A Place for Fanilies in the HEART of the DELTA

STAFF REPORT


To: $\quad$ Bryan H. Montgomery, City Manager
From: Kenneth W. Strelo, Senior Planner
SUBJECT: The Reserve at Parklands II Design Review (DR 07-14)

## Summary

This is a request by Richmond American Homes ("Applicant") for design review approval of 109 single family residential lots located within Vesting Tentative Map 8737 (proposed Final Map 8994). The plans include house floor plans and architecture, conceptual landscaping, and a development plan (neighborhood plotting plan). The project is located along Teton Road, east of Marsh Creek and west of Sellers Ave. The site is zoned R-6 District. APN: 033-150-017.

Staff recommends the City Council adopt the resolution approving DR 07-14, as conditioned.

## Background and Project Description

## General Plan and Zoning

The General Plan Land Use Designation for the project site is Single Family High ("SH") as depicted in the Oakley 2020 General Plan Figure 2-2 (Land Use Diagram). SH designation allows for a maximum density of 5.5 dwelling units per gross acre, per General Plan Table 21 (Land Use Designations Densities and Intensities). The site is zoned R-6 (Single Family Residential) District, which allows for detached single family dwelling units as a permitted use (Oakley Municipal Code ("OMC") section 9.1.404(b)(1)). Also, General Plan Table 2-6 (General Plan/Zoning Compatibility Matrix) shows the R-6 District to be consistent with the SH land use designation.

## Existing Entitlements and Development

On April 12, 2004, the City Council adopted Resolution 27-04, which included approval of Tentative Map 8737, a Rezone from A-3 to R-6 District, Design Review of the homes and other associated improvements, a Land Use Permit for a 12 foot high wall, a Tree Permit for removal of one protected tree, and approval of the Vesting Tentative Map ("VTM")
subdividing 40 acres into 166 single family lots. In January of 2006, The City Council revisited several conditions of approval from Resolution No. 27-04 and clarified them through ratification. In summary, the ratifications included:

- Accepting payment of park fees in lieu of construction of a pedestrian bridge over Marsh Creek (Condition Nos. 6 and 11 of Reso. 27-04);
- Moving lots so the park would shift south and be contiguous with the park area within Subdivision 8973 to the south (Condition No. 9 of Reso. 27-04);
- Requiring the developer to plant two trees in two lots that back up to the creek trail as tree mitigation rather than pay in lieu fees (Condition No. 18 of Reso. 27-04); and
- Requiring the addition of a street stub out in line with the property east of the subdivision to allow for future internal circulation between the properties (not related to a condition of Reso. 27-04).

The ratifications were clarified in a Staff Report and approved as part of the Consent Calendar for the January 23, 2006 City Council meeting. All changes were found to result in substantial conformity with the approved VTM.

As the first phase of development, Final Map 8737 (Phase 1 of Subdivision 8737) was accepted by the City Council on February 28, 2005 through adoption of Resolution No. 19-05. Phase 1 consisted of 58 single family lots and other improvements located on the northern portion of the project. Those lots and improvements have been completed. (See Figure 1. Right)


On June 10, 2014, the City Council adopted Resolution No. 54-14, approving DR 04-14 titled, "The Reserve at Oakley Design Review." That design review approval was proposed by a previous developer that has since sold the property to the current applicant. Approval of that design review included modifications from the January 2006 ratifications and the previously approved vesting tentative map. None of those same modifications are
requested as a part of this current design review application. Approval of the current application would supersede Resolution 54-14, which would also become null and void.

## Proposed Design Review Plans

The Applicant has proposed five different floor plans, each with the same three elevations, which are called Spanish (Elevation A), Ranch (Elevation B) and Craftsman (Elevation C). The plans are marketed with personal names as follows: Plan 1 - Jolene; Plan 2 - Joel; Plan 3 - Dillon; Plan 4 - Peyton; and Plan 5 - Jayden. Plan 1 (Jolene) is the only one-story home proposed. Living area square footage ranges from $2,353 \mathrm{sf}$. to $3,468 \mathrm{sf}$. The smallest floor plan offers three (3) bedrooms and 2.5 bathrooms, and the largest floor plan offers five (5) bedrooms and 4.5 bathrooms; however, Plan 3 (Dillon) offers the most number of bedrooms and bathrooms at six (6) and five (5), respectively. A mix of garage options is available depending on the floor plan, with a four-car garage optional for Plan 4 (Peyton). Table 1 provides a summary of floor plan information:

## Table 1. Summary of Floor Plan Information

|  | Stories | Max. Living Area <br> (SF) | Max. Bedroom / <br> Bathrooms | Max. garage spaces |
| :---: | :---: | :---: | :---: | :---: |
| Plan 1 | 1 | 2,353 | $3 / 2.5$ | 2 |
| Plan 2 | 2 | 2,990 | $5 / 4$ | 2 with 3 (tandem) |
| Plan 3 | 2 | 3,287 | $6 / 5$ | 2 with 3 (tandem) |
| Plan 4 | 2 | 3,342 | $6 / 4.5$ | 3 with 4 (tandem) |
| Plan 5 | 2 | 3,468 | $5 / 4.5$ | 2 |

In the above table, living area, bedrooms/bathrooms, and garage parking spaces are listed as "maximum." On Plan 3, the option for additional rooms or bedrooms impacts how many garage parking spaces are available, and in turn, the livable floor area. All other plans have no option for reducing garage space. Only Plan 4 (Peyton) has two garage doors (one double space and one single space).

All 5 plans offer an optional rear covered patio that will match the materials and colors of the home. Placement of the attached patio covers will be subject to the applicable R-6 District minimum setbacks, which allow for up to a 4 foot encroachment into the minimum 15 foot rear yard. Hence, the attached patio covers may be as close as 11 feet from the rear yard. This is consistent with almost all single family residential properties in the City of Oakley.

For quick reference, the following sample of color elevations (Figure 2) are from the applicant's plans. Please refer to the attached plans for all color elevations, line drawings, and the color and material matrix. The plans provide one color elevation for each architectural type on each floor plan, but not in each color.

Subject: The Reserve at Parklands II Design Review (DR 07-14)
Date: October 28, 2014
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Figure 2. Front Elevation Examples:
Plan 1 (Jolene) - Craftsman (Elevation C)


Plan 3 (Dillon) - Spanish (Elevation A)


Plan 5 (Jayden) - Ranch (Elevation B)


Other plans submitted by the applicant include: conceptual front yard, right-of-way and common area landscaping; street tree selections; and neighborhood plot plan map.

## Environmental Review

Approval of this design review approval does not constitute changes to the physical impacts associated with the originally approved vesting tentative map and design review, and would fall within the scope of the Subdivision 8737 Mitigated Negative Declaration ("MND") adopted by the City Council on April 12, 2004, as part of Resolution No. 27-04.

## Analysis

The project plans were analyzed for consistency with the adopted City of Oakley Residential Guidelines ("Guidelines") and applicable R-6 District regulations. Since the vesting tentative map and the first phase of development and design review were previously analyzed and approved, Staff has focused this analysis on residential siting and lot design of the remaining lots, and architectural character and details of each house, as well as one requested modification from the previous approval.

## Residential Siting and Lot Design

The plans implement many of the residential guidelines associated with plotting the homes and varying setbacks, resulting in a diverse and interesting streetscape.
The applicant has plotted the homes to provide adequate front yard setback variations, which will help avoid long, straight "walls" of buildings along the street frontages. The additional variation of porch element setbacks will create visual interest within the front yard.

Building mass is an element of lot siting and design. The covered porches, projecting architectural elements, and different rooflines amongst floor plans will all add to the diversity of the house styles. To further reduce clutter, enhance visibility, and allow for wrap around landscaping on corner yards at street intersections, corner lot driveways are located on the interior side of the lots. Consistent with the guidelines, at least $20 \%$ of the lots and $50 \%$ of the corner lots are plotted with a one-story home, which reduces the overall streetscape mass. In actuality, the applicant has proposed $25 \%$ of the homes and $86 \%$ of the corner lots with the one-story model.

The applicant has also taken into account the existing households within the subdivision, and proposed the one-story home on all lots that share side property lines with existing residences, thereby reducing the impact on established households. Also, of the nine (9) lots that back up to the Marsh Creek trail, three (3) are proposed as the one-story home. As proposed, no more than two adjacent two-story homes will back up to the trail.

## Architectural Character

The architectural character and design of the homes provide for a mix of styles and materials. Each architectural style will include window muntins, false shutters, and other
enhancements specific to each style (see plans). Each elevation type for each floor plan includes three color schemes, which are repeated throughout each option. When factoring that there are five floor plans, each with three elevations that offer three color schemes, there will be a total of 45 different combinations of house/elevation/color schemes.

The applicant has agreed to provide 360 degree architecture on "enhanced elevations lots." The 360 degree architecture equates to providing false shutters, gable accents, and gable siding or shingles on all four sides of the home. "Enhanced elevations lots" are those lots located either on a corner or partial corner, along the Marsh Creek trail, or backed up to Teton Road. Out of the 109 lots, there are 40 enhanced elevation lots. The proposed resolution includes a numbered list of the applicable lots.

Four of the five house plans are two-story, yet $25 \%$ of the lots are proposed with the onestory plan. Because of the potential visual redundancy of Plan 1, the Applicant revised the first submittal of plans to create three completely different roof plans for Plan 1. Combined with the architectural styles and different front porches, the modified roof lines should lessen the visual redundancy of Plan 1 so that different architectural styles are not easily discerned as identical floor plans.

## Requested Modifications to Existing Conditions of the Project

As mentioned previously, a design review for this project site was approved on June 10, 2014, and in that approval a modification from the ratifications approved in January of 2006 was adopted by the City Council. That modification replaced the requirement to plant two 15-gallon trees in the backyards of two lots that are adjacent to the creek with the ability to pay an in-lieu fee (based on original condition). The original requirement stemmed from Condition 18 of Resolution No. 27-04, which required mitigation for the removal of 62 inches (as measured at diameter) of a protected tree. The condition allowed for either an in-lieu fee payment of $\$ 75 / \mathrm{inch}$, planting of one 15 -gallon tree per inch, or increasing approved 15gallon ornamental trees to 24 -inch box size trees.

When the current owner/developer took over the site, they worked with Staff on preserving the protected tree, which the loss of triggered the mitigation. Since that tree is no longer proposed to be removed, there is no longer a need for mitigation, and Condition 18 from Resolution No. 27-04 is no longer applicable and can be deleted. Since this design review approval will refer back to Resolution No. 24-07, it is recommended a condition clarifying deletion of that condition, as modified by the ratification approved on January 23, 2006, be included.

Figure 3 shows the modification to the property lines of Lot 1 made in order to protect the tree and make it a part of the future park area. This will eliminate the need for a private owner to maintain the tree and reduce the risk of accidental or unknowing damage to the tree.

Figure 3. Modifications to Lot 1


## Compliance with Existing Conditions of Approval

The proposed resolution includes a condition that requires this design review to comply with Conditions of Approval from Resolution No. 27-04, as applicable, and where a discrepancy take place, that the proposed resolution's conditions takes precedence.

## Findings

Draft findings are included in the attached resolution.

## Recommendation

Staff recommends the City Council adopt the resolution approving DR 07-14, as conditioned.

## Attachments

1. Vicinity Map
2. Public Hearing Notice
3. Applicant's Plans
4. City Council Resolution No. 27-04
5. Draft Resolution

## Vicinity Map <br> The Reserve at Parklands II Design Review (DR 07-14)



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

## NOTICE OF PUBLIC HEARING

Notice is hereby given that on October 28, 2014 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 design review approval.

Project Name: The Reserve at Parklands II Design Review (DR 07-14).
Project Location: The project is located along Teton Road, east of Marsh Creek and west of Sellers Ave.; APN: 033-150-017 (see enclosed vicinity map).

Applicant: Reed Onate of Richmond American Homes of Maryland, Inc., One Harbor Center, Suite 100, Suisun City, CA 94585. (707) 416-2566; reed.onate@mdch.com

Request: This is a public hearing on a request for design review approval of 109 single family residential lots located within Vesting Tentative Map 8737 (proposed Final Map 8994. The plans include house floor plans and architecture, conceptual landscaping, and a development plan (neighborhood plotting plan). The site is zoned R-6 District.

The Staff Report and its attachments will be available for public review, on or after October 24, 2014 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 Ken 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 Council Secretary at, or prior to, the Public Hearing.

DESIGN REVIEW SUBMISSION FOR:
The Reserve at Parklands II OAKLEY, CALIFORNIA

## VICINITY MAP



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DEVELOPMENT PLAN
C1

## SITE MAP



[^0]ARCHITECT: KTGY
80 SECOND STREET, SUITE 200 OAKLAND, CA 94607
OAKLO $272-2910$

PREPARED FOR:
ROICHMOND
ONE HARBOR CENTER, SUITE 100
SUISUN CITY, CA 94585

CITY OF OAKLEY Planning Department

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- OPT. FIRE PLACE
(1) LEFT ELEVATION B - RANCH

(2) REAR ELEVATION B - RANCH






(1) SECOND FLOOR PLAN A - SPANISH




THE RESERVE AT PARKLANDS II
CITY OF OAKLEY, CALIFORNIA








(2) OPT. WIC AT BED 3 \& BED 4

(3) OPT. DELUXE BA2

(1) SECOND FLOOR PLAN A-SPANISH


(3) FRONT ELEVATION C-CRAFTSMAN



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CITY OF OAKLEY, CALIFORNIA


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(v)


(5) FIRST FLOOR PLAN B - RANCH

(3) OPT. BR5 \& BA3

(6) FIRST FLOOR PLAN C - CRAFTSMAN





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(2) REAR ELEVATION B - RANCH











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N612 JAYDEN
3,468 SQ.FT.
THE RESERVE AT PARKLANDS II
CITY OF OAKLEY, CALIFORNIA
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（2）REAR ELEVATION C－CRAFTSMAN





August 8, 2014

RICHMOND AMERICAN HOMES
RESERVE at PARKSIDE
Oakley, California

## EXTERIOR COLOR \& MATERIALS

SCHEME 1A
MATERIAL

| ROOFING: <br> Concrete Shake Tile | $\begin{gathered} 5634 \\ \text { KINGS CANYON BLEND } \end{gathered}$ | EAGLE |
| :---: | :---: | :---: |
| GUTTERS (Factory Finish) | BRONZE | CUSTOM-BILT METALS |
| DOWNSPOUTS (Factory Finish) | ADOBE TAN | CUSTOM-BILT METALS |
| WEATHER SEAL @ GARAGE DOORS | BROWN | FEHR BROTHERS |
| MANUFACTURED STONE | ITALIAN VILLA - GROVE | CORONADO |
| MORTAR @ STONE | CARAMEL | ORCO |
| STUCCO (Llghtlace Finish) $11 / 4$ A 516 | Match Frazee CL 2794D BURLAP | OMEGA |
| SIDING | Match Frazee CL 2794D BURLAP | SHERWIN WILLIAMS |
| TRIM COLOR \#1 (applied to): Stucco Trim | SQ 13785 Match to Frazee CL 2792W SPRITE | SHERWIN WILLIAMS |
| TRIM COLOR \#2 (applied to): | SQ 13796 Match to Frazee CL 2866 AVANTE GARDE | SHERWIN WILLIAMS |
| TRIM COLOR \#3 (applied to): Gable Siding | SW 6109 HOPSACK | SHERWIN WILLIAMS |
| ACCENT COLOR (applied to): <br> Front Door Shutters | SQ 14097 Match to Frazee CL 2987N SHADEY | SHERWIN WILLIAMS |

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August 8, 2014

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RESERVE at PARKSIDE
Oakley, California
Project \#2014259

## EXTERIOR COLOR \& MATERIALS

| SCHEME 2A | 'C' Elevations Only, Craftsman |  |
| :---: | :---: | :---: |
| MATERIAL | COLOR | MANUFACTURER |
| ROOFING: <br> Concrete Shake Tile | $\begin{gathered} 5502 \\ \text { ARCADIA } \end{gathered}$ | EAGLE |
| GUTTERS (Factory Finish) | ROYAL BROWN | CUSTOM-BILT METALS |
| DOWNSPOUTS (Factory Finish) | IVORY | CUSTOM-BILT METALS |
| WEATHER SEAL @ GARAGE DOORS | BROWN | FEHR BROTHERS |
| MANUFACTURED STONE | TUSCAN VILLA - ST. ANTHONY | CORONADO |
| MORTAR @ STONE | LATTE | ORCO |
| STUCCO (Lightlace Finish) 11/2501 | Match Frazee CL 2745D MAGIC EYE | OMEGA |
| SIOING | Match Frazee CL 2745D MAGIC EYE | SHERWIN WILLIAMS |
| TRIM COLOR \#1 (applied to): Stucco Trim | SQ 14099 Match to Frazee CL 2893M KNAPWEED | SHERWIN WILLIAMS |
| TRIM COLOR \#2 (applied to):  <br> Eaves Secondary Doors <br> Fascia Wood Trim <br> Garage Doors  | $\begin{gathered} \text { SQ } 13607 \\ \text { Match to Frazee } \\ \text { CL } 2646 \text { N WIGWAM } \end{gathered}$ | SHERWIN WILLIAMS |
| TRIM COLOR \#3 (applied to): <br> Gable Siding | SW 6102 PORTABELLO | SHERWIN WILLIAMS |
| ACCENT COLOR (applied to): <br> Front Door <br> Shutters | SQ 14100 Match to Frazee CL 2587N WORN WOOD | SHERWIN WILLIAMS |

## William Hezmalhalch

 ARCHITECTSINC.August 8, 2014

RICHMOND AMERICAN HOMES
RESERVE at PARKSIDE
Project \#2014259
Oakley, California

## EXTERIOR COLOR \& MATERIALS

SCHEME 3A

| MATERIAL | COLOR | MANUFACTURER |
| :---: | :---: | :---: |
| ROOFING: <br> Concrete Shake Tile | $\begin{gathered} 5690 \\ \text { PEWTER BRONZE BLEND } \end{gathered}$ | EAGLE |
| GUTTERS (Factory Finish) | BRONZE | CUSTOM-BILT METALS |
| DOWNSPOUTS (Factory Finish) | ADOBE TAN | CUSTOM-BILT METALS |
| WEATHER SEAL @ GARAGE DOORS | BROWN | FEHR BROTHERS |
| MANUFACTURED STONE | ITALIAN VILLA - COUNTRY MEADOW | CORONADO |
| MORTAR @ STONE | CARAMEL | ORCO |
| STUCCO (Lightlace Finish) 7/8418 | Match Dunn Edwards DE 6200 HANDWOVEN | OMEGA |
| SIDING | Match Dunn Edwards DE 6200 HANDWOVEN | SHERWIN WILLIAMS |
| TRIM COLOR \#1 (applied to): Stucco Trim | SQ 14102 Match to Frazee CL 2922W WHITE WOOD | SHERWIN WILLIAMS |
| TRIM COLOR \#2 (applied to): <br> Eaves <br> Secondary Doors <br> Fascia Wood Trim <br> Garage Doors | SQ 14103 Match to Frazee CL 2937 N BARKCHIP | SHERWIN WILLIAMS |
| TRIM COLOR \#3 (applied to): <br> Gable Siding | SW 2841 <br> WEATHERED SHINGLE | SHERWIN WILLIAMS |
| ACCENT COLOR (applied to): <br> Front Door <br> Shutters | $\begin{gathered} \text { SQ } 14104 \\ \text { Match to Frazee } \\ \text { CLC 1260N LAVA CAP } \end{gathered}$ | SHERWIN WILLIAMS |



William Hezmalhalch ARCHITECTSINC.

RICHMOND AMERICAN HOMES
RESERVE at PARKSIDE
Project \#2014259
Oakley, California

## EXTERIOR COLOR \& MATERIALS

| SCHEME 1H MATERIAL | 'B' Elevations Only, Ranch |  |
| :---: | :---: | :---: |
|  | COLOR | MANUFACTURER |
| ROOFING: <br> Concrete Shake Tile | $\begin{gathered} 5502 \\ \text { ARCADIA } \end{gathered}$ | EAGLE |
| GUTTERS (Factory Finish) | LOW GLOSS WHITE | CUSTOM-BILT METALS |
| DOWNSPOUTS (Factory Finish) | ALMOND | CUSTOM-BILT METALS |
| WEATHER SEAL @ GARAGE DOORS | WHITE | FEHR BROTHERS |
| MANUFACTURED STONE (Standard Raked Joints) | OLD WORLD - TIGER FALLS | CORONADO |
| MORTAR @ STONE | TAN | ORCO |
| STUCCO (Lightlace Finish) 1/2 A 796 | Match Sherwin Williams SW 7736 GARDEN SAGE | OMEGA |
| SIDING COLOR \#1 (applied to): <br> Corner Boards Lap Siding | SW 7736 GARDEN SAGE | SHERWIN WILLIAMS |
| SIDING COLOR \#2 (applied to): Vertical Siding | SW 6135 ECRU | SHERWIN WILLIAMS |
| TRIM COLOR (applied to): <br> Eaves <br> Fascia <br> Garage Doors <br> Secondary Doors Trim | SW 7564 POLAR BEAR | SHERWIN WILLIAMS |
| ACCENT COLOR (applied to): <br> Front Door Shutters | $\begin{gathered} \text { SW } 6013 \\ \text { BITTER CHOCOLATE } \end{gathered}$ | SHERWIN WILLIAMS |

August 8, 2014

RICHMOND AMERICAN HOMES
RESERVE at PARKSIDE
Oakley, California
Project \#2014259

## EXTERIOR COLOR \& MATERIALS

SCHEME $2 H$

| MATERIAL | COLOR | MANUFACTURER |
| :---: | :---: | :---: |
| ROOFING: <br> Concrete Shake Tile | 5634 KINGS CANYON BLEND | EAGLE |
| GUTTERS \& DOWNSPOUTS (Factory Finish) | IVORY | CUSTOM-BILT METALS |
| WEATHER SEAL @ GARAGE DOORS | ALMOND | FEHR BROTHERS |
| MANUFACTURED STONE (Standard Raked Joints) | OLD WORLD - BROOKSIDE | CORONADO |
| MORTAR @ STONE | TAN | ORCO |
| STUCCO (Lightlace Finish) A 518 | Match Sherwin Williams SW 6108 LATTE | OMEGA |
| SIDING COLOR \#1 (applied to): <br> Comer Boards Lap Siding | SW 6108 LATTE | SHERWIN WILLIAMS |
| SIDING COLOR \#2 (applied to): Vertical Siding | SW 7052 <br> GRAY AREA | SHERWIN WILLIAMS |
| TRIM COLOR (applied to): <br> Eaves <br> Fascia <br> Garage Doors <br> Secondary Doors Trim | SW 7537 <br> IRISH CREAM | SHERWIN WILLIAMS |
| ACCENT COLOR (applied to): <br> Front Door Shutters | SW 6202 CAST IRON | SHERWIN WILLIAMS |

August 8, 2014

RICHMOND AMERICAN HOMES

## RESERVE at PARKSIDE

Project \#2014259
Oakley, California

## EXTERIOR COLOR \& MATERIALS

SCHEME $3 H$

| MATERIAL | COLOR | MANUFACTURER |
| :--- | :---: | :---: |
| ROOFING: <br> Concrete Shake Tile | 5602 <br> CONCORD BLEND | EAGLE |
| GUTTERS (Factory Finish) | LOW GLOSS WHITE | CUSTOM-BILT METALS |
| DOWNSPOUTS (Factory Finish) | CLASSIC CREAM | CUSTOM-BILT METALS |
| WEATHER SEAL @ GARAGE DO0RS | WHITE | FEHR BROTHERS |
| MANUFACTURED STONE (Standard Raked Joints) | OLD COUNTRY - MONTICELLO | CORONADO |
| MORTAR @ STONE | CARAMEL | ORCO |
| STUCCO (Lightlace Finish) <br> 3/4 30 | Match Sherwin Williams <br> SW 7698 <br> STRAW HARVEST | OMEGA |
| SIDING COLOR \#1 (applied to): <br> Corner Boards <br> Lap Siding | SW 7698 <br> STRAW HARVEST | SHERWIN WILLIAMS |
| SIDING COLOR \#2 (applied to): <br> Vertical Siding | SWW 7540 <br> ARTISAN TAN | SHERWIN WILLIAMS |
| TRIM COLOR (applied to): <br> Eaves <br> Fascia <br> Garage Doors <br> Secondary Doors <br> Trim | SW 7563 |  |
| ACCENT COLOR (applied to): <br> Front Door <br> Shutters | RESTFUL WHITE | SHERWIN WILLIAMS |

Color Designer: Karen Moyer
'B' Elevations Only, Ranch
MANUFACTURER

August 8, 2014
RICHMOND AMERICAN HOMES

## RESERVE at PARKSIDE

Oakley, California

## EXTERIOR COLOR \& MATERIALS

SCHEME 4D

| MATERIAL | COLOR | manufacturer |
| :---: | :---: | :---: |
| ROOFING: <br> Concrete 's' Tile | 3680 LOS PADRES BLEND | EAGLE |
| METAL BIRD STOP @ 'S' TILE (Factory Finish) | TERRA COTTA | EAGLE |
| GUTTERS (Factory Finish) | BEAVER BROWN | CUSTOM-BILT METALS |
| DOWNSPOUTS (Factory Finish) | LOW GLOSS WHITE | CUSTOM-BILT METALS |
| WEATHER SEAL @ GARAGE DOORS | BROWN | FEHR BROTHERS |
| STUCCO (Lightlace Finish) $11 / 412$ | Match Sherwin Williams SW 2829 CLASSICAL WHITE | OMEGA |
| TRIM COLOR \#1 (applied to): <br> Garage Doors <br> Stucco Trim <br> Secondary Doors | $\begin{aligned} & \text { SW } 6109 \\ & \text { HOPSACK } \end{aligned}$ | SHERWIN WILLIAMS |
| TRIM COLOR \#2 (applied to): <br> Eaves <br> Fascia <br> Front Door <br> Wood Trim | SW 6104 KAFFEE | SHERWIN WILLIAMS |
| ACCENT COLOR (applied to): Shutters | SW 6167 GARDEN GATE | SHERWIN WILLAMS |
| PREFAB PIPES | SW 7705 WHEAT PENNY | SHERWIN WILLIAMS |
| DECORATIVE METAL | SW 7020 BLACK FOX | SHERWIN WILLIAMS |

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August 8, 2014

RICHMOND AMERICAN HOMES
Project \#2014259
RESERVE at PARKSIDE
Oakley, California

## EXTERIOR COLOR \& MATERIALS

SCHEME 5D
'A' Elevations Only, Spanish

| MATERIAL | COLOR | MANUFACTURER |
| :---: | :---: | :---: |
| ROOFING: <br> Concrete 'S' Tile | $\begin{aligned} & 3522 \\ & \text { TERRA COTTA FLASHED } \end{aligned}$ | EAGLE |
| METAL BIRD STOP @ 'S' TILE (Factory Finish) | TERRA COTTA | EAGLE |
| GUTTERS (Factory Finish) | BEAVER BROWN | CUSTOM-BILT METALS |
| DOWNSPOUTS (Factory Finish) | LOW GLOSS WHITE | CUSTOM-BILT METALS |
| WEATHER SEAL @ GARAGE DOORS | BROWN | FEHR BROTHERS |
| STUCCO (Lightlace Finish) 1/2. 1110 | Match Sherwin Williams SW 7537 IRISH CREAM | OMEGA |
| TRIM COLOR \#1 (applied to): <br> Garage Doors Stucco Trim Secondary Doors | SW 6095 TOASTY | SHERWIN WILLIAMS |
| TRIM COLOR \#2 (applied to): <br> Eaves <br> Fascia <br> Front Door <br> Wood Trim | SW 6068 BREVITY BROWN | SHERWIN WILLIAMS |
| ACCENT COLOR (applied to): Shutters | $\begin{gathered} \text { SW } 7062 \\ \text { ROCK BOTTOM } \end{gathered}$ | SHERWIN WILLIAMS |
| PREFAB PIPES | SW 7705 WHEAT PENAY | SHERWIN WILLIAMS |
| DECORATIVE METAL | SW 7020 BLACK FOX | SHERWIN WILLIAMS |

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William Hezmalhalch architects inc.
August 8, 2014
RICHMOND AMERICAN HOMES

## RESERVE at PARKSIDE

Oakley, California
EXTERIOR COLOR \& MATERIALS

SCHEME 6D

| MATERIAL | COLOR | manufacturer |
| :---: | :---: | :---: |
| ROOFING: <br> Concrete 'S' Tile | 3532 WEATHERED TERRACOTTA | EAGLE |
| METAL BIRD STOP @ 'S' TILE (Factory Finish) | TERRA COTTA | EAGLE |
| GUTTERS (Factory Finish) | BEAVER BROWN | CUSTOM-BILT METALS |
| DOWNSPOUTS (Factory Finish) | LOW GLOSS WHITE | CUSTOM-BILT METALS |
| WEATHER SEAL @ GARAGE DOORS | BROWN | FEHR BROTHERS |
| STUCCO (Lightlace Finish) 1/2 420 | Match Sherwin Williams SW 6385 DOVER WHITE | OMEGA |
| TRIM COLOR \#1 (applied to): <br> Garage Doors Stucco Trim Secondary Doors | SW 6102 PORTABELLO | SHERWIN WILLIAMS |
| TRIM COLOR \#2 (applied to): <br> Eaves <br> Fascia <br> Front Door <br> Wood Trim | $\begin{aligned} & \text { SW } 6083 \\ & \text { SABLE } \end{aligned}$ | SHERWIN WILLIAMS |
| ACCENT COLOR (applied to): Shutters | SW 6062 RUGGED BROWN | SHERWIN WILLIAMS |
| PREFAB PIPES | SW 7705 WHEAT PENNY | SHERWIN WILLIAMS |
| DECORATIVE METAL | SW 7020 BLACK FOX | SHERWIN WILLIAMS |

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## RESOLUTION NO. 27-04

# A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS TO APPROVE SUBDIVISION 8737, LOCATED ON EAST OF MARSH CREEK AND SOUTH OF PARKLANDS AT LAUREL CREEK (SUBDIVISION 6963) INCLUDING A REZONE, TENTATIVE MAP, DESIGN REVIEW, LAND USE PERMIT AND A TREE PERMIT 

## FINDINGS

A. Teton Group, on behalf of the property owners (together, "Applicants"), have submitted applications to develop approximately 40 acres, located east of Marsh Creek and south of Parklands at Laurel Creek Subdivision, with 166 single-family units (the "Project"). The Project application includes requests for approval of the following:

- Rezoning the property from General Agriculture (A-3) to R-6 (residential minimum lot size of 6,000 square feet);
- Tentative Map 8737, which would subdivide the one 40-acre parcel into 166 single-family lots;
" Design Review for the 166 single-family homes;
- Land Use Permit to allow up to a 12 foot fence/wall combinations;
- A Tree Permit to allow for the removal of 1 protected tree from the Project site.
B. The Project site is designated Single-Family High (SH) in the Oakley 2020 General Plan. The proposed unit densities of the Project are consistent with those General Plan designations.
C. The City prepared a Negative Declaration dated January 16, 2004, which reflected the independent judgment of the City as to the potential environmental effects of the Project. The City circulated a Notice of Intent for the Mitigated Negative Declaration on January 16, 2004. The Notice of Intent was circulated for the required 30-day public review period, from January 16, 2004 through February 16, 2004.
D. On February 17, 2004 and March 1, 2004, the Planning Commission held a properly noticed public hearing at which it received a report from City staff, oral and written testimony from the Applicants and the public, and deliberated on the applications. At the conclusion of its deliberations, the Commission took a straw vote and unanimously expressed its opinion that the applications should be approved, subject to the conditions recommended by staff and as revised by the Commission during its deliberations.
E. On March 22, 2004, the City Council held a properly noticed public hearing at which it received a report from staff, oral and written testimony from the applicant and the public, and deliberated on the application. The Council waived the reading and introduced the Ordinance on the Rezone and directed staff to write a resolution approving the Tentative Map, Design Review, Land Use Permit, Tree Permit and Negative Declaration. A copy of the Tentative Map Exhibit and Negative

Declaration are attached as Exhibits A and B.
F. On March 1, 2004 the Planning Commission approved Resolution 05-04 recommending approval of the Rezone, Tentative Map, Design Review, Land Use Permit, Tree Permit and Negative Declaration to the City Council.
G. The property has been rezoned by the City Council per Ordinance No. 06-04 approved by the City Council on April 12, 2004.
H. These Findings are based on the City's General Plan, the City's Zoning and Subdivision Ordinances, Residential Design Guidelines, and the information submitted to the Planning Commission at its February 17, 2004 and March 1, 2004 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 Subdivision (hereafter the "Record").

NOW, THEREFORE, on the basis of the above Findings and the entire Record, the Planning Commission recommends that the City Council make the following additional findings in support of the recommended approvals:

1. Regarding the certification of the Negative Declaration, the Commission recommends that the Council certify the Negative declaration.
2. Regarding the rezoning of the Property from A-3 to R-6, the Commission recommends that the Council find that:
a. The change in zoning will comply with the General Plan, which prescribes single-family development on the Project property with densities consistent with those proposed for the Project;
b. The uses proposed in the land use district are compatible within the district and to uses authorized in adjacent districts. All proposed uses within the district are for single-family housing, with adequate buffers for the adjacent school. Development on adjacent property will also be residential; and
c. A community need has been demonstrated for the proposed use. The Project will result in the construction of additional housing units, which is necessary to meet demand in the community.
3. Regarding the approval of Tentative Map 8737, the Commission recommends that the Council find that the proposed subdivision, together with the provisions of its design and improvement, is consistent with the General Plan. The number of units, layout of lots and streets, identified improvements and dedications, and other technical requirements comply with the density prescribed by the General Plan and its applicable policies.
4. The Project complies with Measure C Growth Management requirements.
5. Recommend to the City Council, adoption of the three findings of fact for
the Design Review for Subdivision 8737:
a. The proposed development of 166 single-family homes is consistent with the General Plan designation.
b. The proposed development of 166 single-family homes complies with all applicable Zoning regulations.
c. The proposed design and materials of the single-family homes are compatible with the surrounding area.
6. Regarding the Land Use Permit for up to a twelve-foot fence/wall combinations the Commission recommends that the Council find that:
a. The retaining wall/fence combinations will provide adequate six-foot good neighbor fences for all existing and future residents to ensure the general welfare and safety of residents within the City.
b. The proposed use will not adversely affect the orderly development of property within the City. The construction of fence/walls over six feet will not affect the orderly development of the City and will ensure all residents have adequate privacy fencing.
c. The construction of the fence/wall combinations will not affect property values or does not have any relation to the tax base in the City. Therefore, the proposed use will not adversely affect the preservation of property values and protection of tax base within the City.
d. The General Plan sets up policies for future development and looks to the Zoning Ordinance for specific development standards. The Zoning Ordinance states that fences and walls shall be a maximum height of 6 '. Any fences or walls above $6^{\prime}$ require a Land Use Permit. Therefore, the approval of this project will not adversely affect the policies and goals set by the General Plan.
e. The construction of six foot fences or higher provide adequate security and privacy for home owners. The approval of this permit would not create any nuisances or enforcement problems within the City.
f. The proposed Land Use Permit is in association with the development of a 166 -lot subdivision. The subdivision meets all of the standards of the City of Oakley as set forth in the Zoning and Subdivision Ordinances. The proposed use will not encourage marginal development.
g. The locations of the retaining wall/fence combinations are located at the edge of the property adjacent to existing development and properties not slated for development at this time. The retaining walls will provide for adequate drainage on-site and will allow for 6 ' good neighbor fences. These unique characteristics at the edge of the property make the Land Use Permit necessary.

BE IT FURTHER RESOLVED THAT, on the basis of the foregoing Findings and the entire Record, the Planning Commission recommends that, subject to the conditions listed below, the City Council take the following actions:

- Rezone the Project property from A-3 to R-6;
- Approve Tentative Map;
- Approve the Design Review;
- Approve the Land Use Permit; and
- Approve the Tree Permit.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the Planning Commission recommends approving the Applicants' request for the rezoning of the Property, the Vesting Tentative Map, the Design Review, the Land Use Permit and the Tree Permit with the following conditions:

## CONDITIONS OF APPROVAL

## Rezone \& Subdivision

1. This Rezone, Subdivision, Land Use Permit, Development Plan, Design Review, and Tree Permit are approved, as shown on the exhibits (dated February 25, 2004) and attachments, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.
2. This Rezone, Subdivision, Land Use Permit, Development Plan, Design Review, and Tree Permit approval shall be effectuated within a period of three (3) years from this date and if not effectuated shall expire on (three years from City Council approval). Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than a total of three years from (three years from City Council approval).
3. 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.
4. The subdivision shall be regulated by the requirements found in the R-6 zoning district.
5. The park dedication requirement will be in the form of a $\$ 5,644$ fee per house. The total fees can be offset by the cost of constructing a pedestrian bridge.
6. The applicant must coordinate and receive all necessary approvals and permits through the Contra Costa County Flood Control District and the East Bay Regional Parks District for the construction of the pedestrian bridge.
7. The streetscape adjacent to Teton Road shall be $15^{\prime}$ on the west side of Teton Road and range from $12^{\prime}$ to $16^{\prime}$ on the east side of Teton Road. A portion of the streetscape at lot 110 and the entire streetscape adjacent to lots 100 to 105 shall be at 12' along Teton Road. There shall not be a meandering feature of the
sidewalk and soft-trail feature shall be added along the west side of Teton Road.
8. Evergreen and deciduous trees shall be planted in the area between the curb and sound wall along Teton Road. The area shall provide groundcover with a minimum 5 -gallon shrubs and 15 -gallon trees.
9. Parcel A located between lots 7 and 8 shall be extended to include lots 8-13.
10. The applicant shall work with the Parks and Recreation Manager to have the linear greenbelt (Parcel A) approved. The park shall be constructed prior to the issuance of the 30th building permit.
11. The applicant shall obtain all necessary documents for the approval of the construction of the pedestrian bridge connecting Subdivision 8737 with the west side of Marsh Creek at Honey Lane. The bridge shall be constructed and functional prior to the issuance of the $87^{\text {th }}$ building permit.
12. The sound wall along Teton Road shall be two-tone, with a decorative cap and constructed of masonry per the Design Guidelines and approved by the Community Development Department.
13. The height of the sound wall shall be determined by an acoustical study that will be submitted to and approved by the Community Development Director.
14. The design of the monument sign shall be submitted and approved by the Community Development Director.
15. A fencing plan will be submitted and approved by the Community Development Director prior to the issuance of any building permits.
16. All retaining wall/fence combinations shall be a maximum height of 12' and the retaining walls shall be of masonry construction.
17. A masonry sound wall shall be placed along the entire eastern property line. The sound wall shall be constructed to the standards found in Condition \#12.
18. The applicant shall provide mitigation for 62 inches of protected trees. The mitigation shall be provided by either paying an in-lieu fee of $\$ 75$ per inch or replacement plantings with a credit of one inch for every 15-gallon tree planted above trees required for the project or for increasing the size from a 15-gallon to 24 " box tree, per the approval of the Community Development Director.
19. All stone veneer applied to the front elevation shall be balanced and continued along the side elevation to the fence line.
20. No side or rear street facing elevations shall have blank expansions and shall include architectural embellishments,
21. The following changes shall be made to the proposed house plans:

- Plan 1 - The right elevation shall have additional windows located in the tandem garage/the flex room/media office/bedroom 4
- Plan 2 - The right elevation shall have an additional window or windows located in the tandem garage/media room/drive-thru garage
- Plan 3 - Bedroom 4 shall have two smaller windows on left elevation
- Plan 4 - Bedroom 6 option shall have two smaller windows on right elevation
- Plan 4 - Bedroom 2 shall have two smaller windows on left elevation
- All 2-story units - need to add banding or some other design feature to delineate the two levels of the house.
22.As stated in the Design Guidelines, $20 \%$ of the subdivision shall be single-story homes.

23. The use decorative garage doors with glass details and molding is required on $50 \%$ of lots.
24. The additional Plan 5 shall be a side-facing garage home and shall be included with the $1^{\text {st }}$ Phase.
25.As stated in the Design Review Guidelines, the Development Plan (lot layout) shall incorporate varied setbacks (staggering) of the front yard setback to avoid " 'walls' of buildings along the street".
25. A development plan shall be submitted prior to each phase showing the placement of homes and the mixture of homes. No more than two of the same plan may be on adjacent lots or across the street from each other and that the elevations and options shall be different.
26. 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 may be modified on prior written approval by the Community Development Director.
27. 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.
28. A landscaping and irrigation plan for all areas shown on the landscape plan shall be submitted for review and approval of the Community Development Director prior to the issuance of building permits. Landscaping shall conform to the Oakley Landscape Guidelines and the City's Water Conservation Landscape Ordinance $82-26$ 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.
29. California native drought tolerant plants shall be used as much as possible. All trees shall be a minimum 15-gallon size and all shrubs shall be a minimum 5 gallon size, except as otherwise noted.
30. Each lot shall have a minimum of two different types of trees along the street frontage, with the exception of corner lots, which shall have four.
31. All trees and shrubs proposed in the public right of way shall be selected from the list provided in the Design Guidelines.
33.A final landscaping plan for the project shall be submitted for approval by the Community Development Director.
32. The applicant shall maintain all landscaping until occupancy and shall annex the site into a landscaping and lighting district. The applicant is required to annex to a lighting and landscaping district and notify future homeowners by deed, notice of the fact that the land is within a landscaping and lighting district.
33. The street trees shall be inter-mixed throughout the subdivision, so there are a variety of trees on every street.
34. All homes constructed within 1,250 feet of the railroad tracks shall be constructed with sound dampening materials per the approval of the Community Development Director.
35. The street names shall be approved by the Community Development Department and the East Contra Costa Fire District.
36. 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.
39. 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.
40. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

## Public Works and Engineering Conditions

Applicant shall comply with the requirements of Title 8, 9, and 10 of the Ordinance Code. Any Ordinance Code exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan received by the Community Development Department and dated February 25, 2004.

The following conditions of approval shall be satisfied prior to filing any final map unless otherwise noted:

## General:

41. Submit improvement plans prepared by a registered civil engineer to the City Engineer for review and pay the appropriate processing costs in accordance with the Ordinance Code and these conditions of approval.
42. Submit a final map prepared by a licensed land surveyor or qualified registered civil engineer to the City Engineer for review and pay processing costs in accordance with the Ordinance Code and these conditions of approval.
43. 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 Ordinance Code and these conditions of approval.
44. 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 Ordinance Code and these conditions of approval.
45. Building permits for house construction shall not be issued until the subdivision streets serving the lots have been paved.

## Roadway Improvements:

46. Construct the project streets to City public road standards and as shown on the Tentative Maps with the following exceptions:
A. Teton Road shall be constructed as a 40-foot wide roadway within a 67 to 71 -foot right of way including a meandering five-foot walk and public landscaping, and a masonry wall on either side. The traffic calming features shown on Teton Road and throughout the subdivision shall be subject to the review and approval of the City Engineer.
B. The radius of C Street near Teton Road shall be made as large as possible. The configuration of the curve and the intersection is subject to the review and approval of the City Engineer.
47. Install traffic control devices such as stop signs and other signing and striping on the project streets to the satisfaction of the City Engineer. Parking shall be prohibited along Teton Road.
48. Install traffic calming measures such as speed tables and curb extensions along Teton Road and within the project to the satisfaction of the City Engineer.
49. 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.
50. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.
51. Install signs at the terminus of both Kings Canyon Road and Teton Road notifying residents that the streets may be extended in the future.
52. Contribute the project's fair share to the design and construction of the traffic signals at the Laurel Road and Teton Road intersection and the Laurel Road and Quail Valley Run intersection. The signals were determined to be warranted by a traffic study completed by DKS Associates dated November 8, 1999 in conjunction with Subdivision 6963. The warrants analysis for these traffic signals will be reconfirmed as part of the South Oakley Infrastructure Master Plan and if either or both of the traffic signals are determined to be unwarranted then the fair share contribution for this project shall be adjusted and excess contributions, minus administrative costs, will be refunded.

## Road Alignment/Sight Distance:

53. Submit a preliminary plan and profile to the City Engineer for review showing all required improvements to Teton Road and the sight distance at the side street intersections.

## Road and Easement Dedications:

54. Convey to the City, by Offer of Dedication, the right-of-way for the project streets.
55. 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.
56. Relinquish abutter's rights for non-primary frontages to the satisfaction of the City Engineer. This shall include access to the rear yards for all lots backing onto Teton Road.

## Street Lights:

57. 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 per City standards.

## Grading:

58. 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.
59. 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.
60. 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.
61. 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.
62. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities.
63. Submit a haul route plan to the City Engineer for review and approval if grading activities require 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.
64. 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.
65. Submit an updated erosion control plan reflecting current site conditions to the City Engineer for review and approval no later than September $1^{\text {st }}$ of every year while the Notice of Intent is active.
66. Comply with the requirements of the City's Floodplain Management Ordinance. The property is located within a Special Flood Hazard Area Zone X and may be subject to flooding of depths less than 1 foot during a 100-year rainfall event. The grading plans should demonstrate that building pads are protected from the 100year design storm with appropriate freeboard required by the ordinance.

## Utilities/Undergrounding:

67. 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. The joint trench composite plans must be endorsed by the City Engineer prior to the approval of the Improvement Plans for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.
68. 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.

## Drainage Improvements:

69. Collect and convey all stormwater entering and/or originating on these properties, 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, in accordance with Division 914 of the Ordinance Code. Satisfaction of this condition shall be in accordance with the Drainage Area 52D plan and any deviations or modifications to the plan as approved by the Contra Costa County Flood Control and Water Conservation District.
70. Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system to the City Engineer for review and approval.
71.Design and construct all storm drainage facilities in compliance with the Ordinance Code and City design standards.
71. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
72. 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:

74. Install public right of way landscaping along Teton Road. Public right of way landscaping along the project streets shall be installed prior to occupancy of homes adjacent to that street.
75. 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):

76.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, or any of its Regional Water Quality Control Boards (Central Valley - Region IV).

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.
- Stenciling all storm drains with "No Dumping, Drains to Delta" thermoplastic decals.
- 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:

77. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 00-85 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. Eastern Contra Costa Sub-Regional Transportation Mitigation Fee (adopted by Ordinance Nos. 7-99, 18-99, and 23-99) and the East County Transportation Improvement Impact Fee (authorized by Ordinance No. 1400, adopted by Resolution No. 05-02);
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); and
F. Child Care Facilities "In Lieu" Fee (adopted by Ordinance Nos. 18-99 and 23-99).
G. Fire Impact Fee collected on behalf of the East Contra Costa Fire Protection District (adopted by Resolution No. 09-01)
H. South Oakley Infrastructure Master Plan Fee (adopted by Resolution No. 5203).
I. General Plan Fee (adopted by Resolution No. 53-03).

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. The applicant may be eligible for a credit against the East County Transportation Improvement Impact Fee that is equal to the amount of the Eastern Contra Costa Sub-Regional Transportation Mitigation Fee paid. The Applicant may also be eligible for a credit against the Park Land Acquisition component of the Park Impact Fee that is equal to the amount of the Park Land Dedication In-Lieu Fee paid.
78. Annex the property to the City of Oakley Landscape and Lighting District No. 1 for citywide landscaping and park maintenance, subject to an assessment for maintenance based on the assessment methodology described in the Engineer's Report for the District. The assessment 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. Any required election and/or ballot protest proceedings shall be completed prior to approval of the final map. The Applicant shall apply for annexation and provide all information and documents required by the City or its agents in processing the annexation. All costs of annexation shall be paid by Applicant.
79. Annex the property to the City of Oakley Landscape and Lighting District No. 1
for citywide street lighting costs and maintenance, subject to an assessment for street light maintenance based on the assessment methodology described in the Engineer's Report. The assessment 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. Any required election and/or ballot protest proceedings shall be completed prior to filing of the Final Map. The applicant shall apply for annexation and provide all information and documents required by the City or its agents in processing the annexation. All costs of annexation shall be paid by Applicant.
80.Annex the property to the City of Oakley Landscape and Lighting District No. 1 for project specific landscaping maintenance, subject to an assessment for landscape operation and maintenance based on the assessment methodology described in the Engineer's Report. The assessment 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. Any required election and/or ballot protest proceedings shall be completed prior to filing of the Final Map. The applicant shall apply for annexation and provide all information and documents required by the City or its agents in processing the annexation. All costs of annexation shall be paid by Applicant.
81. 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.
82. Participate in the formation of an assessment district for the construction of offsite improvements should the City deem such a mechanism necessary. The assessment district shall be formed prior to the filing of any final or parcel map, and the project proponent shall fund all costs of formation.
83. Participate in the City's South Oakley Infrastructure Master Plan both by cooperating with the City's consultant team in the design and implementation of specific infrastructure projects and by providing this project's fair share contribution to the costs of preparing the study. The Master Plan will re-do the warrants analysis for the traffic signals at the Laurel Road and Teton Road intersection and the Laurel Road and Quail Valley Run intersection that was performed by DKS Associates in conjunction with Subdivision 6963 to confirm if either or both of the traffic signals are necessary. The fair share contribution shall be paid in accordance with Resolution Number 52-03.

## 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 THIS 12th day of April 2004, by the following vote:

| AYES: | Anderson, Huffaker, Nix, Romick, Rios |
| :--- | :--- |
| NOES: | None |
| ABSTENTIONS: | None |
| ABSENT: | None |

APPROVED:


ATTEST:


## RESOLUTION NO. XX-14

# A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING DESIGN REVIEW FOR "THE RESERVE AT PARKLANDS II DESIGN REVIEW" LOCATED ALONG TETON ROAD, EAST OF MARSH CREEK AND WEST OF SELLERS AVENUE (DR 07-14) 

FINDINGS
WHEREAS, on September 12, 2014, Reed Onate of Richmond American Homes ("Applicant") filed an application for design review approval of 109 single family residential lots located within Vesting Tentative Map 8737 (proposed Final Map 8994) for the project known as "The Reserve at Parklands II Design Review (DR 07-14)" ("Project"), located along Teton Road, east of Marsh Creek and west of Sellers Ave. APN: 033-150-017.

WHEREAS, the applicant's plans include house floor plans and architectural elevations, color and material palettes, conceptual landscaping, street tree selections, and neighborhood plot plan map ("Plans"); and

WHEREAS, on October 12, 2014 the project application was deemed complete per Government Code section 65920 et. seq; and

WHEREAS, the project site is designated Single Family High (SH) on the Oakley 2020 General Plan Land Use Map, and zoned R-6 (Single Family Residential) District; and

WHEREAS, this request for design review approval does not constitute changes to the physical impacts associated with the originally approved vesting tentative map and design review, and would fall within the scope of the Subdivision 8737 Mitigated Negative Declaration ("MND") adopted by the City Council on April 12, 2004 as part of Resolution No. 27-04; and

WHEREAS, on October 16, 2014, the Notice of Public Hearing for the project was posted at Oakley City Hall, Freedom High School, and at 204 2nd Street (City Annex). The notice was also mailed out to all owners of property within a 300 -foot radius of the subject property's boundaries, to outside agencies, and to parties requesting such notice; and

WHEREAS, on October 28, 2014, the City Council opened the 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, Vesting Tentative Map 8737, and the information submitted to the City Council at its October 28, 2014 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 Subdivision (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 design review approval for project titled, "The Reserve at Parklands II Design Review (DR 07-14)", the City Council finds that:

1. The proposed design review plans are consistent with the applicable General Plan designation and approved Vesting Tentative Map 8737. The proposed use was anticipated in the General Plan and the overall plan for Vesting Tentative Map 8737 approved on April 12, 2004 and with modifications ratified on January 23, 2006; and
2. The proposed design review plans comply with applicable R-6 District zoning regulations, as incorporated in these conditions of approval; and.
3. The proposed design and materials of the single-family homes, as well as the typical front yard landscaping and street trees are compatible with the applicable adopted City of Oakley Residential Design Guidelines standards.
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 design review approval of "The Reserve at Parklands II Design Review (DR 07-14)", subject to the following conditions:

Applicant shall comply with the requirements of the Oakley Municipal Code and applicable Conditions of Approval from City Council Resolution No. 27-04 and the ratifications approved by City Council on January 23, 2006, unless otherwise stipulated in this resolution. Conditions of Approval are based on the plans received by the Community Development Department and made a part of the City Council's meeting packet for October 28, 2014.

## 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 Department Conditions

## General:

1. This Design Review is approved, as shown on the plans, date stamped by the Planning Department on October 14, 2014, and as conditioned below.
2. This approval shall be effectuated within a period of one (1) year from the effective date of this resolution and if not effectuated shall expire on October 14, 2015. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code.
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 October 28, 2014 and 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. 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. 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.
7. All mitigation measures contained in the Mitigated Negative Declaration adopted for Vesting Tentative Map 8737 and associated entitlements available at City Hall, 3231 Main Street, Oakley, CA 94561) shall be implemented as applicable.
8. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).
9. Any 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.

## City Council Resolution No. 54-14 Superseded:

10. Adoption of this resolution will supersede City Council Resolution No. 54-14, which was approved for a former design review application no longer applied to this project site. Resolution No. 54-14 is hereby null and void.

## Development Regulations:

11. Development of the subdivision shall be subject to the applicable R-6 District regulations.

## Landscaping:

12. Because the protected tree in the southwest corner is being preserved, the requirement to plant two 15-gallon trees on two separate lots adjacent to the trail, which was approved by the City Council through ratification on January 23,2006 , shall no longer be required, and the developer is not subject to pay any in-lieu fee as original required by Condition No. 18 of City Council Resolution No. 27-04. As a result, Condition No. 18 of Resolution No. 27-04 is null and void.
13. Front yard and right-of-way landscaping shall conform to the Oakley Landscape Guidelines and the City's Water Conservation Landscape Ordinance 82-26 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.
14. California native drought tolerant plants shall be used as much as possible. All trees shall be a mix of 15 -gallon and 24 -inch box; all shrubs shall be a minimum five-gallon size, except as otherwise noted.
15. 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.
16. The applicant shall maintain all private landscaping until occupancy.

## Subdivision Disclosures:

17. 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.
18. 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.

## Energy Efficiency:

19. 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.
20. Design and site units so as to take advantage of natural heating and cooling, sun and wind exposure, and solar energy opportunities.

## Waste Management Plan:

21. The applicant shall submit a Waste Management Plan that complies with the City of Oakley Construction and Demolition Debris Recycling Ordinance.

## Building Division Conditions

22. 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.
23. 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

All Public Works and Engineering Conditions of Approval adopted with City Council Resolution No. 27-04 (Subdivision 8737 approval) shall apply, as applicable.

## 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 Wildlife. It is the applicant's responsibility to notify the Department of Fish and

Wildlife, 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.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the $28^{\text {th }}$ of October, 2014 by the following vote:

## AYES:

NOES:

## ABSENT:

## ABSTENTIONS:

## APPROVED:

Randy Pope, Mayor
ATTEST:

Libby Vreonis, City Clerk
Date


[^0]:    CONSULTANTS:

    | CIVIL |
    | :---: |
    | ENGINEER: |

    HUMAN COMPANYINC.
    CIVIL ENGINEERS AND LA
    CIVIL ENGINEERS AND LAND SURVEYORS
    1021 BROWN AYE 1021 BROWNAVE.
    LAAFAKTIT, CA 94549
    (925) $283-5000$ EXT 104

[^1]:    Color Designer: Karen Moyer

