



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Zoning Administrator

Monday, January 6, 2025

1:30 PM

30 Muir Road, Martinez

Zoom: <https://cccounty-us.zoom.us/j/83831039285> | Call in: (888) 278 0254 Access code: 198675

The Zoning Administrator meeting will be accessible in-person, via telephone, and via live-streaming to all members of the public. Zoning Administrator meetings can be viewed live online at: http://contra-costa.granicus.com/ViewPublisher.php?view_id=13.

Persons who wish to address the Zoning Administrator during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing (888) 278-0254, followed by the access code 198675##. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link: <https://cccounty-us.zoom.us/j/83831039285>. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccounty.us or by voicemail at (925) 655-2860.

Commenters will generally be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. The Zoning Administrator may alter the order of agenda items at the meeting. Your patience is appreciated.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Hiliana Li at least 48 hours before the meeting at (925) 655-2860.

1. PUBLIC COMMENTS
2. LAND USE PERMIT: PUBLIC HEARING

- 2a. HOWARD HIIBEL (Applicant and Owner), County File #CDLP21-02004: The applicant is requesting approval of a Land Use Permit application to permit a horse boarding facility for up to 18 horses. The horse boarding facility will utilize an existing 37,288 square foot covered agricultural stable and arena. There will be no development beyond establishing unpaved parking spaces (a total of 15 on-site parking spaces) is proposed at this time. The proposed hours of operation are 8:00 AM to 10:00 PM for the boarding facility. The business will have 1 full-time employee. The project includes a Variance request from the Off-Street Parking Ordinance requirements for: parking lot surfacing; striping, markings and signage; and landscaping. The project also includes an exception request from the collect and convey requirements in Chapter 914-2 of the County Subdivision Ordinance. The subject property is located at 2235 Sunset Road in the unincorporated Brentwood area of the County. (Zoning: A-2) (Assessor's Parcel Number: 015-090-039) EL 25-10

Attachments: [Attachment A - CDLP21-02004 Findings and COA final](#)
[Attachment B - Maps](#)
[Attachment C - Initial Study - Negative Declaration](#)
[Attachment D - Agency Comments](#)
[Attachment E - CDLP21-02004 Project Plans](#)

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON WEDNESDAY, JANUARY 22, 2025.



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 25-10

Agenda Date: 1/6/2025

Agenda #: 2a.

Project Title:	Land Use Permit for Horse Boarding Facility
County File(s):	#CDLP21-02004
Applicant Owner:	Howard Hiibel Howard Hiibel
Zoning/General Plan:	General Agricultural District (A-2) / Agricultural Lands (AL)
Site Address/Location :	2235 Sunset Road, Brentwood, CA 94513 APN: 015-090-039
California Environmental Quality Act (CEQA) Status:	A Negative Declaration (ND) SCH No. 2024100395 was prepared for the project indicating no significant environmental impacts.
Project Planner:	Everett Louie, Planner II (925) 655-2873 and email: Everett.louie@dcd.cccounty.us
Staff Recommendation:	Approve (See Section II for Full Recommendation)

I. PROJECT SUMMARY

The applicant is requesting approval of a Land Use Permit application to permit a horse boarding facility for up to 18 horses located at 2235 Sunset Road in the unincorporated Brentwood. The horse boarding facility will utilize an existing 37,288-square-foot covered agricultural stable and arena. There will be no development, beyond establishing fifteen (15) parking spaces. The proposed hours of operation are 8:00 AM to 10:00 PM. The business will have one employee which is the property owner. There will be no events, lessons on site. The project includes a Variance request from the Off-Street Parking requirements for: parking lot surfacing; striping, markings and signage; and landscaping.

The project also includes an exception request from the collect and convey requirements in Chapter 914-2 of the County Subdivision Ordinance.

II. RECOMMENDATION

The Department of Conservation and Development, Community Development Division (CDD) staff recommends that the Zoning Administrator:

- A. OPEN the public hearing on the Land Use Permit to allow a horse boarding facility, RECEIVE testimony, and CLOSE the public hearing.
- B. FIND that on the basis of the whole record before the County, including the Initial Study and the comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that the October 9, 2024 Negative Declaration (ND) reflects the County's independent judgement and analysis.
- C. ADOPT the Negative Declaration (ND) State Clearing House (SCH) No. 2024100395, finding it to be adequate and complete, finding that it has been prepared in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, and finding that it reflects the County's independent judgement and analysis, and specify that the Department of Conservation and Development (located at 30 Muir Road, Martinez, CA) is the custodian of the document and other material which constitute the record of proceedings upon which this decision is based.
- D. APPROVE the exception to the requirements of County Code Division 914 (Collect and Convey

Requirements) based on the attached findings and conditions of approval.

- E. APPROVE the Land Use Permit (County File #CDLP21-02004), including the variances to the Off-Street Parking Ordinance requirements for: parking lot surfacing; striping, markings and signage; and landscaping, based on the attached Findings and Conditions of Approval.
- F. DIRECT staff to file a Notice of Determination with the County Clerk.

III. GENERAL INFORMATION

- A. General Plan - The subject property land use designation is Agricultural Lands (AL) General Plan Land Use designation.
- B. Zoning District - The subject property is zoned General Agricultural District (A-2).
- C. California Environmental Quality Act (CEQA) - A CEQA Initial Study was prepared for the project. It was determined that the project may result in impacts to the environment, but those impacts will be less than significant. Therefore, pursuant to California Code of Regulations Section 15070, a Negative Declaration (ND) was prepared indicating that no significant environmental impacts will be created by the proposed project. The ND and corresponding documents were posted for public review on October 9, 2024. The public comment period for accepting comments on the adequacy of the environmental documents extended to October 29, 2024, during which Staff received no comments.
- D. Tribal Cultural Resources: On October 16, 2023, in accordance with Section 21080.3.1 of the California Public Resources Code, a Notice of Opportunity to the Wilton Rancheria and on September 19, 2023, to the Confederated Villages of Lisjan Nation. Pursuant to Section 21080.3.1 (d), there was a 30-day time period for the Wilton Rancheria and Confederated Villages of Lisjan Nation to either request or decline consultation in writing for this project. The County has not received a response from either tribe. Therefore, consultation with Native American tribes has not occurred in relation to this project.
- E. Lot Creation: The subject property is parcel C of Minor Subdivision MS35-83 which was recorded on October 22, 1986.

IV. SITE/ AREA DESCRIPTION

The project site is a 9.98-acre rectangular shaped lot located approximately 900 feet south of the Sunset Road and Quail Trail intersection. Directly east of the parcel is Quail Trail which is the access point and approximately 227 feet to the east is Eden Plains Road. Quail Trail is a privately maintained road in the Brentwood area of unincorporated Contra Costa County. The site gains access via Quail Trail from Sunset Road which is a publicly maintained road. Quail Trail is an unpaved gravel road approximately 16 feet width within a 30-foot right-of-way. There is no additional road improvements or easement widths required as part of this application.

The subject property is rectangular in shape and is flat. The site is developed with an existing 4,194-square-foot residence with a detached garage, two agricultural buildings measuring 3000 square feet and 420 square feet respectively, a 37,288 square foot existing arena and stable and two horse riding areas measuring 14,000 square feet and 4,072 square feet respectively. The site currently has existing gravel driveways that lead from Quail Trail to the arena/stable area. The site has trees boarding the northern property line, the southern property line and behind the existing single-family house. There are a few trees and vegetation around the existing single-family residence.

All of the parcels surrounding the project site are zoned for agricultural uses (A-2 and A-3 Zoning) and all parcels within a half-mile of the project parcel have a General Plan Designation of Agricultural Lands.

Surrounding uses include single-family homes, agricultural buildings, and agricultural uses such as crop farming, nurseries, and equestrian facilities. Within a 3,000-foot radius, there is at least four horse boarding facilities and horse-riding facilities.

V. PROJECT DESCRIPTION

The applicant is requesting approval of a Land Use Permit application to allow a horse boarding facility for up to 18 horses. No development, beyond establishing unpaved parking spaces (a total of fourteen (14) 9'x20' parking spaces and one (1) Van accessible parking space) is proposed at this time. The project does not propose any special events, temporary events or lessons.

Horse Boarding

The proposed hours of operation for the horse boarding facility (for up to 18 horses) are Sunday through Saturday from 8:00 AM to 10:00 PM. The operation will have one (1) full-time employee which is the property owner. Horses boarded at the facility will be by appointment only. All horses boarded are to be from owners from surrounding community. The project will provide horse boarding facilities for individuals within Contra Costa County. Visitation to the horses will be by the horses' owners by appointment only. Horses in boarding will be groomed, feed and exercised by their owners during the hours of operation.

Buildings

The horse boarding operation will take place within an existing, approximately 37,288 square feet permitted agricultural arena and stable. Inside the existing agricultural building is eighteen (18) stalls which are sized 12'x12'. Each housed horse will be placed within their own single stall during housing operations. On the exterior of the existing agricultural building will be one halogen lamp directed to illuminate the proposed parking area.

Variances and Exception Requests

The project is requesting a Variance Permit from the Off-Street Parking Ordinance requirements. The specific request are as follows:

- Gravel, dirt, woodchip surface for the parking area (where parking areas are required to have a continuous asphalt or similar paving surface)
- Relief from the requirement of striping and signage for directional markings.
- Requests relief from the requirement of proving landscaping for parking areas.

The applicant also requests authorization of an exception to the requirements of County Code Division 914 (Collect and Convey Requirements), as further detailed in the Staff Analysis Section (under Drainage) of this report below.

VI. AGENCY COMMENTS

- A. Department of Conservation and Development, Building Inspection Division: In a returned agency comment packet dated February 11, 2021, Building staff provided comments stating that accessible route from parking to stable is required.
- B. East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP): In an email dated February 18, 2021, the East Contra Costa County Habitat Conservancy stated that the parcel is not subject to HCP/NCCP Ordinance No. 2007-53 and that the project is located outside the HCP/NCCP Urban Development Area.
- C. Public Works Department, Engineering Services Division (PWD): In a memo dated January 19,

2022, PWD staff provided their analysis of the project and recommended conditions of approval. All the PWD recommended conditions of approval have been incorporated into this project. Please see the attached memo for further detail.

- D. Knightsen Town Advisory Council (KTAC): The KTAC scheduled this project to be heard during their November 19 public hearing agenda. KTAC voted to approve the project.
- E. Comments were solicited but no comments were received from the following agencies: Contra Costa County Health Services Department - Environmental Health, Contra Costa County Mosquito & Vector Control District and the East Contra Costa Fire Protection District.

VII. ENVIRONMENTAL REVIEW

A CEQA Initial Study was prepared for the project. It was determined that the project may result in impacts to the environment, but those impacts will be less than significant. Therefore, pursuant to California Code of Regulations Section 15070 - Decision to Prepare a Negative Declaration, a Negative Declaration was prepared. The public review comment period for the Initial Study began on Wednesday October 9, 2024 and extended till Tuesday, October 29, 2024. Staff received no comments during the CEQA public comment period. Therefore, no further analysis is required.

VIII. STAFF ANALYSIS AND DISCUSSION

- A. General Plan: The subject property has an Agricultural Lands General Plan land use designation. The purpose of the Agricultural Lands designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials. Uses that are allowed in the Agricultural Lands designation include all land dependent and non-land dependent agricultural production and related activities. In addition, guest or dude ranches, horse training and boarding ranches are allowed by issuance of a land use permit. Thus, the proposed horse boarding facility is requesting a land use permit to establish the business. This is consistent with the AL General Plan land use designation. The project is also subject to the Conservation Element of the General Plan and Policies listed within that element. Because the land is designated as Agricultural Lands General Plan land use designation, the land is identified as an Agricultural Resource under Conservation Element 8.7. The Conservation Element provides goals to encourage and enhance agriculture, and to maintain and promote existing agriculture. To minimize conflicts between agricultural lands and urban lands and to encourage preservation of agricultural lands. Policies include the following:

- Agricultural Resource Policies - 8-29: Large contiguous areas of the County should be encouraged to remain in agricultural production, as long as economically viable.

The project is an agricultural site that is used for horse boarding and animal housing uses. While not agricultural in nature, horse facilities is compatible with agricultural uses and allows the property to be consistent with surrounding agricultural production in the Brentwood area.

- Agricultural Resource Policies - 8-30: In order to reduce adverse impacts on agricultural and environmental values, and to reduce urban costs to taxpayers, the County shall not designate land located outside the ULL for an urban land use.

The proposed project is outside of the ULL and will not be used as an urban land use. The applicant proposes a horse boarding that will retain the properties rural feel. Moreover, no development is proposed.

- Agricultural Resource Policies - 8-39: A full range of agriculturally-related uses shall be allowed and encouraged in agricultural areas.

As stated before, while the proposed project does not directly produce agricultural crops, animal boarding

facilities for farm animals is a use that is agriculturally-related and as such, shall be encouraged in this area of the County. Thus, a horse boarding facility is an ancillary agriculturally related use and should be encouraged.

- Conservation Element 8-D: To protect ecologically significant lands, wetlands, plant and wildlife habitats.

According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas Map (Figure 8-1) of the County General Plan, the project site is not located in or adjacent to a significant ecological resource area, and the property contains no perennial or intermittent streams, creeks, or other riparian habitat.

- B. Zoning: The project site and vicinity are located within the A-2, General Agricultural District, which allows all types of agriculture, including general farming, wholesale horticulture and floriculture, wholesale nurseries and greenhouses, mushroom rooms, dairying, livestock production, fur farms, poultry raising, animal breeding, aviaries, apiaries, forestry, and similar agricultural uses. According to County Code Section 84-38.404 - Uses - Requiring land use permit (2) - Dude ranches, riding academies and stables. Dude ranches, riding academies and stables may be allowed upon issuance of a land use permit. Therefore, the proposed commercial horse boarding facility is a use that are consistent with the A-2 zoning district with the issuance of a Land Use Permit.

As stated above, because the project is not changing or developing new structures, the project is consistent with the A-2 Zoning District as listed below:

Consistency of Project with A-2 Zoning District		
	Allowed	Proposed
Minimum Lot Area:	5 Acres	9.98 Acres
Minimum Lot Width:	250 ft	458.34 ft
Maximum Building Height:	35 ft	Existing Ag Building is 26'
Front Yard Setback:	25 ft	No Buildings Proposed
Side Yard Setback:	20 feet	No Buildings Proposed
Rear Yard Setback	15 feet	No Buildings Proposed
Required Parking:	0.4 spc per horse 0.4 x 18 horses = 7.2	15 spaces* (Includes 1 van accessible)

*Staff determined that the most similar land use to a horse boarding facility and riding academy would be a Marina (business operations are similar when you compare docking and driving boats to boarding and riding horses)

The proposed commercial horse boarding facility and riding academy are uses that are consistent and allowed in the A-2 zoning district. The project proposes to use an existing permitted agricultural building. No other

development besides locating off-street parking is proposed. The existing building meets the height and setback requirements, and the project proposes adequate parking. Therefore, the proposed use will meet the intent of the A-2 zoning district.

- C. Appropriateness of Use: The proposed project involves a horse boarding and riding facility/academy business on a parcel zoned General Agricultural District (A-2) and has a General Plan Land Use Designation as Agricultural Lands (AL). As stated above, the proposed use is consistent with the General Plan Uses and the Zoning Land Uses. The site has been historically used in an agricultural capacity to house horses and other ancillary uses. Moreover, this area of the County is home to many large agricultural parcels that have uses such as equestrian centers, horse boarding facilities, stables and other similar uses. The rural nature of East Contra Costa County allows for large parcels for farm animals to be raised and cared for. Due to the nature of this area of the County being dominated by uses related to animal/livestock housing including horses, a horse boarding facility is a consistent use. Therefore, the proposed use of a horse boarding and riding facility/academy is consistent with the General Plan Designation, Zoning Uses and surrounding uses in the immediate vicinity.

With regard to dust control, because the horse boarding facility is covered and is enclosed on two sides, dust will be minimal. However, staff has included a condition of approval that requires the applicant to periodically water the dirt arena areas and any location of where the horses may be to ensure efforts to control dust emanating from the project site remain diligent.

To manage the fly population, the project plans to spread the manure quickly which allows for it to dry faster which is unattractive to flies. Moreover, the project will be subject to conditions of approval that prevent standing water beyond 72 hours. By eliminating any standing water, the project will address the fly population.

- D. Regulatory Committees: Delta Protection Commission and Delta Stewardship Council - The proposed project is located within the Secondary Zone of the Delta Protection Act with the Delta Protection Commission (DPC), and also within the jurisdiction of the Delta Stewardship Council's (DSC) Delta Plan. Under the Delta Reform Act of 2009, a self-certification process was established for demonstrating consistency with the Delta Plan, referred to as a "covered action." Department of Conservation and Development staff has determined that the proposed horse boarding and riding facility is not a "covered action" under the Delta Plan. Based on "Step 2" of the Covered Action Checklist provided by the Delta Stewardship Council, the project does not involve using Delta water, habitat restoration, create new or alter existing levees, include a residential major subdivision, and the project is consistent with the County General plan. Therefore, the project is not a "covered action" of the Delta Plan, and a Certification of Consistency is not required to be filed with the Delta Stewardship Council.

- E. Off-Street Parking: Pursuant to Section 82-16.406(b) - for any use not specific in the "Required number of parking spaces" section, the number of parking spaces that must be provided is the number of spaces required to be provided for the most similar land use specific in this section, as determined by the zoning administrator. Staff determined that the most similar land use to a horse boarding facility and riding academy would be a Marina (business operations are similar when you compare docking and driving boats to boarding and riding horses), which requires 0.4 parking spaces per every berth (or in this case, horse). Based on this calculation, 7 on-site parking spaces is required because a maximum of 18 horses will be boarded at the project site. The applicant is proposing 15 on-site parking spaces in the middle of the parcel, directly west of the building where the horses will be housed. The project will comply with County Code Section 82-16 as follows:

Consistency of Project with Off-Street Parking		
	Allowed	Proposed
Access Requirements	20' wide for two way	21'-2"
Driveway Aisles	25'	More than 25'
Surfacing	Asphalt, cement	Gravel, Sand, Dirt*
Striping, Markings and Signage	Striped, signage and directional markings	None*
Lighting	Adequate Lighting	Two halogen lamps pointed at parking area
Screening and Buffers	If adjacent to R, D-1, or M-	Not adjacent to R, D-1 or M-
Space Layout	8'- 6" x 18'	9'x 20'
Landscaping	Landscaped area	None*

*Variance Request (see below section)

Variance Requests: The proposed parking configuration will not comply with all of the design and layout requirements in the Off-Street Parking Ordinance. Specifically, the applicant is requesting variances from the Off-Street Parking Ordinance requirements for: parking lot surfacing; striping, markings and signage; and landscaping.

- Pursuant to County Code Section 82-16.404(a)(5), surfacing, requires all parking areas to have a continuous asphalt or similar paving surface. The existing parking area is a mixture of packed sand/dirt. Non asphalt surface parking areas are common in the agricultural land use districts of the County and the use of packed sand and woodchips rather than impervious surfacing materials such as asphalt maintains the existing on-site drainage patters and eliminates the need for installing drainage improvements to accommodate on-site runoff. Contra Costa County Public Works reviewed the project and has determined that no road improvements are required. Moreover, surrounding horse boarding and riding facilities all maintain parking areas that are dirt, gravel or other non-asphalt surfacing. The project would utilize pumpkin patch style parking which is typically on dirt/sand surfacing and in agricultural uses. Accordingly, staff recommends approval of a variance to allow the on-site parking areas to remain as packed sand/dirt lots.
- Pursuant to County Code Section 82-16.404(a)(7), the code requires each parking space to be marked with striping and requires signage and directional markings to ensure sufficient traffic circulation and safety. However, since the on-site parking areas are surfaced with packed sand/dirt, it would be difficult to maintain permeant striping, signage, and directional markings on the parking lot surface. The applicant has demonstrated on the site plan that all parking spaces will accommodate the 8'6 x 18' required dimensions. Given the size of the operation (horse boarding facility for up to 18 horses) and that the business will be by appointment only, the number of daily vehicle traffic in the parking area for the horse boarding facility will be reduced. The project is not anticipated to create traffic circulation safety issues due to the method of operation. Therefore, Staff recommends approval of a variance to not require each parking space to be striped and not require directional markings or signage.
- Pursuant to County Code Section 82-16.404(c), off-street parking areas are required to be landscaped. The applicant is not proposing to install additional landscaping at this time

as the site. Landscape buffering is usually required in urban areas where pedestrian and car traffic is high on major roads. The site is located in a rural area on agricultural land where pedestrian and car traffic is not common. Additionally, since the parking area will not be paved, it will more closely resemble an agricultural style parking “pumpkin patch parking lot” than a commercial parking lot. Screening would not be required as the proposed parking lot would blend in with the rural character of the land. Moreover, because the business operation requires appointments for any customers, the amount of vehicles on site would be limited to a few at a time and would not detract from the existing rural character of the area. Also, any vehicles on site would most likely consist of large trucks pulling horse trailers which is agricultural in nature and would not look like how a typical shopping center parking lot is in appearance. Accordingly, staff recommends approval of a variance to not require landscaping of the parking areas.

- F. Traffic and Circulation: The site gains access from Quail Trail, a privately maintained road. Quail Trail intersects Sunset Road, a publicly maintained road, to the north. Quail Trail is a gravel road approximately 16 feet wide within a 30-foot right-of-way. No additional road improvements or easements widths are required by the Contra Costa County Public Works Department at this time.

Policy 4-c of the Growth Management Element of the County’s General Plan requires a traffic impact analysis for any project that is estimated to generate 100 or more AM or PM peak-hour trips based upon the trip generation rates as presented in the Institute of Traffic Engineers (ITE). The project does not include any new development and based on project documents, the present stable capacity is for 18 horses. Based on the peak trip generation rates for horse stables of one trip per five horse stables during the AM peak-hour and 0.38 trip per five horses during the PM peak-hour in the Traffic Operations Analysis for Fox Haven Ranch (TJKM, 2021) that was conducted for a horse boarding and riding facility and winery and tasting room in the Byron area of unincorporated Contra Costa County, the project would generate a maximum rate of 3.6 AM peak-hour trips and 1.36 PM peak-hour trips. This would total approximately 5 maximum peak-hour trips (3.6 AM + 1.36 PM peak-hour trips) to and from the project site which is much less than the 100 peak-hour threshold for requiring a traffic impact analysis. Therefore, the project has a less than significant potential to conflict with a program, ordinance, or policy addressing the circulation system.

The Governor’s Office of Planning and Research and the California Natural Resources Agency has certified and adopted changes to the CEQA Guidelines that identify Vehicle Miles Traveled (VMT) as the most appropriate metric to evaluate a project’s transportation impacts. However, absent of substantial evidence indicating that a project would generate a potentially significant level of VMT, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact. In addition, residential, retail, office projects, or mixed-use projects proposed within ½ mile of an existing major transit stop, or an existing stop along a high-quality transit corridor, should be expected to cause a less than significant impact under CEQA and would not require further VMT analysis.

The ITE Trip Generation Manual, which is typically referenced to calculate the estimated daily and peak-hour trips generated for different types of land use projects, does not include trip generation calculations for a horse boarding land use. Therefore, trip generation data from similar equestrian facilities (located in four different jurisdictions) were referenced, and the most conservative trip generation rates were used to calculate the estimated daily trips generated from the subject project. For the purpose of this project, the County used Sycamore Trails Stables as the most conservative trip generation data. Sycamore Trails Stables, a horse boarding facility in San Juan Capistrano proposed 476 horse stalls. A traffic memo for the Sycamore Facility identifies its daily and peak-hour trip generation rates. The daily AM/PM peak hour trip generation for the 476-horse stall facility was calculated to be 77.35. Therefore, we can assume that because the proposed project would house up to 18 horses in 18 stalls, which is much less than the 476 horse stalls of the Sycamore Facility, the daily AM/PM peak hour trip generation would not exceed 77.35 vehicle trips generated from 476 horse stalls. Conservatively, the project would have an estimated daily trip generation of 5 maximum AM and PM

new trips (the project would generate a maximum rate of 3.6 AM peak-hour trips and 1.36 PM peak-hour trips.). Thus, the project is assumed to have a less than significant impact on traffic.

To further address any transportation impacts, a condition of approval will be included that requires the applicant to ensure that customers using the horse boarding facility to make an appointment with the applicant prior to arriving onsite.

- G. Drainage: Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse.

No existing or proposed drainage facilities are shown on the site plan. As the proposed parcel is relatively large in size and will have restricted building envelopes under the County's "ranchette" development policy, exceptions from the "collect and convey" requirement was submitted and considered by the Contra Costa County Public Works. The applicant has provided an exception request per Chapter 92-6 from the collect and convey requirements specific in Chapter 914-2 of the County Subdivision Ordinance. The Public Works Department reviewed the project and in their staff report and recommended conditions of approval dated January 19, 2022, Public Works Staff stated that they have no objection to the granting of an exception from this requirement provided there are no existing drainage problems in the area, no concentrated runoff is being directed to adjacent parcels, and the existing drainage pattern is maintained.

- H. Stormwater Management and Discharge Control Ordinance: A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 10,000 square feet. This project will not create/replace more than 10,000 square feet of impervious surface area, and therefore a Stormwater Control Plan (SWCP) will not be required at this time. However, the applicant may be required to submit a SWCP for a Small Land Development Project with future building permit applications.

The County's Stormwater Management Discharge Control Ordinance (§1014) requires that the discharge of polluted water be effectively prohibited and allows the County to require that a Stormwater Pollution Prevention Plan (SWPPP) be prepared to minimize the discharge of pollutants from any project that involves a land use that is likely to result in the discharge of pollutant(s). The proposed land use has a relatively high potential to contribute polluted water to nearby water bodies; therefore, a condition of approval will require the application to submit a SWPPP, subject to the review and approval by the Public Works Department. The SWPPP shall include BMPs related to manure management, horse washing, and other activities that have the potential to result in pollutant discharges related to the horse stable and boarding facility.

- I. Floodplain Management: The property does not lie within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map.
- J. Lighting District Annexation: The subject property is not annexed into the lighting district. The applicant will be required, as a condition of approval, to annex into the Community Facilities District (CFD) 2010-1 formed for the Countywide Street Light Financing.
- K. Area of Benefit Fee: The applicant will need to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the East Contra Costa Regional Fee & Finance

Authority/Regional Transportation Development Impact Mitigation (ECCRFFA/RTDIM) and East County Regional Areas of Benefit, as adopted by the Board of Supervisors. If applicable, these fees shall be paid prior to initiation of use.

- L. Drainage Area Fee and Creek Mitigation: The property is located within unformed Drainage Area 74A. There is currently no fee ordinance adopted by Board of Supervisors for this area.

VII. CONCLUSION

The proposed project as conditioned, will be compatible with the surrounding agricultural area, is consistent with the Agricultural Lands (AL) General Plan Land Use designation, and will comply with the intent and purpose of the A-2, General Agricultural District and Off-Street Parking Ordinance, upon approval of the requested variances. Therefore, staff recommends that the Zoning Administrator grants the exception to the requirements of County Code Division 914 (Collect and Convey Requirements), and approve Land Use Permit #CDLP21-02004, including the variances to certain Off-Street Parking Ordinance requirements listed in this Staff Report, based on the attached findings and subject to the attached conditions of approval.

Attachments:

- A. Findings and Conditions of Approval
- B. Maps: Parcel Map, General Plan, Zoning, Aerial View
- C. Initial Study - Negative Declaration
- D. Agency Comments
- E. Project Plans

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDLP21-02004; HOWARD HIIBEL (APPLICANT & OWNER)

FINDINGS

A. General Plan Growth Management Elements Standards

1. Traffic: Policy 4-c of the Growth Management Element of the County's General Plan requires a traffic impact analysis for any project that is estimated to generate 100 or more AM or PM peak-hour trips based upon the trip generation rates as presented in the Institute of Traffic Engineers (ITE). The project does not include any new development and based on project documents, the present stable capacity is for 18 horses. Based on the peak trip generation rates for horse stables of one trip per five horse stables during the AM peak-hour and 0.38 trip per five horses during the PM peak-hour in the Traffic Operations Analysis for Fox Haven Ranch (TJKM, 2021) that was conducted for a horse boarding and riding facility and winery and tasting room in the Byron area of unincorporated Contra Costa County, the project would generate a maximum rate of 3.6 AM peak-hour trips and 1.36 PM peak-hour trips. This would total approximately 5 maximum peak-hour trips (3.6 AM + 1.36 PM peak-hour trips) to and from the project site which is much less than the 100 peak-hour threshold for requiring a traffic impact analysis. Therefore, the project has a less than significant potential to conflict with a program, ordinance, or policy addressing the circulation system.
2. Water: The GMP requires new development to demonstrate that adequate water quantity and quality can be provided. The project site is in an agricultural area that is not served by any municipal water or wastewater system, and instead relies on well water and a septic system. A horse boarding facility will not exacerbate existing water resources. Moreover, the project will be required to contact Contra Costa Environmental Health to determine if any approvals are needed prior to the initiation of the use. Therefore, the project will not negatively affect existing groundwater supplies.
3. Sanitary Sewer: The GMP requires that new development demonstrate that adequate sanitary sewer quantity and quality can be provided. As previously mentioned, the project site is in an agricultural area that is not served by municipal water or wastewater system, and instead relies on well water and a septic system. The project which is for an eighteen (18) capacity horse boarding facility will not require a new sewer system to be built. As stated in the project description, the project will compost all horse manure so that it can be reused. Therefore, adequate sewer facilities are already provided.
4. Fire Protection: The fire protection standards under the GMP require that a fire station be within one and one-half miles of development in urban, suburban and central business district areas, or requires that automatic fire sprinkler systems be installed to satisfy this standard. Fire protection and emergency medical response services for the project vicinity are provided by the Contra Costa County Fire Protection District (CCCFPD). The existing agricultural arena/stable structure is already permitted and the applicant is not proposing

any development or buildings. The project will not increase the number of individuals living on the site as there are no housing units proposed which would require additional fire protection resources. Therefore, the project will not adversely affect the provisions of the fire protection services in the area.

5. Public Protection: Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Department. Pursuant to the Growth Management Element of the County General Plan, a Sheriff facility standard of 155 square feet of station area and support facilities per 1,000 members of the population shall be maintained within the unincorporated area of the County. The project would not significantly affect the provision of police services to the unincorporated Brentwood area because the project would not increase the housing stock (population) in the County.
6. Parks and Recreation: Pursuant to the Growth Management Element of the County General Plan, the standard is to have a minimum of 3 acres of neighborhood parks for every 1,000 members of the population. The project would not warrant the need for new parks and/or recreational facilities because the project would not increase the housing stock (population) in the County.
7. Flood Control and Drainage: The applicant is not proposing to construct any new structures and will not significantly alter the existing drainage pattern on-site. Therefore, the applicant has requested an exception to Division 914 of the County Ordinance Code (as further detailed in the Exception Findings Section below). The Public Works Department has no objection to the granting of an exception from this requirement provided there are no existing drainage problems in the area, no concentrated runoff is being directed to adjacent parcels, and the existing drainage pattern is maintained.

The property does not lie within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map.

B. Land Use Permit Findings

1. Required Finding: *The project shall not be detrimental to the health, safety, and general welfare of the County.*

Project Finding: The project will not change the physical characteristics of the site and the proposed use will be consistent with the surrounding agricultural uses in this area. This area of the County contains numerous horse boarding and riding facilities. The project is a use that is fairly common in the Brentwood area. The subject application was routed to applicable agencies (for comments) to ensure the project will not be detrimental to the health, safety, and general welfare of the County because the applicant is required to obtain all necessary approvals and comply with all the requirements from various agencies. Additionally, an Initial Study Environmental Document was prepared for the project which

concluded that the project would have a less than significant impact on the surrounding environment. Moreover, conditions of approval have been added to address the byproduct of horses including requiring a manure management plan and fly and pest plan. Therefore, the project shall not be detrimental to the health, safety and general welfare of the County.

2. *Required Finding: The project shall not adversely affect the orderly development of property within the County.*

Project Finding: The project consists of permitting a new horse boarding facility within an existing agricultural arena/stable. No new development is proposed with this project beyond establishing unpaved parking spaces. The project will not induce substantial population change or require utility extensions that would adversely affect the orderly development of property. Moreover, the project is consistent with surrounding uses and does not introduce an incompatible use to this area of the County.

3. *Required Finding: The project shall not adversely affect the preservation of property values and the protection of the tax base within the County.*

Project Finding: The project site and vicinity are located within the A-2, General Agricultural District, which allows all types of agriculture uses. Dude ranches, riding academies and stables may be allowed upon issuance of a land use permit. Therefore, the commercial horse boarding facility is a use that is consistent with the A-2 zoning district. Additionally, numerous surrounding properties in the immediate vicinity contain similar uses to the project. This area of the County has historically been used for agricultural uses including horse boarding facilities and adding another business in this area will increase the property values and tax base within the County. The addition of another agricultural business will provide the community with a place to board their horses should they ever need that service. Furthermore, the land use permit includes conditions of approval that will help protect property values in the local area and within the County.

4. *Required Finding: The project shall not adversely affect the policy and goals as set by the General Plan.*

Project Finding: The subject property has an Agricultural Lands General Plan land use designation. The purpose of the Agricultural Lands designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials. Uses that are allowed in the Agricultural Lands designation include all land dependent and non-land dependent agricultural production and related activities. In addition, guest or dude ranches, horse training and boarding ranches may be allowed by issuance of a land use permit. Thus, the horse boarding facility is consistent with the AL General Plan land

use designation. Agricultural land is subject to Agricultural resource policies listed in the Conservation Element. The project is consistent with those agricultural resource policies applicable to the project because the project encourages an agricultural use on lands designated as agricultural, does not propose an urban land use and would retain the agricultural nature of the area.

Additionally, pursuant to Figure 11-6 in the Noise Element of the County's General Plan, the normally acceptable standard for outdoor noise levels in agricultural areas is a DNL of 75 dB. In agricultural areas, noise from farm equipment (e.g: tractors, plows, etc.) and farm animals is expected. Therefore, the daily operation of the horse boarding facility is not expected to generate ambient noise levels inconsistent with the surrounding agricultural area.

Therefore, based on the information provided above, the commercial horse boarding facility and riding academy is consistent with the County's General Plan, and would not adversely affect the policy and goals as set by the General Plan.

5. *Required Finding: The project shall not create a nuisance and/or enforcement problem within the neighborhood or community.*

Project Finding: The project is for a horse boarding facility. This type of use is consistent with the General Plan Designation of Agricultural Lands as dude ranches, horse training and boarding ranches are ancillary uses to agricultural. Moreover, the project is consistent with the zoning of A-2 in that dude ranches, riding academies and stables may be allowed upon issuance of a land use permit. As such, the applicant applied for a land use permit for the use. The project will be required to comply with all regulations and requirements required by various agencies (i.e. fire department, public works department, environmental health department, etc.). The applicants are required to comply with all conditions of approval listed within this Land Use Permit and to maintain compliance with the conditions of approval that are in place to reduce nuisance issues (noise, smells, lights, etc.). Therefore, the project shall not create a nuisance and/or enforcement problem within the neighborhood or community.

6. *Required Finding: The project shall not encourage marginal development within the neighborhood.*

Project Finding: Dude ranches, riding academies and stables may be allowed upon issuance of a land use permit in the A-2, General Agricultural District. Therefore, with the approval of this land use permit, the project is consistent with the zoning district. The project would not encourage marginal development within the neighborhood because the

commercial horse boarding facility is consistent with the zoning, general plan designation and surrounding property uses.

7. *Required Finding: Special conditions or unique characteristics of the subject property and its location or surroundings are established.*

Project Finding: All of the parcels surrounding the project site are zoned for agricultural uses (A-2 and A-3 Zoning) and all parcels within a half-mile of the project parcel have a General Plan Designation of Agricultural Lands. Surrounding uses include single-family homes, agricultural buildings, and agricultural uses such as crop farming, nurseries, and equestrian facilities. The subject property is presently developed for horse uses including horse corral fence areas, an arena and stable, feed shed and a horse manure disposal area. The site is also unpaved and is rural in nature. Within a 3,000-foot radius, there are at least four horse boarding facilities and horse-riding facilities. Moreover, the housing of agricultural animals (chickens, dogs, horses) is a common practice in this area of Brentwood. The surrounding characteristics of this area of the County are rural, large agricultural use parcels. The project is consistent in that it is a large parcel that proposes an agricultural-type use, therefore, matching the existing characteristics of this area of the County. Since no development is proposed (beyond the establishment of unpaved parking the visual character of the property will remain agricultural in appearance and will therefore remain compatible with the surrounding agricultural area.

C. Variance Findings

The applicant is requesting variances from the Off-Street Parking Ordinance requirements for: Access requirements; parking lot surfacing; striping, markings, and signage; and landscaping.

1. *Required Finding: That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located.*

Project Finding: Pursuant to County Code Section 82-16.404(a)(5), surfacing, requires all parking areas to have a continuous asphalt or similar paving surface. The existing parking area is a mixture of packed sand and gravel/dirt. Non asphalt surface parking areas are common in the agricultural land use districts of the County and the use of packed sand and gravel/dirt rather than impervious surfacing materials such as asphalt maintains the existing on-site drainage patterns and eliminates the need for installing drainage improvements to accommodate on-site runoff. Contra Costa County Public Works reviewed the project and has determined that no road improvements are required. Moreover, surrounding horse boarding and riding facilities all maintain parking

areas that are dirt, gravel or other non-asphalt surfacing. The project would utilize pumpkin patch style parking which is typically on dirt/sand surfacing and in agricultural uses.

Pursuant to County Code Section 82-16.404(a)(7), the code requires each parking space to be marked with striping and requires signage and directional markings to ensure sufficient traffic circulation and safety. However, since the on-site parking areas are packed sand and gravel/dirt, it would be difficult to maintain permanent striping, signage, and directional markings on the parking lot surface. The applicant has demonstrated on the site plan that all parking spaces will accommodate the 8'-6 x 18' required dimensions. Given the size of the operation (horse boarding facility for up to 18 horses), daily use of the parking areas for horse boarding and riding academy operations is not anticipated to create traffic circulation and safety issues. (Additionally, a condition of approval has been added, requiring that customers make appointments prior to arriving on site.)

Pursuant to County Code Section 82-16.404(c), off-street parking areas are required to be landscaped. The applicant is not proposing to install additional landscaping at this time as the site. Landscape buffering is usually required in urban areas where pedestrian and car traffic is high on major roads. The site is located in a rural area on agricultural land where pedestrian and car traffic is not common. Additionally, since the parking area will not be paved, it will more closely resemble an agricultural style parking "pumpkin patch parking lot" than a commercial parking lot. Screening would not be required as the proposed parking lot would blend in with the rural character of the land and will maintain an agricultural look and feel due to the presence of horse trailers parked on-site.

Based on the reasons provided above, and the fact that the proposed parking spaces will otherwise comply with the County's Off-Street Parking Ordinance code, the applicant is not requesting a grant of special privilege. The surrounding area which is dominated by agricultural uses including other horse boarding facilities have all been granted Variances similar to the requests here. Variances are required to maintain the rural, agricultural nature of these parcels. Therefore, the requested variances shall not constitute a grant of special privilege.

2. *Required Finding: That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district.*

Project Finding: The project parcel is located in an area of the County that is agricultural in nature with large parcels with rural development. The subject parcel contains similar characteristics in that it is a rural parcel that is not paved and is designated for

agricultural purposes. Requiring this parcel to construct improvements required of urban uses would create an incompatibility with the surrounding neighborhood. Strict application of the respective zoning regulations (e.g.: Off-Street Parking Ordinance) would deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district. As previously mentioned, gravel parking areas are common in agricultural land use districts. However, due to the gravel parking lot surface, it would be difficult to maintain striping, signage, and directional markings. In addition, nighttime lighting is uncommon, and the applicants are not proposing to install additional landscaping at this time as any hardscape landscaping will detract from the rural atmosphere of the site. Since the parking areas will not be paved, they will more closely resemble an agricultural style parking “pumpkin patch parking lot” than a commercial parking lot, which will match the rural setting of the project site (versus a paved commercial parking lot). Moreover, numerous parcels in this area which contain horse boarding/riding facilities have also been granted Variances from requirements of the Off-Street Parking Ordinance. Variances are necessary to maintain the rural nature of the area while still allowing parcels to develop within the zoning district.

3. *Required Finding: That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district.*

Project Finding: The project site and vicinity are located within the A-2, General Agricultural District which allows all types of agriculture. Dude ranches, riding academies and stables may be allowed upon issuance of a land use permit. Therefore, the proposed commercial horse boarding facility is consistent with the A-2 zoning district. The subject property is located in an area that is rural and dominated with agricultural uses including other horse boarding and riding facilities. Variances have been granted to numerous surrounding parcels for relief from the County’s Off-Street Parking Ordinance including: Surfacing; Striping, Markings, Signage; and landscaping. These request for variances are consistent with the respective land use district of A-2, (General Agricultural District), since gravel parking areas with no signage and landscaping are common in agricultural land use districts and will help maintain the rural setting of the project site.

D. Exception Findings:

Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse.

The applicant has provided an exception request in accordance with Chapter 92-6 from the collect and convey requirements specified in Chapter 914-2 of the County Subdivision Ordinance. The request for exceptions is based on the finding outline below:

1. *Required Finding: That there are unusual circumstances or conditions affecting the property.*

Project Finding: The application proposes no new development. The lot is relatively flat with no known flood issues to date. There is no existing storm drainage infrastructure within the surrounding area. The area generally consists of large, rural agricultural properties with no existing drainage infrastructure.

2. *Required Finding: That the exception is necessary for the preservation and enjoyment of substantial property right of the applicant.*

Project Finding: Given that no development is proposed, the requirements of 914 unfairly over-burden the applicant's property. Such exceptions have also been approved on other similar properties in the past. In order to maintain agricultural use of the property, the applicant intends to maintain existing drainage flow patterns.

3. *Required Finding: That the granting of the exception will not be materially detrimental to the public welfare or injurious to other property in the territory in which the property is situated.*

Project Finding: No development is proposed and no increase in impervious surface would occur as a result of the application. The existing drainage pattern would remain the same. This site, as well as neighboring properties, have not had any issues with runoff in the past. The property is very well maintained, and being that the property is on native sand, it helps with effective natural draining. Therefore, the granting of the exception would have no detrimental or injurious impact on the public welfare to the other properties in the territory in which the property is situated.

The Contra Costa County Public Works Department has no objection to the granting of an exception from this requirement provided that there are no existing drainage problems in the area, no concentrated runoff is being directed to adjacent parcels, and the existing drainage pattern is maintained.

E. California Environmental Quality Act (CEQA) Findings:

Following are the findings required pursuant to the California Environmental Quality Act (CEQA) to adopt a Negative Declaration/Initial Study (ND) for the project, prior to the approval of a project.

1. A Negative Declaration/Initial Study (ND), State Clearinghouse Number SCH 2024100395, was prepared for Land Use Permit CDLP21-02004 on October 9, 2024. The public review period for the draft ND started on September 24, 2024, and ended on October 29, 2024. No comments were received during the review period for the ND.
2. No comments were received, therefore, there is no affect on the findings in the ND.
3. On the basis of the whole record before it, including the draft ND, the Zoning Administrator finds that:
 - There is no substantial evidence that the project will have a significant effect on the environment;
 - ND SCH No. 2024100395, reflects the County’s independent judgement and analysis;
 - The ND is adequate and complete; and
 - The ND has been prepared in compliance with the California Environmental Quality Act and the State and County CEQA guidelines.
4. The ND did not identify any potentially significant impacts. Therefore, a mitigation monitoring and reporting program has not been prepared.

**CONDITIONS OF APPROVAL FOR COUNTY FILE #CDLP21-02004, HOWARD HIIBEL
(APPLICANT & OWNER):**

Project Approval

1. This LAND USE PERMIT application is **APPROVED** for the operation of a horse boarding facility for up to 18 horses. All buildings and structures are existing. No development, beyond establishing unpaved parking spaces (a total of 15 on-site parking spaces) is approved at this time.
2. Variance **APPROVAL** is granted to reduce and eliminate the Off-Street Parking Ordinance requirements for: parking lot surfacing; striping, markings, and signage; and landscaping.
3. Exception **APPROVAL** is granted from the collect and convey requirements specified in Chapter 914-2 of the County's Subdivision Ordinance.
4. Project approval is granted as generally shown on, the following documents received by the Community Development Division (CDD):
 - Application and materials submitted to the Department of Conservation and Development, Community Development Division (CDD) on February 10, 2021.
 - Conservation plan submitted on July 15, 2021.
 - Exception from the Collect and Convey Requirements request submitted on September 9, 2021.
 - Revised project plans submitted on September 9, 2021.
5. Any deviation from the approved plans or expansion beyond the limits of this Permit shall require the review and approval of the CDD and may require the filing and approval of an application for a new Permit.

Compliance Report

6. The applicant shall provide a condition of approval compliance report to the Department of Conservation and Development, Community Development Division (CDD) for review and approval. The report shall identify all conditions of approval that are administered by the CDD. The report shall document the measures taken by the applicant to satisfy all relevant conditions. Copies of the permit conditions may be obtained from the CDD. The permit compliance review is subject to staff time and materials charges, with an initial deposit of \$2,000 or the deposit amount at the time of submittal, which shall be paid at the time of submittal of the compliance report.

Horse Boarding Facility

4. Approved Hours of Operation: Sunday through Saturday from 8:00 AM to 10:00 PM
5. The maximum number of horses allowed to be boarded on the subject property shall be up to 18. Any modification to increase the number of horses boarded on the subject property under this land use permit shall require a land use permit modification to be submitted to CDD for review and approval.
6. This facility is not open to the public. Advanced appointments are required prior to any customers boarding their horses on the property.

Signage

7. No signs are allowed under this Land Use Permit. All signs proposed shall be subject to the Contra Costa County Sign Ordinance Chapter 88-6 – Signs. All signs shall be submitted for review and approval by CDD.

Noise

8. No loudspeakers or amplified music shall be permitted for the proposed horse boarding facility without first obtaining approval from CDD.

Lighting

9. All lights used for the horse boarding facility shall be downward casting and motion sensor activated only. Exterior lights shall be deflected so that lights shine onto the subject parcel only and not toward adjacent properties. The lights shall be turned off during the daytime hours.
10. **Prior to CDD stamp-approval of plans for issuance of building permits (e.g., demolition, grading, or building),** the applicant shall provide the specifications and locations of all proposed lighting to CDD for review and approval.

Special Events

11. No special events or temporary events are allowed under this permit.

Parking

12. All parking related to the commercial use of the project site (horse boarding facility) shall remain onsite in the approved parking area. Street parking is prohibited.
13. The approved parking area shall remain for use by the horse boarding customers only during the hours of operation identified in this permit.

Property Use Verification

14. **Prior to CDD stamp-approval of plans for issuance of building permits (e.g., demolition, grading, or building),** the property owner shall apply for and obtain a Property Use Verification (PUV) from the Department of Conservation and Development, Application and Permit Center prior to applying for any business license associated with this approval. A copy of this permit shall accompany the PUV application.

Manure Management

15. The horse stalls shall be cleaned as per the conservation plan submitted on July 15, 2021. Manure waste shall be collected a minimum of twice daily. The manure shall only be spread for composting on the designated location on the approved plans.
16. When spreading manure into the topsoil for compost, shallow disking or harrowing shall be used.
17. Manure shall be stored away from any existing creeks and wells. The manure compost plow area must be a minimum of 100 feet from the property line boundary to the west.
18. In the event that manure can not be spread on the designated location, the applicant shall utilize manure storage area(s). The manure shall be located in a water-tight containers such as bins, sheds, concrete pads with low walls, windrows, dumpsters or covered garbage cans to reduce the potential for seepage of leachate. The surface must be designed so it can be scraped with a shovel for small facilities, or a front-end loader for larger facilities. Any non composting manure storage area shall be located more than 100 feet from any property boundary.
19. A cover, such as tarp, should be used to protect stockpiled manure from winter rains. Manure storage area(s) should be covered so there is no liquid draining from the stack a tarp or roof must drain away from the manure stack. The tarp shall be tied or weighted down on the edges and corners.

Dust Control

20. A good faith effort shall be made by the property owner(s) to control dust emanating from the project site. Any areas that are prone to dust shall be watered a minimum of three (3) times throughout the day.

Fly and Mosquito Management

21. A good faith effort shall be made by the property owner(s) to manage flies and mosquitoes emanating from the project site.

Under the California Health and Safety Code, property owners retain the responsibility to ensure that the structure(s), device(s), other project elements, and all additional facets of their property do not breed or harbor vectors, or otherwise create a nuisance. Owners are required to take measures to abate any nuisance caused by activities undertaken and/or the structure(s), device(s), or other feature(s) on their property. Failure by the property owner to properly address a nuisance may lead to abatement by the Contra Costa Mosquito & Vector Control District and civil penalties of up to \$1,000 per day pursuant to California Health & Safety Code §2060-2067.

22. No aspect of the project or property should produce, harbor, or maintain disease vectors or other nuisances. Water troughs need to be emptied weekly to prevent mosquito production (or utilize other control methods). Any irrigated pasture land should not create areas of stagnant water that remain in excess of 72 hours.

Payment of Fees

23. This land use permit and development plan application was subject to an initial application deposit of \$5,500, which was paid with the application submittal, plus time and material costs if the application review expenses exceed the initial deposit. **Any additional costs due must be paid prior to issuance of a building permit, within 60 days of the permit's effective date, or prior to use of the permit, whichever occurs first.** The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due from the date of approval, the application shall be charged interest at a rate of ten percent (10%). The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

PUBLIC WORKS CONDITIONS OF APPROVAL FOR PERMIT LP21-2005

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan submitted to the Department of Conservation and Development on October 8, 2021.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO INITIATION OF THE USE PROPOSED UNDER THIS PERMIT.

General Requirements:

24. Improvement plans prepared by a registered civil engineer shall be submitted, if necessary, to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the Ordinance Code for the conditions of approval of this land use permit. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of Public Works.

Access to Adjoining Property:

Proof of Access

25. The applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

Site Access

26. The applicant shall only be permitted access at the locations shown on the approved site/development plan.

Street Lights:

27. The property owner(s) shall annex to the Community Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Drainage Improvements:

Collect and Convey

28. The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the stormwater to a natural watercourse, in accordance with Division 914 of the Ordinance Code. Applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project prior to discharging runoff. If the downstream system(s) is inadequate to handle the existing and project condition for the required design storm event, applicant shall construct improvements to make the system adequate. Applicant shall obtain access rights to make any necessary improvements to off-site facilities.

Exception (Subject Advisory Agency findings and approval)

The applicant shall be permitted an exception from the collect and convey requirements of the County Ordinance Code due to the large size of the parcel, provided that there are no known drainage problems on-site currently, the existing drainage pattern is maintained and additional concentrated stormwater runoff is not discharged onto adjacent properties.

National Pollutant Discharge Elimination System (NPDES):

29. The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards Central Valley - Region V.

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

- Minimize the amount of directly connected impervious surface area.
- Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention area) as reviewed and approved by the Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES permit.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- Offer pavers for household driveways and/or walkways as an option to buyers.

- 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.
- Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance:

30. Prior to initiation of use, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval of the Public Works Department. The SWPPP shall document Best Management Practices (BMPs) that will be incorporated into the project to minimize the discharge of pollutants from the project. The SWPPP shall include BMPs related to manure management, horse washing, and other activities that have the potential to result in pollutant discharges related to the horse stable and boarding facility. Any permanent structural BMPs must be constructed and inspected prior to final inspection for building permits.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations, or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

B. Applicant shall comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the East Contra Costa Regional Fee & Finance Authority/ Regional Transportation Development Impact Mitigation (ECCRFFA/RTDIM) and East County Regional Areas of Benefit as adopted by the Board of Supervisors prior to initiation of the use.

- C. Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and Maintenance Plan prepared in accordance with the latest edition of the Stormwater C.3 Guidebook. Compliance may also require annexation of the subject property into the Community Facilities District 2007-1 (Stormwater Management Facilities) and entering into a standard Stormwater Management Facilities Operation and Maintenance Agreement with Contra Costa County.

- D. Prior to applying for a building or grading permit, the applicant may wish to contact the following agencies to determine if additional requirements and/or additional permits are required as part of the proposed project:
 - County Building Inspection Division
 - County Department of Public Works
 - Contra Costa Environmental Health Division
 - East Contra Costa Fire Protection Division

- E. It is unlawful to engage in business in the unincorporated area of the County without first procuring a business license from the Tax Collector following DCD approval of this application.

PARCEL MAP
 PORTION OF THE NORTHWEST 1/4 OF
 SECTION 9, T. 1 N., R. 3 E., M.D.B. & M.

CONTRA COSTA COUNTY, CALIFORNIA

SUBDIVISION MS 35-83

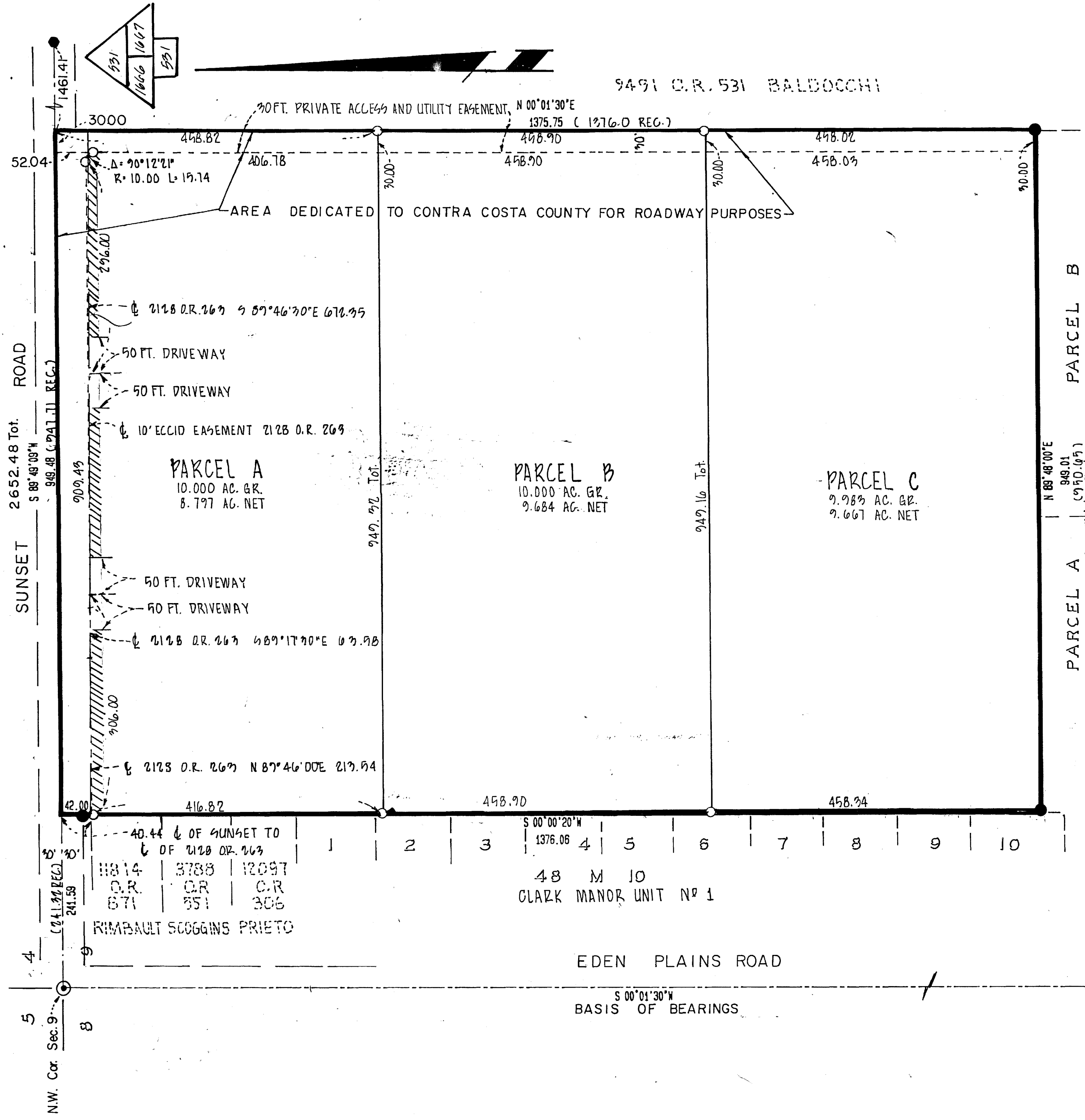
VINCENT H. CUNHA
 L.S. 4520

SCALE: 1" = 100'

JUNE, 1986

124 PM 40

9491 O.R. 531 BALBOCCHI



- LEGEND
- FOUND 1 1/2" IRON PIPE L.S. 3014
 - FOUND BOLT
 - SET 5/8" REBAR LS 4520
 - ⊙ FOUND STD. STREET MONUMENT
 - ||||| ADJUTTER'S RIGHTS OF ALLEYS RELINQUISHED
 - (0.00) DENOTES RECORDED DISTANCES

BASIS OF BEARINGS
 THE WEST LINE OF SEC. 9 TAKEN AS
 S 00° 01' 30" W PER 8 PM 24.



Legend

- City Limits
- Unincorporated
- Address Points
- Highways
- Highways Bay Area
- Streets
- Board of Supervisors' Districts
- County Boundary
- Bay Area Counties
- Building Outlines
- Assessor Parcels
- Aerials 2019
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
- World Imagery
 - Low Resolution 15m Imagery
 - High Resolution 60cm Imagery
 - High Resolution 30cm Imagery
 - Citations

1: 1,128



0.0 0 0.02 0.0 Miles

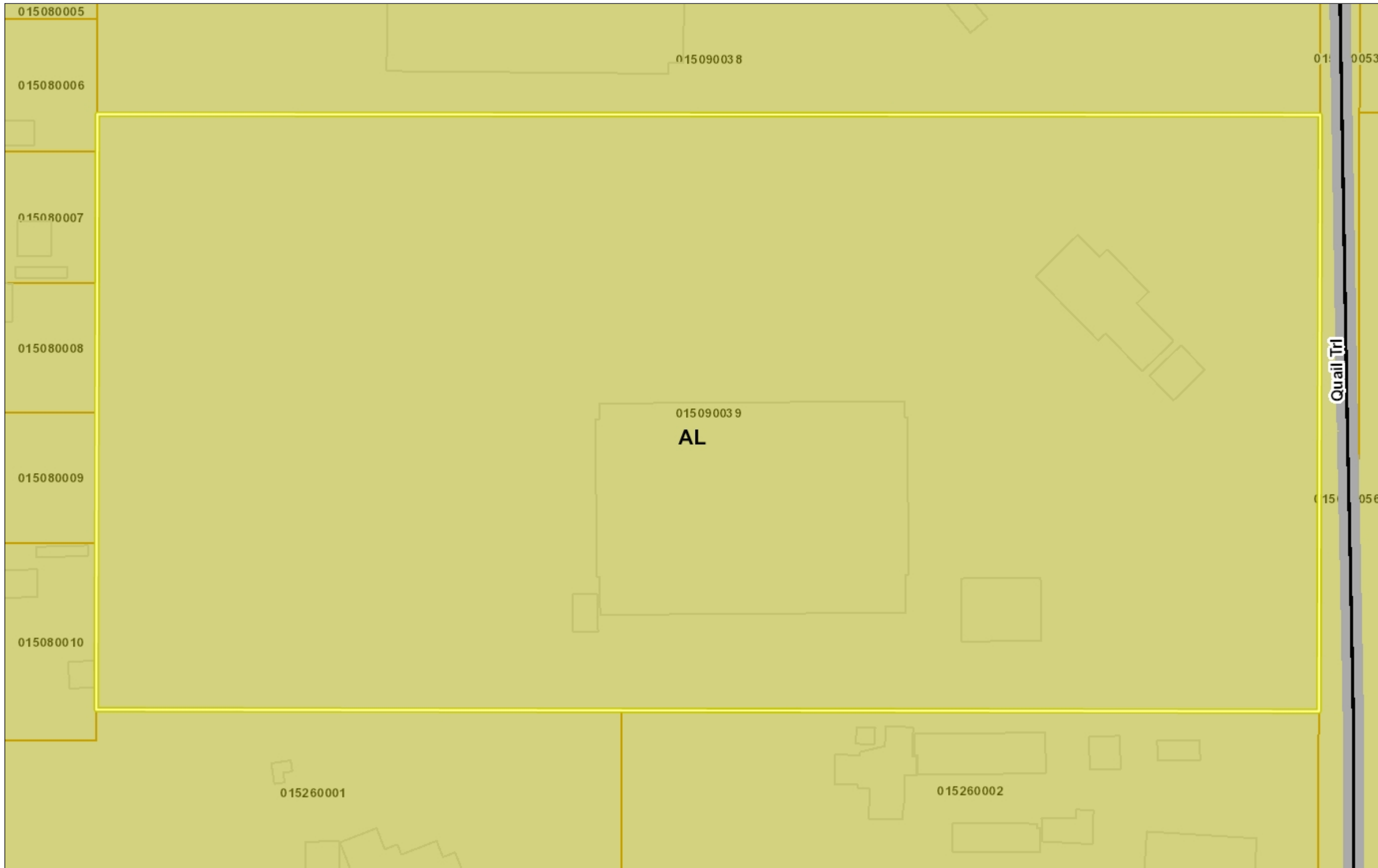
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Notes

Contra Costa County -DOIT GIS



Legend

- City Limits
- Highways
- Highways Bay Area
- Streets
- General Plan**
 - SV (Single Family Residential - Ver
 - SL (Single Family Residential - Low
 - SM (Single Family Residential - Me
 - SH (Single Family Residential - Hig
 - ML (Multiple Family Residential - Lc
 - MM (Multiple Family Residential - M
 - MH (Multiple Family Residential - H
 - MV (Multiple Family Residential - V
 - MS (Multiple Family Residential - V
 - CC (Congregate Care/Senior Housi
 - MO (Mobile Home)
 - M-1 (Parker Avenue Mixed Use)
 - M-2 (Downtown/Waterfront Rodeo I
 - M-3 (Pleasant Hill BART Mixed Use
 - M-4 (Willow Pass Road Mixed Use)
 - M-5 (Willow Pass Road Commercia
 - M-6 (Bay Point Residential Mixed U
 - M-7 (Pittsburg/Bay Point BART Star
 - M-8 (Dougherty Valley Village Cent
 - M-9 (Montalvin Manor Mixed Use)
 - M-10 (Willow Pass Business Park M
 - M-11 (Appian Way Mixed Use)
 - M-12 (Triangle Area Mixed Use)
 - M-13 (San Pablo Dam Road Mixed
 - M-14 (Heritage Mixed Use)
 - CO (Commercial)
 - OF (Office)
 - BP (Business Park)
 - LI (Light Industry)
 - HI (Heavy Industry)
 - AL, OIBA (Agricultural Lands & Off
 - CR (Commercial Recreation)
 - ACO (Airport Commercial)
 - LF (Landfill)

1: 1,128



0.0 0 0.02 0.0 Miles

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Notes

Contra Costa County -DOIT GIS

4-84 P.M. 2 1-24-80 MS 139-78 1001-RZ PD376-79 W 1/2 & FOR E 1/2 SEC. 9 T1N R3E MDBM

MS 55-81 LD 98-4 PD 113-82 } 5-104 P.M. 21 1-17-83

6-109 P.M. 41 3-15-84 MS 69-82 2-61 P.M. 21 & 22 12-28-77

MS 21-58 MS 35-83 MS 98-89 PD 167-86 PD 190-86 } 7-124 P.M. 39 10-22-86

8-169 P.M. 1 4-25-96 MS 13-94 3-69 P.M. 19 & 20 8-25-78

MS 13-94

WITH ISSUING OF BUILDING PERMITS FOR PRIMARY RESIDENCE ON EACH PARCEL OF MS 13-94 A FEE OF \$1000 POLICE SERVICE FEE NEEDS TO BE PAID TO SHERIFF'S DEPT. SEE FILE MS 13-94 AB

MS 260-77 PD 24-78

MS 174-90

MS 102-68

MS 23-75

MS 96-0015

MS 107-77

MS 116-60

MS 101-77

MS 107-77

MS 107-77

MS 107-77

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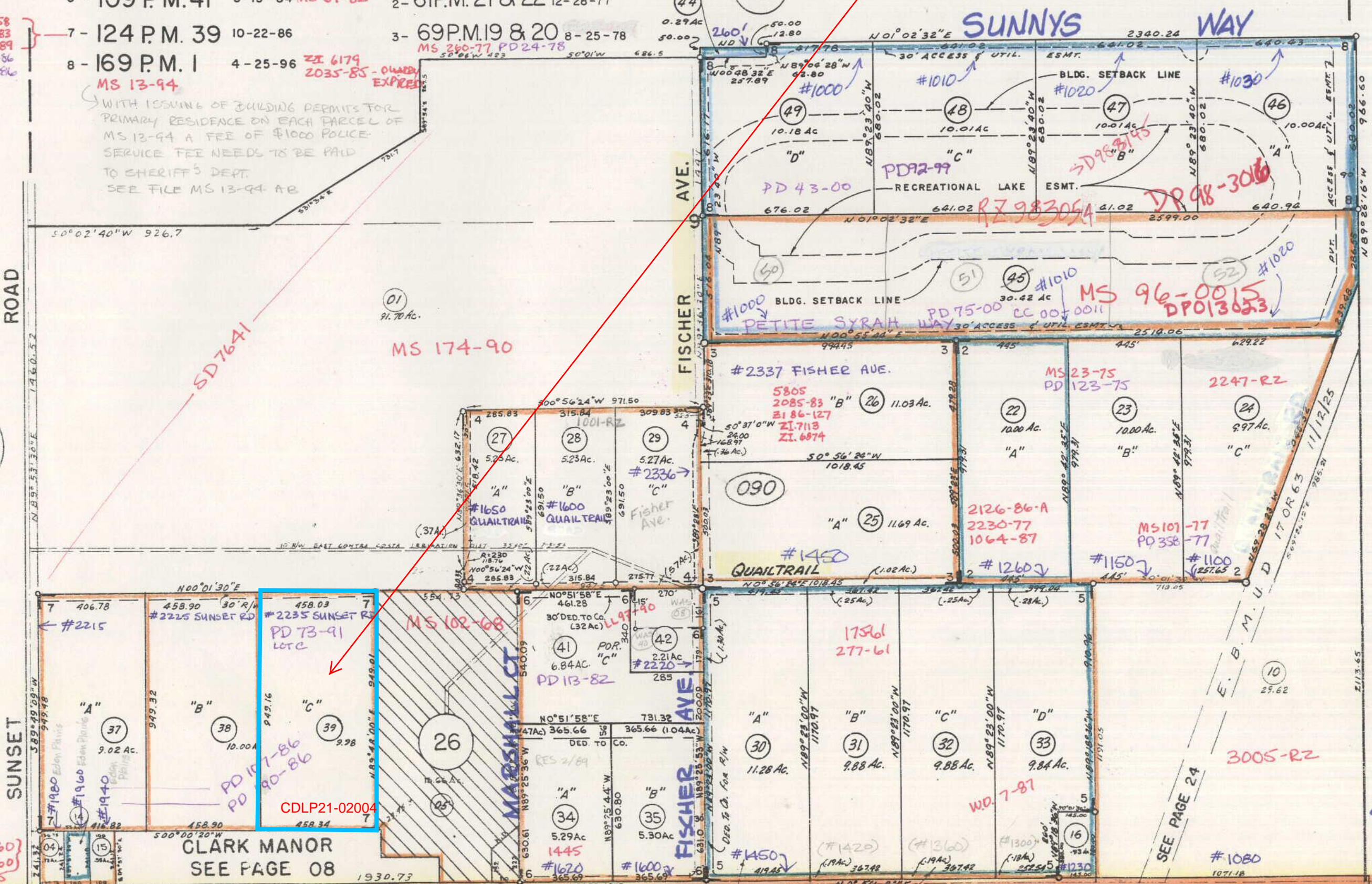
MS 107-77

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MS 107-77

Project Site

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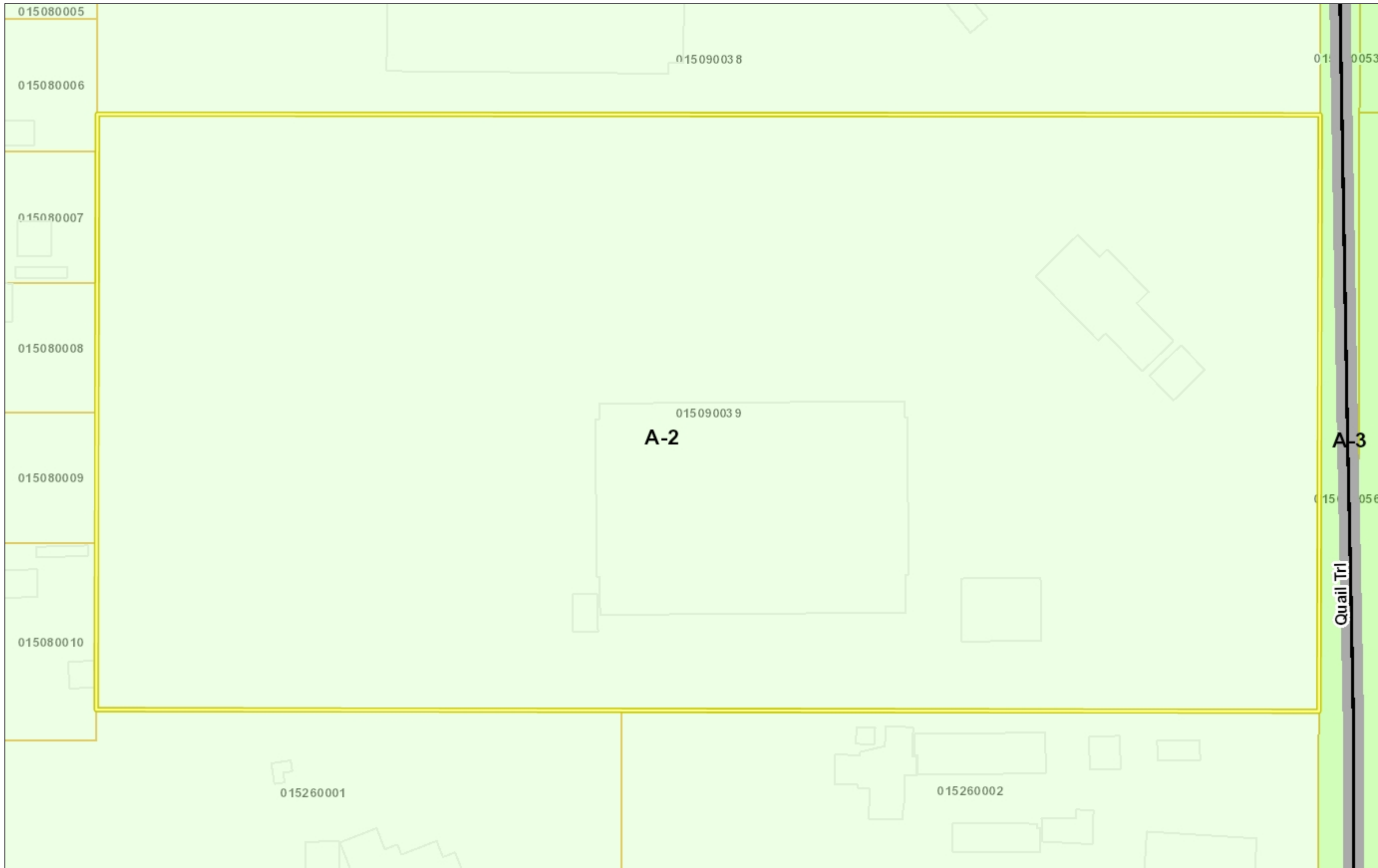
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06-05-96	169 P.M. I	RF

1961 ROLL ASSESSOR'S MAP BOOK 15 PAGE 09 CONTRA COSTA COUNTY, CAL 33 Fm. 38-32

ZM: K-27 L-27

Zoning: A-2



Legend

- City Limits
- Highways
- Highways Bay Area
- Streets
- Zoning**
- R-6 (Single Family Residential)
- R-6 -FH (Single Family Residential Combining District)
- R-6 -FH -UE (Single Family Residential Urban Farm Animal Exclusion Combining District)
- R-6 -SD-1 (Single Family Residential Hillside Development Combining District)
- R-6 -TOV -K (Single Family Residential View Ordinance and Kensington Combining District)
- R-6 -UE (Single Family Residential Exclusion Combining District)
- R-6 -X (Single Family Residential - Combining District)
- R-7 (Single Family Residential)
- R-7 -X (Single Family Residential - Combining District)
- R-10 (Single Family Residential)
- R-10 -UE (Single Family Residential Exclusion Combining District)
- R-12 (Single Family Residential)
- R-15 (Single Family Residential)
- R-20 (Single Family Residential)
- R-20 -UE (Single Family Residential Exclusion Combining District)
- R-40 (Single Family Residential)
- R-40 -FH (Single Family Residential Combining District)
- R-40 -FH -UE (Single Family Residential Urban Farm Animal Exclusion Combining District)
- R-40 -UE (Single Family Residential Exclusion Combining District)
- R-65 (Single Family Residential)
- R-100 (Single Family Residential)
- D-1 (Two Family Residential)
- D-1 -T (Two Family Residential - Tr District)
- D-1 -UE (Planned Unit - Urban Farm Combining District)
- M-12 (Multiple Family Residential)
- M-12 -FH (Multiple Family Residential Combining District)
- M-17 (Multiple Family Residential)
- M-29 (Multiple Family Residential)

1: 1,128



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Notes

Contra Costa County -DOIT GIS

**Department of
Conservation and
Development**

30 Muir Road
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra
Costa
County**



John Kopchik
Director

Jason Crapo
Deputy Director

Maureen Toms
Deputy Director

Deidra Dingman
Deputy Director

Ruben Hernandez
Deputy Director

Gabriel Lemus
Assistant Deputy Director

October 9, 2024

**NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A
PROPOSED NEGATIVE DECLARATION**

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Contra Costa County Department of Conservation and Development, Community Development Division, has prepared an initial study evaluating the potential environmental impacts of the following project:

- 1. Project Title:** Horse Boarding Facility
- 2. County File Number:** #CDLP21-02004
- 3. Lead Agency:** Contra Costa County
Department of Conservation and Development
- 4. Lead Agency Contact Person and Phone Number:** Everett Louie, Planner II
(925) 655-2873 / Everett.Louie@dcd.cccounty.us
- 5. Project Location:** 2235 Sunset Road, Brentwood, CA 94513.
APN: 015-090-039
- 6. Applicant's Name, Address, and Phone Number:** Howard Hiibel
2235 Sunset Road
Brentwood, CA 94513
(925) 698-9992
- 7. Description of Project:** The applicant requests approval of a Land Use Permit application to permit a horse boarding facility for up to 18 horses located at 2235 Sunset Road in the

unincorporated Brentwood area of the County. The horse boarding facility will utilize an existing approximately 37,288 square foot covered agricultural stable/arena. All buildings and structures exist. There will be no development, beyond establishing unpaved parking spaces (a total of 14 9'x20' parking spaces and one Van accessible parking space). The proposed hours of operation are 8:00 AM to 10:00 PM. The business will have one employee which is the property owner. The project does not propose and events, lessons or other horse related business other than horse boarding. The business operation is by appointment only.

The project includes a Variance Permit from the Off-Street Parking requirements for: parking lot surfacing; striping, markings, and signage; and landscaping. The project also includes an exception request in accordance with Chapter 92-6 from the collect and convey requirements specific in Chapter 914-2 of the County Subdivision Ordinance

- 8. Surrounding Land Uses and Setting:** The project site is a 9.98-acre rectangular shaped lot located approximately 900 feet south of the Sunset Road and Quail Trail intersection. Directly east of the parcel is Quail Trail which is the access point and approximately 227 feet to the east is Eden Plains Road. Quail Trail is a privately maintained road in the Brentwood area of unincorporated Contra Costa County. The site gains access via Quail Trail from Sunset Road which is a publicly maintained road. Quail Trail is an unpaved gravel road approximately 16 feet width within a 30-foot right-of-way. There is no additional road improvements or easement widths required as part of this application.

The subject property is rectangular in shape and is flat. The site is developed with an existing 4,194-square-foot residence with a detached garage, two agricultural buildings measuring 3,000-square-feet and 420-square-feet respectively, a 37,288 square foot existing arena/stable and two horse riding areas measuring 14,000 square feet and 4,072 square feet respectively. The site currently has existing gravel driveways that lead from Quail Trail to the arena/stable area. The site has trees boarding the northern property line, the southern property line and behind the existing single-family house. There are a few trees and vegetation around the existing single-family residence.

All of the parcels surrounding the project site are zoned for agricultural uses (A-2 and A-3 Zoning) and all parcels within a half mile of the project parcel have a General Plan Designation of Agricultural Lands. Surrounding uses include single-family homes, agricultural buildings, and agricultural uses such as crop farming, nurseries, and equestrian facilities. Within a 3,000-foot radius, there is at least four horse boarding facilities and horse-riding facilities.

- 9. Determination:** Pursuant to the requirements of the California Environmental Quality Act (CEQA) Section 15071, the Initial Study/Negative Declaration (ND) describes the proposed project; identifies, analyzes, and evaluates the environmental impacts which may result from the proposed project. The Initial Study/Negative Declaration for the proposed project

identified that the project will not result in significant impacts to the environment. As a result, an IS/MND has been prepared pursuant to Public Resources Code Section 21080(c) of the California Environmental Quality Act (CEQA) Guidelines. Prior to adoption of the Negative Declaration, the County will be accepting comments on the Initial Study/ Negative Declaration during a 20-day public comment period.

A copy of the Negative Declaration/Initial Study may be reviewed on the Department of Conservation & Development webpage at the following address:

Weblink: <https://www.contracosta.ca.gov/4841/CEQA-Notifications>

Any documents referenced in the index can be provided upon request by contacting the project planner.

Public Comment Period – The period for accepting comments on the adequacy of the environmental document will begin on **Wednesday, October 9, 2024**, and extends to **Tuesday, October 29, 2024, until 5:00 P.M.** Any comments should be in writing and submitted to the following address:

Contra Costa County
Department of Conservation & Development
Attn: Everett Louie
30 Muir Road
Martinez, CA 94553

or;

via email to Everett.Louie@dcd.cccounty.us

The proposed Negative Declaration will be considered for adoption at a meeting of the County Zoning Administrator. The hearing date before the County Zoning Administrator has not yet been scheduled. To slow the spread of COVID-19, in lieu of a public gathering, the Zoning Administrator meeting will be accessible live online or by telephone to all members of the public as permitted by Government Code section 54953(e). The meeting will also be accessible in-person in the Zoning Administrator Hearing Room at 30 Muir Road, Martinez, CA 94553. Hearing notices will be sent out prior to the finalized hearing date.

For additional information on the Negative Declaration and the proposed project, you can contact me by telephone at (925) 655-2873, or email at Everett.Louie@dcd.cccounty.us.

Sincerely,



Everett Louie
Planner II

cc: County Clerk's Office (2 copies)

attch: Vicinity Map



Legend

- City Limits
- Unincorporated
- Address Points
- Highways
- Highways Bay Area
- Streets
- Board of Supervisors' Districts
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1: 1,128



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Notes

Contra Costa County -DOIT GIS

CEQA ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** County File #CDLP21-02004
Horse Boarding Facility
2. **Lead Agency Name and Address:** Contra Costa County
Department of Conservation and Development
30 Muir Rd.
Martinez, CA 94553
3. **Contact Person and Phone Number:** Everett Louie, Planner II
(925) 655-2873
4. **Project Location:** 2235 Sunset Road, Brentwood, CA 94513
Assessor's Parcel Number: 015-090-039
5. **Project Sponsor's Name and Address:** Howard Hiibel
2235 Sunset Road, Brentwood, CA 94513
6. **General Plan Designation:** The subject property is located within an Agricultural Lands (AL) General Plan land use designation.
7. **Zoning:** The subject property is located within a General Agricultural District (A-2)
8. **Description of Project:** The applicant requests approval of a Land Use Permit application to permit a horse boarding facility for up to 18 horses located at 2235 Sunset Road in the unincorporated Brentwood area of the County. The horse boarding facility will utilize an existing approximately 37,288 square foot covered agricultural stable/arena. All buildings and structures exist. There will be no development, beyond establishing unpaved parking spaces (a total of 14 9'x20' parking spaces and one Van accessible parking space). The proposed hours of operation are 8:00 AM to 10:00 PM. The business will have one employee which is the property owner. The project does not propose and events, lessons or other horse related business other than horse boarding. The business operation is by appointment only.

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9. **Surrounding Land Uses and Setting:** The project site is a 9.98-acre rectangular shaped lot located approximately 900 feet south of the Sunset Road and Quail Trail intersection. Directly east of the parcel is Quail Trail which is the access point and approximately 227 feet to the east is Eden Plains Road. Quail Trail is a privately maintained road in the Brentwood area of unincorporated Contra Costa County. The site gains access via Quail Trail from Sunset Road

which is a publicly maintained road. Quail Trail is an unpaved gravel road approximately 16 feet width within a 30-foot right-of-way. There is no additional road improvements or easement widths required as part of this application.

The subject property is rectangular in shape and is flat. The site is developed with an existing 4,194-square-foot residence with a detached garage, two agricultural buildings measuring 3,000-square-feet and 420-square-feet respectively, a 37,288 square foot existing arena/stable and two horse riding areas measuring 14,000 square feet and 4,072 square feet respectively. The site currently has existing gravel driveways that lead from Quail Trail to the arena/stable area. The site has trees boarding the northern property line, the southern property line and behind the existing single-family house. There are a few trees and vegetation around the existing single-family residence.

All of the parcels surrounding the project site are zoned for agricultural uses (A-2 and A-3 Zoning) and all parcels within a half-mile of the project parcel have a General Plan Designation of Agricultural Lands. Surrounding uses include single-family homes, agricultural buildings, and agricultural uses such as crop farming, nurseries, and equestrian facilities. Within a 3,000-foot radius, there is at least four horse boarding facilities and horse-riding facilities.

10. Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement):

- Contra Costa County, Department of Conservation and Development, Building Inspection Division
- Contra Costa County, Public Works Department
- Contra Costa Environmental Health Department
- Contra Costa Fire Protection District

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

A Notice of Opportunity to Request Consultation was sent on October 16, 2023, to the Wilton Rancheria and on September 19, 2023 to the Confederated Villages of Lisjan Nation in accordance with section 21080.3.1 of the California Resources Code. The County has not received a response from either tribe. Therefore, consultation with Native American tribes has not occurred in relation to this project. As a courtesy, the County will provide a copy of this environmental document for the Tribe's comments.

Environmental Factors Potentially Affected

The environmental factors checked below would have been potentially affected by this project, but have been mitigated in a manner as to not result in a significant effect on the environment:

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Services Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

Environmental Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Everett Louie
 Project Planner
 Contra Costa County
 Department of Conservation & Development

 10/9/2024
 Date

ENVIRONMENTAL CHECKLIST

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

a) *Would the project have a substantial adverse effect on a scenic vista?*

No Impact: Figure 9-1 (Scenic Ridges & Waterways) of the Contra Costa County General Plan Open Space Element identifies the major scenic resources in the County, including major ridges and scenic waterways, which should be considered when evaluating nearby development proposals. Views of these identified scenic resources are considered scenic vistas. The subject property is not located within or adjacent to a major scenic resource nor is the project proposing any new development of buildings or structures. Therefore, the project will have no impact on scenic vistas.

b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

No Impact: Figure 5-4 (Scenic Routes Plan) of the Contra Costa County Transportation and Circulation Element identifies the roadways which form the Countywide scenic routes plan. The project site is located just south the of the Sunset Road and Quail Trail intersection in the unincorporated Brentwood area of Contra Costa County, which is not identified as a scenic route. The nearest scenic route or highway is Byron Highway which is more than 4,400 feet east of the project site. Additionally, the project does not propose any construction that would damage trees, rocks, outcroppings or historical buildings. Therefore, the project has no impact on any scenic resources.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

No Impact: As previously mentioned, the subject property is not located near a major scenic resource and is not visible from a state scenic highway. The project site is within an agricultural area that is largely non-urbanized and there are no public views or publicly accessible vantage points in the surrounding area. No new construction of new buildings or structures are proposed, and the visual character of the property will remain agricultural in appearance, which is compatible with the surrounding agricultural area. The surrounding area is not urbanized but characterized as rural with farms, crop growing activities and housing of livestock mixed with single-family homes spaced around. The project would match the visual character of the surrounding area. The appearance of horses on a property would be considered agricultural livestock which is consistent with the surrounding properties. Therefore, the project will have no impact on existing visual character or quality of public views of the site.

- d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Less Than Significant Impact: Approval of the project would allow the operation of a horse boarding facility at the project site. The maximum number of horses that can be boarded at the site is 18 horses, and no expansion is proposed at this time. Although headlamp light/glare can be expected from cars visiting the site, the proposed hours of operation for this site are daily from 8:00 AM to 10:00 PM. Thus, the amount of headlamp light/glare from cars can be expected to be reduced after operational hours. The project also proposed to include one halogen lamp to be placed around the parking area for safety and security. The nearest residence is approximately 150 feet south behind existing trees which help to block light glare from the subject parcel. Additionally, a condition of approval would require the lights to be motion sensor to reduce the amount of light pollution during the night hours. Therefore, the project will have a less than significant impact on new light or glare for the area.

Sources of Information

Contra Costa County General Plan. “Chapter 5: Transportation and Circulation Element.” 2005-2020.
<http://www.co.contra-costa.ca.us/DocumentCenter/View/30915/Ch5-Transportation-and-Circulation-Element?bidId=>

Contra Costa County General Plan. “Chapter 9: Open Space Element.” 2005-2020.
<http://www.co.contra-costa.ca.us/DocumentCenter/View/30919/Ch9-Open-Space-Element?bidId=>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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2. AGRICULTURAL AND FOREST RESOURCES – Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

No Impact: As shown on the California Department of Conservation’s *California Important Farmland Finder* map, the project site is designated as other land and does not contain farmland designated “Prime”, “Unique”, or of “Statewide Importance”. The project does not propose any construction or ground disturbing activities. Therefore, the project would not result in any impacts related to the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide importance to a non-agricultural use.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No Impact: The project site is located within the A-2, General Agricultural District. Dude ranches, riding academies and stables may be allowed by issuance of a land use permit. Therefore, the project will not conflict with the existing zoning. In addition, the project site is not under a Williamson Act contract. Therefore, the project will not conflict with the existing zoning or a Williamson Act contract.

- c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?

No Impact: The project site is not considered forest land as defined by California Public Resources Code Section 12220 (g) or timberland as defined by California Public Resources Code Section 4526. Therefore, the project will not conflict with any properties zoned as forest land.

- d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact: The project site is not considered forest land, as discussed above. Nevertheless, no trees are proposed to be removed with this proposal. Therefore, the project will not result in the loss of forest land or conversion of forest land to non-forest use.

- e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?*

No Impact: As previously mentioned, the project site is located within the A-2, General Agricultural District. According to the California Department of Conservation Important Farmland Finder, the land surrounding the parcel is considered Other Land. Additionally, the project is not proposing any construction that would change the existing environment. Therefore, the project will have no impact on the conversion of farmland to non-agricultural use.

Sources of Information

Contra Costa County Code. “Title 8 – Zoning.” Accessed in 2024.
https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT8ZO.

California Department of Conservation. “California Important Farmland Finder.” Accessed in 2024.
<https://maps.conservation.ca.gov/DLRP/CIFF/>.

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AIR QUALITY – Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*
- b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?*

Less Than Significant Impact (a-b): Contra Costa County is within the San Francisco Bay air basin, which is regulated by the Bay Area Air Quality Management District (“BAAQMD”). In May 2017, BAAQMD updated its Air Quality Guidelines, which included operational and construction-related emissions screening criteria. If the project does not exceed the screening criteria, the project would not result in the generation of criteria air pollutants that exceed the thresholds of significance for the criteria air pollutants.

Contra Costa County is within the San Francisco Bay air basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the Spare the Air, Cool the Climate Final 2017 Clean Air Plan. The purpose of the Clean Air Plan is to bring the air basin into compliance with the requirements of Federal and State air quality standards. BAAQMD has prepared CEQA Guidelines to assist lead agencies in air quality analysis, as well as to promote sustainable development in the region. The CEQA Guidelines support lead agencies in analyzing air quality impacts. If, after analysis, the project’s air quality impacts are found to be below the significance thresholds, then the air quality impacts may be considered less than significant. The Air District developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project’s air pollutant emissions. Since all buildings and structures are existing, there is no construction proposed and the land use permit would allow the operation of the horse boarding facility, it can be assumed that the project would not be in conflict with the Clean Air Plan or obstruct its

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implementation and would not contribute substantially to any existing or projected air quality violation.

- c) *Would the project expose sensitive receptors to substantial pollutant concentrations?*
- d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Less Than Significant Impact (c-d): Equestrian-related odors (e.g.: manure) are anticipated to originate from the site. California Health and Safety Code Sec. 41700(a) states that “Except as otherwise provided in Section 41705, a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property.” The proposed project is exempt from the above code section under 41705(5) of the California Health and Safety Code which classified horse boarding and riding facilities as an agricultural operation. In addition, the project site and vicinity are located within the A-2 zoning district, which allows for all types of agriculture, including general farming, wholesale horticulture and floriculture, wholesale nurseries and greenhouses, mushroom rooms, dairying, livestock production, fur farms, poultry raising, animal breeding, aviaries, apiaries, forestry, and similar agricultural uses. Many of these uses emit agricultural odors during daily operations. A horse boarding facility is similar in nature to these odor producing activities. Additionally, dude ranches, riding academies and stables may be allowed upon issuance of a land use permit. Moreover, the project site is located in an area that contains agricultural uses including similar horse-riding facilities and boarding facilities. The surrounding area is already subject to agricultural odors that the continued operation of an existing horse operation would not substantially increase pollutant concentrations. Lastly, the majority of the parcels in the surrounding area are large in size which allows for buffer space between parcels which reduces the range of odor emissions. Thus, equestrian-related odors are to be expected, and the project is not anticipated to expose sensitive receptors to substantial pollutant concentrations or result in emissions adversely affecting a substantial number of people.

Sources of Information

Bay Area Air Quality Management District. “California Environmental Quality Act, Air Quality Guidelines.” May 2017. http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.

Bay Area Air Quality Management District. “Spare the Air, Cool the Climate Final, 2017 Clean Air Plan.” Adopted 19 April 2017. http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en.

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California Health and Safety Code. Accessed in 2024.

https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&division=26.&title=&part=4.&chapter=3.&article=1.

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4. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Less Than Significant Impact: It is unlikely that the project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status, due to the location of the project site (parcel that has been historically used as agricultural uses within an agricultural zoning district) and lack of suitable habitat (there are no, creeks, wetlands, or riparian habitats located on the subject parcel). According to Figure 8-1 of the Conservation Element of the General Plan, the site is not identified as an area of significant Ecological Areas. Furthermore, the project will not modify any habitat than what is

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currently existing as there is no construction or new ground disturbing activities proposed. The operation of a horse boarding facility will not result in any habitat modifications or a substantially adverse effect on any habitat identified by the California Department of Fish and Game or the U.S. Fish and Wildlife Service.

- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Less Than Significant Impact: According to the California Department of Fish and Wildlife (CDFW) Public Access Lands map, the project site is not located in or adjacent to an area identified as a wildlife or ecological reserve by the CDFW. According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas map (Figure 8-1) of the County General Plan, the project site is not located in or adjacent to a significant ecological resource area. In addition, the property contains no perennial or intermittent streams, creeks or other riparian habitat. Therefore, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- c) *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Less Than Significant Impact: Wetlands are defined and identified under Section 404 of the Clean Water Act as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” According to the U.S. Fish and Wildlife Service National Wetlands Inventory map, no wetlands are located at or adjacent to the project site. Therefore, no substantial adverse effects on federally protected wetlands are expected to occur as a result of this project.

- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?*

Less Than Significant Impact: There are no creeks, wetlands, or riparian habitats located on the subject parcel. As previously mentioned, the project site is disturbed by the existing horse facilities, and all improvements are existing. In addition, surrounding parcels have been developed with single-family homes, agricultural buildings, and agricultural uses, such as crop farming, nurseries, and equestrian facilities. As previously mentioned, Figure 8-1 of the County General Plan states that the site does not contain any Significant Ecological Areas, the Wetlands Inventory Map shows that there are no wetlands located at or adjacent to the project site and the site was not

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identified as a sensitive community by the California Department of Fish and Wildlife. Therefore, the project is expected to have a less than significant impact on the movement of any native resident, or migratory fish, or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of nursery sites, based on existing site conditions and the surrounding land uses.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Less Than Significant Impact: The Contra Costa County Tree Protection and Preservation Ordinance provides for the protection of certain trees by regulating tree removal while allowing for reasonable development of private property. On any property proposed for development approval, the Ordinance requires tree alteration or removal to be considered as part of the project application. The proposed project would not require the removal of any protected trees, nor would any development take place within the dripline of a tree protected under the Contra Costa County Tree Protection and Preservation Ordinance. Therefore, no significant conflicts with local policies or ordinances protecting biological resources would occur.

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Less Than Significant Impact: There is one adopted habitat conservation plan in Contra Costa County, the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP), which was approved in May 2007 by the East Contra Costa County Habitat Conservancy, comprised of the cities of Brentwood, Clayton, Oakley, and Pittsburg, and Contra Costa County. The HCP/NCCP establishes a coordinated process for permitting and mitigating the incidental take of endangered species in eastern Contra Costa County. On February 18, 2021, the East Contra Costa County Habitat Conservancy submitted an email stating that the parcel is not subject to HCP/NCCP Ordinance No. 2007-53 and that the project is located outside of the HCP/NCCP Urban Development area. Therefore, the project would not conflict with the provisions of the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan.

Sources of Information

California Department of Fish and Wildlife (CDFW). “CDFW Public Access Lands.” Interactive Map. Accessed in 2024. <https://apps.wildlife.ca.gov/lands/>.

Contra Costa County General Plan. “Chapter 8: Conservation Element.” 2005-2020. <http://www.co.contra-costa.ca.us/DocumentCenter/View/30918/Ch8-Conservation-Element?bidId=>.

East Contra Costa County Habitat Conservancy. “East Contra Costa County Habitat Conservancy

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Website.” Accessed in 2024. <http://www.co.contra-costa.ca.us/depart/cd/water/HCP/>.

East Contra Costa County Habitat Conservancy. Returned Agency Comment Request Form. Date received on February 19, 2021.

United States Environmental Protection Agency (EPA). “Section 404 of the Clean Water Act.” Website. Accessed in 2024. <https://www.epa.gov/cwa-404/how-wetlands-are-defined-and-identified-under-cwa-section-404#:~:text=%22Wetlands%20are%20areas%20that%20are,life%20in%20saturated%20soil%20conditions.>

U.S. Fish & Wildlife Service. “National Wetlands Inventory.” Interactive Map. Accessed in 2024. <https://www.fws.gov/wetlands/Data/Mapper.html>.

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5. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?*

No Impact: The project site has an existing area/stable structure that was originally constructed in 2010 according to County records. Therefore, the structure which the project will utilize for the horse boarding facility is not historical resources pursuant to Section 15064.5 of the CEQA Guidelines, because:

1. It is not a resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources;
2. It is not a resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code; and
3. Has not been determined to be historically or culturally significant by a lead agency.

- b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?*

No Impact: According to Figure 9-2 of the Open Space Element of the County General Plan, the project site is an area of medium archaeological sensitivity. The proposed project is to utilize an existing horse arena/stable area as a horse boarding facility. There is no new ground disturbing activities that could cause a substantial adverse change in an archaeological resource. Additionally, the site is not located in the Historic Resources Inventory as designated by the Historic Landmarks Advisory Committee. Thus, the project will have no substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5.

- c) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

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No Impact: As previously mentioned, no ground disturbance (e.g.: new construction) is proposed at this time. The project site has been used as an agricultural area for horses for over 20 years and the project site is already disturbed with the existence of the arena/stable structure. Additionally, the project site was never formally used as a cemetery. Lastly, the project was referred to the Wilton Rancheria and Confederated Villages of Lisjan Nation requesting that the Tribes contact the County if consultation was needed. The County received no response from either Tribe. Therefore, the project is not expected to result in the disturbance of any human remains, including those interred outside of formal cemeteries.

Sources of Information

Contra Costa County General Plan, 2005-2020. Open Space Element.

Contra Costa County. "Historic Resources Inventory." Accessed in 2024.

[https://www.contracosta.ca.gov/DocumentCenter/View/1116/Historic-Resources-Inventory-HRI?bidId=.](https://www.contracosta.ca.gov/DocumentCenter/View/1116/Historic-Resources-Inventory-HRI?bidId=)

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6. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less Than Significant Impact: The California Building Standards Code (California Code of Regulations, Title 24) serves as the basis for the design and construction of buildings in California. Specifically, the California Energy Code (California Code of Regulations, Title 24, Part 6) was first adopted by the California Energy Commission in 1978 in response to a legislative mandate to reduce energy consumption in California and contains energy conservation standards applicable to all residential and non-residential buildings throughout California. These standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods.

The California Building Standards Commission adopted the California Green Building Standards Code, also known as CALGreen, (California Code of Regulations, Title 24, Part 11) to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices. Although the CALGreen Code was adopted as part of the State’s efforts to reduce GHG emissions, the standards have co-benefits of reducing energy consumption from residential and nonresidential buildings subject to this standard. While the project does not propose any new buildings or structures, any future buildings or structures proposed for the horse boarding facility will be required to obtain building permits and comply with all building standards.

The project proposes a halogen lamp to illuminate the parking area. This type of lamp would not result in wasteful or inefficient energy resources. Additionally, the lamp would be conditioned to be turned off during the day and be placed on a motion sensor to reduce energy usage. Moreover, a horse boarding facility is not a use that would require substantial energy. Therefore, because all buildings and structures are existing and that no construction of new buildings or structures are proposed at this time and the operation of a horse boarding facility requires minimal energy consumption (given that activities take place outdoors and during the daytime), the project would not be expected to have a significant impact regarding wasteful, inefficient, or unnecessary consumption of energy resources, during project construction (no construction required) or operation.

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b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Less Than Significant Impact: As previously mentioned, since all buildings and structures are existing (no construction of new buildings or structures are proposed at this time), and the operation of a horse boarding facility requires minimal energy consumption (since activities take place outdoors), the project would not be expected to have a significant impact regarding wasteful, inefficient, or unnecessary consumption of energy resources, during project operation. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Sources of Information

California Building Standards Commission. “2022 California Green Building Standards Code – CalGreen – California Code of Regulations, Title 24, Part 11.” Accessed in 2024. <https://codes.iccsafe.org/content/CAGBC2022P1>.

Contra Costa County. “CalGreen / Construction & Demolition (C&D) Debris Recovery Program.” Accessed in 2024. <https://www.contracosta.ca.gov/4746/CalGreen-Construction-Demolition-Debris->

Contra Costa County. “Climate Action Plan.” Adopted by the Contra Costa County Board of Supervisors on 15 December 2015. <http://www.co.contra-costa.ca.us/DocumentCenter/View/39791/Contra-Costa-County-Climate-Action-Plan?bidId=>.

California Energy Commission. “2019 Building Energy Efficiency Standards For Residential and Nonresidential Buildings.” Accessed in 2022. <https://ww2.energy.ca.gov/2018publications/CEC-400-2018-020/CEC-400-2018-020-CMF.pdf>.

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7. GEOLOGY AND SOILS – Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*
- i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

No Impact: The California Geological Survey (CGS) has delineated Alquist-Priolo Earthquake Fault Zones along the known active faults in California. According to the California Earthquake Hazards Zone Application, implemented by the California Department of Conservation, the project site is not within an Earthquake Fault Zone. The nearest Earthquake Fault zone (Marsh Creek Fault) is over 11 miles southwest. Because the

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site is not within an official Earthquake Fault Zone, the risk of fault rupture is generally regarded as very low.

ii) *Strong seismic ground shaking?*

Less Than Significant Impact: The risk of structural damage from ground shaking is regulated by the building code and the County Grading Ordinance. The County has adopted the California Building Code (CBC), which requires use of seismic parameters in the design of all structures requiring building permits, including mixed use structures and most accessory structures. Seismic parameters are based on soil profile types and proximity of faults deemed capable of generating strong/violent earthquake shaking. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. All buildings and structures exist and have obtained the proper building permits. Moreover, as stated above, the project site is over 11 miles southwest of the nearest fault. Therefore, the impacts from seismic ground shaking would be expected to be less than significant.

iii) *Seismic-related ground failure, including liquefaction?*

Less Than Significant Impact: According to the California Earthquake Hazards Zone Application, implemented by the California Department of Conservation, the project site is within a Liquefaction Zone. Moreover, Figure 10-5, Estimated Liquefaction Potential, of the General Plan Safety Element divides land in the County into three liquefaction potential categories: “generally high,” “generally moderate to low,” and “generally low”. It is used as a “screening criteria” during the processing of land development applications, on a project-by-project basis. The project site is in an area that is in the “generally moderate to low” category. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. Since no new construction is proposed at this time, and any future construction (or replacement) of buildings and/or structures would be subject to the building code regulations, the environmental impact from seismic-related ground failure, including liquefaction, would be expected to be less than significant.

iv) *Landslides?*

No Impact: According to the California Earthquake Hazards Zone Application, implemented by the California Department of Conservation, the project site is not within a Landslide Zone. Since the site is not within a Landslide Zone, potential impacts would be considered less than significant.

b) *Would the project result in substantial soil erosion or the loss of topsoil?*

Less Than Significant Impact: According to the Soil Survey of Contra Costa County, the soil series mapped on the site is Brentwood clay loam and Dehli sand, 2 to 9 percent slopes. Brentwood

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clay loam is described as well drained, and runoff is low. Dehli sand is described as somewhat excessively drained, and runoff is very low. Since clay and sandy soils are less prone to erosion, soil erosion hazards can be considered less than significant. Moreover, the project does not propose any new construction or grading activities. Given the current use of the site for equestrian activities, there will not be any substantial erosion or loss of topsoil.

- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less Than Significant Impact: As previously mentioned, the site is not within a Landslide Zone and is in a liquefaction zone. In addition, the risk of structural damage from ground shaking is regulated by the building code and the County Grading Ordinance. The County has adopted the California Building Code (CBC), which requires use of seismic parameters in the design of all structures requiring building permits, including mixed use structures and most accessory structures. Seismic parameters are based on soil profile types and proximity of faults deemed capable of generating strong/violent earthquake shaking. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. The existing stable was approved with a building permit and were reviewed for structural requirements based on site soil types as part of the building permit process. Thus, potential impacts of expansive soil are considered to be less than significant.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Less Than Significant Impact: According to the Soil Survey of Contra Costa County, the soil series mapped on the site is Brentwood clay loam and Dehli sand, 2 to 9 percent slopes. Clay soils are generally classified as expansive (expansive soils expand when water is added and shrink when they dry out). However, no construction of new buildings or structures are proposed as part of this project. In addition, most activity takes place outdoors (and not within an enclosed building). Therefore, because the project has already obtained the proper building permits and any future development will be required to comply with all current codes and regulations, there will be a less than significant impact.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

Less Than Significant Impact: The project site already relies on well water and a septic system that is permitted by the Contra Costa County Health Services Department, Environmental Health Department. While Staff did not receive any comments from the Environmental Health Department, the project applicant is required to contact the Environmental Health Department to see if an approval from them is needed. Moreover, the project which is a horse boarding facility will not require a new septic tank or alternative wastewater disposal system because this type of

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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use does not generate significant amount of wastewater. Additionally, the waste produced from the horses will not be disposed of in a sewer but rather will be composted on-site. Therefore, the project would have a less than significant impact on soils in relation to septic tanks or disposal systems.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Less Than Significant Impact: There are no known paleontological resources located at the project site nor have any unique geological features been identified. No ground disturbance (e.g.: new construction of new buildings or structures) is proposed at this time. The project site is flat and has been used as an equestrian facility for some time. Therefore, the project is not expected to destroy a unique paleontological resource or site or unique geologic feature directly or indirectly.

Sources of Information

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Contra Costa County General Plan. “Chapter 10: Safety Element.” 2005-2020. <http://www.co.contra-costa.ca.us/DocumentCenter/View/30920/Ch10-Safety-Element?bidId=>.

United States Department of Agriculture. “Web Soil Survey.” Accessed in 2024. [Web Soil Survey - Home \(usda.gov\)](http://www.nrcs.usda.gov).

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8. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less Than Significant Impact: Greenhouse gases are gases that trap heat in the atmosphere and contribute to global climate change. Greenhouse gases include gases such as carbon dioxide, methane, nitrous oxide, and various fluorocarbons commonly found in aerosol sprays. Typically, a single residential or commercial construction project in the County would not generate enough greenhouse gas (GHG) emissions to substantially change the global average temperature; however, the accumulation of GHG emissions from all projects both within the County and outside the County has contributed and will contribute to global climate change.

Senate Bill 97 directed the Governor's Office of Planning and Research (OPR) to develop CEQA Guidelines for evaluation of GHG emissions impacts and recommend mitigation strategies. In response, OPR released the Technical Advisory: CEQA and Climate Change, and proposed revisions to the State CEQA guidelines (April 14, 2009) for consideration of GHG emissions. The California Natural Resources Agency adopted the proposed State CEQA Guidelines revisions on December 30, 2009 and the revisions were effective beginning March 18, 2010.

A bright-line numeric threshold of 1,100 MT CO₂/year is a numeric emissions level below which a project's contribution to global climate change would be less than "cumulatively considerable." This 1,100 MT CO₂/year emissions rate is equivalent to a project size of approximately 60 single-family dwelling units. Thus, if a project is not equivalent to a 60 single-family dwelling unit project, it would not be seen as a high contributor to CO₂. The project will have animals that produce CO₂ and patrons using the facility will drive vehicles to the site which may increase GHG in the area. However, the project is significantly less impactful than a 60 unit single-family dwellings. However, the addition of 18 horses and a few vehicles being driven is not enough to significantly increase the GHG levels above the threshold of 60 single-family dwellings. Therefore, because the proposed project is less than the construction of 60 single-family dwelling units, it can be reasonably assumed that the project will have a less than significant impact on the environment regarding greenhouse gas emissions.

- b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

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Less Than Significant Impact: As discussed above in subsection-a and in accordance with the Contra Costa County Climate Action Plan, which was discussed in the Air Quality section of this study, any impacts of the proposed project would result in negligible increases to the amount of greenhouse gas emissions in the County. The 2017 Thresholds of Significance set forth in the BAAQMD CEQA Guidelines include an analysis and screening criteria for determining if a project would contribute to a significant impact to the environment due to the projected greenhouse gas (GHG) emissions. As is done with the regulated air pollutants, if the proposed project would generate GHG emissions above the identified threshold, then the project would be seen as having the potential for a significant impact. As indicated in the Air Quality CEQA Thresholds of Significance (Table 2-1) of the BAAQMD CEQA Guidelines, a project with total Operational-Related GHG emissions from other than stationary sources that are at a minimum 1,100 metric tons (MT) of CO₂e per year level or otherwise are not in compliance with a qualified GHG Reduction Strategy would have a significant impact on the environment. All buildings and structures are existing. No construction of new buildings or structures are proposed at this time. It is reasonable to anticipate that the project will not conflict with any policies or regulations in relation to greenhouse gases because the project will not exceed the 1,100 MT carbon dioxide threshold and will not result in significant levels of Greenhouse Gases. There may be some increase in greenhouse gases as a result of the project, but they would be considered less than significant due to the nature of the project. Therefore, the proposed horse facility would not substantially conflict with plans, policies, or regulations adopted for the purpose of reducing the emissions of greenhouse gases.

Sources of Information

Bay Area Air Quality Management District. “California Environmental Quality Act, Air Quality Guidelines.” May 2017. http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.

Bay Area Air Quality Management District. “Spare the Air, Cool the Climate Final, 2017 Clean Air Plan.” Adopted 19 April 2017. http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-_proposed-final-cap-vol-1-pdf.pdf?la=en.

California Energy Commission. “2019 Building Energy Efficiency Standards For Residential and Nonresidential Buildings.” December 2018. <https://ww2.energy.ca.gov/2018publications/CEC-400-2018-020/CEC-400-2018-020-CMF.pdf>.

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Contra Costa County. “Municipal Climate Action Plan. Measures to Reduce Municipal Greenhouse Gas Emissions.” December 2008. <http://www.co.contra-costa.ca.us/DocumentCenter/View/2905/Municipal-Climate-Action-Plan-1208-Attachment-A?bidId=>.

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9. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less Than Significant Impact: Project operation would involve the routine transport, use, and disposal of horse manure. According to the project proponent, the horse stalls are cleaned twice daily and the manure is subsequently spread in the designated areas within a one acre area that is tilled and mixed in with the existing soil to compost. The applicant has existing equipment to help with spreading the manure evenly into the ground which will prevent any off-site discharge of manure. The manure is turned to imitate and maintain the natural composting process and is subsequently used as an all-natural soil amendment on the subject property. The area chosen for manure spreading is located on the north side of the property and is not located near water sources

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and located away from all structures that would house people and locations of where people would visit the property.

To manage the fly population, the project plans to spread the manure quickly which allows for it to dry faster which is unattractive to flies. Moreover, the project will be subject to conditions of approval that prevent standing water beyond 72 hours. By eliminating any standing water, the project will address the fly population.

Based on the management practices currently in place, long-term impacts associated with handling, storing, and dispensing of horse manure from project operation would be considered less than significant, especially since the project site is located within an agricultural zoning district and agricultural by products are a normal part of operation.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?*

Less Than Significant Impact: No evidence reviewed by staff suggests that the project would include foreseeable conditions involving the likely release of hazardous materials into the environment. The operation of a horse boarding facility would not involve the handling, use, or storage of substances that are acutely hazardous. In addition, prior to initiation of the use (if the project is approved), the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval of the Public Works Department. The SWPPP shall document Best Management Practices (BMPs) that will be incorporated into the project to minimize the discharge of pollutants from the project. The SWPPP shall include BMPs related to manure management, horse washing, and other activities that have the potential to result in pollutant discharges related to the horse stable and boarding facility. Therefore, a less than significant impact is expected.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Less Than Significant Impact: As previously mentioned, no evidence reviewed by staff suggests that the project would include foreseeable conditions involving the likely release of hazardous materials into the environment. In addition, the closest school appears to be Knightsen Elementary School, which is approximately 1.14 miles to the north and an approximate 1.8 miles driving distance. Because of the distance between the project site and the school, it is reasonable to conclude that the project would not impact on the nearest school.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

No Impact: The subject property is not identified as a hazardous materials site, according to the Hazardous Waste and Substances Site List (Cortese List) maintained by the California Department

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of Toxic Substances Control. Therefore, the project will not create a significant hazard to the public or environment.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

No Impact: The subject property is not located within an area covered by the Contra Costa County Airport Land Use Compatibility Plan, nor is the project located within two miles of an airport or private airstrip. Therefore, the proposed project is not considered to be located within an area where airport operations present a potential hazard.

- f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less Than Significant Impact: The site gains access from Quail Trail which can be accessed from Sunset Road (publicly maintained road to the north) or Fisher Ave (privately maintained road to the south). Sunset road is a paved road while Quail Trail is an unpaved, gravel road. The project was reviewed by the Contra Costa County Public Works Department and stated “no additional road improvements or easement widths are required at this time. Since the project does not involve any roadway modifications, and work within a public right-of-way would be subject to review by the Contra Costa County Public Works Department (to ensure that such work will not disrupt vehicular travel on public roadways), the project is expected to have a less than significant impact on the implementation of an adopted emergency response plan or emergency evacuation plan.

It should also be noted that the project was referred to the Contra Costa County Fire Protection District (ECCFPD) for comments regarding compliance with applicable provisions of the California Fire Code pertaining to emergency access, fire suppression systems, and fire detection/warning systems. While the County did not receive any comments from the fire district, the applicant will be required to comply with all ECCFPD requirements, and therefore, the project is not expected to interfere with an adopted emergency response plan or emergency evacuation plan.

- g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Less Than Significant Impact: The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The project site is classified as Non-Wildland / Non-Urban lands, moderate, and urban unzoned. In addition, as previously mentioned, the project shall be conditioned to comply with all of the requirements set forth by the Fire District. Therefore, a less than significant impact would be expected regarding the risk of loss, injury or death involving exposure of people or structures to wildland fires.

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Sources of Information

Contra Costa County. “Airport Land Use Compatibility Plan.” 13 December 2000. <http://www.cccounty.us/DocumentCenter/View/851/Cover-Introduction-and-County-wide-Policies?bidId=>.

Contra Costa County General Plan. “Chapter 5: “Transportation and Circulation Element.” 2005-2020. <http://www.co.contra-costa.ca.us/DocumentCenter/View/30915/Ch5-Transportation-and-Circulation-Element?bidId=>.

Contra Costa County Public Works Department. “Land Use Permit CDLP21-02005 Staff Report & Conditions of Approval.” Dated January 19, 2022. Agency Comment Response Memo.

California Department of Toxic Substances Control. “Hazardous Waste and Substances Site List (Cortese).” Accessed in 2024. https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29.

California State Geoportal. “California Fire Hazard Severity Zone Viewer.” Accessed in 2024. <https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>.

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10. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less Than Significant Impact: The project is not expected to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality because the applicant will be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards Central Valley - Region IV. Compliance will include developing long-term best management practices (BMPs) for the reduction or elimination of stormwater pollutants. The project design will incorporate wherever feasible, long-term BMPs in accordance with the Contra Costa Clean Water Program for the site's stormwater drainage.

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In addition, Public Works has included a standard condition of approval that requires prior to initiation of the use (if the project is approved), the applicant will be required to submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval of the Public Works Department. The SWPPP shall document Best Management Practices (BMPs) that will be incorporated into the project to minimize the discharge of pollutants from the project. The SWPPP will include BMPs related to manure management, horse washing, and other activities that have the potential to result in pollutant discharges related to the horse stable and boarding facility. Any permanent structural BMPs must be constructed and inspected prior to final inspection for building permits.

- b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less Than Significant Impact: The project site is not served by public water or by public sewer and instead relies on well water and a septic system. The project does not propose any new impervious surface that would prevent groundwater recharge and does not propose a type of project that requires a substantial increase in water. A horse boarding facility use does not typically require extensive amounts of water as there will only be a maximum of 18 horses at a given time. The project will be conditioned to require the applicant to contact the Contra Costa Environmental Health (CCEH) to determine if the applicant need to obtain approval from CCEH prior to initiation of the use so that the County can ensure adequate service can be provide to the project site. Additionally, an advisory note will be added (if the project is approved) to inform the applicant to contact CCEH. During this contact stage, CCEH will provide any requirements and permits that may be required to operate a horse boarding facility. Compliance with all CCEH requirements will ensure that the potential impact of the project on groundwater supplies will be less than significant.

- c) *Would the project substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i) *Result in substantial erosion or siltation on- or off-site?*
 - ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site*
 - iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
 - iv) *Impede or redirect flood flows?*

Less Than Significant Impact (i-iv): Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without

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diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse. The applicant is not proposing to construct any new structures and is not planning on paving the site, and will not significantly alter the existing drainage pattern onsite, therefore the applicant has requested an exception to Division 914 of the County Ordinance Code. In the Staff Report & Recommended Conditions of Approval letter from Public Works dated January 19, 2022, the Public Works Department reviewed the project and determined that the project can be allowed an exception from the collect and convey requirements because there is no existing drainage problems in the area, no concentrated runoff is being directed to adjacent parcels and the existing drainage pattern is maintained. Therefore, because the project was reviewed by the Public Works Department, the project is not expected to substantially alter the existing drainage pattern of area.

- d) *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

No Impact: The project does not lie within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Maps and is located in a Flood Zone X. In addition, the project site is not located within a tsunami inundation zone, pursuant to the Contra Costa County Tsunami Inundation Maps produced collectively by tsunami modelers, geologic hazard mapping specialists, and emergency planning scientists from CGS, Cal OES, and The Tsunami Research Center at the University of Southern California. In addition, the project area is not located in close proximity to any waterbody (e.g.: no large lakes or reservoirs) capable of producing a sizable seiche. Thus, resulting in a less than significant impact from these hazards.

- e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less Than Significant Impact: The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan because the applicant will be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards Central Valley - Region IV. Compliance will include developing long-term best management practices (BMPs) for the reduction or elimination of stormwater pollutants. The project design will incorporate wherever feasible, long-term BMPs in accordance with the Contra Costa Clean Water Program for the site's stormwater drainage. Thus, project impacts are expected to be less than significant.

Sources of Information

California Department of Conservation. “Contra Costa County Tsunami Inundation Maps.” Accessed in 2024. <https://www.conservation.ca.gov/cgs/Pages/Tsunami/Maps/ContraCosta.aspx>.

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Contra Costa County Public Works Department. “Land Use Permit LP21-02025 Staff Report & Conditions of Approval - Revision.” Dated January 19, 2022. Agency Comment Response Memo.

11. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

a) *Would the project physically divide an established community?*

No Impact: The project site is located south of the Sunset Road and Quail Trail intersection. As mentioned above, Quail Trail is a privately maintained road in the Brentwood area of unincorporated Contra Costa County. Surrounding properties have been developed with rural single-family homes, agricultural buildings, and agricultural uses such as crop farming, vineyards nurseries, and equestrian facilities. Due to the agricultural zoning district (A-2, General Agriculture District and A-3, Heavy Agricultural District) in the project vicinity, the proposed development would not divide an established community because it is proposing horse boarding/stable that is compatible uses with the surrounding area. Moreover, the project does not propose any development or construction of new buildings or structures. Therefore, the project would not physically divide an established community.

b) *Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Less Than Significant Impact: The subject property has an Agricultural Lands General Plan land use designation. The purpose of the Agricultural Lands designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials. Uses that are allowed in the Agricultural Lands designation include all land dependent and non-land dependent agricultural production and related activities. In addition, guest or dude ranches, horse training and boarding ranches may be allowed with the issuance of a land use permit. A land use permit includes conditions of approval that mitigate the impacts of the use upon nearby properties. For example, off-site parking could be restricted as a condition of approval for the project (in an attempt to address concerns regarding the use of the private road).

Horse boarding facilities are permitted in the General Agriculture District (A-2) with the approval of a land use permit. In addition, there is no development proposed with this project and approval will not intensify the use beyond that currently on the project site. The existing stable structure meets the zoning code regulations for height and setback requirements. For this particular project, the site requires variances due to the proposed parking configuration will not comply with all of the design and layout requirements in the Off-Street Parking Ordinance. Specifically, the applicant

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is requesting variances from the Off-Street Parking Ordinance requirements for: Surfacing; Striping, Markings, Signage; and landscaping. The Variance findings can be made as the site contains numerous existing constraints that would make the project infeasible if required to comply with the off-street parking requirements. Typically, dirt agricultural lots request variances as paving an agricultural area is infeasible.

Lastly, the proposed use is compatible with the surrounding area as this area is dominated by parcels containing horse use facilities. Therefore, the project is not expected to have a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Sources of Information

Contra Costa County Code. “Title 8 – Zoning.” Accessed in 2024. https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT8ZO.

Contra Costa County General Plan. “Chapter 3: Land Use Element.” 2005 – 2020. <http://www.co.contra-costa.ca.us/DocumentCenter/View/30913/Ch3-Land-Use-Element?bidId=>.

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12. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact: Known mineral resource areas in the County are shown on Figure 8-4 (Mineral Resource Areas) of the Contra Costa County General Plan Conservation Element. According to Figure 8-4 of the Conservation Element of the County General Plan, no known mineral resources have been identified in the project vicinity, and therefore the proposed project would not result in the loss of availability of any known mineral resource.

- b) *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

No Impact: The project site is not within an area of known mineral importance according to the Conservation Element of the General Plan, and therefore, the project would not impact any mineral resource recovery site.

Sources of Information

Contra Costa County General Plan. “Chapter 8: Conservation Element.” 2005-2020.
[http://www.co.contra-costa.ca.us/DocumentCenter/View/30918/Ch8-Conservation-Element?bidId=.](http://www.co.contra-costa.ca.us/DocumentCenter/View/30918/Ch8-Conservation-Element?bidId=)

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13. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less Than Significant Impact: Pursuant to Figure 11-6 in the Noise Element of the County’s General Plan, the normally acceptable standard for outdoor noise levels in agricultural areas is a DNL of 75 dB. In agricultural areas, noise from farm equipment (e.g.: tractors, plows, etc.) and farm animals is expected. The project site has historically been used as an equestrian facility and surrounding uses also contain similar uses. The project will not substantially increase the noise levels from what currently is existing. The project will not have any construction, events and limits the maximum amount of horses on site to be 18. Moreover, a condition of approval will be added that restricts any amplified noise to be used for this business. This will ensure that the project will not substantially increase ambient noise levels in the vicinity. Therefore, noise levels associated with operation of the horse boarding facility on the project will be consistent with that of surrounding agricultural activities in the area.

- b) *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

No Impact: Groundborne vibration or noise is most commonly associated with heavy construction and/or grading activities, and the operation of land uses such as railroads and airports. All buildings and structures are existing. No construction of new buildings or structures are proposed at this time. There will be no ground construction that would require the use of heavy equipment. The operation of the horse boarding would not result in the generation of excessive groundborne vibration or groundborne noise levels.

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- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact: The subject property is not located within an area covered by the Contra Costa County Airport Land Use Compatibility Plan, nor is the project located within two miles of an airport or private airstrip. Therefore, it is not expected that the project site would be impacted by flight operations in the project area.

Sources of Information

Contra Costa County Airport Land Use Commission. “Contra Costa County Airport Land Use Compatibility Plan.” 13 December 2000. <https://www.contracosta.ca.gov/DocumentCenter/View/851/Cover-Introduction-and-County-wide-Policies?bidId=>

Contra Costa County General Plan. “Chapter 11: Noise Element.” 2005-2020. <http://www.co.contra-costa.ca.us/DocumentCenter/View/30921/Ch11-Noise-Element?bidId=>.

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

SUMMARY:

- a) *Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?*

Less Than Significant Impact: The project site includes an existing residence that is occupied by the property owners. The establishment of a commercial horse boarding facility is not expected to induce permanent population growth directly or indirectly through extension of roads or other infrastructure since the improvements are existing and most people who utilize or would utilize the business (e.g.: board horses) reside locally. Moreover, the project does not propose any new services (new houses, transportation infrastructure, etc) that would induce substantial population growth. Therefore, a less than significant impact is expected.

- b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

No Impact: The project would not displace existing people or housing, nor necessitate the construction of replacement housing elsewhere because the property owners will continue to occupy the existing residence at the project site. The horse boarding operation will utilize an existing agricultural stable building that is not being used to house people. Therefore, the project will have no impact on existing housing.

Sources of Information

Project Plans, received on September 9, 2021.

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15. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

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

a) *Fire Protection?*

Less Than Significant Impact: Fire protection and emergency medical response services for the project vicinity are provided by the Contra Costa County Fire Protection District. The project site is located within a 5-mile driving distance south to Contra Costa Fire Station 99 located at 1685 Bixler Road in Brentwood, CA 94513. The anticipated response time from Station 99 to the project site would be approximately 9 minutes. No portion of the project would require the provision of new or expanded facilities to serve the site or surrounding area. The project does not propose any new construction that would alter any existing governmental facilities. Therefore, the project would have a less than significant impact on fire protection services.

b) *Police Protection?*

Less Than Significant Impact: Police protection services in the project vicinity are provided by the Contra Costa County Sheriff’s Department. Pursuant to the Growth Management Element of the County General Plan, a Sheriff facility standard of 155 square feet of station area and support facilities per 1,000 members of the population shall be maintained within the unincorporated area of the County. The project would not significantly affect the provision of police services to the unincorporated Brentwood area because the project would not increase the housing stock (population) in the County.

c) *Schools?*

Less Than Significant Impact: Impacts to schools are usually caused by increases in population. The establishment of a commercial horse boarding facility is not expected to induce permanent

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population growth and therefore potential impacts to existing school facilities would be less than significant.

d) *Parks?*

Less Than Significant Impact: Pursuant to the Growth Management Element of the County General Plan, the standard is to have a minimum of 3 acres of neighborhood parks for every 1,000 members of the population. The project would not warrant the need for new parks and/or recreational facilities because the project would not increase the housing stock (population) in the County.

e) *Other public facilities?*

Libraries: Less Than Significant Impact: The Contra Costa County Library system operates 28 facilities in the County and is primarily funded by local property taxes, with additional revenue from intergovernmental sources. Impacts to public facilities, such as libraries, are usually caused by increases in population. Since the establishment of a commercial horse boarding facility is not expected to induce permanent population growth, potential impacts to public libraries would be less than significant.

Health Facilities: Less Than Significant Impact: The Contra Costa County Health Services District (CCCHSD) operates a regional medical center (hospital) and 10 health centers and clinics in the County. CCCHSD is primarily funded by federal and state funding programs, with additional revenue from local taxes. Impacts to public facilities, such as hospitals, are usually caused by increases in population. Since the establishment of a commercial horse boarding facility with no proposed development is not expected to induce permanent population growth, potential impacts to health facilities would be less than significant.

Sources of Information

Contra Costa County General Plan. “Chapter 4: Growth Management Element.” 2005-2020.
[https://www.contracosta.ca.gov/DocumentCenter/View/30914/Ch4-Growth-Management-Element?bidId=.](https://www.contracosta.ca.gov/DocumentCenter/View/30914/Ch4-Growth-Management-Element?bidId=)

Contra Costa County Library. “Find a Location.” Accessed in 2024.
[https://ccclib.bibliocommons.com/locations/?_ga=2.246442754.746011243.1597561901-2144760675.1597561901.](https://ccclib.bibliocommons.com/locations/?_ga=2.246442754.746011243.1597561901-2144760675.1597561901)

Contra Costa Health Services. “Health Centers & Clinics.” Accessed in 2024.
[https://cchealth.org/centers-clinics/.](https://cchealth.org/centers-clinics/)

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16. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

No Impact: The deterioration, daily use, and demand for neighborhood parks are largely dependent on the number of people that reside in the surrounding area. Pursuant to the Growth Management Element of the County General Plan, the standard is to have a minimum of 3 acres of neighborhood parks for every 1,000 members of the population. The project would not warrant the need for a new park, or substantially accelerate the deterioration of any existing parks or other recreational facilities because the project would not increase the housing stock (population) in the County.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

No Impact: As previously stated, the project would not warrant the need for new recreational facilities since the project would not increase the housing stock (population) in the County.

Sources of Information

Contra Costa County Department of Conservation and Development. “Park Dedication and Park Impact Fees.” Accessed in 2024. <https://www.contracosta.ca.gov/DocumentCenter/View/42080/Park-Fees-Overview?bidId=>.

Contra Costa County General Plan. “Chapter 4: Growth Management Element.” 2005-2020. <https://www.contracosta.ca.gov/DocumentCenter/View/30914/Ch4-Growth-Management-Element?bidId=>.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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17. TRANSPORTATION – Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*

Less Than Significant Impact: Policy 4-c of the Growth Management Element of the County’s General Plan requires a traffic impact analysis for any project that is estimated to generate 100 or more peak-hour trips based upon the trip generation rates as presented in the Institute of Traffic Engineers (ITE). The project does not include any new development and based on project documents, the present stable capacity is for 18 horses. Based on the peak trip generation rates for horse stables of one trip per five horse stables during the AM peak-hour and 0.38 trip per five horses during the PM peak-hour in the Traffic Operations Analysis for Fox Haven Ranch (TJKM, 2021) that was conducted for a horse boarding and riding facility and winery and tasting room in the Byron area of unincorporated Contra Costa County, the project would generate a maximum rate of 3.6 AM peak-hour trips and 1.36 PM peak-hour trips. This would total approximately 5 maximum peak-hour trips (3.6 AM + 1.36 PM peak-hour trips) to and from the project site which is much less than the 100 peak-hour AM or PM threshold for requiring a traffic impact analysis. Therefore, the project has a less than significant potential to conflict with a program, ordinance, or policy addressing the circulation system.

- b) *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?*

Less Than Significant Impact: The Governor’s Office of Planning and Research and the California Natural Resources Agency has certified and adopted changes to the CEQA Guidelines that identify Vehicle Miles Traveled (VMT) as the most appropriate metric to evaluate a project’s transportation impacts. However, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact. In addition, residential, retail, office projects, or mixed-use projects proposed within ½ mile of an existing major transit stop, or an existing stop along a high-quality transit corridor, should be expected to cause a less than significant impact under CEQA and would not require further VMT analysis.

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The ITE Trip Generation Manual, which is typically referenced to calculate the estimated daily and peak-hour trips generated for different types of land use projects, does not include trip generation calculations for a horse boarding land use. Therefore, trip generation data from similar equestrian facilities (located in four different jurisdictions) were referenced, and the most conservative trip generation rates were used to calculate the estimated daily trips generated from the subject project. For the purpose of this project, the County Transportation Department referenced Sycamore Trails Stables as the most conservative trip generation data (this data was also used in another horse boarding facility CDLP19-02021). Sycamore Trails Stables, a horse boarding facility in San Juan Capistrano proposed 476 horse stalls. A traffic memo for the Sycamore Facility identifies its daily and peak-hour trip generation rates. The daily AM/PM peak hour trip generation for the 476-horse stall facility was calculated to be 77.35. Therefore, we can assume that because the proposed project would house up to 18 horses in 18 stalls, which is much less than the 476 horse stalls of the Sycamore Facility, the daily AM/PM peak hour trip generation would not exceed 77.35 vehicle trips generated from 476 horse stalls. Conservatively, the project would have an estimated daily trip generation of 5 maximum AM and PM new trips (the project would generate a maximum rate of 3.6 AM peak-hour trips and 1.36 PM peak-hour trips.). Thus, the project is assumed to have a less than significant impact on traffic and does not conflict with CEQA guidelines section 15064.3(b).

- c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less Than Significant Impact: The site gains access from Quail Trail which is a private road that is connected to the publicly maintained Sunset Road. The existing access road is gravel and is flat without any existing roadway hazards. The project which is to run a horse boarding facility within an existing agricultural stable structure will not propose any new geometric design features or require new curves in the road. Additionally, there will be no equipment placed in any right-of-way that would create a hazard. The project was reviewed by the Contra Costa County Public Works Department who determined that additional roadway widening was unnecessary. Therefore, the project will not increase any transportation hazard due to design or incompatible use.

- d) *Would the project result in inadequate emergency access?*

Less Than Significant Impact: The applicant is required to comply with the requirements and standards of the Contra Costa County Fire Protection District. The project was referred to CCCFPD staff for comments. Staff has not received any comments regarding the potential for inadequate emergency access. Moreover, the project is not proposing any construction of new buildings or structures that could impair existing emergency access. The site access meets the off-street parking ordinance for access requirements with a 21'-2" driveway (where 20' is required). Therefore, because the project will comply with all applicable fire safety measures, this ensures that the potential to result in inadequate access or services is less than significant impact.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Sources of Information

Contra Costa County General Plan. “Chapter 4: Growth Management Element.” 2005-2020. <http://www.co.contra-costa.ca.us/DocumentCenter/View/30914/Ch4-Growth-Management-Element?bidId=>.

Contra Costa County General Plan. “Chapter 5: “Transportation and Circulation Element.” 2005-2020. <http://www.co.contra-costa.ca.us/DocumentCenter/View/30915/Ch5-Transportation-and-Circulation-Element?bidId=>.

Contra Costa County Public Works Department. “Land Use Permit CDLP21-02005 Staff Report & Conditions of Approval.” Dated January 19, 2022. Agency Comment Response Memo.

Contra Costa County Code. “Title 8 – Zoning.” Accessed in 2024. [https://library.municode.com/ca/contra costa county/codes/ordinance code?nodeId=TIT8ZO](https://library.municode.com/ca/contra%20costa%20county/codes/ordinance%20code?nodeId=TIT8ZO).

Institute of Transportation Engineers (ITE). “Trip Generation Manual, 11th Edition.” September 2021. Book.

Project Plans, date received on September 9, 2021.

Sycamore Trails Stable Traffic Memo with trip generation rates

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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18. TRIBAL CULTURAL RESOURCES – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
- b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

Less Than Significant Impact (a-b): As discussed in Section 5 (Cultural Resources), there are no buildings or structures at the project site listed on Contra Costa County’s Historic Resources Inventory, on California’s Register of Historical Resources, or the National Register of Historic places, nor is there any building or structure that qualifies to be listed. The scope of the project does not require any ground disturbing activities that could damage cultural landscapes. Moreover, the project is not going to alter any existing buildings or landscape. A Notice of Opportunity to Request Consultation was sent to the Wilton Rancheria on October 16, 2023, and to the Confederated Villages of Lisjan nation on September 18, 2023, for comments. Neither Native American tribe has requested consultation on the project. Therefore, it can be assumed that the scope of the project is not of concern to California Native American tribes.

Sources of Information

Contra Costa County. “Historic Resources Inventory.” Accessed in 2024.
[https://www.contracosta.ca.gov/DocumentCenter/View/1116/Historic-Resources-Inventory-HRI?bidId=.](https://www.contracosta.ca.gov/DocumentCenter/View/1116/Historic-Resources-Inventory-HRI?bidId=)

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19. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?*

Less Than Significant Impact: The project site is not served by public water or by public sewer and instead relies on well water and a septic system. Since well water and septic service is already available, and based on the project’s size and scope, the project would not require or result in the relocation or construction of new or expanded water or wastewater treatment facilities.

Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse. The applicant is not proposing to construct any new structures and will not significantly alter the existing drainage pattern onsite, therefore the applicant has requested an exception to Division 914 of the County Ordinance Code. Since the Public Works Department has no objection to the granting of an exception from this requirement, provided there are no existing drainage problems in the area, no concentrated runoff is being directed to adjacent

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parcels, and the existing drainage pattern is maintained, the project is not expected to substantially alter the existing drainage pattern of area and the project would not result in the relocation or construction of storm water drainage facilities.

In addition to the information provided above, the project will not require construction of new off-site electric power, natural gas, or telecommunication facilities, thus resulting in a less than significant impact.

- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?*

Less Than Significant Impact: The applicant will work with Contra Costa Environmental Health (CCEH) to determine if there are additional requirements prior to the initiation of the use. This request will be added as an advisory note within the finding and conditions of approval of this project. Additionally, the project does not propose any new development that would require an increase in water supply to the parcel. Therefore, the project is expected to have a less than significant impact on the existing water supplies.

- c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Less Than Significant Impact: The project site is in an agricultural area that is not served by any municipal water or wastewater system, and therefore, the project would have no effect on water or wastewater treatment facilities. As previously mentioned, the applicant will need to contact CCEH prior to initiation of the use (if the project is approved) to ensure adequate service (water and wastewater) can be provided to the project site. Any new wastewater service the applicant will need will be regulated by CCEH. The applicant will comply with CCEH requirements.

- d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Less Than Significant Impact: Project operation would involve the routine transport, use, and disposal of horse manure. Pursuant to the project proponent, the horse stalls are cleaned twice a day, and the manure is subsequently stored on the north side of the property, away from locations that people could be at. Weekly, the manure is turned to initiate and maintain the natural composting process and is subsequently used as an all-natural soil amendment on the subject property. Moreover, the manure does not drain to neighbors or drain to any bodies of water. The applicant plans to store all manure on-site as there is adequate space for composting of the manure. The project is not expected to be a source of significant additional solid-waste generation that would impact any landfills that serve the area.

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- e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Less Than Significant Impact: No construction is proposed with this project, and compliance with the CalGreen Construction and Demolition Debris Recovery Program, is not applicable as there is no demolition or removing of debris from the site. Project operation is not expected to result in the generation of unique types of solid waste that would conflict with existing regulations applicable to solid waste. Thus, the project will comply with applicable federal, state, and local laws related to solid waste.

Sources of Information

Contra Costa County Public Works Department. “Land Use Permit CDLP21-02005 Staff Report & Conditions of Approval.” Dated January 19, 2022. Agency Comment Response Memo.

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20. WILDFIRE – <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*
- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*
- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*
- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

No Impact (a-d): The project site has multiple designations of Fire Hazard Zone. The majority of the parcel (northern and eastern portion) are Non-Wildland / Non-Urban Fire Hazard Severity Zone. A small southwestern portion of the parcel is Urban Unzoned while a small portion to the west is Moderate. The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones pursuant to the California Fire Hazard Severity Zone Viewer. Therefore, the project will have no impact on emergency response or evacuation plans or project occupants due to wildfire. The project is located on a parcel that is very flat and does not have any slope that would exacerbate wildfire risks. Likewise, the project does not

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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include any construction and will not require the installation or maintenance of additional infrastructure such as roads or fuel breaks that may exacerbate fire risk or expose people or structures to significant risks as a result of post fire slope instability or runoff. Lastly, the project does not propose any construction or ground disturbing activities or create any drainage changes to the site. Therefore, the project will not expose project occupants to uncontrolled spread of a wildfire.

Sources of Information

California State Geoportal. “California Fire Hazard Severity Zone Viewer.” Accessed in 2024. <https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>.

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21. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

Less Than Significant Impact: It is unlikely that the project would have a substantial adverse effect on the environment, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status, due to the location of the project site (parcel not located near any known habitat containing fish or wildlife species) and lack of suitable habitat (there are no, creeks, wetlands, or riparian habitats located on the subject parcel). Furthermore, all buildings and structures are existing. No construction of new buildings or structures are proposed at this time and approval of the land use permit would allow for a horse boarding facility on a site that has been historically used for farm animals. Furthermore, no demolition of any building or structure is proposed. A horse boarding facility is not a use that would have the potential to substantially degrade the quality of the environment. Thus, approval of the project would not result in the elimination of important examples of the major periods of California history or prehistory.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

Less Than Significant Impact: No long-term adverse impacts are anticipated to occur, and as such, the incremental effects of the project would not be considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. The surrounding area is zoned for agricultural uses which includes housing of livestock. The proposed project will establish a use (horse boarding) that is consistent with the entire surrounding community and is consistent with the County General Plan and Zoning District. Based on the analysis provided throughout the initial study, approval of a land use permit to allow a commercial horse boarding facility with no new construction would not result in impacts that would be cumulatively considerable.

- c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less Than Significant Impact: Based on the analysis provided throughout the initial study, approval of a land use permit to allow a commercial horse boarding facility with no new construction will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. The horse boarding facility will serve up to 18 horses within an existing structure. There is no construction involved and no changes to the existing environment are proposed with this application. Furthermore, the proposed use is consistent with the zoning and general plan designation of this area of the County which is generally agricultural related. The project will be conditioned to reduce any off-site effects and will be required to obtain the necessary approvals from the appropriate agencies (i.e. Fire, Environmental Health, Public Works, etc.) Furthermore, no evidence has been found in the record that would indicate that the project would have a potential to cause substantial adverse effects on human beings, whether directly or indirectly, so there will be a less than significant impact.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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REFERENCES

In the process of preparing the Initial Study Checklist and conduction of the evaluation, the above cited references (which are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553) were consulted.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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ATTACHMENTS

1. Vicinity Map
2. Project Plans



Legend

- City Limits
- Unincorporated
- Address Points
- Highways
- Highways Bay Area
- Streets
- Board of Supervisors' Districts
- County Boundary
- Bay Area Counties
- Building Outlines
- Assessor Parcels
- Aerials 2019
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
- World Imagery
 - Low Resolution 15m Imagery
 - High Resolution 60cm Imagery
 - High Resolution 30cm Imagery
 - Citations

1: 1,128



0.0 0 0.02 0.0 Miles

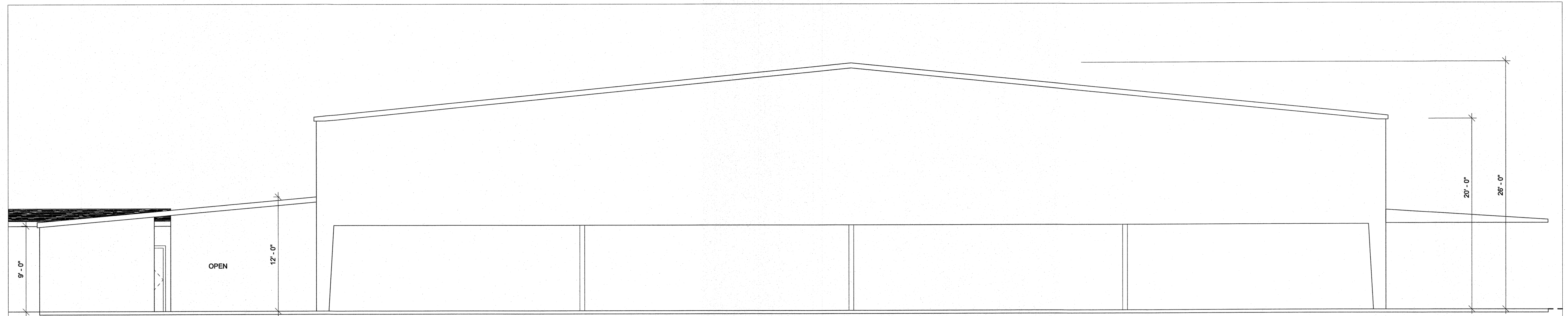
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

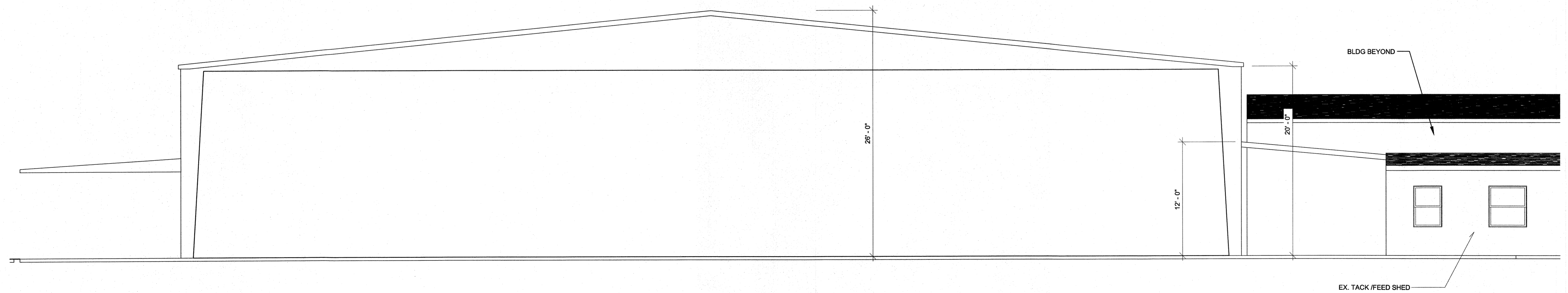
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS



① ARENA & STABLES FRONT ELEV.
3/16" = 1'-0"



② ARENA & STABLES REAR ELEV.
3/16" = 1'-0"

REVISIONS	BY

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tomlinndrafting@sbcglobal.net

2235 SUNSET RD. BRENTWOOD CA
RECORD DRAWING

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AS SHOWN
JOB NO.

SHEET
A103



AGENCY COMMENT REQUEST

Date _____

We request your comments regarding the attached application currently under review.

<p style="text-align: center;"><i>DISTRIBUTION</i></p> <p><u>INTERNAL</u></p> <p><input type="checkbox"/> Building Inspection <input type="checkbox"/> Grading Inspection <input type="checkbox"/> Advance Planning <input type="checkbox"/> Housing Programs <input type="checkbox"/> Trans. Planning <input type="checkbox"/> Telecom Planner <input type="checkbox"/> ALUC Staff <input type="checkbox"/> HCP/NCCP Staff <input type="checkbox"/> APC PW Staff <input type="checkbox"/> County Geologist</p> <p><u>HEALTH SERVICES DEPARTMENT</u></p> <p><input type="checkbox"/> Environmental Health <input type="checkbox"/> Hazardous Materials</p> <p><u>PUBLIC WORKS DEPARTMENT</u></p> <p><input type="checkbox"/> Engineering Services (1 Full-size + 3 email Contacts) <input type="checkbox"/> Traffic <input type="checkbox"/> Flood Control (Full-size) <input type="checkbox"/> Special Districts</p> <p><u>LOCAL</u></p> <p><input type="checkbox"/> Fire District _____ <input type="checkbox"/> San Ramon Valley – (email) rwendel@srvfire.ca.gov <input type="checkbox"/> Consolidated – (email) fire@cccfd.org <input type="checkbox"/> East CCC – (email) brodriguez@cccfd.org</p> <p><input type="checkbox"/> Sanitary District _____ <input type="checkbox"/> Water District _____ <input type="checkbox"/> City of _____ <input type="checkbox"/> School District(s) _____ <input type="checkbox"/> LAFCO <input type="checkbox"/> Reclamation District # _____ <input type="checkbox"/> East Bay Regional Park District <input type="checkbox"/> Diablo/Discovery Bay/Crockett CSD <input type="checkbox"/> MAC/TAC _____ <input type="checkbox"/> Improvement/Community Association <input type="checkbox"/> CC Mosquito & Vector Control Dist (email)</p> <p><u>OTHERS/NON-LOCAL</u></p> <p><input type="checkbox"/> CHRIS (email only: nwic@sonoma.edu) <input type="checkbox"/> CA Fish and Wildlife, Region 3 – Bay Delta <input type="checkbox"/> Native American Tribes</p> <p><u>ADDITIONAL RECIPIENTS</u></p> <p>_____ _____ _____</p>	<p><i>Please submit your comments to:</i></p> <p>Project Planner _____ Phone # _____ E-mail _____ County File # _____ Prior to _____</p> <p style="text-align: center;">* * * * *</p> <p>We have found the following special programs apply to this application:</p> <p><input type="checkbox"/> Active Fault Zone (Alquist-Priolo) Liquefaction <input type="checkbox"/> Flood Hazard Area, Panel # _____ <input type="checkbox"/> 60-dBA Noise Control <input type="checkbox"/> CA EPA Hazardous Waste Site</p> <p style="text-align: center;">* * * * *</p> <p>AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.</p> <p>Comments: <input type="checkbox"/> None <input type="checkbox"/> Below <input type="checkbox"/> Attached</p> <p>Print Name _____ Signature _____ DATE _____ Agency phone # _____</p>
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From: [Joanne Chiu](#)
To: [Adrian Veliz](#)
Subject: CDLP21-02004 Agency Comment
Date: Thursday, February 18, 2021 1:19:55 PM

Hi Adrian,

The parcel is not subject to HCP/NCCP Ordinance No. 2007-53. The project is located outside the HCP/NCCP Urban Development Area / County ULL.

Joanne

Joanne Chiu (*she/her/hers*)
[East Contra Costa County Habitat Conservancy](#)
30 Muir Road | Martinez, CA 94553
Office: (925) 674-7263 | Cell: (510) 550-5503
www.cocohcp.org



Memo

January 19, 2022

TO: Adrian Veliz, Senior Planner, Department of Conservation and Development
FROM: Randolph Sanders, Associate Civil Engineer, Engineering Services Division
By: Ronald Lai, Engineering Technician, Engineering Services Division
SUBJECT: **LAND USE PERMIT LP21-2004**
Staff Report & Recommended Conditions of Approval
(Tom Linn/Sunset Road/Brentwood/APN 015-090-039)
FILE: LP21-2004

The attached recommended conditions of approval, based on the site plan, include road and drainage requirements. The applicant shall comply with the Ordinance Code requirements as they pertain to this development. The following issues should be carefully considered with this project:

Background

The applicant requests approval of a land use permit to allow the continued operation of an existing owner-operated, horse boarding facility in the unincorporated area of Brentwood in Contra Costa County. The subject property is a 10-acre lot with existing structures, include those for horse boarding, located at 2235 Sunset Road (APN 015-090-039). The subject site is Parcel C of MS83-0035 and zoned A-2. No new improvements and structures are proposed with this application.

Traffic and Circulation

The site gains access from Quail Trail, a privately maintained road. Quail Trail intersects Sunset Road, a publicly maintained road, to the north. Quail Trail is a gravel road approximately 16 feet wide within a 30-foot right-of-way. No additional road improvements or easement widths are required at this time.

Drainage

Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse.

No existing or proposed drainage facilities are shown on the site plan. As the proposed parcel is relatively large in size and will have restricted building envelopes under the County's "ranchette" development policy, exceptions from the "collect and convey" requirements may be considered, if requested. Such exceptions are considered on a case-by-case basis, and will only be allowed if there are no existing drainage problems in the area, no concentrated runoff is being directed to adjacent parcels, and the existing drainage pattern is maintained.

The applicant has provided an exception request per Chapter 92-6 from the collect and convey requirements specified in Chapter 914-2 of the County Subdivision Ordinance. The request for exceptions is based on the finding outlined below:

- (1) That there are unusual circumstances or conditions affecting the property.

The application proposes no new development. The lot is relatively flat with no known flood issues to date. There is no existing storm drainage infrastructure within the surrounding area. The area generally consists of large, rural agricultural properties with no existing drainage infrastructure.

- (2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Given that no development is proposed, the requirements of 914 unfairly over-burdens the applicant's property. Such exceptions have also been approved on other similar properties in the past. In order to maintain agricultural use of the property, applicant intends to maintain existing drainage flow patterns.

- (3) That the granting of the exception will not be materially detrimental to the public welfare or injurious to other property in the territory in which the property is situated.

No development is proposed and no increase in impervious surface would occur as a result of the application. The existing drainage pattern would remain the same. This site, as well as neighboring properties, have not had any issues with runoff in the past. The property is very well maintained, and being that the property is on native sand, it helps with effective natural draining. Therefore, the granting of the exception would have no detrimental or injurious impact on the public welfare to other properties in the territory in which the property is situated.

Public Works has no objection to the granting of an exception from this requirement provided that there are no existing drainage problems in the area, no concentrated runoff is being directed to adjacent parcels, and the existing drainage pattern is maintained.

Stormwater Management and Discharge Control

A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 10,000 square feet in compliance with the County's Stormwater Management and Discharge Control Ordinance (§1014) and the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES)

Permit. It appears that this project will not create/replace more than 10,000 square feet of impervious surface area and therefore, a SWCP is not required at this time.

The County's Stormwater Management Discharge Control Ordinance (§1014) requires that discharge of polluted water be effectively prohibited, and allows the County to require that a Stormwater Pollution Prevention Plan (SWPPP) be prepared to minimize the discharge of pollutants from any project that involves a land use that is likely to result in the discharge of pollutants. The proposed land use has a relatively high potential to contribute polluted water to nearby water bodies; therefore, the applicant shall be required to submit a SWPPP, subject to the review and approval by the Public Works Department, that document permanent and operational Best Management Practices (BMPs) that will be implemented to minimize potential impacts to water quality. The SWPPP shall include BMPs related to manure management, horse washing, and other activities that have the potential to result in pollutant discharges related to the horse stable and boarding facility (i.e. restricting horses' access to creeks or other sensitive areas). Applicant has provided a manure management plan that appears to be acceptable.

Floodplain Management

The property does not lie within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map.

Lighting District Annexation

The subject property is not annexed into the lighting district. The applicant will be required, as a condition of approval, to annex into the Community Facilities District (CFD) 2010-1 formed for the Countywide Street Light Financing.

Area of Benefit Fee

The applicant will need to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the East Contra Costa Regional Fee & Finance Authority/Regional Transportation Development Impact Mitigation (ECCRFFA/RTDIM) and East County Regional Areas of Benefit, as adopted by the Board of Supervisors. If applicable, these fees shall be paid prior to initiation of use.

Drainage Area Fee and Creek Mitigation

The property is located within unformed Drainage Area 74A. There is currently no fee ordinance adopted by Board of Supervisors for this area.

RS:RL:sr
\\pw-data\grpdata\engsvc\Land Dev\LP\LP 21-2004\LP21-2004 Staff Report & COAs.docx

cc: Jocelyn LaRocque, Engineering Services
Larry Gossett, Engineering Services
Ronald Lai, Engineering Services
Howard Hiibel, owner
2235 Sunset Road, Brentwood, CA 94513
Tom Linn, applicant
P.O. Box 313, Antioch, CA 94509

**PUBLIC WORKS RECOMMENDED
CONDITIONS OF APPROVAL FOR PERMIT LP21-2004**

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan submitted to the Department of Conservation and Development on October 8, 2021.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT AND/OR PRIOR TO INITIATION OF THE USE PROPOSED UNDER THIS PERMIT.

General Requirements:

- Improvement plans prepared by a registered civil engineer shall be submitted, if necessary, to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the Ordinance Code for the conditions of approval of this permit. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of Public Works.

Access to Adjoining Property:

Proof of Access

- Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights-of-way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

Site Access

- Applicant shall only be permitted access at the locations shown on the approved site/development plan.

Street Lights:

- Property owner(s) shall annex to the Community Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Drainage Improvements:

Collect and Convey

- Applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural

watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the stormwater to a natural watercourse, in accordance with Division 914 of the Ordinance Code. Applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project prior to discharging runoff. If the downstream system(s) is inadequate to handle the existing and project condition for the required design storm event, applicant shall construct improvements to make the system adequate. Applicant shall obtain access rights to make any necessary improvements to off-site facilities.

Exception (Subject to Advisory Agency findings and approval)

- Applicant shall be permitted an exception from the collect and convey requirements of the County Ordinance Code due to the large size of the proposed parcels, provided that there are no known drainage problems on-site currently, the existing drainage pattern is maintained and additional concentrated stormwater runoff is not discharged onto adjacent properties.

National Pollutant Discharge Elimination System (NPDES):

- The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards Central Valley - Region V.

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

- Minimize the amount of directly connected impervious surface area.
- Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention area) as reviewed and approved by the Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES Permit.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- Offer pavers for household driveways and/or walkways as an option to buyers.
- 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.
- Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance:

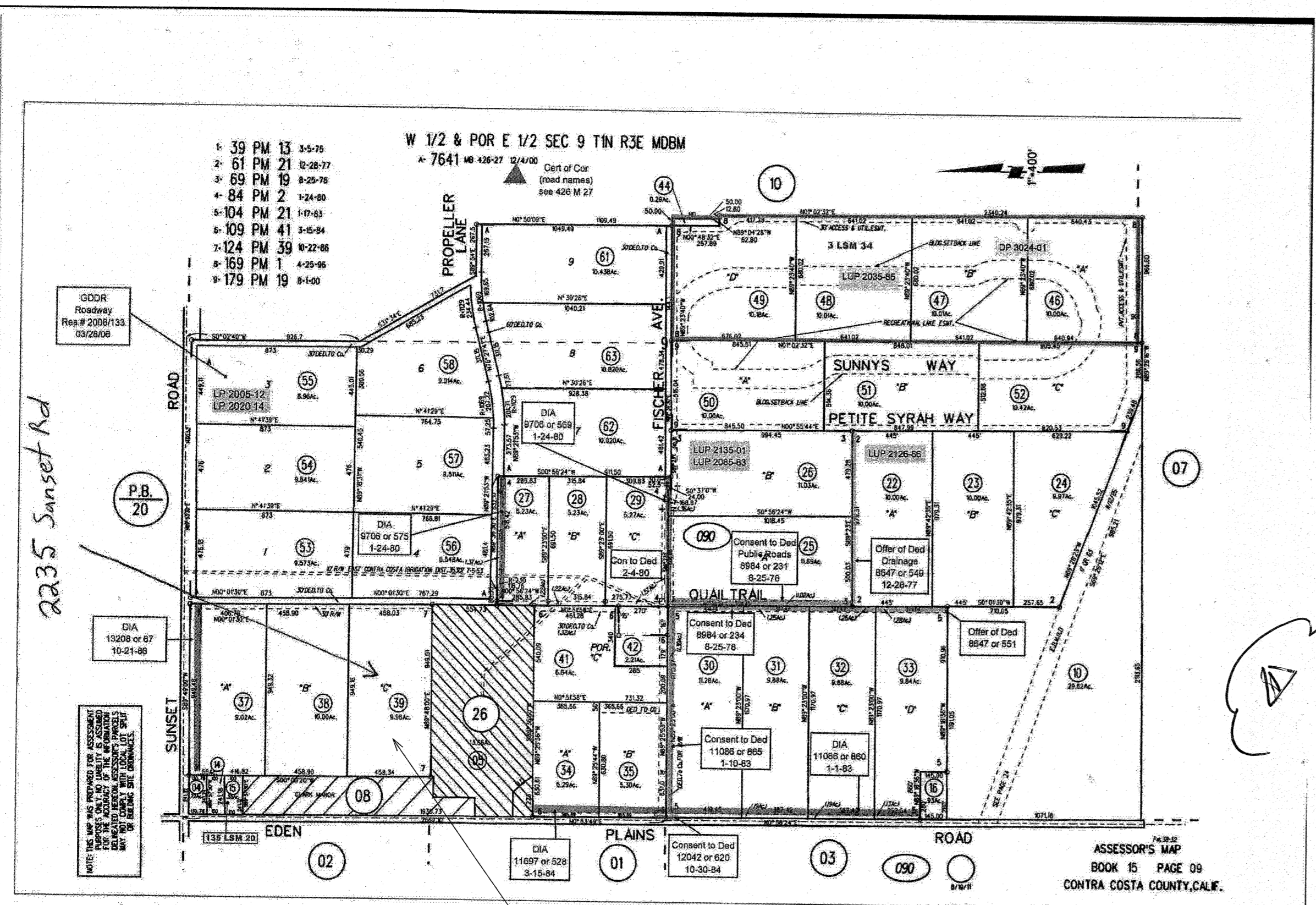
- Prior to initiation of use, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval of the Public Works Department. The SWPPP shall document Best Management Practices (BMPs) that will be incorporated into the project

to minimize the discharge of pollutants from the project. The SWPPP shall include BMPs related to manure management, horse washing, and other activities that have the potential to result in pollutant discharges related to the horse stable and boarding facility. Any permanent structural BMPs must be constructed and inspected prior to final inspection for building permits.

ADVISORY NOTES

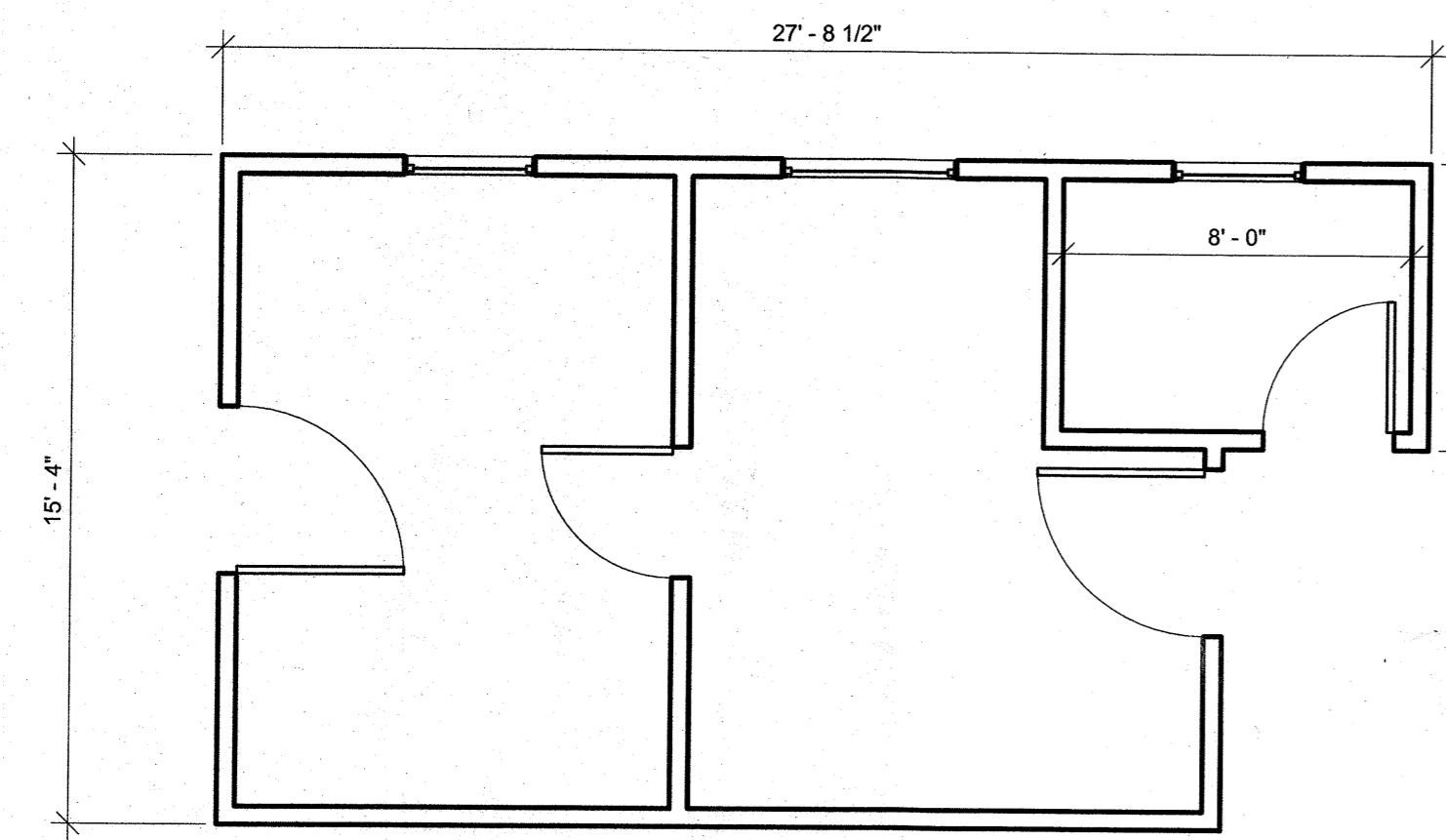
- Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the East Contra Costa Regional Fee & Finance Authority/Regional Transportation Development Impact Mitigation (ECCRFFA/RTDIM) and East County Regional Areas of Benefit as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.
- Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and Maintenance Plan prepared in accordance with the latest edition of the *Stormwater C.3 Guidebook*. Compliance may also require annexation of the subject property into the Community Facilities District 2007-1 (Stormwater Management Facilities) and entering into a standard Stormwater Management Facilities Operation and Maintenance Agreement with Contra Costa County.

RECEIVED on 9/9/2021 CDLP21-02004
 By Contra Costa County
 Department of Conservation and Development

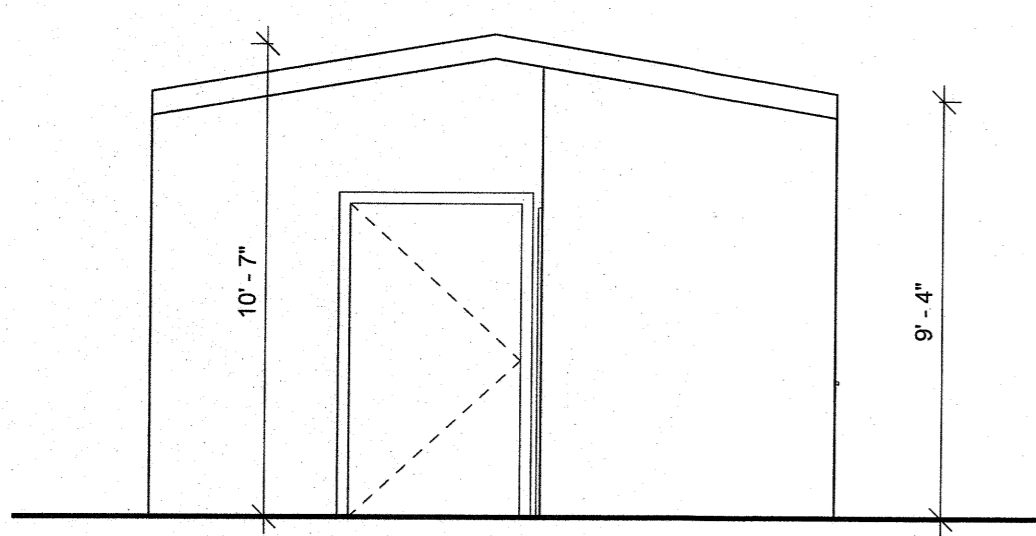


CONTRA COSTA COUNTY
 ASSESOR MAP N.T.S.

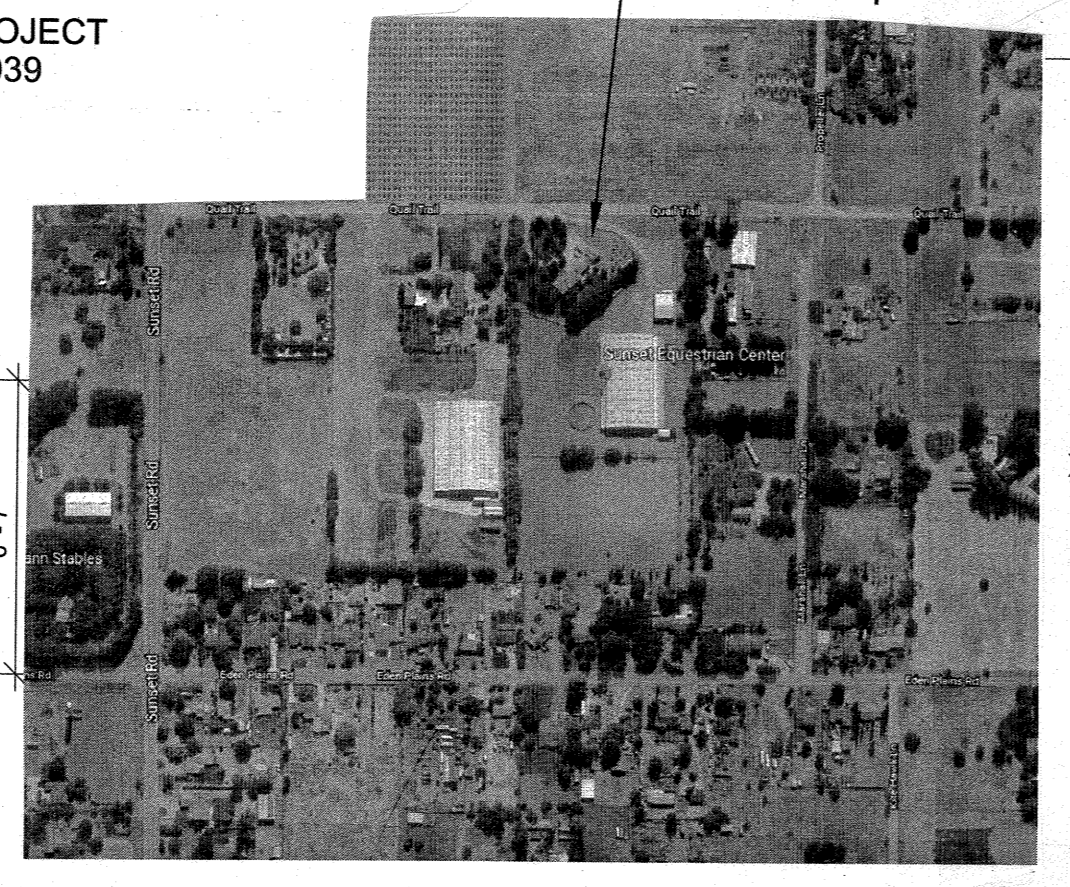
AREA OF THIS PROJECT
 PARCEL # 015090039



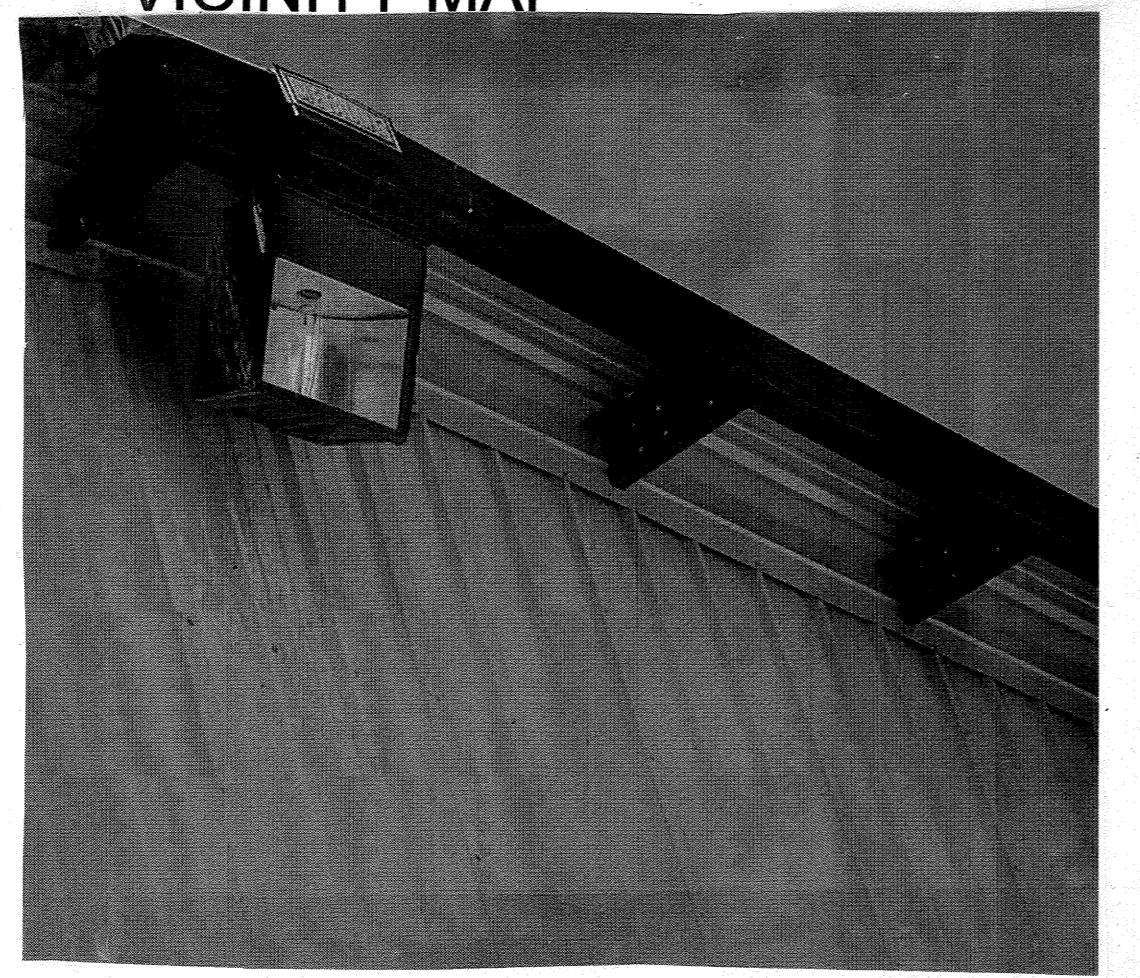
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 1/4" = 1'-0"



3 TACK/FEED SHED FRONT ELEV.
 1/4" = 1'-0"

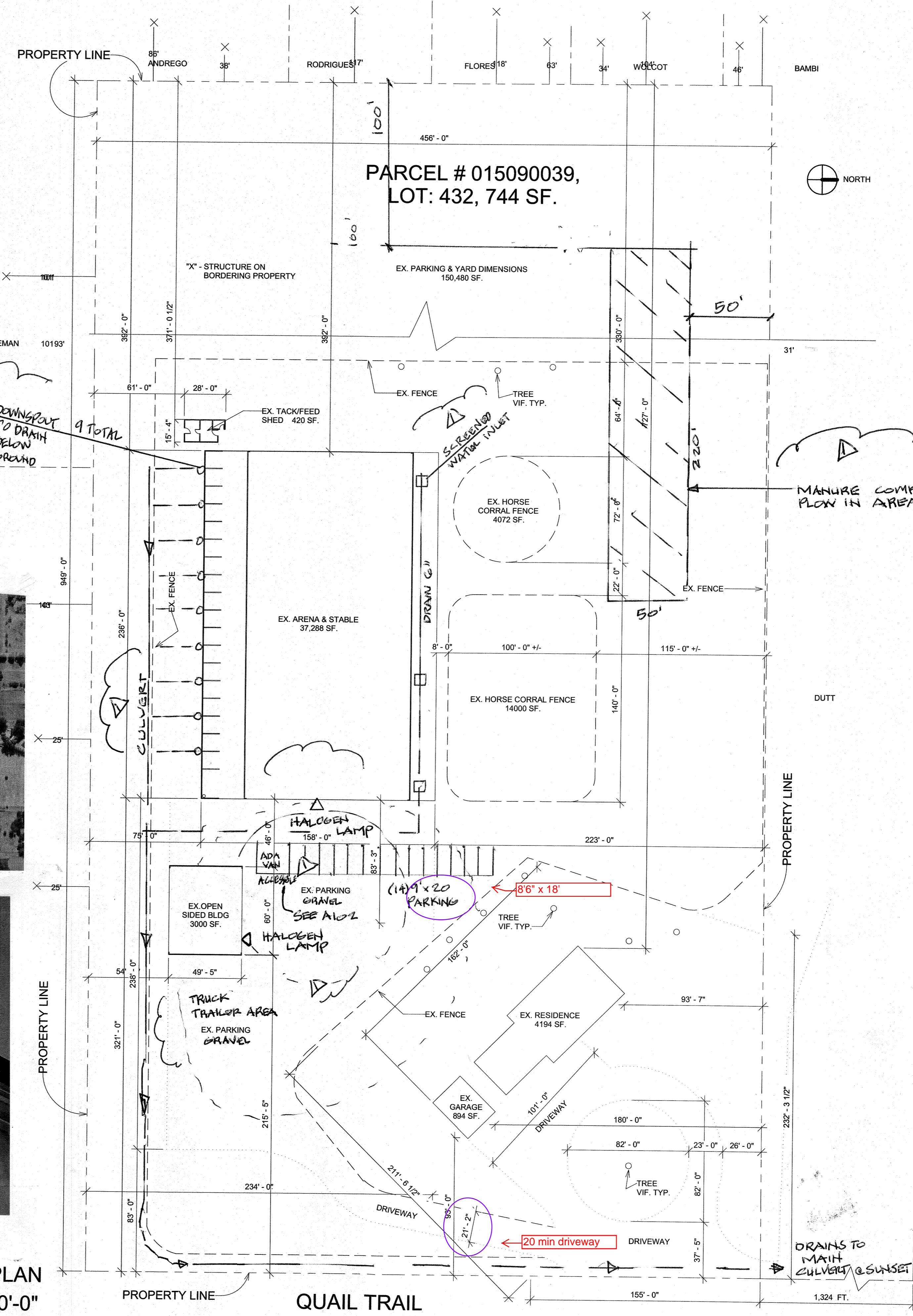


VICINITY MAP



HIGH POWER HALOGEN LAMP

1 SITE PLAN
 1" = 40'-0"



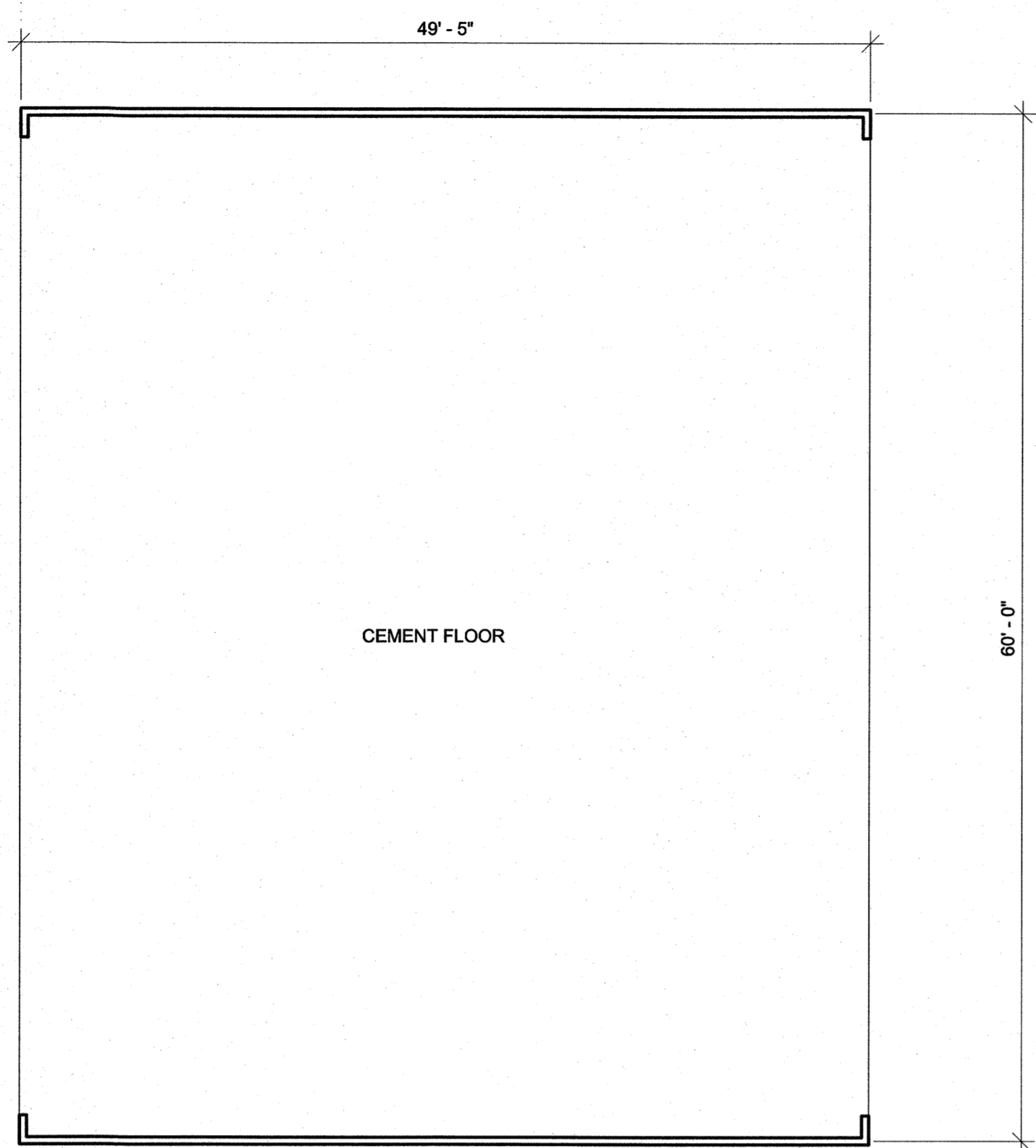
Record Drawing

ARCHITECT:

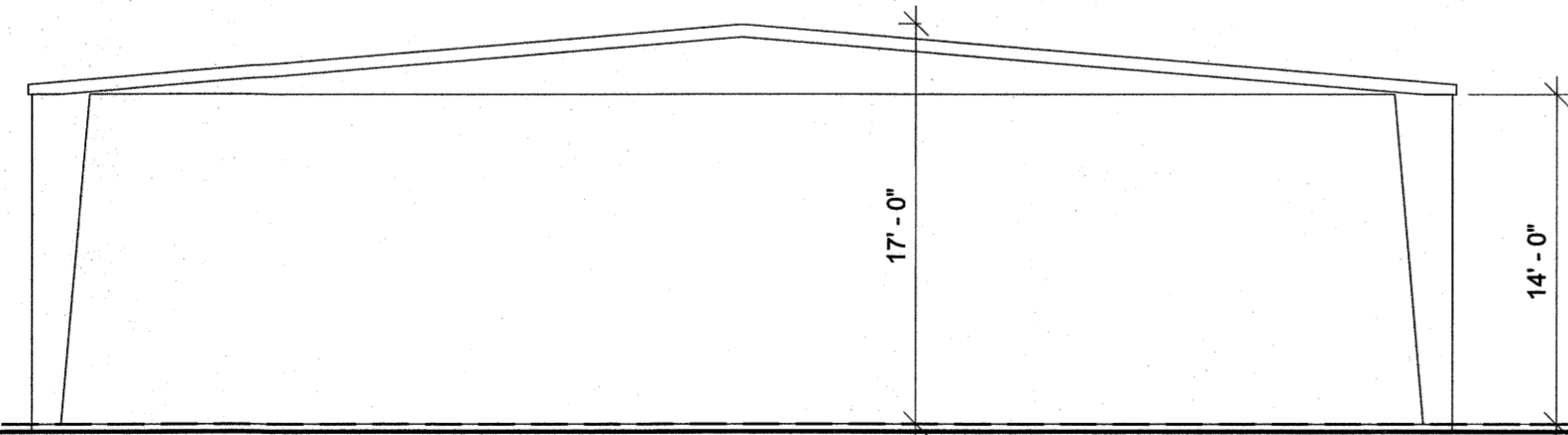
Howard Hibel
 2235 Sunset Rd
 Brentwood CA

No.	Description	Date

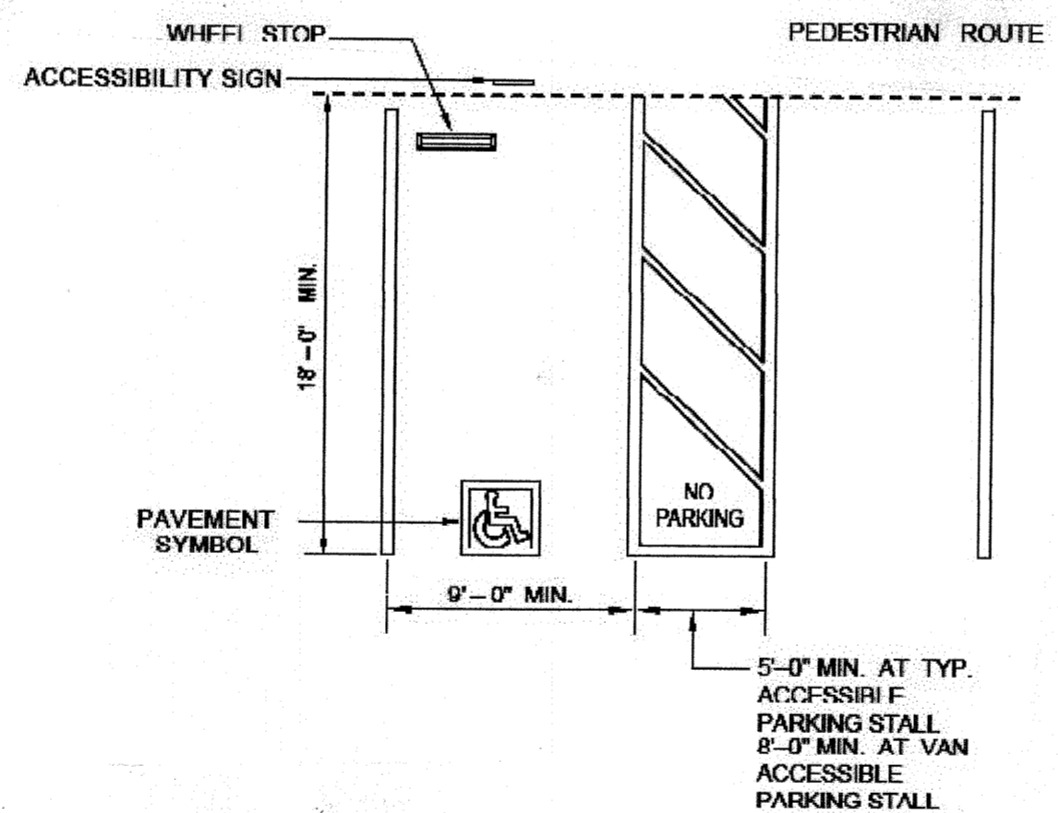
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 Checked by: TL
 Date: 2020.03.12
 Project number: 20011
 Dwg #: A101



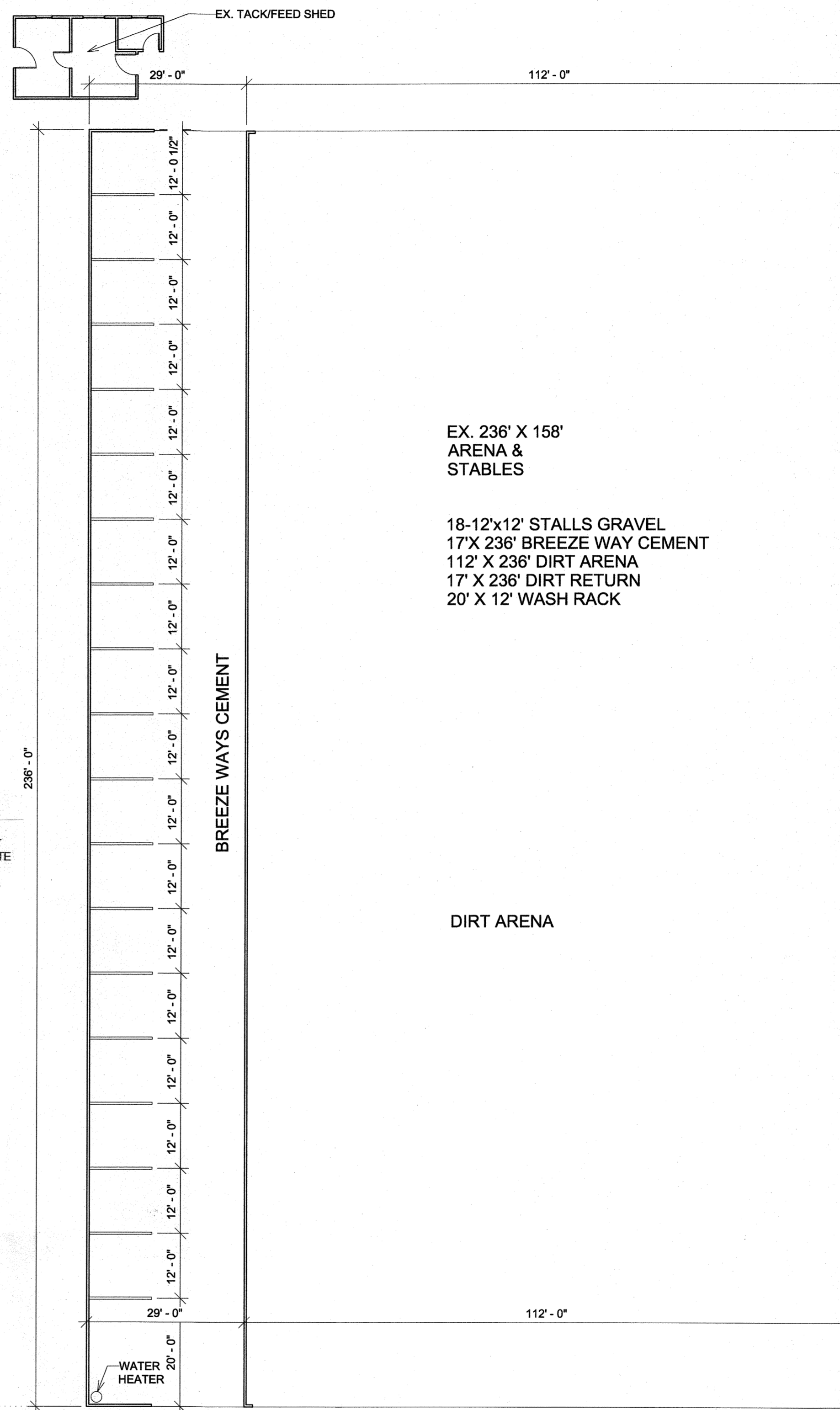
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1/8" = 1'-0"



4 OPEN SIDED BLDG RIGHT SIDE ELEV.
1/8" = 1'-0"



ADA VAN ACCESSIBLE



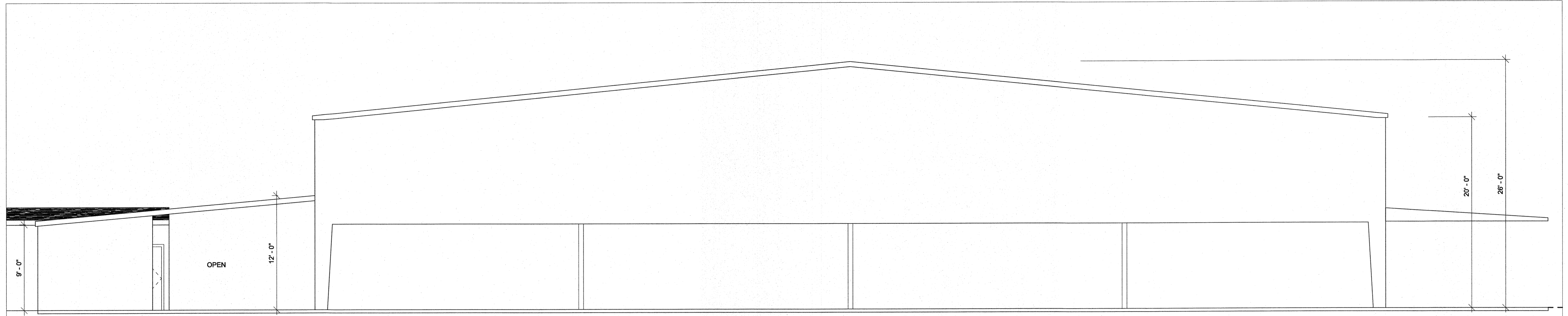
1 ARENA & STABLES PLAN
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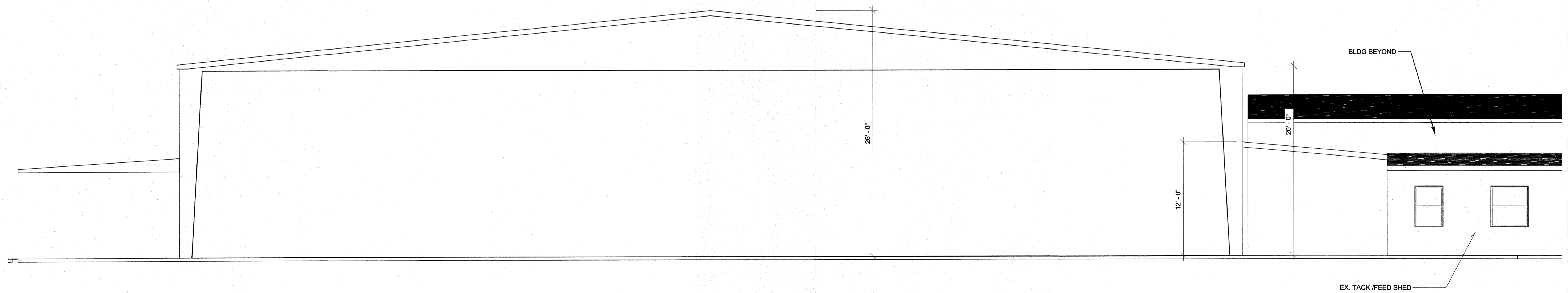
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