

OAKLEY




CALIFORNIA

Agenda Date: 01/10/2017
Agenda Item: 3.3

STAFF REPORT

Date: Tuesday, January 10, 2017
To: Bryan H. Montgomery, City Manager
From: Kevin Rohani, P.E. Public Works Director/City Engineer

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

SUBJECT: Approval of the City of Oakley's Contra Costa Transportation Authority (CCTA) Growth Management Program Compliance Checklist for Allocation of Fiscal Year 2015/16 and 2016/17 Local Street Maintenance and Improvement Funds

Background and Analysis

In order to be eligible for the Measure J funds, municipalities in Contra Costa County are required to submit a biennial self-certifying checklist to the Contra Costa Transportation Authority that details how the requirements of the Measure J have been complied with. Measure J funds are provided on a fiscal year basis, while the checklist covers a calendar year. Each checklist address a specific fiscal year period and a different reporting period. For instance, the current check list is for Fiscal Years 2015/16 and 2016/17 but the reporting period is for calendar years 2014 and 2015.

When the City of Oakley incorporated, the self-certification process was done annually. However, in 2000 the CCTA switched to a biennial reporting format. City of Oakley has been found in compliance with CCTA requirements for each reporting cycle.

Each year, CCTA allocates approximately 20% of the Measure J sales tax collections to local municipalities in the form of Local Street Maintenance and Improvement fund. The remaining 80% of the Measure J revenues are made available to local municipalities for various capital projects on competitive bases. Local Street Maintenance and Improvement fund is distributed among municipalities based on their respective road miles and population.

Measure J guidelines require that the checklist be approved by the City Council prior to it being forwarded to CCTA for consideration. Staff has prepared the attached checklist package and attachments for consideration by City Council and is recommending that the City Council certify the check list and adopt the resolution authorizing the Mayor to sign the checklist and forward in to CCTA prior to June 30, 2017 submittal deadline. CCTA will then process the checklist pursuant to CCTA procedures and will notify the City that the checklist has been approved. This process

typically takes several months to complete. City of Oakley is receiving \$547,375 from CCTA in FY 2016/17 from Local Street Maintenance and Improvement fund.

Fiscal Impact

If the City of Oakley does not submit the checklist to CCTA, the City will not be eligible to receive its allocation of Measure J funds.

Staff Recommendation

Staff recommends that the City Council certify the CCTA checklist and adopt the resolution authorizing the Mayor to sign the checklist and submit to CCTA for consideration.

Attachments

- 1) Resolution
- 2) Checklist with Exhibits
 - A. Resolution No. 32-16 >> Annual Progress Report on Implementation of Housing Element for City of Oakley
 - B. Annual Housing Element Implementation Progress Report
 - C. Resolution No. 54-16 >> Approval of General Plan Amendment for the property (APN 033-012-004)
 - D. Resolution No. 17-16 >> Approval of various General Plan Amendments to the Open Space and Conservation Element and Health and Safety Element
 - E. Standard Conditions of Approval (Residential)
 - F. Standard Conditions of Approval (Commercial / Industrial)
 - G. Resolution No. 02-13 >> Adoption of the Complete Streets policy
 - H. Resolution No. 76-02 >> Adoption of the Oakley 2020 General Plan and related mitigation findings regarding alternatives, a statement of overriding considerations, and a Mitigation Monitoring Program
 - I. Resolution No. 92-08 >> Adoption of the Contra Costa County Measure L Urban Limit Line (ULL)
 - J. Resolution No. 33-10 >> Oakley Downtown Specific Plan
 - K. Resolution No. 126-16 >> Approval of General Plan Amendment for the property (APN 053-071-050)
 - L. Resolution No. 86-16 >> Approval of General Plan Amendment for the property (APN 037-192-031)
 - M. Resolution No. 90-16 >> City of Oakley CIP for FY 2016-17 through FY 2020-2021
 - N. LSM&I Funds Reporting for FY 2013-14 and FY 2014-15
 - O. Growth Management Chapter from Oakley General Plan
 - P. Circulation Element of General Plan

RESOLUTION NO. __ - 17

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY, CALIFORNIA
AUTHORIZING THE MAYOR TO SIGN THE CALENDER YEAR 2014 AND 2015 GROWTH
MANAGEMENT PROGRAM CHECKLIST AND FORWARD IT TO THE CONTRA COSTA
TRANSPORTATION AUTHORITY**

WHEREAS, the Contra Costa Transportation Authority Measure J allocates 18% of its revenues to the local municipalities for the maintenance and improvements of local streets and roads; and

WHEREAS, to be eligible for the Fiscal Year 2015-16 and 2016-17 Measure J disbursement, the City must submit a biennial self-certifying checklist to the Contra Costa Transportation Authority by June 30, 2017; and

WHEREAS, prior to submitting to the Contra Costa Transportation Authority, the City Council must review the checklist and find that it is in conformance with the requirements for compliance.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that Calendar Year 2014 and 2015 Growth Management Program checklist is found to be in conformance with the City of Oakley policies and programs for compliance with the Contra Costa Transportation Authority Improvement and Growth Management Program.

BE IT FURTHER RESOLVED AND ORDERED, that the Mayor is authorized to sign the checklist and forward it to the Contra Costa Transportation Authority for consideration.

PASSED AND ADOPTED by the City Council of the City of Oakley, California this 10th day of January, 2017 by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

APPROVED:

Sue Higgins, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

Compliance Checklist Attachments

Attachment 2

Reporting Jurisdiction: City of Oakley
 For Fiscal Years 2015-16 and 2016-17
 Reporting Period: Calendar Years 2014 & 2015

Measure J Growth Management Program Compliance Checklist

1. Action Plans	YES	NO	N/A
a. Is the jurisdiction implementing the actions called for in the applicable Action Plan for all designated Routes of Regional Significance within the jurisdiction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Has the jurisdiction implemented the following procedures as outlined in the <i>Implementation Guide</i> and the applicable Action Plan for Routes of Regional Significance?			
i. Circulation of environmental documents,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. Analysis of the impacts of proposed General Plan amendments and recommendation of changes to Action Plans, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii. Conditioning the approval of projects consistent with Action Plan policies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Has the jurisdiction followed the procedures for RTPC review of General Plan Amendments as called for in the <i>Implementation Guide</i> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Development Mitigation Program	YES	NO	
a. Has the jurisdiction adopted and implemented a local development mitigation program to ensure that new development pays its fair share of the impact mitigation costs associated with that development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Has the jurisdiction adopted and implemented the regional transportation mitigation program, developed and adopted by the applicable Regional Transportation Planning Committee, including any regional traffic mitigation fees, assessments, or other mitigation as appropriate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley
 For Fiscal Years 2015-16 and 2016-17
 Reporting Period: Calendar Years 2014 & 2015

3. Housing Options and Job Opportunities	YES	NO
<p>a. Has the jurisdiction prepared and submitted a report to the Authority demonstrating reasonable progress in providing housing opportunities for all income levels under its Housing Element? The report can demonstrate progress by</p> <p>(1) comparing the number of housing units approved, constructed or occupied within the jurisdiction over the preceding five years with the number of units needed on average each year to meet the housing objectives established in its Housing Element; or</p> <p>(2) illustrating how the jurisdiction has adequately planned to meet the existing and projected housing needs through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development; or</p> <p>(3) illustrating how its General Plan and zoning regulations facilitate improvement or development of sufficient housing to meet the Element's objectives.</p> <p><i>Note: A copy of the local jurisdiction's annual report to the state Department of Housing and Community Development (HCD) is sufficient.</i></p>	☒	☐
<p>b. Does the jurisdiction's General Plan—or other adopted policy document or report—consider the impacts that its land use and development policies have on the local, regional and countywide transportation system, including the level of transportation capacity that can reasonably be provided?</p>	☒	☐
<p>c. Has the jurisdiction incorporated policies and standards into its development approval process that support transit, bicycle and pedestrian access in new developments?</p>	☒	☐

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

4. Traffic Impact Studies	YES	NO	N/A
a. Using the Authority's <i>Technical Procedures</i> , have traffic impact studies been conducted as part of development review for all projects estimated to generate more than 100 net new peak-hour vehicle trips? (Note: Lower traffic generation thresholds established through the RTPC's Action Plan may apply).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. If the answer to 4.a. above is "yes", did the local jurisdiction notify affected parties and circulate the traffic impact study during the environmental review process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Participation in Cooperative, Multi-Jurisdictional Planning	YES	NO	
a. During the reporting period, has the jurisdiction's Council/Board representative regularly participated in meetings of the appropriate Regional Transportation Planning Committee (RTPC), and have the jurisdiction's local representatives to the RTPC regularly reported on the activities of the Regional Committee to the jurisdiction's council or board? (Note: Each RTPC should have a policy that defines what constitutes regular attendance of Council/Board members at RTPC meetings.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Has the local jurisdiction worked with the RTPC to develop and implement the Action Plans, including identification of Routes of Regional Significance, establishing Multimodal Transportation Service Objectives (MTSOs) for those routes, and defining actions for achieving the MTSOs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Has the local jurisdiction applied the Authority's travel demand model and <i>Technical Procedures</i> to the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds for their effect on the regional transportation system, including on Action Plan MTSOs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

	YES	NO	
d. As needed, has the jurisdiction made available, as input into the countywide transportation computer model, data on proposed improvements to the jurisdiction's transportation system, including roadways, pedestrian circulation, bikeways and trails, planned and improved development within the jurisdiction, and traffic patterns?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Five-Year Capital Improvement Program	YES	NO	
Does the jurisdiction have an adopted five-year capital improvement program (CIP) that includes approved projects and an analysis of project costs as well as a financial plan for providing the improvements? (The transportation component of the plan must be forwarded to the Authority for incorporation into the Authority's database of transportation projects)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Transportation Systems Management Program	YES	NO	
Has the jurisdiction adopted a transportation systems management ordinance or resolution that incorporates required policies consistent with the updated model ordinance prepared by the Authority for use by local agencies or qualified for adoption of alternative mitigation measures because it has a small employment base?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. Adoption of a voter-approved Urban Limit Line	YES	NO	N/A
a. Has the local jurisdiction adopted and continually complied with an applicable voter-approved Urban Limit Line as outlined in the Authority's annual ULL Policy Advisory Letter?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

<p>b. If the jurisdiction has modified its voter-approved ULL or approved a major subdivision or General Plan Amendment outside the ULL, has the jurisdiction made a finding of consistency with the Measure J provisions on ULLs and criteria in the ULL Policy Advisory Letter after holding a noticed public hearing and making the proposed finding publically available?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9. Adoption of the Measure J Growth Management Element</p>	YES	NO	N/A
<p>Has the local jurisdiction adopted a final GME for its General Plan that substantially complies with the intent of the Authority's adopted Measure J Model GME?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>10. Posting of Signs</p>	YES	NO	N/A
<p>Has the jurisdiction posted signs meeting Authority specifications for all projects exceeding \$250,000 that are funded, in whole or in part, with Measure C or Measure J funds?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>11. Maintenance of Effort (MoE)</p>	YES	NO	
<p>Has the jurisdiction met the MoE requirements of Measure J as stated in Section 6 of the Contra Costa Transportation Improvement and Growth Management Ordinance (as amended)? (See the Checklist Instructions for a listing of MoE requirements by local jurisdiction.)</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<p>12. Submittal of LSM Reporting Form</p>	YES	NO	
<p>Has the local jurisdiction submitted a Local Street Maintenance and Improvement Reporting Form for eligible expenditures of 18 percent funds covering FY 2013-14 and FY 2014-15?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

13. Other Considerations

YES

NO

N/A

If the jurisdiction believes that the requirements of Measure J have been satisfied in a way not indicated on this checklist, has an explanation been attached below?

14. Review and Approval of Checklist

This checklist was prepared by:

Signature

Date

Name & Title (print)

Phone

Email

The council/board of _____ has reviewed the completed checklist and found that the policies and programs of the jurisdiction as reported herein conform to the requirements for compliance with the Contra Costa Transportation Improvement and Growth Management Program.

Certified Signature (Mayor or Chair)

Date

Name & Title (print)

Attest Signature (City/Town/County Clerk)

Date

Name (print)

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley
For Fiscal Years 2015-16 and 2016-17
Reporting Period: Calendar Years 2014 & 2015

Supplementary Information (Required)

1. Action Plans

- a. *Please summarize steps taken during the reporting period to implement the actions, programs, and measures called for in the applicable Action Plans for Routes of Regional Significance:*

Regional Transportation Projects: Participated in regional meetings at TRANSPLAN, ECCRFFA, and CCTA to plan and advocate for funding for regional roadway improvement projects.

East County Transportation Mitigation Fee: Participated at ECCRFFA meetings and discussions in regards to administration and implementation of regional transportation mitigation fees.

Transportation and Traffic Improvements: The City of Oakley CIP planned and constructed a number of improvements including; Main Street reconstruction (phase 1) in downtown, Main Street Widening Project. The second phase of Main Street reconstruction in downtown will start in spring 2017.

Encourage Walking and Bicycling: Planned and implemented a number of infrastructure improvements to construct sidewalks and bike lanes for the community. The Main Street and downtown improvement project will create a pedestrian friendly downtown for the community.

Job-Housing Balance: The City of Oakley has a new Economic Development Manager whose mission is to attract and retain businesses and commercial development in Oakley. The Development Manager participates in regional associations to promote the Oakley community as a destination for commercial developments to complement the residential developments that are being constructed in Oakley.

Infrastructure Maintenance: The City of Oakley utilizes the MTC's pavement management program to track the pavement condition index for the streets in the community. The quality of public streets in Oakley rank in the very good category amongst the municipalities

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

in the bay area. The City of Oakley utilizes a variety of funding sources to maintain and rehabilitate the public infrastructure which enhance the quality of life for Oakley residents.

- b. *Attach, list and briefly describe any General Plan Amendments that were approved during the reporting period. Please specify which amendments affected ability to meet the standards in the Growth Management Element and/or affected ability to implement Action Plan policies or meet Traffic Service Objectives. Indicate if amendments were forwarded to the jurisdiction's RTPC for review, and describe the results of that review relative to Action Plan implementation:*

The GPA approved by Resolution 17-16 was a City-initiated amendment to bring the General Plan into compliance with State flood protection law. The project amended the Oakley General Plan 2020 Open Space and Conservation Element and the Health and Safety Element consistent with the requirements of the Central Valley Flood Protection Act of 2008 (SB 5, 2007) and its subsequent amendments, which required cities and counties to amend their general plans to strengthen the linkage between land use planning and floodplain management practices and provide new requirements and standards for floodplain protection.

The GPA approved by Resolution 54-16 changed the General Plan Land Use Designation of a 3.29-acre project site located on the south side of East Cypress Road, just east of the railroad tracks and south of Picasso Drive (APN 033-012-004) from Multi-Family Residential, High Density (MH) to Commercial (CO) in conjunction with a Rezone of the property from M-17 (Multi Family Residential) District to P-1 (Planned Unit Development) District. As part of the public process and findings the City concluded that the GPA did not affect its ability to meet GME standards or TSO's.

The GPA approved by Resolution 126-16 changed the General Plan Land Use Designation of a 3.63-acre project site located at 3979 Empire Avenue from Public/Semi-Public (PS) to Commercial (CO) in conjunction with a Rezone of the property from Public, Semi-Public (P) District to the General Commercial (C) District. As part of the public process and findings the City concluded that the GPA did not affect its ability to meet GME standards or TSO's.

The GPA approved by Resolution 126-16 changed the General Plan Land Use Designation of a 25-acre project site located within the Emerson Ranch Subdivision at the northwest corner of Sellers Ave. and East Cypress Rd. (APN 037-192-026) from Commercial (CO) to Multi-Family Low (ML) in conjunction with a Rezone to amend a Planned Development (P-

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

1) District. As part of the public process and findings the City concluded that the GPA did not affect its ability to meet GME standards or TSO's.

Provide a summary list of projects approved during the reporting period and the conditions required for consistency with the Action Plan:

The approved projects during the reporting period are:

2092 Oakley Road Wireless Communications Facility (DR 07-15)

Burger King Re-Façade (DR 09-15)

Pagano Parcel Map MS 15-977 (TPM 03-15)

Popeyes Louisiana Kitchen Conditional Use Permit (CUP 03-15) and Design Review (DR 10-15) APN: 037-132-037 and 038

Boparai Minor Subdivision MS 16-976 (TPM 01-16)

Cypress Self Storage (GPA 03-16, RZ 05-15, DR 12-15)

Hamman Minor Subdivision MS 16-977 (Tentative Parcel Map TPM 02-16)

Nature Properties Design Review (DR15-16) and Variance (VA 01-16) \

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

Daub 4 Kidz Bingo Hall (CUP 01-16)

Oakley Gateway Self-Storage and 7-Eleven - General Plan Amendment (GPA 05-16), Rezone (RZ 07-16), Tentative Parcel Map (TPM 02-16), Conditional Use Permit (CUP 02-16) and Design Review (DR 14-16)

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

UPS Facility Expansion Design Review (DR 01-16)

Duarte Ranch Subdivision 9027 Design Review (DR 16-16)

2. Development Mitigation Program

a. Describe progress on implementation of the regional transportation mitigation program:

The City of Oakley in 2003 adopted the Oakley Traffic Impact Fee to fund improvements to the local street network that were necessitated by new private development projects and still is in use. On the regional improvements, the City of Oakley had adopted the fees associated with the East Contra Costa Fee and Financing Authority (ECCRFFA), East County Transportation Improvement authority (ECTIA), and Regional Transportation Development Impact Mitigation (RTDIM) fees. City staff participates in various committees related to these fees and their board.

3. Housing Options and Job Opportunities

a. Please attach a report demonstrating reasonable progress in providing housing opportunities for all income levels. (Note: A copy of the local jurisdiction's annual report to the state Department of Housing and Community Development (HCD) is sufficient).

The most recent Housing Element Annual Progress Report from 2015 has been attached. This report shows that the City is committed to providing housing opportunities for all income levels, and has adequately rezoned land to allow for densities that meet the RHNA allocation for the 2015-2023 Housing Element Cycle.

B Please attach the jurisdiction's adopted policies and standards that ensure consideration of and support for walking, bicycling, and transit access during the review of proposed development.

City of Oakley policy and standard is attached.

4. Traffic Impact Studies

Please list all traffic impact studies that have been conducted as part of the development review of any project that generated more than 100 net new peak hour vehicle trips. (Note: Lower traffic generation thresholds established through the RTPC's Action Plan may apply).

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

Note whether the study was consistent with the Authority's Technical Procedures and whether notification and circulation was undertaken during the environmental review process.

Traffic Study was for the Oakley Gateway Self-Storage and 7-Eleven - General Plan Amendment (GPA 05-16), Rezone (RZ 07-16), Tentative Parcel Map (TPM 02-16), Conditional Use Permit (CUP 02-16) and Design Review (DR 14-16) project.

5. Participation in Cooperative, Multi-Jurisdictional Planning

No attachments necessary.

6. Five-Year Capital Improvement Program

Please attach the transportation component of the most recent CIP version, if the Authority does not already have it. Otherwise, list the resolution number and date of adoption of the most recent five-year CIP.

Resolution No. 90-16, dated June 14, 2016

7. Transportation Systems Management Program

Please attach a copy of the jurisdiction's TSM ordinance, or list the date of ordinance or resolution adoption and its number.

Ordinance No. 78-11, dated December 16, 2002

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley
For Fiscal Years 2015-16 and 2016-17
Reporting Period: Calendar Years 2014 & 2015

8. Adoption of a voter-approved Urban Limit Line

The local jurisdiction's adopted ULL is on file at the Authority offices. Please specify any actions that were taken during the reporting period with regard to changes or modifications to the voter-approved ULL, which should include a resolution making a finding of consistency with Measure J and a copy of the related public hearing notice.

In September 2008, the City Council adopted Resolution No. 92-08 Adopting the Contra Costa County Measure L Urban Limit Line. A copy of resolution is attached.

9. Adoption of the Measure J Growth Management Element

Please attach the adopted Final Measure J Growth Management Element to the local jurisdiction's General Plan.

The Chapter 4 of the General Plan related to the Growth Management Element is attached.

10. Posting of Signs

Provide a list of all projects exceeding \$250,000 within the jurisdiction, noting which ones are or were signed according to Authority specifications.

The City has not built any projects exceeding \$250,000 that was funded with Measure J funds.

11. Maintenance of Effort (MoE)

Please indicate the jurisdiction's MoE requirement and MoE expenditures for the past two fiscal years (FY 2013-14 and FY 2014-15). See the Instructions to identify the MoE requirements.

12. Submittal of LSM Reporting Form

LSM Reporting Form for FY 2013-14 and 2014-15 are attached.

13. Other Considerations

Please specify any alternative methods of achieving compliance for any components for the Measure J Growth Management Program

N/A

Compliance Checklist Attachments

Reporting Jurisdiction: City of Oakley

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

RESOLUTION NO. 32-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING THE ANNUAL PROGRESS REPORT ON IMPLEMENTATION OF THE HOUSING ELEMENT FOR THE CITY OF OAKLEY

WHEREAS, in November 1998, the voters approved the incorporation of the City of Oakley, to be effective July 1, 1999; and

WHEREAS, on July 1, 1999, the City of Oakley was incorporated; and

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

WHEREAS, in December 2002, the Oakley City Council adopted the Oakley 2020 General Plan; and as part of the General Plan the City developed a 2001-2007 Housing Element, which was certified by The State Department of Housing and Community Development (HCD) in 2005; and

WHEREAS, in August 2009, the Oakley City Council adopted the 2007-2014 Housing Element,

WHEREAS, in January 2015, the Oakley City Council adopted the 2015-2023 Housing Element,

WHEREAS, the City is required to provide housing opportunities for all income groups. HCD reviews the Housing Element portion of the General Plan, and requires an Annual Progress Report on the Implementation of the Housing Element; and

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

1. The City has completed an Annual Progress Report (Attachment 1), which outlines the progress the City has made on the goals and policies outlined in the Housing Element:
 - a. The City shall meet the State Department of Housing and Community Development Department (HCD) requirements to ensure the City is providing adequate housing types for all income groups.

- b. Compliance with HCD requirements will provide for orderly, well balanced growth within the City.

PASSED AND ADOPTED: by the City Council of the City of Oakley at a meeting held on the 22nd day of March 2016, by the following vote:

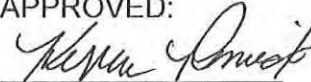
AYES: Higgins, Perry, Pope, Romick

NOES:

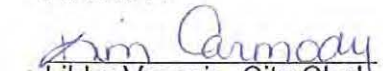
ABSTENTIONS:

ABSENT: Hardcastle

APPROVED:


Kevin Romick, Mayor

ATTEST:


Libby Vreonis, City Clerk

3-24-16
Date

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction City of Oakley
 Reporting Period 1/1/2015 - 12/31/2015

Table A
Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information						Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions			
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development See Instructions	Deed Restricted Units See Instructions	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income					
(9) Total of Moderate and Above Moderate from Table A3			▶	▶	234		234				
(10) Total by income Table A/A3			▶	▶	234						
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation* (CCR Title 25 §6202)

Jurisdiction City of Oakley
Reporting Period 1/1/2015 - 12/31/2015

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	Most of the facilities are relatively new and maintained. Rehabilitation is not needed at this time.
(2) Preservation of Units At-Risk				0	Currently no units are at risk.
(3) Acquisition of Units				0	No additional units were acquired in the one year time frame from January 1, 2013 to December 31, 2013.
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
**Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	70					70	
No. of Units Permitted for Above Moderate	164					164	

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Oakley
Reporting Period 1/1/2015 - 12/31/2015

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation* (CCR Title 25 §6202)

Jurisdiction City of Oakley
Reporting Period 1/1/2015 - 12/31/2015

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2015										Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	Adjusted RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed Restricted	297											297
	Non-deed restricted												
Low	Deed Restricted	163											163
	Non-deed restricted												
Moderate	Deed Restricted	142										70	72
	Non-deed restricted		70										
Above Moderate		446	164									164	282
Total RHNA by COG. Enter allocation number:		1,048	234									234	814
Total Units ▶ ▶ ▶													
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Oakley
Reporting Period 1/1/2015 - 12/31/2015

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
1.1 Provision of Adequate Sites to Meet Remaining RHNA Need	Provision of Adequate Sites to accommodate remaining RHNA need of 385 extremely low, very low, and low income units	January-17	The City is in the process of completing this program and expects the completion sometime in the summer of 2016.
1.2 Density Bonus Ordinance	Implement Density Bonus Ordinance	Ongoing	The City will continue to use the Density Bonus Ordinance with qualifying affordable projects.
1.3 Review and Revise Development Fees	Review and Revise Development Fees	Review Annually	Development fees were reviewed and revised as part of the Fee Schedule Update approved in mid 2015. Generally the development fees were reduced or remained the same. Additionally, the City adopted a temporary program that cuts the Development Impact Fees by almost 40 percent. This program expired in September 2015 for residential projects.
1.4 Promote Energy-Conserving Programs	Efficient Use of Energy Resources	December-16	The City has adopted the California Energy Code and performs plan reviews to ensure projects meet the codes intention for efficient energy use. The City also has an updated website with links and information to Energy Conservation programs.
1.5 Encourage Residential Development in Areas Served by Public Transit	Encourage Residential Development near Transit	July-16	The City adopted the Downtown Specific Plan which is within 1/2 mile of public transit. The DSP allows for reduced parking in order to facilitate the redevelopment of downtown. Additionally, the General Plan has policies that encourage high density development near transit, and the City has made a consistent effort to locate higher density development along existing transit corridors.

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Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Oakley
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1.6 Maintain an Inventory of Available Land Resources	Inventory of Available Land Resources	December-16	The City has developed a comprehensive map of vacant and underutilized parcels. The list includes both vacant parcels and parcels that have infill potential. The information was updated prior to the adoption of the 2015-2023 Housing Element.
1.7 Encourage Infill Development	Encourage infill as a means to provide additional opportunities for construction	December-15	The city continues to encourage infill development. The City has adopted a Downtown Specific Plan which specifically provides for infill and mixed use residential opportunities within the City.
1.8 Jobs-Housing Balance Evaluation	Analyze the status of jobs and housing within the community and then provide to large employers within the community	Ongoing	The city has a comprehensive list of approved and developed subdivisions within the City. This list is readily available to large employers within the City.
1.9 Annual Review and Reporting of Housing Element Progress	Complete reporting requirements	Report due to HCD Annually	The Annual Report is scheduled for Council review and approval at the March 22, 2016 City Council Meeting. Thereafter, the Annual Report will be forwarded to HCD prior to April 1, 2016.
1.10 Affordable Housing Overlay	Review and Revise Affordable Housing Overlay	In conjunction with Policy Action 1.1	The City is in the process of completing this program and expects the completion sometime in the summer of 2016.
1.11 Multifamily Housing Sites	Encourage multifamily and affordable residential uses on multifamily sites	In conjunction with Policy Action 1.1	The City is in the process of completing this program and expects the completion sometime in the summer of 2016.
GOAL 2 - Rehabilitation of Existing Housing Stock			

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Oakley
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Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
2.1 Rehabilitation of Existing Housing Units	Continue to provide information on housing rehabilitation assistance	June-15	The City has provided access on the web site to the full list of programs available with the County and HUD, as well as links to appropriate web sites
2.2 Proactive Code Enforcement	Develop a Proactive Code Enforcement Strategy	Ongoing	Staff has developed, adopted and implemented a Property Maintenance Program, as well as a Residential Rental Inspection Program.
2.3 Infrastructure Preservation Program	Provide Adequate Infrastructure	Ongoing	The City annually adopts a capital improvement program as part of its budget to plan and schedule infrastructure improvements throughout Oakley. Based on those adopted priorities and funding plans the City aggressively implements capital improvement projects. There are currently 17 capital improvement projects in various stages of implementation throughout the City.

GOAL 3 - Monitor Assisted Housing Units

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
3.1 Monitor Assisted Housing Units	Monitor units to identify at risk units and insure current units compliance	Ongoing and Annual Monitoring	The City requires fiscal year financial and proof of certification to be reported 90 days after the end of the prior fiscal year. These reports are then audited. The City also maintains active relationships with owners and management.
3.2 Encourage Development of New Affordable Rental Housing for Remaining RHNA Need	Encourage Affordable Rental Housing Development to meet remaining RHNA need	Ongoing	Active Program (See also Status of Implementation of Goal 1.1)

GOAL 4 - Increase Access to Housing Opportunities

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
4.1 Increase Access to Homeownership	Disseminate information about the available programs for Affordable Housing through offices, library or City website	August-15	The City website has the following information: where existing affordable family and senior housing projects within the City are located as well as submitted development applications, a link to the 211 program, and the County Section 8 Program.
4.2 Promote Fair Housing Standards	Continue to encourage the enforcement of federal and state fair housing standards	August-15	The City currently posts resources on the web site, plus disseminates information through the housing department and the police department. A guide to tenants and landlords rights is kept on hand as well.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
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Jurisdiction City of Oakley
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4.3 Development of Housing for Extremely-Low Income Households and Special Needs Groups	Encourage housing to meet need of 45 Extremely-Low Income units or special needs housing	Through the 2015-2023 Planning Cycle	The City works cooperatively with affordable housing developers to explore incentives. Although the City does not have available funds, staff has explored funding sources from other agencies in efforts to find ways to achieve the program goals to attain Extremely-Low Income units.
4.4 Development of Housing for Large Families	Increase Housing for Large Families	Ongoing	The City continues to focus on achieving a balance to accommodate various needs for housing.
4.5 Reasonable Accommodation Procedures	Continue reasonable accommodation procedures	Ongoing	Staff continues to ensure that projects meet the State's newest accessibility requirements by identifying deficiencies at plan review stage. City also works with a Certified Access Specialist for plan reviews and inspections.
4.6 Compliance with SB2	Comply with SB 2	January-16	The City has completed this program and has adopted an ordinance that complied with SB 2 in regard to transitional and supportive housing. The Downtown Specific Plan provides a zone district and site to allow an Emergency Shelter by-right.
4.7 Ensure Adequate Emergency Shelter Sites	Accommodate the City's emergency shelter need	Ongoing/ Annually	The Downtown Specific Plan provides a zone district and site to allow an Emergency Shelter by-right.
4.8 Pursue Outside Funding Sources	Monitor Sources of Development Financing	Ongoing/ Annually	The City is working cooperatively with affordable housing developers to explore outside funding sources. Although the City does not have available funds, staff has explored funding sources from other agencies in efforts to find ways to achieve the program goals to attain Extremely-Low Income units instead of Very-Low and -Low. The City has had numerous meetings and discussions in the past with developers to explore incentives and creative financing.
4.9 Provide Comprehensive Housing Information	Comprehensive Housing Resources	Ongoing	The City uses print media, mailers, web-based information, e-mail blasts, and other methods to provide information about available housing resources.

ANNUAL ELEMENT PROGRESS REPORT
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4.10 Residential Care Facilities	Accommodate residential care facilities/group homes	January-16	The City has completed this program and has adopted an ordinance that complied with State Law pertaining to Residential Care Facilities.
4.11 Employee and Farmworker Housing	Accommodate farmworker and employee housing	January-16	The City has completed this program and has adopted an ordinance that complied with State Law pertaining to Employee and Farmworker Housing.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Oakley
Reporting Period 1/1/2015 - 12/31/2015
General Comments:

The City of Oakley has had the following successes in implementation of its Housing Element:

- * The City welcomed 29 new affordable housing units in 2014.
- * The City has made excellent progress, though a down economy, in achieving its RHNA requirements.
- * The City has demonstrated significant progress in accomplishing the goals within the 2015-2023 Housing Element planning period.
- * The City has continued development of housing in a difficult economy, with the permitting of 234 moderate and above moderate units in 2015.
- * The City continues to assist citizens in finding local affordable housing opportunities

CITY OF OAKLEY

RESOLUTION NO. 54-16

A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING THE GENERAL PLAN AMENDMENT TO AMEND THE LAND USE DESIGNATION OF A 3.29 ACRE PROPERTY LOCATED ON THE SOUTHERN SIDE OF THE EAST CYPRESS ROAD AND PICASSO DRIVE INTERSECTION (APN 033-012-004) FROM MULTI-FAMILY HIGH RESIDENTIAL (MH) TO COMMERCIAL (CO) FOR THE PROJECT TITLED "CYPRESS SELF STORAGE"

FINDINGS

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

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

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

WHEREAS, on December 16, 2015, Brent Aasen of Brentwood MX4 Investments, LP ("Applicant") submitted an application requesting approval of: 1) a General Plan Amendment to amend the land use designation from Multi-Family Residential (High Density) to Commercial; 2) a Rezone from M-12 (Multi-Family Residential) District to P-1 (Planned Unit Development) District; and 3) Design Review (Development Plan) for new development of a 139,408 sf. self storage facility (up to 3 stories tall) with a 1,024 sf. office building on a 3.29 acre vacant lot located on the southern side of the East Cypress Road and Picasso Drive intersection ("Project"); and

WHEREAS, the Applicant has initiated a project to change the General Plan Land Use Designation for the property from Multi-Family Residential (MH) to Commercial (CO); and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), the City prepared an Initial Study / Negative Declaration dated March 2016, which was circulated for public review and comment from March 26, 2016 to April 25, 2016. The Notice of Intent to Adopt a Negative Declaration and Initial Study / Negative Declaration were filed with the County Clerk and Governor's Office of Planning and Research State Clearinghouse, on March 26, 2016; and

WHEREAS, on April 15, 2016, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution. On April 15, 2016, the Notice of Public Hearing was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to parties requesting such notice, and to outside agencies; and

WHEREAS, on April 26, 2016, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

WHEREAS, these Findings are based on the City's General Plan and the City's Zoning Ordinance, and the information submitted to the City Council at its April 26, 2016 meeting, both written and oral, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

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

- A. The Initial Study and Notice of Intent to Adopt a Negative Declaration ("ND") has been prepared and made available for public comment, pursuant to the California Environmental Quality Act (CEQA) Guidelines. The Initial Study found that the project will have a less than significant effect on the environment, and the City Council hereby adopts the project ND (Exhibit "B").
- B. The change in Land Use Designation will provide for the orderly, well planned and balanced growth within the City in that:
 1. This site is not an ideal location for residential development due to its adjacent proximity to the active rail road tracks and irregular shape. The site is not included as part of the Affordable Housing Overlay District, so amending its land use designation to Commercial will not directly impact the City's Regional Housing Needs Assessment for affordable housing; and
 2. Redesignating this site to allow for a commercial use, such as the proposed self storage, will serve to provide a buffer between the railroad tracks and the existing residential uses and future development to the east; and
 3. It would serve to result in a development that will beautify the south side of East Cypress Road to match the north side, which will result in a more

balanced and attractive entry to the City's fastest growing part of town, the East Cypress Road corridor.

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

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 26th of April 26, 2016 by the following vote:

AYES: Higgins, Perry, Pope, Romick

NOES: Hardcastle

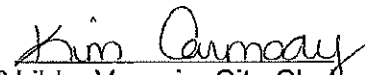
ABSTENTIONS:

ABSENT:

APPROVED:


Kevin Romick, Mayor

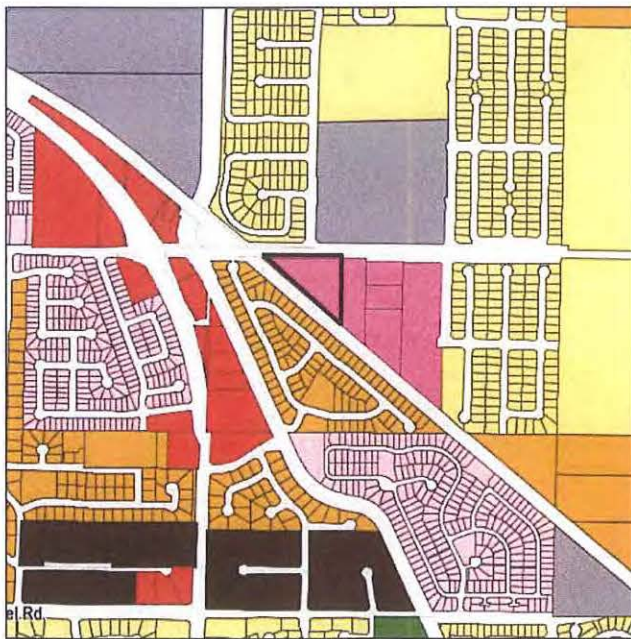
ATTEST:


Libby Vreonis, City Clerk

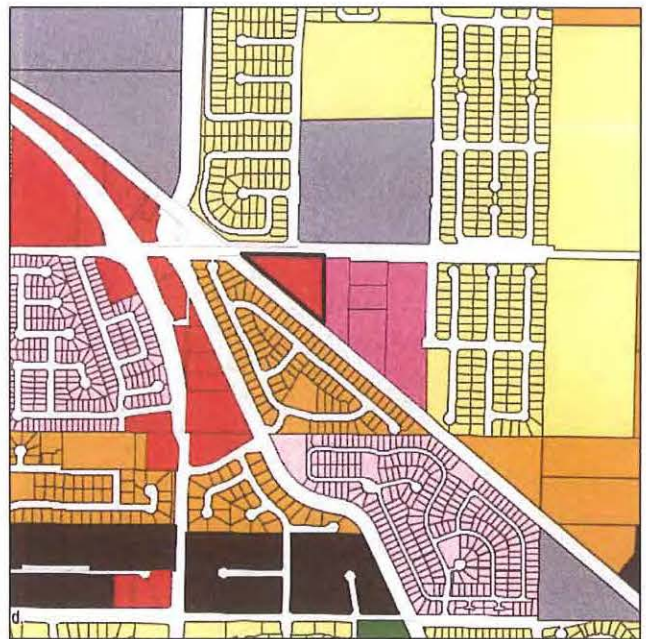
4/27/16
Date

Cypress Self Storage Amendment (GPA 03-15)

Existing General Plan Land Use Designation – Multi Family Residential High



Proposed General Plan Land Use Designation – Commercial



RESOLUTION NO. 17-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING THE VARIOUS GENERAL PLAN AMENDMENTS (GP 02-15) TO THE OPEN SPACE AND CONSERVATION ELEMENT AND HEALTH AND SAFETY ELEMENT

FINDINGS

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

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

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

WHEREAS, the Central Valley Flood Protection Act of 2008 (SB 5, 2007) and its subsequent amendments, requires local governments to provide specific information in their General Plans related to areas susceptible to flooding and flood control measures as identified by FEMA or the California Department of Water Resources. This requires an amendment to the Health and Safety Element of the General Plan; and

WHEREAS, the City initiated a General Plan Amendment to comply with requirements of the Central Valley Flood Protection Act of 2008 (SB 5, 2007) and its subsequent amendments; and

WHEREAS, this project was analyzed in an Initial Study pursuant to CEQA Guidelines, to which a Negative Declaration was made available to the public and all requesting parties, and posted with the Contra Costa County Clerk and Governor's Office of Planning and Research for at least 30-days prior to the date of this hearing. The Planning Division found the project described above will not have a significant effect on the environment; and

WHEREAS, on January 29, 2016, the Notice of Public Hearing for the project was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to outside agencies, and to parties requesting such notice. IN addition the notice was published in the East County Times newspaper; and

WHEREAS, on February 9, 2016, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

WHEREAS, these Findings are based on the City's General Plan, the Central Valley Flood Protection Act of 2008 (SB 5, 2007) and its subsequent amendments, and the information submitted to the City Council at its February 9, 2016 meeting, both written and oral, as reflected in the minutes of such meetings, together with the documents contained in the file for the General Plan Amendment (GP 02-15) (hereafter the "Record").

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

1. **The proposed project conforms to the provisions and standards of the General Plan** in that the proposed amendment is internally consistent with all other provisions of the General Plan and does not conflict with any of the previously adopted Goals, Policies, and Programs of the General Plan; and
2. **The proposed project is necessary to implement the goals and objectives of the General Plan** in that changes to State Law, specifically the Central Valley Flood Protection Act of 2008 (SB 5, 2007) and its subsequent amendments require such amendments to the General Plan. These amendments ensure that the Oakley General Plan is externally consistent with the applicable requirements of the Central Valley Flood Protection Act of 2008 (SB 5, 2007) and its subsequent amendments; and
3. **The proposed Amendment will not be detrimental to the public interest, convenience, and general welfare of the City** in that the amendment facilitates a project that has incorporated requirements outlined in the Central Valley Flood Protection Act of 2008 (SB 5, 2007) and its subsequent amendments; and
4. **The proposed project will not cause environmental damage** in that this project was analyzed in an Initial Study pursuant to CEQA Guidelines, to which a Negative Declaration was made available to the public and all requesting parties, and posted with the Contra Costa County Clerk and Governor's Office of Planning and Research for at least 30-days prior to the date of this hearing. The Planning Division found the project described above will not have a significant effect on the environment.

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

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 9th of February, 2016 by the following vote:

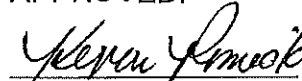
AYES: Hardcastle, Higgins, Perry, Pope, Romick

NOES:

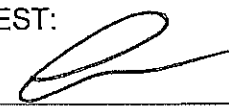
ABSENT:

ABSTENTIONS:

APPROVED:


Kevin Romick, Mayor

ATTEST:



Libby Vreonis, City Clerk

2-10-16

Date

Exhibit A
City Council Resolution No. XX-16

**General Plan Amendments to the Open Space
and Conservation and Health and Safety
Elements**

CHAPTER

6

OPEN SPACE AND CONSERVATION

INTRODUCTION

Valuable resources in the City of Oakley include agricultural resources, air quality, biological resources, historic and cultural resources, open space resources, and scenic resources. The Open Space and Conservation Element focuses on the protection and enhancement of such resources to ensure a high quality living environment for years to come.

The Open Space and Conservation Element expresses community goals to protect environmental resources, open space, and scenic resources. Specifically, resources addressed in this element include:

- Agricultural resources, including quantity and quality of agricultural lands within the Planning Area.
- Air quality in terms of local and regional compliance with air pollutant standards;
- Biological resources, including significant habitat areas and special status plant and animal species;
- Water resources, including streams, wetlands, and riparian habitat;
- Cultural resources in terms of known and potential archaeological and paleontological resources;
- Historic resources that are nationally designated, recognized by the State of California, or locally significant;

- Open space resources, including natural and improved open space areas that are physical, functional, and visual; and
- Scenic resources as predominant physical characteristics of the community.

Organization of the Element

The Open Space and Conservation Element is organized into three main sections; 1) an Introduction section that includes an overview of the element and its consistency with State law; 2) a Goals, Policies, and Implementation Programs section addressing agricultural, air quality, biological, cultural, historic, open space, and scenic resources; and 3) a Settings section that describes existing conditions in each of the seven categories described above.

Consistency with State Law

The Open Space and Conservation Element meets the state requirements for Open Space and Conservation Elements as defined in Sections 65301, 65302(d), 65302(e), and 65560 of the Government Code, respectively. According to these requirements, the Open Space Element must contain goals and policies to manage open space areas, including undeveloped lands and outdoor recreation areas. Specifically, the Open Space Element must

6.0 – OPEN SPACE AND CONSERVATION

address several open space categories such as those used for the preservation of natural resources and managed production of resources, as well as open space maintained for public health and safety reasons. Open Space for outdoor recreation is addressed within the Parks and Recreation Element. The Conservation Element must contain goals and policies to protect and maintain natural resources such as water, soils, wildlife and minerals, and prevent wasteful resource exploitation, degradation and destruction.

In adopting the requirement that all jurisdictions must prepare an Open Space Element, the Legislature found that the preservation of open space land is necessary not only for the maintenance of the economy of the State, but also for the continued availability of land for the production of food and fiber, for the enjoyment of scenic beauty, for recreation, and for the use of natural resources. The legislature further found that discouraging premature and unnecessary conversion of open space land to urban uses is in the public interest because it discourages non-contiguous development patterns that tend to increase the costs of community services to community residents. Finally, the legislature found that the anticipated increase in the population of the State demands that cities, counties, and the State make plans at the earliest possible date for the preservation of valuable open space land and take positive action to carry out such plans by the adoption and strict administration of laws, ordinances, rules and regulations.

While air quality is not a state-mandated element, the Bay Area Air Quality Management District (BAAQMD) requires air quality to be addressed in General Plans. The purpose of the air quality inclusion is to reduce pollutant levels through stationary source, mobile source, transportation and land use control, and energy conservation measures.

Internal Consistency

The General Plan must fully integrate its separate parts and relate them to each other without conflict. Internal consistency applies as much to figures and diagrams as to the General Plan text, including data, analysis, and policies. All adopted portions of the General Plan, whether required by state law or not, have equal weight. No single element may supercede another, so the General Plan must resolve conflicts among the provisions of each element.

Relationship to Other General Plan Elements

According to state planning law, the Open Space and Conservation Element must be consistent with the other General Plan elements. While all of the elements are interdependent, they are also interrelated to a degree. Certain goals and policies of one element may also address issues that are primary subjects of other elements. This integration of issues throughout the General Plan creates a strong basis for the implementation of plans and programs and achievement of community goals. The Open Space and Conservation Element is most directly related to the Land Use, Circulation, and Parks and Recreation Elements.

GOALS, POLICIES, AND PROGRAMS

The following are the Goals, Policies, and Implementation Programs for each of the natural resource topic areas addressed within the General Plan. Additional supporting information for these topics is provided in the setting section of this element. The goals, which are overall statements of the community's desires, are comprised of broad statements of purpose and direction. The policies serve as guides for working with local and regional agencies protecting and maintaining the City's resources. Implementation programs identify specific actions to achieve particular goals and policies.

Agricultural Resources

Oakley has historically been an agricultural community, with a wide variety of agricultural crops. While much of the land used for agriculture has been developed into urban uses, there are remaining private parcels that continue in agricultural production. These agricultural areas help to preserve the traditional rural character of the community, maintain open space, and reduce congestion within the City. While the City recognizes the historic role of agriculture within the Oakley community and supports continued agriculture, the transition from agriculture to urban uses limits the potential for large-scale commercial agriculture within Oakley.

Goal 6.1 Allow agriculture to continue as a viable use of land that reflects the community's origins and minimizes conflicts between agricultural and urban uses.

Policies

- 6.1.1 Participate in regional programs that promote the long-term viability of agricultural operations within the City.
- 6.1.2 Reduce the negative impacts resulting from urban uses and neighboring agricultural uses in close proximity.

6.1.3 Encourage the promotion and marketing of locally grown agricultural products.

6.1.4 Incorporate parks, open space and trails between urban and agricultural uses to provide buffer and transition between uses.

Programs

6.1.A Identify and map those properties that include prime productive agricultural soils (Class I and II capability according to the U.S. Soil Conservation Service) for use in the review of development applications.

6.1.B Encourage consolidated development; with appropriate land use buffers of parks, open space and trails, for proposed major subdivisions adjacent to prime agricultural lands

6.1.C Modify the land use classifications and allowed use provisions and development standards to reflect current agricultural uses and land use compatibility.

6.1.D Require adequate setbacks for any non-agricultural structures adjacent to cultivated agriculture.

6.1.E Continue to implement (and refine as necessary) a Right to Farm Ordinance, which protects ranchers and farmers within an historically agricultural district from nuisance complaints and unreasonable restrictions and regulations on farm structures or farming practices.

6.1.F Encourage agricultural landowners to work closely with the U.S. Soil Conservation Service and local Resource Conservation Districts to reduce soil erosion and to encourage soil restoration.

Air Quality

Oakley is located within the Bay Area Air Quality Management District, which is considered a non-attainment air basin because it exceeds some of the allowable levels for various air pollutants. Cooperation among all agencies in

6.0 – OPEN SPACE AND CONSERVATION

the district is necessary to achieve desired improvements to air quality. The City can participate and contribute its share in those efforts through proper planning for land use and transportation and through educational outreach.

Goal 6.2 Maintain or improve air quality in the City of Oakley.

Policies

- 6.2.1 Support the principles of reducing air pollutants through land use, transportation, and energy use planning.
- 6.2.2 Encourage transportation modes that minimize contaminant emissions from motor vehicle use.
- 6.2.3 Interpret and implement the General Plan to be consistent with the regional Bay Area Air Quality Management Plan (AQMP), as periodically updated.
- 6.2.4 Ensure location and design of development projects so as to conserve air quality and minimize direct and indirect emissions of air contaminants.
- 6.2.5 Encourage air quality improvement through educational outreach programs, such as *Spare the Air Day*.

Programs

- 6.2.A Minimize impacts of new development by reviewing development proposals for potential impacts pursuant to CEQA and the BAAQMD Air Quality Handbook. Apply land use and transportation planning techniques such as:
 - Incorporation of public transit stops;
 - Pedestrian and bicycle linkage to commercial centers, employment centers, schools, and parks;
 - Preferential parking for car pools and van pools;
 - Traffic flow improvements; and
 - Employer trip reduction programs.

6.2.B Control dust and particulate matter by implementing the AQMD's fugitive dust control measures, including:

- Restricting outdoor storage of fine particulate matter;
- Requiring liners for truck beds and covering of loads;
- Controlling construction activities and emissions from unpaved areas; and
- Paving areas used for vehicle maneuvering.

6.2.C Work with the Bay Area Air Quality Management District (BAAQMD) and the Association of Bay Area Governments (ABAG) and, to the extent feasible, meet federal and State air quality standards for all pollutants. To ensure that new measures can be practically enforced in the region, participate in future amendments and updates of the AQMP.

Biological Resources

The City's Plan Area supports a diverse assemblage of plant and wildlife species throughout several habitat types. Sensitive habitat areas in Oakley (irrigated pastures and marshes/sloughs) contain valuable biological resources. Efforts to identify and preserve these valuable resources will improve the quality of the environment for Oakley residents.

Goal 6.3 Encourage preservation of important ecological and biological resources.

Policies

- 6.3.1 Encourage preservation of important ecological and biological resources as open space.
- 6.3.2 Develop open space uses in an ecologically sensitive manner.
- 6.3.3 Use land use planning to reduce the impact of urban development on important ecological and biological resources identified during application review and analysis.

- 6.3.4 Encourage preservation and enhancement of the natural characteristics of the San Joaquin Delta and Dutch Slough in a manner that encourages public access.
- 6.3.5 Encourage preservation and enhancement of Delta wetlands, significant trees, natural vegetation, and wildlife populations.
- 6.3.6 Encourage preservation of portions of important wildlife habitats that would be disturbed by major development, particularly adjacent to the Delta.
- 6.3.7 Preserve and expand stream corridors in Oakley, restoring natural vegetation where feasible.

Programs

- 6.3.A Prior to development within identified sensitive habitat areas, the area shall be surveyed for special status plant and/or animal species. If any special status plant or animal species are found in areas proposed for development, the appropriate resource agencies shall be contacted and species-specific management strategies established to ensure the protection of the particular species. Development in sensitive habitat areas should be avoided or mitigated to the maximum extent possible.
- 6.3.B Participate with regional, state, and federal agencies and organizations to establish and preserve open space that provides habitat for locally present wildlife.
- 6.3.C Investigate and implement as appropriate a tree-planting program. Consider similar existing programs such as the Sacramento Tree Foundation.
- 6.3.D Continue to implement (and update as needed) the City's Heritage Tree Preservation Ordinance.
- 6.3.E As funding becomes available, prepare a detailed inventory of ecological resource areas, along with detailed maps showing the location of significant resources. Resources should include, but not be limited to, unique natural areas, wetland areas, habitats of rare, threatened,

endangered, and other uncommon and protected species.

- 6.3.F As funding becomes available, prepare a Wetland Protection Ordinance.
- 6.3.G Evaluate the feasibility of expanding drainage easements along waterways and modifying banks and/or levees to increase the width of stream corridors.
- 6.3.H Investigate and implement as appropriate City Zoning regulations requiring expanded setbacks, and land dedications along waterways to allow expansion and enhancement of waterways.

Cultural Resources

There have been few archeological or paleontological finds in the City of Oakley. However, given the rich history of the Plan Area and region, the City will continue to require site evaluation prior to development of undeveloped areas, as well as required procedures if artifacts are unearthed during construction.

Goal 6.4 Encourage preservation of cultural resources within the Plan Area.

Policy

- 6.4.1 Preserve areas that have identifiable and important archaeological or paleontological significance.

Program

- 6.4.A Assess development proposals for potential impacts to significant archaeological resources pursuant to Section 15064.5 of the CEQA Guidelines. Require a study conducted by a professional archaeologist for projects located near creeks or identified archaeological sites to determine if significant archaeological resources are potentially present and if the project will significantly impact the resources. If significant impacts are identified, either require the project to be modified to avoid the impacts, or require measures to mitigate the impacts. Mitigation may

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involve archeological investigation or recovery.

Historic Resources

While some historic structures and land uses within the community date back to the late 1800s, most of the City's historic resources date from the period of Oakley's growth and development, roughly from 1901 to 1955. While there are no officially designated historic structures in Oakley, there are numerous buildings, primarily in the old town area, that may be eligible for such designation or listing. The City intends to evaluate such resources and establish preservation policies and practices for qualified historic resources.

Goal 6.5 Encourage preservation and enhancement of selected historic structures and features within the community.

Policies

- 6.5.1 Promote the compatibility of new development located adjacent to existing structures of historic significance with the architecture and site development of the historic structure.
- 6.5.2 Respect the character of the building and its setting during the remodeling and renovation of facades of historic buildings.
- 6.5.3 Encourage the use of the State Historic Building Code for historic buildings and other structures that contribute to the City's historic character. Use flexibility when applying zoning regulations to historic sites and buildings.
- 6.5.4 Recognize the value of Oakley's historic resources as an economic development tool.
- 6.5.5 Ensure that the integrity of historic structures and the parcels on which they are located are preserved through the implementation of applicable design, building, and fire codes.
- 6.5.6 Work with property owners to preserve historic features within the community.

Programs

- 6.5.A Encourage owners of eligible historic properties to apply for State and Federal registration of these sites and to participate in tax incentive programs for historic restoration.
- 6.5.B Identify funding mechanisms, including funding from the City to the extent possible, to support programs to preserve, restore, and enhance unique historic sites.
- 6.5.C Assess development proposals for potential impacts to significant historic resources pursuant to Section 15064.5 of the CEQA Guidelines. For structures that potentially have historic significance, require a study conducted by a professional archaeologist or historian to determine the actual significance of the structure and potential impacts of the proposed development. Require modification of projects to avoid significant impacts, or require mitigation measures. Protect historical buildings and sites to the extent possible, including modifications to Uniform Code requirements for historic structures.

Open Space Resources

Open space resources in Oakley consist of designated parkland, natural and recreational open space areas, and waterways (Delta and creeks). Generally, open space land is unimproved land (and water) used for preservation, recreation, public safety, and/or managed production of resources. Most of the City's open space resources are addressed in other sections of this Plan and element. For example, additional goals, policies, and programs for parklands and recreational open space are discussed in the Park and Recreation Element. Similarly, natural habitat areas are discussed in the biological resource section of this element and agricultural lands are discussed in the Land Use Element and agricultural resource section of this element. Goals, policies, and programs in this section address the City's desire to preserve, enhance, and expand open space resources to

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maintain the natural physical and visual quality of Oakley.

Goal 6.6 Encourage preservation and enhancement of existing open space resources in and around Oakley and balance open space and urban areas to meet the social, environmental and economic needs of the City now and for the future.

Policies

- 6.6.1 Encourage public access in multiple forms and improvements along the City's waterways, particularly the San Joaquin Delta, Marsh Creek and Dutch Slough.
- 6.6.2 Establish buffers from adjoining land uses to protect the natural open space resources in the City.
- 6.6.3 Encourage preservation and enhancement of the watershed, natural waterways, and areas important for the maintenance of natural vegetation and wildlife populations.
- 6.6.4 Where feasible and desirable, major open space components shall be combined and linked to form a visual and physical system in the City.

Programs

- 6.6.A Adopt land use controls that prevent incompatible uses for parcels adjacent to existing open space resources.
- 6.6.B Pursue opportunities for additional open space land in the form of parkland dedication, and public open space easements, leaseholds, land donations/dedications, and gift annuities.

- 6.6.C Participate with regional, state and federal entities and agencies to establish open space areas that include wildlife habitat and provide passive recreational opportunities.

Scenic Resources

Scenic resources in Oakley include predominant natural landscape features of the Delta waterways and views of Mount Diablo to the west. The City supports the preservation of these valuable scenic resources.

Goal 6.7 Seek to preserve the scenic qualities of the Delta Waterway, Marsh Creek, and views of Mount Diablo.

Policies

- 6.7.1 Encourage preservation and enhancement of views of the Delta and Mount Diablo to the extent possible.
- 6.7.2 New development and redevelopment along the Delta, adjacent to Marsh Creek and throughout the City should take advantage of view opportunities and visual impacts to the waterway and Mount Diablo, respectively.

Programs

- 6.7.A Develop guidelines, as funding becomes available, for development along scenic waterways to maintain the visual quality of these areas.
- 6.7.B Review development applications for discretionary actions to determine aesthetic impacts and visual compatibility with surrounding property.

SETTING

The Setting section of the Open Space and Conservation Element describes existing conditions of the City's valuable natural resources, including agricultural resources, air quality, biological resources, cultural and historic resources, open space resources, and scenic resources. This information provides the background for development of goals, policies, and implementation programs that reflect the community's vision for the future of Oakley.

Agricultural Resources

Overview of Agricultural Resources Setting

Oakley has historically been an agricultural community with a wide variety of agricultural crops. The City recognizes the many inherent benefits of maintaining agricultural land uses in the community. Agriculture contributes to the rural character of the community, maintains land as primarily open space, and reduces further degradation of the natural environment. Within Oakley, agricultural uses include various equestrian and livestock enterprises, as well as more typical practices such as row crops, vineyards and orchards.

Related Plans and Programs

A number of plans and programs exist that directly relate to the goals of the Open Space and Conservation Element. Enacted through state and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

Land Preservation Plan (65/35)

The Land Preservation Plan was adopted by Contra Costa County, limiting urban development outside the Urban Limit Line (ULL) to no more than 35 percent. The remaining 65 percent of the land shall be preserved for agriculture, open space, wetlands, parks and other non-urban uses.

Contra Costa County Agricultural History

Agriculture has been a predominant industry in Contra Costa County for decades. Agricultural lands and corresponding production have decreased due to urbanization since 1940. Both rangelands and field crops have been reduced by more than half since that time. Converted lands occurred mostly on the outskirts of incorporated cities, such as Walnut Creek and Concord. However, new tree crops were planted on irrigated lands in the East County (including the City of Oakley, the SOI, and other unincorporated areas to the east and south of the Plan Area). While fruit, vegetable, and nut crops have all decreased over the years, increases in agricultural productivity have offset the loss of agricultural acreage.

The new suburban environment in the County has created demand for nursery products, which is now the largest income producing agricultural operation in Contra Costa County. In the eastern portion of the County, which includes the Plan Area, vegetable row crop farms (tomato, asparagus, sweet corn, squash, and beans) produce significant annual sales, as do wine grapes. The East County has the largest concentration of small and medium-sized orchards, with apricot, apple, and walnut crops.

In order to address the increasing concern over the loss of prime agricultural lands, Contra Costa County adopted a program to allow for the transfer or purchase of development credits (TDR/PDR). Other strategies for the continued viability of agricultural pursuits included preservation agreements with the County, granting conservation easements, direct purchase, leasebacks, tax benefits for agriculture open space land, purchase or transfer of development rights, clustering development, establishment of an agricultural soils trust fund, and agricultural mitigation fees or land dedication (in-lieu-fee). In response to the proliferation of 5-acre "ranchettes", the County adopted a Resolution establishing rural residential development of ranchettes as an inappropriate use of prime agricultural land. Finally, the Contra Costa County General Plan incorporates an Urban Limit Line (ULL) and has

established a minimum 40-acre lot size for prime agricultural lands outside the Urban Limit Line.

Agriculture in Oakley

The City of Oakley is on very flat land that gently slopes north to the Delta. There are no significant hillsides or ridges. Oakley is comprised primarily of lowland soil associations, with some tidal flat-delta-marsh lowland along the northern boundary of the City. The lowland soil associations are slowly to very slowly permeable, highly expansive and corrosive with slight erosion hazards. The tidal flat-delta-marsh lowland soils are highly expansive, very highly corrosive and moderately to slowly permeable. Most of Oakley is composed of Class II Delhi sand, described by the U.S. Soil Conservation Service as “excessively drained soils” where runoff is slow or very slow. Delhi sand is used to grow irrigated almonds, vineyards and other fruit crops, and some walnuts.

Table 6-1
AGRICULTURAL LANDS IN THE PLAN AREA

	Acreage	Percentage of Area
City Limits		
Orchards	282.8	3.5%
Vineyards	662.7	8.2%
Row Crops	1,503.5	18.6%
Total	2,449.0	30.4%
Expansion Area		
Orchards	19.4	0.9%
Vineyards	0	0.0%
Row Crops	1,069.7	51.7%
Total	1,089.1	52.6%
Planning Area Total	3,538.1	34.9%

Source: Pacific Municipal Consultants, August 2002

Agricultural lands in the City of Oakley are planned for and accommodated in three General Plan land use designations as described below.

Agriculture. The purpose of this designation is to provide locations for continued commercial agriculture or similar land uses. Limited residential uses are allowed in this designation.

Agricultural Limited. The purpose of this designation is to provide locations for agricultural and very low density residential uses.

Delta Recreation. This land use designation encompasses the lowlands of the San Joaquin Delta at the City’s northern edge, most of which is located within the 100-year flood plain. The most appropriate land uses in this designation include agriculture, low intensity recreation and wildlife habitat.

The City encourages the preservation of prime agricultural lands and lands with viable agricultural production. Prime agricultural lands are lands with prime soil classifications (Class I or II) as determined in the Soil Conservation Service Land Use Capability Classifications. While the City of Oakley does not contain any lands with Class I or II soil classifications, the Sphere of Influence (SOI) and outside the Urban Limit Line (ULL) to the east of the City does contain prime agricultural lands, most of which are under active cultivation of intensive row crops.

In an effort to preserve the agricultural and rural character of the community, the City allows keeping of horses within several of the City’s land use classifications and allows commercial equestrian facilities within the Agriculture Limited designation. As described in the Land Use Element, appropriate uses in the Agricultural Limited land use designation include modified agricultural practices that minimize impacts on adjacent land uses, along with equestrian and livestock uses, subject to limits.

Air Quality

Overview of Air Quality Setting

Oakley is located at the eastern boundary of the San Francisco Bay Area Air Basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD). The BAAQMD is currently designated as a non-attainment air basin for the exceeding air quality standards for ozone. Improvement to air quality is a regional issue and the City’s cooperation among all agencies in the district is necessary to achieve desired improvements. The City can

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participate and contribute its share in those efforts by proper planning for land use and transportation consistent with the most recent Air Quality Management Plan.

Related Plans and Programs

A number of existing plans and programs relate directly to the goals of the Open Space and Conservation Element. Enacted through federal, state, and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was adopted by the state legislature in response to a public mandate for a thorough environmental analysis of projects that might adversely affect the environment. The provisions of the law, review procedure and any subsequent analysis are described in the CEQA Statutes and Guidelines as amended in 1998. Air quality is considered an environmental impact under CEQA.

Federal Clean Air Act

The Federal Clean Air Act established National Ambient Air Quality Standards (NAAQS) in 1970 for six pollutants: carbon monoxide, ozone, particulates, nitrogen dioxide, sulfur dioxide, and lead. The Act requires states with air pollution that exceeds the NAAQS to prepare air quality plans demonstrating how the standards would be met (State Implementation Plans-SIPs). In 1990, amendments to the Act established categories of severity for non-attainment areas (“marginal” to “extreme”). In 1994, the California Air Resources Board adopted a revised State Implementation Plan for ozone to meet the requirements of the 1990 amendments.

California Clean Air Act

The California Clean Air Act (CCAA) was enacted in 1988 requiring attainment of California’s ambient air quality standards. Amended in 1992 and 1996, the State’s ambient air quality standards are more stringent than the

national standards. In general, the CCAA requires regions whose air quality exceeds State standards to reduce pollutants by five percent or more per year, or to implement all feasible measures to meet the state air quality standards as expeditiously as possible.

Bay Area Air Quality Management District (BAAQMD)

The Bay Area Air Quality Management District (BAAQMD) was created by the California Legislature in 1955 as a regional agency responsible for regulating air quality. The District’s jurisdiction encompasses nine counties (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma). The District is governed by a 21-member Board of Directors, which has the authority to develop and enforce regulations for the control of air pollution within its jurisdiction.

Air Quality in Oakley

Oakley is located on the south side of the San Joaquin River delta, east of the Carquinez Straits. Its location between the greater Bay Area and the Central Valley has great influence on the climate and air quality of the area. The City is located at the eastern boundary of the nine-county San Francisco Bay Area Air Basin, near the eight-county San Joaquin Valley Air Basin.

Oakley has a relatively low potential for air pollution given the persistent and strong winds typical of the area. The predominant westerly winds dilute pollutants and transport them away from the area, so that emissions released in the project area have more influence on air quality in the Sacramento and San Joaquin valleys than they do locally. However, air quality in Oakley is degraded by its location downwind of the metropolitan Bay Area. There are, however, several major stationary sources in upwind cities that can influence local air quality and the project’s location downwind of the greater Bay Area also means that pollutants from other areas are transported to the area.

Air pollutants regulated by the BAAQMD include:

- Particulate matter
- Organic compounds
- Nitrogen oxides
- Sulfur dioxide/oxides
- Carbon monoxide
- Hydrogen sulfide
- Photochemical smog
- Acid deposition

Of these pollutants, the Bay Area experiences problems with ozone, carbon monoxide, particulate matter, and toxic air contaminants (TACs), due either to the strength of the emission or the climate of the region. The Bay Area was initially classified as a federal non-attainment area (standards are not attained) for carbon monoxide and ozone. Ambient levels of carbon monoxide have been steadily declining in the Bay Area since the 1970's, and in 1998 the entire Bay Area was re-designated as an attainment area for this pollutant.

Ozone levels also have been declining since the 1970's, but in a less consistent manner. Based on monitoring data from 1990 to 1992 the Bay Area was re-designated as a federal attainment area for ozone in 1995. However, violations of the ozone standard in 1995 and 1996 lead the U.S. Environmental Protection Agency to re-designate the Bay Area back to non-attainment status, requiring preparation of an updated air quality plan. The Bay Area is considered to have attained all the NAAQS with the exception of the standard for ozone.

The Bay Area was initially determined to be a state non-attainment area for carbon monoxide, ozone and PM10. The Bay Area was reclassified as attainment for carbon monoxide, but remains an ozone non-attainment area. The California Legislature, when it passed the California Clean Air Act in 1988, recognized the relative intractability of the PM10 problem with respect to the state ambient standard and excluded it from the basic planning requirements of the Act.

The BAAQMD has for many years operated a multi-pollutant monitoring site in nearby Bethel Island. During the 1995 to 1999 five-year

monitoring period, all federal ambient air quality standards were met in the Oakley area, with the exception of ozone. However, during this same period, the more stringent state ambient standards of ozone and PM10 were regularly exceeded.

While there are no air quality standards for toxic air contaminants (TACs), impacts are evaluated by calculating the health risks associated with a given exposure. Diesel exhaust has been found to be the most dangerous and ubiquitous TAC in the Bay Area. The state of California has begun a program of identifying and reducing risks associated with particulate matter emissions from diesel-fueled vehicles. Particular attention should be paid to projects that might result in sensitive receptors being exposed to high levels of diesel exhaust. In Oakley, this includes high volume traffic on Highway 4 and other major arterial roadways with high levels of diesel traffic. Participation in the state's plan and compliance with these standards will help reduce this regional impact.

Sensitive Receptors

The BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include schools, retirement homes, convalescent homes, hospitals and medical clinics. The major sensitive receptors in Oakley are schools and residences.

Pollution Sources

The BAAQMD maintains inventories of stationary sources of both criteria pollutants and TACs. The BAAQMD inventory lists only one major emitting facility for criteria pollutants in Oakley, a petroleum products storage facility. Sources of toxic air contaminants are also inventoried and maintained by the district. The current inventory identifies three dry cleaners, Tonka Energy Inc. and the Ironhouse Sanitary District as sources of TACs in Oakley. The sanitary district facility would also be a potential source of odors.

Biological Resources

Overview of Biological Resource Setting

The City's Plan Area supports a diverse assemblage of plant and wildlife species throughout several habitat types. The potential for a particular habitat to support special-status species depends on numerous factors including microhabitat, human disturbance levels, and current site conditions. This section identifies the regulatory setting, habitat areas, and potential biological values for each habitat in the Plan Area.

Figure 6-2-1 provides a generalized map of biological sensitivity within the Oakley Planning Area. The exhibit is not based upon detailed site-specific investigations and is intended to guide the City in determining the need for detailed biological analysis as development projects are proposed.

Related Plans and Programs

A number of plans and programs exist which directly relate to the goals of the Open Space and Conservation Element. Enacted through federal, state, and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

Federal Endangered Species Act

The Federal Endangered Species Act (ESA), administered by the U.S. Fish and Wildlife Service, applies to impacts to federally listed species, or habitat occupied by federally listed species. ESA Section 9 forbids specified acts that directly or indirectly harm listed species. Section 9 also prohibits "taking" any species of wildlife or fish listed as endangered. These restrictions apply to all federal agencies and all persons subject to United States jurisdiction.

California Endangered Species Act

The California Endangered Species Act (CESA) is a state program similar in scope and nature to the Federal ESA, but focused on plant and wildlife species identified as threatened and endangered within the State of California. The

California Department of Fish and Game administers the CESA regulations.

U.S Fish and Wildlife Service and California Department of Fish and Game Regulations

Both the U.S. Fish and Wildlife Service and California Department of Fish and Game have regulations to protect wildlife resources. Special permits are required for the alteration, dredging, or activity in any lake or stream, as well as other activities that may affect fish and game habitat. Both agencies also regulate impacts to sensitive plant and animal species. Future development in Oakley potentially affecting wildlife habitat will be subject to the regulations of both of these federal and state agencies.

Waters of the U.S.

Waters of the U.S. include a range of wet environments such as lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, and wet meadow. The U.S. Army Corps of Engineers (Corps) regulates discharge of dredged or fill material into waters of the U.S. under Section 404 of the Clean Water Act (CWA). In addition, Section 401 of the CWA (33 U.S.C. 1341) requires any applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into waters of the U.S. to obtain a certification that the discharge will comply with the applicable effluent limitations and water quality standards.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was adopted by the state legislature in response to a public mandate for a thorough environmental analysis of projects that might adversely affect the environment. The provisions of the law, review procedure and any subsequent analysis are described in the CEQA Statutes and Guidelines as amended in 1998. Biological resources are considered an environmental impact under CEQA.

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Figure 6-1 General Biological Sensitivity
11x17

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Back of Fig 6-1

Heritage Tree Preservation Ordinance

The City's Heritage Tree Preservation Ordinance was adopted as part of the Contra Costa County zoning provisions. The ordinance protects designated heritage trees, preventing the removal of such trees without approval of a tree permit.

Vegetation and Wildlife

The City of Oakley is located within Contra Costa County (east San Francisco Bay Area), east of the City of Antioch and directly north of the City of Brentwood. Elevations within the plan area range from sea level to approximately 120 feet above mean sea level (MSL). Vegetation within the plan area includes agricultural and ruderal fields, perennial and seasonal marsh, orchard, drainage/canal, and landscaped (developed) vegetation communities as shown on Figure 6-2. Common plant and wildlife species occurring, or expected to occur, within these habitats are listed below.

Agricultural and Ruderal Field

The western and southern portions of the plan area support several agricultural and ruderal fields. A majority of the agricultural fields appear to be routinely plowed or disked, supporting cultivated crops. Weedy invasive vegetation typically associated with ruderal (fallow) fields was also found in this habitat throughout the plan area. Plant species observed or expected to occur in this community include wild oats (*Avena* sp.), yellow star thistle (*Centaurea solstitialis*), russian thistle (*Salsola tragus*), filaree (*Erodium botrys*), and bristly ox-tongue (*Picris echioides*).

Agricultural and ruderal fields provide foraging habitat and shelter opportunities for a wide variety of common wildlife species. Species expected to utilize these habitats within the Plan Area include red-tailed hawk (*Buteo jamaicensis*), deer mouse (*Peromyscus maniculatus*), black-tailed jackrabbit (*Lepus californicus*), mourning dove (*Zenaidura macroura*), European starling (*Sturnus vulgaris*), western meadowlark (*Sturnella neglecta*), house finch (*Carpodacus mexicanus*), house sparrow (*Passer domesticus*), white-crowned sparrow

(*Zonotrichia leucophrys*), coyote (*Canis latrans*) and fox (*Vulpes* sp.).

Irrigated Pasture

The majority of the northeastern portion of the Plan Area consists of irrigated pasture. Weedy species tolerant of year-round wet conditions are associated with this habitat. The frequent irrigation of these areas has resulted in the establishment of areas of seasonal and perennial wetland conditions in several of the pastures. Common wetland vegetation observed in these areas, includes species such as cattail (*Typha latifolia*), bulrushes (*Scirpus* spp.), sedge (*Carex* spp.), and spikerush (*Eleocharis* spp.).

Irrigated fields support foraging habitat for numerous avian and small mammal species and the wetland areas interspersed throughout these habitats likely support a wide variety of wildlife. Species observed or expected to occur within these habitats in the Plan Area include red-winged blackbird (*Agelaius phoeniceus*), red-tailed hawk, pacific chorus frog (*Pseudacris regilla*), bullfrog (*Rana catesbeiana*), great egret (*Ardea alba*), and great blue heron (*Ardea herodias*).

Marsh

Deltaic marsh, associated with the San Joaquin River, is found along the northwestern border of the Plan Area, with one area of isolated marsh occurring in close proximity to the extreme northwestern border of the plan area. This area is bounded by an existing marina to the north. These habitats support a wide diversity of common wetland plant species and potential habitat for a number of listed and special-status plants. Plant species observed in marsh habitat in the planning area include cattails, California bulrush (*Scirpus californicus*), giant reed (*Arundo donax*), coyote brush (*Baccharis pilularis*), arroyo willow (*Salix lasiolepis*), cottonwood (*Populus fremontii*), reed grass (*Calamagrostis* sp.), and goldenbush (*Isocoma* sp.). Additionally, plant species such as pacific blackberry (*Rubus ursinus*), rabbit's foot grass (*Polypogon monspeliensis*), dallis grass (*Paspalum dilatatum*), white sweetclover (*Melilotus alba*), and saltgrass (*Distichlis spicata*) were also identified here.

Marsh habitats support a wide range of common and special-status wildlife species. Species diversity in these habitats, particularly in deltaic marsh habitat, is high. Species likely to utilize these habitats include song sparrow (*Melospiza melodia*), red-winged blackbird (*Agelaius phoeniceus*), marsh wren (*Cistothorus palustris*), common yellowthroat (*Geothlypis trichas*), yellow warbler (*Dendroica petechia*), pacific chorus frog, great blue heron, bullfrog, and numerous waterfowl species. Mallard (*Anas platyrhynchos*), American coot (*Fulica americana*), northern harrier (*Circus cyaneus*), and great egret were observed in these habitats in the planning area during field reconnaissance. The San Joaquin Delta is an important component of the Pacific Flyway, a major waterfowl migration route in North America.

Orchard

Several areas within the City of Oakley are currently utilized for orchard production. Because the orchard habitat onsite is regularly maintained, it is relatively devoid of other vegetation. Orchards are considered low value habitat for wildlife species. Burrowing mammals and foraging avian species including California ground squirrel, black-tailed jackrabbit, American crow (*Corvus brachyrhynchos*), red-tailed hawk, and coyote (*Canis latrans*) likely utilize this habitat within the Plan Area.

Waterways, Drainages, and Canals

Waterways through Oakley include the Contra Costa Canal, Marsh Creek, ~~and the Dutch Slough,~~ and East Antioch Creek as shown on Figure 6-3. The Contra Costa Canal runs east to west almost through the middle of the City. Marsh Creek runs south to north on the east side of the City and empties into the Delta. The Dutch Slough borders the northeast City boundary and the north and east boundary of the easternmost Sphere of Influence area with two fingers reaching south towards the Contra Costa Canal within Oakley. East Antioch Creek borders the southwest City boundary and empties into the Delta.

The City of Oakley also includes a number of areas that directly facilitate or indirectly accommodate groundwater recharge. Many of

the agricultural or very-low density residential areas in the city allow for the rainwater infiltration that contributes to groundwater recharge. Additionally, a number of drainage basins also detain stormwater and runoff for the purposes of flood control. A number of these basins occur in new residential subdivisions on the eastern side of the city, with Holly Creek Park, on the west side of the city serving as both a stormwater detention basin and a recreation area.

Open water drainages and canals flow through the northern and southern portions of the plan area. These water features are predominantly devoid of vegetation, however, the associated banks support hydrophytic vegetation, with the exception of a portion of the Contra Costa Canal beginning at Pumping Plant No. 1 near the BNSF Railroad and extending westward through the City of Oakley, which is a concrete-lined feature devoid of vegetation. Both vegetated and concrete lined channels serve as stormwater drainage, and channels with natural, permeable bottoms and banks also provide opportunities for groundwater recharge. Predominant species associated with these habitats include cattails, bulrush, smartweed (*Polygonum* spp.), and curly dock. Some riparian vegetation is associated with Dutch Slough, which is located in the northeastern portion of the plan area. The woodland canopy, comprised of scattered oaks (*Quercus* sp.), some willows (*Salix* spp.), and cottonwoods (*Populus fremontii*) is relatively sparse and the understory consists predominantly of hydrophytic plant species.

Numerous resident and migratory wildlife species utilize open water canal habitats for foraging and shelter opportunities. Species expected to occur within these habitats in the Plan Area include aquatic species such as pacific chorus frog and bullfrog in addition to avian species such as great egret, great blue heron, and mallard. Additionally, raptors and numerous other resident and migratory birds utilize riparian vegetation and isolated oaks for nesting and roosting opportunities.

Figure 6-2 Vegetation Types

11x17

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Figure 6-3 Waterbodies

11x17

[fig 6-3 can be printed on back of fig 6-2]

Landscaped/Developed

The developed regions of the Plan Area are planted with common landscape plant species such as oleander (*Nerium oleander*), Italian cypress (*Cupressus sempervirens*), and sweetgum (*Liquidambar styraciflua*).

The landscaped/developed areas constitute marginal habitat for common resident and migratory wildlife species. Species found in, or expected to occupy these areas include American crow, rock dove (*Columba livia*), mourning dove, California ground squirrel, and Brewer's blackbird (*Euphagus cyanocephalus*).

Special Status Species

According to the U.S. Fish and Wildlife Service species list for the City's representative USGS quadrangle, there are numerous special status plant and animal species known or expected to occur in the Plan Area. Those plant and animal species most likely to occur in the Plan Area are listed below.

Special Status Plants

Special-status plant species including Delta mudwort, Mason's lilaeopsis, rose mallow, and Suisun marsh aster have the highest potential to occur within the plan area. In general, habitat for these species includes the marsh habitat along the northern border of plan area. Other species that have a low or unlikely potential to occur in the Plan Area include big tarplant, Diablo helianthella, heartscale, showy madia, and soft bird's beak. Habitats supporting conditions suitable for these plant species should be considered sensitive.

Special-Status Wildlife

Invertebrates. One invertebrate species, curved-foot hygrotus diving beetle has the highest potential to occur within the Plan Area. Habitat for this species in the area includes the sloughs. One record is listed in the CNDDDB from the plan area. Other species that have a low potential to occur in the Plan Area include vernal pool fairy shrimp, vernal pool tadpole shrimp, and longhorn fairy shrimp. These

species could occur in the potential seasonal wetlands in the Plan Area.

Amphibians and Reptiles. California red-legged frog, San Joaquin coachwhip, Giant garter snake, California horned lizard, silvery legless lizard, and Northwestern pond turtle have the highest potential to occur in the Plan Area. Generally, these species occur in aquatic habitats (the marshes and sloughs in the plan area), with the exception of the horned and legless lizards, which may occur in association with sandy soils in the Plan Area. Other species that have a low potential to occur in the plan area include California tiger salamander, western spadefoot toad, and Alameda whipsnake.

Fish. A number of anadromous fishes and other aquatic species have a high potential to occur within the Plan Area. Habitat for these species in the area include the sloughs connected to the Delta waterways. Projects having the potential to affect the water quality of these water features could affect this species.

Mammals. Special-status mammal species include San Joaquin kit fox, San Joaquin pocket mouse, and several species of bats have the highest potential to occur in the Plan Area. Generally, the pocket mouse and kit fox could occur in the open upland habitats in the Plan Area, with the exception of bats, which are likely to frequent the upland areas closer to water. Other species that have a low potential to occur in the Plan Area include San Joaquin Valley woodrat, salt marsh harvest mouse, and Suisun ornate shrew.

Birds. Special-status avian species including California black rail, Suisun song sparrow, tricolored blackbird, species of herons, ibis, and egrets, mountain plover, Greater sandhill crane, Swainson's hawk, western burrowing owl, and other raptors including ferruginous hawk and Cooper's hawk have the highest potential to occur in the Plan Area. These species could potentially occur in undeveloped portions of the Plan Area. The nests of raptors as well as the nests of migratory bird species are protected under the MBTA. Active raptor nests are also afforded additional protection in the CFG Code 3503.5.

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Sensitive Habitats

Sensitive habitats include those that are of special concern to resource agencies or those that are protected under CEQA, Section 1600 of the California Fish and Game Code, or Section 404 of the Clean Water Act.

Irrigated Pasture

As discussed, irrigated pasture occurs in the northeastern portion of the Plan Area. Because these fields appear to support extensive areas of seasonal wetland vegetation, several areas within these fields may be considered wetlands. As such, these areas would be protected as wetlands as well as potential habitat for special-status species. A formal wetland delineation would be needed to determine the actual extent of wetlands.

Marsh/Sloughs

Marsh habitats are found in association with Delta frontage property along the northern edge of the Plan Area. Because of the diversity of native plant and wildlife species as well as the high potential for special-status species occurrences, these areas are considered sensitive habitats. In addition, the sloughs and canals within the Plan Area likely support special-status species, accommodate flood water and groundwater recharge, and also may function as wildlife corridors, which are important for the movement of migratory wildlife populations. Corridors provide foraging opportunities and shelter during migration. The California Fish and Game Code Section 1600 protects riparian vegetation associated with rivers and drainage ways. The riparian vegetation associated with Dutch Slough is likely considered a sensitive habitat to the CDFG.

These water features have not been delineated and additional jurisdictional wetlands or Waters of the U.S. may occur within the Plan Area. Consequently, a wetland delineation must be conducted and verified by the Corps prior to the development of any project proposed within the Plan Area.

Cultural Resources

Overview of Cultural Resource Setting

There have been few archeological or paleontological finds in the City of Oakley. However, given the rich history of the Plan Area and region, the City will continue to require site evaluation prior to development of undeveloped areas, as well as required procedures if artifacts are unearthed during construction. The historic resource section of this element includes additional information regarding the history of the area.

Related Plans and Programs

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was adopted by the state legislature in response to a public mandate for a thorough environmental analysis of projects that might adversely affect the environment. The provisions of the law, review procedure and any subsequent analysis are described in the CEQA Statutes and Guidelines as amended in 1998. Cultural resources are considered an environmental impact under CEQA.

Prehistoric Resources and Settlement of Oakley

Archeologists have found few prehistoric sites in the Oakley area. One substantial shell mound was discovered early in the twentieth century near what is now the east edge of town. The Northwest Information Center of the California Historical Resources Information System now keeps track of archeological investigations undertaken in Oakley. Around three-dozen such projects have been completed in the past 25 years, yielding only four prehistoric sites in the City. However, the information center believes there is a high possibility that other prehistoric sites remain within the City.

The first settlers in the west delta were the Bay Miwoks, who occupied the region between 1100 and 1770 A.D. The Bay Miwok people, usually called the Julpunes or Pulpunes by European explorers, were organized into “tribelets”—political units that included several fairly

permanent villages and a set of seasonal campsites arrayed across a well-defined territory.

Historic Resources

Overview of Historic Resource Setting

While some historic structures and land uses date back to the late 1800s, most of the City's historic resources date from the period of Oakley's growth and development, roughly from 1901 to 1955. While there are no officially designated historic structures in Oakley, there are numerous buildings, primarily in the old town area, eligible for such designation or listing. The City intends to evaluate such resources and establish preservation policies and practices for qualified historic resources.

Related Plans and Programs

A number of existing plans and programs relate directly to the goals of the Open Space and Conservation Element. Enacted through federal, state, and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was adopted by the state legislature in response to a public mandate for a thorough environmental analysis of projects that might adversely affect the environment. The provisions of the law, review procedure and any subsequent analysis are described in the CEQA Statutes and Guidelines as amended in 1998. Historic resources are recognized as environmental impacts under CEQA.

National Historic Preservation Act (NHPA)

Establishes laws for historic resources to preserve important historic, cultural, and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice. The Historic Sites Act of 1935 established national policy to preserve historic sites, buildings, and objects of national, state and local significance.

National Register of Historic Places

The National Register of Historic Places is maintained by the National Park Service and the State Historic Preservation Offices. Structures and sites are eligible for listing on the National Register when they are a minimum of 50-years-old.

State Office of Historic Preservation

The State Office of Historic Preservation implements preservation laws regarding historic resources, and is responsible for the California Historic Resources Inventory (CHRI), which uses the National Criteria for listing resources significant at the national, state, and local level.

History and Settlement of Oakley

As identified in the Cultural Resources section of this element, the first settlers in the west delta were the Bay Miwoks, who occupied the region between 1100 and 1770 A.D. Spanish incursions into the Oakley area began in the 1770s. The first to enter what are now the City limits was the De Anza expedition of 1775-76. However, after a failed attempt to find a route through the tule swamps to the Sierra, the De Anza expedition returned to Monterey. Subsequent expeditions by the Spanish did not result in colonization. Europeans settled in the Delta in the 1800s, but were killed by malaria and smallpox.

American settler John Marsh successfully farmed the land in the 1830s, bringing other American immigrants to the region. By 1862, the population of the Oakley region was large enough to support a school. A store on the Dutch Slough brought vessels into the canal for commerce. In the 1860s, farmers created swampland districts through reclamation of delta lands for new farming opportunities. Construction of the railroad along the City's southern boundary in 1879 introduced a shipping alternative for farmers.

The town of Oakley was founded in 1897, when the transcontinental railroad arrived and agriculture shifted from grains to orchard crops. Growth was slow in the early 1900s, with expanding agricultural industry and local

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services. Civic institutions and activities expanded after WWI, followed by the depression. Floods and levee breaks altered the land area, resulting in the expansion of agriculture and tourism for recreation in the 1930s. Opportunities and inexpensive land brought about a population boom in the 1970s. New rooftops attracted industrial and commercial uses to the community. The population quadrupled in the 1980s to 16,000 persons. Discontent with the way the county government was handling growth in Oakley led to the founding of an official advisory council in 1983 and eventual incorporation in 1999.

The Portuguese in the area began observing the Holy Ghost Festival (which involves a parade, a feast and a religious service) in 1926 and built the Flor Do Oakley Hall in 1928. Oakley pioneers John Augusto and Joesph Augusta were both instrumental in the promotion of this annual event. John Augusto moved to Oakley in 1900 and purchased the first business lot in town. His blacksmith shop quickly became a favorite gathering place for early settlers. Unfortunately, the shop was lost in the Oakley Fire of 1924, which also burnt most of downtown, including the Oakley Hotel. Joesph Augusta, John's brother, moved to Oakley in 1913 and was a lumberyard manager. He is credited with fighting the County for much needed improvements in Oakley, like curbs and gutters, and he also was instrumental in the formation of the Oakley Sanitary District.

Historic Resources

By far the largest number of historic resources date from the period of Oakley's growth and development, roughly from 1901 to 1955. The largest concentration of potential historic resources from this period is in "old town." This area contains commercial, institutional, and residential buildings. It extends across the original town plat and O'Hara's 1909 addition, from Main Street to south of Home Street between Norcross Lane and Fifth Street. The area today contains more than 200 buildings, most of which were constructed before 1955. Old town, however, covers only about two percent of the land area in the City. Its buildings do not reflect the history of the surrounding

area, which was primarily agricultural until after World War II. There are approximately 100 farm buildings within the City limits. Additionally, there are as many as 200 more buildings, constructed between 1945 and 1955, remaining in the City, most of which are residential structures concentrated in the Sand Hill area.

Old Town

Thirty-three buildings along Main Street show the commercial development of Oakley. Five of the buildings in the center of the zone are architecturally significant. All five buildings were constructed or remodeled from 1925 to the early 1930s and have not been substantially altered since. Large display windows and lack of setback signal a time when most customers were pedestrians. The most prominent building in the group is the Oakley Hotel, which has four storefronts facing Main Street. The hotel is the most carefully designed structure on the street and the only one with two stories. Across Main Street is a trio of adjacent masonry structures with false fronts that typify small-scale commercial construction across California during the period.

The west part of the old commercial district is less cohesive and more oriented toward automobile traffic. Several of the buildings there are nevertheless more than 50 years old. Most notable is a collection of seven small dwellings opposite O'Hara Street that once formed an auto court. Four units, designed in the Tudor Revival Style, date from around 1930, while the former manager's building, originally a house, appears to have been constructed around 1910. The rest of the court appears to have been put up after World War II.

Missing from old town are many of the buildings that defined Oakley as a shipping point on the Sante Front elevation Railroad. The depot, which once was located beyond the end of Fourth Street, has disappeared, as have the Miller Cumming packinghouse and the Sesnon warehouse. Two other packing house buildings, constructed around 1915, remain north of the tracks from Sixth Street to Rose Avenue, although they have been somewhat altered. The old almond growers' warehouse on Fifth Street

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has been more substantially changed. The lumber shed across the street also remains.

South of Main are three buildings that represent institutions important in the early development of Oakley. The Crossroads Community Church at 132 O'Hara Avenue, which was constructed for a Methodist congregation in 1908. With its 30-foot tower, the church is one of the town's most striking buildings. A block to the south at 210 O'Hara is the old Oakley Grammar School (later the county building). Although not highly ornamented, its wide facade, arched openings, and engaged Corinthian columns make the structure one of the City's most impressive public buildings. The oldest is the Oakley Women's Club building, located a block to the east at 204 Second Street. Constructed around 1905 as a church but looking more like a Craftsman bungalow, the building served as a clubhouse from 1916 to 1999. Although the institutional buildings are within a block of each other, they do not form a cohesive district.

The residential section of old town lies south of Acme Street. The houses vary considerably in age, with a few constructed before 1910 and a few after 1960. In the area east of O'Hara Avenue the houses are usually quite small, often containing (at least by outward appearances) only two bedrooms and one bath. Most homes in this area defy architectural classification. However, in the 1920s, many California Bungalow style homes were constructed in Oakley. Few residential units were constructed during the 15 years (1930-45) that marked the Great Depression and World War II. After that time, residential design had a horizontal emphasis with very little ornamentation.

The oldest buildings in the area, dating from 1905 to 1910, furnish clear links to the earliest days of Oakley. Among the most impressive is the two-story house, the former Walker House at 514 O'Hara, which has a classical portico with a pediment gable and four columns. More impressive because of their detailing and corner locations are two other residences developed around 1910. Both border Second Street—one at the southwest corner of Ruby, the other at the northwest corner of Star. Their bay windows

and half-width front porches are particularly noteworthy.

Outlying Areas

By the early 1930s the number of farm structures within the present city limits might well have reached 500. Due to the small-scale nature of most of local agriculture in the twentieth century, the buildings were generally small and simple. Few farmsteads, containing a house, auxiliary buildings, and surrounding open land, remain today. Exceptions are the Emerson and former Burroughs dairies in the northeast corner of the City. Individual farm buildings, not always houses, are more common. Several trends have diminished the number of farm structures: the abandonment of ranching, the replacement of old houses with newer ones, and the conversion of land from farming to residential tracts.

Other reminders remain of the era between the world wars. Those associated with the Contra Costa Canal (canal and pumping plants) are especially important. The opening of the state highway led to residential construction on the outskirts of town along the road. Then, after WWII, the subdivision of land for residential development was popular throughout the region. By far the largest concentration of new construction occurred at "Sand Hill," about a mile south of old town on State Route 4 at or near the site of a depression-era migrant labor camp. Building took place along six intersecting streets, each of which came to a dead end. By 1954 over 130 houses and a few other structures had gone up. Most of the buildings remain today.

Historic Preservation Issues

Oakley's historic resources are generally in need of official recognition. Additionally, different groups of potentially significant old buildings raise different preservation issues. The downtown commercial strip suffers from the underutilization of some buildings and the scarcely interrupted flow of traffic along Main Street. Some of the houses in the nearby residential area need maintenance, while others are losing architectural details as they undergo renovation. Original windows, in particular, are

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vulnerable to inappropriate replacements. Insensitive rehabilitation may also become more prevalent in Sand Hill if the effects of economic good times begin to make an appearance there. Consideration of old ranch buildings, of critical importance because of Oakley's agricultural heritage, forms part of a larger question of continued suburban development.

Designated Historic Resources

In 1999, the federal government designated the route of the De Anza expedition as a National Historic Trail. The California Department of Transportation has begun a program to place signs along the autoroute of the trail, which is State Highway 4 through the City of Oakley. Nothing of the actual trail continues to exist in town.

Open Spaces Resources

Overview of Open Space Setting

Open space is an important community amenity. Oakley's open space resources include public and private open space and recreation facilities, lands, waterways, habitat areas, and agricultural lands. In addition to providing opportunities for recreation and leisure, open space and parkland enhance aesthetics and community character. This section describes the City's existing open space resources and strategy to maintain and enhance such resources. Refer to the Park and Recreation Element and the Biological and Scenic Resources Sections of this element for additional goals, policies, and programs affecting the City's open space resources.

Related Plans and Programs

A number of plans and programs exist which directly relate to the goals of the Open Space and Conservation Element. Enacted through state and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was adopted by the state legislature in response to a public mandate for a thorough

environmental analysis of projects that might adversely affect the environment. The provisions of the law, review procedure and any subsequent analysis are described in the CEQA Statutes and Guidelines as amended in 1998. Open space resources are considered an environmental impact under CEQA.

Park and Recreation Master Plan

The City has developed a Park and Recreation Master Plan identifying all existing and proposed park and recreation facilities within the City and surrounding areas. This document will serve as an implementation tool for the General Plan, consistent with the goals and policies of the Park and Recreation, Land Use, and Open Space and Conservation Elements.

Designated Open Space

Open space lands in the City of Oakley are included in several General Plan land use designations as listed below. For more detailed information regarding these land use designations, refer to the Land Use Element and corresponding land use map.

- Agriculture. This land use designation is primarily intended for agricultural uses, but allows limited residential uses.
- Agriculture Limited. This designation includes agriculture and low-density (rural) residential land use.
- Delta Recreation. This land use designation encompasses the lowlands of the San Joaquin Delta at the City's northwestern edge, most of which is located within the 100-year flood plain.
- Parks and Recreation. This designation includes publicly owned city, county, and regional parks facilities, as well as publicly or privately owned golf courses.
- Waterways. Waterways through Oakley include the Contra Costa Canal, Marsh Creek, and the Dutch Slough.

San Joaquin Delta

The predominant physical feature in Oakley is the San Joaquin Delta. This waterway serves as an open space area, sensitive plant and wildlife habitat, and recreational opportunity for the City. At the General Plan Vision Workshop on December 4, 2000, the participants expressed the desire to ensure that open space and natural landscapes remain a major component of lands near the Delta. Additionally, participants requested a focus on recreational development of the Delta to provide a center for tourism and a base for recreational activity.

Dutch Slough

The Dutch Slough area is a contiguous block of land that includes agricultural lands, ruderal lands and Delta frontage, providing riparian habitat, foraging and shelter opportunities for several resident and migratory wildlife species. For purposes of this General Plan, the term Dutch Slough refers not only to the Slough, but also the surrounding lands that are situated north of the Contra Costa Canal.

Dutch Slough is located along the northern boundary of Oakley, an area formerly identified by Contra Costa County as the M-8 Planning Area. This area is bisected by the Contra Costa Canal and is located east of Marsh Creek, west of Jersey Island Road and includes a portion of the land located between Cypress Avenue and the Contra Costa Canal. While the County designation of M-8 no longer applies to this land, a development agreement authorizing 4,000 homes on this property will remain valid until year 2006.

Private property owners have made an application to CALFED to establish a substantial wetland restoration area within the Dutch Slough area. Based upon this application and presentations by the property owner's representative, the City has removed the urban land use designations from lands located north of the Contra Costa Canal within the Dutch Slough area. This land has been designated as Delta Recreation by the City, a designation that will ensure the preservation of open space within the area, while providing the opportunity for

enhancement of biological resources and development of passive recreational activities.

Open Space and Conservation Plan Implementation Efforts

In order to preserve and enhance the City's open space resources, the City will continue to implement existing tree preservation ordinances, implement the Parks and Recreation Master Plan, expand recreation trails and access to the Delta, and establish restoration programs for areas such as Dutch Slough. The City will also support the joint-venture use of open space areas to reduce City maintenance costs, and participate/cooperate with other jurisdictions in the region to enhance regional open space resources.

Scenic Resources

Overview of Scenic Resource Setting

Scenic resources in Oakley include predominant natural landscape features such as the Delta, Dutch Slough, Marsh Creek, agricultural and other open space lands, as well as the views of Mount Diablo to the west. The City wants to protect and preserve these valuable scenic resources.

Related Plans and Programs

A number of existing plans and programs relate directly to the goals of the Open Space and Conservation Element. Enacted through state and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was adopted by the state legislature in response to a public mandate for a thorough environmental analysis of projects that might adversely affect the environment. The provisions of the law, review procedure and any subsequent analysis are described in the CEQA Statutes and Guidelines as amended in 1998. Aesthetics (visual character) is recognized as an environmental impact under CEQA.

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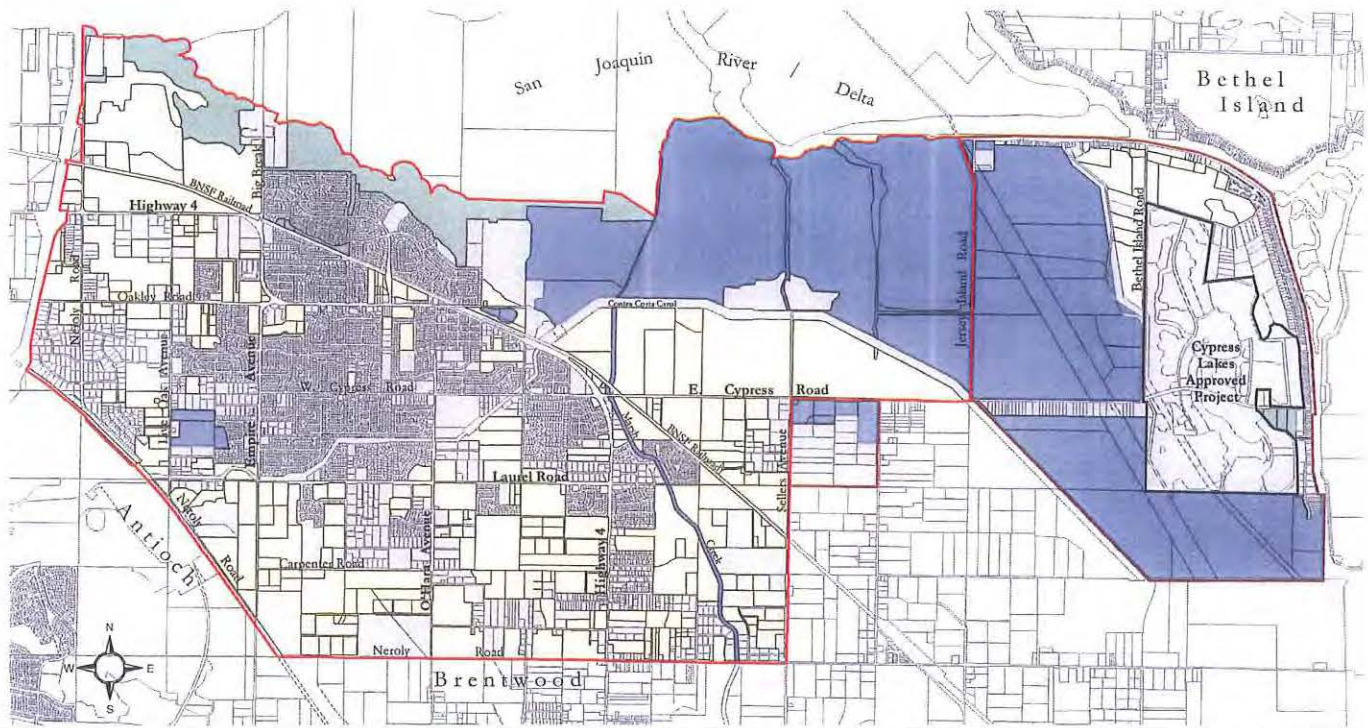
Heritage Tree Preservation Ordinance

The City's Heritage Tree Preservation Ordinance was adopted as part of the Contra Costa County zoning provisions. The ordinance protects designated heritage trees, preventing the removal of such trees without approval of a tree permit.

Individual Scenic Resource Topic Areas

The City's predominantly flat landscape is rich in scenic resources. Oakley's scenic resources include the waterways of the Delta, Dutch Slough, Marsh Creek, and Contra Costa Canal, habitat areas, and open space land. Other scenic resources include the view of Mount Diablo west of the City. At the General Plan Vision Workshop on December 4, 2000, one of the key issues identified was to preserve scenic resources and view corridors within Oakley.

Views of the Delta are only visible from the waterfront marinas and a public space located in a residential zone. Mt. Diablo can be seen from almost anywhere in the City, but mostly from those streets running east and west. The rural small town character is evident throughout the City, both in the historic downtown area along Main St. and in the agricultural areas to the south. For scenic areas that are planned for some amount of development, the application review process shall consider the feasibility of preserving or protecting the scenic qualities of the site.

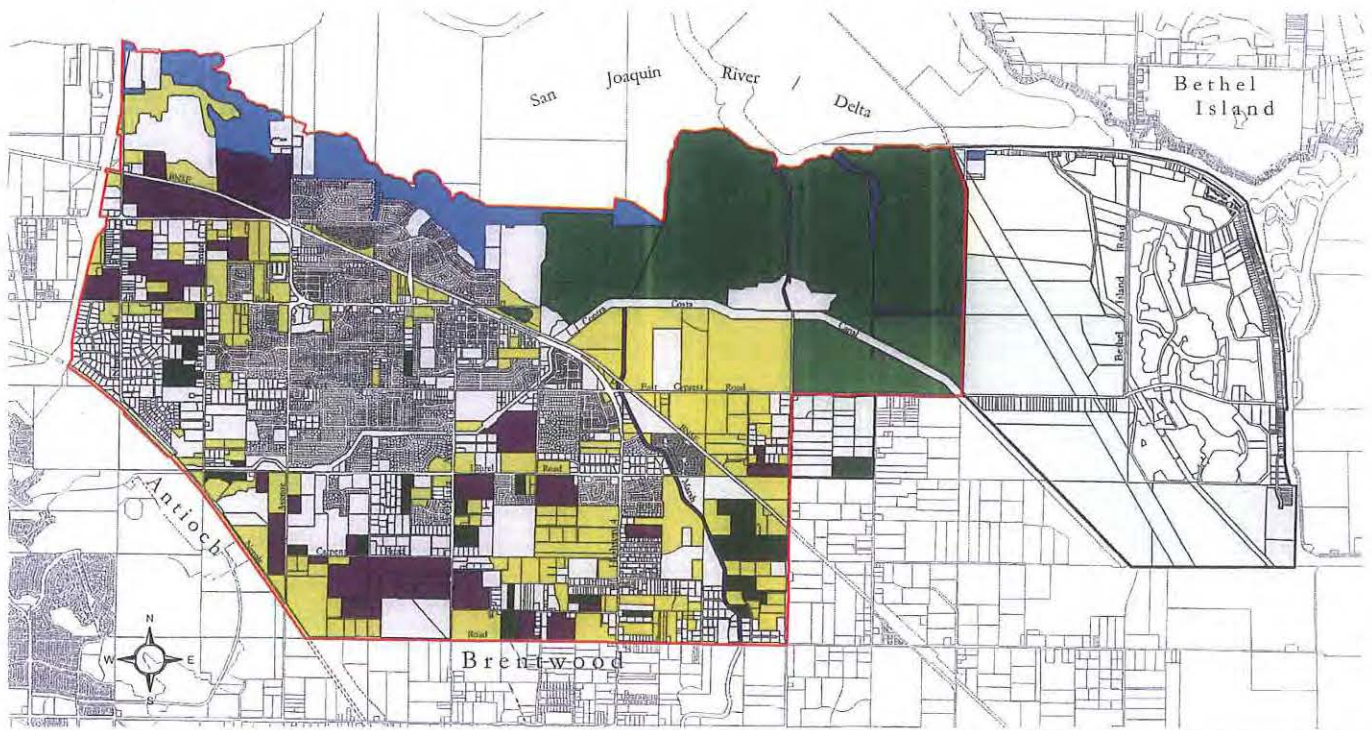


- L City Boundary
- E Expansion Area Boundary
- G Cypress Lakes Boundary
- E High
- N Medium
- D Low
- Minimal

City of Oakley
General Plan 2020

Figure 6-1
Biological Sensitivity

Source: Forthall & Associates



- | | | |
|---|----------------------|-------------------------|
| L | Developed | City Boundary |
| E | Agricultural/Ruderal | Expansion Area Boundary |
| G | Irrigated pasture | Cypress Lakes Project |
| E | Marsh | County |
| N | Orchard | |
| D | Riparian | |
| | Vineyard | |

City of Oakley
 General Plan 2020
 Figure 6-2
 Vegetation Types
 Source: Fairchild & Associates

CHAPTER

8

HEALTH AND SAFETY

INTRODUCTION

This Element addresses issues related to geologic and seismic hazards, flooding, hazardous materials, public protection and disaster planning, and fire hazards.

General Description of the Element and Various Components/Sections

A Health and Safety Element is a required element of the General Plan. It establishes a framework of objectives, policies and implementation programs that will be the basis for proficient land use planning to reduce unreasonable risks and protect public health and welfare.

In accordance with the State General Plan Guidelines, the Health and Safety Element includes maps of known hazards including seismic and geologic hazards, floodplains, and other hazards. This chapter addresses ground shaking, fault displacement, liquefaction, subsidence, levee and dam failure, tsunamis, hazardous materials, fire hazards, and public protection and disaster planning.

Organization of the Element

The Health and Safety Element is organized into three main sections; 1) an Introduction section that includes an overview of the element and its consistency with State law; 2) a Goals, Policies and Implementation Programs section covering the following four categories: geologic and

seismic hazards, flooding, hazardous materials, and public protection and disaster planning; and 3) a Settings section that describes existing conditions in each of the four categories described above.

Consistency with State Law

California Government Code Section 65302(g) requires that a Health and Safety element be included in a General Plan, and more specifically mandates that the element address the following:

"...the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, tsunami, seiches, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wildland and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified geologic and fire hazards...."

Section 65302(g) also contains additional directing municipalities to include a variety of more specific information and policies regarding flood hazards.

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This element has been prepared in conformance with all mandatory requirements of state law. Specific topics addressed include:

- Geologic formations and soil types
- Seismic hazards, including surface faulting, seismic shaking, ground failure, and liquefaction
- ~~□ 100-Year floodplain locations~~
- Locations of flood hazard areas, including the 100-year and 500-year floodplains identified by the Federal Emergency Management Agency (FEMA), dam failure inundation areas mapped by the California Emergency Management Agency (CalEMA), and “Awareness” and 200-year floodplain locations mapped by the California Department of Water Resources (DWR).
- Flood hazards, including stormwater and tidal inundation, tsunami and seiches, subsidence, and canal, dam and levee failure
- Wildland, Peat soil, and urban fire hazards
- Risk of upset, including propane, at Randall Bold Water Treatment Plant and along railroad tracks
- Miscellaneous hazards, including agricultural spraying, hazardous cargo, and disaster planning

Relationship to Other Elements of the General Plan

The Health and Safety Element is expected to affect land use policies and hence is coordinated with the Land Use Element. Health and safety considerations may affect the Open Space and Conservation and Public Services and Facilities Elements, and may present additional justification for lowering density in conjunction with land use decisions, based party on seismic and flood risk. The Health and Safety Element is also related to the Housing and Circulation Elements in that it discusses hazards that may affect decision-making in these issue areas.

GOALS, POLICIES AND PROGRAMS

The following are the Goals, Policies, and Implementation programs for each of the eight sections listed above in the Setting section of this Element.

GEOLOGY AND SEISMIC HAZARDS

Goal 8.1 Protect human life, reduce the potential for serious injuries, and minimize the risk of property losses from the effects of earthquakes, including fault rupture, ground shaking, and liquefaction - induced ground failure.

Seismic Hazard Policies

- 8.1.1 Recognize that a severe earthquake hazard exists and reflect this recognition in the City's development review and other programs .
- 8.1.2 Include a thorough evaluation of geologic-seismic and soils conditions at risk in all significant land use decisions (General Plan amendment, rezoning, etc., affecting 10 acres or more).
- 8.1.3 Require the design of structures for human occupancy for satisfactory performance under earthquake conditions.
- 8.1.4 Prohibit the erection of critical structures and facilities whose loss would substantially affect the public safety or the provision of needed services, in areas where there is a high risk of severe damage in the event of an earthquake unless appropriate engineering and construction practices are applied to ensure structural stability.

Ground Shaking Policies

- 8.1.5 In areas susceptible to high damage from ground shaking (Modern sediment Zone identified on Figure 8-1, Faults and Seismic Stability), geologic-seismic and soils studies shall be required prior

to authorizing public or private construction.

Faults and Fault Displacement Policies

- 8.1.6 Prohibit construction of structures for human occupancy, and structures whose loss would affect the public safety or the provision of needed services, within 50 feet of known active faults as referenced in the Alquist/Priolo Act.
- 8.1.7 In areas where active or inactive earthquake faults have been identified, the location and/or design of any proposed buildings, facilities, or other development shall be modified to mitigate possible danger from fault rupture or creep.

Liquefaction Policies

- 8.1.8 To the extent practicable, the construction of critical facilities, structures involving high occupancies, and public facilities should not be sited in areas identified as, or underlain by deposits classified as, having a high liquefaction potential (Figure 8-2), unless appropriate engineering and construction practices are applied to ensure structural stability.
- 8.1.9 Any structures permitted in areas of high liquefaction potential (Figure 8-2) shall be sited, designed and constructed to minimize the dangers from damage due to earthquake-induced liquefaction. Approval of public and private development projects shall be contingent on geologic and engineering studies which: 1) define and delineate potentially hazardous geologic and/or soils conditions, 2) recommend means of mitigating these adverse conditions; and 3) provide implementation of the mitigation measures.

Programs

- 8.1.A Require that structures intended for human occupancy are adequately setback from active and potentially

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active faults. Ensure that minimum setbacks take into account the varying degree of seismic risk and the consequences of failure.

- 8.1.B Utilize the land in the setback zones along active and potentially active faults for open forms of land use that could experience displacement without endangering large numbers of people or creating secondary hazards. Examples are yards, greenbelts, parking lots, and non-critical storage areas.
- 8.1.C Through the environmental review process, require comprehensive geologic, seismic, and/or soils and engineering studies for any critical structure proposed for construction in areas subject to groundshaking, fault displacement, ground failure, or liquefaction.
- 8.1.D Adopt ordinance code provisions related to the repair or replacement of unreinforced masonry structures.

FLOOD HAZARDS

Goal 8.2 Protect public safety and minimize the risk to life and property from flooding.

Policies

- 8.2.1 Applications for development at urban or suburban densities in 100-year floodplain areas, 200-year floodplain areas, and/or other flood-prone areas where there is a serious risk to life and property (see Figure 8-3) shall demonstrate appropriate solutions or be denied.
- 8.2.2 In mainland areas along the creeks and bays affected by water backing up into the watercourse, it shall be demonstrated prior to development that adequate protection exist through levee protection or change of elevation.

Flooding

- 8.2.3 Buildings in urban development near the shoreline of the Delta and in flood-

prone areas shall be protected from flood dangers, including consideration of rising sea levels.

- 8.2.4 Habitable areas of structures near the shoreline of the Delta and in flood-prone areas shall be sited above the highest water level expected during the life of the project, or shall be protected for the expected life of the project by levees of an adequate design.
- 8.2.5 Rights-of-way for levees protecting inland areas from tidal flooding shall be sufficiently wide on the upland side to allow for future levee widening to support additional levee height.
- 8.2.6 Review flooding policies and attendant geographic data in the General Plan every ~~five years~~year in order to incorporate any new scientific findings, revised geographic information, or federal and State requirements regarding the potential for flooding and projected increases in sea levels.
- 8.2.7 Review flooding policies as they relate to properties designated by FEMA as within the 100-year floodplains.
- 8.2.8 Development proposals near the shoreline of the Delta and within flood-prone areas shall be reviewed by the Flood Control District, as an advisory agency, prior to approval by the City.
- 8.2.9 Avoid placement of public facilities (including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities) in flood-prone areas, especially public facilities that provide essential public services and/or would be located in areas at greatest risk for flooding, such as the FEMA-identified 100-year floodplain.
- 8.2.10 Require public facilities that are or must be located in flood-prone areas to be designed such that access and operations will not be disrupted by flooding in the surrounding area, where feasible; if such design is not feasible, require public facilities to develop plans to ensure that equivalent operations can

be carried out by a comparable facility outside of flood-prone areas.

Subsidence

~~8.2.9~~ 8.2.11 Development of lands subject to subsidence shall take into account and fully mitigate the potential impacts of flooding based on the best currently available techniques.

~~8.2.10~~ 8.2.12 Any development approvals for areas subject to subsidence shall include conditions that account for the need to support Delta reclamation and irrigation districts, and to strengthen weak and low levees prior to development.

~~8.2.11~~ 8.2.13 The pumping of substantial quantities of water, oil, and gas in an area protected by levees is inconsistent with new major development approvals.

Levee, Dam Failure, or Tsunami

8.2.12 In order to protect lives and property, intensive urban and suburban development shall not be permitted in reclaimed areas subject to 100-year flooding, unless flood protection in such areas is constructed. Typically, levees shall meet the standards of the U.S. Army Corps of Engineers, although 'Dry levees' that supplement existing levees may be allowed at the discretion of the City.

8.2.13 Levees shall be properly engineered and designed to ensure protection against earthquakes, tsunamis and seiches.

Programs

8.2.A Encourage the County Flood Control District to proceed with drainage improvements in areas subject to flooding from inadequate County flood control facilities.

8.2.B Draft and adopt a city drainage master plan to address localized areas affected by creeks, in accordance with the guidelines contained in the Health and Safety Element and the Open Space and

Conservation Element of this General Plan.

8.2.C ~~Establish~~ Maintain a uniform set of flood damage prevention standards in cooperation with appropriate County, State, and federal agencies, and update the Floodplain Management Ordinance, Chapter 6.12 of the Municipal Code, to reflect the most recent federal and State standards relating to flood prevention and protection.

8.2.D Through the environmental review process, ensure that potential flooding impacts, due to new development, including on-site and downstream flood damage, subsidence, dam or levee failure, and potential inundation from tsunamis and seiches, are adequately addressed. Impose appropriate mitigation measures (e.g., flood proofing, levee protection, Delta reclamations, etc.).

8.2.E Participate in Delta levee rehabilitation plans in cooperation with County, State, federal agencies, and the private sector.

8.2.F Prohibit new structures that would restrict maintenance or future efforts to increase the height of the levees from being constructed on top of or immediately adjacent to the levees.

8.2.G All analysis of levee safety shall include consideration of the worse case situations of high tides coupled with storm-driven waves.

HAZARDOUS MATERIALS

Goal 8.3 Provide protection from hazards associated with the use, transport, treatment, and disposal of hazardous substances.

Policies

8.3.1 Hazardous waste releases from both private companies and public agencies shall be identified and eliminated.

8.3.2 Storage of hazardous materials and wastes shall be strictly regulated.

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- 8.3.3 Secondary contaminant and periodic examination shall be required for all storage of toxic materials.
- 8.3.4 Industrial facilities shall be constructed and operated in accordance with up-to-date safety and environmental protection standards.
- 8.3.5 Industries which store and process hazardous materials shall provide a buffer zone between the installation and the property boundaries sufficient to protect public safety. The adequacy of the buffer zone shall be determined by the Community Development Department.

Programs

- 8.3.A Encourage the State Department of Health Services and the California Highway Patrol to review permits for radioactive materials on a regular basis and to promulgate and enforce public safety standards for the use of these materials, including the placarding of transport vehicles.
- 8.3.B Request that State and Federal agencies with responsibilities for regulating the transportation of hazardous materials review regulations and procedures, in cooperation with the City, to determine means of mitigating the public safety hazard in urbanized areas.

PUBLIC PROTECTION AND DISASTER PLANNING

- Goal 8.4** Provide for a continuing high level of public protection services and coordination of services in a disaster.

Policies

- 8.4.1 The Office of Emergency Services, in cooperation with the City and public protection agencies, shall delineate evacuation routes and, where possible, alternate routes around points of congestion or where road failure could occur.
- 8.4.2 In order to ensure prompt public protection services, address numbers shall be required to be easily seen from the street or road.
- 8.4.3 Require adequate access for medical emergency equipment in high-occupancy buildings over two stories in height.
- 8.4.4 Design and construct all buildings greater than two-stories to provide for the evacuation of occupants and/or for the creation of a safe environment in case of a substantial disaster, such as a severe earthquake or fire.

Programs

- 8.4.A In cooperation with adjacent cities and public protection agencies, delineate evacuation routes, emergency vehicle routes for disaster response and, where possible, alternative routes where congestion or road failure could occur.
- 8.4.B Major developments will not be approved if fire-fighting services are not available or are not adequate for the area.
- 8.4.C Adopt a City of Oakley Emergency Response Plan that identifies specific response procedures and responsibilities for responding to emergency situations and includes regular testing of the Plan at appropriate intervals.
- 8.4.D Include guidelines within development standards for to be adopted for residential, commercial and industrial land uses that require visible addresses for all future structures constructed in Oakley.

Figure 8-1

Mapped Earthquake Faults

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Figure 8-2

Estimated Liquefaction Potential

Figure 8-3

~~100-Year Floodplain Locations~~

Flood Hazard Areas, as identified by Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) maps.

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Figure 8-4

Hazardous Areas Locations




Figure 8-5

Dam Inundation Areas

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Figure 8-6

Oakley Land Uses and Essential Facilities in Flood Hazard Zones

S ETTING

This section provides background information and the current condition for the City of Oakley and both proposed Expansion Areas. Topics discussed below include Geology, Seismic Hazards, Flood Hazards, Fire Hazards, Hazardous Materials and Waste, and Public Protection and Disaster Planning.

STRUCTURAL COMPATIBILITY

Among the most basic strategies for reducing risk of property damage and injuries to persons is ensuring land uses are sited in appropriate locations. Specifically, sensitive land uses and critical public facilities should not be located in areas that are highly susceptible to damage due to seismic events, ground failure, flooding or other known hazards.

Table 8-1 provides guidelines for siting of critical facilities. In reviewing development proposals, the City will consider the compatibility of proposed uses, and the known risk of hazards as documented on Figures 8-1 through 8-4 and other available sources of information.

**Table 8-1
CRITICAL STRUCTURES COMPATIBILITY**

Level of Acceptable Risk	Types of Structures	Siting Criteria
1. Extremely Low	Structures whose continued functioning is critical, or whose failure might be catastrophic; power inter-tie systems, plants manufacturing or storing explosives or toxic materials, etc.	Not in critical areas
2. Slightly Higher than in level 1	Structures whose use is critically needed after a disaster: important utility centers: hospitals, police stations, emergency communication facilities, fire stations, small dams, and critical transportation elements such as bridges and overpasses.	Not recommended in critical areas
3. Lowest Possible Risk to Occupants of the Structure	Structures of high occupancy, or whose use after a disaster would be particularly convenient: schools, churches, theaters, large hotels, and other high-rise buildings housing large numbers of people, other places normally attracting large concentrations of people, civic buildings such as fire stations, secondary utility structures, large commercial enterprises, most roads, alternative or non-critical bridges and overpasses.	In critical area with proper mitigation
4. An "Ordinary" Level of risks to occupants of the structure	The vast majority of structures: most commercial and industrial buildings, small hotels and apartment buildings, and single-family residences.	In all areas, built to appropriate design standards.

Source: Contra Costa County Safety Element, July 1996.

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GEOLOGY

The majority of the Oakley area is comprised of Quaternary Alluvium, with small amounts of modern sediments of San Francisco Bay Estuary and Delta lowlands in the northeast. Quaternary Alluvium is characteristically consolidated and unconsolidated sediment. Localized problems for building include expansive clays, hillside earthflows, and unstable cut slopes. Modern sediments of San Francisco Bay Estuary and Delta lowlands are soft, water saturated muds, peat and loose sands. The muds and peats are subject to differential settlement under load. Some local areas may slump and slide. The muds may contain expansive clays and some sands may liquefy under earthquake stresses.

Geologic Formations

The geology of Contra Costa County is dominated by several northwest trending fault systems that divide the County into large blocks

of rock. Within a particular block the rock sequence consists of (1) a basement complex of broken and jumbled pre-Tertiary sedimentary, igneous and metamorphic rocks; (2) a section of younger Tertiary sedimentary rock and some volcanic rocks (flows and tuffs) which locally intertongue with and overlie the sedimentary section; and (3) surficial deposits including stream alluvium, colluvium (slopewash deposits at the foot of steeper slopes), slides, alluvial fans, and Bay Plain deposits. The character of each of these categories of rocks is summarized in Table 8-2 Generalized Stratigraphic Section and Lithologic Characteristics.

From the perspective of seismic safety planning, the older, coarser, and well-drained materials tend to be stable during earthquakes, while younger, fine-grained and water-saturated deposits tend to be less stable. Colluvium is often marginally stable to unstable. A disproportionate share of landslides originates in colluvium.

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**Table 8-2
GENERALIZED STRATIGRAPHIC SECTION AND LITHOLOGIC CHARACTERISTICS**

Formation Name	General Lithologic Description
Alluvium	Includes all types of alluvial deposits. In Central Coast Range, it is separated from Contra Costa Group by an angular unconformity.
Contra Costa Group Bald Peak Basalt Siesta Formation Moraga Formation Orinda Formation	Conglomerate, sandstone, siltstone with minor amounts of limestone and tuff; rapid facies changes. Some basalt and andesite (volcanic) flows. Clastics are semi-consolidated and contain montmorillonite clay. Topographic form highly variable.
San Pablo Group (Diablo Range) Neroly Sandstone Cierbo Sandstone Briones Sandstone	Predominantly marine sandstone with interbeds of shale, siltstone and minor conglomerate. Upper part includes some non-marine beds (e.g., Diablo Formation of Weaver, 1944)
Monterey Group (Briones Hills) Rodeo Shale Hambre Sandstone Tice Shale Claremont Shale Sobrante Sandstone	Siliceous shale and fine-grained sandstone. Some zones of rhythmically bedded chert and shale. Bituminous in places. Underlies moderately steep, to steep hillsides in Briones Hills.
San Ramon Formation	Tuffaceous sandstone, tuff, minor conglomerate and siltstone.
Markley Formation Nortonville Shale Domengine Sandstone Meganos Formation	Predominately indurated bedrock including shale, siltstone and sandstone. Montmorillonitic clay shales, unstable.
Martinez Formation	Marine, Glauconite sandstone and shale. Shale similar to the Markley, Nortonville, Domengine, and Meganos as listed above.
Great Valley Sequence	Massive beds of sandstone alternating with siltstone and shale. Minor conglomerate, limestone and lignite. Complex folding and faulting. Crops out in Briones Hills and Diablo Range.
Franciscan Assemblage	Rhythmically bedded greywacke Jurassic Assemblage sandstone, shale, siltstones, radiolarian chert, greenstone. Minor amounts of limestone and schist. Partially recrystallized and intruded by serpentine and associated igneous rocks. Strongly deformed.

Source: Contra Costa County General Plan, July 1996.

Soil Types

The City of Oakley is mostly made up of lowland soil association soils, with some tidal flat-delta-marsh lowlands soils in the northeast corner of the City. The Sellers Avenue SOI Area is made up entirely of lowland soil association soils, while the Cypress Lakes SOI Area is made up entirely of tidal flat-delta-marsh lowlands soils. The lowland soil association soils are slowly to very slowly permeable, highly expansive and corrosive with slight erosion hazards. The tidal flat-delta-marsh lowlands soils

are highly expansive, very highly corrosive and moderately to slowly permeable.

Soil information is primarily from maps and reports that were generated by the United States Soil Conservation Service (SCS), which is now the Natural Resource Conservation Service (NRCS). The classification system used by the NRCS classifies soils into eight categories that categorize the capability of the soil. These classes are designated by roman numerals I through VIII. Class I and II soils have few limitations, the widest range of use and the least

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amount of soil deterioration. Class III, and IV soils are those that are considered suitable for limited cultivation. Class V, VI, and VII soils are those soils that have been considered suitable for range woodlands, or habitat environments. Class VIII soils are those that have severe land use limitations and can only be used for habitat, water supply or aesthetic purposes.

Most of Oakley is composed of Class II Delhi sand, described by the U.S. Soil Conservation Service as "excessively drained soils" where runoff is slow or very slow. Delhi sand is used to grow irrigated almonds, vineyards, and some walnuts.

Physical and chemical characteristics of soils may limit construction/development. The following soil types are within areas currently designated for urban development in Oakley:

Lowland soil associations. Slowly to very slowly permeable, highly expansive and corrosive with slight erosion hazard.

Tidal flat-delta-marsh lowland. Highly expansive, very highly corrosive, and moderately to slowly permeable.

Class II Delhi sand. Excessively drained soils where runoff is slow or very slow.

These soils vary moderately regarding erosion potential, drainage, and suitability for fill.

SEISMIC HAZARDS

Every resident and developer in Oakley assumes seismic risk because the City is within the San Francisco Bay Area, an area of high seismicity. The San Francisco Bay Area has been impacted by more than 10 severe earthquakes throughout historic time.

The major effects of earthquakes are ground shaking and ground failure. Severe earthquakes are characteristically accompanied by surface faulting and less commonly by tsunamis and seiches. Flooding may also be triggered by dam

or levee failure resulting from an earthquake, or by seismically induced settlement or subsidence. All of these geologic effects are capable of causing property damages and risks to life and safety of persons.

A major earthquake could have the potential to cause the failure of the dam structure at the Los Vaqueros Reservoir south of Oakley. Upon failure, water would spill out quickly and head generally northeast to the Delta through low-lying land. However, according to a 1995 ABAG Hazard Map, Oakley is not in an inundation area.

Oakley has been subjected to numerous seismic events, originating both on faults within Contra Costa County and in other locations in the region. Six major Bay Area earthquakes have occurred since 1800 that have affected the County, and at least two of the faults that produced them run through or into the County, but not through or into the Planning Area. These earthquakes, and the originating faults, include the 1836 and 1868 earthquakes on the Hayward fault, and the 1861 earthquake on the Calaveras fault. Two earthquakes, in 1838 and 1906, originated on the San Andreas fault, west of the County near San Francisco, while one earthquake that caused some damage in the County occurred in 1872 and was centered north of Contra Costa County in the Vacaville-Winters area of Solano County. A smaller earthquake, centered near Collinsville in Solano County on a fault of uncertain identity, occurred in 1889.

The maximum credible earthquake anticipated in the Oakley area in a 50-year time period is from the San Andreas Fault or the Antioch Fault. The San Andreas Fault is likely to produce a magnitude 7.0-8.5 earthquake, while the Antioch Fault is likely to produce a magnitude 5.0-6.0 earthquake with a less likely possibility of producing a magnitude 6.0-7.0 earthquake. The following Table 8-3 Richter Magnitude Scale and Effects defines the scale of an earthquake and the possible effects at each scale.

Table 8-3
RICHTER MAGNITUDE SCALE AND EFFECTS

Richter Magnitudes	Earthquake Effects
Less than 3.5	Generally not felt, but recorded.
3.5 - 5.4	Often felt, but rarely causes damage.
5.5 – 6.0	At most slight damage to well-designed buildings. Can cause major damage to poorly constructed buildings over small regions.
6.1 - 6.9	Can be destructive in areas up to about 100 Kilometers (62 miles).
7.0 - 7.9	Major earthquake. Can cause serious damage over larger areas.
8.0 or greater	Great earthquake. Can cause serious damage in areas several hundred kilometers across.

Source: Nevada Seismological Laboratory at the University of Nevada, Reno, October 1996.

The City of Oakley is underlain by one fault that is inferred active on the basis of scattered small magnitude earthquakes near the trace of the fault. This inferred active fault is the Brentwood Fault. Other inferred active faults just west of Oakley are the Davis and Antioch Faults. These fault locations can be seen in Figure 8-1 Mapped Earthquake Faults.

Ground Shaking

Areas of the County would react differently to ground shaking, depending on the type of soil or bedrock underneath a structure. The possible damage caused by ground shaking is categorized as low to moderate to high damage susceptibility.

Areas situated on hard bedrock may be expected to perform satisfactorily under earthquake conditions, provided that ground materials near the surface do not fail. Areas underlain by weakly consolidated sedimentary rock are considered to possess a moderately low to moderate damage susceptibility.

The characteristics of ground motion in alluvial areas will differ somewhat from nearby bedrock areas. These differences may be important when considering the design of sophisticated structures. Areas underlain by firm, dry alluvium are considered to possess a moderate damage susceptibility.

Areas underlain by young bay mud and deposits of the Sacramento-San Joaquin delta are considered to possess the highest damage susceptibility. Most of the County's development and population are located in areas of moderate to moderately low damage susceptibility.

The City of Oakley is dominated by the Younger (Holocene) Alluvium that is susceptible to moderate damage during ground shaking. Areas of Oakley along the shoreline, in northeast Oakley, and in the Cypress Lakes SOI Area are susceptible to high damage because of the modern sediments of San Francisco Bay Estuary and Delta lowlands. A small section of Oakley near the Sellers Ave./East Cypress Ave. intersection and the Sellers Avenue SOI Area are susceptible to moderately low damage because of Pliocene Bedrock and Older (Pleistocene) Alluvium. See Figure 8-1, Faults and Seismic Stability for the locations of the above geologic units and their descriptions.

Liquefaction

Liquefaction is a specialized form of ground failure caused by earthquake ground motion. It is a "quicksand" condition occurring in water-saturated, unconsolidated, relatively clay-free sands and silts caused by ground motion forcing apart soil particles and forcing them into quicksand-like liquid suspension. In the process, normally firm, but wet, ground materials take on the characteristics of liquid.

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Catastrophic ground failures may result from liquefaction that pose a major threat to the safety of structures. Major landslides, settling and tilting of buildings on level ground, and failure of water retaining structures have all been observed as a result of this type of ground failure. Large earthquakes anywhere in the Bay Area are capable of triggering liquefaction in the Planning Area.

Historically, ground failure in its various forms, including liquefaction, has been a problem in areas of continually wet, unconsolidated soils. In the Planning Area, the areas which are most susceptible to ground failure include the geologically young sediments of the San Francisco Bay estuary, including the Delta lowlands.

Liquefaction presents the potential for the most serious consequences in the Delta. Several pre-development studies have confirmed that a high potential for liquefaction exists below levees and proposed developments. This potential presents the possibility that several failures can occur simultaneously on a single levee, possibly preventing access for repairs. Flooding of protected islands would then be unpreventable and would make emergency access and later repair very difficult.

The Planning Area is mostly in an area of generally high liquefaction potential, with a small portion in an area of generally moderate to low liquefaction potential. Generally high liquefaction means that substantial ground shaking has a high potential to trigger liquefaction in the soils. Generally low liquefaction potential means that in the event of substantial ground shaking, the soils have a very low to almost none potential to liquefy. See Figure 8-2 Estimated Liquefaction Potential for areas of liquefaction potential in the Planning Area.

FLOOD HAZARDS

Substantial areas within the City are subject to flooding, especially areas along the coast and northeast of the Contra Costa Canal. According to the Federal Emergency Management Agency

(FEMA), Marsh Creek, the majority of the City's shoreline areas, and the entire Cypress Lakes SOI Area are within the 100-year floodplain (i.e., an area subject to flooding in a storm that is likely to occur once every 100 years). Figure 8-3 ~~100-Year Floodplain Locations~~ shows the ~~100-year floodplain~~ locations within the Planning Area ~~of Flood Hazard Areas, as identified by Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) maps.~~

The most serious flood hazards existing in the Planning Area are related to the system of levees that protect the islands and adjacent mainland. Levee failure often occurs in areas where levees rest on soft mud, silt, or peat. Peat soils exist along the shorelines in the central and northeast portions of the Planning Area (see Figure 8-4 Hazardous Area Locations). Flooding problems have been exacerbated by boat movement on the waterways, which creates waves that accelerate the natural process of levee erosion.

Existing Flood Conditions

Floodplain management generally refers to the 100-year floodplain, ~~and~~ but may also include other areas with flood risk, such as 200-year or 500-year floodplains, or areas that are at risk of flooding from levee failure.

Floodplain management is concerned with both potential structural ~~damages~~ damage within the floodplain and floodway, as well as changes to the configuration of the floodplain brought about by flood protection measures or construction activities. The 100-year floodplain delineates the inundation area from a flood having a one percent chance of occurring in any given year. Similarly, the 200-year and 500-year floodplains delineate, respectively, the areas with a 0.5 percent and 0.2 percent chance of flooding in any given year. A floodway, a smaller area within the floodplain, is comprised of a river or stream plus the area within immediate proximity of a river or stream that is capable of conveying the 100-year flood with no more than a 1-foot rise in water.

There are numerous 100-year flood hazard areas throughout the Planning Area. The majority exists along the shorelines of the Delta, within the Cypress Lakes SOI Area, and along Marsh Creek, with pockets of flood areas scattered throughout the City (see Figure 8-3). Figure 8-5 shows the Oakley land uses and essential facilities that are located within the 100-year and 500-year floodplains.

While much of Oakley is outside the 100-year floodplain, there are issues of localized flooding within the City and in the entire Cypress Lakes SOI Area. These conditions result from the undulating topography of the City that is generally level with isolated drainage basins and the proximity to the Delta. The solution for providing drainage and flood control to such areas is discussed further in the drainage section of the Growth Management Element. There are additional areas within the Oakley that fall within 200-year and 500-year floodplains, as well as “Awareness Floodplain” areas established by DWR. For which similar drainage and flood control strategies may be appropriate.

Dam Inundation

All dams pose the potential risk of failure, most likely from seismically-induced ground shaking or another seismic event, which threatens the area below the dam with inundation of water spilling from the dam. Since 1972, the State has required inundation maps for most dams, showing those areas within the potential dam failure inundation zone. As illustrated in Figure 8-6, the north/northeastern portion of Oakley is subject to potential dam inundation by the New Melones Lake, Folsom Lake, or San Luis Reservoir. The inundation map shows the area likely to flood should the dam(s) fail. The California Environmental Quality Act requires that agencies like the City of Oakley take into consideration risks from dam failure when approving development that would place people or structure in dam inundation areas.

Contra Costa County Flood Control and Water Conservation District

The Contra Costa County Flood Control and Water Conservation District (CCCFWD) is empowered to control flood and storm waters throughout the County. Even though the District has no direct influence over the City regarding land use and planning matters, the District does develop drainage plans for entire watersheds that cross-jurisdictional boundaries. These drainage plans specify the flood control improvements needed to serve planned development in the area and are used to set drainage fees assessed against new development.

Flood control drainage areas have been categorized by the CCCFWD according to the status of adopted drainage plans and fees required for new development in each area. The drainage areas with established fees have undergone sufficient study by CCCFWD for development of a drainage plan. The plan has been adopted and fees have been established. Approved development projects in these drainage areas are assessed a fee based upon the impervious surface created, or the number of acres that are developed. Additional information on drainage issues is provided within the Growth Management Element.

FEMA Provisions & Disaster Relief

The Federal Emergency Management Agency (FEMA) conducts hazard mitigation through disaster-specific Programmatic Environmental Assessments (PEAs). Through the PEA for Typical Recurring Actions Resulting from Flood Disasters in California (1998), FEMA proposes to administer Federal disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 93-288, as amended (the Act), its implementing regulations in 44 Code of Federal Regulations (CFR) Part 206 (Federal Disaster Assistance) and the National Flood Insurance Reform Act of 1994 (PL 103-325). FEMA must comply with the National Environmental Policy Act of 1969 (NEPA) prior to funding disaster assistance or mitigation actions (projects), for which NEPA usually requires an Environmental Assessment (EA). The PEAs allow typical recurring actions to be grouped and assessed by location or type of action, so that FEMA is not required to

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produce a separate EA for each project. FEMA administers three programs that fund such disaster assistance and mitigation projects:

Public Assistance Program (Act Section 406). This program is dedicated to the restoration of damaged facilities to pre-disaster conditions, and assists local governments and private non-profit organizations with the costs of disaster response and recovery;

Hazard Mitigation Grant Program (Act Section 404). This program provides cost-share funds to communities to reduce the long-term risk of disaster impacts;

Flood Mitigation Assistance Program (Title V of the National Insurance Reform Act of 1994). This program administers cost-share funding of community projects that can mitigate flood-related impacts.

Local utilization of FEMA program 1 would require either a flood, fire, or other disaster, but programs 2 and 3 may provide means by which flood impacts could be mitigated. Examples of such mitigation could include the expansion of detention structures or the construction of new flood control projects designed to reduce peak flows.

Other State, Regional, and Local Agencies

A variety of additional State, regional, and local agencies are responsible for disaster and flood-protection planning, as well as for providing coordination and relief services in the event of a flood or another natural disaster. These agencies include: the California Office of Emergency Services; the Department of Water Resources Division of Flood Management; the Contra Costa County Office of Emergency Services; the Contra Costa County Sheriff's Office; the East Contra Costa Fire Protection District; the City of Oakley Emergency Management Organization; and the Oakley Police Department.

FIRE HAZARDS

Fire hazards threaten lives, property, and natural resources, and present a considerable problem to vegetation and wildlife habitats throughout the Planning Area. Grassland fires are easily ignited in dry seasons. These fires are relatively easily controlled if they can be reached by fire equipment. Peat fires, once ignited, are extremely difficult to extinguish. These types of fires have the potential to occur on soils above the high water line and adjacent to the Delta due to the marshy origin of the soils there.

Wildland and Urban Fire Hazards

A fire hazard severity scale has been devised which characterizes areas throughout the County by the number of days of moderate, high and extreme fire hazard. The City of Oakley is entirely within the boundaries of critical Fire Weather Class 3, which correlates to 9 ½ or more days per year of moderate, high and extreme fire hazard. The Class 3 category is the highest in the County, with Class 1 having less than 1 day per year, and Class 2 having 1 to 9 ½ days per year.

A small portion of the Planning Area along the Delta contains peat soils. See Figure 8-4 Hazardous Areas Locations for areas of Peat Soils within the Planning Area. Peat fires represent a special hazard in that once ignited, they are extremely difficult to extinguish. In some instances, islands have been flooded in order to extinguish peat fires.

State Responsibility Areas (SRAs)

Pursuant to California Public Resources Code Section 4125 et seq., commonly known as the State Fire Responsibility Act, the State Board of Forestry classifies all lands within the State of California based on certain factors. Examples of these factors include cover, beneficial use of water from watersheds, probable damage from erosion, and fire risks and hazards. Next, the State Board of Forestry determines those areas for which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the State of California. The prevention and suppression of fires in all areas that are not within a state responsibility area

(SRA) becomes primarily the responsibility of the local or federal agencies, as applicable. Oakley and the SOI Areas are not within a SRA and fire protection is the sole responsibility of the local agencies. See the Growth Management Element for fire protection in the Planning Area.

HAZARDOUS MATERIALS AND WASTE

Solid, liquid, and hazardous materials and waste by area residents and businesses contribute to environmental and human health hazards that have become an increasing public concern. Toxicity and contamination of soils, water, air, and organisms present hazards of varying severity that can be controlled and minimized by proper waste management and disposal.

Title 22 of the California Code of Regulations (CCR) defines a hazardous material as follows:

... a substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed" (California Code of Regulations, Title 22, Section 66260.10).

Known Sources of Contamination

Heavy industrial land uses centered on the northwest portion of Oakley have the potential to present significant risk to public safety because of the hazardous nature of some petroleum and chemical materials. Potential hazards include explosion and flammability of petroleum products and other chemicals, and chemical toxicity. A chemical plant (former DuPont Chemical Plant) existed in the northwest corner of the city adjacent to the BNSF railroad. Dupont is closed and is in the process cleaning the site. Notwithstanding industrial safety procedures, the presence of large quantities of hazardous materials within the Planning Area and the County, particularly close

to and/or upwind of populated areas, poses a potential safety hazard at all times.

Many miles of pipelines for the transportation of natural gas, crude oil, and refined petroleum products traverse the Planning Area, including residential and commercial areas. See Figure 8-4 Hazardous Areas Locations for the approximate locations of pipelines in the Planning Area. These pipelines may cross-areas with active fault lines, landslide deposits, unstable slopes, and areas underlain by soft mud and peat. The public safety hazard from a pipeline break would depend on the proximity of the accident to populated areas as well as the nature of the event that produced it.

In general, natural gas is believed to be less hazardous to the public than petroleum because it is transported at lower pressures and, when released, rises and dissipates into the atmosphere. Petroleum products, on the other hand, are pumped at pressures up to 200 pounds per square inch and, when released, flow along the ground. Petroleum fires are more likely to spread to nearby properties than vertical-burning natural gas fires.

There are several active gas and oil wells in the Planning Area, most of which are far from populated areas in the eastern portion of the City and the northwestern portion of the Cypress Lakes SOI Area. See Figure 8-4 for approximate location of wells. Although there is the risk of a well catching on fire, such incidents have been very few and the risk of such a fire causing a general disaster is remote. There is the possibility of increased public safety hazards if rural residential areas are permitted to encroach on the gas producing area.

In addition to the hazardous materials noted above, agriculture presents the potential for exposure of sensitive land uses to hazardous chemicals. Activities such as application of fertilizers, pesticides and insecticides can present health and safety concerns. Applications of such chemicals are governed by various state and federal standards, and application of such chemicals is generally regulated by the County Agricultural Commissioner. The Land Use

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Policies 2.2.4 and 2.2.13 of the Land Use Element seek to minimize this hazard by requiring setbacks, buffers and vegetation, as appropriate, to protect residential land uses from adjacent and potentially incompatible uses, including agriculture.

Risk of Upset

Gas storage facilities, treatment plants, and railroads have the potential of being significant safety hazards. Accidental explosions or spills can result in fires, noxious gases, bad odors, and pollution. The following are areas of the City that have the potential to be safety hazards should a catastrophe of any kind occur.

Propane

Suburban Propane operates a propane distribution facility at 30 Delta Road (at the intersection of Delta Road and Northeast Main Street) within the City. The facility has been operated by Suburban since the 1950's. This site has one 29,920-gallon storage tank that was installed in early 2001. Propane is delivered to this facility by large tank trucks and is distributed to uses by smaller delivery tank trucks. Suburban operates two delivery trucks from this site that are filled once per day on weekdays, although generally only one truck runs each day. Propane deliveries are made on weekdays only. All propane is brought in or exported via truck, there are no propane lines extending into or out of the Suburban Propane property.

Due to the combustible nature of propane, this facility presents potential hazards associated with fire and explosion. Considerable investigation has been completed on the potential for fire and explosion in conjunction with propane facilities. The following data was compiled by Quest Consults, Inc. for propane facilities in the City of Elk Grove that include 60,000 gallon pressurized propane tanks. The catastrophic failure of a non-refrigerated pressure vessel is generally referred to as a BLEVE (Boiling Liquid Expanding Vapor Explosion).

BLEVE events generally occur under one of two circumstances, events occurring during the

transfer of propane between the storage tank to a transport tank truck and events caused by a fire in the vicinity of the storage tank. The following data is based on extensive historic records both in the U.S. and in other countries and characterizes the likelihood of a BLEVE incident at an individual facility.

According to data published by the U.S. Census Bureau [USCB, 1999] approximately 10.4 billion gallons of flammable gases were transported in the United States in 1997, involving an estimated two million transfer events (transfer between storage tank and truck tanker). Based on documented events, during the past 30 years, there have been only three BLEVEs of pressurized tank trucks in the United States. Based upon statistical estimates, the likelihood of a BLEVE event during a transfer operation is approximately five BLEVEs for every one billion transfer operations. It is estimated that 400 transfer operations occur at the Suburban facility annually.

The second type of BLEVE event involves external conditions acting upon the storage tank to cause tank failure. Studies of tank failures have been completed in the United State, the U.K. and the Netherlands. The results of studies in the U.S. anticipate a likelihood of a catastrophic event occurring between 1-3 events for every one million years of service at a given tank facility.

Overall, the potential for a catastrophic failure at the Suburban Propane facility is extremely low, with an overall likelihood of failure of approximately 2 or 3 catastrophic events for every one million years of service. While this is numerically a very low potential for event, the nature of the event would be devastating to the immediate vicinity of the facility.

Compatibility of this facility with future uses should be considered within the General Plan process. Due to Suburban's long presence on the site and its recent investment of installing a new tank on the site, it is assumed that Suburban intends to continue providing service from this site for the foreseeable future.

Randall Bold Water Treatment Plant

The Randall Bold Water Treatment Plant is located on Neroly Road in Oakley. The water treatment plant handles supplies filtered and disinfected water to the general public for drinking and other uses.

There are a number of chemicals that are transported, stored, and used at the water treatment plant. Chemicals used may include chlorine, chlorine dioxide, aqueous ammonia, and others. Chlorine is a flammable gas that can explode on heating. Chlorine dioxide is a strong oxidant and its vapors can result in explosive decomposition. Aqueous ammonia is a gas that is lighter than air, and a strong base that can react violently with acid.

However, water treatment plants are considered of such low risk with regard to significant chemical spills that they are frequently sited within or near residential areas. Also, water treatment plants have to comply with a variety of state regulations to insure their safe operation.

Railroad

The BNSF Railroad line traverses through Oakley, running east and west. The Southern Pacific Railroad traverses along the southwest Transportation to relocate the existing, unsignalized, at-grade public crossing of the tracks of the BNSF Railroad at Oakley Road to an existing crossing located at Rose Avenue that will be upgraded to a signalized, at-grade public crossing with automated safety gates. The four local agencies will be responsible for the costs of providing access from State Route 4 to the crossing, and the roads from the crossing to their facilities.

PUBLIC PROTECTION AND DISASTER PLANNING

Hospitals, ambulance companies, and fire districts provide medical emergency services. Considerable thought and planning have gone into efforts to improve responses to day-to-day

boundary of the City paralleling Neroly Road. Safety hazards related to these rail lines could be significant if a train were to derail or collide with a pedestrian or vehicle.

Hazardous materials are regularly shipped via rail line and, while unlikely, an incident involving a derailment of a train could result in the spillage of cargo that the train is transporting. The spillage of hazardous materials could have devastating results. The railroad companies do transport munitions to the Concord Naval Weapons Station, which could be an explosive hazard. The City has no control over the types of materials shipped via a rail line because the content of shipments may be confidential for reasons of security.

There is also a safety concern of pedestrians along the tracks and vehicles utilizing at-grade crossings. The design and operation of at-grade crossings allows the City some control over rail related hazards. Ensuring proper gate operation at the crossings is the most effective strategy to avoid collision and possible derailments.

Ironhouse Sanitary District, Diablo Water District, Contra Costa Water District and the East Bay Regional Park District are seeking federal funding under the Section 130 Program administered by the California Department of emergencies and planning for a general disaster response capability.

Identification of streets, house numbers, and townhouse and apartment units is a major factor hampering emergency medical response. Design of multi-story buildings rarely includes elevators or stairways that can accommodate gurneys. In the event of a disaster, many people could be affected.

Generally, disaster planning is conducted at a countywide, multi-county, or regional level, with comprehensive programs established to protect persons from natural or human-caused disasters. Contra Costa County, through the Safety Element of the County General Plan (1995), has identified various hazards and has designed appropriate programs to address disaster planning and public protection. The programs

8.0 HEALTH AND SAFETY ELEMENT


for public relief and safety are generated at this countywide level and, in combination with State and Federal agencies, will accommodate the City

of Oakley should a significant natural or human-caused disaster occur.









8.0 — HEALTH AND SAFETY ELEMENT

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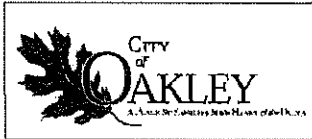
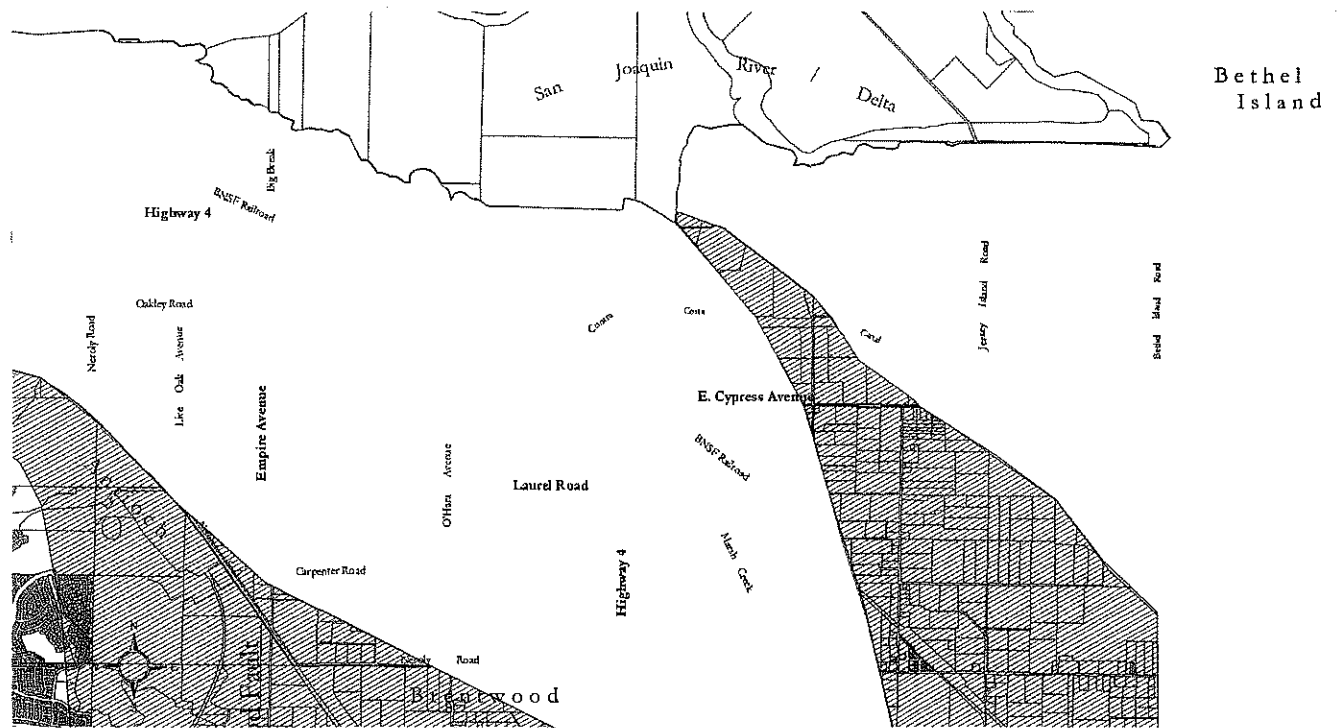




City of OAKLEY
A City of 7,000 in the Heart of the U.S.

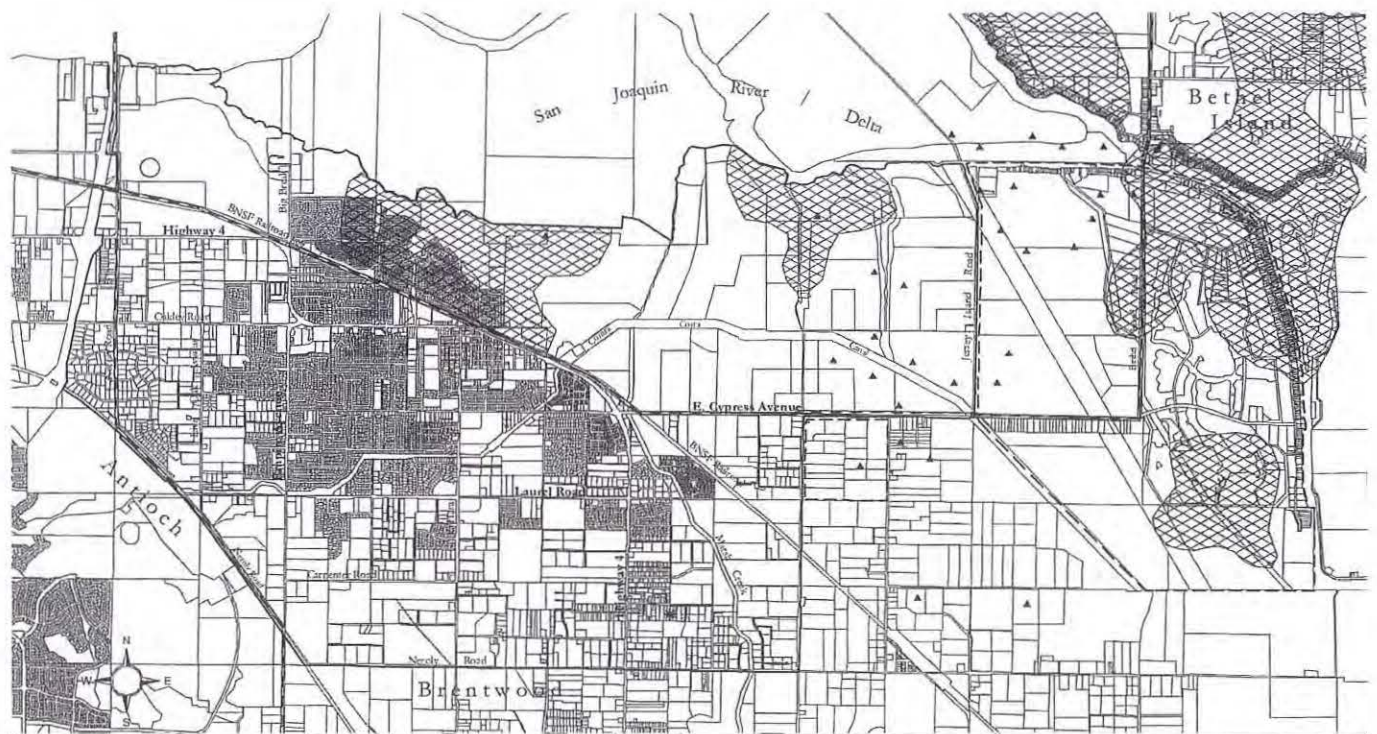
L		City Boundary		Pliocene Bedrock (Moderately low damage susceptibility)
E		Expansion Area Boundary		Younger Alluvium (Moderate damage susceptibility)
G		Earthquake Faults		Modern sediments (Highest damage susceptibility)
E		Inferred Active		
N		Location Unknown		
D				








City of Oakley
General Plan 2020
Figure 8-1
Faults and Seismic Stability
Source: Contra Costa County General Plan 1991-2010, July 1996



- LEGEND**
- City Boundary
 - Expansion Area Boundary
 - Liquefaction Potential
 - Generally High
 - Generally Moderate to Low

City of Oakley
General Plan 2020
Figure 8-2
Estimated Liquefaction Potential
Source: Contra Costa County General Plan 1995-2010, July 1996

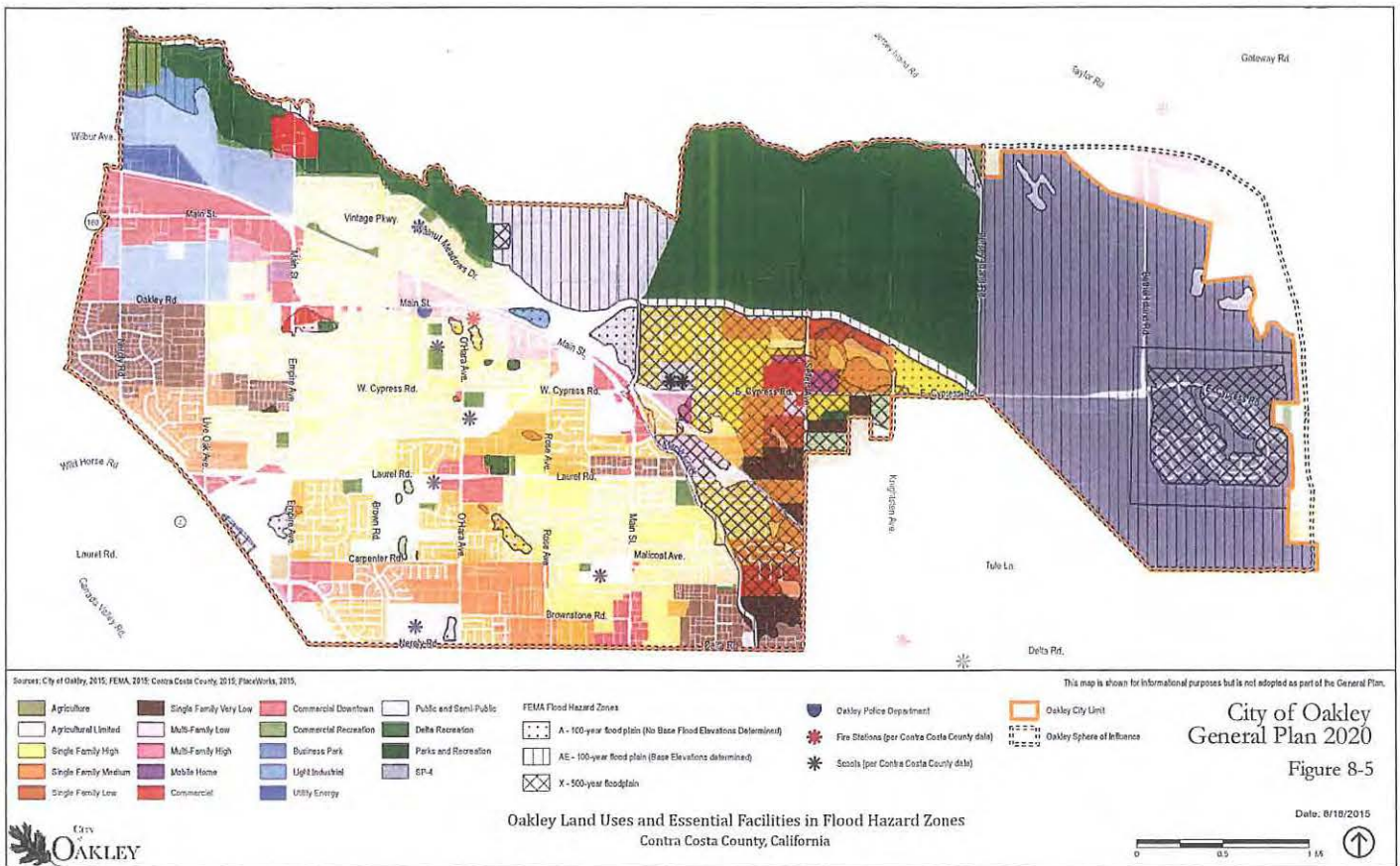


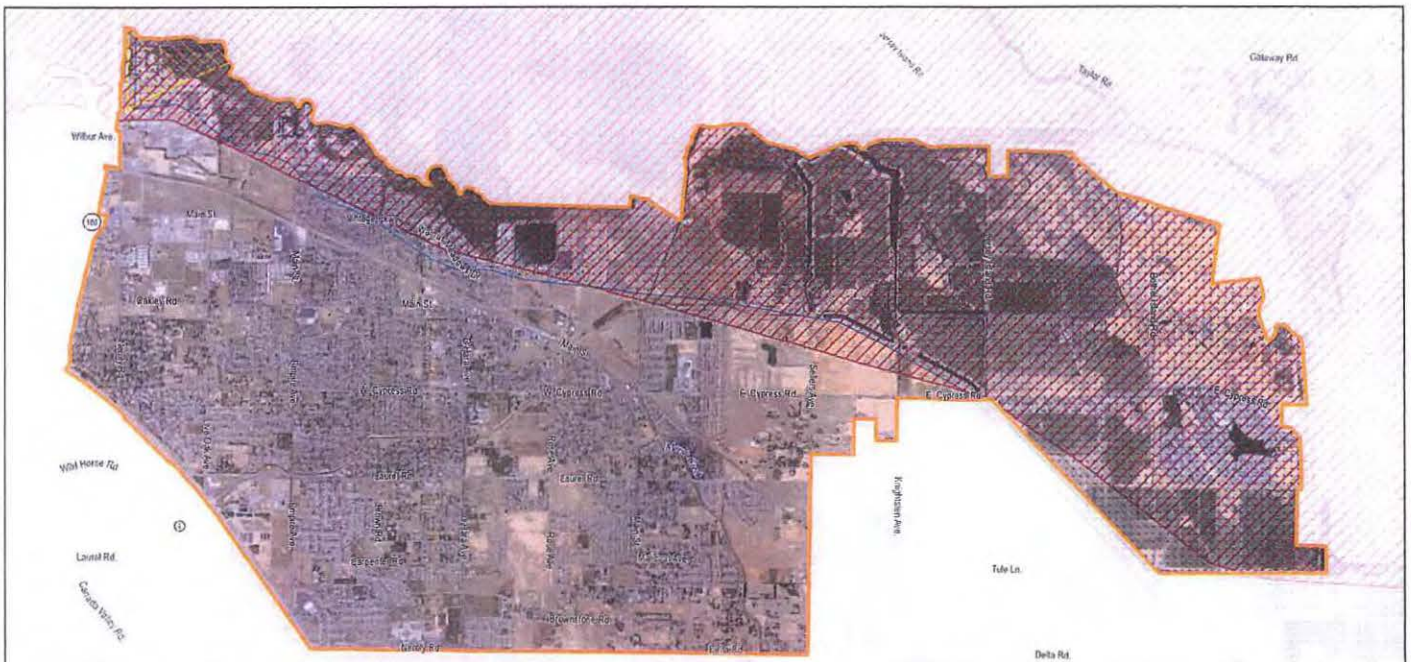
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E
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D**
-  City Boundary
 -  SOI Boundary
 -  Peat Soils
 -  Oil & Gas Wells
 -  DuPont Plant (former site)
 -  Natural Gas Lines
 -  Contaminated Site (batteries)

City of Oakley
General Plan 2020

Figure 8-4
Hazardous Area Locations

Source: Contra Costa County General Plan 1995-2010, July 1995





Source: City of Oakley, 2010; Cal EMA, 2007; Contra Costa County, 2010; FloodWorks, 2010.

This map is shown for informational purposes but is not adopted as part of the General Plan.

- Cal EMA Potential Dam Failure Inundation Areas
-  New Melones Lake
 -  Oakley City Limit
 -  Folsom Lake
 -  New Lake Reservoir

City of Oakley
General Plan 2020
Figure 8-6

Date: 8/18/2015



Dam Inundation Areas — Oakley
Contra Costa County, California



Draft
STANDARD CONDITIONS OF APPROVAL
RESIDENTIAL

Applicant shall comply with the requirements of Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan received by the Community Development Department on _____.

THE FOLLOWING PLANNING AND BUILDING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. This _____ is approved, as shown on the revised plans, date stamped by the Community Development Department on _____, 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 _____ () years from the effective date of this resolution by the recording of a final map and if not effectuated shall expire on _____. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code.
3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the Planning Commission on _____.
4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
5. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.
6. Should archaeological materials be uncovered during grading, trenching or other on- site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an

opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary.

7. All mitigation measures addressed in the environmental document shall be complied with and addressed as outlined in the Mitigation Monitoring Program approved for this project (incorporated as Exhibit A), per the review and approval of the Community Development Director.
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 applicant shall post a copy of the City of Oakley General Plan 2020 Land Use Diagram, in a conspicuous place, within the model homes or sales office.

Development Standards:

10. The _____ zone district shall have the following standards:

Parks and Landscaping:

11. This project has a park requirement of ___-acres (neighborhood and community). The applicant shall provide ___ acres on-site and pay in-lieu fees for the remainder.
12. The applicant shall work with the Community Development Department with the design, construction and completion of the park concurrent with the development of the subdivision. As part of the plan check process for the park, the applicant shall develop a park construction schedule approved by the Community Development Director to provide for the timely completion of the park concurrent with development.
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 Residential Design Guidelines 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.
18. The applicant shall maintain all private landscaping until occupancy.
19. A street tree plan shall be submitted for review prior to issuance of Building Permits. The street trees shall be inter-mixed throughout the subdivision, so there are a variety of trees on every street, per review of the Community Development Department.

Fences and Walls:

20. Within the subdivision good neighbor fences shall be constructed of six-foot high wood fences with metal posts or acceptable alternative as reviewed and approved by the Community Development Director. Corner lots or any good neighbor fence facing a street shall provide a fence or wall constructed of a durable material such as, but not limited to, masonry, vinyl, enhanced wood, composite or other durable material as approved by the Community Development Director. All wood fencing visible from the street shall be stained or painted on both sides to prevent water damage to the satisfaction of the Community Development Director.
21. A ___-foot masonry wall shall be located along the perimeter of the site adjacent to _____. The wall shall be of _____ construction per the review and approval of the Community Development Director. In the locations where cul de sacs or front loaded streets are adjacent to the arterial and collector streets, wrought iron or 42" picket fences shall be constructed to provide open views per the review and approval of the Community Development Director.
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.

Subdivision Design:

24. The neighborhood entries shall be identified by accent paving, project monument signage and accent planting per the review and approval of the Community Development Director.
25. Driveway openings shall be a maximum 18' in width or up to 25% of a lot's frontage (except on cul de sacs).

26. The street names shall be approved by the Community Development Department and the East Contra Costa Fire District.

Subdivision Disclosures:

27. The model home complex shall have a copy of the City of Oakley's General Plan land use map posted within the sales office or included with the informational material provided to prospective home buyers.
28. 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.

29. 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.

30. The following statement shall be recorded at the County Recorder's Office for each parcel to notify the future owners of the parcel that they are within the Antioch School District and shall be prominently displayed in sales office's for the public to

view:

This document shall serve as notification that you have purchased land within the Antioch Unified School District. Properties located within Antioch Unified School District boundaries are subject to Mello Roos tax. Potential property owners should be fully aware of this at the time of purchase."

Design Review:

31. All windows and doors shall be trimmed on all four sides.
32. Sixty percent of the garage doors throughout the subdivision, that face the street, shall have windows.
33. The use of stone or brick veneer shall be carried to the fence line or change in wall plane per the review of the Community Development Director.
34. All houses that side or back onto a road shall have additional architectural embellishments on the side and rear elevations.
35. Front yard setbacks shall vary from those of adjacent lots by at least 5 feet, for every three lots.

Energy Efficiency:

36. Water heaters shall provide an energy efficiency factor of 0.62 or better.
37. Dual zone air conditioning shall be provided on all two-story residential units.
38. 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.
39. 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:

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

Building Division Conditions

41. 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.
42. 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.
43. 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:

44. 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.
45. 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.
46. 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.

47. Submit landscaping plans for publicly maintained landscaping, including planting and irrigation details, as prepared by a licensed landscape architect to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.
48. Execute any agreements required by the Stormwater Control Plan which pertain to the transfer of ownership and/or long term maintenance of stormwater treatment mechanisms required by the plan prior to the final inspection of the first house within the subdivision.
49. Building permits for house construction shall not be issued until the subdivision streets serving the lots have been paved.

Roadway Improvements:

50. Construct the frontage of _____ to City public road standards for a 36-foot wide roadway within a 56-foot right-of-way, including curb, five-foot monolithic sidewalk (width measured from curb face), necessary longitudinal and transverse drainage, pavement widening to a minimum of 28 feet, and conforms to existing improvements. The face of curb shall be located 18 feet from the centerline and any conforms to existing improvements must take place outside of the limits of the project. [Residential Street condition]
51. Construct the frontage of _____ to City public road standards for a 40-foot wide roadway within a 76-foot right of way, including curb, six-foot detached sidewalk (parallel to the curb face and offset from the face of curb by six feet), right of way landscaping, necessary longitudinal and transverse drainage, pavement widening to a minimum of 28 feet, and conforms to existing improvements. The face of curb shall be located 20 feet from the centerline and any conforms to existing improvements must take place outside of the limits of the project. [Collector Street condition]
52. Construct the frontage of _____ to City public road standards for a 82-foot wide roadway within a 126-foot right of way, including curb, six-foot detached sidewalk (meandering within the landscape area so that the minimum landscape width is no less than six feet), right of way landscaping, a sixteen foot wide landscaped median, necessary longitudinal and transverse drainage, pavement widening to a minimum of 28 feet, and conforms to existing improvements. The face of curb shall be located 41 feet from the centerline and any conforms to existing improvements must take place outside of the limits of the project. [Arterial Street condition]
53. Construct a bus turnout on the _____ side of _____ just _____ of _____. The turnout shall be consistent with Tri Delta Transit and City standards and shall include any necessary shelters and appurtenances. The right of way adjacent to the turnout shall be widened

so that the landscaping width is consistent with the remainder of the frontage.

54. Construct the project streets to City public road standards and as shown on the Tentative Map with the following exceptions:
 - A. The minimum street grade may be lowered from the standard 1% to 0.75% provided that the project proponent demonstrates that the City's drainage standards can be achieved.
 - B. Submit a turning radius exhibit to the City Engineer for review and approval to illustrate that the ninety-degree turns of project streets can accommodate the largest expected vehicle to use the streets without the inclusion of City standard elbows. If the exhibit illustrates that elbows are necessary to accommodate the expected traffic then they shall be included in the improvement plans.
55. Install traffic calming measures consistent with the City's Neighborhood Traffic Management Program including _____. The traffic calming measures shall be included on the improvement plans and are subject to the review and approval of the City Engineer.
56. Install traffic control devices such as stop signs and other signing and striping on the project streets to the satisfaction of the City Engineer.
57. Install standard street barricades at the terminus of _____. 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 _____ advising those owners of the possibility for future extension.
58. Construct emergency vehicle accesses from _____ to _____. The design and configuration of the accesses shall be per the current City standard and shall be subject to the review and approval of the City Engineer.
59. Construct an asphalt concrete overlay for the entire width of _____ adjacent to the project. The City Engineer shall determine the depth and extent of the overlay.
60. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.
61. Submit a phasing plan for the project streets to the City Engineer for review if the street improvement will be phased. The plan shall include provisions for emergency vehicle access, temporary turn-around facilities, and access to the occupied lots.

Road Alignment/Sight Distance:

62. Submit a preliminary plan and profile to the City Engineer for review showing all required improvements to _____. The sketch plan

shall be to scale, show horizontal and vertical alignments, transitions, curb lines, lane striping and cross sections and shall provide sight distance for a design speed of ___ miles per hour. The plan shall extend a minimum of 150 feet ± beyond the limits of the proposed work.

Road Dedications:

63. Convey to the City, by Offer of Dedication, the right of way for the project streets.
64. Convey to the City, by offer of dedication, the right of way for _____ for the planned future half width of ___-feet along the project frontage.
65. Convey to the City, by offer of dedication, the required off-site road rights of way for _____. Alternatively the applicant can enter into an agreement with the City to fund the City efforts to obtain the off-site rights of way including all staff, legal, consultant, administrative, and acquisition costs.
66. Relinquish abutter's rights of access along all non-primary frontages to the satisfaction of the City Engineer.
67. Vacate the portion of public right of way on the _____ side of _____ in excess of the required half-width of ___-feet.
68. 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:

69. Install streetlights along all project streets and the project _____ frontage. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. The lights on the project streets shall be decorative per City standards, and the lights along _____ shall be General Electric spun aluminum "cobra head" style.

Grading:

70. 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.
71. 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.
72. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer.
 73. 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.
 74. 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.
 75. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities.
 76. Submit a haul route plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan the City Engineer shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.
 77. 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.
 78. 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.
 79. 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 ___ 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 ___ 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.

80. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.

81. The burying of any construction debris is prohibited on construction sites.

Utilities/Undergrounding:

82. Underground all new and existing utility distribution facilities, including those along the frontage of _____. 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.

83. 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.

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

Drainage Improvements:

85. Collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse consistent with the plans for Drainage Area ___ as prepared by the Contra Costa County Flood Control and Water Conservation District.

86. 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.

87. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.

88. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

89. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.

90. 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:

91. Install public right of way landscaping along _____ prior to the issuance of the building permit for the ___th unit or concurrently with the construction of the sound wall. Public right of way landscaping along the project streets shall be installed prior to occupancy of homes adjacent to that street.
92. 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):

93. 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:

94. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 85-00

and 08-03. The applicant shall pay the fees in the amounts in effect at the time each building permit is issued.

- A. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);
- B. Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);
- C. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);
- D. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);
- E. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);
- F. Child Care Facilities "In Lieu" Fee (adopted by Ordinance No. 18-99 and 23-99);
- G. Fire Facilities Impact Fee, collected by the City (adopted by Resolution No. 09-01);
- H. South Oakley Infrastructure Master Plan Fee (adopted by Resolution No. 52-03); and
- I. General Plan Fee (adopted by Resolution No. 53-03)
- J. East Contra Costa County Habitat Conservation Plan Fee (adopted by Resolution No. 112-07 & 124-07)

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

- 95. 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.
- 96. 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. All costs of annexation shall be paid by Applicant.

97. 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. All costs of annexation shall be paid by Applicant.
98. 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. All costs of annexation shall be paid by Applicant.
99. 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.
100. 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.
101. Participate in the formation of an assessment district for the construction of off-site improvements such as _____ and/or the pre-payment of all or a portion of eligible development impact fees should the City deem such a mechanism necessary. The assessment district

shall be formed prior to the filing of any final or parcel map, and the project proponent shall fund all costs of formation.

102. Applicant shall comply with the drainage fee requirements for Drainage Area ___ as adopted by the County Board of Supervisors. The applicant shall pay the fee in effect at the time of final map approval. Certain improvements required by the Conditions of Approval for this development or the Code may be eligible for credit or reimbursement against the drainage area fee. The developer should contact the City Engineer to personally determine the extent of any credit or reimbursement for which they might be eligible. Any credit or reimbursements shall be determined prior to filing the final map or as approved by the Flood Control District.
103. Participate in the City's South Oakley Infrastructure Master Plan both by cooperating with the City's consultant team in the design and implementation of specific infrastructure projects and by providing this project's fair share contribution to the costs of preparing the study. The fair share contribution shall be paid in accordance with Resolution 52-03.
104. 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. Comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
- G. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of

Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.

- H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- I. The applicant shall obtain an encroachment permit for construction within existing City rights of way.
- J. The applicant shall obtain an encroachment permit from Caltrans for construction within the State right of way.

Draft
STANDARD CONDITIONS OF APPROVAL
COMMERCIAL/INDUSTRIAL

Applicant shall comply with the requirements of Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan received by the Planning Division on _____.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. This _____ is approved, as shown on the revised plans, date stamped by the Planning Division on _____, 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 _____ () years from the effective date of this resolution by pulling a building permit and if not effectuated shall expire on _____. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning Code.
3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on _____.
4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
5. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.
6. Should archaeological materials be uncovered during grading, trenching or other on- site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an

opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary.

7. All mitigation measures addressed in the environmental document shall be complied with and addressed as outlined in the Mitigation Monitoring Program approved for this project (incorporated as Exhibit A), per the review and approval of the Community Development Director.
8. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

Site Plan:

9. All parking stall striping shall be double striped. Parking stalls shall be 9 feet wide by 19 feet deep and all drive aisles shall be a minimum 24 feet in width as reviewed and approved by the Community Development Director.
10. A lighting and photometric plan shall be submitted prior to the issuance of building permits. The minimum requirement shall be one foot of candle light within public parking areas and pedestrian pathways.
11. Light poles shall be a maximum height of __feet and shall provide glare shields where adjacent to existing residences per the review and approval of the Community Development Director.
12. Trash enclosures shall match Oakley Disposal and City standards and shall provide adequate space to accommodate both trash and recycling. Also, trash enclosures shall be constructed with a roof to match the building design and materials, have metal gates, and when appropriate be surrounded by landscaping with climbing vines on three sides per the review and approval of the Community Development Director.
13. Storage shall be contained inside the building. Storage containers are not allowed and pallets, boxes, cardboard etc. shall not be stored outside.

Architecture:

14. Roof-mounted equipment shall be architecturally screened from view.
15. The light fixtures on the commercial building shall be decorative fixtures per the review and approval of the Community Development Director.

Landscaping Requirements:

16. A landscaping and irrigation plan for all areas shown on the site plan shall be submitted for review and approval of the Community Development Director prior to the issuance of building permits. The landscaping plan shall include the project's frontage and side yards. Landscaping shall conform to the Oakley Water Efficient Landscape Ordinance and the Guidelines for Implementation of the City of Oakley Water Efficient Landscape Ordinance and shall be installed prior to final occupancy. The plan shall be prepared by a licensed landscape architect and shall be certified to be in compliance with the City's Water Conservation Ordinance.
17. California native drought tolerant plant or shall be used as much as possible. All trees shall be a mix of fifteen-gallon, 24-inch box and 36-inch box, all shrubs shall be a minimum five-gallon size, except as otherwise noted.
18. Parking lot trees shall provide 50 percent shading of the parking areas at tree maturity.
19. Prior to occupancy, an on-site inspection shall be made of privately owned lands by a licensed landscape architect to determine compliance with the approved landscape plan. A signed certification of completion shall be submitted to the Community Development Director for review and approval.
20. If occupancy is requested prior to the installation of the landscape and irrigation improvements, then either a cash deposit or a letter of credit shall be delivered to the City for 125 percent of the estimated cost of the uncompleted portion of the landscape and irrigation improvements. If compliance is not achieved after six months of occupancy as determined by the Community Development Director, the City shall contract for the completion of the landscaping and irrigation improvements to be paid for by the held sum. The City shall return the unused portion within one year of receipt or at the completion of all work.
21. Landscaping shall be maintained as shown on the landscape plan in perpetuity.

Sound Walls

22. 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.

Signage:

24. The proposed signage shall meet the requirements of the City's Zoning Ordinance. All proposed signage shall be reviewed by the Planning and Building Divisions.

25. A Sign Plan shall be provided for the site. Only the following signs shall be allowed, subject to final review and approval by the Community Development Director prior to the issuance of a building permit for signs:

- To be determined with each project.

26. The wall signs shall be constructed of individual channel letters.

27. All signs shall be on permanent structure and of design and material to compliment the proposed commercial building. No signs on the premises shall be animated, rotating or flashing. No flags, pennants, banners, pinwheels or similar items shall be permitted on the premises, with the exception of a United States flag and California state flag.

28. Temporary signage for such things as special events and grand openings, shall require a Temporary Use Permit per the review and approval of the Community Development Director.

Building Division Conditions

29. Plans shall meet the currently adopted Uniform Codes as well as the newest T-24 Energy Requirements per the State of California Energy Commission. To confirm the most recent adopted codes please contact the Building Division at (925) 625 – 7005.

30. 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.

31. Prior to requesting a Certificate of Occupancy from the Building Division all Conditions of Approval required to occupancy must be completed.

Public Works and Engineering Conditions

General:

32. 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.

33. 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.
34. Submit landscaping plans for publicly maintained landscaping, including planting and irrigation details, as prepared by a licensed landscape architect to the City Engineer for review and pay appropriate processing costs in accordance with the Code and these conditions of approval.
35. Execute any agreements required by the Stormwater Control Plan which pertain to the transfer of ownership and/or long term maintenance of stormwater treatment mechanisms required by the plan prior to the final inspection of the first house within the subdivision.

Roadway Improvements:

36. Construct the frontage of _____ to City public road standards for a 82-foot wide roadway within a 126-foot right of way, including curb, six-foot detached sidewalk (meandering within the landscape area so that the minimum landscape width is no less than six feet), right of way landscaping, a sixteen foot wide landscaped median, necessary longitudinal and transverse drainage, pavement widening to a minimum of 28 feet, and conforms to existing improvements. The face of curb shall be located 41 feet from the centerline and any conforms to existing improvements must take place outside of the limits of the project. [Arterial Street condition]
37. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.

Road Alignment/Sight Distance:

38. Submit a preliminary plan and profile to the City Engineer for review showing all required improvements to _____. The sketch plan shall be to scale, show horizontal and vertical alignments, transitions, curb lines, lane striping and cross sections and shall provide sight distance for a design speed of ___ miles per hour. The plan shall extend a minimum of 150 feet ± beyond the limits of the proposed work.
39. Locate the project signs so as to not obstruct sight distance at the intersection of _____ and _____ and the project driveways. The design speed for _____ shall be ___ mph.

Road Dedications:

40. Convey to the City, by offer of dedication, the right of way for _____ for the planned future half width of ___-feet along the project frontage.
41. Convey to the City, by offer of dedication, the required off-site road rights of way for _____. Alternatively the applicant can enter into an

agreement with the City to fund the City efforts to obtain the off-site rights of way including all staff, legal, consultant, administrative, and acquisition costs.

42. Relinquish abutter's rights of access along _____ except for the _____ approved driveway locations.

Access to Adjoining Property:

43. 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 and drainage improvements.
44. Obtain an encroachment permit from Caltrans for construction of any improvements within the State right of way.
45. Applicant shall only be allowed access to the project site at the _____ locations shown on the approved site plan.
46. Develop for the City's review and approval and enter into a private joint access agreement that allows the adjacent parcels within the project to utilize common drive aisles.

On-Site Improvements:

47. Provide a minimum outside turning radius of 45 feet and a minimum inside turning radius of 28 feet within the parking lot.
48. Develop for the City's review and approval and enter into a private maintenance agreement that ensures that joint use drive aisles, parking areas, and common landscaping will be maintained to a standard agreed upon by the City and that each separate parcel shall share in the funding of the maintenance.

Landscaping in the Public Right of Way:

49. Enter into an agreement with the City that requires the right of way landscaping adjacent to the site to be maintained as part of the on-site landscaping at the property owner's expense to a standard acceptable and agreed upon by the City.

Street Lights:

50. Install streetlights along the project _____ frontage. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. The lights on the project streets shall be decorative per City standards, and the lights along _____ shall be General Electric spun aluminum "cobra head" style.

Grading:

51. 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.
52. 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.
53. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer.
54. 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.
55. 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.
56. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities.
57. Submit a haul route plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan the City Engineer shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.
58. 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.

59. 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.
60. 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 ___ 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 ___ 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.
61. Grade all pad elevations or install levees to satisfy Chapter 914-10 of the City's Municipal Code, including the degree of protection provisions.
62. The burying of any construction debris is prohibited on construction sites.

Utilities/Undergrounding:

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

Drainage Improvements:

66. Collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse consistent with the plans for Drainage Area ___ as prepared by the Contra Costa County Flood Control and Water Conservation District.
67. Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system and stormwater pond to the City Engineer for review and approval.

68. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.
69. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
70. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.

National Pollutant Discharge Elimination System (NPDES):

71. 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:

- Utilize pavers or other pervious materials for driveways, walkways, and parking areas wherever feasible.
- 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.
- Install filters in on-site storm drain inlets.
- Sweeping the paved portion of the site at least once a month utilizing a vacuum type sweeper.
- Use of landscape areas, vegetated swales, pervious pavement, and other infiltration mechanisms to filter stormwater prior to entering the storm drain system.
- Provide a sufficient amount of on-site trash receptacles.
- Distribute public information items regarding the Clean Water Program to customers.
- Other alternatives as approved by the City Engineer.

72. Submit a fuel spillage containment plan and long-term water quality plan for the gas station portion of the project.

Fees/Assessments:

73. Comply with the requirements of the development impact fees listed below, in addition to those noticed by the City Council in Resolution 85-00 and 08-03. The applicant shall pay the fees in the amounts in effect at the time each building permit is issued.

- A. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);
- B. Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);
- C. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);
- D. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);
- E. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);
- F. Child Care Facilities "In Lieu" Fee (adopted by Ordinance Nos. 18-99 and 23-99);
- G. Fire Facilities Impact Fee, collected by the City (adopted by Resolution No. 09-01);
- H. South Oakley Infrastructure Master Plan Fee (adopted by Resolution No. 52-03);
- I. General Plan Fee (adopted by Resolution No. 53-03); and
- J. East Contra Costa County Habitat Conservation Plan Fee (adopted by Resolution No. 112-07 & 124-07).

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

74. 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.

75. 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 issuance of a

- certificate of occupancy. The Applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of annexation shall be paid by Applicant.
76. 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 issuance of a certificate of occupancy. The applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of annexation shall be paid by Applicant.
77. 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 building 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.
78. 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. 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 issuance of a certificate of occupancy, and the project proponent shall fund all costs of the formation.
79. Applicant shall comply with the drainage fee requirements for Drainage Area ___ as adopted by the County Board of Supervisors. The applicant shall pay the fee in effect at the time of building permit issuance. Certain improvements required by the Conditions of Approval for this development or the Code may be eligible for credit or reimbursement against the drainage area fee. The developer should contact the City Engineer to personally determine the extent of any credit or reimbursement for which they might be eligible. Any credit or reimbursements shall be determined prior to filing the final map or as approved by the Flood Control District.
80. Participate in the City's South Oakley Infrastructure Master Plan both by cooperating with the City's consultant team in the design and implementation of specific infrastructure projects and by providing this project's fair share contribution to the costs of preparing the study. The fair share contribution shall be paid in accordance with Resolution 52-03.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL 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. Comply with the requirements of the Ironhouse Sanitary District.
- D. Comply with the requirements of the East Contra Costa Fire Protection District.
- E. Comply with the requirements of the Diablo Water District.
- F. Comply with the requirements of the Building Inspection Department. Building permits are required prior to the construction of most structures.
- G. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, PO Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
- H. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

RESOLUTION NO. 02-13**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING
A COMPLETE STREETS POLICY****FINDINGS**

WHEREAS, the term "Complete Streets" describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, families, and other significant local users; and

WHEREAS, the City of Oakley acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and using public transportation; and

WHEREAS, the City of Oakley recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings; public health; and environmental sustainability; and

WHEREAS, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (also known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all users of the roadways, as well as through Deputy Directive 64, in which the California Department of Transportation explained that it "views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system"; and

WHEREAS, the California Global Warming Solutions Act of 2006 (known as AB 32) sets a mandate for the reduction of greenhouse gas emissions in California, and the Sustainable Communities and Climate Protection Act of 2008 (known as SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking; and

WHEREAS, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation in order to further the health, safety, welfare, economic vitality, and environmental wellbeing of their communities; and

WHEREAS, the City of Oakley therefore, in light of the foregoing benefits and considerations, wishes to improve its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe,

equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards; and

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

- A. The City of Oakley City Council adopts the Complete Streets Policy attached hereto as Exhibit A, and made part of this Resolution, and that said exhibit is hereby approved and adopted.
- B. That the next substantial revision of the City of Oakley General Plan Circulation Element shall incorporate Complete Streets policies and principles consistent with the California Complete Streets Act of 2008 (AB 1358) and with the Complete Streets Policy adopted by this resolution.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 8th of January, 2013 by the following vote:

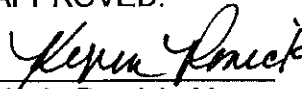
AYES: Burgis, Hardcastle, Pope, Romick

NOES:

ABSENT: Rios

ABSTENTIONS:

APPROVED:


Kevin Romick, Mayor

ATTEST:



Libby Vreonis, City Clerk

1-14-13
Date



CITY OF OAKLEY COMPLETE STREETS POLICY

Adopted by Resolution No. 02-13 by the City of Oakley City Council on January 8, 2013.

A. Complete Streets Principles

1. **Serve all Users:** All transportation improvements will be planned, designed, constructed, operated and maintained to support safe and convenient access for all users, and increase mobility for walking, bicycling and transit use, wherever possible while promoting safe and accessible operations for all users.
2. **Context Sensitivity:** The planning and implementation of transportation projects will reflect conditions within and surrounding the project area, whether the area is a residential, commercial, industrial, open space, or agricultural zoning district. Project planning, design and construction of complete streets projects should include working with residents and merchants to ensure that a strong sense of place is maintained.
3. **Complete Streets in all Departments:** All departments within the City of Oakley must incorporate a complete streets approach into the review and implementation of their projects and activities. Potential Complete Streets opportunities could apply to projects such as, transportation projects, road rehabilitation, new development, utilities, etc.
4. **All Projects/Phases:** The policy will apply to all roadway projects including those involving new construction, reconstruction, retrofits, repaving, rehabilitation, or changes in the allocation of pavement space on an existing roadway, as well as those that involve new privately built roads and easements intended for public use.

B. Implementation

1. **Plan Consultation:** Any proposed improvements should be evaluated for consistency with all local bicycle, pedestrian and/or transportation plans and any other plans that affect the right of way should be consulted for consistency with any proposed improvements.
2. **Street Network/Connectivity:** The transportation system should provide a connected network of facilities accommodating all modes of travel. This includes

looking for opportunities for repurposing rights-of-ways to enhance connectivity for cyclists, pedestrians and transit users. A well connected network should include non-motorized connectivity to schools, parks, commercial areas, civic destinations and regional non-motorized networks on both publically owned roads/land and private developments (or redevelopment areas).

3. **Bicycle and Pedestrian Advisory Consultation (BPAC):** Input shall be solicited from local BPACs or similar advisory group in an early project development phase to verify bicycling and pedestrian needs for projects. (MTC Resolution 875 requires that cities of 10,000 or more create and maintain a BPAC or rely on the county BPAC to receive TDA-3 funds.)
4. **Evaluation:** City will establish a means to collect data and indicate how the jurisdiction is evaluating their implementation of complete streets policies. For example tracking the number of miles of bike lanes and sidewalks, numbers of street crossings, signage etc.

C. Exceptions

1. **Process:** Plans or projects that seek exemptions from implementing the City of Oakley Complete Streets policies outlined in prior sections must provide written findings of why accommodations for all modes were not included in the project. The memorandum should be signed off by the Public Works Director or equivalent high level staff.

RESOLUTION NO. 76-02**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF OAKLEY ADOPTING THE OAKLEY 2020 GENERAL PLAN AND
RELATED MITIGATION FINDINGS, FINDINGS REGARDING ALTERNATIVES,
A STATEMENT OF OVERRIDING CONSIDERATIONS,
AND A MITIGATION MONITORING PROGRAM**

WHEREAS, in November 1998, the voters approved the incorporation of the City of Oakley, to be effective July 1, 1999, and the City was incorporated on July 1, 1999. After incorporation, the City adopted the Contra Costa County General Plan for the Oakley area as its general plan, the County's subdivision ordinance as its subdivision ordinance, and the County's zoning ordinance as its zoning ordinance (Ordinance Nos. 1-99, 17-99, 22-99). Since that time, the City has been in the process of preparing its own general plan, as required by Government Code Section 65360 (the "Project"); and

WHEREAS, in December 2000, the City Council directed staff to explore the possibility of expanding the City's sphere of influence, and the Contra Costa Local Agency Formation Commission directed the City to include in the environmental impact report for the Oakley 2020 General Plan the areas proposed to be included in the expanded sphere. As a result, the Project area boundaries include the current City and approximately 3,000 acres located east of the current City limits, described as the Expansion Areas in the General Plan; and

WHEREAS, in accordance with Section 65351 of the California Government Code, since December 2000, the City has facilitated public participation in the general plan adoption process through the following steps:

- On December 4, 2000, the City's consultant, Pacific Municipal Consultants (PMC) conducted a general plan vision workshop at which 55 members of the public, including the seven members of the Planning Commission, engaged in a series of exercises that allowed them to share information and opinions about such matters as existing City resources, circulation, land use, recreation, and local character.
- On February 5, 2001, the Planning Commission conducted a public workshop to identify large general issues of special interest to the community and to rank those concerns for treatment in the general plan. PMC distributed a list of 82 issues identified by City staff and asked the Commission to rank the relative importance of each one. PMC then computed the average rank that the Commissioners gave to each issue and used the results to construct a matrix of important topics to discuss in the general plan and how much weight to give each topic.
- PMC met with the City Council and Planning Commission in a general plan workshop on May 7, 2001, at which PMC presented to members of both bodies maps showing the existing land use designations for the entire City, and what the City would look like under several hypothetical build-out

scenarios. Members of the Council and Commission commented on the accuracy of the map of the existing City and provided general feedback about the visions represented by the others.

- On June 25, 2001, the City Council and Planning Commission met in a joint work session to consider land use alternatives prepared by PMC and provide guidance about the creation of a preferred land use alternative for environmental analysis.
- On July 9, 2001, the City Council and Planning Commission met in a joint work session to consider the continuation of agricultural land use designations in the general plan and the definition of such uses.
- On July 30, 2001, the City Council and Planning Commission held a joint special work session to continue their consideration of the land use alternatives prepared by PMC, including the definitions of land use designations and locations, so that they could decide upon a preferred alternative for the purpose of environmental analysis.
- On September 8, 2001, the City Council and Planning Commission met in a joint work session to continue discussions about land use alternatives, focusing particularly on agricultural, public and semi-public, business park, and utility district land uses. Members of the two bodies also discussed the format and appearance of the general plan. Finally, PMC distributed technical and background documents to the members of the Council and Commission for their review.
- On May 6, 2002, the City Council and Planning Commission held a joint work session to review the Draft General Plan Housing Element
- On September 7, 2002, the City Council and Planning Commission held a joint work session to review the Draft General Plan discussed below.

This public participation program informed the public of the on-going general plan process; obtained public input regarding major issues, community objectives, and plan policies; provided the public with opportunities to evaluate alternative plans and to participate in choosing the preferred alternative; informed decision makers of public opinions; and worked towards community consensus.

WHEREAS, various reports and documents also guided the preparation of an initial draft of the General Plan. A citywide land use inventory was prepared, updated traffic counts were assembled, and noise levels in different neighborhoods were monitored. Reports documenting local demographics, visual conditions, safety hazards, and natural resources were drafted. An Oakley 2020 General Plan Background Report was prepared; and

WHEREAS, the Draft General plan released to the public on September 13, 2002 consisted of the seven elements required by state law—Land Use, Transportation, Conservation, Open Space, Safety, Noise, and Housing—as well as two optional elements, Growth Management and Economic Development. The Draft General Plan contains goals, policies and programs to guide the physical development of the City and the conservation of its resources, generally over a 20-year planning horizon. Thus, the

Draft General Plan contains all content for the mandatory general plan elements as required by State law, including the proposed general distribution, location and extent of land uses in the Planning Area for residential, commercial, industrial, public, open space and parks and other categories of public and private uses of land, and including standards of population density and building intensity; and

WHEREAS, the City determined that an Environmental Impact Report ("EIR") should be prepared and circulated a Notice of Preparation dated March 25, 2002 to public agencies and interested parties for consultation on the scope of the EIR; and

WHEREAS, the City prepared a Draft EIR dated September 2002 (SCH No. 2002042134), which reflected the independent judgment of the City as to the potential environmental effects of the Project. The Draft EIR was circulated for the required 45 day public review period, from September 16, 2002 to October 30, 2002; and

WHEREAS, between September 16, 2002 and November 4, 2002, the Planning Commission held eight hearings on the General Plan and EIR, at which all interested parties were able to submit written and oral testimony. The Planning Commission recommended a number of changes to the Draft General Plan, which were summarized in a version dated November 12, 2002. Staff reviewed all recommended changes and determined that their qualitative and quantitative effect would not significantly change the Project. Thus, for instance, staff verified that the changes would not result in land use incompatibilities or inconsistencies with the General Plan; that local and cumulative impacts to circulation, biological resources, open space, public safety, and noise would not be changed significantly; and that the City would be able to meet its regional share of affordable housing; and

WHEREAS, the Planning Commission received oral comments from the public at a hearing held on October 29, 2002 regarding the Draft EIR and reviewed all written comments received prior to the close of the public comment period. Staff prepared a preliminary analysis of comments received, which was presented to the Planning Commission on November 18, 2002, at which time all interested parties had an opportunity to comment. Staff's good faith, reasoned preliminary analysis concluded that no new information was received that would require recirculation of the Draft EIR under CEQA Guideline 15088.5. Staff, however, indicated to the Commission that it would recommend that the Council make changes to the General Plan based on those comments and the responses contained in the Final EIR; and

WHEREAS, a staff report, dated November 18, 2002, described and analyzed for the Planning Commission the Draft EIR and staff's conclusions regarding the public comments and responses; and

WHEREAS, the Planning Commission reviewed the staff report and the Draft EIR on November 18, 2002, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Draft General Plan was reviewed in accordance with the provisions of the California Environmental Quality Act through the preparation and review of an Environmental Impact Report. On November 12, 2002, at the conclusion of a properly noticed public hearing, the Commission unanimously moved by voice vote to recommend that the City Council certify the Environmental Impact Report, and that the Council approve the version of the General Plan of the same date. On November 18, 2002, at the conclusion of a properly noticed public hearing, the Commission adopted Resolution No. 02-06, which recommended that the Council certify the Environmental Impact Report, including the changes identified as necessary in the staff report discussing the EIR. It also adopted Resolution No. 02-05, which recommended that the Council approve the November 12, 2002 version of the General Plan; and

WHEREAS, on November 12, 2002, the City Council held a properly noticed public hearing on the Land Use and Circulation Elements of the Draft General Plan, including the revisions recommended by the Planning Commission. The City Council made preliminary changes to the wording of the Land Use Element and to the Land Use Diagram, Figure 2-2. (The changes are summarized in Attachment 1.) Staff reviewed all recommended changes and determined that their qualitative and quantitative effect would not significantly change the Project, since, for instance, the population of the City at build-out would be slightly less than analyzed, and no land use incompatibilities would be introduced. Staff presented a red-lined version of the Land Use Element to the Council at its November 18, 2002 and December 3, 2002 hearings, and informed the Council of its conclusions; and

WHEREAS, on November 18, 2002, the City Council held a properly noticed public hearing on the Circulation and Health & Safety Elements, and continued the hearing on the Land Use Element. The City Council made preliminary changes to the wording of the Circulation and Health & Safety Elements. Staff reviewed all recommended changes and determined that their qualitative and quantitative effect would not significantly change the Project, since, for instance, the level of service standards for roadway segments and intersections would be adequate and achieved. The only change to the Health & Safety Element was the addition of a program. (The changes are summarized in Attachment 1.) Staff provided additional information regarding a few specific roadways at the Council's November 25 and December 2, 2002 hearings. Staff presented a red-lined version of the Circulation and Health & Safety Elements to the Council at its December 3, 2002 hearings, and informed the Council of its conclusions; and

WHEREAS, on November 19, 2002, the City Council held a properly noticed public hearing on the Housing and Noise Elements, and continued the hearing on the Land Use, Circulation, and Health & Safety Elements. The City Council made preliminary changes to the wording of the Housing and Noise Elements. (The changes are summarized in Attachment 1.) Staff reviewed all recommended changes and determined that their qualitative and quantitative effect would not significantly change the Project. With the changes, the Project would still result in the production of the City's share of the regional affordable housing allocation. Changes to the Noise

Element were not substantive; they merely clarified existing policies in the Draft General Plan. Staff presented a red-lined version of the Noise Element to the Council at its December 3, 2002 hearing. Staff presented a red-lined version of the Housing Element to the Council at its December 9, 2002 hearing and informed the Council of its conclusions regarding meeting affordable housing requirements; and

WHEREAS, on November 25, 2002, the City Council held a properly noticed public hearing on the Open Space & Conservation, Parks & Recreation, Growth Management, and Economic Development Elements, and continued the hearing on the Land Use, Circulation, Health & Safety, Housing, and Noise Elements. The City Council made preliminary changes to the wording of the Growth Management, Open Space & Conservation, and Parks & Recreation Elements. (The changes are summarized in Attachment 1.) Staff reviewed all recommended changes and determined that their qualitative and quantitative effect would not significantly change the Project: the City would meet the requirements of Measure C, adequate open space would be preserved, and the identified parkland standard would be maintained. Staff presented a red-lined version of the Open Space & Conservation, Parks & Recreation, Growth Management, and Economic Development Elements to the Council at its December 3, 2002 hearing and informed the Council of its conclusions regarding the significance of the changes to the Project; and

WHEREAS, on December 2 and 3, 2002, the City Council held properly noticed public hearings to consider property owner special requests for land use designations in the General Plan. In response to some requests, the City Council made preliminary changes to the Land Use Diagram, Figure 2-2 in the General Plan. (The changes are summarized in Attachment 1.) Staff reviewed all recommended changes and determined that their qualitative and quantitative effect would not significantly change the Project, since, for instance, the population of the City at build-out would be slightly less than analyzed, no land use incompatibilities would be introduced, and the Project would meet the City's share of the regional affordable housing allocation; and

WHEREAS, comments from the Bay Area Air Quality Management District clarified that potential air emissions resulting from additional commutes and roadway congestion may possibly lead to a delay in attaining state and federal air quality standards. That impact would be significant and unavoidable. Approval of the 2020 General Plan must, therefore, include findings regarding alternatives, as set forth in Exhibit B, and must include a Statement of Overriding Considerations, which is attached as Exhibit C; and

WHEREAS, the Draft EIR identified several potentially significant impacts that will be reduced to insignificance with specified mitigation measures. Approval of the General Plan will therefore require adoption of mitigation findings, which are attached as Exhibit A; and

WHEREAS, on December 9, 2002, the City Council conducted a noticed public hearing on the Draft General Plan, as previously revised, at which time all interested

parties had the opportunity to be heard. The City Council considered the Environmental Impact Report, the Planning Commission recommendations, and all written and oral testimony submitted at the public hearing. The Council then adopted a motion of intent by voice vote to certify the EIR and to approve the General Plan, and directed staff to prepare resolutions consistent with that intent; and

WHEREAS, on December 16, 2002, the City Council adopted Resolution No. 75-02, incorporated herein by reference, certifying the Environmental Impact Report as adequate and complete pursuant to the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The foregoing recitals are true and correct and made a part of this resolution.

2. The City Council hereby finds that, with the changes outlined above, the General Plan is internally consistent and, as fully implemented, will provide for compatible land uses and a number of affordable housing units that satisfy the City's share of the regional allocation. The Council additionally finds that, the changes to the General Plan described above will not significantly change the Project: no new impacts have been introduced and all significant and potentially significant impacts previously reduced to a less than significant level by the full implementation of the General Plan will still be adequately mitigated. The Council, therefore, finds that the General Plan is in the public interest and does hereby approve the General Plan as set forth in the Draft General Plan dated November 12, 2002, with revisions to the General Plan text, as identified.

BE IT FURTHER RESOLVED THAT the City Council adopts the mitigation findings set forth in Exhibit A, the findings regarding alternatives to the Project set forth in Exhibit B, and the statement of overriding considerations set forth in Exhibit C.

ADOPTED this 16th day of December, 2002 by the following vote:

AYES: Anderson, Nix, Rios, Huffaker, Vanek

NOES: None

ABSENT: None

ABSTENTIONS: None



MAYOR

ATTEST


CITY CLERK

EXHIBIT A

FINDINGS CONCERNING SIGNIFICANT IMPACTS
AND MITIGATION MEASURES

Impact 3.1-B: *The proposed General Plan may induce growth and an increase in the number of housing units and jobs in the Planning Area. DEIR p. 3-14.*

Mitigation. Growth Management Element (GME) generally; Land Use Element (LUE) Policies 2.1.1, 2.1.3, 2.1.5, 2.1.9, 2.3.6, 2.3.11; LUE Programs 2.1.C, 2.2.A, 2.4.A; Circulation Element (CE) Policy 3.7.7; Housing Element (HE) Policies 10.1.1, 10.3.3; HE Programs 10.1.A, 10.1.B, 10.1.E.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Although the General Plan calls for intensification of development relative to current conditions in the City, the policies and programs cited above assure that development will occur in conformity with the City's performance standards, and that, as a result, adequate public facilities and services will be provided to serve all expected growth.

Impact 3.1-C: *The proposed General Plan may result in land use conflicts and incompatibility between existing and proposed land uses. DEIR p. 3-14.*

Mitigation. Land Use Diagram, Figure 2-2 in the General Plan; LUE Policies 2.2.3, 2.2.7, 2.2.13, 2.3.7, 2.4.3; Open Space & Conservation Element (OSCE) Policies 6.1.2, 6.1.4; OSCE Program 6.6.A; Parks & Recreation Element (PRE) Policy 7.5.7; Noise Element (NE) Policies 9.1.1, 9.2.1.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The General Plan's Land Use Diagram shows that new development will generally be located adjacent to compatible land uses. Further, the policies and programs listed above provide for protection of existing residential and commercial development from new uses and intrusive traffic that could compromise the existing uses; buffers and transitions, including appropriately sized setbacks, landscaping, open space, and parks, to assure adequate distance between potentially incompatible uses; and noise standards that will diminish potential disturbances created by new development.

Impact 3.1-D: *The proposed General Plan may detract from the strength of Downtown Oakley as a focal point and destination within the City. DEIR p. 3-18.*

Mitigation. Land Use Diagram, Figure 2-2 in the General Plan; LUE Policies 2.2.6, 2.3.8, 2.3.12, 2.8.1, 2.8.2, 2.8.3, 2.8.4, 2.8.5, 2.8.9; LUE Programs 2.3.A, 2.3.B, 2.5.A, 2.8.B, 2.8.C; Economic Development Element (EDE) Programs 5.1.C, 5.1.L, 5.4.A; OSCE Policies 6.5.1, 6.5.4, 6.5.5, 6.5.6, PRE Program 7.4.E.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Although the General Plan envisions and encourages economic development in other parts of the City, the policies and programs listed above show a special emphasis on preserving the Downtown area as a central location for pedestrian retail and dining, as well as the location of a civic center that will include City Hall. Moreover, the City Council has, by the adoption of Resolution No. 4-99, affirmed an Old Town Specific Plan adopted by the Contra Costa County Board of Supervisors by Resolution No. 97-337. That Specific Plan provides in more detail for the design standards and development of the area. Together, the foregoing will assure that the Downtown will remain a central location in the life of the City.

Impact 3.1-E: *The proposed General Plan may result in a cumulative impact on land use and development, regional population growth, and jobs/housing balance.* DEIR p. 20.

Mitigation. See Mitigation Measures for Impacts 3.1-B and 3.1-C.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed for Impacts 3.1-B and 3.1-C will reduce individual impacts to a less than significant level, resulting in a less than cumulatively significant impact.

Impact 3.2-A: *Development associated with the proposed General Plan may impact scenic vistas and visual natural resources within the Planning Area.* DEIR p. 3-22.

Mitigation. LUE Policies 2.1.5, 2.1.6, 2.1.9, 2.6.1, 2.6.2, 2.6.3; LUE Program 2.4.B, 2.6.A; OSCE Policies 6.3.4, 6.3.5, 6.3.7, 6.6.1, 6.6.2, 6.6.3, 6.6.4, 6.7.1, 6.7.2; OSCE Programs 6.3.H, 6.6.B, 6.7.A, 6.7.B; PRE Policies 7.3.5, 7.4.3, 7.4.10, 7.4.11; PRE Programs 7.4.B, 7.4.C.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The General Plan policies and programs listed above will assure that new development is designed, to the extent feasible, to preserve, restore and create open space and natural habitat. They additionally preserve public

access to the Delta and other waterways in the City. Further, the policies and programs require new development to preserve, enhance, and take advantage of views of Mount Diablo. Thus, the General Plan will reduce visual impacts to a less than significant level.

Impact 3.2-B: *Development associated with the proposed General Plan may alter the existing visual character or quality and urban design of the Planning Area.* DEIR p. 24.

Mitigation. LUE Goals 2.1, 2.7, 2.8, 2.9; LUE Policies 2.1.3, 2.2.1, 2.2.2, 2.3.2, 2.5.1, 2.5.3, 2.5.5; LUE Programs 2.4.B, 2.5.A; EDE Policy 5.3.2; EDE Programs 5.3.B, 5.3.C, 5.3.E; OSCE Policies 6.5.1, 6.5.2, 6.5.4, 6.5.6; OSCE Program 6.5.B.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The General Plan's policies and programs call for the identification and preservation, to the extent feasible, of the City's historic resources, as well as the maintenance of the City's small town feel through the scale of buildings, landscaping, and trail construction. They further require the development and implementation of design standards for industrial and other uses. Finally, they require the development and implementation of a community preservation ordinance that will identify and eliminate blight. Together, those aspects of the General Plan will assure that the visual character and design of the Planning Area will be preserved and enhanced.

Impact 3.2-C: *Development associated with the proposed General Plan may change the City character.* DEIR p. 26.

Mitigation. See Mitigation Measures for Impact 3.2-B.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Implementation of the policies and programs identified above will preserve and enhance the character of the City.

Impact 3.3-A: *New urban development associated with the proposed General Plan may result in increased traffic exceeding Level of Service (LOS) standards for roadway segments and signalized intersections.* DEIR p. 3-36.

Mitigation. CE Policies 3.1.1, 3.1.2, 3.1.7, 3.1.8; CE Programs 3.1.A, 3.1.B, 3.1.C, 3.1.D; GME Policies 4.1.1, 4.1.2.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs identified above, in conjunction with the background studies for the General Plan and EIR, set forth Level of Service (LOS) standards for all roadway segments and intersections in the City that have been determined to be adequate to serve development at build-out of the General Plan. They further provide funding mechanisms to assure the construction of necessary facilities, including fee programs. Monitoring programs will assure that performance standards are being maintained.

Impact 3.3-B: *New urban development and intensification of use of developed areas in the Plan Area may result in increased needs for transit services not available through existing transit services and facilities.* DEIR p. 3-38.

Mitigation. CE Policies 3.3.1, 3.3.2, 3.3.3, 3.7.2; CE Programs 3.1.G, 3.3.A, 3.3.C, 3.3.D, 3.3.E, 3.3.F, 3.3.G, 3.7.B; OSCE Policy 6.6.2; OSCE Program 6.2.A; Housing Element (HE) Policy 10.1.2; HE Programs 10.1.G, 10.1.H.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs identified above encourage and integrate into City planning the development of a transit-friendly circulation system. Roadways will be built to accommodate public transit. Residential and business development will be located to make travel by public transit a feasible alternative for the maximum number of residents possible, including placing high-density residential development and high density employment and retail uses near transit nodes. The City will coordinate with regional transportation authorities and transit providers to bring additional service to the City and to properly locate new facilities.

Impact 3.3-C: *New urban development associated with the proposed General Plan may create additional demand for pedestrian and bicycle connections and facilities.* DEIR p. 3-39.

Mitigation. LUE Policies 2.3.6, 2.3.9, 2.8.2, 2.8.3, 2.8.6, 2.8.9; LUE Program 2.8.D; CE Policies 3.2.1, 3.3.3, 3.2.3, 3.2.4, 3.7.2, 3.7.3; CE Programs 3.1.E, 3.1.G, 3.2.A, 3.2.B, 3.2.C, 3.2.D, 3.5.B, 3.7.B, 3.7.D, 3.7.G; OSCE Policy 6.2.2; OSCE Program 6.2.A; PRE Policies 7.3.8, 7.4.10, 7.5.6, 7.5.7, 7.5.10, 7.5.11, 7.5.12, 7.6.2.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The land use policies and programs listed above provide for the central location of neighborhood commercial centers within the areas they serve, a pedestrian downtown, sidewalks and bicycle lanes, and standards for pedestrian and bicycle facilities. The portions of the Circulation Element cited call for the incorporation of bicycles and pedestrian facilities in circulation plans, the creation of trail

systems, funding for pavement maintenance, the creation of a Bicycle and Pedestrian Master Plan, and coordination with regional planning agencies. The other policies and programs listed reinforce and provide more details regarding the City's commitment to assure the presence of adequate pedestrian and bicycle facilities in Oakley as development under the General Plan occurs.

Impact 3.3-D: *New urban development associated with the proposed General Plan may result in a cumulative effect on traffic, transit, or pedestrian and bicycle facilities.* DEIR p. 3-43.

Mitigation. See Mitigation Measures for Impacts 3.3-A, 3.3-B, and 3.3-C.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed for Impacts 3.3-A, 3.3-B, and 3.3-C will reduce individual impacts to a less than significant level, resulting in a less than cumulatively significant impact.

Impact 3.4-A: *New stationary and mobile sources of air pollutants cause by build-out of the proposed General Plan Land Use Map may cause emissions of ROG, NOx, and PM₁₀.* DEIR pp. 3-54 to 3-57.

Mitigation. LUE Policies 2.1.1, 2.2.5, 2.2.6, 2.3.3, 2.3.6, 2.3.11, 2.8.7, 2.8.8, 2.8.10; CE Policies 3.7.2, 3.7.6; CE Programs 3.7.D, 3.7.G; OSCE Policy 6.2.1, 6.2.3, 6.2.4, 6.2.5; OSCE Program 6.2.A, 6.2.C, 6.3.C; Health & Safety Element (HSE) Policies 8.3.1, 8.3.2, 8.3.3, 8.3.4, 8.3.5; Housing Element (HE) Policy 10.1.2; HE Program 10.1.G

Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Even with the implementation of the policies and programs cited above, the impact will remain significant and unavoidable.

Impact 3.4-B: *Construction activities associated with development under the proposed General Plan may cause emissions of dust or contaminants from construction equipment exhaust that may substantially contribute to existing air quality violations or expose sensitive receptors to substantial pollutant concentrations.* DEIR p. 3-57.

Mitigation. LUE Policy 2.2.4; LUE Program 2.2.C; CE Policy 3.7.1; CE Program 3.7.A OSCE Policies 6.2.1, 6.2.3, 6.2.4; OSCE Programs 6.2.B, 6.2.C.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed above include land use policies to separate and buffer adjacent uses to minimize construction impacts. They also call for the adoption of construction standards and the implementation of

BAAMQD's Air Quality Management Plan and dust control measures, as they relate to the General Plan.

Impact 3.4-C: *The population projections used in the proposed General Plan may be inconsistent with those of the 2000 Clean Air Plan. DEIR p. 3-58.*

Mitigation. See Mitigation Measures for Impacts 3.3-A, 3.3-B, 3.3-C, 3.3-D, and 3.4-A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed as Mitigation Measures for the Impacts identified above include all of the Transportation Control Measures (TCMs) of the Clean Air Plan (CAP) for which the City has partial or complete responsibility for implementation. The CAP was developed using population projections based on the City-adopted Contra Costa County General Plan. The Proposed Project would significantly reduce the ultimate population in the City from approximately 75,000 people to approximately 49,000 (68,000 in the entire Planning Area). Thus, although the population projections differ, the population of Oakley will be lower than expected by the CAP, and with the implementation of the TCMs through the General Plan, attainment of state-level ambient air quality standards will not be delayed.

Impact 3.4-E: *Implementation of the Proposed General Plan could result in placement of sensitive land uses near potential sources of objectionable odors, dust, or toxic air contaminants. DEIR p. 3-61.*

Mitigation. LUE Policies 2.2.3, 2.2.4, 2.2.5, 2.2.13; GME Policies 4.7.3, 4.7.4, 4.7.7; GME Program 4.7.E; OSCE Policies 6.1.2, 6.2.4; OSCE Program 6.1.C, 6.1.D, 6.6.A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The land use, open space, and other policies and programs identified above demonstrate the City's intent to locate new uses that could produce such contaminants away from sensitive uses or to create buffers between the uses. Similarly, the policies and programs will result in new sensitive uses being constructed separate or buffered from existing uses that produce such contaminants.

Impact 3.4-F: *New stationary and mobile sources of air pollutants caused by build-out of the proposed General Plan would cause emissions from ROG, Nox, and PM₁₀ that would be cumulative considerable. DEIR p. 3-63.*

Mitigation. See Mitigation Measures for Impact 3.4-A.

Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Even with the implementation of the policies and programs cited above, the impact will remain significant and unavoidable.

Impact 3.5-A: *New growth associated with the proposed General Plan may put increasing pressure on parks and recreational facilities, which may create demand for new and expanded recreational facilities and/or a shortage of park facilities accessible to all residents.* DEIR p. 3-70.

Mitigation. GME Policies 4.3.5, 4.6.9, 4.10.8; OSCE Policy 6.1.4; OSCE Programs 6.1.B, 6.2.A, 6.6.B; PRE generally.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The General Plan calls for the development and maintenance of a park system consisting of six acres of developed parkland for every 1,000 City residents. It further provides for funding mechanisms and other programs to implement that policy. Additionally, the General Plan identifies the Oakley Parks Master Plan, which is currently under development and will be adopted after the General Plan, more specifically identifying the means of providing adequate park facilities for the City's residents. The other policies and programs mentioned above are all designed to, and when implemented will, provide further support for the achievement and maintenance of the City's parkland standard.

Impact 3.5-B: *Growth and development associated with the proposed General Plan may result in the loss of open space that may increase pressures to develop open space lands.* DEIR p. 72.

Mitigation. LUE Policies 2.1.5, 2.7.1; LUE Program 2.6.A; GME Policies 4.4.6, 4.7.8; OSCE Policies 6.1.4, 6.3.1, 6.3.2, 6.6.1, 6.6.4; OSCE Programs 6.1.B, 6.3.B, 6.6.A, 6.6.B, 6.6.C; PRE Policies 7.1.10, 7.1.11, 7.3.5, 7.3.6, 7.4.6; PRE Programs 7.1.A, 7.7.B.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Oakley exists in an area designated for urban development by Contra Costa County before the City incorporated. Because Oakley is in an urbanizing area that previously supported agricultural operations of various sizes and types, some loss of open space is inevitable. The policies and programs identified above call for the preservation of open space within developments; the creation of a trail system; buffers between development and preserved open space; protection of ecological and biological resources; cooperative planning with regional, state, and federal authorities; the development and maintenance of an improved parkland system consistent with its parkland standard; and encouraging development and use of open

space that will maintain its character. Additionally, a significant portion of the Cypress Corridor Special Planning Area is designation Delta Recreation in the General Plan, in recognition of a possible CALFED-funded program that would convert the property into a wetlands restoration and biological study area.

Impact 3.5-C: *The proposed General Plan may convert prime farmland, unique farmland, or farmland of statewide importance or conflict with existing zoning for agricultural use or a Williamson Act contract within the Planning Area.* DEIR p. 3-75.

Mitigation. LUE Policies 2.2.5, 2.2.13, 2.6.8; GME Policy 4.9.3; GME Program 4.9.E; OSCE Policies 6.1.1, 6.1.2, 6.1.3, 6.1.4; OSCE Programs 6.1.A, 6.1.B, 6.1.C, 6.1.D, 6.1.E, 6.1.F; PRE Policy 7.3.6; HE Policy 10.2.8; HE Programs 10.3.A, 10.3.B.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Oakley exists in an area designated for urban development by Contra Costa County before the City incorporated. Because Oakley is in an urbanizing area that previously supported agricultural operations of various sizes and types, some loss of agricultural land is inevitable. The decision by property owners in the City to convert their previously agricultural land to other uses is not surprising given the decreasing financial sustainability of such operations in an urbanizing area; there is substantial evidence in the record that agricultural operations are becoming less economically feasible in the City. The policies and programs listed above call for the identification of properties that contain soils that would support agricultural uses, to be used in analyzing development applications; cooperation with other agencies to encourage water re-use programs; and the continued implementation of the City's Right to Farm Ordinance. Furthermore, planning policies require buffering existing agricultural property from new development with landscaping, trails, increased setbacks, and logical transitions in development density. The General Plan supports the development of housing for farm workers. Also, the Agriculture Limited designation will permit small commercial agricultural operations, and the Agriculture designation will protect existing larger operations in the Planning Area. Together, the foregoing policies and programs will preserve farmland in the City and Planning Area to the extent feasible.

Impact 3.6-A: *Growth and development associated with the proposed General Plan may strain government services and create demand for expanded services and facilities.* DEIR p. 3-81.

Mitigation. LUE Policies 2.1.2, 2.1.9, 2.2.10, 2.2.14, 2.3.13; LUE Programs 2.1.C, 2.1.D, 2.1.E, 2.4.C, 2.8.B; CE Policy 3.6.4; CE Programs 3.3.D, 3.5.D, 3.7.E; GME Policies 4.1.1, 4.1.2, 4.1.4, 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.2.9, 4.2.10, 4.2.11, 4.2.12, 4.3.1, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.5.4, 4.6.2, 4.6.3, 4.4.6, 4.6.5, 4.6.6, 4.6.7, 4.6.8, 4.6.10, 4.10.4; GME Programs 4.2.A, 4.2.B, 4.2.D, 4.3.B, 4.3.D, 4.4.F, 4.5.D, 4.6.A, 4.6.B, 4.6.F, 4.6.G, 4.9.A, 4.10.E, 4.10.F; OSCE Policy 6.5.B; PRE Policies 7.1.12, 7.1.19, 7.2.1; PRE Programs 7.1.A, 7.1.B, 7.1.D, 7.1.G, 7.1.H, 7.1.I, 7.1.O, 7.3.A, 7.4.A, 7.7.I, 7.7.J; HE Program 10.2.F, 10.2.G, 10.2.H, 10.2.I, 10.2.T, 10.5.E.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The above-listed policies and programs identify more specific plans, standards, programs, and funding mechanisms that will, together, assure that public facilities and services will be expanded adequately to meet the needs of the growth expected under the General Plan.

Impact 3.6-B: *Growth and development associated with the proposed General Plan may strain fire protection and emergency services and create demand for expanded services and facilities.* DEIR p. 3-89.

Mitigation. CE Program 3.5.F; GME Policies 4.4.1, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.4.6; GME Programs 4.4.C, 4.4.D, 4.4.E, 4.4.F; Health & Safety Element (HSE) Policies 8.4.4, 8.4.5; HSE Program 8.4.B.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The City receives fire protection services from the Oakley-Knightesen Fire Protection District, which estimates that current facilities in the area will be adequate to serve the Planning Area until 2004, when a new station will need to be completed. The City collects a fire facilities impact fee from new development on behalf of the District to fund necessary improvements. The policies and programs identified above call for the City to continue to require new development to contribute toward the expenses of increasing fire protection services. Further, they indicate the City's intent to work with the District to assure that its plans take the General Plan into account, and that the District has an opportunity to comment on new development to assure that it complies with fire safety control feature requirements.

Impact 3.6-C: *Growth and development associated with the proposed General Plan may strain law enforcement and create demand for expanded services and facilities.* DEIR p. 3-91.

Mitigation. LUE Policy 2.6.5; CE Policy 3.5.1; CE Program 3.5.F; GME Policies 4.5.1, 4.5.3, 4.5.4, 4.5.5, 4.5.7; GME Programs 4.5.A, 4.5.B, 4.5.C, 4.5.D.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The City contracts with Contra Costa County for police services. A tax originally imposed by the County, as well as fee programs, provide funding for the provision of police services. As the City grows, the policies and programs listed above will ensure adequate funding for expanded police services, as

well as coordination between the police department and planning staff to assure that new development is designed and located to maximize the efficient provision of police protection.

Impact 3.6-D: *Growth and development associated with the proposed General Plan may strain schools and create demand for expanded services and facilities.* DEIR p. 3-93.

Mitigation. LUE Policy 2.2.9; CE Program 3.2.C; GME Policies 4.3.5, 4.6.1, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.6.6, 4.6.7, 4.6.8, 4.6.9, 4.6.10, 4.6.10, 4.6.11, 4.6.12, 4.6.13; GME Programs 4.5.B, 4.6.A, 4.6.B, 4.6.C, 4.6.D, 4.6.E, 4.6.G, 4.6.G, 4.7.A; PRE Policies 7.1.10, 7.1.17, 7.6.3; PRE Programs 7.1.L, 7.1.N, 7.2.B, 7.6.A, 7.7.I.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Oakley's elementary schools are currently over capacity, and the middle schools are operating at 90 percent of their capacity. The City does not have direct responsibility for the provision of schools, but affect school population size through land use planning. The policies and programs listed above provide that, to the extent feasible, the City will work with the school districts to assure that new development adequately provides for new schools and to coordinate planning the location of future school sites; they also call for cooperation between the City and school districts to obtain alternative funding. They further provide for the City to locate compatible uses adjacent to future and existing school sites, as well as to plan compatible alterations to the City's circulation system. The City will also attempt to work with the districts to prepare a school facilities plan.

Impact 3.6-E: *Growth and development associated with the proposed General Plan may strain solid waste and recycling services and create demand for expanded services and facilities.* DEIR p. 3-96.

Mitigation. GME Policies 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.7.6, 4.7.7, 4.7.8, 4.7.9; GME Programs 4.7.A, 4.7.B, 4.7.C, 4.7.D, 4.7.E, 4.7.F.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The City does not control solid waste disposal and recycling in its jurisdiction. Nevertheless, the expected growth under the General Plan will add to the solid waste disposal and recycling needs of the City. The solid waste disposal and recycling provider for the City has indicated that the necessary expansion of its services will be adequately financed by fees, and that the disposal facility has adequate capacity for the build-out period. The policies and programs listed above will ensure that the City's planning, to the extent feasible, minimizes solid waste generation and encourages recycling.

Impact 3.6-F: *New urban development associated with the proposed General Plan may result in a cumulative effect on public services.* DEIR p. 3-98.

Mitigation. See Mitigation Measures for Impacts 3.6-A through 3.6-E.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed for Impacts 3.6-A through 3.6-E will reduce individual impacts on public services to a less than significant level, resulting in a less than cumulatively significant impact.

Impact 3.7-A: *Development in accordance associated with the proposed General Plan may result in changes in absorption rates, drainage patterns, and the rate and amount of surface runoff within the Planning Area. This could expose people or property to water related hazards such as flooding.* DEIR p. 105.

Mitigation. LUE Policies 2.6.2, 2.6.3, 2.6.4; GME Policies 4.10.1, through 4.10.9; GME Programs 4.10.A through 4.10.H; OSCE Policy 6.3.3; OSCE Program 6.3.G; PRE Program 7.1.L; HSE Policies 8.2.1 through 8.2.13; HSE Programs 8.2.A through 8.2.G.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs identified above will result in the development, implementation, and maintenance of an adequate storm drainage system, in coordination with and based in part on the plans of the Contra Costa County Flood Control and Water Conservation District (CFCWCD).

Impact 3.7-B: *New development associated with the proposed General Plan may increase fire hazard in areas with flammable brush, grass, or trees.* DEIR p. 3-109.

Mitigation. LUE Policy 2.6.5; CE Program 3.5.F; GME Policies 4.4.1 through 4.4.6; GME Programs 4.4.A through 4.4.G; PRE Policy 7.5.10; HSE Policies 8.4.1 through 8.4.5; HSE Programs 8.4.A through 8.4.C.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and program identified above will result, to the extent that doing so is within the jurisdiction of the City, in the provision of an efficient and rapid fire-response system.

Impact 3.7-D: *Development associated with the proposed General Plan may locate new industrial uses that involve hazardous material and wastes close to existing or proposed sensitive receptors.* DEIR p.3-112.

Mitigation. LUE Policies 2.2.3, 2.2.4, 2.2.13, 2.4.1, 2.4.3; GME 4.4.5, 4.7.7, 4.7.10; GME Program 4.7.E; HSE Policies 8.3.1 through 8.3.5; HSE Programs 8.3.A, 8.3.B.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The General Plan eliminates heavy industrial uses from the possible land uses in the City, although light industrial uses are allowed, primarily in the northwest area of Oakley. Additionally, in the Northwest Oakley Special Planning Area, a potential energy production use would be allowed. The policies and program identified above assure that sensitive uses, such as residential development, will be located away from such uses to the extent possible. When sensitive uses cannot be prevented from being located adjacent to industrial uses, the policies and programs call for design buffers, increased setbacks, and regular monitoring of toxic substances to assure public safety.

Impact 3.7-E: *Development associated with the proposed General Plan in combination with other growth in east Contra Costa County may lead to potential cumulative impacts to health and safety.* DEIR p. 3-116

Mitigation. See Mitigation Measures for Impacts 3.7-A through 3.7-E.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed for Impacts 3.7-A through 3.7-E will reduce individual impacts on public health and safety to a less than significant level, resulting in a less than cumulatively significant impact.

Impact 3.8-A: *Future development associated with the proposed General Plan may result in additional discharge into surface waters or other alteration of surface water quality in violation of Regional Water Quality Control Board standards or waste discharge requirements.* DEIR p. 3-122.

Mitigation. GME Policy 4.10.2; GM Programs 4.8.B, 4.8.C.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The implementation of the policy and programs listed above, and consultation with the Contra Costa Water District regarding

development in proximity to the Contra Costa Canal, will adequately protect surface water quality.

Impact 3.8-B: *New development associated with the proposed General Plan may result in a substantial increase of construction-related erosion and sedimentation into surface waters.* DEIR p. 3-125.

Mitigation. GME Program 4.10.B; OSCE Policy 6.6.2; OSCE Program 6.2.B.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The implementation of the policies and programs listed above call for participating in the NPDES program and implementing the BAAQMD's dust control measures, thereby limiting, to the extent feasible, erosion and sedimentation into surface water.

Impact 3.8-C: *New development under the proposed General Plan may generate wastewater flows that exceed the collection and treatment capacity of the existing wastewater treatment plant.* DEIR p. 3-127.

Mitigation. GME Policies 4.8.10, 4.8.13, 4.9.1, 4.9.2, 4.9.3, 4.9.4; GME Programs 4.9.A through 4.9.E; PRE Program 7.1.P.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Build-out under the General Plan will result in increased discharge of treated effluent, which could have potential water quality impacts. The City does not provide effluent treatment, but the agency responsible for that service within the Planning Area has assured the City that it has adequate capacity to serve the Planning Area through build-out. The policies and programs listed above ensure that the City's planning for future development is coordinated with the effluent treatment provider for the area, that opportunities for using reclaimed wastewater are maximized, and that new development demonstrates that adequate treatment capacity exists.

Impact 3.9-A: *Approval of projects under the General Plan may reduce or destroy the habitat of species identified as sensitive, including species identified as endangered, candidate, and/or special status by the California Department of Fish and Game and U.S. Fish and Wildlife Service.* DEIR p. 3-137.

Mitigation. LUE Policies 2.1.5, 2.6.6, 2.6.7; LUE Program 2.6.A; GME Policy 4.10.6; GME Program 4.10.H; OSCE Policies 6.3.1 through 6.3.7, 6.6.1 through 6.6.4; OSCE Programs 6.3.A through 6.3.H, 6.6.C; PRE Policies 7.2.7, 7.3.7, 7.3.10, 7.4.6, 7.4.7.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed above contain land use directives to preserve open space generally; to preserve ecological and biological resources as open space; to reduce the impact of development on such resources, as identified in the planning process; to preserve important wildlife habitat; to buffer open space from development and create coherent open space systems; to require surveys for important plant and animal species prior to development; to coordinate with other public agencies; to design parks to preserve natural features; and to revise the Municipal Code to implement those policies. Together, those policies and programs will reduce the identified impact to a less than significant level.

Impact 3.9-B: *Implementation of the proposed General Plan may result in loss of plant and wildlife habitat within the Planning Area.* DEIR p. 3-140.

Mitigation. See Mitigation Measures for Impact 3.9-A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed above contain land use directives to preserve open space generally; to preserve ecological and biological resources as open space; to reduce the impact of development on such resources, as identified in the planning process; to preserve important wildlife habitat; to buffer open space from development and create coherent open space systems; to require surveys for important plant and animal species prior to development; to coordinate with other public agencies; to design parks to preserve natural features; and to revise the Municipal Code to implement those policies. Together, those policies and programs will reduce the identified impact to a less than significant level.

Impact 3.9-C: *Approval of projects under the updated General Plan may adversely affect movement and dispersal of wildlife and wildlife migration corridors.* DEIR p. 3-140.

Mitigation. See Mitigation Measures for Impact 3.9-A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed above contain land use directives to preserve open space generally; to preserve ecological and biological resources as open space; to reduce the impact of development on such resources, as identified in the planning process; to preserve important wildlife habitat; to buffer open space from development and create coherent open space systems; to require surveys for important plant and animal species prior to development; to coordinate with other

public agencies; to design parks to preserve natural features; and to revise the Municipal Code to implement those policies. Together, those policies and programs will reduce the identified impact to a less than significant level.

Impact 3.9-D: *New development under the General Plan may result in the introduction and spread of non-native invasive plant species.* DEIR p. 3.141.

Mitigation. See Mitigation Measures for Impact 3.9-A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed above contain land use directives to preserve open space generally; to preserve ecological and biological resources as open space; to reduce the impact of development on such resources, as identified in the planning process; to preserve important wildlife habitat; to buffer open space from development and create coherent open space systems; to require surveys for important plant and animal species prior to development; to coordinate with other public agencies; to design parks to preserve natural features; and to revise the Municipal Code to implement those policies. Together, those policies and programs will reduce the identified impact to a less than significant level.

Impact 3.9-E: *Development associated with the proposed General Plan may result in a significant loss of trees.* DEIR p. 3-141.

Mitigation. OSCE Policy 6.3.5; OSCE Programs 6.3.C, 6.3.D.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policy and programs listed above call for the preservation of trees in the Planning Area; the appropriate implementation of a tree-planting program; and the appropriate revision, maintenance, and enforcement of the City's Heritage Tree Ordinance.

Impact 3.9-F: *Development associated with the proposed General Plan may lead to the cumulative conversion and loss of plant and animal habitat.* DEIR p. 3-142.

Mitigation. See Mitigation Measures for Impact 3.9-A through 3.9-E.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed for Impacts 3.9-A

through 3.9-E will reduce individual impacts on plant and animal habitat to a less than significant level, resulting in a less than cumulatively significant impact.

Impact 3.10-B: *Development associated with the proposed General Plan could damage unknown historic, cultural, prehistoric, or archaeological resources in the Planning Area.* DEIR p. 3-148.

Mitigation. LUE Policies 2.5.1 through 2.5.5, 2.8.4, 2.8.11; LUE Programs 2.5.A, 2.5.B; OSCE Policies 6.4.1, 6.5.1 through 6.5.6; OSCE Programs 6.4.A, 6.5.A through 6.5.C.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs listed above call for reviewing development applications to ensure preservation of historic structures; reducing some development requirements for projects that re-use historic structures; preserving historic resources in the Downtown area as it develops; supporting programs to obtain funding for inventorying and renovating historic resources; locating compatible uses adjacent to historic structures; requiring development to handle archaeological and paleontological discoveries in compliance with state and federal law; using historical resources as a tool to attract development; and encouraging the registration of historical properties. Together those policies and programs will, to the extent feasible, preserve historic, cultural, prehistoric, and archaeological resources.

Impact 3.10-C: *Development associated with the proposed General Plan in combination with growth elsewhere in eastern Contra Costa County and the western San Joaquin Valley could result in cumulative loss to cultural resources.* DEIR p. 3-151.

Mitigation. See Mitigation Measures for Impact 3.10-B.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. Implementation of the policies and programs discussed in Impact 3.10-B will reduce all individual impacts on cultural resources to a less than significant level, resulting in a less than cumulatively significant impact.

Impact 3.11-A: *New development under the proposed General Plan will increase the demand for public water and may exceed available supply (during drought years) or distribution capacity.* DEIR p. 3-154.

Mitigation. GME Policies 4.7.5, 4.8.1 through 4.8.13, 4.10.2; GME Programs 4.8-A through 4.8-E; PRE Program 7.1.P.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The City does not provide water service, but its land use planning will affect water demand. The agency that provides water in Oakley has assured the City that it will have adequate supply to serve the Planning Area through build-out of the General Plan. The policies and programs identified above call for the City to work with the water-providing agency to assure adequate water supply; to require new development to demonstrate that adequate water will be available for the project; to encourage water conservation and re-use, to the extent feasible; and to monitor land uses that could result in contamination of groundwater supplies.

Impact 3.11-B: *New development associated with the proposed General Plan may result in exceeding utility service capabilities during peak periods.* DEIR p. 3-157.

Mitigation. GME Policies 4.7.1, 4.7.6; OSCE Policy 6.2.1; HE Policy 10.2.7; HE Programs 10.2.C, 10.2.O, 10.4.B.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The City does not directly provide utility services, but its land use planning will affect demand for such services. The policies and programs listed above call for the City to work with PG&E to monitor transmission facilities and demand and, as required by CEQA, to avoid or reduce inefficient, wasteful, and unnecessary consumption of energy. They further require the development of programs to include energy efficiency tools in new development.

Impact 3.12-A: *Development associated with the proposed General Plan may place buildings on expansive soils, thus potentially causing structural damage or exposing people or structures to potential seismic events and related ground shaking.* DEIR p. 3-167.

Mitigation. HSE Policies 8.1.1 through 8.1.7, 8.1.18, 8.1.19, 8.2.13, 8.4.4; HSE Programs 8.1.A through 8.1.D.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs identified require that structures, particularly for human occupancy, constructed in areas where there is a high risk of severe damage in the event of an earthquake be designed to perform satisfactorily under earthquake conditions, including liquefaction. Further, they prohibit construction of critical structures and facilities in such areas, if the loss of the structures or facilities would substantially affect the public safety or provision of needed services. Finally, they require adherence to state building codes in design and construction, the

provision of adequate setbacks relative to the location, and all necessary studies as part of the environmental review process for individual development projects.

Impact 3.12-B: *Development associated with the proposed General Plan may locate people and structures in areas with potential for liquefaction.* DEIR p. 3-168.

Mitigation. See Mitigation Measures for Impact 3.12-A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs identified require that structures, particularly for human occupancy, constructed in areas where there is a high risk of severe damage in the event of an earthquake be designed to perform satisfactorily under earthquake conditions, including liquefaction. Further, they prohibit construction of critical structures and facilities in such areas, if the loss of the structures or facilities would substantially affect the public safety or provision of needed services. Finally, they require adherence to state building codes in design and construction, the provision of adequate setbacks relative to the location, and all necessary studies as part of the environmental review process for individual development projects.

Impact 3.12-C: *Redevelopment of sites along the Delta waterfront may subject greater population to liquefaction, tsunami, and other seismic hazards.* DEIR p. 3-169.

Mitigation. See Mitigation Measures for Impact 3.12-A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs identified require that structures, particularly for human occupancy, constructed in areas where there is a high risk of severe damage in the event of an earthquake be designed to perform satisfactorily under earthquake conditions, including liquefaction. Further, they prohibit construction of critical structures and facilities in such areas, if the loss of the structures or facilities would substantially affect the public safety or provision of needed services. Finally, they require adherence to state building codes in design and construction, the provision of adequate setbacks relative to the location, and all necessary studies as part of the environmental review process for individual development projects.

Impact 3.13-A: *New development may increase traffic volumes along existing roadways and introduce traffic along new roadways, thereby exposing residents to excessive roadside noise levels.* DEIR p. 3-175

Mitigation. CE Policy 3.7.1; CE Program 3.7.A; GME Program 4.3.C; Noise Element (NE) Policies 9.1.1, 9.1.5, 9.1.6, 9.1.7, 9.2.1; NE Program 9.1.A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs cited above, among other things, require the City, through site planning and design review for new projects, to assure that the noise standards set forth in the Noise Element are met with regard to transportation-related noise. When those measures cannot achieve compliance with the noise standards, the City will require the implementation of noise barriers. Additionally, the City will update its Noise Ordinance, as necessary, to protect existing development from excessive noise, consistent with the standards in the Noise Element. Moreover, pursuant to the policies and programs, the City will work with other agencies responsible for roadway construction to assure compliance with local noise standards.

Impact 3.13-B: *The General Plan may potentially expose existing noise-sensitive uses to construction-related noise, and excessive levels of ground borne vibration and noise. Ambient noise levels near areas of new development may temporarily increase.* DEIR p. 3.13-B.

Mitigation. CE Policy 3.7.1; CE Program 3.7.A; NE Policies 9.1.2, 9.1.4; NE Program 9.1.A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs cited above disallow new development that does not comply with the standards set forth in the Noise Element for non-transportation noise sources, including construction, unless effective noise mitigation measures are implemented as part of the project. When non-residential development, including related construction activities, is likely to exceed noise standards, an acoustical analysis must be performed so that noise mitigation can be included in project design. Updates to the City's Noise Ordinance will include regulation of construction-related noise. The City will work with other public agencies responsible for construction projects to assure compliance with local noise standards.

Impact 3.13-C: *Implementation of the proposed Land Use Map would have the potential of locating noise generating, non-traffic sources close to sensitive land uses.* DEIR p. 3-179.

Mitigation. LUE Policies 2.1.8, 2.2.4, 2.4.1, 2.4.3; LUE Program 2.4.B; GME Program 4.3.C; NE Policies 9.1.1, 9.1.2, 9.1.3, 9.1.4, 9.1.7, 9.1.8, 9.1.9, 9.2.1, 9.2.2; NE Program 9.1.A.

Finding. Changes have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect identified in the EIR.

Rationale for Finding. The EIR assumes full implementation of the General Plan, including all policies and programs. The policies and programs cited require noise mitigation measures that result in compliance with the standards set forth in the Noise Element when new development proposes to locate new noise-sensitive uses adjacent to existing noise-producing uses. Similarly, they require that new noise-producing uses proposed to be located adjacent to noise-sensitive uses implement noise mitigation measures. Additionally, the land use planning for the City, as shown in Figure 2-2 of the General Plan, generally separates noise-sensitive uses from noise-producing uses in areas susceptible to future development. Finally, the updates to the Noise Ordinance will more fully address the details of assuring that new development does not create excessive noise close to sensitive land uses.

EXHIBIT B

FINDINGS REGARDING ALTERNATIVES

The Oakley 2020 General Plan Environmental Impact Report identified three alternatives: No Project, High Density, and Low Density. The City Council found the No Project, High Density, and Low Density Alternatives infeasible and approved the Proposed Project with identified modifications. These findings are for the High Density, Low Density, and No Project Alternatives. The alternatives analysis is presented in Chapter 4.0 of the DEIR.

The City Council hereby finds that the three alternatives identified and described in the EIR were considered and finds them to be infeasible for the specific economic, social, or other considerations set forth below pursuant to CEQA section 21081(c). In making those findings, the City considered the goals of the Project, as set out on pages ES-1 to ES-2 of the DEIR, as well as the goals listed on page 1-2 of the General Plan.

HIGH DENSITY ALTERNATIVE. DEIR Pages 4-2 to 4-3, 4-5 to 4-22.

Finding: Infeasible. This alternative would result in the greatest number of residential housing units and the largest population. It would not, however, result in the creation of more non-residential development. Additionally, it would produce the least amount of open space and parkland.

All of the unavoidable impacts for the Project would remain. Therefore, there is no substantial benefit from adopting this alternative given the other benefits from the Project.

This alternative would not improve the ratio of jobs to residents in the City; although it would produce approximately as many jobs as the Project, the significantly larger population would mean that the City would still have an imbalance. This alternative does not adequately provide for a functioning and vital downtown. It does not preserve the small town feel of Oakley. It would put the greatest stress on the City's infrastructure. It does not preserve adequate open space. It does not focus recreational development on the Delta. It would allow significant development in flood-prone areas. It provides no focused preservation of the City's historical resources.

In sum, the Council finds that the alternative does not offer significant benefits compared to the Project and does not achieve many of the Project's goals.

LOW DENSITY ALTERNATIVE. DEIR Pages 4-3 to 4-4, 4-5 to 4-22.

Finding: Infeasible. This alternative would result in the fewest number of new residential units and the least amount of non-residential development. In particular, it eliminates the business park and utility energy uses in the northwest of the City in favor of expanded light industrial uses.

All of the unavoidable impacts for the Project would remain. Therefore, there is no substantial benefit from adopting this alternative given the other benefits from the Project.

This alternative would not improve the ratio of jobs to residents in the City; although it would produce a lower overall population in fewer dwelling units, it would not produce as many employment opportunities for the City's residents. Thus, the City would still have an imbalance. This alternative does not adequately provide for a functioning and vital downtown. It does not encourage significant economic development. It creates uncertainty about the City's ability to meet its state-mandated affordable housing requirements. Commercial nodes would be primarily low density and would, therefore, not encourage the development or use of transit. It would still result in increased stress on the City's infrastructure, but the lower development would diminish financing for the necessary improvements and increase the time before they could be provided.

The Council concludes that, although it offers some benefits by increasing open space and decreasing population density, the benefits of the alternative are not significant, and that it fails to achieve many of the goals of the Project.

NO PROJECT ALTERNATIVE. DEIR Pages 4-4 to 4-5, 4-5 to 4-22.

Finding: Infeasible. This alternative assumes no new General Plan will be adopted. As a result, the City-adopted County General Plan would remain in effect. It would result in a larger population than the Project in more residential units. It would also retain heavy industrial and agricultural land uses; the latter are located adjacent to urbanizing areas. The alternative proposes less commercial development, eliminates the business park designations, and contains no focused planning for the downtown.

All of the unavoidable impacts for the Project would remain. Therefore, there is no substantial benefit from adopting this alternative given the other benefits from the Project.

This alternative would not improve the ratio of jobs to residents in the City; it would result in a larger population than the Project but would produce significantly less commercial and other employment-generating non-residential development. This alternative does not adequately provide for a functioning and vital downtown. It does not encourage significant economic development. It does not focus recreational development adjacent to the Delta. It will not attract and retain business.

The Council finds that the alternative does not offer significant benefits compared to the Project and does not achieve many of the Project's goals.

EXHIBIT C

STATEMENT OF OVERRIDING CONSIDERATIONS

1. General. Pursuant to CEQA Guidelines section 15093, the City Council of the City of Oakley makes this Statement of Overriding Considerations for those impacts identified in the Oakley 2020 General Plan EIR as significant and unavoidable. The City Council has carefully considered each impact in reaching its decision to approve the Project. Although the City Council believes that many of the unavoidable environmental effects identified in the EIR will be substantially lessened by mitigation measures incorporated into the Project, and by future development plans as well as future mitigation measures implemented with future approvals, it recognizes that the implementation of the Project carries with it unavoidable adverse environmental effects.

The City Council specifically finds that to the extent that the identified adverse or potentially adverse impacts have not been mitigated to acceptable levels, there are specific economic, social, environmental, land use, and other considerations that support approval of the Project.

2. Unavoidable Significant Adverse Impacts. The following unavoidable significant environmental impacts are associated with the Oakley 2020 General Plan as identified in the EIR. The impacts cannot be fully mitigated by changes or alterations to the Project.

Impact 3.4-A: New stationary and mobile sources of air pollutants cause by build-out of the proposed General Plan Land Use Map may cause emissions of ROG, NOx, and PM₁₀. DEIR pp. 3-54 to 3-57, FEIR pp. 4-10 to 4-12. The General Plan contains a number of goals, policies, and programs designed to mitigate to the fullest extent possible the identified impacts on air quality. The EIR assumes full implementation of the General Plan. The Project is consistent with BAAQMD policies encouraging compact, infill development near public transit and includes variants of all of the strategies suggested by BAAQMD to minimize regional air quality impacts through accessibility to non-automobile forms of transportation. However, even with its transit and pedestrian oriented design, in part because the City is in an area of non-attainment for several air pollutants, the Project would exceed BAAQMD regional air quality standards and no feasible mitigation measures are identified to further reduce this impact; therefore Project impacts remain significant and unavoidable.

Impact 3.4-F: New stationary and mobile sources of air pollutants caused by build-out of the proposed General Plan would cause emissions from ROG, Nox, and PM₁₀ that would be cumulative considerable. DEIR p. 3-63, FEIR p. 4-12. See discussion for Impact 3.4-A.

3. Overriding Considerations. The City Council has balanced the benefits of the Oakley 2020 General Plan to the City of Oakley against the significant and potentially significant adverse impacts identified in the EIR that have not been eliminated or

mitigated to a level of insignificance. To the extent that the Project would result in unavoidable significant impacts described in the EIR, the City Council hereby determines that such unavoidable impacts are outweighed by the benefits of Project as further set forth below. The City Council, acting pursuant to CEQA Guidelines Section 15093, hereby determines that unavoidable impacts of the Project are outweighed by the substantial public benefits of the Oakley 2020 General Plan. Approval of the Project satisfies the City's goals for a general plan: allowing development while preserving a small town feel; ensuring attractive development; ensuring adequate infrastructure to serve new development; ensuring an adequate multi-modal circulation system; encouraging economic growth while providing adequate housing for all economic segments balancing jobs and housing; ensuring open space buffers between the City and adjacent jurisdictions; retaining open space and encouraging recreational development on the Delta; protecting residents from noise and hazards; developing a functioning and vital downtown; and attracting and retaining businesses. The Project's land uses provide for additional housing for all economic segments, a variety of non-residential uses, diverse business opportunities, properly located parks and open space, and an appropriately designed circulation to provide transportation alternatives to the community. The mix of uses will create a vibrant suburban community that offers its residents and the region high quality opportunities to live, work, and play. Properly located higher density housing will encourage transit use as well as increase the potential for affordable housing. The urban densities will be further complemented by recreational opportunities. Approval of the Project advances City policies to provide comprehensive community planning that balances various land uses and encourages diversity of housing opportunities, economic development, open space and parkland, increased employment, and transit facilities. In addition, the Project will result in the following substantial public benefits.

Economic Considerations. Substantial evidence is included in the record demonstrating the economic benefits that the City would derive from implementation of the Project. Specifically, the Project will result in:

- a. As many as 34,000 new jobs, as well as a substantial number of construction jobs.
- b. Potential commercial development that will result in increases in sales tax revenues for the City.
- c. Substantial increases in property tax revenues.

Social Considerations. Substantial evidence exists in the record demonstrating the social benefits that the City would derive from the implementation of the Project. Specifically, the Project will result in:

- a. Increases in housing opportunities in the City and in a region that has experienced increasingly intense housing demand in the last 10 years.

- b. *Increases in the amount of affordable housing in the community.*
- c. **Increased opportunities for the City to contribute its fair share of regional housing.**
- d. **Provision of higher density housing opportunities near local and regional public transit facilities.**

CITY OF OAKLEY CITY COUNCIL

RESOLUTION NO. 92-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING THE CONTRA COSTA COUNTY MEASURE L URBAN LIMIT LINE (ULL) AS THE CITY'S ADOPTED ULL, FOR THE PURPOSES OF COMPLIANCE WITH MEASURE J TO ESTABLISH A VOTER-APPROVED ULL

FINDINGS

WHEREAS, the Measure J (2004) Transportation Expenditure Plan includes a Growth Management Program (GMP) which contains an urban limit line component mandating that local jurisdictions must adopt and continuously comply with a voter approved urban limit line no later than April 1, 2009 in order to receive their shares of Measure J Local Street Maintenance and Improvement Funds and to be eligible to receive Measure J Transportation for Livable Community funds; and

WHEREAS, Measure J also includes Principles of Agreement for Establishing the Urban Limit Line (ULL Principles) as Attachment A to the GMP, incorporated therein by reference; and

WHEREAS, the ULL Principles, as amended by the Authority on November 15, 2006, state that a local jurisdiction may adopt a "County ULL," which is defined as the ULL adopted by the Contra Costa County Board of Supervisors and passed by the voters at a countywide election (after November, 2004); and

WHEREAS, Measure L (2006), the Contra Costa County Board of Supervisor ULL, was passed by a majority of voters in Contra Costa at the November 7, 2006 election; and

WHEREAS, the Measure L ULL was also approved by a majority of the voters in the City at the November 7, 2006 election, as certified by the County Clerk; and

WHEREAS, the City wishes to adopt the Measure L ULL (referred to hereinafter as the County ULL) as its ULL specifically as it applies to the City boundaries for the purpose of compliance with the Measure J GMP; and

WHEREAS, on July 25, 2006, the Contra Costa County Board of Supervisors, as the lead agency for the project under the California Environmental Quality Act ("CEQA"), adopted a Negative Declaration (State Clearinghouse No. 2006012134) on the "November 7, 2006 General Election, Urban Limit Line Ballot Measure Sponsored by Contra Costa County Board of Supervisors;" and

WHEREAS, the Negative Declaration determined that the adoption of the Measure L ULL would not have any significant impacts on the environment;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLEY DOES RESOLVE AS FOLLOWS:

1. The City accepts, adopts, and approves, for the purposes of compliance with the Measure J GMP, the County ULL boundary for urban development as its applicable voter-approved ULL with regard to the boundaries of the City; and
2. Conditions for revising the physical boundary of the County ULL to allow the City to make adjustments of 30 or fewer acres, or to address issues of unconstitutional takings, or to conform to state and federal law, or other applicable regulations are set forth in Exhibit 1, which is attached hereto and made a part hereof; and
3. The City shall not make adjustments of greater than 30 acres to the physical boundary of the adopted County ULL unless those adjustments have been approved by the voters in accordance with the ULL Principles; and
4. The City has considered the environmental effects of the project as shown in the Negative Declaration prepared by the County and shall adopt a Notice of Determination in accordance with State CEQA Guidelines sections 15075 and 15096(i) within five working days after the approval of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Oakley held on the 9th day of September 2008, by Councilmember Romick, who moved its adoption, which motion being duly seconded by Councilmember Anderson, was upon voice vote carried and the resolution adopted by the following vote:

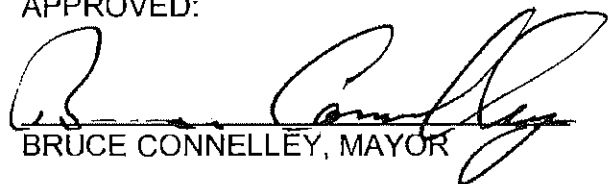
AYES: Anderson, Connelley, Nix, Rios, Romick

NOES: None

ABSTENTIONS: None

ABSENT: None

APPROVED:


BRUCE CONNELLEY, MAYOR

ATTEST:


NANCY ORTENBLAD, CITY CLERK

Exhibit 1
City Council Resolution No. 92-08

Conditions for revising the physical boundary of the urban limit line to allow adjustments of 30 or fewer acres, or to address issues of unconstitutional takings, or to conform to state and federal law:

1. To prevent the use of multiple boundary adjustments of 30 acres or less to avoid the more-than-30 acres limitation.
2. To allow adjustment of 30 acres or less within a limited set of conditions, provided those adjustments were non-contiguous (and not proximate to each other).
3. The term "nonconsecutive" is intended to mean that adjustments should not be proximate to each other, and that in combination, these adjustments shall not result in amassing a contiguous parcel (or parcels) in excess of 30 acres.
4. The local jurisdiction should avoid the creation of pockets of land outside the urban limit line, specifically to avoid the possibility of wanting to fill in those pockets later on through separate adjustments.
5. To allow consideration of more than one local voter approved urban limit line boundary adjustment, each of 30 acres or less, provided they are relatively isolated and well separated from each other.
6. Contiguous annexations totaling more than 30 acres would require further voter approval.
7. To allow a minor change in the urban limit line to accurately reflect topographic characteristics or legal boundaries (e.g. when a portion of a legal parcel is within the urban limit line).

RESOLUTION NO. 33-10**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY CERTIFYING THE OAKLEY DOWNTOWN SPECIFIC PLAN EIR (SCH. NO. 2008112089), MAKING CERTAIN FINDINGS CONCERNING MITIGATION MEASURES, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, MAKING FINDINGS CONCERNING ALTERNATIVES, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATION IN CONNECTION WITH THE OAKLEY DOWNTOWN SPECIFIC PLAN.**

WHEREAS, on or about January 18, 2000, the City of Oakley ("City") began holding workshops and discussion regarding the future of the Oakley Downtown, which has led to evolved into preparation of the Oakley Downtown Specific Plan ("Specific Plan"); and

WHEREAS, pursuant to policies adopted as part of the City of Oakley 2020 General Plan (GP), the Specific Plan places substantial emphasis on the improvement of the downtown (GP Policy 2.8.1), includes regulations and design standards to allow the downtown to be developed at a pedestrian scale, with adequate sidewalks, street crossings, and pedestrian resources (GP Policy 2.8.1), contains design standards for streets trees (GP Policy 2.8.3), includes a conceptual parking plan (GP Policy 2.8.4), and contains regulations, design standards and guidance for architecture, signs, and uses (GP Implementation Program 2.8.C); and

WHEREAS, on November 20, 2008, the City published a Notice of Preparation for the Specific Plan, which identified potentially significant environmental impacts attributable to the Specific Plan, on which basis the City determined that an Environmental Impact Report ("EIR") was required for the Specific Plan; and

WHEREAS, the Notice of Preparation provided notice of the City's determination, and solicited public input on the proposed scope and content of the EIR for the Specific Plan; and

WHEREAS, on December 5, 2008 the City held a public scoping meeting to receive public comments on the scope and content of the EIR; and

WHEREAS, a Draft Environmental Impact Report (EIR) with Technical Appendices, was prepared by the City of Oakley and released for public review on September 10, 2009; and

WHEREAS, the Draft EIR was available for public comment for a period of at least 45 days as required by Section 21091 of the California Environmental Quality Act (CEQA), the close of the public comment period being October 28, 2009; and

WHEREAS, the City held a public comment meeting to receive public comments on the Draft EIR on October 13, 2009; and

WHEREAS, during the public comment period the City received six letters commenting on the Draft EIR; and

WHEREAS, the City prepared written responses to all written comments received on the Draft EIR, said responses being contained in the "Oakley Downtown Specific Plan Environmental Impact Report Response to Comments Document" (RTC) (State Clearinghouse Number 2008112089) prepared pursuant to Section 15089 of the CEQA Guidelines; and

WHEREAS, the RTC document and Draft EIR together make up the Oakley Downtown Specific Plan Final EIR (Final EIR); and

WHEREAS, the Final EIR was distributed and made available to the public at City Hall and on the City website on February 12, 2010, and consists of the Draft EIR, a list of commenters, copies of all written comments received, responses to those comments that raise environmental issues, and any revisions to the text of the Draft EIR made in response to the comments, as required by Section 15132 of the CEQA Guidelines; and

WHEREAS, the project under consideration would include approval of the following: a resolution certifying the EIR for the Oakley Downtown Specific Plan Project, adoption of an ordinance approving a Zoning Ordinance Amendment to create the SP-4 (Specific Plan-4) District, adoption of an ordinance approving a Rezone of the Project site to SP-4 (Specific Plan-4) District, and adoption of the Oakley Downtown Specific Plan; and

WHEREAS, CEQA requires that, in connection with the approval of a project for which an EIR has been prepared which identifies one or more significant environmental effects, the decision-making agency make certain findings regarding those effects; and

WHEREAS, the EIR identifies potentially significant environmental impacts and related mitigation measures and a Mitigation Monitoring and Reporting Program, which mitigation measures and a monitoring program shall apply to development in the Specific Plan Area; and

WHEREAS, the EIR also identifies potentially significant environmental impacts that cannot be avoided by mitigation and for which the City must adopt a Statement of Overriding Considerations pursuant to CEQA; and

WHEREAS, the Final EIR reflects the City's independent judgment and analysis on the potential for environmental impacts and constitutes the EIR for the Oakley Downtown Specific Plan; and

WHEREAS, the Draft EIR and RTC are separately bound documents, incorporated herein by reference, and are available for review in the City's Planning Division; and

WHEREAS, the City Council has received and considered the Final EIR, made up of the Draft EIR and RTC for the Oakley Downtown Specific Plan (SCH No. 2008112089) that analyzed the potential environmental effects of the proposed Specific Plan; and

WHEREAS, on February 23, 2010 the City Council held a duly noticed public hearing on the Specific Plan, including the Draft EIR and RTC (Final EIR), the Oakley Downtown Specific Plan, a Zoning Ordinance Amendment to create the SP-4 (Specific Plan-Downtown) District, and a Rezone of the Project site to SP-4 (Specific Plan-Downtown) District at which time all interested persons and parties had the opportunity to be heard. The City Council considered the February 23, 2010 staff report with all attachments, and all written and oral testimony, and reviewed and considered the Environmental Impact Report.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City of Oakley City Council make the following findings:

1. That, based on review and analysis of the EIR and other information in the record and has considered the information contained therein, including the written and oral comments received at the public hearings on the EIR and the Specific Plan, prior to acting upon or approving the Project, the EIR has been completed in compliance with CEQA; and that the EIR represents the independent judgment of the City of Oakley; and
2. That the Final EIR contains discussion of the potential impacts, level of significance of each impact, proposed mitigation for any impact found to be potentially significant, and factual findings relating to potential environmental impacts that could result from implementation of the Oakley Downtown Specific Plan. The City Council hereby refers to the Final EIR as support for findings and recommendations made by the Council as the City's findings under the California Environmental Quality Act ("CEQA") (Pub. Resources Code § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., Title 14, §15000 et seq.) relating to the Project.
3. That the Final EIR provides the written analysis and conclusions of the City Council regarding the Specific Plan's environmental impacts, mitigation measures and alternatives to the Project, and shall be referenced as findings for all impacts

found to have no impact, be less than significant without mitigation incorporated, or be less than significant with mitigation incorporated.

4. That pursuant to Public Resources Code Section 21081 and CEQA Guidelines Sections 15091 *et seq.*, the City Council of the City of Oakley adopts and makes the following statement of overriding considerations regarding the remaining unavoidable impacts of the Project and the anticipated economic, social and other benefits of the Project.

- a. Significant Unavoidable Impacts

With respect to the foregoing findings, and in recognition of those facts which are included in the record, the City has determined the following:

- The Specific Plan will cause significant, unavoidable impacts to Cultural Resources (historic architectural resources); and
- The Specific Plan will cause significant, unavoidable impacts to Transportation and Circulation (if Option #2 "Roundabout option" is chosen as the Main Street realignment option); however, the City Council is not choosing this option. Therefore, a Statement of Overriding Considerations has not been included for the significant and unavoidable impacts to Traffic and Circulation.
- These impacts cannot be avoided or substantially reduced by feasible changes or alterations to the Project, other than the changes or alterations already adopted.

- b. Overriding Considerations

The City Council specifically adopts and makes this Statement of Overriding Considerations that this Project includes all feasible measures that would eliminate or substantially lessen the significant impacts of the Project on the environment, and that the remaining significant, unavoidable impacts of the Project are acceptable in light of the environmental, economic, social and other considerations set forth herein because the benefits of the Project outweigh the significant and adverse impacts of the Project. The City Council finds that each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the Project outweigh its significant adverse environmental impacts and sets forth an overriding consideration warranting approval of the Project. These matters are supported by evidence in the record.

c. Benefits of Proposed Project

The City Council has considered the EIR, the public record of proceedings on the proposed Specific Plan and other written materials presented to the City as well as oral and written testimony at all public hearings related to the Specific Plan, and does hereby determine that implementation of the Specific Plan as specifically provided in the Plan documents would result in the substantial public benefits set forth below.

The City Council has weighed the benefits of the proposed Project against its unavoidable environmental risks and adverse environmental effects identified in the EIR and hereby determines that those benefits outweigh the risks and adverse environmental effects and, therefore, further determines that these risks and adverse environmental effects are acceptable.

- i. The Project would improve Main Street's overall appearance through consistent sidewalks, street trees, pedestrian oriented lighting, and utility undergrounding; and
- ii. The Project would promote property renovation and redevelopment through a Façade Improvement Program for renovation, and pro-active redevelopment efforts; and
- iii. The Project would enhance the pedestrian environment through consistent design for installation of highly visible crosswalks, corner curb bulbouts, street furnishings, and sidewalk-directed lighting; and
- iv. The Project would focus pedestrian-oriented development toward the Downtown Core through allowance and limitations on the proper types of uses and adherence to design standards, as well as promoting higher density infill projects; and
- v. The Project would facilitate realignment of Highway 4/Main Street, which is an integral part of the revitalization efforts for the Downtown. The realignment will be a catalyst for investment, giving new life to Main Street by redirecting heavy truck and through traffic around the district, and creating newly accessible properties that enhance Downtown's ability to attract new development; and
- vi. The Project would allow the City to move closer to acquiring funding for the Highway 4/Main Street realignment right of way by providing an adopted plan that can be used in references for grants, etc. The City, combined with private development interests can use a consistent plan when planning for future project along the Main Street corridor; and

- vii. The Project will promote higher density infill development, which will support downtown's businesses and capitalize on the pedestrian-oriented environment created by the Specific Plan. Within the Downtown Core Area, this would be achieved through vertical mixed-use (residential above retail/office); and
 - viii. The Project will allow for interim revitalization efforts that are spelled out in the Specific Plan. This will allow steps to be taken to enhance the area without the need for immediate large projects or redevelopment efforts.
5. The Mitigation Monitoring and Reporting Program for the Oakley Downtown Specific Plan is incorporated and adopted as part of this resolution and attached herein as Exhibit "A". The Program identifies impacts of the Specific Plan, corresponding mitigation, designation of responsibility for mitigation implementation and the agency responsible for the monitoring action.
 6. The City Council hereby finds and recognizes that the Final EIR contains additions, clarifications, modifications and other information in its responses to comments on the Draft EIR. This Council hereby finds and determines that such changes and additional information are not significant new information as that term is defined under the provisions of the California Environmental Quality Act, because such changes and additional information do not indicate that any new significant environmental impacts not already evaluated would result from the Project and do not reflect any substantial increase in the severity of any environmental impact; that no feasible mitigation measures considerably different from those previously analyzed in the Draft EIR have been proposed that would lessen significant environmental impacts of the Project; and that no feasible alternatives considerably different from those analyzed in the Draft EIR have been proposed that would lessen significant environmental impacts of the Project. Accordingly, this Council hereby finds and determines that recirculation of the Final EIR for further public review and comment is not warranted; and
 7. The City Council does hereby designate the Community Development Director of the City of Oakley, at his office at 3231 Main Street, Oakley, California 94651 as the custodian of documents and record of proceedings on which the decision is based; and
 8. The City Council does hereby make the foregoing findings with respect to the significant effects on the environment of such Specific Plan, as identified in the Final EIR, with the stipulations that all information in these findings is intended as a summary of the full administrative record supporting the Final EIR, which full administrative record should be consulted for the full details supporting these findings, and that any mitigation measures and/or alternatives that were suggested by commenters to the Draft EIR and were not adopted as part of the

Final EIR are hereby expressly rejected for the reasons stated in the responses to the comments set forth in the Final EIR and elsewhere in the record.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oakley that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Oakley held on the 23rd day of February, 2010, by Romick, who moved its adoption, which motion being duly seconded by Frazier, was upon voice vote carried and the resolution adopted by the following vote:

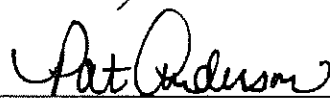
AYES: Anderson, Connelley, Frazier, Rios, Romick

NOES: None

ABSTENTIONS: None

ABSENT: None

APPROVED:



Pat Anderson, Mayor

ATTEST:

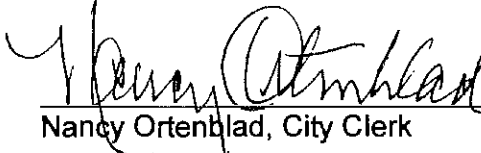
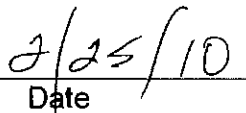

Nancy Ortenblad, City Clerk
Date

Exhibit A – Oakley Downtown Specific Plan EIR – Mitigation, Monitoring and Reporting Program

EXHIBIT A

City of Oakley – Oakley Downtown Specific Plan Mitigation Monitoring and Reporting Program

January 26, 2010

The California Environmental Quality Act (CEQA) and CEQA Guidelines require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid significant environmental impacts of a project. The monitoring program ensures that mitigation measures imposed by the City are completed at the appropriate time in the development process.

The impacts and mitigation measures identified in the Initial Study and Environmental Impact Report (EIR) prepared for the Oakley Downtown Specific Plan (DTSP) are listed below along with the party responsible for implementation of the mitigation measure; the party responsible for monitoring implementation of the mitigation measure; the milestones for implementation and monitoring; and a sign off that the mitigation measure has been implemented.

The MMRP derives from two sources: (1) mitigation measures from the Initial Study (pages 2-9); and (2) mitigation measures from the EIR (pages 10-21).

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Notes
Mitigation Measures From the Initial Study					
Impacts to day and nighttime views.	AES-1: For each project developed under the DTSP, the Community Development Department shall review lighting plans to ensure that lighting is low-intensity and downward-directed and does not create a substantial source of light or glare.	Individual project applicants	Community Development Department	Prior to issuance of a building permit for individual projects	
Impacts to burrowing owls and Swainson's hawk	BIO-1: Prior to site preparation activities on Redevelopment Opportunity Sites 4 and 6 and the open undeveloped area at the southeast corner of the DTSP area along Rose Avenue, Mitigation Measures identified in the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan for the burrowing owl and Swainson's hawk, including planning surveys and, if required, preconstruction surveys followed by Avoidance and Minimization and Construction Monitoring, shall be implemented, as appropriate.	Individual project applicants	Community Development Department	Prior to site preparation activities for Redevelopment Opportunity Sites 4 and 6 and the undeveloped open area along Rose Avenue	
Impacts to paleontological resources	PALEO-1: Should any paleontological resources be uncovered during grading, excavation, or construction activities associated with implementation of the DTSP, these activities shall be diverted to a part of the site away from the find and a certified paleontologist shall be contacted by the contractor to: 1) ascertain the significance of the resource; 2) establish a protocol with the City to protect such a resource (including methods for documentation and preservation); 3) ascertain the presence of additional resources; and 4) provide additional monitoring of the site if the City deems it appropriate.	Individual project applicants/ construction contractors/project paleontologists	Community Development Department	During grading and construction	
Seismic-related hazards due to the presence of unstable geologic and/or soil conditions, including soils subject to liquefaction and the presence of expansive soils	GEO-1: Prior to approval of new development projects or projects which substantially modify existing structures within the DTSP, a geologic and engineering study shall be completed to: 1) define and delineate potentially hazardous geologic and/or soils conditions; 2) recommend means of mitigating these adverse conditions; and 3) provide implementation of these recommendations. The study shall be consistent with the City of Oakley General Plan liquefaction policies (Policy 8.1.9).	Individual project applicants	Engineering Division	Prior to approval of new development projects or projects which substantially modify existing structures	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

<i>Impact</i>	<i>Mitigation Measures</i>	<i>Implementing Party</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Start/Off</i>
Exposure of the public, construction workers, and sensitive receptors to potential hazardous materials releases	HAZ-1a: As a condition of approval for any permit for demolition, excavation or grading of a parcel within the DTSP area, a Phase I site assessment shall be conducted by a qualified professional (e.g., a California-registered environmental assessor) to identify current or historical land uses that have or may have included the storage or generation of hazardous materials and the potential for releases of hazardous materials to have occurred that might impact the site. The assessments shall be performed in conformance with standards adopted by the American Society for Testing and Materials International in Method E1527-05 (ASTM Standard) for Phase I site assessments.	Individual project applicants	Building Division	Prior to issuance of a demolition or grading permit for individual development projects	
	HAZ-1b: If a Phase I site assessment indicates that a release of hazardous materials could have affected the site, additional soil and/or groundwater investigations shall be conducted by a qualified environmental professional to assess the presence and extent of contamination at the site. These investigations shall be conducted in conformance with State and local guidelines and regulations.	Individual project applicants	Building Division	Prior to issuance of a demolition or grading permit for individual development projects	
	HAZ-1c: For any site where contamination has been identified, construction shall only occur in accordance with a site-specific health and safety plan prepared by a certified industrial hygienist. The plan shall include provisions for monitoring exposure to construction workers, delineate procedures to be undertaken in the event that contamination is identified above action levels, and identify emergency procedures and responsible personnel. If construction were to take place on sites adjacent to residences or other areas with sensitive receptors, the health and safety plan shall include air monitoring at the perimeter of the construction site. The health and safety plan shall include performance standards identified to minimize the effects of airborne contaminants (for example, stopping work in dusty conditions, limiting excavation areas, or wetting down of surfaces). Construction workers at contaminated sites shall be required to have received hazardous materials training in accordance with Federal and State regulations.	Individual project applicants/ construction contractors	Community Development Department	Prior to and throughout the construction period for sites where contamination is identified	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

<i>Issues</i>	<i>Mitigation Measure</i>	<i>Implementing Party</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-Off</i>
Exposure of the public, construction workers, and sensitive receptors to potential releases of asbestos and lead-based paint-containing materials	HAZ-2: As a condition of approval for any demolition or permit for a structure known or suspected to have been constructed prior to 1980, an asbestos and lead-based paint survey shall be performed. If asbestos-containing materials are determined to be present, the materials shall be abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the Bay Area Air Quality Management District. If lead-based paint is identified, then federal and State construction worker health and safety regulations shall be followed during renovation or demolition activities. If loose or peeling lead-based paint is identified, it shall be removed by a qualified lead abatement contractor and disposed of in accordance with existing hazardous waste regulations.	Individual project applicants	Building Division	Prior to issuance of a demolition permit for any structure known or expected to have been constructed prior to 1980	
Potential interference with adopted emergency response and evacuation plans	HAZ-3a: Prior to approval of projects associated with the DTSP, the East County Fire Protection District, Oakley Public Works Department and the Oakley Police Department shall review and approve project design to ensure that the project does not impair implementation or physically interfere with emergency plans.	Individual project applicants	Public Works Department/Police Department/East County Fire Protection District	Prior to approval of individual development projects	
	HAZ-3b: Improvement plans for roadways constructed within the DTSP site shall be reviewed by the City of Oakley Planning Department and Public Works and Engineering Department to ensure that adequate width and turning radius is maintained on all roadways.	Individual project applicants	Community Development Department/Public Works Department	Prior to approval of individual development projects	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Status
<p>Construction-period water quality impacts</p> <p>On- or off-site erosion, siltation, and flooding could result with alteration of the existing drainage systems</p> <p>Impacts associated with increases in polluted runoff and potential to exceed to the capacity of existing storm drain systems</p> <p>Impacts to adjacent wetlands</p>	<p>HYD-1: For projects that disturb 10,000 square feet or more, the project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential impacts to surface water quality through the construction-period of the project. It is not required that the SWPPP be submitted to the RWQCB, but must be maintained on-site and made available to RWQCB staff upon request. The SWPPP shall be submitted to the Community Development Department prior to approval of the grading plan. The SWPPP shall include:</p> <ul style="list-style-type: none"> • <i>Best Management Practices.</i> Specific and detailed Best Management Practices (BMPs) shall be designed to mitigate construction-related pollutants to a level of insignificance. At a minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain. • <i>Framework for Education.</i> An important component of the storm water quality protection effort is knowledge of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP. • <i>Monitoring Plan.</i> The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, and must include both dry and wet weather inspections. In addition, in accordance with State Water Resources Control Board Resolution No. 2001-046, monitoring would be required during the construction period for pollutants that may be present in the runoff that are "not visually detectable in runoff." RWQCB personnel, who may make unannounced site inspections, are empowered to levy considerable fines if it is determined that the SWPPP has not been properly prepared and implemented. 	<p>Individual project applicants</p>	<p>Public Works Department</p>	<p>Prior to issuance of a grading permit for project that would disturb 10,000 square feet or more</p>	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Priority	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Start-Off
HYD-1 <i>Continued</i>	<ul style="list-style-type: none"> • <i>Soil Erosion.</i> Soil erosion BMPs designed to reduce erosion of exposed soil may include, but are not limited to soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. The potential for erosion is generally increased if grading is performed during the rainy season as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control, that is, keeping sediment on the site. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. If hydroseeding is selected as the primary soil stabilization method, then these areas shall be seeded by September 1 and irrigated as necessary to ensure that adequate root development has occurred prior to October 1. Entry and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be provided and designed to be accessible and functional during both dry and wet conditions. 				

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impacts	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Start/Off
<p>Operation-period water quality impacts</p> <p>On- or off-site erosion, siltation, and flooding could result with alteration of the existing drainage systems</p> <p>Impacts associated with increases in polluted runoff and potential to exceed to the capacity of existing storm drain systems</p> <p>Impacts to adjacent wetlands</p>	<p>HYD-2a: Consistent with City of Oakley Municipal Code, the project applicant for each project developed under the DTSP that creates 10,000 square feet of new, additional or replacement impervious area, including street and roadway projects, shall submit a Stormwater Control Plan to the Community Development Department, along with the development application. Design characteristics, landscape features, and Best Management Practices (BMPs) identified in the Stormwater Control Plan should minimize impervious surfaces, retain and detain stormwater, slow runoff rates, and reduce the discharge of pollutants to the <i>maximum extent practicable</i> and should be designed to treat 80 percent of average annual runoff, consistent with NPDES permit provision C.3.d.</p> <p>The plan should be prepared simultaneously with the preliminary site plan and landscaping plan and considered by the Community Development Department as part of the project application. The plan should be certified by a qualified architect, landscape architect, or civil engineer. Implementation of the Stormwater Control Plan shall be a condition of approval for the project.</p> <p>Prior to issuance of a Certificate of Occupancy, the project applicant shall submit a detailed Stormwater Control Operation and Maintenance Plan to the Building Department.</p>	Individual project applicants	Community Development Department/Public Works Department	Prior to issuance of a building permit and a certificate of occupancy for individual development projects that create 10,000 square feet or more of impervious surfaces	
	<p>HYD-2b: In addition to requirements for treatment measures listed above, the project applicant for each project that creates one or more acres of impervious surface shall demonstrate compliance with flow-control requirements such that post-project runoff does not exceed estimated pre-project rates or durations. The project applicant must demonstrate compliance with Contra Costa County's Hydrograph Modification Management Plan (HMP) using one of four options described in the County's Stormwater C.3 Guidebook.</p>	Individual project applicants	Public Works Department	Prior to issuance of a building permit for individual development projects that create 1 or more acres of impervious surfaces	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Start/Off
Impacts associated with placement of new structures within the 100-year flood zone	HYD-3: Consistent with City of Oakley Standard Conditions of Approval, the project applicant for any project area located in the 100-year floodplain shall submit a Letter of Map Revision application or the appropriate application to the Federal Emergency Management Agency (FEMA) to remove the building pads that are currently within the Special Flood Hazard Area Zone A 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 A 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.	Individual project applicants	Public Works Department	Prior to issuance of a building permit for individual development projects located within the 100-year floodplain	
Impacts associated with the provision of fire protection services	FIIB-1: Prior to issuance of a building permit for buildings greater than two stories in height, the Community Development Department shall receive confirmation from the East County Fire Protection District that the District has adequate equipment to serve the proposed project or that the specific building design otherwise provides a safe environment in the event of a severe earthquake or fire.	Individual project applicants	Community Development Department/East County Fire Protection District	Prior to the issuance of a building permit for buildings greater than two stories in height	
Impacts to sewer infrastructure	UTL-1a: Specific development projects proposed under the DTSP shall demonstrate adequate sewerline capacity and integrity to serve the project. Sewer lines that are substandard shall be replaced, consistent with the Ironhouse Sanitary District standards. The City shall coordinate line replacement with the District and the project applicant shall pay for their fair share of improvements.	Individual project applicants	Public Works Department/Ironhouse Sanitary District	Prior to issuance of a building permit for individual development projects	

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MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Start/Off
UTL-1 <i>Continued</i>	<p>UTL-1b: Additionally, the General Plan policy and programs from the Wastewater Services section of the Growth Management Element listed below would reduce this potential impact.</p> <ul style="list-style-type: none"> • Policy 4.9.4: Reduce the need for sewer system improvements by requiring new development to incorporate water conservation measures, which reduce flows into the sanitary sewer system. • Program 4.9.A: Require new development to pay its fair share of the cost of on- and off-site infrastructure. This shall include installation of necessary public facilities, payment of impact fees, and participation in a Capital Improvement Program. • Program 4.9.D: At the project approval stage, require new development to demonstrate that wastewater treatment capacity can be provided. The City shall obtain assurance that 1) capacity exists within the wastewater treatment system if a development project is built within a set period of time, or 2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the City from consultations with the Ironhouse Sanitation District, the applicant, or other sources. 	Individual project applicants	Public Works Department/Ironhouse Sanitary District	Prior to issuance of a building permit for individual development projects	

**DOWNTOWN OAKLEY SPECIFIC PLAN
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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Implementing Party</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-Off</i>
Mitigation Measures From the EIR					
CULT-1: The Main Street Realignment component of the DTSP would result in the demolition of six existing historical architectural resources, resulting in a substantial adverse change to the historical significance of select structures themselves, as well as to the Oakley Old Town Historic District as a whole.	CULT-1: Prior to their demolition, historical structures that would be affected by the Main Street Realignment shall be properly documented. The documentation shall, at a minimum, consist of a report documenting the historical context with descriptive narrative of the resource, and an update of the resource's Department of Parks and Recreation form 523 record. The photo-documentation shall capture the form, materials, design, and setting of the buildings to preserve those characteristics that justify their California Register eligibility both individually and as part of the Oakley Old Town Historic District. Photo-documentation shall be prepared in concert with a historical context statement and narrative description of each building to place each property in its architectural and historical context. The documentation package shall be distributed to the NWIC, the Contra Costa County Historical Society, the City of Oakley, the Oakley Chamber of Commerce, and, for the purposes of public outreach, the Oakley Public Library.	City of Oakley	Community Development Department	Prior to the demolition of historic structures that would be affected by the Main Street Realignment	

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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Implementing Party</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-Off</i>
<p>CULT-2: Ground disturbance in the form of site preparation, building demolition, construction, and subsurface utility construction or other ground disturbance may result in a significant impact to unrecorded historical or archaeological resources including human remains.</p>	<p>CULT-2a: If recorded archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be redirected. At that time, a qualified archaeologist shall: (1) evaluate the discovery to determine if it meets the definition of a historical or archaeological resource; and (2) make recommendations regarding the disposition of the discovery. If the discovery does not meet the definition of a historical or archaeological resource, then no further study or protection would be necessary prior to project reinitiation. If the discovery does meet the definition of a historical or archaeological resource, it shall be avoided by project activities. If avoidance is not feasible, adverse effects to such resources shall be mitigated in accordance with the recommendations of the evaluating archaeologist. These recommendations may include but are not limited to: excavation and data recovery, site recordation, and appropriate curation of the recovered materials using accepted methods and techniques. Project personnel shall not collect or move any archaeological material. Fill soils that may be used for construction purposes should not contain archaeological materials. Upon completion of the archaeological evaluation, a report documenting the methods, results, and recommendations of the archaeologist should be prepared and submitted to the City of Oakley and the NWIC.</p>	Individual project applicants/construction contractors	Community Development Department	During grading and construction and in the event that archeological resources are encountered	
	<p>CULT-2b: If human remains are encountered, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to assess the situation. Project personnel shall not collect or move any human remains or associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.</p>	Individual project applicants/construction contractors	Community Development Department	During grading and construction and in the event that human remains are encountered	

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<i>Impact</i>	<i>Mitigation Measures</i>	<i>Implementing Party</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign-Off</i>
CULT-2 <i>Continued</i>	Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the City of Oakley and the NWIC.				
CULT-3: Façade improvements to buildings that qualify as historical resources may result in a loss of historical significance to those resources.	CULT-3a: The City shall ensure that improvements and/or alterations follow the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Secretary's Standards). Pursuant to CEQA Guidelines §15064.5(b)(3), if the improvements and/or alterations are undertaken in a manner consistent with the Secretary's Standards, then potential impacts to historical resources will generally be considered mitigated to a less-than-significant level. If improvements and/or alterations cannot be undertaken in a manner consistent with the Secretary's Standards, then Mitigation Measure CULT-3b shall be implemented.	Individual project applicants	Community Development Department	Prior to façade improvements or alteration of historic structures	
	CULT-3b: Improvements and/or alterations to buildings identified as historical resources shall be developed in consultation with a qualified architectural historian. The purpose of the consultation is to (1) identify character-defining features of the subject buildings that should not be altered by the improvements; and, in the case of conflicts between plan objectives and historical values, (2) recommend approaches to lessen an undesirable loss of historical integrity by using alternative materials and compatible designs. The City shall ensure that the feasible recommendations of the architectural historian are implemented. If the recommendations cannot be feasibly implemented, the building's pre- and post-alteration condition shall be photo-documented, and its Department of Parks and Recreation form 523 record shall be updated to reflect the changes, and be submitted to the NWIC and the City of Oakley. Implementation of this measure will reduce this impact to a less-than-significant level.	Individual project applicants	Community Development Department	Prior to façade improvements or alteration of historic structures, and in the event that Mitigation Measure CULT-3a cannot be implemented	

**DOWNTOWN OAKLEY SPECIFIC PLAN
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Impact	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Sign-Offs
<p>CULT-4: Development of DTSP Opportunity Sites may result in the development of new commercial or office uses that may (1) demolish or substantially alter historical resources; and/or (2) introduce new development that adversely alters the setting of historical resources.</p>	<p>CULT-4a: If a development opportunity site contains a historical resource (either individually significant or significant as part of the District) and the resource will be integrated into the redevelopment, then Mitigation Measures CULT-3a and -3b shall be implemented. Implementation of either measure would reduce this impact to a less-than-significant level.</p>	<p>Refer to Mitigation Measures CULT-3a and 3b</p>	<p>Refer to Mitigation Measures CULT-3a and 3b</p>	<p>Refer to Mitigation Measures CULT-3a and 3b</p>	
	<p>CULT-4b: If a development opportunity site is adjacent to a historical resource or within the boundary of the District, then the design for the new construction shall take into account potential adverse impacts to the significance of adjacent resources and their setting. The project applicant for individual projects shall ensure that prospective designs are developed in consultation with a qualified architectural historian. The purpose of the consultation shall be to (1) identify proposed design elements that will result in a significant alteration of the setting of nearby resources; and (2) recommend design changes to lessen the undesirable loss of integrity of setting with respect to exterior treatments, massing, and building setbacks. The City shall ensure that the feasible design recommendations of the architectural historian are implemented in the executed building design. If the recommendations cannot be feasibly implemented, then the City shall require individual project applicants to fund photo-documentation of the pre- and post-construction setting of the opportunity site and to update the Department of Parks and Recreation form 523 records for adjacent resources (or, if applicable, the District) to reflect the changes.</p>	<p>Individual project applicants</p>	<p>Community Development Department</p>	<p>Prior to development of individual projects adjacent to historic resources or within the boundary of the Oakley Old Town Historic District</p>	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
<p>TRANS-1: The addition of traffic generated by the proposed DTSP would cause the signalized Main Street/Empire Avenue intersection (Intersection #2) to operate at unacceptable LOS F during the PM peak hour under Cumulative Plus Project conditions.</p>	<p>TRANS-1: The following measures shall be implemented to reduce potential impacts to the Main Street/Empire Avenue intersection;</p> <ul style="list-style-type: none"> • Add a second exclusive left-turn lane on the westbound approach of the intersection; • Convert the exclusive southbound right-turn lane at the Oakley Road/Empire Avenue intersection to a shared through/right-turn lane; and • Coordinate signal phasing and timing at the Main Street/Empire Avenue and Oakley Road/Empire Avenue intersections. <p>The widening of Main Street at Empire Avenue is included in the City's Transportation Impact Fee Program. The coordination of signals at the intersections of Main Street/Empire Avenue and Oakley Road/Empire Avenue is not included in any funding documents. Individual projects developed as part of the DTSP shall contribute to this mitigation by paying their fair share of the cost through the payment of the City's Transportation Impact Fee, and any additional fees as determined by City of Oakley.</p> <p>The Main Street/Empire Avenue intersection would operate at LOS D (w/c = 0.90) based on the CCTALOS method and LOS D (delay = 50 seconds) based on the HCM method during the PM peak hour with implementation of these measures.</p>	<p>Individual project applicants</p>	<p>Public Works Department</p>	<p>Prior to issuance of a certificate of occupancy for individual development projects</p>	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

<i>Impacts</i>	<i>Mitigation Measures</i>	<i>Implementing Party</i>	<i>Monitoring Agency</i>	<i>Implementation Schedule</i>	<i>Sign Off</i>
<p>TRANS-2: The addition of traffic generated by the proposed DTSP at West Cypress Road/O'Hara Avenue (Intersection #8) intersection would contribute to the unacceptable LOS F conditions during the PM peak hour under Cumulative Plus Project conditions.</p>	<p>TRANS-2: Traffic signals shall be installed at the West Cypress Road/O'Hara Avenue intersection. The forecasted AM peak hour and PM peak hour intersection volumes would satisfy the MUTCD peak hour traffic signal warrants. This signal installation is included in the City's Transportation Impact Fee Program. Projects developed as part of the DTSP shall contribute to this mitigation by paying their fair share of the cost through the payment of the City's Transportation Impact Fee.</p> <p>In addition, the forecast analysis shall 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 shall be investigated based on field-measured, rather than forecast, traffic data and a thorough study of traffic and roadway conditions by an engineer selected by the City. 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 shall 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.</p> <p>The West Cypress Road/O'Hara Avenue intersection would operate at LOS B (v/c = 0.67) based on the CCTALOS method and LOS C (delay = 31 seconds) based on the HCM method during the PM peak hour with implementation of Mitigation Measure TRANS-2.</p>	<p>Individual project applicants/City of Oakley</p>	<p>Public Works Department</p>	<p>Payment of fees shall occur prior to issuance of a certificate of occupancy for individual development projects</p> <p>Regular monitoring and signalization shall occur at the discretion of the City</p>	
<p>TRANS-3: The proposed roundabout at the Main Street/Main Street Bypass/O'Hara Avenue intersection under Option #2 would operate at unacceptable LOS F conditions during the PM peak hour under Cumulative Plus Project conditions.</p>	<p>TRANS-3: Mitigation of unacceptable conditions at the Main Street/Main Street Bypass/O'Hara Avenue intersection can be achieved by selecting either Option #1 or Option #3. If Option #2 is selected, the impact would remain significant and unavoidable.</p>	<p>City of Oakley</p>	<p>Community Development Department</p>	<p>Prior to approval of the final design plans for the Main Street Realignment</p>	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
<p>TRANS-4: The design of the specific development projects and roadways developed under the DTSP may result in increased hazards due to a design feature, inadequate emergency access, or conflicts with adopted alternative transportation policies, plans, or programs.</p>	<p>TRANS-4: The City Engineer shall review and approve of the final design plans for specific development projects and roadways to ensure the adequacy of the design. The following items shall be reviewed as part of each individual development plan as the Plan Area continues to develop:</p> <ul style="list-style-type: none"> • The number of driveways on the Main Street Bypass shall be minimized. These driveways shall be limited to right-in/right-out movements only. • The interim improvements on Main Street, prior to the completion of the Main Street Bypass, shall be reviewed to ensure that Main Street will continue to accommodate heavy trucks. • The currently signalized Main Street/Vintage Parkway and Main Street/O'Hara Avenue intersections shall be converted to all-way stop-controlled intersections after the completion of the Main Street Bypass. • The design of Main Street, east of the Main Street Bypass shall be reconsidered to better accommodate trucks and bicycles. It is recommended that the proposed parking lane on the south side of the roadway be eliminated to widen the outside travel lanes. • The design of Plan Area roadways shall be coordinated with Tri-Delta Transit to determine the location for bus pullouts and bus shelters on Main Street and to provide pedestrian access between the bus stops and the major destinations in the Plan Area. • Roadways within the Plan Area shall provide adequate width and turning radii for emergency access vehicles. • Development projects within the Plan Area shall be evaluated and approved only if they provide adequate emergency access. • Development projects within the Plan Area shall be evaluated and approved only if they provide adequate truck access and circulation. 	<p>Individual project applicants</p>	<p>Engineering Division</p>	<p>Prior to approval of final design plans for individual development projects</p>	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
TRANS-4 <i>Continued</i>	<ul style="list-style-type: none"> To the extent feasible, non-residential parking shall be accessible to all users and not reserved for specific development projects. The incremental parking demand for each development project shall be estimated and compared to the overall parking supply to ensure adequate parking supply in the Plan Area. Bicycle parking shall be evaluated and development projects approved only if they provide adequate bicycle parking facilities throughout the Plan Area. 				
AIR-1: Construction period activities could generate significant dust, exhaust and organic emissions.	<p>AIR-1: Consistent with guidance from the BAAQMD and General Plan Program OSC-6.2.B, the following actions shall be required of all construction contracts and specifications for individual development projects constructed within the DTSP area:</p> <p>Demolition. The following controls shall be implemented during demolition:</p> <ul style="list-style-type: none"> Water during demolition work, including the break-up of pavement and infrastructure, to control dust generation; Cover all trucks hauling demolition debris from the site; and Use dust-proof chutes to load debris into trucks whenever feasible. <p>Construction. The following controls shall be implemented at all construction sites:</p> <ul style="list-style-type: none"> Water all active construction areas 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 to control dust; Cover all trucks hauling soil, sand, and other loose materials and require liners for truck beds; Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites; Sweep daily (with water sweepers) all paved access roads, 	Individual project applicants/ construction contractors	Public Works Department	During grading and construction	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
AIR-1 Continued	<ul style="list-style-type: none"> • parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality; • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; • Apply non-toxic soil stabilizers to inactive construction areas; • Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.); • Diesel equipment standing idle for more than 5 minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks may keep their engines running continuously as long as they are on a construction site; • Properly tune and maintain equipment to reduce emissions; • Avoid staging equipment within 200 feet of residences. • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; • Replant vegetation in disturbed areas as quickly as possible; • Any temporary haul roads to soil stockpile areas shall be routed away from existing neighboring land uses. • Water sprays shall be utilized to control dust when material is being added or removed from stockpiles. When stockpiles are undisturbed for more than one week, storage piles shall be treated with a dust suppressant or crusting agent to eliminate wind-blown dust generation. • Install baserock at entryways for all exiting trucks, and wash off the tires or tracks of all trucks and equipment in designated areas before leaving the site; and • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. 				

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
<p>CCC-1: Implementation of the DTSP may conflict with applicable plans, policies and regulations of other agencies to the degree that GHG reduction goals may not be met.</p>	<p>CCC-1: To the extent feasible and to the satisfaction of the City, the following measures shall be incorporated into the design and construction of the projects seeking City approval and developed as part of the DTSP:</p> <p><i>Energy Efficiency Measures</i></p> <ul style="list-style-type: none"> • Design all project buildings to exceed California Building Code's Title 24 energy standard, including, but not limited to any combination of the following: <ul style="list-style-type: none"> o Increase insulation such that heat transfer and thermal bridging is minimized; o Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption; and • Design buildings to facilitate use of solar energy for electricity, water heating and/or space heating/cooling; • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping; • Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings; • Install light colored "cool" roofs and cool pavements; • Install energy efficient heating and cooling systems, appliances and equipment, and control systems; and • Install energy-efficient, solar or light emitting diodes (LEDs) for outdoor lighting, as appropriate. 	<p>Individual project applicants</p>	<p>Community Development Department/Public Works Department</p>	<p>Prior to issuance of a grading permit and during grading and construction</p>	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impacts	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Notes
GCC-1 Continued	<p>Water Conservation and Efficiency Measures</p> <ul style="list-style-type: none"> • Create water-efficient landscapes within the DTSP area, including drought tolerant landscaping; • Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls; • Design buildings to be water-efficient. Install water-efficient fixtures and appliances, including low-flow faucets, dual-flush toilets and waterless urinals; and • Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. <p>Transportation and Motor Vehicle Measures</p> <ul style="list-style-type: none"> • Provide transit facilities (e.g., bus bulbs/turnouts, benches, shelters); • Provide bicycle lanes and/or paths, incorporated into the proposed street systems and connected to a community-wide network; and • Provide sidewalks and/or paths, connected to adjacent land uses, transit stops, and/or community-wide network. 				
GCC-2: Implementation of the DTSP may significantly increase the consumption of energy resources.	GCC-2: Projects developed as part of the DTSP shall implement the energy efficiency measures listed in Mitigation Measure GCC-1.	Refer to Mitigation Measure GCC-1	Refer to Mitigation Measure GCC-1	Refer to Mitigation Measure GCC-1	
NOISE-1: Construction noise related to buildout of the DTSP would generate exterior noise exceeding normally acceptable levels for noise sensitive land uses in the DTSP area.	<p>NOISE-1: All construction projects within the DTSP area shall comply with the following construction noise reduction measures:</p> <ul style="list-style-type: none"> • During all project site excavation and on-site grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. All heavy construction equipment used on project sites within the DTSP area shall be 	Individual project applicants/ construction contractors	Public Works Department	During grading and construction	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
NOISE-1 <i>Continued</i>	<p>maintained in good operating condition, with all internal combustion, engine-driven equipment equipped with intake and exhaust mufflers that are in good condition. "Quiet" models of air compressors and other stationary noise sources shall be utilized where such technology exists.</p> <ul style="list-style-type: none"> ▪ The construction contractors shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest individual project sites. The construction contractors shall also locate equipment staging in areas as far away as possible from noise-sensitive receptors nearest individual project sites within the DTSP area during all project construction. ▪ The construction contractors shall post signs prohibiting unnecessary idling of internal combustion engines. The contractors shall further designate a "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g. beginning work too early, bad muffler) and institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at all construction sites within the DTSP area. ▪ Consistent with the City's noise ordinance of the Municipal Code, all noise-producing construction related activities shall be limited to the hours of 7:30 a.m. to 7:00 p.m. weekdays and 9:00 a.m. to 7:00 p.m. on weekends and holidays. 				

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Sign-Off
<p>NOISE-2: Local traffic and railroad operations would generate long-term exterior noise exceeding normally acceptable levels for proposed sensitive land use development in the DTSP area.</p>	<p>NOISE-2a: All development projects proposed under the DTSP that would be exposed to noise levels in excess of the City's standards for the maximum allowable noise exposure levels from transportation sources, shown in Tables 9-3 and 9-1 of the General Plan (Tables IV.E-6 and IV.E-7 of the EIR), shall demonstrate compliance with General Plan Policies 9.2.1 and 9.2.2, as follows:</p> <ul style="list-style-type: none"> • <i>General Plan Policy 9.2.1:</i> New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table 9-3 (see EIR Table IV.E-6, Maximum Allowable Noise Exposure From Transportation Noise Sources), unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Table 9-3 (see EIR Table IV.E-6, Maximum Allowable Noise Exposure From Transportation Noise Sources). • <i>General Plan Policy 9.2.2:</i> Where noise-sensitive land uses are proposed in areas exposed to existing or projected exterior noise levels exceeding the levels specified in Table 9-3 (see EIR Table IV.E-6, Maximum Allowable Noise Exposure From Transportation Noise Sources) or the performance standards of Table 9-1 (see EIR Table IV.E-7, Noise Level Performance Standards for New Projects Affected by or Including Non-Transportation Noise Sources), an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. <p>Demonstration of compliance with the above General Plan policies shall be submitted to the Community Development Director prior to issuance of building permits. Mitigation measures may include, but are not limited to, installation of air conditioning systems to allow windows to remain closed for extended periods of time, upgraded window or wall assemblies to reduce exterior to interior noise transmission, or setback requirements to reduce transportation related noise impacts on noise sensitive land uses.</p>	<p>Individual project applicants</p>	<p>Community Development Department</p>	<p>Prior to issuance of building permits for individual projects</p>	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Project	Mitigation Measure	Responsible Party	Monitoring Agency	Implementation Schedule	Reporting
NOISE-2 <i>Continued</i>	<p>NOISE-2b: All roadway projects proposed under the DTSP that could lead to increased noise levels shall demonstrate compliance with General Plan Policy 9.1.5, as follows:</p> <ul style="list-style-type: none"> • <i>General Plan Policy 9.1.5:</i> Noise created by new transportation noise sources shall be mitigated so as not to exceed the levels specified in Table 9-3 (see EIR Table IV.E-6, Maximum Allowable Noise Exposure From Transportation Noise Sources) at outdoor activity areas or interior spaces of existing noise-sensitive land uses. <p>Demonstration of compliance with General Plan Policy 9.1.5 shall be submitted to the Community Development Director prior to project approval. Mitigation measures may include, but are not limited to, traffic calming measures, sound walls, or setback requirements to reduce transportation related traffic noise impacts on noise sensitive land uses.</p>	Individual project applicants	Community Development Department	Prior to approval of individual roadway projects	
NOISE-3: Buildout of the DTSP could include stationary noise sources that would generate long-term exterior noise exceeding normally acceptable levels for noise sensitive land uses in the DTSP area.	<p>All projects proposed under the DTSP shall demonstrate compliance with General Plan Policies 9.1.2, 9.1.3, and 9.1.4, as follows:</p> <ul style="list-style-type: none"> • <i>General Plan Policy 9.1.2:</i> New development of noise-sensitive uses shall not be allowed where the noise level due to non-transportation noise sources will exceed the noise level standards of Table 9-1 (see EIR Table IV.E-7, Noise Level Performance Standards for New Projects Affected by or Including Non-Transportation Noise Sources) as measured immediately within the property line or within a designated space outdoor activity area (location is at the discretion of the Community Development Director) of the new development, unless effective mitigation measures have been incorporated into the development design to achieve the standards specified in Table 9-1 (see EIR Table IV.E-7, Noise Level Performance Standards for New Projects Affected by or Including Non-Transportation Noise Sources). • <i>General Plan Policy 9.1.3:</i> Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 9-1 (see EIR Table IV.E-7, 	Individual project applicants	Community Development Department	Prior to issuance of building permits for individual projects	

**DOWNTOWN OAKLEY SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM**

Impact	Mitigation Measures	Implementing Party	Monitoring Agency	Implementation Schedule	Sign-Off
NOISE-3 <i>Continued</i>	<p>Noise Level Performance Standards for New Projects Affected by or Including Non-Transportation Noise Sources) as measured immediately within the property line of lands designated for noise-sensitive uses.</p> <ul style="list-style-type: none"> • <i>General Plan Policy 9.1.4: Where non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 9-1 (see EIR Table IV.E-7, Noise Level Performance Standards for New Projects Affected by or Including Non-Transportation Noise Sources) at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. The requirements for the contents of an acoustical analysis are given in Table 9-2 (see EIR Table IV.E-7, Noise Level Performance Standards for New Projects Affected by or Including Non-Transportation Noise Sources). Demonstration of compliance shall be submitted to the Community Development Director prior to issuance of building permits. Mitigation measures may include, but are not limited to, installation of air conditioning systems to allow windows to remain closed for extended periods of time, upgraded window or wall assemblies to reduce exterior to interior noise transmission, or setback requirements to reduce stationary noise impacts on noise sensitive land uses.</i> 				
NOISE-4: Development related to buildout of the DTSP could expose sensitive receptors to railroad-related groundborne vibration levels exceeding normally acceptable levels for noise sensitive land uses.	NOISE-4: All projects proposed under the DTSP that would be located within 200 feet of the railroad tracks centerline shall submit an acoustical study detailing ground borne vibration and noise level impacts and the measures that would be incorporated into the project to reduce the identified impacts to meet the Federal Transit Administration's impact criteria standards. Such analysis shall be submitted for review and approval to the Community Development Director prior to issuance of building permits.	Individual project applicants	Community Development Department	Prior to issuance of building permits for individual projects that would be located within 200 feet of the railroad tracks centerline	

Source: LSA Associates, Inc., 2010.

CITY OF OAKLEY

RESOLUTION NO. 126-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING THE GENERAL PLAN AMENDMENT TO AMEND THE LAND USE DESIGNATION OF A 3.63 ACRE PROPERTY LOCATED AT 3979 EMPIRE ROAD (SOUTHWEST CORNER OF EMPIRE AVENUE AND LAUREL ROAD) (APN 053-071-050) FROM PUBLIC AND SEMI-PUBLIC FACILITIES (PS) TO COMMERCIAL (CO) FOR THE PROJECT TITLED "OAKLEY GATEWAY SELF STORAGE AND 7-ELEVEN"

FINDINGS

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

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

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

WHEREAS, on March 11, 2016, Sutter & Pierce EPC, LLC., ("Applicant") submitted an application requesting approval of: 1) a General Plan Amendment (GPA 05-16) to amend the land use designation from Public and Semi-Public Facilities (PS) to Commercial (CO); 2) a Rezone (RZ 07-16) from Public and Semi-Public (P) to General Commercial (C); 3) Tentative Parcel Map (TPM 02-16) to subdivide 3.63 acres into two parcels; 4) Conditional Use Permit (CUP 02-16) to establish a self-storage and gas station; and 5) Design Review (DR 14-16) to construct an approximately 101,997-square-foot (sf) self-storage facility including a convenience store with a six multi-product dispenser fueling station with canopy located at 3979 Empire Road (southwest corner of Empire Avenue and Laurel Road) APN 053-071-050. ("Project"); and

WHEREAS, the Applicant has initiated a project to change the General Plan Land Use Designation for the property from Public and Semi-Public Facilities (PS) to Commercial (CO); and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), the City prepared an Initial Study / Mitigated Negative Declaration dated June 2016, which was circulated for public review and comment from June 29, 2016 to July 29, 2016. The Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study / Mitigated Negative Declaration were filed with the County Clerk and Governor's Office of Planning and Research State Clearinghouse, on June 29, 2016; and

WHEREAS, on July 27, 2016, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution. On July 29, 2016, the Notice of Public Hearing was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property's boundaries, to parties requesting such notice, and to outside agencies; and

WHEREAS, on August 9, 2016, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, and deliberated on the project. At the conclusion of its deliberations, the City Council took a vote and adopted this resolution to approve the project, as revised by the City Council during its deliberations; and

WHEREAS, these Findings are based on the City's General Plan and the City's Zoning Ordinance, and the information submitted to the City Council at its August 9, 2016 meeting, both written and oral, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

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

- A. The Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration ("MND") has been prepared and made available for public comment, pursuant to the California Environmental Quality Act (CEQA) Guidelines. The Initial Study found that the project will have a less than significant effect on the environment, and the City Council hereby adopts the project MND (Attachment to the August 9, 2016 Staff Report).
- B. The change in Land Use Designation will provide for the orderly, well planned and balanced growth within the City in that:
 - 1. This site is excess land owned by the Contra Costa Water District and was used as a staging area when the Randall-Bold Water Treatment Plant was constructed. The land is located at one of the prime intersections in the City in terms of location, visibility and traffic counts. All of those lend to a more favorable location for commercial uses; and
 - 2. Redesignating this site to allow for a commercial use, such as the proposed self-storage and gasoline service station uses, will serve to provide a buffer between the Randall-Bold Water Treatment Plant and Laurel Road and Empire Avenue. This commercial designation will allow for additional

commercial uses and more specifically a fuel option along Laurel Road where one does not currently exist; and

3. It would serve to result in a development that will beautify the southwest corner of Laurel Road and Empire Avenue, which will result in a more balanced and attractive entry to the City.

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

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 9th of August, 2016 by the following vote:

AYES: Hardcastle, Higgins, Perry, Pope, Romick

NOES:


ABSTENTIONS:

ABSENT:

APPROVED:


Kevin Romick, Mayor

ATTEST:


Libby Vreonis, City Clerk

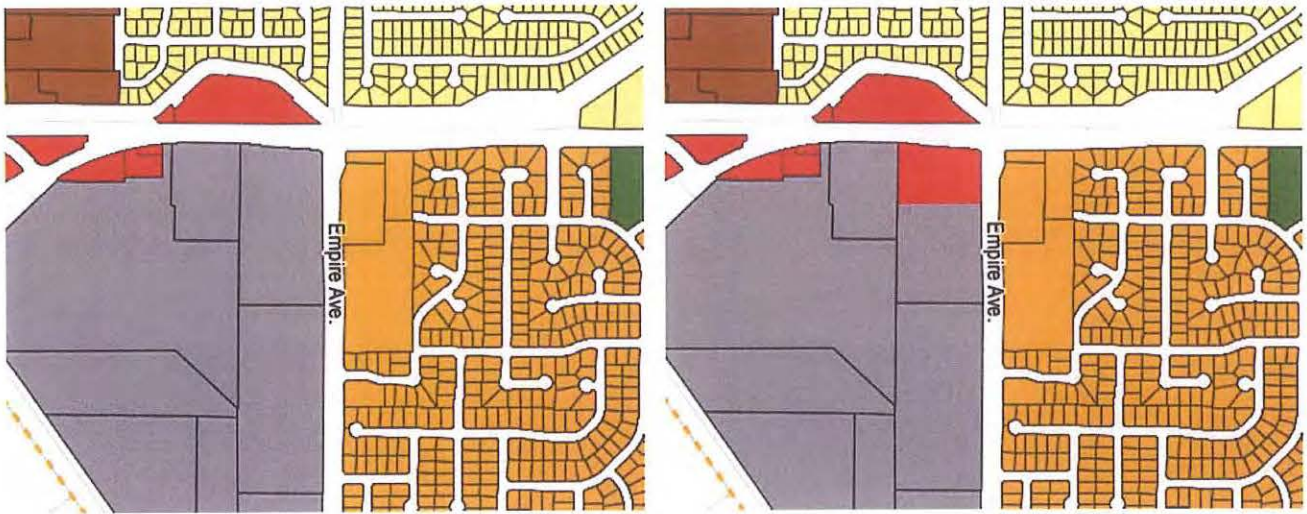
8.16.16
Date

Exhibit A to Resolution No. 126-16

Oakley Gateway Self Storage and 7-Eleven General Plan Amendment (GPA 05-16)

Existing

Proposed



RESOLUTION NO. 86-16

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

- A. It has been determined that all of the potential impacts associated with the proposed project have been adequately analyzed and mitigated in the Emerson Property Project Environmental Impact Report ("EIR"), which was certified by the Oakley City Council on September 14, 2010 through adoption of Resolution 105-10. The mitigation measures included in that EIR will continue to mitigate the proposed project and no further environmental analysis is required under CEQA (See discussion – Exhibit "B").
- B. The change in Land Use Designation will provide for the orderly, well planned and balanced growth within the City in that:
 1. Redesignating this site to allow for additional detached single family residential development in the manner proposed in conjunction with this General Plan Amendment application would result in a residential density (5.9 net and 6.6 gross dwelling units per acre) within the range of the ML

designation 5.6 – 9.6 dwelling units per acre) and within that already existing within the Emerson Ranch Subdivision; and

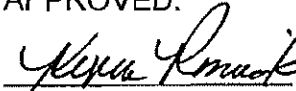
2. It would serve to reduce the commercial portion to a more feasible size for development (from approximately 25 acres to approximately 8 acres) which is more in line with other commercial centers throughout Oakley and neighboring cities.

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

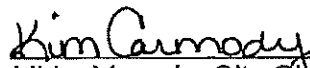
PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of June, 2016 by the following vote:

AYES: Hardcastle, Higgins, Perry, Romick
NOES: Pope
ABSTENTIONS:
ABSENT:

APPROVED:


Kevin Romick, Mayor

ATTEST:

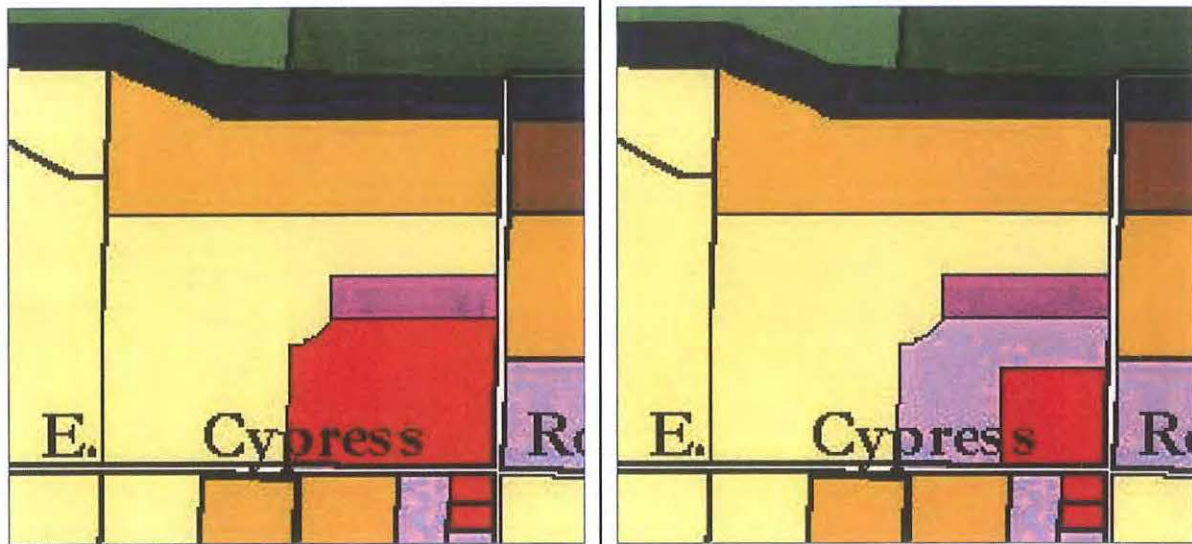

for Libby Vreonis, City Clerk

6-16-16
Date

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

Existing: Commercial

Proposed: Multi-Family Residential, Low Density



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

I. Introduction

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

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

II. CEQA Finding

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

III. Evidence to Support Finding

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

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

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

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

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

C. Impacts Compared to the Apartment and Commercial Alternative

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

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

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

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

³ See, p. 5-26 of the EIR, attached.

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

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

2. Impacts Related to Traffic.

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

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

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

4. Impacts Related to Land Use/Agricultural Resources.

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

⁴ See, p. 5-37 of the EIR, attached.

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



Abrams Associates
TRAFFIC ENGINEERING, INC.

April 18, 2016

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

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

Dear Mr. Evans,

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

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

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

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

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

Sincerely,

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

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

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

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

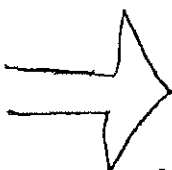
2/15/2011 10:00 AM

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

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

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

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



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

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

Public Services and Utilities

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

Apartment and Commercial Alternative

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

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



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

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

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

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

RESOLUTION NO. 90-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
TO ADOPT THE FY 2016-2017 RECOMMENDED BUDGET, STATEMENT OF
FINANCIAL POLICIES, APPROPRIATIONS LIMIT AND 5-YEAR CAPITAL
IMPROVEMENT PLAN (CIP) FOR FISCAL YEARS 2016-2017 THROUGH 2020-2021
AND MAKE FINDINGS RELATED THERETO**

WHEREAS, the City Council is required by law to adopt a budget and appropriations limit prior to the beginning of its new fiscal year, which is July 1, 2016; and

WHEREAS, the City desires to annually review and adopt a 5-year Capital Improvement Plan and comprehensive Statement of Financial Policies; and

WHEREAS, the City Manager and Staff have developed and the City Manager has presented Preliminary Operating and Capital Budgets, Statement of Financial Policies, Appropriations Limit, and 5-Year Capital Improvement Plan; and

WHEREAS, that the City Council did on May 24, hold a workshop to discuss these Preliminary documents and provide additional direction to the City Manager for the preparation of a final set of documents; and

WHEREAS, the City Manager has this day presented to the City Council for adoption a Recommended Budget document, including the updated Statement of Financial Policies, Recommended Operating and Capital Budgets, Fiscal Year 2016-2017 Appropriations Limit Calculation, and a separate Recommended 5-Year Capital Improvement Plan for Fiscal Years 2016-2017 through 2020-2021; and

WHEREAS, the City Council is currently serving in the role of the city's Planning Authority; and

WHEREAS, Section 65401 of the Government Code requires the Planning Authority of cities and counties to review any Capital Improvement Program (CIP) in their jurisdiction for conformance with the reviewing agency's adopted General Plan; and

WHEREAS, potentially adverse impacts of the CIP were adequately discussed in the Environmental Impact Report (EIR) for the Oakley 2020 General Plan, and project-by-project environmental assessments will be prepared when necessary; and

WHEREAS, the Recommended 5-Year Capital Improvement Plan for Fiscal Years 2016-2017 through 2020-2021 for the City of Oakley has been submitted and reviewed as to its conformance with the adopted Oakley General Plan by the Planning Authority; and

WHEREAS, the projects proposed reflect the major need for roadways, public utilities and other community facilities during the next five years in concert with anticipated growth areas as noted in the adopted General Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oakley:

1) Acting as the Planning Authority of the City, hereby adopts the City's Recommended 5-Year Capital Improvement Plan for FY's 2016-2017 through 2020-2021 and confirms the Plan is consistent with the adopted Oakley General Plan; and

2) As the City Council, hereby adopts the FY 2016-2017 Recommended Budget, Statement of Financial Policies, FY 2016-2017 Appropriations Limit, and 5-Year Capital Improvement Plan for FY's 2016-2017 through 2020-2021.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Oakley held on the 14th day of June 2016, and was adopted by the following vote:

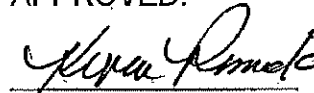
AYES: Hardcastle, Higgins, Perry, Pope, Romick

NOES:


ABSTENTIONS:

ABSENT:

APPROVED:


Kevin Romick, Mayor

ATTEST:


or Libby Vreonis, City Clerk

6-16-16
Date



CONTRA COSTA
transportation
authority

LOCAL STREET MAINTENANCE AND IMPROVEMENTS FUNDS
(18% FUNDS)
REPORTING FORM
FOR ELIGIBLE EXPENDITURES DURING FISCAL YEAR 2013-14

Jurisdiction: CITY OF OAKLEY

(If you have any questions regarding this form, please contact Diane Bodon at CCTA, 256-4720.
Please return the form to CCTA, Attention: Diane Bodon, at the address below

	Total for FY 2013-14
Balance as of July 1, 2013	949,422
18% Funds Received during FY 2013-14 (actual, not accrued)	508,671
Eligible Expenditures (Please describe all expenditures in excess of \$10,000 on an attached page.)	
Local Street and Roads	467,536
Growth Management Planning and Compliance	76,318
Transit Capital and Operations	
Trails	
Parking Facilities	
TDM/TSM	
Total Expenditures during FY 2013-14	543,854
Funds Remaining	914,239
Interest Earned	989
Balance as of June 30, 2014	915,228

Form prepared by: JANIELYN BAYONA

Phone: 925-625-7014

Title: SENIOR ACCOUNTANT

Email: bayona@ci.oakley.ca.us

Date: 12/17/14

Local Street Maintenance and Improvement (LSM) Funds

Project	Proj #	Total	Project Description
Citywide Safety Improvements	0012	\$ 77,079	Signing, striping, hazard elimination, and traffic management improvements citywide. Typical projects will include replacing worn or ineffective signs, installing traffic calming measures, adding or replacing new signs and striping, eliminating roadway hazards such as non-standard pavement transitions, and implementing the Citywide NTMP.
Citywide Frontage Improvement Gap Closures	0013	\$ 6,450	This project is used to account for annual construction of localized curb, gutter, sidewalk, ADA compliant sidewalk ramps, and pavement widening improvements that are necessary for vehicular and pedestrian safety and will likely not be provided for by future development.
Citywide Pavement Management	0014	384,008	This project is used to account for annual pavement management improvements citywide; implementing the annual pavement maintenance program. The City utilizes a computerized pavement management system to strategically select streets for treatments such as
Subtotal		467,536	
Less funding provided by other sources		-	
Projects funded by Measure J		\$ 467,536	



CONTRA COSTA
**transportation
 authority**

**LOCAL STREET MAINTENANCE AND IMPROVEMENTS FUNDS
 (18% FUNDS)
 REPORTING FORM (SUMMARY)
 FOR ELIGIBLE EXPENDITURES DURING FISCAL YEAR 2014-15**

Jurisdiction: City of Oakley

(If you have any questions regarding this form, please contact Diane Bodon at CCTA, 256-4720.
 Please return the form to CCTA, along with the project detail spreadsheet, Attention: Diane Bodon, at the address below

	Total for FY 2014-15
Balance as of July 1, 2014	915,228
18% Funds Received during FY 2014-15 (actual, not accrued)	508,272
Eligible Expenditures <i>(Please describe all expenditures in excess of \$10,000 on the LSM Audit Reporting spreadsheet.)</i>	
Local Street and Roads	724,005
Growth Management Planning and Compliance	91,970
Transit Capital and Operations	
Trails	
Parking Facilities	
TDM/TSM	
Total Expenditures during FY 2014-15	815,975
Funds Remaining	607,525
Interest Earned	1,203
Balance as of June 30, 2015	608,728

Form prepared by: Janielyn Bayona

Phone: 925-625-7014

Email: bayona@ci.oakley.ca.us

Title: Senior Accountant

Date: March 28, 2016

Jurisdiction: OAKLEY		CCTA Measure J Local Streets & Roads Maintenance Audit Reporting Form		
Reporting Period: FY 2014-2015				
Measure J 18%: \$528,891				
Project Type	Project Name	Project Description (Location, Limits)	Measure J Funds Expended (\$)	Reporting Metric (see instructions)
Local Streets and Roads	# 77 Citywide Street Name Sign Replacement	Replaced the street name signs on major arterials and at major intersections and entryways within the City	\$ 1,034	258 street name signs and 35 stop signs was installed
Local Streets and Roads	# 141 Main Street Landscaping Rehabilitation	Upgraded and enhanced the median landscaping along Main Street from Empire Road to Vintage Parkway to better match the City's design guidelines.	\$ 154,774	3,250 feet of median rehabilitated with new landscaping and irrigation system
Local Streets and Roads	# 142 Traffic Signal Modernization	Upgraded the City's nearly 30 existing traffic signals to include LED Street Lighting, LED Street Name Signs, accessible pedestrian signal technology (APS), and wiring to allow for generator backup.	\$ 70,000	5 traffic signals upgraded with new internal components
Local Streets and Roads	# 151 FY 14-15 Street Repair & Resurfacing	This project performed pavement repairs and resurfacing to preserve the street infrastructure throughout the City	\$ 167,662	5.3 miles of streets resurfaced
Local Streets and Roads	# 152 FY 14-15 Street Restriping Project	This project performed pavement striping throughout the City	\$ 30,789	4.2 miles of arterial roadways restriped
Local Streets and Roads	# 155 FY 14-15 Traffic Safety Improvement	This project constructed new pedestrian crosswalks and lights throughout the City around schools which improved the safety of pedestrians	\$ 119,442	2 new electronic crosswalk systems, and 2 electronic radar speed signs installed
Local Streets and Roads	# 156 FY 14-15 Storm Drain Improvement Project	This project will constructed new storm drain infrastructure throughout the City specially in areas that have history of flooding.	\$ 25,103	4 new storm drain infiltration systems installed
Local Streets and Roads	# 164 Main St Resurfacing - Bridgehead to Big Break	This project repaired the base and surface failures; repaired and reconstructed damaged curb, gutter, and sidewalks; repaired shoulders; resurfaced and restriped the roadway.	\$ 132,630	1.1 miles of street had base repairs done
Local Streets and Roads	#165 Main St Realign/Reconstruct - Vintage to Second	This street realignment and reconstruction will improve the traffic flow and safety for motorists and pedestrians in downtown.	\$ 22,573	.5 mile of roadway was reconstructed and realigned
Projects Funded by Measure J			\$ 724,005	



CONTRA COSTA
**transportation
 authority**

**LOCAL STREET MAINTENANCE AND IMPROVEMENTS FUNDS
 (18% LSM FUNDS & 2.09% ADDITIONAL FUNDS)
 ANNUAL REPORTING FORM (SUMMARY)
 FOR ELIGIBLE EXPENDITURES DURING FISCAL YEAR 2015-16**

Jurisdiction: CITY OF OAKLEY

(If you have any questions regarding this form, please contact Matt Kelly at CCTA, 256-4730.
 Please return the form to CCTA, along with the project detail spreadsheet, Attention: Diane Bodon, at the address
 below

	Total for FY 2015-16
Balance as of July 1, 2015	608,728
18% + 2.09% Funds Received during FY 2015-16 (actual, not accrued)	528,891
Eligible Expenditures (Please describe all expenditures in excess of \$10,000 on the LSM Audit Reporting spreadsheet.)	
Local Street and Roads	759,130
Growth Management Planning and Compliance	110,306
Transit Capital and Operations	
Trails	
Parking Facilities	
TDM/TSM	
Total Expenditures during FY 2015-16	869,436
Funds Remaining	268,182
Interest Earned	1,245
Balance as of June 30, 2016	269,428

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Title: Senior Accountant

Date: December 7, 2016

Jurisdiction: OAKLEY		CCTA Measure J Local Streets & Roads Maintenance Audit Reporting Form (for expenditures of \$10,000 or more)		
Reporting Period: FY 2015-2016				
Project Type	Project Name	Project Description (Location, Limits)	Measure J Funds Expended (\$)	Reporting Metric (see instructions)
Local Streets and Roads	#164 Main St Resurfacing-Bridgehead to Big Break	This project repaired the base and surface failures; repaired and reconstructed damaged curb, gutter, and sidewalks; repaired shoulders; resurfaced and restriped the roadway.	\$ 39,068.00	1.1 mile of roadway was reconstructed using Cold-in-Place- Recycling Technology
Local Streets and Roads	#166 Hwy 160 Main St Gateway Sign & Landscaping	This project landscaped the area in between the Hwy 160 ramps and Main Street to provide an enhanced gateway to the City.	\$ 300,000.00	The interscetion of Highway 160 off-ramp to Main Street was rehabilitated by installing new sign and paving and landscaping
Local Streets and Roads	#167 FY 15-16 Street Repair & Resurfacing	This project performed pavement repairs and resurfacing to preserve the street infrastructure throughout the City.	\$ 299,999.00	2.7 miles of streets resurfaced
Local Streets and Roads	#168 FY 15-16 Street Restriping	This project performed pavement striping throughout the City.	\$ 53,890.00	3.7 miles of street restriped
Local Streets and Roads	#170 FY 15-16 Frontage Gap Closure Improvement	This project constructed new curb, gutter, and street paving on Main Street south of Cypress Road to close the gaps that exist in this section of road.	\$ 59,215.00	400' of street was reconstructed
Projects Funded by Measure J			\$ 752,172.00	
Project Expenditures of \$9,999 or less			\$ 6,958.00	
Total Project Funded by Measure J			\$ 759,130.00	

C H A P T E R

4

GROWTH
MANAGEMENT**I**NTRODUCTION

The Growth Management Element of the Oakley General Plan addresses a broad range of community issues, with an emphasis on ensuring that public facilities and services are maintained as the City of Oakley grows. As such, this element satisfies the obligations established under Contra Costa County's 2004 Growth Management Program (referred to as Measure J). Measure J (2004) is a 25-year extension of the previous Measure C Contra Costa Transportation Improvement and Growth management Program approved by the voters in 1998.

In addition to the public facilities and services identified within this Growth Management Element, Chapter 3: Circulation Element, establishes goals, policies, and programs for traffic services, and roadway improvements, bicycle and pedestrian movement, and Transportation Demand Management (TDM) programs. Chapter 10: Housing Element, includes an expanded list of policies and programs that describe the City's efforts to foster access to safe, quality housing for people of all income levels.

Measure J

In November 2004, the voters of Contra Costa County approved Measure J, thereby approving

both Transportation Improvement and Growth Management Programs and authorizing a 0.5% sales tax to fund associated improvement projects. In order to receive local street maintenance and improvement funds under Measure J, the County and each city in the county is required to develop a Growth Management Element as part of their General Plan. The overall intent of the Measure J program is:

- To establish a long-range program matching the demand for multi-modal transportation facilities to serve new development with plans, capital improvement programs, and development impact mitigation programs; and,
- To ensure that growth takes place in a manner that will ensure protection of health, safety and welfare of both existing and future residents of Contra Costa County; and,
- The Urban Limit Line is intended to promote compact urban development patterns and restrict the extension of infrastructure into areas where urban development is not planned.

In order to receive funding under Measure J, each land use agency within Contra Costa County must adopt and implement a Growth

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Management Element that substantially complies with the Contra Costa County Transportation Authority Model Growth Management Element. The City of Oakley has satisfied the Measure J requirement through the adoption of the Oakley 2020 General Plan, and Growth Management Element in December of 2002. The previous requirements of Measure C to receive funding required each land use agency within Contra Costa County to establish policies and standards for traffic levels of service (LOS) and set performance standards for fire, police, parks, sanitary facilities, water, and flood control to generally ensure that adopted standards for public facilities are maintained as the community grows. Although Measure J does not require these policies and standards, they remain adopted.

Growth Management within Oakley

While this element satisfies obligations established under Measure J, the Oakley community has clearly established its commitment to managing new development in a manner that not only ensures adequate public facilities, but also protects the quality of life enjoyed by residents. As such, substantial treatment of growth management issues is provided in various other elements of this General Plan, including Land Use, Circulation, Open Space and Conservation, and Economic Development.

Organization of the Element

The Growth Management Element is organized into three main sections. This Introduction provides an overview of growth management topics, a description of the organization of the element, and requirements for the element as specified under State law. A Goals, Policies and Implementation Program section provides specific policy guidance for growth management topics, including:

- Overall Growth Management
- Facilities and Services Financing
- City Government and Governmental Services
- Fire Protection and Emergency Services
- Law Enforcement

- Public Schools
- Solid Waste/Recycling and Hazardous Materials

A background Setting section that provides additional information on each of the policy sections listed above.

Consistency with State Law

Authorization for Growth Management Element

California Government Code Section 65302 does not require a Growth Management Element to be included in a General Plan. However, Section 65303 states the following:

"The general plan may include any other elements or address any other subjects which, in the judgment of the legislative body, relate to the physical development of the City."

This element has been prepared in conformance with all mandatory requirements of State law and also satisfies the planning obligations established under Contra Costa County's Measure J.

Relationship to Other Elements of the General Plan

This Growth Management Element is closely related to the Land Use and Circulation Elements. This Growth Management Element is intended to incorporate the requirements set forth in Measure J-2004. It is also related to the Health and Safety Element, the Housing Element, and the Open Space and Conservation Element.

Consistency with the Health and Safety Element is achieved through goals and policies which afford protection related to police and fire service, threats from flooding, avoidance of health hazards associated with inadequate provisions of potable water and sanitary sewer facilities, and the management of hazardous materials. Consistency with the Housing Element is achieved through the provision of infrastructure supporting housing. Consistency with the Open Space and Conservation Element is guaranteed through the policies related to

prohibiting the premature extension of infrastructure and public services.

Urban Limit Line

As part of the 1996 Contra Costa County General Plan, the County delineated an Urban Limit Line (ULL) to identify areas appropriate for urban expansion. The Measure J (2004) Transportation Expenditure Plan included a Growth Management Plan (GMP) which contained an urban limit line component mandating that local jurisdictions adopt and continuously comply with a voter approved ULL. Measure L (2006) the Contra Costa County Board of Supervisor ULL was passed by a majority of voters in Contra Costa at the November 7, 2006 election. The Measure L ULL was also approved by a majority of voters in the City at the November 7, 2006 election. The City adopted the Measure L ULL by resolution on September 9, 2008. The adoption of the Measure L ULL specifically complies with the purposes of Measure J as follows:

- Ensure the preservation and protection of identified non-urban land, including agricultural, open space, parkland, and other areas, by establishing a line beyond which urban development is prohibited; and
- Link land use decisions with the transportation investments in Measure J by channeling future growth to locations more suitable for urban development; and
- Ensure that land use policies within the voter Approved Urban Limit Line effectively promote appropriate development that accommodates the area's projects housing and job needs in the future.

Housing Options

Consistent with the requirements of Measure J and state Law, Chapter 10: Housing element, of this General Plan establishes a range of goals, policies and programs that outline the City's efforts to support balanced housing development in the City. Measure J expands upon the program requirements identified in the Prior Measure C, and requires ongoing reporting to CCTA of the City's progress in implementing

the goals and objectives listed in the Housing Element.

California Government Code Sec. 65400(b) requires the preparation of the annual report summarizing the City's progress implementing the Housing Element of the General Plan, and submit copies of the report to the Contra Costa Transportation Authority biennially as part of the Authority's Growth Management Plan Compliance Checklist.

Measure J requires that the annual report on the implementation of the Housing element of the General Plan be submitted to CCTA every other year. The report must include the specified housing reporting period and must be submitted to CCTA in one of the following formats:

- The number of housing units approved, constructed or occupied in the City since the beginning of the reporting period, compared to the average number of units needed annually to meet the fair share regional housing need;
- A description of how the City's adopted land use, housing, and regulatory plans and programs have provided sufficient opportunities for and removed undue constraints to the achievement of the City's fair share regional housing need; or
- A description of how the plans and policies of the General Plan and the land use regulations of the Zoning Ordinance facilitate the improvement and development of the City's fair share regional housing need.

GOALS, POLICIES, AND PROGRAMS

The following are specific Goals, Policies, and Implementation programs categorized into the following ten sub-sections: Growth Control, Facilities Financing, Community Buildings and Services, Fire Protection and Emergency Services, Law Enforcement, Schools, Solid Waste, Water Service, Wastewater Service, and Drainage.

GROWTH CONTROL GOALS AND POLICIES

Goal 4.1 Provide for the levels of growth and development depicted in the Land Use Element, while preserving and extending the quality of life through the provision of public facilities and ensuring traffic levels of service necessary to protect the public health, safety, and welfare.

Policies

- 4.1.1 Prior to approval of all projects, demonstrate that traffic levels of service and performance standards outlined in the Circulation Element will be maintained, or that a funding mechanism and timeline has been established which will provide the infrastructure to meet the standards.
- 4.1.2 If it cannot be demonstrated prior to project approval that levels of service will be met per Policy 4.1.1, the City may consider the development but defer its approval until the standards can be met or assured. In the event that a signalized intersection exceeds the applicable level of service standard, the City may approve projects if the City can establish appropriate mitigation measures, or determine that the intersection or portion of roadway is subject to a finding of special circumstances, or is a route of regional significance, consistent with those findings and/or action plans adopted by the Contra Costa Transportation

Authority pursuant to Measure J-2004. Mitigation measures specified in the action plans shall be applied to all projects which would create significant impacts on such regional routes, as defined by the Authority in consultation with local agencies and as permitted by law.

- 4.1.3 Analyze conformity with the growth management standards for all development projects, such as subdivision maps or land use permits.
- 4.1.4 Require from all new development, including major modifications to existing development, the construction of all necessary on- or off-site infrastructure and public services needed to serve the project in accordance with City standards.
- 4.1.5 Direct growth toward areas with existing infrastructure.
- 4.1.6 The City shall retain the flexibility to determine the most cost effective and efficient manner to provide all public services.

FACILITIES FINANCING

Goal 4.2 Ensure responsive and sufficient funding mechanisms for the future development and improvement of public facilities that serve the City of Oakley.

Policies

- 4.2.1 Permit development only when financing mechanisms are in place or committed which assure that adopted performance standards for public facilities will be met.
- 4.2.2 Ensure that all future development projects provide public infrastructure and public services that fully serve the needs of the project and address any impacts created by such projects.
- 4.2.3 Ensure that new development does not adversely affect public facilities or services.
- 4.2.4 Ensure that future development projects are included in special districts

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- (i.e., lighting, landscaping, etc.), when applicable.
- 4.2.5 Require new development to pay its fair share of the cost of all existing public facilities and services it utilizes, as appropriate, based upon the demand for these facilities and services that can be attributed to new development.
- 4.2.6 Require new development to pay all costs of upgrading existing public facilities, constructing new facilities or expanding services that are needed to serve new development.
- 4.2.7 Financial impacts of new development on public facilities and services should generally be determined during the project review process and may be based on the analysis contemplated under the growth management program (Land Use Element) or otherwise. As part of the project approval, specific findings shall be adopted which relate to the demand for public facilities and services and how the demand affects the service standards included in the growth management program.
- 4.2.8 Review and update a Capital Improvement Program, which forecasts and prioritizes specific improvements to public facilities that will be built in the City.
- 4.2.9 Establish a comprehensive financing plan, which seeks to assure that needed public facilities and services are adequately financed, for all development projects within the City. Such financing plans shall be tailored to the scale and complexity of the project.
- 4.2.10 Recover all costs for administrative and technical services provided in the development review process through the use of fees and charges.
- 4.2.11 Apply for State, Federal, and regional funding sources, which have been set aside to finance infrastructure costs.
- 4.2.12 If the City requires developments to install off-site facilities in excess of their fair-share, the City shall consider funding mechanisms to reimburse the developer for the excess costs of such off-site improvements.
- 4.2.13 New development should not result in inconsistent street frontage improvements along streets adjacent to and serving the project.
- Programs**
- 4.2.A Review the Transportation Area of Benefit Fee Ordinance to assure consistency with AB-1600. Future ordinance amendments should assure that new developments fund a fair share of transportation improvements, which are required to serve new development.
- 4.2.B Regularly update the Capital Improvement Program to fund the capital improvements planned for construction over a five year period, including cost estimates, the phasing of specific improvements and associated costs, and methods with which specific improvements will be financed.
- 4.2.C Comment to the sponsoring agency, such as Contra Costa County, adjacent cities, or special districts, on any proposed capital improvements to be located in, or directly adjacent to, Oakley that are found to be inconsistent with the City's General Plan.
- 4.2.D Amend the development review and plan preparation process to include consideration of project impacts upon public facilities and services, and proposed financing methods. Where negative fiscal impacts are indicated, include specific mitigation measures as conditions of project approval, or carefully consider the appropriateness of approval, consistent with the standards established in this Growth Management Element.
- 4.2.E Require new development to contribute to adjacent off-site road improvements to avoid irregular and inconsistent frontage improvements. Establish fair share reimbursement agreements where appropriate.
- 4.2.F During the development review and approval process, the City may require developments to install off-site facilities in excess of their fair-share. Under such circumstances the City should establish

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a funding mechanism to reimburse the developer for the excess amount, from future developments that benefit from such improvements. Reimbursements should not be made from the City's General Fund.

COMMUNITY BUILDINGS & SERVICES

Goal 4.3 Assure that high quality civic and community facilities are provided to meet the broad range of needs of Oakley residents.

Policies

- 4.3.1 Evaluate the need for public assembly and meeting space. The availability of public space shall be assured through coordinated actions of existing service providers.
- 4.3.2 Seek a balance between social, cultural, and recreational needs of the community when developing new general-purpose public facilities.
- 4.3.3 Encourage the development of facilities and services to serve the needs of the youth, the elderly, and other special needs groups within the community.
- 4.3.4 Ensure that high quality library services are maintained for the residents of Oakley.
- 4.3.5 Encourage the development of quality childcare and pre-school facilities in appropriate locations, especially in conjunction with park and private common areas, schools, and church facilities.
- 4.3.6 Encourage or develop a coordinated telecommunications system which enhances the availability of information to the Community.

Programs

- 4.3.A Utilize Section 65402 of the Government Code to determine if public land acquisitions, sale, or building of new structures are in conformity with the General Plan.
- 4.3.B Pursue a full range of methods to finance needed public facilities.

- 4.3.C Include places of worship and religious buildings and child-care facilities as conditionally allowable uses in all residential districts in the Zoning Ordinance, subject to provisions of vehicular access and effective buffering from noise, traffic, and other impacts.
- 4.3.D Continue to collect a childcare fee from residential development projects and qualifying commercial projects.

FIRE PROTECTION AND EMERGENCY SERVICES

Goal 4.4 Promote a high level of emergency preparedness to protect public health and safety in the event of a natural or human-caused disaster.

Policies

- 4.4.1 Promote and encourage the high service level of fire protection services within Oakley.
- 4.4.2 Require that new development pay its fair share of costs for new fire protection facilities and services.
- 4.4.3 Identify needed upgrades to fire facilities and equipment during project environmental review and planning activities.
- 4.4.4 Incorporate analysis of optimum fire and emergency service access into circulation system design to maximize the effectiveness of existing and proposed fire protection facilities.
- 4.4.5 Require special fire protection measures in high-risk uses (i.e., mid-rise buildings, and those developments where hazardous materials are used and/or stored) as conditions of approval.
- 4.4.6 Require the provision of fire fighting equipment access to open space areas in accordance with the Fire Protection Code and to all future development in accordance with Fire Access Standards.

Programs

- 4.4.A Fire stations and facilities shall be considered consistent with all land use designations in the General Plan and all

zoning districts. The architectural design and landscaping of new fire stations shall be complementary with surrounding land uses.

- 4.4.B Participate in discussions regarding fire district annexations, consolidations, and other service management programs.
- 4.4.C Request the Fire District to update its five-year plan to maintain consistency with the Oakley General Plan.
- 4.4.D Afford fire protection agencies the opportunity to review development projects and submit conditions of approval for consideration to determine whether: 1) there is adequate water supply for fire fighting; 2) road widths, road grades, and turnaround radii are adequate for emergency equipment; and 3) structures are built to the standards of the Uniform Building Code, the Uniform Fire Code, other State regulations, and local ordinances regarding the use of fire-retardant materials and detection, warning, and extinguishment devices.
- 4.4.E The Community Development Department shall submit building and development plans for all new construction, including remodeling, to the fire agency to assure that fire safety and control features are included that meet the adopted codes and ordinances of that agency.
- 4.4.F Continue to levy fire facility fees for new development in accordance with five-year plan.
- 4.4.G Consider establishment of benefit assessment districts or other funding mechanisms for fire protection purposes.

LAW ENFORCEMENT

Goal 4.5 Provide a high standard of police protection services for all citizens and properties throughout Oakley.

Policies

- 4.5.1 Police patrol beats shall be configured to assure minimum response times and efficient use of resources.

- 4.5.2 Incorporate police protection standards and requirements into the land use planning process.
- 4.5.3 Encourage public participation in crime prevention activities.
- 4.5.4 The City shall strive to provide sufficient personnel and capital facilities to ensure adequate police protection and appropriate response times.
- 4.5.5 Require that the Community Development Department refer, as appropriate, development proposals to the Police Department for review and comments.
- 4.5.6 Support citizen participation within programs such as Neighborhood Watch and Community Oriented Policing and Problem Solving (COPPS).
- 4.5.7 Set fees to ensure that each dwelling unit, business, and vacant parcel pays a fair share of the cost of police services.

Programs

- 4.5.A The City shall participate in community outreach and informational programs to promote Neighborhood Watch and Community Oriented Policing and Problem Solving (COPPS).
- 4.5.B Consider the use of community service officers to provide law enforcement outreach programs to schools and other institutions.
- 4.5.C Consider and recommend, as determined appropriate, guidelines for defensible space design of buildings and major subdivision projects. Such guidelines would address the review of development projects to assure that crime-inviting features are reduced or eliminated.
- 4.5.D Seek additional State and Federal funding to augment Oakley law enforcement services.

PUBLIC SCHOOLS

Goal 4.6 Assure the provision of adequate primary and secondary schools in optimal locations to serve planned growth.

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Policies

- 4.6.1 Work cooperatively with local school districts to promote traffic safety and efficient circulation in the vicinity of school sites.
- 4.6.2 To the extent possible, new residential development, General Plan Amendments, or Rezoning shall be required to adequately mitigate impacts on primary and secondary school facilities. Exceptions to this requirement may be made if the Planning Agency determines that there are overriding considerations (i.e., provision of low or moderate cost housing) associated with the project.
- 4.6.3 Encourage the efficient multi-purpose uses of school facilities.
- 4.6.4 Encourage school districts to seek and receive their fair share of state and/or federal funds for school facilities.
- 4.6.5 Support the development of quality schools, to the extent possible, by coordinating development review with local school districts including such activities as designating school sites, obtaining dedications of school sites. Consider supporting appropriate local fees, special taxes, and bond issues intended for school construction.
- 4.6.6 Ensure that school facility impact fees are collected and work with developers and school districts to establish mitigation measures to ensure the availability of adequate school facilities.
- 4.6.7 School site donation by developers may be encouraged through the use of density transfer or other appropriate land use alternatives.
- 4.6.8 Work with the school districts to consider alternative funding programs for school facility construction and provision of educational programs.
- 4.6.9 The hearing body reviewing residential projects shall consider the availability of educational facilities and impact on school capacities.
- 4.6.10 To the extent possible, school facilities should be sited in conjunction with and adjacent to local parks and trails.

- 4.6.11 Adequate provision of schools shall be assisted by coordinating review of new development with school districts and other service providers through the project review process, the environmental review process, and through joint planning with local school districts.
- 4.6.12 Ensure that adequate land is available for acquisition of school sites within one mile of Proposed School Locations as identified on Figure 4-1, Public Facilities and Services.
- 4.6.13 Promote and encourage options to allow students within Oakley that reside west of Empire Avenue to attend schools located within the City of Oakley.

Programs

- 4.6.A Lobby for State financing of new schools within the City.
- 4.6.B Work with the interested school districts to ensure that new development contributes, to the extent allowable under State law, its fair and full share of the cost of additional facilities when necessary.
- 4.6.C Prepare an education facilities plan, in consultation with the school districts, by year 2005 recommending locations for future school facilities.
- 4.6.D During the review of General Plan Amendments, Rezones, Tentative Maps and Specific Plans within one mile of the Proposed School Sites shown in Figure 4-1, the City shall analyze the potential for reserving real property for the appropriate Proposed School Site. Specific sites for schools in undeveloped portions of the Oakley Planning Area, such as the Cypress Corridor Area and the Cypress Corridor Expansion Area, should be identified by the appropriate school district and designated Public/Semi Public in the General Plan by amendment prior to development of 50 percent of the land within a one-mile radius of each designated Proposed School Site.

- 4.6.E Amend the General Plan to designate future school site properties to Public/Semi Public once local school districts acquire properties for future school sites.
- 4.6.F All Specific Plan applicants must consult with affected school districts to address Proposed Schools. Specific Plans shall designate specific properties for school facilities locations.
- 4.6.G All predominantly residential development proposals involving more than 200 acres of land must analyze the need for and designate as appropriate school facility sites based upon identified Proposed School Sites. The City must determine that appropriate consultation has occurred between the developer and the affected school district(s) and that adequate provisions have been made to accommodate designated Proposed Schools.

SOLID WASTE/RECYCLING AND HAZARDOUS MATERIALS

Goal 4.7 Promote and seek to assure the provision of safe, efficient, and cost-effective removal of waste from residences, businesses, and industry.

Policies

- 4.7.1 Promote the reduction of the amount of waste disposed of in landfills by: 1) reducing the amount of solid waste generated (waste reduction); 2) reusing as much of the solid waste as possible (recycling); 3) utilizing the energy and nutrient value of the solid waste (waste to energy and composting); and 4) properly disposing of the remaining solid waste (landfill disposal).
- 4.7.2 Support the diversion of as much waste as feasible from landfills through recovery and recycling.
- 4.7.3 Encourage the development of waste transfer, processing, and disposal facilities which satisfy the highest

established environmental standards and regulations.

- 4.7.4 Minimize the potential impacts of waste collection, transportation, processing, and disposal facilities upon residential land uses.
- 4.7.5 Consider solid waste disposal capacity in land use planning and permitting activities, along with other utility requirements, such as water and sewer service.
- 4.7.6 Encourage solid waste resource recovery (including recycling, composting, and waste to energy) so as to extend the life of sanitary landfills, reduce the environmental impact of solid waste disposal, and to make use of a valuable resource, provided that specific resource recovery programs are economically and environmentally desirable.
- 4.7.7 If new waste disposal facilities are proposed within Oakley, then such facilities should be designed, developed, and operated in a manner that is compatible with surrounding land uses and minimizes potential impacts to existing and future residents.
- 4.7.8 Solid waste disposal sites shall be designed and operated to provide useful sites after completion of disposal operations. Re-use of sites for outdoor recreation and open space, where feasible, shall be encouraged.
- 4.7.9 Avoid solid waste hauling on collectors and local streets through residential areas.
- 4.7.10 The handling and storage of hazardous materials shall be identified and monitored by the local fire agencies.

Programs

- 4.7.A Encourage and promote school and community programs that promote recycling.
- 4.7.B Ensure that solid waste activities in Oakley are carried out in accordance with the Contra Costa County Solid Waste Management Plan and are coordinated with other jurisdictions.

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- 4.7.C Prepare recycling and composting plans to show how the City intends to help meet the goals in the Contra Costa County Solid Waste Management Plan.
- 4.7.D Ensure the health and safety of the public by inspecting solid waste facilities and equipment on a regular basis.
- 4.7.E Review, and amend if necessary, the Zoning Ordinance and other code sections to ensure that waste disposal facilities are regulated to preclude all nuisance and unsightly conditions.
- 4.7.F Review and amend existing ordinances and procedures to ensure that the review and approval of development applications is carried out in accordance with the applicable goals, policies, and implementation measures in the Contra Costa County Solid Waste Management Plan.

WATER SERVICES

- Goal 4.8** Assure the provision of potable water availability in quantities sufficient to serve existing and future residents.

Policies

- 4.8.1 Coordinate future development with all water agencies to ensure facilities are available for proper water supply.
- 4.8.2 Encourage the development of locally controlled supplies to meet the growth needs of the City.
- 4.8.3 Encourage the conservation of water resources throughout the City.
- 4.8.4 Ensure that new development pays the costs related to the need for increased water system capacity.
- 4.8.5 Ensure that water service systems be required to meet regulatory standards for water delivery, water storage, and emergency water supplies.
- 4.8.6 Encourage water service agencies to establish service boundaries and to develop supplies and facilities to meet future water needs based on the growth policies contained in the General Plan.
- 4.8.7 Encourage urban development within the existing water district Spheres of Influence adopted by the Local Agency Formation Commission; expansion into new areas within the Urban Limit Line beyond the Spheres should be restricted to those areas where urban development can meet all growth management standards included in this General Plan.
- 4.8.8 Discourage the development of rural residences or other uses that will be served by well water or an underground domestic water supply, if a high nitrate concentration is found following County Health Services Department testing.
- 4.8.9 Encourage rural residences currently served by well water or an underground domestic water supply, to connect to municipal water service when it becomes available. Upon connection to municipal water service, any water well(s) may be maintained for irrigation purposes only.
- 4.8.10 Identify and develop opportunities, in cooperation with water service agencies, for use of non-potable water, including ground water, reclaimed water, and untreated surface water, for other than domestic use.
- 4.8.11 Identify, monitor, and regulate land uses and activities that could result in contamination of groundwater supplies to minimize the risk of such contamination.
- 4.8.12 Reduce the need for water system improvements by encouraging new development to incorporate water conservation measures to decrease peak water use.
- 4.8.13 Encourage the use of reclaimed water as a supplement to existing water supplies.
- 4.8.14 All proposals for development, including requests for building permits, within 1,000 feet of the Contra Costa Canal property line shall be referred to Contra Costa Water District for comment to ascertain the District's standards for the proposed development project.

Programs

- 4.8.A At the project approval stage, the City shall require new development to demonstrate that adequate water quantity and quality can be provided. The City shall determine whether 1) capacity exists within the water system if a development project is built within a set period of time, or 2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the City from consultations with the appropriate water agency, the applicant, or other sources.
- 4.8.B Encourage water service agencies to meet all regulatory standards for water quality prior to approval of any new connections to that agency.
- 4.8.C Cooperate with other regulatory agencies to control point and non-point water pollution sources to protect adopted beneficial uses of water.
- 4.8.D Encourage water serving agencies to prepare written drought contingency plans and hold public hearings on these plans. These plans should identify the size of needed drought capacity reserves. In requests for capacity verification for new development, the City shall require that the serving agency exclude these reserves from its operating capacities for the purpose of the verification.

WASTEWATER SERVICES

Goal 4.9 Assure the provision of sewer collection, treatment and disposal facilities that are adequate to meet the current and projected needs of existing and future residents.

Policies

- 4.9.1 Coordinate future development with the Ironhouse Sanitary District to ensure facilities are available for proper wastewater disposal.

- 4.9.2 Wastewater treatment should preserve, and to the extent feasible, enhance water quality and the natural environment.
- 4.9.3 Encourage beneficial uses of treated wastewater, including marsh enhancement and agricultural irrigation. Such wastewater reclamation concepts shall be incorporated into resource management programs and land use planning.
- 4.9.4 Reduce the need for sewer system improvements by requiring new development to incorporate water conservation measures, which reduce flows into the sanitary sewer system.

Programs

- 4.9.A Require new development to pay its fair share of the cost of on- and off-site infrastructure. This shall include installation of necessary public facilities, payment of impact fees, and participation in a Capital Improvement Program.
- 4.9.B Encourage sewer service agencies to establish service boundaries and develop treatment facilities to meet the future service needs based on the growth policies contained in the City of Oakley General Plan.
- 4.9.C Discourage development of rural residences served by septic tank and leach fields.
- 4.9.D At the project approval stage, require new development to demonstrate that wastewater treatment capacity can be provided. The City shall obtain assurance that 1) capacity exists within the wastewater treatment system if a development project is built within a set period of time, or 2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the City from consultations with the Ironhouse sanitation District, the applicant, or other sources.
- 4.9.E Identify and develop opportunities, in cooperation with Ironhouse Sanitation

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District and water service agencies, for using reclaimed wastewater.

DRAINAGE FACILITIES

Goal 4.10 Protect persons and property from the damaging impacts of flooding.

Policies

- 4.10.1 Work cooperatively with Contra Costa County Flood Control and Water Conservation District (CFCWCD) to ensure and enhance flood protection in the City of Oakley.
- 4.10.2 Pursue and achieve compliance with all regional, State, and Federal regulations related to flood control, drainage, and water quality.
- 4.10.3 Recognize the unique flooding constraints of the areas north and east of the Contra Costa Canal.
- 4.10.4 Pursue responsible and adequate financing for implementation of the Drainage Plan.
- 4.10.5 Improve and expand the functionality of Marsh Creek as a major drainage corridor.
- 4.10.6 Develop new drainage facilities and/or improvements to existing facilities to provide additional recreational or environmental benefit, where possible.
- 4.10.7 Land use planning and zoning should be the primary means for flood management in preference to structural improvements, where possible.
- 4.10.8 Detention basins should be designed for multiple uses such as parks and playing fields when not used for holding water, where possible.
- 4.10.9 Detention basin design shall ensure that water entering the basin outflows completely within a specified time, thus minimizing standing water or long-term saturation within the basin.
- 4.10.10 In conjunction with Contra Costa County Flood Control and Water Conservation District (CFCWCD), develop and approve a Drainage Master Plan in the Cypress Corridor Area and the Cypress Corridor Expansion Area.

- 4.10.11 Develop open bypass channels, detention basins, and all drainage facility rights of way as an asset to the development or adjacent neighborhood, e.g. as a secondary recreation use.
- 4.10.12 In conjunction with CFCWCD, develop flood control plans and identify discharge points for unincorporated areas annexed by the City of Oakley. Ensure that flood control implementation and maintenance are performed.

Programs

- 4.10.A Implement and update, as necessary, the Contra Costa County Drainage Plan for formed drainage areas within the City of Oakley.
- 4.10.B Actively participate in the Joint Municipal National Pollutant Discharge Elimination System (NPDES) program with the City of Antioch, City of Brentwood and East Contra Costa County.
- 4.10.C Pursue improvement of existing levees within the City and, as appropriate, compliance and certification from the United States Army Corps of Engineers.
- 4.10.D Develop and adopt a Specific Drainage Plan for areas north and east of the BNSF Railroad, which includes the Cypress Corridor Area and the Cypress Corridor Expansion Area.
- 4.10.E Adopt and update, as necessary, development fees for drainage improvements for all new development in the City.
- 4.10.F Pursue funding from public agencies and other grant sources to plan, design, and implement flood control improvements.
- 4.10.G Require, upon development, the dedication of property or drainage easement adjacent to Marsh Creek to be used to increase width and capacity of the stream corridor.
- 4.10.H Coordinate a study of Marsh Creek to determine appropriate strategies for improving, expanding and managing the stream corridor to enhance aesthetic, biological and recreational qualities, as

well as providing drainage and flood control.

- 4.10.I For areas of proposed development that are not within an existing formed drainage area, require that Drainage Master Plans be prepared that include: detailed hydrologic modeling that considers land use, existing facilities, soil, and topographic data; descriptions

of proposed flood control facilities; compliance with waste discharge requirements; cost estimates and construction schedule; and identification of which agency is responsible for facility design and construction, Clean Water Program compliance, and facility maintenance.



Figure 4-1
Public Facilities and Services Locations

PUBLIC SERVICES SETTING

FINANCING IMPROVEMENTS

The issue of financing capital improvements and funding ongoing public services relates to other elements within the General Plan. The Land Use Element map defines the extent of urban growth and development. The designation of urban land uses will create a proportional need for additional facilities and services.

These additional facilities and services can be funded by a multitude of means, including Capital Improvement Program funds, State and federal funds, developer contributions and fees, etc.

As the City develops, it will be critical that urban development provides appropriate financial contributions and that the City actively pursues alternative funding sources.

CITY GOVERNMENT AND GOVERNMENTAL SERVICES

The City government offices are divided into six departments: City Administration, Finance, City Clerk, Police, Community Development, Redevelopment Agency / Economic Development. The City Administrative Office, the Community Development Department, and the Police Department are located in downtown Oakley. The Community Development Department includes building, public works/engineering, and planning

County Offices

Contra Costa County offices are located in the City of Martinez and offer services to the City of Oakley including County Assessor, County Clerk/Recorder, and Treasurer/Tax Collector.

Courts

Superior Courts of California in Contra Costa County are located in Martinez, Richmond, Pittsburg, and Walnut Creek. There are seven

State, County, and Municipal Courts in Contra Costa County, two are Justice courts and five are Municipal courts. There are also four small claims courts in the County, which are located in Concord, Pittsburg, Richmond, and Walnut Creek. There are no courts in the City of Oakley.

Libraries

The Oakley Branch library is located in Freedom High School at 1050 Neroly Road. The Oakley Branch Library is open Tuesday through Saturday and offers the following programs; toddler time, picture book time, pajama story time, book buddy, and other special programs. Other libraries in close proximity to Oakley are the Antioch Library and the Brentwood Branch Library.

Fire Protection and Emergency Services

On August 30, 2002, LAFCO approved a merger of three East Contra Costa County fire districts, including East Diablo, Oakley-Knightsen, and Bethel Island. Prior to that, the Oakley-Knightsen Fire Protection District provided services to the City of Oakley.

East County Fire Protection District

The East County Fire Protection District is located in the eastern portion of Contra Costa County and serves a population of approximately 82,000 residents. The District currently has one fire station; Station 93, serving the City of Oakley, as well as other stations serving areas outside Oakley. The District may remain a dependent district under authority of the Contra Costa County Board of Supervisors, although the governance structure of the new District has yet to be determined.

Fire District Services

The East County Fire Protection District provides service to structural, wildland, vehicle, and miscellaneous exterior fires; vehicle accidents involving disentanglement and extrication; medical emergencies and hazardous materials incidents.

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The Contra Costa County Fire Protection District provides dispatching services for the East County Fire Protection District. Formed through an agreement, this computerized center provides dispatching for fire, rescue, and medical emergencies. The Contra Costa County Fire Protection District also conducts inspections of buildings and properties to insure fire safety; reviews new construction plans for fire code compliance; fire arson investigation; develops and delivers fire safety and burn prevention programs to school children, senior citizens, community groups, businesses and industry.

Fire District Coverage

The East County Fire Protection District covers all of Oakley and the area to the east of Oakley north of Delta Road, west of Byron Highway, and south of the San Joaquin River channel, as well as other areas in the East County previously served by the East Diablo and Bethel Island Fire Protection Districts.

Current Plans for Future Fire Protection

Station 93 is currently located at 215 Second Street. Fire Station 93 was built in the 1950's and is not large enough to accommodate District Staff and equipment. The City of Oakley has agreed to build a replacement fire station for the District at 530 O'Hara Avenue. It is anticipated that the new fire station will be completed by the end of 2010.

Law Enforcement

Oakley Police Department

The Oakley Police Department is located at 210 O'Hara Ave, in a portion of the Contra Costa County Sheriffs Office sub-station. The Police Department has its own telephone service, computers, and general office services.

Contra Costa County Sheriffs Office

The City of Oakley contracts with the Contra Costa County's Sheriff's Department. The Contra Costa County Sheriffs Office provides personnel, dispatch, records, and basic

equipment services to the City of Oakley Police Department for law enforcement services.

Oakley controls the specifics of delivery of law enforcement services in the City. Part of this local control provides for the selection of personnel, uniforms, and police car markings. The result is that the police department is very much a City police operation under City control.

Mutual Aid Agreement

The City of Oakley participates with the Mutual Aid Agreement. This program provides for the sharing of resources to respond to significant public safety events.

PUBLIC SCHOOLS

Oakley Union Elementary School District

The Oakley Union Elementary School District includes the City of Oakley and contains four elementary schools and two middle schools. The area to the west of Empire Avenue is in the Antioch School District. The schools in the Oakley Union Elementary School District include:

- ❑ Gehringer Elementary, located at 4951 Main Street – pop. 765
- ❑ Laurel Elementary, located at 1141 Laurel Road – pop. 744
- ❑ Oakley Elementary, located at 501 Norcross Lane – pop. 657
- ❑ Vintage Park Elementary, located at 1000 Vintage Parkway – pop. 727
- ❑ Delta Vista Middle School, located at 4701 Frank Hengel Way – pop. 765
- ❑ O'Hara Park Middle School, located at 1100 O'Hara Avenue – pop. 771

- ❑ Iron House Elementary, located at 4801 Frank Hangel Way – pop. 494

- ❑ Almond Grove Elementary located at the southwest corner of Carpenter Road and Amaryllis Street – currently leased to an outside interest

Each of the elementary schools was constructed to house 600 students and each middle school

was constructed to house 800 students. Laurel and Vintage elementary schools can house 20% more students due to year round scheduling. Each school uses overflow space to accommodate current enrollment. Both of the middle schools can accommodate an additional 75 students each by utilizing overflow space and portable classrooms.

The number of students expected to be generated on a per-unit basis for single-family and multi-family units is a composite number of .72 students.

Based on current information contained in the Oakley Union Elementary School District's Facility Needs Analysis and current projections, the District is eligible for two elementary schools.

In selecting a site for new schools, the State Department of Education utilizes the following criteria:

- Proximity to airports
- Proximity to high-voltage power transmission lines
- Presence of toxic and hazardous substances
- Hazardous air emissions and facilities within 1/4 mile
- Other health hazards
- Proximity to railroads
- Proximity to high-pressure natural gas lines, gasoline lines, pressurized sewer lines or high-pressure water pipelines.
- Proximity to propane tanks.
- Noise
- Proximity to major roadways.
- Results of geological studies and soils analyses.
- Condition of traffic and school bus safety.
- Safe routes to school
- Safety issues for joint-use projects.

Liberty Union High School District

The Liberty Union High School District (LUHSD) includes Liberty, Freedom, and La Paloma High Schools. Liberty High School serves the agricultural and residential areas of Brentwood, Knightsen, and Byron. Freedom High School serves the residential areas of

Oakley and Bethel Island. La Paloma High School, a continuation high school, is an alternative to the traditional high school. The school serves those students who are not able to function satisfactorily in a traditional comprehensive high school.

- Liberty High School, located at 850 Second St. in Brentwood
- Freedom High School, located at 1050 Neroly Rd. in Oakley
- La Paloma High School, located at 6651 Lone Tree Way in Brentwood
- Heritage High School, located at 101 American Avenue in Brentwood

The Liberty Union High School District estimates that each new dwelling unit will generate .32 students for grades 9-12. Maximum development projections for Oakley envision more than 11,000 new homes within the Oakley Planning Area. If fully developed, these homes would generate approximately 3,600 high school students. Based upon these projections, the District anticipates at least one additional high school will be required in Oakley.

Antioch Unified School District

The Antioch Unified School District currently covers the City of Antioch and the western portion of Oakley. Of the seventeen schools in the District, the following five schools enroll Oakley students:

- Bidwell Elementary at 800 Gary Avenue
- Kimball Elementary at 1310 August Way
- Antioch Middle School at 1500 D Street
- Antioch High School at 700 W. 18th Street
- Deer Valley High School at 4700 Lone Tree Way
- Orchard Park School at 5150 Live Oak Avenue

Elementary age children living in the southern portion of Oakley attend Bidwell Elementary, while the others living in the northern portion attend Kimball Elementary. All middle school aged children living west of Empire Road attend Antioch Middle School. The high school age

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students living west of Empire Road have the choice of going to either of the two high schools, by virtue of being in the High School Option Area. These boundaries may change when the District's 13th and 14th elementary schools and fourth middle school open in early 2004.

SOLID WASTE/RECYCLING AND HAZARDOUS MATERIALS SERVICES

Solid Waste/Recycling

The City of Oakley will be taking over the franchise for solid waste collection from the Ironhouse Sanitary District as of February 1, 2010. As franchise holder, the City will maintain the contract with Garaventa Enterprises, the parent company of Oakley Disposal, Inc. and Mt. Diablo Recycling. These companies provide residential and commercial solid waste collection and recycling service to Oakley.

The solid waste collected by Oakley Disposal is hauled to the Recycling Center and Transfer Station in Pittsburg, which is operated by Contra Costa Waste Service. Residential, commercial, and industrial waste is processed at this transfer facility and the residual material is hauled to Potrero Hills Landfill (PHLF) located in Solano County to the north. PHLF is permitted to accept waste through 2015, with the potential expansion of fifty additional years.

Increases in the Oakley service area would necessitate adding additional personnel and equipment. Funding for the addition of equipment and drivers would be collected from the increased customer base. Streets in new development areas must be designed to accommodate waste collection vehicles to allow collection of solid waste and recyclables.

Hazardous Materials

The California Integrated Waste Management Board provides facilities throughout Contra Costa County for proper disposal of hazardous materials.

Although not located in Oakley, there are many collection centers in communities nearby that

accept used motor oil. There are five collection centers in Antioch and two in Brentwood, as well as numerous other locations within the County.

The Delta Household Hazardous Waste Collection Facility is located in Antioch at 2500 Pittsburg-Antioch Highway and is part of the Delta Diablo Sanitation District. The facility collects many household hazardous items, including used oil, filters, antifreeze, paint, thinners, batteries, lamps, solvents, household cleaners, aerosols, pesticides, and more.

WATER SERVICES

Overview of Water Service

The Diablo Water District (DWD) provides water service to Oakley and surrounding areas within its Diablo Water District Sphere of Influence (DWDSOI). The City of Oakley and its SOI expansion areas are entirely within the Water District's boundary.

Diablo Water District

In 1993, the Oakley Water District became the Diablo Water District (DWD) with a service boundary that included the then unincorporated community of Oakley, as well as other unincorporated lands in the greater Oakley area. The DWDSOI currently includes the Cypress Corridor, Hotchkiss Tract, Veale Tract, and Knightsen, as well as the City of Oakley.

DWD's water supply comes from a commitment of 30 million gallons per day (MGD) from the Contra Costa Water District, a public water agency, which delivers water to 450,000 people in central and eastern Contra Costa County via the Contra Costa Canal. CCWD provides water for irrigation and industry with a full commitment from the Central Valley Project of 174 MGD. DWD's commitment from CCWD is for "normal" years, though it can be less during drought years.

Master Plan

In 1991, the then Oakley Water District developed a Water Master Plan. In 1998, the

District updated the Water Master Plan with a DWD Facilities Plan Update. The Update revised water demands projections, identified facilities to serve future growth, provided a phased Capital Improvement Program for implementation of improvements, and evaluated the financial impacts of the proposed improvements.

The DWD Facilities Plan Update projected a future population and number of dwelling units at full build-out. At build-out, the population within DWD's sphere of influence was projected to be approximately 55,250. This included the City of Oakley, which was estimated at 46,100 (including 500 residents of North Brentwood prior to annexation). The population estimates from the Contra Costa County Community Development Department were about 25% higher in 1990 and 1996 than those used in the water planning. It should be noted that the City determined that the population projected by DWD is substantially less than the build-out potential under the current land use designations established under the City-adopted Contra Costa County General Plan.

System Demand

The 1996 average demand for water served by DWD was 4.5 million gallons per day (MGD). In 1996, residential use accounted for 79 percent of total use, construction use was 2 percent, and heavy industrial use accounted for 19 percent. These figures are considered to be significantly different now, as the DuPont facility has closed and the North Brentwood area is no longer in the DWDSOI.

Water Facilities

Water Quality

Currently, 100 percent of the District's raw water supply is from surface water from the Contra Costa Canal, which obtains water from the Sacramento-San Joaquin Delta at the Rock Slough intake.

The 1996 Annual Water Quality Report showed that CCWD, Delta Rock Slough, Contra Costa Canal, and DWD well water were below the Maximum Contaminant Levels set by the state

and federal governments. The raw water quality conditions satisfy all quality standards.

Most of the CCWD water supply originated from the Federal Central Water Project. Portions of the Oakley Planning Area (i.e., portions of the Cypress Corridor Expansion Area) are currently outside the CVP contract service area. Expansion of the contract service area to allow CCWD and DWD to supply water to serve portions of the Cypress Corridor Expansion Area will require review and approval by the Bureau of Reclamation. Applications for inclusion of the Expansion Area land must be made to CCWD for submission to Reclamation.

Los Vaqueros Reservoir

The Los Vaqueros Reservoir obtains water from Old River near Discovery Bay and stores it to improve the water quality, minimize seasonal water quality variations, and to provide emergency storage. The Los Vaqueros Reservoir has a capacity of 100,000 acre-feet of storage (32,600 MG). Study is underway for a planned expansion that would substantially expand this reservoir and could result in significant impacts to the City of Oakley.

Wells

Due to deteriorating water quality, the District utilizes wells only for emergency purposes, though the District has embarked on a program to locate a better supply of ground water in the greater Oakley Area in order to augment their surface water supply.

Wells are still used in the eastern portion of DWDSOI, where there are over 30 small water companies or service districts serving a total population of less than 5,000. If DWD provides service to these areas in the future, it is anticipated that they would become part of DWD's system with supply from Randall-Bold Water Treatment Plant (WTP) and the use of wells would be discontinued.

Randall-Bold Water Treatment Plant

All surface water is treated at the Randall-Bold WTP, which was completed in 1992 and is

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jointly owned by DWD and CCWD. The WTP has an initial capacity of 40 MGD with expansion capability to 80 MGD. Major operations at the WTP include: connection to the Contra Costa Canal, treated water reservoir, and distribution pumping facilities. The initial allocation from the WTP for DWD is 15 MGD with a future maximum allocation of 30 MGD, available in increments of 5 MGD.

Treated Water Storage

Currently, DWD has a treated water storage capacity of 12.8 MG. The ultimate storage capacity required within DWD's sphere of influence is 28.8 MG.

The existing storage will meet DWD's goal of having storage equal to two average demand days, until average day demands increase to 7.6 MGD, when additional storage must be in place to serve new growth. In 2005, it is assumed DWD must be prepared to provide service to the proposed expansion areas located to the east of Oakley. Additional storage will then be phased as needed for the new development. Options currently discussed in the DWD Facilities Plan Update to provide storage after 2005 include extension of existing pipelines, additional wells, and additional storage tanks.

Distribution System

An ultimate network of major distribution system pipelines was identified for service to future development within DWD's sphere of influence and to Bethel Island. Pipeline sizing was designed to meet peak hour demands and to meet maximum day demands plus fire flows.

Interim Inter-tie with the City of Brentwood

There are facilities for an inter-tie with the City of Brentwood that became operational in 1997 and a second inter-tie that will be operational until 2007. These inter-ties are designed to deliver treated water to Brentwood from the Randall-Bold WTP, providing as much as 6 MGD under maximum conditions.

Future Improvements

In the future, the primary source of treated water will continue to be the Randall-Bold WTP, though additional treatment capacity will be required. The treated water storage reservoirs will help to meet peaking needs in excess of the pumped deliveries from the Randall-Bold WTP. The sizing for the ultimate pipeline network is based on the maximum day demand rate plus fire flow from the Randall-Bold WTP, and considers water storage to meet peak hourly flow and fire flow.

Service to the Oakley-North Brentwood area will be from the Randall-Bold WTP, with regulating and fire storage provided from existing Reservoirs R-1 and R-2. Service to the Oakley Expansion Areas will also be from the Randall-Bold WTP, with regulating and fire storage provided from a new 4.0 MG Reservoir R-3. A new pump station will also be needed to boost water from the ground-level Reservoir R-4.

The eastern portion of DWD's Sphere of Influence will operate as a new pressure zone. A pressure reducing station will be located near the intersection of Sellers Avenue and Cypress Road to maintain acceptable pressures under low demand conditions. Under low demand conditions, all supply could be provided from the Randall-Bold WTP. Under higher demand conditions, Reservoir R-3 will provide additional supply.

Capital Improvement Program (CIP)

The DWD Facilities Update recommended a Capital Improvement Program for service within DWD's Sphere of Influence. The schedule for improvements to serve new developments will depend on the actual growth that occurs. The District is currently experiencing slow growth. Included in the CIP are:

- Installation of new pipelines.
- A second emergency well.
- Addition of Reservoir No. 3.
- Purchase of additional capacity at the Randall-Bold WTP.
- Increasing capacity at existing reservoirs.

The total capital cost for all the improvement is estimated at \$27.4 million in 1998 dollars.

The Water District has funding mechanisms to finance capital improvement in new developments. These mechanisms include a Facility Reserve Charge (FRC) and Main Extension Reimbursement Assessment (MERA). Currently FRC's are charged to new water connections based upon the water meter size. MERA funds are used to reimburse developers who install oversized water lines.

Review of DWD Facilities Plan

Estimates have been made for various demographic parameters important in determining water consumption. For example, the usage factor for the single-family land use classification is 525 GPD/dwelling unit, which yields an average daily demand. To determine the maximum daily demand, the average daily demand is multiplied by a factor of 1.8.

The maximum daily demand at build out within DWD's SOI, excluding Bethel Island, is 24.6 MGD. The supply of 30 MGD should be adequate to meet this build-out projection.

Adequacy of Facilities

The DWD prepared its Water Master Plan in 1991, and completed a subsequent DWD Facilities Update in 1998, which considered water services to Oakley and the DWD's SOI. This Plan was based upon the proposed development build-out for the County General Plan designations that were in place prior to incorporation. The City of Oakley and its SOI are entirely within the DWD's SOI. The Facilities Update determined that additional facilities would be required to meet future water demands. Therefore, a Capital Improvement Plan has been established. With the Capital Improvement Plan, it is expected that DWD will be able to completely serve Oakley and the SOI areas. DWD has established funding mechanisms to finance capital improvements to serve new development. It appears that DWD has the facilities and appropriate planning in place to provide an adequate supply of treated water for the Oakley Area at build out. Future

studies might consider means to minimize the current usage and peaking factors to maximize the use of the current supply – delaying future improvements.

WASTEWATER SERVICES

Ironhouse Sanitary District

Ironhouse Sanitary District (ISD) resulted from the governmental reorganization of the former Contra Costa County Sanitation District No. 15 and the Oakley-Bethel Island Wastewater Management Authority into the Oakley Sanitary District, renamed the Ironhouse Sanitary District, which was completed on January 31, 1992.

The Ironhouse Sanitary District (ISD) provides wastewater service to Oakley and unincorporated areas of the County. The City of Oakley and its SOI areas are entirely within ISD's boundary. The wastewater services involve the transmission of wastewater from residential, commercial and light industry to a treatment facility and the final disposal of the wastewater and residual waste solids.

ISD owns and operates the wastewater collection, treatment, storage, and effluent recycling facilities that serve the City of Oakley and other communities including: Knightsen, Bethel Island, a part of the Holland Tract, and an area between Sellers Road and the Contra Costa Canal. Much, but not all, of the existing District area is presently served by collection systems owned and operated by ISD, although septic systems still remain.

Master Plan

ISD staff prepared a Trunk Line Master Plan in 1988 for the then, Oakley Sanitary District. Currently, Ironhouse has hired a consulting firm to draft a Wastewater Facilities Expansion Plan.

The ISD Plan Update is for the ultimate build-out and will determine the collection system required to service the areas within the District Boundaries. ISD has determined that the City-adopted County General Plan would have allowed a total population of 66,272 within the

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District Boundaries and total of 32,000 equivalent dwelling units (EDU's). However, the City estimates that the population potential within the Oakley Planning Area under the County General Plan was in excess of 75,000. The ISD service area also includes land outside the City Planning Area, mostly notably Bethel Island.

The updated ISD Plan will describe the sanitary wastewater line sizes, slopes, and locations necessary to accommodate the anticipated peak flow of wastewater when the area is built-out.

Current System Capacity

The wastewater system is composed of collection, treatment, and effluent recycling facilities. The collection and treatment facilities must be expanded to meet future requirements. The current daily flow is approximately 2.1 MGD and, as of 2002, the treatment system capacity was 3 MGD and will need to be expanded to meet future requirements.

Effluent Recycling System

The current ISD facilities include the collection system, wastewater treatment, and effluent recycling facilities. The majority of treated effluent is sent to Jersey Island for use as irrigation for agricultural lands. ISD has obtained a permit to allow land application of its bio-solids on Jersey Island.

Collection System

The ISD Plan Update sets a goal to have all homes connected to the wastewater collection system. ISD's ordinance requires any property within 300 feet of a sewer line to connect (a few exceptions exist) if a septic system fails or is in need of repair requiring a permit from the County Health Department. If a resident requests a building permit, they are required to meet these Health Department requirements.

Wastewater Treatment Plant

ISD owns and operates a wastewater treatment plant in northeast Oakley. This plant provides wastewater treatment services for Oakley, Bethel

Island, and the Sandmound area. There are currently 50 acres of onsite storage for treated wastewater. Additional acreage for storage will be required as flows increase.

Wastewater Standards

The Central Valley Regional Water Quality Control Board (CVRWQCB) has established the waste discharge permit requirements for the plant. The plant, with its existing treatment system, has routinely met the discharge requirements.

ISD has established its own users discharge standards to regulate its own treatment process, in addition to pursuing the CVRWQCB discharge standards. These ISD standards monitor pH, total dissolved solids, heavy metals, and biological oxygen demand. Failure to comply with established standards could result in the closure of a facility.

Effluent and Solid Sludge Recycling

Effluent reclamation is accomplished through land application of the treated effluent agricultural crops. Currently the effluent application is split between the mainland property and Jersey Island. Currently, ISD is permitted to apply its reclaimed water on 260 acres of its mainland property and 350 acres on its Jersey Island property, with a total permitted discharge of 2.0 MGD. The areas described above will provide enough capacity to accommodate the current plant capacity of 3.0 MGD once ISD completes additional effluent disposal areas on Jersey Island. ISD has increased its ultimate effluent recycling capacity from 3.0 MGD to 8.0 MGD by the acquisition of additional land. Though land application of 8.0 MGD requires approximately 1,600 acres, a total of 3,500 acres have been obtained on Jersey Island. While not all of the 3,500 acres will be feasible for effluent application use, enough should be available to allow adequate flexibility to rotate the disposal areas over time. Currently, approximately 300 acres on Jersey Island have been developed for effluent reclamation.

Future Improvements

ISD has estimated a future potential wastewater flow of 8.0 MGD within its Sphere of Influence area. To meet future wastewater service needs and projected effluent discharge water quality requirements, ISD is proposing to upgrade and increase both its wastewater treatment capacity and effluent application area. This increased capacity will be in steps until the ultimate build-out is reached. New CVRWQCB approval will be required as expansion is needed.

In 1991, ISD prepared a Wastewater Facilities Expansion Plan (ISD Facilities Plan) that outlined the recommended treatment and effluent recycling projects necessary to meet the projected service demand. Since completion of the ISD Facilities Plan, the District has continued to refine future wastewater flow projections and proposed facilities plans. The planning for these facilities is identified as the Wastewater Facilities Expansion Plan. The development allowed under Oakley's 2020 General Plan will not exceed ISD's planned maximum capacity limits.

There are a few major growth areas in Oakley – DuPont property (industrial/ commercial uses); Cypress Corridor (mostly residential with some commercial); and south Oakley on Neroly west of High School (commercial and residential). In addition, some large County projects that have been discussed and proposed for east of Oakley – Cypress Lakes and Leshar Lakes. ISD is including these projects in its future plans. Development in the Cypress Corridor will require the installation of a new and larger main from Bethel Island Road west to the treatment plant. The size and alignment of this new main have been determined by Ironhouse Sanitation District and will be constructed concurrent with the development of the Cypress Corridor. New lift stations, increased emergency storage pond capacity near Bethel Island, and a new crossing of Marsh Creek and the Contra Costa Canal will be required.

The District has 25 pump stations. In many cases, changing the pump motor and, possibly, the pump impeller, can provide additional flow without increasing the line sizes. The main

impact of the development proposed under this General Plan is on the trunk line in the area east of Marsh Creek. The most significant change will be for larger trunk lines and the individual extension of the Cypress trunk line to the treatment plant.

It is anticipated that the ISD fee structure will be updated following the adoption of this General Plan. Currently, the fees are comparable or less than neighboring areas.

No major additional land purchases are anticipated, as land has all ready been acquired.

Ability to Serve at Build Out

ISD believes it will be able to serve Oakley at build out. The future disposal will be capable of handling up to 8 MGD. Currently, about 2.1 MGD is being treated, with a permitted treatment capacity of 3.0 MGD. Treatment and effluent recycling facilities will be added as required until build-out is reached.

DRAINAGE FACILITIES

The creation of drainage facilities is accomplished by the City of Oakley and the County Flood Control and Water Conservation District (CFCWCD). CFCWCD has prepared and adopted plans that serve both Oakley and the County. The current plan for the City of Oakley and its SOI is based on the CFCWCD plan.

Oakley's mean annual precipitation is 11 inches. The City slopes gradually to the Delta with the highest points nearest the southern boundaries. Regional waters flow through Oakley using the Marsh Creek corridor and other Delta outfalls. Because Marsh Creek has limited capacity, local and regional detention basins have been created to control flow into Marsh Creek and to minimize flooding.

Overview of Storm Drain Service

The CFCWCD uses Contra Costa County Public Works Department staff, and maintains its own governing board and financing authority.

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The CFCWCD performs the following functions:

- Flood Control Engineering Division provides the technical staff support for the CFCWCD. Staff coordinates and assists in the development and implementation of storm drainage systems.
- Planning Engineering Section staff prepares conceptual plans for regional drainage systems and identifies and prepares ordinances for drainage fee areas. This Section also develops federal flood control projects through coordination with the U.S. Army Corps of Engineers and provides flood control standards.
- Hydrogeology Section staff collects and analyzes precipitation and runoff data. They maintain rainfall and stream gauges and equipment. Staff also prepares hydrological analysis of watersheds and data and engineering charts for use in project development.
- Current Development Section staff review the drainage aspects of land development applications, flood control and drainage permit applications, and environmental impact documents. They also make recommendations for drainage improvements and review plans for land development projects which have a regional drainage impact. Members of this Section respond to drainage complaints and requests for advice by the general public. The Section also administers budgets for the flood control entities, monitors collection of fees, and prepares and implements reimbursement agreements.
- Contra Costa County Clean Water Program staff monitors the National Pollutant Discharge Elimination System (NPDES) permit program and the Stormwater Utility areas. They develop and implement specific programs to meet NPDES requirements

CFCWCD contracts with the Contra Costa County Public Works Department to provide staff support. The Maintenance Division of the Public Works Department maintains the storm drainage facilities and major flood control facilities in the unincorporated County area and

flood control zones, which cross both City and County areas.

The public works staff also provides maintenance services to keep County-owned drainage facilities free of obstructions to prevent flooding of adjoining properties. Staff clean ditches and culverts, perform weed control, channel bank restoration, and storm related debris removal.

Responsibilities

Generally, local drainage corridors have been turned over to the City while regional corridors remain the responsibility of the CFCWCD. Though regional detention basins will remain the property of the CFCWCD, the remaining basins will be the City's property. Oakley will be responsible for maintaining corridors and pipes owned by the City of Oakley, while CFCWCD will be responsible for their own facilities. CFCWCD will determine where regional corridors or pipes are required and will either purchase them or request that the City condition future developers to provide drainage easements and improvements to CFCWCD as part of the developmental review process. The County will only own regional facilities and will not be responsible for facilities that exclusively serve the City of Oakley.

Master Plan

The implementation of drainage plans in the County is the responsibility of either the cities, the County (for unincorporated areas), or the County Flood Control and Water Conservation District (CFCWCD). The current plan for the City of Oakley is based on the CFCWCD plan, though the City of Oakley will be responsible for future planning. CFCWCD is authorized by the State of California to regulate regional storm drain issues within Contra Costa County, but has no authority over local drainage issues within the City.

CFCWCD has a regional plan for Contra Costa County, which the City of Oakley will implement as new development occurs. CFCWCD owns, or has easement right to, many facilities within the City of Oakley that are used for regional drainage control.

The CFCWCD has developed drainage plans to guide the implementation of new drainage systems and to provide the basis for flood control projects. Developers usually provide local drainage infrastructure as part of the land development process.

The individual drainage areas as designated in the CFCWCD Plan within Oakley and Oakley's SOI areas are shown in Figure 4-2, Drainage Fee Areas. The CFCWCD Master Plan for the individual drainage areas includes detention basins and their respective infrastructure within the City's boundaries, detailed primarily for the area southwest of the Burlington Northern Santa Fe (BNSF) railroad. CFCWCD has built the respective area(s) drainage basins based upon expected developmental capacity needs. However, areas not identified with a number do not have a CFCWCD Plan. Local developers have developed drainage infrastructure for existing subdivisions for some of these not planned by CFCWCD. For other areas, drainage plans will have to be developed.

The Cypress Corridor Area and the Cypress Corridor Expansion Area (see Figure 2-3) currently have limited drainage infrastructure and little planning has been undertaken to consider the drainage requirements for future development of these areas. Necessary planning will take place concurrent with development applications to protect residents from the threat of flooding and to collect and convey normal drainage within the proposed development.

System Capacity

The County's drainage plans are based upon the current County Land Use designations. Using these designations, the drainage areas have been sized to meet build-out expectations. Generally, the planning is of a regional nature (e.g. only down to line sizes of 30 inch). CFCWCD staff have prepared conceptual plans for regional drainage systems and identified and prepares ordinances for drainage areas. Specific quantities used in determine sizing is available in an Engineer's Report for each drainage area.

Facilities

Collection System. Stormwater is collected and discharged to either Marsh Creek or pipelines leading to the Delta. Marsh Creek is owned and maintained by CFCWCD. The regional drainage plan has been updated using current population forecasts and flow predictive models. As a result, large regional detention basins were added to address the limited flow capacity of Marsh Creek. All detention basins are designed for gravity flow. They are also designed for no standing water except in the case of large storms.

Detention Basins. To control stormwater runoff, detention basins are used throughout Oakley. These basins can be dual use facilities (both storage and recreation). However, when used for recreation, additional design considerations are required. For example, there are concerns regarding drowning within a basin if there is standing water. The basins are designed so that normally there is no standing water but, in the event of major storms, standing water will be present. Many basins have fencing so, in event of standing water, a gate can be closed to protect the public. Currently there is remote sensing for Marsh Creek so that if the creek rises, a person can be dispatched to close gates on the basins. Currently no definitive rules are required for the design of the detention basin. Each is designed as its own project and for its own dual use facilities. This is partly due to the individual sizing requirements for each basin.

Discharges

In 1972, the Federal Water Pollution and Control Act (also referred to as the Clean Water Act (CWA)) was amended to provide that the discharge of pollutants to waters of the United States from any point source is effectively prohibited, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The CWA was amended in 1987 adding Section 402(p), which established a framework for regulating municipal stormwater discharges under the NPDES program.

4.0 – GROWTH MANAGEMENT ELEMENT

All incorporated Cities and the Contra Costa County Flood Control & Water Conservation District joined together to form the Contra Costa Clean Water Program. The Contra Costa Clean Water Program obtained a Joint Municipal NPDES Permit from the San Francisco Bay and Central Valley Regional Water Quality Control Boards on September 1993 and January 1994, respectively. The permits, issued for a five-year period, contain a comprehensive plan to reduce the discharge of pollutants to the "maximum extent practicable".

Some of the methods used to control discharges include:

- Infiltration devices (A means for the water to enter the soil as with infiltration trenches, dry wells, and catch basins)
- Sand filters
- Oil and grease traps
- Constructed wetlands
- Wet ponds

Financing

Financing for CFCWCD facilities is obtained from a flood control fee added to the property tax. There are countywide drainage area fees for Oakley and Contra Costa County has also collected fees from each of the individual drainage areas. The City of Oakley adopted and perpetuated these fees after incorporating.

Special Constraints

The CWA permits are renewed every 5 years. The second renewal is currently approved.

However, in May, 2001 an environmental group sued the San Francisco Regional Water Quality Control Board and the State Water Resources Control Board charging them with failing to protect the bay water quality. It is not clear what the implications will be to Contra Costa County's permits.

Special constraints particular to Oakley are: lack of complete drainage plans for the areas generally north of the BNSF railroad, levee maintenance for the Marsh Creek areas (the levees on Marsh Creek belong to the CFCWCD), and surface runoff control in the area bounded by Highway 4 and the Contra Costa Canal.

The City will have to develop a Drainage Master Plan. A Conceptual Drainage Master Plan is being developed to guide this effort.

Ability to Serve at Buildout

Flood control planning will cover both the City and its proposed SOI areas. In general, there are two distinct areas: the City south and west of the BNSF railroad tracks which is covered by the CFCWCD plans (See Figure 4-2 and the areas north and east of the railroad tracks, both in the City and in the proposed Expansion Area, which are generally in areas defined as the 100-Year Flood Zone.

The areas within the 100-year flood zone will require plans that have not been developed. These areas will require discharges to the Bay which are not currently in place. Future developers can be required to fund the planning process or part of the development mitigation.

Figure 4-2, Drainage Fee Areas

CHAPTER

3

CIRCULATION
ELEMENT**I**NTRODUCTION

Oakley's history and development have been closely tied to its circulation system. The Circulation Element provides an overview of existing and planned transportation programs and policies within Oakley for all major modes, including motor vehicles, pedestrians, public transit, and bicycles. An introductory section provides a context for the Circulation Element, followed by a section on Goals, Policies and Implementation Programs. The circulation plan section documents planned circulation improvements at build-out of this General Plan, and the setting section provides current conditions.

OVERVIEW

The Circulation Element outlines Oakley's plan for the provision of convenient and efficient travel within the community and between Oakley and the region. Key circulation issues for Oakley include:

- ❑ Prioritization and construction of roadway improvements necessary to improve circulation and levels of service;
- ❑ Establishment of a minimum Level of Service (LOS) standard for the community;
- ❑ Agreement on street design standards that will foster optimal living environments;

- ❑ Support for the realignment of Highway 4;
- ❑ Standardization of streetscape elements on major public streets;
- ❑ Identification of measures necessary to enhance pedestrian and bicycle safety;
- ❑ Development of minimum emergency access standards;
- ❑ Support for increased public transit use;
- ❑ Encourage increased bicycle usage;
- ❑ Enforcement of traffic laws; and
- ❑ Assurance of adequate funding for necessary circulation improvements

These issues are addressed in the Circulation Element sections that follow.

Organization of the Element

The Circulation Element is organized into four main sections; 1) an Introduction section that includes an overview of the element and its consistency with State law; 2) a Goals, Policies, and Implementation Programs section addressing all modes of travel and the relationship between transportation and land use; 3) a Circulation Plan; and 4) a setting section that describes current conditions.

3.0 – Circulation Element

CONSISTENCY WITH STATE LAW

Minimum Requirements

The circulation element is one of the seven mandated general plan elements identified in the State planning and zoning law. Section 65302(b) of the California Government Code specifies that each general plan must include “a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all correlated with the land use element of the plan.” The Oakley Circulation Element meets these requirements.

California Government Code Section 65401 specifies public works projects must be in conformity with the General Plan. In practice, this will require that the City, during adoption of the Five-Year Capital Improvement Program (CIP), make findings that the proposed City of Oakley Five-Year CIP is in conformance with the General Plan, including the Circulation Element.

Relationship to Other General Plan Elements

According to state planning law, the Circulation Element must be consistent with the other General Plan elements, which are all interrelated to a degree. Certain goals and policies of one element may address issues that are primary subjects of other elements. This integration of issues throughout the General Plan creates a strong basis for the implementation of plans and programs and achievement of community goals. The Circulation Element is most directly related to the Land Use, Growth Management, and Economic Development Element.

CONSISTENCY WITH COUNTYWIDE PROGRAMS

As a participant in the Contra Costa County Measure C Growth Management Program and Congestion Management Program, Oakley must take certain circulation-related actions as conditions for ongoing compliance with the Growth Management Program. These actions

are discussed in subsequent sections of the Circulation Element and Growth Management Element.

The Measure J GMP, adopted by the voters of Contra Costa in November 2004, requires each local jurisdiction to meet the six following requirements:

- Adopt a development mitigation program;
- Address Housing Options;
- Participate in an Ongoing Cooperative, Multi-Jurisdictional Planning Process;
- Adopt an Urban Limit Line (ULL);
- Develop a five-year capital improvement program; and
- Adopt a Transportation Systems Management (TSM) Ordinance or Resolution.

Measure J (2004) is a 25-year extension of the previous Measure C Contra Costa Transportation Improvement and Growth Management Program approved by the voters in 1988.

Both programs include a ½ percent transportation and re-tail transactions and use tax intended to address existing major regional transportation problems. The Growth Management component is intended to assure that future residential business and commercial growth pays for the facilities required to meet the demands resulting from that growth.

Although Measure J eliminates the previous Measure C requirements for local performance standards and level-of-service standards for non-regional routes, the original requirements of Measure C remain within the Circulation Element.

GENERAL GOALS, POLICIES, AND PROGRAMS

The following are the Goals, Policies, and Implementation Programs for each transportation mode and circulation topic area addressed within the General Plan Circulation Element. Additional supporting information is provided in the Setting and Circulation Plan sections of this element. The goals, which are overall statements of the community's desires, are broad statements of purpose and direction. The policies serve as guides for working with local and regional agencies on Oakley circulation issues. Implementation programs identify specific actions to achieve particular goals and policies.

ROADWAYS

Goal 3.1 Provide an efficient and balanced transportation system.

Policies

- 3.1.1 Strive to maintain Level of Service D as the minimum acceptable service standard for intersections during peak periods (except those facilities identified as Routes of Regional Significance).
- 3.1.2 For those facilities identified as Routes of Regional Significance, maintain the minimum acceptable service standards specified in the *East County Action Plan Final 2000 Update*, or future Action Plan updates as adopted.
- 3.1.3 Keep roadway facilities in optimal condition.
- 3.1.4 Consistent with the California Vehicle Code, direct trucks to appropriate truck routes.
- 3.1.5 Encourage a multi-modal circulation system that supports non-automobile travel.
- 3.1.6 Address future roadway needs through both new road construction and management of existing and planned roadway capacity.
- 3.1.7 Create and maintain fee and other programs adequate to assure sufficient financing and land to maintain and achieve prescribed Levels of Service.

3.1.8 Mitigate conflicts between new roadway improvements and existing rural roadways when the identified conflicts threaten public health, safety and welfare.

Programs

- 3.1.A Prior to approval of all projects, demonstrate that traffic levels of service and performance standards will be maintained, or that a funding mechanism and timeline has been established which will provide the infrastructure to meet the standards. Ensure that developers fund traffic impact studies that identify on-site and off-site effects and mitigations, and that they contribute appropriate funding for on-site and off-site improvements.
- 3.1.B If it cannot be demonstrated prior to project approval that levels of service will be met per Program 3.1.A, the City may consider the development but defer its approval until the standards can be met or assured. In the event that a signalized intersection exceeds the applicable level of service standard, the City may approve projects if the City can establish appropriate mitigation measures, or determine that the intersection or portion of roadway is subject to a finding of special circumstances, or is a route of regional significance. Mitigation measures specified in the action plans shall be applied to all projects that would create significant impacts on such regional routes, as defined by the Authority in consultation with local agencies and as permitted by law.
- 3.1.C Monitor intersection Levels of Service on a biannual basis at key reporting intersections.
- 3.1.D Implement circulation improvements required to mitigate the effects of growth and to maintain the Level of Service standard. Prioritize roadway improvement projects based on traffic volume, traffic safety, pedestrian and

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- bicyclist safety, availability of funding, and other measures of need as appropriate.
- 3.1.E Maintain a pavement management program, and identify and prioritize projects in the City's Capital Improvement Program to maintain the quality and integrity of the City's roadway system. Street maintenance should include regular cleaning and upkeep of bicycle routes to remove debris and alleviate poor pavement conditions that discourage bicycle riding.
 - 3.1.F Install and maintain truck route signing and marking to direct truck traffic onto designated truck routes.
 - 3.1.G During the planning and development review processes for new development and new roadways, incorporate provisions for bicycle, pedestrian, and public transit modes, where appropriate.
 - 3.1.H Encourage and promote car pools, vanpools, alternative work hours, employee shuttles, and other incentives to reduce single-occupant vehicle trips.

BICYCLES AND PEDESTRIANS

Goal 3.2 Promote and encourage walking and bicycling.

Policies

- 3.2.1 Provide maximum opportunities for bicycle and pedestrian circulation on existing and new roadway facilities.
- 3.2.2 Enhance opportunities for bicycle and pedestrian activity in new public and private development projects.
- 3.2.3 Create a bicycle and pedestrian system that provides connections throughout Oakley and with neighboring areas, and serves both recreational and commuter users.
- 3.2.4 Design new roadway facilities to accommodate bicycle and pedestrian traffic. Include Class I, II, or III bicycle facilities as appropriate. Through the Design Review process, provide sidewalks on all roads, except in cases where very low pedestrian volumes

and/or safety considerations preclude sidewalks.

- 3.2.5 Promote the provision of bike lockers and bike racks at park and ride lots within the City.

Programs

- 3.2.A During the site plan review process, encourage new development to incorporate design features that support bicycling and walking, particularly in those areas that could provide access to and between major destinations. This could include: bicycle racks, lockers, showers, and other support facilities; continuous sidewalks; an internal pedestrian circulation plan; walkways for pedestrians and bicyclist between cul-de-sacs; and at least one major entrance adjacent to a sidewalk, wherever possible.
- 3.2.B Develop a comprehensive Bicycle and Pedestrian Master Plan, including design standards for bicycle and pedestrian facilities, evaluation of current bicycle promotion programs, analysis of bicycle and pedestrian accidents, and a capital improvement program to ensure adequate maintenance of bicycle and pedestrian facilities. Develop a strategic approach to pursuing state and federal funding for bicycle and pedestrian improvement projects, working closely with neighboring jurisdictions.
- 3.2.C Coordinate with the Antioch Unified School District, Liberty Union High School District, and Oakley Union Elementary School District to create well-designed Routes to Schools, maps for bicyclists and pedestrians, and to provide adequate facilities to park bicycles.
- 3.2.D Actively participate in the adoption and implementation of the Contra Costa Countywide Bicycle Plan.

PUBLIC TRANSPORTATION

Goal 3.3 Provide adequate, convenient, and affordable public transportation.

Policies

- 3.3.1 Design new roadways and facilities to accommodate public transit.
- 3.3.2 Ensure that new public and private development supports public transit.
- 3.3.3 Encourage transit providers to improve transit routes, frequency, and level of service to adequately serve the mobility needs of Oakley residents, including those dependent on public transit.

Programs

- 3.3.A When reviewing development proposals, coordinate with Tri-Delta Transit on appropriate standards for bus bays, bus turnouts, bus shelters, and other public transit amenities in new roadway design.
- 3.3.B Coordinate with the Antioch Unified School District, Liberty Union High School District, and Oakley Union Elementary School District to promote access and roadway designs that support school bus requirements.
- 3.3.C During the development review process, require provisions in site plans for public transit vehicle stops and turning maneuvers, where appropriate.
- 3.3.D Pursue opportunities to provide additional funding for public transit service within Oakley, and between Oakley and surrounding communities.
- 3.3.E Participate in the development of the Tri-Delta Transit Short Range Transit Plan to ensure that adequate fixed route transit service is provided within Oakley, and between Oakley and surrounding communities, and that the public transit system provides convenient transfers between transit services and other modes of travel.
- 3.3.F Explore potential locations for Park-and-Ride facilities within Oakley.
- 3.3.G Coordinate with the Bay Area Rapid Transit District (BART) and the Contra Costa Transportation Authority regarding potential opportunities for BART or light rail service to Oakley.

NEIGHBORHOOD TRAFFIC MANAGEMENT

- Goal 3.4** Minimize the intrusion of through traffic on residential streets.

Policies

- 3.4.1 Direct non-local traffic onto collector streets and arterials.
- 3.4.2 Maintain traffic speeds and volumes on neighborhood streets consistent with residential land uses.
- 3.4.3 Provide adequate capacity on collector and arterial streets to accommodate travel within the City.

Programs

- 3.4.A During the development review process, design neighborhood street systems to discourage motor vehicle “cut-through” traffic on residential streets.
- 3.4.B Design residential streets to balance vehicular movement and safety with slower speeds. Such measures should also be designed to avoid creating hazards for bicyclists.
- 3.4.C Identify and eliminate potential future “short-cut” routes. Ensure that there is sufficient vehicular capacity on collector streets and arterials to facilitate travel between neighborhoods and other areas. During the development review process, coordinate access from neighborhoods to collectors and arterials to minimize motor vehicle “cut-through” traffic.
- 3.4.D Develop traffic management guidelines for the City as a tool for consistent responses to neighborhood concerns about traffic speed and volume issues.

TRAFFIC SAFETY

- Goal 3.5** Monitor, improve, and enhance traffic safety and reduce the potential for traffic accidents.

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Policies

- 3.5.1 Provide consistent, comprehensive traffic safety law enforcement throughout Oakley.
- 3.5.2 Design a roadway system that maximizes safety for all users.
- 3.5.3 Maintain roadway facilities to maximize safety.

Programs

- 3.5.A Allocate adequate resources for traffic enforcement activities.
- 3.5.B As part of the Capital Improvement Program, identify and prioritize projects that enhance and improve vehicular, bicycle, and pedestrian safety.
- 3.5.C Ensure that new roadways are designed to minimize conflicts due to driveway access and parking.
- 3.5.D Ensure that adequate funding is available to maintain roadway marking, signs, and striping in optimal condition.
- 3.5.E Enhance safety at railroad grade crossings, including coordination with Contra Costa Water District, Diablo Water District, East Bay Regional Park District and Ironhouse Sanitary District in the construction at no cost to the City of a new controlled, at-grade crossing on the BNSF tracks by the northward extension of Rose Avenue.
- 3.5.F Coordinate with local fire protection and law enforcement agencies on emergency response routes and plans.

REGIONAL COORDINATION

- Goal 3.6** Participate in regional transportation and land use planning to promote and protect the interests and objectives of Oakley residents and workers.

Policies

- 3.6.1 Ensure that Oakley is represented in all East County regional and sub-regional forums.

- 3.6.2 Work with other agencies to address multi-jurisdictional issues affecting Oakley.
- 3.6.3 Ensure that roadway facilities that serve Oakley and neighboring communities are planned for consistency at City boundaries.
- 3.6.4 Ensure that Oakley obtains its fair share of regional improvements (such as the State Route 4 Bypass) that are funded from impact fees collected within Oakley.
- 3.6.5 Encourage implementation of Contra Costa County's East Contra Costa Bikeway Plan.

Programs

- 3.6.A Attend and participate in regularly scheduled TRANSPLAN meetings.
- 3.6.B Provide written comments on environmental documents, plans, and programs prepared by neighboring agencies.
- 3.6.C Secure representation on the Contra Costa Transportation Authority Board when appropriate.
- 3.6.D Actively participate in all activities related to the East Contra Costa Regional Fee and Financing Authority and the East County Transportation Improvement Authority.
- 3.6.E Coordinate with CCTA, Caltrans, and other transportation agencies to ensure that Oakley's transportation planning objectives are included during the roadway planning and design process.
- 3.6.F To maintain compliance with the Contra Costa Transportation Authority Growth Management Program, implement all actions assigned to Oakley in the *East County Action Plan*.
- 3.6.G Participate in sub-regional efforts towards transportation demand management, consistent with the *East County Action Plan*.
- 3.6.H Work with TRANSPLAN to maintain compliance with the requirements of Measure J, specifically participating in the ongoing regional transportation process with other jurisdictions and

agencies, the Regional Transportation Planning Committees, and CCTA.

LAND USE COORDINATION

Goal 3.7 Coordinate land use and transportation planning to maximize use of limited transportation resources.

Policies

- 3.7.1 To the extent feasible, protect existing and future land uses from the noise, visual, and other impacts of major roadway construction projects.
- 3.7.2 Ensure that the density and mixture of future land uses (both public and private) encourage transit usage, walking and bicycling.
- 3.7.3 Provide sufficient parking, while considering the effect of parking supply on the use of alternate modes.
- 3.7.4 Mitigate development impacts and ensure that new development pays its own way.
- 3.7.5 New development should not result in inconsistent street frontage improvements along streets adjacent to and serving the project.
- 3.7.6 Mitigate potential circulation conflicts between new roadways and existing rural roadways adjacent to new development.
- 3.7.7 Encourage site planning that promotes all modes of transportation, and that minimizes vehicular trips between different land uses.
- 3.7.8 Pursue a mix of both new housing and additional jobs in Oakley, as part of the overall strategy to balance jobs and housing in East County.
- 3.7.9 Support the Metropolitan Transportation Commission's Safe Routes to Schools program.
- 3.7.10 Support and pursue Safe Routes to Schools projects to enhance pedestrian safety within Oakley.

Programs

- 3.7.A Work with public and private agencies to minimize the effect of major roadway construction projects, such as the State Route 4 Bypass, on nearby land uses.
- 3.7.B During the development review process, size streets and intersections to accommodate planned land uses consistent with the Level of Service standard, to the extent feasible. Consider the effects of pedestrian-, bicycle-, and transit-oriented land uses when determining appropriate infrastructure size and configuration.
- 3.7.C Maintain compliance with the Contra Costa Transportation Authority Growth Management Program by reviewing Oakley General Plan Amendments for consistency with the *East County Action Plan Final 2000 Update*, or future Action Plan updates as adopted.
- 3.7.D Participate in regional land use and transportation planning efforts by sharing information about future development in Oakley with interested agencies and jurisdictions to create a balanced, safe, and efficient transportation system and to manage the impacts of growth.
- 3.7.E Develop parking requirements that are consistent with the goals for increased use of alternative transportation modes, and that acknowledge opportunities for shared parking. During the development review process, ensure that development plans are consistent with the parking requirements in the Oakley zoning code.
- 3.7.F Collect development impact and other fees and require any necessary roadway improvements and property dedications to ensure that each development project contributes its fair share toward necessary transportation improvement projects.
- 3.7.G Develop streetscape design standards that recognize the role of streets not only as vehicle routes but also as part of an extensive system of public spaces where people live, neighbors meet, and businesses operate.

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- 3.7.H Review site plans and area plans to encourage mixed uses, thereby decreasing the number of vehicle trips required between uses. Promote land use patterns that maximize trip-linking opportunities. Locate mixed uses within walking or bicycling distance, and ensure that there are not physical barriers to walking and bicycling.

CIRCULATION PLAN

Build-out of the Oakley General Plan will result in an estimated population of 67,043 and employment of approximately 34,500, which represents a substantial amount of growth when compared to existing conditions. Other communities in eastern Contra Costa County are also expecting to experience substantial growth in the future. This growth in population and employment will cause significant increases in travel in and around the City, and additional transportation facilities will be needed to accommodate the increased demand. The following sections describe how the components of the City's circulation system are expected to change over time, to support the development that is envisioned in this General Plan.

ROADWAYS

The future circulation system in Oakley is designed to accommodate forecasts of traffic demand based on the land use projections contained in the Land Use Element, while continuing to achieve the Level of Service standard presented in this Element. Figure 3-1 Circulation Diagram, presents the proposed circulation system for Oakley, showing the street classification and size needed to accommodate the growth in travel demand. Figure 3-1 also presents the estimated daily traffic volumes on the major roads in the City, at build-out of the General Plan. Table 3-1 shows estimated future traffic volumes and levels of service on major City streets; the concept of level of service is described in greater detail in the Setting section of this chapter. Key features of the Oakley roadway system include:

- ❑ Completion of the SR 4 Bypass as a 4-lane highway immediately adjacent to Oakley, with interchanges at Laurel Road and Lone Tree Way;
- ❑ Expansion and extension of Laurel Road, which provides access to the SR 4 Bypass and to Antioch;
- ❑ Expansion of Main Street (existing SR 4) to major arterial standards (4 to 6 lanes with median) from SR 160 to the southern City limit;
- ❑ Construction of the Downtown Northerly Alignment Bypass, a realignment of existing Main Street to a northerly alignment, from Second Street to just west of Vintage Parkway, in order to improve regional traffic flow around downtown Oakley while still maintaining adequate access to the pedestrian-oriented retail areas of downtown;
- ❑ Support construction by the City of Brentwood of a connection between Delta Road and Lone Tree Way, east of Main Street, to allow for direct travel between the Delta Road corridor and the SR 4 Bypass; and,
- ❑ Construction of a connection between Cypress Road and Laurel Road, east of Main Street, to allow for direct travel between the Cypress Road corridor and the SR 4 Bypass. A potential alignment of this connector would follow Sellers Avenue between Cypress Road and Laurel Road.

It must be noted that the alignment of future roadways as presented on the Circulation Diagram is schematic; precise alignments will be subject to further study prior to development. Further details about the methodologies used to determine circulation needs and the results of the analysis can be found in the Long Range Circulation Plan, Fehr & Peers Associates, October 2002.

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**Table 3-1
Future Roadway Levels of Service with Recommended Road Type**

Roadway	Daily Volume	Level of Service ¹	Recommended Road Type
Main Street W. of Bridgehead Rd.	65,900	D	Major Arterial
Main Street E. of Bridgehead Rd.	51,700	D	Major Arterial
Main Street W. of Empire Ave.	50,500	D	Major Arterial
Main Street E. of Empire Ave.	48,100	D	Major Arterial
Main Street W. of Vintage Pkwy. (Downtown bypass)	34,600	D	Major Arterial
Main Street W. of Rose Ave.	35,400	D	Major Arterial
Main Street S. of Cypress Rd.	20,400	C+	Major Arterial
Main Street S. of Laurel Rd.	18,000	C+	Major Arterial
Bridgehead Rd. N. of Main St.	15,600	C+	Major Arterial
Neroly Rd. S. of Main St.	19,900	C+	Major Arterial
Neroly Rd. W. of Laurel Rd.	15,300	D	Minor Arterial
Live Oak Rd. S. of Oakley Rd.	5,400	C+	Collector
Empire Ave. S. of Main St.	27,200	C+	Major Arterial
Empire Ave. S. of Laurel Rd.	18,200	C+	Major Arterial
Vintage Pkwy. N. of Main St.	6,000	C+	Collector
O'Hara Ave. S. of Main Street	6,300	C+	Collector
O'Hara Ave. S. of Laurel Rd.	14,500	C+	Major Arterial
Sellers Ave. N. of E. Cypress Rd.	10,800	D	Collector
Sellers Road S. of E. Cypress Rd.	24,800	C+	Minor Arterial
Sellers Ave. S. of Laurel Rd.	15,000	D	Minor Arterial
Jersey Is. Rd. N. of E. Cypress Rd.	11,700	D	Collector
Bethel Is. Rd. N. of E. Cypress Rd.	34,800	D	Major Arterial
Wilbur Ave. E. of Bridgehead Rd.	16,700	C+	Major Arterial
Oakley Rd. W. of Empire Ave.	14,700	C+	Major Arterial
Cypress Rd. W. of O'Hara Ave.	4,300	C+	Collector
E. Cypress Rd. E. of Main St.	30,400	C+	Major Arterial
E. Cypress Rd. E. of Sellers Ave.	40,000	C+	Major Arterial
E. Cypress Rd. E. of Jersey Is. Rd.	28,700	C+	Major Arterial
Laurel Rd. W. of Empire Ave.	45,300	C+	Major Arterial
Laurel Rd. E. of Empire Ave.	33,900	C+	Major Arterial
Laurel Rd. E. of O'Hara Ave.	24,500	C+	Major Arterial
Laurel Rd. E. of Main Street	21,000	C+	Minor Arterial
Carpenter Rd. E. of O'Hara Ave.	3,000	C+	Collector
Neroly Rd. E. of Empire Ave.	15,400	C+	Minor Arterial
Neroly Rd. W. of Main St.	14,100	C+	Minor Arterial
Delta Rd. E. of Brentwood Blvd.	6,300	C+	Minor Arterial
Delta Rd. E. of Lone Tree Connector	20,500	C+	Minor Arterial

Notes:

1. Level of Service D is the City's standard; C+ denotes a Level of Service C or better (i.e., LOS A, B, or C).

Source: *Long Range Roadway Plan*, Fehr & Peers Associates, 2002.

Road Classifications

Local Streets

Local streets are two-lane streets designed for trips within neighborhoods, and to connect to collectors and arterial streets. Local streets provide low-speed access to neighborhood land uses, and usually carry less than 2,000 vehicles per day.

Collector Streets

Collector streets are two-lane streets used to travel between neighborhoods, usually for relatively short trips within neighborhoods or between local streets and the arterial street system. Collector streets have relatively low speed limits, and sometimes may have restricted access to neighboring land uses.

Arterial Streets

Arterial streets accommodate relatively high traffic volumes and provide the major circulation between activity centers, freeways, and other arterials. Access to local land uses is restricted along arterial streets, to preserve their capacity to serve higher volumes and longer-distance travel. Minor arterials can have two or four lanes, and typically do not have a median or other divider. Major arterials are typically divided streets with four or more lanes.

A single road section within Oakley, existing Highway 4/Main Street from Highway 160 to Empire Avenue, will require an upgrade to six lane arterial to serve the City at build-out. Typically, once traffic exceeds 35,000 average daily vehicle trips an upgrade from four to six lanes is required.

Illustrative Road Sections

Typical road sections are shown on Figures 3-4 through 3-9 to present guidelines for appropriate design of the three major categories of streets described above. In all cases, the ultimate design of each individual street should be sensitive to the surrounding land uses and the needs of the neighborhoods through which it passes.

The road sections illustrated in Figures 3-4 through 3-9 represent varied design strategies that the City may determine appropriate based upon the circulation requirements within the vicinity of roads that are to be either expanded or newly constructed.

Truck Routes

Two major truck routes serve the Oakley area. At build-out of the General Plan, the SR 4 Bypass will provide the primary route for regional goods movement through the area. Main Street (existing SR 4) will continue to serve as the primary route for goods movement within Oakley, and will be connected to the SR 4 Bypass by Lone Tree Way in Brentwood and by Laurel Road in Oakley. Additional truck routes include East Cypress Road and Bethel Island Road. Secondary truck routes include all the arterials in the City. Figure 3-2 Truck Route Diagram, presents the future truck routes envisioned in this General Plan.

BICYCLE AND PEDESTRIAN CIRCULATION

Bicycles are a promising mode of transportation in eastern Contra Costa County, because of the relatively flat terrain and generally favorable climate. Development of a comprehensive bikeway system within Oakley would provide incentives for the use of bicycles as a regular mode of transportation, which is a goal of this General Plan. Another goal of the General Plan is to support pedestrian activity by providing pedestrian facilities within existing and new development areas, and to eliminate physical barriers that prevent pedestrians from walking between destinations.

To further the objectives of providing a well-designed and convenient bicycle and pedestrian circulation system, a Bicycle and Pedestrian Master Plan will be developed, including design standards for bicycle and pedestrian facilities, evaluation of current bicycle promotion programs, analysis of bicycle and pedestrian accidents, and a capital improvement program to ensure adequate maintenance of bicycle and pedestrian facilities. The City will

also maintain an inventory of bicycle and pedestrian facilities, which will allow identification of gaps in the bicycle/pedestrian system and will contribute to the development of the Bicycle and Pedestrian Master Plan. A map of proposed bicycle lanes and bicycle/pedestrian trails is included as Figure 7-3 in the Parks and Recreation Element.

TRANSIT

Future transit needs in Oakley include internal circulation and commute services. The City should continue to coordinate with Tri-Delta Transit to improve service within Oakley, and between Oakley and other East County destinations (such as the Pittsburg/Bay Point BART station). Improvements to longer-distance commute routes could include service between Oakley and major employment centers outside East County, such as the Tri-Valley area and Santa Clara County. The City should work with regional transit agencies to coordinate this type of service, and should identify locations for additional park-and-ride facilities that could contribute to the success of commute-oriented transit services.

The City should continue to actively participate in studies and planning efforts related to the

extension of commuter rail service to Oakley. The City is currently participating in the State Route 4 East Corridor Transit Study, led by the Contra Costa Transportation Authority and BART. This Study acknowledges that highway improvements alone cannot keep pace with the development expected in East County, and attempts to define short-term and long-term transit strategies for the SR 4 corridor. One of the potential commuter transit station locations identified in this Study is the area around the intersection of Empire Avenue and Neroly Road, which is shared between the jurisdictions of Oakley, Brentwood and Antioch.

The policies in the General Plan support the use and expansion of transit services in Oakley. Some policies call for the City to work with Tri-Delta Transit and major developers to ensure that new roads and development projects include appropriate facilities for transit service, such as bus stops and shelters. Others encourage land use patterns that minimize vehicle trips and support transit usage.

Figure 3-3 Existing and Future Transit Opportunities, presents the existing bus routes in Oakley, as well as the potential commuter transit line and station location under consideration in the East County Transit Study.

Figure 3-1

Circulation Plan

Figure 3-2

Truck Routes

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Figure 3-3

Transit Routes

SETTING

The Setting section of the Circulation Element describes existing conditions of the City’s transportation system, including the legislative and policy environment that affects circulation plans and programs. This information provides the background for the goals, policies, and implementation programs that reflect the community’s vision for the future of Oakley.

ROADWAY SYSTEM

Street System

Automobiles are the primary form of transportation in the City of Oakley. Table 3-2 shows journey to work mode shares for Oakley residents in 1990 and 2000. The proportion of Oakley residents who drive alone has remained quite constant over the past 10 years, at just over 77 percent of work trips. Carpooling remains the second most popular commute mode, although it has declined somewhat relative to walking and other modes (including residents who work out of their homes). Bicycling to work is another transportation mode, but no data is available for this mode of transportation.

Table 3-2
JOURNEY TO WORK MODE SHARES FOR OAKLEY RESIDENTS, 1990 AND 2000

Transportation Mode	1990	2000
Drive Alone	77.5%	77.6%
Carpool	18.6%	14.6%
Public Transit	2.0%	2.3%
Walk	1.0%	1.4%
Other (inc. Work at Home)	0.9%	4.1%

Source: 1990 and 2000 Census Data

The Oakley roadway system can be described as a hierarchy of streets, ranging from freeways to local streets. *Freeways* are limited access, multi-lane facilities that accommodate regional travel. Access is limited to ramps that are grade-separated from the mainline, and direct access to adjacent properties is not permitted. *Arterials* carry traffic from the freeway to the surrounding street system, and carry traffic through the community and between Oakley and neighboring jurisdictions. Arterial streets provided limited access to adjacent land uses, with median islands and consolidation of driveways restricting the number of access points. *Collectors* carry traffic from arterials to local streets, and generally provide extensive access to adjacent development. *Local* streets have the primary purpose of providing direct access to fronting land uses, and are typically characterized by no more than two travel lanes and parking on one or both sides of the street.

Freeways

There are no freeway facilities within Oakley corporate limits. State Route 160, a four-lane freeway, borders the Oakley corporate boundary to the west.

Arterials

- Main Street (State Route 4)
- Neroly Road
- Cypress Road (east of Main Street)
- Empire Avenue
- Laurel Road
- Oakley Road

Collectors

- Cypress Road (west of Main Street)
- Vintage Parkway
- O’Hara Avenue
- Carpenter Road
- Rose Avenue
- Brown Avenue
- Live Oak Avenue

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The remainder of the Oakley street system consists of local streets and two-lane rural roads. The principal arterial in Oakley is Main Street (State Route 4), which connects with Brentwood to the south, and State Route 160 to the west. While most of Main Street is a two-lane undivided arterial, it widens to a four-lane divided arterial from Vintage Parkway to State Route 160. The raised median along this segment is discontinuous, but Main Street provides left turn lanes at most intersections. Empire Avenue is a major north/south divided arterial from Main Street to West Cypress Road. This arterial carries traffic from Brentwood and many of Oakley's subdivisions to Main Street.

While major intersections on Main Street are controlled with traffic signals, most of the intersections on Main Street and throughout the rest of Oakley are controlled with stop signs.

Many of the unsignalized intersections on Main Street are located in Oakley's downtown area. It is difficult to turn left from any unsignalized intersection onto Main Street in the peak hours due to high Main Street volumes.

Table 3-3 compares existing daily roadway volumes with existing daily roadway capacities. Transportation professionals grade roadway and intersection operations using the concept of level of service, a qualitative measurement of facility operation and driver comfort. Level of Service (LOS) grades range from A (free-flowing operation with little or no delay) to F (congested stop-and-go operation with low speeds, substantial delay and long vehicle queues). The level at which performance standards have traditionally been established is LOS D, which is a common standard used in communities throughout Contra Costa County.

Roadway	Road Type ¹	Daily Volume ²	Capacity ³	Level of Service ³
Main Street, East of Bridgehead Road	4D	39,500	35,600	F
Main Street, West of Empire Avenue	4D	39,600	35,600	F
Main Street, East of Empire Avenue	4D	31,700	35,600	D
Main Street, West of Vintage Parkway	4U	30,000	35,600	D
Main Street, West of Rose Avenue	2RU	27,800	16,200	F
Main Street, South of Cypress Road	2RU	17,000	16,200	F
Main Street, South of Laurel Road	2RU	21,100	16,200	F
Brentwood Boulevard, South of Delta Road	2RU	23,100	16,200	F
Neroly Road, South of Main Street	2RU	16,200	16,200	E
Cypress Road, East of Main Street	2RU	12,500	16,200	C
Delta Road, East of Brentwood Boulevard	2RU	5,900	16,200	C
Empire Avenue, South of Main Street	4D	11,000	35,600	C
O'Hara Avenue, South of Main Street	2RU	4,000	16,200	C
Empire Avenue, South of Laurel Road	2RU	8,700	16,200	C
O'Hara Avenue, South of Laurel Road	2RU	4,800	16,200	C
Laurel Road, East of O'Hara Avenue	2RU	5,400	16,200	C
Laurel Road, West of Empire Avenue	2RU	4,600	16,200	C
Cypress Road, West of O'Hara Avenue	2RU	2,900	16,200	C
Live Oak Road, South of Main Street	2C	5,700	12,500	C
Carpenter Road, East of O'Hara Avenue	2C	2,000	12,500	C

Notes:

1. Road types: 6D – six-lane divided arterial, 4D – four-lane divided arterial, 4U – four-lane undivided arterial, 2U – two-lane undivided arterial, 2C – two-lane collector, 2RU – two-lane rural undivided road.
2. Daily volumes based on traffic counts (2002) and East Contra Costa Travel Demand Model (year 2000).
3. Roadway capacity and level of service based on the 2000 Highway Capacity Manual.

Source: Fehr & Peers Associates, Inc., October 2002.

Presently, about 65% of the roads analyzed on Table 3-3 are operating within capacity at LOS D or better. The remaining 35% of the analyzed road segments, all of them located along or adjacent to Main Street, are operating at LOS E or LOS F. While level of service based on average daily traffic volumes is useful for determining the required number of lanes on a road, the primary constraint on road capacity is at intersections. Intersection operations

constitute most of the delay experienced by drivers.

Table 3-4 documents existing intersection levels of service for 30 intersections within Oakley. Four intersections currently operate over capacity at LOS E or F: two along Main Street (at Live Oak Avenue and at Delta Road); Oakley Road at Neroly Road; and West Cypress Road at Empire Avenue. All are currently unsignalized.

Intersection		AM			PM		
		V/C	Delay (sec)	LOS	V/C	Delay (sec)	LOS
1	Main Street / SR160 SB Ramps	0.44		A	0.51		A
2	Main Street / SR160 NB Ramps	0.60		A	0.77		C
3	Main Street / Neroly / Bridgehead	0.55		A	0.90		D
4	Main Street / Live Oak Avenue		(NBL) > 50	F		(NBL) > 50	F
5	Main Street / Big Break Road	0.53		A	0.56		A
6	Main Street / Empire Avenue	0.47		A	0.63		B
7	Main Street / Vintage Pkwy	0.50		A	0.48		A
8	Main Street / O'Hara Avenue		(NB) >50	F		(NB) >50	F
9	Main Street / Second Street		(WBL) 1	A		(WBL) 1	A
10	Main Street / Rose Avenue		(NB) >50	F		(NB) >50	F
11	Cypress Road / Main Street	0.54		A	0.45		A
12	Laurel Road / Main Street	0.35		A	0.33		A
13	Delta Road / Main Street		(WB) > 50	F		(WB) > 50	F
14	Oakley Road / Neroly Road		13	B		36	E
15	Oakley Road / Live Oak Avenue		9	A		11	B
16	Oakley Road / Empire Avenue	0.28		A	0.49		A
17	W Cypress Road / Empire Avenue		(WB) 28	D		(WB) 36	E
18	W Cypress Road / O'Hara Avenue		16	C		16	C
19	W Cypress Road / Rose Avenue		9	A		9	A
20	E Cypress Road / Sellers Avenue	0.25		A	0.42		A
21	E Cypress Road / Jersey Island Road		(SBL) 14	B		(SBL) 15	C
22	Laurel Road / Live Oak Avenue		8	A		7	A
23	Laurel Road / Empire Avenue		17	C		14	B
24	Laurel Road / O'Hara Avenue		23	C		12	B
25	Laurel Road / Rose Avenue		(NB) 12	B		(NB) 13	B
26	Carpenter Road / Empire Avenue		(WB) 14	B		(WB) 12	B
27	Carpenter Road / O'Hara Avenue		(WB) 18	C		(EB) 11	B
28	Brownstone Road / Anderson Lane		(SB) 10	B		(NB) 9	A
29	Neroly Road / Empire Avenue		23	C		15	B
30	Neroly Road / O'Hara Avenue		21	C		10	A

Notes:
Results shown as V/C (volume-to-capacity) ratio for signalized intersections, and average delay for unsignalized intersections. Signalized intersection operations analyzed using the CCTALOS methodology (see *Technical Procedures*, CCTA, September 17, 1997), and unsignalized intersection operations analyzed consistent with the 2000 Highway Capacity Manual methodologies.
Source: Fehr & Peers Associates, Inc., October 2002.

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Level of Service Standards

All Contra Costa jurisdictions, including Oakley, participate in the Measure J-2004 Growth Management Program. Measure J is a 25-year extension of the previous Measure C which required, among other things, that each jurisdiction adopt level of service standards for *Basic Routes* and implement actions and adhere to Traffic Service Objectives for *Routes of Regional Significance* (described later under “Related Plans and Programs”). The only Route of Regional Significance in Oakley, which is evaluated according to different criteria than Basic Routes, is Main Street (State Route 4). Although Measure J does not require a LOS standard, the adopted LOS standards as described below remain adopted.

All other facilities are considered to be Basic Routes. Oakley has adopted LOS D, or a volume-to-capacity (V/C) ratio of 0.90, as the threshold of acceptability for signalized intersections. Any signalized intersection operating worse than LOS D would be considered inconsistent with this standard. Based on current traffic counts, Oakley does not have any signalized intersection on a Basic Route operating below LOS D.

BICYCLE AND PEDESTRIAN SYSTEM

There are presently only limited bicycle facilities within Oakley. Bicycle lanes are provided on Cypress Road between Rose Avenue and Marsh Creek. Other streets with Class II bicycle lanes include Vintage Parkway from Main Street to Big Break Road and portions of Delta Road. The Contra Costa Countywide Transportation Plan designates Oakley Road/Empire Avenue/Cypress Road as a Regional Bicycle Route, providing a connection to the Marsh Creek Regional Trail. The Marsh Creek Regional Trail and the Delta de Anza Regional Trail (between Neroly Road and Cypress Road) are multi-use, paved trails for hikers, horses, and bicycles.

Sidewalks are provided in most of the newer Oakley subdivisions and on some City streets that have been improved relatively recently. Older, more rural facilities do not always have

continuous sidewalks or pathways. Gaps in the sidewalk system currently exist on the following facilities:

- Main Street
- Neroly Road/Bridgehead
- Live Oak Avenue
- Empire Avenue (south of Laurel)
- O’Hara Avenue (south of Laurel)
- Oakley Road
- Laurel Road
- Brownstone Road

PUBLIC TRANSPORTATION

Two primary types of public transit serve Oakley: school transportation services and Tri-Delta Transit. Approximately 13 percent of the 2,200 students at Freedom High School arrive by school bus. Roughly 19 percent of Oakley elementary and middle school students (total of 4,400 students) arrive by school bus on five routes. Six special education buses are also provided.

Tri-Delta Transit, which provides public transit to Oakley, was formed in 1976 as a Joint Powers Agency (JPA) consisting of the cities of Antioch, Brentwood, Pittsburg and the county of Contra Costa. Oakley incorporated as a city and joined in 1999. Fixed route services within the City are shown in Figure 3-3 and include:

- The 300 line, with peak hour service at 30-minute intervals between Brentwood and the Pittsburg/Bay Point BART Station. This route carries approximately 230 passengers per day.
- The 383 line, with daily service at hourly intervals between Oakley and the Hillcrest Park & Ride. This service provides the most extensive public transit routing on City of Oakley streets, and serves about 200 passengers per day.
- The 391 line, with daily service at hourly intervals between Brentwood and the Pittsburg/Bay Point BART Station. This route serves 1,390 passengers per day.
- The 392 line, with weekend service at hourly intervals between Brentwood and the Pittsburg/Bay Point BART Station. This route serves 1,360 passengers per day.

- ❑ Express bus service to the Lawrence Livermore Lab
- ❑ Express bus service to the City of Martinez

Paratransit (“Dial-A-Ride”) service is also provided by Tri-Delta Transit. The Dial-A-Ride service utilizes a computerized dispatch system to match van routing with passenger trip requests.

RAIL, AVIATION, AND TRUCKS

Rail

The Burlington Northern/Santa Fe Railroad maintains an active freight line through Oakley, part of a route that connects Contra Costa County with Stockton and other destinations to the south and east. Freight service is handled by approximately 28 daily trains; an additional 8 to 10 trains are operated by Amtrak in passenger service, with the closest station located in Antioch. There are no grade-separated rail crossings in Oakley. Commuter rail service is not provided within Oakley.

Aviation

The nearest commercial aviation facilities are Oakland International Airport and Sacramento Metropolitan Airport. Byron Airport, a general aviation airport, is located to the south of Oakley and operates as a charter and private aviation facility.

Trucks

Although truck traffic has historically resulted in significant impacts to Main Street, truck traffic represents a relatively small percentage of traffic on most Oakley streets. Main Street, East Cypress Road and Bethel Island Road are the only designated truck route within the community. Current and future truck routes are shown in Figure 3-2.

TRANSPORTATION DEMAND MANAGEMENT

Transportation Demand Management programs, commonly referred to by the acronym TDM, are intended to reduce the number of solo occupant

vehicles through strategies such as carpools, vanpools, employer shuttles, staggered work hours, and telecommuting. Oakley TDM programs include the existing TRANSPLAN/TRANSPAC TDM Program, the School Pool Program, and the Countywide Carpool and Countywide Transit Incentive Programs.

In addition to efforts within East County, TDM programs throughout Contra Costa County are now coordinated under the auspices of the Contra Costa Commute Alternative Network. This program offers the Countywide Vanpool Program, the Countywide Guaranteed Ride Home Program, Employer-Based Trip Reduction Efforts, the Contra Costa Clean Fuel Vehicle Project, bicycle transportation for commuting, and the Transportation Information Kiosk Project.

Related Plans and Programs

A number of plans and programs exist which directly relate to the goals of the Circulation Element. Enacted through state and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

Congestion Management Program

The Contra Costa Transportation Authority (CCTA) serves as the Congestion Management Agency (CMA) for Contra Costa County. CCTA adopted the county’s first Congestion Management Program (CMP) in October 1991. The most recent CMP, referred to as the 2001 CMP Update, represents the fifth biennial update that the Authority has prepared. The 2001 CMP contains several components, including:

- ❑ Traffic level-of-service standards that apply to a system that includes at least all State highways and principal arterials;
- ❑ A performance element that includes performance measures to evaluate current and future multi-modal system performance for the movement of people and goods;
- ❑ A seven-year capital improvement program that maintains or improves the performance of the multi-modal system for the

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movement of people and goods or mitigates regional transportation impacts identified in the land use evaluation program;

- A program to analyze the impacts of land use decisions made by local jurisdictions on regional transportation systems, including an estimate of the costs associated with mitigating those impacts; and
- A travel demand element that promotes transportation alternatives, including public transit, carpooling, van pooling, and bicycles, to the single-occupant vehicle

These components, and the policies contained therein, apply only to State Route 4 (Main Street) in Oakley. CCTA, through cooperation with Contra Costa cities including Oakley, is responsible for collecting the travel data and conducting the technical analyses necessary to prepare the CMP. Signalized intersections along State Route 4 through Oakley have been in compliance with the CMP performance element (based on a standard of LOS E) since the original CMP legislation was adopted.

Measure J-2004 Growth Management Program

The overall goal of the CCTA Growth Management Program (GMP) called for in Measure J-2004 is to "Assure that new residential, business, and commercial growth pays for the facilities required to meet the demands resulting from that growth; Require cooperative transportation and land use planning among Contra Costa County, cities, towns, and transportation agencies; Support land use patterns within Contra Costa that make more efficient use of the transportation system, consistent with the General Plans of local jurisdictions; Support infill and redevelopment in existing urban and brownfield areas." Using a formula based on road miles and population, CCTA allocates 18 percent of the sales tax revenues it receives to local jurisdictions that comply with GMP requirements. Oakley participates in the Measure C program as a member of the TRANSPAN subregional transportation planning committee, which consists of Antioch, Brentwood, Oakley, Pittsburg, and Contra Costa County. To receive these funds, each jurisdiction must:

- Adopt a growth management element, as part of its General Plan;
- Adopt a development mitigation program that ensures that new development pays its fair share of the costs of additional facilities needed to support it;
- Adopt an Urban Limit Line (ULL);
- Participate in cooperative planning with other jurisdictions in Contra Costa;
- Develop a five-year capital improvement program to meet or maintain traffic service and performance standards;
- Adopt a transportation demand management resolution or ordinance; and
- Address housing options within the jurisdiction.

As described earlier, each Contra Costa jurisdiction must adopt level of service standards for *Basic Routes* and implement actions and meet Transportation Service Objectives for *Routes of Regional Significance*. Oakley has adopted LOS D, or a volume-to-capacity (V/C) ratio of 0.89, as the threshold of acceptability for signalized intersections. Approval of a development proposal that would result in a violation of either set of LOS standards could result in a finding of non-compliance by CCTA, which would potentially jeopardize Oakley's annual allocation of return-to-source funding. The only Route of Regional Significance in Oakley, which is evaluated according to different criteria than Basic Routes, is Main Street (State Route 4).

One of the conditions for Oakley's compliance with the Growth Management Program is continuing implementation of actions included in the *East County Action Plan Final 2000 Update*. These actions include the following:

- Implementing regional transportation improvements, including the State Route 4 Northerly Bypass and the widening of non-freeway State Route 4 through Oakley;
- Participating in a growth management and monitoring program;
- Participating in an East County regional economic development program and an East County subregional impact fee program;
- Installing traffic signals on State Route 4 at O'Hara Avenue and Norcross;

- ❑ Exploring commuter rail transit options;
- ❑ Pursuing additional Park and Ride lots along the State Route 4 corridor;
- ❑ Continuing to participate in Transportation Demand Management programs;
- ❑ Lobbying for increased transportation funding at the state and regional levels;
- ❑ Encouraging walking and bicycling;
- ❑ Expanding bus service;
- ❑ Pursuing a jobs/housing balance in East County; and
- ❑ Encouraging adequate maintenance of the transportation system.

The *East County Action Plan Final 2000 Update* specifies Transportation Service Objectives (TSOs) and actions for State Route 4 from State Route 160 to the San Joaquin County Line. The TSO for this segment of State Route 4 is LOS D or better at signalized intersections and LOS E or better at unsignalized intersections. Two unsignalized Oakley intersections do not currently meet this TSO: Main Street at Live Oak Avenue (LOS F) and Main Street at Delta Road (LOS F).

ROADWAY STANDARDS

The City of Oakley recognizes the significance of roadway design and street frontage improvements in creating an attractive and desirable community. In order to establish guidelines for appropriate street design, this General Plan provides a series of typical street sections. These sections are intended to depict the character and general components of roadways that Oakley considers appropriate for various levels of traffic and are not considered rigid standards.

A following series of typical roadway sections (Figures 3-4 through 3-9) address three classifications of roadways: local streets, collector streets, and arterial streets. Each set of plans describes the recommended lane configuration, bicycle lanes, on-street parking, sidewalks, placement and general type of street trees and landscaping for medians and street frontages.

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Figure 3-4 Typical Road Plan – Local Street

Figure 3-5 Typical Road Section –Local Street

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Figure 3-6 Typical Road Plan – Collector Street

Figure 3-7 Typical Road Section –Collector Street

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Figure 3-8 Typical Road Plan – Arterial Street

Figure 3-9 Typical Road Section – Arterial Boulevard