



AGENDA

REGULAR JOINT MEETING OF THE OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY/OAKLEY PUBLIC FINANCING AUTHORITY

Tuesday, April 8, 2025

6:30 PM

Oakley City Council Chambers located at 3231 Main Street, Oakley, California 94561. Unless stated otherwise on the agenda, every item on the agenda is exempt from CEQA Guidelines Sections 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 and/or Public Resources Code Section 21065.

MISSION STATEMENT: The City of Oakley will create a resilient future that fosters and attracts a vibrant and evolving community that welcomes and values all people.

VISION STATEMENT: The City of Oakley celebrates our unique Delta lifestyle and small-town feel where we Live in a safe, dynamic community, **Work** together to build the future, and **Play** in our own backyard.

Agendas are posted in Oakley at Oakley City Hall-3231 Main Street, outside the gym at Delta Vista Middle School-4901 Frank Hengel Way and outside the Library at Freedom High School-1050 Neroly Road. Agendas are also posted on the City's Internet Website www.ci.oakley.ca.us.

A complete packet of information containing staff reports and exhibits related to each item is available for public review prior to an Oakley City Council and/or City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority meeting at Oakley City Hall, 3231 Main Street, Oakley, CA 94561. Any writings or documents provided to a majority of the Oakley City Council, Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency or Oakley Public Financing Authority regarding any item on this agenda will be made available for public inspection, during regular business hours, at the front counter in the Main Lobby of the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561. Agendas may be picked up at the Oakley City Hall located at 3231 Main Street, Oakley, CA 94561 for no charge. To request information regarding placement on the City's agenda e-mail distribution list, please contact us at (925) 625-7000.

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If you require special accommodation, please call the City Clerk's office at (925) 625-7000 before the meeting or contact City staff at the meeting.

Please keep cell phones/electronic devices turned off during the meeting. Please be advised that City Council meetings are video recorded and attendees may appear on video.

Information Regarding Public Comment

Members of the public may address the Council on items of interest that are within the City's jurisdiction. In compliance with State law, the council may not take action or have discussion on any item that is not specifically listed on the agenda. Public comment on items not listed on the agenda will be heard under the Public Comments section of the agenda. Public comments on items listed on the agenda will be heard as the Mayor calls the items. In compliance with State law, the Council may not take action on an item that is not specifically listed on the agenda. If you would like to speak on any agenda item, please fill out a public speaker card available in the lobby and submit it to the City Clerk seated in the Council Chamber **prior to the agenda item being called**. The Mayor will call you by name to the podium to hear your comment. PUBLIC COMMENTS ARE LIMITED TO THREE (3) MINUTES. Online public comments are accepted until 5 p.m. the day of the meeting and can be submitted at <https://www.ci.oakley.ca.us/online-public-comment-card/>.

1. OPENING MATTERS

Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority

1.1 Call to Order and Roll Call of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority

1.2 Pledge of Allegiance to the Flag (Kimberly Fyfe, Delta Vista Middle School Student)

1.3 Proclamation Recognizing April 6-12 as National Library Week (Lisa Cano-Loomis-Oakley Library Manager) [Proclamation](#)

1.4 Liberty Union High School District Update (Superintendent, Denise Rugani)

2. PUBLIC COMMENTS

At this time, the public is permitted to address the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority on non-agendized items.

3. COUNCILMEMBER COMMENTS

4. CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority with one single action. Members of the audience, Staff or the Oakley City Council/ Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency/Oakley Public Financing Authority who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor remove the item. The public may request to remove an item(s) to provide input by completing a public speaker card and

submitting it to the City Clerk prior to the item(s) being called by the Mayor.

- 4.1 **Approve Minutes from the Regular Joint Meeting of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency and Special Meeting of the Oakley Public Financing Authority held March 25, 2025 (Kim Snodgrass, City Clerk)**
[Minutes](#)
- 4.2 **Adopt a Resolution Authorizing the City Manager to Execute a Construction Agreement with Campanella Corporation for the Abatement of Asbestos and Demolition of the Oakley Senior Center Building Project (Kevin Rohani, P.E., Public Works Director/City Engineer)**
[Staff Report](#)
 - 1. Resolution
 - 2. Proposal
- 4.3 **Adopt a Resolution Authorizing the Award of Construction Contract to Franco Engineering, Inc. for the construction of Fiscal Year (FY) 2024/25 Curb, Gutter & Sidewalk Repair and Reconstruction Project Number 311(Kevin Rohani, P.E., Public Works Director/City Engineer)**
[Staff Report](#)
 - 1. Resolution
 - 2. Bid Summary
- 4.4 **Adopt a Resolution Authorizing the City Manager to Execute a Consulting Services Agreement with BKF Engineers, Inc. to Provide Engineering Design Services for Capital Improvement Project (CIP) Number 320 – O’Hara Avenue Widening Project (600’ south of Laurel Road to 300’ south of Grapevine Lane) (Kevin Rohani, P.E., Public Works Director/City Engineer)**
[Staff Report](#)
 - 1. Resolution
 - 2. BKF Proposal
- 4.5 **Approval of a Resolution to increase the not to exceed amount on a Consulting Services Agreement between the City of Oakley and TRB and Associates, Inc. for “on-call” plan review services for Fiscal Year 2024/2025 (Ken Strelo, Community Development Director)**
[Staff Report](#)
 - 1. Proposed Resolution

5. PUBLIC HEARINGS

6. REGULAR CALENDAR

7. REPORTS

7.1 **CITY MANAGER**
(a) City Manager

(b) Business License Update

[March 2025 New Business Licenses](#)

- 7.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY (a) Reports from Council Liaisons to Regional Committees, Commissions and Boards AND Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency (b) Requests for Future Agendas**

8. WORK SESSIONS

- 8.1 Planning and Zoning Work Session 2025 – Work Session to discuss three topics related to Planning and Zoning: 1) Short-term rentals in the Downtown Specific Plan; 2) Allowability of 4-H livestock program activities in the City of Oakley; and 3) Inclusionary housing policy. (Ken Strelo, Community Development Director)**
[Staff Report](#)
[1. Short-Term Rentals Ordinance \(OMC chapter 5.15\)](#)
[2. AL District \(OMC section 9.1.402\)](#)
[3. R Districts \(OMC section 9.1.404\)](#)

9. CLOSED SESSION

- 9.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54954.5(e)
Title: City Manager**
- 9.2 CONFERENCE WITH LABOR NEGOTIATORS Agency designated representatives: Mayor Shaw, Vice Mayor Henderson, City Attorney Cole**

Unrepresented employee: City Manager

10. ADJOURN



Proclamation

National Library Week

WHEREAS, libraries spark creativity, fuel imagination, and inspire lifelong learning, offering a space where individuals of all ages can explore new ideas and be drawn to new possibilities; and

WHEREAS, libraries serve as vibrant community hubs, connecting people with knowledge, technology, and resources while fostering civic engagement, critical thinking, and lifelong learning; and

WHEREAS, libraries provide free and equitable access to books, digital tools, and innovative programming, ensuring that all individuals—regardless of background—have the support they need to learn, connect, and thrive; and

WHEREAS, libraries partner with schools, businesses, and organizations, connecting the dots to maximize resources, increase efficiency, and expand access to essential services, strengthening the entire community; and

WHEREAS, libraries empower job seekers, entrepreneurs, and lifelong learners by providing access to resources, training, and opportunities that support career growth and economic success; and

WHEREAS, libraries nurture young minds through storytimes, STEAM programs, and literacy initiatives, fostering curiosity and a love of learning that lasts a lifetime; and

WHEREAS, libraries protect the right to read, think, and explore without censorship, standing as champions of intellectual freedom and free expression; and

WHEREAS, dedicated librarians and library workers provide welcoming spaces that inspire discovery, collaboration, and creativity for all; and

WHEREAS, libraries, librarians, and library workers across the country are joining together to celebrate National Library Week under the theme “Drawn to the Library”.

NOW, THEREFORE, BE IT RESOLVED, that I, Shannon Shaw, Mayor of the City of Oakley along with the members of the Oakley City Council do hereby declare April 6–12, 2025, as National Library Week. During this week, I encourage all residents to visit their library, explore its resources, and celebrate all the ways that the library draws us together as a community.

Dated: April 8, 2025

Shannon Shaw, Mayor



**MINUTES OF THE REGULAR JOINT MEETING OF THE OAKLEY CITY
COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE
OAKLEY REDEVELOPMENT AGENCY AND SPECIAL MEETING OF THE OAKLEY
PUBLIC FINANCING AUTHORITY HELD MARCH 25, 2025**

1. OPENING MATTERS

**1.1 Call to Order and Roll Call of the Oakley City Council/Oakley City Council
Acting as the Successor Agency to the Oakley Redevelopment Agency and
Special Meeting of the Oakley Public Financing Authority**

Mayor Shannon Shaw called the meeting to order at 6:30 p.m. in the Oakley City Council Chambers located at 3231 Main Street, Oakley, California 94561. Vice Mayor Hugh Henderson and Councilmembers George Fuller, Aaron Meadows and Anissa Williams were also present.

1.2 Pledge of Allegiance to the Flag

Councilmember Meadows led the Pledge of Allegiance to the Flag.

**1.3 Contra Costa County Library Commission Update (Kevin Armonio,
Commissioner)**

Kevin Armonio provided an update on the Contra Costa County Library system.

Councilmembers Williams and Meadows asked questions and thanked Mr. Armonio for his presentation

2. PUBLIC COMMENTS

None

3. COUNCILMEMBER COMMENTS

None

4. CONSENT CALENDAR

**4.1 Approve Minutes from the Regular Joint City Council/City Council Acting as
the Successor Agency to the Redevelopment Agency/Public Financing
Authority Meeting held March 11, 2025 (Kim Snodgrass, City Clerk)**

- 4.2 Report out of Closed Session Memo (Derek Cole, City Attorney)**
- 4.3 Ratify Election: Adopt Ordinance No. 3- 25 Authorizing the Levy of a Special Tax on Parcels of Land within Tax Area Zone 195 within the Oakley Special Police Tax Area for Police Protection Services for the Live Oak Industrial Park project located at 5400 Live Oak Avenue (APN 037-100-065-4) (Kevin Rohani P.E., Public Works Director/City Engineer)**
- 4.4 Annexation No. 43 (Live Oak Industrial Park) to the City of Oakley Community Facilities District No. 2015-2 (Parks, Streetlight, Landscape, and Stormwater Services) (Kevin Rohani, P.E., Public Works Director/City Engineer)**
- 4.5 Adopt a Resolution Approving the Annual Progress Report on the Implementation of the City's Housing Element with SB 341 Reporting Requirements (Evan Gorman, Associate Planner)**
- 4.6 Adopt a Resolution authorizing the City Manager to execute the program supplement agreement under the master agreement with the State of California Department of Transportation - CIP Project No. 302 – East Cypress Road Widening (Jersey Island Road to Bethel Island Road) Project, Federal Aid Project No. PLBPL-5477(010) (Kevin Rohani, P.E., Public Works Director/City Engineer)**
- 4.7 Adopt a Resolution Authorizing the City Manager to execute the First Amendment to the Agreement with Baker Tilly US, LLP (Joshua McMurray, City Manager)**

Mayor Shaw announced an updated report was provided by staff for item 4.5.

Councilmember Fuller pulled items 4.1 and 4.5

It was moved by Councilmember Meadows and seconded by Councilmember Williams to approve the remainder of the Consent Calendar. Motion was unanimous and so ordered (5-0)

Item 4.1

Councilmember Fuller mentioned he will vote no.

It was moved by Councilmember Meadows and seconded by Vice Mayor Henderson to Approve item 4.1. Ayes: Henderson, Meadows, Shaw, Williams. Noes: Fuller (4-1)

Item 4.5

Councilmember Fuller asked a question and Mr. McMurray responded.

It was moved by Councilmember Fuller and seconded by Councilmember Meadows to Approve item 4.5. Motion was unanimous and so ordered (5-0)

5. PUBLIC HEARINGS

5.1 Oakley Shops at Laurel Fields Master Sign Program and Sign Exception Permit (SP 25-01, SEP 25-01) – Request for approval of a Master Sign Program and Sign Exception Permit for the Oakley Shops at Laurel Fields Shopping Center (Evan Gorman, Associate Planner)

Associate Planner Evan Gorman presented the report.

Mayor Shaw opened the Public Hearing.

There were no Public Comments, so she closed the Public Hearing.

It was moved by Councilmember Meadows and seconded by Councilmember Fuller to Approve item 5.1. Motion was unanimous and so ordered (5-0)

6. REGULAR CALENDAR

6.1 Receive an Update on the Senior Center Project (Jeri Tejada, Administrative Services Director)

Administrative Services Director Jeri Tejada provided an update on the Senior Center project.

Councilmembers Williams asked a question and Ms. Tejada responded.

A public comment was provided by Donna Baker and will be entered into the record.

7. REPORTS

**7.1 CITY MANAGER
(a) City Manager**

None

Councilmember Fuller asked a question and Mr. McMurray responded.

7.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY

(a) Reports from Council Liaisons to Regional Committees, Commissions and Boards AND Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency

Councilmember Fuller reported he met with Business Manager Edgar Flores, and Friends of the Oakley Library, and he attended the Climate Action Plan Workshop.

Councilmember Meadows reported he attended a Contra Costa Transportation Authority meeting, a MCE meeting, and a TransPlan, East Contra Costa Regional Fee and Finance Authority and Hwy 4 Bypass Authority Meeting.

Vice Mayor Henderson reported he attended an Ironhouse Sanitary District meeting.

Councilmember Williams reported she attended a Chamber of Commerce mixer, a Restore the Delta meeting, she did an interview with the Press, led a Chamber of Commerce Advisory Committee meeting, she met with Contra Costa Health, and the Council on Aging Representative, and attended a Delta Protection Commission meeting.

Mayor Shaw reported she attended a Chamber event, a virtual Cal Cities Legislative Update, she attended an event at the East Contra Costa Historical Society, a Women's Community Forum, she did an interview with the Press, attended a Cal Cities East Bay Board Meeting, and she attended the City's Climate Action Plan Workshop.

(b) Requests for Future Agendas

Councilmember Fuller requested to expand the radius for notification of any Work Sessions involving any type of development and that notification be mailed no later than 10 days before the hearing.

Councilmember Williams asked questions.

City Manager Josh McMurray responded.

8. WORK SESSIONS

None

9. CLOSED SESSION

None

10. ADJOURN

There being no further business, the meeting was adjourned at 7:10 p.m.

Respectfully submitted.

Kim Snodgrass
City Clerk

DATE: April 8, 2025
TO: Joshua McMurray, City Manager
FROM: Kevin Rohani, P.E., Public Works Director/City Engineer
SUBJECT: Adopt a Resolution Authorizing the City Manager to execute a Construction Agreement with Campanella Corporation for the Abatement of Asbestos and Demolition of Oakley Senior Center Building Project, Capital Improvement Project (CIP) Number 330

Approved and
Forwarded to the
City Council

Background and Analysis

The City's adopted Fiscal Year (FY) 2024/25 Capital Improvement Program (CIP) Budget designates funding for various infrastructure repair and replacement projects. This is consistent with the City's strategic goals to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

The existing Oakley Senior Center building is a facility that was constructed decades ago and originally used as a Fire Station before the incorporation of City of Oakley. After the Fire Department moved operations to new facilities, the building was vacant for a number of years and subsequently used for senior services as the Oakley Senior Center.

As part of the restructuring City operations and after several meetings and discussions, the City of Oakley is taking over the senior programming for the community at a remodeled facility for the seniors at the Oakley Recreation site. With the moving of seniors to the Oakley Recreation site, the current building is no longer needed and will be demolished.

Staff worked with consultants to prepare an asbestos assessment of this building and prepared a report that is needed by demolition contractors prior to the actual demolition of the building. Staff then solicited bids from demolition and abatement contractors to demolish and dispose of the existing Senior Center Building and received one (1) bid from Campanella Corporation in the amount of \$95,000.00 for this project.

This demolition will take place in the month of May, after the seniors have been relocated to their new location at Oakley Recreation site.

Consistency with the Oakley Strategic Plan 27+

The approval of this agreement is consistent with the Oakley Strategic Plan under our Community Health and Safety Goal.



Fiscal Impact

Funding of this project will come from General Fund Contingency in the FY 2024/25 budget. No additional funding is needed at this time.

Staff Recommendation

Staff recommend that the City Council adopt the resolution approving the construction agreement with Campanella Corporation for an amount not to exceed \$95,000.00 and authorize the City Manager to execute the said agreement.

Attachments

- 1) Resolution
- 2) Campanella Bid Proposal



RESOLUTION NO. __-25

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
APPROVING AN AGREEMENT WITH CAMPANELLA CORPORATION FOR
THE DEMOLITION AND DISPOSAL OF THE BUILDING AT 215 2ND STREET
CAPITAL IMPROVEMENT PROJECT- CIP NUMBER 330**

WHEREAS, the existing City owned building located at 215 2nd Street that housed the Oakley Seniors is no longer needed for use by the seniors; and

WHEREAS, Staff prepared asbestos assessment report and solicited bids from abatement and demolition contractors for this project; and

WHEREAS, one (1) bid was received prior to the closing of the bidding process; and

WHEREAS, Campanella Corporation submitted the lowest responsible bid for a total cost of \$95,000.00 for the work; and

WHEREAS, Funding of this project will come from General Fund Contingency in the FY 2024/25 budget. No additional funding is needed at this time.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oakley that the Agreement with Campanella Corporation for the asbestos assessment and demolition of the building at 215 2nd Street - CIP 330, for an amount not to exceed \$95,000.00, is approved and the City Manager is authorized to execute said Agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 8th of April 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Shannon Shaw, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date



P.O. Box 489, Byron, CA 94514
Phone: 510-536-4800

Contractors Lic. 750648
DIR# 1000011254

Demolition Bid Proposal

Attention: Kevin Rohani
Name: City of Oakley
Address: 3231 Main Street
Oakley, CA 94561

Date: 3/18/2025
Phone: 925.625.7003
Rohani@ci.oakley.ca.us

Campanella Corporation Job Number: 25-4344

Project: 215 2nd Street - Oakley

This proposal is based on the following Information: Site Visit, RFP

Current plans by, sheets, dated: None Provided

Current Specifications: None Provided

Acknowledgement of Addendum: None Provided

Hazmat Survey generated by: BEM Environmental Management, Project #24-68807 dated November 25th, 2024

PCB screening in building materials generated by: BEM Environmental Management Project #24-68807

Building Demolition:

- 1 Obtain building demolition J number through BAAQMD
- 2 Remove main building, one shed and offhaul debris
- 3 Remove utilities within demolished building footprint only (exclude backfill)
- 4 Remove building CMU walls
- 5 Remove building concrete slab on grade NTE 5" thickness
- 6 Remove building concrete foundations NTE 1'x3'
- 7 Site demolition is excluded
- 8 Tree removal is excluded
- 9 Offhaul above debris, steel and concrete.
- 10 Dust control for our work only.
- 11 Temporary fencing is to be provided and installed by others.
- 12 Bid and P&P Bonds is excluded.
- 13 Any work outside of the specific scope mentioned above in items 1 - 13 is excluded.

Asbestos Abatement:

- 1 Provide all labor, equipment, transportation and disposal for the removal of asbestos containing materials as identified and quantified in the survey report by Bovee Environmental dated 11/25/24
- 2 Any work outside of the specific scope mentioned above is excluded.

Total Base Bid - Lump Sum: \$ 95,000.00

Clarifications and Statements:

- 1 Specific scope, clarifications and statements, and exclusions shall be made part of the contract.
- 2 Bid is good for 30 days
- 3 Days needed for set up 10
- 4 Payment shall be made 30 days after receipt of billing
- 5 Extra work, if any, will not commence until Campanella receives written authorization by an authorized owner's representative.
- 6 Prices are based on salvage rights of all copper, wires and steel associated with the demolition
- 7 Demolition work estimated 1 move in 1 Phase
- 8 Labor, dump fees and trucking prices are based on current market rates
- 9 Bid is based on current Campanella Insurance coverage
- 10 Campanella can participate in OCIP/CCIP projects, but cannot provide insurance credits
- 11 Bid excludes weekend or overtime work
- 12 Bid is based on being able to access the site with steel track excavators
- 13 General Contractor to provide portable bathrooms and construction fencing
- 14 All debris, asphalt and concrete will be offhauled using highside and lowside trucks, excludes the use of local dumpsters

Thank you for the opportunity to bid this project. If you have any questions, please call.

Sincerely,

Campanella Corporation

Talon Simmons

Talon Simmons
Estimator / Project Manager
Cell: (209) 814 - 5150

DATE: April 8, 2025
TO: Joshua McMurray, City Manager
FROM: Kevin Rohani, P.E., Public Works Director/City Engineer
SUBJECT: Adopt a Resolution Authorizing the Award of Construction Contract to Franco Engineering, Inc. for the construction of Fiscal Year (FY) 2024/25 Curb, Gutter & Sidewalk Repair and Reconstruction Project Number 311

Approved and
Forwarded to the
City Council

Background and Analysis

The City's adopted Fiscal Year (FY) 2024/25 Capital Improvement Program Budget designates funding for various infrastructure repair and replacement projects. This is consistent with the City of Oakley's Strategic Plan to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

Capital Improvement Project No. 311 includes the repair and replacement of damaged and uplifted sidewalks or curb and gutter throughout the City of Oakley. The project is done annually to eliminate trip and fall hazards, and to provide safe streets and sidewalks for pedestrians in the community. Tree roots are a major cause of sidewalk uplifts, and this project is targeting some of the worst areas in the City where tree roots have damaged the concrete beyond any temporary repair.

Additionally, this project will work in coordination with the adopted 50-50 Concrete Repair Cost Share Program that helps the property owners in dealing with concrete curb, gutter, and sidewalk related problems, such as uplifts from tree root overgrowth. The 50-50 Concrete Repair Cost Share Program provides the City with assistance in managing the repair and replacement contract, as well as sharing the cost with the property owners. This project will help in providing safe pedestrian facilities and reduce liability and claims for trip and fall accidents.

On March 20, 2025, nine (9) total bids were received for this project. Staff reviewed the bids and determined that Franco Engineering, Inc. was the lowest responsible bidder for the project at a cost of \$106,070.00.

Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community Health and Safety goals.



Fiscal Impact

This item was included in the fiscal year 2024/25 budget with a total budget of \$150,000. To date \$371.12 has been spent or encumbered leaving a balance of \$149,628.88. This project is funded by the Road Maintenance and Rehabilitation (RMRA) Fund. No additional funding is needed at this time to fund the contract.

Staff Recommendation

Staff recommend that the City Council adopt the resolution approving a construction agreement with Franco Engineering Inc., for an amount not to exceed \$106,070.00, and to authorize the City Manager to execute the said agreement.

Additionally, due to variables associated with construction projects, and to address unforeseen circumstances during the course of construction, staff further recommends that the City Council authorize staff to execute future change orders to the construction contract as necessary in an amount not to exceed \$20,000 for work beyond what is defined in the base project bid.

Attachments

Attachment 1 - Resolution

Attachment 2 – Bid Summary



RESOLUTION NO. __-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AN AGREEMENT WITH FRANCO ENGINEERING, INC. FOR THE CONSTRUCTION OF FISCAL YEAR (FY) 2024/25 CURB, GUTTER, & SIDEWALK REPAIR AND RECONSTRUCTION PROJECT – CAPITAL IMPROVEMENT PROJECT NUMBER 311

WHEREAS, City Staff prepared the plans, specifications, and estimates for the construction of Capital Improvement Project (CIP) No. 311 - Curb, Gutter, & Sidewalk Repair and Reconstruction Project which includes curb, gutter, sidewalk repairs, grinding, and other related work; and

WHEREAS, the plans, specifications and special provisions were publicly advertised for bidding, with the bidding period closing at 2:00 P.M. on Thursday, March 20, 2025; and

WHEREAS, nine (9) bids were received prior to the close of the bidding process; and

WHEREAS, Franco Engineering Inc. submitted the lowest responsible bid for a total cost of \$106,070 for the work; and

WHEREAS, This item was included in the fiscal year 2024/25 budget with a total budget of \$150,000. To date \$371.12 has been spent or encumbered leaving a balance of \$149,628.88. This project is funded by the Road Maintenance and Rehabilitation (RMRA) Fund. No additional funding is needed at this time to fund the contract.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oakley that the Agreement with Franco Engineering, Inc for the construction of the FY 2024/25 Curb, Gutter, & Sidewalk Repair and Reconstruction Project - CIP No. 311, for an amount not to exceed \$106,070 is approved, and the City Manager is hereby authorized to execute the said Agreement and to execute change orders in an amount not to exceed \$20,000 as necessary. The bid results are attached hereto as **Exhibit A**.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 8th of April 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Shannon Shaw, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date

City of Oakley Public Works Department
CIP No. 311 - FY 2024/25 Curb, Gutter, & Sidewalk Repair and Reconstruction Project
Certified Bid Tabulation Bid opening: March 20, 2025 at 2:00 P.M. at the Civic Center

				Engineers Estimate		Franco Engineering, Inc.		Wayne E. Swisher Cement Inc.		Platinum General Engr. LLC		Modernscape Innovations.		Sandstone Envir. Engr. Inc.		Frontline Gen. Engr. Const.		FBD Vanguard Const. Inc.		Luma Engr. Cont. Inc.		Zara Eng. Const. Inc.	
						8657 Waterwell Way		2620 East 18th Street		9355 Pellerin Road		163 Meadow Brook Court		3140 Anderson Lane		16440 Asiland Avenue		550 Greenville Road		214 Silver Bell Way		2343 Donner Pass Avenue	
						Tarcy, CA 95304		Antioch, CA 94509		Modesto, CA 95357		Oakley, CA 94561		Oakley, CA 94561		San Lorenzo, CA 94580		Livermore, CA 94550		Oakley, CA 94561		Sacramento, CA 95835	
Item No.	Description	Quantity	Unit	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
1	R&R Sidewalk	3,784	SF	20.00	\$75,680.00	25.00	94,600.00	25.00	94,600.00	19.82	74,998.88	26.00	98,384.00	28.00	105,952.00	35.49	134,294.16	46.00	174,064.00	50.43	190,834.69	78.00	295,152.00
2	R&R Curb and Gutter	155	LF	40.00	\$6,200.00	74.00	11,470.00	90.00	13,950.00	225.80	34,999.00	90.00	13,950.00	80.00	12,400.00	365.20	56,606.00	133.00	20,615.00	64.80	10,044.00	200.00	31,000.00
						\$81,880.00		\$106,070.00		\$108,550.00		\$109,997.88		\$112,334.00		\$118,352.00		\$190,900.16		\$194,679.00		\$200,878.69	

This certifies that all bids were received and opened on March 20, 2025, and that this is a copy of the bid tabulation with bids corrected for errors in addition and multiplication. By:



DATE: April 8, 2025
TO: Joshua McMurray, City Manager
FROM: Kevin Rohani, P.E., Public Works Director/City Engineer
SUBJECT: Adopt a Resolution Authorizing the City Manager to Execute a Consulting Services Agreement with BKF Engineers, Inc. to Provide Engineering Design Services for Capital Improvement Project (CIP) Number 320 – O'Hara Avenue Widening Project (600' south of Laurel Road to 300' south of Grapevine Lane)

Approved and
Forwarded to the
City Council

Background and Analysis

The City's adopted Fiscal Year (FY) 2024/25 Capital Improvement Program (CIP) designates funding for various infrastructure repair and replacement projects. This is consistent with the City's Strategic Goals to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

O'Hara Avenue is a major arterial street in Oakley and a key component of the City's transportation network, in addition to being a north/south connection to the City of Brentwood. The improvements and widening of O'Hara Avenue have been a priority for the City of Oakley.

The City's CIP included CIP Project No. 280 to widen Laurel Road from Cloverbrook Avenue to O'Hara Avenue and to widen O'Hara Avenue from Laurel Road to approximately 600' south of the Laurel Road intersection. This project is currently under construction and its completion is anticipated by fall 2025.

The next section of O'Hara Avenue that needs widening is from the end of the CIP 280 project to connect to the newly widened and improved O'Hara Avenue 300' south of Grapevine Lane that was constructed as part of a private development project.

Staff have selected BKF Engineers Inc. as the best suited firm to design this important infrastructure improvement project. This firm has designed the CIP 280 project successfully and has great familiarity with the City's standards and processes. Staff negotiated the final scope of the design work and cost proposal at a cost of \$174,148, which is very competitive pricing for such a project in the current market and shows BKF Engineers Inc.'s commitment to the Oakley community and its capital projects.

The design of this project will be performed during FY 2025/26 and the construction is anticipated to take place during FY 2026/27



Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community Health and Safety section goal to provide safe streets

Fiscal Impact

This item was included in the fiscal year 2024/25 budget with a total budget of \$175,000. This project is funded by the Measure J Fund. No additional funding is needed at this time to fund the contract.

Staff Recommendation

Staff recommend that the City Council adopt the resolution approving the proposal with BKF Engineers Inc., for the design services associated with CIP No. 320 – O'Hara Avenue Widening Project (600' south of Laurel Road to 300' south of Grapevine Lane) and to authorize the City Manager to enter into an agreement not to exceed an amount of \$174,148.

Attachments

1. Resolution
2. BKF Engineers, Inc. Proposal





RESOLUTION NO.____-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY APPROVING AN AGREEMENT WITH BKF ENGINEERS, INC. FOR ENGINEERING DESIGN SERVICES ASSOCIATED WITH CAPITAL IMPROVEMENT PROJECT NUMBER 320 - O'HARA AVENUE WIDENING PROJECT (600' SOUTH OF LAUREL ROAD TO 300' SOUTH OF GRAPEVINE LANE) AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT

WHEREAS, as part of the Fiscal Year 2024/25 Budget the City of Oakley approved a 5-Year Capital improvement Program (CIP); and

WHEREAS, Project Number 320 is to design the improvements for the O'Hara Avenue Widening Project (600' south of Laurel Road to 300' south of Grapevine Lane); and

WHEREAS, staff solicited a proposal from BKF Engineers, Inc., for the design of this project; and

WHEREAS, BKF Engineers Inc. has submitted a proposal to prepare engineering design services for CIP Project Number 320 for an amount not to exceed \$174,148; and

WHEREAS, This item was included in the fiscal year 2024/25 budget with a total budget of \$175,000. This project is funded by the Measure J Fund. No additional funding is needed at this time to fund the contract.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the City Council of the City of Oakley hereby approves the proposal from BKF Engineers, Inc., for engineering design services for CIP Project Number 320 for an amount not to exceed \$174,148, in the form attached hereto as Exhibit A, and authorizing the City Manager to execute this into an Agreement.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 8th of April 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Shannon Shaw, Mayor

ATTEST:

Kim Snodgrass, City Clerk

Date



Kevin Rohani, PE
Public Works Director/City Engineer
City of Oakley
3231 Main Street
Oakley, CA 94561
Transmitted Via Email to Rohani@ci.oakley.ca.us

Subject: CIP #320 – O’Hara Avenue Widening Project (600’ south of Laurel Road to 300’ south of Grapevine Lane)

Dear Mr. Rohani:

BKF Engineers welcomes the opportunity to submit this proposal and letter for design services for CIP #320, O’Hara Avenue Widening Project (600’ south of Laurel Road to 300’ south of Grapevine Lane). To arrive at the estimated effort, we have outlined a proposed scope of services, identified assumptions, and determined a level of effort fee based on our understanding of the Project.

I. PROJECT UNDERSTANDING

Based on your email dated 3/19/2025 and information obtained from the City, we understand the Project as:

The Project proposes to widen O’Hara Avenue 600’ south of Laurel Road to 300’ south of Grapevine Lane. The roadway work will also include sidewalk gap closure, drainage improvements, utility relocation, signing and striping, and street lighting. No landscaping or irrigation services are anticipated.

At the south end on the project, O’Hara Avenue has been widened and fully constructed to the development project limits, along Laurel Road to 300’ south of Grapevine Lane. The CIP #320 Project will extend along O’Hara Ave at the south end of project, connection to the completed CIP #280 at the north end. There is limited right of way within this segment of the project with only room for the curb, gutter, and standard sidewalk at back of curb - no meandering sidewalk.

The scope of the CIP #320 project will include performing the ROW research to mark the right of way line on the plans and in the field. The scope will also include staking the ROW in the field. Additionally, the scope of work includes coordination with the property owner (the house) at end of CIP #280 for identification of the new right of way line.

Design for this project will start this summer and end early next year (2026) with construction commencing in fall 2026.

II. BASIS OF DESIGN

Our proposal is based on the following:

1. CIP #280 Contract - Laurel Road Widening (O’Hara Ave to Cloverbrook Ave)

III. SCOPE OF SERVICES

TASK 1: PROJECT MANAGEMENT

1. **Project Management:** BKF's Project Manager, Marcelo Cosentino, will be responsible for managing the project team, providing the resources to complete the job, monitoring and updating the Project budget and schedule, implementing a quality assurance/quality control program and communicating regularly with the City staff.
2. **Project Kick-off and Coordination Meetings:** BKF has budgeted up to a maximum of twenty (20) combined staff hours to attend meetings, participate in conference calls and coordinate response to comments. Anticipated meetings include internal coordination, City coordination, and design review meetings.

TASK 2: DESIGN DEVELOPMENT

1. **Obtain/Review Existing Data, As-builts:** BKF will contact the City and utility owners (water, sewer, storm, gas, communications and power) companies that serve have utilities within the Project limits. We will gather the available record drawings and/or block maps to depict the record location of the utilities superimposed onto the existing topographic survey. BKF will compile available street as-builts and right of way record maps to supplement the topographic base drawing.
2. **Site Investigations:** BKF will visit the site to review the existing site constraints and conditions. We will note any potential challenges for the project improvements and confirm our scope of survey services to support the design process. BKF will document each site visit with notes and photo logs.
3. **Establish Boundary/Project Control:** BKF will prepare a resolved boundary for the Project. This work will include monument found in the field, research into record maps and county records. Boundary mapping will be shown on the Project control drawing. Additionally, BKF will stake out the new right of way boundary in the field to assist in the coordination between the City and property owners.
4. **Topographic Field Survey:** BKF will provide the field work to prepare a Topographic Map for the Project. The topographic survey will be comprised of identified visible site features such as roadways, pavements, evidence of significant traveled ways, walls, fences, trees 9-inches and larger in diameter and visual utility infrastructure. The Project will utilize City benchmarks for the horizontal and vertical datums.
 - a. Utilities - Utility infrastructure within the mapping limits, including sewer, water valves, hydrants, meter boxes, storm drain and marked utilities, if encountered during the course of our field survey, will also be identified. The basic routing, inverts and orientation of the on-site gravity utilities will be identified based on field evidence and any available plans provided if to BKF prior to commencement of the survey. If as-built drawings are not provided or are inconclusive when compared to the field evidence, only data at the dipped structures will be provided.
5. **Aerial Survey/Control:** BKF will obtain aerial topographic mapping of the site. The aerial topographic map will be in in digital AutoCAD format and will be used as the background for all project plans and exhibits.
 - a. The mapping is anticipated to be compiled at 1" = 20', and will also indicate individual spot elevations at various locations throughout the site. BKF will take a series of photographs for future reference and documentation of current field conditions encountered during the time of our survey.



6. **Utility Investigations and Coordination:** BKF will prepare a potholing plan for concurrence by the City and work with a potholing contractor to perform utility investigation. This level of effort will minimize construction costs and ensure the correct placement of the proposed improvements. BKF will update the utility base mapping with the pothole information. BKF's current proposal assumes up to 5 potholes.

BKF will provide coordination with utility owners for relocation of facilities in conflict with the proposed improvements. We will coordinate with the City and verify that the proposed plan conforms to existing conditions, boundary, and site constraints. We will also work with the City and AT&T for relocation of overhead utilities with pole(s) on the east side of O'Hara Avenue.

7. **Design Concept Exhibit:** BKF will prepare a concept exhibit to be used as the basis of design for the 65% submittal. The concept exhibit will show the proposed Project geometry, including lane configuration, medians, crosswalks, curb ramps, sidewalks, driveways and landscape areas. The existing and proposed right of way will also be defined on the exhibit.

TASK 3: CONSTRUCTION DOCUMENTS

Based on comments received on the concept exhibit, BKF will develop Plans, Specifications and Estimate (PS&E) documents for the project. BKF will further progress the design with each submittal to ensure that backgrounds, utility points of connection, accessible paths of travel, and stormwater treatment areas are designed and detailed to the level required by the contractor to bid and construct.

BKF will provide design (PS&E) submittals at the 60% and 100% level of completion. The 60% submittal will become the backbone of the Project and define all major elements of the design. The 100% submittal will finalize the project design and resolve all comments and coordination from the 60% submittal, design development and utility relocations.

1. **Plans:** For each design submittal, BKF will prepare the following plans sheets in progressive levels of detail:
 - Title Sheet: This plan will include the Project title, vicinity map, location map, drawing index, abbreviations and signature block.
 - General Notes: This plan will include the City standard notes, project notes and applicable utility notes.
 - Project Control: This plan will define the project horizontal and vertical control, control point information and roadway alignment.
 - Key Map: To provide overall limit of work, the key map will identify the limits of work for each plan sheet.
 - Typical Cross Sections: Typical cross sections will be develop for the proposed improvements along the Laurel Road and O'Hara Avenue alignments. These sections will show the limits of existing roadway conditions, and the width, dimensions and configuration of the proposed improvements including right of way, curb and gutter, pavement structural sections and pedestrian areas.
 - Demolition Plan: BKF will evaluate the existing facilities impacted by the proposed improvements. The evaluation shall include existing conditions, unusual/special conditions and conform edge conditions for the proposed work. The demolition plan will show existing sidewalk, curb and gutter to be removed, roadway excavation, common excavation and conform grind areas. Additionally, facilities to be protected in place will be identified. Existing utility information will be shown as background information.



- **Site Plan:** The site plan will be prepared showing the limits and scope of the proposed improvements. Plan sheets will include horizontal layout information and identify all major construction features including areas of reconstruction and limits of conform. The plan will include references to details for the proposed work. Site plan will also show location of new lighting. Spacing for roadway lighting will be based on the existing spacing for lights along O'Hara Avenue.
 - **Grading and Drainage Plan:** This plan will be prepared to show the proposed elevations and drainage facilities for the proposed site improvements along Laurel Road and O'Hara Avenue. Grading information will include pavement, curb, gutter and sidewalk elevations at key points and along even intervals along the Project alignments. Drainage information will include location, facility type, surface and invert elevations, and slopes for the proposed drainage facilities. Drainage profiles will be provided for new segments of pipes.
 - **Construction Details:** Details will be provided as necessary to guide the Contractor on special conditions related to the project improvements. This plan will include City and utility owner standard details, and custom details for the project. Each driveway will have a breakout detail for the layout, grading and other pertinent information.
 - **Pavement Delineation and Sign Plan:** BKF will prepare pavement delineation and sign plan based on the approved concept design for the project.
 - **Stage Construction Plans:** BKF will prepare stage construction plans for the Project to show how vehicular and pedestrian traffic are managed during construction.
 - **Utility Plan:** This plan will summarize existing utilities and proposed utility relocations for the project. Existing utilities will be protected, adjusted, removed or relocated. Utility relocations will be coordinated with the utility owners and appropriate details/notes will be included.
2. **Specifications:** BKF will prepare Parts 1, 2 and 3 of the Specifications using City standard format for all work items necessary for the construction of the project. BKF will assemble the Technical Specifications and appropriate City Special Provisions for locally funded Projects. The specifications will be included with each design submittal.
 3. **Estimate:** BKF will prepare a Construction Cost Estimate to ensure that the magnitude of cost corresponds to the Project budget. The estimate will be prepared using present-day dollars; escalation costs will not be applied. The Construction Cost Estimate will be updated for each design submittal.
 4. **Quality Control:** Based on BKF's in-house Quality Management Plan (QMP), we will perform an in-house QA/QC review of all submittal documents prior to delivery to the City. BKF's quality control review will include both a discipline and interdisciplinary review of the design package for coordination among the various design elements.

TASK 4: BID SUPPORT

1. **Bid Support Services:** BKF will perform the following tasks in support of the Project during the bid period:
 - a. Attend pre-bid meeting with the City and potential bidders to discuss bidding procedures
 - b. Respond to bidders' questions on the construction documents
 - c. Provide technical assistance during the bid process, including the preparation of up to one addendum.
 - d. Provide a conform set of drawings incorporating all addendum revisions.



IV. SCHEDULE

We understand that the design for this project will start this summer and end early next year (2026) with construction commencing in fall 2026.

COMPENSATION

1. BASE SCOPE OF WORK:

BKF proposes to provide the services described above and will invoice our services on a time and materials basis not to exceed the cost per task summarized as follows:

ITEM	DESCRIPTION	FEE
1	PROJECT MANAGEMENT	\$9,770.00
	Project Management	\$6,586.00
	Project Kick-off and Coordination Meetings	\$3,184.00
2	DESIGN DEVELOPMENT	\$55,155.00
	Obtain/Review Existing Data, As-Builts	\$4,838.00
	Site Investigations	\$5,346.00
	Establish Boundary/Project Control	\$8,543.00
	Topographic Field Survey	\$9,090.00
	Aerial Survey/Control	\$3,884.00
	Utility Investigations and Coordination	\$7,090.00
	Design Concept Exhibit	\$16,364.00
3	CONSTRUCTION DOCUMENTS	\$99,065.00
	Prepare 60% Submittal Package/PS&E	\$53,897.00
	Prepare 100% Final Submittal Package/PS&E	\$42,412.00
	Quality Control	\$2,756.00
4	BID SUPPORT	\$4,758.00
	Bid Support Services	\$4,758.00
RE	REIMBURSABLE EXPENSES	\$5,400.00
	Printing, Deliver, Mileage, Postage, Parking	\$1,200.00
	Aerial Topo	\$4,200.00
	TOTAL FEE PER SCOPE	\$174,148.00

Reimbursable expenses are anticipated for reproduction, mileage, express and messenger deliveries, and computer deliverable plots. Reimbursable expenses will be billed on a cost plus 10-percent markup basis.

For tasks requested by the City not defined in this scope of services, BKF will identify them as potential extra work. We can provide a scope and fee for these items or they may be tracked separately as extra work and billed on a time and materials per our attached rate schedule.



Thank you for the opportunity to present this proposal. We look forward to assisting in developing this project. Please contact me at 408-706-4036 if you have any questions regarding our scope of services.

Respectfully,

BKF Engineers



Marcelo Cosentino, PE
Associate

Attachments:

1. BKF Engineers Professional Services Rate Schedule
2. Cost Breakdown



BKF ENGINEERS PROFESSIONAL SERVICES RATE SCHEDULE
EFFECTIVE JANUARY 1, 2025

<u>CLASSIFICATION</u>	<u>HOURLY RATE</u>
PROJECT MANAGEMENT	
Principal in Charge	\$317.00
Senior Project Executive	\$294.00
Project Executive	\$287.00
Senior Project Manager Senior Technical Manager	\$278.00
Project Manager Technical Manager	\$273.00
Engineering Manager Surveying Manager Planning Manager	\$251.00
TECHNICAL STAFF	
Senior Project Engineer Senior Project Surveyor Senior Project Planner	\$233.00
Project Engineer Project Surveyor Project Planner	\$205.00
Design Engineer Staff Surveyor Staff Planner	\$179.00
BIM Specialist I, II, III	\$179.00 - \$205.00 - \$233.00
Technician I, II, III, IV, V	\$170.00 - \$181.00 - \$198.00 - \$213.00 - \$230.00
Drafter I, II, III, IV	\$133.00 - \$146.00 - \$158.00 - \$175.00
Engineering Assistant Surveying Assistant Planning Assistant	\$111.00
FIELD SURVEYING	
Survey Party Chief	\$233.00
Instrument Person	\$200.00
Survey Chainperson	\$150.00
Utility Locator I, II, III, IV	\$122.00 - \$172.00 - \$207.00 - \$235.00
Apprentice I, II, III, IV	\$92.00 - \$124.00 - \$137.00 - \$145.00
CONSTRUCTION ADMINISTRATION	
Senior Consultant	\$305.00
Senior Construction Administrator	\$266.00
Resident Engineer	\$197.00
Field Engineer I, II, III, IV	\$179.00 - \$205.00 - \$233.00 - \$250.00
FUNDING & GRANT MANAGEMENT	
Director of Funding Strategies	\$218.00
Funding Strategies Manager	\$200.00
Funding/Research Analyst I, II, III, IV	\$137.00 - \$158.00 - \$168.00 - \$185.00
PROJECT ADMINISTRATION	
Project Coordinator	\$149.00
Senior Project Assistant	\$128.00
Project Assistant	\$113.00
Clerical Administrative Assistant	\$95.00

Expert witness rates are available upon request.

Subject to the terms of a services agreement:

- Charges for outside services, equipment, materials, and facilities not furnished directly by BKF Engineers will be billed as reimbursable expenses at cost plus 10%. Such charges may include, but shall not be limited to: printing and reproduction services; shipping, delivery, and courier charges; subconsultant fees and expenses; agency fees; insurance; transportation on public carriers; meals and lodging; and consumable materials.
- Allowable mileage will be charged at the prevailing IRS rate per mile.
- Monthly invoices are due within 30 days from invoice date. Interest will be charged at 1.5% per month on past due accounts.
- The rates shown are subject to periodic increases, including January 1st of each year.

City of Oakley
CIP # 320 O'Hara Avenue Widening Project
(600' south of Laurel Road to 300' south of Grapevine Lane)

3/31/2025

TASK	SCOPE DESCRIPTION	STAFF CATEGORY													Total Hrs	EST FEE
		PIC (Gordon Sweet)	Sr. Project Executive (Marcelo Cosentino)	Principal (Davis Thresh)	QA/QC (Carmelo Cecilio)	Utility Coordiantion (Andrew Michel, PE)	Cheung Wong, PE	Engineering Manager	Sr Project Eng/Sur	Project Eng/Sur	Design Eng/Sur	Tech IV	2-Man Survey	Administrative Assistant		
		\$317.00	\$294.00	\$317.00	\$273.00	\$287.00	\$273.00	\$251.00	\$233.00	\$205.00	\$179.00	\$213.00	\$383.00	\$95.00		
Task 1	PROJECT MANAGEMENT															
	Project Management	2	10					12							24	\$ 6,586.00
	Project Kick-off and Coordination Meetings		4					8							12	\$ 3,184.00
	Subtotals	2	14	-	-	-		20	-	-	-	-	-	-	36	\$ 9,770.00
Task 2	DESIGN DEVELOPMENT															
	Obtain/Review Existing Data, As-builts		2			2	2	2	6	6					20	\$ 4,838.00
	Site Investigations							6		10	10				26	\$ 5,346.00
	Establish Boundary/Project Control			1				2		14	10		8		35	\$ 8,543.00
	Topographic Field Survey							2		12			16		30	\$ 9,090.00
	Aerial Survey Control (Also see Aerial Topo)									4			8		12	\$ 3,884.00
	Utility Investigation and Coordination		2			2		8			10	10			32	\$ 7,090.00
	Design Concept Exhibit		2			2	2	8	24		18	18			74	\$ 16,364.00
	Subtotals	-	6	1	-	6		28	30	46	48	28	32	-	229	\$ 55,155.00
Task 3	CONSTRUCTION DOCUMENTS															
	Prepare 60% Submittal Package/PS&E		8			6	16	23	40	42	48	60		4	247	\$ 53,897.00
	Prepare 100% Final Submittal Package/PS&E	2	6			4	12	22	28	40	36	40		4	194	\$ 42,412.00
	Quality Control		2		2	2	2	2							10	\$ 2,756.00
	Subtotals	2	16	-	2	12		47	68	82	84	100	-	8	451	\$ 99,065.00
Task 4	BID SUPPORT															
	Bid Support Services	2	4				2	4	6						18	\$ 4,758.00
	Subtotals	2	4	-	-	-		4	6	-	-	-	-	-	18	\$ 4,758.00
		PIC (Gordon Sweet)	Sr. Project Executive (Marcelo Cosentino)	Principal (Davis Thresh)	QA/QC (Carmelo Cecilio)	Utility Coordiantion (Andrew Michel, PE)	Cheung Wong, PE	Engineering Manager	Sr Project Eng/Sur	Project Eng/Sur	Design Eng/Sur	Tech IV	2-Man Survey	Administrative Assistant	Total	Total Labor
	Totals By Classifications	6	40	1	2	18	-	99	104	128	132	128	32	8	734	\$ 168,748.00
	Total Direct Labor	\$ 1,902.00	\$ 11,760.00	\$ 317.00	\$ 546.00	\$ 5,166.00	\$ -	\$ 24,849.00	\$ 24,232.00	\$ 26,240.00	\$ 23,628.00	\$ 27,264.00	\$ 12,256.00	\$ 760.00	\$ 158,920.00	
	Reimbursable															
	Printing, Deliver, Mileage, Postage, Parking															\$ 1,200.00
	Aerial Topo															\$ 4,200.00
	Reimbursable															\$ 5,400.00
	PROJECT TOTAL															\$ 174,148.00

Assumptions:
1. Environmental services and project environmental clearance will be provided by the City.
2. Survey scope of services does not include survey staking for construction.

DATE: April 8, 2025
TO: Joshua McMurray, City Manager
FROM: Ken Strelo, Community Development Director
SUBJECT: Approval of a Resolution to increase the not to exceed amount on a Consulting Services Agreement between the City of Oakley and TRB and Associates, Inc. for “on-call” plan review services for Fiscal Year 2024/2025

Approved and
Forwarded to the
City Council

Background and Analysis

The City of Oakley is under contract with TRB and Associates, Inc. (“TRB”) to conduct building code compliance plan reviews for certain residential, commercial and industrial projects which the City issues building permits. The types of plans typically reviewed by TRB includes commercial development projects, master plan drawings for residential projects, and large-scale tenant improvements. The original contract with TRB for fiscal year 2024/2025, approved by City Council Resolution 102-24, was for an amount not to exceed \$100,000. Due to an uptick in large development plan checks, such as the Oakley Shops at Laurel Fields (Safeway) center, the City of Oakley included an increase of \$50,000 to the expenditure line item used to pay TRB. This budget amendment was approved by the City Council as part of the mid-year budget.

Staff is now requesting the City Council also approve an increase of \$50,000 to the current not to exceed contract amount of \$100,000 for a total contract not to exceed amount of \$150,000 to match the increase in the budget line item. Since the not to exceed amount of \$100,000 was only included as part of the City Council’s original approval of the agreement and TRB’s scope of work only includes their plan review fees and hourly billing rates, approving an increase of the not to exceed amount is sufficient to proceed with the existing contract without requiring authorization for the City Manager to execute a separate contract amendment.

All expenditures used to pay TRB are funded by developer impact fees. While the City attempts to accurately estimate the TRB contract budget amount based on estimated building permit fee revenue prior to the start of each fiscal year, an increase in the budget amount does not mean there is a decrease in other budget line items, rather it means an increase in City revenue directly tied to those expenditures used to pay TRB. When there is more than estimated revenue collected on building permits, there is more plan review work done by TRB. This results in higher monthly invoices from TRB; hence, the approved increase in the applicable budget line item and contract in order to process the invoices.



Consistency with the Oakley Strategic Plan 27+

This item is consistent with the Strategic Plan 27+ Community and Economic Growth, Community Health and Safety, and Sustainable Organization Goals.

Fiscal Impact

Approval of the resolution will approve an increase of \$50,000 to the original not to exceed amount of \$100,000 originally approved as part of the professional services agreement with TRB and Associates, Inc. for a total not to exceed amount of \$150,000 for Fiscal Year 2024/2025. Development building permit fees will fund the services on an as needed basis. There will not be any City General Funds used in this contract.

Staff Recommendation

Staff recommends that the City Council adopt the resolution approving an increase of an additional \$50,000 to the original not to exceed amount of \$100,000 to the Professional Services Agreement with TRB and Associates, Inc. for “On-Call” Plan Review services for Fiscal Year 2024/2025.

Attachments

1. Proposed Resolution



RESOLUTION NO. -25

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY, CALIFORNIA,
APPROVING AN INCREASE OF \$50,000 TO THE ORIGINAL NOT TO EXCEED
AMOUNT OF \$100,000 TO THE PROFESSIONAL SERVICES AGREEMENT WITH
TRB AND ASSOCIATES, INC. FOR “ON-CALL” PLAN REVIEW SERVICES FOR
FISCAL YEAR 2024/2025**

WHEREAS, the City of Oakley is under contract with TRB and Associates, Inc. (“TRB”) to conduct building code compliance plan reviews for certain residential, commercial and industrial projects which the City issues building permits; and

WHEREAS, the current contract with TRB was approved through City Council Resolution 102-24 with a not to exceed amount of \$100,000; and

WHEREAS, the types of plans typically reviewed by TRB includes commercial development projects, master plan drawings for residential projects, and large-scale tenant improvements; and

WHEREAS, due to an uptick in large development plan checks, the City of Oakley included an increase of \$50,000 to the expenditure line item used to pay TRB; and

WHEREAS, this budget amendment was approved by the City Council as part of the mid-year budget; and

WHEREAS, an amendment to the not to exceed amount in the current agreement with TRB is required to process TRB invoices; and

WHEREAS, since the not to exceed amount of \$100,000 was only included as part of the City Council's original approval of the agreement and TRB's scope of work only includes their plan review fees and hourly billing rates, approving an increase of the not to exceed amount is sufficient to proceed with the existing contract without requiring authorization for the City Manager to execute a separate contract amendment; and

WHEREAS, the costs associated with the agreement are funded by private development project permit fees and not the City's General Fund.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that the not to exceed amount to the Professional Services Agreement with TRB and Associates, Inc. for “on-call” plan review services is hereby increased by \$50,000 for a total not to exceed amount of \$150,000 for Fiscal Year 2024/2025.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on this 8th day of April 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Shannon Shaw, Mayor

Date

ATTEST:

Kim Snodgrass, City Clerk

Date

March 2025 New In-Town Business Licenses

Full Name	Primary Contact Email Address	Full Primary Address	Active Licenses
AMERICAN SPEEDWAY MOTORS	SPEEDWAYREGSERVICES@GMAIL.COM	3370 MAIN ST STE A OAKLEY CA 94561	BUSINESS LICENSE
AMERICAN SPEEDWAY MOTORS	AMERICANSPEEDWAYMOTORS1@GMAIL.COM	3370 MAIN ST STE A OAKLEY CA 94561	BUSINESS LICENSE
ANGEL BERRIES LLC	ANGELBERRIESLLC@GMAIL.COM	712 VERIFINE DR OAKLEY CA 94561	BUSINESS LICENSE
ELEVATE INSIGHT LLC	ELEVATEINSIGHTLLC@GMAIL.COM	20 BROOKS CT OAKLEY CA 94561-6340	HOME BASED BUSINESS LICENSE
HORNE	HORNELEATHER.BUSINESS@GMAIL.COM	381 PARKFIELD WAY OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
MDC PRESSURE WASHING LLC	MW3C@MSN.COM	5131 WINCHESTER DR OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
PATTYS JEWELRY	AYALAPATTY23@GMAIL.COM	642 BYNUM CT OAKLEY CA 94561-3110	HOME BASED BUSINESS LICENSE
PERSONAL TOUCH SERVICES LLC	HAMILTONTRAVELS14@YAHOO.COM	1354 RUTHERFORD LN OAKLEY CA 94561-3123	HOME BASED BUSINESS LICENSE
PHOLOH	DIEGOUTOR123@GMAIL.COM	1013 VINEYARD DR OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
PHOTO IMPRESSIONISM OF MARK WOODCOFF LLC		1449 WILDCAT WAY OAKLEY CA 94561-2031	HOME BASED BUSINESS LICENSE
POPEYES #12114	LICENSES@GHAMANAGEMENT.COM; ABRETADO@XBFSOLUTIONS.COM	101 CAROL LN OAKLEY CA 94561-1603	BUSINESS LICENSE
RED MEDIA PRODUCTIONS	DONOVAN@REDMEDIAPRODUCTIONS.COM	633 MARATHON DR OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
S&S VIBE	SMHMTV@YAHOO.COM	1131 BEAR RIVER CT OAKLEY CA 94561-2048	HOME BASED BUSINESS LICENSE
THRIVENOW GROUP		307 COOLCREST DR OAKLEY CA 94561	BUSINESS LICENSE
WJS TECHNOLOGIES		7091 GERANIUM DR OAKLEY CA 94561	HOME BASED BUSINESS LICENSE
15			

DATE: April 8, 2025
TO: Joshua McMurray, City Manager
FROM: Ken Strelo, Community Development Director
SUBJECT: Planning and Zoning Work Session 2025 – Work Session to discuss three topics related to Planning and Zoning: 1) Short-term rentals in the Downtown Specific Plan; 2) Allowability of 4-H livestock program activities in the City of Oakley; and 3) Inclusionary housing policy.

Approved and
Forwarded to the
City Council

Summary

This is a work session on requests made by the City Council at previous meetings to discuss three separate topics related to Planning and Zoning as follows: 1) Short-Term Rentals (“STR”) in the Downtown Specific Plan (“DSP”); 2) Allowability of 4-H activities in the City of Oakley; and 3) Inclusionary housing policy.

Background and Discussion

REQUESTS FOR FUTURE AGENDA ITEMS

Every regular City Council meeting includes an agenda item for Councilmembers to request items to be placed on future agendas. If a motion is made and is seconded by at least one other Councilmember, the item will be scheduled on a future agenda. The three topics to be discussed in this work session were requested for future agenda items as follows:

- Discussion on Short-Term Rentals in the Downtown Area (Motion: Meadows; Second: Williams; Meeting Date: 2/28/2025);
- Discussion on where 4-H type livestock is allowed/not allowed within City zoning (Motion: Fuller; Second: Shaw/Williams; Meeting Date: 10/8/2024);
- Discussion on Inclusionary Housing Policy (Motion: Williams; Second: Fuller; Meeting Date: 9/10/2024).

SHORT-TERM RENTALS

Short-term rentals are commonly associated with rental of a room or residence through an online marketplace such as AirBNB or VRBO. The operation of Short-Term Rentals (“STR”) within the City of Oakley is governed by Oakley Municipal Code (“OMC”) chapter 5.15. That ordinance defines a “Short-term rental unit” as “...an accessory use of a privately owned residential dwelling, such as, but not limited to, a single-family dwelling or multiple-family building, apartment unit, condominium, or duplex, for the purposes of providing temporary lodging, for compensation, for periods of thirty (30) consecutive days or fewer. Any dwelling unit



used as a short-term rental unit shall be considered a "hotel" for the purposes of Chapter 3.2 related to uniform transient occupancy tax."

OMC section 5.15.116 (Operational Requirements and Standard Conditions) part "h" states "The short-term rental shall be a hosted rental for the duration of any occupancy by a transient." "Hosted stay" means a short-term rental unit where the owner remains on site throughout the guest's stay (except during daytime and/or work hours) (OMC section 5.15.106 (Definitions) part "e"). The ordinance also prohibits "vacation rentals", which is defined as a short-term rental unit that is not an owner's primary residence (OMC section 5.15.106, part "n").

In summary, the City of Oakley allows owners to apply for a Short-Term Rental Permit subject to the permit only being valid for hosted stays in owner occupied residences. In the event the owner will not be physically present in the home during daytime and/or working hours, the ordinance requires they be available 24 hours per day, seven days per week for the purposes of responding within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit or their guests (OMC section 5.15.118 (Operations) part "a").

There are currently no special circumstances for short-term rentals located within Downtown Oakley, which is governed by the Downtown Specific Plan. All regulations that apply to short-term rentals apply equally across all zoning districts, including specific plan areas.

ALLOWABILITY OF 4-H LIVESTOCK PROGRAMS

Oakley Municipal Code allows for the keeping of horses and livestock in the AL (Agricultural Limited) District, subject to a maximum combined number of animals based on the size of the property. The maximum number allowed is equal to one animal for the first ½ acre and one additional animal for each 10,000 square feet above ½ acre. There is also an allowance within the AL District for the temporary raising of up to three additional livestock for educational purposes for up to four months on a parcel of at least ½ acre (OMC section 9.1.402 (AL District) part "h"), subject to approval of a Temporary Use Permit. This section specifically calls out "4-H" as an example of educational purposes. The AL District is interpreted to allow the maximum number of horses and livestock for a given parcel, plus an additional three 4-H animals for up to 4 months at a time with approval of a Temporary Use Permit.

The AL District is the only zone that allows the keeping of livestock or the additional three animals for educational purposes with approval of a Temporary Use Permit. The R-40 (Single Family Residential) District has a similar allowance as the AL District, but only for horses (no other livestock). It allows for the keeping of horses on properties zoned R-40 District at a maximum of one horse on a property of a minimum 20,000 square feet with one additional horse for each 10,000 square feet



above 20,000 square feet (OMC section 9.1.404 (Single-Family Residential Districts) part b.13). There is no specific allowance for the keeping of three additional horses for educational purposes in any of the Single-Family Residential Districts, including the R-40 District.

In relation to 4-H type activities, both the AL District and R-40 District allow “small farming” which consists of the keeping of animals such as fowl raised primarily for home consumption or small animals such as rabbits. The maximum number of such animals is 20 on a site of no less than one-acre for both zones and 10 for a site of at least 20,000 square feet, but less than one-acre. The R-20 District provides for the same small farming allowance as the R-40 District but does not allow for the keeping of horses.

Note: All cases above include specific regulations such as prohibiting the keeping of animals to become a nuisance to adjacent residential neighbors, minimum distances from property lines for certain small animal structures, and the keeping of horse and livestock facilities in a hygienic manner that does not create offensive odors or allow the propagation of flies or insects.

INCLUSIONARY HOUSING POLICY

An inclusionary housing policy is typically adopted by ordinance and requires new residential developments to include a certain percentage of units to be made available as affordable units to low- and moderate- income households. The main goal of an inclusionary housing ordinance is to increase the supply of affordable housing within a specific jurisdiction. Some inclusionary housing ordinances may allow alternatives to compliance like an in-lieu fee. The City of Oakley does not have an inclusionary housing policy ordinance.

A specific number of affordable units are included in each City Housing Element by what is called the Regional Housing Needs Allocation (“RHNA”). Per state law, the City is required to plan for development of all RHNA units with each update to the Housing Element. The method of satisfying RHNA is reviewed and approved by the Department of Housing and Community Development (“HCD”) prior to their certification of the Housing Element. The City of Oakley has successfully used an Affordable Housing Overlay (“AHO”) District to zone land for future affordable housing. With the most recent Housing Element Update certified by HCD in May 2023, the City included a second method to satisfy RHNA. Per the certified Housing Element, the City will meet the RHNA requirement with a mix of AHO and straight Rezoning. That exercise is currently underway and will be presented to the Planning Commission and City Council later this year.

The main reason the City of Oakley has opted for the AHO and now straight Rezoning as opposed to an inclusionary housing policy ordinance is because while



the City has many areas that remain undeveloped, in most cases, those areas have existing entitlements for development. If an inclusionary housing policy ordinance were adopted today, it would not apply to the existing approved projects that make up the thousands of units currently entitled and waiting to be constructed. This would leave few options and smaller sites on which to implement an inclusionary housing policy. In addition, if an in-lieu fee were an option, that may lead to the development of more available land without actual affordable units constructed resulting in the burden being placed on the City to find sites and construct units using the in-lieu fees. Instead, the City has opted to Rezone (or place the AHO on some sites) specific sites that would allow a minimum and maximum density per state law, thereby satisfying the City's requirement to plan for all RHNA units.

Consistency with the Oakley Strategic Plan 27+

Holding a work session on Planning and Zoning-related topics is consistent with applicable Strategic and Thoughtful Growth Objectives in the Community and Economic Goal of the Oakley Strategic Plan 27+.

Fiscal Impact

There is no fiscal impact associated with this work session. Staff time and materials to prepare this report are covered by the General Fund.

Requested City Council Feedback

The purpose of this work session is to facilitate discussion with the City Council on the three main topics. Staff will receive directions, if any, from the City Council and proceed as directed.

Attachments

1. Short-Term Rentals Ordinance (OMC chapter 5.15)
2. AL District (OMC section 9.1.402)
3. R Districts (OMC section 9.1.404)



Chapter 15

SHORT-TERM RENTALS¹

5.15.102 Title of Chapter.

This chapter shall be referred to as the "Short-Term Rental Ordinance."

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.104 Purpose.

a. The purpose of this chapter is to establish regulations for the use of privately owned dwelling units as short-term rentals in order to minimize the adverse effects of short-term rentals on the surrounding residential neighborhoods, ensure that short-term rentals are consistent with the City's municipal code, and preserve the residential character of the neighborhoods where short-term rentals are located.

b. This chapter is not intended to provide any person with the right or privilege to use a dwelling unit as a short-term rental where such use is not otherwise allowed by law, homeowner's association agreement, rental agreement, or any applicable conditions, covenants, and restrictions to the dwelling unit that may prohibit the use of such dwelling unit as a short-term rental.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.106 Definitions.

For purposes of this chapter, the following words and phrases shall have the following meanings:

- a. "Applicable laws, rules and regulations" means any laws, rules, regulations and codes (whether local, State or Federal) pertaining to the use and occupancy of a privately owned dwelling unit as a short-term rental.
- b. "Applicant" means the owner of the short-term rental unit or the owner's authorized agent or representative.
- c. "City Manager" means that person acting in the capacity of the City Manager of the City of Oakley or his or her designee.
- d. "Good neighbor brochure" means a document prepared by the City that summarizes the general rules of conduct, consideration, and respect, including without limitation provisions of the Oakley Municipal Code and other applicable laws, rules, or regulations, pertaining to the use and occupancy of short-term rental units.
- e. "Hosted stay" means a short-term rental unit where the owner remains on site throughout the guest's stay (except during daytime and/or work hours).
- f. "Owner" means the owner of a dwelling unit who rents their primary residence as a short-term rental unit and who is responsible for compliance with this chapter. The owner shall be available 24 hours per day, seven days

per week for the purpose of: (1) responding within sixty (60) minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit; and (2) taking remedial action to resolve any such complaints.

g. "Primary residence" means an owner's permanent residence as documented by at least two of the following and in the owner's name: motor vehicle registration, driver's license, voter registration, tax documents showing the dwelling unit as the owner's residence, or a utility bill. A person may only have one primary residence and must reside there for a minimum of nine months per year.

h. "Property" means a residential legal lot on which the short-term rental unit is located.

i. "Responsible person" means a transient occupant of a short-term rental unit who is at least twenty-five (25) years of age and who is legally responsible for ensuring that all transient occupants of the short-term rental and their guests comply with all applicable laws, rules, and regulations pertaining to the use and occupancy of a short-term rental.

j. "Short-term rental permit" means a permit that allows the use of a privately owned residential dwelling as a short-term rental unit pursuant to the provisions of this chapter.

k. "Short-term rental unit" means an accessory use of a privately owned residential dwelling, such as, but not limited to, a single-family dwelling or multiple-family building, apartment unit, condominium, or duplex, for the purposes of providing temporary lodging, for compensation, for periods of thirty (30) consecutive days or fewer. Any dwelling unit used as a short-term rental unit shall be considered a "hotel" for the purposes of Chapter 3.2 related to uniform transient occupancy tax.

l. "Transient" for purposes of this chapter means any person who seeks to rent or who does rent a short-term rental unit for a period of thirty (30) consecutive days or fewer.

m. "Unhosted stay" means a short-term rental unit where the owner remains off site during the guest's stay.

n. "Vacation rental" means a short-term rental unit that is not an owner's primary residence. A vacation rental unit does not include a hotel or motel, as those terms are defined at Section 9.1.202, or other business in which rooms are rented as the principal use of a building devoted to lodging.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.107 Vacation Rentals Prohibited.

Vacation rentals, as defined in this chapter, are a prohibited use and shall not be operated within the City of Oakley.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.108 Owner Is Responsible.

The owner shall be personally responsible for compliance with the requirements of this chapter and shall be subject to any applicable remedies for noncompliance, regardless of whether such noncompliance was committed by the owner or the occupants of the short-term rental unit or their guests.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.110 Short-Term Rental Permit Required.

- a. It shall be unlawful for an owner to rent any short-term rental unit to any transient without having a valid short-term rental permit issued by the City pursuant to the provisions of this chapter.
- b. A short-term rental permit shall be valid for a period of one year from the date of issuance, and shall be renewed on or prior to the anniversary of the original permit issuance to remain valid.
- c. A short-term rental permit may not be transferred to another owner, does not run with the land, and is valid only for the original location for which it is issued.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.112 Application.

- a. The owner must submit the following information on a short-term rental permit application form provided by the City:
 - 1) The name, address, and telephone number of the owner of the short-term rental unit;
 - 2) The address of the proposed short-term rental unit;
 - 3) The number of bedrooms and the applicable overnight and daytime occupancy limit of the proposed short-term rental unit;
 - 4) Acknowledgment that the owner has received and reviewed the good neighbor brochure and will provide the brochure to all transients;
 - 5) A copy of a transient occupancy registration permit issued under Section 3.2.006(d);
 - 6) Such other information as the City Manager deems reasonably necessary to administer this chapter; and
 - 7) Payment of the application fee established separately by resolution of the City Council.
- b. A short-term rental permit application may be denied if the applicant has had a prior short-term rental permit

for the same unit revoked within the twelve (12) calendar months that preceded the effective date of the application.

c. Within fourteen (14) days of a change of property ownership or any other change in material facts pertaining to the information contained in the short-term rental permit application form, the owner shall submit an application and requisite application fee for a new short-term rental permit, which must be obtained prior to continuing to rent the short-term rental unit.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.114 Criteria for Approval and Renewal of a Short-Term Rental Permit.

a. The applicant has the burden of proof to demonstrate compliance with each applicable criterion for approval or renewal of the permit.

b. To receive permit approval, an applicant must demonstrate the following:

- 1) The owner shall demonstrate that it will comply with all the obligations and requirements of Sections [5.15.116](#) and [5.15.118](#).
- 2) A completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) shall be required with each annual permit application and renewal. It is the owner's responsibility to ensure that the short-term rental unit is and remains in substantial compliance with all applicable laws, rules and regulations including those regarding fire, building and safety, and health and safety.
- 3) At the time of application, the owner of a short-term rental shall not have been found to be in noncompliance of any provision of this Code for the subject short-term rental unit. A voluntary assurance of compliance or negotiated compliance agreement will satisfy the requirement that there be no pending actions or violations.
- 4) The owner shall have a current business license in accordance with Chapter 3.5.
- 5) The owner shall have obtained a transient occupancy registration certificate for purpose of its obligation to pay transient occupancy taxes under Chapter 3.2.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.116 Operational Requirements and Standard Conditions.

a. The owner shall use reasonably prudent business practices to ensure that the short-term rental unit is used in a manner that complies with all applicable laws, rules, and regulations pertaining to the use and occupancy of the subject short-term rental unit, including this chapter.

- b. The minimum number of days that a short-term rental unit shall be occupied is three days, two nights. Occupancy of a short-term rental unit by any transient for fewer than three days, two nights is prohibited.
- c. The maximum number of overnight guests for a short-term rental unit shall not exceed two persons per bedroom, except that children under the age of four shall not be counted for purposes of calculating this limitation so long as the children sleep in the same bedroom as at least one of their parents or legal guardians. Additional daytime guests are allowed between the hours of 7:00 a.m. and 10:00 p.m., with the maximum daytime guests not to exceed two persons per bedroom with a maximum of sixteen (16) guests allowed for four bedrooms or more. The following table illustrates the maximum number of occupants:

Number of Bedrooms	Total of Overnight Occupants	Total Daytime Occupants (Including Number of Overnight Occupants)
0 – Studio	2	4
1	2	4
2	4	8
3	6	12
4+	8	16

- d. A short-term rental unit shall not change the residential character of the outside appearance of the residence, either by the use of colors, materials, lighting, or any advertising mechanism.
- e. All parking associated with a short-term rental unit shall be entirely on site, in the garage, carport, and driveway or otherwise off of the public street.
- f. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Chapter 4.2 concerning noise.
- g. The owner shall provide each occupant of the short-term rental unit with the following information prior to occupancy of the unit and shall post such information in a prominent location within the unit:
- 1) The contact information for the owner with twenty-four (24) hour availability;
 - 2) The maximum number of overnight occupants and the maximum number of daytime occupants as permitted under this chapter;
 - 3) Trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash on the

exterior of the property;

4) A copy of Chapter 4.2 concerning noise; and

5) Notification that the occupant or owner may be cited or fined by the City in accordance with this Code.

h. The short-term rental shall be a hosted rental for the duration of any occupancy by a transient.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.118 Operations.

a. While a short-term rental unit is rented, the owner shall be available twenty-four (24) hours per day, seven days per week for the purpose of responding within sixty (60) minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit or their guests.

b. The owner shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the short-term rental unit.

c. Prior to occupancy of a short-term rental unit, the owner shall obtain the name, address, and a copy of a valid government identification of a responsible person and require such responsible person to execute a formal acknowledgment that he or she is legally responsible for compliance by all occupants of the short-term rental unit and their guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the short-term rental unit.

d. Prior to occupancy of a short-term rental unit, the owner shall obtain from the responsible person the make, model and license of all vehicles of overnight occupants' vehicles to be parked at the property.

e. The owner shall, upon notification that the responsible person and/or any occupant and/or guest of the short-term rental unit has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term unit, promptly respond within sixty (60) minutes in an appropriate manner to immediately halt or prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental unit within sixty (60) minutes in an appropriate manner shall be subject to all administrative, legal, and equitable remedies available to the City.

f. The owner shall report to the City Manager the name, violation, date, and time of disturbance of each person involved in three or more disorderly conduct activities, disturbances, or other violations of any applicable law, rule, or regulation pertaining to the use and occupancy of the subject short-term unit within twenty-four (24) hours of the third violation or disturbance.

- g. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days. The owner shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 4.20.
- h. The owner shall post the current short-term rental permit number on or in any advertisement appearing in any newspaper, magazine, brochure, trade paper, website, etc., that promotes the availability or existence of a short-term rental unit.
- i. The City Manager shall have the authority to impose additional conditions on the use of any short-term rental unit to ensure that any potential secondary effects unique to the subject short-term rental unit are avoided or adequately mitigated.
- j. The standard conditions set forth herein may be modified by the City Manager, or designee, upon request of the owner based on site-specific circumstances for the purpose of allowing reasonable accommodation of a short-term rental unit. All requests must be in writing and shall identify how the strict application of the standard conditions creates an unreasonable hardship to a property such that, if the requirement is not modified, reasonable use of the property for a short-term rental would not be allowed. Any hardships identified must relate to physical constraints to the subject site and shall not be self-induced or economic. Any modifications of the standard conditions shall not further exacerbate an already existing problem.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.120 Violations.

- a. A violation of any provision of this chapter by any occupant or owner shall constitute grounds for modification, suspension, or revocation of the short-term rental permit. In addition, the failure of the owner to satisfy any of its obligations and requirements in Chapter 3.2 concerning transient occupancy taxes shall be an independent basis for modification, suspension, or revocation of any permit issued under this chapter.
- b. Whenever any owner fails to comply with any provision of this chapter, the City, after giving the owner ten (10) days' written notice specifying the time and place of a hearing before the City Council, and requiring him to show cause why the short-term rental permit should not be modified, suspended, or revoked, may modify, suspend, or revoke the permit held by the owner.
- c. The City may enforce this chapter, including the terms and conditions of any permit granted under this chapter, by any means provided for in Chapter 1.5 or by any other means authorized by law.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

5.15.122 Fees.

The City Council may establish and set by resolution all fees and charges as may be necessary to effectuate the

purpose of this chapter.

(Sec. 1, Ordinance No. 06-20, adopted May 12, 2020)

¹ Code reviser's note: Ord. 06-20 adds this chapter as Chapter 5.14. This chapter has been editorially renumbered to avoid duplication.

9.1.402 Limited Agricultural District (AL).

- a. Purpose and Intent. The purpose of the AL District is to provide an area for agricultural uses and to permit rural development and agricultural uses that are compatible with nearby single family and multiple family residential zoning. Intense agricultural uses which create strong, obnoxious odors, or which might disturb adjacent or nearby residential areas with intense noise or vibration are not appropriate for the AL Agricultural District.
- b. Permitted Uses. The following uses are permitted in a single family residential district:
 1. All types of limited agriculture, general farming including crops and tree-farming, [excluding raising or keeping any animals other than ordinary household pets (i.e. non-livestock)], horticulture, floriculture, nurseries and greenhouses, and mushroom rooms;
 2. A detached single family dwelling on each parcel and the accessory structures and uses normally auxiliary to it (0.1 to 1.0 dwelling unit per gross acre);
 3. Second Dwelling Units, per Section 9.1.1102;
 4. Home Based Businesses, per Section 9.1.1120;
 5. Large Family Child Care Homes, per Section 9.1.1121;
 6. Small family day care;
 7. Publicly owned parks and playgrounds;
 8. Small farming, including the raising of fowl (i.e. chickens, ducks, geese, turkeys, or pheasants raised primarily for home consumption), apiaries, aviaries (i.e. wild or domesticated pigeons and other birds raised primarily for sporting purposes), small animals (i.e. chinchillas, hamsters, rabbits), and other grain-fed rodents shall be allowed only under the following conditions:
 - a. Twenty (20) of any one or combination of such fowl, pigeons, small animals, or other grain fed rodents shall be permitted on a site of no less than one acre (43,560 sq. ft.);
 - b. No structure housing fowl, pigeons, small animals, or other grain-fed rodents shall be closer than 25 feet to a habitable dwelling unit, church, or school, nor shall such small animal housing be closer than 50 feet from the property line adjacent to any residential district;
 - c. All enclosures shall be of sound construction, maintained in a clean and hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;

- d. All feed shall be stored in containers which protect against rodents and insects;
- e. All small farming activities shall be conducted in a manner which shall not create a public nuisance to adjacent residential uses.

9. Horses and livestock shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:

- i. Horses and livestock permitted in this zoning district are limited to a maximum of one (1) animal on a minimum parcel of one-half ($\frac{1}{2}$) acre and one (1) animal for each additional 10,000 square feet on a parcel greater than one-half ($\frac{1}{2}$) acre;
- ii. Permanent commercial livestock auction activities are not permitted within this zoning district; private auctions are permitted bi-annually with a temporary use permit (See 4-B-1.3 (B));
- iii. All stables and livestock facilities shall be kept in a hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;
- iv. No horses or livestock shall be permitted to become a public nuisance to adjacent residential uses.

c. Uses Requiring a Conditional Use Permit. In the AL district, the following uses are permitted on the issuance of a conditional use permit:

- 1. Commercial recreational facilities when the principal use is not in a building;
- 2. A second single family dwelling (not a second dwelling unit per Section 9.1.1102);
- 3. Dog kennels shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:
 - a. All facilities shall be kept in a hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;
 - b. No dog kennel shall be permitted to become a public nuisance to adjacent residential uses.
- 4. Dude ranches, riding academies and stables shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:
 - i. One (1) horse allowed per parcel, with additional horses allowed on lots greater than one-half acre at the following rate – one additional animal per 10,000 square feet in excess of one-half acre.

- ii. No stable shall be located closer than 50 ft. to any habitable dwelling unit on the site, or closer than 100 feet to the property line adjacent to any residential district;
- iii. All facilities shall be kept in a hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;
- iv. All feed shall be stored in containers that protect against rodents and insects;
- v. No dude ranch, riding academy, or stable shall be permitted to become a public nuisance to adjacent residential uses.

- 5. Publicly owned buildings and structures;
- 6. Commercial radio and television receiving and transmitting facilities but not including broadcasting studios or business offices;
- 7. Merchandising of agricultural supplies and services incidental to an agricultural use;
- 8. A stand for the sale of agricultural products grown on the premises;
- 9. Wineries, tasting rooms, and processing of agricultural products.

d. Uses Requiring a Temporary Use Permit. In the AL District, the following uses are permitted on the issuance of a Temporary Use Permit in accordance with Chapter 10:

- 1. Temporary livestock auctions shall be allowed under the following conditions, and require the approval of a Temporary Use Permit subject to additional conditions as deemed appropriate by the Planning Commission:
 - a. Livestock auctions shall be conducted by private parties, and shall not be associated with a commercial operation;
 - b. Temporary auctions shall be held no more than two (2) times per year; and
 - c. A maximum total of ten (10) livestock shall be auctioned at any one bi-annual event.
- 2. Temporary raising of up to three (3) additional livestock for educational (i.e. 4-H, FFA) purposes for up to four (4) months on a parcel at least one-half acre subject to the following conditions, in addition to any others deemed appropriate by the Planning Commission:
 - i. The subject property must have adequate facilities for the additional livestock during the four-month period;

ii. All livestock facilities must be kept in a hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;

iii. If any of the conditions of the Temporary Use Permit are violated or the keeping of subject livestock becomes a nuisance to adjacent properties, the subject TUP is revocable.

e. Lot Requirements.

Uses allowable under subsection (b) and (c) of this section are allowed only on lots which equal or exceed all of the following:

Minimum Lot Requirements	Limited Agriculture (AL)¹
Lot Area (in square feet)	43,560 – 435,600 (1 – 10 acres)
Lot Width	100 feet
Lot Depth	200 feet
<i>Notes:</i>	
1. Existing Legal Lots Excepted. Any single lot legally created in an AL district before the effective date of this Zoning Ordinance, at least forty thousand (40,000) square feet in area may be used as provided in subsection (b) and (c) of this section.	

f. Yard Requirements.

An accessory building or accessory use may occupy not more than thirty percent (30%) of a required rear yard.

Minimum Yard Requirements (in feet)	Limited Agriculture (AL)
Front Yard ¹	25
Rear Yard	15
Aggregate Width of Side Yard ²	40
Width of One Side	20
<i>Notes</i>	
1. The setback (front yard) width shall be at least twenty-five feet (25') for any structure in the AL district except on corner lots, where the principal frontage of the lot shall have a setback of at	

least twenty-five feet (25') and the other setback shall be at least twenty feet (20');

2. Barns, stables, apiaries, aviaries, or other buildings or structures used to house livestock, grain-fed rodents, bees, birds, or poultry shall not be located in the AL district nearer than fifty feet (50') to the boundary line of any residential land use district;

g. Building Height.

Building Height Requirements (in feet)	Limited Agriculture (AL)
Maximum Building Height	Structures or buildings herein permitted shall not exceed two and one-half (2 1/2) stories or thirty-five feet (35') in height, whichever is greater.
Maximum Accessory Building Height:	N/A
Special Height Requirements and Exceptions	See Section 9.1.1124

h. Other Regulations.

1. Fencing. Residential fencing regulations shall comply with Section 9.1.1110.

(Sec. 2, Ordinance No. 13-07, amended July 9, 2007)

9.1.404 Single-Family Residential Districts (R-6; R-7; R-10; R-12; R-15; R-20; R-40).

a. Purpose and Intent. The purpose of the single-family residential district regulations is to allow a designated area for single-family residential district development designed to provide as much compatibility as possible with nearby zoning. Intense agricultural uses which create strong or obnoxious odors, or which might disturb adjacent or nearby residential areas with noise or vibration, are not appropriate for the single-family residential zoning districts. The City of Oakley Residential Design Guidelines (see Appendix A of this chapter) should also be referred to as they contain additional information regarding mandatory and suggested guidelines for residentially zoned areas.

b. Permitted Uses. The following uses are permitted in a single-family residential district:

- 1) A detached single-family dwelling on each lot and the accessory structures and uses normally auxiliary to it;
- 2) Second dwelling units, per Section 9.1.1102;
- 3) Home-based businesses, per Section 9.1.1120;
- 4) Large family child care homes, per Section 9.1.1121;
- 5) Small family day care;
- 6) Transitional housing;
- 7) Supportive housing;
- 8) Residential care facilities serving six or fewer persons;
- 9) Horticulture;
- 10) Publicly owned parks and playgrounds;
- 11) Household pets as follows:
 - a) No more than three dogs over six months of age and no more than five cats over six months of age, in accordance with Chapter 4.17 of the Oakley Municipal Code (Animal Control);
 - b) No more than three chickens and three rabbits;
 - c) Roosters shall be prohibited in all residential districts;
 - d) Structures housing household pets in R-6, R-7, R-10, R-12 or R-15 residential districts shall be

subject to the guidelines provided in Article 18 of this chapter (Accessory Structures);

12) Small farming, including the raising of fowl (i.e., chickens, ducks, geese, turkeys, or pheasants raised primarily for home consumption) and small animals (i.e., rabbits), shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:

- a) Small farming activities shall be permitted only in the R-20 and R-40 residential districts;
- b) A maximum of ten (10) of any one or combination of such fowl or small animals shall be permitted on a site of twenty thousand (20,000) square feet or more;
- c) A maximum of twenty (20) of any one or combination of such fowl or small animals shall be permitted on a site of no less than one acre (forty-three thousand five hundred sixty (43,560) square feet);
- d) No structure housing fowl or small animals shall be closer than twenty-five (25) feet to a habitable dwelling unit, or school, nor shall such small animal housing be closer than fifty (50) feet from the property line;
- e) Fowl and small animal enclosures shall be of sound construction, maintained in a clean and hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;
- f) Fowl and small animal feed shall be stored in containers that protect against rodents and insects;
- g) All small farming activities shall be conducted in a manner that shall not create a public nuisance to adjacent uses;

13) Horses shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:

- a) Horses shall be permitted only in the R-40 residential district;
- b) Horses permitted in this zoning district are limited to a maximum of one horse on a minimum parcel of twenty thousand (20,000) square feet and one additional horse for each additional ten thousand (10,000) square feet on a parcel greater than twenty thousand (20,000) square feet;
- c) All stables and equestrian facilities shall be kept in a hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;

- d) No horses shall be permitted to become a public nuisance to adjacent residential uses;
- 14) Bees shall be allowed only under the following conditions:
- a) Definitions.
 - (1) "Bee" shall mean any stage of the common domestic honey bee, *Apis mellifera* species;
 - (2) "Hive" shall mean a structure for the housing of a bee colony;
 - (3) "Requeen" means to replace the queen bee in a colony with a younger and more productive queen, a common practice in beekeeping to prevent bee swarming.
 - b) General Requirements.
 - (1) Hives may only be maintained in the single-family or agricultural districts, not in multi-family or mobile home districts;
 - (2) No more than two hives may be maintained on any single-family residential lot;
 - (3) All bee colonies shall be kept in inspectable hives consisting of movable frames and combs;
 - (4) Hives must be kept in sound and usable condition at all times.
 - c) Hive Placement Requirements.
 - (1) Hives shall be located at least twenty-five (25) feet from all property lines or be screened by a barrier as described below, or one hundred (100) feet from any licensed large day care facility.
 - (2) Hives shall be screened so that bees must fly over a six-foot barrier, which may be vegetative, before leaving the property; if placed above a barrier, hives shall be placed at least twenty (20) feet from the front property line, fifteen (15) feet from the rear property line, and at least five feet from side property lines.
 - d) Hive Management Requirements.
 - (1) Hives shall be continually managed to provide adequate living space for the resident bees to prevent swarming.
 - (2) Hives shall be requeened as necessary but at least every three years to prevent swarming.
 - (3) A water source for bees shall be provided at all times on the property where the bees are

kept to discourage bee visitation at swimming pools, hose bibs and other water sources on adjacent public or private property. The water source shall not be allowed to become stagnant in a manner that would propagate mosquitos.

(4) Hive maintenance materials or equipment must be stored in a sealed container or placed within a building or other bee-proof enclosure.

c. Uses Requiring a Conditional Use Permit. The following uses are permitted upon the issuance of a conditional use permit:

- 1) Assembly uses;
- 2) Commercial radio and television receiving and transmitting facilities other than broadcasting studios and business offices;
- 3) Community buildings, clubs and activities of a quasi-public, social, fraternal or recreational character, such as golf, tennis and swimming clubs, and veterans and fraternal organizations;
- 4) Day care centers;
- 5) Hospitals, eleemosynary and philanthropic institutions, and convalescent homes;
- 6) Public, parochial, and private schools including nursery schools;
- 7) Publicly owned buildings and structures (except that accessory and appurtenant structures forming a part of public utilities, publicly owned utilities and pipelines are not regulated by this chapter);
- 8) Residential care facilities serving seven or more persons;
- 9) Wineries, tasting rooms, and processing of agricultural products in the R-20 and R-40 residential districts and in the other R districts when a lot is a minimum twenty thousand (20,000) square feet in size and contains an existing vineyard at the time of application.

d. Uses Requiring a Temporary Use Permit. Temporary uses in the R districts are subject to the regulations set forth in Section 9.1.1606.

e. Lot Requirements. Single-family dwellings or other structures permitted under this section may not be erected or placed on a lot with less than the following minimum requirements:

Minimum Lot Requirements	R-6	R-7	R-10	R-12	R-15	R-20	R-40

Lot Area (in square feet)	6,000	7,000	10,000	12,000	15,000	20,000	40,000
Lot Width (in feet)	60	60	60	70	70	80	140
Lot Depth (in feet)	80	90	100	100	100	120	140

f. Yard Requirements.

- 1) The following minimum requirements apply to front yard, rear yard, side yard, and corner side yard setbacks:

Minimum Yard Requirements (In Feet):	R-6	R-7	R-10	R-12	R-15	R-20	R-40
Front Yard	20	20	20	20	20	25	25
Secondary Frontage	15	15	15	15	15	20	20
Rear Yard	15	15	15	15	15	15	15
Aggregate Width of Side Yard	15	15	20	25	25	35	40
Width of One Side	5	5	5	10	10	15	20
Corner Side	15	15	15	15	15	20	20

- 2) The minimum aggregate setback between adjacent two-story elements on separate lots shall be fifteen (15) feet.
- 3) Mechanical Equipment in Yard Setbacks. Ground-mounted mechanical equipment shall be screened from view with adequate landscaping or fencing and provide a minimum three feet of horizontal clearance on at least one side.
- 4) Accessory structure setbacks are subject to Article 18 of this chapter (Accessory Structures).
- 5) Accessory Structures in Rear Yards. An accessory structure, or combination of more than one accessory structure, may occupy not more than fifty percent (50%) of a required rear yard.
- 6) In addition to the above minimum requirements, additional setback provisions, including but not limited to the provision for providing larger side yard setbacks adjacent to the garage to provide room for side-yard RV and boat parking, are included in the City of Oakley Residential Design Guidelines.

g. Building Height.

Building Height Requirements (In Feet)	Single-Family Residential Districts (R-6; R-7; R-10; R-12; R-15; R-20; R-40).
Maximum Building Height	A. Single-family dwellings or other structures permitted under this section shall not exceed two stories or thirty (30) feet in height; See Section 3, Page 12 of the Residential Design Guidelines for other height provisions.
Special Height Requirements and Exceptions	See Section 9.1.1124.

h. Other Regulations.

- 1) All new development shall be consistent with the City of Oakley Residential Design Guidelines (See Appendix A to this Zoning Code).
- 2) Garage/Driveway Configurations. See Section 3 of the Residential Design Guidelines.
 - a) Driveways shall be a minimum of twenty-five (25) feet in length as measured from the garage door to the back of sidewalk, notwithstanding the location of the front property line.
 - b) The interior of two-car garages shall be a minimum of eighteen (18) feet wide by nineteen (19) feet deep, and the interior of three-car garages shall be a minimum of twenty-seven (27) feet wide by nineteen (19) feet deep, as measured from the interior of the walls. Space dedicated for opening of residential doors or placement of household appliances shall not encroach into the required interior measurements.
 - c) For a three-car garage with tandem parking, the interior shall be a minimum nineteen (19) feet wide with a minimum nineteen (19) foot depth for one space and thirty-eight (38) foot depth for the tandem spaces. Space dedicated for opening of residential doors or placement of household appliances shall not encroach into the required interior measurements.
- 3) Garage Conversions. The conversion of a garage to living space or other residential use is allowed if:
 - a) Off-street parking requirements of this title are satisfied; see Section 9.1.1402;

- b) The existing garage door is removed and replaced with walls, windows, doors and other suitable materials and the converted space is architecturally compatible in color, material and style with the existing structure; and
 - c) The curb is replaced, the driveway is removed and landscaping is done so that the converted space no longer resembles a garage. However, this requirement shall not result in an insufficiency of off-street parking.
- 4) Fencing. Residential fencing regulations shall comply with Section 9.1.1110.
- 5) Garage/Yard Sales. Garage/yard sales are permitted with the following limitations:
- a) Three sales per calendar year at the same address;
 - b) Not to exceed three calendar days per event; and
 - c) Operating during daylight hours only.

(Sec. 3, Ordinance No. 10-24, adopted August 13, 2024; Sec. 3, Ordinance No. 07-17, adopted May 23, 2017; Sec. 2(B), Ordinance No. 02-16, adopted January 12, 2016; Sec. 2(A), Ordinance No. 01-16, adopted January 12, 2016; Sec. 3, Ordinance No. 08-15, adopted July 14, 2015; Sec. 1, Ordinance No. 08-14, adopted July 8, 2014; Sec. 2, Ordinance No. 06-12, adopted June 26, 2012; Sec. 1, Ordinance No. 06-11, adopted April 26, 2011; Secs. 2 and 3, Ordinance No. 14-10, adopted September 14, 2010)