



Agenda Date: 07/14/2015
Agenda Item: 4.3

STAFF REPORT

Date: July 14, 2015
To: Bryan Montgomery, City Manager
From: Kenneth W. Strelow, Senior Planner

Approved and forwarded to City Council


Bryan Montgomery, City Manager

Project: Leshar Subdivision 9404 Vesting Tentative Map (TM 03-15)

Summary

The proposed project is a request for approval of a vesting tentative map subdividing approximately 350.5 acres into 1,056 residential lots, approximately 45 acre future commercial village center, neighborhood parks, open space, lake and other improvements consistent with Planning Area 1 of the adopted East Cypress Corridor Specific Plan. The site is zoned SP-1 (East Cypress Corridor Specific Plan) District. The project area is located on northwest corner of East Cypress Road and Bethel Island Road. APNs 032-082-005 and 032-082-013.

Recommendation

Staff recommends the City Council adopt a resolution approving Vesting Tentative Map 9404, as conditioned.

Background

Surrounding Uses

The 350.5-acre Leshar property encompasses the southern portion of Planning Area 1 ("PA 1") of the East Cypress Corridor Specific Plan ("Specific Plan"). It is bordered on the west by Jersey Island Road, on the south by East Cypress Road, to the north by existing rural land that makes up the entitled northern portion of PA 1, known as KT KB Oakley, LLC Subdivision 9311 (formerly "Dal Porto North"), and to the east by Bethel Island Road. An approximately 26-acre rural property, that is a part of Planning Area 6, is located along a portion of the eastern border of the project site. Within that property's northeast corner exists an approximately 1-acre lot occupied with a veterinary hospital.

Figure 1. Land Use Planning Areas of the East Cypress Corridor Specific Plan



History on East Cypress Corridor Specific Plan Area

The East Cypress Corridor (“ECC”) first became a part of Oakley’s land use planning in 2002 when the City’s General Plan was adopted and the area was included in the City’s Planning Area. In August of 2003, the ECC was added to the City’s Sphere of Influence through Contra Costa County Local Agency Formation Commission (“LAFCO”) approval. Over the next few years the ECC Specific Plan (“ECCSP”) and EIR were drafted and made available for public review and comments before being presented to the City Council for consideration.

In September of 2005, the City Council adopted Resolution No. 89-05 providing a Notice of Intent to LAFCO and other applicable agencies of its plans to initiate boundary reorganization proceedings to annex the ECCSP area into the City of Oakley. In March of 2006, the City Council held a public hearing and took the following actions in relation to the ECCSP project:

- Certified the ECCSP Final Environmental Impact Report ("EIR");
- Adopted the General Plan Amendment;
- Adopted the ECCSP;
- Adopted three resolutions authorizing the submittal of boundary reorganization applications to LAFCO for the ECCSP area; and
- Adopted the ECCSP pre-zoning.

In October of 2005, Areas I & II of the ECCSP were annexed into the City of Oakley. Areas along Dutch Slough Road and Sandmound Boulevard were not included in the annexation due to a failure to receive adequate property owner votes to annex those areas.

History of Environmental Impact Report

After the City Council certified the EIRs and approved the ECCSP entitlements, the certification of the EIR was challenged and in July of 2007, the Contra Costa superior Court found the Final EIR inadequate in two areas and issued a peremptory writ of mandate for Oakley to rescind the Final EIR certification, GP amendment, and Specific Plan adoption. In October of 2007, Oakley complied with Court Order and rescinded the applicable approvals. Upon rescinding the approvals, a Notice of Preparation for the ECCSP Supplemental EIR ("SEIR") was issued and public scoping meetings were held to receive comments. The Draft SEIR was released for comment in September of 2008 and in February and March of 2009, the Final SEIR was finalized and presented to the City Council for consideration.

In March of 2009, the City Council re-certified the ECC EIR and SEIR and adopted the Specific Plan. The SEIR was challenged, putting all entitlements on hold. The parties involved reached an agreement in June of 2011, and the applicable entitlements and certification of the EIR and SEIR were considered valid.

As of today, the environmental impact reports for the East Cypress Corridor Specific Plan area are certified and have passed the statute of limitations for challenges. The ECC Specific Plan is adopted and has been found to be in compliance with the certified EIRs. The Project is consistent with the ECC Specific Plan and EIRs.

Project Description

General Plan and Zoning/Specific Plan

General Plan: SP (Specific Plan) – The project site is designated as "SP" (Specific Plan) in the Oakley General Plan. The "SP" designation was approved through adoption of City Council Resolution 49-07, at which time other specific land use modifications were made to

the ECCSP area, including adding additional Commercial, Community Park, and Light Industrial acreage to the Specific Plan area.

Zoning: SP-1 (ECCSP) – The zoning classification for the project site is “SP-1” (ECCSP) District. The SP-1 District and ECCSP were approved with adoption of City Council Ordinance 10-09. The SP-1 District is further classified into land uses within the Specific Plan. The project site is located within “Planning Area – 1 (PA 1)” of the ECCSP, which is also referred to as “Lesher/Dal Porto North.”

Land Uses

The ECCSP includes all of PA 1 under one land use summary. Since there are two major subdivisions that make up PA 1, Table 1 shows the total numbers approved for PA 1, the numbers approved as part of Subdivision 9311, the total numbers proposed in this application and the total between the two subdivisions. The proposed project and Subdivision 9311 are planned to function as one development upon completion.

Table 1. Comparison of PA 1, Subdivision 9311, and Proposed Project

	PA 1	Subdivision 9311	Proposed Project	Subdivision 9311 and Proposed Project
Total Acres	703.8 acres	334.1 acres	350.5	684.6 ¹
Single Family (detached) Units	1,700 du	276 du	1,056 du	1,332 du
Elementary School	12.4 acres	12.1 acres	--	12.1 acres
Wetlands/Open Space (n. of levee)	105.2 acres	226.7 acres	--	226.7 acres
Neighborhood Parks	22.4 acres	--	24.7 acres	24.7 acres
Lakes	25.2 acres	3.3 acres	23.1 acres	26.4 acres
Levees	25.2 acres	19.7 acres	8.9 acres	28.6 acres
Gas Well Sites	3.9 acres	4.2 acres	5.0 acres	9.2 acres

As part of Subdivision 9311, the applicant modified the location of the northern levee by moving it south, thereby capturing much more acreage in wetland mitigation. As a result of this modification, acres in wetlands and levees, and total dwelling units inherently changed for PA 1. Most of the modifications occurred within Subdivision 9311.

While the gas well sites for PA 1 have decreased from 3 to 2, the total acreage has almost doubled. This is due to the desire to consolidate the sites within the entire ECCSP. Section 4.7 of the SP allows for shifting and enlarging of gas well sites subject to approvals of

¹ The discrepancy is total acreage stems from PA 1 in the SP including acreages for portions of adjacent roads (East Cypress Road, Jersey Island Road, and Bethel Island Road).

conditional use permits and compliance with Oakley Municipal Code section [9.1.1216](#) (Oil and Gas Drilling). This section of code would supersede the SP in the event of any conflicts.

Residential Lot Types

All of the residential lots proposed for the subdivision will consist of single family residential homes. The vesting tentative map divides the proposed lots into three distinct categories defined by the minimum lot size within each, and classified as Single Family Detached - Medium Density (8,000 sf. min. lot size), Single Family Detached - High Density (6,000 sf. min. lot size), and Multi-Family Detached - Low Density (3,040 sf. min. lot size). In general, the lots are clumped together with similar size lots. The largest lots are generally located adjacent to East Cypress Road and also along the lake frontage and other premium locations. The 6,000 sf. minimum lots are general located throughout the project, but clustered along Jersey Island Road, on the straight portions of the cul-de-sacs reaching into the lake, and in the northeast portion of the project. The smallest lots are general located in the middle of the project area. Table 2, shows the breakdown of the proposed lot sizes and number of units within each of them.

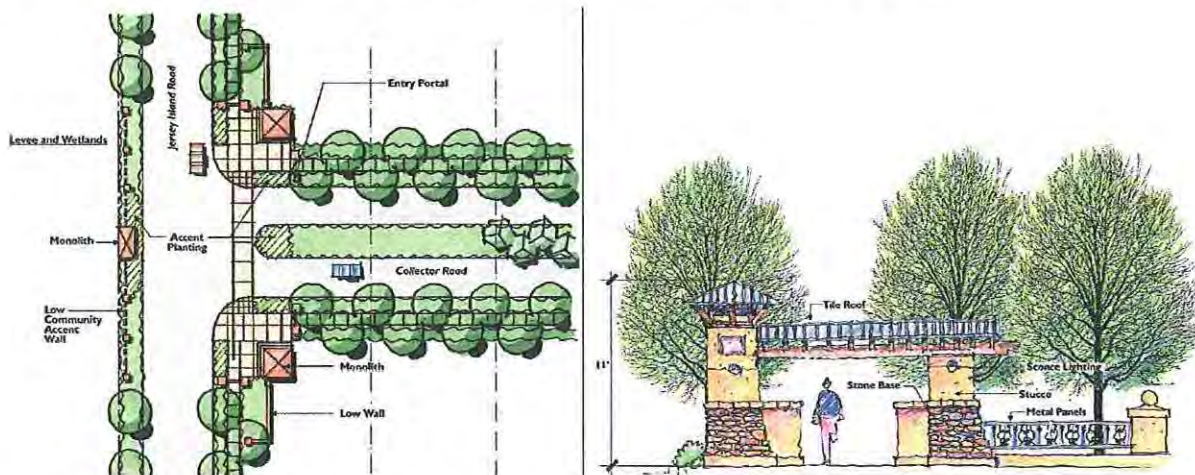
Table 2. Proposed Lot Sizes and Unit Count

	<i>Min. Size (sf)</i>	<i>No. of Lots/Units</i>
<i>Multi Family Residential Detached – Low Density</i>	3,040	283
<i>Single Family Residential Detached – High Density</i>	6,000	542
<i>Single Family Residential Detached – Medium Density</i>	8,000	231
		(Total) 1,056

Street Layout

The proposed map includes 4 main project collector roads: “AC” Street, which will connect to Jersey Island Road to the west in a 3-way intersection, “XY” Street, which will connect to East Cypress Road to the south in a 4-way intersection that will connect with PA 3 south of East Cypress Road, “YZ” Street, which will access the Commercial Village Center from East Cypress Road, and “ZZ” Street, which will run along the northern edge of the commercial site and connect to Bethel Island Road. “AC” Street is planned to be a “Neighborhood Entry” as defined by Section 7 of the SP. “XY” Street is planned to be “Community Entry”, and both “YZ” and “ZZ” Streets are planned to be “Village Center Entries.” These entries will be designed consistent with Section 7.2.3 (Gateways, Entries, and Arrivals) of the Specific Plan. Figure 1 shows the ECCSP’s Exhibits 63 and 64, which include the “Neighborhood Entry at Jersey Island Road” plan view and elevation.

Figure 1. Neighborhood Entry at Jersey Island Road Plan View and Elevation



The subdivision is designed with an emphasis on grid style street layout, yet with a large number of cul-de-sacs. There are at least 44 cul-de-sacs and most of those contain 8 or more homes within them. This subdivision puts an emphasis on clusters of courts accessed by 2 or more collector streets, in a design that results in many opportunities for quiet court living. As with all residential subdivisions, traffic calming plays a major role in final design. In order to ensure this, a condition of approval has been proposed that requires traffic calming measures consistent with the City's Neighborhood Traffic Management Program and Section 5.1.3 of the ECCSP.

Levee Design and Location

New development in the ECCSP requires protection from potential flooding. The specific plan contains a conceptual levee plan to surround all of the developable properties that were annexed into the City. The proposed project shows new 300-year storm event levee constructed along the western border of the land proposed for development. This levee will connect with the proposed levee on the western edge of Subdivision 9311 to the north, which also includes the levee south of the proposed wetland mitigation area north of Subdivision 9311. Since there are no interim levees proposed to surround the south and eastern boundaries, this project will rely on the perimeter levees associated with the remaining undeveloped Planning Areas prior to the construction of any homes.

California Environmental Quality Act (CEQA)

As briefly discussed above in the "History of Environmental Impact Report", the proposed project was analyzed in the East Cypress Corridor Specific Plan EIR and Supplemental EIR (SCH # 2004092011), collectively, "ECCSP EIRs", certified by the City Council in March of 2006 and 2009, respectively. The City has reviewed the information submitted with the project and determined that approval of the project will not result in any new, or substantially more adverse, significant environmental impacts than those disclosed in the ECCSP EIRs. The proposed project is subject to applicable mitigation measures from the Mitigation and

Monitoring Plan (MMP) for the ECCSP EIR. The MMP is incorporated as Chapter 4.0 of the ECCSP Final EIR.

In addition to the above, pursuant to Public Resources Code Section 21166, and as further clarified by CEQA Guideline Section 15162, an addendum to the Project EIR was prepared and is included as an attachment to this Staff Report. The Addendum incorporates, by reference, the analysis contained in the certified ECCSP EIR, and addresses only those issues specific to the project. The Addendum concludes that approval of the Project does not trigger need for a subsequent EIR under Section 21166 because development of the Project will not result in new, or substantially more adverse, significant environmental impacts than those disclosed in the Project EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the ECCSP EIR was certified, that shows any new or substantially more adverse environmental impacts than those disclosed in the ECCSP EIR, or that shows that new or previously identified infeasible mitigation measures or alternatives would substantially reduce one or more significant environmental effects of the project. Accordingly, per Section 21166, the City has not required a subsequent EIR for the Project.

Analysis

Vesting Tentative Map

The proposed vesting tentative map is designed in a manner substantially consistent with the southern portion of Planning Area 1 (PA 1) of the East Cypress Corridor Specific Plan. The street connections on the project boundaries, as well as internal street circulation, lake area, location of different housing types, neighborhood parks, gas well site, and commercial village center are all in substantial conformity. Slight modifications in acreages associated with the specific land uses do not result in any significant design changes and are not uncommon when a project moves from conceptual design to engineered design.

Development of the project, along with development of other Planning Areas within the ECCSP will provide new residents amenities, such as parks, open space and trails, and will benefit existing Oakley and Bethel Island residents with additional road improvements and additional community park land. The development will be subject to applicable City development impact fees, which can be used for traffic improvements, infrastructure improvements, and public facilities.

The design of the subdivision includes the construction of improvements within public right-of-way that are consistent with major subdivisions, the City's design standards and design standards approved in the East Cypress Corridor Specific Pan. The improvements consist of roads, sidewalks, curbs and gutters, and associated improvements.

The proposed Vesting Tentative Map and all identified mitigation measures have been incorporated into Project EIR Mitigation and Monitoring Plan, certified March 10, 2009, and prepared in accordance with the CEQA Guidelines.

Comments for Outside Agencies

Upon application submittal, Staff sends out a "Project Referral - Request for Comments / Conditions of Approval" to several outside agencies. Typically, agencies will return letters with standard conditions or regulations, or submit requests for additional information on revised plans. Occasionally, comments will be project specific and merit a response. For the proposed project, letters were received from Contra Costa County Public Works Department ("CC Public Works"), Department of Transportation ("Caltrans"), Central Valley Regional Water Quality Control Board ("Regional Board"), Ironhouse Sanitary District ("ISD"), Contra Costa Health Services ("CCHS"), Liberty Union High School District ("LUHSD"), and Oakley Union Elementary School District ("OUESD"). A majority of the comments were either standard language that will be addressed at the permitting stage, or were comments addressed upon the second submittal of plans. However, LUHSD and OUESD both had comments Staff felt warranted a response.

The letter from OUESD (attached) voices concerns over impacts to the district caused by students generated from the proposed project, especially the existing Iron House Elementary School on Frank Hengel Way. OUESD goes on to state that the school impact fees collected on the project by the school district would not provide adequate funding to provide classrooms for the students generated. OUESD recognizes the planned elementary school site within PA 1, but requests the project not be approved until the district can construct a new school in the area. The City response to these comments is that impacts to schools were analyzed in the certified project level ECCSP EIR, and that because of the school district's ability to set school impact fees based on projected development, and that each new home and commercial use is required to pay the fee prior to construction, that payment of the school impact fees reduced the impact to schools created by development in the ECCSP to a less than significant level. Furthermore, the EIR addendum did not warrant additional environmental analysis. Therefore, all project related school impacts have already been analyzed and mitigated, or disclosed, and an additional traffic study is not required.

The letter from LUHSD (attached) also states concern over increased students that would arise from the proposed project, as well as the rest of the ECCSP. LUHSD states that because of proposed growth in the Cypress Corridor and Northeast Brentwood, they have been investigating the feasibility of constructing a 4th high school (Freedom, Liberty, and Heritage being the other three) at the intersection of Delta Road and Sellers Avenue. The school district is requesting the Oakley address the additional traffic infrastructure needs that would be created by locating a 4th high school in that location. They also request the developer assist in funding a new high school.

Both project-specific and cumulative traffic related impacts created by development in the ECCSP were analyzed in the ECCSP EIR. Mitigation measures requiring either infrastructure improvements, or payment into City and regional impact fee programs, were adopted to reduce traffic related impacts to a less than significant level. Also, any developments fronting Sellers Avenue would be required to improve Sellers Avenue, just as the 4th high school would be required to improve its frontage. Furthermore, traffic related impacts created by the specific location of the 4th high school should be addressed and

mitigated for in the high school's environmental analysis. In regards to the request for developers to fund a 4th high school, the City has the same response in regards to OUESD's comment regarding increased students.

Findings

Draft findings are included in the attached resolution.

Recommendation

Staff recommends the City Council adopt a resolution approving Vesting Tentative Map 9404, as conditioned.

Attachments

1. Vicinity Map
2. Proposed Subdivision 9404 Vesting Tentative Subdivision Map, Preliminary Grading Plan and Preliminary Utilities Plan, date stamped July 1, 2015
3. Color Vesting Tentative Map
4. Letter from Oakley Union Elementary School District
5. Letter from Liberty Union High School District
6. Planning Area 1 (Leshar) Vesting Tentative Map 9404 East Cypress Corridor Specific Plan Environmental Impact Report Addendum
7. Proposed Resolution for the Approval of the Vesting Tentative Map

Available in the City Clerk's Reading File and/or City website (www.oakleyinfo.com)

- [East Cypress Corridor Specific Plan EIR and Supplemental EIR](#)
- [East Cypress Corridor Specific Plan](#)

VICINITY MAP

Lesher Subdivision 9404 Vesting Tentative Map (VTM 03-15)

APN 032-082-005 and 032-082-013

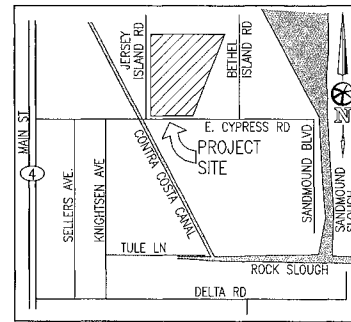


SUBDIVISION 9404 VESTING TENTATIVE MAP, PRELIMINARY GRADING PLAN & PRELIMINARY UTILITIES PLAN

LESHER PROPERTY EAST CYPRESS CORRIDOR SPECIFIC PLAN CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

JUNE 2015

CITY OF OAKLEY
Planning Department
JUL 01 2015
RECEIVED



VICINITY MAP

NO SCALE

GENERAL NOTES

OWNER: MARGARET L. LESHER TRUST, ET AL
2890 N. MAIN STREET #305
WALNUT CREEK, CA 94597-2738

DEVELOPER: ACD-TI OAKLEY, LLC -
A DELAWARE LIMITED LIABILITY COMPANY
235 W. MAIN STREET
LOS GATOS, CA 95030
925.580.1438

CIVIL ENGINEER: BELLECCI & ASSOCIATES, INC.
2290 DIAMOND BLVD., SUITE 100
CONCORD, CALIFORNIA 94520
925.685.4569

A.P.N.: 032-082-005 & 032-050-004

SITE AREA: 350.5 ACRES

EXISTING ZONING: SP-1 (ECCSP) DISTRICT

PROPOSED ZONING: SP-1 (ECCSP) DISTRICT

EXISTING USE: AGRICULTURAL

PROPOSED USE: SEE TABLE BELOW

SERVICES:
WATER SUPPLY- DIABLO WATER DISTRICT
SANITARY SEWER- IRONHOUSE SANITARY DISTRICT
STORM DRAIN- CITY OF OAKLEY
GAS & ELECTRIC- PACIFIC GAS & ELECTRIC
FIRE- EAST CONTRA COSTA FIRE PROTECTION DISTRICT
AT&T
TELEPHONE- AT&T
CABLE TV- COMCAST
LEVEE- RD 799

FLOODING: SITE FALLS WITHIN FIRM PANEL NUMBERS 06013L
0360F, ZONE AE
(EL. 9, 1988NGVD) - DATED JULY 16, 2009
NOTE: THE ENTIRE SITE FALLS WITHIN THE 100
YEAR FLOOD PLAIN.

TOPOGRAPHY: AERIAL TOPOGRAPHY PROVIDED
BY KING & ASSOCIATES
DATED OCTOBER 13, 2014

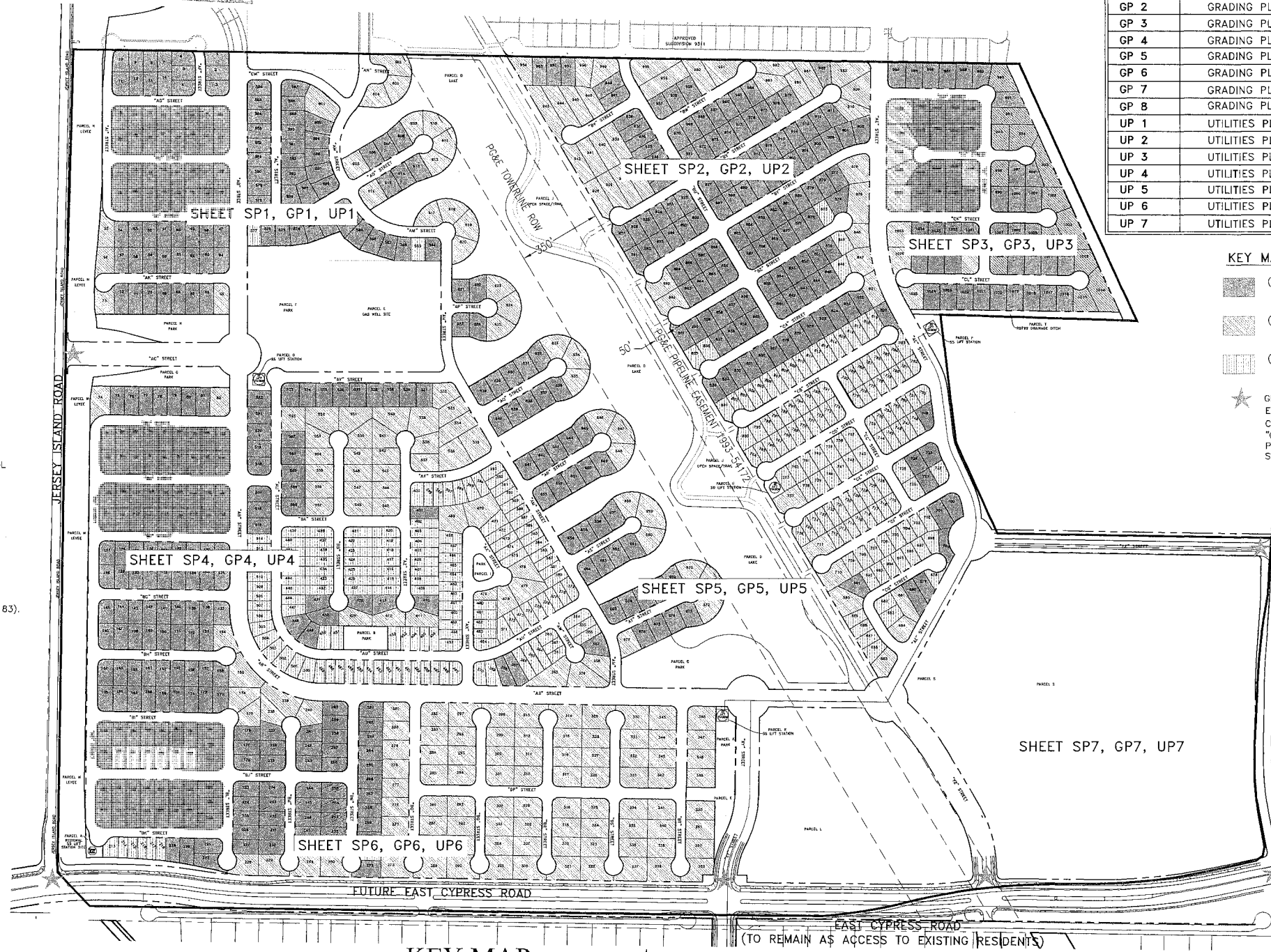
BASIS OF ELEVATION: ELEVATIONS SHOWN ARE BASED UPON THE
NGS POINT ID "DB3879", ELEVATION BEING
TAKEN AS 23.6 FEET, 1988NGVD.

BASIS OF BEARINGS: CALIFORNIA COORDINATE SYSTEM, ZONE III (NAD 83).

ABBREVIATIONS

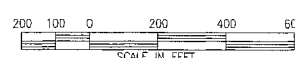
AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
BOT	BOTTOM
CB	CATCH BASIN
CCC	CONTRA COSTA COUNTY
CL	CENTERLINE
DG	DECOMPOSED GRAVEL
DWY	DRIVEWAY
EP	EDGE OF PAVEMENT
EX,EXIST	EXISTING
FC	FACE OF CURB
FL	FLOW LINE
HP	HIGH POINT
INV	INVERT
LI	LAKE INTERCONNECT
LP	LOW POINT
MAX	MAXIMUM
MED	MEDIUM
MIN	MINIMUM
NO	NUMBER
NTS	NOT TO SCALE
PAE	PRIVATE ACCESS EASEMENT
PL	PROPERTY LINE
PS	PUMP STATION
PUE	PUBLIC UTILITY EASEMENT
PV	PAVEMENT
RD	RECLAMATION DISTRICT
R/W	RIGHT-OF-WAY
S	SLOPE
SD	STORM DRAIN
SDE	STORM DRAIN EASEMENT
SDMH	STORM DRAIN MAN-HOLE
SHT	SHEET
SSL	SEWER SYSTEM LINE
SSMH	SEWER SYSTEM MAN-HOLE
STD	STANDARD
TYP	TYPICAL
WAPA	WESTERN AREA POWER AUTHORITY
WL	WATER LINE
WS	WATER SURFACE

NOTE: THIS DEVELOPMENT MAY BE CONSTRUCTED IN PHASES,
RESULTING IN THE FILING OF MULTIPLE FINAL MAPS.
STREET NAMES WILL BE PROVIDED TO THE APPROPRIATE
AGENCIES PRIOR TO APPROVAL OF THE FINAL MAP(S).



KEY MAP

SCALE: 1"=200'



EARTHWORK QUANTITIES	
RAW FILL	200,000 CY
RAW CUT	285,000 CY
NET (CUT)	85,000 CY

PROPOSED LAND USE		
LOT TYPE	MIN. SIZE (SF)	NO. OF UNITS
SINGLE FAMILY DETACHED-MEDIUM DENSITY	8,000 (80'x100')	231
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TOTAL		1,056

INDEX OF DRAWINGS	
SHEET 1	TITLE SHEET, KEY MAP
SHEET 2	BOUNDARY SHEET
SHEET 3	BOUNDARY SHEET
SHEET 4	TYPICAL SECTIONS & DETAILS SHEET
SHEET 5	TYPICAL LAKE SECTIONS & DETAILS
SP 1	SITE PLAN
SP 2	SITE PLAN
SP 3	SITE PLAN
SP 4	SITE PLAN
SP 5	SITE PLAN
SP 6	SITE PLAN
SP 7	SITE PLAN
GP 1	GRADING PLAN
GP 2	GRADING PLAN
GP 3	GRADING PLAN
GP 4	GRADING PLAN
GP 5	GRADING PLAN
GP 6	GRADING PLAN
GP 7	GRADING PLAN
GP 8	GRADING PLAN SECTIONS & DETAILS
UP 1	UTILITIES PLAN
UP 2	UTILITIES PLAN
UP 3	UTILITIES PLAN
UP 4	UTILITIES PLAN
UP 5	UTILITIES PLAN
UP 6	UTILITIES PLAN
UP 7	UTILITIES PLAN

KEY MAP LEGEND

- (SM) SINGLE FAMILY RESIDENTIAL MEDIUM DENSITY
- (SH) SINGLE FAMILY RESIDENTIAL HIGH DENSITY
- (ML) MULTI-FAMILY RESIDENTIAL LOW DENSITY (DETACHED)
- ★ GENERAL LOCATION OF LANDSCAPED ENTRY TO BE DESIGNED & IMPROVED CONSISTENT WITH SECTION 7.2.3 "GATEWAYS, ENTRIES & ARRIVALS" PER THE EAST CYPRESS CORRIDOR SPECIFIC PLAN

Bellecci & Associates, inc.
Civil Engineering • Land Surveying • Construction Management
2810 Diamond Boulevard, Suite 100 Concord, CA 94520
Phone (925) 684-8888 Fax (925) 684-8888

VESTING TENTATIVE MAP
 LESHER PROPERTY
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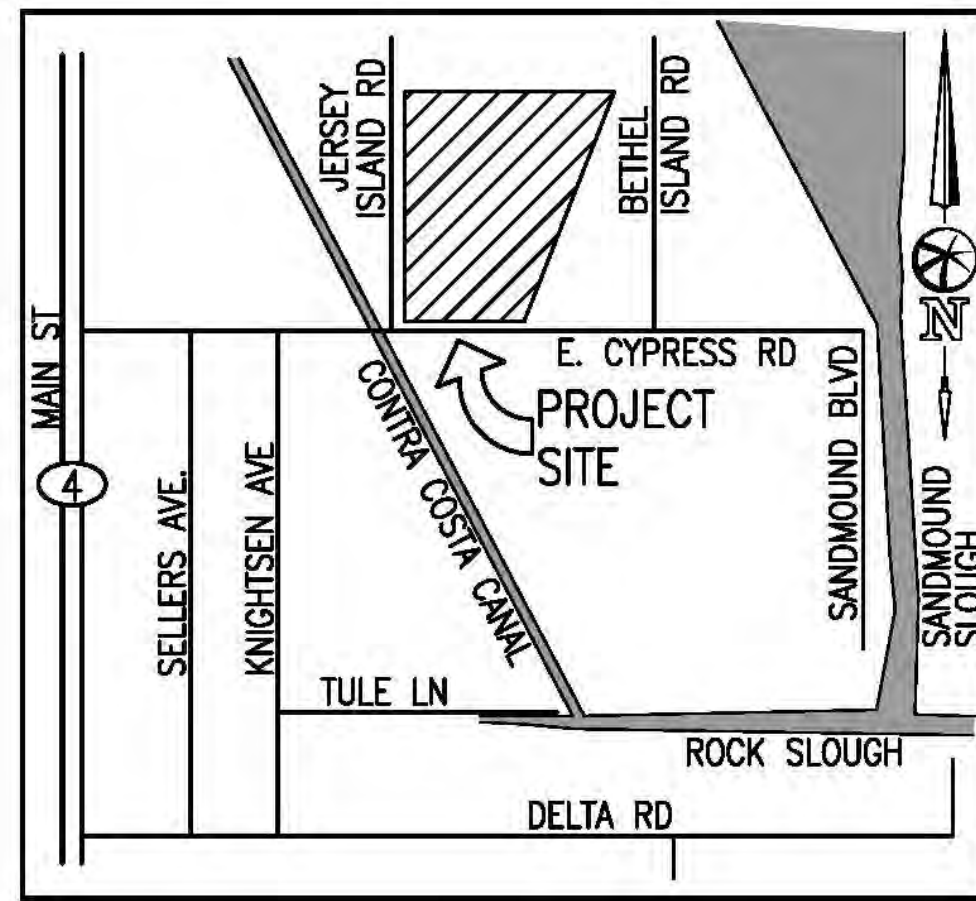
SUBD 9404
 SHEET 1 OF 27
 JOB NO. 15075
 City of OAKLEY
 A Place of Pride in the Heart of the Delta

SUBDIVISION 9404

VESTING TENTATIVE MAP, PRELIMINARY GRADING PLAN & PRELIMINARY UTILITIES PLAN

LESHER PROPERTY EAST CYPRESS CORRIDOR SPECIFIC PLAN CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

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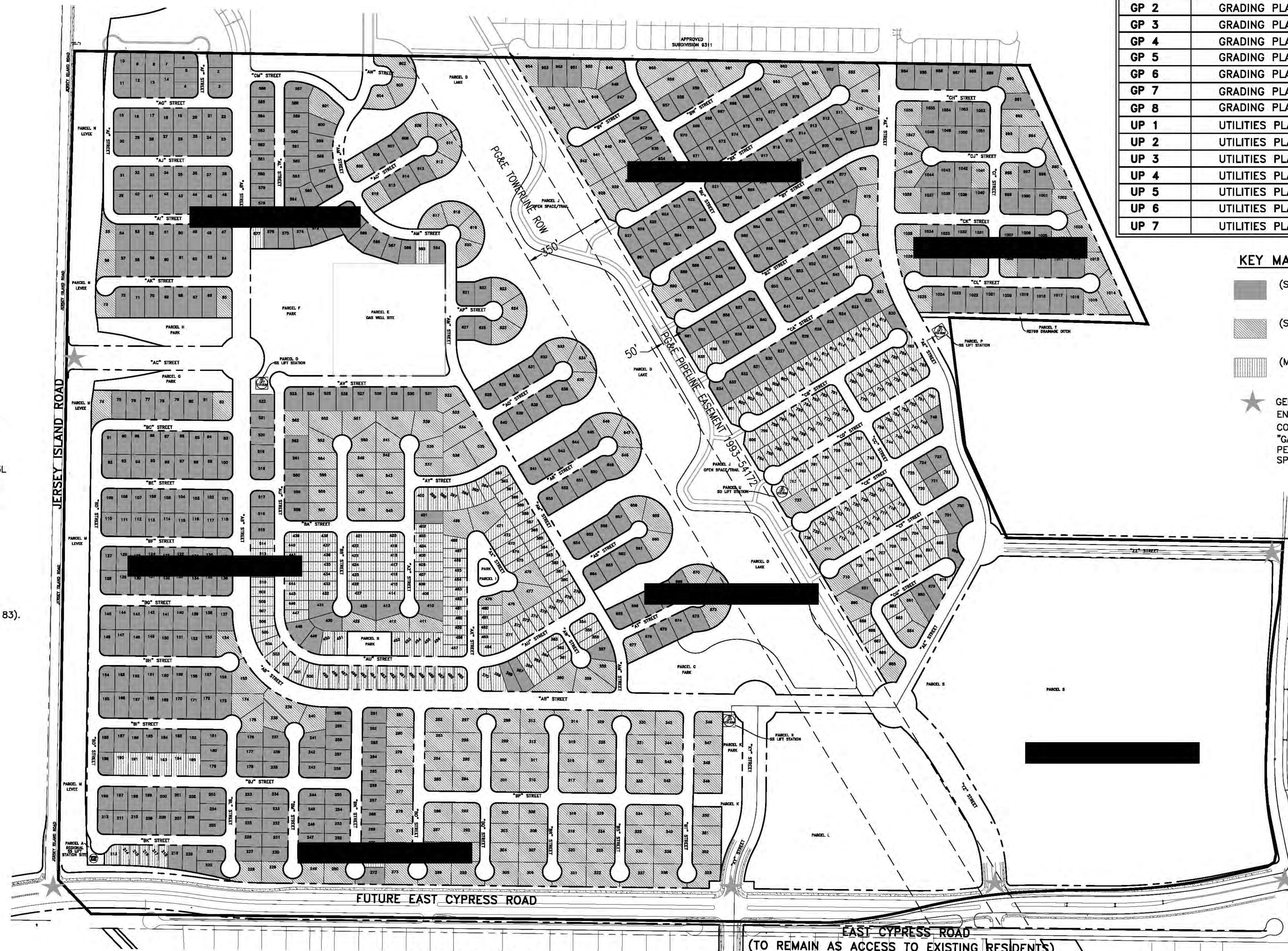
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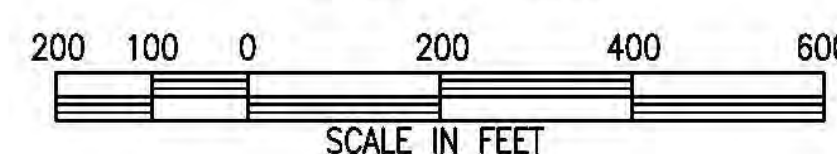
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AC ASPHALT CONCRETE
BOT BOTTOM
CB CATCH BASIN
CCC CONTRA COSTA COUNTY
CL CENTERLINE
DG DECOMPOSED GRAVEL
DWY DRIVEWAY
EP EDGE OF PAVEMENT
EX,EXIST EXISTING
FC FACE OF CURB
FL FLOW LINE
HP HIGH POINT
INV INVERT
LI LAKE INTERCONNECT
LP LOW POINT
MAX MAXIMUM
MED MEDIUM
MIN MINIMUM
NO NUMBER
NTS NOT TO SCALE
PAE PRIVATE ACCESS EASEMENT
PL PROPERTY LINE
PS PUMP STATION
PUE PUBLIC UTILITY EASEMENT
PV PAVEMENT
RD RECLAMATION DISTRICT
R/W RIGHT-OF-WAY
S SLOPE
SD STORM DRAIN
SDE STORM DRAIN EASEMENT
SDMH STORM DRAIN MANHOLE
SHT SHEET
SSL SEWER SYSTEM LINE
SSMH SEWER SYSTEM MANHOLE
STD STANDARD
TYP TYPICAL
WAPA WESTERN AREA POWER AUTHORITY
WL WATER LINE
WS WATER SURFACE

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LOT TYPE	MIN. SIZE (SF)	NO. OF UNITS
SINGLE FAMILY DETACHED-MEDIUM DENSITY	8,000 (80'x100')	231
SINGLE FAMILY DETACHED-HIGH DENSITY	6,000 (60'x100')	542
MULTI-FAMILY DETACHED-LOW DENSITY	3,040 (28'x80')	283
		TOTAL = 1,056

INDEX OF DRAWINGS	
SHEET 1	TITLE SHEET, KEY MAP
SHEET 2	BOUNDARY SHEET
SHEET 3	BOUNDARY SHEET
SHEET 4	TYPICAL SECTIONS & DETAILS SHEET
SHEET 5	TYPICAL LAKE SECTIONS & DETAILS
SP 1	SITE PLAN
SP 2	SITE PLAN
SP 3	SITE PLAN
SP 4	SITE PLAN
SP 5	SITE PLAN
SP 6	SITE PLAN
SP 7	SITE PLAN
GP 1	GRADING PLAN
GP 2	GRADING PLAN
GP 3	GRADING PLAN
GP 4	GRADING PLAN
GP 5	GRADING PLAN
GP 6	GRADING PLAN
GP 7	GRADING PLAN
GP 8	GRADING PLAN SECTIONS & DETAILS
UP 1	UTILITIES PLAN
UP 2	UTILITIES PLAN
UP 3	UTILITIES PLAN
UP 4	UTILITIES PLAN
UP 5	UTILITIES PLAN
UP 6	UTILITIES PLAN
UP 7	UTILITIES PLAN

KEY MAP LEGEND

- (SM) SINGLE FAMILY RESIDENTIAL MEDIUM DENSITY
- (SH) SINGLE FAMILY RESIDENTIAL HIGH DENSITY
- (ML) MULTI-FAMILY RESIDENTIAL LOW DENSITY (DETACHED)
- GENERAL LOCATION OF LANDSCAPED ENTRY TO BE DESIGNED & IMPROVED CONSISTENT WITH SECTION 7.2.3 "GATEWAYS, ENTRIES & ARRIVALS" PER THE EAST CYPRESS CORRIDOR SPECIFIC PLAN

LESHER PROPERTY VESTING TENTATIVE MAP
TITLE SHEET, KEY MAP
CONTRA COSTA COUNTY OAKLEY

SUBD 9404

SHEET 1 OF 27
JOB NO. 13075

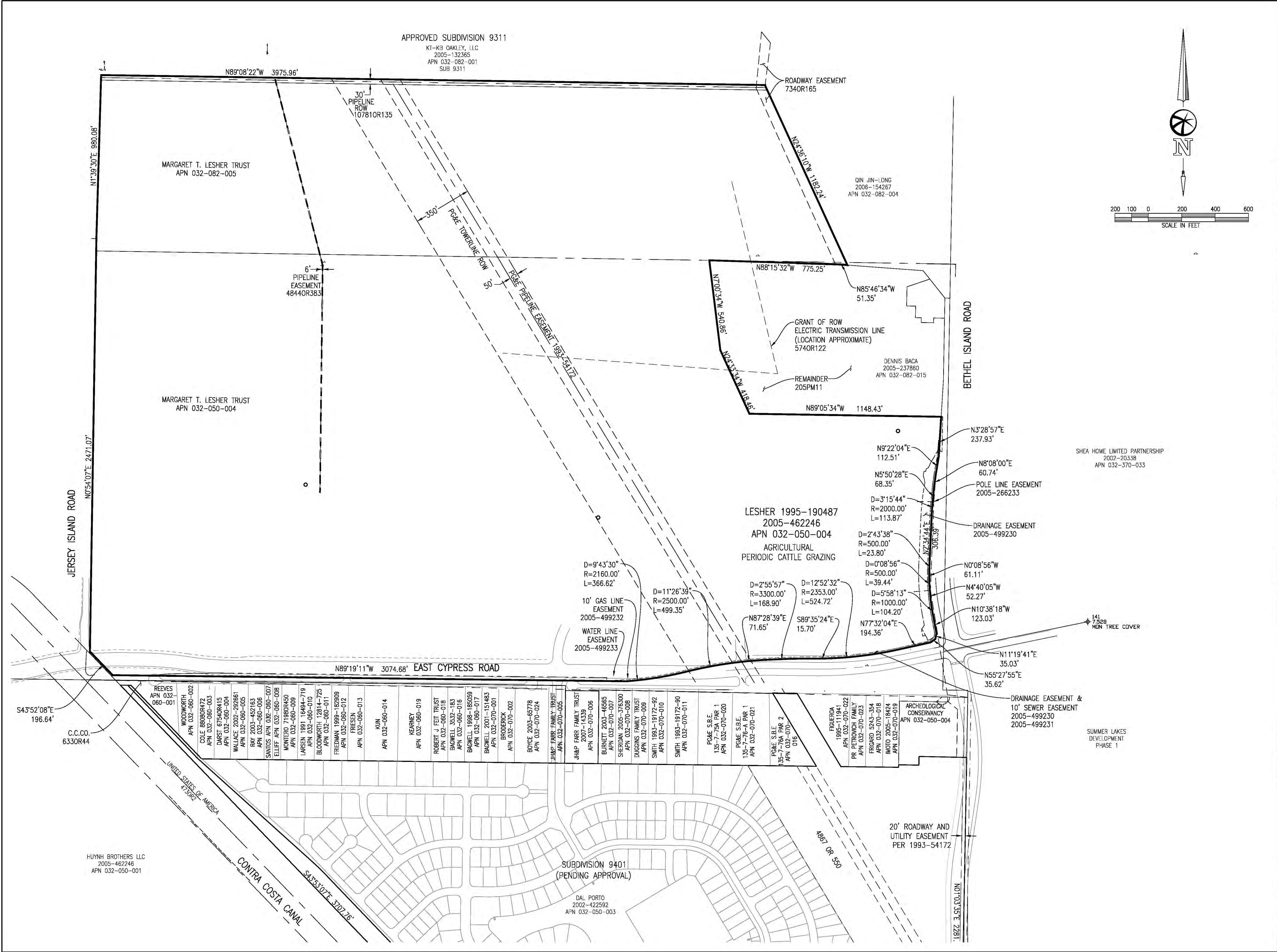
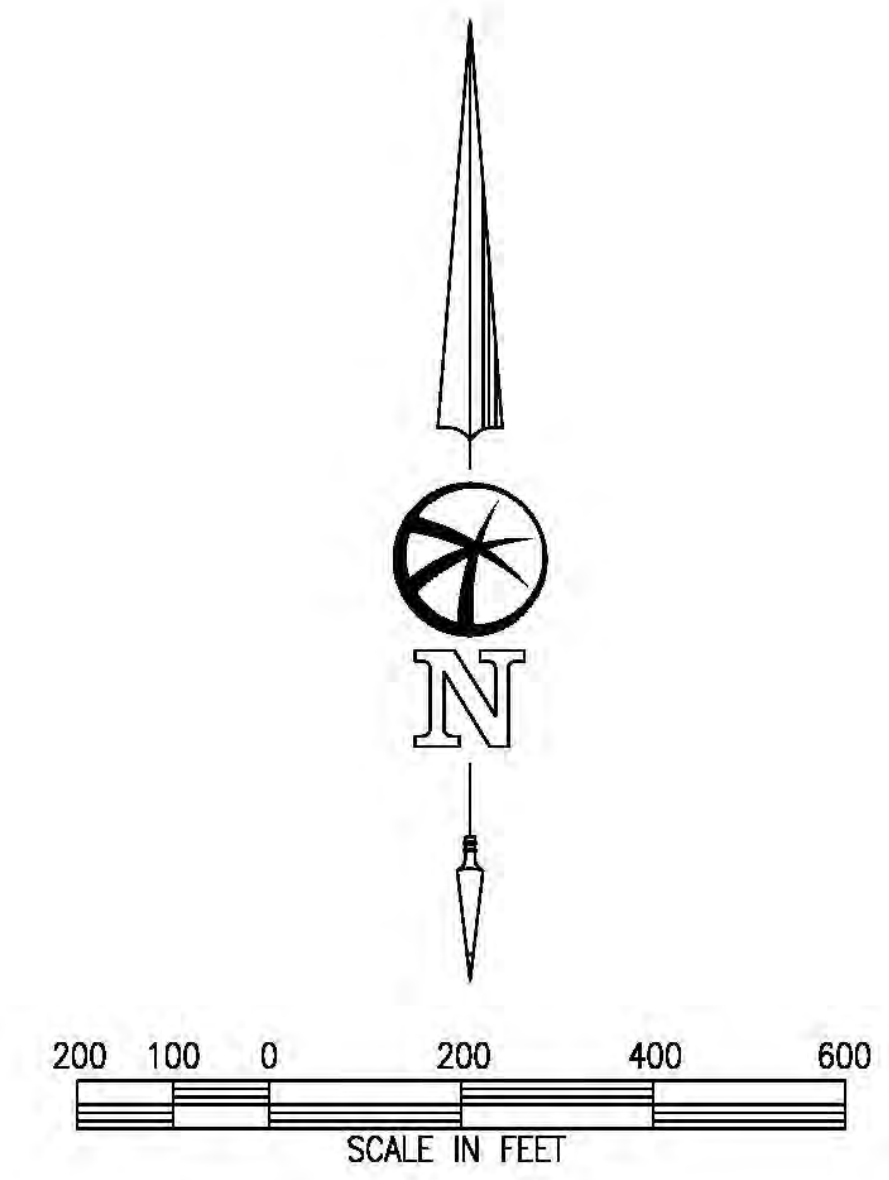
City of OAKLEY
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REV	DATE	REVISIONS

APPROVED SUBDIVISION 9311

KT-KB OAKLEY, LLC
2005-132365
APN 032-082-001
SUB 9311



MARGARET T. LESHER TRUST
APN 032-082-005

MARGARET T. LESHER TRUST
APN 032-050-004

LESHNER 1995-190487
2005-462246
APN 032-050-004
AGRICULTURAL
PERIODIC CATTLE GRAZING

REEVES
APN 032-060-001

WOODWORTH
APN 032-060-002

COLE 8080R472
APN 032-060-003

DARST 6754OR415
APN 032-060-004

WALLACE 2002-292661
APN 032-060-005

RAY 2003-452163
APN 032-060-006

SANTOS APN 032-060-007

ELLIFF APN 032-060-008

MONTERO 7198OR450
APN 032-060-009

LARSEN 1991-16494-719
APN 032-060-010

BLOODWORTH 12814-725
APN 032-060-011

FRIEDMAN 1989-182909
APN 032-060-012

FRISSEN
APN 032-060-013

KUN
APN 032-060-014

KEARNEY
APN 032-060-019

ROBERT J FEIT TRUST
APN 032-060-018

BAGWELL 3532-183
APN 032-060-016

BAGWELL 1998-185059
APN 032-060-017

BACKWELL 2001-151483
APN 032-070-001

BRODERICK
APN 032-070-002

BOYCE 2003-65778
APN 032-070-024

JH&P FARR FAMILY TRUST
APN 032-070-005

JH&P FARR FAMILY TRUST
2007-14339
APN 032-070-006

BURNETT 2003-465865
APN 032-070-007

SHERIDAN 2005-376300
APN 032-070-008

DUGGINS FAMILY TRUST
APN 032-070-009

SMITH 1993-19172-92
APN 032-070-010

SMITH 1993-19172-90
APN 032-070-011

PG&E S.B.E.
135-7-75A PAR 1
APN 032-070-020

PG&E S.B.E.
135-7-76-A PAR 1
APN 032-070-021

PG&E S.B.E.
135-7-76-B PAR 2
APN 032-070-016

FIGUEROA
1995-111941
APN 032-070-022

PR PETROWICH FAMILY
APN 032-070-023

FRICARD 5243-354
APN 032-070-018

IMOTO 2005-18424
APN 032-070-019

ARCHAEOLOGICAL
CONSERVANCY
APN 032-050-004

HUYNH BROTHERS LLC
2005-462246
APN 032-050-001

SUBDIVISION 9401
(PENDING APPROVAL)

DAL PORTO
2002-422592
APN 032-050-003

SHEET 2 OF 27
JOB NO. 13075

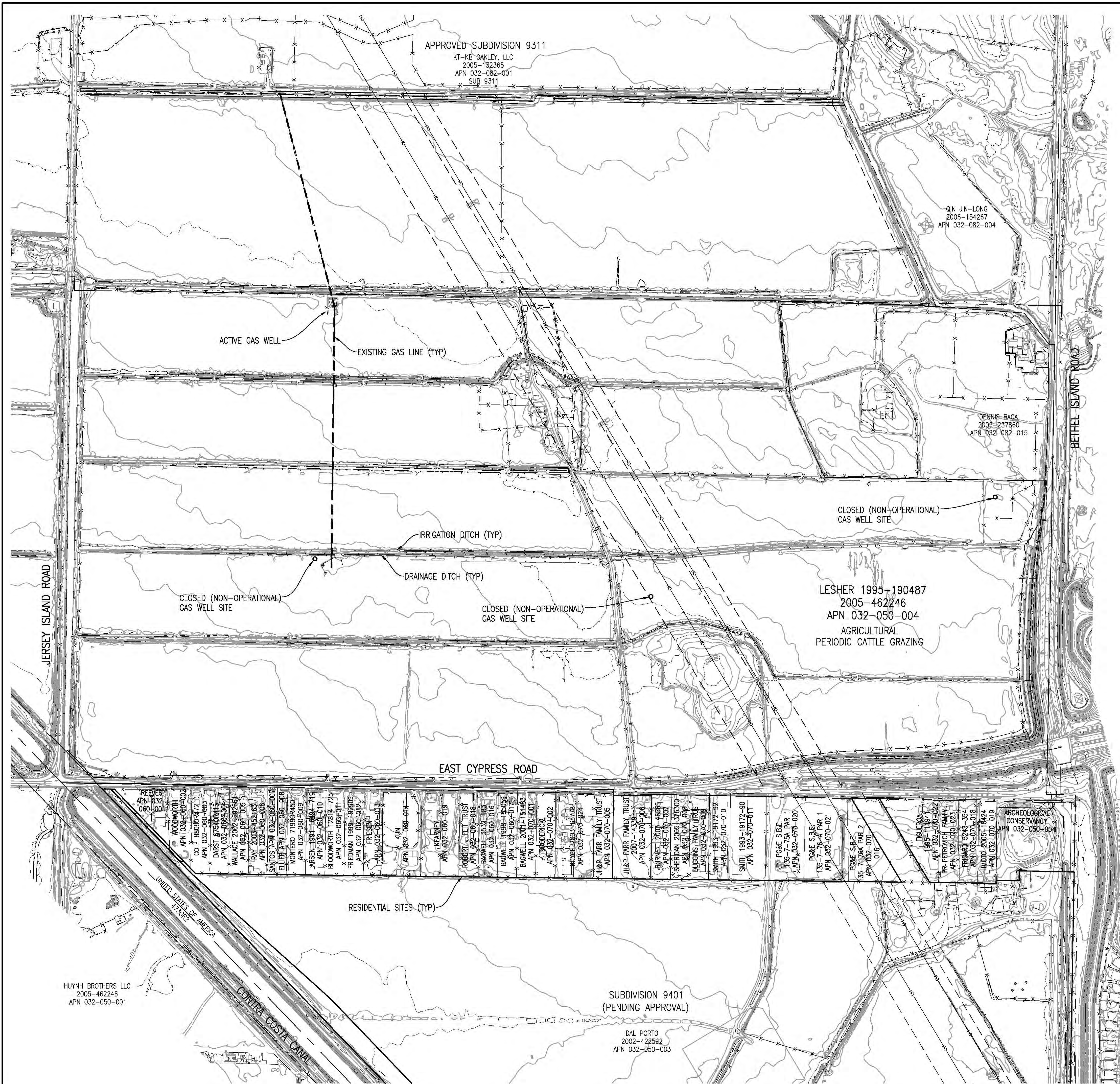
LESHNER PROPERTY VESTING TENTATIVE MAP BOUNDARY
CONTRA COSTA COUNTY OAKLEY

SUBD 9404

City of OAKLEY
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REVISIONS
DATE BY



APPROVED SUBDIVISION 9311
 KT-KB OAKLEY, LLC
 2005-132365
 APN 032-082-001
 SUB 9311

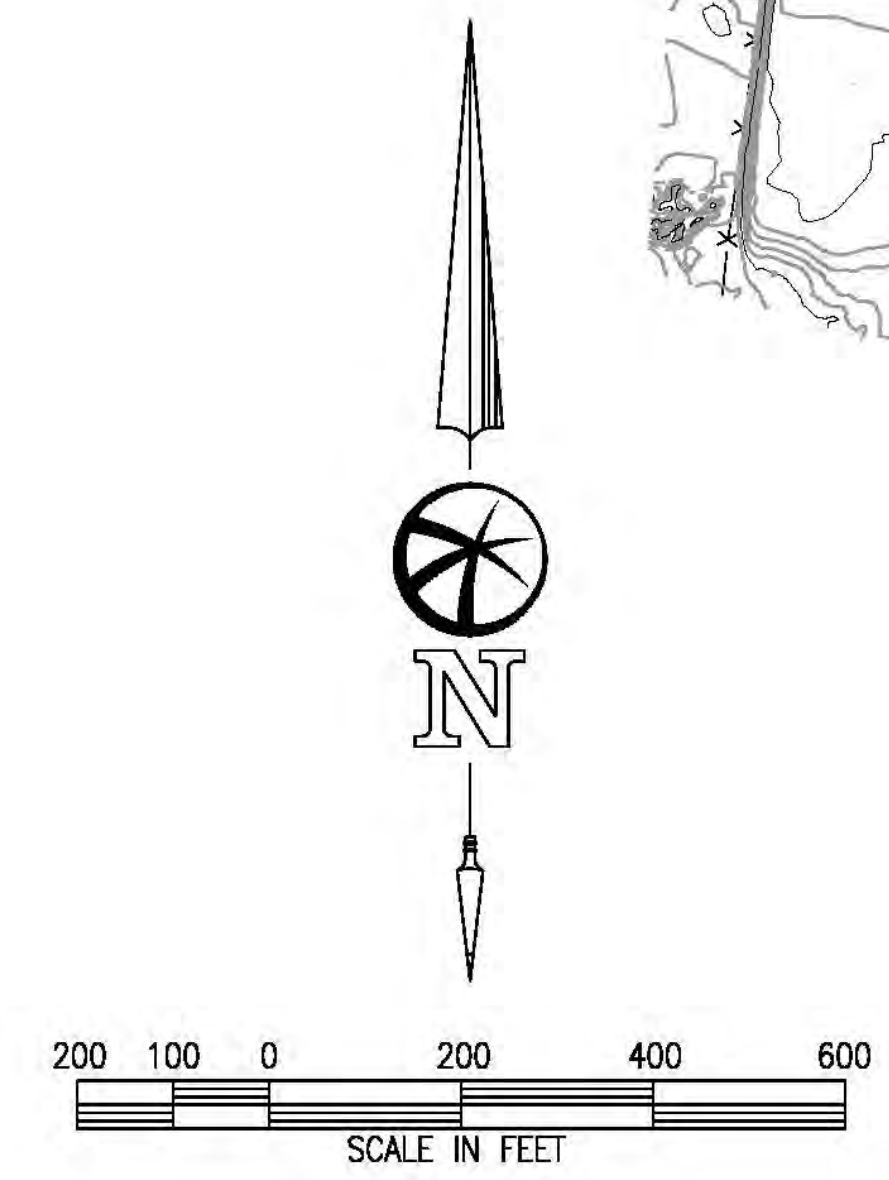
QIN JIN-LONG
 2006-154267
 APN 032-082-004

DENNIS BACA
 2005-237860
 APN 032-082-015

LESHER 1995-190487
 2005-462246
 APN 032-050-004
 AGRICULTURAL
 PERIODIC CATTLE GRAZING

HUYNH BROTHERS LLC
 2005-482746
 APN 032-050-001

SUBDIVISION 9401
 (PENDING APPROVAL)
 DAL PORTO
 2002-422582
 APN 032-050-003

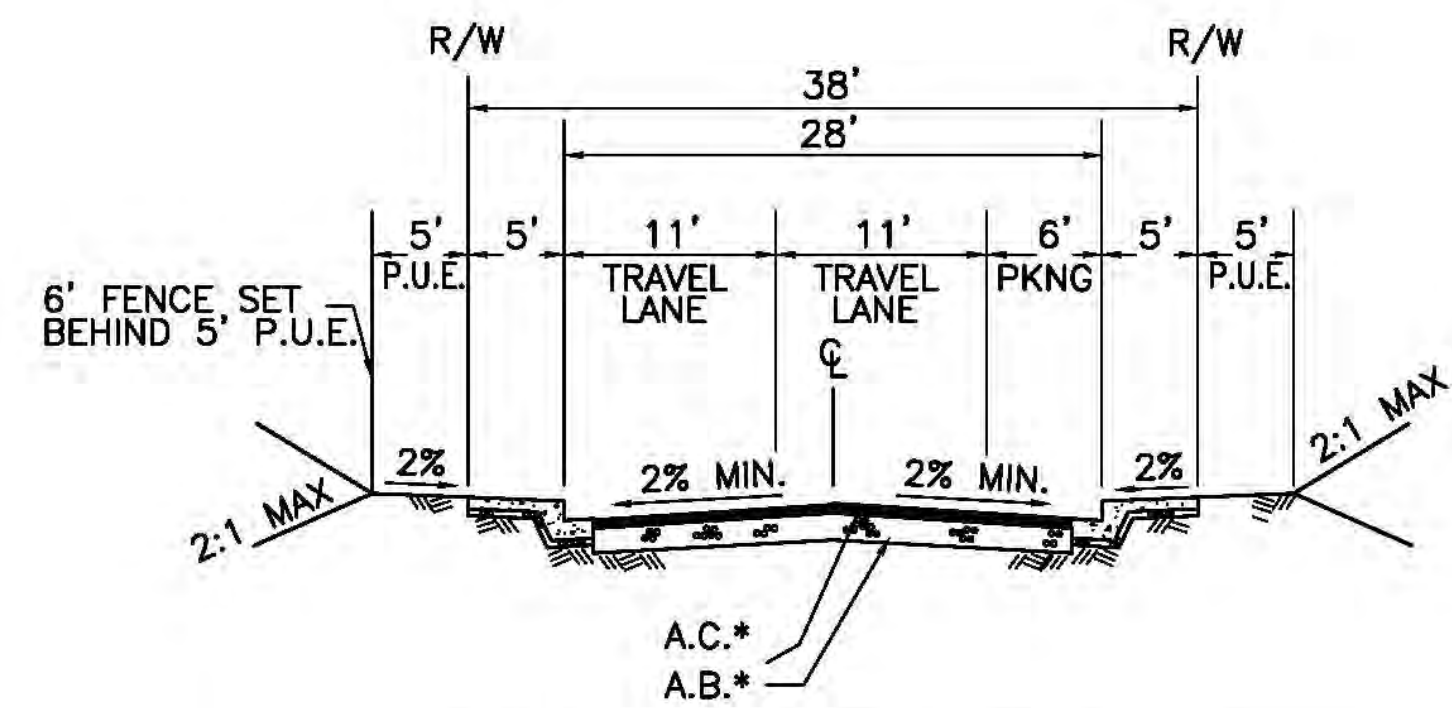


- LEGEND**
- x-x-x-x- FENCE
 - OH- OVERHEAD LINES
 - EXISTING LOT LINES

SHEA HOME LIMITED PARTNERSHIP
 2002-20338
 APN 032-370-033

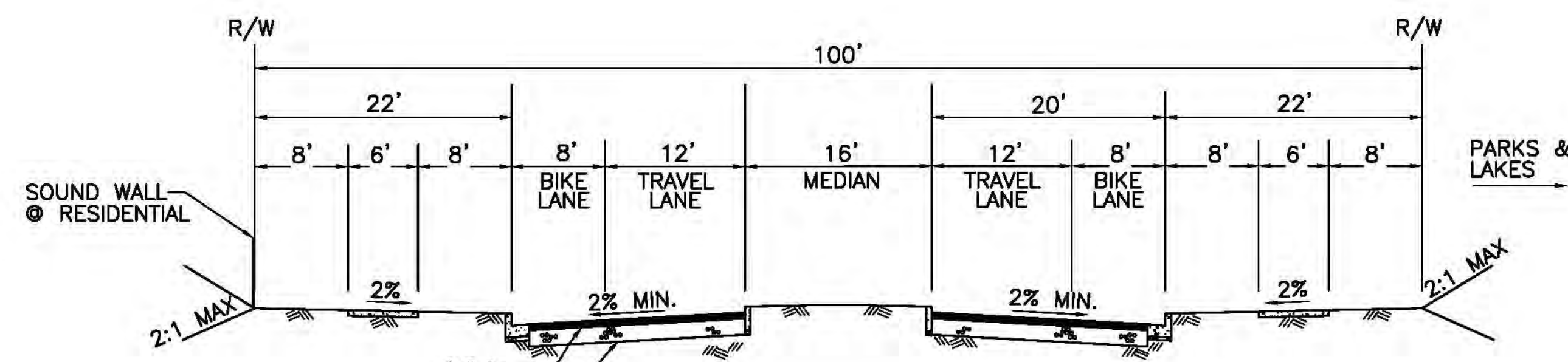
SUMMER LAKES
 DEVELOPMENT
 PHASE 1

SHEET 3	OF 27	JOB NO. 13075	SUBD 9404	LESHER PROPERTY VESTING TENTATIVE MAP EXISTING CONDITIONS	CONTRA COSTA COUNTY CALIFORNIA
 City of OAKLEY <small>A Place for Families in the Heart of the Delta</small>			 Bellecci & Associates, inc. <small>Civil Engineering • Land Surveying • Construction Management</small> 2280 Diamond Boulevard, Suite 100 Concord, CA 94520 Phone (925) 886-4888 Fax (925) 886-4888		
		DATE	BY	REVISIONS	



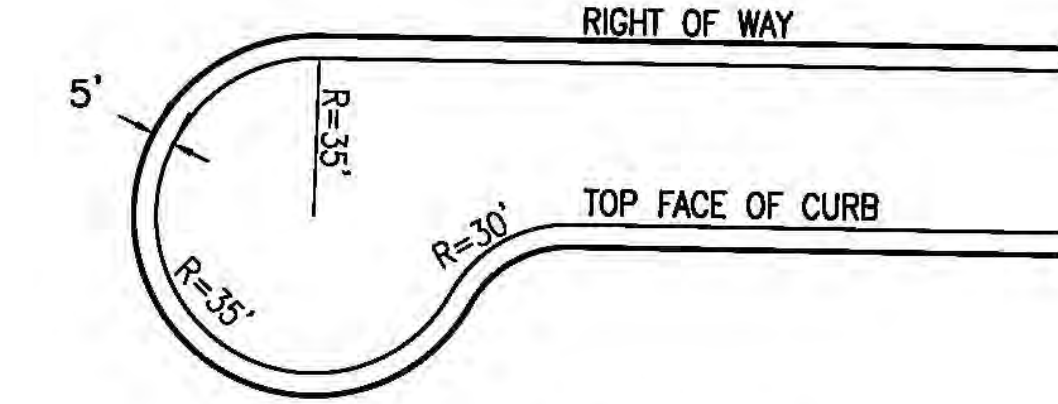
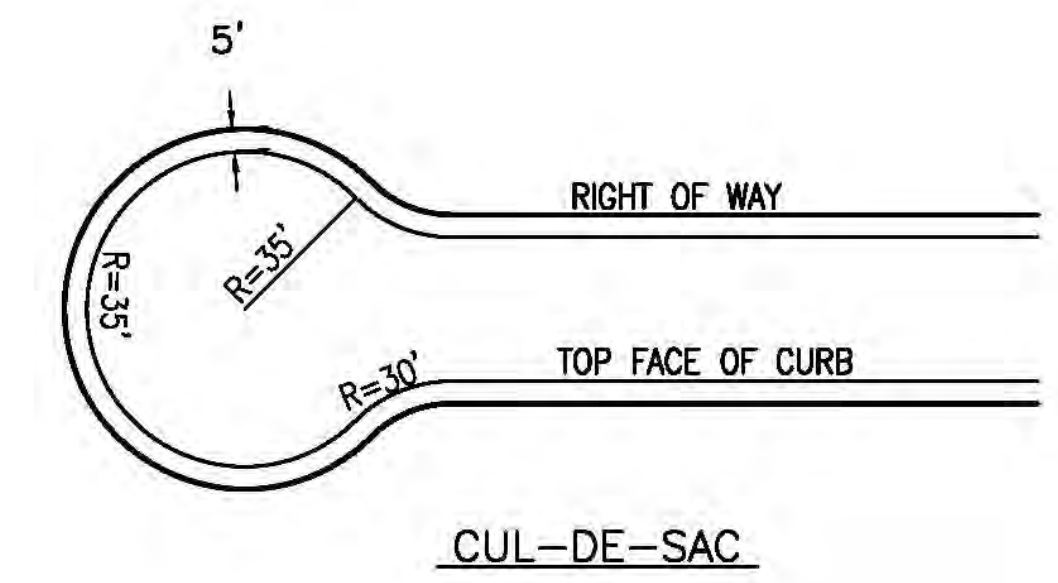
LOCAL SINGLE LOADED STREET SECTION

* FINAL STRUCTURAL SECTION TO BE DETERMINED BY R-VALUE N.T.S.

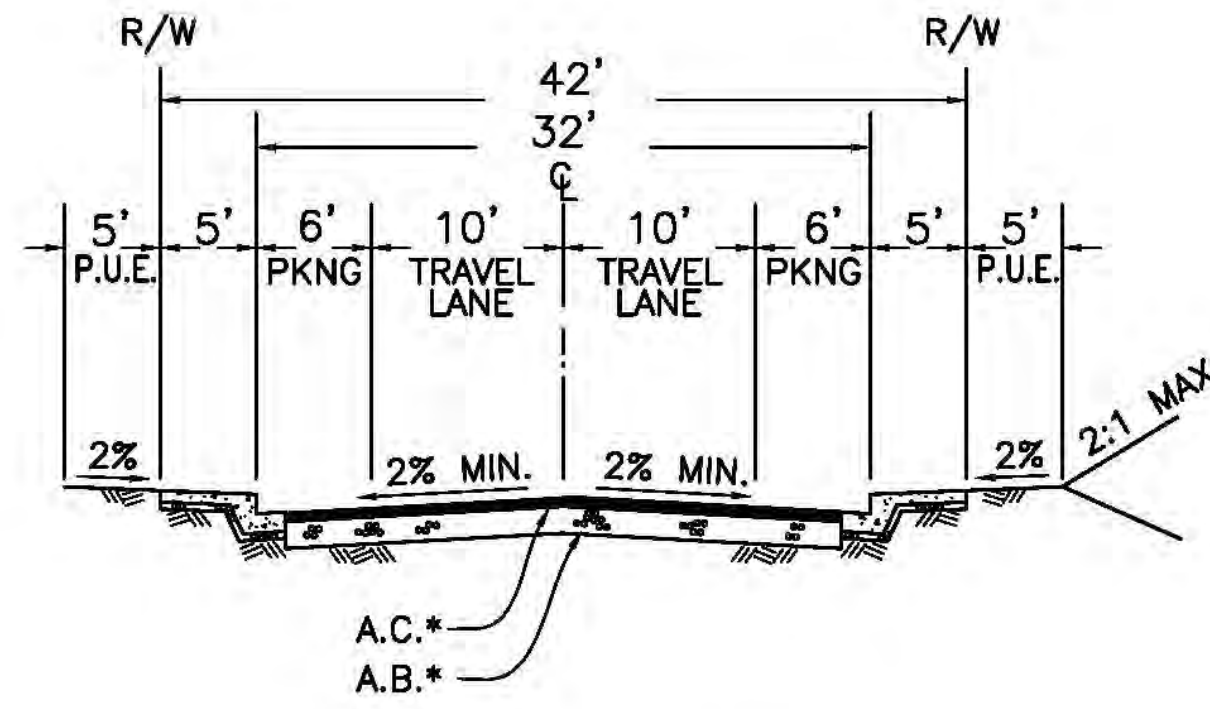


PROJECT COLLECTOR ROAD SECTION

* FINAL STRUCTURAL SECTION TO BE DETERMINED BY R-VALUE N.T.S.

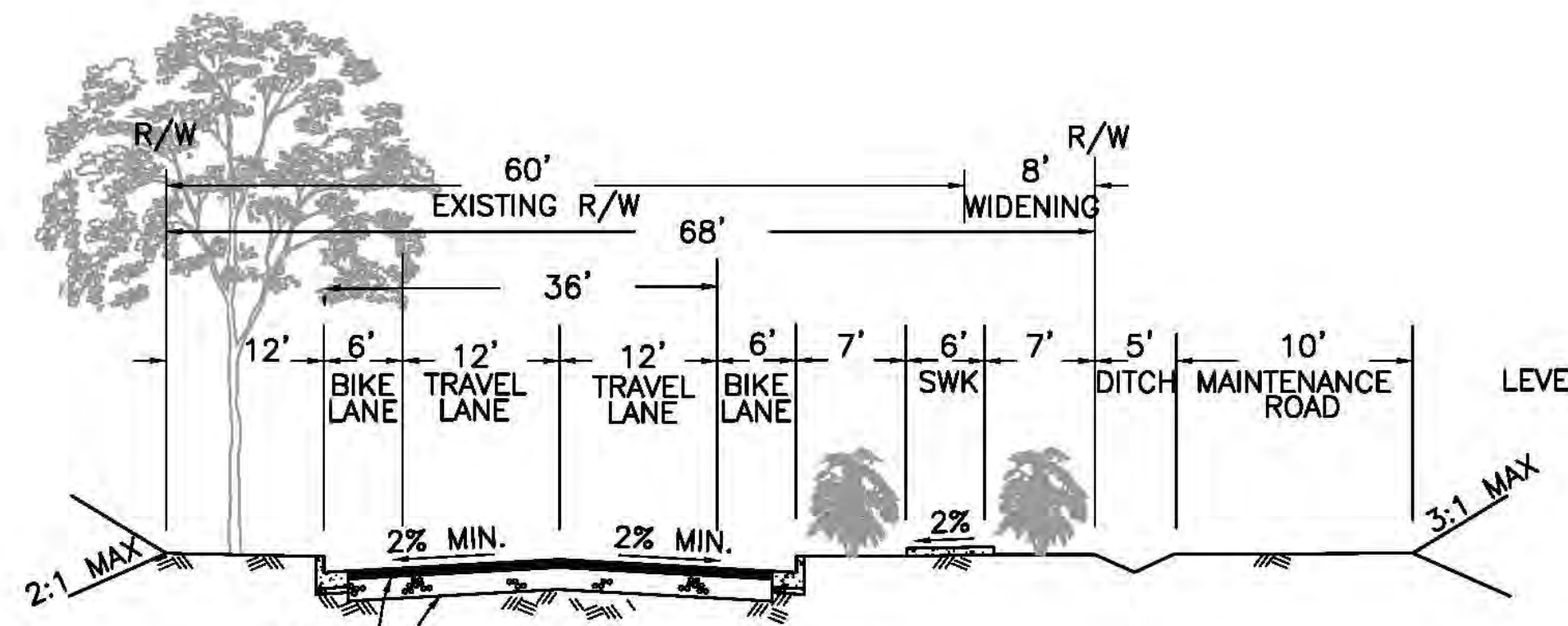


TYPICAL CUL-DE-SAC & OFF SET CUL-DE-SAC DETAIL
N.T.S.



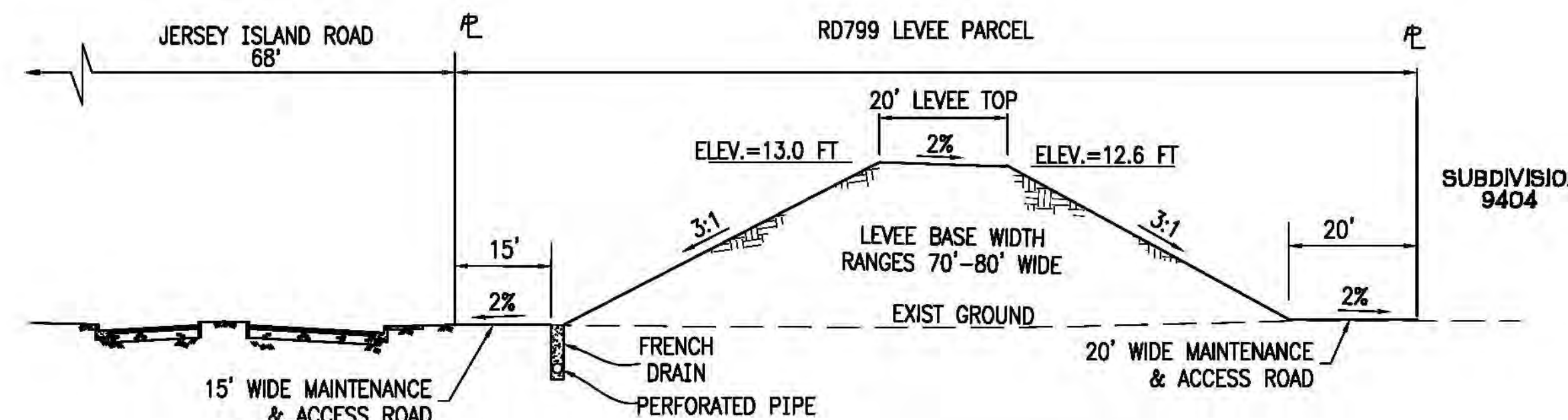
MINOR LOCAL STREET CUL-DE-SAC SECTION

* FINAL STRUCTURAL SECTION TO BE DETERMINED BY R-VALUE N.T.S.



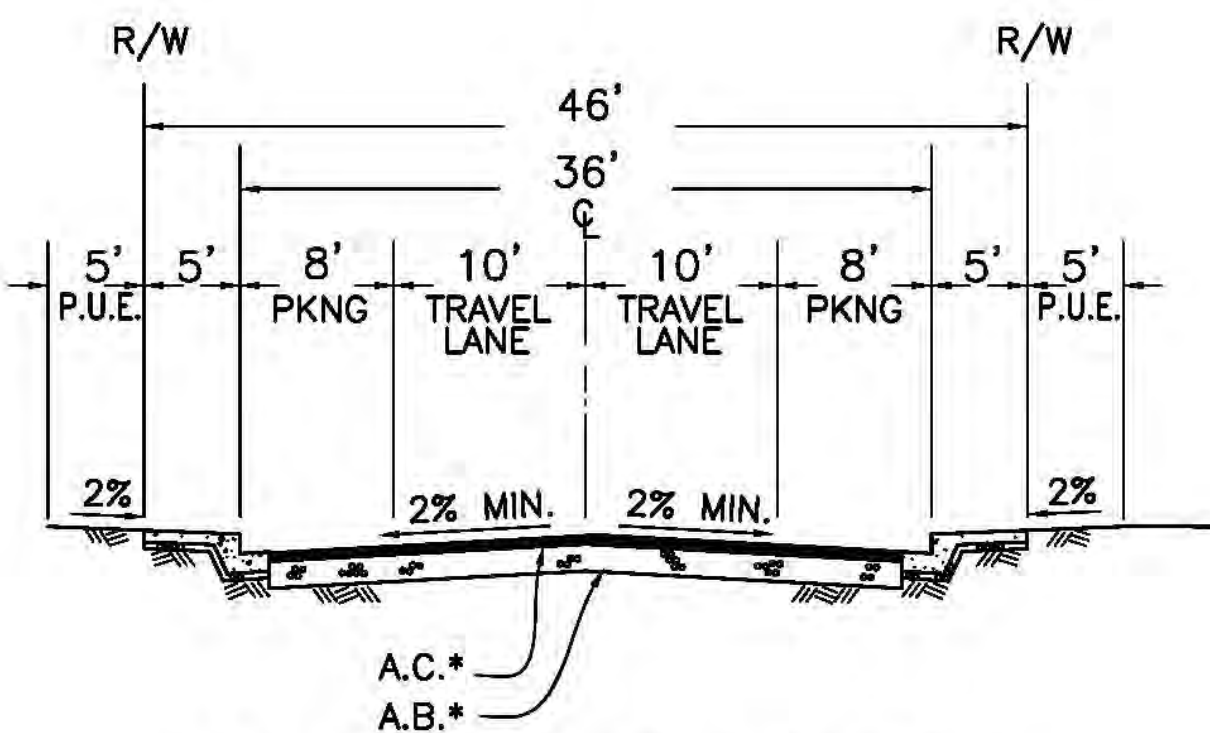
JERSEY ISLAND ROAD

* FINAL STRUCTURAL SECTION TO BE DETERMINED BY R-VALUE N.T.S.



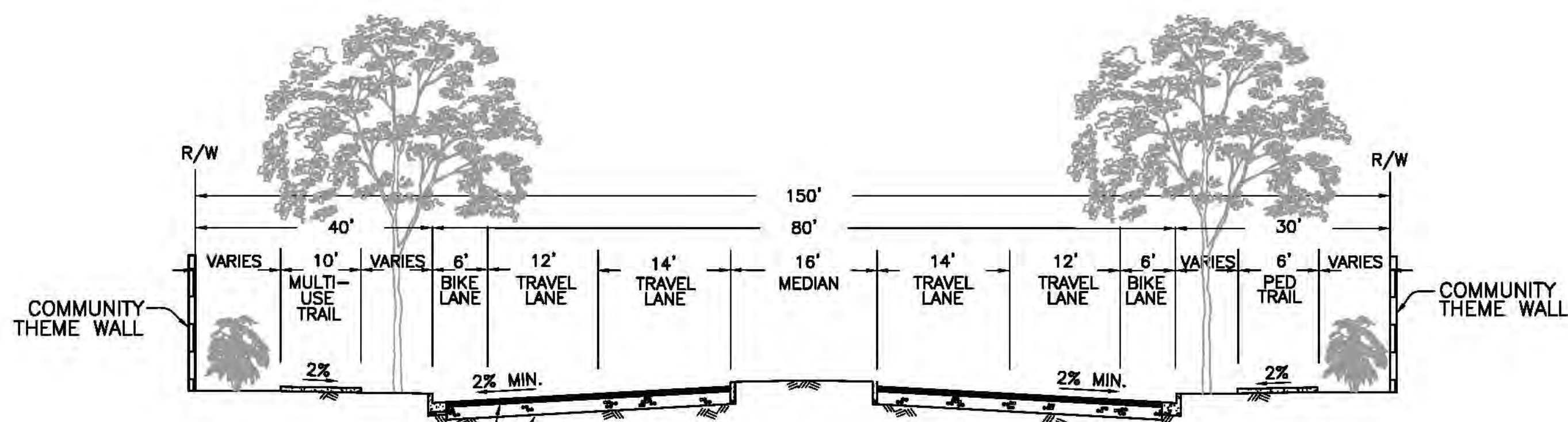
LEVEE ALONG JERSEY ISLAND ROAD

N.T.S.



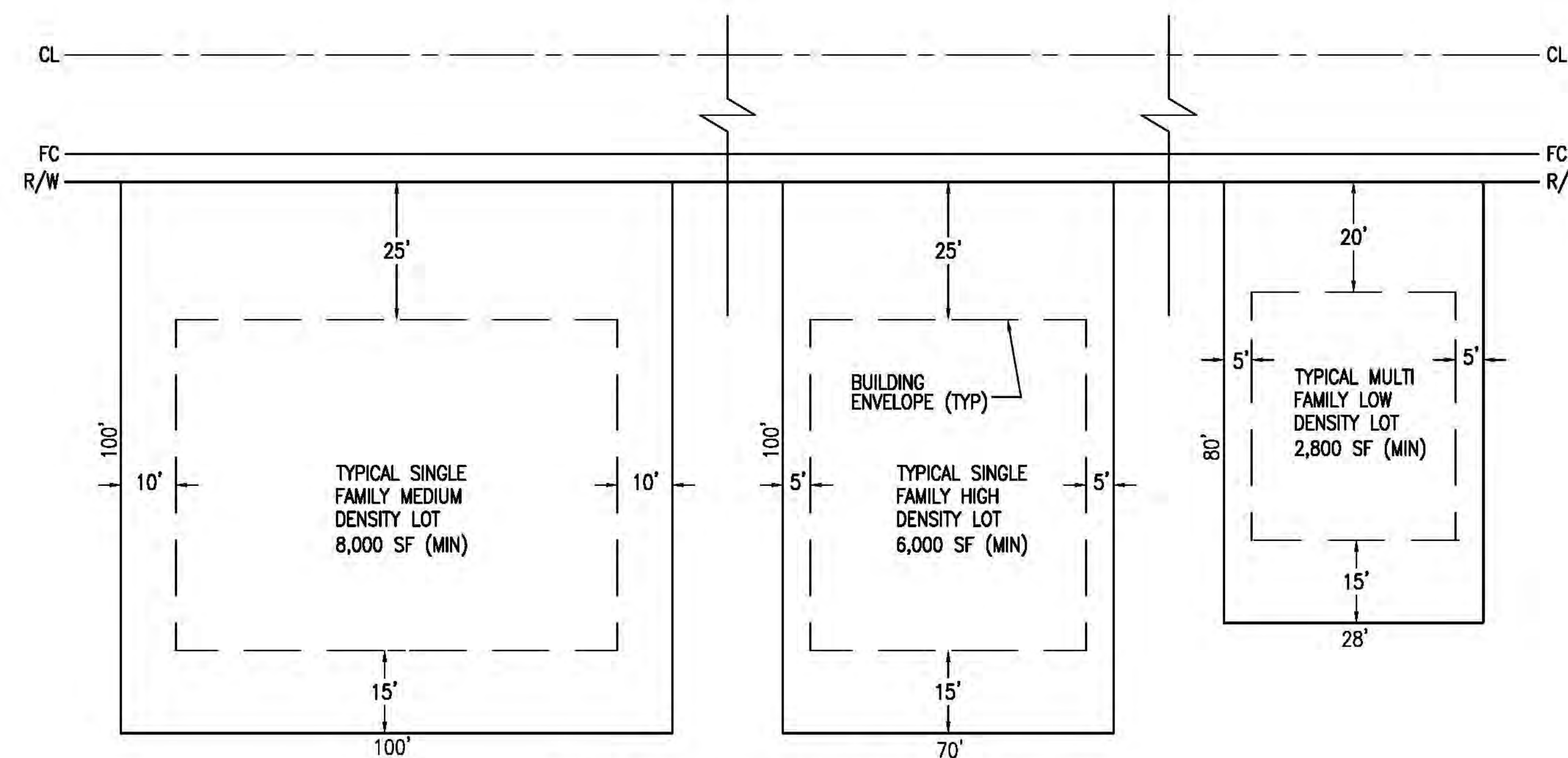
LOCAL STREET SECTION

* FINAL STRUCTURAL SECTION TO BE DETERMINED BY R-VALUE N.T.S.



EAST CYPRESS ROAD

* FINAL STRUCTURAL SECTION TO BE DETERMINED BY R-VALUE N.T.S.



TYPICAL BUILDING ENVELOPES
N.T.S.

NOTE: SETBACK DIMENSIONS ARE ALL MINIMUM DIMENSIONS

NOTE: ALL ROAD SECTIONS SHOWN ARE CONSISTENT WITH THE "EAST CYPRESS CORRIDOR SPECIFIC PLAN."

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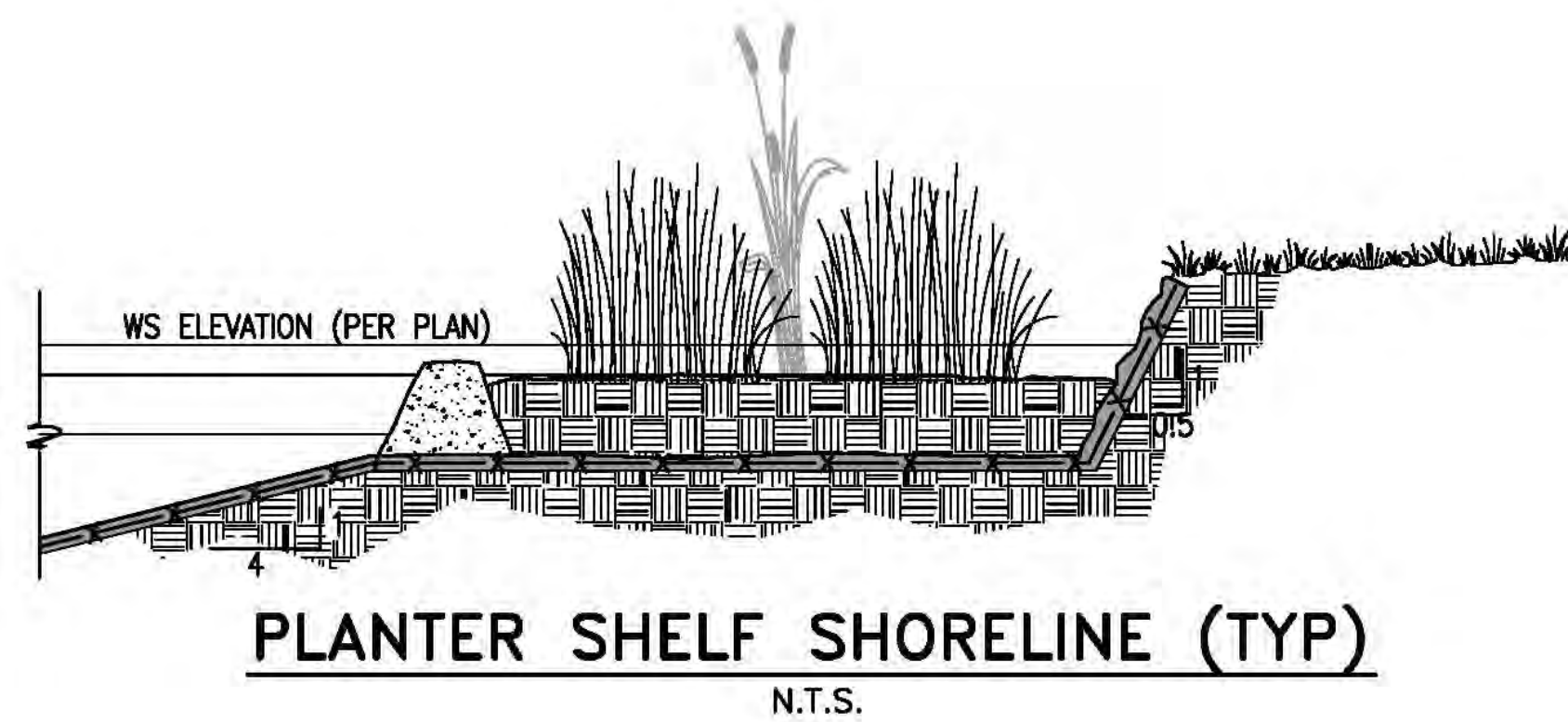
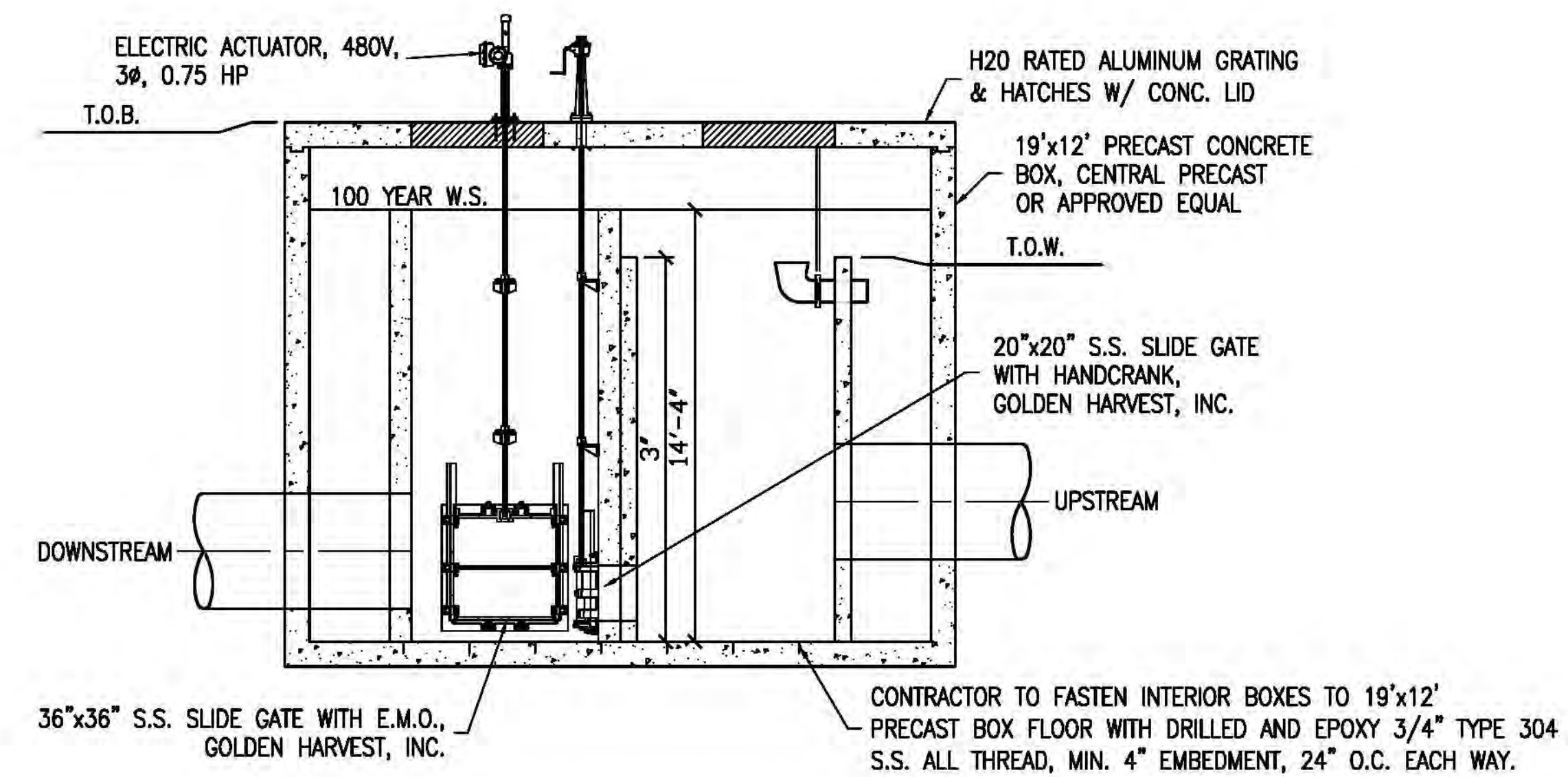
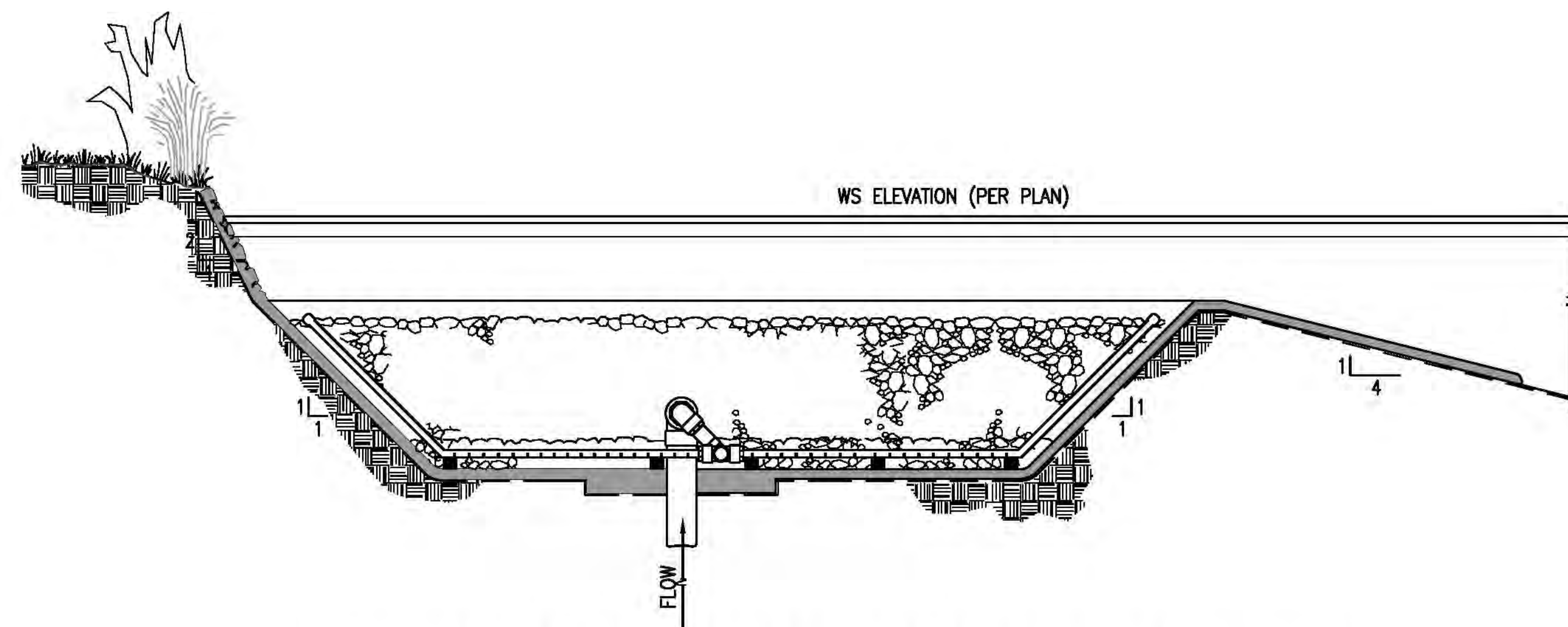
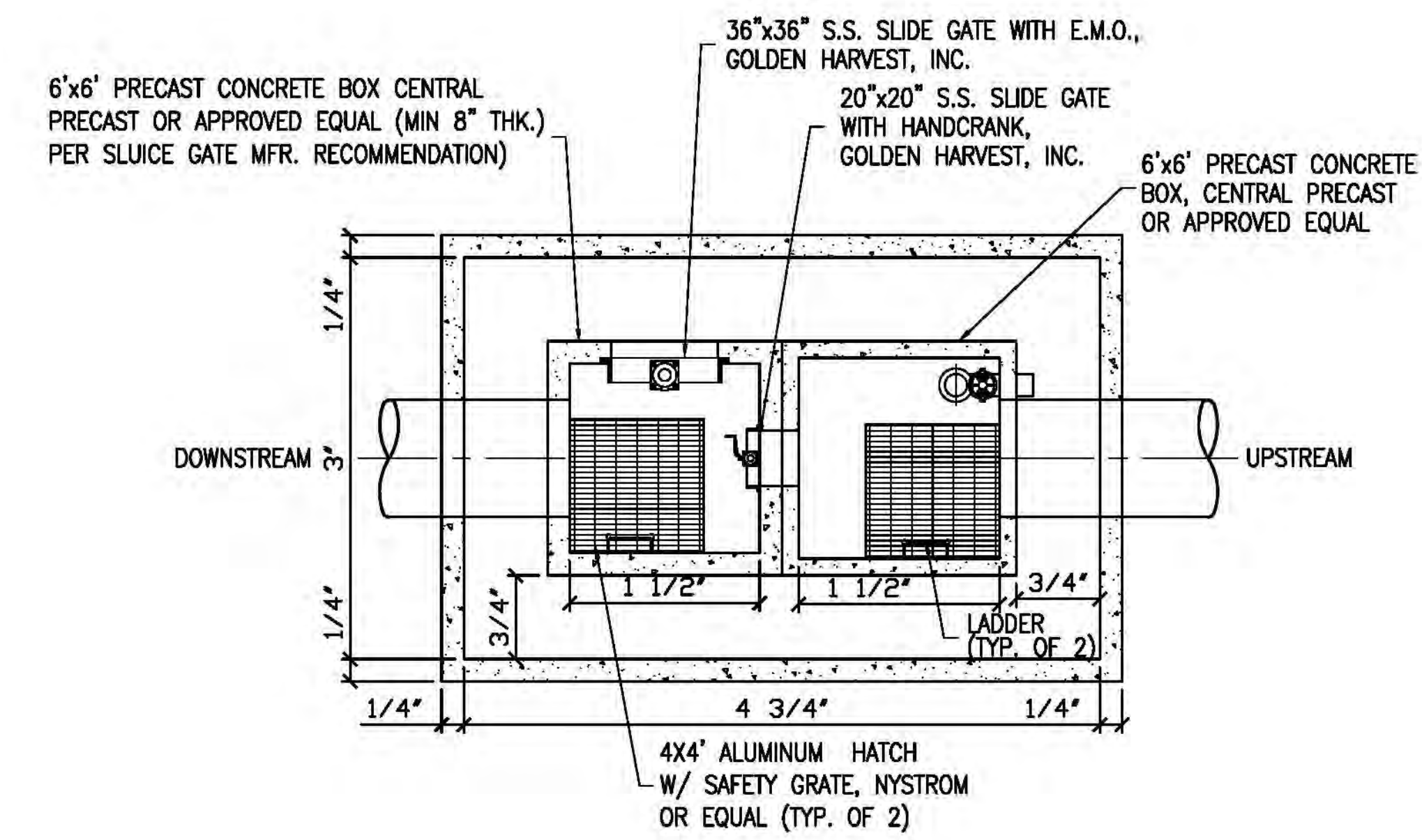
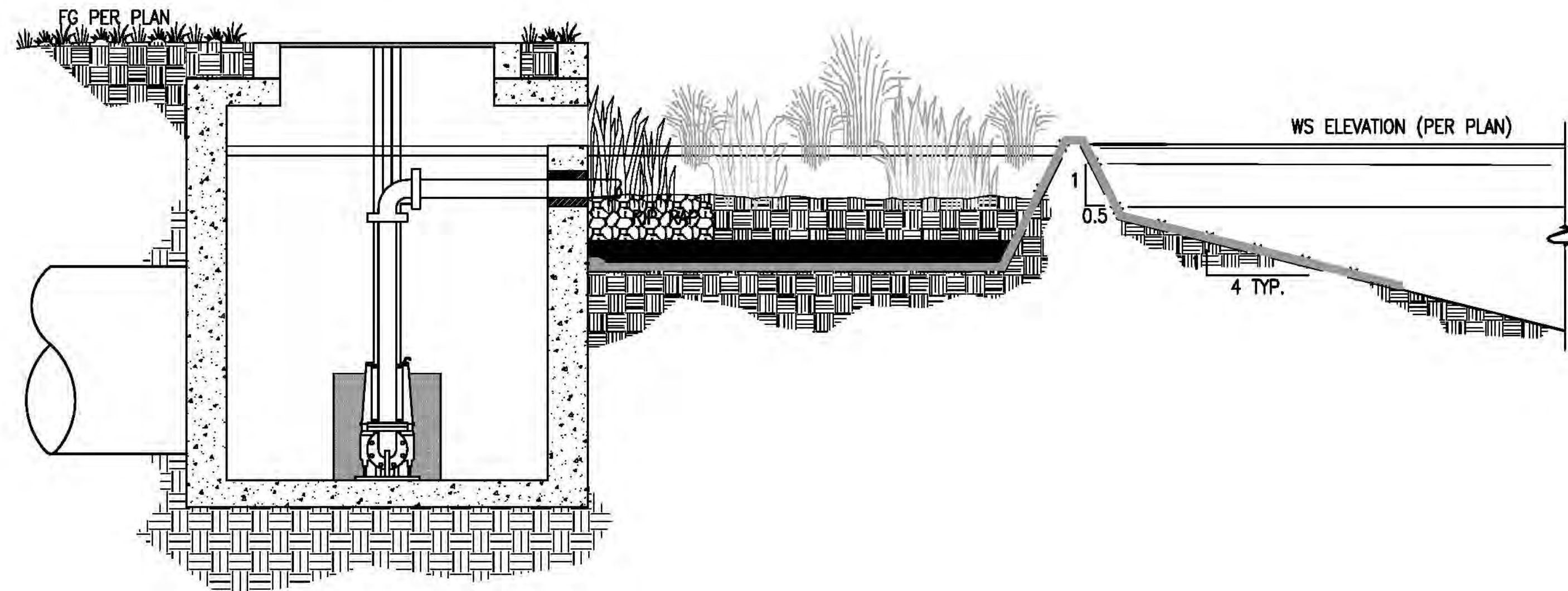
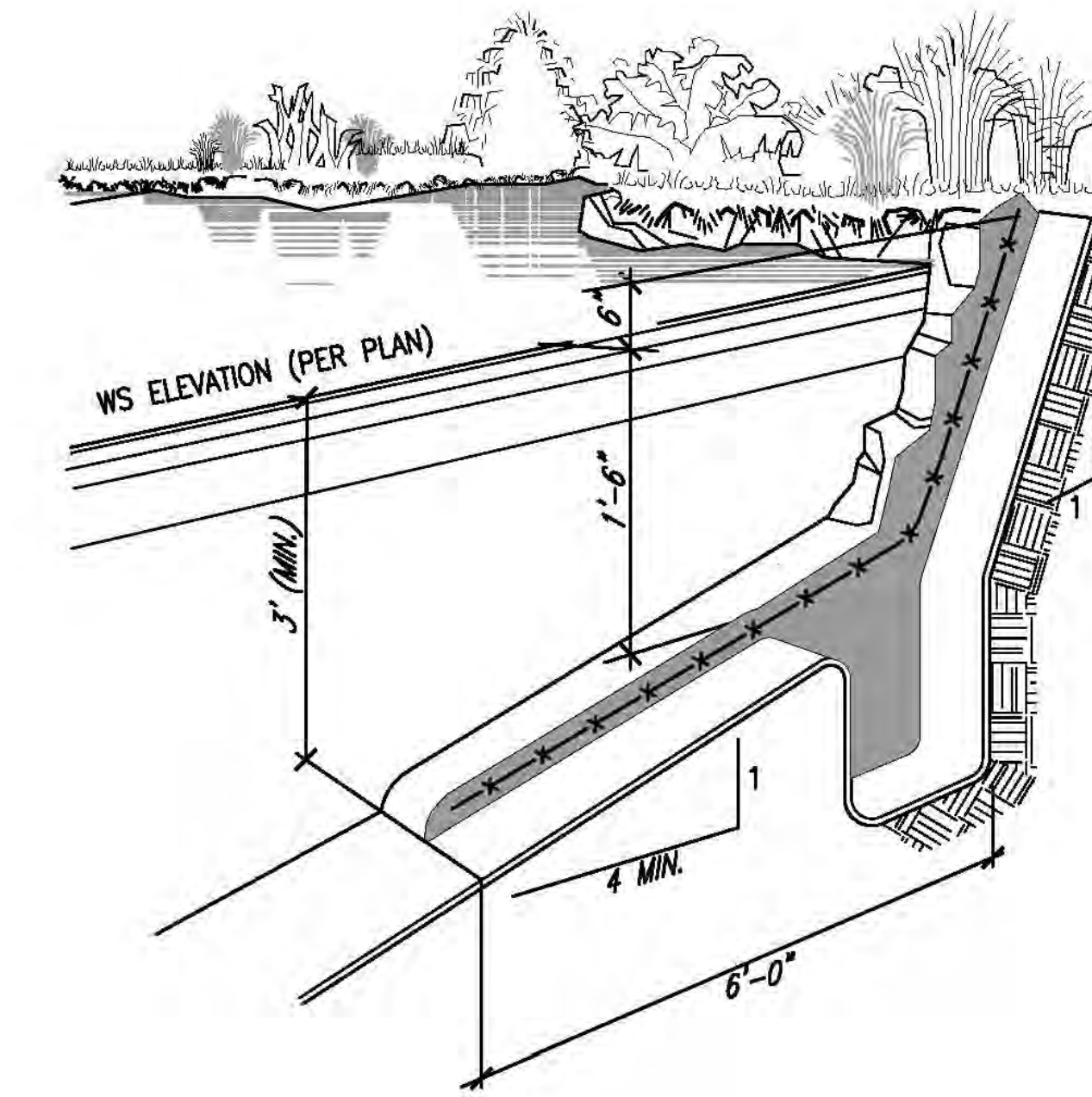
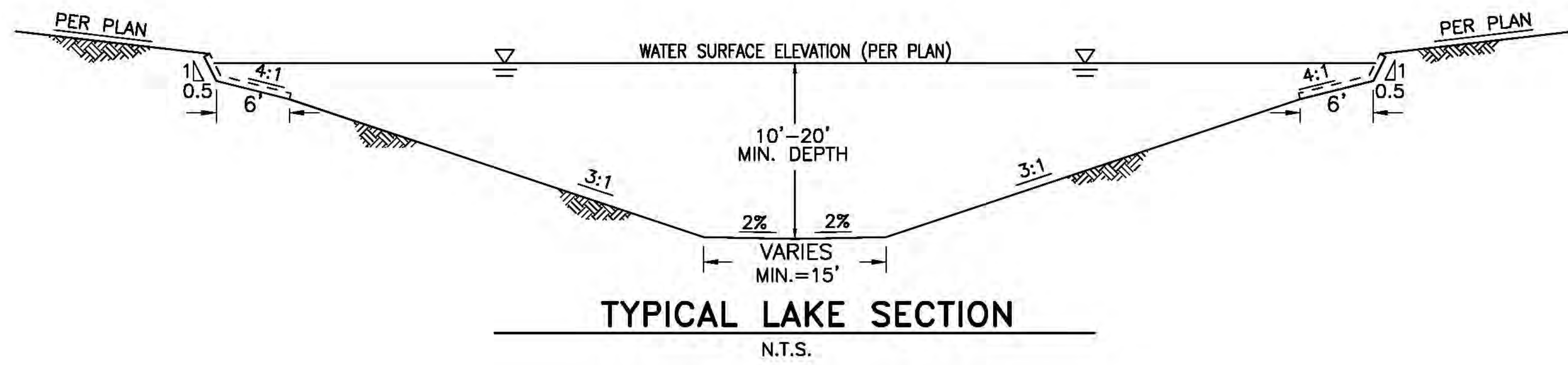
LESLER PROPERTY VESTING TENTATIVE MAP
TYPICAL SECTIONS & DETAILS
CONTRA COSTA COUNTY
CALIFORNIA

SUBD 9404
OAKLEY

City of OAKLEY
A Place for Families in the Heart of the Delta

SHEET **4**
OF 27
JOB NO. 13075

REVISIONS	DATE	BY



NOTE: THE SECTIONS AND DETAILS SHOWN HEREIN ARE INTENDED TO PROVIDE A CONCEPT OF HOW VARIOUS LAKE ELEMENTS WILL LOOK AND FUNCTION. SECTIONS AND DETAILS ARE SUBJECT TO CHANGE BASED ON FINAL DESIGN REQUIREMENTS.

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LESLER PROPERTY VESTING TENTATIVE MAP
TYPICAL LAKE SECTIONS & DETAILS
SUBD 9404
CONTRA COSTA COUNTY
OAKLEY
CALIFORNIA

CITY OF OAKLEY
A PLACE FOR FAMILIES IN THE HEART OF THE DELTA

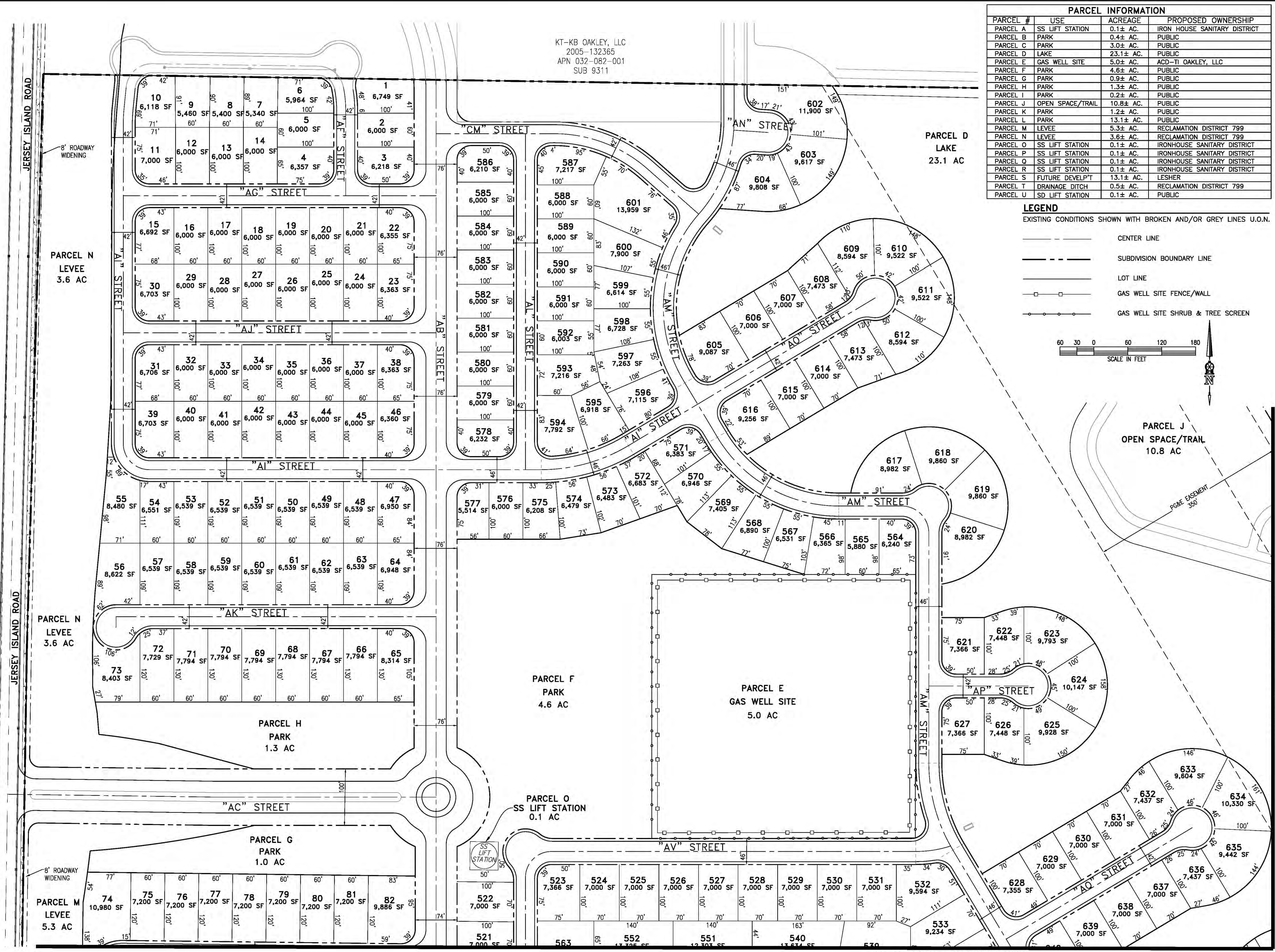
SHEET 5 OF 27
JOB NO. 13075

KT-KB OAKLEY, LLC
 2005-132365
 APN 032-082-001
 SUB 9311

PARCEL INFORMATION			
PARCEL #	USE	ACREAGE	PROPOSED OWNERSHIP
PARCEL A	SS LIFT STATION	0.1± AC.	IRON HOUSE SANITARY DISTRICT
PARCEL B	PARK	0.4± AC.	PUBLIC
PARCEL C	PARK	3.0± AC.	PUBLIC
PARCEL D	LAKE	23.1± AC.	PUBLIC
PARCEL E	GAS WELL SITE	5.0± AC.	ACD-TI OAKLEY, LLC
PARCEL F	PARK	4.6± AC.	PUBLIC
PARCEL G	PARK	0.9± AC.	PUBLIC
PARCEL H	PARK	1.3± AC.	PUBLIC
PARCEL I	PARK	0.2± AC.	PUBLIC
PARCEL J	OPEN SPACE/TRAIL	10.8± AC.	PUBLIC
PARCEL K	PARK	1.2± AC.	PUBLIC
PARCEL L	PARK	13.1± AC.	PUBLIC
PARCEL M	LEVEE	5.3± AC.	RECLAMATION DISTRICT 799
PARCEL N	LEVEE	3.6± AC.	RECLAMATION DISTRICT 799
PARCEL O	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL P	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL Q	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL R	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL S	FUTURE DEVELOP'T	13.1± AC.	LESHER
PARCEL T	DRAINAGE DITCH	0.5± AC.	RECLAMATION DISTRICT 799
PARCEL U	SD LIFT STATION	0.1± AC.	PUBLIC

LEGEND
 EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.

- CENTER LINE
- - - SUBDIVISION BOUNDARY LINE
- LOT LINE
- GAS WELL SITE FENCE/WALL
- GAS WELL SITE SHRUB & TREE SCREEN



PARCEL N
LEVEE
3.6 AC

PARCEL N
LEVEE
3.6 AC

PARCEL H
PARK
1.3 AC

PARCEL G
PARK
1.0 AC

PARCEL F
PARK
4.6 AC

PARCEL E
GAS WELL SITE
5.0 AC

PARCEL D
LAKE
23.1 AC

PARCEL J
OPEN SPACE/TRAIL
10.8 AC

PARCEL O
SS LIFT STATION
0.1 AC

PARCEL M
LEVEE
5.3 AC

MATCH LINE - SEE SHEET SP 4

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VESTING TENTATIVE MAP
 LESHER PROPERTY
SITE PLAN
 CONTRA COSTA COUNTY
 CALIFORNIA

MATCH LINE - SEE SHEET SP 2
 SUBD 9404
 OAKLEY

City of OAKLEY
 A Place for Families in the Heart of the Delta
 SHEET SP1 OF 27
 JOB NO. 13075

REVISIONS

DATE

BY

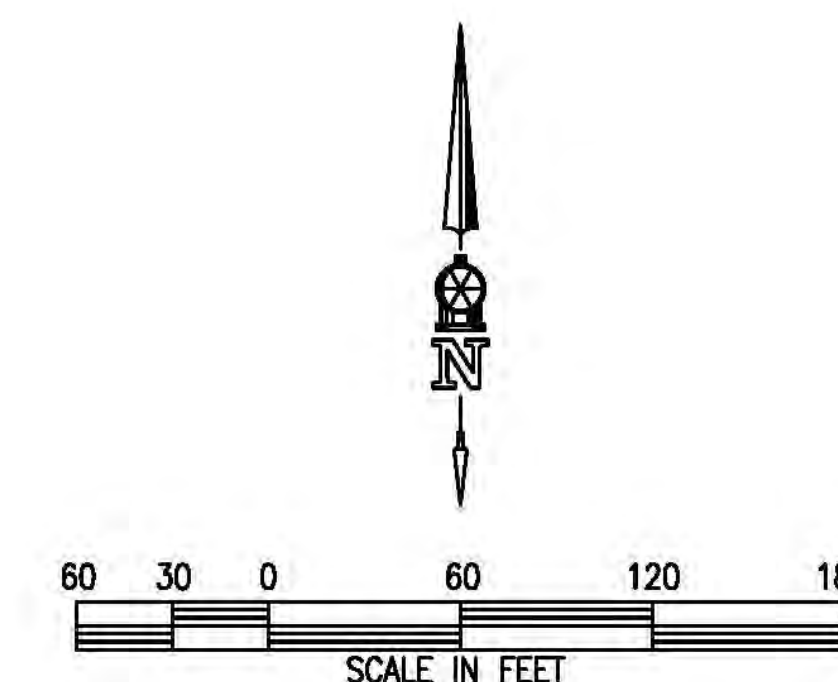
KT-KB OAKLEY, LLC
 2005-132365
 APN 032-082-001
 SUBDIVISION 9311

PARCEL INFORMATION			
PARCEL #	USE	ACREAGE	PROPOSED OWNERSHIP
PARCEL A	SS LIFT STATION	0.1± AC.	IRON HOUSE SANITARY DISTRICT
PARCEL B	PARK	0.4± AC.	PUBLIC
PARCEL C	PARK	3.0± AC.	PUBLIC
PARCEL D	LAKE	23.1± AC.	PUBLIC
PARCEL E	GAS WELL SITE	5.0± AC.	ACD-TI OAKLEY, LLC
PARCEL F	PARK	4.6± AC.	PUBLIC
PARCEL G	PARK	0.9± AC.	PUBLIC
PARCEL H	PARK	1.3± AC.	PUBLIC
PARCEL I	PARK	0.2± AC.	PUBLIC
PARCEL J	OPEN SPACE/TRAIL	10.8± AC.	PUBLIC
PARCEL K	PARK	1.2± AC.	PUBLIC
PARCEL L	PARK	13.1± AC.	PUBLIC
PARCEL M	LEVEE	5.3± AC.	RECLAMATION DISTRICT 799
PARCEL N	LEVEE	3.6± AC.	RECLAMATION DISTRICT 799
PARCEL O	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL P	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL Q	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL R	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL S	FUTURE DEVELOP'T	13.1± AC.	LESHER
PARCEL T	DRAINAGE DITCH	0.5± AC.	RECLAMATION DISTRICT 799
PARCEL U	SD LIFT STATION	0.1± AC.	PUBLIC

LEGEND

EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.

- CENTER LINE
- - - SUBDIVISION BOUNDARY LINE
- LOT LINE



PARCEL J
 OPEN SPACE/TRAIL
 10.8 AC

PARCEL D
 LAKE
 23.1 AC

MATCH LINE - SEE SHEET SP 1

MATCH LINE - SEE SHEET SP 3

MATCH LINE - SEE SHEET SP 5

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LESHER PROPERTY VESTING TENTATIVE MAP
SITE PLAN
 CONTRA COSTA COUNTY CALIFORNIA

SUBD 9404
 OAKLEY



SHEET SP2 OF 27
 JOB NO. 13075

REVISIONS

DATE

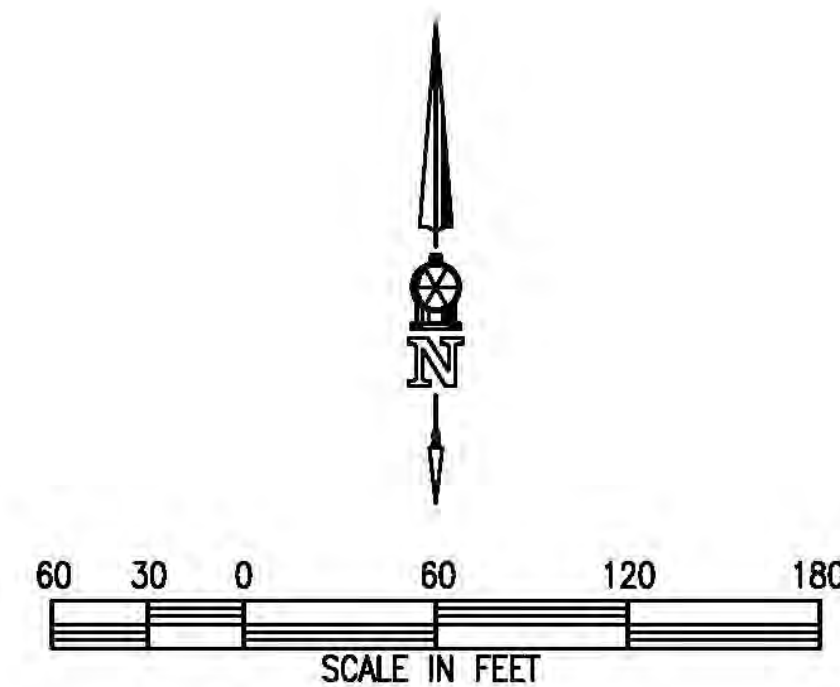
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PARCEL INFORMATION			
PARCEL #	USE	ACREAGE	PROPOSED OWNERSHIP
PARCEL A	SS LIFT STATION	0.1± AC.	IRON HOUSE SANITARY DISTRICT
PARCEL B	PARK	0.4± AC.	PUBLIC
PARCEL C	PARK	3.0± AC.	PUBLIC
PARCEL D	LAKE	23.1± AC.	PUBLIC
PARCEL E	GAS WELL SITE	5.0± AC.	ACD-TI OAKLEY, LLC
PARCEL F	PARK	4.6± AC.	PUBLIC
PARCEL G	PARK	0.9± AC.	PUBLIC
PARCEL H	PARK	1.3± AC.	PUBLIC
PARCEL I	PARK	0.2± AC.	PUBLIC
PARCEL J	OPEN SPACE/TRAIL	10.8± AC.	PUBLIC
PARCEL K	PARK	1.2± AC.	PUBLIC
PARCEL L	PARK	13.1± AC.	PUBLIC
PARCEL M	LEVEE	5.3± AC.	RECLAMATION DISTRICT 799
PARCEL N	LEVEE	3.6± AC.	RECLAMATION DISTRICT 799
PARCEL O	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL P	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL Q	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL R	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL S	FUTURE DEVELOPT	13.1± AC.	LESHER
PARCEL T	DRAINAGE DITCH	0.5± AC.	RECLAMATION DISTRICT 799
PARCEL U	SD LIFT STATION	0.1± AC.	PUBLIC

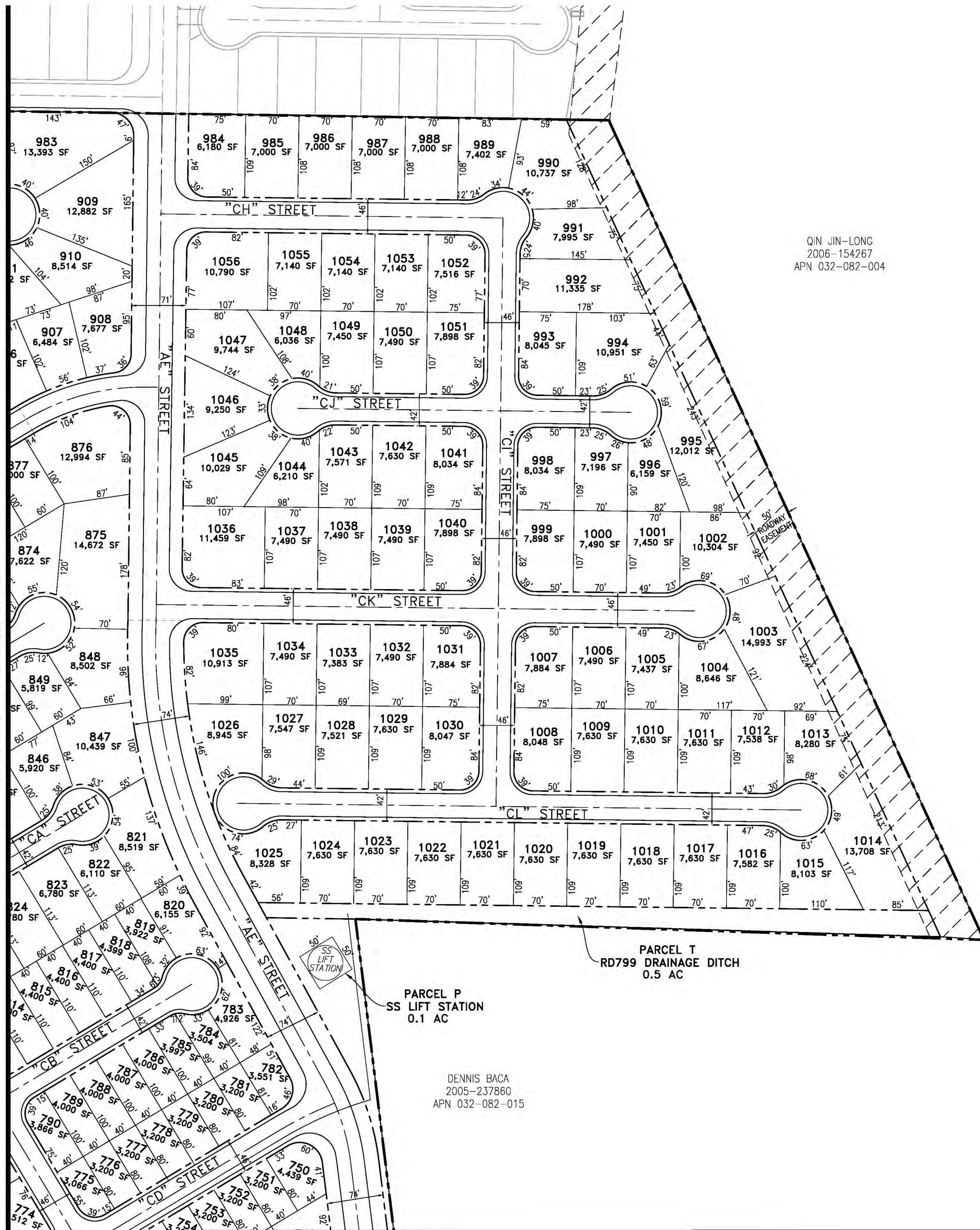
LEGEND

EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.

- CENTER LINE
- SUBDIVISION BOUNDARY LINE
- LOT LINE



MATCH LINE - SEE SHEET SP 2



MATCH LINE - SEE SHEET SP 5

QIN JIN-LONG
2006-154267
APN 032-082-004

DENNIS BACA
2005-237860
APN 032-082-015

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Civil Engineering • Land Surveying • Construction Management
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Phone (925) 885-4889 Fax (925) 885-4888

LESHER PROPERTY VESTING TENTATIVE MAP
SITE PLAN
CONTRA COSTA COUNTY CALIFORNIA

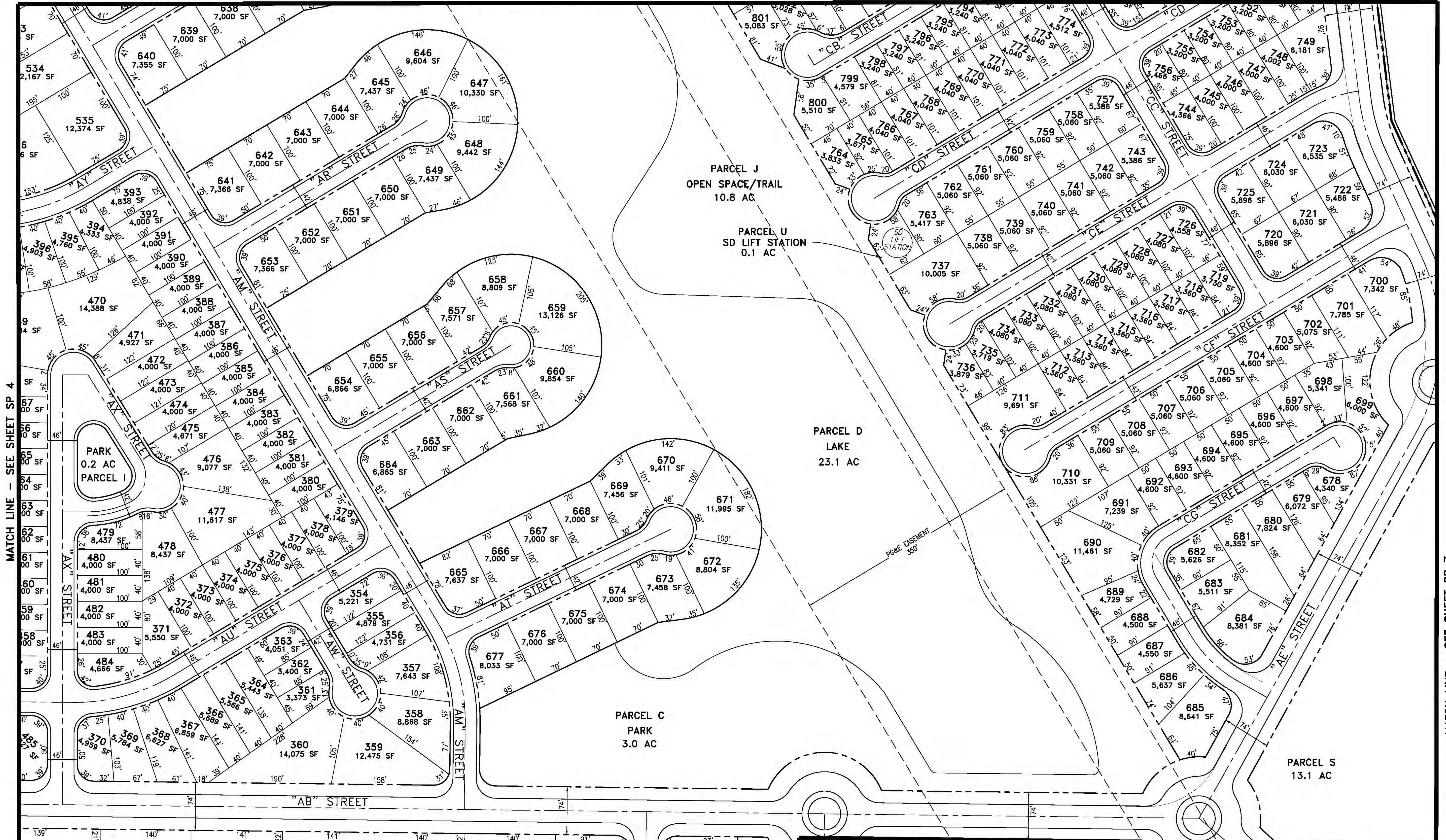
SUBD 9404
OAKLEY



SHEET SP3 OF 27
JOB NO. 13075

NO.	DATE	REVISIONS

MATCH LINE - SEE SHEET SP 2 & 3



PARCEL J
OPEN SPACE/TRAIL
10.8 AC

PARCEL U
SD LIFT STATION
0.1 AC

PARCEL D
LAKE
23.1 AC

PARCEL C
PARK
3.0 AC

PARCEL S
13.1 AC

MATCH LINE - SEE SHEET SP 4

MATCH LINE - SEE SHEET SP 7

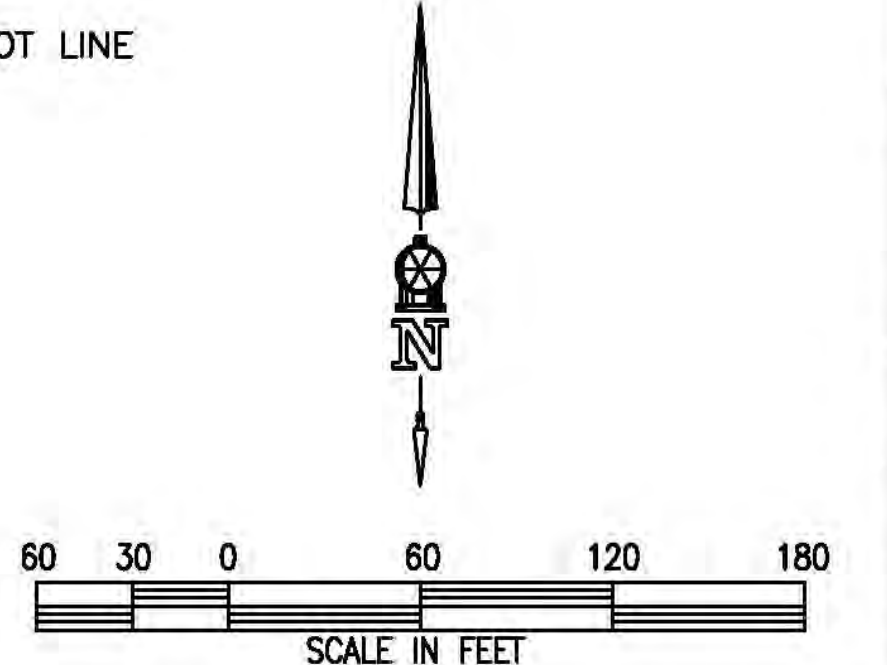
MATCH LINE - SEE SHEET SP 6

MATCH LINE - SEE SHEET SP 7

PARCEL #	USE	ACREAGE	PROPOSED OWNERSHIP
PARCEL A	SS LIFT STATION	0.1± AC.	IRON HOUSE SANITARY DISTRICT
PARCEL B	PARK	0.4± AC.	PUBLIC
PARCEL C	PARK	3.0± AC.	PUBLIC
PARCEL D	LAKE	23.1± AC.	PUBLIC
PARCEL E	GAS WELL SITE	5.0± AC.	ACD-TI OAKLEY, LLC
PARCEL F	PARK	4.6± AC.	PUBLIC
PARCEL G	PARK	0.9± AC.	PUBLIC
PARCEL H	PARK	1.3± AC.	PUBLIC
PARCEL I	PARK	0.2± AC.	PUBLIC
PARCEL J	OPEN SPACE/TRAIL	10.8± AC.	PUBLIC
PARCEL K	PARK	1.2± AC.	PUBLIC
PARCEL L	PARK	13.1± AC.	PUBLIC
PARCEL M	LEVEE	5.3± AC.	RECLAMATION DISTRICT 799
PARCEL N	LEVEE	3.6± AC.	RECLAMATION DISTRICT 799
PARCEL O	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL P	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL Q	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL R	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL S	FUTURE DEVELOP'T	13.1± AC.	LESHER
PARCEL T	DRAINAGE DITCH	0.5± AC.	RECLAMATION DISTRICT 799
PARCEL U	SD LIFT STATION	0.1± AC.	PUBLIC

LEGEND
EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.

- CENTER LINE
- SUBDIVISION BOUNDARY LINE
- LOT LINE

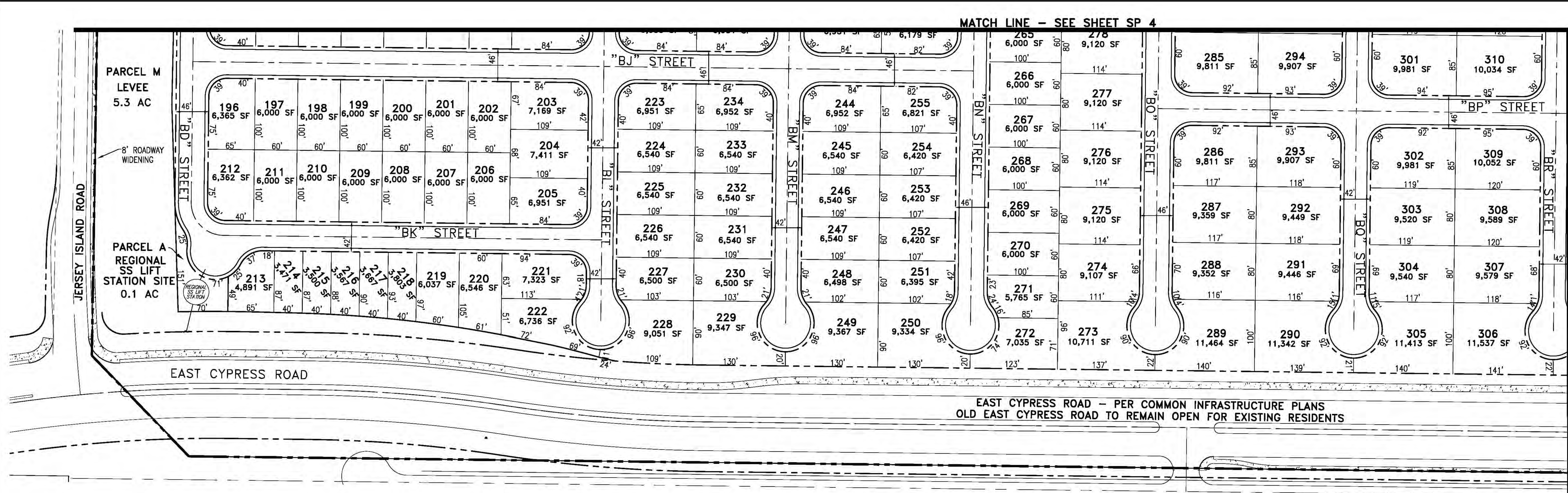


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LESHER PROPERTY
SITE PLAN
CONTRA COSTA COUNTY
CALIFORNIA

SUBD 9404
OAKLEY
CITY OF OAKLEY
SHEET SP5 OF 27
JOB NO. 13075

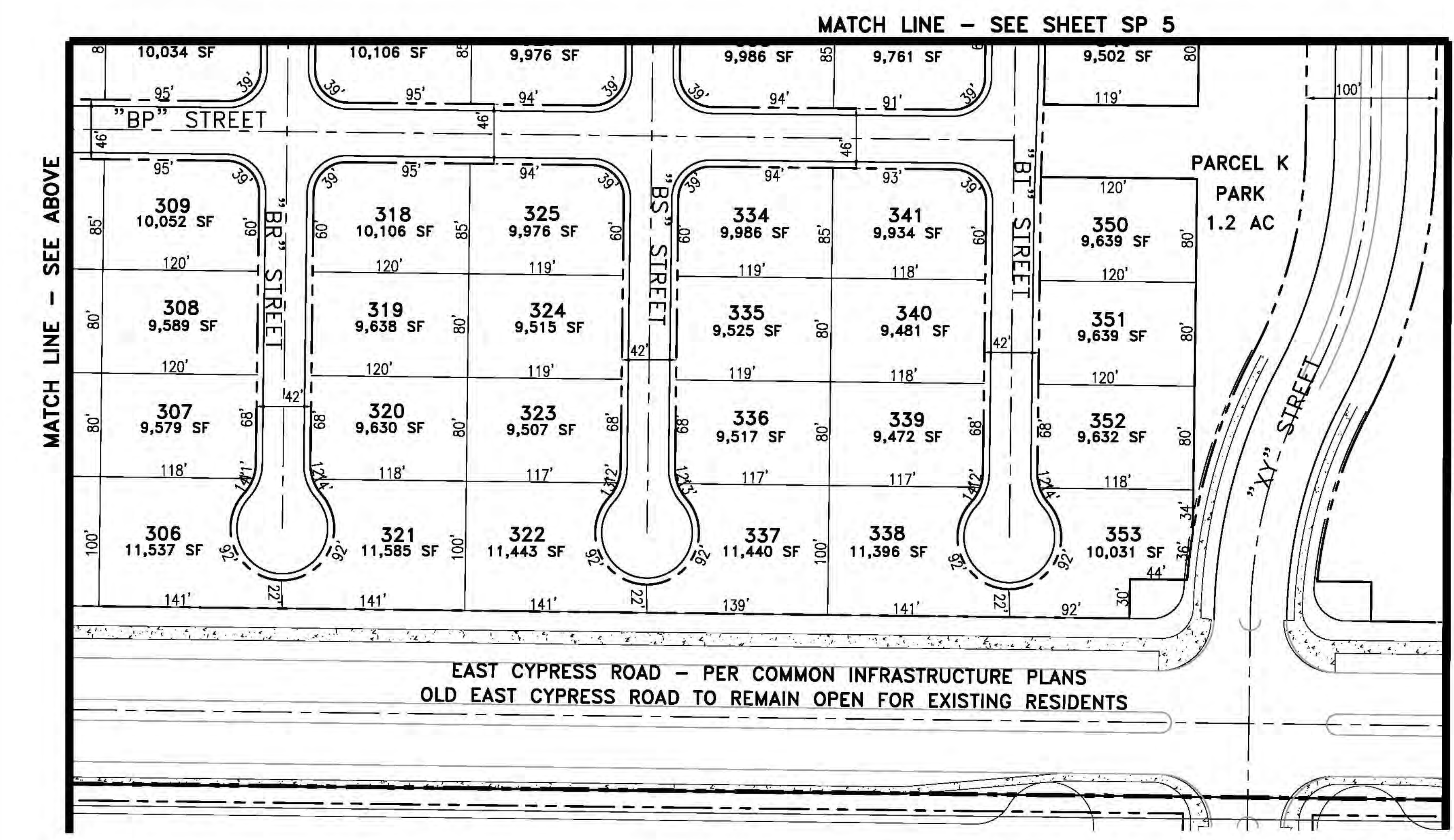
REVISIONS	DATE	BY



MATCH LINE - SEE SHEET SP 4

MATCH LINE - SEE BELOW

EAST CYPRESS ROAD - PER COMMON INFRASTRUCTURE PLANS
 OLD EAST CYPRESS ROAD TO REMAIN OPEN FOR EXISTING RESIDENTS



MATCH LINE - SEE SHEET SP 5

MATCH LINE - SEE SP 7

EAST CYPRESS ROAD - PER COMMON INFRASTRUCTURE PLANS
 OLD EAST CYPRESS ROAD TO REMAIN OPEN FOR EXISTING RESIDENTS

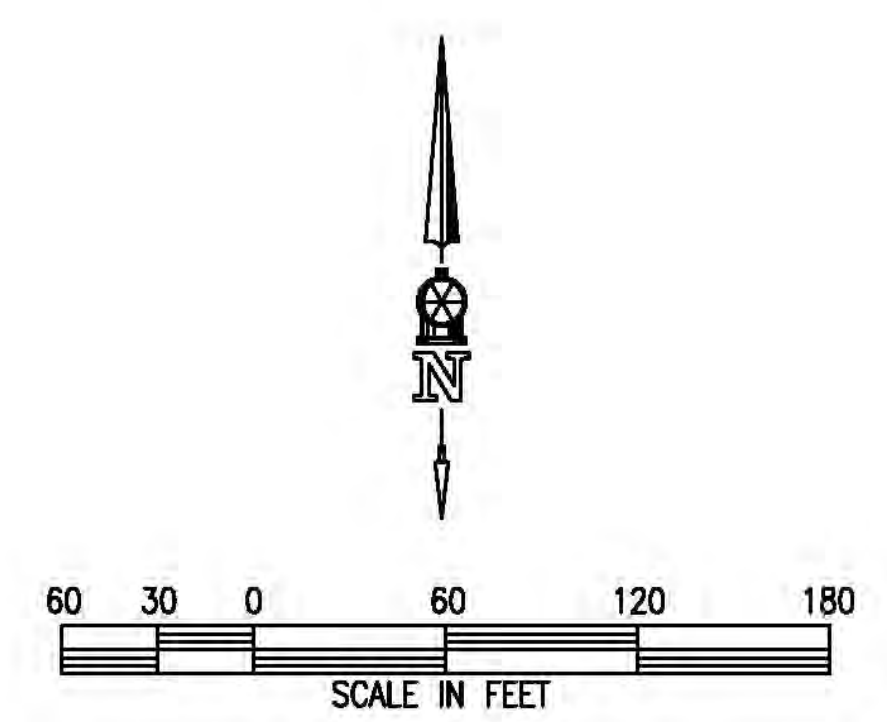
PARCEL #	USE	ACREAGE	PROPOSED OWNERSHIP
PARCEL A	SS LIFT STATION	0.1± AC.	IRON HOUSE SANITARY DISTRICT
PARCEL B	PARK	0.4± AC.	PUBLIC
PARCEL C	PARK	3.0± AC.	PUBLIC
PARCEL D	LAKE	23.1± AC.	PUBLIC
PARCEL E	GAS WELL SITE	5.0± AC.	ACD-TI OAKLEY, LLC
PARCEL F	PARK	4.6± AC.	PUBLIC
PARCEL G	PARK	0.9± AC.	PUBLIC
PARCEL H	PARK	1.3± AC.	PUBLIC
PARCEL I	PARK	0.2± AC.	PUBLIC
PARCEL J	OPEN SPACE/TRAIL	10.8± AC.	PUBLIC
PARCEL K	PARK	1.2± AC.	PUBLIC
PARCEL L	PARK	13.1± AC.	PUBLIC
PARCEL M	LEVEE	5.3± AC.	RECLAMATION DISTRICT 799
PARCEL N	LEVEE	3.6± AC.	RECLAMATION DISTRICT 799
PARCEL O	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL P	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL Q	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL R	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL S	FUTURE DEVELP'T	13.1± AC.	LESHER
PARCEL T	DRAINAGE DITCH	0.5± AC.	RECLAMATION DISTRICT 799
PARCEL U	SD LIFT STATION	0.1± AC.	PUBLIC

LEGEND

EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.

- CENTER LINE
- SUBDIVISION BOUNDARY LINE
- LOT LINE

NOTE: EXISTING EASEMENTS WITHIN PROPOSED EAST CYPRESS ROAD ARE NOT SHOWN ON THIS SHEET. REFER TO SHEET 2 FOR EASMENT AND LOCATIONS.



VESTING TENTATIVE MAP

SITE PLAN

CONTRA COSTA COUNTY

OAKLEY

SUBD 9404

LESHER PROPERTY

CITY OF OAKLEY
 A PLACE FOR FAMILIES IN THE HEART OF THE DELTA

SHEET SP6 OF 27

JOB NO. 13075

REVISIONS

DATE

SF

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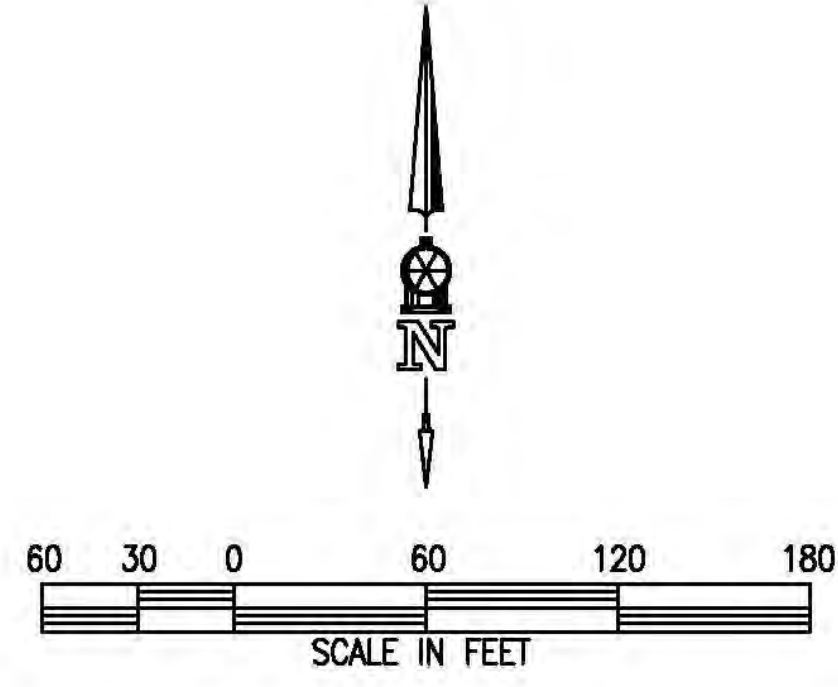
PARCEL INFORMATION			
PARCEL #	USE	ACREAGE	PROPOSED OWNERSHIP
PARCEL A	SS LIFT STATION	0.1± AC.	IRON HOUSE SANITARY DISTRICT
PARCEL B	PARK	0.4± AC.	PUBLIC
PARCEL C	PARK	3.0± AC.	PUBLIC
PARCEL D	LAKE	23.1± AC.	PUBLIC
PARCEL E	GAS WELL SITE	5.0± AC.	ACD-TI OKALEY, LLC
PARCEL F	PARK	4.6± AC.	PUBLIC
PARCEL G	PARK	0.9± AC.	PUBLIC
PARCEL H	PARK	1.3± AC.	PUBLIC
PARCEL I	PARK	0.2± AC.	PUBLIC
PARCEL J	OPEN SPACE/TRAIL	10.8± AC.	PUBLIC
PARCEL K	PARK	1.2± AC.	PUBLIC
PARCEL L	PARK	13.1± AC.	PUBLIC
PARCEL M	LEVEE	5.3± AC.	RECLAMATION DISTRICT 799
PARCEL N	LEVEE	3.6± AC.	RECLAMATION DISTRICT 799
PARCEL O	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL P	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL Q	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL R	SS LIFT STATION	0.1± AC.	IRONHOUSE SANITARY DISTRICT
PARCEL S	FUTURE DEVELP'T	13.1± AC.	LESHER
PARCEL T	DRAINAGE DITCH	0.5± AC.	RECLAMATION DISTRICT 799
PARCEL U	SD LIFT STATION	0.1± AC.	PUBLIC

LEGEND

EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.

- — — — — CENTER LINE
- — — — — SUBDIVISION BOUNDARY LINE
- — — — — LOT LINE

NOTE: EXISTING EASEMENTS WITHIN PROPOSED EAST CYPRESS ROAD ARE NOT SHOWN ON THIS SHEET. REFER TO SHEET 2 FOR EASMENT AND LOCATIONS.



MATCH LINE - SEE SHEET SP 5

PARCEL S
13.1 AC

MATCH LINE - SEE SHEET SP 5

PARCEL R
SS LIFT STATION
0.1 AC

PARCEL L
PARK
13.1 AC

POE/E EASEMENT
350'

EAST CYPRESS ROAD

"ZZ" STREET

"YZ" STREET

MATCH LINE - SEE SHEET SP 5 & 6

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LESHER PROPERTY VESTING TENTATIVE MAP
SITE PLAN
CONTRA COSTA COUNTY CALIFORNIA

SUBD 9404
OAKLEY


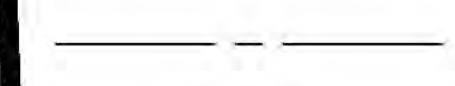

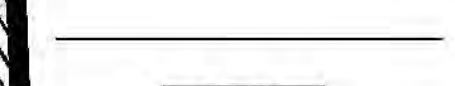
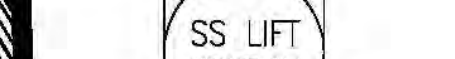


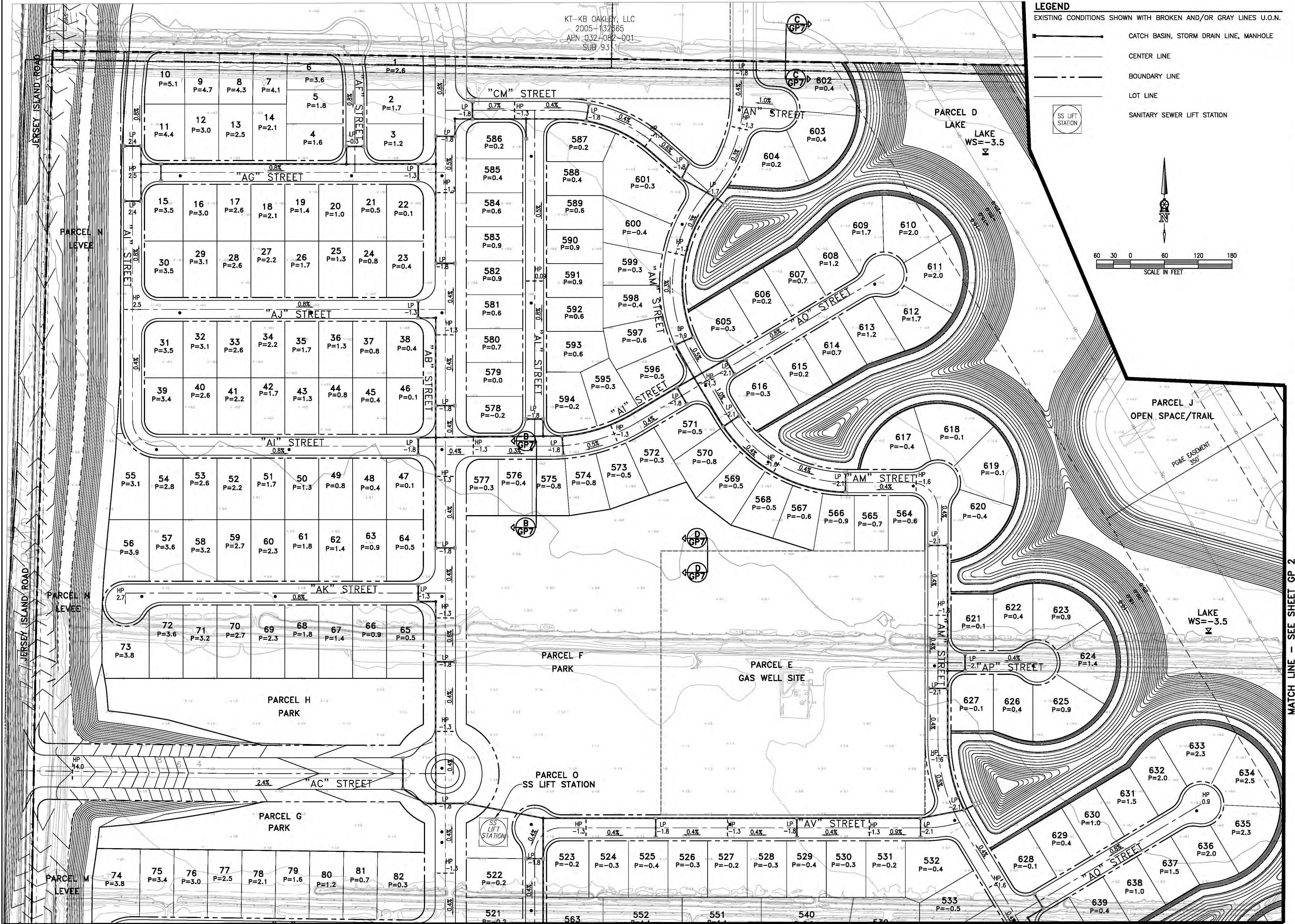
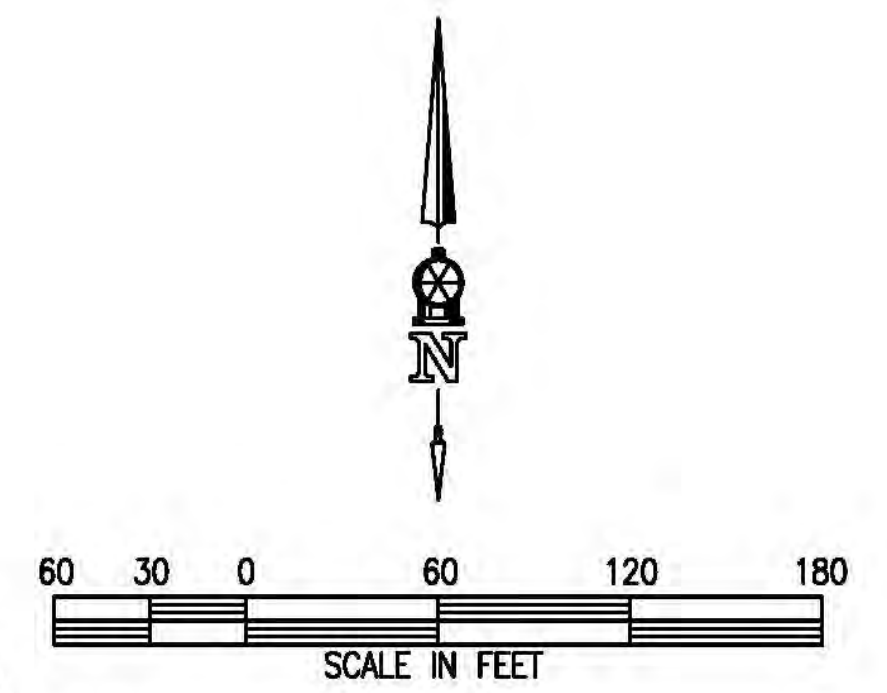
SHEET SP7 OF 27
JOB NO. 13075

BY	DATE	REVISIONS

KT-KB OAKLEY, LLC
 2005-132665
 APN 032-082-001
 SUBD 931

LEGEND
 EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GRAY LINES U.O.N.

-  CATCH BASIN, STORM DRAIN LINE, MANHOLE
-  CENTER LINE
-  BOUNDARY LINE
-  LOT LINE
-  SANITARY SEWER LIFT STATION



MATCH LINE - SEE SHEET GP 4

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VESTING TENTATIVE MAP
GRADING PLAN
 CONTRA COSTA COUNTY
 CALIFORNIA

LESLER PROPERTY
 SUBD 9404
 OAKLEY

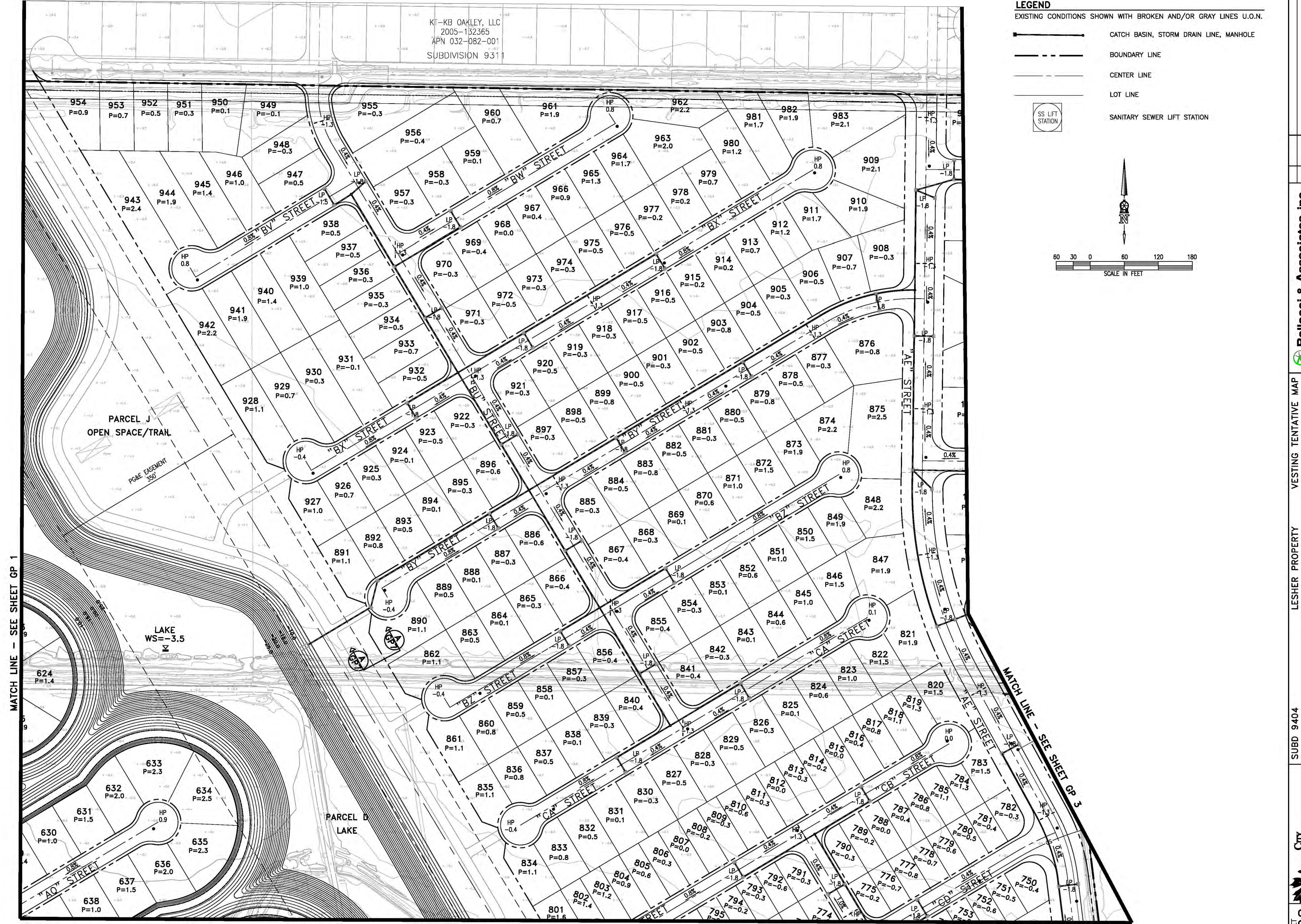
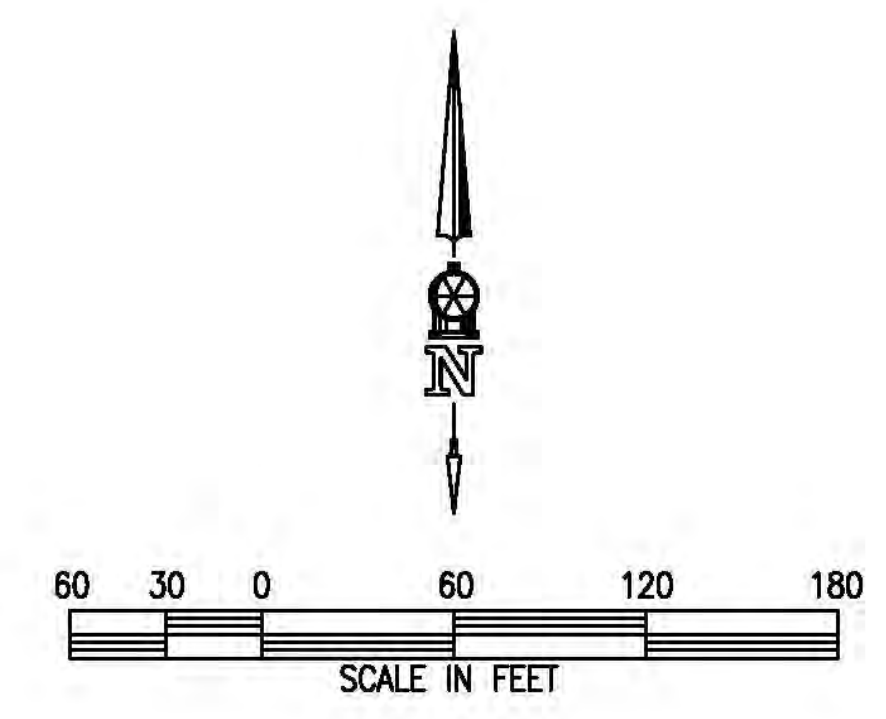
CITY OF OAKLEY
 A PLACE FOR FAMILIES AT THE HEART OF THE BAY AREA
 SHEET **GP1** OF **27**
 JOB NO. 13075

NO.	DATE	REVISIONS

KT-KB OAKLEY, LLC
 2005-132365
 APN 032-082-001
 SUBDIVISION 9311

LEGEND
 EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GRAY LINES U.O.N.

- CATCH BASIN, STORM DRAIN LINE, MANHOLE
- BOUNDARY LINE
- CENTER LINE
- LOT LINE
- SANITARY SEWER LIFT STATION



MATCH LINE - SEE SHEET GP 1

MATCH LINE - SEE SHEET GP 3

MATCH LINE - SEE SHEET GP 5

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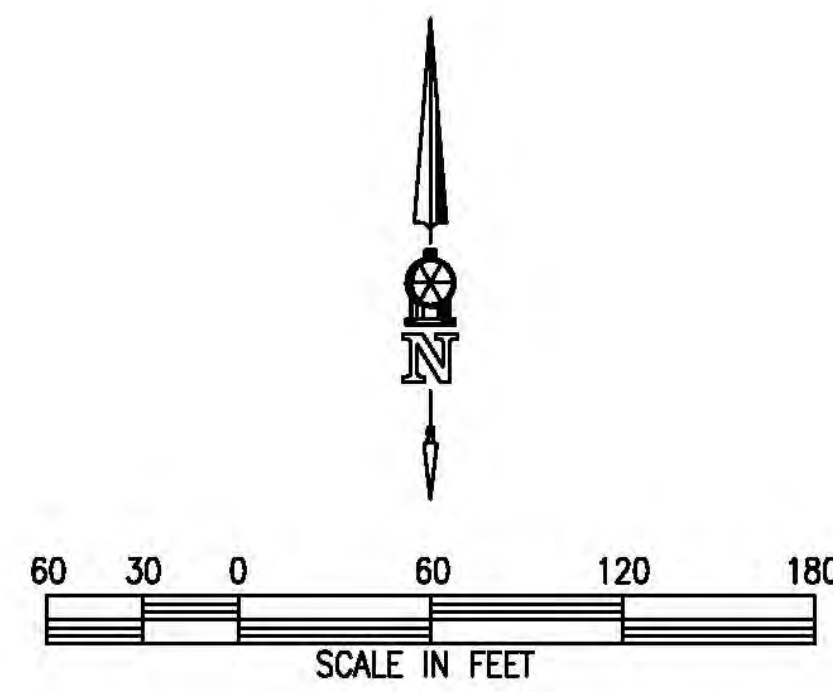
LESLER PROPERTY VESTING TENTATIVE MAP
GRADING PLAN
 CONTRA COSTA COUNTY CALIFORNIA

SUBD 9404 OAKLEY





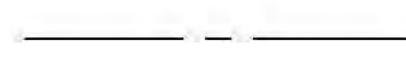


SHEET **GP2**
 OF 27
 JOB NO. 13075

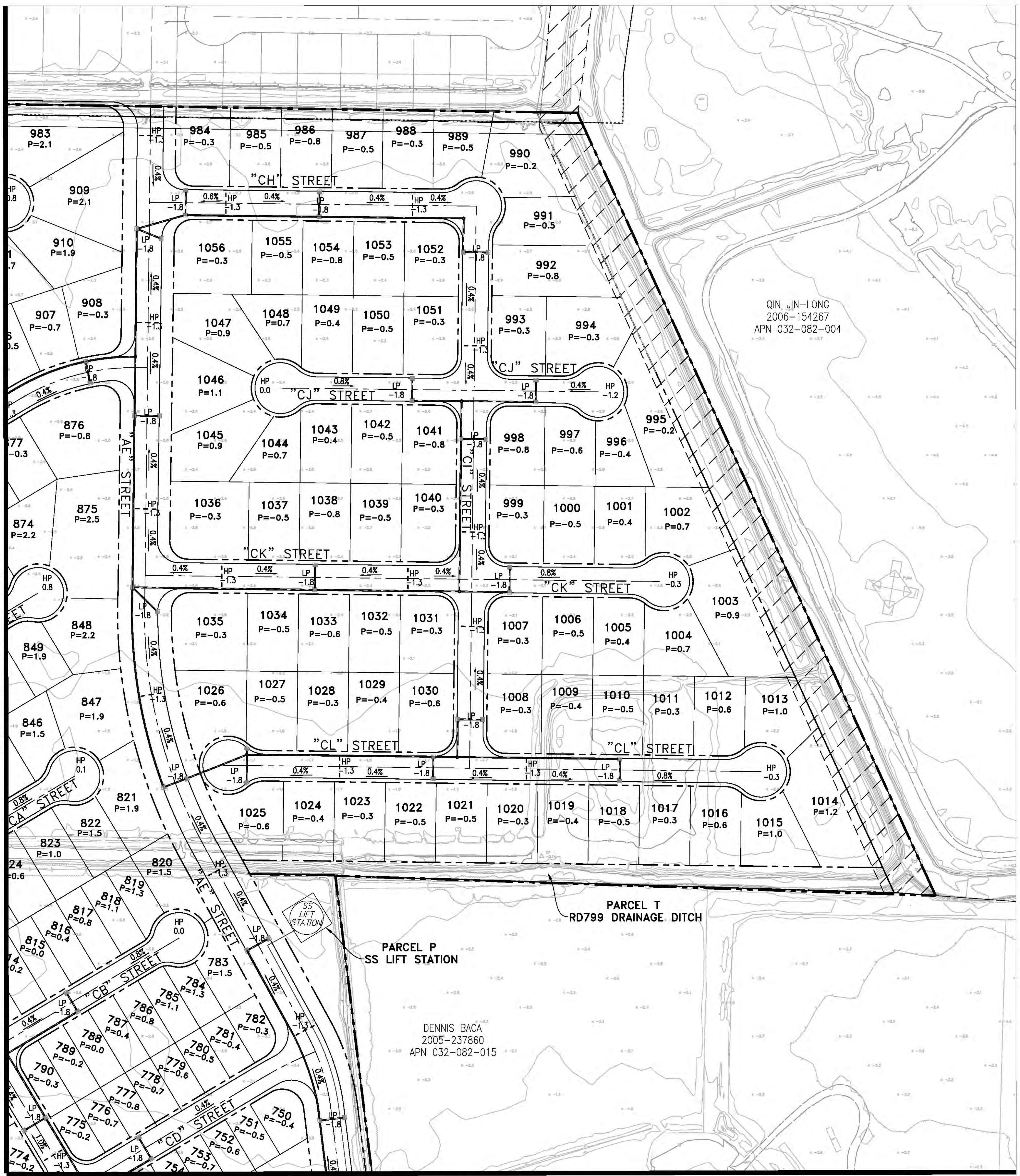
REVISIONS	BY	DATE



LEGEND


EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GRAY LINES U.O.N.

-  CATCH BASIN, STORM DRAIN LINE, MANHOLE
-  BOUNDARY LINE
-  CENTER LINE
-  LOT LINE
-  SANITARY SEWER LIFT STATION



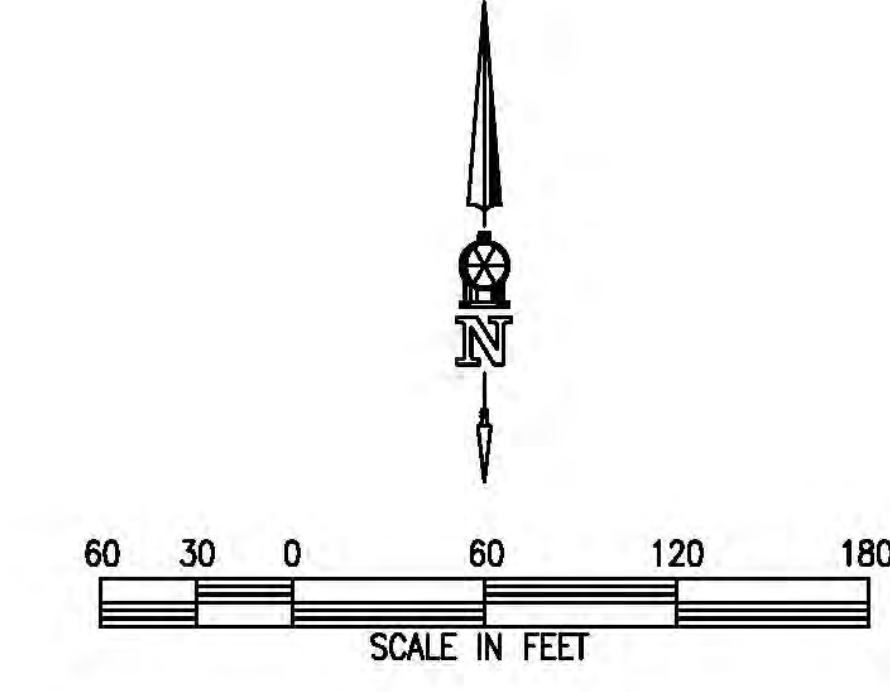
QIN JIN-LONG
2006-154267
APN 032-082-004

DENNIS BACA
2005-237860
APN 032-082-015

REVISIONS	DATE	BY					
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LESLER PROPERTY		VESTING TENTATIVE MAP		CALIFORNIA			
GRADING PLAN							
CONTRA COSTA COUNTY							
SUBD 9404		OAKLEY					
 City of OAKLEY A Place for Families in the Heart of the Delta							
SHEET GP 3	OF 27	JOB NO. 13075					

MATCH LINE - SEE SHEET GP 5 & 7

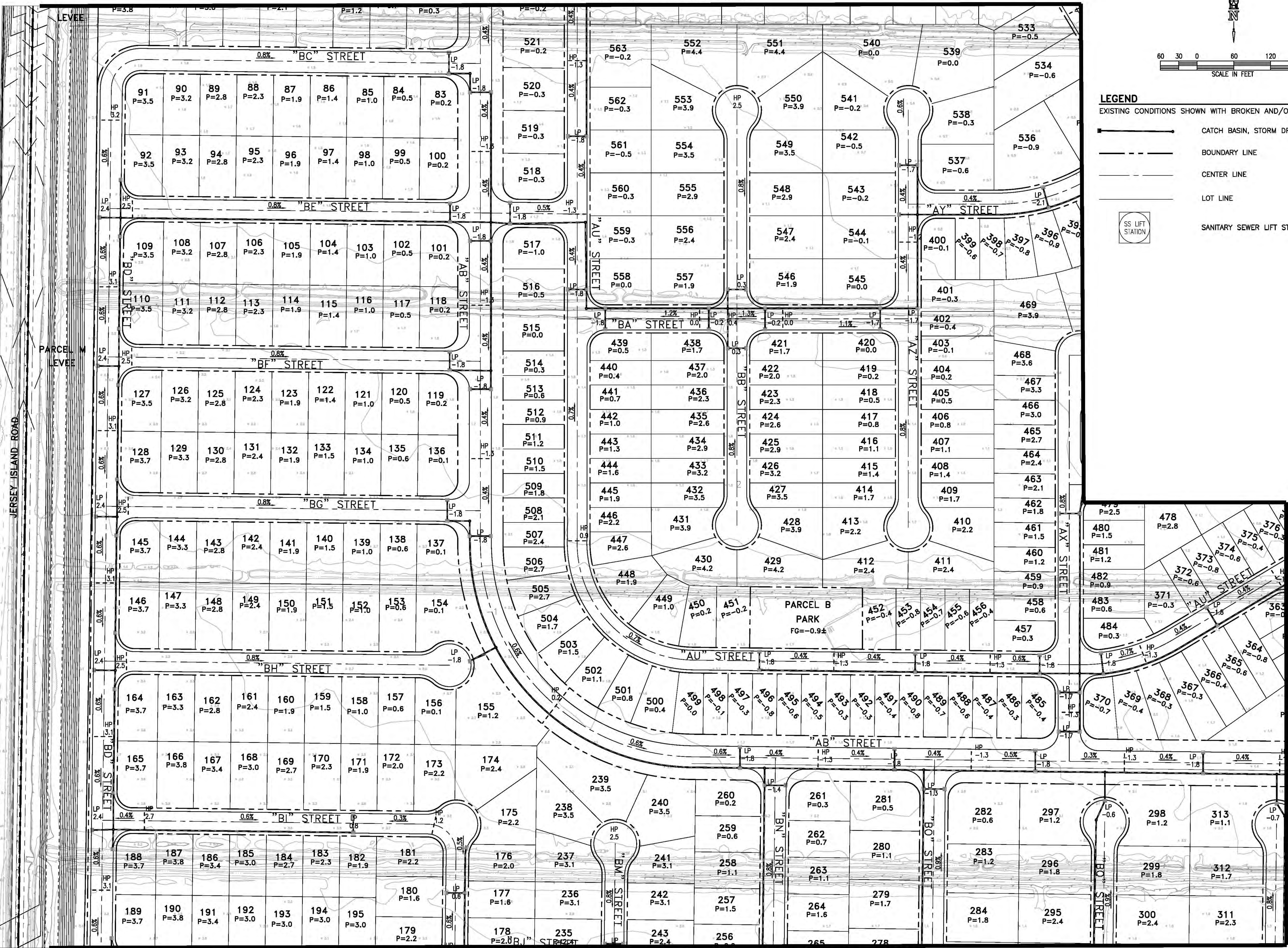
MATCH LINE - SEE SHEET GP 1



LEGEND

EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GRAY LINES U.O.N.

- CATCH BASIN, STORM DRAIN LINE, MANHOLE
- BOUNDARY LINE
- CENTER LINE
- LOT LINE
- SANITARY SEWER LIFT STATION



MATCH LINE - SEE SHEET GP 6

MATCH LINE - SEE SHEET GP 5

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LESLER PROPERTY VESTING TENTATIVE MAP
GRADING PLAN
 CONTRA COSTA COUNTY CALIFORNIA

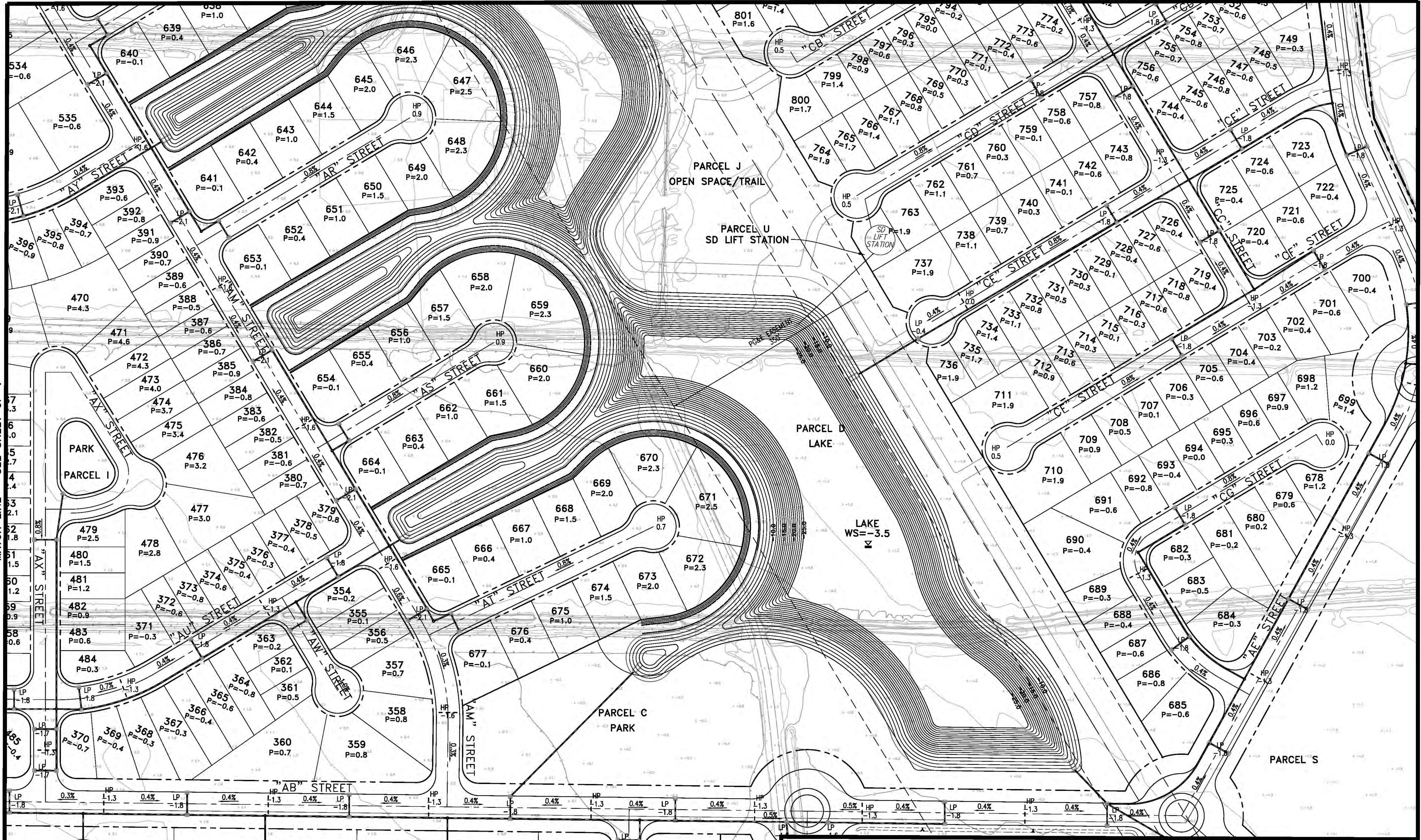
SUBD 9404 OAKLEY



SHEET **GP 4**
 OF 27
 JOB NO. 13075

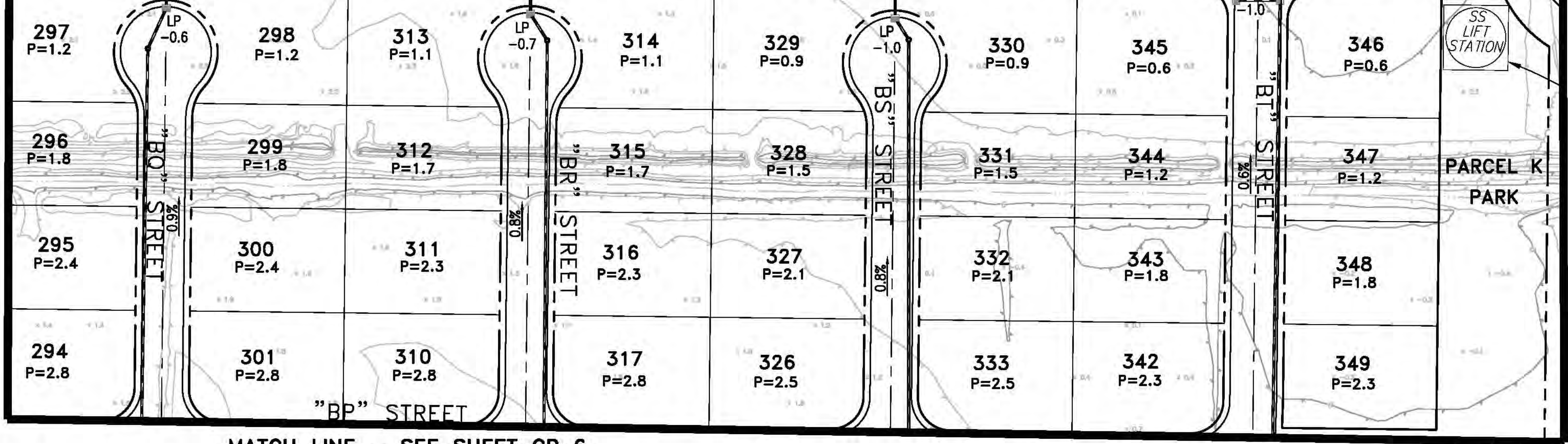
REVISIONS
 BY DATE

MATCH LINE - SEE SHEET GP 2 & 3

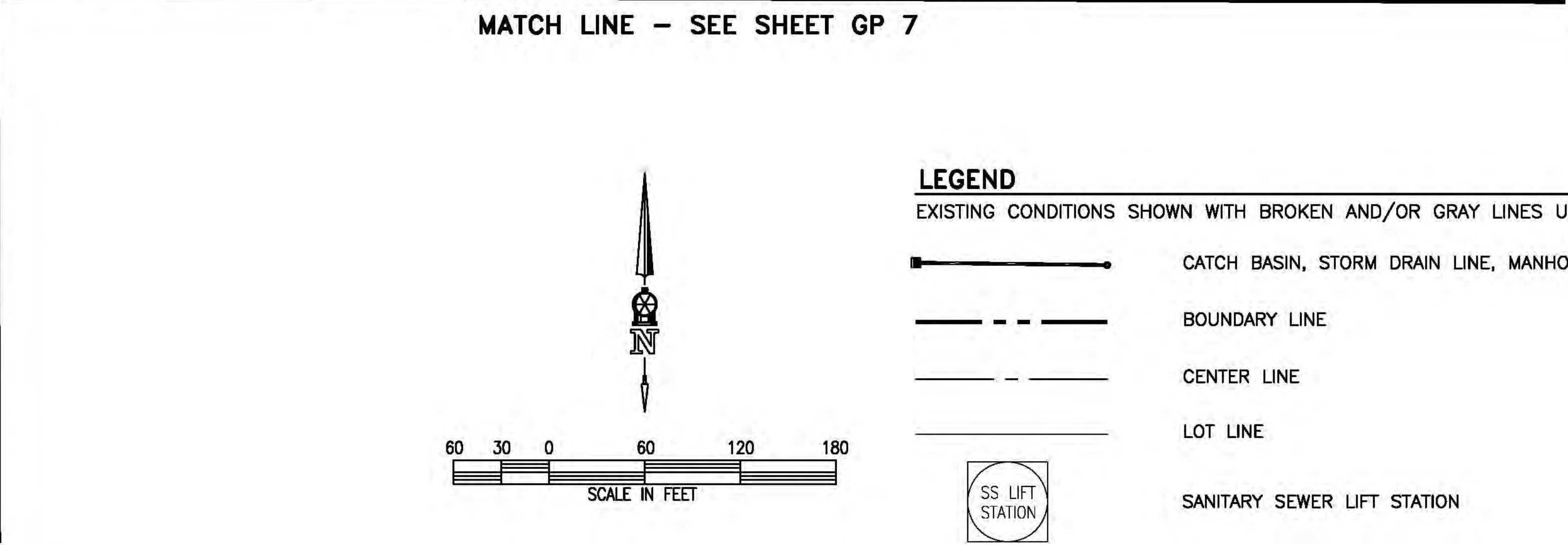


MATCH LINE - SEE SHEET GP 4

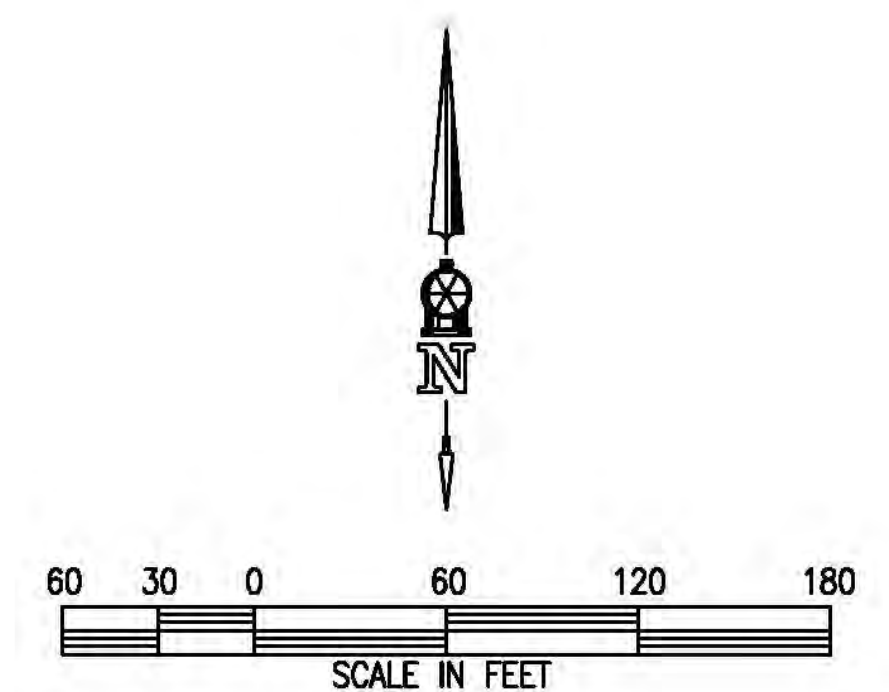
MATCH LINE - SEE SHEET GP 7



MATCH LINE - SEE SHEET GP 6



MATCH LINE - SEE SHEET GP 7



LEGEND

EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GRAY LINES U.O.N.

	CATCH BASIN, STORM DRAIN LINE, MANHOLE
	BOUNDARY LINE
	CENTER LINE
	LOT LINE
	SANITARY SEWER LIFT STATION

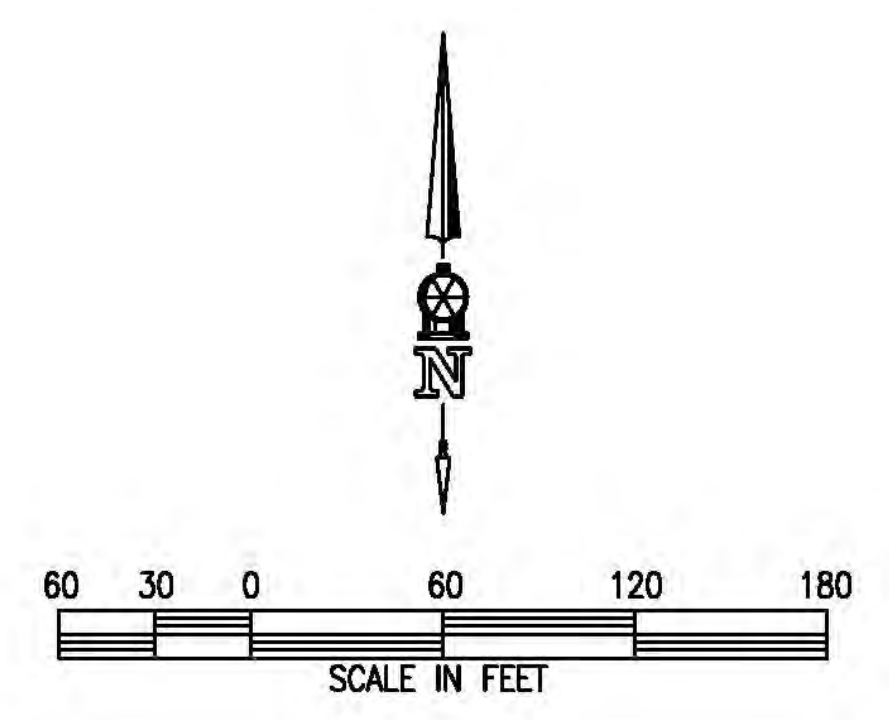
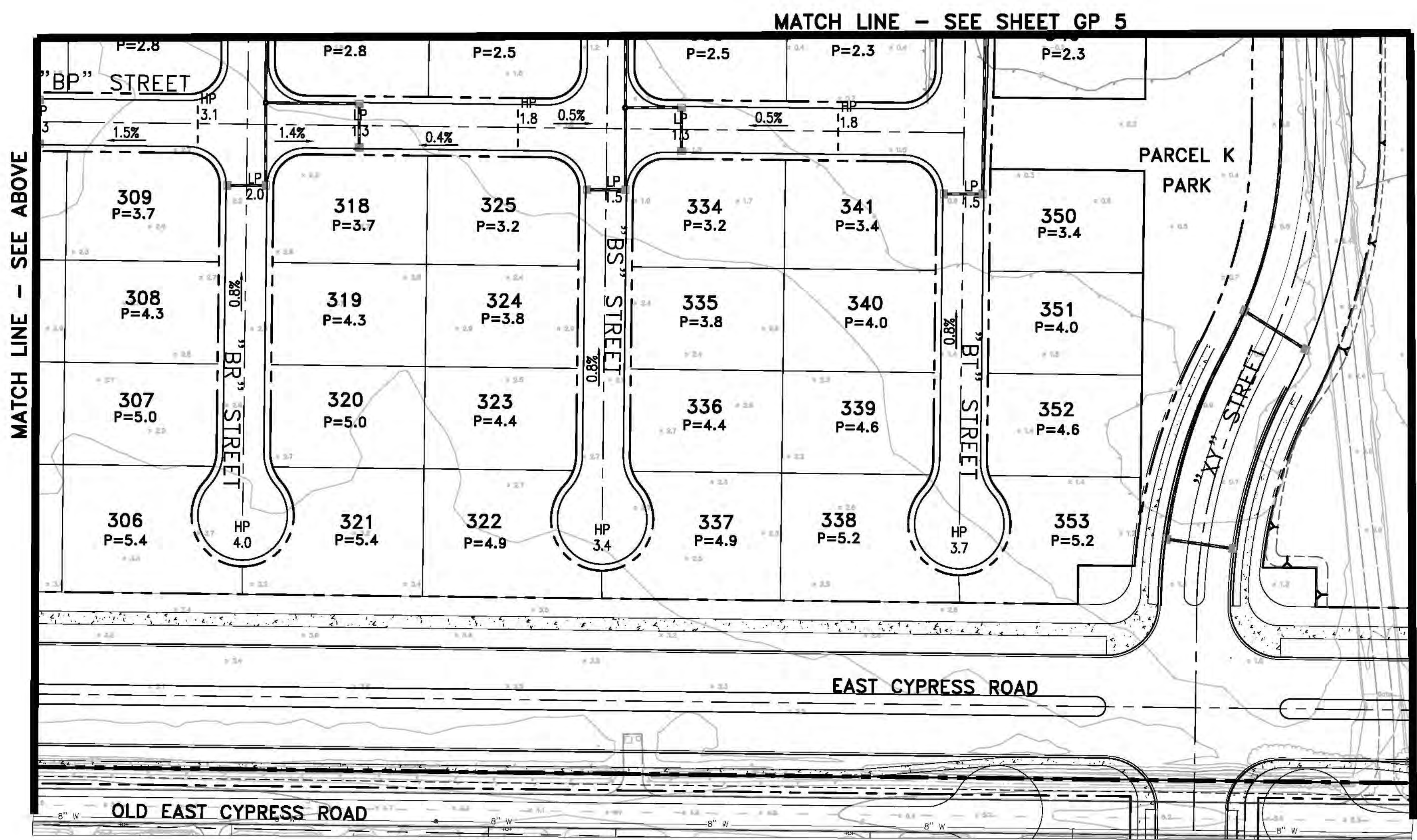
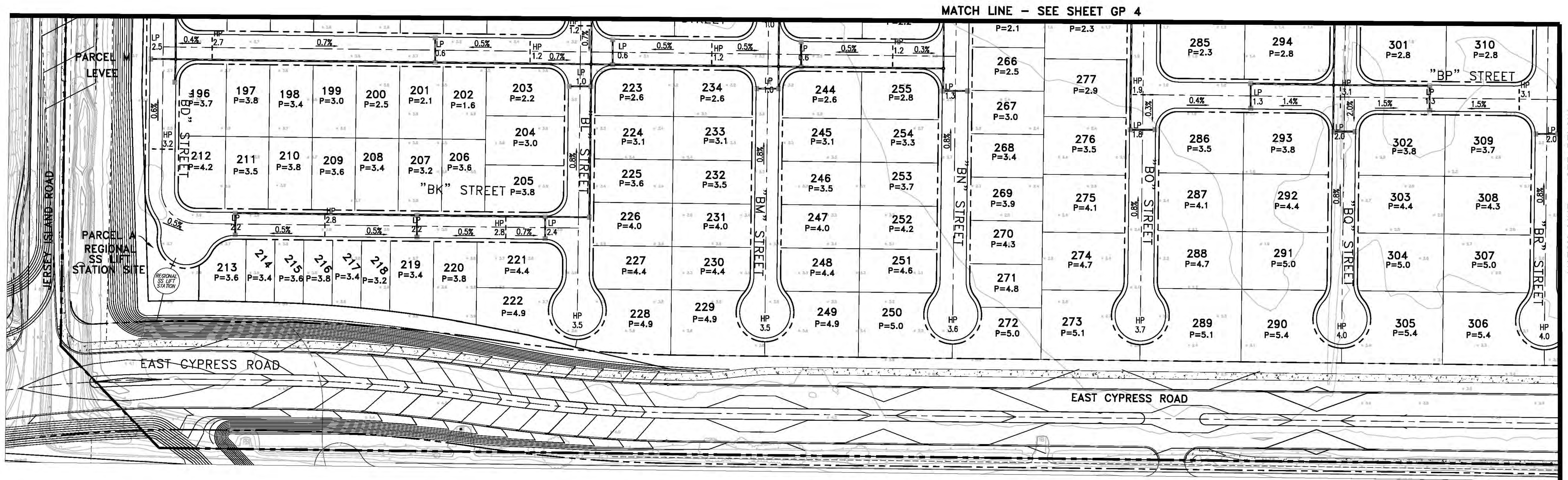
LESLER PROPERTY VESTING TENTATIVE MAP
GRADING PLAN
CONTRA COSTA COUNTY OAKLEY

SUBD 9404

SHEET **GP5** OF 27
JOB NO. 13075

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NO.	DATE	REVISIONS



- LEGEND**
- EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GRAY LINES U.O.N.
- CATCH BASIN, STORM DRAIN LINE, MANHOLE
 - BOUNDARY LINE
 - CENTER LINE
 - LOT LINE
 - SANITARY SEWER LIFT STATION

MATCH LINE - SEE BELOW



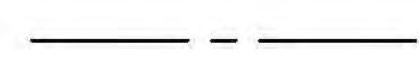


MATCH LINE - SEE ABOVE

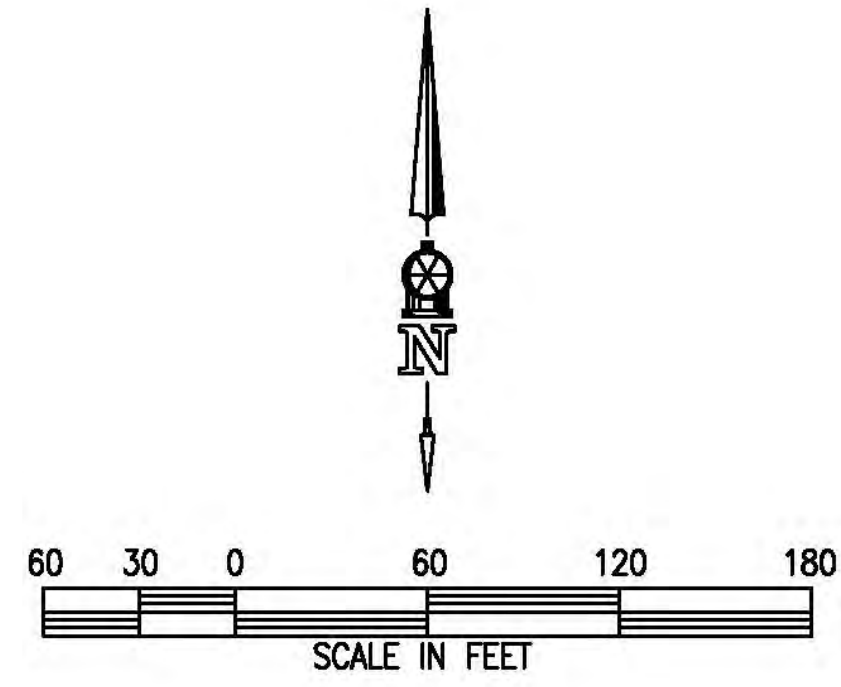
MATCH LINE - SEE GP 7

SHEET GP6 OF 27	JOB NO. 13075	OAKLEY	SUBD 9404	LESLER PROPERTY	VESTING TENTATIVE MAP	CALIFORNIA	Bellecci & Associates, Inc. Civil Engineering • Land Surveying • Construction Management 2280 Diamond Boulevard, Suite 100 Concord, CA 94520 Phone (925) 885-4899 Fax (925) 885-4838	REVISIONS
								DATE

LEGEND

EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GRAY LINES U.O.N.

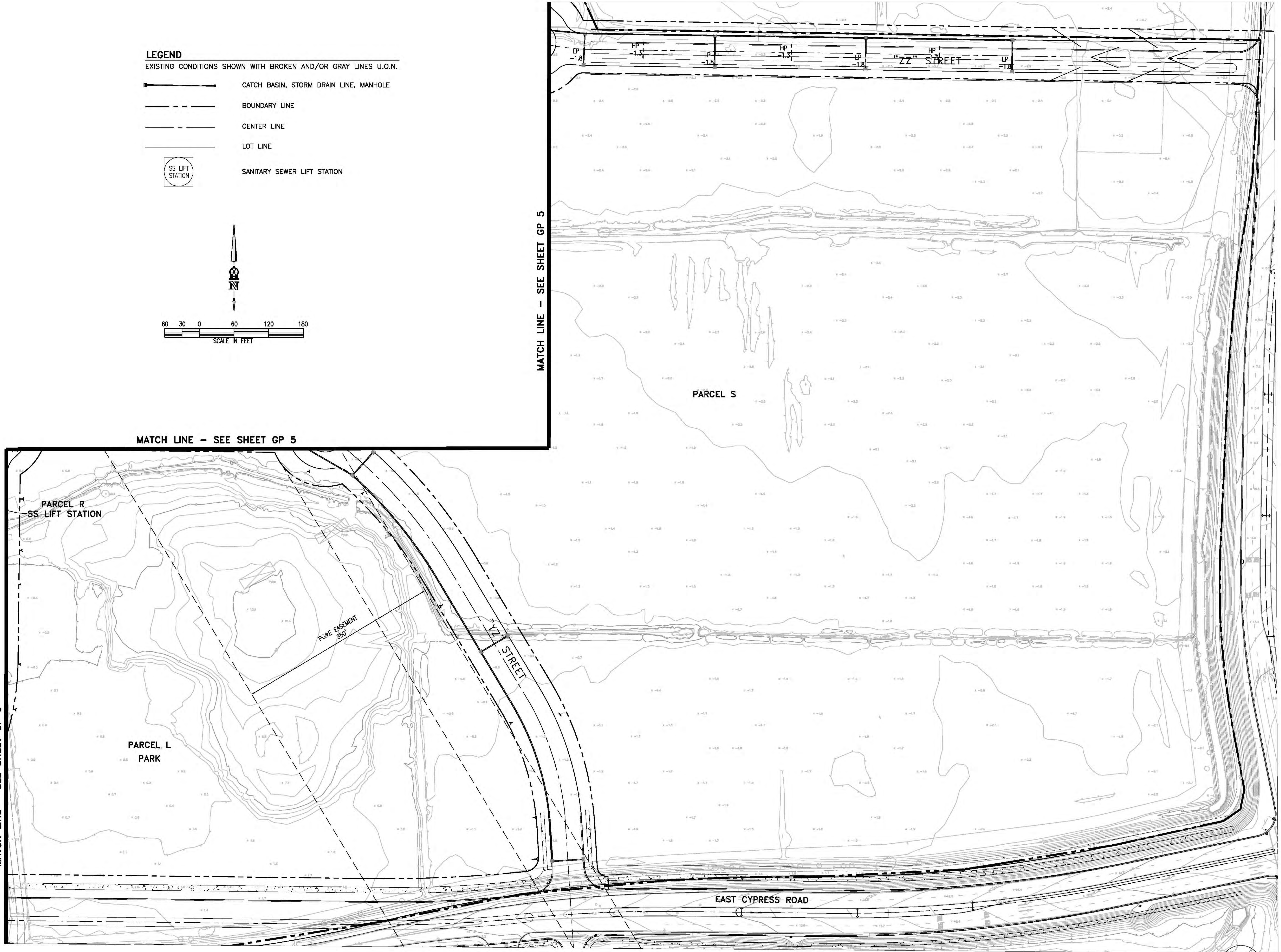
-  CATCH BASIN, STORM DRAIN LINE, MANHOLE
-  BOUNDARY LINE
-  CENTER LINE
-  LOT LINE
-  SANITARY SEWER LIFT STATION





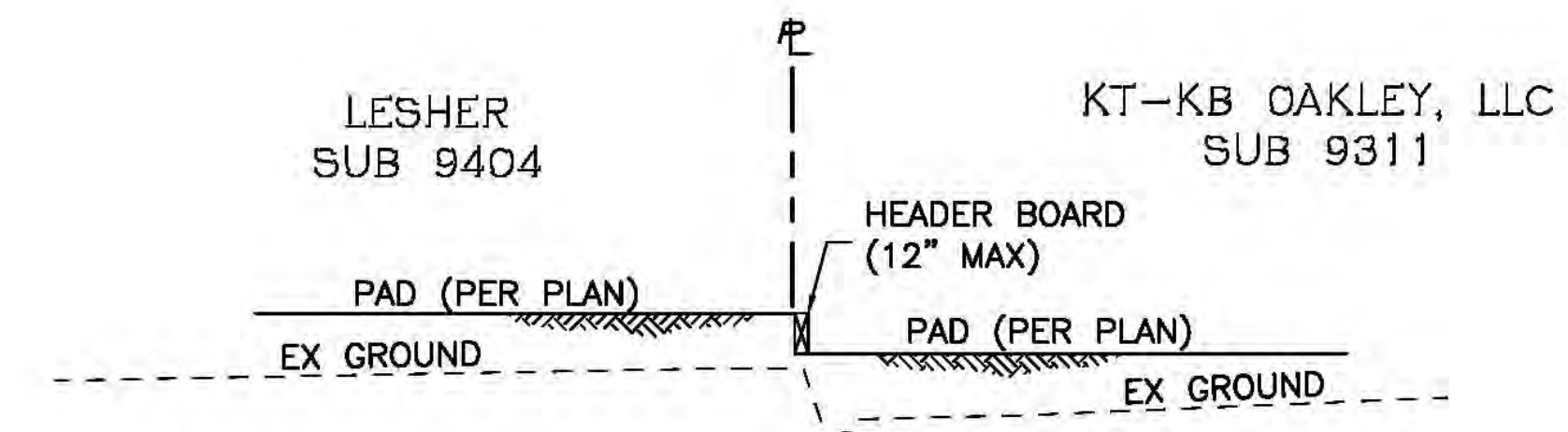
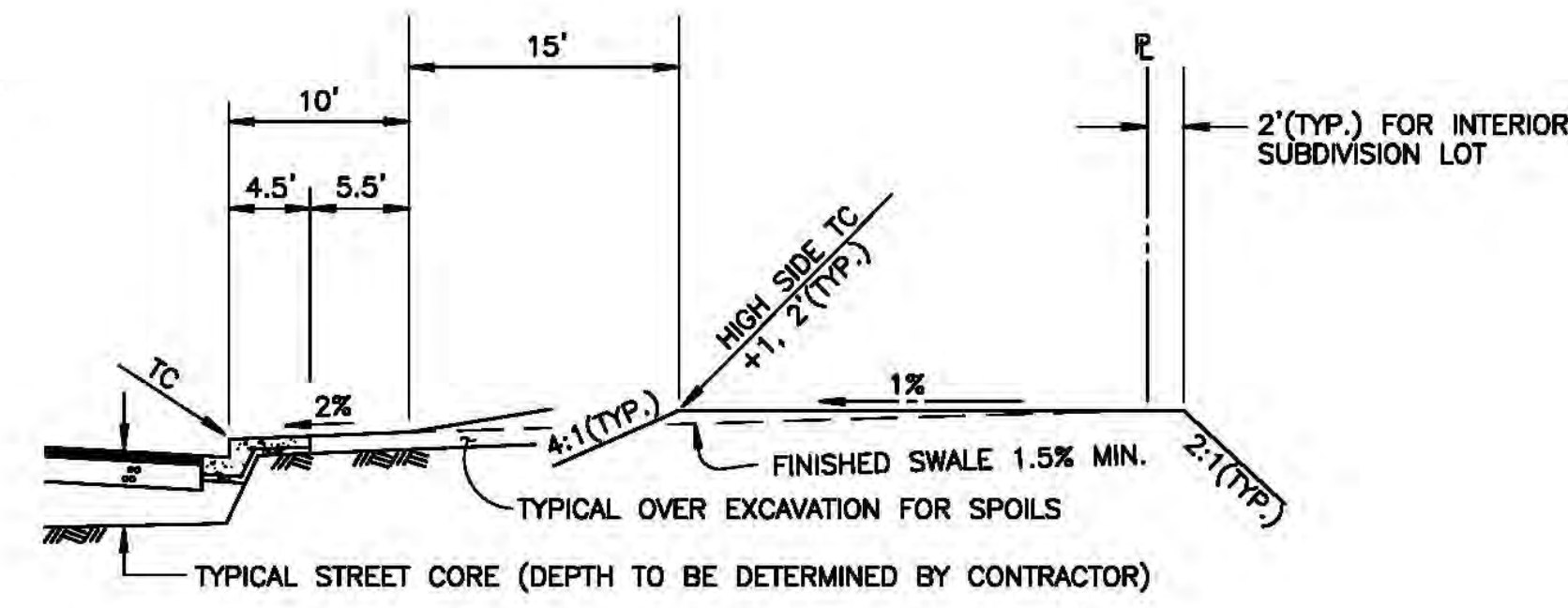
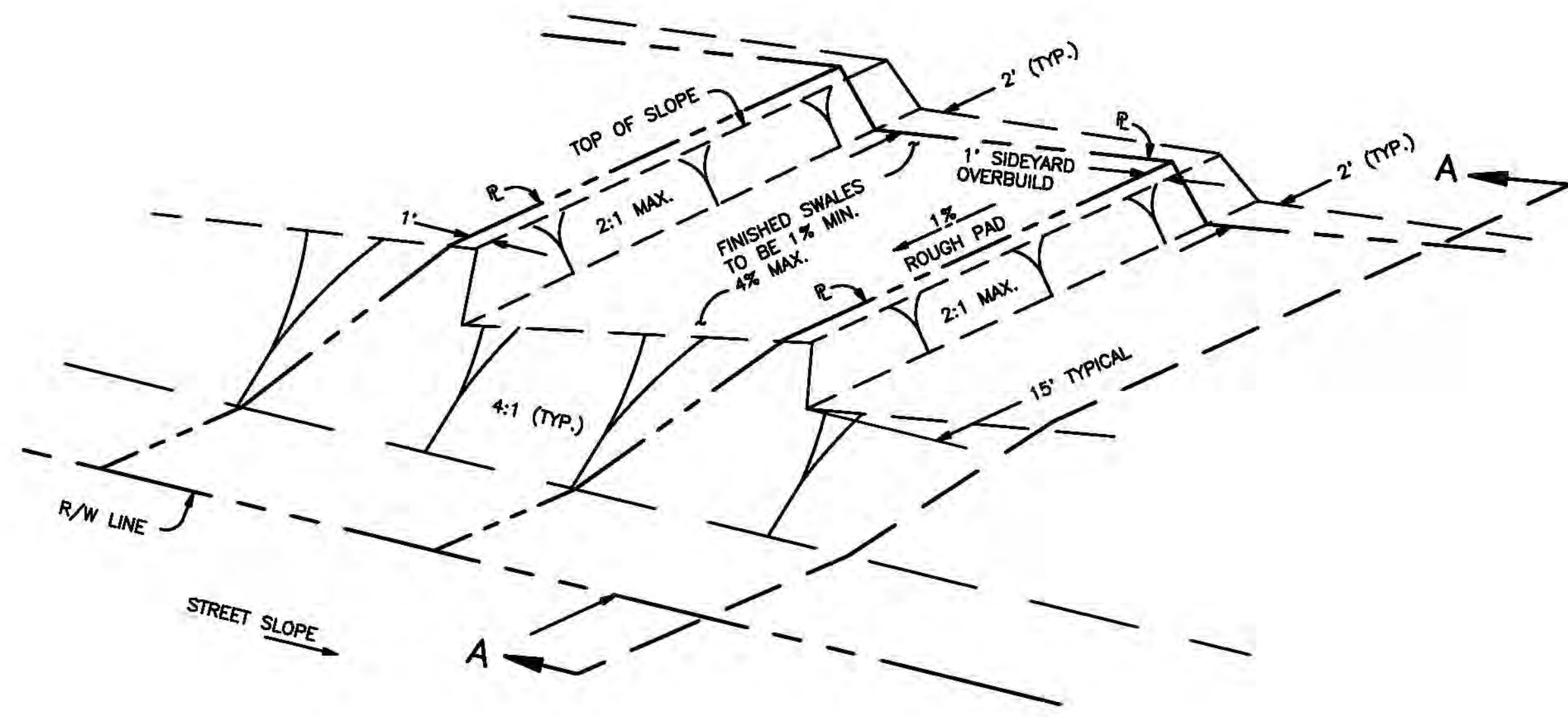
MATCH LINE - SEE SHEET GP 5

MATCH LINE - SEE SHEET GP 5

MATCH LINE - SEE SHEET GP 6

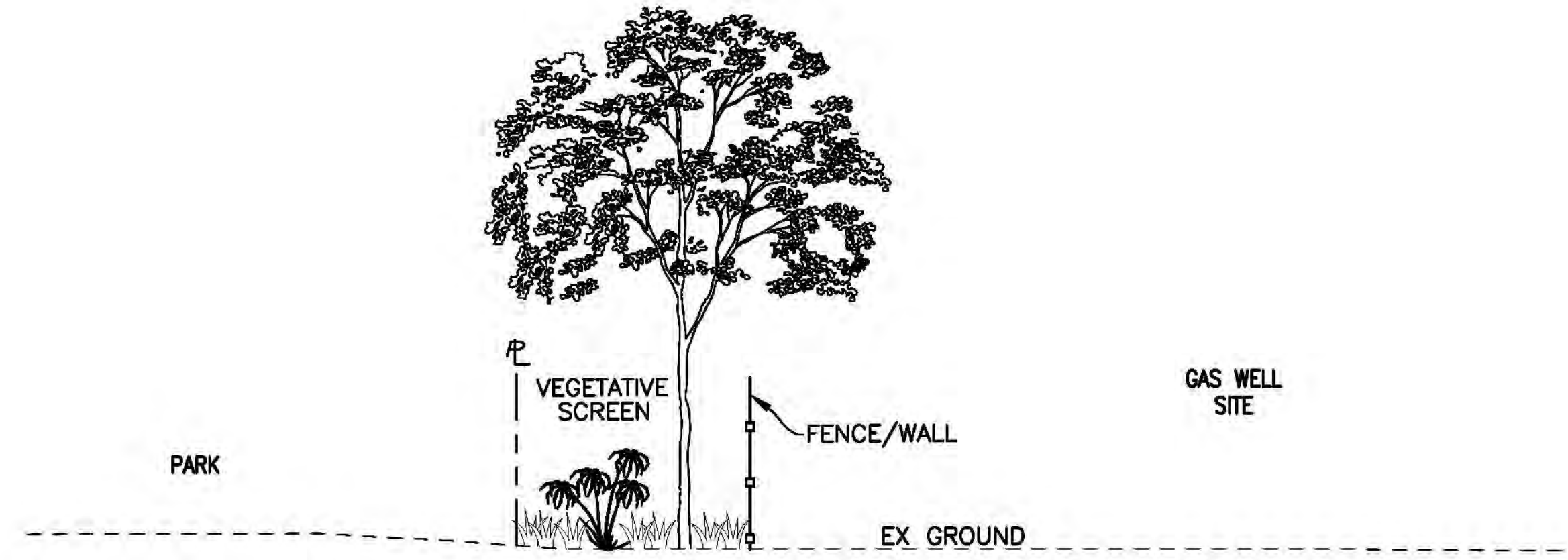
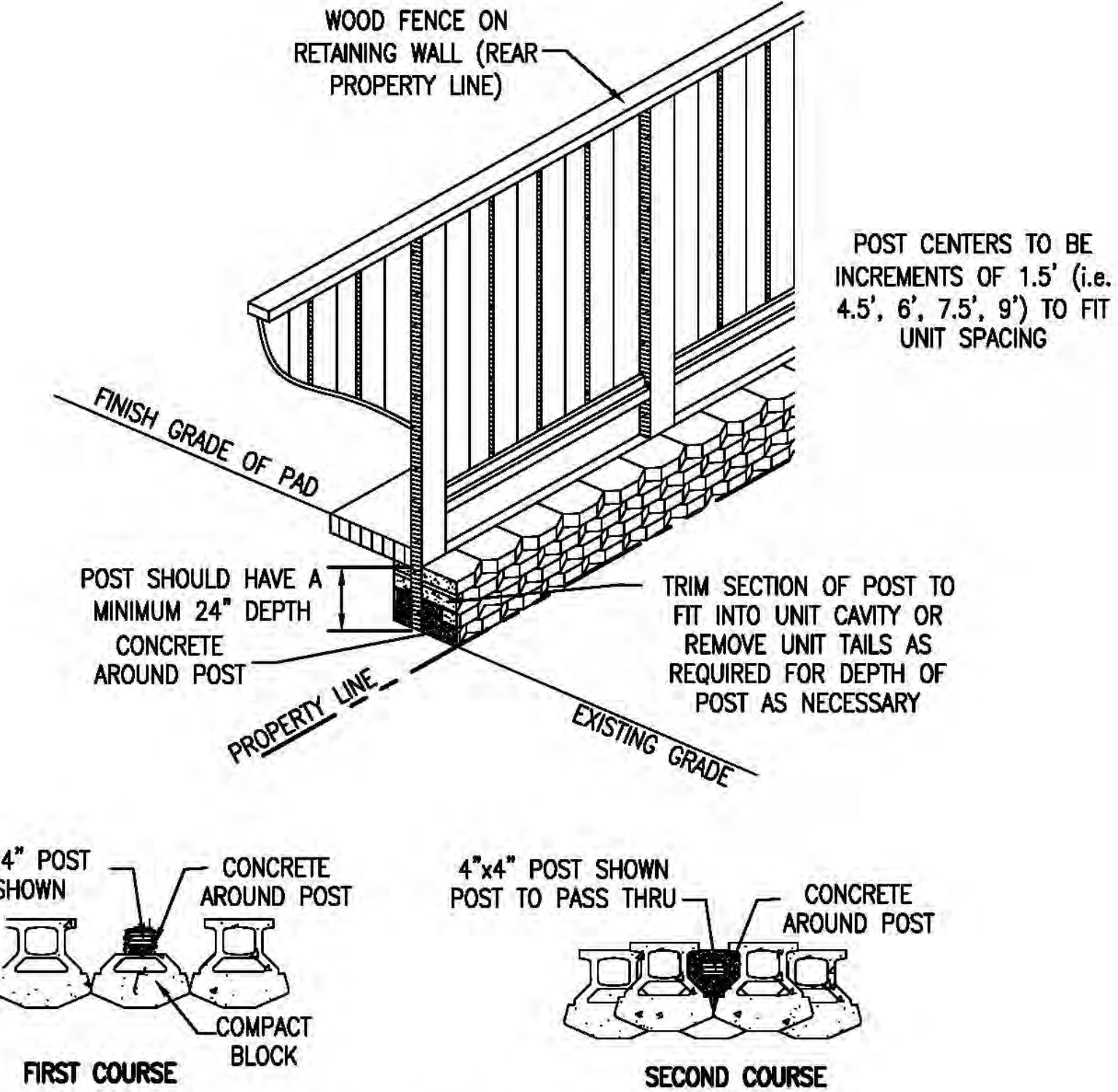
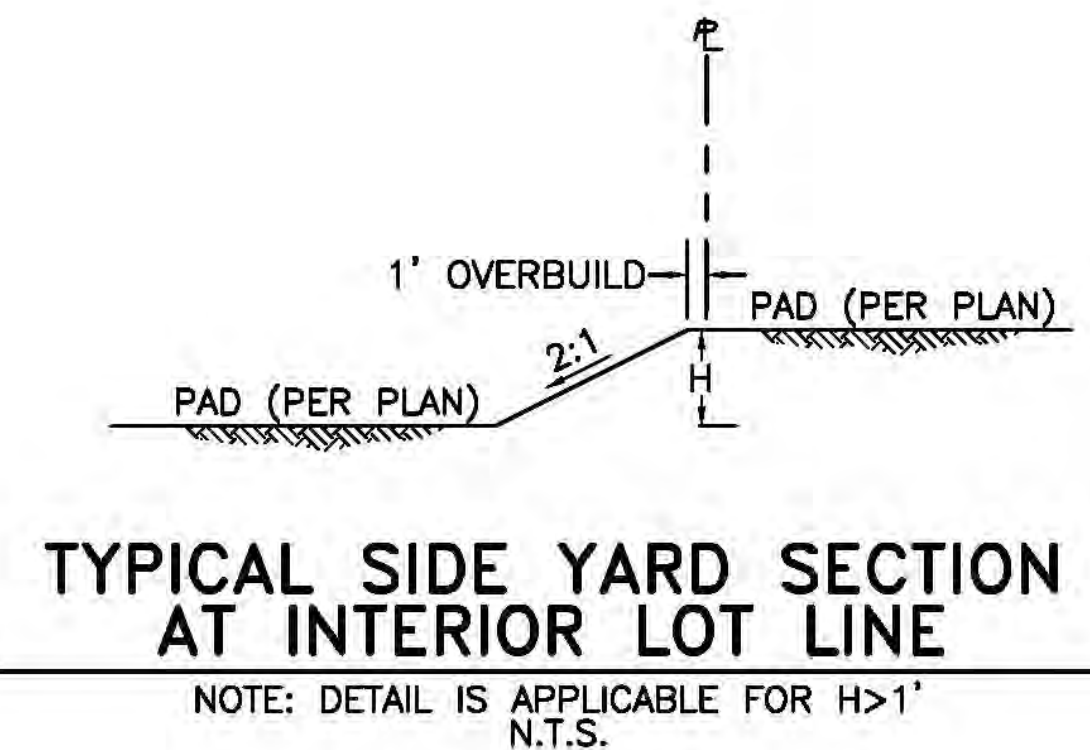


SHEET GP7	OF 27	JOB NO. 13075	SUBD 9404	LESLER PROPERTY VESTING TENTATIVE MAP GRADING PLAN	CONTRA COSTA COUNTY OAKLEY CALIFORNIA
					
A PLACE FOR FAMILIES IN THE HEART OF THE DELTA			Civil Engineering • Land Surveying • Construction Management 2290 Diamond Boulevard, Suite 100 Concord, CA 94520 Phone (925) 885-4899 Fax (925) 885-4838		
		BY _____	DATE _____	REVISIONS _____	



TYPICAL ROUGH PAD DETAILS
N.T.S.

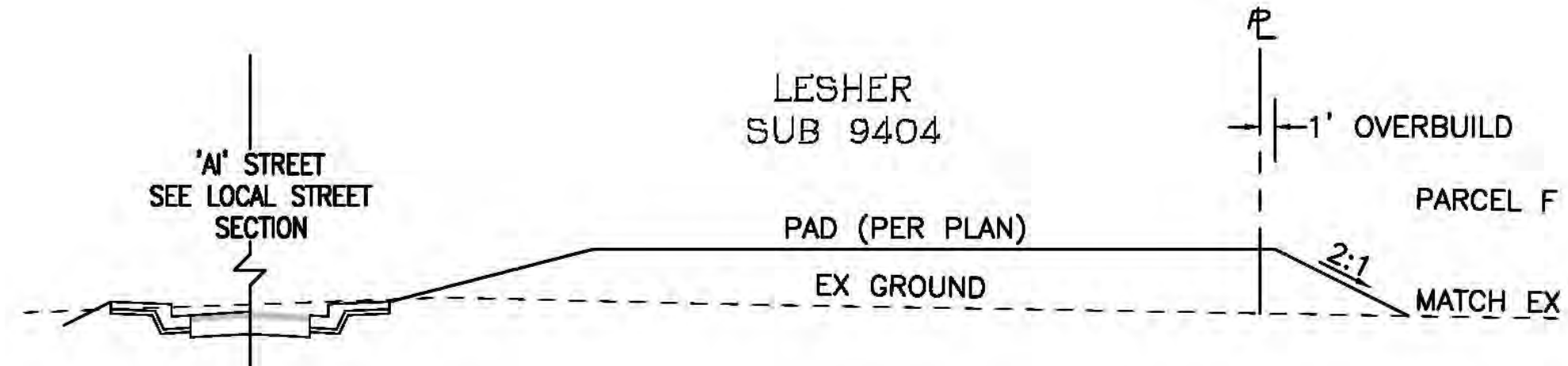
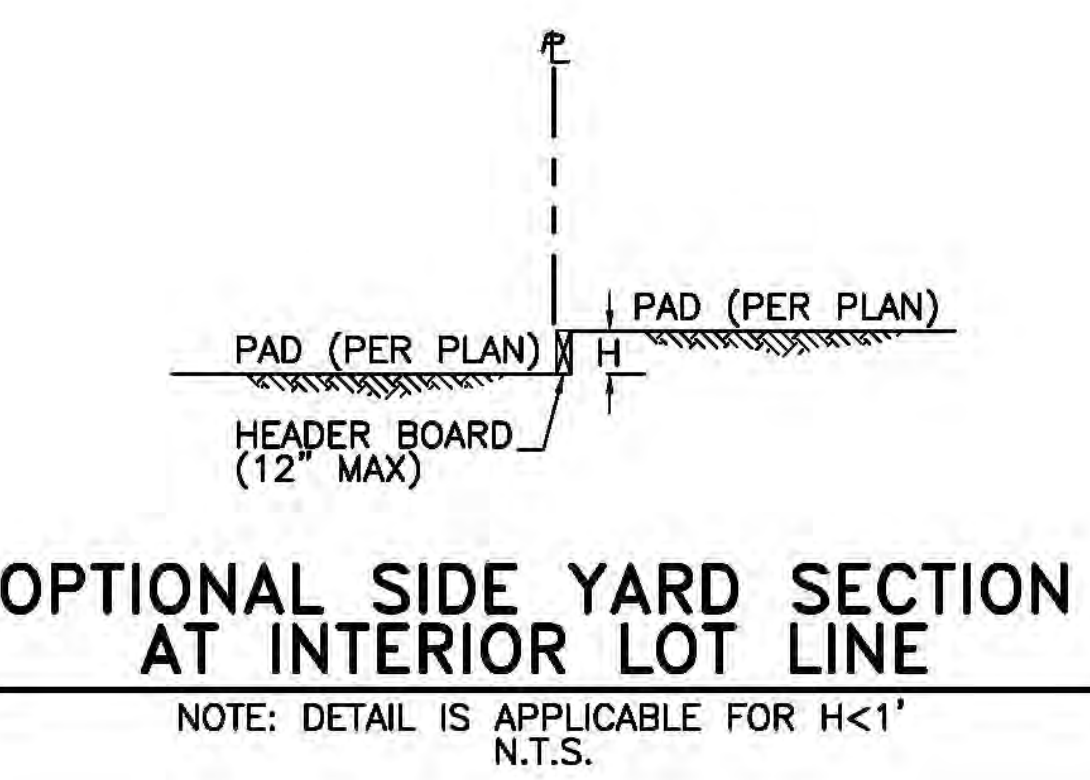
SECTION C-C
N.T.S.



- NOTES:
- MUST OBTAIN A BUILDING PERMIT FOR FENCE/WALL CONSTRUCTION.
 - TOTAL WALL-FENCE HEIGHT NOT TO EXCEED 8'.
 - ELEVATION DIFFERENCE OF LESS THAN 1' BETWEEN LOT AND ADJACENT PARCEL TO BE RETAINED BY THE FENCE AND HEADER BOARD (SEE SECTION C-C, THIS SHEET).

SECTION A-A
N.T.S.

SECTION D-D
N.T.S.



- NOTES:
- SEE TYPICAL PAD GRADING SECTIONS TO DETERMINE CONFORMANCE METHOD.

SECTION B-B
N.T.S.

LESHER SUB 9404 KT-KB OAKLEY, LLC SUB 9311

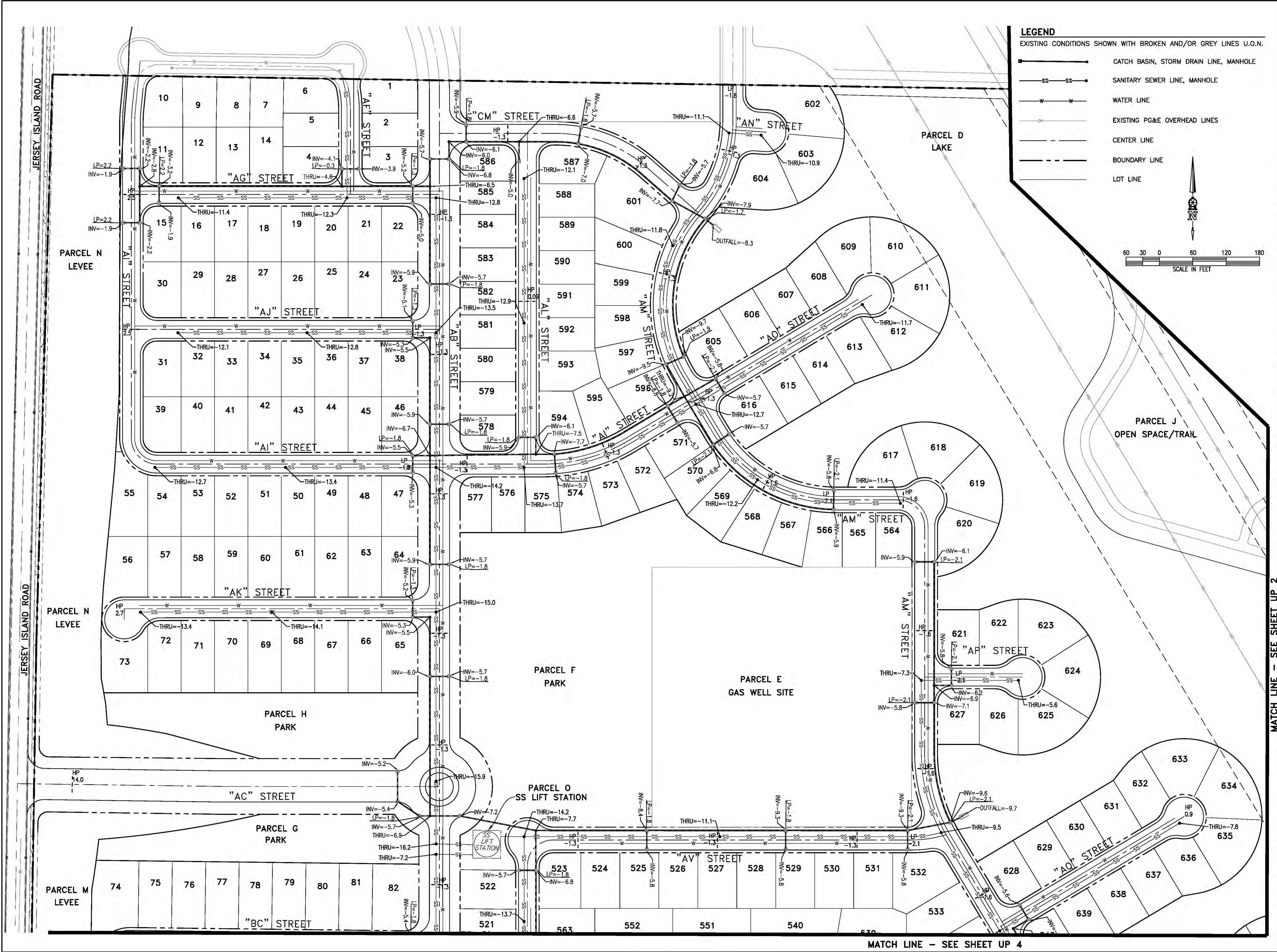
Bellecci & Associates, inc.
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Phone (925) 885-4899 Fax (925) 885-4838

LESHER PROPERTY VESTING TENTATIVE MAP
GRADING PLAN SECTIONS & DETAILS
CALIFORNIA
CONTRA COSTA COUNTY
OAKLEY
SUBD 9404

City of **OAKLEY**
A Place for Families in the Heart of the Delta

SHEET GP8 OF 27
JOB NO. 13075

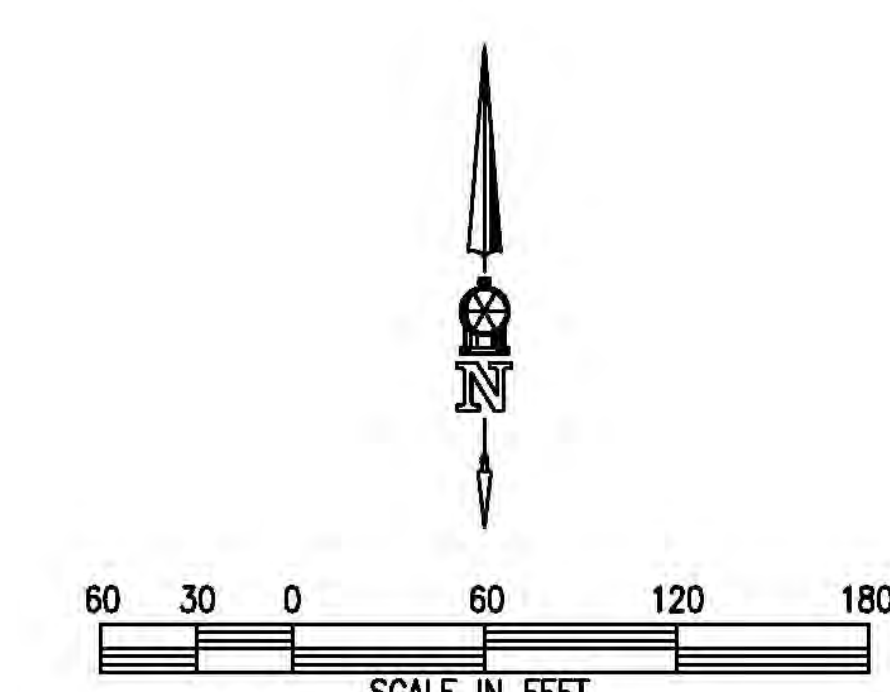
NO.	DATE	BY	REVISIONS



SHEET UP1 OF 27 JOB NO. 13075
 MATCH LINE - SEE SHEET UP 2
 SUBD 9404
 OAKLEY
 CITY OF OAKLEY
 A PLACE FOR FAMILIES AT THE HEART OF THE BAY AREA
 OAKLEY
 MATCH LINE - SEE SHEET UP 4
 PARCEL E GAS WELL SITE
 PARCEL F PARK
 PARCEL G PARK
 PARCEL H PARK
 PARCEL M LEVEE
 PARCEL N LEVEE
 LESHOR PROPERTY
 VESTING TENTATIVE MAP
 UTILITY PLAN
 CONTRA COSTA COUNTY
 OAKLEY
 CALIFORNIA
 BELLECCI & ASSOCIATES, INC.
 Civil Engineering • Land Surveying • Construction Management
 2280 Diamond Boulevard, Suite 100 Concord, CA 94520
 Phone (925) 885-4888 Fax (925) 885-4888



- LEGEND**
 EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.
- CATCH BASIN, STORM DRAIN LINE, MANHOLE
 - SANITARY SEWER LINE, MANHOLE
 - WATER LINE
 - EXISTING PG&E OVERHEAD LINES
 - STORM DRAIN LIFT STATION LINE, MANHOLE
 - CENTER LINE
 - BOUNDARY LINE
 - LOT LINE



MATCH LINE - SEE SHEET UP 1


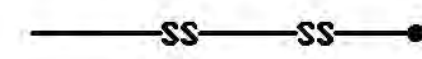

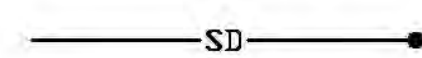
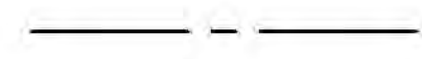


MATCH LINE - SEE SHEET UP 3

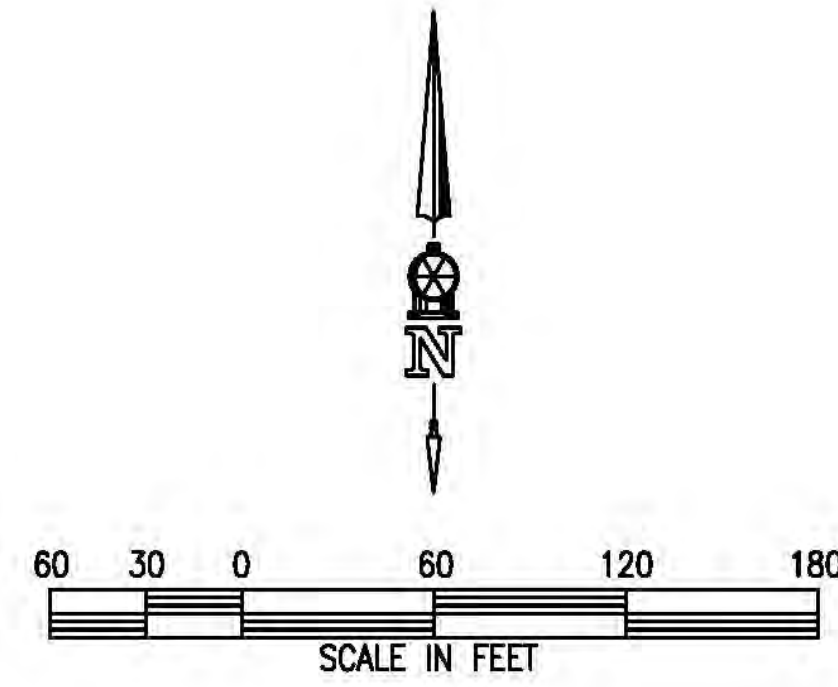
MATCH LINE - SEE SHEET UP 5

<p>Bellecci & Associates, Inc. Civil Engineering • Land Surveying • Construction Management 2280 Diamond Boulevard, Suite 100 Concord, CA 94520 Phone (925) 885-4888 Fax (925) 885-4888</p>							
<p>LESLER PROPERTY UTILITY PLAN CONTRA COSTA COUNTY</p>	<p>VESTING TENTATIVE MAP CALIFORNIA</p>						
<p>SUBD 9404 OAKLEY</p>	<p>CITY OF OAKLEY A PLACE FOR FAMILIES IN THE HEART OF THE DELTA</p>						
<p>SHEET UP 2 OF 27 JOB NO. 13075</p>	<table border="1"> <tr> <th>REVISIONS</th> <th>DATE</th> <th>BY</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	REVISIONS	DATE	BY			
REVISIONS	DATE	BY					

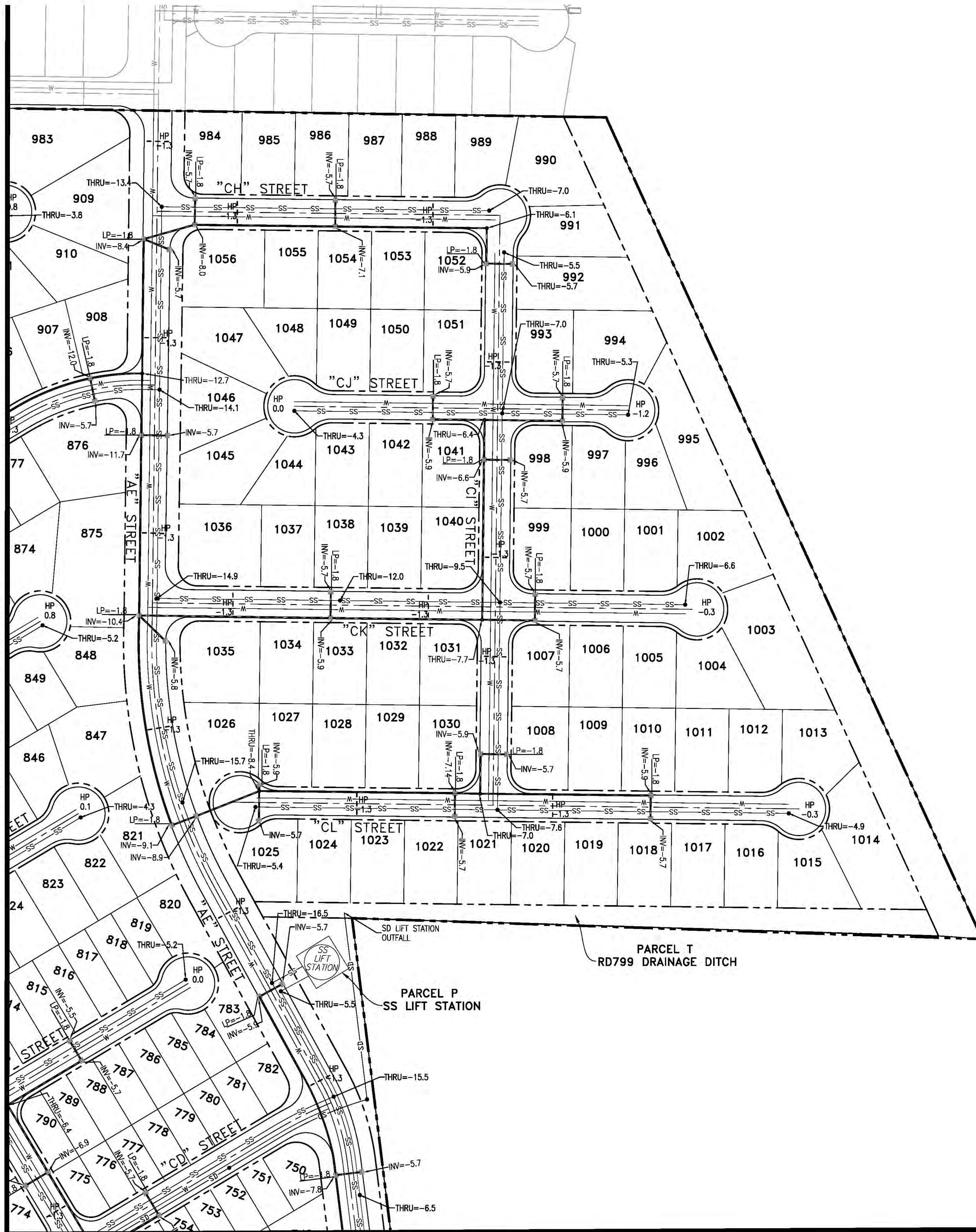
LEGEND

EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.

-  CATCH BASIN, STORM DRAIN LINE, MANHOLE
-  SANITARY SEWER LINE, MANHOLE
-  WATER LINE
-  STORM DRAIN LIFT STATION LINE, MANHOLE
-  CENTER LINE
-  BOUNDARY LINE
-  LOT LINE



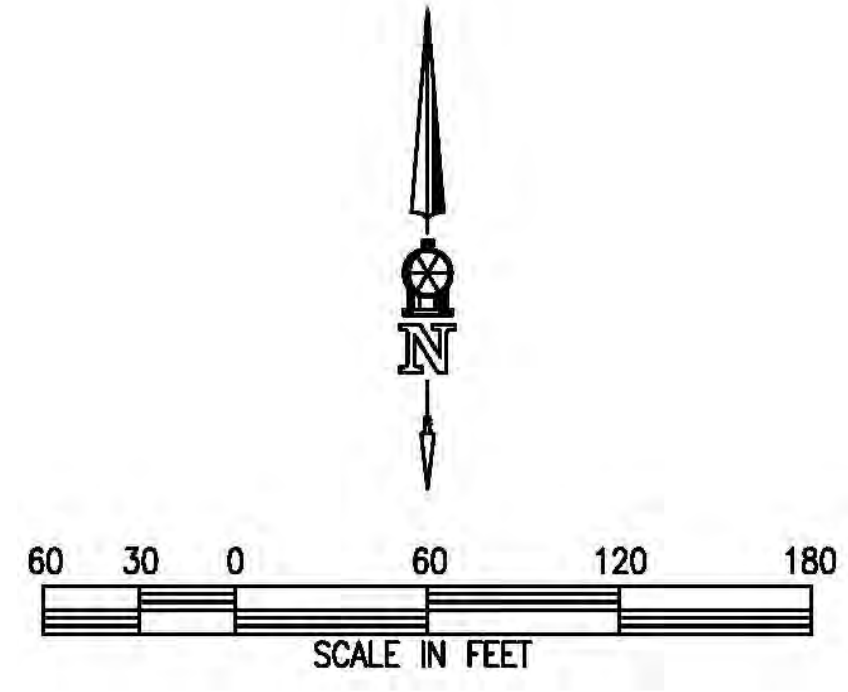
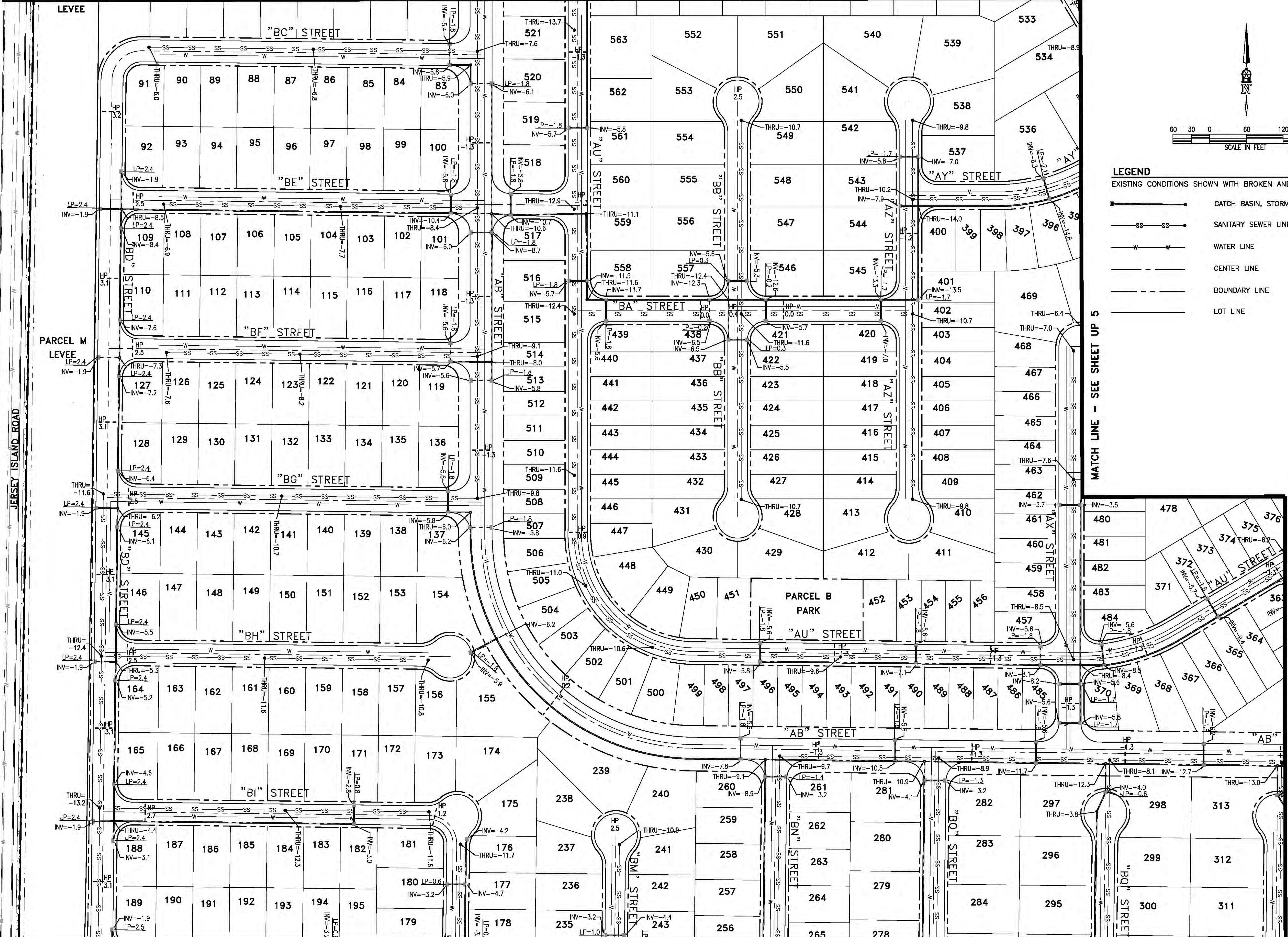
MATCH LINE - SEE SHEET UP 2



MATCH LINE - SEE SHEET UP 5

 Bellecci & Associates, Inc. Civil Engineering • Land Surveying • Construction Management 2280 Diamond Boulevard, Suite 100 Concord, CA 94520 Phone (925) 885-4889 Fax (925) 885-4838	LESHER PROPERTY UTILITY PLAN CONTRA COSTA COUNTY CALIFORNIA	VESTING TENTATIVE MAP SUBD 9404 OAKLEY	SHEET UP 3 OF 27 JOB NO. 13075	REVISIONS DATE BY
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MATCH LINE - SEE SHEET UP 1



- LEGEND**
 EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.
- CATCH BASIN, STORM DRAIN LINE, MANHOLE
 - SANITARY SEWER LINE, MANHOLE
 - WATER LINE
 - CENTER LINE
 - BOUNDARY LINE
 - LOT LINE

MATCH LINE - SEE SHEET UP 5

MATCH LINE - SEE SHEET UP 5

MATCH LINE - SEE SHEET UP 6

JERSEY ISLAND ROAD

LESTER PROPERTY VESTING TENTATIVE MAP
UTILITY PLAN
 CONTRA COSTA COUNTY OAKLEY

SUBD 9404

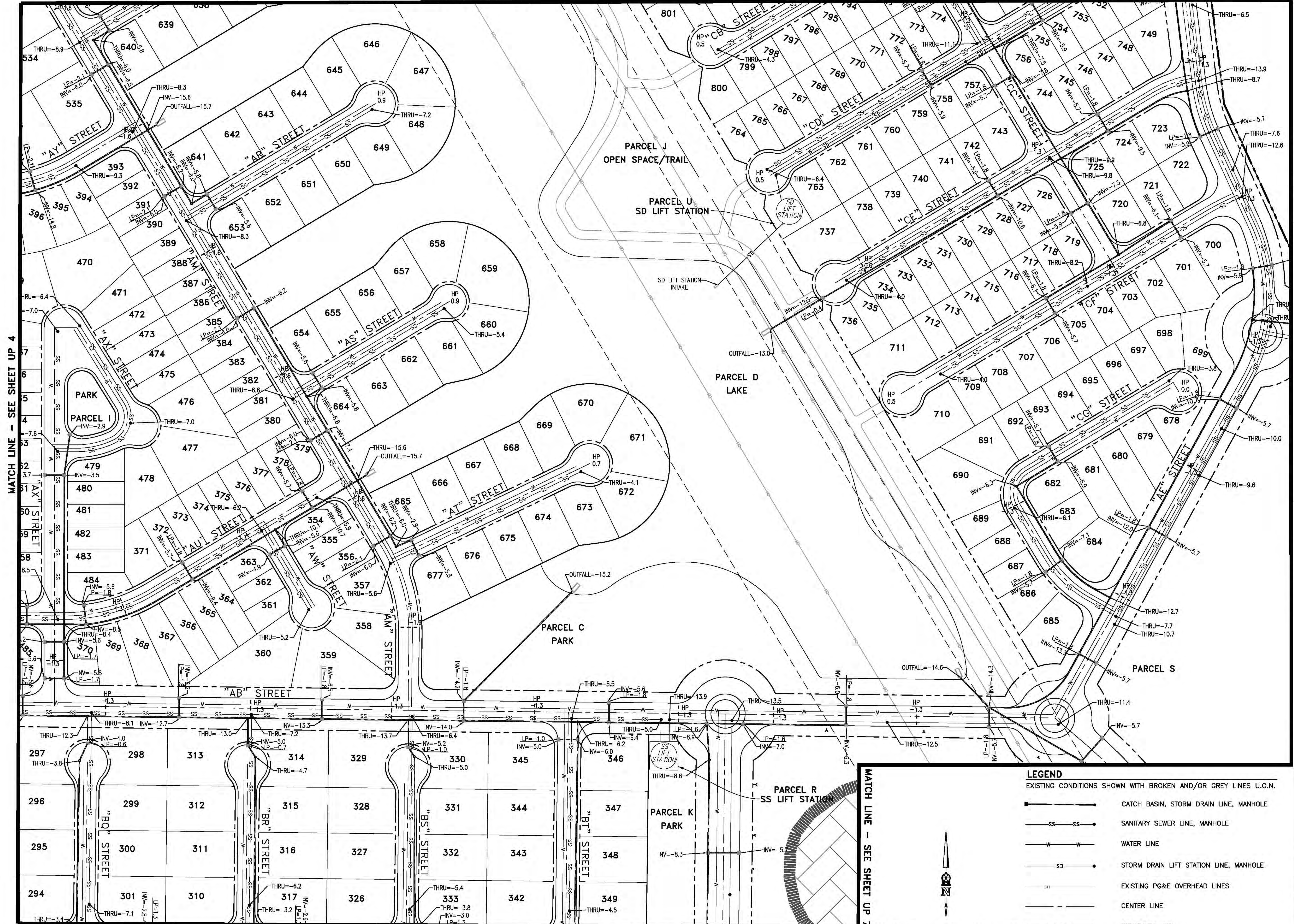
SHEET **UP 4**
 OF 27
 JOB NO. 13075

City of OAKLEY
 A Place for Families in the Heart of the Delta

Bellecci & Associates, inc.
 Civil Engineering • Land Surveying • Construction Management
 2280 Diamond Boulevard, Suite 100 Concord, CA 94520
 Phone (925) 885-4589 Fax (925) 885-4588

NO.	DATE	REVISIONS

MATCH LINE - SEE SHEET UP 2 & 3



MATCH LINE - SEE SHEET UP 4

MATCH LINE - SEE SHEET UP 7

MATCH LINE - SEE SHEET UP 6

LEGEND
 EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.

- CATCH BASIN, STORM DRAIN LINE, MANHOLE
- SANITARY SEWER LINE, MANHOLE
- WATER LINE
- STORM DRAIN LIFT STATION LINE, MANHOLE
- EXISTING PG&E OVERHEAD LINES
- CENTER LINE
- BOUNDARY LINE
- LOT LINE



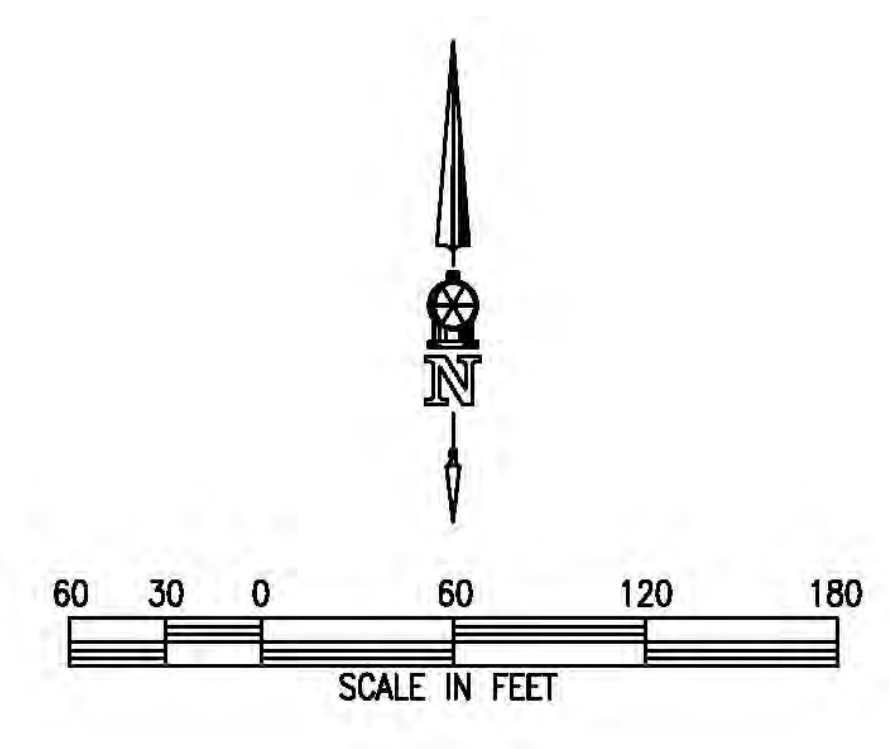
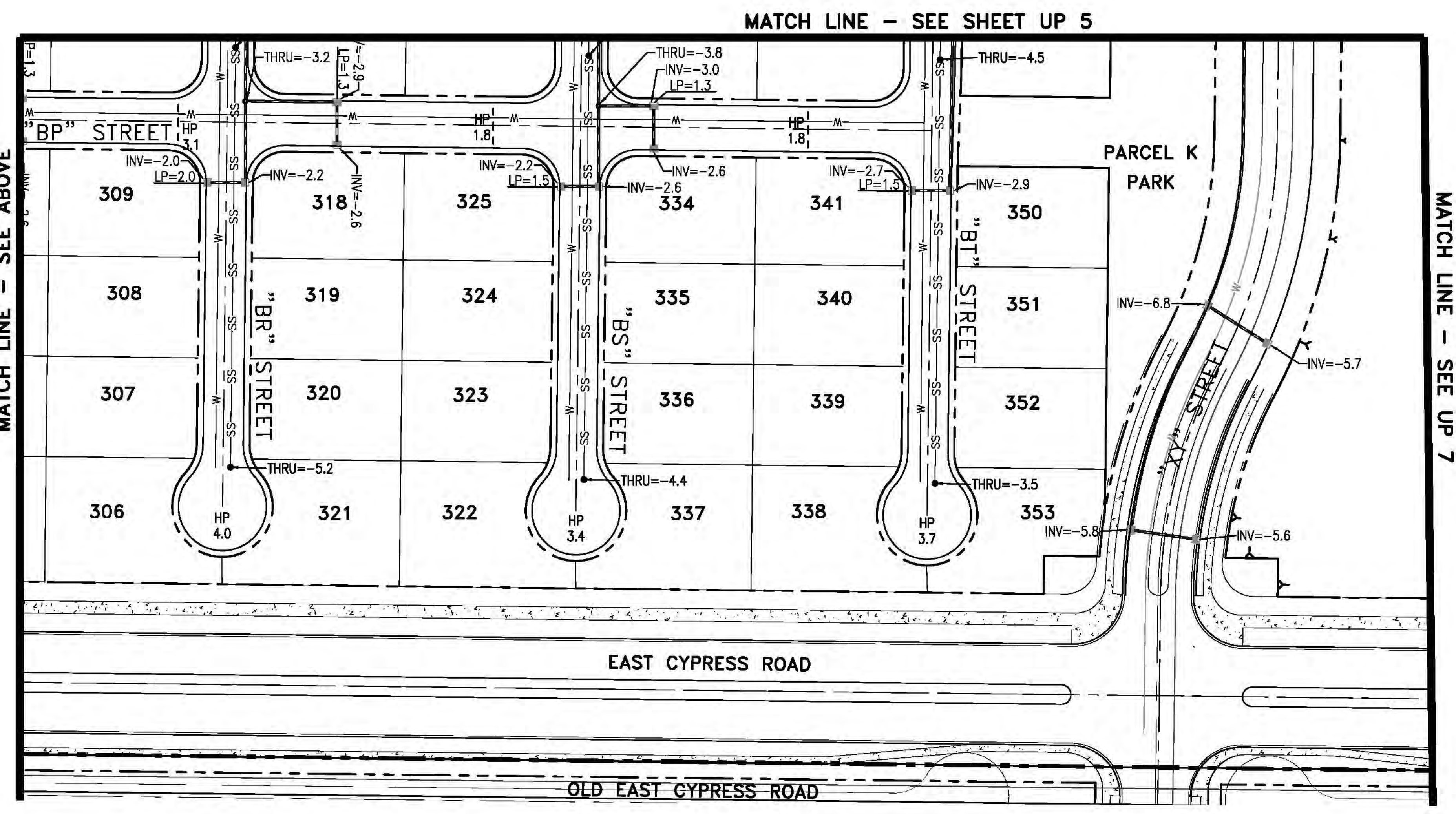
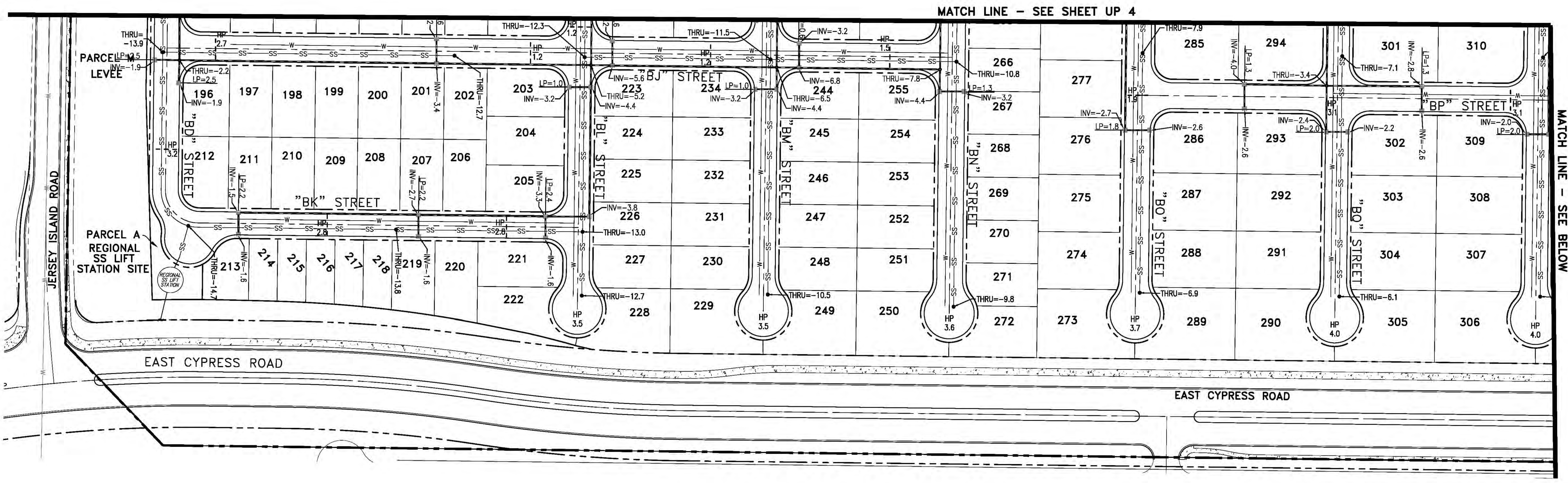
Bellecci & Associates, Inc.
 Civil Engineering • Land Surveying • Construction Management
 2240 Diamond Boulevard, Suite 100 Concord, CA 94520
 Phone (925) 885-4888 Fax (925) 885-4888

LESLER PROPERTY
 VESTING TENTATIVE MAP
UTILITY PLAN
 CONTRA COSTA COUNTY

SUBD 9404
 OAKLEY
 SHEET 5 OF 27
 JOB NO. 13075



NO.	DATE	REVISIONS










LEGEND
EXISTING CONDITIONS SHOWN WITH BROKEN AND/OR GREY LINES U.O.N.

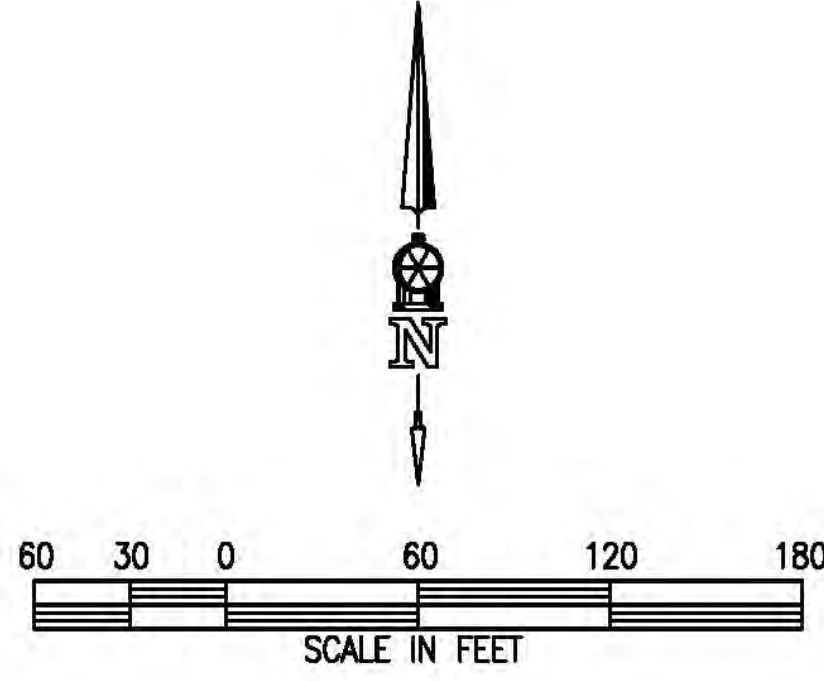
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	SANITARY SEWER LINE, MANHOLE
	WATER LINE
	CENTER LINE
	BOUNDARY LINE
	LOT LINE

SHEET UP 6 OF 27 JOB NO. 13075	SUBD 9404 OAKLEY	LESHOR PROPERTY UTILITY PLAN CONTRA COSTA COUNTY	VESTING TENTATIVE MAP CALIFORNIA	<p>Bellecci & Associates, Inc. Civil Engineering • Land Surveying • Construction Management 2280 Diamond Boulevard, Suite 100 Concord, CA 94520 Phone (925) 885-4889 Fax (925) 885-4838</p>	REVISIONS BT DATE
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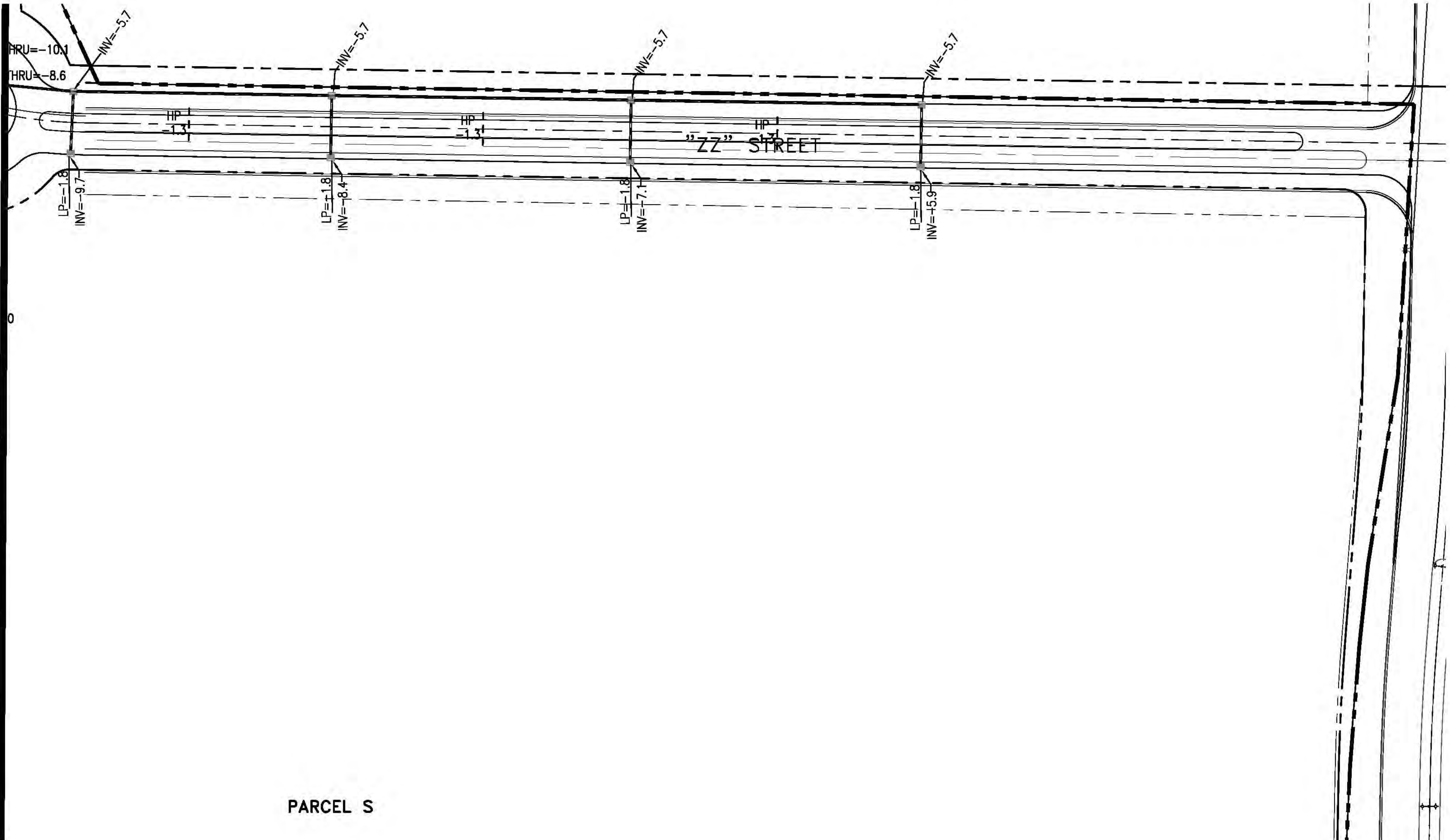
LEGEND

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-  CATCH BASIN, STORM DRAIN LINE, MANHOLE
-  SANITARY SEWER LINE, MANHOLE
-  WATER LINE
-  EXISTING PG&E OVERHEAD LINES
-  CENTER LINE
-  BOUNDARY LINE
-  LOT LINE

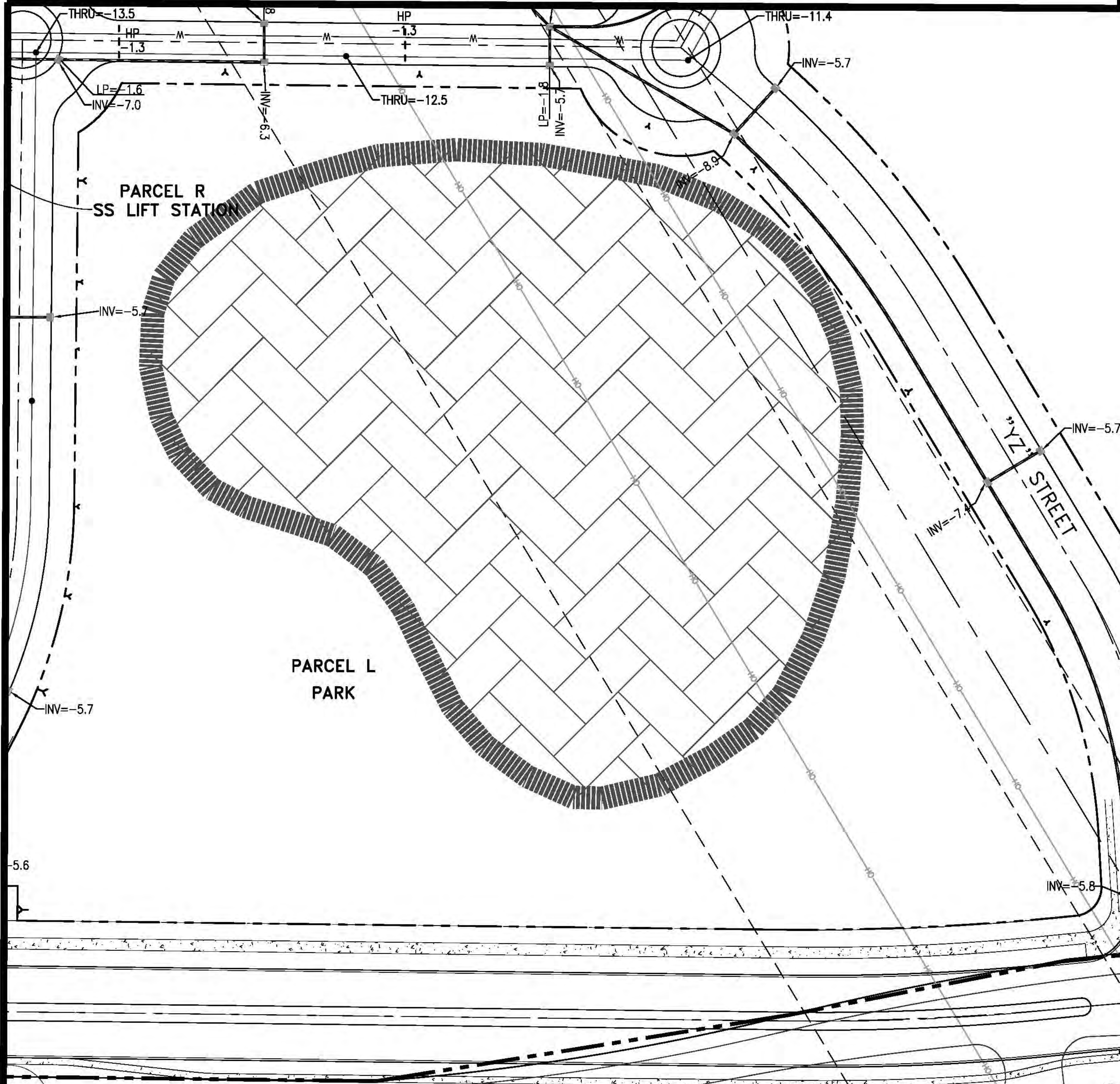


MATCH LINE - SEE SHEET UP 5





PARCEL S

MATCH LINE - SEE SHEET UP 5



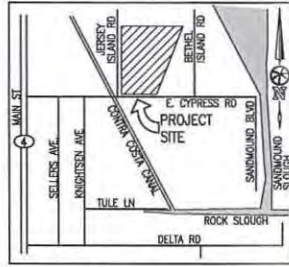
MATCH LINE - SEE SHEET UP 6

EAST CYPRESS ROAD

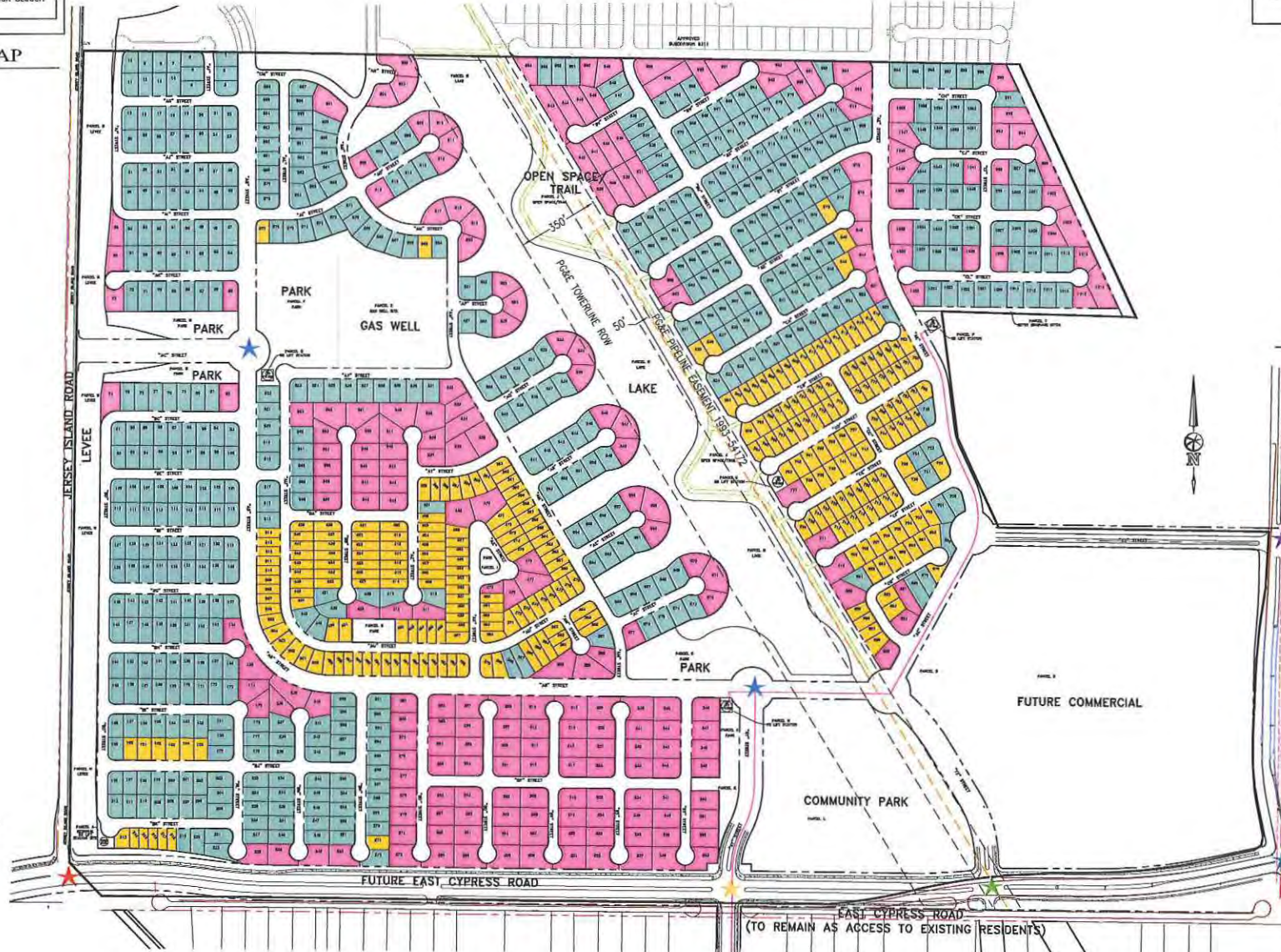
 CITY OF OAKLEY <small>A PLACE FOR FAMILIES IN THE HEART OF THE DELTA</small>	SUBD 9404 OAKLEY	LESHAR PROPERTY VESTING TENTATIVE MAP UTILITY PLAN CONTRA COSTA COUNTY CALIFORNIA	 Bellecci & Associates, inc. Civil Engineering • Land Surveying • Construction Management 2280 Diamond Boulevard, Suite 100 Concord, CA 94520 Phone (925) 885-4889 Fax (925) 885-4838
SHEET UP 7 OF 27 JOB NO. 13075	DATE BY	REVISIONS	

SUBDIVISION 9404 VESTING TENTATIVE MAP

LESHER PROPERTY EAST CYPRESS CORRIDOR SPECIFIC PLAN CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA JULY 2015



VICINITY MAP
NO SCALE



GENERAL NOTES

OWNER: MARGARET L. LESHER TRUST, ET AL.
2890 N. MAIN STREET #200
WALNUT CREEK, CA 94597-2738

DEVELOPER: ACO-TI OAKLEY, LLC -
A DELAWARE LIMITED LIABILITY COMPANY
235 W. MAIN STREET
LOS GATOS, CA 95030
925.580.1436

CIVIL ENGINEER: BELLECCI & ASSOCIATES, INC.
2250 DIAMOND BLVD., SUITE 100
CONCORD, CALIFORNIA 94020
925.885.4059

A.P.N.: 032-082-005 & 032-050-004

SITE AREA: 362.4 ACRES

EXISTING ZONING: SP-1 (ECCSP) DISTRICT

PROPOSED ZONING: SP-1 (ECCSP) DISTRICT

EXISTING USE: AGRICULTURAL

PROPOSED USE: SEE TABLE BELOW

SERVICES:
WATER SUPPLY- DUBLAI WATER DISTRICT
SANITARY SEWER- IRVINGHOUSE SANITARY DISTRICT
STORM DRAIN- CITY OF OAKLEY
GAS & ELECTRIC- PACIFIC GAS & ELECTRIC
FIRE- EAST CONTRA COSTA FIRE PROTECTION DISTRICT
TELEPHONE- AT&T
CABLE TV- COMCAST
LEVEE- RD 799

FLOODING: SITE FALLS WITHIN FIRM PANEL NUMBERS 06012L
0300R, ZONE AE
(D.L. 9, 1998NOV01) - DATED JULY 16, 2009
NOTE: THE ENTIRE SITE FALLS WITHIN THE 100
YEAR FLOOD PLAIN.

TOPOGRAPHY: AERIAL TOPOGRAPHY PROVIDED
BY KING & ASSOCIATES
DATED OCTOBER 13, 2014

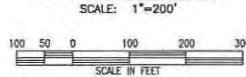
BASIS OF ELEVATION: ELEVATIONS SHOWN ARE BASED UPON THE
NOS POINT ID "0383679". ELEVATION BEING
TAKEN AS 23.6 FEET, 1988NOVD.

BASIS OF BEARINGS: CALIFORNIA COORDINATE SYSTEM, ZONE II (NAD 83).

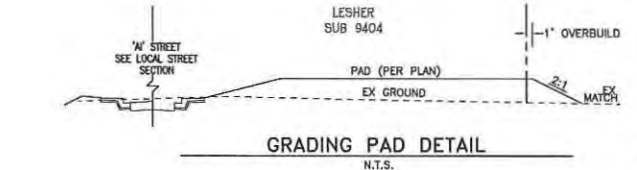
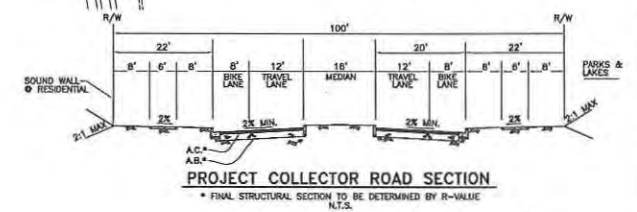
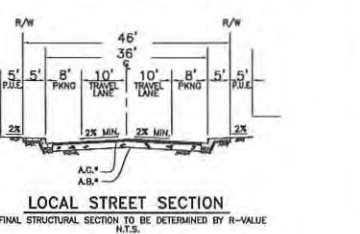
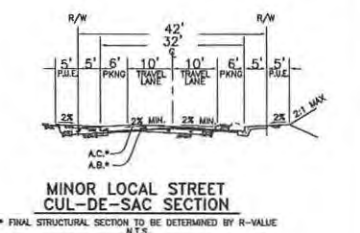
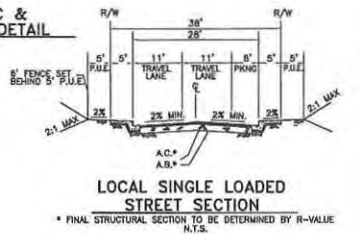
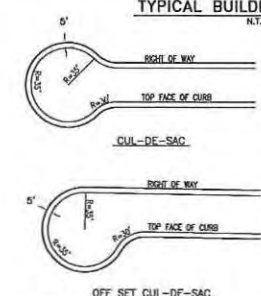
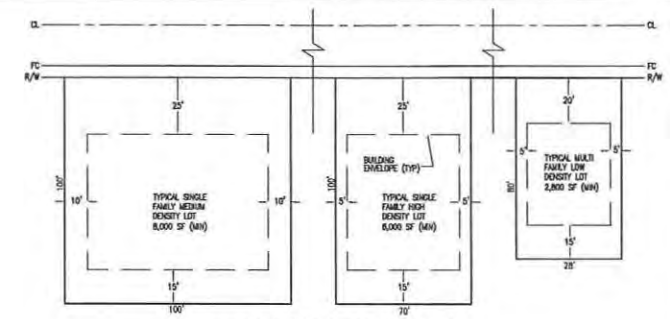
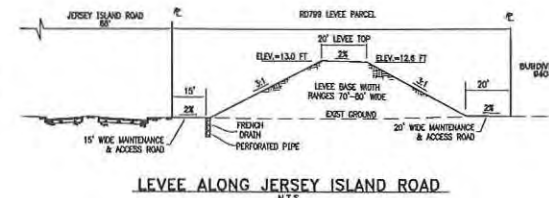
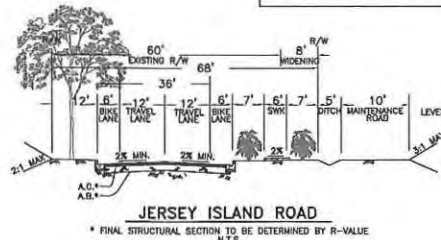
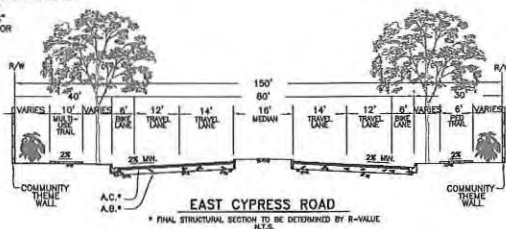
KEY MAP LEGEND

- (SM) SINGLE FAMILY RESIDENTIAL MEDIUM DENSITY
- (SH) SINGLE FAMILY RESIDENTIAL HIGH DENSITY
- (ML) MULTI-FAMILY RESIDENTIAL LOW DENSITY (DETACHED)
- ★ GENERAL LOCATION OF LANDSCAPED "ARRIVAL POINT" TO BE DESIGNED & IMPROVED CONSISTENT WITH SECTION 7.2.3 "GATEWAYS, ENTRIES & ARRIVALS" FOR THE EAST CYPRESS CORRIDOR SPECIFIC PLAN
- ★ GENERAL LOCATION OF LANDSCAPED "COMMUNITY ENTRY" TO BE DESIGNED & IMPROVED CONSISTENT WITH SECTION 7.2.3 "GATEWAYS, ENTRIES & ARRIVALS" FOR THE EAST CYPRESS CORRIDOR SPECIFIC PLAN
- ★ GENERAL LOCATION OF LANDSCAPED "GATEWAY" TO BE DESIGNED & IMPROVED CONSISTENT WITH SECTION 7.2.3 "GATEWAYS, ENTRIES & ARRIVALS" FOR THE EAST CYPRESS CORRIDOR SPECIFIC PLAN
- ★ GENERAL LOCATION OF LANDSCAPED "CENTRAL ARRIVAL" TO BE DESIGNED & IMPROVED CONSISTENT WITH SECTION 7.2.3 "GATEWAYS, ENTRIES & ARRIVALS" FOR THE EAST CYPRESS CORRIDOR SPECIFIC PLAN
- ★ GENERAL LOCATION OF LANDSCAPED "NEIGHBORHOOD ENTRY" TO BE DESIGNED & IMPROVED CONSISTENT WITH SECTION 7.2.3 "GATEWAYS, ENTRIES & ARRIVALS" FOR THE EAST CYPRESS CORRIDOR SPECIFIC PLAN
- ★ GENERAL LOCATION OF LANDSCAPED "VILLAGE CENTER ENTRY" TO BE DESIGNED & IMPROVED CONSISTENT WITH SECTION 7.2.3 "GATEWAYS, ENTRIES & ARRIVALS" FOR THE EAST CYPRESS CORRIDOR SPECIFIC PLAN

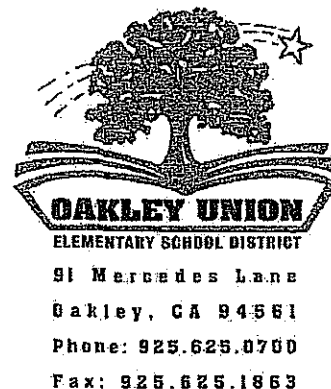
KEY MAP



PROPOSED LAND USE		
LOT TYPE	MIN. SIZE (SQ FT)	NO. OF UNITS
SINGLE FAMILY DETACHED-MEDIUM DENSITY	8,000 (60'x100')	231
SINGLE FAMILY DETACHED-HIGH DENSITY	6,000 (60'x100')	542
MULTI-FAMILY DETACHED-LOW DENSITY	3,040 (28'x62')	283
		TOTAL = 1,056



NOTE: THIS DEVELOPMENT MAY BE CONSTRUCTED IN PHASES, RESULTING IN THE FILING OF MULTIPLE FINAL MAPS. STREET NAMES WILL BE PROVIDED TO THE APPROPRIATE AGENCIES PRIOR TO APPROVAL OF THE FINAL MAP(S).



May 22, 2015

Ken Strelow
Project Planner
City of Oakley
3231 Main Street
Oakley, CA 94561

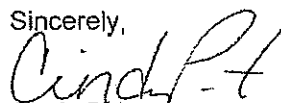
Dear Mr. Strelow,

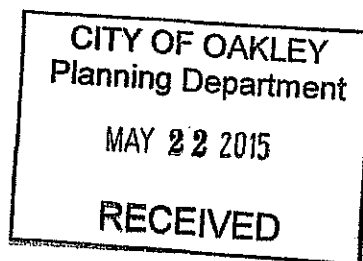
Thank you for the opportunity to respond to the proposed Leshner Subdivision 9404 project located at the northwest corner of Easy Cypress Road and Bethel Island Road. The Oakley Union School District has reviewed the tentative maps and is concerned that this project will greatly impact the district and its ability to house the students generated from the planned community. This project is anticipated to generate approximately 274 K-5 students and 101 6-8 grade students. The newly generated students would greatly impact the Iron House Elementary School, which is currently already above capacity. The district has already added additional portable classrooms to this school, and is currently awaiting State funding to provide an additional 3 portable classrooms. It would not be feasible to continue adding portable classrooms to accommodate the additional 375 students this project would generate.

The current developer fees that would be collected from this project will not provide adequate funding to provide school classrooms for the students generated. A school site has been designated to serve this area but has not been constructed due to short falls in state funding. The District requests that this project not be approved until the district can construct a new school in this area.

Thank you for your help. Please feel free to contact me with any questions.

Sincerely,


Cindy Peterson
Chief Business Official





Liberty Union High School District

20 Oak Street
 Brentwood, CA 94513
 Phone: (925) 634-2166 Fax (925) 634-1687
 Eric L. Volta, Superintendent

May 20, 2015

Ken Strelo
 Project Planner, City of Oakley
 3231 Main St.
 Oakley, CA 94561

CITY OF OAKLEY
 Planning Department

MAY 20 2015

RECEIVED

Dear Mr. Strelo,

On behalf of the Liberty Union High School District, I would like to voice our concern with the proposed "Leshner Subdivision Project 9404 (TM03-15)". This proposed development, along with other approved and proposed large developments in East Oakley such as the "Emerson Property", "Gilbert Property", "Summer Lakes South", and "Summer Lakes North", to name a few, would significantly increase the number of students enrolling in our schools. Currently, the only high school serving East Oakley and Bethel Island, Freedom High School, has an enrollment of 2,552. The school was originally designed to house 2,200 students and has serious space concerns with its "fixed" facilities such as specialized classrooms, hallways, the multi-use room, the gym, and locker rooms. Because of the proposed growth along the Cypress Corridor and in Northeast Brentwood, LUHSD has been investigating the feasibility of constructing a fourth high school at the intersection of Delta Road and Sellers Road. If we are successful, the growth in this area will create a sizable traffic, and thus safety, concern to the residents of these developments along Sellers Road. We request that the City of Oakley address the infrastructure needs along the Sellers Corridor associated with the increased development in East Oakley to the proposed location of the new high school. We also request that developers associated with the increase in student population assist in the funding of a new high school that would serve the residents of their new developments.

If, for financial reasons, LUHSD is not able to build a fourth high school, students generated by the new construction growth will travel to Freedom High School. The new students generated by the proposed and existing developments will be forced to travel the approximate 6.5 mile route passing multiple elementary and middle schools and their traffic patterns. Again, citing student safety as a concern this could potentially lead to more issues along the route to a large comprehensive high school. There are also concerns with having a school reaching 3,000 students. One need only look at a neighboring town to see the issues associated with a high school of close to 3,000 students.

LUHSD understands the need for further development in Oakley; however, we ask that the pace of development is managed in such a way that it does not have a negative impact on the learning environment of the students that we share and care about.

Respectfully,

Eric L. Volta
 Superintendent

Planning Area 1 (Lesher) Vesting Tentative Map 9404**East Cypress Corridor Specific Plan Environmental Impact Report
Addendum****I. Introduction**

The City of Oakley is the lead agency for this Addendum to the Revised East Cypress Corridor Specific Plan Environmental Impact Report (State Clearinghouse #2004092011) ("East Cypress Corridor Specific Plan EIR") certified on March 13, 2006 and the East Cypress Corridor Specific Plan Supplemental EIR (State Clearinghouse #2004092011) ("Supplemental East Cypress Corridor Specific Plan EIR" or "Supplemental EIR") certified on March 10, 2009 pursuant to City of Oakley City Council Resolution No. 46-09 (the East Cypress Corridor Specific Plan EIR and the Supplemental EIR are collectively referred to herein as the "Specific Plan EIR."). The Specific Plan EIR was prepared to support the adoption of the East Cypress Corridor Specific Plan ("Specific Plan"), adopted March 13, 2006, and to evaluate the environmental effects of developing the Specific Plan's 6 discrete Planning Areas in accordance with Specific Plan's development standards, policies, goals and objectives. In addition to certifying the Specific Plan EIR, Resolution No. 46-09 adopted a Mitigation Monitoring and Reporting Program applicable to development activities associated with build-out of the Specific Plan in accordance with Public Resource Code Section 21081.6 (the "MMRP").

This Addendum is prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 12000 *et seq.* (CEQA), to assist the City in its consideration of an application for Vesting Tentative Subdivision Map 9404 for an approximately 370 acre portion of the Specific Plan's Planning Area 1 commonly known as the Lesher Property (the "Project"). The Project implements a portion of the larger Specific Plan development project analyzed in the Specific Plan EIR. Specifically, the Project implements the City's policies, goals and objectives established for Planning Area 1, as described in the Specific Plan and analyzed in the Specific Plan EIR.

Pursuant to Government Code Section 65457(a), CEQA does not apply to a residential development project (including any subdivision) that is consistent with, and undertaken to implement, a specific plan for which an EIR was certified after January 1, 1980, such as the Specific Plan, unless a subsequent EIR is required by Public Resources Code Section 21166 ("Section 21166"). Pursuant to Section 21166, as further clarified by CEQA Guideline Section 15162, when an EIR has been certified, the lead agency may not require a subsequent EIR unless it determines, on the basis of substantial evidence in light of the whole administrative record that one or more of the following subsequent EIR triggers have occurred:

East Cypress Corridor Specific Plan EIR Addendum

- Substantial project changes are proposed which will require major revisions of the Specific Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the Specific Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, shows any of the following:
 - The project will have one or more significant effects not discussed in the Specific Plan EIR;
 - Significant effects previously examined will be substantially more severe than shown in the Specific Plan EIR;
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If none of the Section 21166 subsequent EIR triggers have occurred with respect to the Project, per Government Code Section 65457(a), the City's consideration and potential approval of the Project are exempt from CEQA.

As discussed below, this Addendum concludes that approval of the Project does not trigger need for a subsequent EIR under Section 21166 because development of the Project will not result in new, or substantially more adverse, significant environmental impacts than those disclosed in the Specific Plan EIR. Moreover, as discussed below, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, environmental impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant environmental effects of the project. Accordingly, per Section 21166, the City may not require a subsequent EIR for the Project.

This Addendum incorporates, by reference, the analysis contained in the certified Specific Plan EIR. In accordance with CEQA Guidelines Section 15164(c), this Addendum does not need to be circulated for public review, but will be attached to the Specific Plan EIR.

Background

The Specific Plan site is located in eastern Contra Costa County on the eastern side of the City of Oakley. The Specific Plan applies to approximately 2,546 acres and includes

vacant land, agricultural land, proposed and existing single-family homes, commercial use, existing overhead power lines, existing natural gas wells, existing natural gas pipelines, existing irrigation canals, and the Summer Lake North and South Projects (formerly known as the Cypress Lakes and Country Club). The Specific Plan is divided into six Planning Areas. Planning Area 1 includes approximately 704 acres proposed for development of up to 1,700 residential dwelling units. Planning Area 2, also known as Summer Lake North, includes approximately 409 acres that is approved for development with 824 residential units. Planning Area 3 includes approximately 183 acres proposed for development with up to 400 residential units. Planning Area 4 includes approximately 351 acres proposed for development with up to 1,120 residential units. Planning Area 5 includes approximately 269 acres, also known as Summer Lake South, and, prior to City's adoption of the Specific Plan, had already been approved for development of up to 628 residential units. Planning Area 6 is a 631 acre area consisting of existing residential, commercial, and agricultural land uses located throughout the Specific Plan. The Specific Plan allows new development within Planning Area 6, and provides that a total of 1,095 residential units may be developed within Planning Area 6, but the Specific Plan does not set forth a conceptual development plan for Planning Area 6, as it does for Planning Areas 1 through 5. In addition, portions of Planning Area 6 located along Dutch Slough Road and Sandmound Boulevard have not been annexed into the City of Oakley and remain under the jurisdiction of unincorporated Contra Costa County. The Specific Plan's land use plan is conceptual and expressly permits variations in the total number of residential units that are actually approved and constructed within each of its six Planning Areas, provided that the total number of residential units approved within the Specific Plan area does not exceed 5,759 residential units.

The City has taken the following actions to implement the adopted Specific Plan:

- On September 12, 2005, the City Council of the City of Oakley adopted Ordinance No. 25-05 approving a development agreement between the City and the Leshner Trust for the development of the Leshner Property (the "Leshner Development Agreement").
- On February 13, 2006, the City Council of the City of Oakley adopted Ordinance No. 02-06 approving a development agreement between the City and Shea Homes for the development of Planning Area 2 (the "PA2 Development Agreement").
- On October 25, 2011, the City Council of the City of Oakley adopted Resolution 116-11 approving a vesting tentative subdivision map to subdivide Planning Area 2 into 824 single-family residential lots, a 70 acre man-made lake, open space, parks, a commercial area and the construction of approximately 14,000 linear feet of new 300-year storm event levee.
- On November 8, 2011, the City Council of the City of Oakley adopted Ordinance No. 24-11 approving an amendment to the PA2 Development Agreement that would extend that agreement for an additional 13 years (to 2025).
- On November 8, 2011, the City Council of the City of Oakley adopted Resolution No. 122-11 approving a vesting tentative subdivision map to subdivide Planning Area 4 into 933 single family residential lots and one multi-family lot consisting of 195 apartment units for a total of 1,128 residential units. Concurrent therewith, the City Council adopted an ordinance approving a development agreement covering Planning Area 4, vesting the landowner's right to develop Planning Area 4 in accordance with the Specific Plan.

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- On January 10, 2012, the City Council of the City of Oakley adopted Ordinance No. 25-11 approving an amendment of the Leshar Development Agreement to vest the landowner's right to develop the Leshar Property in accordance with the Specific Plan.
- On January 12, 2012, the City Council of the City of Oakley adopted Ordinance No. 27-11 approving a development agreement for the development of Planning Area 6-H.
- On January 24, 2012, the City Council of the City of Oakley adopted Resolution 11-12 approving Tentative Parcel Map MS 11-976 subdividing two parcels totaling approximately 16.44 acres into four parcels in Planning Area 6-H2.
- On May 15, 2012, the City Council of the City of Oakley adopted Resolution No. 45-12 approving a vesting tentative subdivision map to subdivide the northern 334 acres of the 704-acre Planning Area 1 (commonly known as the Dal Porto North property) into 276 single-family residential lots, 227 acres of wetland/open space, an elementary school site, parks, and other non-urban uses. Concurrent therewith, the City Council adopted an ordinance approving development agreements covering the Dal Porto North property, vesting the landowner's right to develop such properties consistent with the Specific Plan.

The Project proposes approval of a vesting tentative map necessary for development of the Leshar Property in a manner consistent with the Specific Plan. The Leshar Property is located in the central-west area of the Specific Plan site, and is bounded to the north by Dal Porto North, to the west by Jersey Island Road, to the south by East Cypress Road and to the east by the future extension of Bethel Island Road.

The Specific Plan contemplates development of Planning Area 1, of which the Leshar Property is a part, with up to 1,700 residential units consisting of medium and high density single-family units and low density multi-family units, 27.9 acres of neighborhood parks, a 46.6 acre village center, 12.4 acres for an elementary school, up to a 4.2 acre gas well site, 1.1 acres of community facilities, a 31.8 acre lake, a 3.0 acre beach club, 56.0 acres of open space and easements, 56.0 acres of open space/easements, 108.1 acres of wetlands/dunes, 17.7 acres of roads and 20.1 acres of levee. As discussed above, the Dal Porto North portion of Planning Area 1 was previously subdivided and approved for development of 276 of the 1,700 units permitted within Planning Area 1 by the Specific Plan.

Though the Leshar Property has not yet been subdivided by the City, as discussed above, it has long been subject to a development agreement between the City and the Leshar Property owner. On September 12, 2005, prior to the City's adoption of the Specific Plan, the City Council adopted Ordinance No. 25-02, approving a development agreement applicable to the Leshar Property that vested the landowner's rights and obligations under the City of Oakley General Plan and recognized that a specific plan applicable to the Leshar Property was then being prepared by the City (the "Original Development Agreement"). Subsequently, on January 10, 2012, after the City's adoption of the Specific Plan, the City Council adopted Ordinance No. 25-11, approving an amendment to the Original Development Agreement that vested the landowner's right to develop the Leshar Property in a manner consistent with the Specific Plan and applicable law.

II. Vesting Tentative Map 9404

The applicant has submitted to the City an application for Vesting Tentative Map 9404 ("Map Application") for the development of the Leshar Property portion of Planning Area 1 (Leshar) in a manner consistent with the Specific Plan. A review of the Map Application by the City confirms that the tentative map generally mirrors the Specific Plan's conceptual land use exhibit for the Leshar Property with regard to the proposed uses, internal roadways, parks, lake and other infrastructure. The proposed vesting tentative map is shown in Exhibit A. The project proposes 1,056 dwelling units in a variety of housing types and includes the same land uses on approximately the same acreage as the Specific Plan's conceptual land use plan for the Leshar Property portion of Planning Area 1.

III. Environmental Topics

The following discussion considers the environmental effects of the Project to determine whether it will result in new, or substantially more adverse, significant environmental impacts than those disclosed in the Specific Plan EIR that would trigger need for a subsequent EIR under Section 21166. The following discussion also considers whether any new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, shows any new, or substantially more adverse, environmental impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant environmental effects of the project. As discussed above, this analysis relies on, and incorporates by reference, the Specific Plan EIR.

As documented below, this Addendum concludes that approval and development of the Project would not result in any new, or substantially more severe, impacts to the environment than those disclosed in the Specific Plan EIR. Further, a review of available records and literature identified no new information of substantial importance that was not known, or could not have been known, at the time of the certification of the Specific Plan EIR that would trigger the need for a subsequent EIR under Section 21166.

a. Aesthetics

The Project proposes development of the Leshar Property portion of Planning Area 1 in a manner consistent with the Specific Plan, as analyzed and discussed in the Specific Plan EIR. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the potential aesthetic impacts associated with the Project would be the same as described in the Specific Plan EIR with respect to the Leshar Property. If approved, the Project would be required to implement all applicable mitigation measures set forth in the MMRP with regard to potential aesthetic impacts of the development of the Leshar Property. The only mitigation measures set forth in the MMRP related to aesthetics concern the potential aesthetic impacts associated with existing gas drilling activities and proposed school construction activities within the



Source: Bellecci & Assoc. Inc.

Exhibit A
Vesting Tentative Map 9404

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Specific Plan area. Under the Specific Plan, there is an elementary school site planned within the Dal Porto North portion of Planning Area 1, but there are no school sites proposed within the Leshar Property portion of Planning Area 1. There are two existing and three abandoned gas well sites within the Leshar Property, but the Project does not propose, and would not be approved for, operating or reactivating any of the existing abandoned such wells for any purpose or drilling new wells. Nevertheless, the following mitigation measures applicable to gas well operations are carried forward from the Specific Plan EIR for this Project to ensure that its aesthetic impacts are reduced to less than significant.

Mitigation Measure 3.2-1 All drilling equipment less than fifteen feet tall shall be screened from direct view from the surrounding area as approved by the Community Development Director and the screening shall be maintained in place until the drilling equipment is removed from the drill site.

Mitigation Measure 3.2-2 All drilling equipment shall be painted a camouflage or earthen tone to blend with the surrounding landscape. The Community Development Director shall approve the color of the drilling equipment prior to the issuance of a drilling permit.

Mitigation Measure 3.2-3 All production wells shall be appropriately screened from direct view as recommended in the Specific Plan and approved by the Community Development Director. The landscape and screening materials shall be maintained as approved for the life of the well.

Mitigation Measure 3.2-4 Lighting for development and for drilling activities shall be limited to that necessary for safety and security purposes and shall be directed away from adjacent properties and road rights-of-way. All flares shall be shielded from adjacent properties and road rights-of-way.

The implementation of these mitigation measures would reduce the aesthetic, including light and glare, impacts of the Project to less than significant, as established by the Specific Plan EIR and Resolution No. 46-09. The approval and development of the Project will not result in any new, or substantially more adverse, significant aesthetic impacts than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant aesthetic impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant aesthetic effects of the project. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its aesthetic effects.

b. Agricultural Resources

The certified Specific Plan Supplemental EIR disclosed that development of Planning Area 1 in accordance with the Specific Plan would result in a significant impact to important farmland.¹ Planning Area 1 includes approximately 704 acres, currently used for cattle grazing. A total of 387 acres are mapped as prime farmland (located mainly on Sacramento clay and Egbert mucky clay loam soils), another 42 acres of Planning Area 1 are identified as farmland of statewide importance, 259 acres of Planning Area 1 are identified as farmland of local importance with the balance composed of "other" and urban or built-up, as disclosed in the Specific Plan EIR.² Of these, prime farmland, farmland of statewide importance and farmland of local importance are present on the Leshar Property. Per the Specific Plan Supplemental EIR, the adoption of the Specific Plan will advance the long-term Countywide strategy for protection of agricultural resources in two ways: First, by allowing development in a designated development area - the East Cypress Corridor area -- it will help to reduce pressures for growth and development in identified non-urban preservation areas, including important agricultural land within those preservation areas. Second, through the requirement that development within the Specific Plan Area fund acquisition of land to be protected under the HCP/NCCP, including important farmlands, the Project will help preserve the agricultural resources and agricultural character of Eastern Contra Costa County consistent with the provisions of the County's 65/35 Land Preservation Plan. For these reasons, implementation of the Specific Plan could help to reduce the long term cumulative loss of important agricultural land in Contra Costa County. However, no mitigation measures are available that would compensate directly for, or otherwise mitigate, the loss of agricultural land due to conversion of the Specific Plan area to developed uses, as disclosed in the Specific Plan EIR³.

None of the property within the Specific Plan area is in a Williamson Act contract, and there are no Williamson Act parcels located within ¼ mile of the project area⁴. The certified Specific Plan EIR discloses that development of the Leshar Property would result in direct and cumulative significant impacts to agricultural resources. Approval and development of the proposed Project would proceed in a manner contemplated by the Specific Plan and analyzed in the certified Specific Plan EIR and would not change or cause any further impacts to any existing agricultural resources within the Leshar Property to a greater extent than identified in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant impacts to agricultural resources than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant agricultural impacts of the Project. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its effects to agricultural resources.

¹ East Cypress Corridor Specific Plan Draft Supplemental EIR, August 21, 2008, page 3.1-13.

² East Cypress Corridor Specific Plan Draft Supplemental EIR, August 21, 2008, page 3.1-3.

³ East Cypress Corridor Specific Plan Draft Supplemental EIR, August 21, 2008, page 3.1-14.

⁴ East Cypress Corridor Specific Plan Draft Supplemental EIR, August 21, 2008, page 3.1-5.

c. Air Quality

The Project proposes development of the Leshar Property in a manner consistent with the Specific Plan and with the air quality analysis discussed in the Specific Plan EIR. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the potential construction, operational and area source emission impacts associated with the Project are the same as described in the Specific Plan EIR.

The actual construction, operational and area source emissions of the Project would, in all likelihood, be less than the calculated emission levels presented in the Specific Plan EIR due to new regulatory requirements mandating use of cleaner engine fuels and use of more fuel- and emission-efficient engines for today's automobiles and construction equipment, which will result in fewer Project-related air emissions compared to the emissions generated at the time the air quality analyses were conducted for the Specific Plan EIR.

In 2010, after the Specific Plan EIR was certified, CEQA Guideline Section 15064.4 was adopted pursuant to SB 97 to provide guidance to lead agencies for determining the significance of project impacts related to greenhouse gas emissions. Such analysis was not required by CEQA at the time the Specific Plan EIR was certified and the Specific Plan EIR does not evaluate the greenhouse gas impacts associated with development of the Specific Plan, including Planning Area 1. However, as determined by the Court of Appeal in *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, 1319-1320 ("*Concerned Dublin*"), the potential environmental effects of greenhouse gas emissions were known or could have been known well before 2010, when the Specific Plan EIR was adopted. According to the *Concerned Dublin* court, since this information was known before Specific Plan EIR was adopted, the adoption of new regulations, policies, and guidelines related to the analysis of a project's potential effects related greenhouse gas emission does not constitute "new information" requiring additional environmental review under Section 21166.⁵ In any case, the Project proposes development of the Leshar Property in a manner consistent with the Specific Plan. Accordingly, the greenhouse gas emissions associated with the development of the Project are at worst the same as, and no significantly greater than, the greenhouse house gas emission impacts associated with development of the Leshar Property under the previously approved Specific Plan.

It is also noted for informational purposes that in 2014, after the Specific Plan EIR was certified, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) adopted "Plan Bay Area," a sustainable communities strategy prepared pursuant to SB 375 (Public Resources Code Sections 21155.1, 21155.2, and 21159.28). SB 375 directs the California Air Resources Board (CARB) to set regional targets for greenhouse gas reductions from passenger vehicle use. CARB set the Bay Area's regional greenhouse gas reduction target in 2010 to require a 7% reduction below 2005 levels by 2020 and a 15% reduction below 2005 levels by 2035.

⁵ See *Concerned Dublin* at 1320.

Working with this emission reduction target, ABAG and MTC prepared the required SB 375 sustainable communities strategy - *i.e.*, Plan Bay Area. Plan Bay Area establishes a land use and transportation development strategy to accommodate Bay Area population growth through 2040, without expanding existing city boundaries, by focusing 80% of the region's future housing needs in so-called "Priority Development Areas" located near public transit and employment hubs, thus reducing regional passenger vehicle use. Plan Bay Area's assumed distribution of housing growth through 2040 is based on ABAG's Plan Bay Area Forecast of Jobs, Population, and Housing, which includes a locally-based assessment of housing development potential based on general plans, specific plans and zoning ordinances adopted by local governments through July 2013⁶. Plan Bay Area thus assumes the development provided for under the Specific Plan, including the development proposed by the Project. As determined by the Plan Bay Area Environmental Impact Report (SCH# 2012062029), regional development in a manner consistent with Plan Bay Area will achieve the 2020 and 2035 regional greenhouse gas reduction targets established by CARB.⁷ Since Plan Bay Area assumes development permitted under the Specific Plan, and since the Project will be developed consistent with the Specific Plan, development of the Project is consistent with, and will advance the policy objectives of, the regional greenhouse gas reduction strategy established by Plan Bay Area.

The Project would be required to implement all applicable mitigation measures set forth in the MMRP for potential air quality impacts associated with the development of the Leshner Property. The following applicable mitigation measures are carried forward from the MMRP to reduce the Project's air quality impacts to less than significant.

- Mitigation Measure 3.4-1** All development shall be required to implement feasible BAAQMD mitigation measures for reducing vehicle emissions from suburban residential projects. The site is suburban in nature with only limited transit service available; feasible mitigation measures to reduce vehicle emissions for a suburban project include:
- Provide bicycle lanes, sidewalks and/or paths, connecting project residences to adjacent schools, parks, nearest transit stop and nearby commercial areas;
 - Provide secure and conveniently placed bicycle parking and storage facilities at parks and other facilities;
 - Implement feasible travel demand management (TDM) measures. This would include a ride-matching program, coordination with regional ride-sharing organizations, provision of transit information, and provision of shuttle service to major destinations such as the Pittsburg BART station;
 - Allow only natural gas fireplaces, pellet stoves or EPA-Certified wood-burning fireplaces or stoves in single-

⁶ See Plan Bay Area Environmental Impact Report, SCH# 2012062029 (July 2013) at ES-8; see, also, Plan Bay Area, Final Forecast of Jobs, Population and Housing (July 2013) at 33.

⁷ See Plan Bay Area Environmental Impact Report at 1.2-53.

family houses. Conventional open-hearth fireplaces should not be permitted. EPA-Certified fireplaces and fireplace inserts are 75 percent effective in reducing emissions from this source;

- Construct transit amenities such as bus turnouts/bus bulbs, benches, shelters, etc.;
- Provide direct, safe, attractive pedestrian access from project land uses to transit stops and adjacent development;

Mitigation Measure 3.4-2 All commercial uses shall apply Transportation System Management measures as feasible to reduce trips. Appropriate strategies include:

- Provide physical improvements, such as sidewalk improvements, landscaping and bicycle parking that would act as incentives for pedestrian and bicycle modes of travel.
- Connect site with regional bikeway/pedestrian trail system.
- Provide transit information kiosks.
- Implement feasible travel demand management (TDM) measures. This would include a ride matching program, guaranteed ride home programs, coordination with regional ridesharing organizations and transit incentives program.
- Provide showers and lockers for employees bicycling or walking to work.
- Provide secure and conveniently located bicycle parking and storage for workers and patrons.
- Provide electric vehicle charging facilities.
- Provide preferential parking for Low Emission Vehicles (LEVs).
- Specialty equipment (utility carts, forklifts, etc.) shall be electrically, CNG or propane powered.
- Further development shall utilize reflective (or high albedo) and emissive roofs, light colored construction materials to increase the reflectivity of roads, driveways, and other paved surfaces, and will include shade trees near buildings to directly shield them from the sun's rays and reduce local air temperature and cooling energy demand.

Mitigation Measure 3.4-2a In addition to Mitigation Measures 3.4-1 and 3.4-2 in the East Cypress Corridor Specific Plan EIR, all development shall be required to implement the following measures for reducing area source emissions:

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- Eliminate wood burning fireplaces or devices. Install a gas outlet in proposed outdoor recreational fireplaces or pits. Offer as an option on homes to install a gas outlet for use with outdoor cooking appliances, such as a gas barbeque;
- Use efficient heating and other appliances, such as water heaters, cooking equipment, refrigerators, furnaces, and boiler units that meet or exceed Title 24 requirements (Title 24, Part 6, Energy Efficiency Standards for Residential and Nonresidential Buildings). Use window glazing and insulation, wall insulation, and efficient ventilation methods;
- Install electrical outlets on the exterior walls of both the front and back of all commercial buildings and residences to promote the use of electric landscape maintenance equipment;
- Landscape with drought resistant and low maintenance species of plants, trees, and shrubs to reduce the demand for gas powered landscape maintenance equipment;
- Use low VOC and low formaldehyde architectural coatings and insulation. Provide educational materials to homebuyers about the environmental benefits of using low VOC architectural coatings to help promote consumer use;
- Provide a 220-volt utility drop or other dedicated outlet that is adaptable for use by electric or rechargeable hybrid vehicles that are generally available to consumers.

Mitigation Measure 3.4-4 The project developer of Planning Areas 1, 3 and 4 shall submit lake management plans to the City for approval prior to the issuance of a grading permit for the lake. The lake management plan shall include lake design criteria, pollutant control, operations, mosquito control program, a list and description of all chemicals that would be used, and a lake maintenance program to control and minimize lake odors.

Mitigation Measure 3.4-5 The City of Oakley shall maintain all man-made lakes in PAs 1, 3 and 4 in compliance with an approved lake management plan.

Mitigation Measure 3.4-10 The following measures shall be implemented for PA's 1, 3, 4, and 6:

- All active construction areas shall be watered at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives;

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- All trucks hauling soil, sand, and other loose materials shall be covered or required to maintain at least 2 feet of freeboard;
- All unpaved access roads, parking areas, and staging areas at construction sites shall be paved or water applied three times daily, or a non-toxic soil stabilizer applied until the areas are developed or landscaped per final construction plans;
- All paved access roads, parking areas, and staging areas at construction sites shall be swept daily (preferably with water sweepers). Water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality;
- All adjacent public streets shall be swept daily (preferably with water sweepers) if visible soil material is carried onto the street;
- A non-toxic soil stabilizer shall be applied to all inactive construction areas and maintained until the construction area is developed based on construction plans;
- All exposed stockpiles of dirt, sand, etc. shall be enclosed, covered, watered twice daily, or a non-toxic soil binder applied to minimize dust;
- The traffic speeds on all unpaved roads shall be limited to a maximum of 15 mph;
- Sandbags or other erosion control measures shall be installed and maintained to prevent silt runoff to public roadways;
- All disturbed areas shall be planted with vegetation as quickly as possible and the vegetation maintained in good condition until such area is developed;
- Wheel washers shall be installed for all exiting trucks, or the tires or tracks of all trucks and equipment leaving the site shall be washed;
- Excavation and grading activity shall be suspended when winds (instantaneous gusts) exceed 25 mph.

As disclosed in the Specific Plan EIR, even with the implementation of mitigation measures, the development of the Leshar Property would result in significant and unavoidable adverse air quality impacts related to PM₁₀ emissions. Because the Project would be required to implement all applicable mitigation measures set forth in the Specific Plan EIR for the development of the Leshar Property, the development of the Project consistent with the Specific Plan, as is proposed, would not create new or substantially more adverse significant air quality impacts than those disclosed in the certified Specific Plan EIR. Accordingly, the approval and development of the Project will not result in any new, or substantially more adverse, significant air quality impacts than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the

exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant air quality impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant air quality effects of the project. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its potential air quality impacts.

d. Biological Resources

The development type and density proposed by the Project is consistent with the Lesh Property development type and density permitted under the approved Specific Plan and evaluated in the Specific Plan EIR. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the

potential direct, indirect, and cumulative biological resource impacts associated with approval and development of the Project are the same as described and evaluated in the Specific Plan EIR with respect to development of the Lesh Property in accordance with the Specific Plan. The Project would be required to implement all applicable mitigation measures set forth in the MMRP with regard to potential biological resource impacts associated with development of the Lesh Property in accordance with the Specific Plan. The following applicable mitigation measures are carried forward from the MMRP to reduce the Project's biological impacts to less than significant.

Mitigation Measure 3.5-1 To the extent feasible, implementation of the project shall be designed and constructed to avoid and minimize adverse effects to waters of the United States or jurisdictional waters of the State of California within the project.

Mitigation Measure 3.5-2 A Section 404 permit for fill of jurisdictional wetlands and a Section 10 permit for fill of tidal waters shall be sought and mitigation for impacts to jurisdictional waters that cannot be avoided shall conform with the USACE "no-net-loss" policy and the USACE Regulatory Guidance Letter No. 02-2 establishing policies and guidance on appropriate mitigation for impacts to jurisdictional waters. Mitigation for impacts to both federal and state jurisdictional waters shall be addressed using these guidelines. Mitigation shall be implemented at a watershed scale and shall be compatible with adjacent land uses. This may include the preservation of vegetated buffers that clearly benefit functions of the aquatic ecosystem to be preserved, enhanced and/or avoided. The Mitigation and Monitoring Plan would take a watershed approach and account for the regional requirements of sensitive species and habitats. Mitigation will be reviewed by USACE on a case-by-case basis and take into account the use of vegetated buffers as well as the

functions of the preserved/avoided/created and enhanced habitat. A functional assessment of the existing wetlands, waters, and habitats shall be compared with a functional assessment of the proposed mitigation to ensure no overall net loss to habitat functions.

Mitigation Measure 3.5-3 Mitigation shall include creation of wetlands at a minimum 1:1 ratio. If a greater mitigation ratio is necessary, preservation/enhancement would count towards mitigation. For purposes of this document "on-site mitigation" refers to the entire project site. Creation opportunities within the avoided wetland and dune habitat area on the northern portion of PA 1, designated for preservation and mitigation for project impacts, shall be evaluated for hydrology and topography suitable to support creation of wetlands. Preservation/enhancement of wetland habitat shall also be evaluated within the designated wetland and dune habitat area. Public access to this area shall be limited and it shall be managed for the purpose of habitat mitigation according to the Mitigation and Monitoring Plan (MMP) described below. Accomplishment of the wetland creation, preservation, and enhancement on site shall be given first priority. If the total wetland creation, preservation, and enhancement acreage cannot be accomplished within the designated open space area, second priority shall be given to creation and preservation at an off-site location within the City of Oakley that will be acquired and preserved in perpetuity. Third priority shall be given to another off-site location outside the City of Oakley. Alternatively, the applicant can provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP). Off-site mitigation habitat shall be presented for approval to the City of Oakley, USACE, RWQCB and CDFG.

Mitigation Measure 3.5-4 If, in accordance with the above mitigation measure, the applicant implements onsite or offsite mitigation, a Mitigation and Monitoring Plan (MMP) shall be prepared that provides guidance on managing and monitoring the mitigation habitat to ensure its long-term viability. The MMP shall include elements and standards deemed appropriate and acceptable by the applicable approving agency or agencies (e.g., City of Oakley, USACE, RWQCB, and/or CDFG). Such MMP shall be prepared prior to development plan or tentative map approval.

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Mitigation Measure 3.5-6 Implementation of Mitigation Measures 3.5-3 and 3.5-4 above shall include riparian habitat compensation at a minimum of a 1:1 ratio.

Mitigation Measure 3.5-9 Implementation of Mitigation Measures 3.5-3 and 3.5-4 above shall include alkali meadow and grassland habitat compensation at a 1:1 ratio.

Mitigation Measure 3.5-12 Avoidance of heritage or protected trees as defined by the Contra Costa County Ordinances shall be exercised to the greatest extent practicable.

Mitigation Measure 3.5-13 Where heritage or protected tree removal is determined to be necessary, tree removal shall be mitigated at a minimum 3:1 ratio or other ratio acceptable to the City of Oakley. The City of Oakley is currently developing a Heritage Tree Protection Ordinance. If this ordinance is adopted prior to tree removal approval, the City of Oakley may require mitigation for loss of trees as stipulated in the adopted ordinance. The mitigation trees shall be established with appropriate maintenance to ensure long-term self-sustaining survivorship. A performance standard of 80% of the established mitigation trees shall be met after 5 years. The mitigation trees shall not be dependent upon significant maintenance measures within the last 2 years of monitoring, including supplemental irrigation and staking.

Mitigation Measure 3.5-16 Areas supporting the special-status plant species shall be avoided; or

Mitigation Measure 3.5-17 If an area containing a special-status plant species cannot be avoided, mitigation shall occur as follows:

1. Permanently preserve, through use of a conservation easement or other similar method, an equal amount of acreage, either within the project area or off-site, that contains the plant; or
2. Harvest the plants to be lost, and relocate them to another suitable and equal sized area either within the project site or off-site that will be permanently preserved through a conservation easement or other similar method; or
3. Harvest seeds from the plants to be lost, or use seeds from another appropriate source, and seed an equal amount of area suitable for growing the plant either within the project site or off-site that will be permanently

preserved through a conservation easement or other similar method.

4. These mitigation measures shall be completed by a qualified biologist with experience working with the species included in the mitigation.
5. A Mitigation and Monitoring Plan describing the mitigation and monitoring requirements and performance standards shall be prepared if habitat is preserved or acquired for special-status plant species. This mitigation measure shall be coordinated with the Mitigation Monitoring Plan in Mitigation Measure 3.5-4.

Mitigation Measure 3.5-22 Focused surveys shall be conducted for a sufficient duration of time, to be determined by the entomologist, to determine presence or demonstrate absence of the species. If special-status insect species are not found, no further mitigation is required.

Mitigation Measure 3.5-23 If endemic dune inhabiting special-status insects are documented, occupied habitat as well as other highly suitable habitat that is part of dune complexes in the vicinity of where the species is found shall be avoided to the extent feasible. If avoidance is not feasible, suitable habitat shall be preserved at a 1:1 ratio at a location approved by the City and CDFG. The habitat in the amount specified above shall be acquired, permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of suitable sand dune and mound habitat on PAs 1, 3, and 4. A Mitigation and Monitoring Plan describing the mitigation and monitoring requirements and performance standards shall be prepared if habitat is preserved or acquired for special-status insect species. This mitigation measure shall be coordinated with the Mitigation and Monitoring Plan in Mitigation Measure 3.5-4. Alternatively, the applicant can provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP).

Mitigation Measure 3.5-31 A qualified entomologist shall conduct a focused survey for curved foot hygrotus diving beetle at the appropriate time of year. If curved foot hygrotus diving beetle is not found after completion of seasonal surveys, then no further mitigation is required.

Mitigation Measure 3.5-32 If the curved foot hygrotus diving beetle is found on PAs 1, 3, or 4, occupied aquatic habitat shall be avoided to the extent feasible. If avoidance is not feasible, it shall be replaced at a 1:1 ratio at a location approved by the City. The habitat in the amount specified above shall be acquired, permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of suitable aquatic habitat on the PAs 1, 3, and 4. This mitigation measure shall be coordinated with the Mitigation and Monitoring Plan in Mitigation Measure 3.5-4. Alternatively, the applicant can provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP).

Mitigation Measure 3.5-35 All water intake features or systems from Dutch Slough, Sandmound Slough or Rock Slough including siphons, flood gates, or pumps shall have USFWS and NOAA Fisheries approved fish screens installed. Any stormwater outfalls shall employ water pumping best management practices.

Mitigation Measure 3.5-36 Consultation with the CDFW, NOAA Fisheries, and USFWS shall be requested in conjunction with USACE Section 404 and CDFW Streambed Alteration Agreement permitting to determine appropriate measures to avoid and mitigate impacts to special-status fish species. As part of the consultation process, a Biological Assessment and Essential Fish Habitat Assessment shall be prepared by a fisheries biologist that evaluates: proposed construction plans (including any vegetation removal); design details for pumps, siphons, outfalls, and/or flood gates; rip-rap or other bank protection measures; and stormwater flow regime (including flow rates, timing and temperature).

Mitigation Measure 3.5-37 A Mitigation Plan shall be prepared that includes measures to avoid take of special-status fish during construction activities (which may include, if necessary, placement of coffer dams and preparation of a Fish Rescue Plan for in-water work) and post construction water withdrawal activities. To ensure compliance and implementation of the Mitigation Plan, a qualified biologist shall be present during construction and pumping activities associated with construction.

Mitigation Measure 3.5-39 A pre-construction survey for silvery legless lizards shall be conducted within interior dune and Sand mound habitat and submitted to the City of Oakley for their review and approval prior to the issuance of grading permits. If silvery legless

lizards are not found, no further mitigation is required. If they are found Mitigation Measure 3.5-40 shall be implemented.

Mitigation Measure 3.5-40 If silvery legless lizards are found, occupied habitat as well as other highly suitable habitat shall be avoided to the maximum extent feasible. If avoidance is not feasible, it shall be replaced at a 1:1 ratio at a location approved by the City and CDFG. The habitat in the amount specified above shall be acquired, permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of suitable sand dune and mound habitat on the PAs 1, 3 and 4. For purposes of this document "on-site mitigation" refers to the entire project site. First priority for habitat preservation shall be accomplished on site. If the required acreage cannot be preserved within the designated wetland and dune habitat area, designated for preservation and mitigation for project impacts on PA 1, second priority shall be given to habitat preservation at an off-site location within the Oakley city limits that shall be acquired and preserved in perpetuity. Third priority shall be given to another off-site location outside of the Oakley city limits. Public access to this area shall be limited and it shall be managed for the purpose of habitat mitigation. A Mitigation and Monitoring Plan describing the mitigation and monitoring requirements and performance standards shall be prepared if habitat is preserved or acquired for this species. This mitigation measure shall be coordinated with the Mitigation and Monitoring Plan in Mitigation Measure 3.5-4. Alternatively, the applicant can provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP).

Mitigation Measure 3.5-43 A habitat assessment shall be conducted by a qualified biologist to develop focused survey methods and a trap array design that will result in the highest probability of detection of giant garter snakes. Focused trapping and visual surveys approved by the USFWS shall then be conducted for the giant garter snake. A qualified biologist shall conduct these surveys during the spring for optimal detection. If giant garter snake is not found during spring protocol surveys, fall surveys are not required. If the giant garter snake is not found during protocol surveys, no habitat mitigation shall be required.

Mitigation Measure 3.5-44 If the giant garter snake is found to occur during protocol surveys within the boundary of the project site mitigation shall be required for PAs 1, 2, 3, 4, and 6. If the giant garter

snake is found within the boundary of the site, impacts (as defined above) to aquatic habitats plus a 200-foot buffer of such habitat shall be avoided to the extent feasible.

If avoidance is not feasible, aquatic habitat and upland habitat within 200 feet of aquatic habitat shall be replaced at a 1:1 ratio at a location approved by the City, USFWS, and CDFG. The habitat in the amount specified above shall be acquired, permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of aquatic and upland habitat. For purposes of this document "on-site mitigation" refers to the entire project site. First priority for habitat preservation shall be accomplished on site. If the required acreage cannot be preserved within the designated open space area located on the northwest portion of PA 1, second priority shall be given to habitat preservation at an off-site location within the Oakley city limits that shall be acquired and preserved in perpetuity. Third priority shall be given to another off-site location outside of the Oakley city limits. A Mitigation and Monitoring Plan describing the mitigation and monitoring requirements and performance standards shall be prepared if habitat is preserved or acquired for this species. This mitigation measure shall be coordinated with the Mitigation and Monitoring Plan in Mitigation Measure 3.5-4. Alternatively, the applicant can provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP).

Mitigation Measure 3.5-45 Regardless of the results of focused surveys, the Applicant shall request that the USACE initiate consultation with the Service as part of 404 impacts, and the following measures shall be implemented to avoid potential take of individual garter snakes during construction:

A qualified biologist shall provide project contractors and construction crews with a worker-awareness program before initiating any work within aquatic habitats or adjacent upland habitats that are appropriate for giant garter snakes. This program shall be used to describe the species, its habits and habitats, its legal status and required protection, all applicable mitigation measures, and conditions of any state or federal permits as they relate to giant garter snake. Proof of this instruction shall be submitted to the City within 24 hours of completion of the initial worker-awareness program.

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1. 24-hours prior to construction activities, the project area shall be surveyed for giant garter snake. Survey of the project area shall be repeated at the start of each construction season and/or if a lapse in construction activity of two weeks or greater has occurred. If a giant garter snake is encountered during construction, activities shall not begin until the USFWS has been consulted and the corrective measures required by the USFWS have been completed or the USFWS has determined that the snake will not be harmed.
2. After pre-construction surveys are completed, animal exclusion fencing shall be installed around all construction sites adjacent to aquatic habitats.

Mitigation Measure 3.5-47 A qualified biologist shall conduct pre-construction surveys for western pond turtles in all construction areas identified as potential nesting or dispersal habitat located within 1000 feet of potential aquatic habitat 48 hours prior to initiation of construction activities. If a western pond turtle is found during pre-construction surveys, it shall be relocated by a qualified biologist with permission from CDFG as necessary to a location deemed suitable by the biologist and CDFG (i.e., at a location which is a sufficient distance from construction activities). This survey shall include looking for turtle nests within the construction area. If a nest is found within the construction area, construction shall not take place within 100 feet of the nest until the turtles have hatched and have left the nest or can be safely relocated with assistance from CDFG.

Mitigation Measure 3.5-48 Because attempting to locate pond turtle nests would not necessarily result in detection, after completion of pre-construction surveys, and relocation as necessary, exclusion fencing shall be placed around all construction sites adjacent to aquatic habitats to eliminate the possibility of nest establishment in uplands adjacent to aquatic areas.

Mitigation Measure 3.5-49 If construction activities occur in aquatic areas where turtles have been identified during pre-construction or other surveys, a biological monitor shall be present during disturbance of those aquatic habitats. If a turtle is found, it shall be relocated as necessary to a location deemed suitable by the biologist and CDFG (i.e., at a location which is a sufficient distance from construction activities).

Mitigation Measure 3.5-50 A qualified biologist shall provide project contractors and construction crews with a worker-awareness program prior to

the start of any work within aquatic habitats or adjacent upland habitats that are appropriate for western pond turtles. This program shall be used to describe the species, its habits and habitats, its legal status and required protection, and all applicable mitigation measures.

Mitigation Measure 3.5-51 If not already completed, breeding season and focused winter surveys shall be conducted according to CDFG and California Burrowing Owl Consortium guidelines between April 15 and July 15 and December 1 and January 31, respectively, to determine the number of owls utilizing each of the properties. The survey protocol calls for 4 separate survey dates during each season, at the time of day owls are most likely to be detected.

Mitigation Measure 3.5-52 Prior to issuance of a grading permit, pre-construction surveys of all potential burrowing owl habitat shall be conducted by a qualified biologist within the project area and within 250 feet of the project boundary. Presence or sign of burrowing owl and all potentially occupied burrows shall be recorded and monitored according to CDFG and California Burrowing Owl Consortium guidelines. If burrowing owls are not detected, by either sign or direct observation, construction may proceed. Pre-construction surveys must be reinitiated if more than 30 days lapse between surveys dates and construction activities.

Mitigation Measure 3.5-53 If potentially nesting burrowing owl are present during pre-construction surveys conducted between February 1 and August 31 grading shall not be allowed within 250 feet of any nest burrow during the nesting season (February-August), unless approved by the CDFG.

Mitigation Measure 3.5-54 If burrowing owls are detected during pre-construction surveys outside the nesting season (September 1 - January 31), passive relocation and monitoring may be undertaken by a qualified biologist following CDFG and California Burrowing Owl Consortium guidelines, which involve the placement of one-way exclusion doors on occupied and potentially occupied burrowing owl burrows. Owls shall be excluded from all suitable burrows within the project area and within a 160-foot buffer zone of the impact area. A minimum of one (1) week shall be allowed to accomplish this task and allow for owls to acclimate to alternate burrows. These mitigation actions shall be carried out prior to the burrowing owl breeding season (February 1- August 31) and a qualified biologist shall monitor the site weekly until construction

begins to ensure that burrowing owls do not re-inhabit the site.

Mitigation Measure 3.5-55 If burrowing owls or signs of burrowing owls are detected at any time on the project site a minimum of 6.5 acres of foraging habitat per pair or individual resident bird, shall be acquired and permanently protected to compensate for the loss of burrowing owl habitat. The acreage shall be based on the maximum number of owls observed inhabiting the property for any given observation period, pre-construction survey, or other field visit. The protected lands shall be occupied burrowing owl habitat at a location acceptable to CDFG and the City of Oakley. For purposes of this document "on-site mitigation" refers to the entire project site. First priority for habitat preservation shall be accomplished on site. If the required acreage cannot be preserved within the designated open space area, second priority shall be given to habitat preservation at an off-site location within the Oakley city limits that shall be acquired and preserved in perpetuity. Third priority shall be given to another off-site location outside of the Oakley city limits. The habitat in the amount specified above shall be acquired, permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of burrowing owl habitat on PAs 1, 3, and 4. A Mitigation and Monitoring Plan describing the mitigation and monitoring requirements and performance standards shall be prepared if habitat is preserved or acquired for this species. This mitigation measure shall be coordinated with the Mitigation and Monitoring Plan in Mitigation Measure 3.5-4. Alternatively, the applicant can provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP).

Mitigation Measure 3.5-56 Before construction activities begin all construction personnel shall receive training that includes photos of burrowing owl for identification purposes, habitat description, limits of construction activities in the project area, and guidance regarding general measures being implemented to conserve burrowing owl as they relate to the project.

Mitigation Measure 3.5-57 A monitoring report of all activities associated with pre-construction surveys, avoidance measures, and passive relocation of burrowing owls shall be submitted to the City and CDFG no later than two weeks before initiation of grading.

Mitigation Measure 3.5-59 The removal of any buildings, trees, emergent aquatic vegetation, or shrubs shall occur from September 1 through December 15, outside of the avian nesting season. If removal of buildings, trees, emergent aquatic vegetation, or shrubs occurs, or construction begins between February 1 and August 31 (nesting season for passerine or non-passerine land birds) or December 15 and August 31 (nesting season for raptors), a nesting bird survey shall be performed by a qualified ornithologist within 14 days prior to the removal or disturbance of a potential nesting structure, trees, emergent aquatic vegetation, or shrubs, or the initiation of other construction activities during the early part of the breeding season (late December through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, a qualified biologist shall inspect all potential nesting habitat (trees, shrubs, structures, grasslands, pastures, emergent aquatic vegetation, etc.) in and immediately adjacent to the impact areas for nests.

Mitigation Measure 3.5-60 All vegetation and structures with active nests shall be flagged and an appropriate non-disturbance buffer zone shall be established around the nest site. The size of the buffer zone shall be determined by the project biologist in consultation with CDFG and will depend on the species involved, site conditions, and type of work to be conducted in the area.

Mitigation Measure 3.5-61 A qualified biologist shall monitor active nests to determine when the young have fledged and are feeding on their own. The project biologist and CDFG shall be consulted for clearance before construction activities resume in the vicinity. Mitigation Measure 3.5-66 shall be enforced for all raptors.

Mitigation Measure 3.5-62 In order to ensure that nesting Swanson's hawks would not be affected by construction of the project, a qualified biologist shall conduct pre-construction surveys according to CDFG and Swanson's Hawk Technical Advisory Committee guidelines (2000). Survey Period I occurs from January 1 – March 20, Period II from March 20 – April 5, Period III from April 5 – April 20, Period IV from April 21 – June 10, and Period V is from June 10 – July 30. Three surveys shall be completed in at least each of the two survey periods immediately prior to a project's initiation and encompass the area within ½ mile of the project site. If a nest site is found, then, either of the following measures shall be followed:

- Mitigation Measure 3.5-63** Trees containing known or potential raptor nest sites may be removed during the non-breeding season to discourage future nesting attempts on the condition that no Swanson's hawk pair is currently utilizing the nest site. Monitoring evidence that any nests in trees planned for early removal are unattended by reproductive-aged birds must be provided.
- Mitigation Measure 3.5-64** If an active Swanson's hawk nest is found sufficiently close (as determined by the qualified biologist and CDFG) to the construction area to be affected by construction activities, a qualified biologist shall determine the extent of a construction-free buffer zone to be established around the nest. Intensive new disturbances (e.g., heavy equipment activities associated with construction) that may cause nest abandonment or forced fledging shall not be initiated within this buffer zone between March 1 and September 1 until it is determined by a qualified biologist in coordination with CDFG that the young have fledged and are feeding on their own.
- Mitigation Measure 3.5-65** If nesting white-tailed kites are observed on site during the pre-construction raptor surveys, CDFG shall be consulted regarding appropriate avoidance and mitigation measures to meet the specific needs of the nesting birds. Avoidance of impacts shall be accomplished through the implementation of a CDFG-approved buffer zone to protect the nest from disturbance until the young birds have fledged and are feeding on their own.
- Mitigation Measure 3.5-66** If, after the young are determined to have fledged by a qualified biologist, avoidance of the nesting tree is infeasible, it shall be removed under supervision of qualified biologist.
- Mitigation Measure 3.5-67** A pre-construction survey for roosting bats shall be performed by a qualified biologist within 30 days prior to any removal of trees or structures on the site. If no active roosts are found, then no further action would be warranted. If either a maternity roost or hibernacula (structures used by bats for hibernation) is present, the following mitigation measures shall be implemented.
- Mitigation Measure 3.5-68.** If active maternity roosts or hibernacula are found in trees or structures which would be removed as part of project construction, the project shall be redesigned to avoid the loss of the tree or structure occupied by the roost to the extent feasible as determined by the City. If an active maternity roost is located and the project cannot be redesigned to avoid removal of the occupied tree or structure, demolition can commence before maternity colonies form (i.e., prior to

March 1) or after young are volant (flying) (i.e., after July 31). Disturbance-free buffer zones as determined by a qualified biologist in coordination with CDFG shall be observed during the maternity roost season (March 1 - July 31).

Mitigation Measure 3.5-69 If a non-breeding bat hibernacula is found in a tree or structure scheduled for removal, the individuals shall be safely evicted, under the direction of a qualified biologist (as determined by a Memorandum of Understanding with CDFG), by opening the roosting area to allow airflow through the cavity. Demolition can then follow at least one night after initial disturbance for airflow. This action should allow bats to leave during darkness, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees or structures with roosts that need to be removed shall first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours.

Mitigation Measure 3.5-70 If active bat roosts are found in trees or structures that will be removed as part of project construction, the applicant will develop a bat box plan for the project area. State-of-the-art bat box technology will be employed. Lindsey Wildlife Museum wildlife biology specialists will be asked to review the design and placement of bat boxes.

The implementation of the above mitigation measures would reduce the direct, indirect, and cumulative biological resource impacts of the Project to less than significant, as established by the Specific Plan EIR⁸ and Resolution No. 46-09. The approval and development of the Project will not result in any new, or substantially more adverse, significant biological impacts than were otherwise disclosed in the Specific Plan EIR.

Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant biological impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant biological effects of the project. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its effects on biological resources.

e) Cultural Resources

The development type and density proposed by the Project is consistent with the Lesh Property development type and density permitted under the approved Specific Plan and evaluated in the Specific Plan EIR. The Project does not propose any substantial

⁸ East Cypress Corridor Specific Plan Draft EIR, pages 3.5-45 –3.5- 71.

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changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the potential cultural resource impacts associated with the development of the Project are the same as described and analyzed in the East Cypress Corridor Specific Plan EIR. As identified in the Specific Plan and Specific Plan EIR, there is one cultural resource within the Leshar Property (i.e., CA-CCO 368), which would be preserved and maintained in accordance with the Specific Plan and Specific Plan EIR as part of the Project. An updated cultural resources record search and additional site surveys were conducted by William Self Associates to verify the existing on-site cultural resource conditions, the condition of the existing resources and identify the recommended measures, if any, to protect the existing resources from proposed Project ground disturbance activities.⁹ The cultural resource assessment is provided in Appendix A of this Addendum.

The latest records search did not identify any new cultural resources within the Leshar Property and there is no indication the Project will have an impact on known cultural resources different or more significant than those identified in the Specific Plan EIR.

Accordingly, the potential cultural resource impacts associated with the Project are the same as the issues described and analyzed in the East Cypress Corridor Specific Plan EIR with respect to the Leshar Property. The Project would be required to implement all applicable mitigation measures set forth in the MMRP with regard to potential cultural resource impacts associated with development of Planning Area 1. The following applicable mitigation measures are carried forward from the MMRP to reduce the Project's cultural resource impacts to less than significant.

Mitigation Measure 3.6-4 Site CA-CCO-368 shall be protected from damage through the following mitigation measures:

- a. Plan construction to avoid the sites and record a conservation easement over the site.
- b. If avoidance is not feasible, incorporate the archeological site within a park, green space, or open space, record a conservation easement over the site, and, in consultation with a professional archeologist certified by the Register of Professional Archeologists (RPA), cap the site by installing a water permeable protective barrier that is covered with a layer of chemically stable soil as follows:
 - 1) The thickness of the cap shall be determined by a registered archeologist to ensure protection of the site from disturbance, but the cap shall be at least 18 inches thick;

⁹ Addendum to Cultural Resource Assessment Report East Cypress Corridor, City of Oakley, Contra Costa County, California, May 2015, William Self Associates.

- 2) Minimal or no surface preparation shall be allowed prior to the placement of the cap unless required by a qualified soils engineer;
 - 3) To minimize ground disturbance to and compaction of previously undisturbed areas within the site boundaries, all equipment used in the installation of the site cap shall be equipped with inflatable rubber tires (i.e., no tracked equipment);
 - 4) The cap shall be in place before constructing non-intrusive facilities on the site; and
 - 5) If facilities or excavation are to occur below the cap, a registered archeologist shall be present to monitor the activities so as to avoid disturbance of the site.
- c. If disturbance of the archeological site cannot be avoided, data recovery within the affected area shall be conducted by a certified archeologist in accordance with CEQA Guideline § 15064.5 so as to record and preserve the significant characteristics of the site.

Mitigation Measure 3.6-6 In accordance with CEQA Guideline §15064.5 (f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable soils, glass, metal, ceramics, wood or similar debris, be discovered during grading, trenching, or other on-site excavation(s), earthwork within 100 feet of these materials shall be stopped. A professional archaeologist certified by the Register of Professional Archaeologists (RPA) shall evaluate the significance of the find and suggest appropriate mitigation measure(s), as determined necessary to protect the resource and be approved by the City.

Mitigation Measure 3.6-10 In the event that Native American human remains or funerary objects are discovered, the provisions of the California Health and Safety Code shall be followed. Section 7050.5(b) of the California Health and Safety Code states:

- a) In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other

related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.

- b) The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the Native American Heritage Commission within twenty-four hours. The Commission has various powers and duties to provide for the ultimate disposition of any Native American remains, as does the assigned Most Likely Descendant. Sections 5097.98 and 5097.99 of the Public Resources Code also call for "protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction." A combination of preconstruction worker training and intermittent construction monitoring by a qualified archaeologist will serve to achieve compliance with this requirement for protection of human remains. Worker training typically instructs workers as to the potential for discovery of cultural or human remains, and both the need for proper and timely reporting of such finds, and the consequences of failure thereof. Once the find has been identified, the archaeologist will make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be significant according to CEQA.

The implementation of the above mitigation measures would reduce the cultural resource impacts associated with development of the Project to less than significant, as established by the Specific Plan¹⁰ and Resolution No. 46-09. The approval and development of the Project will not result in any new, or substantially more adverse, significant impacts to cultural resources than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not

have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant cultural resource impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant effects of the project to cultural resources. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its effects on cultural resources.

¹⁰ East Cypress Corridor Specific Plan Draft EIR, p. 3.6-14 – 3.6-19.

f) Geology and Soils

The Project proposes to develop the Leshar Property in a manner consistent with the Specific Plan and as discussed and evaluated in the Specific Plan EIR. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the potential geology and soil impacts associated with the Project are the same as the geology and soil impacts described and analyzed in the East Cypress Corridor Specific Plan EIR. The Project would be required to implement all applicable mitigation measures set forth in the MMRP with regard to potential geology and soil impacts associated with the Leshar Property development. The following applicable mitigation measures are carried forward from the MMRP to reduce the Project's geology and soils impacts to less than significant.

Mitigation Measure 3.7-1 The proposed developments shall comply with the seismic design provisions of the Uniform Building Code (UBC). Because of the relatively close presence of the CRCV fault system, it is conceivable that the site may experience ground shaking higher than the UBC-specified ground shaking (produced by the more distant Greenville Fault), but the probability of occurrence is lower. For this reason, structures shall be designed for a horizontal ground acceleration of at least 0.32g.

Mitigation Measure 3.7-2 A design-level geotechnical report shall be completed for each project development (e.g., housing subdivisions, schools, commercial/retail centers, new levees) and submitted to the City Engineer for approval prior to issuance of a grading permit or building permit, whichever is issued first. Geologic hazards that shall be included in the study are lateral spreading, or other types of ground failure that could affect the project. Development design recommendations to correct geologic hazards that would impact development shall be included in each study and implemented during project construction. Acceptable corrective measures by the City Engineer shall be implemented as appropriate, based on the specific soil conditions and the type of facility being constructed.

Mitigation Measure 3.7-3 Developers shall prepare for City review and approval an Earthquake Response Plan for all proposed pipelines and facilities outlining post-earthquake inspection and repair plans to evaluate any damage that may have occurred. Inspection procedures shall ensure the integrity of the mechanical systems, and, if service is disrupted, determine what is necessary to make facilities operational as soon as possible.

- Mitigation Measure 3.7-4** A design-level geotechnical report shall be completed by the project developers for the new master interior levee and submitted to the City Engineer, Reclamation District 799, and FEMA for approval prior to issuance of a grading permit for levee construction. In addition to the City Engineer, Reclamation District 799 and FEMA, CCWD shall review and approve the levee plan adjacent to the Canal.
- Mitigation Measure 3.7-5** A Storm Water Pollution Prevention Plan (SWPPP) shall be completed for each project and submitted to the City of Oakley Public Works and Engineering Division for approval prior to the issuance of a grading permit. The SWPPP shall include BMPs acceptable to the City to reduce and minimize soil erosion and siltation. BMPs shall be installed prior to the start of grading and maintained throughout the duration of the project as determined by the City.
- Mitigation Measure 3.7-6** A design-level geotechnical report shall be completed for each project development (e.g., housing subdivisions, schools, commercial/retail centers, new levees) and submitted to the City Engineer for approval prior to issuance of a grading permit or building permit, whichever is issued first. Geologic hazards that shall be included in the study include expansive soil and subsidence. Development design recommendations to correct expansive soil and subsidence, if present, shall be included in each study and implemented during project construction. Acceptable corrective measures by the City Engineer shall be implemented as appropriate, based on the specific expansive soil and subsidence conditions and the type of facility being constructed.
- Mitigation Measure 3.7-7** A soil corrosion report shall be completed for each project development and submitted to the City Engineer for approval prior to issuance of a grading permit or building permit, whichever is issued first. The report shall include measures to address corrosive soils and identify measures to be incorporated into the project to minimize and control corrosive soils where damage to underground facilities may occur.

The implementation of the above mitigation measures would reduce any geology and soils impacts of Project to less than significant, as established by the Specific Plan EIR¹¹ and Resolution No. 46-09.

¹¹ East Cypress Corridor Specific Plan Draft EIR, pages 3.7-11 – 3.7-15.

The approval and development of the Project will not result in any new, or substantially more adverse, significant impacts to geological and soil resources than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant geology or soil impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant effects of the project to geological or soil resources. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its effects on geological or soil resources.

g) Hazards and Hazardous Materials

The Project proposes to develop the Leshar Property in a manner consistent with the Specific Plan and as discussed and evaluated in the Specific Plan EIR. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the potential hazards and hazardous materials impacts associated with approval and development of the Project are the same as the potential hazards and hazardous materials impacts described and analyzed in the Specific Plan EIR. As discussed in the Specific Plan EIR, the Specific Plan is located on the Dutch Slough Gas Field and part of the Hotchkiss Oil and Gas Tract. The Specific Plan designates six gas well sites throughout the Specific Plan area, including two gas well sites on the Leshar Property of Planning Area 1. As explained in the Specific Plan and Specific Plan EIR, the Leshar Property has previously been developed with two natural gas well sites. Prior to adoption of the Specific Plan, however, all natural gas well on the Leshar Property had been plugged and abandoned in accordance with the requirements of state law, as certified by the Department of Conservation Division of Oil, Gas & Geothermic Resources (<http://owr.conservation.ca.gov/WellSearch/WellSearch.aspx>). Neither the applicant nor the landowner own or control the Leshar Property mineral rights and, thus, the Project does not propose to reactivate Planning Area 1's now-abandoned gas well, nor does it propose to develop any new oil or gas wells within the Leshar Property. Even if the Project is approved, neither the applicant nor the landowner would be authorized by such approval to develop or operate any oil or gas wells within the Leshar Property. However, the Project's proposed subdivision map provides for a gas well site parcel consistent with the Specific Plan's conceptual Planning Area 1 land use plan of the Leshar Property. If, in the future, the Planning Area 1 mineral rights holders of the Leshar Property propose to develop such well site, they would first have to obtain from the City a conditional use permit in accordance with Oakley Municipal Code ("OMC") Section 9.1.1216, which discretionary permit approval would be subject to the environmental review requirements of the California Environmental Quality Act. The Project's Vesting Tentative Map 9404 proposes to increase the size of the Specific Plan's designated Leshar Property gas well site from 1.4 acres to five acres, as permitted by the Specific Plan. The overall build-out of the Leshar Property (Planning Area 1) and Planning Area 3 would reduce by one the total number of well sites proposed by the Specific Plan in such planning areas through the consolidation of three smaller well sites into two slightly larger well sites. Moreover, a five-acre well site would provide additional opportunities for physical buffering from noise

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sensitive receptors in the event oil or gas activities are ever approved by the City on the Lesher Property well site as part of a future conditional use permit application submitted by the Lesher Property mineral rights holders. Although the Project, if approved, would not be authorized by such approval to develop or operate any gas wells within the Lesher Property, all mitigation measures described in this Specific Plan EIR related to oil and gas well operations have been carried forward in this addendum. The Project would be required to implement all other applicable mitigation measures set forth in the MMRP with regard to potential hazards and hazardous materials impacts of the development of the Lesher Property. The following mitigation measures are carried forward from the MMRP to reduce Project impacts related to hazards and hazardous materials to less than significant:

- Mitigation Measure 3.8-1** All chemicals transported, used and stored for lake maintenance shall comply with all applicable laws and regulations.
- Mitigation Measure 3.8-3** The drilling and operation of gas wells shall comply with all applicable laws and regulations to drill and operate gas wells, including D.O.G.G.R, Regional Water Quality Control Board, and the City of Oakley.
- Mitigation Measure 3.8-3a** The relocation of any natural gas lines shall require approval from the owner of the gas line and comply with all laws and regulations applicable to its relocation. All abandoned gathering lines, whose ownership cannot be determined, that are encountered during construction shall be removed in compliance with all state and local laws and regulations governing their removal.
- Mitigation Measure 3.8-4** Abandoned and past wells (that are no longer expected to be operational) may be difficult to locate. If they can be located the soils surrounding the wellhead they should be evaluated for constituents of concern. For abandoned or past wells that cannot be located, grading or development activities may uncover these wells. If a well head and or discolored soil or unusual odors are noted (indication of potential drilling muds) the soil shall be tested and analyzed for constituents of concern. If shallow groundwater is encountered water sampling shall also be conducted. Soil with elevated constituents as compared to site Residential Preliminary Remedial Goals (PRGs) (soil) shall either be removed from the site or used in a manner to reduce the risk of exposure based on the proposed land use and under applicable laws and regulations. If impact to shallow groundwater is found the RWQCB and the local health department shall be contacted for further consultation.

Mitigation Measure 3.8-5 Prior to issuance of a demolition permit for any structures, the project developer shall provide a building survey to determine whether any structures to be demolished contain asbestos, mercury, or lead paint. An asbestos and lead paint survey shall be conducted by a Cal-OSHA Certified Asbestos Consultant prior to the demolition of a structure. If lead paint and or asbestos is found, all lead containing paint and or asbestos shall be removed and disposed of by a licensed and certified lead paint and or asbestos removal contractor, as applicable in accordance with local, state, and federal regulations. The demolition contractor shall be informed that onsite buildings shall be considered as potentially containing lead and asbestos. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint and/or asbestos in accordance with local, state, and federal regulations subject to the City Building Official approval. If mercury is present it shall be removed and properly disposed in compliance with all applicable laws and regulations.

Mitigation Measure 3.8-6 An assessment of all buildings to be demolished shall be completed to evaluate if lead, mercury, CFCs, or universal waste are present. The assessment shall be submitted to the Oakley Building Department prior to the issuance of a demolition permit. If any are present, the assessment shall identify the measures that would be implemented to safely remove them from the building in compliance with all applicable laws and regulations.

Mitigation Measure 3.8-7 Prior to the issuance of a grading permit the project developer shall submit a shallow soil sampling assessment to the City to evaluate if environmentally persistent pesticides are present. If present, the pesticide concentrations shall be compared to EPA Residential Preliminary Remedial Goals (PRGs) to evaluate if pesticide concentrations are appropriate for residential use. If Residential PRGs are exceeded, a site-specific health risk assessment shall be prepared to further evaluate risk. Potential remedial measures based on a risk assessment shall include that the soil be treated, removed, or other mitigation methods employed to limit exposure/risk and to comply with applicable local, county, state and federal regulations. A health risk assessment and or confirmation soil samples, and supporting data shall be provided, if remedial activities are deemed necessary. This data shall be provided, as needed, to the City for said purposes prior to the issuance of a grading permit.

- Mitigation Measure 3.8-8** A school site constraint analyses shall be prepared by each respective school district for each school based on standards for school site selection and procedures for site acquisition set forth in California Code of Regulations (CCR), Title 5 at the time individual schools are proposed for either of the elementary school sites. The school site constraint analysis shall meet California Department of Education and Department of Toxic Substance Control requirements and include a Phase I report and or a Preliminary Endangerment Assessment or remedial actions, as required by the regulatory agencies to address existing gas line, electrical transmission lines, the potential for residual soil contamination and any other identified potential hazard.
- Mitigation Measure 3.8-11** All property shall be investigated to determine if it is a hazardous material site pursuant to Government Code Section 65962.5 and that evidence provided to the City prior to the issuance of a demolition or grading permit, whichever is issued first. If a property is listed as a hazardous materials site pursuant to Government Code Section 65962.5, remedial measures to remove the hazardous materials in compliance with all local, county, state and federal laws and regulations shall be provided to and approved by the City prior to the issuance of a grading or building permit.
- Mitigation Measure 3.8-12** Bethel Island Road, including the construction of either a two or four-lane bridge, as determined by the City Engineer, shall be constructed to Byron Highway for emergency access before 20% of the project is occupied. The construction cost of the bridge shall be paid by the project developers on a fair-share basis to be determined by the City Engineer.
- Mitigation Measure 3.8-13** The project developer of PA 1 shall construct the east-west road through the middle of PA 1 connecting Bethel Island Road with Jersey Island Road prior to the occupancy of 5% of the residential units of PA 1. This roadway at a minimum shall be constructed to allow two-way travel in addition to supporting the weight of a fire truck and meeting fire department emergency roadway standards.
- Mitigation Measure 3.8-14** The bridge over Rock Slough shall be designed to minimize the discharge and release of liquids and material into the Contra Costa Canal from motorist and pedestrians on the bridge. The bridge shall also be designed to prevent easy access to the Canal from the bridge. The bridge plans shall be reviewed and approved by CCWD before a building permit is issued by the City of Oakley.

- Mitigation Measure 3.8-15** A geotechnical engineer shall survey the property within a proposed development for the presence of peat soil prior to the issuance of a grading permit. If present, peat soil shall be removed or protected from potential fire hazard as recommended by the geotechnical engineer.
- Mitigation Measure 3.8-16** Prior to the issuance of a lake grading permit by the City of Oakley, the project developers shall submit their lake plans for PA 1 and 4 to Pacific Gas and Electric for review and approval. The City approved lake management plan shall include information that specifically and categorically identifies the types of recreational and maintenance watercraft that are allowed on the lakes within the electrical power line easements.
- Mitigation Measure 3.8-17** All multi-use trails and open space landscape plans within the WAPA and PG&E electrical easements shall be approved by the respective public utility prior to the issuance of a grading or building permit, whichever is issued first, by the City of Oakley for any development within the easements.
- Mitigation Measure 3.8-18** All levee plans within the PG&E and WAPA utility easements shall be submitted to the respective public utility for review and approval for adequate vertical height separation prior to the issuance of a grading permit. The implementation of the above mitigation measures would reduce hazards and hazardous materials impacts of the Project to less than significant, as established by the Specific Plan EIR¹² and Resolution No. 46-09. The approval and development of the Project will not result in any new, or substantially more adverse, significant impacts related to hazards and hazardous materials than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant hazard or hazardous materials impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant effects of the project related to hazards or hazardous materials. Therefore, the Project does not trigger need for a subsequent

¹² East Cypress Corridor Specific Plan Draft EIR, pages 3.8-11 – 3.8-21.

EIR on the basis of its effects related to hazards or hazardous materials.

h) Hydrology and Water Quality

The Project proposes to develop the Leshler Property in a manner consistent with the Specific Plan and as discussed and evaluated in the East Cypress Corridor Specific Plan EIR. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the potential hydrology and water quality impacts associated with the Project are the same as the potential hydrology and water quality impacts described and analyzed in the Specific Plan EIR. The Project would be required to implement all applicable mitigation measures set forth in the MMRP with regard to potential hydrology and water quality impacts of the development of Planning Area 3. The following applicable mitigation measures are carried forward from the MMRP for this project to reduce hydrology and water quality impacts.

Mitigation Measure 3.9-1 The City of Oakley shall require comprehensive Stormwater Management Plans (SWMPs) for all new developments within the Project before final map approval. Each SWMP shall clearly identify the storm water management strategy related to water quality such that the regulations and standards of the City, County of Contra Costa and Central Valley Regional Water Quality Control Board are met. At a minimum, each SWMP document shall provide treatment for storm water runoff consistent with the requirements in the C3 Guidebook prepared by the CCCWP.

Mitigation Measure 3.9-2 To maintain long-term water-quality objectives for the lakes, the City shall require a comprehensive Lake Management Plan (LMP) for all individual projects that will construct lake features. The plan shall clearly identify the management activities that are needed, the anticipated costs of conducting the required activities and the funding source to implement the LMP. Wherever practical, the City of Oakley shall own the lakes and associated infrastructure and shall be the entity responsible for implementing the LMP. The Lake Management Plan shall be approved by the Building Department prior to the issuance of a final grading permit for the lake.

Mitigation Measure 3.9-3 Prior to issuance of a grading permit, individual project proponents shall conduct design-level geotechnical study. Measures recommended in that study shall be incorporated into the design of roadway and infrastructure improvements, building foundations, and building designs.

- Mitigation Measure 3.9-4** The developers shall obtain NPDES Construction General Permits prior to the start of grading. The applications for such permits shall include, in the required SWPPP, appropriate BMPs and mitigation measures to control erosion during construction. If dewatering is not allowed by the NPDES Construction General Permit, a separate Waste Discharge Requirement permit shall be obtained before dewatering is commenced. Evidence of the issuance of a dewatering permit shall be provided to RD 799 prior to the start of any dewatering activities.
- Mitigation Measure 3.9-5** All project drainage infrastructure shall be designed such that it is not necessary to increase peak discharge rates at the existing RD 799 pump station outfalls into Dutch Slough and Sand Mound Slough. Any installation or replacement of pumps and/or outfalls shall be completed with approval and any necessary permits from the appropriate agencies (including (U.S. Army Corps of Engineers, Regional Water Quality Control Board, City of Oakley, RD 799, etc.) and in consultation with federal and state fish and wildlife agencies.
- Mitigation Measure 3.9-6** The City of Oakley shall require consideration of surface water supplies as an irrigation water source in the approval of all development in the project area. In cases where on-site lakes would be constructed, details of surface water use for irrigation shall be a component of the required Lake Management Plan. Where continued surface water withdrawals are needed they would be made in a manner that most closely approximates the rate and timing of customary surface water withdrawals. All surface water withdrawal infrastructure shall be updated to the prevailing standards for protection of fisheries resources where applicable.
- Mitigation Measure 3.9-7** The City of Oakley shall confirm whether continued access to irrigation water from the Jersey Island Road Canal is needed as part of the interior levee design review. Delivery of surface water to existing users shall be maintained as needed and any required new or updated irrigation infrastructure shall be constructed on a schedule that precludes interruption of customary deliveries. Replacement of irrigation waters, if any, would be small and could be provided by pumping the small amount of water from Little Dutch Slough or the east end of the truncated Jersey Island Road Canal to the affected properties along the alignment. All surface water withdrawals shall be based on design

requirements of NOAA Fisheries and other resource agencies to protect fishery resources from adverse impacts.

Mitigation Measure 3.9-8 The Mitigation and Monitoring Plan prepared for Mitigation Measure 3.5-4 shall include the interior levee design. The plan shall recognize the sources of water supporting any preserved wetland habitats between the interior levee and the existing perimeter levee as well as maintain the DSWRP. Adequate provisions for maintaining the quantity and quality of flow shall be included in the mitigation plan and implemented on a schedule that does not impair the functions and values of the wetland habitats. An appropriate monitoring program shall be implemented to assess the effectiveness of any flow augmentation solutions that are used.

Mitigation Measure 3.9-9 Project proponents shall prepare a drainage master plan and detailed design level drainage study as part of the flood control levee design review. The final drainage design shall present detailed calculations and modeling that demonstrate that peak discharge rates would not be increased to those portions of the existing drainage system that will remain in place. This includes existing drainage ditches and channels, as well as the pump stations operated by RD 799. The City shall work closely with RD 799 as part of this study to assure that all improvements are consistent with mutually agreed long-term drainage management goals.

Mitigation Measure 3.9-10 All required outfalls for drainage improvements for the project shall be located at existing RD 799 pump station outfalls. Detailed engineering studies shall be carried out with RD 799 during the interior levee design process. The resulting designs shall coordinate the construction of any new outfalls with other improvements at the pump stations. Construction best management practices shall be strictly implemented and detailed in the SWPPP for control of erosion or degradation of water quality in the receiving waters.

Mitigation Measure 3.9-12 A geotechnical report shall be submitted along with levee design plans to the City of Oakley, RD 799, FEMA, and CCWD for approval and any necessary permits. The geotechnical report shall identify all geotechnical and soils constraints with levee construction and recommend measures accordingly to correct all identified soil and/or geotechnical constraints. All measures to correct soil and geotechnical constraints shall be incorporated into the design and construction of the levee.

- Mitigation Measure 3.9-13** A soil erosion control plan to reduce and minimize soil erosion during and after levee construction shall be submitted to the City for approval. The soil erosion control plan for both construction and post-construction shall be approved by the City prior to the start of construction.
- Mitigation Measure 3.9-14** Hydrology mitigation measure 3.9-5 shall be incorporated into the levee construction.
- Mitigation Measure 3.9-15** All levee construction activity shall comply with the City of Oakley Noise Element with regards to hours and days of construction.
- Mitigation Measure 3.9-16** Traffic mitigation measure 3.13-18 shall be incorporated into the construction of the levee.
- Mitigation Measure 3.9-17** The following Biology mitigation measures shall be required: 3.5-42, 44, 45, 47- 50, 58, 59-69. The Hollywood junipers may be considered protected or heritage trees according to the Contra Costa County Tree Ordinance. Biology mitigation measures 3.5-14-15 shall be followed to reduce impacts to heritage and protected trees.
- Mitigation Measure 3.9-18** All new levees shall be constructed to the latest FEMA standards such that all interior areas can be removed from the one-percent chance floodplain. Compliance with FEMA regulations and standards shall be documented through the filing, and FEMA approval of a Letter of Map Revision. All new habitable structures located in a designated floodplain shall be protected by adequate levees, elevated above the base flood elevation or otherwise flood-proofed to FEMA standards
- Mitigation Measure 3.9-19** The City of Oakley shall require a detailed design level drainage study as part of the interior levee design review that supplements the analyses presented in the Hydrology and Water Quality report appended to this document. The final design analysis shall include a thorough assessment of existing drainage facilities that may be impacted by construction of the levee. Detailed calculations shall be provided of the peak flow and volume of runoff from any areas that will be impacted, consistent with the analytical methodologies used by the City of Oakley and CCCFCWCD, and must be reviewed and approved by RD 799. Adequate alternative drainage facilities shall be required as identified in the study, and shall be constructed on a schedule that precludes any impairment of existing drainage routes. In the case of the drainage that originates south of Cypress Road,

the ultimate solution may involve a small pump at the intersection of Cypress Road and Jersey Island Road to direct the flow toward Little Dutch Slough at the existing RD 799 outfall for PS-1a or to the truncated end of the irrigation canal on the DWR property, along an alignment outside of the internal levees.

Mitigation Measure 3.9-20 The City of Oakley shall cooperate with RD 799, the County of Contra Costa and other pertinent agencies to update the emergency response plan for a perimeter levee failure. The updated emergency response plan shall include consideration of the changes in land use and public facilities proposed by the project. The emergency response plan shall include a detailed levee failure analysis study to identify all areas of high risk, and select appropriate evacuation routes and staging areas accordingly. The emergency response plan shall be approved by the City, RD 799 and the County of Contra Costa before the extension of the interior levees beyond the southern phase of the Summer Lake project.

Mitigation Measure 3.9-21 All levees shall be constructed using design criteria identified in the NFIP regulations. Levees shall be constructed in a manner that takes into account the potential for future increase in sea level. The City of Oakley and RD 799 shall prohibit any structures or encroachments that would compromise future remedial actions to raise levee crest heights to maintain levee safety factors to FEMA standards.

Mitigation Measure 3.9-22 All man-made lakes shall be designed and constructed to contain wind- and seismically-generated (seiche) waves within the boundary of the lake. All structures and buildings, surrounding and within 20 feet of a lake shall be placed at a minimum of two feet above the maximum lake.

The implementation of the above mitigation measures would reduce hydrology and water quality impacts of the Project to less than significant, as established by the Specific Plan¹³ and Resolution No. 46-09. The approval and development of the Project will not result in any new, or substantially more adverse, significant impacts to hydrology and water quality than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant hydrology or water quality impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant effects of the project related to hydrology or water quality. Therefore, the Project does not trigger need for a subsequent EIR on the

¹³ East Cypress Corridor Specific Plan Draft EIR, pages 3.9-26 – 3.9-58.

basis of its effects on hydrology or water quality.

i) Land Use

The Project proposes to develop the Lesher Property in a manner consistent with the

Specific Plan and as discussed and evaluated in the Specific Plan EIR for the Lesher Property portion of Planning Area 1. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the potential land use impacts of the Project are the same as the potential land use impacts described and analyzed in the Specific Plan EIR. The Project would be required to implement all applicable mitigation measures set forth in the MMRP with regard to potential land use impacts of the development of the Lesher Property. The following applicable mitigation measure is carried forward from the MMRP for this project to reduce land use impacts.

Mitigation Measure 3.10-1 All perspective residents shall be notified prior to the purchase of a residence that existing agricultural activities exist on the site and the agricultural activities may continue into the future. In addition, future project residents shall acknowledge during and prior to the close of escrow they have been properly notified and are aware that agricultural activities exist and may continue to exist.

The implementation of the above mitigation measure would reduce land use impacts of the Project to less than significant, as established by the Specific Plan¹⁴ and Resolution No. 46-09. The approval and development of the Project will not result in any new, or substantially more adverse, significant land use impacts than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant land use impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant effects of the project related to land use. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its potential land use impacts.

j) Noise and Vibration

The Project proposes to develop the Lesher Property in a manner consistent with the Specific Plan and as discussed and evaluated in the East Cypress Corridor Specific Plan EIR. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the

¹⁴ East Cypress Corridor Specific Plan Draft EIR, pages 3.10-17.

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Specific Plan EIR. Accordingly, the potential noise and vibration impacts associated with Project are the same as the noise and vibration impacts described and analyzed in the Specific Plan EIR. The Project would be required to implement all applicable mitigation measures set forth in the MMRP with regard to potential noise and vibration impacts of the development of Planning Area 3. The following applicable mitigation measures are carried forward from the MMRP for this project to reduce noise and vibration impacts.

Mitigation Measure 3.11-1 A 6-foot noise barrier shall be constructed along the rear yards of those residences located adjacent to Bethel Island Road. If the building pad elevations of the residences are more than 2 feet below the roadway elevation, a revised barrier calculation shall be conducted to confirm the 6-foot noise barrier is adequate to reduce noise levels to meet City noise criteria.

Mitigation Measure 3.11-2 An 8-foot noise barrier shall be constructed along the rear yards of residences that are located adjacent to the north side of East Cypress Road between Jersey Island Road and Bethel Island Road. A 6-foot noise barrier shall be constructed along the south side of the pedestrian trail and the north side of the existing East Cypress Road, between Jersey Island Road and Bethel Island Road. If the building pad elevations of those residences are more than 2 feet below the roadway elevation, a revised barrier calculation shall be conducted to confirm the 8-foot and 6-foot noise barriers are adequate to reduce noise levels to meet City noise criteria.

Mitigation Measure 3.11-3 A noise analysis shall be submitted to the City along with development plans for the Village Center. The noise analysis shall identify all on-site noise sources, including mechanical equipment, and determine the noise levels that could extend to adjacent residences. Measures to reduce exterior and interior noise levels of the residential use to City standards shall be identified.

Mitigation Measure 3.11-4 All loading docks shall be located a minimum of 150 feet from the closest residence.

Mitigation Measure 3.11-5 Sound walls shall be constructed along property lines or adjacent to loading docks between commercial unloading areas or commercial truck routes, and adjacent residential uses. The final locations and heights of walls shall be determined at the time a site plan is submitted to the City for approval.

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- Mitigation Measure 3.11-6** Loading dock activities and on-site truck traffic shall be limited to the daytime hours between 7:00 a.m. and 10:00 p.m.
- Mitigation Measure 3.11-7** Roof-top HVAC equipment shall generate no more than 50 dBA and a distance of 25-feet from the equipment. In addition, sound controls such as roof-top parapets or acoustical enclosures shall be considered when designing the commercial uses.
- Mitigation Measure 3.11-8** A noise study shall be submitted prior to issuance of a building permit for a commercial use to confirm the noise from the operation of the mechanical equipment will not exceed the City's noise criteria.
- Mitigation Measure 3.11-9** Barriers shall be used during drilling operations to shield noise levels to surrounding residences. Noise barriers can take many forms, including portable acoustical curtains, stacked hay or straw bales, earthen berms or enclosures. The mass of the barrier shall be a minimum of 3 to 3 ½ pounds per square foot.
- Mitigation Measure 3.11-10** Residents shall be notified in writing a minimum of one week (7 days) prior to well drilling.
- Mitigation Measure 3.11-11** Require residents to sign disclosures with regards to potential well drilling.
- Mitigation Measure 3.11-13** All heavy construction equipment and all stationary noise sources (such as diesel generators) shall have manufacturer installed mufflers. In addition, construction activities shall be restricted between the hours of 7 a.m. and 7 p.m. Monday through Friday, and between the hours of eight a.m. and eight p.m. Saturday and Sunday. Equipment warm up areas, water tanks, and equipment storage areas shall be located in an area as far away from existing residences as feasible.

Subsequent to the approval of the Specific Plan and in compliance with Mitigation Measure 3.11-12 of the Specific Plan EIR, the City of Oakley adopted OMC Section 9.1.1216, Oil and Gas Drilling establishes residential noticing requirements, noise standards, and additional provisions to protect residences adjacent to gas wells. There is an abandoned gas well within the proposed gas well site for the Project. Any drilling and operational activities associated with the existing abandoned gas well or new gas wells at the proposed gas well site of the Project would be required to comply with the provisions of OMC Section 9.1.1216 to reduce gas well activity impacts to less than significant.

The implementation of the above mitigation measures would reduce the Project's noise and vibration impacts to less than significant, as established by the Specific Plan EIR¹⁵ and Resolution No. 46-09. The approval and development of the Project will not result in any new, or substantially more adverse, significant noise or vibration impacts than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant noise or vibration impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant effects of the project related to noise or vibration. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its potential noise or vibration impacts.

k) Public Services and Utilities

The Project proposes to develop the Lesher Property in a manner consistent with the Specific Plan and as discussed and evaluated in the Specific Plan EIR. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the potential public service and utility impacts associated with the development of the Project are the same as the potential public service and utility impacts described and analyzed in the Specific Plan EIR. A Water Supply Assessment (WSA) was prepared for the Specific Plan EIR by Diablo Water District (DWD) per SB 610 that evaluated DWD's ability to serve the Specific Plan's water demand in normal years, drought years, and multiple drought years, as required by law. The WSA and Specific Plan EIR determined that DWD's water supply is sufficient to meet the yearly water demand associated with the development allowed by the Specific Plan under all climate conditions, which includes the Lesher Property. The Project does not propose any changes that would result in greater water demand than otherwise disclosed in the Specific Plan EIR and assumed by the WSA. Moreover, there have been no significant changes to DWD's water supply or circumstances that substantially affect DWD's ability to provide a sufficient supply of water to the project; and there is no significant information available today that was not known and could not have been known at the time the water supply assessment was prepared. The Project would be required to implement all applicable mitigation measures set forth in the MMRP with regard to public service and utility impacts of the development of the Lesher Property. The following applicable mitigation measures are carried forward from the MMRP for this project to reduce public services and utilities impacts.

Mitigation Measure 3.12-1 To address potential impacts on DWD water service infrastructure and provide the necessary looping in the southern part of the DWD service area, the developments within the Specific Plan area shall implement one or more of the following options as applicable:

¹⁵ East Cypress Corridor Specific Plan Draft EIR, pages 3.11-19 – 3.11-20.

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- Install 18" water main in Neroly Road, and extend the 16" water main in Laurel Road to Sellers Avenue. Install 24" main in Sellers Avenue from Laurel Road to East Cypress Road;
- Install 24" main in Carpenter Road west of O'Hara Avenue, and extend the 16" water main in Laurel Road to Sellers Avenue. Install 24" main in Sellers Avenue from Laurel Road to East Cypress Road;
- Install 18" water main in Neroly Road, and install 24" main in Neroly and Delta Roads from O'Hara Avenue to Sellers Avenue. Install 24" main in Sellers Avenue from Delta Road to East Cypress Road;
- Install 24" main in Carpenter Road west of O'Hara Avenue, and install 24" main in Neroly and Delta Roads from O'Hara Avenue to Sellers Avenue.
- Install 24" main in Sellers Avenue from Delta Road to East Cypress Road.

Mitigation Measure 3.12-2 Implement water conservation measures approved by USBR under Section 3406 of the CVPIA that shall include, but are not limited to:

- Installation of water measuring devices (i.e., water meters);
- Adoption of California Urban Water Agencies (CUWA) BMPs for residential/commercial water usage, including, but not limited to the following:
 - Irrigating large turf/landscape areas with local groundwater wells;
 - Landscape road medians and other similar areas with xeriscape and low water use plants;
 - Install low water use fixtures in residential and non-residential buildings; and
 - Use high efficiency irrigation equipment in public and common areas.

Mitigation Measure 3.12-3 Consistent with SB 221, each final subdivision map approval shall be conditioned on DWD's issuance of a "Written Verification" that its water supplies are sufficient to serve the subdivision.

Mitigation Measure 3.12-4 The developers shall furnish all plans regarding FEMA levees proposed along the Canal (between the Rock Slough Headworks and East Cypress Road) to CCWD, RD 799, and the USBR. Plans shall include proposed levees within or adjacent to USBR property. All final plans shall be subject to approval by these three cooperating agencies in accordance with NEPA and other applicable state and federal regulations.

- Mitigation Measure 3.12-5** To ensure proper coordination of the roadway improvements and replacement of the Canal siphon underlying East Cypress Road, design specifications and construction of roadway improvements and siphon replacement are subject to CCWD and Bureau of Reclamation direction and approval and must comply with NEPA, the Endangered Species Act, and other applicable federal and state regulations. Performance bonds for design and construction of the roadway improvements and siphon replacement shall be advanced prior to construction consistent with CCWD and Bureau of Reclamation requirements.
- Mitigation Measure 3.12-6** CCWD and the Bureau of Reclamation may require proposed residential developments within the Specific Plan Area to provide reimbursement for a fair share of the administrative costs necessary for CCWD and the Bureau of Reclamation to review and approve the roadway and siphon designs and construction. Such administrative costs may include, for example, administration, design review, and inspection.
- Mitigation Measure 3.12-7** Any modifications to the Canal itself shall follow and be consistent with CCWD and Bureau of Reclamation design and construction management approaches. The siphon may be designed and constructed either by CCWD, the City of Oakley, or a private party (as specifically approved by CCWD and the Bureau of Reclamation). In any event, the design of the siphon, including the designer used, shall be reviewed and approved by CCWD and/or the Bureau of Reclamation. Any private party design and/or construction of the siphon shall be subject to a design and construction agreement between the developer, CCWD and/or the Bureau of Reclamation.
- Mitigation Measure 3.12-8** According to CCWD, during the early winter (typically October through December) the Canal can be taken offline without impacting the water supply system. If possible, the modifications to the Canal should occur during this down time. In the event that construction must proceed outside this period, the East Cypress Road widening shall require that a portion of the Canal flows be diverted around the construction area to maintain ongoing service to customers in the area. The timing of the construction of the facilities shall only occur at a time approved by CCWD and the Bureau of Reclamation.

Mitigation Measure 3.12-8.1 Prior to construction of homes within PA's 1, 3, 4 or 6, the project applicant shall consult with ISD to determine whether the existing emergency storage ponds and 14" gravity main are adequate to address the cumulative build-out of the ECCSPA. If existing planned facilities are adequate, no further mitigation is required. If existing facilities are not adequate, each project will pay its proportionate share for necessary upgrades to these wastewater storage and conveyance facilities.

Mitigation Measure 3.12-9 Prior to the start of construction of the homes in PAs 1, 3, 4 or 6, the project site shall be in a Community Facilities District that is authorized to collect a special tax that is used by the East Contra Costa Fire Protection District to fund on-going operations to provide fire protection service for the project and meet the Districts' response goal of 6 minutes for 90% of incidents.

The implementation of the above mitigation measures would reduce public services and utilities impacts of Project to less than significant, as established by the Specific Plan EIR¹⁶ and Resolution No. 46-09. The approval and development of the Project will not result in any new, or substantially more adverse, significant public services or utilities impacts than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant public services or utilities impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant effects of the project related to public services and utilities. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its potential public services and utilities impacts.

l) Transportation and Circulation

The Project proposes to develop the Leshler Property in a manner consistent with the Specific Plan and as discussed and evaluated in the Specific Plan EIR. The Project does not propose any substantial changes to the project analyzed in the Specific Plan EIR, and there have been no substantial changes with respect to the circumstances under which the project is undertaken that require major revisions of the Specific Plan EIR. Accordingly, the potential traffic impacts associated with the Project are the same as the traffic impacts described and analyzed in the Specific Plan EIR. The Project would be required to implement all the applicable mitigation measures set forth in the MMRP with regard to potential land use impacts of the development of the Leshler Property. The following applicable mitigation measures are carried forward from the MMRP for this Project to reduce transportation and circulation impacts.

¹⁶ East Cypress Corridor Specific Plan Draft EIR, pages 3.12-6 – 3.12-8.

- Mitigation Measure 3.13-1** Mitigation of the unacceptable traffic conditions along Main Street can partially be achieved through the construction of Segment 1 of the SR 4 Bypass, the Laurel Road Interchange and the extension of Laurel Road to the SR 4 Bypass. This mitigation would provide an alternative route to Main Street and alleviate some of its congestion. The SR 4 Bypass Authority is responsible for the construction of this mitigation. The project would contribute to this mitigation by paying its fair share of the cost through the payment of regional traffic fees to the East Contra Costa Regional Fee and Finance Authority (ECCRFFA).
- Mitigation Measure 3.13-2** Mitigation of the unacceptable conditions along East Cypress Road between Sellers Avenue and Jersey Island Road can partially be achieved through widening the roadway to three lanes in each direction to provide more capacity on this portion of East Cypress Avenue and alleviate some of the congestion along the roadway. This roadway improvement has been identified in the City's General Plan and is included in the City's Transportation Impact Fee Program. The project would contribute to this mitigation constructing the improvement or by paying its fair share of the cost through the payment of the City's Transportation Impact Fee.
- Mitigation Measure 3.13-3** Mitigation of the unacceptable conditions along East Cypress Road and Main Street can partially be achieved through extending Laurel Road from its current eastern terminus just west of the Union Pacific Railroad to Sellers Avenue as a four-lane arterial and upgrading Sellers Avenue between East Cypress Road and Laurel Road to a four-lane arterial. This mitigation measure in conjunction with the construction of Segment 1 of the SR 4 Bypass and extension of Laurel Road west to SR 4 Bypass (Mitigation 1) would provide an alternative route to and from the SR 4 freeway, and alleviate some of the congestion along East Cypress Road and Main Street. This roadway improvement project has been identified in the City's General Plan and is included in the City's Transportation Impact Fee Program. The project would contribute to this mitigation by paying its fair share of the cost through the payment of the City's Transportation Impact Fee.
- Mitigation Measure 3.13-4** Mitigation of the unacceptable conditions along East Cypress Road can partially be achieved with the construction of a bridge over Rock Slough to connect Bethel Island Road with Byron Highway and Delta Road that are south of the project site. This connection would provide an alternative access to the south. Two lanes of the roadway and a bridge, with the

exact width and configuration of the bridge to be determined through further engineering analysis, shall be constructed before 20% of the project (800 residential units) has been completed and the ultimate four-lane roadway should be constructed before 80% of the project (3,100 units) has been completed. This improvement project has been identified in the Contra Costa County General Plan. However, no funding sources have yet been identified. The project would contribute to this mitigation by constructing the improvement.

Mitigation Measure 3.13-5 Mitigation of the unacceptable conditions along Laurel Road can partially be achieved through widening Laurel Road to a four-lane arterial between Empire Avenue and Main Street. This mitigation measure would alleviate some of the congestion along Laurel Road. This roadway improvement project has been identified in the City's General Plan and is included in the City's Transportation Impact Fee Program. The project would contribute to this mitigation by paying its fair share of the cost through the payment of the City's Transportation Impact Fee.

Mitigation Measure 3.13-6 Mitigation of the unacceptable conditions at Main Street/O'Hara Avenue intersection can be achieved through the construction of the Main Street Downtown Bypass. This project would realign Main Street north of its current alignment as a new four-lane arterial between west of Vintage Parkway and 2nd Street to provide an alternative to Main Street through Downtown Oakley. The Main Street Downtown Bypass was included in the *Old Town Oakley Specific Plan* in 1999 and is also included in the City's General Plan and the City's Transportation Impact Fee Program. Developers of the East Cypress Corridor Specific Plan would contribute to this mitigation by paying its fair share of the cost through the payment of the City's Transportation Impact Fee.

Mitigation Measure 3.13-7 Mitigation of the unacceptable conditions at West Cypress Road/O'Hara Avenue intersection can be achieved through the installation of traffic signals at the intersection. The forecasted AM peak hour and PM peak hour intersection volumes would satisfy the MUTCD peak hour traffic signal warrants.¹⁷ This signal installation is included in the City's

¹⁷ This analysis is intended to examine the general correlation between the planned level of future development and the need to install new traffic signals. It estimates future development-generated traffic compared against a sub-set of the standard traffic signal warrants recommended in the Federal Highway Administration *Manual on Uniform Traffic Control Devices* and associated State guidelines. This analysis should not serve as the only basis for deciding whether and when to install a signal. To reach such a decision, the full set of warrants should be investigated based on field-measured, rather than forecast, traffic

Transportation Impact Fee Program. The proposed project would contribute to this mitigation by paying its fair share of the cost through the payment of the City's Transportation Impact Fee.

Mitigation Measure 3.13-8 Mitigation of the unacceptable conditions at West Cypress Road/Main Street intersection can be achieved through the addition of a second southbound left-turn lane, the reconfiguration of the eastbound right-turn lane to a shared through/right-turn lane, and the reconfiguration of the westbound through lane to a shared through/right-turn lane. The reconfiguration of the West Cypress Road/Main Street intersection is included in the City's Transportation Impact Fee Program. The project would contribute to this mitigation by paying its fair share of the cost through the payment of the City's Transportation Impact Fee.

Mitigation Measure 3.13-9 Mitigation of the unacceptable conditions at East Cypress Road/Sellers Avenue intersection can be achieved through the reconfiguration of the intersection to provide a right-turn, a shared through/right-turn, a through, and a left-turn lane on the southbound approach; a shared through/right-turn, a through, and two left-turn lanes on the westbound approach; two left, two through, and a free right-turn lane on the northbound approach; and a right, two through, and one left-turn lane on the eastbound approach. The reconfiguration of the East Cypress Road/Sellers Avenue intersection is included in the City's Transportation Impact Fee Program. The project would contribute to this mitigation by paying its fair share of the cost through the payment of the City's Transportation Impact Fee.

Mitigation Measure 3.13-10 Mitigation of the unacceptable conditions at East Cypress Road/Jersey Island Road intersection can be achieved through the installation of a traffic signal at this intersection. The forecasted AM peak hour and PM peak hour intersection volumes would satisfy the MUTCD peak hour traffic signal warrant. The installation of a signal is included in the City's Transportation Impact Fee Program. The project would contribute to this mitigation by paying its fair share of the cost through the payment of the City's Transportation Impact Fee.

data and a thorough study of traffic and roadway conditions by an experienced engineer. Furthermore, the decision to install a signal should not be based solely upon the warrants, since the installation of signals can lead to certain types of collisions. The City of Oakley should undertake regular monitoring of actual traffic conditions and accident data, and timely re-evaluation of the full set of warrants in order to prioritize and program intersections for signalization.

Mitigation Measure 3.13-11 Mitigation of the unacceptable conditions at the Laurel Road/Empire Avenue intersection can be achieved through installing traffic signals at the intersection and providing a right-turn, two through, and a left-turn lane on the northbound approach and a shared through/right-turn lane, a through lane, and a left-turn lane on the other approaches. The signalization of the Laurel Road/Empire Avenue intersection is included in the City's Transportation Impact Fee Program. The project would contribute to this mitigation by paying its fair share of the cost through the payment of the City's Transportation Impact Fee.

Mitigation Measure 3.13-12 Mitigation of the unacceptable conditions at the Laurel Road/Main Street intersection can be achieved by providing an additional eastbound right-turn lane on Laurel Road. This improvement project is not included in any funding document. The proposed project would contribute to this mitigation by paying its fair share of the cost.

Mitigation Measure 3.13-13 Mitigation of the unacceptable conditions at the Balfour Road/Byron Highway intersection can be achieved through installing a traffic signal at the intersection. The forecasted PM peak hour intersection volumes would satisfy the MUTCD peak hour traffic signal warrant for rural areas.¹⁸ The Balfour Road/Byron Highway intersection signalization is not identified in any funding documents, but this mitigation measure is consistent with the findings of previous environmental documents.¹⁹ If an agreement regarding cooperative funding of this improvement exists between Contra Costa County and the City of Oakley at the time of vesting map, the proposed project would contribute to this mitigation by paying its fair share of the cost to Contra Costa County.

Mitigation Measure 3.14-14 Mitigation of the unacceptable conditions at Sandmound Boulevard/Bethel Island Road intersection can be achieved

¹⁸ This analysis is intended to examine the general correlation between the planned level of future development and the need to install new traffic signals. It estimates future development-generated traffic compared against a sub-set of the standard traffic signal warrants recommended in the Federal Highway Administration *Manual on Uniform Traffic Control Devices* and associated State guidelines. This analysis should not serve as the only basis for deciding whether and when to install a signal. To reach such a decision, the full set of warrants should be investigated based on field-measured, rather than forecast, traffic data and a thorough study of traffic and roadway conditions by an experienced engineer. Furthermore, the decision to install a signal should not be based solely upon the warrants, since the installation of signals can lead to certain types of collisions. The County of Contra Costa should undertake regular monitoring of actual traffic conditions and accident data, and timely re-evaluation of the full set of warrants in order to prioritize and program intersections for signalization.

¹⁹ Discovery Bay West General Plan Amendment Environmental Impact Report (Contra Costa County, 1994).

through widening the Bethel Island Road to two lanes in each direction and the installation of traffic signals at the intersection. The forecasted AM peak hour and PM peak hour intersection volumes would satisfy the MUTCD peak hour traffic signal warrant.²⁰ No funding sources have been identified for this project. The proposed project would construct this improvement.

Mitigation Measure 3.13-15 Mitigation of the unacceptable conditions on SR 4 freeway can be achieved through widening the freeway to provide three mixed-flow travel lanes and one high-occupancy vehicle (HOV) lane in each direction between Loveridge Road and Hillcrest Avenue. This improvement project is currently in the planning stages and a variety of funding sources, including ECCRFFA and Measure C, have been identified. The proposed project would contribute by paying its fair share of the cost through the payment of the regional fees.

Mitigation Measure 3.13-16 Mitigation of the potential insufficient emergency access can be achieved by providing an additional access point to the site with the construction of a bridge over Rock Slough to connect Bethel Island Road south to Byron Highway and Delta Road. Two lanes of the roadway and a bridge, with the exact width and configuration of the bridge to be determined through further engineering analysis, shall be constructed before 20% of the project (800 residential units) has been completed and the ultimate four-lane roadway should be constructed before 80% of the project (3,100 units) has been completed. The project would construct this improvement.

Mitigation Measure 3.13-18 Mitigation of the potential temporary hazardous conditions can be achieved through preparation of a Construction Phasing and Management Plan for each construction phase. The Construction Phasing and Management Plan shall be approved by the City and may include the following elements:

- A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure procedures; signs, cones, and other warning devices for drivers; and designation of construction access routes.
- Location of construction staging, and provision of on-site parking for all construction employees, site visitors, and inspectors.

²⁰ Please see footnote 5.

- Provision for monitoring surface streets used for haul routes so that any damage attributable to the haul trucks can be identified and corrected.

Mitigation Measure 3.13-19 All development in the East Cypress Corridor Specific Plan shall pay its fair share of the cost to signalize the Knightsen Avenue @ East Cypress Road intersection through payment of the City of Oakley Transportation Impact Fee as required.

Mitigation Measure 3.13-20 The intersection shall be signalized and the following improvements constructed: 1) One left-turn, one through, and one shared through/right-turn lane in the northbound direction; 2) one left-turn, one through, and one right-turn lane in the eastbound direction; 3) one left- turn, two through, and one right-turn lane in the southbound direction; 4) two left-turn, and one shared through/right-turn lane in the westbound direction. The City shall add the intersection improvements to the Transportation Impact Fee program and all development in the project shall be required to pay its fair share towards the cost to construct the improvements. The City shall determine the fair share cost for each development allowed within the project. The fair share development fee shall be paid to the City prior to the issuance of building permits.

Mitigation Measure 3.13-21 The intersection shall be signalized and an exclusive left-turn lane provided at all four approaches. If not included in a County fee program at the time of project approval, the City will request that the project be added to the appropriate County fee program. All development in the project shall be required to pay its fair share towards the cost to signalize and construct an exclusive left-turn lane at all four intersection approaches. The City, in conjunction with the County, shall determine the fair share cost for each development allowed within the project. The fair share fee shall be paid to the City prior to the issuance of building permits.

Mitigation Measure 3.13-22 The intersection of Byron Highway @ Delta Road shall be signalized and an exclusive right-turn lane on the southbound approach shall be added. The project shall construct the traffic signal and turn lane at this intersection.

Mitigation Measure 3.13-23 All development shall be required to pay its fair share towards the cost to signalize and construct an exclusive left-turn lane at all four intersection approaches. If not included in a Brentwood fee program at the time of project

approval, the City will request that the project be added to the Brentwood fee program. The City, in conjunction with the City of Brentwood, shall determine the fair share cost for each development allowed within the project. The development fee shall be paid to the City of Oakley prior to the issuance of building permits.

Mitigation Measure 3.13-24 All development in the project shall be required to pay its fair share towards the cost to signalize and construct an exclusive left-turn lane at all four intersection approaches. If not included in a Brentwood fee program at the time of project approval, the City will request that the project be added to the Brentwood fee program. The City, in conjunction with the City of Brentwood, shall determine the fair share cost for each development allowed in the project. The fair share fee shall be paid to the City of Oakley prior to the issuance of building permits.

Mitigation Measure 3.13-25 All development within the project shall pay a fair share impact fee, based on the City of Brentwood Transportation Impact Fee, to the City of Oakley to signalize the intersection prior to the issuance of building permits.

Mitigation Measure 3.13-26 All development within the project shall be required to pay a fair share impact fee towards the cost to signalize the intersection. If not included in a County fee program at the time of project approval, the City will request that the project be added to the appropriate County fee program. The City, in conjunction with the County, shall determine the fair share cost for each development allowed within the project. The fair share impact fee shall be paid to the City prior to the issuance of building permits.

Mitigation Measure 3.13-27 All development within the project shall be required to pay its fair share towards the cost to signalize the intersection. If not included in a County fee program at the time of project approval, the City will request that the project be added to the appropriate County fee program. The City, in conjunction with the County, shall determine the fair share cost for each type of development allowed within the project. The development fee shall be paid prior to the issuance of building permits.

Mitigation Measure 3.13-28 If not included in the County fee program at the time of project approvals, the City will request appropriate County fee program shall be amended to include the signalization. All development within the project shall be required to pay its fair share towards the cost to signalize the intersection.

The City, in conjunction with the County, shall determine the fair share cost for each development allowed within the project. The fair share fee shall be paid to the City prior to the issuance of building permits.

Mitigation Measure 3.13-29 If not included in the County fee program at the time of project approvals, the City will request the project be added to the appropriate County fee program to include the improvement. All development within the project shall be required to pay its fair share towards the cost to construct a second left-turn lane on the northbound approach to the intersection. The City, in conjunction with the County, shall determine the fair share cost for each development allowed within the project. The fair share fee shall be paid to the City prior to the issuance of building permits.

Mitigation Measure 3.13-30 If not included in the County fee program at the time of project approvals, the City will request that the project be added to the appropriate County fee program to include the signalization. All development within the project shall be required to pay its fair share towards the cost to signalize the intersection. The City, in conjunction with the County, shall determine the fair share cost for each development allowed within the project. The fair share fee shall be paid to the City prior to the issuance of building permits.

The implementation of the above mitigation measures from the certified Specific Plan EIR will reduce transportation and circulation impacts of the Project to less than significant, with the exception of the Sellers Avenue at Marsh Creek Road intersection, as established by the Specific Plan EIR²¹ and Resolution No. 46-09. The approval and development of the Project will not result in any new, or substantially more adverse, significant public transportation or circulation impacts than were otherwise disclosed in the Specific Plan EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR was certified, that shows any new, or substantially more adverse, significant transportation or circulation impacts than those disclosed in the Specific Plan EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant effects of the project related to transportation or circulation. Therefore, the Project does not trigger need for a subsequent EIR on the basis of its potential transportation or circulation impacts.

III. Conclusion

Based on the foregoing, none of the circumstances requiring preparation of a subsequent or supplemental EIR to the East Cypress Corridor Specific Plan EIR or East Cypress

²¹ East Cypress Corridor Specific Plan Draft EIR, pages 3.13-19 – 3.13-40.

East Cypress Corridor Specific Plan EIR Addendum

Corridor Specific Plan Supplemental EIR (as specified in CEQA section 21166 and CEQA Guidelines 15162 and 15163) exist. The Project proposes no substantial changes to the development proposed for the Leshar Property portion of Planning Area 1 under the Specific Plan that require major revisions to the Specific Plan EIR. Furthermore, no substantial changes are proposed or would occur with respect to the circumstances that development of the Leshar Property would be undertaken that would require major revisions to the Specific Plan EIR and no new information that was not known and could not have been known at the time the Specific Plan EIR was certified has become available.

RESOLUTION NO. XX-15

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING THE LESHER SUBDIVISION 9404 VESTING TENTATIVE MAP (TM 03-15) SUBDIVIDING APPROXIMATELY 355 ACRES INTO 1,056 RESIDENTIAL LOTS, APPROXIMATELY 45 ACRE FUTURE COMMERCIAL VILLAGE CENTER, NEIGHBORHOOD PARKS, OPEN SPACE, LAKE AND OTHER IMPROVEMENTS CONSISTENT WITH PLANNING AREA 1 OF THE ADOPTED EAST CYPRESS CORRIDOR SPECIFIC PLAN. APNS 032-082-005 AND 032-082-013.

FINDINGS

WHEREAS, on April 27, 2015, Perry Hariri of ACD-TI Oakley, LLC filed an application for approval of a Vesting Tentative Map known as Subdivision 9404 and Application Number TM 03-15 ("Project"); and

WHEREAS, the application for approval of the Vesting Tentative Map proposes to subdivide approximately 355 acres into 1,056 residential lots, approximately 45 acre future commercial village center, neighborhood parks, open space, lake and other improvements consistent with Planning Area 1 of the adopted East Cypress Corridor Specific Plan; and

WHEREAS, on March 13, 2006, the City Council adopted City Council Resolution No. 30-06, certifying the Initial Final EIR (SCH # 2004092011) and City Council Resolution No. 31-06, approving Amendments to the Oakley 2020 General Plan, approving the "SP" Land Use Designation for the East Cypress Corridor Expansion Area, adopting the East Cypress Corridor Specific Plan, and making Mitigation Findings and adopting a statement of overriding considerations, as required by the California Environmental Quality Act ("CEQA"); and

WHEREAS, in response to a Peremptory Writ of Mandate issued on August 20, 2007, regarding a challenge to the adequacy of the EIR, the City Council adopted City Council Resolution No. 111-07, rescinding City Council Resolutions 30-06 and 31-06; and

WHEREAS, the Initial Final EIR and the Final Supplemental EIR, including all appendices and documents incorporated in them by reference, together comprise the Revised Final EIR for the East Cypress Corridor Specific Plan project ("Revised Final EIR"); and

WHEREAS, the Revised Final EIR identifies potentially significant environmental impacts and related mitigation measures, shall apply to development in the Specific Plan Area; and

WHEREAS, the Revised Final EIR also identifies potentially significant environmental impacts that will remain significant despite adoption of the mitigation

measures that will apply to development in the Specific Plan Area, and for which the City must adopt a statement of overriding considerations pursuant to CEQA; and

WHEREAS, the components of the Revised Final EIR are separately bound documents, incorporated herein by reference, and are available for review in the City's Planning Division. The custodian of the documents and other materials which constitute the record of proceedings for the East Cypress Corridor Specific Plan and the Revised Final EIR is the City of Oakley Community Development Director at 3231 Main Street, Oakley, California 94561; and

WHEREAS, on March 10, 2009 the City Council adopted City Council Resolution 46-09 certifying the East Cypress Corridor Specific Plan Revised Final EIR, making certain findings concerning environmental impacts and mitigation measures, adopting a mitigation monitoring program, making findings concerning alternatives, and adopting a statement of overriding consideration in connection with the East Cypress Corridor Specific Plan; and

WHEREAS, on March 24, 2009, the City Council adopted City Council Ordinance 10-09 with the second reading waived, making findings and adopting the East Cypress Corridor Specific Plan; and

WHEREAS, on July 2, 2015, the Notice of Public Hearing for the project was published in the Contra Costa Times newspaper, and 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 July 14, 2015, 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, 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, the East Cypress Corridor Specific Plan and the information submitted to the City Council at its July 14, 2015 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").

WHEREAS, the City Council hereby makes the following factual findings regarding this application:

- A. The real property affected by this vesting tentative map is designated SP (Specific Plan) in the Oakley 2020 General Plan and zoned SP-1 (East Cypress Corridor Specific Plan) District; and
- B. The Revised Environmental Impact Report (EIR) for the East Cypress Corridor Specific Plan (Project EIR) was certified by the City Council on March 10, 2009. The Project EIR, which is made up of the Initial EIR and Supplemental EIR, was prepared to support adoption of the East Cypress Corridor Specific Plan. The Project EIR contains a project level analysis of the development of the real property affected by this vesting tentative map also referred to as Planning Area 1 of the East Cypress Corridor Specific Plan; and
- C. Pursuant to Public Resources Code Section 21166, and as further clarified by CEQA Guideline Section 15162, an addendum to the Project EIR was prepared and included as an attachment to the project Staff Report. The Addendum incorporates, by reference, the analysis contained in the certified Project EIR, and addresses only those issues specific to the project. The Addendum concludes that approval of the Project does not trigger need for a subsequent EIR under Section 21166 because development of the Project will not result in new, or substantially more adverse, significant environmental impacts than those disclosed in the Project EIR. Moreover, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Project EIR was certified, that shows any new, or substantially more adverse, environmental impacts than those disclosed in the Project EIR, or that shows that new, or previously identified infeasible, mitigation measures or alternatives would substantially reduce one or more significant environmental effects of the project. Accordingly, per Section 21166, the City has not required a subsequent EIR for the Project.

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 Vesting Tentative Map (9404) to subdivide approximately 355 acres into 1,056 residential lots, approximately 45 acre future commercial village center, neighborhood parks, open space, lake and other improvements consistent with Planning Area 1 of the adopted East Cypress Corridor Specific Plan, the City Council finds that:
 - 1. The proposed Vesting Tentative Map, together with the provisions of its design and improvements, is consistent with the Zoning Code, adopted SP-1 District (East Cypress Corridor Specific Plan), and applicable General Plan land use designations, as approved by City Council for the Project, in that it allows for orderly residential development in a residential

area that meets the General Plan density allowance and complies with all of the applicable regulations set forth in the Project's SP-1 District;

2. The site is physically suitable for the type of development in that the proposed Vesting Tentative Map meets all of the applicable development standards in the Project's SP-1 District and is designed in a manner consistent with Planning Area 1 (PA 1) of the East Cypress Corridor Specific Plan. As conditioned, it will be served by public streets and utilities;
3. The site is physically suitable for the proposed density and number of dwelling units. The number of acres planned to be used for the commercial village center, neighborhood parks, open space, lake, trails, the levee, and other land uses are also consistent with the numbers anticipated in the East Cypress Corridor Specific Plan;
4. The proposed Vesting Tentative Map and all identified mitigation measures have been incorporated into Project EIR Mitigation and Monitoring Plan, certified March 10, 2009, and prepared in accordance with the CEQA Guidelines;
5. The design of the subdivision and type of improvements are not likely to cause serious public health problems in that the proposed subdivision consists of 1,056 single family residential lots, a commercial village center, neighborhood parks, open space, trails, a 300-year storm event levee, and other improvements consistent with Planning Area 1 of the East Cypress Corridor Specific Plan. Construction and grading of the project are subject to building or grading permits, and violations of any such permits are subject to appropriate enforcement;
6. The design of the subdivision includes the construction of improvements within public right-of-way that are consistent with major subdivisions, the City's design standards and design standards approved in the East Cypress Corridor Specific Pan. The improvements consist of roads, sidewalks, curbs and gutters; and
7. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. The Vesting Tentative Map

does not conflict with easements acquired by the public for access and utilities.

- B. The Project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the foregoing Findings and the entire Record, the City Council take the following actions:

- A. Approval of Vesting Tentative Map 9404 (TM 03-15) subdividing approximately 355 acres into 1,056 residential lots, approximately 45 acre future commercial village center, neighborhood parks, open space, lake and other improvements consistent with Planning Area 1 of the adopted East Cypress Corridor Specific Plan.

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 Vesting Tentative Map 9404 (TM 03-15), subject to the following conditions:

- A. Applicant shall comply with the requirements of the Oakley Municipal Code and the adopted East Cypress Corridor Specific Plan. Any exceptions must be stipulated in these Conditions of Approval. 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 July 14, 2015.

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

Planning Division Conditions

General:

1. This Vesting Tentative Map is approved, as shown on the plans, date stamped by the City of Oakley Planning Department on July 1, 2015, 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 final map and if not effectuated shall expire on July 14, 2018. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code. Approval of a development agreement, subject to City Council approval, may also provide an extension of time.
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 July 14, 2015.

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 applicable mitigation measures addressed in the Project EIR shall be complied with and addressed as outlined in the Mitigation Monitoring Program approved by the City Council on March 10, 2009 by Resolution 46-09 and as reaffirmed by this Resolution.
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. The model home complex shall have a copy of the City of Oakley's General Plan Land Use Map and East Cypress Corridor Land Use Diagram posted within the sales office or included with the informational material provided to prospective home buyers.

Development Regulations:

10. All development regulations shall be subject to Section 6 of the East Cypress Corridor Specific Plan, unless otherwise specified in this resolution.

Parks, Open Space, and Trails:

11. The applicant shall work with the Community Development Department with the design, construction and completion of the parks, open space, and trails concurrent with the development of the subdivision. As part of the plan check process, the applicant shall develop a construction schedule approved by the Community Development Director to provide for the timely completion of the parks, open space, and trails concurrent with development.

12. Details of all trails, including lake edges, overlooks, and levee trails shall be submitted with the future design review application. All details shall be consistent with Section 7 of the East Cypress Corridor Specific Plan.
13. A mix of evergreen and deciduous trees as well as shrubs and ground cover shall be planted along the street frontage as specified in the East Cypress Corridor Specific Plan per the review and approval of the Community Development Director.
14. 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.
15. 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.
16. 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.
17. Each residential lot shall have a minimum of two trees along the street frontage, with the exception of corner lots, which shall have four, per the review and approval of the Community Development Department. The Community Development Department may allow for a reduction of frontage trees on any given lot line where constraints may occur that limit the number of installed trees.
18. The applicant shall maintain all private landscaping until occupancy.
19. A street tree plan, including species and sizes shall be submitted for review prior to issuance of Building Permits, or with the future design review application. 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 Department.

Fences and Walls:

20. Within the subdivision good neighbor fences shall be constructed as detailed in Appendix B of the East Cypress Corridor Specific Plan.
21. Sound walls and community accent walls be submitted with the future design review application.

22. 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.
23. Anti-graffiti techniques shall be used on sound walls, per the review of the Community Development Director.

Subdivision Design:

24. The community and neighborhood entries, arrival elevations and plans, and neighborhood icons, and park entries shall be detailed and submitted with the future design review application. All details shall be consistent with Section 7 of the East Cypress Corridor Specific Plan.
25. Driveway openings shall be a maximum 18' in width or up to 25% of a lot's frontage (except on cul de sacs), whichever is greater.
26. The street names shall be approved by the Community Development Department and the East Contra Costa Fire District.

Subdivision Disclosures:

27. 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.

28. 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:

29. The future design review application shall include details of all home designs, and any landscaping in parks, on trails, rights of way, open spaces, and other common areas. All design elements shall be analyzed for consistency with the East Cypress Corridor Specific Plan. For elements not covered in the East Cypress Corridor Specific Plan, the Oakley Residential Design Guidelines shall be used.

Energy Efficiency:

30. Water heaters shall provide an energy efficiency factor of 0.62 or better.

31. Dual zone air conditioning shall be provided on all two-story residential units.

32. 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.

33. 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:

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

Building Division Conditions

35. 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.

36. An Automatic Life Safety Sprinkler System shall be required in all new construction pursuant to Ordinance 22-06. The automatic Life Safety Sprinkler Systems in commercial and industrial buildings shall be designed and installed to

the standards and requirements found in the most recent version of the NFPA (National Fire Protection Association). Automatic Life Safety Sprinkler Systems in hotels and apartments shall be installed to the standards and requirements found in the most recent version of the NFPA Standard 13R. After July 1, 2011, the Automatic Life Safety Sprinkler Systems in one and two family dwellings, and townhouses not more than three stories above grade plane, shall be designed and installed to the standards and requirements found in the 2010 California Residential Code section R313.

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. Final Maps may be phased for separate neighborhoods and on- or off-site improvements may be phased as applicable to match the development allowed by each Final Map at the discretion of the City Engineer.
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. The Grading Plan may be phased to coincide with on- or off-site improvements as applicable, at the discretion of the City Engineer. Grading

permits may be issued prior approval of improvement plans, at the discretion of the City Engineer.

41. Submit landscaping plans for publicly maintained landscaping by phased neighborhoods, 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 any temporary easements, 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 or within each phase as applicable.
43. Building permits for house construction shall not be issued until the subdivision streets serving the lots have been paved.
44. At least one paved street connection shall be constructed with the first phase of work on the project site to connect project streets to Bethel Island Road, Jersey Island Road or Cypress Road to the satisfaction of the City Engineer. At least one additional street connection between project streets and other off-site public streets shall be provided during the first phase if feasible as determined by the City Engineer. The project streets shall also be interconnected so that there are always at least two routes available to enter or leave any part of the project. Off-site street connections shall be paved and interim streets shall be sufficiently wide to provide at least two lanes.

Levees:

45. The levee system design and construction will need to be coordinated between two or more subdivision projects within the East Cypress Corridor Specific Plan (ECCSP) area as needed to provide adequate flood protection and to the satisfaction of the City Engineer.

Roadway Improvements:

46. Construct the project frontages along Jersey Island Road, East Cypress Road and Bethel Island Road to conform to the ECCSP design guidelines.
47. Construct the project streets to conform to the ECCSP design guidelines 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.
48. Install traffic calming measures consistent with the City's Neighborhood Traffic Management Program and Section 5.1.3 of the ECCSP. The traffic calming measures shall be included on the improvement plans and are subject to the review and approval of the City Engineer.
49. Install traffic control devices such as stop signs and other signing and striping on the project streets to the satisfaction of the City Engineer.
50. Install standard street barricades at the terminus of all streets that will be extended by future developments. The barricades shall include a sign notifying residents that the streets are planned to be extended in the future, and a deed notification shall be recorded for Lots 1, 2, 3, 602, 603, 604, 947, 948, 949, 955, 956, 983, 984 and 909 advising those owners of the possibility for future extension.
51. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.
52. Submit a phasing plan for roadway and infrastructure improvements to the City Engineer for approval if the project is being phased. The plan shall include provisions for emergency vehicle access, temporary turn-around facilities, and access to the occupied lots.

Road Dedications:

53. Convey to the City, by Offer of Dedication, the right of way for the project streets including the frontages along Jersey Island Road, East Cypress Road and Bethel Island Road.
54. Relinquish abutter's rights of access along all non-primary frontages to the satisfaction of the City Engineer.
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.

Street Lights:

56. 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 along Jersey Island Road, East Cypress Road and Bethel Island Road shall be LED cobra head style and along project streets shall be LED decorative per City standards.

Grading:

57. 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.

58. 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.

59. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities.

60. 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.

61. 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.

62. 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 areas, 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.

63. 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.
64. 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.
65. Submit a Letter of Map Revision application or the appropriate application to FEMA to remove the building pads that are currently within the Special Flood Hazard Area Zone AE from the flood zone. FEMA must issue no less than a Conditional Letter of Map Revision prior to the City issuing building permits for the lots affected by the Zone AE designation. The applicant should be aware of the requirements of the Federal Flood Insurance Program and the City Floodplain Management Ordinance as they pertain to future construction of any structures on this property.
66. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.
67. The burying of any construction debris is prohibited on construction sites.

Utilities/Undergrounding:

68. 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.
69. 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.
70. Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.

Drainage Improvements:

71. 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.
72. 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.
73. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.
74. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
75. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.
76. Submit a long-term operational and maintenance plan for the stormwater pond and pump stations to the City Engineer for review. The plan must include a level of effort estimate for staffing and maintenance requirements as well as an operational and life cycle budget analysis.

Landscaping in the Public Right of Way:

77. Install public right of way landscaping along Project Collector Roads and Jersey Island Road, East Cypress Road and Bethel Island Road. The applicant shall work with the Community Development Department and the City Engineer for the design, construction and completion of the public landscaping concurrent with the phased development of the subdivision. As part of the plan check process for the landscaping, the applicant shall develop a construction schedule approved by the Community Development Director to provide for the timely completion of the landscaping concurrent with development. Public landscape phasing shall be generally performed in tandem with adjacent subdivision improvements. Public right of way landscaping along the project streets shall be installed prior to occupancy of homes adjacent to that street or as directed by the City Engineer. Public landscaping shall conform to the Design Guidelines in the ECCSP.
78. 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):

79. 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:

80. 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. 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. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);
- D. Payment of East Contra Costa County Habitat Conservation Plan Fees (adopted by Resolution No. 112-07 & 124-07) in compliance with the "East Cypress HCP/NCCP Memorandum of Agreement" by and between the "Developers", including Bethel Island, LLC and the "Wildlife Agencies," as defined in the MOA.

E. Payment of fees in compliance with the "Agreement Between Contra Costa County and the City of Oakley Relating to Transition of Municipal Services, Collection of Fees and Maintenance of Infrastructure Upon Annexation of the East Cypress Corridor Specific Plan Area."

F. Payment of fees as agreed to in the "East Cypress Corridor Memorandum of Agreement" entered into on November 7, 2005 by and between Contra Costa Water District, Shea Homes Limited Partnership, D.R. Horton, Inc., KB Home South Bay, Inc. and Bethel Island LLC.

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.

81. 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.

82. 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. 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 to process the annexation. The City Engineer may require annexation into a different assessment district in lieu of the Lighting and Landscape District when the time comes. All costs of annexation shall be paid by Applicant.

83. 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 to process the annexation. The City Engineer may require annexation into a different assessment district in lieu of the Lighting and Landscape District when the time comes. All costs of annexation shall be paid by Applicant.

84. 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 to process the annexation. The City Engineer may require annexation into a different assessment district in lieu of the Lighting and Landscape District when the time comes. All costs of annexation shall be paid by Applicant.

85. 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.
86. Participate in the formation of a mechanism to fund the operation and maintenance of the storm drain system, including storm water quality monitoring and reporting, stormwater ponds and any proposed pump stations, as well as any levees proposed to be maintained by the City. The appropriate funding mechanism shall be determined by the City and may include, but not be limited to, an assessment district, community services district, or community facilities district. The funding mechanism shall be formed prior to filing of any final or parcel map, and the project proponent shall fund all costs of the formation.
87. Participate in the assessment district to fund parks, including any off-site parks that will serve this development.

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. The applicant shall comply with the requirements of Reclamation District 799.
- G. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
- H. 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.
- I. 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.
- J. The applicant shall obtain an encroachment permit for construction within existing City rights of way.
- K. 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 of July, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Doug Hardcastle, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date