City Engineer.

Fees/Assessments:

74. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 85-00 and 08-03. The applicant shall pay the fees in the amounts in effect at the time each building permit is issued.
- A. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);
 - B. Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);
 - C. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);
 - D. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);

- E. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);
- F. Fire Facilities Impact Fee, collected by the City (adopted by Resolution No. 09-01);
- G. General Plan Fee (adopted by Resolution No. 53-03)
- H. East Contra Costa County Habitat Conservation Plan Fee (adopted by Resolution No. 112-07 & 124-07)

The applicant should contact the City Engineer prior to constructing any public improvements to determine if any of the required improvements are eligible for credits or reimbursements against the applicable traffic benefit fees or from future developments.

- 75. The applicant shall be responsible for paying the County Recorder's fee for the Notice of Determination as well as the State Department of Fish and Game's filing fee.

ADVISORY NOTES

THE FOLLOWING ADVISORY NOTES ARE PROVIDED TO THE APPLICANT AS A COURTESY BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

- A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.
- B. The project will require a grading permit pursuant to the Ordinance Code.
- C. Applicant shall comply with the requirements of Ironhouse Sanitary District.
- D. The applicant shall comply with the requirements of the Diablo Water District.
- E. Comply with the requirements of the East Contra Costa Fire Protection District.
- F. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
- G. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction

within this development that may affect any fish and wildlife resources, per the Fish and Game Code.

- H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- I. The applicant shall obtain an encroachment permit for construction within existing City rights of way.
- J. The applicant shall obtain an encroachment permit from Caltrans for construction within the State right of way.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th day of June, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Kevin Romick, Mayor

Date

ATTEST:

Libby Vreonis, City Clerk

Date

STAFF REPORT

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Date: Tuesday, June 14, 2016
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, Public Works Director/City Engineer
SUBJECT: Ratify Election: Adopt Ordinance No. 09-16 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 158 within the Oakley Special Police Tax Area for Police Protection Services for Minor Subdivision 14-977 (Doyle Road)

Background and Analysis

On March 8, 2016 the City Council adopted Resolution 31-16 which approved the parcel map for Minor Subdivision No. 14-977 (Doyle Road), which consists of 2 single-family lots located on the south side of Hill Avenue and west of Doyle Road.

The Conditions of Approval for Minor Subdivision No. 14-977 require the property owner(s) to augment the financial impact that their development project has on the City's police services budget. The City of Oakley previously formed the Oakley Special Police Tax Area District that authorizes the levy of an annual special tax on parcels to augment their financial impact to the City's police services budget. The property owner(s) for Minor Subdivision No. 14-977 has requested that the City assist with annexing Minor Subdivision No. 14-977 into the Oakley Special Police Tax Area.

On April 26, 2016, the City Council introduced Ordinance No. 09-16 which would authorize a special tax for police services within Zone 158 subject to property owner voter approval. On May 26, 2016 the City Clerk conducted the property owner election. There was one (1) ballot issued to the property owner representing Minor Subdivision 14-977 (Doyle Road). The City Clerk tabulated the property owner ballot and 100% of the property owners were in favor of annexing Minor Subdivision 14-977 into the Oakley Special Police Tax Area as Zone 158.

Fiscal Impact

There will be no financial impact to the City's General Fund. The applicants have funded all costs associated with the annexation of Zone 158 to the Oakley Special Police Tax Area. The FY 2015-16 special tax rate per single family parcel is \$975.84 and \$487.92 per undeveloped parcel. Therefore, successful creation of the zone could provide up to \$1,951.68 (in FY 2015-16 dollars) in revenue annually when all of the units are occupied. The taxes will be collected on the property tax rolls commencing in FY 2016-17.

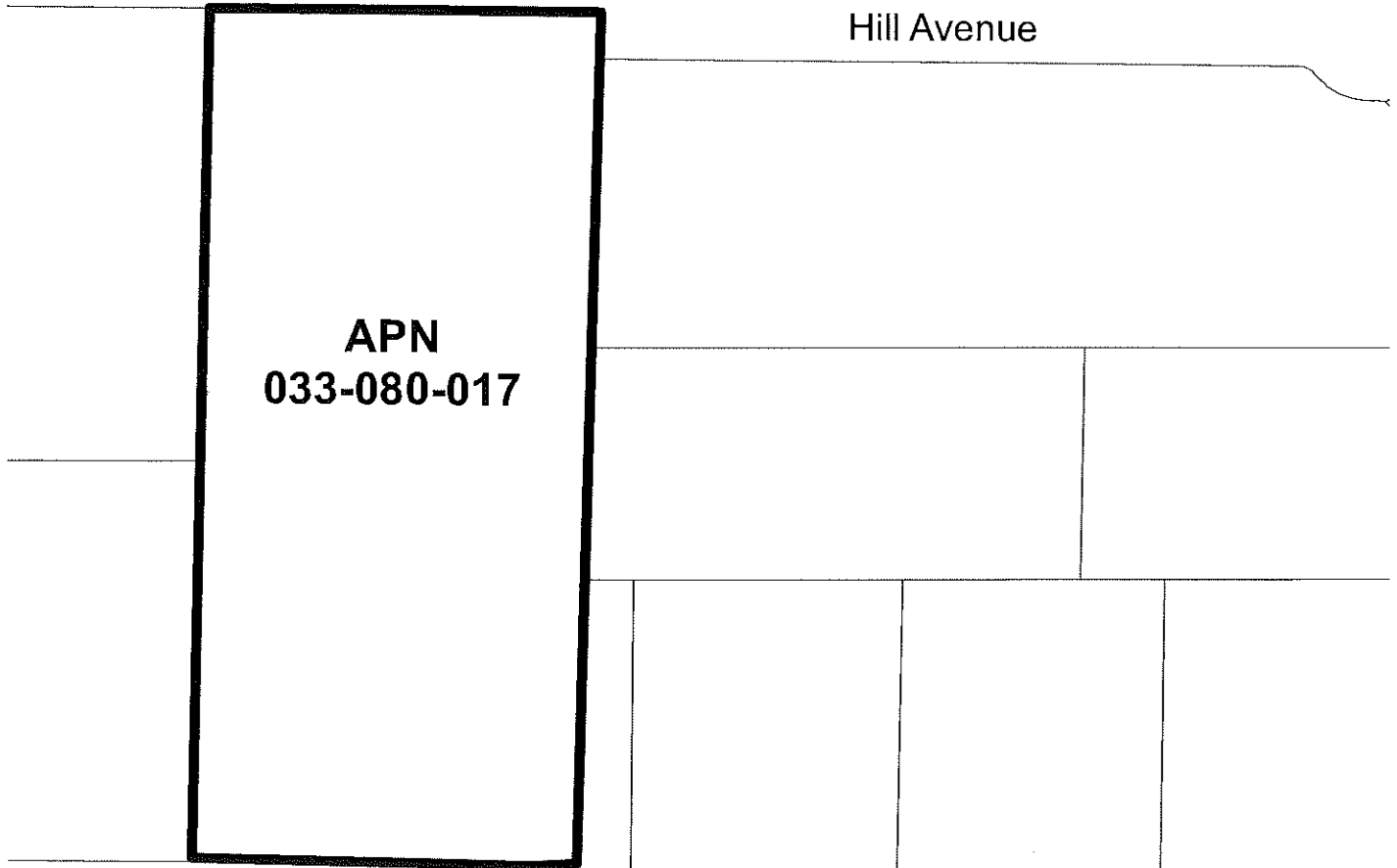
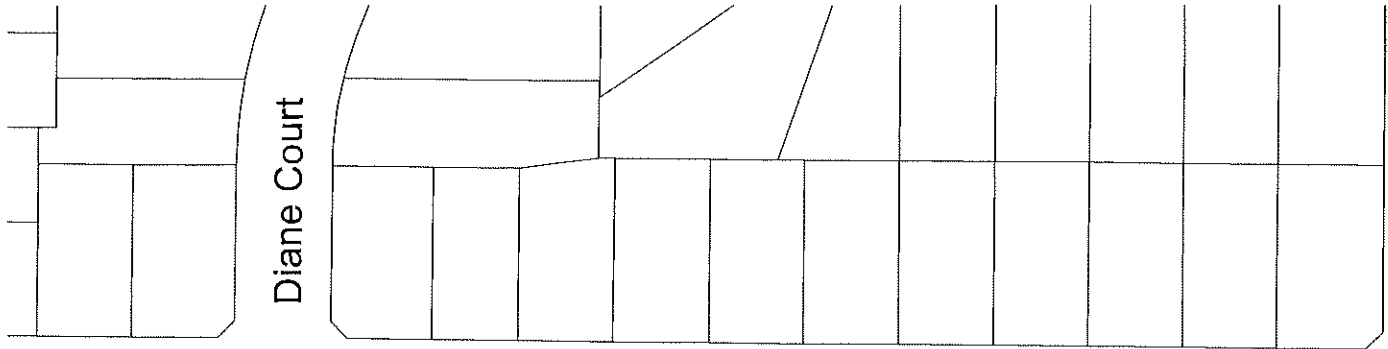
Recommended Action

Staff recommends that the City Council ratify the election and adopt Ordinance No. 09-16 authorizing the levy of a special tax on parcels of land within Tax Area Zone 158 within the Oakley Special Police Tax Area for Police Protection Services for Minor Subdivision 14-977 (Doyle Road)



Attachments

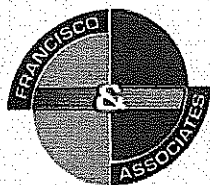
- 1) Boundary Map for Tax Area Zone 158
- 2) One (1) Ballot
- 3) Ordinance No. 09-16

EXHIBIT A - PROPOSED BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA ZONE 158
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA



Legend

-  Zone 158 Boundary
-  Parcel Lines



April 28, 2016

Stephen B. Cockman, Jr.
3351 Doyle Lane
Oakley, CA 94561-2847

Subject: Special Police Tax Area Ballot for Authorizing an Annual Special Tax Levy on
Parcels within Zone 158 (Minor Subdivision 14-977) of the Oakley Special Police
Tax Area District

Dear Stephen;

Conditions of approval for Minor Subdivision 14-977 require the property owner to augment the financial impact that their development project has on the City's police services budget. One option to satisfy this condition is to annex your Minor Subdivision 14-977 into the existing Oakley Special Police Tax Area District ("District") and authorize the levy of an annual special tax on those parcels for police services.

On April 26, 2016, the Oakley City Council created Zone 158 within the District which consists of parcels located within Minor Subdivision 14-977. In addition, on April 26, 2016, the Oakley City Council introduced Ordinance No. 09-16 which called for an election to authorize the levy of an annual special tax on the parcels within Zone 158. The election will be held on May 26, 2016 at the City Clerk's Office. Please find enclosed your ballot to authorize a special tax to be levied on the parcels located in Zone 158 of the Oakley Special Police Tax Area. Please complete and return the ballot to: Kevin Rohani, Public Works Director/City Engineer, City of Oakley, 3231 Main Street, Oakley, CA 94561 before the election deadline of 5:00 p.m. on May 26, 2016. We have enclosed a return envelope for your convenience. Please provide ample time for the Post Office to deliver the ballot by the 5:00 pm deadline on May 26, 2016.

Please contact me at the number below if you have any questions.

Sincerely,
FRANCISCO & ASSOCIATES, INC.

Joseph A. Francisco, P.E.
Principal

Enclosures

130 Market Place, Suite 160 ~ San Ramon, CA 94583
(925) 867-3400 ~ fax (925) 867-3415

SPECIAL POLICE TAX AREA BALLOT
CREATING ZONE 158 FOR MINOR SUBDIVISION MAP 14-977 (DOYLE ROAD)

Assessor's Parcel Number: 033-080-017
Record Owner: Stephen B. Cockman, Jr.
Address: 3351 Doyle Lane
Oakley, CA 94561-2847

Shall Ordinance No. 09-16 of the City Council of the City of Oakley be approved so as to authorize a special tax on property located in Zone 158 of the Oakley Special Police Tax Area to maintain the present level of police protection service and provide additional funding for increased police protection service? The initial annual tax is to be \$975.84 per single family parcel and \$487.92 per vacant parcel (all FY 2015-16 rates) per the current rate schedule. I also acknowledge that the tax rate can be adjusted annually as described in Ordinance No. 09-16.

_____ Yes, Ordinance No. 09-16 shall be approved.

_____ No, Ordinance No. 06-16 shall not be approved.

Signature of Authorized Representative for
Stephen B. Cockman, Jr.

Printed Name

Title

CITY OF OAKLEY

ORDINANCE NO. 09-16

**AN ORDINANCE OF THE CITY OF OAKLEY ESTABLISHING
OAKLEY SPECIAL POLICE TAX AREA ZONE 158 WITHIN
THE OAKLEY SPECIAL POLICE TAX AREA FOR A SPECIAL
TAX FOR POLICE PROTECTION SERVICES FOR MINOR
SUBDIVISION NO. 14-977**

The Voters of the City of Oakley do ordain as follows:

Section 1. Purpose, Intent and Authority.

It is the purpose and intent of this Ordinance to authorize the levy of a special tax on parcels of real property on the secured property tax roll of Contra Costa County that are within Oakley Special Police Tax Area Zone 158 (Minor Subdivision No. 14-977) of the Oakley Special Police Tax Area in order to provide funding for police protection to serve the property and persons within said Zone.

This Tax is a special tax within the meaning of Section 4 of the Article XIII A of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Section 4 of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary for the benefit of the residents of Zone 158.

This Ordinance is enacted pursuant to the authority of Government Code Section 53978.

Section 2. Definitions.

The following definitions shall apply throughout this Ordinance.

A. "Constant first year dollars" shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing price

as the base amount in first fiscal year dollars as measured by the actual cost of services for the City of Oakley's cost of obtaining police services, measured currently using its contract with the Contra Costa County Sheriff's Department. The base amount shall be the amount of tax per parcel as specified in Section 3.A herein. The adjustments from actual to constant dollars shall be made by use of the actual cost of services, as specified in Section 3.B herein.

B. "Actual Cost of Services" means the estimated fully-loaded average cost for the positions of police officer, Sergeant and Lieutenant [or comparable positions while the City contracts for police services with Contra Costa County] as provided to the City by the Contra Costa County Sheriff's Department during or about March of each calendar year.

C. "Fiscal year" means the period of July 1 through the following June 30.

D. "Oakley Special Police Tax Area" includes all properties within the jurisdictional limits of the City of Oakley.

E. Oakley Special Police Tax Area Zone 158 (hereinafter called "Zone") means that portion of the incorporated area of the City of Oakley located within the boundaries as shown on the map Exhibit A hereto.

F. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of this Ordinance, parcel does not include any land or improvements outside and boundaries of Zone 158 nor any land or improvements owned by any governmental entity.

G. Pursuant to Government Code §53978, "voter" means a person owning real property within the Zone at the time this Ordinance was adopted, as shown on the last equalized assessment role prepared by the Contra Costa County Assessor's Office.

Section 3. Amount and Level of Taxes.

The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2015 through June 30, 2016) shall be the amount of Tax Per Parcel for a Property Use Code Category as set forth on Exhibit B hereto. If any new development, including new residential units, is completed prior to the tax being effective for the first fiscal year, the owner of the Parcel, as shown on the latest assessment roll, shall pay the tax for the remainder of such fiscal year on a pro-rated basis to the City, no later than receipt of Certificate of Occupancy or final building permit inspection.

B. For Subsequent Fiscal Year:

In order to keep the tax on each parcel in constant first year dollars for each fiscal year subsequent to the first fiscal year, the tax per year shall be adjusted as set forth below to reflect any increase in the Actual Cost of Services beyond the first fiscal year the tax is levied.

In June or July of each year, City Council shall determine the amount of taxes to be levied upon the parcels in the Zone for the then current fiscal year as set forth below.

For each Property Use Category on Exhibit B, the tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount determined as follows:

$$\begin{array}{l} \text{Tax Per Parcel} \\ \text{For then Current} \\ \text{Fiscal Year} \end{array} = \begin{array}{l} \text{Tax Per Parcel} \\ \text{For First} \\ \text{Fiscal Year} \end{array} \times \begin{array}{l} \text{(Actual Cost of Services} \\ \text{for immediately} \\ \text{Preceding Fiscal Year)} \\ \text{(Actual Cost of Services} \\ \text{for First Fiscal Year} \\ \text{of Levy)} \end{array}$$

Provided, however, that in no event shall the tax per parcel for any fiscal year be less than the amount established for the first fiscal year.

C. The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Section 4, below.

Section 4. Collection and Administration.

A. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

B. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes and are to be collected in the same manner in which the County of Contra Costa collects secured roll ad valorem property taxes. Insofar as feasible and insofar as not inconsistent with this Ordinance, the times and procedure regarding exceptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes

shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax:

- i) The secured roll tax bills shall be the only notices required for this tax, and
- ii) The homeowners and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount of value.

C. Costs of Administration by County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

Section 5. Severability Clause.

If any article, section, subsection, sentence, phrase of clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of the Zone hereby declare that they would have adopted the remainder of this Ordinance, including each article, section, subsection, sentenced phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

Section 6. Effective Date and Posting.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting within the Zone in an election to be held on May 26, 2016 so that taxes shall first be collected hereunder for the tax year beginning July 1, 2016. If not confirmed by two-thirds of the voters participating in the election, this Ordinance and the tax approved herein shall not become effective.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on June 14, 2016 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor

ATTEST:

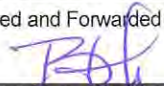
Libby Vreonis, City Clerk

Date

STAFF REPORT

Date: Tuesday, June 14, 2016
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, Public Works Director/City Engineer
SUBJECT: Amend Tax Area Zone 157 Boundaries, Ratify Election and Adopt Ordinance No. 08-16 Authorizing the Levy of a Special Tax on Parcels of Land within Amended Tax Area Zone 157 within the Oakley Special Police Tax Area for Police Protection Services for Phase 1 of Subdivision 9027 (Duarte Ranch)

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Background and Analysis

On May 8, 2006 the City Council adopted Resolution 76-06 approving the Vesting Tentative Map for Subdivision 9027 which consists of 103 single-family lots and a 2.1-acre public park (Phase 1) and 13 single-family lots (Phase 2). Subdivision 9027 is located on the south side of Laurel Road and east of the future extension of Rose Avenue.

The Conditions of Approval for Subdivision 9027 require the property owner(s) to augment the financial impact that their development project has on the City's police services budget. The City of Oakley previously formed the Oakley Special Police Tax Area District that authorizes the levy of an annual special tax on parcels to augment their financial impact to the City's police services budget.

The property owner for Phase 1 of Subdivision 9027 (Duarte Ranch) requested that the City assist with annexing Phase 1 of Subdivision 9027 into the Oakley Special Police Tax Area. The property owner for Phase 2 of Subdivision 9027 (Duarte Ranch) does not intend to develop at this time which requires an amendment to the current boundaries of Tax Area Zone 157. This amendment will remove Assessor Parcel Nos. 034-260-025 & 034-260-026 from the boundaries of Tax Area Zone 157. When the property owner for Phase 2 of Subdivision 9027 (Duarte Ranch) is ready to develop, the City will assist with the annexation of their property to the Oakley Special Police Tax Area for Police Protection Services

On April 26, 2016, the City Council introduced Ordinance No. 08-16 which would authorize a special tax for police services within Tax Area Zone 157 subject to property owner voter approval. On May 26, 2016 the City Clerk conducted the property owner election. There was one (1) ballot issued to the property owner representing Phase 1 of Subdivision 9027 (Duarte Ranch). The City Clerk tabulated the property owner ballot and 100% of the property owners were in favor of annexing

Phase 1 of Subdivision 9027 into the Oakley Special Police Tax Area as Tax Area Zone 157.

Fiscal Impact

There will be no financial impact to the City's General Fund. The applicant has funded all costs associated with the annexation of Tax Area Zone 157 to the Oakley Special Police Tax Area. The FY 2015-16 special tax rate per single family parcel is \$975.84 and \$487.92 per undeveloped parcel. Therefore, successful creation of the zone could provide up to \$100,511.52 (in FY 2015-16 dollars) in revenue annually when all of the units are occupied. The taxes will be collected on the property tax rolls commencing in FY 2016-17.

Recommended Action

Staff recommends that the City Council amend the boundaries of Tax Area Zone 157, ratify the election and adopt Ordinance No. 08-16 authorizing the levy of a special tax on parcels of land within Tax Area Zone 157 of the Oakley Special Police Tax Area for Police Protection Services for Phase 1 of Subdivision 9027 (Duarte Ranch).

Attachments

- 1) Resolution No. ___-16, Amending Tax Area Zone 157 Boundaries
- 2) Amended Boundary Map for Tax Area Zone 157
- 3) One (1) Ballot
- 4) Ordinance No. 08-16

CITY OF OAKLEY

RESOLUTION NO. __-16

A RESOLUTION AMENDING OAKLEY SPECIAL POLICE TAX AREA ZONE 157 BOUNDARIES WITHIN THE OAKLEY SPECIAL POLICE TAX AREA FOR SUBDIVISION 9027 TO ESTABLISH A SPECIAL TAX FOR POLICE PROTECTION SERVICES

WHEREAS, it is the intention of the City Council to amend Oakley Special Police Tax Area Zone 157 (Zone 157) within the Oakley Special Police Tax Area, which was previously created by the adoption of Resolution No. 51-16 on April 26, 2016, by removing Assessor Parcel Nos. 034-260-025 & 034-260-026; and

WHEREAS, it is the intention of the City Council to adopt an ordinance establishing a special tax for police services within the amended Zone 157; and

WHEREAS, the City recognizes the need for increased police protection services within amended Zone 157 and the difficulty of funding the current or increased level of police services with revenues now available; and

WHEREAS, on May 8, 2006 the City Council adopted Resolution 76-06 approving the Subdivision 9027, which consists of 103 single-family lots and a 2.1-acre public park (Phase 1) and 13 single-family lots (Phase 2) located on the south side of Laurel Road and east of the future extension of Rose Avenue. The Conditions of Approval for Subdivision 9027 require the property owner(s) to augment the financial impact that their development project has on the City's police services budget. The City of Oakley previously formed Oakley Special Police Tax Area that authorizes the levy of an annual special tax on parcels to augment their financial impact to the City's police services budget. The property owner for Phase 1 of Subdivision 9027 (Duarte Ranch) has requested that the City assist with annexing of Phase 1 of Subdivision 9027 into the Oakley Special Police Tax Area. The property owner for Phase 2 of Subdivision 9027 (Duarte Ranch) does not intend to develop in the near future and will not be annexed into Oakley Special Police Tax Area at this time. The initial annual special tax rate is \$975.84 per single-family parcel and \$487.92 per undeveloped parcel (all FY 2015-16 rates) per the rate schedule that was adopted by the City Council on March 22, 2004, by Resolution No. 26-04; and

WHEREAS, this Resolution is adopted pursuant to Government Code section 53978;

WHEREAS, under Government Code section 53978 and for the purposes of this Resolution, a "voter" entitled to vote on the creation of Zone 157 is a person who owns real property within Zone 157 at the time Ordinance No. 08-16 is adopted, as shown on the last equalized assessment roll prepared by the Contra Costa County Assessor's Office.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oakley hereby finds and determines as follows:

1. All of the City of Oakley shall be considered as the Oakley Special Police Tax Area.
2. That portion of the City of Oakley shown on the plats titled Exhibit "A" is modified as amended Zone 157 of the Oakley Special Police Tax Area.
3. Amended Zone 157 of the Oakley Special Police Tax Area shall not be created, and the tax authorized in Ordinance No. 08-16 shall not be imposed if the Ordinance is not approved by two-thirds of the voters participating in the election called in Ordinance No. 08-16.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the June 14, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

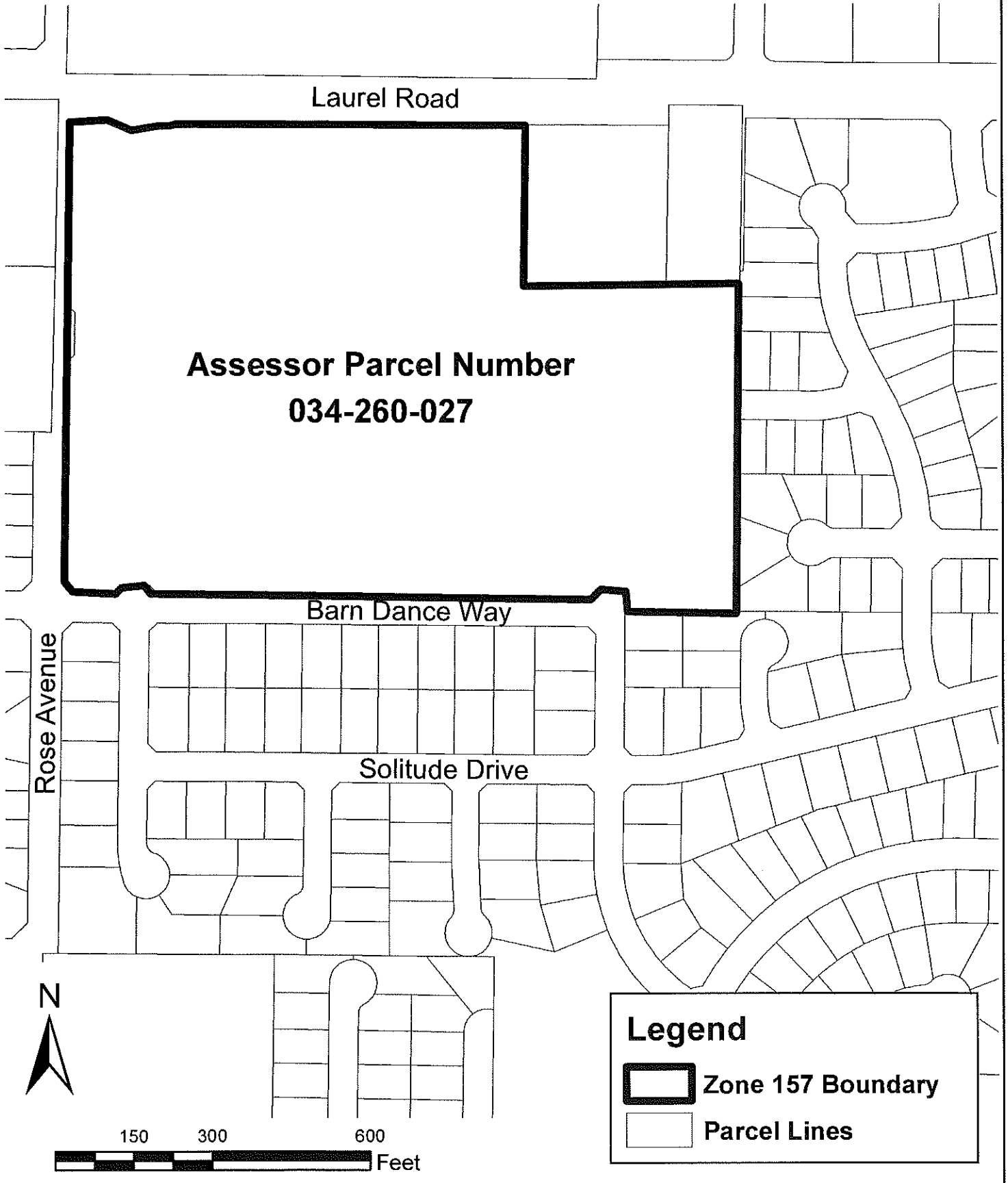
ATTEST:

Kevin Romick, Mayor

Libby Vreonis, City Clerk

Date

EXHIBIT A - AMENDED BOUNDARY MAP
CITY OF OAKLEY SPECIAL POLICE TAX AREA ZONE 157
CITY OF OAKLEY
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA





April 28, 2016

Richard D. Sestero, Project Manager
Albert D. Seeno Construction Co.
4021 Port Chicago Highway
Concord, CA 94520-1134

**Subject: Special Police Tax Area Ballot for Authorizing an Annual Special Tax Levy on
Parcels within Zone 157 (Subdivision 9027) of the Oakley Special Police Tax
Area District**

Dear Mr. Richard Sestero;

Conditions of approval for Subdivision 9027 require the property owner to augment the financial impact that their development project has on the City's police services budget. One option to satisfy this condition is to annex your Subdivision 9027 into the existing Oakley Special Police Tax Area District ("District") and authorize the levy of an annual special tax on those parcels for police services.

On April 26, 2016, the Oakley City Council created Zone 157 within the District which consists of parcels located within Subdivision 9027. In addition, on April 26, 2016, the Oakley City Council introduced Ordinance No. 08-16 which called for an election to authorize the levy of an annual special tax on the parcels within Zone 157. The election will be held on May 26, 2016 at the City Clerk's Office. Please find enclosed your ballot to authorize a special tax to be levied on the parcels located in Zone 157 of the Oakley Special Police Tax Area. Please complete and return the ballot to: Kevin Rohani, Public Works Director/City Engineer, City of Oakley, 3231 Main Street, Oakley, CA 94561 before the election deadline of 5:00 p.m. on May 26, 2016. We have enclosed a return envelope for your convenience. Please provide ample time for the Post Office to deliver the ballot by the 5:00 pm deadline on May 26, 2016.

Please contact me at the number below if you have any questions.

Sincerely,
FRANCISCO & ASSOCIATES, INC.

Joseph A. Francisco, P.E.
Principal

Enclosures

130 Market Place, Suite 160 ~ San Ramon, CA 94583
(925) 867-3400 ~ fax (925) 867-3415

SPECIAL POLICE TAX AREA BALLOT
CREATING ZONE 157 FOR SUBDIVISION 9027 (DUARTE RANCH)

Assessor's Parcel Number: 034-260-027

Record Owner: Albert D. Seeno Construction Co., a California Limited Partnership

Address: 4021 Port Chicago Highway
Concord, CA 94520-1134

Shall Ordinance No. 08-16 of the City Council of the City of Oakley be approved so as to authorize a special tax on property located in Zone 157 of the Oakley Special Police Tax Area to maintain the present level of police protection service and provide additional funding for increased police protection service? The initial annual tax is to be \$975.84 per single family parcel and \$487.92 per vacant parcel (all FY 2015-16 rates) per the current rate schedule. I also acknowledge that the tax rate can be adjusted annually as described in Ordinance No. 08-16.

_____ Yes, Ordinance No. 08-16 shall be approved.

_____ No, Ordinance No. 08-16 shall not be approved.

Signature of Authorized Representative for
Albert D. Seeno Construction Co.

Printed Name

Title

CITY OF OAKLEY

ORDINANCE NO. 08-16

**AN ORDINANCE OF THE CITY OF OAKLEY ESTABLISHING
OAKLEY SPECIAL POLICE TAX AREA ZONE 157 WITHIN
THE OAKLEY SPECIAL POLICE TAX AREA FOR A SPECIAL
TAX FOR POLICE PROTECTION SERVICES FOR
SUBDIVISION 9027**

The Voters of the City of Oakley do ordain as follows:

Section 1. Purpose, Intent and Authority.

It is the purpose and intent of this Ordinance to authorize the levy of a special tax on parcels of real property on the secured property tax roll of Contra Costa County that are within Oakley Special Police Tax Area Zone 157 (Subdivision 9027) of the Oakley Special Police Tax Area in order to provide funding for police protection to serve the property and persons within said Zone.

This Tax is a special tax within the meaning of Section 4 of the Article XIII A of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Section 4 of this Ordinance), as authorized by law.

The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenses as are deemed necessary for the benefit of the residents of Zone 157.

This Ordinance is enacted pursuant to the authority of Government Code Section 53978.

Section 2. Definitions.

The following definitions shall apply throughout this Ordinance.

A. "Constant first year dollars" shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing price

as the base amount in first fiscal year dollars as measured by the actual cost of services for the City of Oakley's cost of obtaining police services, measured currently using its contract with the Contra Costa County Sheriff's Department. The base amount shall be the amount of tax per parcel as specified in Section 3.A herein. The adjustments from actual to constant dollars shall be made by use of the actual cost of services, as specified in Section 3.B herein.

B. "Actual Cost of Services" means the estimated fully-loaded average cost for the positions of police officer, Sergeant and Lieutenant [or comparable positions while the City contracts for police services with Contra Costa County] as provided to the City by the Contra Costa County Sheriff's Department during or about March of each calendar year.

C. "Fiscal year" means the period of July 1 through the following June 30.

D. "Oakley Special Police Tax Area" includes all properties within the jurisdictional limits of the City of Oakley.

E. Oakley Special Police Tax Area Zone 157 (hereinafter called "Zone") means that portion of the incorporated area of the City of Oakley located within the boundaries as shown on the map Exhibit A hereto.

F. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Contra Costa County. For the purposes of this Ordinance, parcel does not include any land or improvements outside and boundaries of Zone 157 nor any land or improvements owned by any governmental entity.

G. Pursuant to Government Code §53978, "voter" means a person owning real property within the Zone at the time this Ordinance was adopted, as shown on the last equalized assessment role prepared by the Contra Costa County Assessor's Office.

Section 3. Amount and Level of Taxes.

The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year:

The tax per year for the first fiscal year (July 1, 2015 through June 30, 2016) shall be the amount of Tax Per Parcel for a Property Use Code Category as set forth on Exhibit B hereto. If any new development, including new residential units, is completed prior to the tax being effective for the first fiscal year, the owner of the Parcel, as shown on the latest assessment roll, shall pay the tax for the remainder of such fiscal year on a pro-rated basis to the City, no later than receipt of Certificate of Occupancy or final building permit inspection.

B. For Subsequent Fiscal Year:

In order to keep the tax on each parcel in constant first year dollars for each fiscal year subsequent to the first fiscal year, the tax per year shall be adjusted as set forth below to reflect any increase in the Actual Cost of Services beyond the first fiscal year the tax is levied.

In June or July of each year, City Council shall determine the amount of taxes to be levied upon the parcels in the Zone for the then current fiscal year as set forth below.

For each Property Use Category on Exhibit B, the tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount determined as follows:

$$\begin{array}{l} \text{Tax Per Parcel} \\ \text{For then Current} \\ \text{Fiscal Year} \end{array} = \begin{array}{l} \text{Tax Per Parcel} \\ \text{For First} \\ \text{Fiscal Year} \end{array} \times \begin{array}{l} \text{(Actual Cost of Services} \\ \text{for immediately} \\ \text{Preceding Fiscal Year)} \\ \text{(Actual Cost of Services} \\ \text{for First Fiscal Year} \\ \text{of Levy)} \end{array}$$

Provided, however, that in no event shall the tax per parcel for any fiscal year be less than the amount established for the first fiscal year.

C. The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Section 4, below.

Section 4. Collection and Administration.

A. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

B. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes and are to be collected in the same manner in which the County of Contra Costa collects secured roll ad valorem property taxes. Insofar as feasible and insofar as not inconsistent with this Ordinance, the times and procedure regarding exceptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax:

- i) The secured roll tax bills shall be the only notices required for this tax, and
- ii) The homeowners and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount of value.

C. Costs of Administration by County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

Section 5. Severability Clause.

If any article, section, subsection, sentence, phrase or clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of the Zone hereby declare that they would have adopted the remainder of this Ordinance, including each article, section, subsection, sentenced phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

Section 6. Effective Date and Posting.

This Ordinance shall take effect immediately upon its confirmation by two-thirds of the voters voting within the Zone in an election to be held on May 26, 2016 so that taxes shall first be collected hereunder for the tax year beginning July 1, 2016. If not confirmed by two-thirds of the voters participating in the election, this Ordinance and the tax approved herein shall not become effective.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on June 14, 2016 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date