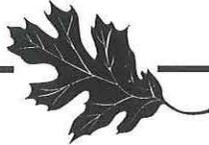


# OAKLEY



## CALIFORNIA

### STAFF REPORT

**Date:** April 26, 2016  
**To:** Bryan H. Montgomery, City Manager  
**From:** Kenneth W. Strelo, Senior Planner

Approved and forwarded to City Council

A handwritten signature in black ink, appearing to read "Bryan H. Montgomery".

Bryan H. Montgomery, City Manager

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

---

#### Summary and Background

This is a request by Brent Aasen of Brentwood MX4 Investments, LP ("Applicant") requesting approval of: 1) a General Plan Amendment to amend the land use designation from Multi Family Residential (High Density) to Commercial; 2) a Rezone from M-12 (Multi Family Residential) District to P-1 (Planned Unit Development) District; and 3) Design Review (Development Plan) for new development of a 139,408 sf. self storage facility (up to 3 stories tall) with a 1,024 sf. office building on a 3.29 acre vacant lot located on the southern side of the East Cypress Road and Picasso Drive intersection. The site is zoned M-12 (Multifamily Residential) District. APN 033-012-004.

Staff recommends the City Council approve the Cypress Self Storage project, as conditioned.

#### General Plan and Zoning

The existing land use designation on the subject site is "*Multi-Family Residential, High Density*" ("MH"). The stated purpose of the MH designation is to provide affordable and rental residential units, and to maximize urban residential space. The MH designation allows for a typical apartment-style building or a condominium complex up to a maximum 16.7 dwelling units per gross acre.

The existing zoning classification for the site is the M-12 (Multi Family Residential) District. The M-12 District would permit detached and attached housing, such as detached single family homes, duplexes, and apartment buildings by right, as well as other uses as listed in Oakley Municipal Code ("OMC") [Section 9.1.406](#).

## Existing Conditions and Surrounding Land Uses

The proposed project site is located on the south side of East Cypress Road, just east of the railroad tracks (see Figure 1). The General Plan Land Use designations surrounding the site include Multi-Family Residential (High Density) to the east, Single Family Residential (High Density) and Public and Semi Public to the north, and Single Family Residential (Medium Density) to the southwest across the railroad tracks. The Public and Semi Public land to the north is the location of Ironhouse Elementary and Delta Vista Middle schools.

Picasso Drive, a main entrance into the single family residential subdivision to the north (Cypress Grove), intersects with the north portion of East Cypress Road opposite the project site. One vacant building occupies the site, and four rural residential homes lie to the immediate east. Further east, beyond those four rural residential homes, is high density residential development. The railroad tracks run along the entire southwest property line of the triangular-shaped project site.

**Figure 1. Project Site and Adjacent Properties**



There is no pedestrian access to Main Street along the south side of East Cypress Road, west of the intersection of Picasso Drive, due to safety concerns with the railroad tracks. Pedestrians may legally access the west side of the tracks by crossing East Cypress Road and traversing northwest on a trail adjacent to Warhol Way that leads to Marsh Creek trail where they may safely pass under the tracks.

## **Project Description**

### Proposed General Plan Amendment

The proposed General Plan land use designation amendment is to change the MH designation on the property to "*Commercial*" ("CO"). As stated in the Oakley 2020 General Plan, "[The commercial] designation allows for a broad range of commercial uses typically found adjacent to residential neighborhoods, downtowns, and freeways." In order to establish a self-storage use, the applicable land use designation would need to be amended to a non-residential land use designation, such as CO.

### Proposed Rezoning

Amending the applicable land use designation to CO would allow for a rezoning application to change the applicable zoning district, but only to one of the zoning districts found to be compatible with CO, which include Retail Business (RB) District, General Commercial (C)

District, or Planned Unit Development (P-1) District. The C District allows for self-storage (termed "mini-self storage" in the OMC) with approval of a conditional use permit, but only if accompanied by retail storefronts. The RB and C Districts do not solely permit self-storage. This project does not include a retail component along the frontage, the only applicable option for rezoning is to a P-1 District, which may permit and conditionally permit specific uses so long as they are compatible with the overlying General Plan land use designation.

The applicant has proposed P-1 District regulations specific to the project. In summary, the regulations would allow for any use approved as part of a final development plan, such as the proposed design review would do for the self storage project. The proposed P-1 District also sets forth development regulations consistent with the proposed site plan. The proposed required yards (setbacks) are as follows: 10 feet (front); and 0 feet (rear and side). Proposed maximum building heights are relevant to the proposed project as follows: Two-story or 30 feet (office); one-story or 20 feet (perimeter buildings); and three-story or 35 feet (interior building). The applicant is proposing that truck and trailer storage and rental be allowed as a conditionally permitted use. This would require approval of a conditional use permit for the storage and/or rental of trucks or trailers beyond the storage and rental of a maximum of one truck as permitted in the proposed P-1 District. As part of this application, Staff has conducted an analysis and determined the extent of the P-1 District's regulations for recommendation to the City Council. That discussion can be found in the "Analysis" section of this staff report.

#### Proposed Design Review

The proposed design review covers all of the physical development of the site, such as building siting, layout, architecture, colors and materials, landscaping, lighting, and parking. The proposed project involves full development of a 3.29 acre vacant site with two main storage buildings, categorized as five buildings, and one smaller office building. Buildings A, B, D, and E are all one-story (12 feet tall) and total approximately 48,808 square feet. They run along the perimeter of the three property lines that define the triangular-shaped site. Building C is located in the center of the development and is completely detached from the other buildings. It is planned to accommodate up to three-stories (apx. 31 feet tall), and totals approximately 93,600 square feet. The one-story office is detached from the storage buildings and is located on the east side of the entry driveway. It totals 1,024 square feet, and stands approximately 12 feet tall at the main building walls and up to 28.5 feet tall to the top of the architectural entry element.

Dedicated off street parking is provided in three spaces (one ADA accessible) outside of the entry gate and two additional spaces inside the entry gate and adjacent to the office building. Parking for access to storage units will be unmarked but available within the drive aisles as is typical in self storage type uses. In most areas, the drive aisles are a minimum 30 feet wide. The drive aisle is 26 feet wide between the corners of Building C and Building E, which is along the eastern property line.

The storage building walls that face East Cypress Road (Buildings A and B) are designed to look similar to the subdivision walls in the vicinity (see Figure 2). The applicant wanted to

design the project to have a similar streetscape as nearby residential developments such as Cypress Grove and Emerson Ranch. Also, heavy landscaping is proposed along the frontage wall. The east and southwest walls are not proposed with the same detail as nearby subdivision sound walls. They are proposed to be the same 11-12 foot tall concrete tilt up walls as on the frontage, but without the decorative stone veneered columns every 40 feet on center. Figure 3 shows a fully landscaped, color rendering of the office and entrance from the viewpoint just west of the project driveway on East Cypress Road.

Figure 2. Partial North Elevation

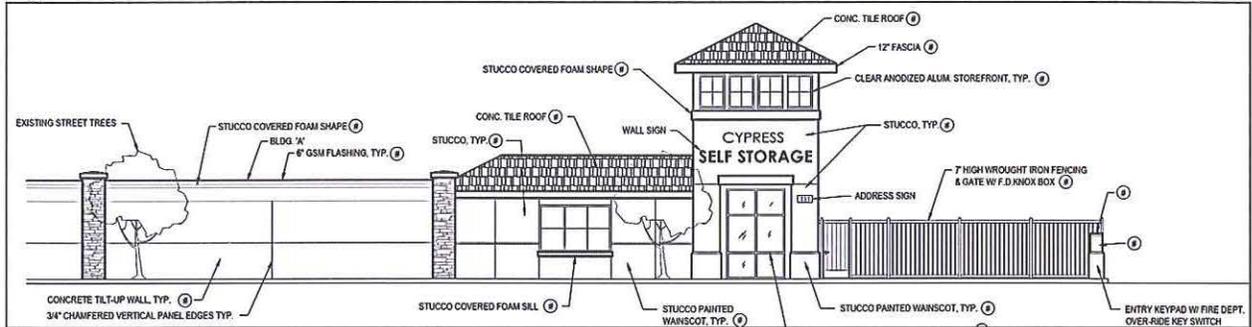


Figure 3. Fully Landscaped Color Rendering



### Previous Preliminary General Plan Amendment

On October 27, 2015, the City Council held an advisory public hearing on a Preliminary General Plan Amendment for the proposed Cypress Self Storage project. Mayor Hardcastle was absent for the meeting. At that time, the Council was presented with the conceptual plans and proposed amendment from MH to CO, as well as a brief analysis by Staff on the application. The purpose of the preliminary hearing was to allow for the Council to provide feedback to the applicant and Staff regarding concerns and interest in the project. The minutes of that meeting are attached as reference. In summary, the Council had concerns

regarding pedestrian access to the adjacent railroad tracks, whether redesignating the site would impact the City's Regional Housing Needs Assessment ("RHNA"), and whether the driveway location would pose any traffic safety issues. In closing comments, all four present Councilmembers indicated an interest in seeing the applicant propose for the General Plan Amendment to redesignate to the site to *Commercial*.

## **Analysis**

### General Plan Amendment

Amending a land use designation from a high density multi-family residential land use to a commercial land use will change the underlying type of development allowed and remove the potential for up to 55 multi-family dwelling units on the site. When considering the potential for a General Plan Amendment on this site, one important aspect is whether or not the site should remain multi-family residential. Given discussions held during the preliminary hearing, this site is not an ideal location for residential development due to its adjacent proximity to the active rail road tracks and irregular shape. The site is not included as part of the Affordable Housing Overlay District, so amending its land use designation to *Commercial* will not directly impact the City's Regional Housing Needs Assessment for affordable housing.

If the site was to be redesignated to *Commercial* and the proposed project approved, there would be one inconsistency with the General Plan. The description for the "Commercial" land use designation in the Oakley 2020 General Plan includes maximum site coverage of 40%. The proposed site plan shows site coverage of approximately 54%. The General Plan includes many policies and implementation measures. Sometimes, as with this lot coverage, it also contains guidance for applicable zoning districts. Staff believes since this project is located on an irregular site and would require a P-1 District just to be a feasible development that the project meets the intent and spirit of the General Plan, and that exceeding the 40% lot coverage is an element of the P-1 District more so than an inconsistency with the General Plan's *Commercial* land use.

In the realm of land use compatibility, redesignating this site to allow for a commercial use, such as the proposed self storage, will serve to provide a buffer between the railroad tracks and the existing residential uses and future development to the east. It would also serve to result in a development that will beautify the south side of East Cypress Road to match the north side, which will result in a more balanced and attractive entry to the City's fastest growing part of town, the East Cypress Road corridor. Given the proposed project and accompanying P-1 District, the proposed General Plan Amendment is warranted.

### Rezone

To revisit the background section, aside from a P-1 District, only the General Commercial "C" District is compatible with the *Commercial* land use designation and would allow for a self-storage use. However, self-storage would require approval of a conditional use permit and would be required to include a retail frontage. The applicant is not proposing a retail frontage. Also, due to the natural constraints of the site (E.g. triangular shape and large frontage to lot size ratio) compliance with the some of the standard C District development

regulations would be very difficult to meet and result in a much different project that may not be feasible to build. Therefore, the applicant has proposed a Planned Unit Development (P-1) District that would serve the purpose of being compatible with the *Commercial* General Plan Land Use Designation, while establishing self-storage as a permitted use subject to approval of a Final Development Plan, and relaxing the standard development standards to allow for feasible development of the project site. The P-1 District, as conditioned, is well thought out and will allow the site to be developed in the vision of the applicant in a manner consistent with the *Commercial* land use designation.

### Design Review

**Circulation/Parking:** The proposed project will be accessed off East Cypress Road with a driveway that will form a four-way intersection with the already signalized Picasso Drive/East Cypress Road three-way intersection. The cross section for East Cypress Road will remain as a divided four-lane arterial with a dedicated left turn lane on eastbound East Cypress Road (turning northbound onto Picasso Drive). The westbound lanes east of Picasso Drive include a full-width median, but no dedicated left turn lane. The project is conditioned to fund a traffic signal analysis to accommodate the proposed use. If the findings of that analysis find that a dedicated left turn lane would be required to access the site via westbound, the applicant shall fund and install a dedicated left turn lane and signal, or fund the installation of "no left turn signs" to prevent westbound patrons from attempting to turn left into the site. In the event "no left turn" is applicable, westbound vehicles would be required to make a U-turn at Main Street in order to access the driveway via eastbound East Cypress Road. Given the low volume of trips expected from the east, this will not create any significant traffic hazards.

For parking, "mini-storage facilities" are required to provide 2.0 covered spaces near any residential unit and 5.0 uncovered spaces near the office (OMC Section 9.1.1402 Off-Street Parking). Since the project does not include a residential unit, only 5.0 uncovered spaces are required near the office. The proposed project provides five uncovered parking spaces near the office, including one ADA accessible space outside of the gate. Therefore, the project is adequately parked.

**Building Design:** A majority of the developed site will be visible to the public as the side to the perimeter one-story building with the three-story building protruding above. Only a small portion of the entry will be visible as the office building and entrance gate. Due to the southwest side of the site being adjacent to the railroad tracks, and not highly visible from public view, the applicant has not proposed any architectural embellishments on the perimeter building walls. Likewise, because the eastern property line will be on an interior lot line and adjacent to existing rural residential uses and only visible from public view to westbound traffic on East Cypress Road that is on the other side of the median landscaping, the applicant has not proposed any architectural embellishments on the perimeter building wall of that property line either. However, the south-facing elevations, which are highly visible from public view on East Cypress Road, the nearby school sites, houses in Cypress Grove, and Picasso Drive outbound traffic, are designed in a manner consistent with the decorative sound walls along East Cypress Road. The office building includes the most architectural detail. It will include a two-tone stucco exterior with windows visible on the

main one-story section, the storefront and just below the taller pyramid style roof on the tower element. Signage is proposed just above the storefront windows. The entry gate will consist of a seven foot tall wrought iron fence with rolling section that total approximately 85 feet from the office building to the opposite building corner.

The three-story building proposed in the middle of the project will consist of horizontal corrugated metal siding on the entire second and third floor elevations. The first floor will consist of metal roll up doors separated by concrete columns. Although the building will be mostly screened by the perimeter buildings, approximately half or more of its vertical elevation will be visible above the roofline of the perimeter buildings. The City of Oakley Commercial and Industrial Design Guidelines discourage metal buildings, except that metal may be considered as architectural elements. Preferred materials for main building elevations include brick, stucco, wood siding, and stone. Given the interior location of Building C, Staff recommends the horizontal metal siding be covered with a textured paint to better comply with the design guidelines. Since submittal of the proposed plans, the applicant has agreed to stucco-texture the exposed metal siding of Building C. This modification to the proposed plans will comply with the design guidelines, and has been added as a condition of approval.

The proposed plans show an undeveloped portion of the site in the southeast corner. Since the perimeter buildings will only have a 2-3 foot setback to the adjacent property lines in that corner, there is difficulty with accessing this area for maintenance. Placing a man door on the outside for access from the inside can lead to a security risk. The applicant has agreed to fill in this area with additional building square footage. This solution will enclose that area so that landscape maintenance is not required. This modification has been added as a condition of approval.

With adoption of the proposed resolution for Design Review approval, as conditioned, the project will comply with the Commercial and Industrial Guidelines.

### **Environmental Review**

An Initial Study and Negative Declaration ("ND") have been prepared for this project pursuant to the California Environmental Quality Act (CEQA). The Notice of Intent to Adopt a ND and Initial Study was circulated for public review and comment from March 26, 2016 to April 25, 2016 and was filed with the County Clerk and Governor's Office of Planning and Research State Clearinghouse. A copy of the ND and Initial Study are attached. The City Council must adopt the ND in order to approve the project. Adoption of the ND is included in the proposed General Plan resolution, and referenced in the Rezone ordinance and Design Review resolution.

### **Findings**

Draft findings for the General Plan Amendment and Design Review can be found in the proposed resolutions. Draft findings for the Rezone can be found in the proposed ordinance.

## **Recommendation**

Staff recommends the City Council:

- Adopt the Negative Declaration (included as a finding to proposed General Plan resolution and references in the proposed Rezone ordinance and Design Review resolution);
- Adopt a resolution approving the General Plan Amendment, as conditioned;
- Waive the first reading and introduce an ordinance approving the Rezone, as conditioned; and
- Adopt a resolution approving the Design Review, as conditioned.

## **Attachments**

1. Vicinity Map
2. Public Hearing Notice
3. Initial Study with Negative Declaration
4. Applicant's Plans
5. Proposed General Plan Land Use Amendment Resolution
6. Proposed Rezone Ordinance
7. Proposed Design Review Resolution

Vicinity Map  
Cypress Self Storage  
Southern Side of East Cypress Road at Intersection of Picasso Drive  
APN 033-012-004





City of Oakley  
3231 Main Street  
Oakley, CA 94561  
[www.oakleyinfo.com](http://www.oakleyinfo.com)

## NOTICE OF PUBLIC HEARING

Notice is hereby given that on **April 26, 2016** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering an application for a **General Plan Amendment, Rezone, and Design Review**.

**Project Name:** Cypress Self Storage (GPA 03-15, RZ 05-15, DR 12-15)

**Project Location:** Southern side of the East Cypress Road and Picasso Drive intersection. APN 033-012-004.

**Applicant:** Brent Aasen of Brentwood MX4 Investments, LP. 1120 Second Street, Suite 118, Brentwood, CA 94513.

**Request:** This is public hearing on a request by Brent Aasen of Brentwood MX4 Investments, LP ("Applicant") for approval of: 1) a General Plan Amendment to amend the land use designation from Multi Family Residential (High Density) to Commercial; 2) a Rezone from M-12 (Multi Family Residential) District to P-1 (Planned Unit Development) District; and 3) Design Review (Development Plan) for new development of a 139,408 sf. self storage facility (up to 3 stories tall) with a 1,024 sf. office building on a 3.29 acre vacant. The site is zoned M-12 (Multifamily Residential) District. APN 033-012-004.

The Staff Report and its attachments will be available for public review, on or after April 22, 2016 at City Hall, 3231 Main Street, Oakley, CA 94561 or on the City's website [www.oakleyinfo.com](http://www.oakleyinfo.com).

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

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



**California Environmental Quality Act (CEQA)**

**NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION**

---

**Project Title:** Cypress Self Storage (GPA 03-15, RZ 05-15, DR 12-15)

**Lead Agency Name and Address:** City of Oakley, 3231 Main Street, Oakley, CA 94561

**Contact Person and Phone Number:** Kenneth W. Strelo, Senior Planner, (925) 625-7036

**Project Location:** East Cypress Road and Picasso Drive, Oakley, CA 94561; APN 033-012-004; Contra Costa County

**Project Sponsor's Name and Address:** Brentwood MX4 Investments, LP; 1120 Second Street, Suite 118; Brentwood, CA 94513

**General Plan:** Multi-Family Residential (High Density)

**Zoning:** M-12 (Multi-Family Residential) District

**Project Description Summary:** Request for approval of: 1) a General Plan Amendment to amend the land use designation from Multi Family Residential (High Density) to Commercial; 2) a Rezone from M-12 (Multi Family Residential) District to P-1 (Planned Unit Development) District; and 3) Design Review (Development Plan) for new development of a 139,408 sf. self storage facility (up to 3 stories tall) with a 1,024 sf office building on a 3.29 acre vacant lot located on the southern side of the East Cypress Road and Picasso Drive intersection. The site is zoned M-12 (Multifamily Residential) District. APN 033-012-004.

**Declaration:**

On March 25, 2016, the City of Oakley Planning Division determined that the above project will have no significant effect on the environment and is therefore exempt from the requirement of an Environmental Impact Report. The determination is based on the following findings:

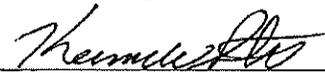
- a) The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b) It will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
- c) It will not have significant impacts, which are individually limited, but cumulatively considerable.
- d) It will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.
- e) No substantial evidence exists that the project will have a significant negative adverse effect on the environment.

Written comments shall be submitted no later than 30 days from the posting date. Appeal of this determination must be made during the posting period.

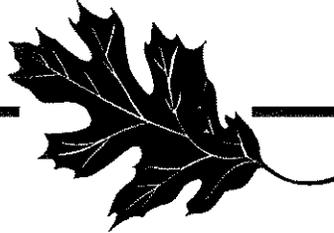
**Submit comments to:**

City of Oakley  
Attn: Kenneth W. Strelo  
3231 Main Street  
Oakley, CA 94561

**Posting period: March 26, 2016 – April 25, 2016**

Initial Study Prepared By:   
Kenneth W. Strelo, Senior Planner

# OAKLEY



# CALIFORNIA

**California Environmental Quality Act (CEQA)**

**Initial Study**

**for**

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

**March 2015**

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## INITIAL STUDY

### A. BACKGROUND

1. Project Title: Cypress Self Storage (GPA 03-15, RZ 05-15, DR 12-15)
2. Lead Agency Name and Address: City of Oakley, 3231 Main Street, Oakley, CA 94561
3. Contact Person and Phone Number: Kenneth W. Strelow, Senior Planner (925) 625-7036
4. Project Location: East Cypress Road and Picasso Drive, Oakley, CA 94561; APN 033-012-004; Contra Costa County
5. Project Sponsor's Name and Address: Brentwood MX4 Investments, LP, 1120 Second Street, Suite 118, Brentwood, CA 94513
6. General Plan: Multi-Family Residential (High Density)
7. Zoning: M-12 (Multi-Family Residential) District
8. Project Description Summary:

Application requesting approval of: 1) a General Plan Amendment to amend the land use designation from Multi Family Residential (High Density) to Commercial; 2) a Rezone from M-12 (Multi Family Residential) District to P-1 (Planned Unit Development) District; and 3) Design Review (Development Plan) for new development of a 139,408 sf. self storage facility (up to 3 stories tall) with a 1,024 sf. office building on a 3.29 acre vacant lot located on the southern side of the East Cypress Road and Picasso Drive intersection. The site is zoned M-12 (Multifamily Residential) District. APN 033-012-004.

**B. SOURCES**

The following documents are referenced information sources utilized for this analysis:

1. BAAQMD Air Quality Standards and Attainment Status table and notes. [http://hank.baaqmd.gov/pln/air\\_quality/ambient\\_air\\_quality.htm](http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm)
2. BAAQMD Updated CEQA Guidelines. May 2011.
3. Biological Resources Assessment Letter Report for the proposed project by FirstCarbon Solutions.
4. California Department of Conservation, Important Farmland Map, Contra Costa County, 2012.
5. City of Oakley 2020 General Plan. Updated February 2, 2016.
6. City of Oakley 2020 General Plan Environmental Impact Report. September, 2002.
7. City of Oakley 2020 General Plan Update Background Report. September 2001.
8. City of Oakley Commercial and Industrial Design Guidelines.
9. City of Oakley Municipal Code.
10. City of Oakley Standard Conditions of Approval.
11. City of Oakley Zoning Map.
12. Contra Costa County General Plan 2005-2020.
13. East Contra Costa County Habitat Conservation Plan and Natural Communities Conservation Plan.
14. Habitat Conservation Planning Survey.
15. Planning Survey Report for the proposed project.
16. Transportation Impact Analysis Cypress Self Storage by Abrams and Associates. March 2016.

**C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> <b>Aesthetics</b>	<input type="checkbox"/> <b>Agriculture</b>	<input type="checkbox"/> <b>Air Quality</b>
<input type="checkbox"/> <b>Biological Resources</b>	<input type="checkbox"/> <b>Cultural Resources</b>	<input type="checkbox"/> <b>Geology/Soils</b>
<input type="checkbox"/> <b>Hazards &amp; Hazardous Materials</b>	<input type="checkbox"/> <b>Hydrology/Water Quality</b>	<input type="checkbox"/> <b>Land Use &amp; Planning</b>
<input type="checkbox"/> <b>Mineral Resources</b>	<input type="checkbox"/> <b>Noise</b>	<input type="checkbox"/> <b>Population &amp; Housing</b>
<input type="checkbox"/> <b>Public Services</b>	<input type="checkbox"/> <b>Recreation</b>	<input type="checkbox"/> <b>Transportation &amp; Circulation</b>
<input type="checkbox"/> <b>Utilities/Service Systems</b>	<input type="checkbox"/> <b>Mandatory Findings of Significance</b>	

**D. DETERMINATION**

On the basis of this initial study:

- I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

*Kenneth W. Strelow*  
Signature

3/25/16  
Date

Kenneth W. Strelow, Sr. Planner  
Name and Job Title

City of Oakley  
Agency

**E. BACKGROUND AND INTRODUCTION**

This initial study provides an environmental analysis pursuant to the California Environmental Quality Act (CEQA) for the proposed project. The applicant has submitted this application to the City of Oakley. The initial study contains an analysis of the environmental effects of the proposed project.

The project Initial Study will rely upon the program level analysis provided in the Oakley 2020 General Plan EIR, as well as site-specific studies prepared for the project, in determination of impacts.

## F. PROJECT DESCRIPTION

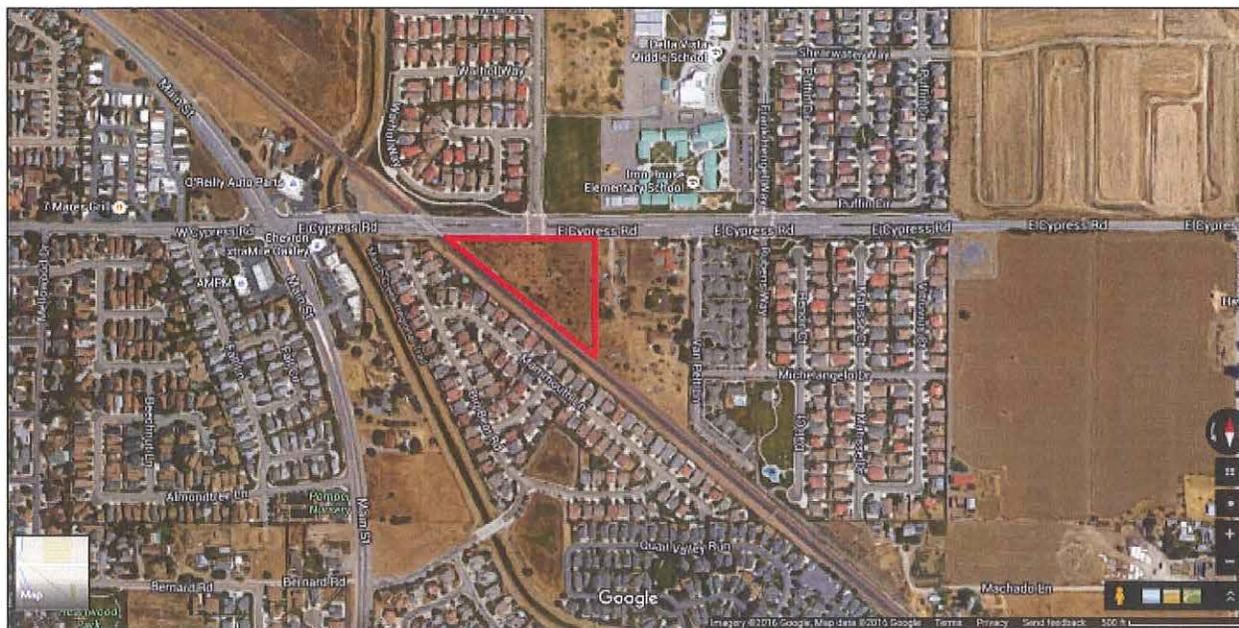
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### Project Location and Surrounding Land Uses

The project site is located on the south side of East Cypress Road at the intersection of East Cypress Road and Picasso Drive, Oakley, CA 94561, Contra Costa County.

The 3.29 acre triangular-shaped project site is currently vacant, but contains an abandoned home and orchard. The northern property line is adjacent to the southern right of way for East Cypress Road (a 4-lane divided arterial road in that location). To the north, beyond East Cypress Road, is an existing single family residential subdivision (Cypress Grove) and a combination elementary school/middle school site (Ironhouse Elementary School and Delta Vista Middle School). The Burlington Northern Santa Fe (BNSF) Railway tracks run directly adjacent to the southwestern property line, with additional single family residential beyond the tracks. These tracks are currently operated for freight and Amtrak trains. To the east of the site, underdeveloped rural residential uses occupy a few lots that are designated Multi-Family Residential (High Density). Beyond those rural lots is an affordable housing apartment complex (Courtyards at Cypress Grove).

**Figure 1**  
**Project Vicinity Map**



## **Discretionary Actions**

Implementation of the proposed project would require the following discretionary actions by the City of Oakley City Council:

- Adoption of a Negative Declaration
- Approval of a General Plan Amendment
- Approval of a Rezone
- Approval of Design Review

## **G. ENVIRONMENTAL CHECKLIST**

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the Proposed Project.

For this checklist, the following designations are used:

**Potentially Significant Impact:** An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

**Potentially Significant With Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than-significant level.

**Less-Than-Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards.

**No Impact:** The project would not have any impact.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>I. AESTHETICS.</b>				
Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

- a. The City of Oakley GP EIR (Oakley GP EIR) does not designate the proposed project site a scenic vista. However, Mount Diablo can be seen from the project site and is considered a scenic resource by the Oakley 2020 General Plan (Oakley GP). The project may result in a brief interruption of the view of Mt. Diablo from passing traffic on eastbound East Cypress Road. Although the project would result in buildings that could intermittently obscure views of Mt. Diablo in the distance, the City General Plan anticipated development of the site with multi-family residential at a maximum 36 feet in height. The proposed project would max out at just over 31 feet in height. Therefore, the project would have a **less-than-significant** impact on scenic resources.
- b. The project site is not located within a State scenic highway. Therefore, there is **no impact**.
- c. The project is subject to discretionary design review approval. The site development, landscaping, and building architecture plans are analyzed for consistency with the adopted City of Oakley Commercial and Industrial Design Guidelines. The process of design review will require the project to be designed in a manner that does not result in substantial degrading visual qualities. Therefore, the project would have a **less-than-significant impact** in regards to the degradation of the scenic quality of the site.
- d. Although not substantial, the project may result in additional, but insignificant light or glare. Therefore, the proposed project would result in a **less-than-significant impact** in the creation of light or glare.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>II. AGRICULTURE RESOURCES.</b>				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1977) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a. The proposed project site is categorized as "Urban and Built-Up Land" on the Contra Costa County Important Farmland Map 2012 published by the Department of Conservation. Since the property is not designated as "Farmland", the project would have **no impact** to conversion of Farmland to non-agricultural use.
- b,c. The project site is not zoned "agricultural" nor is it under Williamson Act contract. The project would have **no impact** to agricultural zoning or Williamson Act land.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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**III. AIR QUALITY.**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion**

a-c. Oakley is located on the south side of the San Joaquin River Delta, east of the Carquinez Straits. The location between the greater Bay Area and the Central Valley greatly influences the climate and air quality of the area. The City is located at the eastern boundary of the San Francisco Bay Area Air Basin. Oakley is located west of San Joaquin County, which represents part of the neighboring San Joaquin Valley Air Basin. Air quality within the region is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). Screening of project was done under the BAAQMD's California Environmental Quality Act Air Quality Guidelines, updated May 2011 (BAAQMD Guidelines).

Although self storage is not specifically listed in the Screening Criteria (Table 3-1) of the BAAQMD Guidelines, several more intense uses that would have similar building construction and site development are listed, such as manufacturing, warehouse, general light industrial, and industrial park. All of those uses would be expected to generate more vehicle trips, include more employees, and contain more pollution generating activities than self storage with a small office space. The screening criteria threshold for those uses is a minimum 541,000 square feet (operational criteria) and 259,000 square feet (construction criteria). The proposed self storage facility would include a maximum of 140,432 square feet of build out. Since the proposed project will result in substantially less square footage for both operational and construction screening criteria for more intense uses, it is expected that the project will result in a **less-than-significant**

**impact** to the applicable air quality plan, and cumulative impacts associated with the San Francisco Bay Area Air Basin.

- d. The project would not include or result in substantial pollutant concentrations; therefore, the project would have a **less-than-significant impact** related to exposing sensitive receptors to substantial pollutant concentrations.
- e. The project would not include industrial or intensive agricultural use; therefore, the project would not create odors or toxic air contaminants. The proposed project would have **no impact** on odors or toxic air contaminants.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES.</b>				
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a. The Oakley GP Figure 6-1 (Vegetation Types) designates the project site as Agricultural/Ruderal, and Figure 6-2 (Biological Sensitivity) of the Oakley GP indicates that the project site is considered to have Low biological sensitivity. The site contains an existing, but abandoned residence and accessory building. The proposed project site also contains an inactive and dying walnut orchard, which has not been maintained since the mid-1990s.

As part of the project application, FirstCarbon Solutions submitted a Biological Resources Assessment Letter Report (Bio Report). They also submitted a Planning Survey Report (PSR) to comply with and receive permit coverage under the East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan (HCP).

Results of the Bio Report summarized the project site does not contain any observable sensitive habitats, but has the potential to support two special-status species (burrowing owls and loggerhead shrike), as well as nesting of birds and raptors protected under the Migratory Bird Treaty Act (MBTA). The Bio Report recommends further studies for burrowing owl would not be required, but that pre-construction surveys for MBTA listed bird species, including Swainson's Hawk, be conducted.

Results of the Planning Survey found no sensitive or special status plant species on site, and applicable animal species will require pre-construction surveys and mitigation that is built into the HCP/NCCP Take Permit. Those species include, Western burrowing owl, Townsend's big-eared bat, Swainson's hawk, and Golden Eagle. Although the Bio Report indicated no further burrowing owl studies would be required, the HCP will require pre-construction surveys and potential mitigation. Also, compliance with the HCP includes compliance with the MBTA. Therefore, since compliance with the HCP is a requirement of development separate from CEQA mitigation, this project will result in a **less-than-significant impact** to sensitive habitats, sensitive communities, and special-status species.

- b. The Bio Report indicates the project site does not include any riparian habitat or other sensitive natural communities. Therefore, there would be **no impact** due to this development.
- c. The Bio Report indicates the project site does not include any wetlands as defined by Section 404 of the Clean Water Act. Therefore, **no impact** would result from the development of the project site.
- d. The project site is surrounded by urban and developed land, and does not support a wildlife corridor and does not contain any watercourses that would support migratory fish. Therefore, the development of the project site would result in **no impact**.
- e. All of the onsite trees are proposed to be removed. Removal of trees within the City of Oakley is subject to Oakley's "Heritage and Protected Trees" ordinance (Section 9.1.1112 of the Oakley Municipal Code). Compliance with this ordinance will result in **no impact** in relation to conflicting with the local policies or ordinance protecting biological resources or trees.
- f. The East Contra Costa County HCP was approved in August 2007, and the City of Oakley approved the implementing ordinance on November 13, 2007. The project is within the City and, therefore, is included in the urban limit line of the HCP. In compliance with the implementing ordinance, the proposed project has completed the HCP Application and Planning Survey to comply with and receive permit coverage under the East Contra Costa County HCP and National Community Conservation Plan. The proposed project will be required to comply with the HCP conservation strategies. Since the project will comply with the

requirements of the HCP, there is no conflict and; therefore, **no impact** in relation to the HCP.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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**V. CULTURAL RESOURCES.**

Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Directly or indirectly destroy a unique paleontological resource on site or unique geologic features?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Disturb any human remains, including those interred outside of formal cemeteries.                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion**

- a. The Oakley GP EIR on page 3-149 states that “while there are no officially designated historic structures in Oakley, there are numerous buildings, primarily in the old town area, eligible for such designation or listing [...] Oakley’s historic resources are generally in need of official recognition.” The project site is not listed in the California Register of Historical Resources, nor is it listed in a local register or determined to be a historic resource by the Oakley General Plan. Therefore, there is **no impact**.
- b-d. According to the Oakley GP EIR (p. 3-148), few archeological or paleontological finds have occurred in the City of Oakley. However, the EIR states that given the rich history of the Planning Area and region, the City will continue to require site evaluation prior to development of undeveloped areas, as well as required procedures if artifacts are unearthed during construction. The City of Oakley adopted Standard Conditions of Approval include language requiring a professional archaeologist certified by the Society of Professional Archaeology (SOPA) to have an opportunity to evaluate the significance of any finds and suggest mitigation, if deemed necessary. Through consultation with applicable Native American Tribes, as provided by the Native American Heritage Commissions Tribal Consultation List, that standard condition will be modified to include the addition of a Native American representative, as approved by the applicable tribes. Through implementation of the modified standard condition of approval, the impact to archaeological/paleontological resources and human remains would be **less-than-significant impact**.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS.</b>				
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a, c, d. The General Plan EIR states that Oakley has been subjected to numerous seismic events, originating both on faults within Contra Costa County and in other locations in the region. Six major Bay Area earthquakes have occurred since 1800 that have affected the County. The City of Oakley is underlain by the Brentwood Faulty that is inferred active because of scattered small magnitude earthquakes near the trace of the fault. However, the maximum credible earthquake (7.0-8.5) anticipated in the Oakley area in a 50 year time period would result from either the San Andreas Fault or Antioch Fault (Oakley GP EIR, 3-12).

The potential for the structures proposed for the site to be damaged by ground rupture or ground shaking is considered to be relatively unlikely, but the possibility exists for damage to occur during an earthquake of moderate magnitude. Also, expansive soils shrink and swell as a result of moisture

changes. This could cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. The soils encountered across the site consisted of non-plastic sand deposits. Non-plastic soils can be expected to display a low expansion potential; therefore, the potential impact of expansive soils can be considered low.

To address potential geotechnical issues with the project, as part of the City's Standard Conditions of Approval, the applicant is required to submit a geotechnical report to the City Engineer for review that substantiates the design features incorporated into the project, including but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections.

The project area is relatively flat; therefore, landslides do not represent a likely hazard. Seismic impacts, including the associated hazards posed by ground shaking and liquefaction, are primarily restricted to buildings and structures.

Implementation of applicable standard conditions of approval will ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in design and that **less-than-significant impact** would result.

- b. The project site consists of an inactive and non-maintained orchard with an abandoned home and accessory structure. Construction of the project would involve the disturbance and possible relocation of topsoils, rendering earth surfaces susceptible to erosion from wind and water; however, as part of the City's Grading Ordinance, the applicant is required to submit an Erosion Control Plan that utilizes standard construction practices to limit erosion effects during construction of the project. Implementation of the Grading Ordinance will ensure that construction of the project results in a **less-than-significant impact** related to soil erosion.
  
- e. The project proposes to use a septic tank and leach field. The use of septic tanks and leach fields are subject to the review, approval and permitting by Contra Costa Environmental Health. Since, the septic system is required to be approved and meet the criteria of the Contra Costa Environmental Health, it is assumed to have a **less-than-significant impact** on soils supporting septic systems.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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**VII. GREENHOUSE GAS EMISSIONS.**

Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

a. In May 2011, the BAAQMD updated GHG emission CEQA thresholds of significance. The thresholds are divided into two categories; non-stationary source projects, and stationary source projects. The proposed project is a stationary source project. Established construction related impact thresholds for GHG emissions do not exist; however, the BAAQMD CEQA Air Quality Guidelines identify operational related impact thresholds. The operational thresholds are as follows:

- Compliance with Qualified Greenhouse Gas Reduction Strategy; or
- 1,100 metric tons (MT) of carbon dioxide equivalent per year (CO<sub>2</sub>e/yr); or
- 4.6 MT CO<sub>2</sub>e/service population (SP)/yr (residents + employees).

The thresholds do not specifically address self storage facilities. However, other land uses, such as industrial park and manufacturing only exceed the thresholds when buildings reach 65,000 sf. and 89,000 sf., respectively. The proposed self storage would exceed these thresholds if only looking at the square feet of building. But, the GHG related impacts generated by industrial parks and warehouses are expected to be substantially greater than that of a mostly passive self storage. All but the small office area of the self storage is not air conditioned, eliminating much of the offsite generated GHG emissions caused by energy consumption. Also, only the office area will contain plumbing and hot water. For the purposes of measuring operation emissions related to the buildings, the vast majority of the project would only generate GHG emissions related to lighting and vehicle trips. It would more equivalent to compare the office space to the criteria for office space in the BAAQMD thresholds, which is set at 53,000 sf. Since the project only contains approximately 1,024 sf. of office space and the rest of the buildings are self storage, it is assumed that it would create a **less-than-significant impact** toward greenhouse gas emissions.

b. A qualified GHG Reduction Strategy that could be applied to the proposed project has not yet been adopted. In addition, the City of Oakley does not have any adopted plans or policies aimed at reducing GHG emissions that would be applicable to the proposed project. Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs, and there would be **no impact**.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS.</b>				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a-c. The routine transport, use, or disposal of hazardous materials is not typically associated with personal self storage uses. Accordingly, the proposed project would not likely create hazards to the public or the environment from transportation, use, or disposal of hazardous materials, or from reasonably foreseeable upset and accident conditions involving likely release of hazardous materials into the environment. Also, the project will not emit hazardous emissions or handle hazardous waste, and therefore would not result in a potentially significant impact to the nearest schools (Ironhouse Elementary and Delta Vista Middle), located approximately directly north of the project site and across East Cypress Road.

Based on the above information, the project would create a **less-than-significant** impact in the applicable categories.

- d. The proposed project site is not located on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, resulting in **no impact**.
- e, f. The project site is not located within two miles of any public or private airports. Therefore, the development of the proposed project would result in **no impact** regarding safety issues related to airport use.
- g. Development of the project site would not interfere with an adopted emergency response plan or emergency evacuation plan. Construction vehicles would be located onsite and would therefore not impede the flow of traffic along East Cypress Road. Therefore, **no impact** would occur.
- h. The project site is bordered by urban communities. Wild lands do not exist in close proximity to the project site. The likelihood of wildfires in the project area is not significant. Therefore, wildfires would have **no impact** on the proposed project.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY.</b>				
Would the project:				
a.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Violate any water quality standards or waste discharge requirements?				
b.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				
d.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				
e.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				
f.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Otherwise substantially degrade water quality?				
g.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
h.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Place within a 100-year floodplain structures which would impede or redirect flood flows?				
i.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.				
j.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Inundation by seiche, tsunami, or mudflow?				

## Discussion

- a.f. The proposed project would involve very minimal potential erosion and discharge of sediment in nearby storm drainage or result in degradation of water quality because it will be almost completely developed and is subject to implementation of a Stormwater Control Plan pursuant to the California Regional Water Quality Control Board Municipal Regional Stormwater NPDES Permit. The potential impacts related to water quality and waste discharge would be **less-than-significant impacts**.
- b. The Oakley GP EIR (p. 3-119) states that groundwater is a source of water in Contra Costa County, mostly in rural areas. Several small public and private water companies extract underground water through wells and convey it to nearby customers. The Oakley GP EIR states that sources not served by the Diablo Water District (DWD) that use water wells are located primarily south of Laurel Road and east of Main Street. The project is located north of Laurel Road and would be served by the DWD. The existing well on the site is abandoned, and is required to be removed. The only impact to groundwater would be minimal and due to the addition of impervious surface that captures and filters runoff into the onsite bio-swales and eventually into the storm drain system. Therefore, the project would have a **less-than-significant** impact to groundwater resource supply and/or recharge.
- c-e. The Oakley GP EIR states that "Increased development associated with General Plan build-out may lead to an increase in impervious surfaces being created where permeable soils currently exist." The proposed project will result in almost complete site development with either building rooftops or pavement. However because the site is relatively flat and does not contain any streams or channels, the existing runoff characteristics will not result in any flooding or erosion. Also, the storm drain collection system to the north has been deemed adequate to handle runoff caused by development of the project site. Therefore, development of the site will result in a **less-than-significant impact** to existing drainage and runoff.
- g-i. Substantial areas within Contra Costa County are subject to flooding. The Federal Emergency Management Agency (FEMA) indicates a majority of the County's creeks and shoreline areas lie within the 100-year flood plain. The proposed project is not located within an area of the 100-year flood plain as depicted in Figure 8-3 of the Oakley GP. Areas deemed to be within the 100-year flood plain are subject to flooding during a storm likely to occur once every one hundred years. Because the project is not located within an area affected by the 100-year flood plain, there is **no impact**.
- j. A tsunami is a sea wave caused by submarine earth movement. A seiche is an oscillation of the surface of a lake or landlocked sea. The project site is not in close proximity to the ocean, a land locked sea, or lake to be at risk from inundation from these phenomena. The land is relatively flat and has a low risk of being impacted by mudslides. Therefore, the potential impact from these phenomena is **less-than-significant**.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>X. LAND USE AND PLANNING.</b>				
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plans, policies, or regulations 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 on environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a. The project will not physically divide a community as it will completely exist within an existing 3.29-acre parcel that is currently adjacent to railroad tracks and an arterial street. The project would have **no impact** on dividing an established community.
  
- b. The City of Oakley GP designates the project site as Multi-Family Residential (High Density). It is zoned M-12 (Multi-Family Residential) District. As part of the project, the applicant is requesting the property's land use be designated to Commercial and then rezoned to P-1 (Planned Unit Development) District. The P-1 is necessary because the existing "C" (General Commercial) District only allows self storage uses when designed in conjunction with retail frontage. The proposed project will not contain a retail frontage. Also, due to the triangular shape of the lot, the C District development regulations would inhibit the proposed layout. Although the proposed project is not consistent with the existing General Plan land use designation and zoning, approval of the proposed land use designation amendment and rezone would result in consistency in both areas. Without approval of the land use designation amendment and rezone, the project, as proposed, could not be approved.  
  
 With City Council approval of the proposed Commercial designation and P-1 District, the project would have **no impact** regarding conflicts with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project.
  
- c. As previously mentioned in the "Biological Resources" section of this initial study, projects within the City of Oakley are subject to compliance with the East Contra Costa Habitat Conservation Plan (HCP). The proposed project has submitted the necessary application documents to comply with the HCP. Therefore, **no impact** would occur from conflict with such a plan.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>XI. MINERAL RESOURCES.</b>				
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

a,b. The Contra Costa County General Plan 2005-2020 states that the most important mineral resources that are mined in the County include crushed rock near Mt. Zion, on the north side of Mt. Diablo, in the Concord area; shale in the Port Costa area; and sand and sandstone deposits, mined from several locations, but focused in the Byron area. Figure 8-4, Mineral Resource Areas, of the Contra Costa County General Plan, lists deposits of diabase, domengine sandstone, and clay. None of these deposits are shown in the Oakley area. Therefore, **no impact** to mineral resources would occur as a result of the construction of the proposed project.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>XII. NOISE.</b>				
Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a - d. The proposed project involves the construction of up to approximately 140,000 square feet of single and multi-story storage buildings and ancillary office space, as well as site associated development. Once completed and operating, the project is not expected to generate significant noise levels. Ground vibrations may be present during construction; however these will be temporary in nature. Also, construction of the project is subject to the Oakley Municipal Code, which addresses allowable hours of construction and use of certain powered machinery. As a result, the project would have a **less-than-significant** impact in regards to the exposure of persons to or generation of noise levels in excess of standards established in the Oakley General Plan, ground borne vibrations, permanent noise levels, and temporary or periodic noise levels.
- e,f. The proposed project is not within an airport land use plan or within the vicinity of a private airstrip. Therefore, development of the site would result in **no impact** regarding airport noise generation.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING.</b>				
Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a. An impact to population and housing is considered significant if the project would induce substantial population growth in an area either directly or indirectly. The proposed project will be placed on a site currently designated for multi-family development. Approval and construction of the project would eliminate the potential for additional housing on the site. Therefore, a **less-than-significant** impact would occur in regards to the project increasing substantial population growth in an area that has not been previously anticipated for such growth.
  
- b,c. One abandoned house and accessory building currently exist on the project site. Both buildings are proposed to be removed. Approval and implementation of the proposed project would remove buildings but not displace any substantial housing that would necessitate replacement housing, not would the project displace people from their homes, since the existing residence is not habitable. Therefore, the project would result in **no impact**.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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**XIV. PUBLIC SERVICES.**

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- |                       |                          |                          |                                     |                                     |
|-----------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Fire protection?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Schools?           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. Parks?             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Discussion**

- a. The City of Oakley is provided fire protection by the East Contra Costa Fire Protection District (ECCFPD). All new development is subject to the East Contra Costa Fire Protection District's impact fee, which is based on total square footage of building. The project proponent is required to pay the fee at the time of building permit issuance, and would therefore cover the project's fair share of fire protection services. Payment of the fee is a requirement of development and would result in a **less-than-significant** impact to fire protection services.
- b. The proposed project is not expected to create any significant drain on police service that would result in the need for new or physically altered facilities, or any changes to police service in order to maintain the current levels of service. The project site is within the current police service area for the City of Oakley and will not add any additional residents to the City that would affect the police officer/citizen ratio. Also, the project is conditioned to participate in the funding of the City's Special Police Services Tax by voting to approve the special tax for the parcel. Therefore, the project has a **less-than-significant** impact on police services.
- c. The project will not result in any new students, and therefore will result in **no impact** to schools.
- d. The proposed project is subject to the City's Park Acquisition and Improvement impact fees, which are based on total square footage of buildings. The project proponent is required to pay the fee at the time of building permit issuance, and would therefore cover the project's fair share of park services. Payment of the fee is a requirement of development and would result in a **less-than-significant** impact to park services.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>XV. RECREATION.</b>				
Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a,b. See discussion for XIV. Public Services section d.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>XVI. TRANSPORTATION/CIRCULATION.</b>				
Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a,b. I March of 2016, Abrams and Associates conducted a Transportation Impact Analysis for the project. The analysis studied Existing Conditions, Existing Plus Project, Baseline (No Project) Conditions, Baseline Plus Project Conditions, Cumulative Conditions, and Cumulative Plus Project Conditions. None of the conditions analyzed resulted in any significant project specific impacts to the study intersections or streets. The project would contribute to cumulative impacts. However, the project will be subject to payment of the City and Regional traffic impact fees which will pay the projects fair share of cumulative impacts. Therefore, the project will have a **less-than-significant impact** to both increases in traffic and level of service.
- c. Byron Airport is located south of the project site in the southern portion of the Community of Byron; however, the proposed project would not require any changes to existing regional air traffic activity. Therefore, **no impact** would occur.
- d. The proposed project would not include any unusual design features in the layout of the streets that would increase hazards. Therefore, **no impact** would result from the buildout of the proposed development.

- e. The proposed project would not interfere with existing emergency access routes and would not create any new situations where additional emergency routes would be required. Therefore, **no impact** would occur.
- f. The proposed project will be able to provide a sufficient amount of off-street parking. Therefore, the proposed project would provide for adequate parking and **no impact** would result.
- g. The project would not interfere or result in any changes to alternative transportation. Therefore, the proposed project would have **no impact** to alternative transportation.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>XVII. UTILITIES AND SERVICE SYSTEMS.</b>				
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

- a, b, d, e, f, g. The project will not generate significant amounts of wastewater or solid waste, or have the need for significant treated water. Only the office space is planned to include plumbing services and generate solid waste. Therefore, the project will have a **less-than-significant impact** to the wastewater facilities, landfills, and water treatment facilities.
- c. The project will not result in the construction of any new storm drainage facilities, and it has been determined that the facilities north of the project are adequate to handle build out of the applicable drainage area, of which the project is included. The project will result in a net increase in impervious surface, but not require new facilities. Therefore, there is **no impact**.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

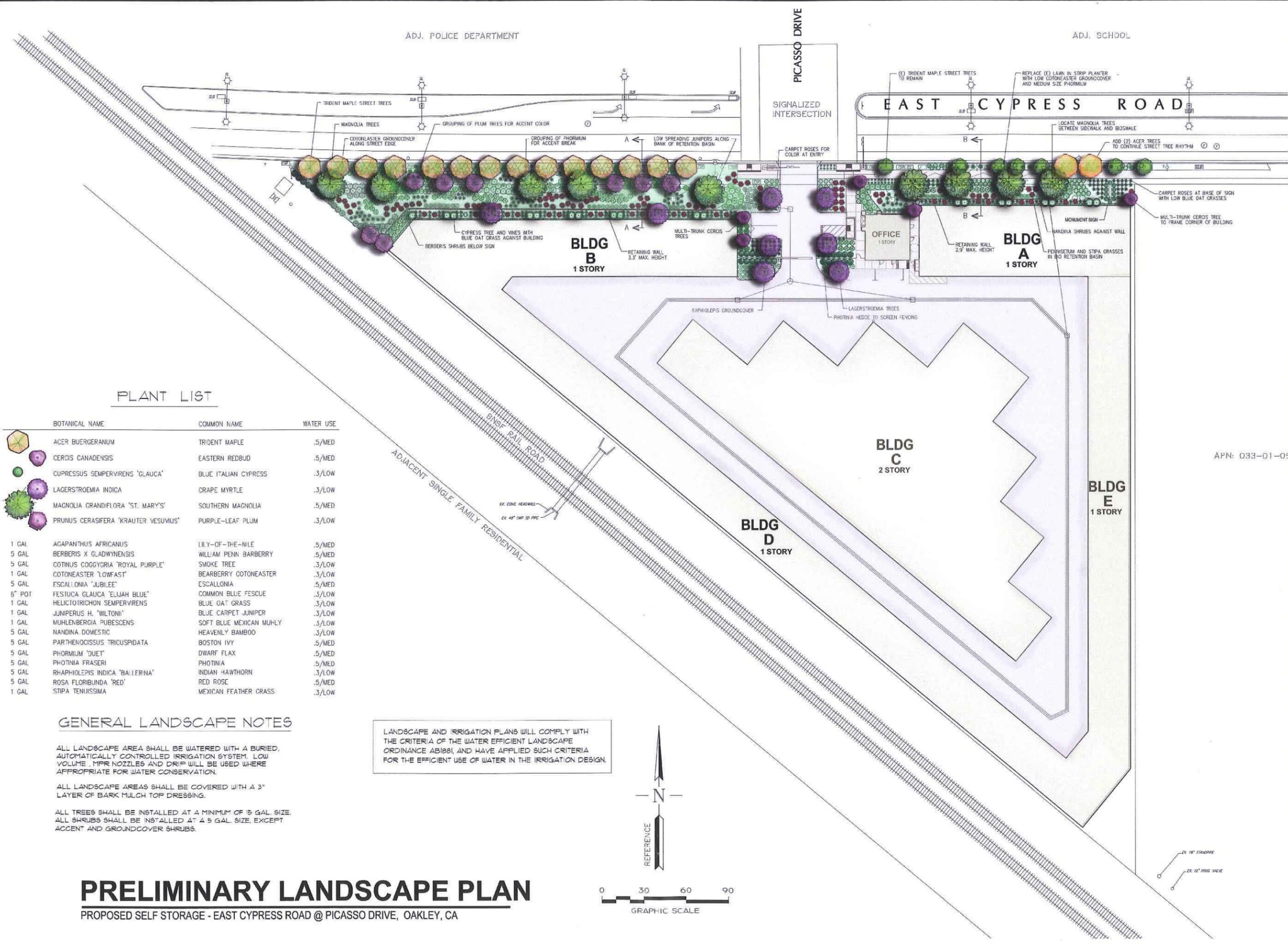
**Discussion**

- a. As mentioned previously, the Oakley GP states that the project site has a low biological sensitivity. However, although unlikely, the possibility exists that the project site supports special-status species and/or serves as foraging habitat for these species. This Initial Study includes discussion regarding compliance with the East Contra Costa Habitat Conservation Plan/ Natural Communities Conservation Plan. Therefore, the proposed project would have **less-than-significant** impacts to special-status species and sensitive natural communities.
- b. The future planned use of the property is Multi-Family Residential. Construction of the project is less intense than the planned build out of the site. Preservation of the existing state of this parcel would not result in any long-term environmental goals that have been established by the City of Oakley. The project is consistent with the proposed General Plan land use designation of Commercial and proposed P-1 District zoning. Therefore, the impact is **less-than-significant**.
- c,d. As analyzed earlier in the document, the project will have cumulative impacts on air quality. Mitigation measures have been established by the Bay Area Air

Quality Management District, and those mitigation measures have been implemented into this project. Therefore, after implementation of the sponsored mitigation measures, the project will create **less-than-significant** cumulatively considerable impacts.



U:\Cypress Self Storage\Monday\Cypress-CLP.dwg, Sep. 22, 2015, 11:30am, Administrator



**PLANT LIST**

BOTANICAL NAME	COMMON NAME	WATER USE
ACER BUERGERANUM	TRIDENT MAPLE	.5/MED
CERCIS CANADENSIS	EASTERN REDBUD	.5/MED
CUPRESSUS SEMPERVIRENS 'GLAUCA'	BLUE ITALIAN CYPRESS	.3/LOW
LAGERSTROEMIA INDICA	GRAPE MYRTLE	.3/LOW
MAGNOLIA GRANDIFLORA 'ST. MARY'S'	SOUTHERN MAGNOLIA	.5/MED
PRUNUS CERASIFERA 'KRAUTER VESUVIUS'	PURPLE-LEAF PLUM	.3/LOW
1 GAL AGAPANTHUS AFRICANUS	LILY-OF-THE-NILE	.5/MED
5 GAL BERBERIS X GLADWYNSIS	WILLIAM PENN BARBERRY	.5/MED
5 GAL COTINUS COGGYGRIA 'ROYAL PURPLE'	SMOKE TREE	.3/LOW
1 GAL COTONEASTER 'LOWFAST'	BEARBERRY COTONEASTER	.3/LOW
5 GAL ESCALLONIA 'JUBILEE'	ESCALLONIA	.5/MED
6" POT FESTUCA GLAUCA 'ELIJAH BLUE'	COMMON BLUE FESCUE	.3/LOW
1 GAL HELICTOTRICHON SEMPERVIRENS	BLUE OAT GRASS	.3/LOW
1 GAL JUNIPERUS H. 'WILTONII'	BLUE CARPET JUNIPER	.3/LOW
1 GAL MUHLENBERGIA PUBESCENS	SOFT BLUE MEXICAN MUHLY	.3/LOW
5 GAL NANDINA DOMESTIC	HEAVENLY BAMBOO	.3/LOW
5 GAL PARTHENOISSUS TRICUSPIDATA	BOSTON IVY	.5/MED
5 GAL PHORMIUM 'DUET'	DWARF FLAX	.5/MED
5 GAL PHOTINIA FRASERI	PHOTINIA	.5/MED
5 GAL RHAPHIOLEPIS INDICA 'BALLERINA'	INDIAN HAWTHORN	.3/LOW
5 GAL ROSA FLORIBUNDA 'RED'	RED ROSE	.5/MED
1 GAL STIPA TENUISSIMA	MEXICAN FEATHER GRASS	.3/LOW

**GENERAL LANDSCAPE NOTES**

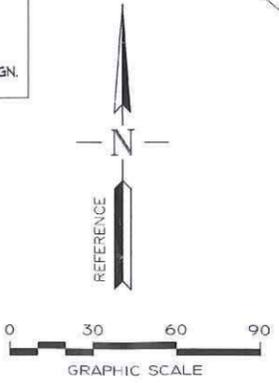
ALL LANDSCAPE AREA SHALL BE WATERED WITH A BURIED, AUTOMATICALLY CONTROLLED IRRIGATION SYSTEM. LOW VOLUME, MFR NOZZLES AND DRIP WILL BE USED WHERE APPROPRIATE FOR WATER CONSERVATION.

ALL LANDSCAPE AREAS SHALL BE COVERED WITH A 3" LAYER OF BARK MULCH TOP DRESSING.

ALL TREES SHALL BE INSTALLED AT A MINIMUM OF 15 GAL. SIZE. ALL SHRUBS SHALL BE INSTALLED AT A 5 GAL. SIZE, EXCEPT ACCENT AND GROUND COVER SHRUBS.

LANDSCAPE AND IRRIGATION PLANS WILL COMPLY WITH THE CRITERIA OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AB1881, AND HAVE APPLIED SUCH CRITERIA FOR THE EFFICIENT USE OF WATER IN THE IRRIGATION DESIGN.

**PRELIMINARY LANDSCAPE PLAN**  
 PROPOSED SELF STORAGE - EAST CYPRESS ROAD @ PICASSO DRIVE, OAKLEY, CA



NOTE: THIS IS AN ORIGINAL UNPAID PLAN. NOSE AND MAY NOT BE REPRODUCED, COPIED, OR USED WITHOUT THE WRITTEN CONSENT OF BK&A.

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**BORRECCO/KILIAN & ASSOCIATES, INC.**  
 LANDSCAPE ARCHITECTS  
 1241 Pine Street  
 Martinez, California 94553  
 Phone: 925/572-5306  
 FAX: 925/572-5308

**CYPRESS SELF-STORAGE**  
 OAKLEY, CALIFORNIA

DATE: 9/21/15  
 DRAWN BY: B.K.  
 THIS PLAN IS: PRELIMINARY

SHEET NUMBER: L-1  
 TITLE OF DRAWING: LANDSCAPE

APN: 033-01-01



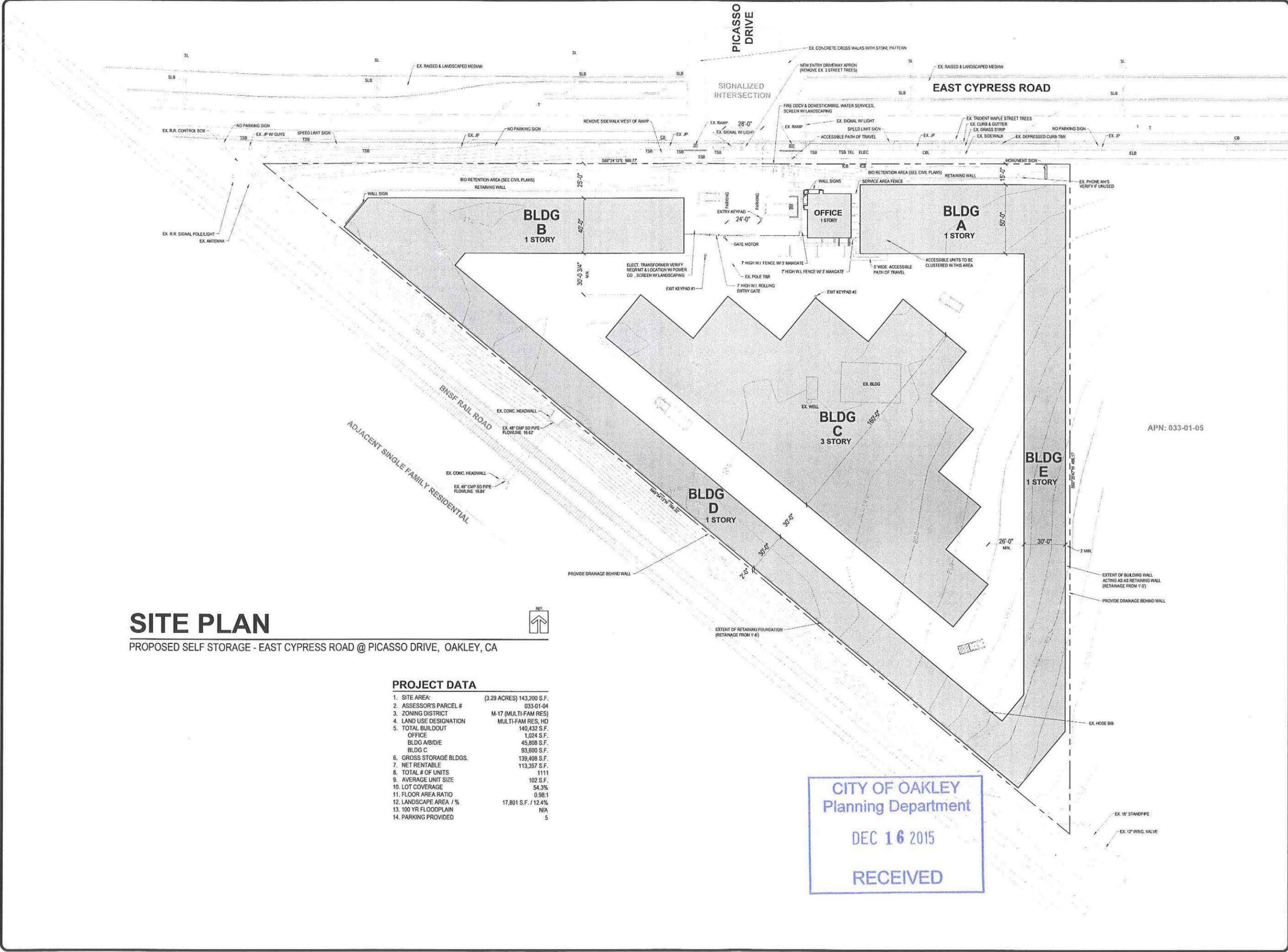
BIO-SWALE SECTION B-B

BIO-SWALE SECTION A-A

**SECTION DETAILS**  
 PROPOSED SELF STORAGE - EAST CYPRESS ROAD @ PICASSO DRIVE, OAKLEY, CA

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SHEET NUMBER <b>L-2</b>	DATE: 9/21/15 DRAWN BY: BK	TITLE OF PROJECT <b>CYPRESS SELF-STORAGE OAKLEY, CALIFORNIA</b>	REV DATE DESCRIPTION		<b>BORRECCO/KILIAN &amp; ASSOCIATES, INC.</b> <b>LANDSCAPE ARCHITECTS</b> 1241 Pine Street Martinez, California 94553 Phone: 925/372-5306 FAX: 925/372-5308	NOTE THIS IS AN ORIGINAL UNPUBLISHED WORK AND MAY NOT BE DUPLICATED, COPIED, PUBLISHED OR OTHERWISE USED WITHOUT THE WRITTEN CONSENT OF BK&A. COPYRIGHT © BORRECCO/KILIAN & ASSOCIATES, INC.
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# SITE PLAN

PROPOSED SELF STORAGE - EAST CYPRESS ROAD @ PICASSO DRIVE, OAKLEY, CA

### PROJECT DATA

1. SITE AREA:	(3.29 ACRES)	143,200 S.F.
2. ASSESSOR'S PARCEL #		033-01-04
3. ZONING DISTRICT	M-17 (MULTI-FAM RES)	
4. LAND USE DESIGNATION	MULTI-FAM RES, HD	
5. TOTAL BUILDOUT		140,432 S.F.
OFFICE		1,024 S.F.
BLDG A/B/D/E		45,808 S.F.
BLDG C		93,600 S.F.
6. GROSS STORAGE BLDGS.		139,408 S.F.
7. NET RENTABLE		113,357 S.F.
8. TOTAL # OF UNITS		1111
9. AVERAGE UNIT SIZE		102 S.F.
10. LOT COVERAGE		54.3%
11. FLOOR AREA RATIO		0.98:1
12. LANDSCAPE AREA / %	17,801 S.F. / 12.4%	
13. 100 YR FLOODPLAIN		N/A
14. PARKING PROVIDED		5

CITY OF OAKLEY  
 Planning Department  
 DEC 16 2015  
 RECEIVED

Revisions	Date

DEVELOPER:  
 NAME  
 COMPANY  
 ADDRESS  
 ADDRESS

**Cubix Construction Company**  
 License No. 144402  
 5 Meadowbrook Ln  
 Danville, California 94526 USA  
 Phone (925) 314-0770 FAX (925) 314-0771

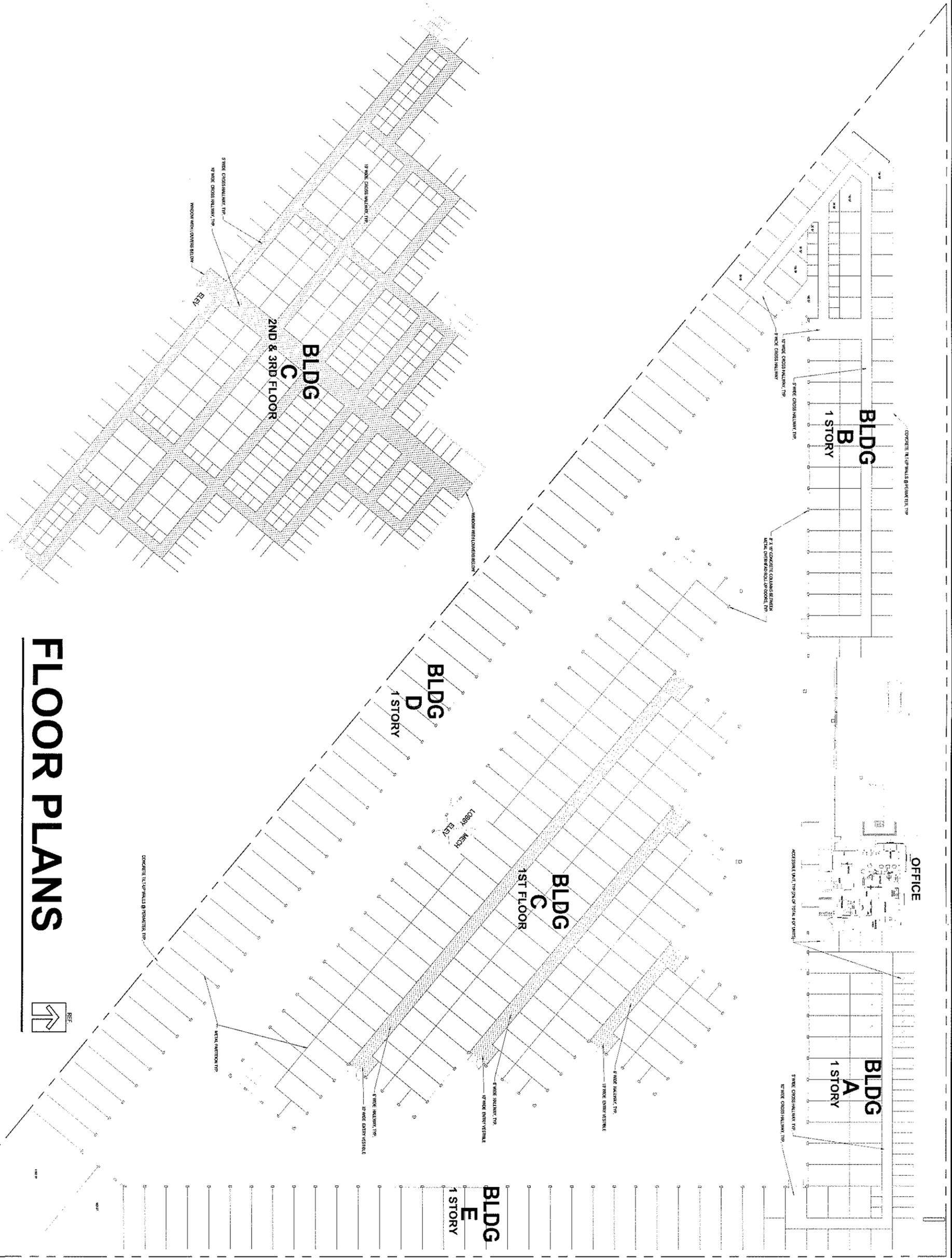


CYPRESS SELF STORAGE  
 EAST CYPRESS ROAD @ PICASSO DRIVE  
 OAKLEY, CA.

SITE PLAN

Drawn By	JAW/EJB
Date	12/9/15
Scale	1" = 30'
File Name	SHPan2
Planning File Numbers	
Sheet Number	

1A



# FLOOR PLANS



Drawn By: JAW/EB  
 Date: 02/15  
 Scale: 1" = 20'  
 File Name: CYPRESS  
 Drawing File Number: 2A  
 Sheet Number:

**CYPRESS SELF STORAGE**  
 EAST CYPRESS ROAD @ PICASSO DRIVE  
 OAKLEY, CA.  
**FLOOR PLANS**

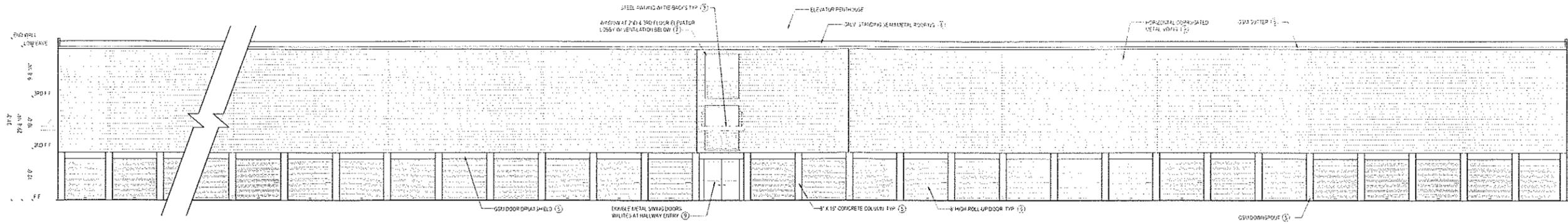


**Cubix Construction Company** License No. 144402  
 5 Meadowbrook Ln  
 Danville, California 94526 USA  
 Phone (925) 314-0770 FAX (925) 314-0771

DEVELOPER:  
 NAME  
 COMPANY  
 ADDRESS  
 ADDRESS

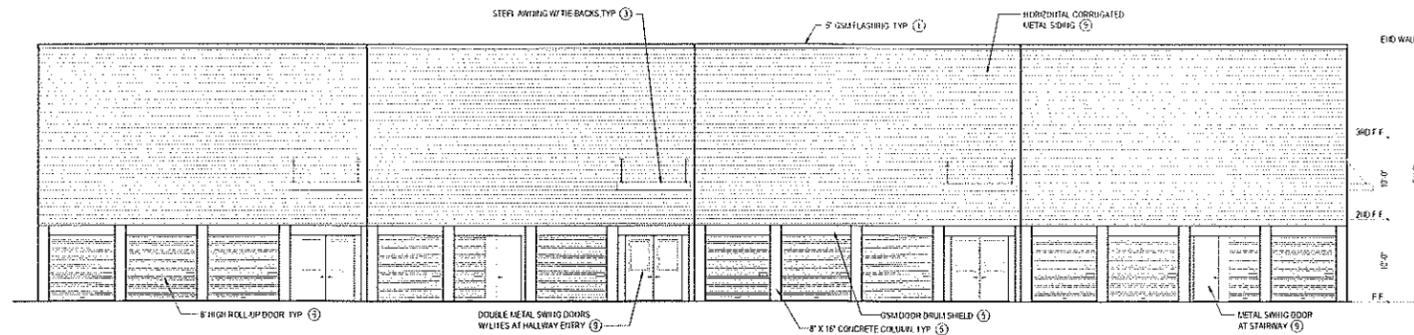
Revisions	Date





**BLDG C SOUTHWEST ELEVATION (INTERIOR FACING)**

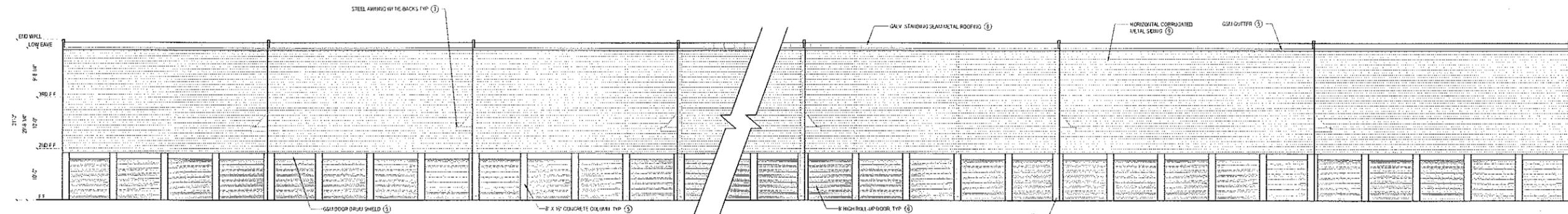
SCALE: 1" = 10'-0"



**BLDG C NORTHWEST ELEVATION (INTERIOR FACING)**

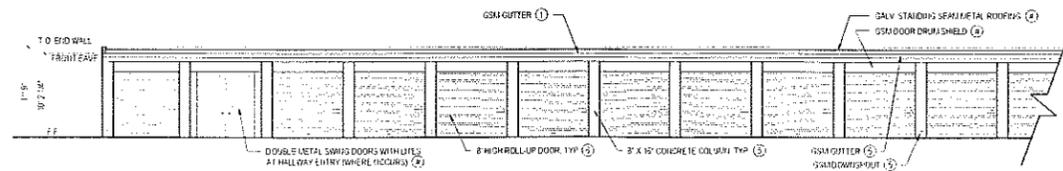
SOUTHEAST ELEVATION SIMILAR

SCALE: 1" = 10'-0"



**BLDG C SOUTHWEST ELEVATION (INTERIOR FACING)**

SCALE: 1" = 10'-0"



**TYPICAL SINGLE STORY ELEVATIONS (INTERIOR FACING)**

BLDG A SOUTH SHOWN - OTHERS SIMILAR

SCALE: 1" = 10'-0"

Revisions	Date

DEVELOPER:

NAME
COMPANY
ADDRESS
ADDRESS


**Cubix Construction Company**  
 License No. 144402  
 5 Meadowbrook Lane  
 Danville, California 94526 USA  
 Phone (925) 314-0770 FAX (925) 314-0771



**CYPRESS SELF STORAGE**  
 EAST CYPRESS ROAD @ PICASSO DRIVE  
 OAKLEY, CA.  
**PROJECT ELEVATIONS**

Drawn By	JAW/EJB
Date	12/9/15
Scale	AS NOTED
File Name	Elevations2
Plotting File Numbers	

Sheet Number  
**3B**



Revisions	Date

DEVELOPER:  
NAME  
COMPANY  
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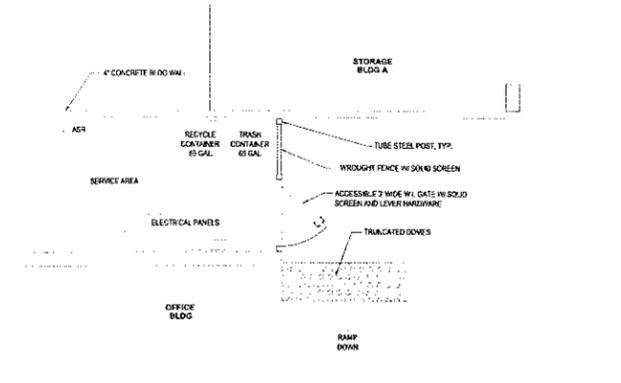
Cubix Construction Company  
License No. 144402  
5 Meadowbrook Ln  
Danville, California 94526 USA  
Phone (925) 314-0770 FAX (925) 314-0771



CYPRESS SELF STORAGE  
EAST CYPRESS ROAD @ PICASSO DRIVE  
OAKLEY, CA.  
MISC. DETAILS

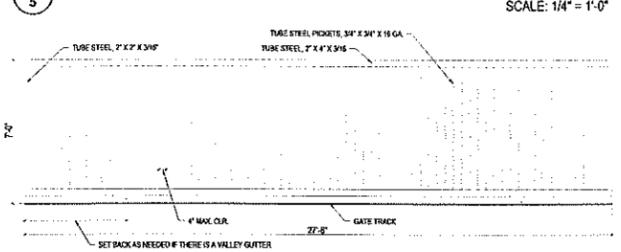
Drawn By  
E.R.  
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12/9/15  
Scale  
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SitePlan2  
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Sheet Number

5

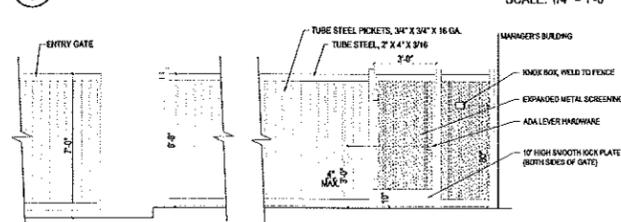


WASTE HANDLING NOTES:  
1. TRASH USAGE IS FOR AN OFFICE MANAGER ONLY, WITH APPROX. EQUIVALENT WASTE TO A SINGLE FAMILY HOME USAGE.  
2. ENCLOSURE TO BE LOCKED AND ONLY ACCESSIBLE TO EMPLOYEES.  
3. IN THE EVENT OF EXCESS WASTE LEFT OVER FROM A VACATING TENANT, THE FACILITY MANAGEMENT WILL HAVE WASTE OFFHAULED TO APPROPRIATE WASTE OR RECYCLE LOCATION PRIVATELY.

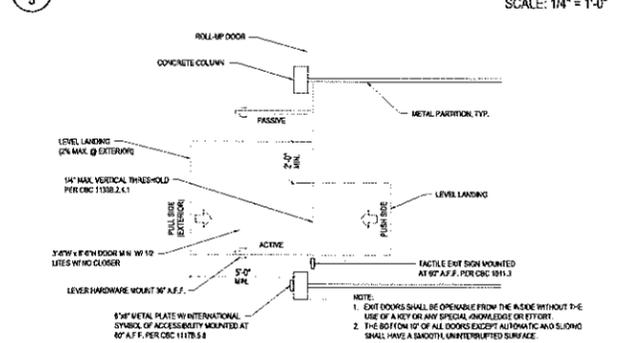
1 TRASH ENCLOSURE



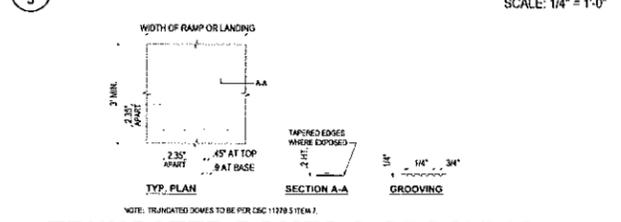
2 ENTRY GATE DETAIL



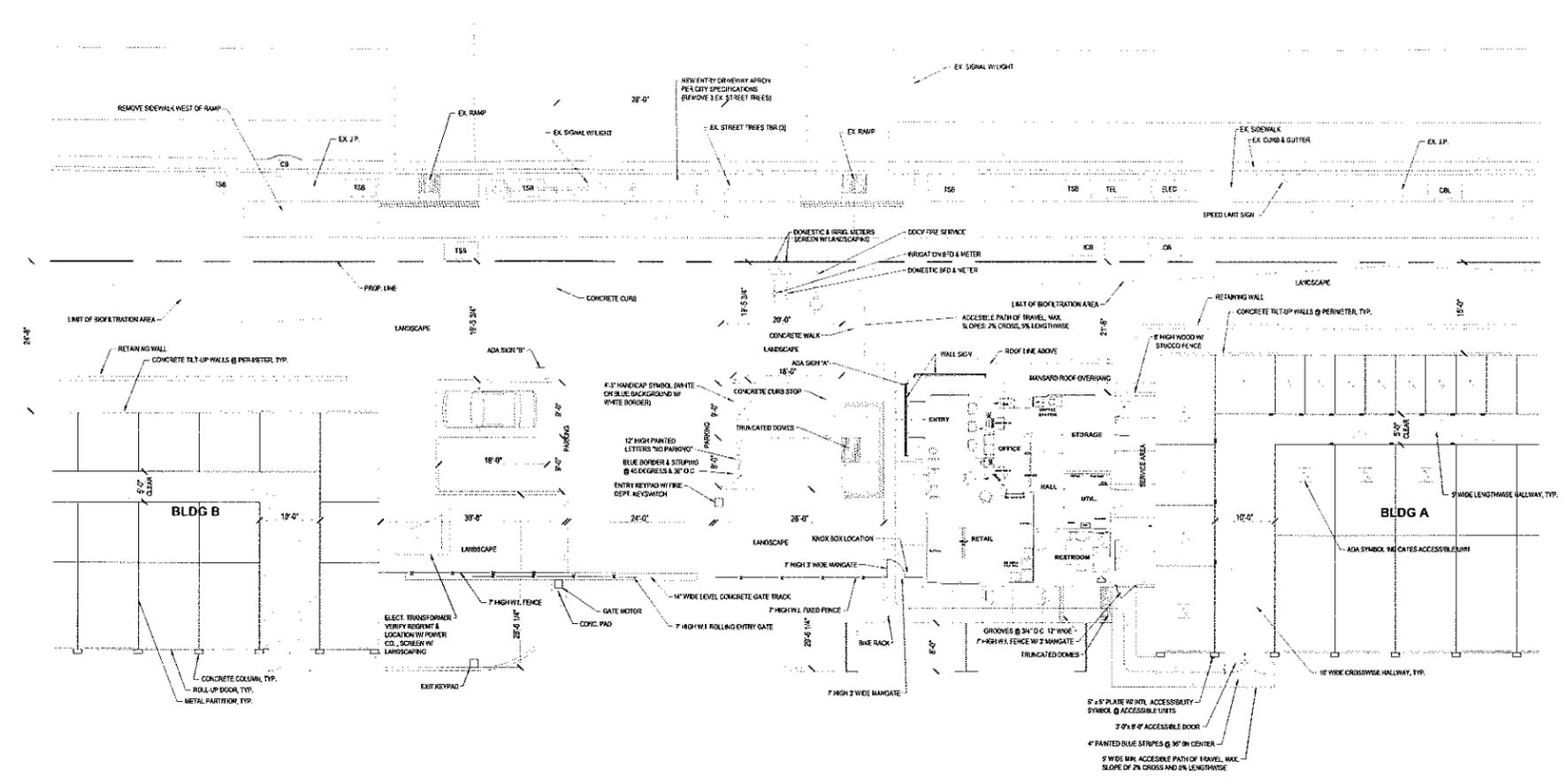
3 ACCESSIBLE MAN GATE



4 ACCESSIBLE ENTRY/EXIT DOOR



5 TRUNCATED DOMES & GROOVING



6 ENTRY PLAN



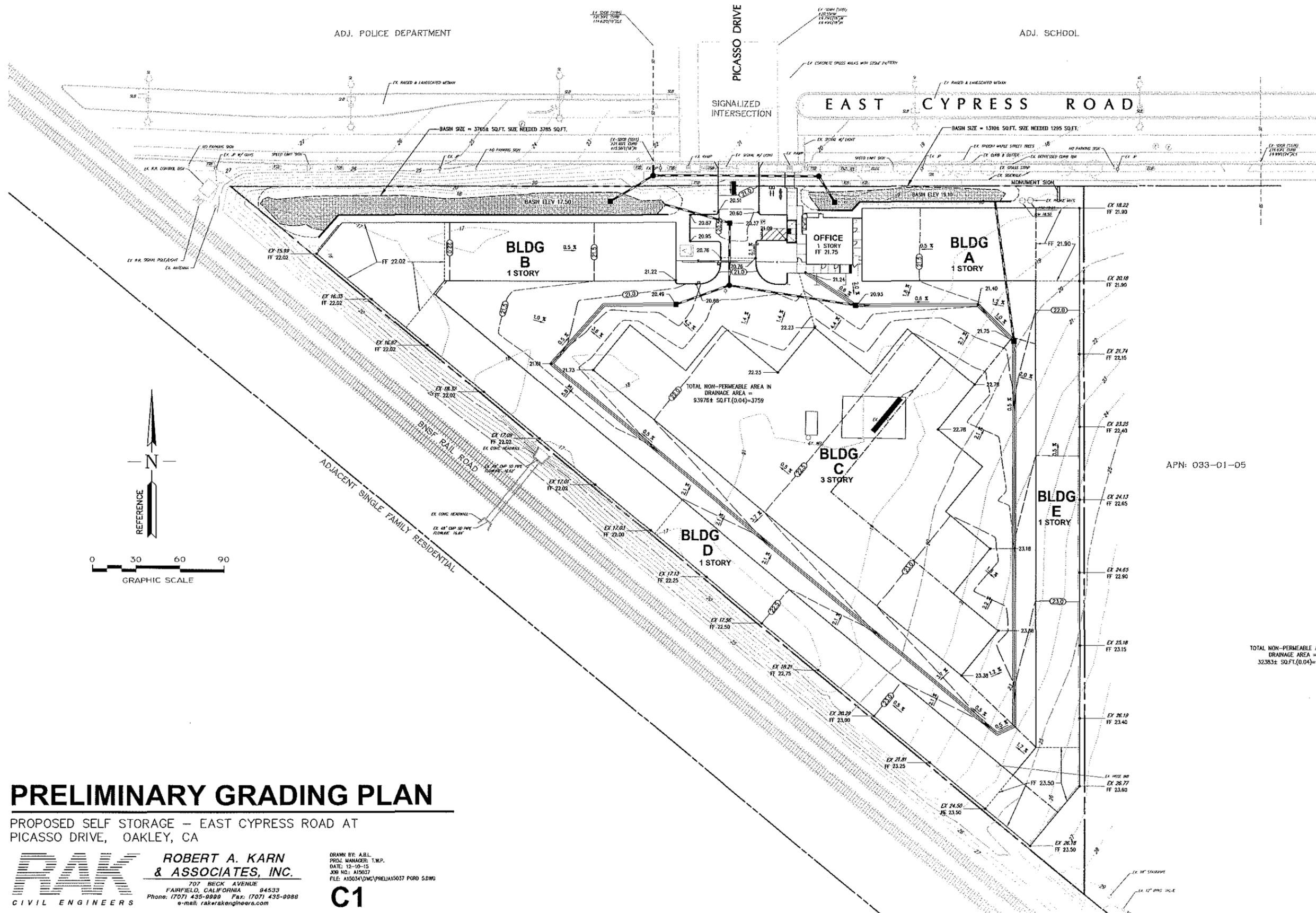
6 WALL DETAIL ALONG FRONTAGE



7 ADA PARKING SIGNS



STORAGE BUILDING ACCESSIBILITY NOTES:  
1) 2% OF ALL STORAGE UNITS TO BE ADA ACCESSIBLE UNITS  
2) 12% TOTAL UNITS (INCLUDING EST. FOR PHASE 2) = 24 UNITS. 25 ACCESSIBLE UNITS ARE PROVIDED  
3) ADA METAL PLATE WITH INTERNATIONAL SYMBOL OF ACCESSIBILITY MOUNTED AT 60" A.F.F. PER CBC 111B.8.8  
4) ALL ACCESSIBLE DOORS TO HAVE AN OPERATING EFFORT OF 5 LBS. MAX. WHICH MAY BE INCREASED TO 15 LBS. FOR FIRE RATED ASSEMBLIES  
5) ALL ACCESSIBLE SWING DOORS TO HAVE ADA APPROVED LEVER HARDWARE  
6) 1/4" MAX. THRESHOLD @ ALL EXTERIOR SWING DOORS  
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APN: 033-01-05

TOTAL NON-PERMEABLE AREA IN DRAINAGE AREA = 32383± SQ.FT.(0.04)=1295

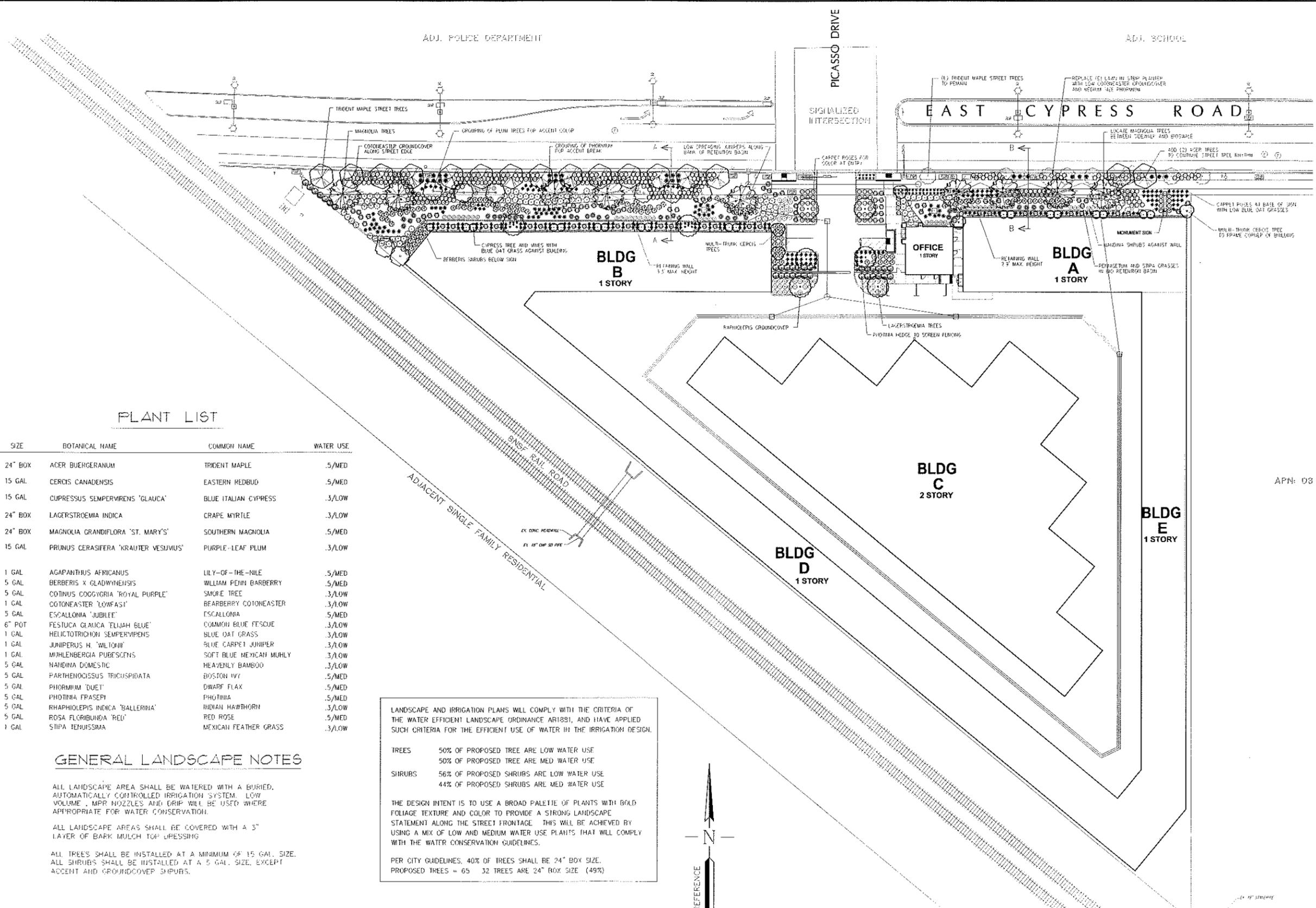
# PRELIMINARY GRADING PLAN

PROPOSED SELF STORAGE - EAST CYPRESS ROAD AT  
PICASSO DRIVE, OAKLEY, CA

**RAK** CIVIL ENGINEERS  
**ROBERT A. KARN & ASSOCIATES, INC.**  
 707 BECK AVENUE  
 FAIRFIELD, CALIFORNIA 94533  
 Phone: (707) 435-9999 Fax: (707) 435-9988  
 e-mail: rakerakengineers.com

DRAWN BY: A.B.L.  
 PROJ. MANAGER: T.W.P.  
 DATE: 12-10-15  
 JOB NO.: A15037  
 FILE: A15034\DWG\PRELIA15037 PORD 5.DWG

**C1**



**PLANT LIST**

SIZE	BOTANICAL NAME	COMMON NAME	WATER USE
24" BOX	ACER BUERGERANUM	TRIDENT MAPLE	.5/MED
15 GAL	CERCIS CANADENSIS	EASTERN REDBUD	.5/MED
15 GAL	CUPRESSUS SEMPERVIRENS 'GLAUCO'	BLUE ITALIAN CYPRESS	.3/LOW
24" BOX	LAGERSTROEMIA INDICA	GRAPE MYRTLE	.3/LOW
24" BOX	MAGNOLIA GRANDIFLORA 'ST. MARY'S'	SOUTHERN MAGNOLIA	.5/MED
15 GAL	PRUNUS CERASIFERA 'KRAUTER VESUVIUS'	PURPLE-LEAF PLUM	.3/LOW
1 GAL	AGAPANTHUS AFRICANUS	LILY-OF-THE-NILE	.5/MED
5 GAL	BERBERIS X GLADWYHEUSIS	WILLIAM PENN BARBERRY	.5/MED
5 GAL	COTINUS COCCYGGRIA 'ROYAL PURPLE'	SMOKE TREE	.3/LOW
1 GAL	COTONEASTER 'LOWFAST'	BEARBERRY COTONEASTER	.3/LOW
5 GAL	ESCALLONIA 'JUBILEE'	ESCALLONIA	.5/MED
6" POT	FESTUCA GLAUCA 'ELIJAH BLUE'	COMMON BLUE FESCUE	.3/LOW
1 GAL	HELIOTRICHON SEMPERVIRENS	BLUE OAT GRASS	.3/LOW
1 GAL	JUNIPERUS H. 'WILSONII'	BLUE CARPET JUNIPER	.3/LOW
1 GAL	MIMULUS PUBESCENS	SOFT BLUE MEXICAN MUHLY	.3/LOW
5 GAL	NANDINA DOMESTICA	HEAVENLY BAMBOO	.3/LOW
5 GAL	PARTHENOCISSUS TRICUSPIDATA	BOSTON IVY	.5/MED
5 GAL	PHORIMMA 'DUET'	DWARF FLAX	.5/MED
5 GAL	PHOTINIA FRASEPI	PHOTINIA	.5/MED
5 GAL	RHAPHIOLEPIS INDICA 'BALLERINA'	INDIAN HAWTHORN	.3/LOW
5 GAL	ROSA FLORIBUNDA 'RED'	RED ROSE	.5/MED
1 GAL	STIPA TENUSSIMA	MEXICAN FEATHER GRASS	.3/LOW

**GENERAL LANDSCAPE NOTES**

ALL LANDSCAPE AREA SHALL BE WATERED WITH A BURIED, AUTOMATICALLY CONTROLLED IRRIGATION SYSTEM. LOW VOLUME . MPR NOZZLES AND DRIP WILL BE USED WHERE APPROPRIATE FOR WATER CONSERVATION.

ALL LANDSCAPE AREAS SHALL BE COVERED WITH A 3" LAYER OF BARK MULCH TOP DRESSING

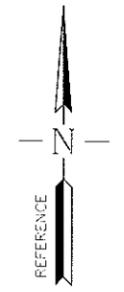
ALL TREES SHALL BE INSTALLED AT A MINIMUM OF 15 GAL. SIZE. ALL SHRUBS SHALL BE INSTALLED AT A 5 GAL. SIZE, EXCEPT ACCENT AND GROUNDCOVER SHRUBS.

LANDSCAPE AND IRRIGATION PLANS WILL COMPLY WITH THE CRITERIA OF THE WATER EFFICIENT LANDSCAPE ORDINANCE ARI291, AND HAVE APPLIED SUCH CRITERIA FOR THE EFFICIENT USE OF WATER IN THE IRRIGATION DESIGN.

- TREES 50% OF PROPOSED TREE ARE LOW WATER USE  
50% OF PROPOSED TREE ARE MED WATER USE
- SHRUBS 56% OF PROPOSED SHRUBS ARE LOW WATER USE  
44% OF PROPOSED SHRUBS ARE MED WATER USE

THE DESIGN INTENT IS TO USE A BROAD PALETTE OF PLANTS WITH BOLD FOLIAGE TEXTURE AND COLOR TO PROVIDE A STRONG LANDSCAPE STATEMENT ALONG THE STREET FRONTAGE. THIS WILL BE ACHIEVED BY USING A MIX OF LOW AND MEDIUM WATER USE PLANTS THAT WILL COMPLY WITH THE WATER CONSERVATION GUIDELINES.

PER CITY GUIDELINES, 40% OF TREES SHALL BE 24" BOX SIZE.  
PROPOSED TREES = 65 32 TREES ARE 24" BOX SIZE (49%)



**PRELIMINARY LANDSCAPE PLAN**

PROPOSED SELF STORAGE - EAST CYPRESS ROAD @ PICASSO DRIVE, OAKLEY, CA

NOTE: THIS IS AN ORIGINAL UNRECORDED DRAWING. IT IS THE PROPERTY OF BORRECCO/KILIAN & ASSOCIATES, INC. AND SHALL REMAIN THE PROPERTY OF BORRECCO/KILIAN & ASSOCIATES, INC. WITHOUT THE WRITTEN CONSENT OF BORRECCO/KILIAN & ASSOCIATES, INC.

BORRECCO/KILIAN & ASSOCIATES, INC.  
LANDSCAPE ARCHITECTS  
1241 Pine Street  
Martinez, California 94553  
Phone: 925/938-3300  
Fax: 925/938-3306

APN: 03

DATE: 8/22/15  
DRAWN BY: BK  
THE PLAN IS: PRELIMINARY

SHEET NUMBER: L-1  
TITLE OF DRAWING: LANDSCAPE

CYPRESS SELF-STORAGE  
OAKLEY, CALIFORNIA

L:\Projects\Self\_Storage\Martinez\Cypress-DSP.dwg Nov 16, 2015 8:52am Administrator

CITY OF OAKLEY

RESOLUTION NO. XX-16

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

**FINDINGS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

\_\_\_\_\_  
Kevin Romick, Mayor

\_\_\_\_\_  
Date

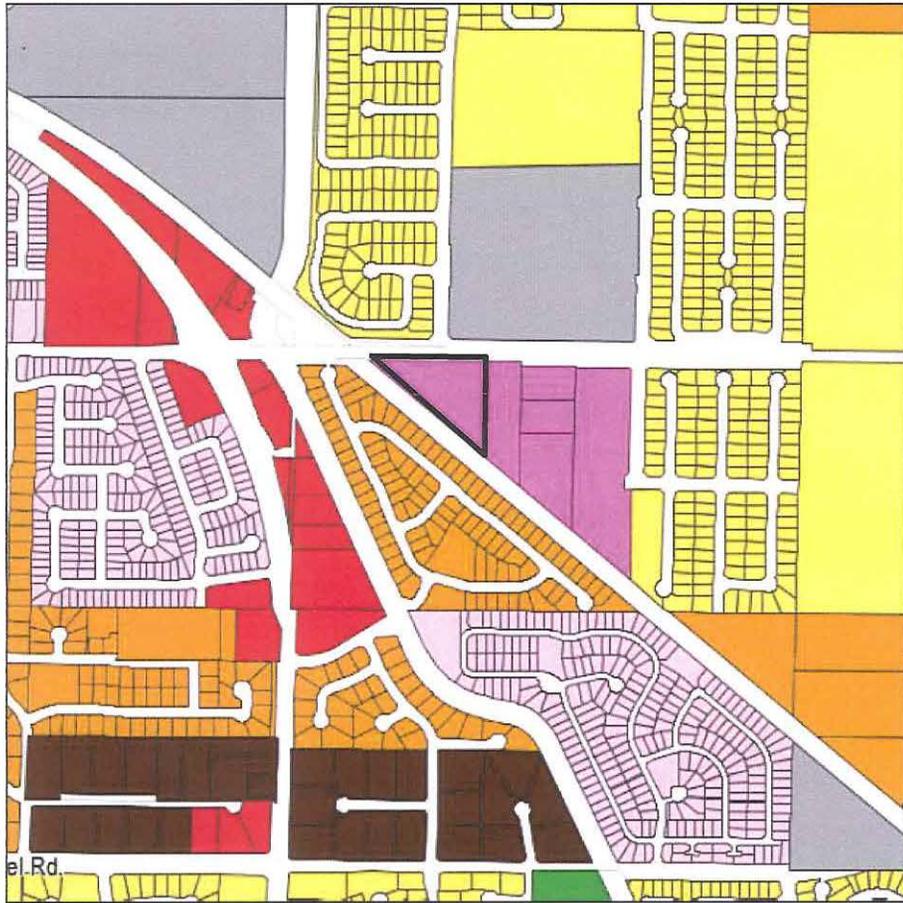
ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

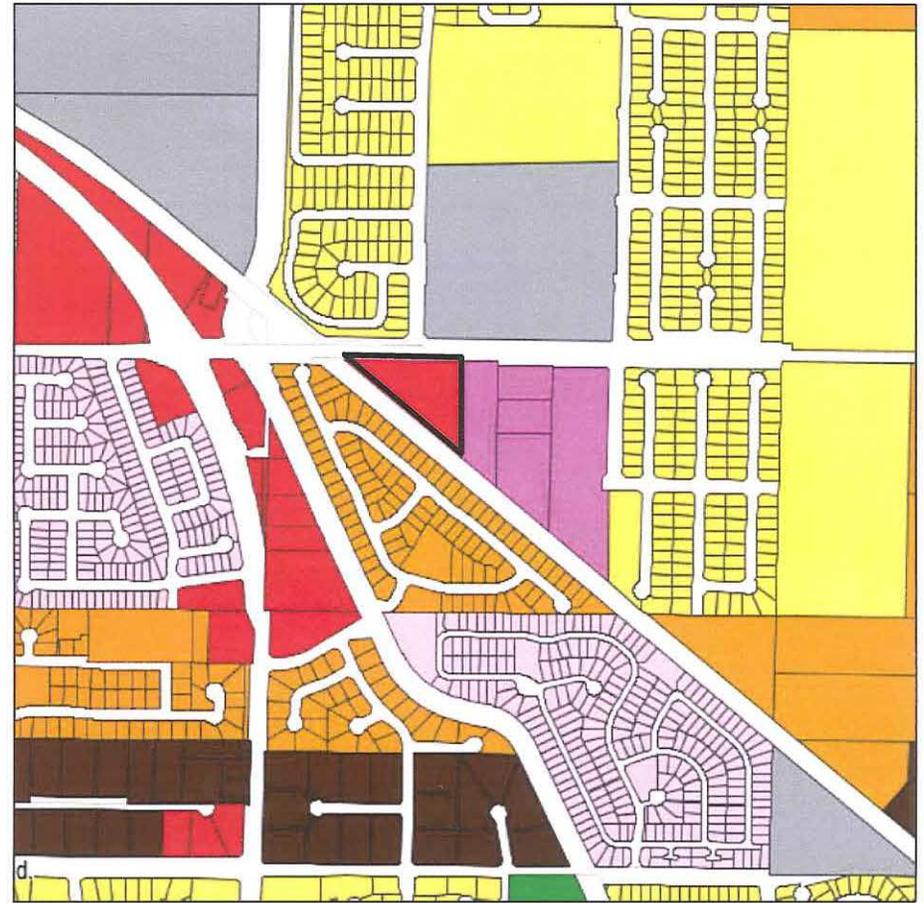
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Date

# Cypress Self Storage Amendment (GPA 03-15)

Existing General Plan Land Use Designation – Multi Family Residential High



Proposed General Plan Land Use Designation – Commercial



## CITY OF OAKLEY

## ORDINANCE NO. XX-16

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY  
REZONING A 3.29 ACRE PROPERTY LOCATED ON THE SOUTHERN SIDE OF  
THE EAST CYPRESS ROAD AND PICASSO DRIVE INTERSECTION (APN 033-012-  
004) FROM M-12 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO P-1 (PLANNED  
UNIT DEVELOPMENT) DISTRICT FOR THE PURPOSES OF PERMITTING  
DEVELOPMENT OF A MINI-STORAGE USE**

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

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

**WHEREAS**, the Applicant has initiated a project to change the zoning for the property from M-12 (Multi-Family Residential) District to P-1 (Planned Unit Development) District; and

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

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

**WHEREAS**, on April 26, 2016, the City Council opened the public hearing at which it received a report from City Staff, oral and written testimony from the public, deliberated on the project, adopted Resolution XX-16 adopting the Negative Declaration and approving the General Plan Amendment for the project; and

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

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

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

- A. The change proposed will substantially comply with the Oakley 2020 General Plan in that the proposed rezone to P-1 (Planned Unit Development) District in conjunction with the proposed General Plan Amendment to Commercial (CO) will allow establishing self-storage as a permitted use, which is consistent with the CO land use designation, and relaxing the standard development standards to allow for feasible development of the project site. The P-1 District will allow the site to be developed in the vision of the applicant in a manner consistent with the Commercial land use designation.
- B. The uses authorized or proposed in the land use district are compatible within the district and to uses authorized in adjacent districts in that this P-1 District specifically permits a self-storage facility as proposed by the applicant, and it will provide a buffer between the adjacent railroad tracks and nearby residential uses.
- C. Community need, but not necessarily future financial success, has been demonstrated for the use proposed in that the proposed zone change will serve to result in a development that will beautify the south side of East Cypress Road to match the north side, which will result in a more balanced and attractive entry to the City's fastest growing part of town, the East Cypress Road corridor

**SECTION 2. Property Defined and Rezoned.**

Pursuant to Section 2.4.012 of the Oakley Municipal Code, the Oakley Zoning Map is amended to rezone the following property from the M-12 (Multi-Family Residential) District to P-1 (Planned Unit Development) District:

- A. Approximately 3.29 acres of real property southern side of the East Cypress Road and Picasso Drive intersection (APN 033-012-004), as shown on the "Exhibit A" attached to this ordinance.

**SECTION 3. Applicable Regulations and Standards.**

- A. P-1 (Planned Unit Development) District - The regulations for the use, development, improvement and maintenance of the Property shall be those set

forth in the City's General Plan, Oakley Municipal Code, and following P-1 District regulations and standards for this project:

1. Permitted Uses. The following uses shall be permitted in this P-1 District:
  - a. Any land uses permitted by an approved Final Development Plan which are in harmony with each other, serve to fulfill the function of the planned unit development, and are consistent with the General Plan.
  - b. One, two or three story, conditioned and non-conditioned self-storage units, as approved on a Final Development Plan.
  - c. Business office serving as the rental office for the self-storage facility and: sales area for locks, storage boxes and related storage unit supplies; the storage and rental of no more than one moving truck for moving personal property to or from an actively rented storage unit on the premises (moving truck may not be stored in an area visible from public view); and mail box service, package delivery, facsimile and related services.
2. Conditionally Permitted Uses. The following use shall require approval of a conditional use permit pursuant to Oakley Municipal Code Section 9.1.1602 (Variance and Conditional Use Permits):
  - a. Truck and/or trailer storage and/or rental beyond that permitted under "Permitted Uses."
3. Temporary Use Permits. Temporary uses are permitted pursuant to Oakley Municipal Code Section 9.1.1606 (Temporary Use Permit).
4. Lot Requirements. All yard requirements shall be as follows or as approved in a Final Development Plan:
  - Minimum Lot area: Two (2) Acres
  - Minimum Lot Width: N/A
  - Minimum Lot Depth: N/A
5. Yard Requirements. All yard requirements shall be as follows or as approved in a Final Development Plan:
  - Minimum Required Front Yard: Ten (10) feet
  - Minimum Required Rear yard: Zero (0) feet
  - Minimum Required Side Yard: Zero (0) feet
6. Building Heights. All maximum building heights shall be as follows or as approved in a Final Development Plan:

- Office Building: Two Story Thirty (30) feet
  - Perimeter Buildings: One Story Twenty (20) feet
  - Interior Buildings: Three Story Thirty (35) feet
7. Other Regulations.
- a. Parking Requirements - All yard requirements shall be as follows or as approved in a Final Development Plan:
- Four (4) standard parking stalls plus one ADA accessible parking stall shall be provided in compliance with Section 9.1.1402 of the Municipal Code.
8. Final Development Plan Approval: The project Final Development Plan may be approved in conjunction with a Design Review application and approval. Upon approval of the P-1 Zone and Preliminary Development Plan, a Final Development Plan consistent with the Preliminary Development Plan shall be processed in conformance with Section 9.1.1003-3 of the Zoning Ordinance.

#### **SECTION 4. California Environmental Quality Act (CEQA).**

Pursuant to California State Law, an Initial Study was conducted by the Planning Division to evaluate the potential effects of this project upon the environment. The Initial Study analysis found there were no potentially significant impacts, and therefore a Negative Declaration was prepared. Based upon the findings contained in the Initial Study it has been determined that this project will not have a significant impact upon the environment.

#### **SECTION 5. Severability.**

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

#### **SECTION 6. Effective Date and Posting.**

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a

summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

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

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

\_\_\_\_\_  
Kevin Romick, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date

Exhibit A to Ordinance No. \_\_\_\_\_

### Cypress Self Storage Rezone (RZ 05-15)



## RESOLUTION NO. XX-16

**A RESOLUTION OF THE CITY OF OAKLEY CITY COUNCIL MAKING FINDINGS AND APPROVING DESIGN REVIEW (DR 12-15) FOR THE CONSTRUCTION OF A NEW SELF-STORAGE PROJECT ON A 3.29-ACRE SITE LOCATED ON THE SOUTHERN SIDE OF EAST CYPRESS ROAD AND PICASSO DRIVE INTERSECTION FOR THE PROJECT KNOWN AS "CYPRESS SELF STORAGE" APN 033-012-004**

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

**WHEREAS**, on January 22, 2016, the project application was deemed complete per Government Code section 65920 et. seq; and

**WHEREAS**, the project is designated as *Commercial* in the Oakley 2020 General Plan per City Council Resolution No. \_\_\_\_ and zoned P-1 (Planned Unit Development) District per Ordinance No. \_\_\_\_; and

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

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

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

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

**WHEREAS**, these Findings are based upon the City's General Plan, the City's Zoning Ordinance, the Project's applicable P-1 District, the City's Commercial and Industrial Design Guidelines, and the information submitted to the City Council at its April 26, 2016 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the project (hereinafter the "Record"); and

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

- A. In regards to the application requesting approval of Design Review (DR 12-15) for the construction of a new self storage project on a 3.29 acre site located on the southern side of the East Cypress Road and Picasso Drive intersection, APN 033-012-004:
1. The proposed project is consistent with the Oakley 2020 General Plan in that the new buildings, landscaping, and site improvements will provide a significant aesthetic upgrade to the property and help facilitate the economic development activities of the City.
  2. The proposed project is consistent with the applicable sections of the Zoning Ordinance and adopted P-1 District in that it will provide adequate off-site parking, be designed consistent with the adopted P-1 District, and future activities (e.g. temporary use permits) will be subject to the zoning ordinance. Also, this Design Review will act as a Final Development Plan, which satisfies the P-1 District requirements.
  3. The proposed project meets criteria set forth in the Oakley Commercial and Industrial Design Guidelines in that:
    - a. The south-facing elevations, which are highly visible from public view on East Cypress Road, the nearby school sites, houses in Cypress Grove, and Picasso Drive outbound traffic, are designed in a manner consistent with the decorative sound walls along East Cypress Road;
    - b. The office building will include a two-tone stucco exterior with windows visible on the main one-story section, the storefront and

just below the taller pyramid style roof on the tower element;

- c. As conditioned, the horizontal metal siding on the second and third stories of the middle building will consist of quality materials through the application of a stucco finish;
- d. The architecture successfully combines screening the use from public view through landscaping and designing the exterior of the southern building to appear like nearby sound walls with providing a visual buffer between the railroad tracks to the southwest and the residential uses to the north and east; and
- e. The building entries are clearly defined through use of architecture.

B. The project complies with Measure J Growth Management requirements.

**BE IT FURTHER RESOLVED THAT**, on the basis of the above Findings and the Record, the City Council approves of the Applicant's request for **Design Review (DR 12-15)**, subject to the following Conditions of Approval:

**Conditions of Approval**

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the application received by the Planning Division dated **December 16, 2015**, as well as additional information acquired since that time and made part of the project file.

**THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE CONSTRUCTION OF THE BUILDING UNLESS OTHERWISE NOTED:**

**Planning Division Conditions**

**General:**

1. This **Design Review (DR 12-15)** is approved, as shown on the plans, date stamped by the Planning Division on **December 16, 2015**, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.
2. This approval for **Design Review (DR 12-15)** shall be effectuated within a period of three (3) years from the effective date of this resolution by pulling a building permit and if not effectuated shall expire on **April 26, 2019**. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Zoning Code.

3. All construction drawings submitted for plan check shall be in substantial compliance with the plans presented to and approved by the City Council on **April 26, 2016**.
4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
5. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.
6. Should archaeological materials be uncovered during grading, trenching or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary. If the remains are determined to be that of Native American origin, procedures will be guided by California PRC 5097 through California's Native American Heritage Commission.
7. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.
8. All uses proposed for the office building area shall be in accordance with the uses allowed within the project's P-1 District.

**Site Plan:**

9. All parking stall striping shall be double striped. Parking stalls shall be 9 feet wide by 19 feet deep with an allowed 2 foot overhang in some cases and all drive aisles shall be a minimum 24 feet in width as reviewed and approved by the Community Development Director.
10. A lighting and photometric plan shall be submitted prior to the issuance of building permits. The minimum requirement shall be one foot of candle light within public parking areas and pedestrian pathways.

11. Light poles shall be a maximum height of twenty (20) feet and shall provide glare shields where adjacent to existing residences per the review and approval of the Community Development Director.
12. A trash enclosure shall match Oakley Disposal and City standards and shall provide adequate space to accommodate both trash and recycling. Also, if not located within the footprint of a building, trash enclosures shall be constructed with a roof to match the building design and materials, have metal gates, and when appropriate be surrounded by landscaping with climbing vines on three sides per the review and approval of the Community Development Director.
13. Storage shall be contained inside the buildings. Storage containers are not allowed and pallets, boxes, cardboard etc. shall not be stored outside.
14. The final site plan shall show a bike rack located outside of the entry gate and adjacent to the office building, subject to final approval by the Community Development Director.
15. The southeast corner of the site shall be enclosed in a one story building to match the existing building. This portion of building is not required to include additional storage units.

**Architecture:**

16. All exterior building colors shall be as depicted on the applicant's color rendering plans. The final color palette shall be subject to the review and approval of the Community Development Director.
17. All roof-mounted equipment shall be architecturally screened from view from all angles
18. Light fixtures on the office building shall be decorative fixtures per the review and approval of the Community Development Director.
19. Anti-graffiti techniques shall be used on the exterior walls of the buildings.
20. Security cameras shall be installed in locations to be reviewed and approved by the Community Development Director.
21. The second and third stories of the middle three-story building shall have a stucco finish applied to the horizontal metal siding prior to painting.

**Landscaping Requirements:**

22. A landscaping and irrigation plan for all areas shown on the site plan shall be submitted for review and approval of the Community Development Director prior

to the issuance of building permits. The landscaping plan shall include the project's frontage and side yards. Landscaping shall conform to the Oakley Water Efficient Landscape Ordinance and the Guidelines for Implementation of the City of Oakley Water Efficient Landscape Ordinance and shall be installed prior to final occupancy. The plan shall be prepared by a licensed landscape architect and shall be certified to be in compliance with the City's Water Conservation Ordinance.

23. California native drought tolerant plant or shall be used as much as possible. All trees shall be a mix of fifteen-gallon, 24-inch box and 36-inch box, all shrubs shall be a minimum five-gallon size, except as otherwise noted.
24. Parking lot trees shall provide 50 percent shading of the parking areas at tree maturity.
25. Prior to occupancy, an on-site inspection shall be made of privately owned lands by a licensed landscape architect to determine compliance with the approved landscape plan. A signed certification of completion shall be submitted to the Community Development Director for review and approval.
26. If occupancy is requested prior to the installation of the landscape and irrigation improvements, then either a cash deposit or a letter of credit shall be delivered to the City for 125 percent of the estimated cost of the uncompleted portion of the landscape and irrigation improvements. If compliance is not achieved after six months of occupancy as determined by the Community Development Director, the City shall contract for the completion of the landscaping and irrigation improvements to be paid for by the held sum. The City shall return the unused portion within one year of receipt or at the completion of all work.
27. Landscaping shall be maintained as shown on the landscape plan in perpetuity.

**Signage:**

28. The proposed signage shall meet the requirements of the City's Zoning Ordinance. All proposed signage shall be reviewed by the Planning and Building Divisions.
29. All signs shall be on permanent structures or the office building and of design and material to compliment the proposed building office building. No signs on the premises shall be animated, rotating or flashing. No flags, pennants, banners, pinwheels or similar items shall be permitted on the premises, with the exception of a United States flag and California state flag.
30. Temporary signage for such things as special events and grand openings shall be subject to the Oakley Municipal Code Chapter 9.5 (Regulation of Signs and Outdoor Advertising).

### **Waste Management Plan:**

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

### ***Building Division Conditions***

32. Plans shall meet the currently adopted Uniform Codes as well as the newest T-24 Energy Requirements per the State of California Energy Commission. To confirm the most recent adopted codes please contact the Building Division at (925) 625 – 7005.
33. An Automatic Life Safety Sprinkler System shall be required in all new construction pursuant to Ordinance 22-06. The Automatic Life Safety Sprinkler Systems in commercial and industrial buildings shall be designed and installed to the standards and requirements found in the most recent version of the NFPA (National Fire Protection Association). Automatic Life Safety Sprinkler Systems in hotels and apartments shall be installed to the standards and requirements found in the most recent version of the NFPA, Standard 13R.
34. Prior to requesting a Certificate of Occupancy from the Building Division all Conditions of Approval required to occupancy must be completed.
35. All new commercial buildings and places of public accommodation shall be designed to the standards found in the latest version of California Building Code Chapter 11B or the 2010 ADA standards for accessible design, whichever is stricter.

### ***Public Works and Engineering Conditions***

### **General:**

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

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

**Roadway Improvements:**

41. Design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act.

**Road Dedications:**

42. Relinquish abutter's rights of access along East Cypress Road except for the approved driveway location.

**Access to Adjoining Property:**

43. Furnish necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.
44. Applicant shall only be allowed access to the project site at the location shown on the approved site plan.

**Landscaping in the Public Right of Way:**

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

**Grading:**

46. Submit a geotechnical report to the City Engineer for review that substantiates the design features incorporated into the project including, but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections.

47. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.
48. Dust control measures shall be provided for all stockpiling per the review and approval of the City Engineer.
49. Grade any slopes with a vertical height of four feet or more at a slope of 3 to 1. Retaining walls that may be installed to reduce the slope must be masonry and comply with the City's building code.
50. Submit a dust and litter control plan to the City Engineer prior to beginning any construction activities.
51. Submit a haul route plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan the City Engineer shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible to repair to their pre-construction condition any roads along the utilized routes.
52. Prior to commencement of any site work that will result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.
53. Submit an updated erosion control plan reflecting current site conditions to the City Engineer for review and approval no later than September 1st of every year while the Notice of Intent is active.
54. The burying of any construction debris is prohibited on construction sites.

### **Utilities/Undergrounding:**

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

### **Drainage Improvements:**

58. Collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural.
59. Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system and stormwater pond to the City Engineer for review and approval.
60. Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.
61. Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
62. Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.

### **National Pollutant Discharge Elimination System (NPDES):**

63. Comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley -

Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at [www.cccleanwater.org](http://www.cccleanwater.org).

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

- Utilize pavers or other pervious materials for driveways, walkways, and parking areas wherever feasible.
- Minimize the amount of directly connected impervious surface area.
- Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City standards.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Install filters in on-site storm drain inlets.
- Sweeping the paved portion of the site at least once a month utilizing a vacuum type sweeper.
- Use of landscape areas, vegetated swales, pervious pavement, and other infiltration mechanisms to filter stormwater prior to entering the storm drain system.
- Provide a sufficient amount of on-site trash receptacles.
- Distribute public information items regarding the Clean Water Program to customers.
- Other alternatives as approved by the City Engineer.

**Fees/Assessments:**

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

- A. Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03);
- B. Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);
- C. Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03);
- D. Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03);

- E. Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);
- F. Fire Facilities Impact Fee, collected by the City (adopted by Resolution No. 09-01);
- G. General Plan Fee (adopted by Resolution No. 53-03): and
- H. East Contra Costa County Habitat Conservation Plan Fee (adopted by Resolution No. 112-07 & 124-07).

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

- 65. The applicant shall be responsible for paying the County Recorder's fee for the Notice of Determination as well as the State Department of Fish and Game's filing fee.
- 66. Annex the property to the City of Oakley Community Facilities District No. 2015-2 (CFD) for funding the maintenance and operation costs associated with regional, community and neighborhood parks, public area landscaping, street lights and storm water facilities. The applicant shall apply for annexation and provide all information and documents required by the City to process the annexation. All costs of the annexation shall be paid by Applicant. The assessment shall be the per parcel annual amount set by CFD at the time of annexation. Annexation shall be completed prior to filing of the final parcel map.
- 67. Participate in the provision of funding to maintain police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be the per parcel annual amount (with appropriate future cost of living adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to filing of the final map. Should the building be occupied prior to the City receiving the first disbursement from the tax bill, the project proponent shall be responsible for paying the pro-rata share for the remainder of the tax year prior to the City conducting a final inspection.

#### **ADVISORY NOTES**

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

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

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the 26<sup>th</sup> day of April, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

\_\_\_\_\_  
Kevin Romick, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date