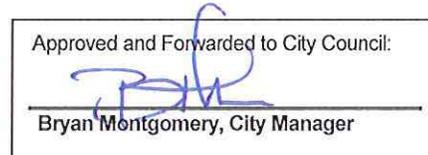




STAFF REPORT

Date: June 28, 2016
To: Bryan Montgomery, City Manager
From: Joshua McMurray, Planning Manager



SUBJECT: Proposed amendment to Chapter 1 of Title 9 of the Oakley Municipal Code (“Zoning Ordinance”) as well as applying the Affordable Housing Overlay Zone (AHO) to 9 specific properties in order to comply with the City Approved and State Certified 2015-2023 Housing Element (RZ 08-16).

Summary and Background

The City Council adopted the 2015-2023 Housing Element at the January 27, 2015 City Council meeting. During that meeting, and through several work sessions, meetings with the public and the Housing Element Update Citizen Advisory Committee (CAC), the Housing Element was adopted with Policy Action Program 1.1, which specifically requires the City to apply the Affordable Housing Overlay Zone (AHO) to several parcels. The intent of applying the AHO is to allow property owners to build at either the default densities allowed by the underlying zoning or build a qualifying affordable project at the AHO base density of 24 dwelling units per acre (which allows up to a maximum of 32.4 dwelling units per acre after a State mandated density bonus is applied).

During the January 2015 City Council meeting, Staff was directed to find a replacement site for the 1961 Carpenter Road property, identified as Site #7 of the approved 2015-2023 Housing Element. Also, because a development application (Cypress Self-Storage) was received and approved for the site on East Cypress Road, APN 033-012-004, which was identified as Site #1 of the approved 2015-2023 Housing Element, the City Council directed Staff to replace that site as well. Staff was directed to replace those two sites with 4 replacement sites.

The acreage of the replacement sites are very comparable to the originally planned seven sites which can be seen in Attachment #5. The two originally proposed sites, sites #1 and #7, totaled 7.12-acres. The 4 replacement sites identified as sites #1, 2, 3 and 4, which are included in Attachment #6, total 7.61-acres. The difference in acreage between the sites identified in the Housing Element to that of the sites proposed for this project is .49-acres.

In addition to the 9 recommended sites to apply the AHO to, City Staff is also proposing revisions to the Affordable Housing Overlay Zone text. These revisions are a result of the City Council wanting to increase the setbacks for multiple-story buildings when adjacent to single-family residential uses. The changes are described in full detail in this report.

Analysis

In total Staff is recommending the City Council adopt an Ordinance (Attachment #2) that would apply the Affordable Housing Overlay Zone to 9 specific properties in order to comply with the City's Regional Housing Needs Assessment (RHNA) which is part of the approved and certified 2015-2023 Housing Element. The 9 sites are comprised of 5 original sites identified in the 2015-2023 Housing Element and 4 new sites that were chosen by the City Council. The sites are as follows:

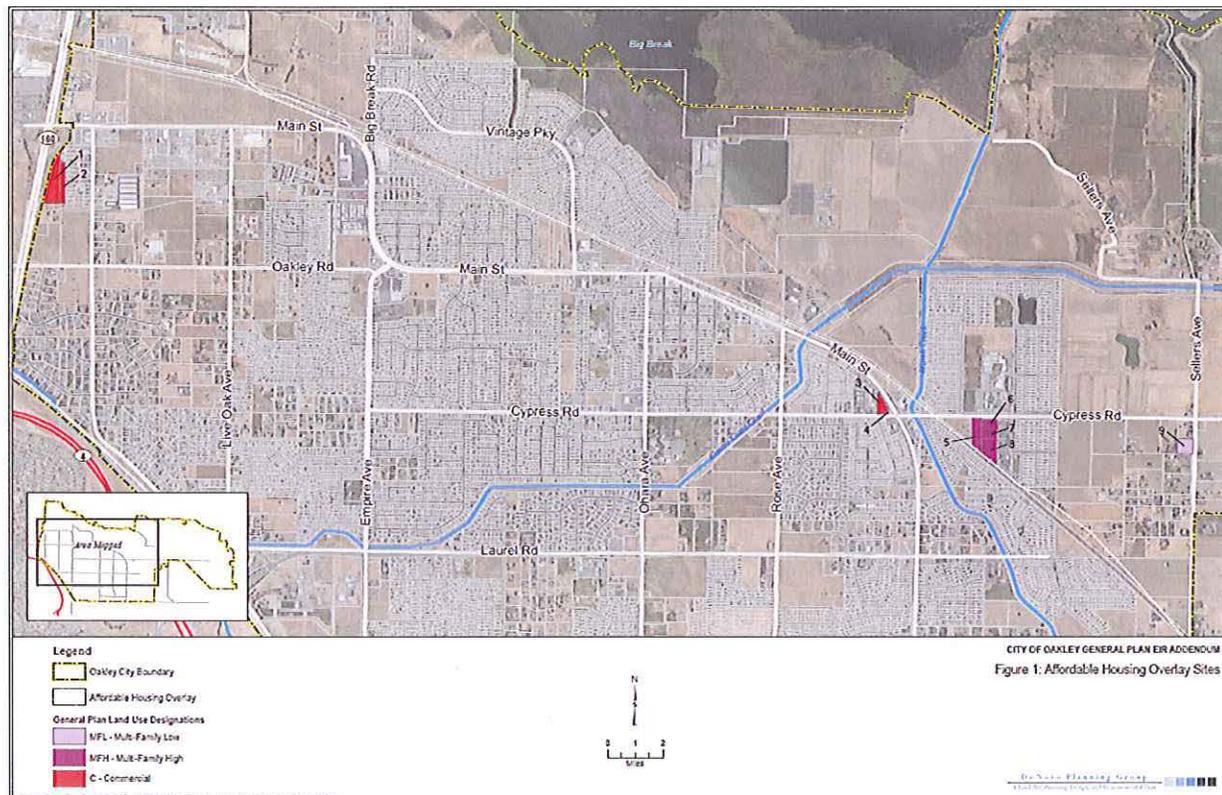
4 New Sites

- Site 1 - Cypress Road (APN 035-282-058)
- Site 2 - Cypress Road (APN 035-282-062)
- Site 3 - Elm Lane (APN 051-210-019)
- Site 4 - 5301 Elm Lane (APN 051-220-005)
-

5 Original Sites

- Site 5 - 211 East Cypress Road (APN 033-012-005)
- Site 6 - 251 East Cypress Road (APN 033-012-008)
- Site 7 - 43 Van Pelt Lane (APN 033-012-009)
- Site 8 - 67 Van Pelt Lane (APN 033-012-007)
- Site 9 - 6381 Sellers Avenue (APN 033-180-007)

The sites are depicted in the map below.



Sites 1 and 2 are located west of Elm Lane and southwest of the Highway 160/Main Street northbound off-ramp adjacent the city's western boundary. Site 1 (APN 051-210-019) is 4.69-acres in size and is vacant. Site 1 is bordered to the north and west by the Highway 160 off-ramp, to the east by Site 2 and two single family residential parcels, and to the south by vacant land and a single family residence. Site 2 (APN 051-220-005) is located at 5301 Elm Lane and is 1.74-acres in size. There are two single family homes on Site 2. Site 2 is bordered to the west by Site 1, to the north by a single family residence, to the east by Elm Lane with single family residences located across Elm Lane, and to the south by vacant land and a single family residence.

Site 3 and 4 are both on the north side of West Cypress Road and are located northwest of the intersection of Main Street and Cypress Road. Site 3 (APN 035-282-058) is 1.15-acres in size. There is one single family home on Site 3. Site 3 is bordered to the west by Big Oak Mobile Home Park, to the south by West Cypress Road with single family residences and commercial uses located across West Cypress Road, to the east by Site 4, and to the north/northeast by Main Street with a single family residence and commercial uses located across Main Street. Site 4 (APN 035-282-062) is 0.03-acres in size and is vacant. Site 4 is bordered to the south by West Cypress Road with single family residences and commercial uses located across West Cypress Road, to the west by Site 3, and to the north and west by Main Street with commercial uses and a single family residence located across Main Street.

Site 5, 6, 7, and 8 are located in a cluster between East Cypress Road and BNSF Railroad. Site 5 (APN 033-012-005) is 2.39-acres in size and is located at 211 East Cypress Road. There is a single family home on Site 5. Site 5 is bordered by a mostly vacant parcel with a single structure to the west, by East Cypress Road to the north with Iron House Elementary School located across East Cypress Road, by Sites 6, 7, and 8 to the east, and by BNSF Railroad to the south with single family residences located beyond the railroad. Site 6 (APN 033-012-008) is 1.12-acres in size and is located at 251 East Cypress Road. There is one single family home on Site 6. Site 6 is located southwest of the intersection of East Cypress Road and Van Pelt Lane and is bordered to the north by East Cypress Road with Iron House Elementary School located across East Cypress Road, to the west by Van Pelt Lane with multifamily housing (Courtyards at Cypress Grove) located across Van Pelt Lane, to the east by Site 5, and to the south by Site 7. Site 7 (APN 033-012-009) is 1.11-acres in size and located at 43 Van Pelt Lane. There is one single family home on Site 7. Site 7 is bordered by Site 6 to the north, Site 5 to the west, Site 8 to the south, and Van Pelt Lane to the east with multifamily housing (Courtyards at Cypress Grove) located across Van Pelt Lane. Site 8 (APN) is 2.40-acres in size and located at 67 Van Pelt Lane. There is a single family home on Site 8. Site 8 is bordered to the north by Site 7, to the west by Site 5, to the south by BNSF Railroad with single family residences located beyond the railroad, and to the west by Van Pelt Lane with multifamily housing (Courtyards at Cypress Grove) located across Van Pelt Lane.

Site 9 (APN 033-180-007) is 1.98-acres in size and located at 6381 Sellers Avenue. There are two single family homes on Site 9. Rural single family residences are located to the north, west, and south of Site 9. Site 9 is bordered by Sellers Avenue to the east with a single family residence and vacant land located across Sellers Avenue.

The underlying zoning of the nine sites would allow for approximately 137 units and 82,874 square feet of commercial uses. The application of the Affordable Housing Overlay, based on the base density allowed under the Affordable Housing Overlay, would accommodate up to 401 units and would reduce commercial potential by up to 82,874 square feet. Any increase of units over the base allowed density would have to be pursuant to a Density Bonus request that would be required to be consistent with State law and with the City's municipal code. That increase in units would not be a discretionary action and is not subject to further CEQA review. Under a scenario where a Density Bonus was requested on all AHO sites based on their underlying zoning versus the proposed project, the underlying zoning would accommodate 187 multifamily residential units and 82,874 square feet of commercial uses. The proposed project would accommodate 542 units and no commercial uses.

It is noted that development under the current land use designations and the currently adopted zoning designations would continue to be allowed under the proposed project. This means that each site could develop under either the underlying zoning or the proposed project maximum capacities. For the commercial sites, either all commercial uses, a mix of commercial uses and multifamily uses, or multifamily uses would be allowed under the Affordable Housing Overlay.

Affordable Housing Overlay (AHO) Zone Update

The City Council also directed Staff to relook at the development standards of the Affordable Housing Overlay (AHO) Zone. Specifically there was a desire to provide an increase in the setbacks for multi-story buildings when adjacent to single-family developments. Staff along with the De Novo Planning Group (the City hired Consultant who prepared the 2015-2023 Housing Element) have reviewed the existing development standards and have come up with proposed revisions which are fully detailed in strikeout/underline format in Attachment #1. The revisions would specifically address the following:

- Applicability - Allow the Affordable Housing Overlay to be applied to areas zoned Multiple-Family Residential (M-9, M-12, M-17).
- Development Standards - Provide increased minimum setbacks:
 - Front Setback - 15 feet for two stories, 20 feet for three or more stories,
 - Rear Setback - 15 feet for two stories, 20 feet for three or more stories,
 - Side Setback - 8 feet for two stories, 20 feet for three or more stories, and
 - Rear and Side Setback - Allow accessory structures: 10 feet for any structure up to 15 feet in height.

- Design Criteria - Addresses the perceived mass and scale of multifamily developments in the Affordable Housing Overlay and provides for staggered building heights where multi-family projects are adjacent to single-family residential uses:
 - Multi-family buildings adjacent to detached single family residential development are limited to: two stories within 50 feet of the common boundary and three stories from 50 to 75 feet of the common boundary;
 - Multi-family and mixed use projects shall be designed to reduce the perceived mass, scale, and form of the overall development through use of recessed facades and articulations in the building mass; varying roof heights, forms, masses, shapes, and or materials to create variations between individual buildings; staggered and jogged placement of individual units; and a variety of building orientations; and
 - The perceived architectural scale of multi-family buildings of three or more stories shall be reduced through use of window patterns, roof overhangs, awnings, moldings, fixtures, the use of darker or subdued colors contrasting with lighter colors, upper story setbacks, building and roof articulation, and other details that vary the exterior of the building and result in a staggered or scaled appearance.

Environmental Review

Pursuant to Section 15164 of the CEQA Guidelines, an addendum to the Certified Oakley 2020 General Plan Environmental Impact Report (EIR) was prepared by De Novo Planning. The Addendum concludes that the proposed changes do not cause a new significant impact or substantially increase the severity of a previously identified significant impact, and there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]). There have been no significant changes in the environmental conditions not contemplated and analyzed in the EIR that would result in new or substantially more severe environmental impacts. The proposed project (RZ 08-16) is within the scope of the previously Certified Oakley 2020 General Plan Environmental Impact Report (SCH #2002042134). The addendum has been attached to this report for reference.

Findings

Proposed findings to support the project are included in the attached ordinances.

Recommendation

Staff recommends the City Council waive the first reading and introduce the attached ordinances as follows:

1) Amending Section 9.1.410 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code dealing with the Affordable Housing Overlay (AHO) Zone; and

2) Applying the Affordable Housing Overlay Zone (AHO) to nine specific properties as follows: Elm Lane (APN 051-210-019), 5301 Elm Lane (APN 051-220-005), Cypress Road (APN 035-282-058), Cypress Road (APN 035-282-062), 211 East Cypress Road (APN 033-012-005), 251 East Cypress Road (APN 033-012-008), 43 Van Pelt Lane (APN 033-012-009), 67 Van Pelt Lane (APN 033-012-007) and 6381 Sellers Avenue (APN 033-180-007).

Staff also recommends the City Council adopt the addendum to the Certified Oakley 2020 General Plan Environmental Impact Report.

Attachments

1. Proposed Ordinance – Affordable Housing Overlay (AHO) Zone
2. Proposed Ordinance - Applying the Affordable Housing Overlay (AHO) Zone to 9 specific properties
3. Public Hearing Notice
4. Final Addendum to the Oakley 2020 General Plan dated June 2016
5. List and Map of the 7 original parcels in the 2015-2023 Housing Element
6. List and Map of the Final 9 parcels where the AHO will be applied

ORDINANCE NO. XX-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND AMENDING SECTION 9.1.410 OF ARTICLE 4 OF CHAPTER 1 OF TITLE 9 OF THE OAKLEY MUNICIPAL CODE DEALING WITH THE AFFORDABLE HOUSING OVERLAY ZONE

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

SECTION 1. Findings.

The City Council hereby finds and determines as follows:

- A. The Oakley General Plan 2015-2023 Housing Element identifies Policy Action Program 1.10 as an action that should be implemented in conjunction with Policy Acton 1.1; and
- B. The proposed amendments to Section 9.1.410 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code will complete Policy Action 1.10 of the 2015-2023 Housing Element of the Oakley 2020 General Plan. Specifically, the amendments to the Zoning Ordinance will increase the setbacks for multi-story buildings when adjacent to single-family developments; and
- C. The proposed amendments to Section 9.1.410 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code are consistent with the goals and policies in the General Plan in that the outlined regulations will further bring the Zoning Ordinance into compliance with the outlined Policy Actions necessary through the 2015-2023 Housing element planning period.
- D. Pursuant to Section 15164 of the CEQA Guidelines, an addendum to the Certified Oakley 2020 General Plan Environmental Impact Report was prepared by De Novo Planning. The Addendum concludes that the proposed changes do not cause a new significant impact or substantially increase the severity of a previously identified significant impact, and there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]). There have been no significant changes in the environmental conditions not contemplated and analyzed in the EIR that would result in new or substantially more severe environmental impacts.

SECTION 2. Code Amendments

- A. Section 9.1.410 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code is hereby amended to add the following subsections as follows:

“9.1.410 Affordable Housing Overlay District (AHO).

a. Purpose and Intent. The Affordable Housing Overlay (AHO) District serves to implement the housing element goal of providing new housing and addressing affordable housing needs within the City of Oakley. The AHO applies only to areas zoned Multiple Family Multi-Family High Residential (M-9, M-12, M-17FH) and where an applicant has applied for and the City Council has approved a density bonus in accordance with Section 9.1.412 to meet the City Regional Housing Needs Assessment. It allows housing densities that exceed the maximum units per acre otherwise allowed in a zoning district, if a development meets the state density bonus criteria, as implemented, located in Section 9.1.412. Specifically the base density used to calculate the density bonus is twenty-four (24) dwelling units per acre. The AHO also modifies the MFH Multiple Family Residential development standards to complement higher density housing projects. All developments within the AHO shall be consistent with the City of Oakley Residential Design Guidelines and Multifamily Residential Design Guidelines (pending).

b. Affordability Requirements.

1) Development within the AHO District shall include housing units in the following categories and shall remain at those affordability levels for a minimum of thirty (30) years:

a) Very Low Income Household: Any household with an income level less than equal to fifty percent (50%) of the Contra Costa County median income as determined by the California Department of Housing and Community Development (HCD) and/or the federal Department of Housing and Urban Development (HUD);

b) Low Income Household: Any household with an income level between fifty percent (50%) and eighty percent (80%) of the Contra Costa County median income as determined by HCD or HUD.

2) If a development has both affordable and market rate units, then the affordable units shall be constructed at a rate consistent with the construction of market rate units and shall be mixed throughout the development. Project phasing must be done in a manner that is proportionate to the overall mix of affordability levels.

3) Prior to the approval of the rezoning or the issuance of a building permit, whichever is earlier, the applicant shall execute an agreement with the City of Oakley and any other documents necessary to ensure the continued affordability of the affordable units for the thirty (30) year minimum time frame in a form acceptable to the City Council.

c. Development Standards.

1) Where an applicant or developer elects to apply to utilize the AHO District over the underlying zoning, the development standards listed in Table 1 of this section, where

applicable, shall apply. These development standards shall apply to projects requiring administrative approval and for those requiring a conditional use permit approval. Where conditional use permit approval is required, Section 9.1.1602 shall apply in addition to this section. Where conditional use permit approval is required, the development standards may be modified if deemed appropriate by the City Council. In addition, the proposed development shall comply with the remaining provisions of this chapter, including, but not limited to, the site density requirements set forth in subsection (d) of this section and design criteria set forth in subsection (e) of this section.

2) Table 1 sets forth development standards for multi-family development, which for the purposes of this section is defined as any residential development with three or more units on a single lot, within the Affordable Housing Overlay District.

Table 1: Development Standards for Multi-Family Construction within the Affordable Housing Overlay (AHO) District	
Subject	Standard
Base Density	24 dwelling units per acre
Density Bonus	Per State Law up to 35%, or 32.4 dwelling units per acre
Building Site Coverage (combined maximum)	40%
Front Setback (minimum)	15 feet, for two stories, 20 feet for three or more stories
Rear Setback (minimum) ²	15 feet, for two stories, 20 feet for three or more stories
Side Setback ²	8 feet for two stories, 12 feet for three or more stories
Aggregate Side Setback	15 feet (with five-foot minimum)
Distance Between Buildings (minimum)	20 feet for two stories, 25 feet for three or more stories
Height Limit (maximum)	42 feet
Wall	A minimum six-foot-high solid masonry/block wall shall be required around the perimeter of all housing developments
Parking Requirements (minimum)	One Bedroom: one on-site parking space ¹
	Two – Three Bedrooms: one and one-half on-site parking spaces ¹
	Four or More Bedrooms: two and one-half on-site spaces (Government Code Section 65915(p)) ¹

Table 1: Development Standards for Multi-Family Construction within the Affordable Housing Overlay (AHO) District

Subject	Standard
	1 If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, a subdivision may provide on-site parking through tandem parking or uncovered parking, but not through on-street parking.
	2 10 feet for any structure (not a dwelling unit) up to 15 feet in height.

d. Development Incentives. The City shall provide a density bonus and additional incentive(s) for qualified housing developments upon the written request of a developer, unless the City makes the written findings set forth in Government Code Section [65915\(d\)\(1\)](#).

1) For qualifying projects, the City will allow exceptions in the development standards set forth in subsection (c) of this section for projects within the AHO District to allow more flexibility in design and development by right with no further discretionary review, and to expedite project approval.

2) The City will provide other funding or incentives to qualifying affordable housing projects, to meet the City RHNA allocation, such as providing financial assistance or land write-downs when feasible, providing expedited processing, identifying grant and funding opportunities and providing support to developers in seeking funding.

3) The need for incentives will vary for different housing developments. Therefore, the allocation of additional incentives shall be determined on a case-by-case basis. The additional incentives may include, but are not limited to, any of the following:

a) A reduction of site development standards or a modification of zoning code or architectural design requirements which exceed the minimum applicable building standards;

b) Allow mixed use development (commercial and residential) so long as it does not conflict with the land use designations in the General Plan land uses;

c) Other regulatory incentives or concessions proposed by the developer or the City which result in identifiable cost reductions or avoidance;

d) Waived, reduced, or deferred planning, plan check or construction permit fees;

e) The City may offer an equivalent financial incentive in lieu of granting a density bonus and an additional incentive(s). The value of the equivalent financial incentive shall equal at least the land cost per dwelling unit savings that would result from a

density bonus and must contribute significantly to the economic feasibility of providing the target units pursuant to this Chapter.

e. Design Criteria. The following design guidelines shall be applicable to all parcels within the AHO District. All proposed projects should be consistent with the City of Oakley Residential Design Guidelines and Multifamily Residential Design Guidelines (pending). The design guidelines will be enforced through review and approval by the Community Development Director (CDD), or his/her designee, in case of an administrative-level approval, or by the City Council in the event a conditional use permit is required.

- 1) Buildings shall be designed to frame views of the hills, vineyards and other landscape features;
- 2) Natural landscape features such as creeks, wetlands and heritage trees shall be incorporated into the site design. All development shall be subject to Chapter 31 of Title 4, and Sections 9.1.1108, 9.1.1110 and 9.1.1112;
- 3) Development shall be clustered on each site so as to minimize development footprints, preserve undeveloped land, and avoid areas with natural and visual resources;
- 4) Building materials and colors should promote harmony, as well as interest in the neighborhood. Architectural style should utilize a limited palette of compatible colors, avoiding excessive different materials and colors that detract more than enhance the overall appearance;
- 5) Compatible color schemes should be used on adjacent buildings and structures;
- 6) Roof forms, materials, doors, windows and other architectural features or historic or traditional houses near the project shall be referenced in the design of the new development;
- 7) A detailed landscaping plan, including planting details, shall be submitted for review and approval prior to the issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used, along with the method of maintenance. Plant materials shall be purchased locally when practical. Drought-tolerant plants are encouraged, when feasible. The project shall comply with the City of Oakley Water Efficient Landscape Ordinance and all Stormwater C-3 requirements;
- 8) The design of fences and screening shall be consistent with Sections 9.1.1108, 9.1.1110 and 9.1.1112;
- 9) All exterior lighting, including landscape lighting, shall be shielded and directed downward and shall be located as low to the ground as possible. Low-level lighting shall

be utilized in parking areas at multi-family sites rather than high-intensity light standards;

10) All new housing units shall be designed so as to minimize their visual impacts. Visual impacts shall be minimized through landscaping, grading, berms, appropriately designed fences and other screening devices;

11) The use of shared driveways and alleyways with detached garages may be utilized;

12) Play spaces for children shall be secure and visible;

~~13) Multi-family building forms shall use varying roof heights, setbacks and wall planes to break up perceived bulk from buildings;~~

134) Multi-family projects shall follow the guidelines as described herein and where appropriate the guidelines in the Residential Design Guidelines and Multifamily Residential Design Guidelines (pending);

145) Architectural design concepts shall provide for a transition in scale between multi-family and any neighboring single-family residential development. Where adjacent existing detached single-family development, the outermost portions of the multi-family buildings shall be limited to two stories within 50 feet of the common boundary and to three stories from 50 feet to 75 feet of the common boundary. Beyond the 75-foot distance, structures up to 42 feet high (and portions thereof) are permitted. The setbacks in Table 1 above require a staggered setback for third story and above to reduce the overall bulk and scale of larger projects adjacent to single-family residential developments;

156) Multi-family and mixed use projects shall be designed to reduce the perceived mass, scale, and form of the overall development through use of varying roof heights, setbacks, and wall planes. This shall include the use of:

a) Recessed facades and articulations in the building mass;

b) Varied roof heights, forms, masses, shapes, and/or materials to create variations between individual buildings;

c) Staggered and jogged placement of individual units (e.g., the units should not be aligned along a single plane that results in a large 'wall' on any single side of the building); and;

d) A variety of building orientations;

167) The perceived architectural scale of multi-family buildings of three or more stories shall be reduced through the proper use of window patterns, roof overhangs, awnings,

moldings, fixtures, the use of darker or subdued colors contrasting with lighter colors, upper story setbacks, building and roof articulation, and other details that vary the exterior of the building and result in a staggered or scaled appearance.

176) Trash enclosures (solid waste and recycling), storage, and other accessory elements shall be designed as integral parts of the architecture;

187) Parking lots shall be screened by shade trees, landscaping or buildings. Parking shall be unobtrusive and not disrupt the quality of open spaces and pedestrian environments. Access to the property and circulation systems shall be safe and convenient for pedestrians, cyclists and vehicles;

~~1819)~~ Multi-family developments shall provide both common and private open spaces;

~~1920)~~ Multi-family projects shall provide common spaces that are physically defined and socially integrated into the site plan as a gathering place;

~~2021)~~ New projects will be required to provide, as part of the common space, the installation of a play structure and necessary safety equipment.

f. Approval Process. Administrative-level approval shall be given to projects meeting the appropriate affordability requirements identified in subsection (b) of this section, development standards set forth in subsection (c) of this section, and all other applicable sections of this Chapter. For projects that require a subdivision map or a conditional use permit, the developer shall submit an application and all required fees to the Planning Department.

g. Utilities. Except as otherwise provided, no permits to develop housing in the AHO District shall be issued without evidence of adequate sewer and water service to serve the proposed development, as evidenced by a letter from the sewer and water service providers.

SECTION 3. California Environmental Quality Act (CEQA) Finding.

Pursuant to Section 15164 of the CEQA Guidelines, an addendum to the Certified Oakley 2020 General Plan Environmental Impact Report (EIR) was prepared by De Novo Planning. The Addendum concludes that the proposed changes do not cause a new significant impact or substantially increase the severity of a previously identified significant impact, and there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]). There have been no significant changes in the environmental conditions not contemplated and analyzed in the EIR that would result in new or substantially more severe environmental impacts. The proposed project (RZ 08-16) is within the scope of the previously Certified Oakley 2020 General Plan Environmental Impact Report (SCH #2002042134).

SECTION 4. Severability.

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

SECTION 5. Effective Date and Posting.

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

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

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor Date

ATTEST:

Libby Vreonis, City Clerk Date

ORDINANCE NO. XX-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING
THE CITY INITIATED PROJECT TO APPLY THE AFFORDABLE HOUSING
OVERLAY ZONE TO NINE SPECIFIC PROPERTIES IN ORDER TO COMPLY WITH
THE CERTIFIED 2015-2023 HOUSING ELEMENT

RECITALS

WHEREAS, on 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

WHEREAS, pursuant to State Government Code section 65300, cities and counties are required to prepare and adopt general plans to guide them in the long-range development of their communities. General plans must include seven mandatory, internally consistent elements including land use, circulation, conservation, open space, safety, noise and housing. Only the Housing Element is reviewed and certified by the State Department of Housing and Community Development (HCD); and

WHEREAS, the purpose of the Housing Element is to encourage the provision of an adequate and diverse supply of safe and affordable housing in all communities consistent with Statewide housing goals; and

WHEREAS, the Housing Element consists of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources and scheduled programs for the preservation, improvement, and development of housing, pursuant to California Government Code Section 65580; and

WHEREAS, the 2015-2023 Housing Element is within the scope of the Certified Oakley 2020 General Plan Environmental Impact Report (SCH #2002042134) prepared and certified by the City of Oakley City Council; and

WHEREAS, Pursuant to Section 15164 of the CEQA Guidelines, an addendum to the Certified Oakley 2020 General Plan Environmental Impact Report was prepared by De Novo Planning. The Addendum concludes that the proposed changes do not cause a new significant impact or substantially increase the severity of a previously identified significant impact, and there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]). There have been no significant changes in the environmental conditions not contemplated and analyzed in the EIR that would result in new or substantially more severe environmental impacts; and

WHEREAS, on January 27, 2015, the City Council approved the 2015-2023 Housing Element which contains Policy Action Program 1.1, which specifically requires the City to apply the Affordable Housing Overlay Zone (AHO) to several parcels; and

WHEREAS, this City initiated project will complete Policy Action Program 1.1 by applying the Affordable Housing Overlay Zone to nine (9) specific properties; and

WHEREAS, on June 16, 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 and outside the library at Freedom High School located at 1050 Neroly Road.. The notice was also mailed out to all owners of property within a 300-foot radius of the subject property's boundaries, to outside agencies, to parties requesting such notice and was published with the East Contra Costa Times (a newspaper certified for general circulation); and

WHEREAS, on June 28, 2016 the City Council held a duly noticed public hearing on the Affordable Housing Overlay Project, at which time all interested persons and parties had the opportunity to be heard. The City Council considered the June 28, 2016 staff report and all written and oral testimony, and reviewed and considered the Affordable Housing Overlay Project; and

WHEREAS, these findings are based on the City's General Plan, the City's Zoning Ordinance, and the information submitted to the City Council at its June 28, 2016 meeting, both written and oral, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

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

SECTION 1. Findings.

Pursuant to Policy Action program 1.1 within the Certified 2015-2023 Housing Element, the City Council of the City of Oakley hereby finds and determines as follows:

- A. Regarding the application of the Affordable Housing Overlay Zone to the 9 Parcels identified in this Ordinance:

1. The rezoning will substantially comply with the General Plan in that:
 - a. The 2015-2023 Housing Element of the Oakley 2020 General Plan identifies Policy Action Program 1.1, which specifically requires the City to apply the Affordable Housing Overlay Zone (AHO) to several parcels. The project will ensure the City is in compliance with this Policy Action program.
2. The uses authorized or proposed in the land use district are compatible within the district and to uses authorized in adjacent districts:
 - a. The proposed application of the Affordable Housing Overlay to the nine parcels identified within will allow development under the current land use designations and the currently adopted zoning designations would continue to be allowed under the proposed project. This means that each site could develop under either the underlying zoning or the proposed project maximum capacities. For the commercial sites, either all commercial uses, a mix of commercial uses and multifamily uses, or multifamily uses would be allowed under the Affordable Housing Overlay.
3. Community need, but not necessarily future financial success, has been demonstrated for the use proposed:
 - a. The proposed application of the Affordable Housing Overlay to the nine parcels identified within is intended to provide compliance with the 2015-2023 Housing Element.

SECTION 2. Property Defined and Rezoned.

Pursuant to Section 2.4.012 of the Oakley Municipal Code, the Oakley Zoning Map is amended to apply the Affordable Housing Overlay Zone (AHO) to nine specific properties as follows:

Elm Lane (APN 051-210-019), 5301 Elm Lane (APN 051-220-005), Cypress Road (APN 035-282-058), Cypress Road (APN 035-282-062), 211 East Cypress Road (APN 033-012-005), 251 East Cypress Road (APN 033-012-008), 43 Van Pelt Lane (APN 033-012-009), 67 Van Pelt Lane (APN 033-012-007) and 6381 Sellers Avenue (APN 033-180-007).

SECTION 3. California Environmental Quality Act (CEQA) Finding.

Pursuant to Section 15164 of the CEQA Guidelines, an addendum to the Certified Oakley 2020 General Plan Environmental Impact Report (EIR) was prepared by De Novo Planning. The Addendum concludes that the proposed changes do not cause a new significant impact or substantially increase the severity of a previously identified significant impact, and there have been no other changes in the circumstances that

meet this criterion (CEQA Guidelines Section 15162[a][2]). There have been no significant changes in the environmental conditions not contemplated and analyzed in the EIR that would result in new or substantially more severe environmental impacts. The proposed project (RZ 08-16) is within the scope of the previously Certified Oakley 2020 General Plan Environmental Impact Report (SCH #2002042134).

SECTION 4. Severability.

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

SECTION 5. Effective Date and Posting.

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

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

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

Kevin Romick, Mayor

Date

ATTEST:

Libby Vreonis, City Clerk

Date



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

NOTICE OF PUBLIC HEARING

Notice is hereby given that on **June 28, 2016** at 6:30 P.M., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an **amendment to Chapter 1 of Title 9 of the Oakley Municipal Code (“Zoning Ordinance”)** as well as **applying the Affordable Housing Overlay Zone (AHO) to 9 specific properties in order to comply with the City approved and State certified 2015-2023 Housing Element.** The project application is known as **RZ 08-16.**

Applicant: City of Oakley.

Project Name and Description: This is a public hearing to consider an amendment to the Zoning Code as necessary to implement the Housing Element in addition to applying the Affordable Housing Overlay Zone (AHO) to 9 specific properties in order to comply with the City approved and State certified 2015-2023 Housing Element (RZ 08-16) as follows:

- Amending Section 9.1.410 Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code dealing with the Affordable Housing Overlay Zone (AHO); and
- Applying the Affordable Housing Overlay Zone (AHO) to nine specific properties as follows: Elm Lane (APN 051-210-019), 5301 Elm Lane (APN 051-220-005), Cypress Road (APN 035-282-058), Cypress Road (APN 035-282-062), 211 East Cypress Road (APN 033-012-005), 251 East Cypress Road (APN 033-012-008), 43 Van Pelt Lane (APN 033-012-009), 67 Van Pelt Lane (APN 033-012-007) and 6381 Sellers Avenue (APN 033-180-007).

CEQA: For the purposes of compliance with the provisions of the California Environmental Quality Act (CEQA), an Addendum to the Oakley 2020 General Plan Environmental Impact Report (EIR) has been prepared for this project. The Addendum concludes that there have been no significant changes in the environmental conditions not contemplated and analyzed in the EIR that would result in new or substantially more severe environmental impacts.

The Staff Report and its attachments will be available for public review, on or after June 23, 2016 at City Hall, 3231 Main Street, Oakley, CA 94561 (during normal business hours) or on the City's website www.ci.oakley.ca.us.

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

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

**ADDENDUM TO THE
OAKLEY 2020 GENERAL PLAN EIR**

JUNE 2016

Prepared for:

City of Oakley
3231 Main Street
Oakley, CA 94561

Prepared by:

De Novo Planning Group
1020 Suncastr Lane, Suite 106
El Dorado Hills, CA 95762

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm

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APPENDICES

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1.0 INTRODUCTION

This Addendum was prepared in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. This document has been prepared to serve as an Addendum to the previously certified EIR (State Clearinghouse Number 2002042134) for the Oakley 2020 General Plan (Original Project). The City of Oakley is the lead agency for the environmental review of the proposed project modifications (Modified Project).

This Addendum addresses the proposed modifications in relation to the previous environmental review prepared for the General Plan Update Project. CEQA Guidelines Section 15164 defines an Addendum as:

The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

.....A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record.

Information and technical analyses from the General Plan Update EIR are utilized throughout this Addendum. Relevant passages from the General Plan Update EIR are cited and the complete General Plan EIR, including both the General Plan Draft EIR (City of Oakley, 2002) and the General Plan Final EIR (City of Oakley, 2002), is available for review at:

City of Oakley
Planning Division
3231 Main Street, Oakley, CA
<http://www.ci.oakley.ca.us/departments/planning-zoning/>

1.1 BACKGROUND AND PURPOSE OF THE EIR ADDENDUM

The City of Oakley General Plan EIR was certified on December 16, 2002 by the Oakley City Council. The 2020 General Plan includes nine elements: Land Use, Circulation, Growth Management, Economic Development, Open Space and Conservation, Parks and Recreation, Health and Safety, Noise, and Housing. Designated land uses were identified on the Land Use Map. The General Plan Update addressed future growth and development in the City, the Expansion Area, and the Planning Area. The 2020 General Plan is referred to as the “Original Project” in this EIR Addendum. The 2020 General Plan is described in detail in Chapter 2 of the General Plan Draft EIR.

Since certification of the EIR, the City has undertaken a planning effort to update the Housing Element, as required by State law. An Addendum to the General Plan EIR was prepared for the Housing Element update, which was adopted in January 2015. Policy Action 1.1 of the Housing Element requires the City to apply the Affordable Housing

Overlay designation to additional sites in order to accommodate the City's Regional Housing Needs Allocation.

The City is in the process of implementing Policy Action 1.1 and has identified nine sites for the application of the Affordable Housing Overlay designation. This implementation of Policy Action 1.1 is the Modified Project, which is described in greater detail under Section 2.0 below.

In determining whether an Addendum is the appropriate document to analyze the proposed modifications to the project and its approval, CEQA Guidelines Section 15164 (Addendum to an EIR or Negative Declaration) states:

- a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*
- b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*
- c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*
- d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*
- e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

1.2 BASIS FOR DECISION TO PREPARE AN ADDENDUM

When an environmental impact report has been certified for a project, Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining whether a subsequent EIR, subsequent negative declaration, addendum, or no further documentation be prepared in support of further agency action on the project. Under these Guidelines, a subsequent EIR or negative declaration shall be prepared if any of the following criteria are met:

- (a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*

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

- (b) *If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, and addendum, or no further documentation.*

As demonstrated in the environmental analysis provided in Section 3.0 (Environmental Analysis) and Section 4.0 (Changes in Circumstances/New Information), the proposed changes do not meet the criteria for preparing a subsequent EIR or negative declaration. An addendum is appropriate here because, as explained in Sections 3.0 and 4.0, none of the

conditions calling for preparation of a subsequent EIR or negative declaration have occurred.

2.0 PROJECT DESCRIPTION

This section provides a detailed description of the proposed Modified Project. The reader is referred to Section 3.0 (Environmental Analysis) for the analysis of environmental effects of the proposed modifications in relation to the analysis contained in the previously certified General Plan EIR.

2.1. MODIFIED PROJECT PURPOSE AND GOALS

The purpose of the Modified Project is to implement Policy Actions 1.1 and 1.10 of the City's adopted Housing Element.

The goals of the Modified Project are:

- Implement Policy Action 1.1 of the City's adopted Housing Element by identifying sites for the Affordable Housing Overlay (AHO) district to accommodate the City's fair-share of regional housing needs
- Implement Policy Action 1.10 of the City's adopted Housing Element by revising Zoning Code Section 9.1.410, Affordable Housing Overlay District, to allow the district to apply to all multi-family districts, to provide for an increase in setbacks, and to provide criteria to reduce perceived building mass and scale.

2.2 MODIFIED PROJECT LOCATION AND SETTING

The City of Oakley is located in the eastern region of Contra Costa County and is within the nine-county San Francisco Bay Area. Oakley's west border is situated at the intersection of Highway 4 and Highway 160, which provide access to San Francisco, San Jose, Sacramento, and the Central Valley. Oakley is a Delta community along with the cities of Pittsburg, Antioch, Brentwood, and the unincorporated areas of Bay Point, Bethel Island, Byron, and Knightsen. The San Joaquin River side of the Delta borders Oakley to the north, with unincorporated County territory to the east, the City of Brentwood to the south and the City of Antioch to the west.

The Affordable Housing Overlay project (Modified Project) proposes zoning amendments to the text of the Zoning Code and zoning map amendments on nine sites, consistent with the intent of Housing Element Policy Actions 1.1 and 1.10. The Zoning Code text amendments will apply to AHO designations throughout the City. The Zoning Map amendments affect nine sites, which are described below and shown on Figure 1.

Sites 1 and 2 are located west of Elm Lane and southwest of the Highway 160/Main Street northbound off-ramp adjacent the city's western boundary. Site 1 (APN 051-210-019) is 4.69 acres in size and is vacant. Site 1 is bordered to the north and west by the Highway 160 off-ramp, to the east by Site 2 and two single family residential parcels, and to the

south by vacant land and a single family residence. Site 2 (APN 051-220-005) is located at 5301 Elm Lane and is 1.74 acres in size. There are two single family homes on Site 2. Site 2 is bordered to the west by Site 1, to the north by a single family residence, to the east by Elm Lane with single family residences located across Elm Lane, and to the south by vacant land and a single family residence.

Site 3 and 4 are both on the north side of West Cypress Road and are located northwest of the intersection of Main Street and Cypress Road. Site 3 (APN 035-282-058) is 1.15 acres in size. There is one single family home on Site 3. Site 3 is bordered to the west by Big Oak Mobile Home Park, to the south by West Cypress Road with single family residences and commercial uses located across West Cypress Road, to the east by Site 4, and to the north/northeast by Main Street with a single family residence and commercial uses located across Main Street. Site 4 (APN 035-282-062) is 0.03 acres in size and is vacant. Site 4 is bordered to the south by West Cypress Road with single family residences and commercial uses located across West Cypress Road, to the west by Site 3, and to the north and west by Main Street with commercial uses and a single family residence located across Main Street.

Site 5, 6, 7, and 8 are located in a cluster between East Cypress Road and BNSF Railroad. Site 5 (APN 033-012-005) is 2.39 acres in size and is located at 211 East Cypress Road. There is a single family home on Site 5. Site 5 is bordered by a mostly vacant parcel with a single structure to the west, by East Cypress Road to the north with Iron House Elementary School located across East Cypress Road, by Sites 6, 7, and 8 to the east, and by BNSF Railroad to the south with single family residences located beyond the railroad. Site 6 (APN 033-012-008) is 1.12 acres in size and is located at 251 East Cypress Road. There is one single family home on Site 6. Site 6 is located southwest of the intersection of East Cypress Road and Van Pelt Lane and is bordered to the north by East Cypress Road with Iron House Elementary School located across East Cypress Road, to the west by Van Pelt Lane with multifamily housing (Courtyards at Cypress Grove) located across Van Pelt Lane, to the east by Site 5, and to the south by Site 7. Site 7 (APN 033-012-009) is 1.11 acres in size and located at 43 Van Pelt Lane. There is one single family home on Site 7. Site 7 is bordered by Site 6 to the north, Site 5 to the west, Site 8 to the south, and Van Pelt Lane to the east with multifamily housing (Courtyards at Cypress Grove) located across Van Pelt Lane. Site 8 (APN) is 2.40 acres in size and located at 67 Van Pelt Lane. There is a single family home on Site 8. Site 8 is bordered to the north by Site 7, to the west by Site 5, to the south by BNSF Railroad with single family residences located beyond the railroad, and to the west by Van Pelt Lane with multifamily housing (Courtyards at Cypress Grove) located across Van Pelt Lane.

Site 9 (APN 033-180-007) is 1.98 acres in size and located at 6381 Sellers Avenue. There are two single family homes on Site 9. Rural single family residences are located to the north, west, and south of Site 9. Site 9 is bordered by Sellers Avenue to the east with a single family residence and vacant land located across Sellers Avenue.

2.3. MODIFIED PROJECT COMPONENTS

The Modified Project would update the City's Zoning Code to implement Policy Actions 1.1 and 1.10 of the City's Housing Element.

Zoning Map Amendments – Policy Action 1.1

The Modified Project revises Policy Action 1.1 by removing APN 033-012-004 and 034-030-007 from Policy Action 1.1 the adopted Housing Element and replacing those with Modified Project Sites 1 through 4. The Modified Project would apply the Affordable Housing Overlay designation to each of the nine sites as shown in Table 1.

The Modified Project does not result in any changes to the RHNA or the quantified objectives identified in the adopted Housing Element.

The nine sites included in the Modified Project are designated Multifamily High, Multifamily Low, and Commercial under the Original Project.

The Original Project allows for development in each of the General Plan land use designations as follows:

- Multi-Family Residential, Low Density: The purpose of the Multi-Family Residential, Low Density Land Use Designation is to provide a more affordable, small lot development and to increase the availability of rental or entry-level housing. This designation allows for a minimum of 5.5 dwelling units and a maximum of 9.6 dwelling units per gross acre.
- Multi-Family Residential, High Density: The purpose of the Multi-Family Residential, High Density (MH) Land Use Designation is to provide affordable and rental residential units, and to maximize urban residential space. This designation allows for a typical apartment-style building or a condominium complex. This designation allows a minimum of 9.6 dwelling units and a maximum of 16.7 dwelling units per gross acre.
- General Commercial: This designation allows for a broad range of commercial uses typically found adjacent to residential neighborhoods, downtowns, and freeways. The particular form of commercial zoning for different areas of the City will depend, among other factors, on the characteristics of surrounding land uses. General types of commercial uses include retail and service facilities, and limited office uses. Through sensitive design, commercial uses can be located near single-family residences with minimal disruption or impact. Typical uses will vary widely in size and purpose and include large-scale retail, regional-serving retail, grocery and convenience stores, salons, professional offices, restaurants, drug stores, dry cleaners, post office facilities, banks, and other uses of similar character and impacts. This designation allows maximum site coverage of 40 percent and maximum floor area ratio (FAR) of 1.0. A FAR of 1.0 means that the finished floor area divided by the total lot size must not exceed 1.0. A 1-acre site with a 1.0 FAR would be allowed up to 43,560 s.f. of commercial uses.

The Modified Project allows for development under the existing General Plan land use designations or under the Affordable Housing Overlay. The Affordable Housing Overlay allows development as follows:

- Affordable Housing Overlay: The Affordable Housing Overlay district provides for new, affordable housing where an applicant has received a density bonus. The base density allowed is 24 units per acre and up to 32.4 dwelling units per acre is allowed with a density bonus.

As shown in Table 2, the Original Project would accommodate approximately 137 units and 82,874 square feet of commercial uses on the seven sites under the base land use designations. The Modified Project, based on the base density allowed under the Affordable Housing Overlay, would accommodate up to 401 units and would reduce commercial potential by up to 82,874 square feet.

Government Code Section 65915(f)(5) states: *“All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. The granting of a concession or incentive shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. This provision is declaratory of existing law.”* The granting of the density bonus that would allow for the production of units in excess of the base zoning must not be interpreted to require any discretionary approval, as established by State law. Any project that requests a density bonus to receive more than the base units allowed under the Affordable Housing Overlay must request a density bonus and the associated increase in units is not subject to any discretionary approval. Therefore, this Addendum evaluates potential impacts associated with the base allowed density under the Affordable Housing Overlay that could occur with implementation of Policy Action 1.1. Any increase of units over the base allowed density would be pursuant to a density bonus request that would be required to be consistent with State law and with the City’s municipal code. As previously stated, that increase in units would not be a discretionary action and is not subject to further CEQA review. Table 2 identifies the development if density bonuses were requested on all AHO sites for the Original Project versus the Modified Project. Under this scenario, the Original Project would accommodate 187 multifamily residential units and 82,874 square feet of commercial uses. The Modified Project would accommodate 542 units and no commercial uses.

It is noted that development under the Original Project land use designations and the currently adopted zoning designations would continue to be allowed under the Modified Project. This means that each site could develop under either the Original Project or Modified Project maximum capacities. For the commercial sites, either all commercial uses, a mix of commercial uses and multifamily uses, or multifamily uses would be allowed under the Affordable Housing Overlay.

Zoning Text Amendments – Policy Action 1.10

The Modified Project would implement Policy Action 1.10, through revising the Affordable Housing Overlay standards established under Zoning Code Section 9.1.410. The Affordable Housing Overlay standards are revised as follows:

- Applicability. Allow the Affordable Housing Overlay to be applied to areas zoned Multiple Family Residential (M-9, M-12, M-17).
- Development Standards. Provide increased minimum setbacks:
 - o Front Setback - 15 feet for two stories, 20 feet for three or more stories,
 - o Rear Setback - 15 feet for two stories, 20 feet for three or more stories,
 - o Side Setback - 8 feet for two stories, 20 feet for three or more stories, and
 - o Rear and Side Setback - Allow accessory structures: 10 feet for any structure up to 15 feet in height.
- Design Criteria. Address the perceived mass and scale of multifamily developments in the Affordable Housing Overlay and provide for staggered building heights where multifamily projects are adjacent single family residential uses:
 - o Multi-family buildings adjacent to detached single family residential development are limited to: two stories within 50 feet of the common boundary and three stories from 50 to 75 feet of the common boundary;
 - o Multi-family and mixed use projects shall be designed to reduce the perceived mass, scale, and form of the overall development through use of recessed facades and articulations in the building mass; varying roof heights, forms, masses, shapes, and or materials to create variations between individual buildings; staggered and jogged placement of individual units; and a variety of building orientations; and
 - o The perceived architectural scale of multi-family buildings of three or more stories shall be reduced through use of window patterns, roof overhangs, awnings, moldings, fixtures, the use of darker or subdued colors contrasting with lighter colors, upper story setbacks, building and roof articulation, and other details that vary the exterior of the building and result in a staggered or scaled appearance.

TABLE 1: AFFORDABLE HOUSING OVERLAY SITES DEVELOPMENT POTENTIAL – BASE DENSITY

<i>SITE</i>	<i>APN/LOCATION</i>	<i>ACRES</i>	<i>EXISTING CONDITION</i>	<i>ZONING</i>	<i>GENERAL PLAN LAND USE</i>	<i>EXISTING GENERAL PLAN CAPACITY – WITH DENSITY BONUS^{1,2,3}</i>	<i>AHO CAPACITY – WITH DENSITY BONUS⁴</i>
1	051-210-019 Elm Lane	4.69	Vacant	C	CO	51,074	113
2	051-220-005 5301 Elm Lane	1.74	Two single family homes	C	CO	18,949	42
3	035-282-058 Cypress Road	1.15	One single family home	C	CO	12,524	28
4	035-282-062 Cypress Road	0.03	Vacant	C	CO	327	1
5	033-012-005 211 East Cypress Road	2.39	One single family home	M-12	MFH	40	57
6	033-012-008 251 East Cypress Road	1.12	One single family home	M-12	MFH	19	27
7	033-012-009 43 Van Pelt Lane	1.11	One single family home	M-12	MFH	19	27
8	033-012-007 67 Van Pelt Lane	2.40	One single family home	M-12	MFH	40	58
9	033-180-007 6381 Sellers Avenue	1.98	Two single family homes	M-9	MFL	19	48
TOTAL CAPACITY						137 multifamily units, 82,874 s.f. commercial	401 multifamily units

- 1: Anticipates commercial at 0.25 floor area ratio
- 2: Density of 16.7 units per acre for MFH designation
- 3: Density of 9.6 units per acre for MFL designation
- 4: Density of 24 units per acre

TABLE 2: AFFORDABLE HOUSING OVERLAY SITES DEVELOPMENT POTENTIAL WITH DENSITY BONUS

<i>SITE</i>	<i>APN/LOCATION</i>	<i>ACRES</i>	<i>EXISTING CONDITION</i>	<i>ZONING</i>	<i>GENERAL PLAN LAND USE</i>	<i>EXISTING GENERAL PLAN CAPACITY – WITH DENSITY BONUS^{1,2,3}</i>	<i>AHO CAPACITY – WITH DENSITY BONUS⁴</i>
1	051-210-019 Elm Lane	4.69	Vacant	C	CO	81,719	152
2	051-220-005 5301 Elm Lane	1.74	Two single family homes	C	CO	30,318	57
3	035-282-058 Cypress Road	1.15	One single family home	C	CO	20,038	38
4	035-282-062 Cypress Road	0.03	Vacant	C	CO	523	1
5	033-012-005 211 East Cypress Road	2.39	One single family home	M-12	MFH	54	78
6	033-012-008 251 East Cypress Road	1.12	One single family home	M-12	MFH	26	37
7	033-012-009 43 Van Pelt Lane	1.11	One single family home	M-12	MFH	26	36
8	033-012-007 67 Van Pelt Lane	2.40	One single family home	M-12	MFH	55	78
9	033-180-007 6381 Sellers Avenue	1.98	Two single family homes	M-9	MFL	26	65
TOTAL CAPACITY						187 multifamily units, 82,874 s.f. commercial	542 multifamily units

1: Anticipates commercial at 0.25 floor area ratio

2: Density of 16.7 units per acre for MFH designation plus 35% density bonus

3: Density of 9.6 units per acre for MFL designation plus 35% density bonus

4: Density of 24 units per acre plus 35% density bonus

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3.0 ENVIRONMENTAL ANALYSIS

This section of the Addendum provides analysis and cites substantial evidence that supports the City's determination that the proposed modifications to the General Plan and Zoning Code proposed by the Affordable Housing Overlay project (Modified Project) do not meet the criteria for preparing a subsequent or supplemental EIR under CEQA Guidelines Section 15162.

As addressed in the analysis below, the proposed modifications associated with the Modified Project are not substantial changes to the adopted project. The proposed modifications would not cause a new significant impact or substantially increase the severity of a previously identified significant impact from the Final EIR (CEQA Guidelines Section 15162[a][1]) that would require major revisions to the EIR. All impacts would be nearly equivalent to or reduced from the impacts previously analyzed in the Final EIR. Accordingly, the proposed modifications associated with the Affordable Housing Overlay project are not inconsistent with the General Plan or Zoning Ordinance. Further, the Modified Project does not conflict with the Mitigation Measures for the Original Project.

The proposed changes do not cause a new significant impact or substantially increase the severity of a previously identified significant impact, and there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]). There have been no significant changes in the environmental conditions not contemplated and analyzed in the EIR that would result in new or substantially more severe environmental impacts.

There is no new information of substantial importance (which was not known or could not have been known at the time of the application (see Section 4.0), that identifies: a new significant impact (condition "A" under CEQA Guidelines Section 15162[a][3]), a substantial increase in the severity of a previously identified significant impact (condition "B" CEQA Guidelines Section 15162[a][3]), mitigation measures or alternatives previously found infeasible that would now be feasible and would substantially reduce one or more significant effects, or mitigation measures or alternatives which are considerably different from those analyzed in the EIR which would substantially reduce one or more significant effects on the environment (conditions "C" and "D" CEQA Guidelines Section 15162[a][3]). None of the "new information" conditions listed in the CEQA Guidelines Section 15162[a][3] are present here to trigger the need for a Subsequent or Supplemental EIR.

CEQA Guidelines Section 15164 states that "The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." An addendum is appropriate here because, as explained above, none of the conditions calling for preparation of a subsequent EIR have occurred.

The following includes a detailed discussion of applicable impacts identified under the EIR in relation to the Modified Project . All impacts identified under the EIR for the Original Project have been determined to be less than significant, less than significant with

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mitigation, or significant and unavoidable. As described in the following discussion, the Modified Project would not result in the increase in significance of environmental impacts or in new significant environmental impacts.

The following discussion identifies the environmental topics addressed in the EIR, provides a summary of impacts associated with the Original Project, as described in the EIR, and includes an analysis of the potential impacts associated with the Modified Project when compared to the Original Project.

AESTHETICS

Aesthetic Impacts Associated with the Original Project

Impact 3.2-A Development associated with the proposed General Plan may impact scenic vistas and visual natural resources within the Planning Area. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.1.5, 2.1.6, 2.1.9, 2.6.6, and 2.6.7, and Programs 2.4.B and 2.6.A, Open Space and Conservation Element 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, and 6.7.2 and Programs 6.3.G, 6.3.H, 6.6.B, 6.7.A, and 6.7.B, and Parks and Recreation Element Policies 7.3.5, 7.4.3, 7.4.10, and 7.4.11, and Programs 7.4.B and 7.4.C.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.1.3, 2.2.1, 2.2.2, 2.3.2, 2.5.1, 2.5.3, and 2.5.5 and Programs 2.4.B and 2.5.A, Economic Development Element Policy 5.3.2 and Programs 5.3.B, 5.3.C, and 5.3.E, and Open Space and Conservation Element Policies 6.5.1, 6.5.2, 6.5.4, and 6.5.6, and Program 6.5.B.

Impact 3.2-C Development of the proposed General Plan may change the City character. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impact 3.2-B.

Discussion

Aesthetic impacts associated with the Original Project were identified and discussed in Section 3.2, Aesthetic Resources, and Section 5.5, Impacts Not Found To Be Significant, of the General Plan Draft EIR (General Plan Draft EIR, pages 3-21 through 3-26 and 5-13).

The General Plan EIR identified that future development associated with the Original Project may impact scenic vistas and visual natural resources within the Planning Area. The General Plan EIR identified that the goals, policies, and implementation measures included in the General Plan would provide for the protection of scenic qualities of visual resources and that the General Plan's goals, policies, and programs would mitigate any potential impacts on aesthetic qualities inherent in the Planning Area (Impact 3.2-A, General Plan Draft EIR, pp. 3-22 - 3-24). No mitigation was required.

The General Plan EIR identified that the Original Project would have a potentially significant impact associated with alteration of the visual character or quality and urban design of the Planning Area. The General Plan EIR concluded that the policies and programs presented in the General Plan would preserve the community character and scenic qualities of Oakley, mitigating any potential impacts on visual character and quality (Impacts 3.2-B and 3.2-C, General Plan Draft EIR, pp. 3-24 – 3-26). No mitigation was required.

The General Plan EIR found that the Original Project would result in less than significant impacts to visual scenic resources and visual character with implementation of General Plan policies and programs.

The General Plan EIR also identified that aesthetic impacts not found to be significant in the Initial Study included the substantial damage to scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (General Plan Draft EIR, p. 5-13 and General Plan Draft EIR Appendix A).

The Modified Project would not designate additional sites for urban development in comparison to the Original Project. However, the Modified Project would allow for an increase in residential density on the AHO sites, which could result in a larger development footprint, including increased building sizes and heights. The increase in density and development was considered in the City's approved Housing Element, which the Modified Project implements. Future development under the Modified Project would be subject to the policies and actions of the General Plan identified to reduce potential impacts associated with visual character, scenic resources and vistas, and light and glare. As discussed under Impacts 3.2-A, 3.2-B, and 3.2-C in the General Plan EIR (see General Plan Draft EIR, pp. 3-22 through 3-26), these policies and programs include measures to protect natural and scenic views, require new development to be generally consistent with Oakley's character, and ensure infill development is consistent with the architectural characteristics of the neighborhood. General Plan policies and programs in the Open Space and Conservation Element require preservation and enhancement of the City's natural resources. Policy 2.2.2 of the Land Use Element requires new development to be generally consistent with the scale, appearance, and small town character of Oakley. Future development will also be required to comply with Zoning Code provisions, including design criteria that address visual impacts and exterior lighting. In addition, the Modified Project will amend the Zoning Code to provide for increased setbacks and design criteria to reduce the perceived mass and scale of multifamily and mixed use developments accommodated by the Modified Project. The design criteria required by the Modified Project will provide for a transition in building heights between adjacent single family residential development and future multifamily uses in order to reduce the mass of structures neighboring single family uses. The design criteria will also require all mixed use and multifamily developments accommodated by the Affordable Housing Overlay to use variations in building mass, such as recessed facades and articulations as well as staggered and jobbed placement of individual units, to reduce the perceived mass of the project. Perceived mass and scale will also be reduced through requiring varied roof heights, forms, masses, shapes, and/or materials to create variations between individual buildings in a multifamily development as well as a variety of building orientations.

As with the Original Project, compliance with the policies and programs in the General Plan and applicable regulations, including the additional development standards and design criteria included in the Modified Project, would ensure the Modified Project's potential to degrade existing visual character, impact scenic resources and vistas, and cause light and glare impacts would be reduced to less than significant. There would be no new significant impacts or increase in the significance of impacts associated with aesthetic resources. The Modified Project does not change increase the severity of the impacts beyond what was addressed in the General Plan EIR. There are no changed circumstances or new information that meets the standard for requiring further environmental review under CEQA Guidelines Section 15162.

AGRICULTURAL AND FORESTRY RESOURCES

Agricultural and Forestry Resources Impacts Associated with the Original Project

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 with the Planning Area. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.2.5, 2.2.13, and 2.6.5, Growth Management Element Policy 4.9.3 and Program 4.9.E, Open Space and Conservation Element Policies 6.1.1, 6.1.2, 6.1.3, and 6.1.4 and Programs 6.1.B, 6.1.D, 6.1.E, and 6.1.F, Parks and Recreation Element Policy 7.3.6, and Housing Element Policy 10.2.8 and Programs 10.3.A and 10.3.B.

Impact 3.1-C The proposed General Plan may result in land use conflicts and incompatibility between existing and proposed land uses. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.2.3, 2.2.7, 2.2.13, 2.3.1, and 2.4.3, Open Space and Conservation Element Policies 6.1.2 and 6.1.4 and Program 6.6.A, Parks and Recreation Element Policy 7.5.7, and Noise Element Policies 9.1.1 and 9.2.1.

Discussion

Agricultural impacts associated with the Original Project were identified and discussed in Sections 3.1 Land Use, and 3.5, Parks, Open Space, and Agriculture, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-1 through 3-21 and pp. 3-63 through 3-77).

The General Plan EIR identified that the Original Project may convert agricultural resources, including Farmland, or conflict with existing zoning for agricultural use or a Williamson Act within the Planning Area and discussed that the transition from agriculture to urban uses limits the potential for large-scale commercial agriculture within the city. The General Plan includes policies and programs aimed to reduce impacts associated with conflicts with agricultural lands and conversion of agricultural lands through providing buffers between high density residential and agricultural uses, providing increased setbacks between residential and agricultural uses, transitioning to lower densities at City boundaries, and implementing the City's Right to Farm Ordinance. The General Plan EIR also includes policies to preserve area's the agricultural heritage. Implementation of the General Plan policies and programs would reduce potential impacts to agricultural resources to less than significant and no mitigation was required (Impact 3.5-C, General Plan Draft EIR, pp. 3-75 through 3-77). The General Plan EIR provided additional discussion of potential land use conflicts between residential and agricultural uses under Impact 3.1-C and identified General Plan policies to reduce potential land use conflicts with agricultural uses. The impact was determined to be less than significant with implementation of the General Plan and no mitigation was required (Impact 3.1-C, General Plan Draft EIR, pp. 3.1-16 through 3.1-18).

The Modified Project would not identify any new sites for urbanization or development that were not anticipated for development in the General Plan EIR and thus would not change the potential for agricultural uses to be converted to urban uses. The Modified Project would increase the

potential density of sites identified for development by the Original Project. The General Plan EIR identified General Plan policies and programs that address potential conflicts with agricultural uses and address the potential for conversion to agricultural uses. As with the Original Project, implementation of the General Plan policies and programs described under Impacts 3.5-C and 3.1-C in the General Plan Draft EIR would reduce potential impacts to agricultural resources associated with the Modified Project to less than significant (see Impact 3.5-C, General Plan Draft EIR, pp. 3-75 through 3-77). Therefore, the Modified Project would have no change to the significance of impacts associated with agricultural zoning, uses, or resources in comparison to the Original Project.

There are no designated forest and timber resources in the City. Therefore, the Modified Project would not have a significant impact on forest and timber resources.

AIR QUALITY

Air Quality Impacts Associated with the Original Project

Impact 3.4-A New stationary and mobile sources of air pollutants caused by build-out of the proposed General Plan Land Use Map may cause emissions of ROG, NOx, and PM10. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.1.1, 2.2.5, 2.2.6, 2.2.12, 2.3.3, 2.3.6, 2.3.11, 2.8.7, 2.8.8, and 2.8.10, Circulation Element Policies 3.7.2 and 3.7.6 and Programs 3.7.D and 3.7.G, Open Space and Conservation Element Policies 6.2.1, 6.2.2, 6.2.3, 6.2.4, and 6.2.5 and Programs 6.2.A and 6.2.C, Health and Safety Element Policies 8.3.1, 8.3.2, 8.3.3, 8.3.4, and 8.3.5, and Housing Element Policy 10.1.2 and Programs 10.1.G and 10.1.H.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policy 2.2.4 and Program 2.2.C, Circulation Element Policy 3.7.1 and Program 3.7.A, Open Space and Conservation Element Policies 6.2.1, 6.2.3, 6.2.4, and 6.2.B and Program 6.2.C.

Impact 3.4-C The population projections used in the proposed General Plan may be inconsistent with those of the 2000 Clean Air Plan. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impacts 3.3-A, 3.3-B, 3.3-C, 3.3-4, and 3.4-A.

Impact 3.4-D Build-out of proposed General Plan may cause increased localized carbon monoxide concentrations at congested intersections. (Less than Significant)

Mitigation Adopted by the City: None.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.2.3, 2.2.4, 2.2.5, and 2.2.13, Growth Management Element Policies 4.7.3, 4.7.4, and 4.7.7 and Program 4.7.E, Open

Space and Conservation Element Policies 6.1.2 and 6.2.4 and Programs 6.1.C, 6.1.D, and 6.6.A.

Impact 3.4-F New stationary and mobile sources of air pollutants caused by build-out of the proposed General Plan Land Use Map may cause emissions of ROG, NO_x, and PM₁₀ that would be cumulatively considerable. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impact 3.4-A.

Discussion

Air quality impacts associated with the Original Project were identified and discussed in Section 3.4, Air Quality, Section 5.4, Cumulative Impacts, and Section 5.5, Impacts Not Found To Be Significant, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-43 through 3-63, 5-5, 5-6, and 5-13).

The Original Project was determined to have a potentially significant impact associated with mobile and stationary source emissions of reactive organic gases, nitrous oxides, and particulate matter. The General Plan EIR concluded that the policies and programs in the General Plan would mitigate emissions to a less than significant level and no mitigation was required (Impact 3.4-A, General Plan Draft EIR, pp. 3-54 through 3-57).

The Original Project was determined to have a potentially significant impact associated with emissions from construction activities that may substantially contribute to existing air quality violations or expose sensitive receptors to substantial pollutant concentrations. The General Plan EIR concluded that the policies and programs in the General Plan would reduce the impact to less than significant and no mitigation was required (Impact 3.4-B, General Plan Draft EIR, pp. 3-57 and 3-58).

The General Plan EIR indicated that the population projections associated with the Original Project may be inconsistent with the Clean Air Plan. The General Plan EIR concluded that the policies and programs in the General Plan would include all feasible transportation control measures and would reduce the impact to less than significant. No mitigation was required (Impact 3.4-C, General Plan Draft EIR, p. 3-58 through 3-60).

The Original Project was determined to have a less than significant impact associated with increased localized carbon monoxide concentrations at congested intersections. No mitigation was required (Impact 3.4-D, General Plan Draft EIR, pp. 3-60 through 3-61).

The Original Project was determined to have a potentially significant impact associated with placement of sensitive land uses near potential sources of objectionable odors, dust, or toxic air contaminants. The General Plan EIR concluded that the policies and programs included in the General Plan would reduce impacts associated with exposure to odors and toxics to a less than significant level (Impact 3.4-E, General Plan Draft EIR, pp. 3-61 through 3-63).

The General Plan EIR identified that the Original Project would a potentially significant impact associated with cumulative emissions of reactive organic gases, nitrous oxides, and particulate matter from new stationary and mobile sources of air pollutants. The General Plan included policies and programs to address air pollution and implementation of the General Plan would

reduce the impact to less than significant (Impact 3.4-F, General Plan Draft EIR, p. 3-63, 5-5, and 5-6).

The General Plan EIR determined that impacts associated with exposure of sensitive receptors to substantial air pollutant concentrations were determined not to be significant based on the Initial Study prepared for the General Plan Draft EIR (General Plan Draft EIR, p. 5-13 and Appendix A).

The Original Project was determined to have less than significant air quality impacts associated with construction-related emissions, operational emissions, toxic air emissions, odorous emissions, and cumulative air quality effects with implementation of the General Plan. No mitigation was required for these impacts.

Impacts associated with new stationary and mobile sources of air pollutants discussed under Impact 3.4-A of the General Plan EIR were primarily associated with new motor vehicle trips and operation of other stationary sources. The Modified Project would increase the potential number of dwelling units constructed while decreasing commercial development. The increase in potential dwelling units was approved by the City with adoption of the Housing Element. Development under the Modified Project without a density bonus would result in a decrease of 1,901 daily vehicle trips as shown in Appendix A, Table A-1. Development with a density bonus would result in a decrease of 1,291 vehicle trips as shown in Appendix A, Table A-2. The General Plan EIR anticipated approximately 577,000 vehicle trips would be generated by the Original Project. The potential decrease in daily vehicle trips would result in a slight improvement over the Original Project. The policies and programs that address air pollutant emissions for vehicle traffic and stationary sources, identified under Impact 3.4-A of the General Plan Draft EIR, would apply to development under the Modified Project and would continue to ensure that impacts remain less than significant (see Impact 3.4-A, General Plan Draft EIR, pp. 3-54 – 3-57).

Impacts associated with construction emissions are anticipated to be comparable under the Modified Project and the Original Project. The sites anticipated for development under the Modified Project were considered for development under the Original Project. There could be an increase in development density and intensity, however, the City's adopted Housing Element planned and accommodates the increase in dwelling units that would occur under the Modified Project. The policies and programs identified in the General Plan EIR to address potential impacts associated with construction activities would apply to development under the Modified Project (see Impact 3.4-B, General Plan Draft EIR, pp. 3-57 and 3-58). Implementation of the General Plan, including policies and programs that address air quality, would ensure that impacts remain less than significant.

Future development under the Modified Project would be subject to the policies and programs associated with the General Plan, including all feasible Transportation Control Measures. This would ensure that the Modified Project would remain consistent with the Clean Air Plan and that impacts would remain less than significant.

As described previously, the Modified Project would result in a slight decrease in trip generation. However, the Modified Project would result in the potential for a slight increase in AM peak hour trips and a decrease in peak hour trips. The change in peak hour trips is not anticipated to have a significant change in intersection levels of service with implementation of General Plan policies and programs that address air quality and traffic congestion. Therefore, the Modified Project would not result in impacts associated with carbon monoxide hot spots. Policies and programs that address traffic congestion and ensure acceptable operations of roadways and intersections are described under Impact 3.3-A (see General Plan Draft EIR, pp. 3-36 and 3-37). These policies and programs

would continue to apply to development under the Modified Project. Potential impacts associated with carbon monoxide emissions would remain less than significant.

The Modified Project would place development on sites intended for development under the Original Project. Allowed uses under both the Modified Project and Original Project include potential sensitive receptors. As such, no change in potential impacts related to exposure to odors or toxic air contaminants would occur. General Plan policies and programs related to odorous emissions and toxic air contaminants, as described under Impact 3.4-E of the General Plan EIR, would continue to apply to development under the Modified Project.

As previously described, the Modified Project would result in a potential increase in residential development and decrease in commercial development that could result in a small decrease in total daily vehicle trips. The Modified Project would continue to be subject to General Plan policies and regulations related to air quality, including measures to reduce pollutants associated with new development and participation in regional partnerships that address clean air. With implementation of the General Plan policies and programs, the cumulative impact associated with air quality would remain less than significant, as described under Impact 3.4-F of the General Plan Draft EIR (see General Plan Draft EIR, pp. 3-63, 5-5, and 5-6).

As described above, air quality impacts associated with the Modified Project would remain less than significant with implementation of applicable General Plan policies and programs. There would be no new impacts or increase in significance of identified impacts.

BIOLOGICAL RESOURCES

Biological Resources Impacts Associated with the Original Project

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.1.5, 2.6.6, and 2.6.7 and Program 2.6.A, Growth Management Element Policy 4.10.6 and Program 4.10.H, Open Space and Conservation Element Policies 6.3.1, 6.3.2, 6.3.3, 6.3.4, 6.3.5, 6.3.6, 6.3.7, 6.6.1, 6.6.2, 6.6.3, and 6.6.4 and Programs 6.3.A, 6.3.B, 6.3.E, 6.3.F, 6.3.G, 6.3.H, and 6.6.C, and Parks and Recreation Element Policies 7.2.7, 7.3.7, 7.3.10, 7.4.6, and 7.4.7.

Impact 3.9-B Implementation of the proposed General Plan may result in loss of plant and wildlife habitat within the Planning Area. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impact 3.9-A.

Impact 3.9-C Approval of projects under the updated General Plan may adversely affect movement and dispersal of wildlife and wildlife migration corridors. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impact 3.9-A.

Impact 3.9-D New development under the General Plan may result in the introduction and spread of non-native invasive plant species. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impact 3.9-A.

Impact 3.9-E Development associated with the proposed General Plan may result in a significant loss of trees. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Open Space and Conservation Element Policy 6.3.5 and Programs 6.3.C and 6.3.D.

Impact 3.9-F Development associated with the proposed General Plan may lead to the cumulative conversion and loss of plant and animal habitat. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impact 3.9-A.

Discussion

Biological resources impacts associated with the Original Project were identified and discussed in Section 3.9, Biological Resources, Section 5.4, Cumulative Impacts, and Section 5.5, Impacts Not Found To Be Significant, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-129 through 3-141, 5-11, 5-12, 5-13, and 5-14).

The General Plan EIR identified that the Original Project would have a potentially significant impact related to the reduction or destruction of habitat of sensitive species and loss of plant and wildlife habitat within the Planning Area. The Original Project also has the potential to adversely affect wildlife movement and wildlife migration corridors. The General Plan included policies and programs to address impacts to biological resources and implementation of the General Plan would reduce the potential impact to less than significant. No mitigation was required (Impacts 3.9-A, 3.9-B, and 3.9-C, General Plan Draft EIR, pp. 3-134 – 3-140).

The Original Project has the potential to result in the introduction and spread of non-native invasive plant species and a significant loss of trees. These impacts would be reduced to less than significant with implementation of the proposed General plan and no mitigation measures are required (Impact 3.9-D and 3.9-E, General Plan Draft EIR, p. 3-141).

The General Plan EIR identified that development associated with the General Plan may lead to the cumulative conversion and loss of plant and animal habitat. This impact was determined to be less than significant with implementation of the proposed General Plan. No mitigation was required (Impact 3.9-F, General Plan Draft EIR, p. 3-142).

Impacts associated with conflict with local policies or ordinances protecting biological resources and conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan were determined to not be significant based on the Initial Study prepared for the General Plan Draft EIR (General Plan Draft EIR, pp. 5-13 and 5-14 and Appendix A).

The Modified Project does not identify any new sites for urbanization or development that were not anticipated for development in the General Plan EIR. The Modified Project would increase the potential density of sites identified for development by the Original Project as previously described. However, as urbanization and disturbance on the sites associated with the Modified Project was anticipated under the Original Project, potential impacts to biological resources in the vicinity of these sites would remain similar to those identified for the Original Project. The policies and programs identified in the General Plan EIR would continue to apply to the Modified Project and would reduce potential impacts to biological resources as described under Impacts 3.9-A through 3.9-F in the General Plan EIR and would reduce potential impacts to less than significant as described in the General Plan EIR (General Plan Draft EIR, pp. 3-134 through 3-142, 5-11, and 5-12). Therefore, the Modified Project would not result in any new impacts to biological resources and would not increase the significance of impacts to biological resources in comparison to the Original Project.

Since the certification of the General Plan EIR, the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) has been adopted. The Modified Project does not propose development on any of the Preserve Systems lands prioritized for acquisition in the HCP/NCCP. As subsequent projects are considered by the City, each project will comply with

the requirements of the HCP/NCCP. There will be no new impacts associated with potential conflicts with the HCP/NCCP.

CULTURAL RESOURCES

Cultural Resources Impacts Associated with the Original Project

Impact 3.10-A Development associated with the proposed General Plan may lead to potential damage or loss of known historic, cultural, archaeological, or paleontological resources. (Less than Significant)

Mitigation Adopted by the City: None.

Impact 3.10-B Development associated with the proposed General Plan could damage unknown historic, cultural, prehistoric, or archaeological resources in the Planning Area. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.5.1, 2.5.2, 2.5.3, 2.5.4, 2.5.5, 2.8.4, and 2.8.11 and Programs 2.5.A and 2.5.B and Open Space and Conservation Element Policies 6.4.1, 6.5.1, 6.5.2, 6.5.3, 6.5.4, 6.5.5, and 6.5.6 and Programs 6.4.A, 6.5.A, 6.5.B, and 6.5.C.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impact 3.10-B.

Discussion

These impacts associated with the Original Project were identified and discussed in 3.10, Cultural Resources, and Section 5.4, Cumulative Impacts, Impact 3.10-C, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-142 through 3-151, 5-12, and 5-13).

The General Plan EIR identified that future development associated with the Original Project could disturb or destroy cultural resources. The General Plan includes policies and programs to preserve and protect cultural, historic, prehistoric, and archaeological resources. With implementation of the General Plan, impacts would be less than significant and no mitigation was required (Impacts 3.10-A and 3.10-B, General Plan Draft EIR, pp. 3-148 through 3-151).

The General Plan EIR identified that development associated with the Original Project could result in a potentially significant cumulative loss to cultural resources. The General Plan EIR concluded that implementation of the General Plan along with other existing General Plans and design guidelines in the area would reduce the impact to less than significant. No mitigation was required (Impact 3.10-C, General Plan Draft EIR, p. 3-151, 5-12, and 5-13).

The Modified Project would not identify any new sites for urbanization or development that were not anticipated for development in the General Plan EIR. The Modified Project would allow an increase in potential residential densities of sites identified for development by the Original Project. Potential impacts to cultural resources associated with these sites would remain similar to those identified for the Original Project. The policies and programs identified in the General Plan EIR would apply to the Modified Project and would reduce potential impacts to cultural resources to

less than significant as described under Impacts 3.10-A through 3.10-C in the General Plan EIR (see General Plan Draft EIR, pp. 3-134 through 3-142, 5-12, and 5-13). Therefore, the Modified Project would not result in any new impacts to cultural resources and would not increase the significance of impacts to cultural resources in comparison to the Original Project.

GEOLOGY AND SOILS

Geology and Soils Impacts Associated with the Original Project

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Health and Safety Element Policies 8.1.1, 8.1.2, 8.1.3, 8.1.4, 8.1.5, 8.1.6, 8.1.7, 8.1.8, 8.1.9, 8.2.13, and 8.4.4 and Programs 8.1.A, 8.1.B, 8.1.C, and 8.1.D.

Impact 3.12-B Development associated with the proposed General Plan may locate people and structures in areas with potential for liquefaction. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impact 3.12-A.

Impact 3.12-C Redevelopment of sites along the Delta waterfront may subject greater population to liquefaction, tsunami, and other seismic hazards. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impact 3.12-A.

Discussion

Geology and soils impacts associated with the Original Project were identified and discussed in Section 3.12, Geology and Soils, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-159 through 3-169). Chapter 5, Section 5.5, of the General Plan Draft EIR described impacts found not to be significant, including exposure of people or structures to potential substantial adverse effects involving landslides and soils incapable of adequately supporting the use of septic tanks or alternative wastewater systems (General Plan Draft EIR, pp. 5-13 and 5-14).

The Original Project would have a less than significant impact associated with seismic events, related ground shaking, and expansive soils with implementation of General Plan policies and programs that address seismic and geologic hazards. No mitigation was required (Impact 3.12-A, General Plan Draft EIR, pp. 3-166 through 3-168).

The Original Project would have a less than significant impact associated with liquefaction, tsunami, and other seismic hazards with implementation of General Plan policies and programs. No mitigation was required (Impacts 3.12-B and 3.12-C, General Plan Draft EIR, p. 3-168 through 3-169).

The Modified Project would not identify any new sites for urbanization or development that were not anticipated for development in the General Plan EIR. The Modified Project would increase the potential density of sites identified for development by the Original Project. Potential impacts associated with geology and soils on these sites would remain consistent with those identified for the Original Project. The policies and programs identified in the General Plan EIR would apply to development under the Modified Project and would reduce potential impacts associated with

geology and soils to less than significant as described under Impacts 3.12-A through 3.12-C in the General Plan EIR (General Plan Draft EIR, pp. 3-166 through 3-169). Therefore, the Modified Project would not result in any new impacts associated with geology and soils and would not increase the significance of impacts related to geology and soils in comparison to the Original Project.

GREENHOUSE GASES

Greenhouse Gases Impacts Associated with the Original Project

The General Plan EIR did not address greenhouse gas emissions. Greenhouse gas emissions associated with residential uses primarily occur as a result of transportation (vehicle trips) and energy usage (electricity and natural gas). The Modified Project is implementing the City's Housing Element, which was prepared to accommodate Oakley's fair share of residential units as allocated by the Association of Bay Area Governments and is consistent with the regional planning documents prepared by ABAG to address greenhouse gas emissions. The Modified Project would not have a significant impact related to conflicts with plans, policies, or regulations adopted to reduce greenhouse gas emissions. At the local level, the Modified Project would not result in a significant increase in greenhouse gas emissions. As demonstrated in Appendix A, development under the Modified Project would result in a decrease of 1,291 to 1,901 daily vehicle trips. Development associated with the Modified Project would be subject to energy efficiency measures, including CalGreen standards as well as the policies and programs established by the General Plan to reduce energy usage (see Impact 3.11-B, General Plan Draft EIR, pp. 3-158 and 3-159). Compared to the Original Project, the Modified Project would not result in an increase in greenhouse gas emissions that would have a significant impact on the environment, as development under the Modified Project would not result in a significant increase in vehicle trips and potential energy usage would be reduced as described under Impact 3.11-B of the General Plan Draft EIR.

HAZARDS AND HAZARDOUS MATERIALS

Hazards and Hazardous Materials Impacts Associated with the Original Project

Impact 3.7-B New development associated with the proposed General Plan may increase fire hazard in areas with flammable brush, grass, or trees. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policy 2.6.5, Circulation Element Program 3.5.F, Growth Management Element Policies 4.4.1, 4.4.2, 4.4.3, 4.4.4, 4.4.5, and 4.4.6 and Programs 4.4.A, 4.4.B, 4.4.C, 4.4.D, 4.4.E, and 4.4.F, Parks and Recreation Element Policy 7.5.10, Health and Safety Element Policies 8.4.1, 8.4.2, 8.4.3, 8.4.4, and 8.4.5 and Programs 8.4.A, 8.4.B, and 8.4.C.

Impact 3.7-C New development associated with the proposed General Plan may result in degradations to emergency preparedness that may exceed the capabilities of existing programs. (Less than Significant)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Circulation Element Program 3.5.F, Growth Management Element Policy 4.4.4, Health and Safety Element Policies 8.4.1, 8.4.2, 8.4.3, and 8.4.4 and Programs 8.4.A and 8.4.C.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.2.3, 2.2.4, 2.2.13, 2.4.1, and 2.4.3, Growth Management Element Policies 4.4.5, 4.7.7, and 4.7.10 and Program 4.7.E, Health and Safety Element Policies 8.3.1, 8.3.2, 8.3.3, 8.3.4, and 8.3.5 and Programs 8.3.A and 8.3.B.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impacts 3.7-A, 3.7-B, 3.7-C, and 3.7-D.

Discussion

Hazards and hazardous materials impacts associated with the Original Project were identified and discussed in Section 3.7, Public Safety/Hazards, Section 5.4, Cumulative Impacts, and Section 5.5, Impacts Not Found To Be Significant, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-98 through 3-116, 5-8 through 5-11, 5-13 and 5-14).

The General Plan EIR identified that new development associated with the Original Project would have a potentially significant impact related to increased fire hazards. New development would be

guided by the policies and programs contained in the General Plan, including requirements related to fire risk, that would reduce potential impacts to less than significant. No mitigation was required (Impact 3.7-B, General Plan Draft EIR, pp. 3-109 through 3-112).

The General Plan EIR identified that Original Project would have a less than significant impact associated with emergency preparedness with implementation of the General Plan policies and programs. No mitigation was required (Impact 3.7-C, General Plan Draft EIR, pp. 3-112 through 3-114).

The General Plan EIR identified that new development associated with the Original Project would have a potentially significant impact related to use of hazardous materials and wastes close to existing or proposed sensitive receptors. New development would be guided by the policies and programs contained in the General Plan, including requirements related to hazardous materials and waste, that would reduce potential impacts to less than significant. No mitigation was required (Impact 3.7-D, General Plan Draft EIR, pp. 3-114 through 3-116).

The Original Project would have the potential to lead to potential cumulative impacts to health and safety. Implementation of the General Plan, including policies and programs discussed under Impacts 3.7-A through 3.7-D would reduce the impact to less than significant (Impact 3.7-E, General Plan Draft EIR, pp. 3-116 and 5-8 through 5-11).

The General Plan EIR determined that safety hazards associated with a public airport, public use airport, or private airstrip would not be significant based on the analysis provided in the Initial Study (General Plan Draft EIR, pp. 5-13 and 5-14 and Appendix A).

As previously discussed, the Modified Project would allow for an increase in density on sites that are currently designated in the General Plan to allow for multi-family residential development or commercial uses. The increase in dwelling units was planned by the City's adopted Housing Element. The Modified Project would not identify any new areas for development in comparison to the Original Project. The General Plan policies and programs identified in the Draft EIR under Impacts 3.7-B, 3.7-C, 3.7-D, and 3.7-E would apply to any development under the Affordable Housing Overlay. These policies and programs address potential exposure to hazardous materials and conditions and would continue to ensure that potential impacts associated with hazards and hazardous materials remain at a less than significant level under the Modified Project. Therefore, the Modified Project would not increase the significance of impacts associated with hazards and hazardous materials in comparison to the Original Project and would not result in any new impacts associated with hazards and hazardous materials.

HYDROLOGY AND WATER QUALITY

Hydrology and Water Quality Impacts Associated with the Original Project

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.6.2, 2.6.3, and 2.6.4, Growth Management Element Policies 4.10.1, 4.10.2, 4.10.3, 4.10.4, 4.10.5, 4.10.6, 4.10.7, 4.10.8, and 4.10.9 and Programs 4.10.A, 4.10.B, 4.10.C, 4.10.D, 4.10.E, 4.10.F, 4.10.G, and 4.10.H, Open Space and Conservation Element Policy 6.3.3 and Program 6.3.G, Parks and Recreation Element Policy 7.1.10 and Program 7.1.L, Health and Safety Policies 8.2.1, 8.2.2, 8.2.3, 8.2.4, 8.2.5, 8.2.6, 8.2.7, 8.2.8, 8.2.9, 8.2.10, 8.2.11, 8.2.12, and 8.2.13 and Programs 8.2.A, 8.2.B, 8.2.C, 8.2.D, 8.2.E, 8.2.F, and 8.2.GB.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Growth Management Element Policies 4.8.1, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.8.6, 4.8.7, 4.8.8, 4.8.9, 4.8.10, 4.8.11, 4.8.12, 4.8.13, and 4.10.2 and Programs 4.8.A, 4.8.B, 4.8.C, 4.8.D, and 4.9.E.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Growth Management Element Policies 4.10.2, 4.10.4, 4.10.5, and 4.10.9 and Programs 4.10.A, 4.10.B, 4.10.D, 4.10.E, 4.10.F, 4.10.G, and 4.10.H, Open Space and Conservation Element Programs 6.3.G and 6.3.H, and Health and Safety Element Policies 8.2.1 and 8.2.9 and Programs 8.2.A and 8.2.B.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Growth Management Policies 4.8.10, 4.8.13, 4.9.1, 4.9.2, 4.9.3, and 4.9.4 Programs 4.9.A, 4.9.B, 4.9.C, 4.9.D, and 4.9.E Parks & Recreation Program 7.1.P.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impacts 3.7-A, 3.7-B, 3.7-C, and 3.7-D.

Discussion

Hydrology and water quality impacts associated with the Original Project were identified and discussed in Section 3.7, Public Safety/Hazards, Section 3.8, Hydrology and Water Quality, Section 5.4, Cumulative Impacts, and Section 5.5 of the General Plan Draft EIR (General Plan Draft EIR, p. 3-98 through 3-129 and 5-8 through 5-11).

The Original Project could result in changes in absorption rates, drainage patterns, and surface runoff rates and amounts that could result in water related hazards, including flooding. This impact would be reduced to less than significant as future development would be required to comply with General Plan policies which address flooding and stormwater management. No mitigation was required (Impact 3.7-A, General Plan Draft EIR, pp. 3-105 through 3-109).

The General Plan EIR identified that impacts associated with violation of water quality standards or waste discharge requirements associated with future development would be reduced to less than significant with implementation of relevant General Plan policies and programs. No mitigation was required (Impact 3.8-A, General Plan Draft EIR, pp. 3-122 through 3-125).

The Original Project may result in a potentially significant impact associated with the potential to increase construction-related erosion and sedimentation into surface waters. The General Plan policies and programs that address drainage and construction-related water contamination would reduce the impact to less than significant. No mitigation was required (Impact 3.8-B, General Plan Draft EIR, pp. 3-125 through 3-127).

The General Plan EIR identified that wastewater generated by new development associated with the Original Project could have a potentially significant impact associated with the collection and treatment capacity of the wastewater treatment plant. The General Plan includes policies and programs to address wastewater and implementation of the General Plan would reduce the impact to less than significant. No mitigation was required (Impact 3.8-C, General Plan Draft EIR, pp. 3-127 through 3-129).

The Original Project would have the potential to lead to potential cumulative impacts to health and safety, including impacts associated with drainage, flooding, and stormwater runoff. Implementation of the General Plan, including policies and programs discussed under Impacts 3.7-A through 3.7-D would reduce the impact to less than significant. (Impact 3.7-E, General Plan Draft EIR, pp. 3-116 and 5-8 through 5-11).

The Modified Project would not identify any new areas for development in comparison to the Original Project. While densities and development footprints could increase on the Affordable Housing Overlay sites, the Original Project anticipated disturbance of the sites related to multi-family and commercial development and provided measures to address potential development in the City, including high density multi-family uses. The Modified Project would result in comparable effects associated with water quality, waste discharge, drainage patterns, runoff, flood hazards, and

other hydrological hazards. The Modified Project would not result in an increase in groundwater usage, as the City's water supply comes from surface sources (see Utilities discussion below). The Modified Project would be subject to the General Plan policies and programs described under Impacts 3.7-A, 3.8-A, 3.8-B, and 3.8-C of the General Plan Draft EIR. These policies ensure that new development is designed to control drainage and runoff, address potential flooding hazards, include measures to ensure water quality through addressing potential pollutants in stormwater runoff, and address potential impacts to surface waters and groundwater that may be affected by new projects. Implementation of the General Plan's policies and programs as well as adopted federal, state, and local regulations to address drainage, flooding, and water quality would ensure that potential hydrology and water quality impacts remain less than significant and no new or increased impacts would occur with implementation of the Modified Project.

LAND USE AND PLANNING

Land Use and Planning Impacts Associated with the Original Project

Impact 3.1-A The proposed General Plan would physically divide an established community. (Less than Significant)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.1.8, 2.2.5, 2.3.1, 2.4.1, and 2.8.8 and Circulation Element Policies 3.2.3 and 3.7.5.

Impact 3.1-C The proposed General Plan may result in land use conflicts and incompatibility between existing and proposed land uses. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.2.3, 2.2.7, 2.2.13, 2.3.1, and 2.4.3, Open Space and Conservation Element Policies 6.1.2 and 6.1.4 and Program 6.6.A, Parks and Recreation Element Policy 7.5.7, and Noise Element Policies 9.1.1 and 9.2.1.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.2.6, 2.3.7, 2.3.8, 2.3.12, 2.8.1, 2.8.3, 2.8.4, 2.8.5, and 2.8.9 and Programs 2.3.A, 2.3.B, 2.5.A, 2.8.B, and 2.8.C, Economic Development Element Programs 5.1.C, 5.1.L, and 5.4.A, Open Space and Conservation Element Policies 6.5.1, 6.5.4, and 6.5.5, and Parks and Recreation Program 7.4.E.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of all General Plan policies and programs.

Discussion

These impacts associated with the Original Project were identified and discussed in Section 3.1, Land Use, Section 5.4, Cumulative Impacts, and Section 5.5, Impacts Not Found To Be Significant, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-1 through 3-20, 5-3, 5-13, and 5-14).

The General Plan EIR identified the Original Project would have a less than significant impact associated with physical division of an established community with implementation of policies included in the General Plan (Impact 3.1-A, General Plan Draft EIR, pp. 3-12 through 3-14). No mitigation was required.

The General Plan EIR identified that future development associated with the Original Project has the potential to induce growth and increase the number of housing units and jobs in the Planning Area. New development would be required to be consistent with the City's performance standards

and the General Plan provides for treatment of growth management issues. The General Plan EIR concluded that implementation of General Plan policies would reduce the impact to a less than significant level (Impact 3.1-B, General Plan Draft EIR, pp. 3-14 through 3-16).

The Original Project has the potential to result in land use conflicts and incompatibility between existing and proposed land uses. The General Plan EIR identified that the policies and programs presented in the General Plan provided methods to prevent conflicts from occurring and that implementation of the General Plan policies would reduce the impact to a less than significant level (Impact 3.1-C, General Plan EIR, pp. 3-16 through 3-18). No mitigation was required.

The General Plan EIR concluded that impacts to Downtown Oakley, as a focal point and destination, would be reduced to less than significant through implementation of policies and programs to support the preservation of Downtown Oakley as the center of the City (Impact 3.1-D, General Plan EIR, pp. 3-18 through 3-20). No mitigation was required.

The General Plan EIR identified that the Original Project may result in a cumulative impact on land use and development, regional population growth, and jobs/housing balance. The General Plan EIR concluded that the short-term (20-year) and long-term (buildout conditions) were mitigated by the General Plan's goals, policies, and programs (Impact 3.1E, General Plan EIR, pp. 3-20 through 3-21 and 5-3). No mitigation was required.

The General Plan EIR identified that conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect would not be significant, as described in the Initial Study (General Plan Draft EIR, pp. 5-13 and 5-14 and Appendix A).

The EIR found that the Original Project would result in less than significant impacts associated with land use and planning and no mitigation measures were required.

The Modified Project would increase the potential density on the proposed Affordable Housing Overlay sites. The potential increase in development is consistent with the City's adopted Housing Element. As previously described, sites affected by the Modified Project are designated for multi-family or commercial use by the Original Project. The Modified Project would not physically divide an established community, as it would not create any new roads or barriers within existing communities, and potential impacts to established communities would be reduced as the Modified Project would be required to comply with the General Plan policies discussed under Impact 3.1-A in the General Plan Draft EIR.

The Modified Project includes modifications to the Zoning Code that would ensure the Modified Project is consistent with adopted regulations. As previously described, the Modified Project includes design criteria to reduce the perceived mass and scale of new development accommodated by the Modified Project. development standards to increase setbacks between adjacent development and multi-family and mixed use development that would be accommodated by the Modified Project. Development associated with the Modified Project would be required to comply with applicable local, state, and federal regulations that have been adopted to avoid or mitigate an environmental effect. Compliance with the General Plan policies and programs identified under Impacts 3.1-A, 3.1-B, 3.1-C, 3.1-D, and 3.1-E of the General Plan Draft EIR would ensure that potential impacts remain less than significant. The Modified Project would not result in a significant increase in any environmental impacts associated with land use and planning and would not result in any new impacts.

MINERAL RESOURCES

The General Plan EIR identified that the following impacts associated with mineral resources would not be significant based on the Initial Study prepared for this General Plan EIR (General Plan Draft EIR, pp. 5-13 – 5-14):

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- Loss of availability of a known mineral resource classified MRZ-2 by the State Geologist that would be of value to the region and residents of the state.

The Modified Project does not identify any new locations for development in comparison to the Original Project. There would be no change to potential impacts associated with mineral resources. The Modified Project would not result in a significant increase in any environmental impacts associated with mineral resources and would not result in any new impacts.

NOISE

Noise Impacts Associated with the Original Project

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Circulation Element Policy 3.7.1 and Program 3.7.A, Growth Management Element Program 4.3.C, Noise Element Policies 9.1.1, 9.1.5, 9.1.6, 9.1.7, and 9.2.1 and Program 9.1.A.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Circulation Element Policy 3.7.1 and Program 3.7.A and Noise Element Policies 9.1.2 and 9.1.4 and Program 9.1.A.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.1.8, 2.2.4, 2.4.1, and 2.4.3 and Program 2.4.B, Growth Management Element Program 4.3.C, and Noise Element 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, and 9.2.2 and Program 9.1.A.

Discussion

Noise impacts associated with the Original Project were identified and discussed in Section 3.13, Noise, and Section 5.5, Impacts Not Found To Be Significant, of the General Plan EIR (General Plan Draft EIR, pp. 3-169 through 3-181, 5-13, and 5-14).

The Original Project would result in increased traffic levels, resulting in exposure to increased roadside noise levels. Future development projects would be required to comply with the General Plan policies and programs designed to maintain or reduce exposure to excessive noise levels, implementation of the General Plan would reduce potential impacts to a less than significant level. No mitigation was required (Impact 3.13-A, General Plan Draft EIR, pp. 3-175 and 3.177).

The Original Project would have a less than significant impact associated with exposure of noise-sensitive land uses to a substantial temporary, periodic, or permanent increase in ambient noise levels, including construction-related noise. Future development projects would be subject to the General Plan policies and programs that address potential increases in noise levels. No mitigation was required (Impact 3.13-B, General Plan Draft EIR, pp. 3-177 - 3-179).

The Original Project would have the potential to locate noise-generating, non-traffic noise sources close to sensitive land uses. The policies and programs included in the General Plan would avoid

development that results in land use incompatibility and ensure that adequate measures are implemented to reduce potential noise impacts (Impact 3.13-C, General Plan Draft EIR, p. 3-179 – 3-181).

The General Plan EIR found that the Original Project would not result in noise impacts associated with an airport or airstrip (General Plan Draft EIR, pp. 5-13 and 5-14 and Appendix A).

In summation, the General Plan EIR found that the Original Project would result in less than significant noise impacts and no mitigation measures were required.

As previously described, the Modified Project would allow multi-family and mixed use development on sites designated for multi-family and commercial development in the General Plan. The Modified Project would result in a reduction in total daily vehicle trips (see Appendix A). If all development under the Modified Project occurred with a density bonus, there would be a slight increase in AM peak hour trips (103 trips), a slight decrease (48 trips) in PM peak hour trips, and an overall reduction of 1,291 daily trips. Future development accommodated by the Modified Project would be required to comply with the General Plan policies and programs that address exposure to excessive noise levels, as described under Impact 3.13-A in the General Plan Draft EIR. Compliance with these policies and programs would continue to ensure that potential exposure to excessive noise levels remains less than significant.

Potential impacts associated with construction activities and substantial temporary, periodic, or permanent increase in ambient noise levels are anticipated to be comparable under the Modified Project to the Original Project as the AHO sites were designated for urban development with residential and/or commercial uses by the Original Project. Future development under the Modified Project would be required to comply with the General Plan policies and programs that address potential increases in noise levels, as described under Impact 3.13-B of the General Plan EIR. The impact would remain less than significant.

The Modified Project would accommodate residential development on sites designated for multifamily residential and/or commercial development by the Original Project. No change in potential exposure to noise-generating, non-traffic noise sources is expected with adherence to the General Plan policies and programs identified under Impact 3.13-C of the General Plan Draft EIR.

The Modified Project would not result in any changes in noise exposure relative to airstrips or airports, so there would be no change in significance of impacts relative to this topic.

The Modified Project would not result in any new impacts or increase in significance of impacts in relation to noise.

POPULATION AND HOUSING

Population and Housing Impacts Associated with the Original Project

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.1.1, 2.1.3, 2.1.5, 2.1.9, 2.3.6, and 2.3.11 and Programs 2.1.C, 2.2.A, and 2.4.A, Circulation Element Policy 3.7.7, and Housing Element Policies 10.1.1 and 10.3.3 and Programs 10.1.A, 10.1.B, and 10.1.E.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of all General Plan policies and programs.

Discussion

Population and housing impacts associated with the Original Project were identified and discussed in Section 3.1, Land Use, and Chapter 5, Section 5.3, Growth-Inducing Impacts, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-1 through 3-21, 5-2, and 5-3).

The Original Project would result in less than significant impacts associated with population growth and related growth inducement, with adherence to General Plan policies and programs as described under Impact 3.1-B and in Section 5.5 of the General Plan Draft EIR. Section 5.5 of the General Plan described the Smart Growth approach to the General Plan and identified a range of components identified in the Growth Management Element to preserve the quality of life. The General Plan EIR concluded that the standards included in the General Plan would mitigate impacts as a result of traffic and population impacts, concluding that growth-inducing impacts would be less than significant (Impact 3.1B, General Plan Draft EIR, pp. 3-14 through 3-16 and Section 5.3, General Plan EIR, pp. 5-2 and 5-3)

The General Plan EIR identified that the Original Project may result in a cumulative impact on land use and development, regional population growth, and jobs/housing balance. The General Plan EIR concluded that the short-term (20-year) and long-term (buildout conditions) were mitigated by the General Plan’s goals, policies, and programs (Impact 3.1E, General Plan EIR, pp. 3-20 – 3-21). No mitigation was required

Impacts associated with displacement of existing housing and people were determined to be less than significant and no mitigation was required (General Plan Draft EIR, pp. 5-13 – 5-14).

The Modified Project would accommodate an increase in residential dwelling units as described in Section 2, Project Description. This increase in growth is consistent with the state housing allocations made by the State Department of Housing and Community Development and ABAG. The Modified Project would accommodate planned growth for the region and is consistent with population forecasts. Long-term growth and the effects of growth would continue to be mitigated by the General Plan policies and programs described under Impacts 3.1B and 3.1E of the General Plan Draft EIR (see General Plan Draft EIR, pp. 3-14 through 3-16, 3-20, 5-2, and 5-3). The Modified

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Project would not result in any increase in significance or new impacts related to population/housing and growth inducement. Impacts associated with potential displacement of existing housing and people would remain less than significant, the Modified Project would have no effect on the significance of this impact.

PUBLIC SERVICES

Public Services Impacts Associated with the Original Project

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.2.9, 2.2.10, 2.2.14, and 2.3.13 and Programs 2.1.C, 2.1.D, 2.1.E, 2.4.C, and 2.8.B, Circulation Element Policy 3.6.4 and Programs 3.5.D and 3.7.E, Growth Management Element 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, 4.6.4, 4.6.5, 4.6.6, 4.6.7, 4.6.8, 4.6.10, and 4.10.4 and Programs 4.2.A, 4.2.B, 4.2.D, 4.3.B, 4.3.D, 4.4.F, 4.4.G, 4.5.D, 4.6.B, 4.6.F, 4.6.G, 4.9.A, 4.10.E, and 4.10.F, Open Space and Conservation Element Policy 6.5.B, Parks and Recreation Element Policies 7.1.12, 7.1.19, and 7.2.1 and 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, and 7.7.J, and Housing Element Programs 10.2.F, 10.2.G, 10.2.H, 10.2.I, 10.2.T, and 10.5.E.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Circulation Element Program 3.5.F, Growth Management Element Policies 4.4.1, 4.4.2, 4.4.3, 4.4.4, 4.4.5, and 4.4.6 and Programs 4.4.C, 4.4.D, 4.4.E, 4.4.F, and 4.4.G, and Health and Safety Element Policies 8.4.4 and 8.4.5 and Program 8.4.B.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policy 2.6.5, Circulation Element Policy 3.5.1 and Programs 3.5.A and 3.5.F, Growth Management Element Policies 4.5.1, 4.5.2, 4.5.3, 4.5.4, and 4.5.5 and Programs 4.5.A, 4.5.B, 4.5.C, and 4.5.D.

Impact 3.6-D Growth and development associated with the proposed General Plan may strain schools and create demand for expanded services and facilities. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policy 2.2.9, Circulation Element Program 3.2.C, Growth Management Element 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, and 4.6.11 and Programs 4.5.B, 4.6.A, 4.6.B, 4.6.C, 4.6.D,

4.6.E, 4.6.F, 4.6.G, and 4.7.A, and Parks and Recreation Element Policies 7.1.10, 7.1.17, and 7.6.3 and Programs 7.1.L, 7.1.N, 7.2.B, 7.6.A, and 7.7.I.

Impact 3.6-E New urban development associated with the proposed General Plan may result in a cumulative effect on public services. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Growth Management Element Policies 4.7.1, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.7.6, 4.7.7, 4.7.8, 4.7.9, and 4.7.10 and Programs 4.7.A, 4.7.B, 4.7.C, 4.7.D, 4.7.E, and 4.7.F.

Impact 3.6-F Growth and development associated with the proposed General Plan may strain solid waste and recycling services and create demand for expanded services and facilities. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Policies and Programs identified under Impacts 3.6-A, 3.6- B, 3.6-C, 3.6-D, and 3.6- E.

Discussion

Public services impacts associated with the Original Project were identified and discussed in Section 3.6, Public Services, and Section 5.4, Cumulative Impacts, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-78 through 3-98 and 5-6 through 5-8).

The General Plan EIR determined that potential impacts associated with government services would be reduced to less than significant with implementation of General Plan policies and programs. No mitigation was required (Impact 3.6-A, General Plan Draft EIR, pp. 3-81 through 3-89).

The General Plan EIR determined that potential impacts associated with fire protection and emergency services, including demand for expanded services and facilities, would be reduced to less than significant with implementation of General Plan policies and programs. No mitigation was required (Impact 3.6-B, General Plan Draft EIR, pp. 3-89 through 3-91).

The General Plan EIR determined that potential impacts associated with law enforcement, including demand for expanded services and facilities, would be reduced to less than significant with implementation of General Plan policies and programs. No mitigation was required (Impact 3.6-C, General Plan Draft EIR, pp. 3-91 through 3-93).

The General Plan EIR determined that potential impacts associated with schools, including demand for expanded services and facilities, would be reduced to less than significant with implementation of General Plan policies and programs. No mitigation was required (Impact 3.6-D, General Plan Draft EIR, pp. 3-93 through 3-96).

The General Plan EIR identified that new urban development associated with the Original Project may result in a cumulative effect on public services. This impact was determined to be less than significant with implementation of the General Plan, including policies and programs discussed under Impacts 3.6-A through 3.6-E (Impact 3.6-F, General Plan Draft EIR, pp. 3-97 and 5-6 through 5-8).

The General Plan EIR determined that the Original Project would have a less than significant impact on fire protection and emergency services, law enforcement, schools, and government services and facilities and that no mitigation was necessary.

As previously described, the Modified Project would allow for an increase in residential densities on sites designated with the Affordable Housing Overlay. The Modified Project would result in an increase in demand for public services associated with the potential increase in residential units and associated population. As described under Impacts 3.6-A, 3.6-B, 3.6-C, 3.6-D, and 3.6-E of the General Plan Draft EIR, the General Plan includes policies and programs to ensure that environmental impacts associated with the demand for increased governmental services, fire protection and emergency services, law enforcement, and schools, including the demand for expanded facilities, would be reduced to less than significant. The General Plan policies and programs also ensure that cumulative environmental impacts associated with provision of public services would be reduced to less than significant, as described under Impact 3.6-F of the General Plan Draft EIR. Development accommodated by the Modified Project would be required to comply with General Plan policies and programs related to the provisions of public services and facilities as well as payment of all applicable impact fees for public services and facilities, as described in the General Plan Draft EIR (General Plan Draft EIR, pp. 3-81 through 3-97). Implementation of the identified General Plan policies and programs would continue to ensure that impacts associated with development, including development accommodated by the Affordable Housing Overlay, would remain less than significant. The Modified Project would not result in an increase in the significance or any new environmental impacts associated with the provision of public services.

RECREATION

Recreation Impacts Associated with the Original Project

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 shortage of park facilities accessible to all residents. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Parks & Recreation Policies – ALL Programs – ALL Growth Management Policies 4.3.5, 4.6.9, and 4.10.8 Open Space & Recreation Policy 6.1.4 Programs 6.1.B, 6.2.A, and 6.6.B.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Policies 2.1.5 and 2.7.1 Program 2.6.A Growth Management Policies 4.4.6 and 4.7.8 Open Space & Conservation Policies 6.1.4, 6.3.1, 6.3.2, 6.6.1, and 6.6.4 Programs 6.1.B, 6.3.B, 6.6.A, 6.6.B, and 6.6.C Parks & Recreation Policies 7.1.10, 7.1.11, 7.3.5, 7.3.6, and 7.4.6 Programs 7.1.A and 7.7.B.

Discussion

Recreation impacts associated with the Original Project were identified and discussed in Section 3.5, Parks, Open Space, and Agriculture, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-63 through 3-77). Impacts associated with loss of open space were also addressed in Section 3.5.

The General Plan EIR determined that with the implementation of the General Plan, including the Parks and Recreation Element, the Original Project would have a less than significant impact on parks and recreation facilities resulting from increased population and use of facilities and no mitigation was necessary (Impact 3.5-A, General Plan Draft EIR, pp. 3-70 - 71).

The Original Project was determined to have a less than significant impact associated with use of and provision of parks and recreation facilities and with loss of open space. No mitigation measures were required.

The Modified Project would accommodate an increase in residential development and a commensurate increase in population. The potential increase in population could result in increased demand for recreational facilities and increased use of existing recreational facilities. Future development would be required to comply with policies and programs related to the provision of parks and recreation facilities identified in the General Plan Draft EIR under Impact 3.5-A (General Plan Draft EIR, pp. 3-70 and 3-71). The policies and programs identified under Impact 3.5-A would ensure that impacts associated with recreation facilities under the Modified Project would remain less than significant. There would be no new impact or increase in the significance of an impact associated with the provision or use of parks and recreational facilities. The Modified Project accommodates multi-family development on sites designated for multi-family

or commercial use and does not change the land use designation of any lands designated as open space. Implementation of General Plan policies and programs identified under Impact 3.5-B (General Plan Draft EIR, pp. 3-72 through 3-75) would ensure that there would be no change in potential impacts to open space under the Modified Project.

TRANSPORTATION AND TRAFFIC

Transportation and Traffic Impacts Associated with the Original Project

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Circulation Element Policies 3.1.1, 3.1.2, 3.1.7, and 3.1.8 and Programs 3.1.A, 3.1.B, and 3.1.C and Growth Management Policies 4.1.1 and 4.1.2.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Circulation Element Policies 3.3.1, 3.3.2, 3.3.3, and 3.7.2 and Programs 3.1.G, 3.3.A, 3.3.C, 3.3.D, 3.3.E, 3.3.F, 3.3.G, and 3.7.B, Open Space and Conservation Element Policy 6.2.2 and Program 6.2.A, and Housing Element Policy 10.1.2 Programs 10.1.G and 10.1.H.

Impact 3.3-C New urban development associated with the proposed General Plan may create additional demand for pedestrian and bicycle connections and facilities. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Land Use Element Policies 2.3.6, 2.3.9, 2.8.2, 2.8.3, 2.8.5, and 2.8.9 and Program 2.8.D, Circulation Element Policies 3.2.1, 3.2.2, 3.2.3, 3.2.4, 3.7.2, and 3.7.3 and Programs 3.1.E, 3.1.G, 3.2.A, 3.2.B, 3.2.D, 3.5.B, 3.7.B, 3.7.D, and 3.7.G, Open Space and Conservation Policy 6.2.2 and Program 6.2.A, and Parks and Recreation Element Policies 7.3.8, 7.4.10, 7.5.6, 7.5.7, 7.5.10, 7.5.11, 7.5.12, and 7.6.2.

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan policies and programs identified under Impacts 3.3-A, 3.3-B, and 3.3-C.

Discussion

Transportation and traffic impacts associated with the Original Project were identified and discussed in Section 3.3, Circulation/Transportation, and Section 5.4, Cumulative Impacts, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-26 through 3-43, 5-3, and 5-4).

The Original Project may increase traffic volumes and level of service (LOS) standards for roadway segments and signalized intersections. General Plan policies will ensure that necessary

improvements are planned and that the City coordinates with appropriate agencies. This impact is less than significant and no mitigation was required (Impact 3.3-A, General Plan Draft EIR, pp. 3-36 through 3-37).

New urban development and intensification of uses in developed areas associated with the Original Project may result in a potentially significant impact associated with increased needs for transit services. General Plan policies and programs would address the need for increased transit services. The impact was determined to be less than significant and no mitigation was required (Impact 3.3-B, General Plan Draft EIR, pp. 3-38 through 3-39).

New urban development associated with the Original Project may result in a potentially significant impact associated with demand for pedestrian and bicycle facilities. General Plan policies and programs would address the pedestrian and bicycle improvement standards and address needed facilities. The impact was determined to be less than significant and no mitigation was required (Impact 3.3-C, General Plan Draft EIR, pp. 3-39 and 3-42).

Under cumulative conditions, the Original Project could result in a cumulative effect on traffic, transit, or pedestrian and bicycle facilities. General Plan policies and programs to address these issues would reduce the impact to less than significant. Therefore, no mitigation was required (Impact 3.3-D, General Plan Draft EIR, pp. 3-42 through 3-43, 5-4, and 5-5).

The Original Project would result in less than significant impacts associated transportation and traffic. No mitigation was required.

As described in the Project Description, the Modified Project would result in an increase in the potential for multi-family and mixed use development on sites designated for multi-family and commercial uses by the General Plan. The additional housing units accommodated by the Modified Project were planned in the adopted Housing Element. Development under the Modified Project under base density conditions would result in a decrease of 1,901 daily vehicle trips, an increase of 57 AM peak hour trips, and a decrease of 59 PM peak hour vehicle trips (Table A-1). Under density bonus conditions (Table A-2), the Modified Project would also result in decrease in daily vehicle trips (-1,297 trips), an increase of 103 AM peak hour trips, and a decrease of 3 PM peak hour trips. While this would not have a significant impact on regional traffic generation or vehicle miles travelled, the Modified Project could result in a localized increase in AM peak hour traffic in the vicinity of Sites 5 through 9, which could affect roadway and intersection LOS. The General Plan includes policies and programs to ensure that the acceptable roadway LOS is maintained throughout the City under General Plan buildout conditions. No significant reduction in future LOS is anticipated with continued implementation of General Plan policies and programs. Future development under the Modified Project would be required to comply with General Plan policies and programs that require development projects to identify potential traffic impacts and to pay their fair-share of improvements necessary to address traffic. General Plan policies would continue to ensure that necessary improvements are addressed by new development providing necessary improvements or addressing traffic impacts through an appropriate funding mechanism and by regular review of intersection LOS and implementation of circulation improvements necessary to mitigate effects of growth and would reduce the impact to less than significant. Continued implementation of General Plan policies and programs would ensure that the Modified Project continues to be consistent with adopted plans, regulations, and policies associated with the performance of the circulation system, as described under Impact 3.3-A of the Draft EIR, and does not result in any new impacts or the increase in significance of impacts relative to this topic.

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The Modified Project would result in an increase in demand for transit, bicycle, and pedestrian facilities associated with population growth. However, future development associated with the Modified Project would be required to comply with applicable adopted policies and programs supporting alternative transportation as described under Impacts 3.3-B and 3.3-C of the General Plan Draft EIR, which would ensure that impacts remain less than significant. The Modified Project would not result in any new or increased impacts associated with alternative transportation.

The Modified Project does not include any plans that would introduce roadway or other transportation hazards. All development would be required to provide roadway improvements consistent with the City's roadway standards. There would be no impact associated with roadway or transportation hazards.

The Modified Project would not result in increased building heights or other changes that would affect air traffic patterns and would have no impact regarding air traffic patterns.

UTILITIES AND SERVICE SYSTEMS

Utilities and Service Systems Impacts Associated with the Original Project

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. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Growth Management Element Policies 4.7.5, 4.8.1, 4.8.2, 4.8.4, 4.8.5, 4.8.6, 4.8.7, 4.8.8, 4.8.9, 4.8.10, 4.8.11, 4.8.12, 4.8.13, and 4.10.2 and Programs 4.8.A, 4.8.B, 4.8.C, 4.8.D and 4.9.E and Parks and Recreation Element Program 7.1.P.

Impact 3.11-B New development associated with the proposed General Plan may result in exceeding utility service capabilities during peak periods. (Less than Significant with Implementation of General Plan Policies and Programs)

Mitigation Adopted by the City: None. Impact is reduced by implementation of General Plan Growth Management Element Policies 4.7.1 and 4.7.6, Open Space and Conservation Policy 6.2.1, and Housing Policy 10.2.7 and Programs 10.2.C, 10.2.O, and 10.4.B.

Discussion

Utilities and service systems impacts associated with the Original Project were identified and discussed in Section 3.11, Utilities and Service Systems, of the General Plan Draft EIR (General Plan Draft EIR, pp. 3-152 through 3-159).

The Original Project would result in increased demand for water supplies, distribution, and treatment facilities. The General Plan includes policies and programs to address water demand through build out. Implementation of the General Plan would reduce the impact to less than significant and no mitigation was required (Impact 3.11-A, General Plan Draft EIR, pp. 3-154 through 3-157).

The General Plan EIR identified that wastewater generated by new development associated with the Original Project could have a potentially significant impact associated with the collection and treatment capacity of the wastewater treatment plant. The General Plan includes policies and programs to address wastewater and implementation of the General Plan would reduce the impact to less than significant. No mitigation was required (Impact 3.8-C, General Plan Draft EIR, pp. 3-127 through 3-129).

The General Plan EIR determined that potential impacts associated with solid waste and recycling services, including demand for expanded services and facilities, would be reduced to less than significant with implementation of General Plan policies and programs. No mitigation was required (Impact 3.6-E, General Plan Draft EIR, pp. 3-96 through 3-98).

The Original Project would result in a potentially significant impact associated with exceeding utility service capabilities, including electric and natural gas, during peak periods. The General Plan includes policies and programs to address utility systems and energy use. Implementation of the General Plan would reduce the impact to less than significant and no mitigation was required (Impact 3.11-B, General Plan Draft EIR, pp. 3-157 through 3-159).

The Original Project would result in less than significant impacts associated with wastewater treatment and conveyance facilities, storm drainage facilities, solid waste disposal, and water supply and treatment facilities. No mitigation was necessary to address these impacts.

While the Modified Project could result in an increase in residential development, there would be a decrease in commercial development as shown in Tables 1 and 2. The increase in development was planned by the adopted Housing Element. The Modified Project could result in a slight increase in demand, compared with buildout conditions of the General Plan, for wastewater, stormwater, solid waste, water supply, and energy utilities. The General Plan Draft EIR identified that under buildout conditions, the demand for services would exceed existing facilities and supply and that improvements and expansion to service infrastructure, facilities, and supply would be needed to address buildout conditions for water, wastewater, solid waste, and other utilities; this would also be true of the Modified Project. As discussed under Impacts 3.11-A, 3.8-C, 3.6-E, and 3.11-B of the General Plan Draft EIR, implementation of General Plan policies and programs would address potential impacts to utility services and would reduce potential impacts to less than significant. Future development accommodated by the Modified Project would continue to be subject to General Plan policies, development impact fees, ordinances, and requirements identified in the General Plan EIR to reduce potential impacts associated with an increased demand for wastewater, stormwater, solid waste, and water supply services and facilities to a less than significant level, consistent with the discussion provided for Impacts 3.11-A, 3.8-C, 3.6-E, and 3.11-B in the General Plan Draft EIR. With the implementation of the General Plan policies and programs identified in the General Plan Draft EIR, these impacts would remain less than significant with the Modified Project. There would be no increase in the severity of impacts and there would be no new impacts associated with utilities and service systems.

4.0 CHANGES IN CIRCUMSTANCES/NEW INFORMATION

In addition to the effects of the Project changes discussed in Section 3.0 and Table 4 of this Addendum, Section 15162 of the CEQA Guidelines states that a subsequent EIR would be required if substantial changes occur with respect to the circumstances under which the project is undertaken which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

To address the potential for other changed circumstances that may result in new or substantially more severe cumulative impacts, a review was completed of plans, policies, and regulations that would apply to the Modified Project. No new plans, policies, or regulations that would result in new significant environmental impacts or an increase in the severity of environmental impacts were identified. There have been no significant changes in circumstances that would involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Since the certification of the General Plan EIR and adoption of the Original Project, the City has not reached the residential build-out potential identified in the General Plan. The General Plan anticipated new residential development of 7,132 units in the City, 4,053 in the expansion area, and 10,885 in the Planning Area. In 2006, the City annexed the East Cypress Corridor Annexation Areas 1 and 2, expanding the City limits to include the majority of the expansion area. A review of Department of Finance E-5 reports indicates that housing units in the City have increased from 8,275 in 2002 to 12,206 in 2015, an increase of 3,931 units. This increase in units is well under the residential development of 11,185 units anticipated in the City and expansion area by the General Plan. The growth trend in the City and region suggests that the build-out scenario envisioned for the Original Project will likely occur at a much slower pace and impacts associated with future growth in 2020 and beyond will occur at a slower and reduced rate.

Overall, the changes in circumstances that have occurred since preparation of the General Plan EIR would not result in new significant impacts or substantial increases in the severity of previously identified significant impacts in association with the Modified Project. No other additional information of substantial importance, which would require major revisions to earlier analyses that would warrant preparation of a subsequent EIR pursuant to Section 15162 of the CEQA Guidelines, has been identified or received. Therefore, pursuant to Section 15164 of the CEQA Guidelines, an Addendum to the General Plan EIR provides the appropriate level of environmental review for the Modified Project.

REFERENCES

California Department of Finance, 2015. Report E-5, Population and Housing Estimates for Cities, Counties, and the State, January 11, 2011-2015 with 2010 Benchmark. May 1, 2015.

City of Oakley, 2002. Oakley 2020 General Plan Update Draft Environmental Impact Report. Prepared by Quad Knopf for the City of Oakley. September 2002.

City of Oakley, 2002. Oakley 2020 General Plan Update Final Environmental Impact Report SCH 2002042134. Prepared by Quad Knopf for the City of Oakley. November 2002.

City of Oakley, 2010. City of Oakley General Plan 2020. Adopted December 16, 2002, amended January 26, 2010.

City of Oakley, 2015. Housing Element. Prepared by De Novo Planning Group for the City of Oakley. January 2015.

City of Oakley, 2014. Oakley Municipal Code, Title 4 – Chapter 2, Title 7 – Chapters 1 and 2, and Title 9, Chapters 1 – 4. Current through Ordinance 6-16 passed January 26, 2016.

TABLE A-1: COMPARISON OF TRIP GENERATION – ORIGINAL PROJECT V. MODIFIED PROJECT

Land Use	Units	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Original Project											
Multifamily Apartments	118 du	6.65	785	0.51	60	12	48	0.62	73	48	25
Low Density Multifamily	19 du	5.81	110	0.44	8	1	7	0.52	10	7	3
General Commercial	82.87 ksf	44.32	3,673	0.96	80	49	31	2.71	225	99	126
Total Original Project			4,568		148	62	86		308	154	154
Modified Project											
Affordable Housing Overlay	401 du	6.65	2,667	0.51	205	41	164	0.62	249	162	87
Total Modified Project			2,667		205	41	164		249	162	87
Difference in Trips			-1,901		57	-21	78		-59	8	-67

Source: W-trans, 2015

TABLE A-2: COMPARISON OF TRIP GENERATION – ORIGINAL PROJECT WITH DENSITY BONUS
V. MODIFIED PROJECT WITH DENSITY BONUS

Land Use	Units	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Original Project											
Multifamily Apartments	161 du	6.65	1,071	0.51	82	16	66	0.62	100	35	65
Low Density Multifamily	26 du	5.81	151	0.44	11	2	9	0.52	14	9	5
General Commercial	82.87 ksf	44.32	3,673	0.96	80	49	31	2.71	225	99	126
Total Original Project			4,895		173	67	106		339	176	166
Modified Project											
Affordable Housing Overlay	542 du	6.65	3,604	0.51	276	55	221	0.62	336	218	118
Total Modified Project			3,604		276	55	221		336	218	118
Difference in Trips			-1,291		103	-12	115		-3	45	-48

Source: W-trans, 2015

10.0 – HOUSING ELEMENT

VI. HOUSING PLAN

A. GOALS AND POLICY ACTIONS

This section describes the City of Oakley's Housing Plan for the 2014-2022 RHNA period and the 2015-2023 planning period. The Housing Plan identifies specific goals and presents specific policy actions necessary to address present and future housing needs, meet statutory requirements and consider the input by residents and stakeholders. In developing this Housing Plan, the City assessed its housing needs, evaluated the performance of existing programs, and collaborated with residents and stakeholders.

The City of Oakley has identified four broad areas of housing policy priorities:

- Production of New Housing
- Rehabilitation of Existing Housing Stock
- Preservation and Conservation of Existing Housing Resources
- Increase Access to Housing Opportunities

Goal 1: Production of New Housing

Provide adequate sites to accommodate the City's share of regional housing needs, including housing for special needs groups, through appropriate zoning and development standards; and where appropriate, removal of identified governmental constraints to the development of housing.

Policy Action 1.1: Provision of Adequate Sites to Meet Remaining RHNA Need

To ensure the availability of adequate sites to accommodate the City's projected future construction needs by income category, the City shall rezone adequate sites to accommodate 386 lower income units.

The sites shall be zoned to permit owner-occupied and rental multifamily residential use by right. At least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for residential use and for which nonresidential uses or mixed-uses are not permitted.

The City shall rezone the sites identified in Table 60 to include the Affordable Housing Overlay designation, which requires a minimum base density of 24 units per acre and allows up to 32.4 units per acre.

Table 60: Affordable Housing Overlay Designation Sites

APN	Acreage	Existing Condition	Zoning	Realistic Net Units - Existing Zoning*	Realistic Capacity - AHO
033012004 E. Cypress Rd	3.46	Undeveloped	M-12	33	90
033012005 211 E. Cypress Rd	2.39	One single family home	M-12	21	61
033012007 67 Van Pelt Lane	2.40	One single family home	M-12	22	61
033180007 6381 Sellers Ave	1.98	Two single family homes	M-9	11	48
033012009	1.11	One single family home	M-12	11	28

10.0 – HOUSING ELEMENT

43 Van Pelt Ln					
033012008					
251 E. Cypress Rd	1.12	One single family home	M-12	11	28
034030007					
1961 Carpenter Rd	3.66	One single family home	C	0	94
TOTAL	16.12	-	-	109	410

**Realistic net unit capacity under the existing zoning is based on the site developing at 80% of the maximum density less existing units on the site.*

***Minimum net capacity is based on the 80% of the maximum density allowed for the AHO.*

Objective:	Provision of Adequate Sites to accommodate remaining RHNA need of 385 extremely low, very low, and low income units
Responsible Agency:	Planning
Financing Source:	General Fund
Time Frame:	Within two years of Housing Element adoption

Policy Action 1.3: Density Bonus Ordinance

Continue to use the Density Bonus Ordinance and associated incentives to encourage affordable housing, including housing for special needs populations. The City shall review and revise the existing Density Bonus Ordinance when required by any future revisions to State density bonus law.

Objective:	Implement Density Bonus Ordinance
Responsible Agency:	Planning
Financing Source:	General Fund
Time Frame:	Ongoing

Policy Action 1.3: Review and Revise Development Fees

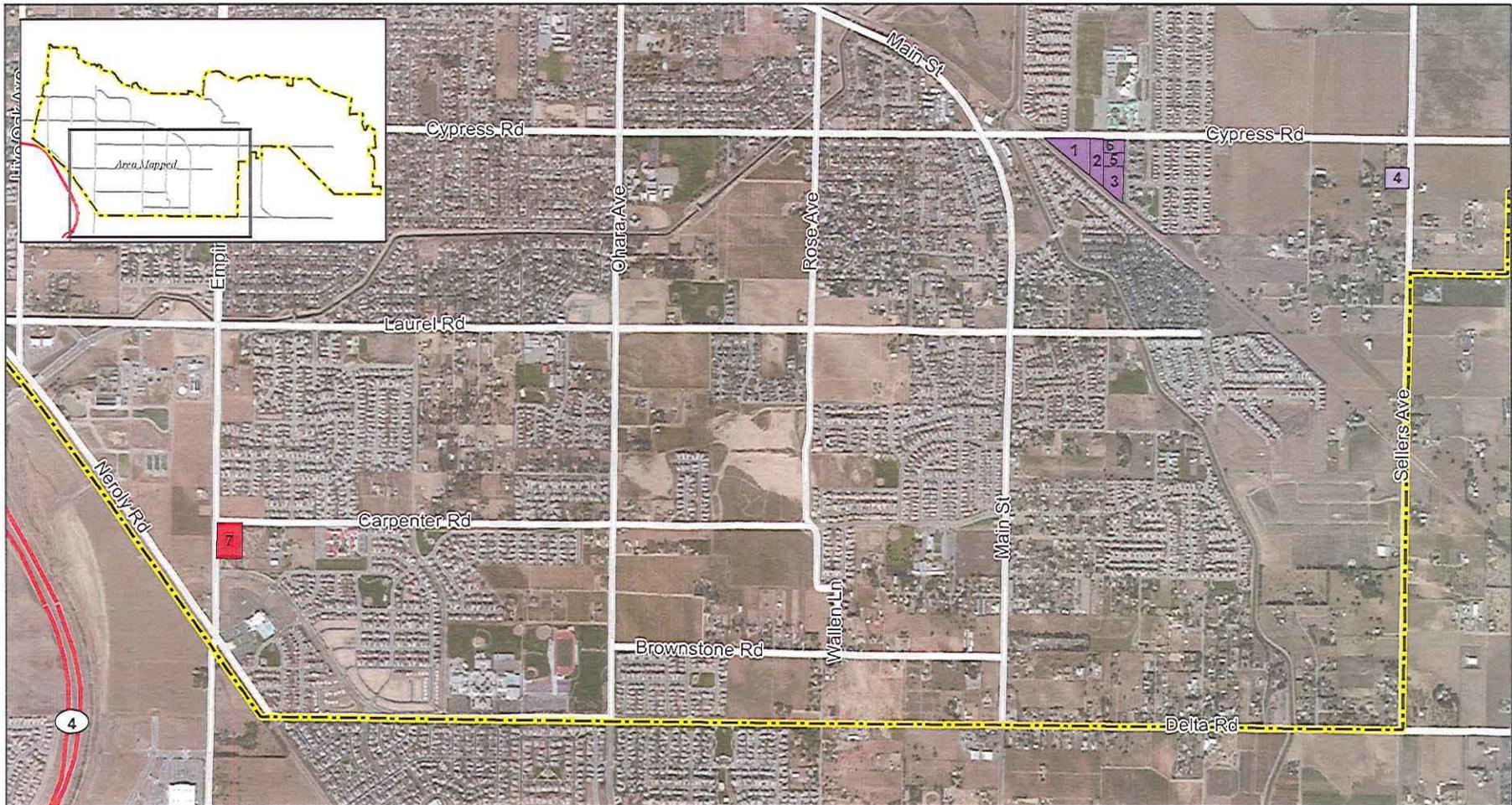
The City will continue to monitor required development fees including in-lieu fees, development impact fees, and processing fees, with the aim of reducing constraints on the development of affordable residential projects, including, but not limited to, senior housing, housing for farmworkers, emergency/transitional housing, housing for persons with disabilities (including developmental), single room occupancies, and second units. To respond to changing local market conditions during the planning period, the City shall revise required development fees, if it is deemed appropriate.

Where fees are established and administered by regional agencies, such as the Regional Transportation Development Impact Fee, Ironhouse Sanitary District Fee, and Diablo Water District Fee, the City will request the administering agency to review and reduce fees if the City has determined that the agency’s fee is constraining the residential development, particularly development of affordable housing and/or housing for special needs groups.

Objective:	Review and Revise Development Fees
Responsible Agency:	Planning
Financing Source:	General Fund
Time Frame:	Annual monitoring

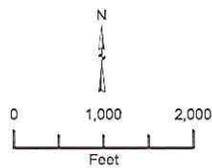
Policy Action 1.4: Promote Energy-Conserving Programs

To enhance the efficient use of energy resources, the City continue to encourage energy conservation through programs that: 1) provide incentives for developments utilizing green building techniques and sustainable design; 2) promote programs offered by PG&E; 3) continue to require conformance with CalGreen; 4) provide educational materials and technical assistance; and 5) encourage green building and



Legend

- Oakley City Boundary
- Sites by Zoning Designation**
- C
- M-9
- M-12



CITY OF OAKLEY, CALIFORNIA

Figure 1: Affordable Housing Overlay Sites

Source: City of Oakley, California, City of Oakley, California, 2018. Data as of December 31, 2018.

EIR ADDENDUM – AFFORDABLE HOUSING OVERLAY

TABLE 1: AFFORDABLE HOUSING OVERLAY SITES DEVELOPMENT POTENTIAL – BASE DENSITY

SITE	APN/LOCATION	ACRES	EXISTING CONDITION	ZONING	GENERAL PLAN LAND USE	EXISTING GENERAL PLAN CAPACITY – WITH DENSITY BONUS ^{1, 2, 3}	AHO CAPACITY – WITH DENSITY BONUS ⁴
1	051-210-019 Elm Lane	4.69	Vacant	C	CO	51,074	113
2	051-220-005 5301 Elm Lane	1.74	Two single family homes	C	CO	18,949	42
3	035-282-058 Cypress Road	1.15	One single family home	C	CO	12,524	28
4	035-282-062 Cypress Road	0.03	Vacant	C	CO	327	1
5	033-012-005 211 East Cypress Road	2.39	One single family home	M-12	MFH	40	57
6	033-012-008 251 East Cypress Road	1.12	One single family home	M-12	MFH	19	27
7	033-012-009 43 Van Pelt Lane	1.11	One single family home	M-12	MFH	19	27
8	033-012-007 67 Van Pelt Lane	2.40	One single family home	M-12	MFH	40	58
9	033-180-007 6381 Sellers Avenue	1.98	Two single family homes	M-9	MFL	19	48
TOTAL CAPACITY						137 multifamily units, 82,874 s.f. commercial	401 multifamily units

1: Anticipates commercial at 0.25 floor area ratio

2: Density of 16.7 units per acre for MFH designation

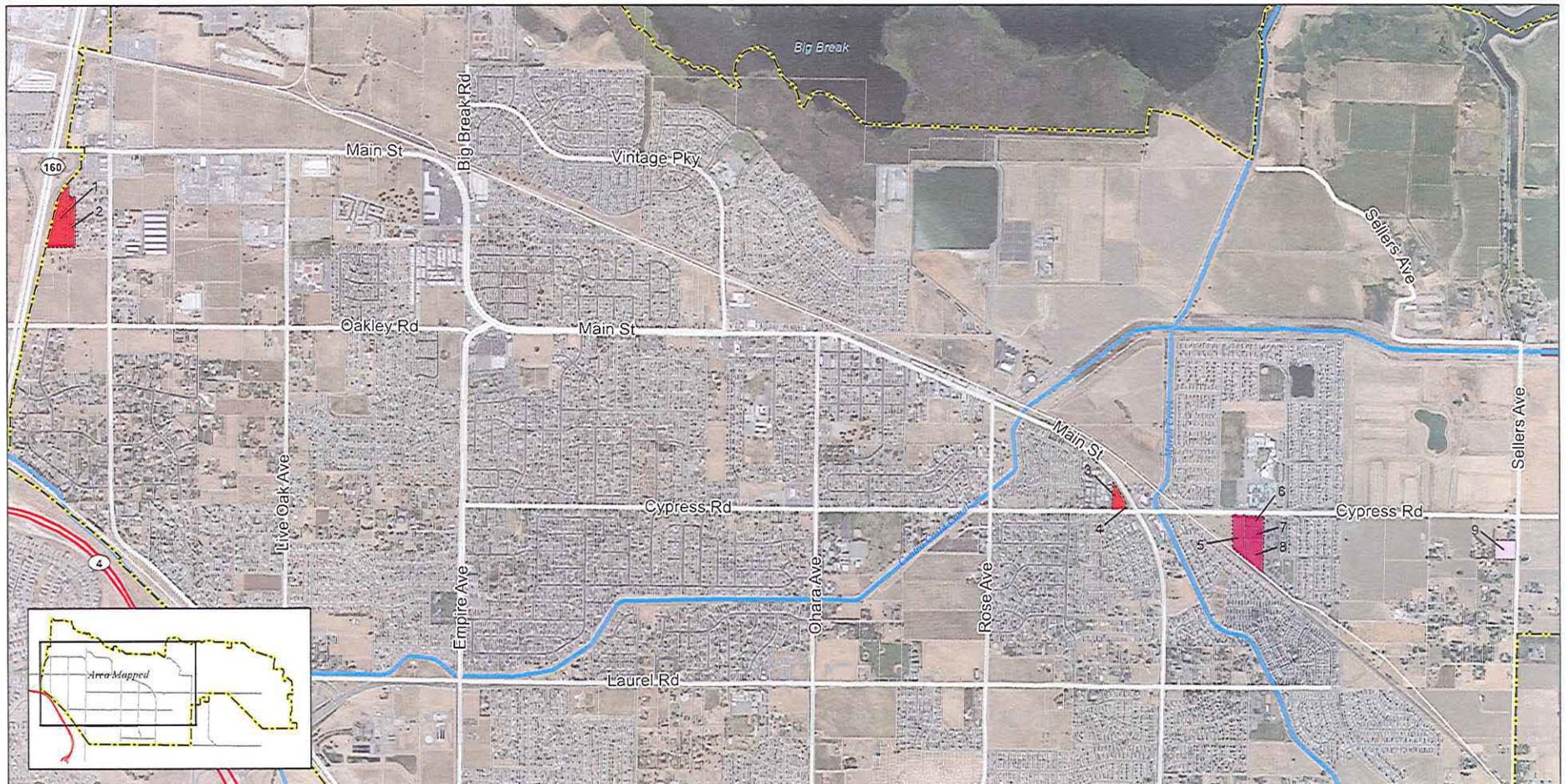
3: Density of 9.6 units per acre for MFL designation

4: Density of 24 units per acre

TABLE 2: AFFORDABLE HOUSING OVERLAY SITES DEVELOPMENT POTENTIAL WITH DENSITY BONUS

<i>SITE</i>	<i>APN/LOCATION</i>	<i>ACRES</i>	<i>EXISTING CONDITION</i>	<i>ZONING</i>	<i>GENERAL PLAN LAND USE</i>	<i>EXISTING GENERAL PLAN CAPACITY – WITH DENSITY BONUS^{1,2,3}</i>	<i>AHO CAPACITY – WITH DENSITY BONUS⁴</i>
1	051-210-019 Elm Lane	4.69	Vacant	C	CO	81,719	152
2	051-220-005 5301 Elm Lane	1.74	Two single family homes	C	CO	30,318	57
3	035-282-058 Cypress Road	1.15	One single family home	C	CO	20,038	38
4	035-282-062 Cypress Road	0.03	Vacant	C	CO	523	1
5	033-012-005 211 East Cypress Road	2.39	One single family home	M-12	MFH	54	78
6	033-012-008 251 East Cypress Road	1.12	One single family home	M-12	MFH	26	37
7	033-012-009 43 Van Pelt Lane	1.11	One single family home	M-12	MFH	26	36
8	033-012-007 67 Van Pelt Lane	2.40	One single family home	M-12	MFH	55	78
9	033-180-007 6381 Sellers Avenue	1.98	Two single family homes	M-9	MFL	26	65
TOTAL CAPACITY						187 multifamily units, 82,874 s.f. commercial	542 multifamily units

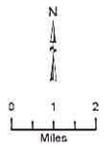
1: Anticipates commercial at 0.25 floor area ratio
 2: Density of 16.7 units per acre for MFH designation plus 35% density bonus
 3: Density of 9.6 units per acre for MFL designation plus 35% density bonus
 4: Density of 24 units per acre plus 35% density bonus



CITY OF OAKLEY GENERAL PLAN EIR ADDENDUM
 Figure 1: Affordable Housing Overlay Sites

Legend

-  Oakley City Boundary
-  Affordable Housing Overlay
- General Plan Land Use Designations**
-  MFL - Multi-Family Low
-  MFH - Multi-Family High
-  C - Commercial



Source: De Novo Planning Group, City of Oakley, and the National World Development Economics Institute, March 3, 2016