



# CITY OF OAKLAND SHARED ACCESS FACILITIES ADDITIONAL CONDITIONAL USE PERMIT FINDINGS

*Conditional uses are those which require special consideration from the City. The Conditional Use Permit (CUP) process provides the City with the flexibility to determine if a specific use at a certain location will be compatible with the neighborhood.*

*Shared Access Facilities are private driveways or private access easements that cross one parcel to access another, and have been determined to have specific additional potential impacts warranting additional review criteria.*

*A conditional use permit for Shared Access Facilities may only be granted upon determination that the proposal conforms to the general use permit criteria set forth in Section 17.134.050 and to all of the following **additional** use permit criteria:*

**Please indicate the way in which the proposal meets the following required criteria. Attach additional sheets if necessary.**

### **Conditional Use Permit (CUP) Findings for Shared Access Facilities (Section 17.102.090B):**

- 1. Compliance with Guidelines.** Each shared access facility proposal shall be in compliance with the City Planning Commission guidelines for development and evaluation of shared access facilities:

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- 2. Public Safety.** The width of a shared access facility shall be adequate to ensure unimpeded emergency and non-emergency ingress and egress at all times. Additionally, the shared access facility shall conform to city standards for roadway layout and design:

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- 3. Aesthetics.** A shared access facility shall be designed to provide the environmentally superior alternative to other approaches for the development of the property and shall be designed to be visually compatible with its surroundings, as set forth in the City Planning Commission guidelines; necessary retaining walls shall not be of excessive height and shall not be visibly obtrusive, as such are defined in the City Planning Commission guidelines:

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4. **On-Going Owner Responsibility.** Applicants for a shared access facility shall submit, for approval, an agreement for access facility maintenance, parking restrictions, and landscape maintenance. Upon staff approval, the proposed agreement shall be recorded by the applicant within thirty (30) days with the Alameda County Recorder. In addition, applicants for a shared access facility shall provide documentation of continuing liability insurance coverage. Documentation of insurance coverage shall include the written undertaking of each insurer to give the city thirty (30) days' prior written notice of cancellation, termination, or material change of such insurance coverage:

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5. **Certification.** Prior to construction, applicants for a shared access facility shall retain a California registered professional civil engineer to certify, upon completion, that the access facility was constructed in accordance with the approved plans and construction standards. This requirement may be modified or waived at the discretion of the Director of Public Works, based on the topography or geotechnical considerations. An applicant may also be required to show assurance of performance bonding for grading and other associated improvements. In addition, prior to the installation of landscaping, an applicant shall retain a landscape architect or other qualified individual to certify, upon completion, that landscaping was installed in accordance with the approved landscape plan:

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