



NOTICE OF PREPARATION AND NOTICE OF SCOPING MEETING FOR AN ENVIRONMENTAL IMPACT REPORT FOR THE SILVER OAK ESTATES PROJECT

Date: April 3, 2024

To: State Clearinghouse
State Responsible Agencies
Agencies with Jurisdiction by Law
Trustee Agencies
Other Public Agencies
Agencies/Organizations/Individuals Requesting Notice

From: City of Clayton

Subject: Notice of Preparation of an Initial Study and Draft Environmental Impact Report and Scoping Meeting for the Silver Oak Estates Project

The City of Clayton (City) is the Lead Agency under the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 *et seq.*) and will prepare an Environmental Impact Report (EIR) for the proposed Silver Oak Estates Project (proposed project) and will hold a public meeting to receive comments on the scope of the EIR, as detailed below. Pursuant to Section 15206 of the CEQA Guidelines (California Code of Regulations Section 15000 *et seq.*), the proposed project is considered a project of Statewide, regional, or areawide significance. The City, acting as the Lead Agency, determined that the proposed project could result in potentially significant environmental impacts and that an EIR is required.

The City will prepare an EIR to address the potential environmental impacts associated with the project consistent with CEQA Guidelines Sections 15161 and 15168. An Initial Study has been prepared along with this Notice of Preparation (NOP), which scopes out several environmental topics from further review. The focused EIR will address potential physical environmental effects of the proposed project that have not been scoped out, as outlined in CEQA. An evaluation of project alternatives that could reduce significant impacts will be included in the focused EIR. The proposed project, its location, and potential environmental effects are described below.

NOTICE OF SCOPING MEETING: Pursuant to Public Resources Code Section 21083.9 and CEQA Guidelines Section 15082(c)(1), the Lead Agency will conduct a public scoping meeting for the purpose of soliciting written comments from interested parties, responsible agencies, agencies with jurisdiction by law, trustee agencies,



transportation agencies, and involved federal agencies as to the appropriate scope and content of the focused EIR.

The public scoping meeting will be held during a regular meeting of the Clayton Planning Commission and will be an opportunity for agencies and interested parties to provide spoken comments on the scope of the focused EIR. City staff will be available during this meeting to provide clarification on the project and the environmental review process. Interested parties wishing to provide comments or public testimony can speak during the meeting or provide their comments in writing, as described under “Submittal of Written Comments” below. No decisions about the project will be made at the scoping meeting. A separate public hearing for the project will be scheduled after the completion of the EIR. The date, time, and location of the public scoping meeting is as follows:

Date: April 23, 2024, at 7:00 p.m.

Location: Hoyer Hall at Clayton Community Library, 6125 Clayton Road, Clayton, California

The meeting will be held in person, with accommodations provided as a courtesy for those who wish to attend and participate in the meeting remotely. Please note that while City staff will make every effort to facilitate virtual participation in the meeting, the City cannot guarantee that the public’s access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Brown Act, the meeting will continue despite technical difficulties for participants using the teleconferencing option.

To join the meeting on-line via smart phone, tablet or computer, click on the link: <https://us02web.zoom.us/j/89993329517>; or, through the Zoom application, enter **Webinar ID: 899 9332 9517**. No registration or meeting password is required.

Remote participants may also phone into the meeting by dialing toll free 877-853-5257. When prompted, enter the Webinar ID above.

RESPONSIBLE AND TRUSTEE AGENCIES: The City requests your agency’s views on the scope and content of the environmental information relevant to your agency’s statutory responsibilities in connection with the project, in accordance with the CEQA Guidelines, Section 15082(b). Your agency will need to use the EIR prepared by the City when considering any permits or other project approvals that your agency must issue. As such, your responses to this Notice of Preparation (NOP), at a minimum should identify: (1) the significant environmental issues and reasonable alternatives and mitigation measures that your agency will need to have explored in the EIR; and (2) whether your agency will be a responsible or trustee agency for this project.



SUBMITTAL OF WRITTEN COMMENTS: Due to the time limits mandated by State law, public agencies and members of the public are requested to send their responses to the NOP to the City at the address and person provided below as soon as possible but not later than 30 days after publication of the NOP, or Friday, **May 3, 2024**. Agencies and organizations are requested to provide a contact name in your organization for any further consultation. Please send your written comments to:

**Dana Ayers
Community Development Director
City of Clayton
6000 Heritage Trail
Clayton, CA 94517**

danaa@claytonca.gov

Phone: 925-673-7300

The Initial Study is available online at <https://claytonca.gov/community-development/planning/> under the “Environmental Review” tab. Paper copies are also available for review at the Clayton Community Development Department located on the 3rd floor of Clayton City Hall at 6000 Heritage Trail, Clayton, California.

PROJECT LOCATION AND EXISTING CONDITIONS: The approximately 14.01-acre project site consists of one parcel located at 5701 Clayton Road in the city of Clayton, Contra Costa County (Assessor’s Parcel Number [APN] 118-020-029), as shown in Figure 1. The project site is located in northwestern Clayton in an area consisting primarily of residential uses. The project site is bounded by Oakhurst Drive to the north, the Oakhurst Country Club Golf Course to the east, Mount Diablo Creek and the George Cardinet Trail to the south, and single-family residential uses and Lydia Lane Park to the west.

The project site is designated as Single-Family Medium Density (MD) on the City of Clayton General Plan Land Use Map and is within the Planned Development (PD) zoning district. The project site is improved with several existing structures, including two single-family residences, several barns and stables, a water tower, paved and graveled roadways, and various fences around and through the property. Agricultural activities that previously occurred on the project site have ceased, and the main home on the project site was previously damaged by a fire and has been abandoned.

PROJECT DESCRIPTION: The proposed project involves the demolition of the existing residential structures and associated outbuildings on the project site and the construction of 32 new single-family residential units, 3 of which would include an accessory dwelling unit (ADU). Each residential unit would be two or three stories and include a two- or three-car garage. All of the residential units would front to internal streets within the project site. The single-family residential units would consist of four



models that would range in size from 2,502 square feet to 3,709 square feet and would be located on individual lots that would range from 4,597 square feet to 10,095 square feet with an average lot size of 6,071 square feet. The layout and size of each residence would vary based on the plan type but would range from four bedrooms and three bathrooms in the smallest plan type to five bedrooms and four bathrooms in the largest. The proposed project would have an overall density of 4.0 dwelling units per acre (du/ac).

Each of the residential lots on the project site would include private backyards that would be a minimum of 10 feet from the back of the house to the rear property line. In total, the proposed project would provide approximately 69,290 square feet of private rear yard open space. The proposed project would also include six open space parcels totaling 8.21 acres to protect the existing trees and riparian area associated with Mount Diablo Creek. This land would be maintained by the Homeowner Association (HOA). The open space parcels would include two landscaped bioretention facilities, totaling 15,156 square feet and three large, landscaped areas that would act as self-treating areas, bypassing the two bioretention facilities.

Vehicular access to the project site would be provided at two entry points along Oakhurst Drive, with one circular roadway (Silver Oak Estates Drive, a proposed private street). The eastern intersection of Silver Oaks Estates Drive and Oakhurst Drive would be a four-legged intersection and the primary access point for residents and guests; the western intersection would allow only right-turns into and out of the proposed project. Silver Oak Estates Drive would vary in width from 20 to 43 feet, and the right-of-way would vary in width from 21 to 48 feet. Interior streets would provide vehicular access to each of the residential units. As noted above, each of the residential units would include either a two- or three-car attached garage for a total of 64 garage parking spaces in two-car garages plus five tandem spaces in three-car garages. Pursuant to Clayton Municipal Code (CMC) Section 17.37.080, 20 of the lots would have driveways of at least 19 feet in depth in front of the garage that could accommodate parking for an additional 40 cars. An additional 32 street parking spaces would be provided on the internal streets for a total capacity of 141 on- and off-street parking spaces on the project site.

PROJECT ENTITLEMENTS: The project as proposed would require Lead Agency discretionary approvals of a Development Plan Permit and Vesting Tentative Subdivision Map, as well as ministerial approvals that include the final subdivision map, grading permits, building permits, encroachment permits and utility connections.

PROBABLE ENVIRONMENTAL EFFECTS: An Initial Study for the proposed project, which is available for review online and at the Community Development Department (as listed above), has been prepared to evaluate the potential environmental impacts of the proposed project. Based on the conclusions in the Initial Study, the following topics will be scoped out of the EIR: aesthetics; agriculture and forestry resources; biological



resources; cultural resources; energy; geology and soils; hydrology and water quality; land use and planning; mineral resources; noise; population and housing; public services; recreation; tribal cultural resources; utilities and service systems; and wildfire. These topic areas were adequately analyzed in the Initial Study, which will be included as an appendix to the focused EIR. Therefore, the focused EIR will analyze whether the proposed project would have a significant environmental impact in the following areas:

- Air Quality;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials; and
- Transportation

ALTERNATIVES: Based on the significance conclusions determined in the EIR, alternatives to the proposed project will be identified and analyzed to reduce identified impacts. Section 15126.6(e) of the CEQA Guidelines requires the evaluation of a No Project Alternative. Other alternatives may be considered during preparation of the EIR and will comply with the CEQA Guidelines, which call for a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.

EIR PROCESS: Following the close of the NOP comment period, a draft EIR will be prepared that will consider all NOP comments. In accordance with CEQA Guidelines Section 15105(a), the draft EIR will be released for public review and comment for a required minimum 45-day review period. Following the close of the 45-day public review period, the City will prepare a final EIR, which will include responses to all substantive comments received on the draft EIR. The draft EIR and final EIR will be considered by the City decision-making bodies in making the decision to certify the EIR and approve or deny the project.

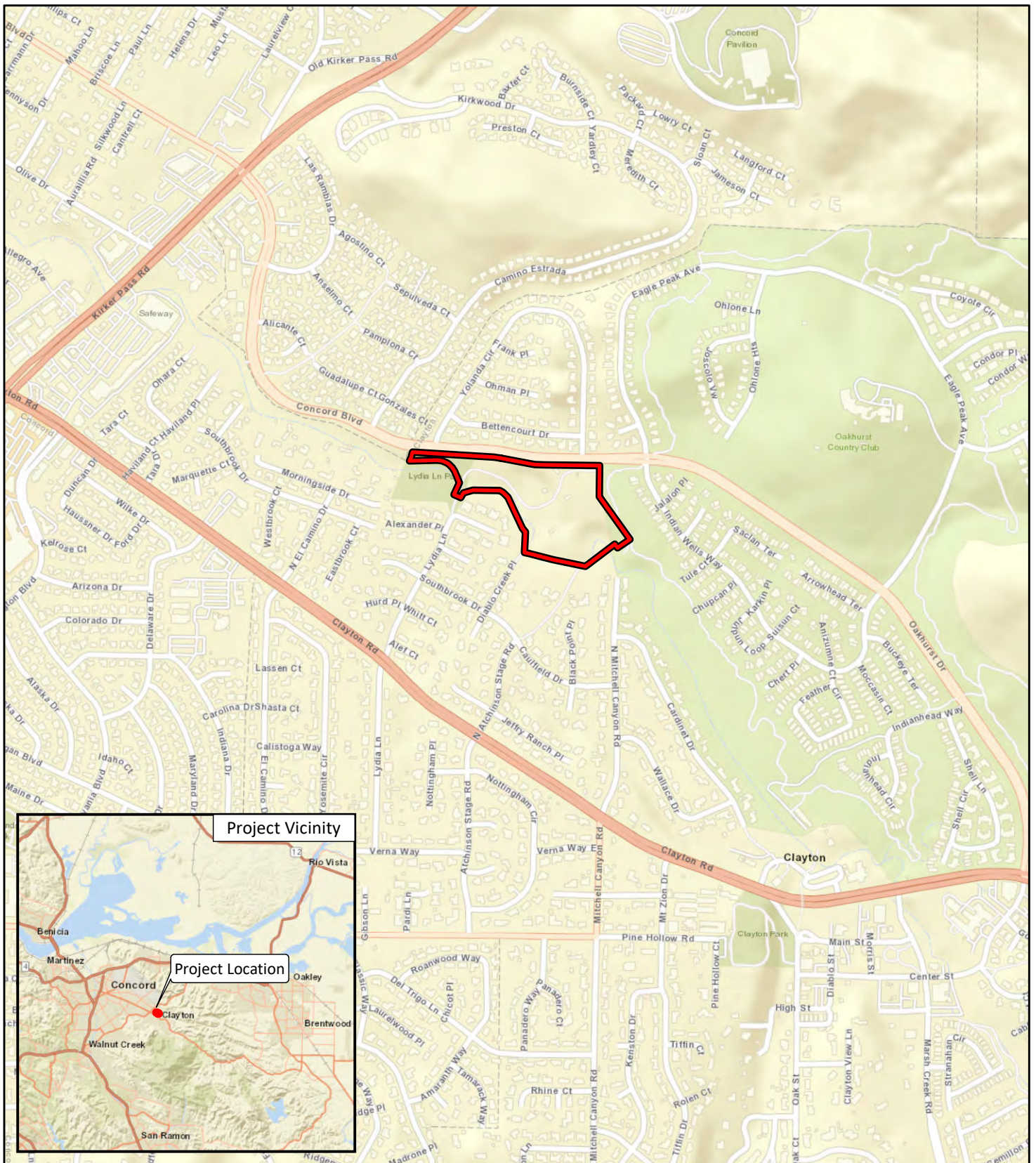


FIGURE 1

LSA

LEGEND

 Project Location



0 500 1000
FEET

SOURCE: Esri World Street Map (2022)

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Silver Oak Estates Subdivision Project
Regional and Project Location

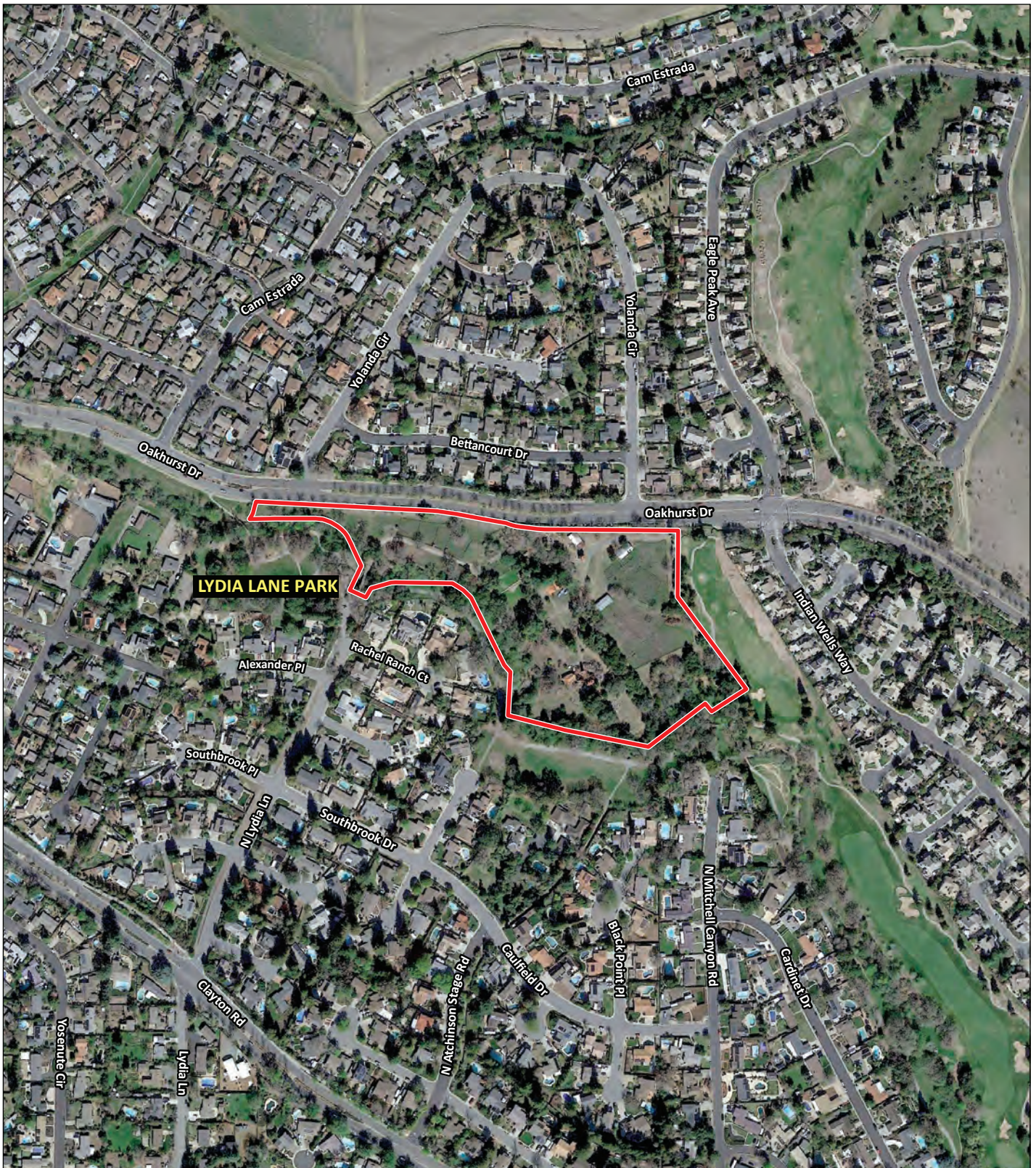
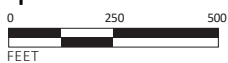


FIGURE 2

LSA

 Project Site Boundary



Silver Oaks Estates Subdivision Project

Aerial Photograph of the Project Site and Surrounding Land Uses

SOURCES: Google Earth, 2/24/2021; LSA, 2022

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