



Agenda

Regular Planning Commission Meeting

Tuesday, July 7, 2026 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.

Meeting online Link: <https://zoom.us/j/99746603565>

Public Participation Options

In person public comment:

You may provide public comment by filling out a speaker card and giving it to the City Clerk.

Online Participation:

Members of the public may also attend online. Technical difficulties may occur from time to time. The City will follow the adopted Technology Disruption Policy outlined in City Council Resolution 36-26.

Online Public Comment:

To provide audio public comment, connect to the meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone)

Meeting call in telephone number: 669-900-6833 | Meeting ID: 997 4660 3565 (*9 to request to speak | *6 to unmute/mute)

Watch the City Council meeting at oakleyca.gov or [YouTube](https://www.youtube.com).

Written public comment:

If you wish to speak or enter comments into the public record, please complete the [online public comment form](#) by 4 pm the day of the meeting.

Public review of items:

Agendas are posted in Oakley at Oakley City Hall, outside the gym at Delta Vista Middle School and outside the Library at Freedom High School. Agendas are also posted on the City's website at oakleyca.gov.

You can view reports on the City's website at oakleyca.gov. You can also review reports in person at City Hall, 3231 Main Street, during normal business hours. Any other documents distributed to members of the Planning Commission regarding an item on this agenda are also made available in the lobby on the evening of the Planning Commission meeting.

Pursuant to the Americans with Disabilities Act (ADA), the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance, please contact the City at least 48 hours prior to the meeting at 925-625-7000 or cityclerk@ci.oakley.ca.us.

Public Comments:

This is an opportunity for members of the public to address the Planning Commission on items not listed on this agenda. Please note that public comments are limited to three (3) minutes. Under the provisions of the Brown Act, the Commission is legally prohibited from taking action on any item not listed on the agenda. If you wish to speak on a specific agenda item, please complete a public speaker card (available in the lobby) and submit it to the City Clerk prior to the item being called. The Chair will call you to the podium by name when the item is opened for public comment.

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

1. OPENING MATTERS

1.1 Call to Order and Roll Call of the Oakley Planning Commission

1.2 Pledge of Allegiance to the Flag.

2. PUBLIC COMMENTS

At this time, the public is permitted to address the Planning Commission on non-agendized items.

3. CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the Planning Commission with one single action. Members of the audience, Staff or the Planning Commission who would like an item removed from the Consent Calendar for purposes of public input may request the Chair 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 Chair.

**3.1 Approve Minutes from the Regular Meeting Held May 19, 2026
(Kim Snodgrass, City Clerk)**

4. PUBLIC HEARINGS

**4.1 (Continued from May 19) 2603 Main Street Liquor (CUP 2026-001) – Adopt a Resolution Approving Liquor Sales at the Subject Property (Jose Cortez, Senior Planner)
California Environmental Quality Act (CEQA) Determination: Find that the proposed project is categorically exempt under the “Class 1,” or “Existing Facilities” Categorical Exemption (14 Cal. Code Regs./CEQA Guideline 15301)**

4.2 59 Douglas Road Minor Subdivision 25-980 (TPM 2025-004) (Evan Gorman, Associate Planner)

5. REGULAR CALENDAR

6. REPORTS

6.1 Reports from Staff Members

6.2 Oakley Planning Commission

- a. Reports from Commission Members**
- b. Requests for Future Agendas**

7. WORK SESSIONS

**7.1 3290 Empire Avenue Preliminary General Plan Amendment (PA 2026-002)
(Evan Gorman, Associate Planner)**

8. ADJOURN



**MINUTES OF THE REGULAR MEETING OF THE OAKLEY PLANNING COMMISSION
HELD MAY 19, 2026**

1. OPENING MATTERS

1.1 Call to Order and Roll Call of the Oakley Planning Commission

Chair Price called the meeting to order at 6:30 p.m.

1.2 Pledge of Allegiance to the Flag.

Chair Price led the Pledge of Allegiance to the Flag.

2. PUBLIC COMMENTS

None

3. CONSENT CALENDAR

3.1 Approve Minutes from the Regular Planning Commission Meeting held April 7, 2026 (Kim Snodgrass, City Clerk)

It was move by Commissioner Ireland and seconded by Commissioner Goudie to approve the Consent Calendar. **AYES:** Goudie, Ireland, Harvey, Oliveros, Price **NOES:** None **ABSENT:** None **RESULT:** Motion carried (5-0).

4. PUBLIC HEARINGS

4.1 Oakley Library & Community Center Design Review and Variance (DR 2026-002, VA 2026-001) – Adoption of a Resolution approving a Design Review and Variance for the proposed Oakley Library & Community Center located at 3235 Main Street (Jose Cortez, Senior Planner)

Senior Planner Jose Cortez presented the report.

Susi Marzuola and Chris Leshett of Siegel & Strain Architects gave a presentation.

Chair Price opened the public hearing.

Commissioner Oliveros asked questions; Community Development Director Ken Strelo responded.

Chair Price closed the public hearing.

It was moved by Vice Chair Harvey and seconded by Commissioner Goudie to adopt the resolution making findings and approving the Oakley Library and Community Center Design Review and Variance. **AYES:** Goudie, Ireland, Harvey, Price, Oliveros **NOES:** None **ABSENT:** None **RESULT:** Motion carried (5-0).

4.2 2603 Main Street Liquor (CUP 2026-001) – Adopt a Resolution Approving Liquor Sales at the Subject Property (Jose Cortez, Senior Planner)

Senior Planner Jose Cortez presented the report.

Chair Price opened the public hearing.

Public comments were provided by Cathy Ashford and Linda Carter.

Chair Price closed the public hearing.

Commissioner Ireland asked questions; Mr. Cortez and Community Development Director Ken Strelo responded.

A member of the public requested to comment.

Chair Price reopened the public hearing.

Public comments were provided by Eve Jackson and Rosetta Sampson.

Commissioners Ireland, Goudie, and Oliveros asked questions; Mr. Cortez and Mr. Strelo responded.

Fathi Muflihi (applicant) addressed the questions and concerns raised by Commissioners.

Chair Price closed the Public Hearing.

Commissioner Ireland asked the City Attorney about the process if no motion was made to approve.

City Attorney Stephen Zelezny responded and outlined alternative motions.

Vice Chair Harvey moved to table the item to a future meeting.

Mr. Strelo asked the commissioners to clarify what they wanted brought back for consideration.

Commissioners Ireland, Oliveros, Harvey, and Goudie provided feedback; Mr. Strelo responded.

It was moved by Commissioner Ireland and seconded by Commissioner Goudie to continue the item to July 7, 2026. **AYES:** Goudie, Ireland, Harvey, Price, Oliveros **NOES:** None **ABSENT:** None **RESULT:** Motion carried (5-0).

5. REGULAR CALENDAR

5.1 Adopt a Resolution Finding that the Proposed 2026-2031 Capital Improvement Program (CIP) is consistent with the General Plan of the City of Oakley as required by sections 65401 and 65402 of the Government Code (Billilee Saengchalern, Public Works Director/City Engineer)

Public Works Director/City Engineer Billilee Saengchalern presented the report.

Commissioner Ireland commented.

It was moved by Commissioner Ireland and seconded by Commissioner Oliveros to adopt the resolution finding the proposed 2026-2031 Capital Improvement Program consistent with the General Plan. **AYES:** Goudie, Ireland, Harvey, Price, Oliveros **NOES:** None **ABSENT:** None **RESULT:** Motion carried (5-0).

6. REPORTS

6.1 Reports from Staff Members

Community Development Director Ken Strelo announced that the Oakley Police Department will hold a Military Equipment Report Community Meeting on May 21st, the City's Memorial Day ceremony will be on May 23rd, and the next Planning Commission meeting is scheduled for June 16th.

6.2 Oakley Planning Commission

a. Reports from Commission Members

Commissioner Oliveros reported that the first Oakley Business Forum is scheduled for October 21st.

b. Requests for Future Agendas

None

7. WORK SESSION

7.1 Objective Design Standards Work Session - Work Session to Discuss New Standards for Housing Development (Evan Gorman, Associate Planner)

Associate Planner Evan Gorman presented the report.

Commissioners Oliveros and Ireland and Vice Chair Harvey asked questions and provided comments; Mr. Gorman responded.

8. ADJOURN

There being no further business, the meeting adjourned at 8:22 p.m.

Respectfully Submitted

Kim Snodgrass
City Clerk

DATE: July 07, 2026
TO: Joshua McMurray, City Manager
FROM: Jose Cortez, Senior Planner
SUBJECT: 2603 Main Street Liquor (CUP 2026-001) – Adopt a resolution approving liquor sales at 2603 Main Street (Continued from May 19, 2026)

Approved and
Forwarded to the
Planning Commission

Summary

On May 19, 2026, Staff presented an application by Fathi Muflihi ("Applicant") requesting approval of a Conditional Use Permit (CUP 2026-001) to sell distilled spirits at La Colmena, a market located at 2603 Main Street ("Project"). During that Planning Commission meeting Staff provided background on the Conditional Use Permit requirement, project history, and the Applicant's request. Staff discussed how the supermarket/grocery store, including the retail sale of beer and wine, is a permitted use in the C (General Commercial) Zoning District. Concerns were raised related to circulation, loitering, and noise. The Commission expressed interest in strengthening the Conditions of approval to better manage the use. Additionally, the Commission requested information on potential effects of the addition of the sale of distilled spirits to a supermarket/grocery store would cause on the senior residents of the apartment complex. As a result of the meeting staff was directed to provide the additional information requested to provide additional information for the Conditional Use Permit request. A copy of the May 19, 2026 Staff Report is attached as background information to supplement this Staff Report.

Additional Research and Background

During the May 19, 2026 Planning Commission meeting, Staff was asked to conduct additional research on potential effects of the addition of the sale of distilled spirits to a supermarket/grocery store would cause on the senior residents of the apartment complex circulation, loitering, and noise. Staff explored the various requests identified by the Planning Commission and Staff's analysis is summarized in this Staff Report.

BACKGROUND

In October 2019, the City Council approved the Twin Oaks Senior Residence Mixed-Use Project (CUP 02-19, DR 07-19, and DBA 01-19). The request included approval for a Conditional Use Permit, Design Review, and Density Bonus Housing Agreement to construct a mixed-use project including 130 affordable senior apartment units and 5,667 sq. ft. of commercial space. Issuance of a Conditional Use Permit ("CUP") is required prior to operation of a mixed-use project (consisting of multifamily residential in conjunction with commercial) in the C District. Without the



commercial component that is permitted by right in the C District, the senior residential component would not have been possible because stand alone multifamily is not permitted in the C District.

ADDITIONAL STORE INFORMATION

La Colmena Market is a modern, family-oriented supermarket established to provide Oakley residents with a comprehensive one-stop shopping experience. Per the store operator:

“the supermarket/grocery store’s focus is on quality products, exceptional customer service, cleanliness, and responsible business practices. The market combines grocery shopping with a full-service meat department, fresh bakery, restaurant, dessert bar and produce selection to meet the everyday needs of the community. Employees receive training in customer service, food safety, sanitation, workplace safety, emergency procedures and responsible retail practices. Team members are expected to maintain professional conduct, assist customers promptly and report safety concerns immediately. The premises are protected by a high-definition CCTV surveillance system covering the sales floor, entrances, exits and exterior areas. The property is well illuminated, routinely inspected and maintained to provide a safe environment for customers and employees. La Colmena Market is committed to being a long-term partner within the Oakley community by creating local employment opportunities, supporting local suppliers where practical, generating tax revenue and providing residents with convenient access to quality food and household essentials. Our objective is to operate with integrity, professionalism and respect for the surrounding neighborhood while delivering a shopping experience that reflects the highest standards of customer care.”

POTENTIAL EFFECTS

At the May 19, 2026 Planning Commission meeting, the Commission requested that Staff evaluate the potential effects the sale of liquor may have on senior residents. Staff concluded there was not a straightforward way to provide any qualitative or quantitative data without drawing speculation. Instead, Staff has formulated additional conditions of approval that will strengthen operations in a manner that will reduce the likelihood any of the assumed potential ancillary negative impacts the sale of distilled spirits may cause on the residents of the adjacent apartments.

SECURITY

The applicant has indicated that management will be present during operating hours to oversee store operations, employee conduct, regulatory compliance, and customer service. Employees involved in alcohol sales will be at least 21 years of



age and trained in Responsible Beverage Service requirements. Staff will check government-issued identification for customers who appear under 40 years of age and will refuse alcohol sales to minors or visibly intoxicated persons. The market will also maintain employee training for customer service, workplace safety, emergency procedures, and responsible retail practices.

Security measures include a high-definition surveillance system covering interior sales areas, entrances, exits, and exterior areas, as well as site lighting and routine property inspections. Management has further indicated that it will work cooperatively with local law enforcement as needed. These operational measures, together with the proposed conditions of approval, are intended to help reduce potential loitering, noise, disturbances, and other potential ancillary impacts associated with alcohol sales. Management is present throughout operating hours to oversee customer service, employee performance, and regulatory compliance. Staffing levels are maintained to ensure efficient service and a safe shopping environment.

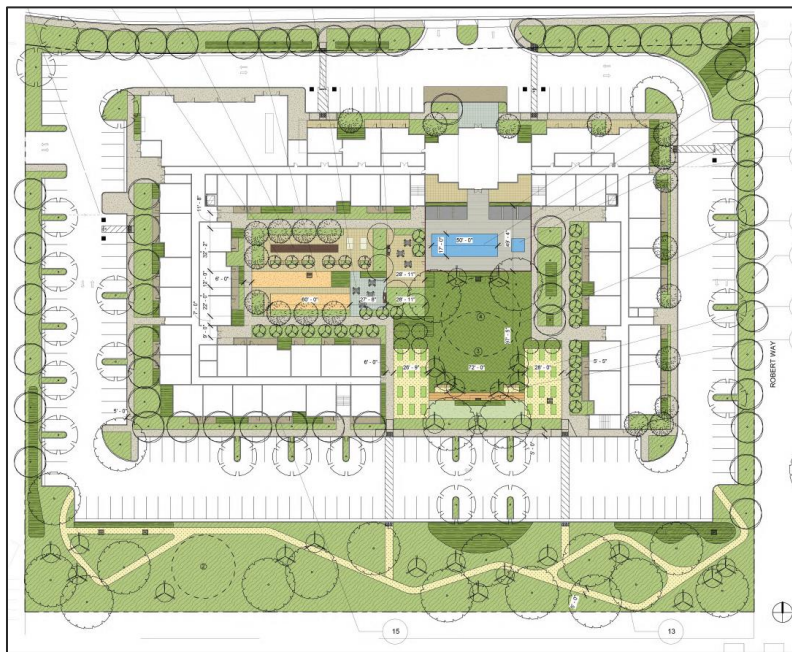
TRAFFIC AND CIRCULATION

In 2019, as part of the project review process, the City of Oakley had an environmental consultant conduct an environmental review of the site which resulted in the adoption of an Initial Study/ Mitigated Negative Declaration (IS/MND). The IS/MND evaluates 21 different topics dealing with environmental review including transportation. In the transportation section project trip generation and distribution was estimated. Project vehicle trip generation rates were obtained from the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition). Based on the ITE rates, the proposed project is estimated to generate 660 daily vehicle trips, including 31 AM peak hour and 47 PM peak hour trips. The trip generation estimated a total of 481 daily trips generated for the senior residential versus 179 daily trips generated for the commercial component. The IS/MND concluded that a less than significant impact would occur based on the criteria reviewed.

The project is designed with parking and drive aisles between the buildings and property lines. Vehicle access is derived off of Main Street from a driveway separated with the main project entry sign. Both the senior residential and the commercial component were intended to use Main Street access as the entrance and exit. The addition of a small display area with liquor/distilled spirits within a permitted supermarket/grocery market would not alter circulation throughout the project site, the project site currently has two gates for the use of the senior residents to utilize additional parking on the sides and rear of the building. Patrons of the supermarket/grocery store would not have access to the additional parking and would only have access to parking in front of the building. When the project was originally



approved with 188 parking spaces which included 133 for residents, 33 for visitors, and 22 for shoppers providing adequate parking for the uses on site. Also, due to the adjacent property owner not agreeing to shared access, the parking area outside the resident gates was able to accommodate additional spaces where a driveway connection was originally approved. The originally proposed driveway can be seen in the figure below. Oakley municipal code does not have different parking requirements for markets with or without the sale of distilled spirits. Either way, the parking requirements for retail sales are based on gross floor area and not product dependent.



CONDITIONS OF APPROVAL MODIFIED

Staff revised the proposed resolution to include additional Conditions of Approval for the proposed project. The added conditions of approval are designed to ensure that alcohol sales remain accessory to the proposed supermarket use, and do not adversely affect surrounding properties or the adjacent senior residential component. The revised conditions limit distilled spirits sales to a secured employee-only display area behind the sales counter, prohibit the sale of mini bottles (aka “airplane bottles”), require compliance with all applicable City and State regulations, and mandate that any future operator acknowledge and accept the conditions of approval. Additional conditions prohibit exterior alcohol and tobacco advertising, limit window coverage to preserve visibility into the store for law enforcement and public safety purposes, and require implementation of a Police Chief-approved security program addressing loitering, noise, disturbances, criminal activity, and employee safety.



Conditional Use Permits are governed by section 9.1.1602, *Variance and Conditional Use Permits*, of the Oakley Municipal Code. CUPs may be granted when it can be shown the project shall comply with the following:

1. That the site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this title to adapt the use with land and uses in the neighborhood;
2. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
3. The proposed use will be arranged, designed, constructed, operated and maintained so as to be compatible with the intended character of the area and shall not change the essential character of the area from that intended by the general plan and the applicable zoning ordinances;
4. That the proposed use provides for the continued growth and orderly development of the community and is consistent with the various elements and objectives of the general plan; and
5. That the proposed use, including any conditions attached thereto, will be established in compliance with the applicable provisions of the California Environmental Quality Act.

Analysis

To grant the Conditional Use Permit, the Planning Commission must find that the proposed use satisfies all the required findings for approval provided in Oakley's Municipal Code (OMC). The proposed project conforms to these required findings, primarily due to its limited scope and the permitted use of the supermarket/grocery store. The required findings for conditional use permits are mainly concerned with ensuring quality site development when a new business is constructed and that the adjacent infrastructure can accommodate the new land use. However, in this case, the small size of the shelf space dedicated to distilled spirits sales helps address the concerns expressed in the municipal code. Furthermore, the applicant has integrated the new use into a display behind the customer service counter within the store, with liquor purchases occurring at the point-of-sale counter like other items. This integration ensures that the permitted supermarket/grocery store use maintains its compatibility with the neighborhood and addresses Finding 3, which states that *"The proposed use will be arranged, designed, constructed, operated and maintained so as to be compatible with the intended character of the area and shall not change the essential*



character of the area from that intended by the general plan and the applicable zoning ordinances."

The limited scope of adding distilled spirit sales at this property would complement the existing use of the property and would not be detrimental to the continued growth and orderly development of Oakley. This minor expansion of the existing land use is categorically exempt from the California Environmental Quality Act (CEQA), consistent with Finding 5. The proposed use will be compatible with the intended character of the area and the proposal would not change the essential character of the area as envisioned by the General Plan and zoning ordinance. The Conditional Use Permit may be approved without conflict with State Laws governing the overconcentration of ABC Licenses because, pursuant to the details in the law, the census tract has the capacity for this additional Type 21 license.

Environmental Review

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities of the State of California CEQA Guidelines. Section 15301 of the State CEQA Guidelines exempts projects when the proposed project involves negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed use would not represent a significant expansion of the use of the supermarket/grocery store.

Findings

Draft findings for the Conditional Use Permit modification application can be found in the proposed resolution.

Consistency with the Oakley Strategic Plan 27+

Approval of this application would be consistent with the goals in the section of the Oakley Strategic Plan 27+ entitled, "Community and Economic Development Goal". Careful consideration of the project in relation to the findings for approval and the proposed conditions approval ensure the use meets community service demands while remaining compatible with Oakley's neighborhoods.

Fiscal Impact

The approval of these entitlements will not impact the General Fund. This is an applicant funded account. All Staff time and City of Oakley generated materials are charged to the account and paid for by the applicant.



Staff Recommendation

Staff recommends the Planning Commission adopt the resolution approving “2603 Main Street Liquor (CUP 2026-001)”, as conditioned.

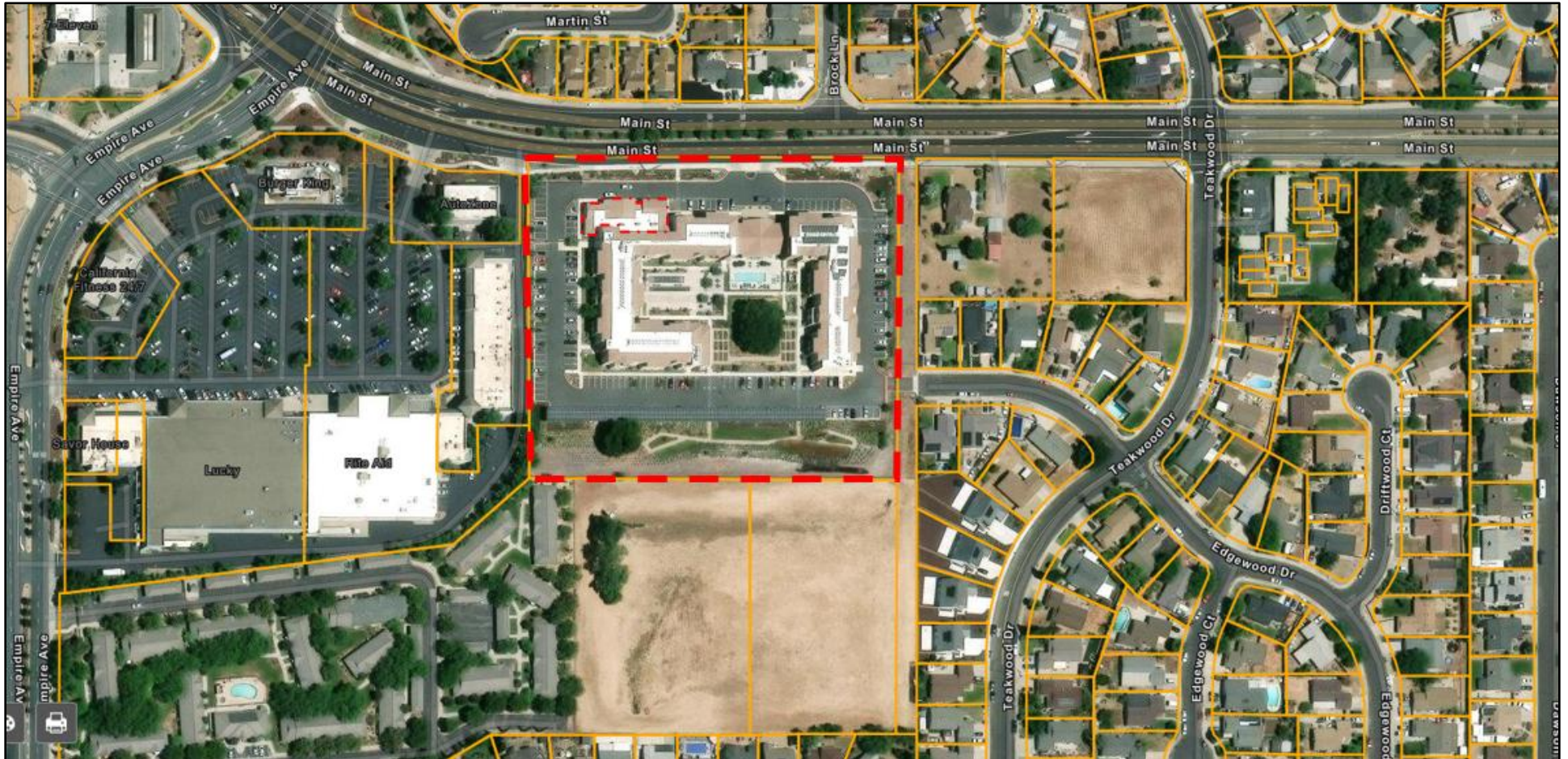
Attachments

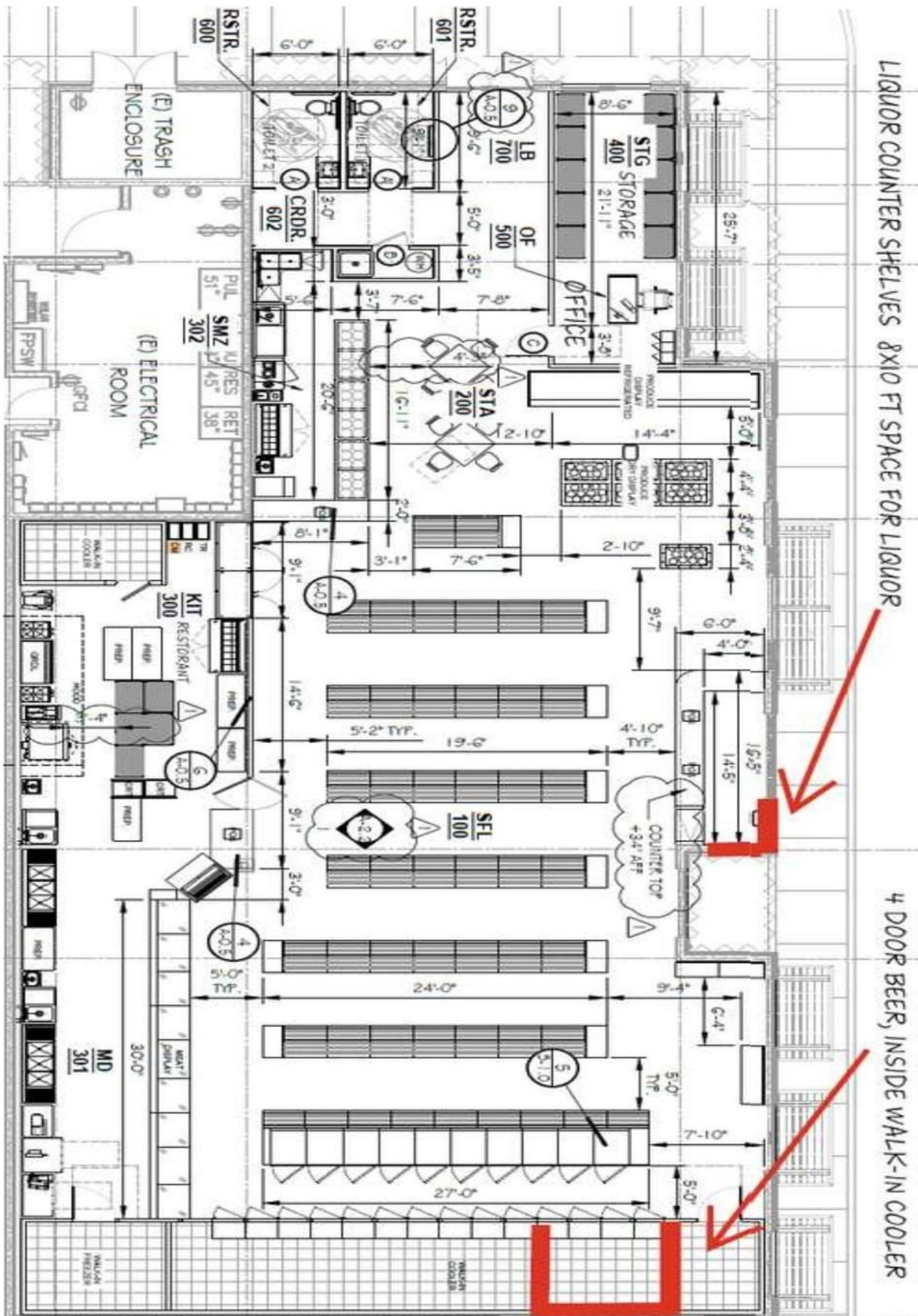
1. Vicinity Map
2. Site Plan
3. Applicant Write-Up
4. May 19 Staff Report
5. Draft Resolution



Vicinity Map

2603 Main Street Liquor (CUP 2026-001)
APN: 035-011-030





La Colmena Supermarket

Business Operations Profile

Business Name	La Colmena Market
Business Type	Full-Service Family Supermarket
Store Size	5,045 sq. ft.
Hours	7:30 AM – 10:00 PM, Monday–Sunday
Staffing	8–11 employees per shift
Departments	Grocery, Produce, Meat, Bakery, Restaurant & Dessert Bar

About La Colmena Market

La Colmena Market is a modern, family-oriented supermarket established to provide Oakley residents with a comprehensive one-stop shopping experience. Our focus is on quality products, exceptional customer service, cleanliness, and responsible business practices. The market combines grocery shopping with a full-service meat department, fresh bakery, restaurant, dessert bar and produce selection to meet the everyday needs of the community.

Management & Operations

Management is present throughout operating hours to oversee customer service, employee performance, food safety, inventory management and regulatory compliance. Staffing levels are maintained to ensure efficient service and a safe shopping environment.

Responsible Alcohol Sales

Employees selling alcohol will be at least 21 years of age and trained in Responsible Beverage Service. Government-issued identification will be checked for anyone who appears under 40 years of age. Alcohol sales will be refused to minors or anyone appearing intoxicated.

Employee Training

Employees receive training in customer service, food safety, sanitation, workplace safety, emergency procedures and responsible retail practices. Team members are expected to maintain professional conduct, assist customers promptly and report safety concerns immediately.

Safety & Security

The premises are protected by a high-definition CCTV surveillance system covering the sales floor, entrances, exits and exterior areas. The property is well illuminated, routinely inspected and maintained to provide a safe environment for customers and employees. Management works cooperatively with local law enforcement whenever assistance is required.

Responsible Retail Practices

La Colmena Market maintains strict policies regarding age verification for age-restricted products. Employees receive Responsible Beverage Service training, government-issued identification is verified when required by law, and sales are refused whenever legal requirements are not satisfied. No alcohol consumption is permitted on the premises, and no exterior advertising is used to promote alcoholic beverages.

Property Standards

The market maintains high standards of cleanliness both inside and outside the building. Routine inspections are conducted throughout the day to remove litter, maintain landscaping, discourage loitering and ensure the property remains welcoming for customers and neighboring businesses.

Community Commitment

LaColmena Marketis committed to being a long-term partner within the Oakley community by creating local employment opportunities, supporting local suppliers where practical, generating tax revenue and providing residents with convenient access to quality food and household essentials. Our objective is to operate with integrity, professionalism and respect for the surrounding neighborhood while delivering a shopping experience that reflects the highest standards of customer care.

DATE: May 19, 2026
TO: Joshua McMurray, City Manager
FROM: Jose Cortez, Senior Planner
SUBJECT: 2603 Main Street Liquor (CUP 2026-001) – Adopt a resolution approving liquor sales at the subject property

Approved and
Forwarded to the
Planning Commission

Summary

Application by Fathi Muflihi ("Applicant") requesting approval of a Conditional Use Permit (CUP 2026-001) to sell distilled spirits ("Project"). The City of Oakley's municipal code requires approval of a Conditional Use Permit to operate a liquor store. The market/grocery store is permitted by right however, through this application, the company seeks to obtain a CUP to sell distilled spirits alongside their offerings. No physical changes are proposed for the site except for the change in product inventory. The project site is located at 2603 Main Street is zoned C (General Commercial) District. (APN 035-011-030)

Figure 1 – La Colmena



Background

GENERAL PLAN

The General Plan Land Use Designation for the project site is Commercial (“CO”). This designation provides for neighborhood, community, and regional-serving retail and service uses; limited office uses; restaurants; service stations; highway-oriented and visitor-serving commercial and lodging; auto-serving and heavy commercial uses; public and semi-public uses; public gathering facilities, and similar and compatible uses.

ZONING

The site is zoned C (General Commercial) District. The purpose of the C District is to create and maintain major commercial centers accommodating a broad range of commercial uses of community-wide or regional significance typically found adjacent to or along major travel corridors, such as Main Street, O’Hara Avenue, Laurel Avenue and Empire Avenue.

PROJECT SITE

The project site is an approximately 5.85-acre parcel consisting of a 3-story, 130-unit, age-restricted (62 and up), and affordable senior apartment complex with a 1- story 5,667 square foot commercial space that fronts Main Street. The project was originally approved in 2019 and has been fully developed since then with the commercial space yet to open. The property is located south of Main Street just east of Oakley Town Center. Main Street borders the project site on the north. Single-family residential neighborhoods are farther north beyond Main Street, and directly east of the site and south of the site beyond an existing storm water detention basin. The subject property can be accessed from a driveway along Main Street. The supermarket (permitted by right in C zoning district) would be open from 7:30 AM to 10:00 PM, seven days a week. Figure 2 (next page) shows an aerial view of the project site looking southeast with the commercial portion outlines in red.



Figure 2 – La Colmena at 2603 Main Street

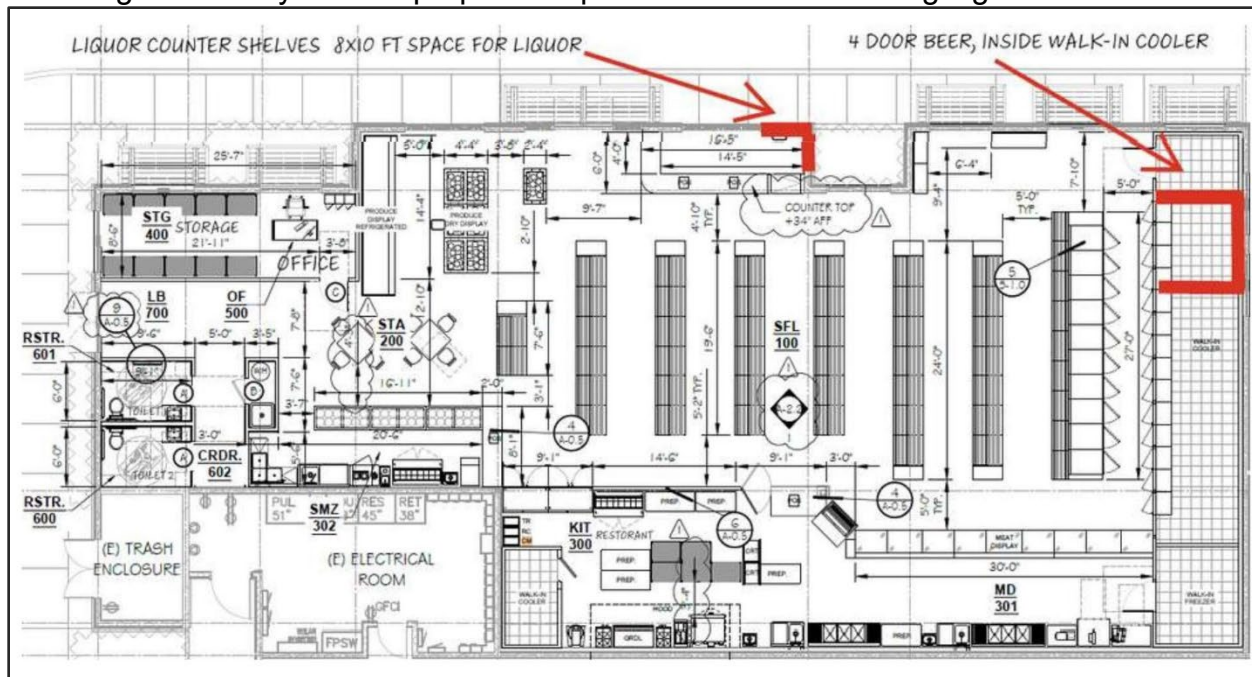


Project Description

The applicant is seeking approval of a Conditional Use Permit (CUP) for a liquor store in order to facilitate their request for a Type 21 License from the California Department of Alcoholic Beverage Control (ABC) for sales of distilled spirits, beer, and wine for off-site consumption. ABC will not formally review an Alcohol License Application until the applicant has gone through the local agency process. ABC considers the City's approval as part of their application review, but it is at their sole discretion to approve or deny an Alcohol License Application. The distilled spirits would be located within an approximately 8 ft. x 10 ft. shelf space behind the secured customer service counter, only accessible to an employee. The supermarket/grocery store has yet to open but will offer a variety of goods for sale including fruits, vegetables, a variety of snacks, and other food options. It will also have a meat department and counter, and potentially offer hot food options from their kitchen.



Figure 3 – Layout with proposed liquor and beer location highlighted in RED.



Conditional Use Permits are governed by section 9.1.1602, *Variance and Conditional Use Permits*, of the Oakley Municipal Code. CUPs may be granted when it can be shown the project shall comply with the following:

1. That the site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this title to adapt the use with land and uses in the neighborhood;
2. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
3. The proposed use will be arranged, designed, constructed, operated and maintained so as to be compatible with the intended character of the area and shall not change the essential character of the area from that intended by the general plan and the applicable zoning ordinances;
4. That the proposed use provides for the continued growth and orderly development of the community and is consistent with the various elements and objectives of the general plan; and



5. That the proposed use, including any conditions attached thereto, will be established in compliance with the applicable provisions of the California Environmental Quality Act.

Analysis

To grant the Conditional Use Permit, the Planning Commission must find that the proposed use satisfies all the required findings for approval provided in Oakley's Municipal Code (OMC). The proposed project conforms to these required findings, primarily due to its limited scope and the permitted use of the supermarket/grocery store. The required findings for conditional use permits are mainly concerned with ensuring quality site development when a new business is constructed and that the adjacent infrastructure can accommodate the new land use. However, in this case, the small size of the shelf space dedicated to distilled spirits sales helps address the concerns expressed in the municipal code. Furthermore, the applicant has integrated the new use into a display behind the customer service counter within the store, with liquor purchases occurring at the point-of-sale counter like other items. This integration ensures that the permitted supermarket/grocery store use maintains its compatibility with the neighborhood and addresses Finding 3, which states that *"The proposed use will be arranged, designed, constructed, operated and maintained so as to be compatible with the intended character of the area and shall not change the essential character of the area from that intended by the general plan and the applicable zoning ordinances."*

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Environmental Review

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities of the State of California CEQA Guidelines. Section 15301 of the State CEQA Guidelines exempts projects when the proposed project involves negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed use would not represent a significant expansion of the use of the supermarket/grocery store.



Findings

Draft findings for the Conditional Use Permit modification application can be found in the proposed resolution.

Consistency with the Oakley Strategic Plan 27+

Approval of this application would be consistent with the goals in the section of the Oakley Strategic Plan 27+ entitled, “Community and Economic Development Goal”. Careful consideration of the project in relation to the findings for approval and the proposed conditions approval ensure the use meets community service demands while remaining compatible with Oakley’s neighborhoods.

Fiscal Impact

The approval of these entitlements will not impact the General Fund. This is an applicant funded account. All Staff time and City of Oakley generated materials are charged to the account and paid for by the applicant.

Staff Recommendation

Staff recommends the Planning Commission adopt the resolution approving “2603 Main Street Liquor (CUP 2026-001)”, as conditioned.

Attachments

1. Vicinity Map
2. Notice of Public Hearing
3. Draft Resolution



RESOLUTION NO. XX-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING A CONDITIONAL USE PERMIT (CUP 2026-001) TO ALLOW THE SALE OF DISTILLED SPIRITS AT THE SUPERMARKET/GROCERY STORE LOCATED AT 2603 MAIN STREET (APN 035-011-030)

WHEREAS, on March 14, 2026, Fathi Muflihi (“Applicant”), submitted an application requesting approval of a Conditional Use Permit (CUP 2026-001) to sell distilled spirits (“Project”). The project site is designated Commercial (CO) in the Oakley General Plan and zoned C (General Commercial) District. The site is located at 2603 Main Street. (APN 035-011-030); and

WHEREAS, on April 14, 2026, the project application was deemed complete per Government Code section 65920 et seq.; and

WHEREAS, the project is designated as Commercial (CO) in the Oakley General Plan, and zoned C (General Commercial) District; and

WHEREAS, the project is exempt from further environmental analysis under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301, “Class 1 - Existing Facilities”; and

WHEREAS, on or before May 9, 2026, the Notice of Public Hearing for the project was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property’s boundaries, to outside agencies, and to parties requesting such notice; and

WHEREAS, on May 19, 2026, the Planning Commission opened the public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote and continued the public hearing to a date certain of July 7, 2026; and

WHEREAS, because the meeting was continued to a date certain of July 7, 2026, additional full Notice of Public Hearing for the project is not required; and

WHEREAS, on July 7, 2026, the Planning Commission opened the public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote and adopted this resolution to approve the project, as conditioned; and

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

WHEREAS, these Findings are based upon the City's General Plan, the City's Zoning Ordinance (Oakley Municipal Code Chapter 9.1), and the information submitted to the Planning Commission at its May 19, 2026 and July 7, 2026 meetings, both written and oral, including oral information provided by the Applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

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

- A. Regarding the application requesting approval of a Conditional Use Permit (CUP 2026-001) to establish the sale of distilled spirits at the supermarket/grocery store on a site located at 2603 Main Street. APN: 035-011-030:
1. The site for the proposed use is adequate in size and shape to accommodate the use in a manner complementary with the land and uses in the area in that this proposed use will result in a minor modification to the supermarket/grocery use and the C (General Commercial) District allows for the proposed use with the approval of a Conditional Use Permit; and
 2. Due to the limited scope of the liquor sales and the established nature of the supermarket/grocery store, the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use in that the site is accessible by public rights-of-way such as Main Street; and
 3. By integrating the distilled spirits sales into the operations of the store, the proposed use will be arranged, designed, constructed, operated, and maintained so as to be compatible with the intended character of the area and will not change the essential character of the area that is intended by the General Plan and the applicable zoning ordinances. Furthermore, the proposed use is foreseen and permitted in the C (General Commercial) District with the approval of a Conditional Use Permit with associated conditions of approval tailored to the project; and
 4. The proposed use provides for continued growth and orderly development of the community and is consistent with the various elements and objectives of the General Plan in that the limited scope of the addition of distilled spirit sales at this property would complement the existing use of the property

and would not be detrimental to the aforementioned continued growth and orderly development of Oakley; and

5. That the proposed use, including any conditions attached thereto, will be established in compliance with the applicable provisions of the California Environmental Quality Act (CEQA) as the proposed use is categorically exempt from CEQA, as provided in Section 15301 of the State of California CEQA Guidelines.

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

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the Planning Commission approves the Applicant's request for a Conditional Use Permit (CUP 2026-001), subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the application date stamped received by the Planning Division on March 14, 2026, as well as additional information acquired since that time and made a part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO ESTABLISHING THE USE UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. **Conditional Use Permit (CUP 2026-001)** is approved, as described in the application date stamped by the Planning Division on **March 14 2026**, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.
2. Any alteration of the approved plans or project description shall be requested in writing for review and approval by the Community Development Director prior to changes being made in the field.
3. This approval for **Conditional Use Permit (CUP 2026-001)** shall be effectuated within a period of one (1) year from the effective date of this resolution by establishing the use, and if not effectuated shall expire on **July 7, 2027**. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code.

4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
5. The applicant shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project. The city shall promptly notify the applicant of any such claim, action or proceeding. The city shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.
6. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.
7. If the operation of Conditional Use Permit (CUP) 2026-001 results in adverse effects on adjacent residences, businesses, or operations, including but not limited to noise, loitering, parking impacts, or other disturbances, the Conditional Use Permit shall be subject to review by the Planning Commission and may be suspended, modified, or revoked following a duly noticed public hearing. In addition, if the Community Development Director and/or the Oakley Police Department determine that alcohol-related crime, public safety concerns, or nuisance conditions are occurring and are attributable to the use, the Applicant shall be required to implement operational modifications as directed. Such modifications may include, but are not limited to, changes in hours of operation, security measures, or sales practices, and may require approval of a Conditional Use Permit modification, as determined by the Community Development Director.
8. Failure to comply with all of the above conditions may result in the matter being set for revocation of use hearing before the Planning Commission in accordance with Section 2.4.014 of the Oakley Municipal Code.
9. Approval is granted for the use of the primary structure as a liquor store, which accommodates a Type 21 Alcoholic Beverage Control (ABC) license for the sale of beer, wine, and distilled spirits for off-site consumption.
10. The sale of alcoholic beverages shall commence only within the hours permitted by State Law and enforced by the California Department of Alcoholic Beverage Control.

11. Change of the ABC license to a different license type may require review and approval of a new Conditional Use Permit Application. To be determined by the Community Development Director.
12. The sale of beer, wine, and distilled spirits for consumption on the store premises is strictly prohibited.
13. The Applicant shall be subject to, and shall comply with, all regulations of the ABC License regarding the sale of alcoholic beverages at the facility.
14. The applicant shall comply with all regulations of the ABC Act and shall comply with all licensing conditions imposed by the state.
15. This Conditional Use Permit may be periodically monitored to ensure that it is being operated in a manner consistent with City regulations, these conditions of approval and that the use is being operated in a manner which is not detrimental to the public health, safety, or welfare.
16. The sale of distilled spirits shall be limited to a secured display area located exclusively behind the sales counter and not exceeding eight (8) feet by ten (10) feet in size. The display area shall not be accessible to customers, shall remain locked at all times, and shall be accessible only to store employees during normal business hours.
17. No distilled spirits shall be sold in bottles or containers of 50 milliliters (ml) or less in size.
18. Beer, malt beverages, and wine coolers in containers of 16 ounces (oz.) or less shall not be sold by single containers and if sold shall be sold in manufacturer pre-packaged multi-unit quantities.
19. Approval of this request shall not waive compliance with any sections of the Municipal Code, State Fire Marshal's regulations, California Building Code, or any other City Ordinances.
20. Prior to any transfer of operator, the new operator shall submit a copy of an original signed letter to the City of Oakley Planning Division stating they have read, understand, and agree to abide by all conditions of approval contained in this resolution.
21. There shall be no alcohol or tobacco-related signs on the premises displayed outside of the grocery store/ supermarket, except with a temporary use permit as allowed in the City's sign regulations.

22. No more than thirty percent (30%) of the square footage of the windows and clear doors of the premises shall have advertising, signs, or displays blocking the view of the interior of the premises. All advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, included the area in which the cash registers are maintained.
23. The grocery store/supermarket management shall implement a security program to provide for the safety of customers and employees and to control loitering, noise, public disturbances, criminal activity and incidents of violence on the premises. The security program shall include the use of video cameras, exterior lighting, employee training, and emergency response procedures. Security program shall be reviewed and approved by the Police Chief.

Advisory Notes

The following Advisory Notes are provided to the Applicant as a courtesy but are not a part of the conditions of approval. Advisory Notes are provided for the purpose of informing the Applicant of additional ordinance requirements that must be met in order to proceed with development.

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

- I. The Applicant shall obtain an encroachment permit for construction within existing City rights of way.

PASSED AND ADOPTED by the Planning Commission of the City of Oakley this 7th day of July 2026 by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Leonard Price, Chair

ATTEST:

Kim Snodgrass, City Clerk

Date

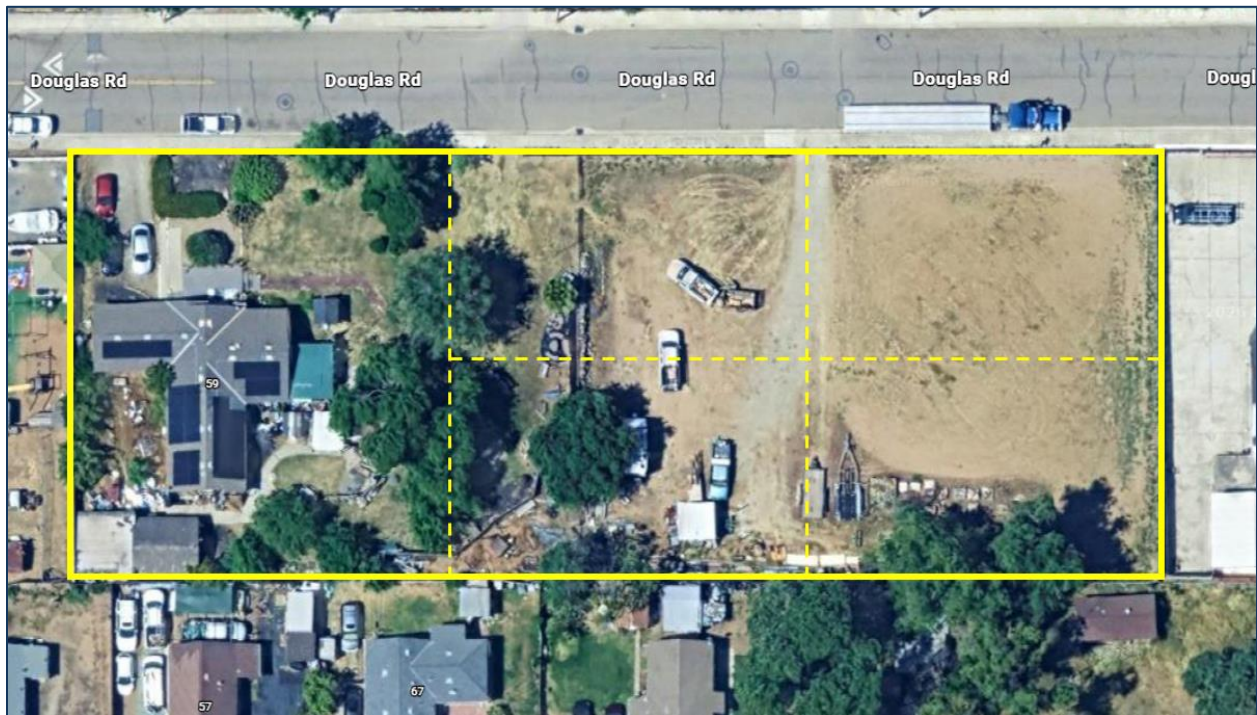
DATE: July 7, 2026
TO: Joshua McMurray, City Manager
FROM: Evan Gorman, Associate Planner
SUBJECT: 59 Douglas Road Minor Subdivision 25-980 (TPM 2025-004) – Adopt a resolution approving a subdivision at 59 Douglas Road.

Approved and
Forwarded to the
Planning Commission

Summary

This is an application by Tom Heckman (“Applicant”) requesting approval of a Tentative Parcel Map subdividing a 1.1-acre parcel into four lots and one remainder parcel (“Project”). The four new parcels (Parcels A through D) would each be approximately 8,050 square feet in area, and the remainder parcel would be approximately 18,628 square feet and would retain the existing single-family residence. No new homes are proposed at this time, but the project is intended to accommodate future sale and development of the lots. The project is located at 59 Douglas Road and zoned R-6 (Single Family Residential) District. (APN 033-053-062)

Figure 1 – Aerial View of the Project Site and an Approximate Representation of the Proposed Subdivision



Background

GENERAL PLAN AND ZONING

The General Plan Land Use Designation for the project site is Residential Low/Medium ("RLM") as depicted in the Oakley General Plan (Figure 2-2, Land Use Diagram). This designation provides for moderately dense single-family residential development that is consistent with suburban uses, allowing for a higher density suburban neighborhood with smaller lots that are commonly seen in traditional urban and suburban neighborhoods. Primary land uses include detached single-family homes and accessory structures. Public and semi-public uses and similar and compatible uses are also allowed. The RLM designation establishes a density range of 3.8 to 5.5 dwelling units per net acre.

ZONING

The site is zoned R-6 (Single-Family Residential) District as depicted on the City of Oakley Zoning Map. The R-6 District is one of the City's single-family residential districts (R-6 through R-40), which permit a detached single-family dwelling on each lot together with the accessory structures and uses normally auxiliary to it. The R-6 District accommodates the smallest lots and the highest density within the single-family residential range, with a minimum lot area of 6,000 square feet.

PROJECT SITE

The project site is situated on the south side of Douglas Road, east of the intersection of Douglas Road and Main Street. The property is flat and wide, with a large portion of it vacant. It's currently developed with a single-family residence (built in 1942, approximately 1,778 square feet) with a two-car garage and associated accessory structures. The existing residence would remain on the proposed remainder parcel. Surrounding the subject property is an established residential neighborhood, where adjacent properties share the same zoning and general plan land use designation. While the minimum lot size in the R-6 District is 6,000 square feet, actual lot dimensions in the area vary considerably due to the incremental nature of development along Douglas Road.

Project Description

The proposed Tentative Parcel Map (TPM 2025-004) would subdivide the approximately 1.1-acre property into four new single-family residential parcels, identified as Parcels A through D, and one remainder parcel. Parcels A through D would each be approximately 70 feet wide by 115 feet deep and would be accessed from a shared central access easement where there is an existing curb cut. The approximately 18,628-square-foot remainder parcel would retain the existing single-family residence.

The R-6 District allows one single-family residence on each of the proposed vacant parcels. However, no new homes are proposed as part of this application. Future residential development on Parcels A through D would typically be subject to design



review approval, unless a different ministerial review process is required under applicable State housing law.

Analysis

Tentative Parcel Maps are reviewed for consistency with the required findings found in the City's subdivision ordinance (which is the County subdivision ordinance adopted by reference), which states that, *"the [Planning Commission] shall not approve a tentative map unless it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general plan required by law. When approving the tentative map for a minor subdivision, the [Planning Commission] shall make findings as required concerning the fulfillment of construction requirements."* Besides complying with the subdivision ordinance, any proposed parcels must also comply with the regulations set forth in the R-6 (Single Family Residential) District. Furthermore, all subdivisions in California must comply with the State's Subdivision Map Act, the 1974 law passed to ensure an organized process of subdividing lands within the State. These regulations come together to help ensure orderly development in Oakley.

The Tentative Parcel Map for 59 Douglas Road adheres to all R-6 District development standards. Each of the four new parcels exceeds the District's minimum requirements for lot width (60 feet), lot depth (80 feet), and lot area (6,000 square feet), with proposed dimensions of approximately 70 feet in width, 115 feet in depth, and 8,050 square feet in area. The resulting density is consistent with and within the 3.8-5.5 dwelling units per acre range prescribed by, the Residential Low/Medium (RLM) general plan land use designation. The proposed project conforms to the State's Subdivision Map Act. The subdivision creates four new parcels plus a designated remainder which under Government Code Section 66424.6 is not counted toward the five-parcel threshold, allowing it to be processed as a parcel map, and the Tentative Parcel Map satisfies the Act's required findings for consistency with the General Plan, physical suitability of the site, and adequate water and sewer service. Project-specific conditions of approval have been incorporated to ensure the subdivision is completed consistent with City standards. These include connection of the parcels to Diablo Water District and Ironhouse Sanitary District infrastructure as well as construction of a shared access driveway using consistent materials and design.

Environmental Review

This project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15315, "Minor Land Divisions," which pertains to the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and



the parcel does not have an average slope greater than 20 percent. The proposed project, a minor subdivision conforming to the zoning ordinance on a flat parcel, satisfies the requirements of the exemption.

Findings

Draft findings for the Tentative Parcel Map application can be found in the proposed resolution (Attachment 4).

Consistency with the Oakley Strategic Plan 27+

Approval of this application would be consistent with the goals in the section of the Oakley Strategic Plan 27+ entitled “Community and Economic Development Goal.” Compliance with Oakley’s General Plan and Zoning Ordinance helps ensure that the project is compatible with the surrounding neighborhood.

Fiscal Impact

The approval of these entitlements will not impact the General Fund. This is an applicant funded account. All Staff time and City of Oakley generated materials are charged to the account and paid for by the applicant.

Staff Recommendation

Staff recommends that the Planning Commission approve the project titled “59 Douglas Road Minor Subdivision MS 25-980 (TPM 2025-004),” as conditioned.

Attachments

1. Vicinity Map
2. Notice of Public Hearing
3. Tentative Parcel Map
4. Draft Resolution

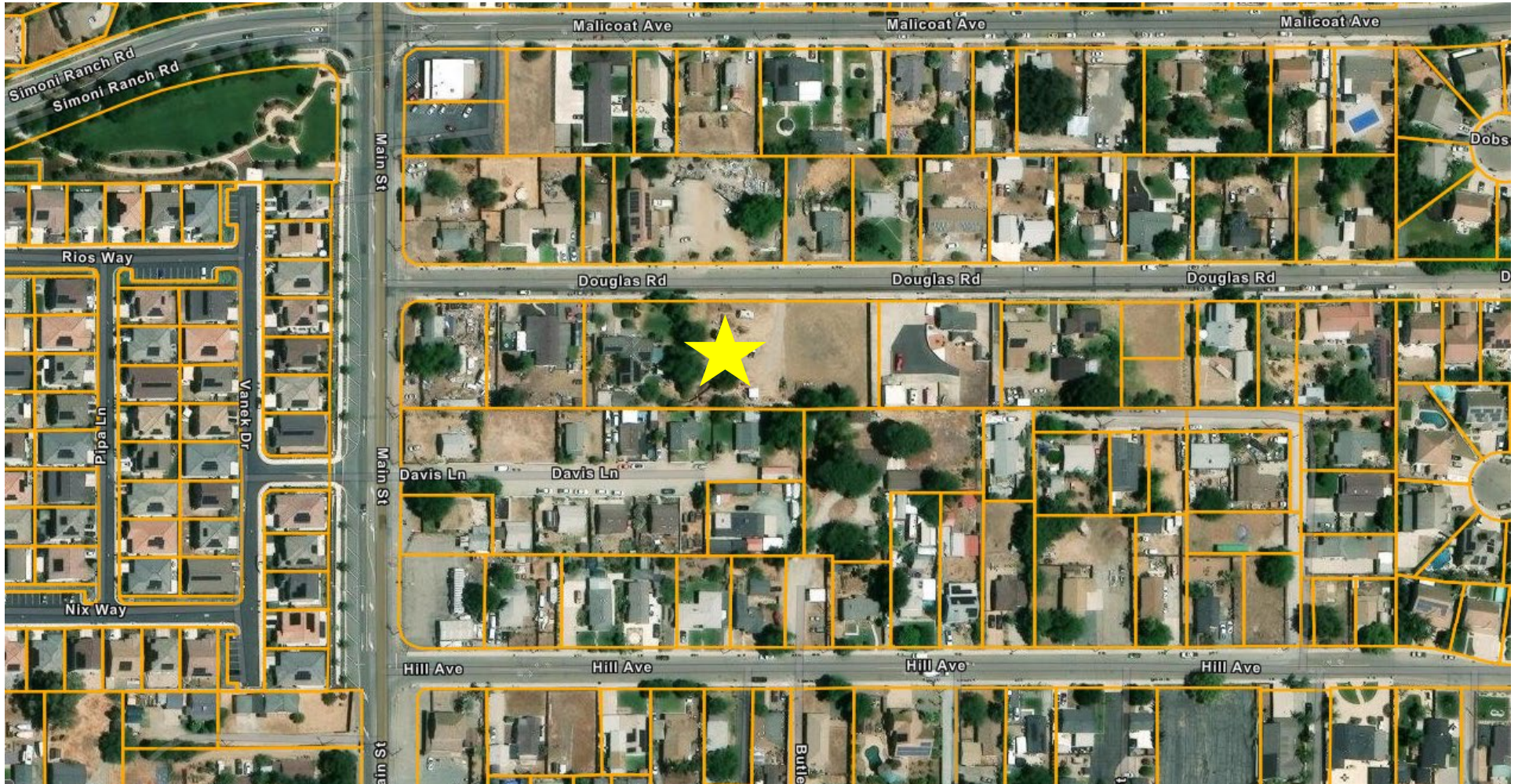




CITY HALL | 3231 Main Street, Oakley, CA 94561
O (925) 625-7000 | F (925) 625-9859 | www.oakleyca.gov

Vicinity Map

59 Douglas Road Minor Subdivision 25-980 (TPM 2025-004)
APN: 033-053-062





NOTICE OF PUBLIC HEARING

Notice is hereby given that on **July 7, 2026, at 6:30 p.m.**, or as soon thereafter as the matter may be heard, the Planning Commission of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering the application described below:

Project Name: 59 Douglas Road Minor Subdivision 25-980 (TPM 2025-004)

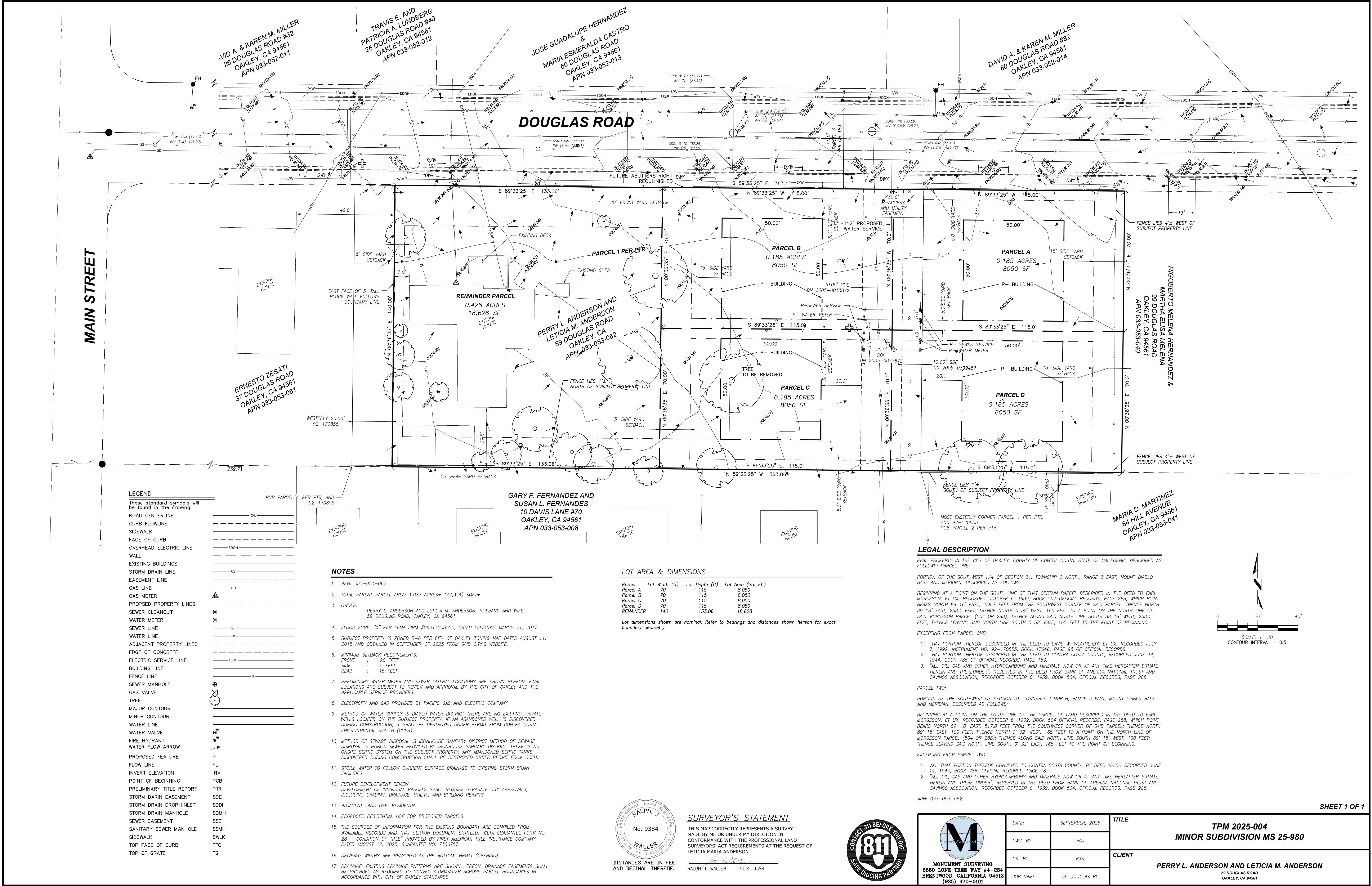
Project Location: 59 Douglas Road, Oakley, CA 94561; APN 033-053-062

Applicant: Thomas Heckman, Project Manager, Innovative Dwelling Solutions LLC, 23030 Hansen Road, Tracy, CA 95304

Request: Application by Tom Heckman ("Applicant") requesting approval of a Tentative Parcel Map subdividing a 1.11 acre parcel into four (4) lots and one (1) remainder parcel ("Project"). The remainder would retain the existing single-family home on the site, while the eastern portion of the site would be divided into four 8,056 square foot vacant lots for future sale and development. The project is located at 59 Douglas Road and zoned R-6 (Single Family Residential) District. (APN 033-053-062)

How to Review: The Staff Report and its attachments will be available for public review, on or before **July 2, 2026**, at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the **July 7, 2026, Planning Commission** agenda and clicking the project title link. Interested persons are invited to submit written comments prior to and may testify at the public hearing. Written comments may be submitted to Evan Gorman, Associate Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to Gorman@ci.oakley.ca.us.

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



RESOLUTION NO. XX-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OAKLEY MAKING FINDINGS AND APPROVING A TENTATIVE PARCEL MAP (TPM 2025-004) FOR “59 DOUGLAS ROAD MINOR SUBDIVISION MS 25-980” LOCATED AT 59 DOUGLAS ROAD (APN 033-053-062)

WHEREAS, on November 17, 2025, Tom Heckman (“Applicant”), submitted an application for approval of a Tentative Parcel Map (TPM 2025-004) to subdivide an approximately 50,828 square foot residential parcel into four new parcels, each approximately 8,050 square feet, plus a remainder parcel of approximately 18,628 square feet (“Project”). The site is located at 59 Douglas Road and is zoned R-6 (Single Family Residential) District. APN 033-053-062; and

WHEREAS, on May 19, 2026, the project application was deemed complete per Government Code section 65920 et seq.; and

WHEREAS, the project site is designated as Residential Low/Medium (RLM) in the Oakley General Plan, and zoned R-6 (Single Family Residential) District; and

WHEREAS, the project is exempt from further environmental analysis under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15315, “Minor Land Divisions”; and

WHEREAS, on or before June 26, 2026, the Notice of Public Hearing for the project duly noticed in the Contra Costa Times, a newspaper of general distribution, was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way, outside the library at Freedom High School located at 1050 Neroly Road, and at the project site. The notice was also mailed out to all owners of property within a 500-foot radius of the subject property’s boundaries, to outside agencies, and to parties requesting such notice; and

WHEREAS, on July 7, 2026, the Planning Commission opened the public hearing at which it received a report from City Staff, oral and written testimony from the public and applicant, and deliberated on the project. At the conclusion of its deliberations, the Planning Commission took a vote and adopted this resolution to approve the project, as conditioned; and

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

WHEREAS, these Findings are based upon the City's General Plan, the City's Zoning and Subdivision Ordinances, and the information submitted to the Planning Commission at its July 7, 2026 meeting, both written and oral, including oral information provided by the applicant, as reflected in the minutes of such meetings, together with the documents contained in the file for the Project (hereafter the "Record").

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

- A. Regarding the application requesting approval of Minor Subdivision MS 25-980 for the project titled "59 Douglas Road Minor Subdivision MS 25-980 (TPM 2025-004)", the Planning Commission finds that:
 - 1. The proposed tentative parcel map represents a subdivision of land that is consistent with the applicable General Plan policies and guidelines in that it results in a gross density within the range prescribed for Residential Low/Medium (RLM) designated areas in the General Plan, and the resulting parcels conform to the development standards outlined in Oakley's zoning ordinance. Each of the four new parcels exceeds the R-6 (Single Family Residential) District's minimum requirements for lot width (60 feet), lot depth (80 feet), and lot area (6,000 square feet), with proposed dimensions of approximately 70 feet in width, 115 feet in depth, and 8,050 square feet in area; and
 - 2. The subdivision will result in the completed improvements in a manner consistent with Oakley's right of way improvement design standards.
- B. The Project complies with Measure J Growth Management requirements.

BE IT FURTHER RESOLVED THAT, on the basis of the above Findings and the Record, the Planning Commission approves the Applicant's request for approval of a Tentative Parcel Map for 59 Douglas Road (TPM 2025-004), subject to the following Conditions of Approval:

Conditions of Approval

Applicant shall comply with the requirements of the Oakley Municipal Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the application date stamped received by the Planning Division on November 17, 2025, as well as additional information acquired since that time and made a part of the project file.

THE FOLLOWING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO ESTABLISHING THE USE UNLESS OTHERWISE NOTED:

Planning Division Conditions

General:

1. The Tentative Parcel Map (TPM 2025-004) is approved, as described in the application date stamped by the Planning Division on November 17, 2025, and as modified by the following conditions of approval, subject to final review and approval by the Community Development Director.
2. This approval shall be effectuated within a period of three (3) years from the effective date of this resolution and if not effectuated shall expire on July 7, 2029. Prior to said expiration date, the applicant may apply for an extension of time pursuant to the provisions of the Municipal Code and Subdivision Map Act.
3. The Parcel Map submitted for acceptance shall be in substantial compliance with the plans presented to and approved by the Planning Commission on July 7, 2026, and conditioned herein.
4. All conditions of approval shall be satisfied by the owner/developer. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
5. All structures shall be demolished from the area encompassing the four proposed, eastern lots prior to submission of a parcel map.
6. Prior to recordation of the parcel map, the subdivider shall submit improvement plans for the shared access easement that include stamped concrete or pavers. The subdivider shall enter into an improvement agreement, provide required security, and record an instrument against all parcels identifying the obligation to construct the entire shared access driveway as one coordinated improvement. The driveway shall be completed and accepted by the City before issuance of the first building permit for any parcel. This requirement shall bind the subdivider and all successors in interest.
7. Noise generating construction activities, including such things as power generators, shall be limited to the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, and shall be prohibited on City, State and Federal Holidays. The restrictions on allowed working days and times may be modified on prior written approval by the Community Development Director.
8. If archaeological or cultural resources are encountered during grading, trenching, or other ground-disturbing activities, all work within 30 yards of the discovery shall immediately cease. Work shall not resume until a qualified archaeologist meeting the Secretary of the Interior's Professional Qualification Standards, or a Registered Professional Archaeologist, has evaluated the find and recommended appropriate treatment or mitigation, if necessary. If human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the Contra Costa County Coroner has

been notified and has made the determinations required by California Health and Safety Code section 7050.5. If the Coroner determines that the remains are Native American, the Coroner shall notify the Native American Heritage Commission in accordance with Public Resources Code section 5097.98, and treatment of the remains shall proceed consistent with applicable law and any recommendations of the Most Likely Descendant.

9. The applicant shall indemnify, defend, and hold harmless the City of Oakley, the City Approving Authorities, and the officers, agents, and employees of the City from any and all claims, damages and liability (including, but not limited to, damages, attorney fees, expenses of litigation, costs of court).

Landscaping:

10. Right-of-way landscaping shall conform to the Oakley's Landscape Guidelines and the City's Water Conservation Landscape Ordinance 12-22. The plan shall be prepared by a licensed landscape architect and shall be certified to be in compliance with the City's Water Conservation Ordinance.
11. California native drought tolerant plants shall be used as much as possible. All trees shall be a mix of 15-gallon and 24-inch box; all shrubs shall be a minimum five-gallon size, except as otherwise noted.
12. All landscaped areas not covered by shrubs or groundcover shall be covered with bark or acceptable alternative as reviewed and approved by the Community Development Director. On slopes greater than 3 to 1, the applicant shall use an alternative to bark per the review and approval of the Community Development Director.
13. The applicant shall maintain all private landscaping until occupancy.

Subdivision Disclosures:

14. Where a lot/parcel is located within 300' of a high voltage electric transmission line, the applicant shall record the following notice:

"The subject property is located near a high voltage electric transmission line. Purchasers should be aware that there is ongoing research on possible potential adverse health effects caused by the exposure to a magnetic field generated by high voltage lines. Although much more research is needed before the question of whether magnetic fields actually cause adverse health effects can be resolved, the basis for such a hypothesis is established. At this time, no risk assessment has been made."

When a Final Subdivision Public Report issued by the California Department of Real Estate is required, the applicant shall also request that the Department of

Real Estate insert the above note in the report.

15. The following statements shall be recorded at the County Recorder's Office for each parcel to notify future owners of the parcels that they own property in an agricultural area:

"This document shall serve as notification that you have purchased land in an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust or blowing sand; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment such as zon guns and aerial crop dusting and certain animals, including equestrian trails as well as flies may exist on surrounding properties. This statement is again, notification that this is part of the agricultural way of life in the open space areas of the City of Oakley and you should be fully aware of this at the time of purchase."

Public Works and Engineering Conditions

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE APPROVAL OF AN ENCROACHMENT AND/OR GRADING PERMIT:

16. GENERAL. All public improvements shall be made according to the latest adopted City Standard Drawings and Specifications. All work shall conform to the applicable City ordinances. The adjacent public right-of-way shall be kept clear of all job-related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the City performing the required maintenance at the developer's expense. All conditions of approval shall be satisfied by the owner(s)/developer(s). All costs associated with compliance with the conditions shall be at the owner(s)/developer(s)'s expense.
17. ENCROACHMENT PERMIT. All work in the public right-of-way, including any blockage or partial closure of sidewalks will require an Encroachment Permit. Special provisions such as limitations on work hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
18. GRADING PERMIT. All earthwork must comply with the City's Grading Ordinance. A Grading Permit must be issued by the public works department prior to site disturbance.

19. **PUBLIC WORKS INSPECTIONS.** The developer or their representative shall notify the Engineering Inspector at least forty-eight (48) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all improvements in approved plans. Failure to do so will result in rejection of work that was completed without inspection.
20. **PRECONSTRUCTION MEETING.** Prior to issuance of any permit or the commencement of any site work, the general contractor shall:
- a) Along with the project applicant, attend a pre-construction meeting with the City Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters.
 - b) Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.
21. **CONSTRUCTION STREET PARKING.** No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the City Engineer.
22. **EROSION CONTROL.** Interim and final erosion control plans shall be prepared and submitted to the Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the State SMARTS system for projects disturbing more than one acre and obtain a WDID number. A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, City standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall comply with applicable measures contained in the City of Oakley's NPDES Permit.
23. **DUST CONTROL.** Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City, or a minimum of three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites to

ensure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the City Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept daily during the workweek to the satisfaction of the City. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed 25 MPH. All trucks hauling soil, sand, or other loose debris shall be covered.

24. FIRE CONTROL. The project developer shall keep the site free of fire hazards from the start of construction until final inspection. The plan must adhere to the satisfaction of the Contra Costa Fire District.

25. SILT AND MUD IN PUBLIC RIGHT-OF-WAY. It is the responsibility of contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up daily. Mud, silt, concrete, and other construction debris SHALL NOT be washed into the City's storm drains. Construction entrances must be in place per the Erosion Control Plan.

26. TRAFFIC CONTROL PLAN. The project sponsor will be required to work with the Public Works Department to develop a traffic control plan per the current California MUTCD. This plan will include, but not be limited to, the following measures:

- a) Construction activities shall be strategically timed and coordinated to minimize traffic disruption for schools, residents, businesses, and special events. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.
- b) Flag persons shall be placed at locations necessary to control one-way traffic flow, if required. All flag persons shall have the capability of communicating with each other to coordinate the operation.
- c) Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation and lane closures on main arterial and collector streets, and will be permitted only between the hours of 8:30AM to 2:30PM on M, T, TH & F. 8:30AM to 12:00PM on W.
- d) The traffic control plan shall be reviewed for compliance with the project's Haul Route, approved by the City of Oakley.
- e) A full road closure will require a detour plan and a road closure permit issued by the Public Works Department.

27. CONSTRUCTION MANAGEMENT PLAN. The Applicant shall submit a construction management plan that shall incorporate at a minimum the Earth

Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, construction trailer, and proposed outhouse locations. The public street shall not be used for any construction related activities, including parking for workers and storage of vehicles.

28. **RESTORATION OF PUBLIC IMPROVEMENTS.** The developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of developer's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc. shall be repaired and replaced to a condition equal to or better than the original condition. Existing improvement to be repaired or replaced shall be at the direction of the Public Works & Engineering Inspector and shall comply with all Title 24 Disabled Access provisions. Developer shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
29. **SIDEWALK REPAIR.** The developer shall repair and replace to existing City standards any sidewalk damaged now or during construction of this project. Sidewalk repair shall match existing color, texture, and design, and shall be constructed per City Standard Details. The limits of sidewalk repair will be determined by the Public Works Inspector during the construction phase of the project.
30. **CURB AND GUTTER.** The developer shall repair and replace to existing City standards any curb and gutter damaged now or during construction of this project. New curb and gutter shall be constructed per City Standard Details. The limits of curb and gutter repair will be determined by the Public Works Inspector during the construction phase of the project.
31. **CONSTRUCTION NOISE.** Between the hours of 7:30 a.m. to 5:30 p.m., weekdays and 9:00 a.m. to 5:30 p.m. weekends and holidays, construction, alteration, or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA. Pickup and delivery of materials and equipment is restricted to the hours listed above unless prior written approval is obtained by the Public Works Department.
32. **GOOD HOUSEKEEPING.** Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering

Division. The adjacent public right-of-way shall be kept clear of all job-related dirt and debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless a special permit is issued. The developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the City performing the required maintenance at the developer's expense.

33. SITE SUPERVISION. The General Contractor shall provide qualified supervision on the job site at all times during construction.

34. TREE REMOVAL. Copies of all necessary tree removal permits shall be provided prior to issuance of a grading permit.

35. EASEMENTS. Owner/Applicant/Developer shall provide copy of recorded Grant of Easements and/or land acquisitions and duly executed rights of entry for all permanent and temporary construction of improvements required for the project and shall fully comply with their requirements.

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE GRADING PLAN:

36. EXISTING WELLS. All abandoned or inactive wells on the subject site shall be destroyed in accordance with the required abandonment wells standards by the agencies responsible for the wells. Provide documentation that any gas wells located onsite have been abandoned per regulations.

37. GEOLOGY AND SOIL MITIGATION MEASURES. A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. All recommendations of the investigation shall be incorporated into project plans. One copy of the geologic report shall be submitted with the grading permit and public improvement application. Prior to issuance of any permit, the applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations. The applicant's soils engineer's approval shall then be conveyed to the City either by letter or by signing the plans.

38. GRADING.

- a) Grade any slopes with a vertical height of four (4) feet or more at a slope of 3H to 1V. Retaining walls that may be installed to reduce the slope must be masonry and comply with the City's building code.
- b) Retaining wall or other suitable option acceptable by the City Engineer is required where the grade differential between property or adjacent lots are greater than 6". Retaining walls are required to be identified on the grading plans and shall have a note stating a separate building permit is required for retaining wall greater than four (4) feet in height, measured from the bottom of footing to top of wall.
- c) At least one week prior to commencement of grading, the applicant shall post at the site and mail to the owners of property within 300 feet to the exterior boundary of the project site notice that construction work will commence. The notice shall include a list of contact persons with their name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall always be kept current and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity. A copy of the notice shall be concurrently transmitted to the City Engineer. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.
- d) Submit a Haul Route Plan to the City Engineer for review and approval prior to importing or exporting any material from the site. The plan shall include the location of the borrow or fill area, the proposed haul routes, the estimated number and frequency of trips, and the proposed schedule of hauling. Based on this plan, the City Engineer shall determine whether pavement condition surveys must be conducted along the proposed haul routes to determine what impacts the trucking activities may have. The project proponents shall be responsible for repairing to their pre-construction condition any roads along the utilized routes.
- e) Prior to commencement of any site work that will result in a land disturbance of one acre or more, the applicant shall provide evidence to the City Engineer that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be a copy of the Notice of Intent Letter sent by the State Water Resources Control Board. The WDID Number shall be shown on the grading plan prior to approval by the City Engineer.

- f) The burying of any construction debris is prohibited on construction sites.

39. NPDES – NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. Comply with all rules, regulations and procedures of the NPDES for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, the Regional Water Quality Control Board (Central Valley – Region IV), including the Stormwater C.3 requirements as detailed in the Guidebook available at www.cccleanwater.org

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

- a) Offer pavers for household driveways and/or walkways as an option to buyers.
- b) Minimize the amount of directly connected impervious surface area.
- c) Delineate all storm drains with "No Dumping, Drains to the Delta" permanent metal markers per City Standards.
- d) Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- e) Distribute public information items regarding the Clean Water Program to buyers.
- f) Other alternatives as approved by the City Engineer.
- g) Prepare an Operations and Maintenance Manual for the project's storm water control measures.

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE IMPROVEMENT PLAN:

40. PUBLIC IMPROVEMENTS. Construct the project streets within public right of way to City public road standards and as shown on the Tentative Map with the following exceptions:

- a) The minimum street grade may be lowered from the standard 1% to 0.75% provided that the project proponent demonstrates that the City's drainage standards can be achieved.
- b) Submit a turning radius exhibit to the City Engineer for review and approval to illustrate that the ninety-degree turns of project entrance can accommodate the largest expected vehicle to use the streets without the

inclusion of City standard elbows. If the exhibit illustrates that elbows are necessary to accommodate the expected traffic, then they shall be included in the improvement plans. Provide a minimum outside turning radius of 45 feet and a minimum inside turning radius of 28 feet within each cul-de-sac or knuckle. Show truck turning radius for garbage truck for garbage pickup. Please provide narrative on how this process will be handled for private roadways and alleys. If the applicant can receive Contra Costa County Fire District approval, they may use the 42 foot outside turning radius as allowed in the ECCSP.

41. PRIVATE IMPROVEMENTS. Private onsite improvement plans shall be prepared by a California registered civil engineer, reviewed, and approved by the City.

42. ROADWAY IMPROVEMENTS. The following improvements shall be installed by the developer as shown on the Tentative Map. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed, and approved by the City, to the satisfaction of the City Engineer.

- a) The existing driveway entrance for 59 Douglas Road shall be removed and replaced with sidewalk to match adjacent sidewalk. New driveway entrance shall be installed per the latest adopted City Standard Drawings and Specifications.

43. DRAINAGE IMPROVEMENTS.

- a) Collect and convey all stormwater entering and /or originating on this property, without diversion and within an adequate storm drainage facility, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse.
- b) Submit a final hydrology and hydraulic report including 10-year and 100-year frequency event calculations for the proposed drainage system and stormwater basins to the City Engineer for review and approval. The report shall include an analysis of the downstream storm drain facilities to confirm adequate capacity exists to convey post construction flows. The report must include a narrative that describes the project's proposed overland release for storm water runoff. In the event of a failure of the project's storm drain system, the overland release path shall convey storm water runoff to a public street right-of-way or drainage channel. All structure finished floor elevations shall be designed to be a minimum of 12 inches above the 100-year storm elevation or at the overland release elevation.
- c) Design and construct all storm drainage facilities in compliance with the Municipal Code and City design standards.
- d) Prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

- e) Dedicate a public drainage easement over the drainage system that conveys storm water run-off from public streets.
- f) On-site parking area and driveways shall not surface drain across public sidewalk or driveway aprons.
- g) Drainage easements shall be provided as required to accommodate storm drainage from adjacent parcels.

44. SIGHT DISTANCE EXHIBIT. For the project driveways' ingress and egress, provide an exhibit that will analyze the sight distance required for the appropriate speed limit identified with this project as required by the City Engineer.

45. DESIGN CHANGES. The Applicant's registered Engineer shall notify the City Engineer, in writing, at least 72 hours in advance of all differences between the proposed work and the design indicated on the plans. Any proposed changes shall be subject to the approval of the City before altered work is started. A plan revision must be submitted for approval by the City Engineer.

46. JOINT TRENCH PLANS. The applicant shall submit Joint Trench Composite Plans to the City for review prior to approval of improvement plans or recordation of the final map. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer. The joint trench plans shall include street and/or site lighting and associated photometrics. A letter shall be provided by PG&E stating that public streetlight billing will be per Rule LS2A, and that private lights shall be metered with billing to the owner. Pole numbers, assigned by PG&E, shall be clearly delineated on the plans.

47. UTILITIES & UNDERGROUNDING.

- a) Underground all new and existing utility distribution facilities per City of Oakley code section Title 6 Chapter 8 Underground Utility Districts.
- b) All utility boxes shall be installed underground, and all wires and cables must be installed in conduits. Compliance with this condition shall be at the discretion of the City Engineer.
- c) Above ground utility boxes shall be camouflaged per the review and approval of the City Engineer.
- d) A written approval from Diablo Water District and Ironhouse Sanitary District must be provided that all underground utility improvements have passed all testing requirements prior to commencement of paving a street.

48. STREETLIGHTS. Install streetlights along all public streets as required by the City Engineer. The City Engineer shall determine the final number and location of the lights, and the lights shall be on an LS2-A rate service. Streetlights shall be spun aluminum "cobra head" style as required by the City of Oakley Standard Plans.

49. LANDSCAPE IMPROVEMENTS.

- a) Prepare landscape plans for landscape improvements within the public right of way. Landscape plans shall be prepared by a licensed landscape architect.
- b) Install public right-of-way landscaping along the project's frontages as required by the City Engineer and Community Development Director.
- c) Maintain all landscaping within the public right-of-way until such time that the adjacent roadway improvements have been accepted for maintenance.
- d) Prior to the issuance of certificate of occupancy, an inspection will be performed to verify the health and location of the street trees. Trees in poor health or those without adequate clearance from utilities will require replacement or relocation.
- e) Landscaping at street corners must adhere to sight distance requirements.

50. FENCING. Any proposed fencing and walls shall be located on private property and maintained by the property owner(s) and/or HOA. The design and placement of walls, fences, and sign features near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with the City's corner sight distance requirements.

51. GATE: Any proposed private gates are to be set be minimum 20' from all public and private streets, roads, alleys.

52. SOUNDWALL. Soundwalls shall be installed within private property and not within public right of way.

53. MAINTENANCE EXHIBIT. Submit a maintenance exhibit showing the responsible maintenance entity of proposed subdivision improvements. Exhibit must clearly show which areas are to be maintained by the City of Oakley and areas to be maintained by the property owner(s) and/or HOA.

THE FOLLOWING PUBLIC WORKS AND ENGINEERING CONDITIONS OF APPROVAL SHALL BE SATISFIED PRIOR TO THE APPROVAL OF THE FINAL MAP:

54. BONDS. The applicant shall supply suitable securities for all improvements that are a part of the development in a form acceptable to the City in the amount of 100% (performance), 50% (labor and material) prior to issuance of any permit.

55. FINAL MAP. Submit a Final Map prepared by a Licensed Land Surveyor. The final map shall be recorded, and the Subdivision Agreement must be executed before any building permits are issued. Insurance shall be provided per the terms of the Subdivision Agreement.

56. DEDICATIONS. The following shall be dedicated on the final map. The dedication shall be recorded before any permits are issued and under specific timelines listed below:

- a) Public Utility Easement (PUE): 10' PUE beyond public right of way as required.
- b) Ingress-egress, storm drainage easements, emergency access easements as required.
- c) Any necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road, utility and drainage improvements shall be furnished to the City. Prior to the issuance of the first building permit, the applicant must provide the necessary documentation that any existing easements no longer necessary have been quitclaimed.

57. PRIVATE EASEMENTS. Agreements detailing rights, limitations, and responsibilities of involved parties shall accompany each private easement. The easements and associated agreements shall be recorded simultaneously with the final map.

58. UTILITY SETBACKS. Building foundations shall be set back from utility lines a sufficient distance to allow excavation of the utility without undermining the house foundation. The City Engineer shall determine the appropriate setback based on the depth of the utility, input from the project soils engineer, and the type of foundation.

59. UTILITY EASEMENTS. Deed restrictions shall be placed on lots containing utility easements, as applicable. The deed restrictions shall specify that no trees, fences, or hardscape are allowed within the easement boundaries, and that maintenance access must be provided. The City will assist and provide guidance for the deed language and the Applicant's surveyor shall prepare the legal description and plat. The Applicant shall pay any recordation costs.

60. ANNEXATIONS

- a) The applicant shall establish a funding mechanism to cover the ongoing financial impact their project has on fire protection services provided in the City. All costs associated with meeting this condition of approval shall be paid for by the applicant. Compliance with this requirement shall be to the satisfaction of the City Engineer and shall be completed prior to final map approval.

- b) The applicant shall establish a funding mechanism to cover the ongoing financial impact their project has on police services provided in the City. All costs associated with meeting this condition of approval shall be paid for by the applicant. Compliance with this requirement shall be to the satisfaction of the City Engineer and shall be completed prior to final map approval.
- c) The applicant shall establish a funding mechanism to cover the ongoing financial impact their project has on maintenance and operation services associated with public landscaping, parks, streetlighting, and stormwater facilities. All costs associated with meeting this condition of approval shall be paid for by the applicant. Compliance with this requirement shall be to the satisfaction of the City Engineer and shall be completed prior to final map approval.

THE FOLLOWING SHALL BE SATISFIED PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT(S):

- 61. PAD CERTIFICATION. A letter from a licensed land surveyor stating that the building pad was constructed in accordance with the approved plans shall be provided prior to the issuance of the building permit.
- 62. SOILS ENGINEER CONSTRUCTION OBSERVATION. During construction, all excavations and grading shall be inspected by the applicant's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing should be documented in an "as-built" letter/report prepared by the applicants' soils engineer and submitted to the City before any building permit is granted.
- 63. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS. The property owner/HOA shall enter into an agreement with the City for maintenance of the stormwater filtration devices required to be installed on this project. The agreement will specify that certain routine maintenance shall be performed by the property owner/HOA and will specify device maintenance reporting requirements. The agreement will also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded prior to release of any occupancy permits.
- 64. Developer shall apply to and obtain the required permits from Ironhouse Sanitary District for new connections to the sewer main in Douglas Road, and to Diablo Water District for new domestic water service connections to the water main in Douglas Road.
- 65. AS-BUILT PLANS. After completion of the construction of all work, the original plans shall have all changes (change orders and field changes) clearly marked.

The "as-built" plans shall again be signed and "wet-stamped" by the civil engineer who prepared the plans, attesting to the changes. The original "as-built" plans shall be reviewed and approved by the Engineering Inspector. A Mylar and AutoCAD disk of the approved "as-built" plans shall be provided to the City before acceptance of improvements.

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

- a) Traffic Impact Fee (authorized by Ordinance No. 14-00, adopted by Resolution 49-03, update Resolution No 91-21);
- b) Regional Transportation Development Impact Mitigation Fee or any future alternative regional fee adopted by the City (authorized by Ordinance No. 14-00, adopted by Resolution No. 73-05);
- c) Park Land Dedication In-Lieu Fee (adopted by Ordinance No. 03-03, updated Resolution No. 48-17);
- d) Park Impact Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 19-03, updated Resolution No. 48-17);
- e) Public Facilities Fee (authorized by Ordinance No. 05-00, adopted by Resolution No. 18-03);
- f) Fire Facilities Impact Fee (adopted by Resolution No. 24-21);
- g) General Plan Fee (adopted by Resolution No. 53-03);
- h) East Contra Costa County Habitat Conservation Plan Fee (adopted by Ordinance 6-23).

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

ADVISORY NOTES

The following Advisory Notes are provided to the applicant as a courtesy but are not a part of the conditions of approval. Advisory Notes are provided for the purpose of informing the applicant of additional ordinance requirements that must be met in order to proceed with development.

- A. The applicant/owner should be aware of the expiration dates and renewing requirements prior to requesting building or grading permits.
- B. The project will require a grading permit pursuant to the Oakley Municipal Code.
- C. The applicant shall comply with the requirements of Ironhouse Sanitary District.
- D. The applicant shall comply with the requirements of the Diablo Water District.

- E. The applicant shall comply with the requirements of the Contra Costa Water District.
- F. The applicant shall comply with the requirements of the Contra Costa County Fire Protection District.
- G. The applicant shall comply with the requirements of Contra Costa Environmental Health if subject to applicable permits.
- H. The applicant shall comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
- I. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
- J. The applicant shall be responsible for paying applicable CEQA filing fees for the County Clerk for the Notice of Exemption as well as the State Department of Fish and Wildlife's Filing Fee.
- K. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

PASSED AND ADOPTED by the Planning Commission of the City of Oakley this 7th day of July 2026 by the following vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

APPROVED:

Leonard Price, Chair

ATTEST:

Kim Snodgrass, City Clerk

Date

DATE: July 7, 2026
TO: Joshua McMurray, City Manager
FROM: Evan Gorman, Associate Planner

Approved and
Forwarded to the
Planning Commission

SUBJECT: 3920 Empire Avenue Preliminary General Plan Amendment (PA 2026-002) – Work Session to discuss a potential project to amend the General Plan Land Use Designation of an approximately 3.11-acre site at the southeast corner of Empire Avenue and Laurel Road from Residential Low (RL) to Commercial (C).

Summary

This is a work session on a request by Roy Pantle (“Applicant”) to discuss the merits of a potential project to amend the General Plan Land Use Designation of two parcels at the southeast corner of the intersection of Empire Avenue and Laurel Road, totaling approximately 3.11-acres from Residential Low (“RL”) to Commercial (“C”). The primary parcel is addressed 3920 Empire Avenue, and the parcels are zoned R-10 (Single Family Residential) District. Under Oakley’s Sensitive Land Use Ordinances, if the designation of this property was to be changed, fuel stations and car washes would not be able to be established on the site despite a Commercial designation. APNs: 034-010-033, 034-010-036.

Figure 1 – Project Site



Figure 2 – View from Laurel Road



Background

LAND USE

In California, every property is guided by three interconnected land use frameworks. At the broadest level, the General Plan land use designation establishes a city's long-range vision for how land should be used, such as: residential, commercial, industrial, or open space. A property is then assigned a more detailed zoning designation, which regulates specific development standards like building height, setbacks, and permitted uses consistent with the General Plan. Finally, when a business occupies a building, it must also comply with the building occupancy classification under the California Building Code, which ensures that the type of activity inside the structure, whether manufacturing, storage, office, or retail—meets safety and construction requirements. Together, these layers determine not only what can be built on a site, but also how any buildings can be used once constructed.

PROJECT SITE

The southern parcel, 3920 Empire Avenue, has long been owned and occupied by the Applicant. The smaller parcel to the north, 3980 Empire Avenue, was previously owned by the City of Oakley. In September 2021, the City Council authorized Staff to begin the notification process required by the Surplus Land Act (Assembly Bills 1255 and 1486) for several surplus properties, including 3980 Empire Avenue. That process gave affordable housing developers an opportunity to express early interest and obligated the City to negotiate in good faith with any developer that submitted a Letter of Intent. No interest was received in 3980 Empire Avenue through that process.

In 2022, the City Council approved the sale of 3980 Empire Avenue to the Applicant under Oakley Municipal Code Section 2.8.106(d), which allows the City to negotiate directly with an adjacent owner where combining a parcel would produce better development than the surplus property could achieve on its own. As Staff explained to the City Council at that time, joining the two parcels would give the Applicant what is known in commercial



development as a “hard corner”, a property at the intersection of two streets, with direct access to Laurel Road, one of the busiest roadways in the City. On its own, the 0.39-acre remnant was poorly suited to development, constrained by its shape, its long Laurel Road frontage, a below-grade elevation requiring roughly 4,500 cubic yards of fill, and a storm drain catch basin needing relocation, at a cost Staff estimated to exceed \$150,000. The sale accommodated the consolidation of the parcels into a single, well-positioned corner at a major, high-traffic intersection already anchored by commercial uses on its other developable corners.

Prior to the purchase of the property in 2022, the owner had been in talks with potential commercial uses and developers; however, due to the lack of Laurel Road frontage, those talks never materialized into any official applications. With the corner now under one owner, that owner has elected to pursue the Commercial designation that the process was intended to make possible. This request brings that anticipated land use process before the Planning Commission and City Council.

Preliminary General Plan Amendment Process

The process of amending the City of Oakley 2020 General Plan (“General Plan”) is subject to California Government Code (“GC”) Sections 65350 - 65362, which apply to the preparation, adoption and amending of general plans and general plan elements.

The application process for a General Plan Land Use Amendment can come with significant costs when factoring in the Staff time involved in preparing documents, conducting analyses, holding public meetings, hiring consultants for technical and environmental studies, and consulting with outside agencies. Since a General Plan Land Use Amendment is a legislative and discretionary action that sets the tone for all other land use decisions on a property, Staff encourages potential applicants to first file a Preliminary General Plan Amendment, or “PGPA.”

The purpose of the PGPA is to allow Staff to provide a brief description of the proposed amendment and to also provide a concept of the result of the land use change, as submitted by the applicant, to the City Council and Planning Commission. The applicant is provided a chance to present the request and provide additional insight on the background of their request.

EXISTING GENERAL PLAN AND ZONING DESIGNATION

The General Plan Land Use Designation for the project site is Residential Low (“RL”). This designation provides for moderate density, single-family residential development. Primary permitted land uses include detached single-family homes and accessory structures. Public and semi-public uses and similar and compatible uses are also allowed. The site is zoned R-10 (Single-Family Residential) District. Permitted uses generally include a detached single-family dwelling on each lot and accessory structures and



uses normally auxiliary to it.

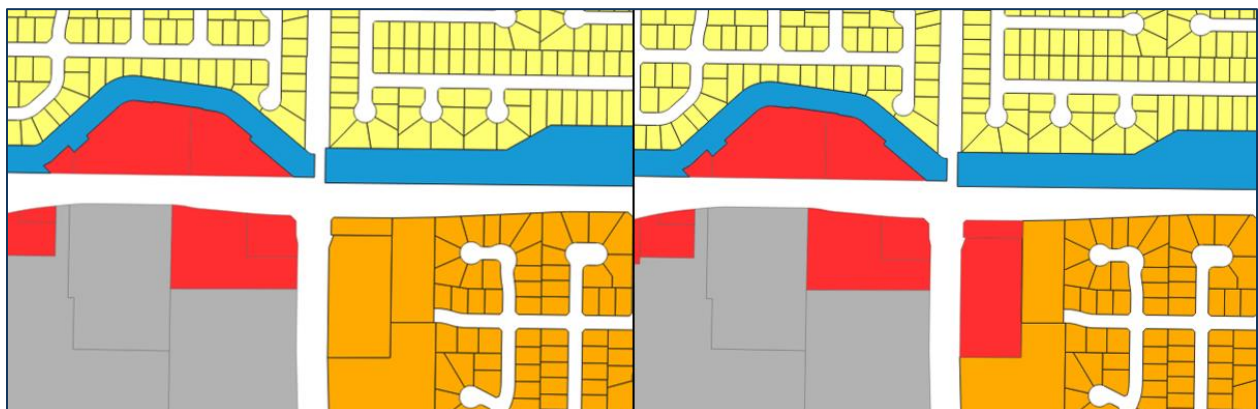
PROPOSED LAND USE DESIGNATION

The applicant proposes to amend the General Plan Land Use Designation for the project site from Residential Low (“RL”) to Commercial (“CO”). The Commercial designation provides for neighborhood, community, and regional-serving retail and service uses; limited office uses; restaurants; highway-oriented and visitor-serving commercial and lodging; automotive commercial uses; public and semi-public uses; public gathering facilities; and similar uses. The applicant also intends to apply for a complimentary rezone of the project site from R-10 (Single-Family Residential) District to C (General Commercial) District.

PROJECT SITE

The project site is situated at the southeast corner of the intersection of Empire Avenue and Laurel Road. It consists of two parcels totaling approximately 3.11 acres. The northern parcel (APN 034-010-033), addressed 3980 Empire Avenue, is approximately 0.39 acres and is vacant. The southern parcel (APN 034-010-036), addressed 3920 Empire Avenue, is approximately 2.72 acres and contains a single-family residence built in 1984 in the southeast corner of the property. The parcels slope downward towards Laurel Road and they’re largely cleared except for some trees near the home and a large driveway. The subject parcels represent the remaining relatively vacant land at this busy intersection. The northwest and southwest corners of the intersection are developed with fuel stations and the northeast corner is occupied by a portion of the Contra Costa Canal.

Figure 3 – Existing and Proposed General Plan Land Use Designations
(Orange is Residential Low, Red is Commercial)



Assessment

Staff's assessment is that a Commercial designation is the appropriate long-term land use for this site. The property is the last substantially undeveloped corner at a major, signalized intersection that already functions as a commercial node, and it fronts the City's busiest roadway (Laurel Road). Locating new commercial activity at this intersection is consistent with sound land use planning and with the City's long-standing treatment of this corner.

Amending the General Plan designation to Commercial would make a rezone application to the C (General Commercial) District possible, which would then authorize uses permitted in that district, subject to zoning ordinance regulations. The existing residence would become a legal non-conforming use if the property were to be rezoned to a non-residential district. Commercial uses are commonly located at major intersections because these areas provide high visibility, convenient access, and exposure to passing traffic. Such locations allow businesses to capture trips from drivers already traveling through the area for uses such as fuel, food, groceries, pharmacies, and other services. Commercial development at intersections can also serve as a transition or buffer between heavily traveled corridors and nearby residential neighborhoods. In addition, major roads are generally better suited than local streets to accommodate customer traffic, deliveries, driveways, and transit access.

Even with a Commercial designation, neither a fuel station nor a car wash could be established on the site under the City's separation standards. Oakley Municipal Code Section 9.1.1240 requires a new gas station to be at least five hundred feet from an existing one. While the ordinance allows two gas stations on separate corners at the intersection of two arterial streets, that allowance is already exhausted here: an AMPM operates at the northwest corner of Empire Avenue and Laurel Road and a 7-Eleven at the southwest corner, leaving no remaining station permitted at the intersection. Section 9.1.1238 separately prohibits any new car wash within one thousand feet of an existing car wash, and an express car wash already operates at the northwest corner, well within that distance. The single exception to the car wash separation requirement applies only to a location near the Main Street and Highway 160 interchange and does not include this site. As a result, two of the auto-oriented uses most commonly associated with a commercial corner would be precluded regardless of the General Plan change. Any future development would be subject to current code requirements, design review, the California Environmental Quality Act ("CEQA"), and would involve substantial site improvements.



Consistency with the Oakley Strategic Plan 27+

Holding an advisory work session is consistent with the goals in the section of the Oakley Strategic Plan 27+ entitled, “Community and Economic Development Goal”. Reviewing applications for compliance with Oakley’s development standards ensures thoughtful growth.

Fiscal Impact

There is no fiscal impact. This is an applicant funded account. All Staff time and City of Oakley generated materials are charged to the account.

Requested Planning Commission Feedback

This is an advisory work session only. There is no process to approve a project because of this work session. The Planning Commission may act in an advisory role to the City Council. Staff will include the Planning Commission’s consensus direction from this meeting to the City Council at a future work session.

Attachments

1. Vicinity Map
2. Notice of Work Session
3. Uses Permitted in the R-15 (Single-Family Residential) District
4. Uses Permitted in C (General Commercial) District
5. Existing and Proposed Land Use Designations

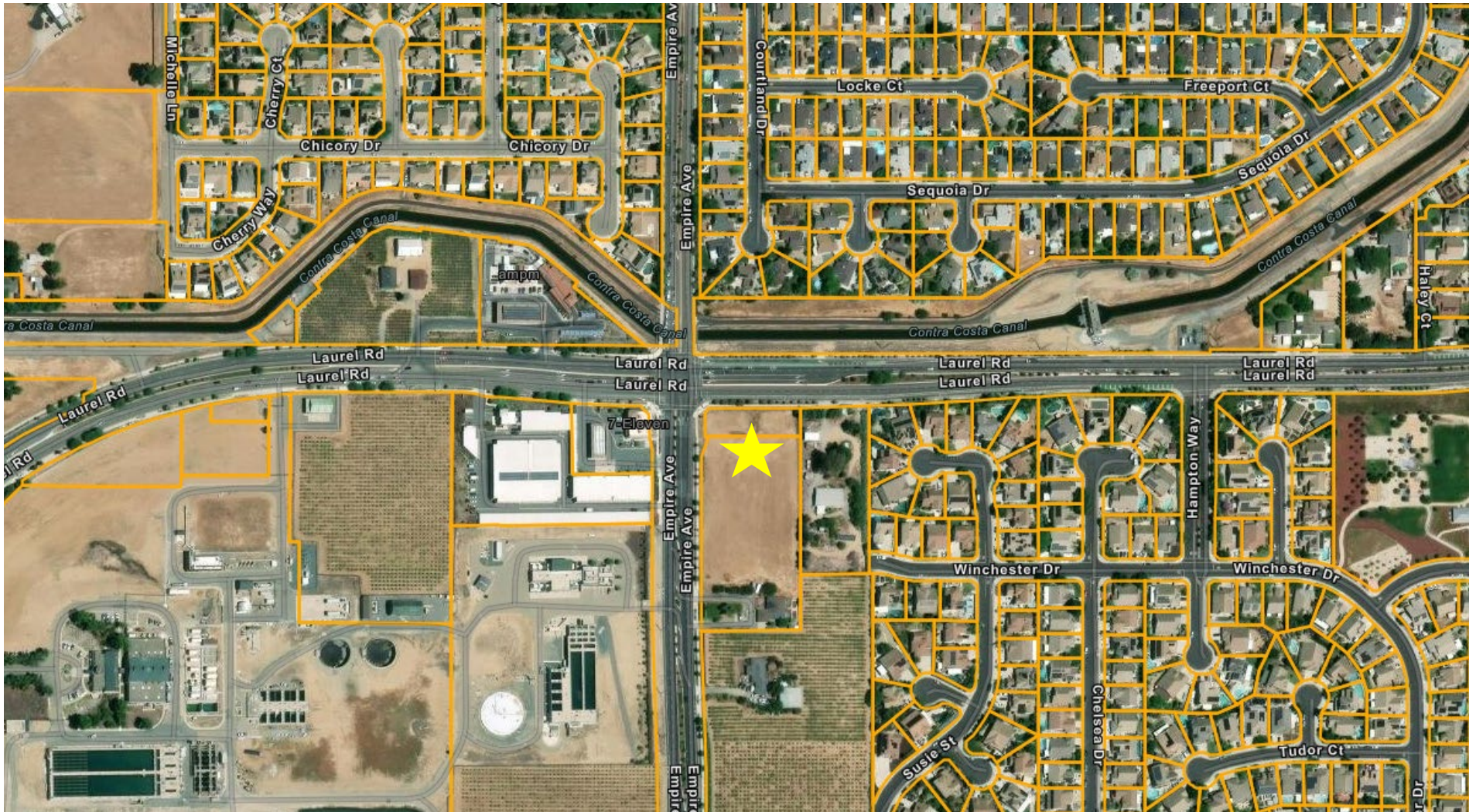




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Vicinity Map

3920 Empire Avenue Preliminary General Plan Amendment (PA 2026-002)
APNs: 034-010-033, 034-010-036





NOTICE OF WORK SESSION

Notice is hereby given that on **July 7, 2026, at 6:30 p.m.**, or as soon thereafter as the matter may be heard, the Planning Commission of the City of Oakley will hold a Work Session at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of considering the application described below:

Project Name: 3920 Empire Avenue Preliminary General Plan Amendment (PA 2026-002)

Project Location: 3920 Empire Avenue, Oakley, CA 94561; APN 034-010-033, 034-010-036

Applicant: Roy Pantle, 3920 Empire Avenue, Oakley, CA 94561

Request: Work session on a request by Roy Pantle ("Applicant") to discuss the merits of a potential project to amend the General Plan Land Use Designation of two parcels at the southeast corner of the intersection of Empire Avenue and Laurel Road, totaling approximately 3.11-acres from Residential Low ("RL") to Commercial ("C"). The primary parcel is addressed 3920 Empire Avenue and the parcels are zoned R-10 (Single Family Residential) District. Under Oakley's Sensitive Land Use Ordinances, if the designation of this property was to be changed, fuel stations and car washes would not be able to be established on the site despite a Commercial designation. APNs: 034-010-033, 034-010-036.

How to Review: The Staff Report and its attachments will be available for public review, on or before **July 2, 2026**, at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the **July 7, 2026, Planning Commission** agenda and clicking the project title link. Interested persons are invited to submit written comments prior to and may testify at the Work Session. Written comments may be submitted to Evan Gorman, Associate Planner at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to Gorman@ci.oakley.ca.us.

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

Uses Permitted in R-15 (Single-Family Residential) District

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);

[...]

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.

15) Residential care facilities for more than six persons pursuant to Section 9.1.1228.

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; valescent homes;
- 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);

[...]

Uses Permitted in C (General Commercial) District

b. Permitted Uses. The following uses, or uses determined to be similar by the Community Development Director, are allowed in the C District:

- 1) Retail stores, including:
 - a) Auto parts;
 - b) Clothing;
 - c) Grocery;
 - d) Household goods;
 - e) Garden nursery;
 - f) Sporting goods; and
 - g) Other similar retail uses;
- 2) Retail sales in conjunction with wholesale activities;
- 3) Indoor recreation and health/fitness clubs;
- 4) Offices (medical, dental, professional);
- 5) Restaurants;
- 6) Hotels/motels;
- 7) Banks, financial institutions;
- 8) Studios, including dance studios, martial arts studios, and other class-oriented training facilities;
- 9) Assembly, public/private with less than one hundred (100) seats;
- 10) Automobile/boat/motorcycle sales with showroom only (new and used);
- 11) Bakery/deli, retail (including cafes and coffee shops);
- 12) Light manufacturing without heavy equipment (PS-1);
- 13) Equipment rental/sales (PS-1);
- 14) Copy and reproduction storefronts;
- 15) Veterinary hospitals;

- 16) Dry cleaner, drop off/pick up only (no onsite cleaning service); and
- 17) Uses permitted in the RB District;
- 18) Low barrier navigation center;
- 19) One hundred percent (100%) affordable housing developments with supportive housing units.

c. Uses Requiring a Conditional Use Permit. In the C District, the following uses are permitted after the issuance of a conditional use permit:

- 1) Assembly, public/private with one hundred (100) or more seats;
- 2) Automobile/boat/motorcycle sales with outside inventory (new and used);
- 3) Bar, lounge, nightclub or restaurant with full bar;
- 4) College campus;
- 5) Community center – Public or private;
- 6) Golf course or range;
- 7) Gun, rifle range;
- 8) Helicopter pad – Emergency;
- 9) Hospitals;
- 10) Recreational vehicle or mobile home sales yard;
- 11) Recreation, outdoor;
- 12) Wine tasting rooms in conjunction with a retail use;
- 13) Boat and recreational vehicle outdoor storage when combined with retail storefronts; and
- 14) Uses requiring a conditional use permit in the RB District.

d. Accessory/Ancillary Uses. Uses that are permitted when accessory or ancillary to an approved use.

- 1) ATM machines when part of a main building with an established commercial use;
- 2) Recycling – Mobile center (PS-2);
- 3) Recycling – Reverse vending (PS-2);

- 4) Recycling – Small collection facility (PS-2); and
- 5) Temporary sales or construction trailer.

Uses permitted in the Retail Business zone are also permitted in General Commercial

b. Permitted Uses. The following uses, or uses determined to be similar by the Community Development Director, are permitted in the RB district:

1. Accounting and Financial Planning Offices (not including check-cashing business);
2. Antique Store;
3. Architectural And Engineering Offices;
4. Art And Art Supplies Store;
5. Artist's Studio;
6. Automobile Parts Store;
7. Bakery;
8. Banks and Financial Institutions;
9. Barber Or Beauty Shop;
10. Bicycle Shop;
11. Bookstore;
12. Camera Store;
13. Candy, Nut, And Confectionery Stores;
14. Card Shop;
15. Carpet/Draperies Store;
16. Catering Facility;
17. Chiropractic and Acupuncture Offices;
18. Clothing Store;
19. Coffee/Esspresso Shop;
20. Consignment Store;
21. Convenience Market;

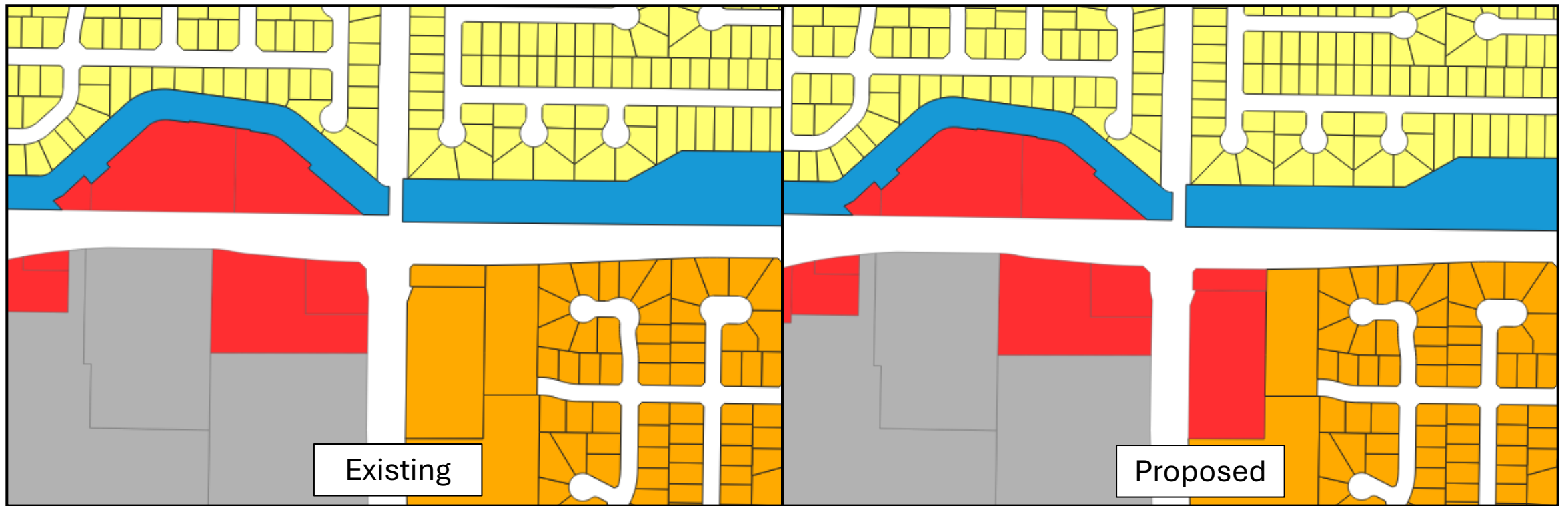
22. Copying Or Reproduction Facility;
23. Dance Studio;
24. Delicatessen;
25. Fabric Store;
26. Floral Shop;
27. Furniture Store;
28. Garden Supplies Store;
29. Gift Shop;
30. Insurance And Real Estate Offices;
31. Jewelry Store;
32. Locksmith Shop;
33. Mailing Or Facsimile Service;
34. Martial Arts Studio;
35. Medical And Dental Offices;
36. Music Studio;
37. Music Store;
38. Nail Salon;
39. Notary Public (with or without formal law offices);
40. Nursery (Horticulture);
41. Paint/wallpaper store;
42. Palm reading service;
43. Parking facilities, (ancillary to a principle use);
44. Pet Store;
45. Photography Studio;
46. Plumbing and heating store;
47. Professional Offices

48. Restaurant;
49. Shoe Repair Shop;
50. Sidewalk Cafe, (including outdoor dining);
51. Small-Appliance Store;
52. Sporting Goods Store;
53. Stationary Store;
54. Suntan Parlor;
55. Supermarket;
56. Tailor/seamstress Shop;
57. Toy Store;
58. Travel and Airline Agency Offices;
59. Video Sales and Rental Store;
60. Low Barrier Navigation Center;
61. One Hundred Percent (100%) Affordable Housing Developments With Supportive Housing Units.

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

1. Ambulance Service;
2. Animal Grooming Service;
3. Animal Hospital;
4. Appliance Service and repair shop. (Not ancillary to a primary use);
5. Automotive Repair;
6. Banquet Hall;
7. Car Rental Agency;
8. Child Care Center;
9. Drive-thru Restaurants and Services;
10. Dry Cleaner/laundry;

11. Educational facility including small (generally less than 2,000 square feet) designed to augment the learning process of elementary and secondary students;
12. Gasoline Service Station;
13. Health and Fitness Club;
14. Dog Kennel;
15. Hotels and Motels;
16. Liquor Store
17. Mixed Use (multifamily residential in conjunction with commercial)
18. Other retail businesses where the sales, demonstrations, displays, services and other activities, are conducted other than in an enclosed building abutting a residential district;
19. Parking Facilities, (as a principle use);
20. Recycling Small Collection Facility;
21. Recreational Facility;
22. Assembly uses with 100 seats or less.



Existing

Proposed

LEGEND

- | | | |
|---------------------------------------|-------------------------|------------------------|
| Oakley City Limit | Residential Low | Business Park |
| Oakley Sphere of Influence | Residential Low/Medium | Light Industrial |
| Oakley Planning Area | Residential Medium | Utility Energy |
| Country Costa County Urban Limit Line | Residential High | Public and Semi-Public |
| Agriculture | Residential Mobile Home | Delta Recreation |
| Agricultural Limited | Commercial | Parks and Recreation |
| Rural Residential | Commercial Downtown | Specific Plan |
| Residential Very Low | Commercial Recreation | |