## **CONTRA COSTA COUNTY**



## AGENDA

## **Contra Costa County Zoning Administrator**

Monday, July 7, 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.

#### <u>1</u> <u>PUBLIC COMMENTS:</u>

#### <u>2</u> <u>MINOR SUBDIVISION: PUBLIC HEARING</u>

2a SHELLY BUTLER, KIER & WRIGHT (Applicant) - TOM FEHR, SVI FORNI LLC (Property Owner); County File #CDMS24-00023: A request for approval of a tentative map to subdivide an existing multi-tenant industrial property into five commercial condominium units for the purposes of individual ownership. The subject property is located at 5020 Forni Drive in the unincorporated Concord area of Contra Costa County. Zoning: Light Industrial (L-I); APN: 159-362-003

Attachments:Attachment A - Findings and ConditionsAttachment B - MapsAttachment C - Site PhotosAttachment D - Project PlansAttachment E - Agency Comments

#### <u>3</u> LAND USE PERMITS: PUBLIC HEARING

3a LOUIS MIRAMONTES (Applicant), LOUIS AND KRISTI MIRAMONTES (Owners), County File CDLP23-02056: The applicant requests approval of a Land Use Permit and Small Lot Design Review to construct a 2,840 square-foot second single-family residence with an attached 536 square-foot garage and a new driveway on a substandard size lot. The applicant is also requesting authorization of an Exception to the requirements and regulations of County Code Section 914-2.004 (Offsite Collect and Convey).The project site is located at 6621 Johnston Road in the San Ramon area of unincorporated Contra Costa County. (Zoning: A-20 Exclusive Agricultural District) (Assessor's Parcel Number: 204-120-015) DL

Attachments:Attachment A - Findings and COAs<br/>Attachment B - Maps<br/>Attachment C - Agency Comments<br/>Attachment D - CHRIS Summary Letter<br/>Attachment E - Project Plans<br/>Attachment F - MND<br/>Attachment G - MMRP

<u>25-2782</u>

3b MELISSA GONZALEZ, J5 INFRASTRUCTURE PARTNERS (Applicant) -JANET D MCELLEY TRUST (Owner), County File #CDLP24-02033: The applicant is requesting approval of a Land Use Permit, to modify a previously approved Land Use Permit #CDLP22-02051, for an AT&T wireless telecommunications facility. The proposed facility includes an approximately 170' tall faux water tower with 9 new antennas. Other ground equipment includes a new 30 KW generator and AT&T equipment shelter. A 10' wide access/utility easement is proposed with this project. The project is located at 5707 Highland Road in the unincorporated San Ramon area of Contra Costa County. (Zoning: A-20 Exclusive Agricultural) (Assessor's Parcel Number: 205-090-006 and 205-090-007)

CEQA: An addendum to a Mitigated Negative Declaration has been completed for the project. DRW

Attachments:Attachment A - Findings and COAsAttachment B - Addendum to Adopted Neg DecAttachment C - Previously Approved Initial Study and MitigaredNegative DeclarationAttachment D - Agency CommentsAttachment E - MapsAttachment F - Project Plans

#### <u>4</u> <u>WIRELESS ACCESS PERMIT: PUBLIC HEARING</u>

- VERIZON WIRELESS (Applicant) Contra COSTA COUNTY PUBLIC 4a 25-2784 WORKS DEPARTMENT / NORTHERN CALIFORNIA JOINT POLE ASSOCIATION (Owner), County File CDWA25-00009: The applicant requests approval of a Wireless Access permit to allow for the continued operation of an existing Verizon wireless telecommunications facility located on an existing utility pole within the Marsh Creek Road public right-of-way, which was originally established under Land Use Permit #CDLP13-02055. The project includes the removal of an existing 30' utility pole and the installation of a new 37'6"-tall replacement pole at the same location. Additionally, the project includes the removal and replacement of two (2) existing antennas and associated radio equipment presently mounted to the existing utility pole. The two (2) proposed new antennas would be affixed at the end of wooden cross arms, extending horizontally 2'6" from the eastern and western sides of new utility pole. The subject property is located within the Marsh Creek Road public right-of-way, along the northern side of the roadway adjacent to the property addressed 14101 Marsh Creek Road in the Clayton area of unincorporated Contra Costa County. (APN: ROW 078-140-010, Zoning: A-2 General Agricultural District) CP
  - Attachments:Attachment A Findings and COAs<br/>Attachment B Maps<br/>Attachment C Agency Comments<br/>Attachment D CHRIS Summary Letter<br/>Attachment E Project Plans<br/>Attachment F MND<br/>Attachment G MMRP

#### <u>5</u> <u>REVOCATION: Public Hearing</u>

5a SMOKE DEPOT (Business) - MATTHEW POURABEDIN & ROYA IRANPOUR (Owner); AHMED DUBAIH (BUSINESS Owner) – A public hearing on the potential revocation of the legal non-conforming statusof a tobacco retailing business, currently operating under the business name Smoke Depot, located at 3770 San Pablo Dam Road, El Sobrante, California. (Zoning: P-1.) (Assessor's Parcel number: 420-140-035.) The purpose of the hearing is to determine if cause exists to revoke the legal non-conforming status of Smoke Depot based upon the following:

1. Failure to comply with the terms, limitations and condition of the legal non-conforming status;

2. Zoning code violations;

3. The use for which the legal non-conforming status was granted has been so exercised as to be detrimental to the public health or safety or as to constitute a nuisance; and

4. A license required for the conduct of the business on the premises covered by the legal non-conforming status has been suspended or revoked. EL

Attachments:Attachment A - Revocation Findings CDSE22-00009<br/>Attachment B - CDSE22-00009 Determination Letter-signed<br/>Attachment C - Sheriff's Inspection Report<br/>Attachment D - Contra Costa Health Notice of Suspension Hearing<br/>Attachment E - Contra Costa Health Notice of Decision<br/>Attachment F - Health Department Site Visit Photos 4.18.2024<br/>Attachment G - Administrative Notice Of Fine<br/>Attachment H - County Health Department TImeline



CONTRA COSTA COUNTY

Staff Report

File #: 25-2781	Agenda Date: 7/7/2025	Agenda #: 2a
Project Title:	Minor Subdivision for a 5 Condominium Conversion Existing Industrial Building	of an
County File(s):	#CDMS24-00023	
Applicant/Owner:	Shelly Butler, Kier & Wright / SVI FORNI, LLC	
Zoning/General Plan:	Light Industrial District, L-I / Light Industrial, LI	
Site Address/Location:	5020 Forni Drive, Concord, CA (APN: 159-362-003)	
California Environmental Quality Act (CEQA) Status:	Categorical Exemption, CEQA Guidelines Section 153 Existing Facilities	301(k) -
Project Planner:	Dominique Vogelpohl, Planner III (925) 655-2880 Dominique.Vogelpohl@dcd.cccounty.us	
Staff Recommendation:	Approve (See Section II for Full Recommendation)	

#### I. <u>PROJECT SUMMARY</u>

The applicant requests approval of a Minor Subdivision application for a tentative map of a 5 commercial condominium conversion within an existing light industrial building that includes variances to allow a 9.4-foot front yard setback (where 10-feet is the minimum) and a 5-foot side yard (where 10-feet is the minimum) to recognize the building in its current location, and variances to parking requirements for the parking spaces to be 8'2"x14'9" (where 8.5'x18' is the minimum) and for zero bicycle parking spaces to be required (where 2 short term and 2 long term spaces is minimum).

#### II. <u>RECOMMENDATION</u>

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

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- A. OPEN the public hearing on the 5 commercial condominium conversion Minor Subdivision application, RECEIVE testimony, and CLOSE the public hearing.
- B. APPROVE the Tentative Parcel Map for Minor Subdivision (County File #CDMS24-00023), based on the attached findings and subject to the attached conditions of approval.
- C. DETERMINE that the proposed project is categorically exempt from CEQA under Section 15301(k) of the CEQA Guidelines.
- D. DIRECT staff to file a Notice of Exemption.

#### III. GENERAL INFORMATION

- A. <u>General Plan</u>: The subject property is located within a Light Industrial (LI) land use designation.
- B. <u>Zoning District:</u> The subject property is located within a Light Industrial District (L-I).
- C. <u>California Environmental Quality Act (CEQA)</u>: The project is categorically exempt pursuant to CEQA Guidelines Section 15301(k), regarding "Existing Facilities", which exempts the subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt.
- D. <u>Lot Creation:</u> Lot 22 of Tract 5624, recorded with the County Clerk on February 26, 1980.

E.<u>Previous Applications</u>:

<u>SD80-5624</u>: A tentative map for a major subdivision that subdivided a 38.25-acre site into a 52-lot industrial park. This was approved by the Zoning Administrator on February 26, 1980.

<u>LP81-2012</u>: A Land Use Permit for a new commercial building approved by the Zoning Administrator on July 17, 1979.

<u>BITZA93421</u>: Building Permit that established the commercial building for this property.

#### IV. SITE/AREA DESCRIPTION

The subject property is approximately 0.58 acres in a light industrial park with a 6-tenant space warehouse building with a 13,403 square-foot footprint. The remaining portion of the property is a 21-space parking lot with landscaping along the frontage and shared property line behind the parking stalls.

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#### V. <u>PROJECT DESCRIPTION</u>

The applicant requests approval of tentative map for a Minor Subdivision to create 5 commercial condominium units within an existing light industrial building on Forni Drive. All street improvements and infrastructure were installed under the master subdivision of the area, Tract 5624. No improvements are necessary except for minor corrective measures necessary to meet current codes in order to be compliant with any regulations found to be essential to the health, safety and welfare of the public, the owners and the occupants of the building, and also to install separate meters as required by the individual utility companies/agencies, and for the parking lot, to install EV charging stations per the Building Code and Title 7 of the County Code, and restriping the parking stalls and designating a loading space per Chapter 82-16 of the County Code.

Although this is a 5 condominium conversion, Section 66426 (c) of the Subdivision Map Act allows for the filing of a Parcel Map in lieu of a Final Map in this situation based on the in zoning and previous development of the property. There are 6 tenant spaces (labeled as A-F in the attached floor plan), but the shared wall between units C and D has an opening, thus units C and D will be sold as one, resulting in 5 commercial condominiums and a shared parking lot and landscaped areas.

The project includes variances to allow a 9.4-foot front yard setback (where 10-feet is the minimum) and a 5-foot side yard (where 10-feet is the minimum) to recognize the building in its current location, and variances to parking requirements for the existing parking spaces to remain 8'2"x14'9" (where 8.5'x18' is the minimum) and for zero bicycle parking spaces to be required (where 2 short term and 2 long term spaces is minimum).

#### VI. <u>AGENCY COMMENTS</u>

- A. <u>Contra Costa County Public Works Department</u>: In a letter dated December 24, 2024, the Public Works Department deemed the application complete and provided their staff report and conditions of approval which are included in this staff report.
- B. <u>Contra Costa County, Transportation Planning Division</u>: In a letter dated June 20, 2024, the Transportation Planning Section stated that the project will not require a VMT analysis or LOS review because the existing building's occupancy limit should not be expanding, and a building this size should generate less than 110 daily vehicle trips. They also stated that in accordance with the Contra Costa Complete Streets Policy, typically bicycle and pedestrian infrastructure are required, but Forni Drive is a collector street and a cul-de-sac with traffic demand that is typical for a light industrial area. Additionally, Forni Drive is not identified in the County General Plan's Planned Bicycle Network, or in a Pedestrian Priority. Therefore, the addition of bike lanes and sidewalk is not being recommended. However, the proposed

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project must comply with County Code Chapter 82-16 -Off-Street Parking, and the provisions of Chapter 74-4 pertaining to electric vehicle charging.

- C. <u>Contra Costa Water District (CCWD)</u>: In a letter dated December 20, 2024, CCWD stated that the building will require separate water meters for each unit.
- D. <u>Central Contra Costa Sanitary District (CCCSD)</u>: In a letter dated January 14, 2025, the Sanitary District stated that the building will require separate sewer main connections for each unit.
- E. <u>Contra Costa County, Environmental Health</u>: In a letter dated December 24, 2024, Environmental Health stated if a subdivision is served by an onsite wastewater disposal system (septic system) or a well, the project must demonstrate that each lot can accommodate a septic system and/or a well that meets current standards, including a disposal field replacement area.

#### VII. <u>STAFF ANALYSIS</u>

- A. <u>General Plan</u>: The project site has a General Plan designation of Light Industrial (LI), which has a 1.5 floor area ratio (FAR). According to the Land Use Element of the County General Plan, the LI designation allows for a range of low- to moderate-intensity industrial uses that when properly designed and operated may be established in proximity to residences and other sensitive receptors without sacrificing human health and safety or resulting in significant environmental impacts. Typically uses include light manufacturing, fabrication/assembly, processing, machinery repair, warehousing and storage, distribution, research and development, laboratories, incubators, workforce training centers, and ancillary or supportive retail and office uses. The building onsite has a gross floor area of 13,403 square-feet on a 25,200 square-foot property, which is less than the maximum allowed FAR. The building's interior comprises 6 units, each with approximately 2,200 square-feet of warehouse space and approximately 400 square-feet to office space, with one bathroom. This configuration is conducive to the type of businesses that are permitted in the LI General Plan designation. There are no other General Plan policies that are applicable to this project site.
- B. <u>Zoning</u>: The Light Industrial District (L-I) allows for industrial uses which do not necessarily require or use steam generated on the premises as a prime power for the manufacturing process carried on, or extensive loading docks or similar facilities for the receiving or shipment of raw materials or semi-finished or finished products.

Uses which emit dust, smoke, fumes, noise, or brilliant light, or are otherwise offensive to the senses or are of a kind or quality that their operation interferes with development or enjoyment of other property in the vicinity, may be established only after issuance of a land

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use permit establishing conditions for the use to prevent the creation or maintenance of a nuisance; uses included within the meaning of this proviso include, but are not limited to, hot mix, asphalt plants, rendering plants, food processing plants, tanneries, wineries, breweries, and other similar uses.

The business that is currently operational at the project site is J&J Cabinetry and Design, Inc. This business is consistent with the uses permitted in the L-I District, and any new business is required to be reviewed for L-1 consistency prior to Planning's authorization to operate.

The following are the development standards required by the L-1 District:

- Lot Area (7,500 sq.ft. minimum): 25,200 sq.ft.
- Building Height (3 stories maximum): Units A-E 1-story, Unit F 2-stories.
- Front yard Setback (10-feet minimum): 9.4-feet.
- Side Yard (10-feet minimum): 5-feet and 46-feet.

The commercial building was permitted under Land Use Permit #LP81-2012 and building permit #BITZA93421. The building is existing, and its building envelope will not be modified with this project. The existing front yard setback and side yard from the north property line requires approval of variances to allow a 9.4-foot front yard setback (where 10-feet is the minimum) and a 5-foot side yard (where 10-feet is the minimum) to recognize the building in its current location. This building is compliant with the other development standards for the L-I District, so staff supports these variances as shown in the attached Variance Findings.

C. <u>Division 926 - Condominium Conversions</u>: The intent and purpose of this division is to safeguard life and public health and welfare by establishing procedures and standards for condominium conversions in order to provide orderly conversion of nonresidential structures consistent with the objectives herein. This division is primarily relevant to conversion of rental housing, but there are elements in this division that can be applicable, such as: submitting draft copies of the required proposed covenants, conditions and restrictions, by-laws, and articles of incorporation of the homeowners association, a report on the condition of the building listing any regulation violations found to be detrimental to the health, safety and welfare of the public, the owners and the occupants of the building, and an acoustical engineer's analysis of current unit to unit noise transmission characteristics compared to current Title 7

<a href="https://library.municode.com/ca/contra\_costa\_county/codes/ordinance\_code">https://library.municode.com/ca/contra\_costa\_county/codes/ordinance\_code</a>?

- D. <u>Chapter 82-16 Off-Street Parking Ordinance</u>: There currently exists a 21-lot parking area that will be shared parking for the proposed 5 units. Each parking area must meet the following parking area design requirements per Code Section 82-16.404:
  - The access drive must measure at least 20-feet wide for two-way traffic, and the existing two-way access drive is over 24-feet wide.

- As the driveway aisle intersects directly with Forni Drive, that intersection must be at least 18-feet away from the nearest parking space, and the intersection is over 30-feet from the closest parking space.
- The parking area is required to be surfaced, striped and sufficiently lit. The parking area is surfaced, striped and properly lit, but the striping is faded. Therefore, staff recommends a condition of approval to restripe the parking stalls.
- Each parking space and driveway aisle must have the following minimum dimensions: 8.5'x18' per parking space with a driveway aisle of 25'. Each parking space is 8'2"x14'9" with a 31'10" driveway aisle. The parking lot is existing and increasing the width and depth would result in losing spaces and negatively impact traffic flow. Therefore, staff recommends approval of a Variance to parking space dimensions as shown in the attached Variance Findings.
- A landscaped area of at least 4-feet wide must be provided between the parking area and a public street, and the landscaped areas are to equal in area at least five percent of the area occupied by the paved parking area. The existing landscaped area between the parking area and Forni Drive is over 30-feet wide, and there is landscaping along the frontage and the shared property line behind the parking stalls, thus meeting the 5% requirement.
- The number of parking spaces required for office space is one space per every two hundred fifty square feet of gross floor area. The building consists of 2,423 square-feet, which equates to 10 spaces. Warehouses require one space per every one thousand square feet of gross floor area. 10,980 square-feet of the building is allocated to warehousing, which equates to 11 spaces. This section requires 21 parking spaces, and the existing parking area has 21 spaces.
- One loading space is required that is at least 10'x35'x15'. The area in between the landscaping and first parking space meets these dimensional requirements. Therefore, staff recommends a condition of approval designating this area as a loading and unloading zone.
- An industrial use requires 2 short-term and 2 long-term bicycle parking spaces. Per the County Transportation Planning Section, Forni Drive is a collector street and a cul-de-sac with traffic demand that is typical for a light industrial area. Additionally, Forni Drive is not identified in the County General Plan's Planned Bicycle Network, or in a Pedestrian Priority. Therefore, staff recommends approval of a variance to not require any bicycle parking as shown in the attached Variance Findings.
- E. <u>Chapter 82-22 Child Care Facilities</u>: This code section requires a nonresidential project having one hundred or more potential employees or having a floor area of fifteen thousand gross square feet or more to provide for a childcare facility per this chapter. The existing building is not anticipated to employee 100 or more people, and it is less than 15,000 square-feet, so this chapter of the County Code does not apply.

#### VIII. <u>CONCLUSION</u>

The proposed tentative map is found to be consistent with the County General Plan Light Industrial land use designation and the Light Industrial Zoning District in its existing condition with the approval of Variances to setbacks and parking requirements. Therefore, staff is recommending approval of the Tentative Parcel Map for the 5 commercial condominium conversion Minor Subdivision #CDMS24-00023, based on the attached findings and subject to the attached conditions of approval.

Attachments:

- A. Findings and Conditions of Approval
- B. Maps
- C. Site Photos
- D. Project Plans
- E. Agency Comments

#### FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDMS24-00023, SHELLY BUTLER, KIER & WRIGHT (APPLICANT) & SVI FORNI, LLC (OWNER)

#### A. <u>Growth Management Performance Standards</u>

- <u>Traffic</u>. In a letter dated June 20, 2024, the Transportation Planning Section stated that the project will not require a Vehicle Miles Traveled (VMT) analysis or Level of Service (LOS) review because the existing building's occupancy limit should not be expanding, and a building this size should generate less than 110 daily vehicle trips. They also stated that in accordance with the Contra Costa Complete Streets Policy, typically bicycle and pedestrian infrastructure are required, but Forni Drive is a collector street and a cul-de-sac with traffic demand that is typical for a light industrial area. Additionally, Forni Drive is not identified in the County General Plan's Planned Bicycle Network, or in a Pedestrian Priority. Therefore, the addition of bike lanes and sidewalk is not recommended. The project is conditioned accordingly to comply with County Code Chapter 82-16 - Off-Street Parking, and the provisions of Chapter 74-4 pertaining to electric vehicle charging.
- 2. <u>Water</u>: The project site is served by the Contra Costa Water District. In a letter dated December 20, 2024, CCWD stated that the building will require separate water meters for each unit, but not require additional service. Therefore, the project is not anticipated to impact the existing water service to the surrounding area.
- 3. <u>Sanitary Sewer</u>: The project site is served by the Central Contra Costa Sanitary District. In a letter dated January 14, 2025, the Sanitary District stated that the building will require separate sewer main connections for each unit, but not require additional service. Therefore, the project is not anticipated to impact the existing sanitary sewer service to the surrounding area.
- 4. <u>Fire Protection</u>. The subject property is not in an area classified as a State Responsibility Area – High Fire Hazard Severity Zone. The project site is served by the Contra Costa County Fire District (CCCFPD). Compliance with the regulations of the Fire District and applicable building codes will not exacerbate any fire protection for this area.
- 5. <u>Public Protection</u>: Police protection services in the project vicinity are provided by the Contra Costa County Sherrif's Office. The project site is already developed, and its current employee capacity is not anticipated to induce major population increases to the area. Therefore, the project is not anticipated to increase the demand for police protection facilities or services.

- 6. <u>Parks & Recreation</u>: Nonresidential development is not subject to the County Park Dedications Ordinance. The project site is already developed, and its current employee capacity is not anticipated to induce major population increases to the area. Therefore, the project is not anticipated to increase the demand for parks and recreational facilities or services.
- 7. <u>Flood Control & Drainage</u>. The property lies within the Special Flood Hazard area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map. The County Public Works Department stated that the requirements of the National Flood Insurance Program (Federal) and the County Floodplain Management Ordinance as they pertain to development will apply to future construction of any structures on this property.

#### B. <u>Tentative Parcel Map Findings</u>

The following are required findings for the approval of a tentative parcel map.

1. The subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans.

*Project Finding*. The project site has a General Plan designation of Light Industrial (LI), which has a 1.5 floor area ratio (FAR). According to the Land Use Element of the County General Plan, the LI designation allows for a range of low- to moderateintensity industrial uses that when properly designed and operated may be established in proximity to residences and other sensitive receptors without sacrificing human health and safety or resulting in significant environmental impacts. Typically uses include light manufacturing, fabrication/assembly, processing, machinery repair, warehousing and storage, distribution, research and development, laboratories, incubators, workforce training centers, and ancillary or supportive retail and office uses. The building onsite has a gross floor area of 13,403 square-feet on a 25,200 square-foot property, which is less than the maximum allowed FAR. The building's interior is comprised of 6 units, each with approximately 2,200 square-feet of warehouse space and approximately 400 square-feet to office space, with one bathroom. This configuration is conducive to the type of businesses that are permitted in the LI General Plan designation. There are no other General Plan policies that are applicable to this project site, and therefore, the existing conditions and the subdivision are consistent with the LI designation.

2. The subdivision fulfills construction requirements.

<u>Project Finding</u>: As required by the conditions of approval, the project must comply with the "collect and convey" requirements and design standards for construction of public roads. The project is also conditioned to obtain permits to meet current codes in order to be compliant with any regulations found to be essential to the health, safety and welfare of the public, the owners and the occupants of the building, to install EV charging stations per the Building Code and Title 7 of the County Code, and restripe the parking stalls and designate a loading space per Chapter 82-16 of the County Code.

#### C. Variance Findings

1. 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.

<u>*Project Finding*</u>. The granting of variances to allow a 9.4-foot front yard setback (where 10-feet is the minimum) and a 5-foot side yard (where 10-feet is the minimum) to recognize the building in its current location, will not constitute a grant of special privilege when compared to the neighboring properties.

The subject property is located within an L-I Light Industrial Zoning District, which requires 10-foot side and front yard setbacks. The building was finaled in 1983 under building permit #BITZA93421, thus the setbacks have existed for 42-years. This property is part of a 27-lot industrial park subdivision, and the existing development is consistent with the other industrial buildings in this subdivision. Therefore, the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective L-I land use district in which the subject property is located.

2. 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 the rights enjoyed by other properties in the vicinity and within the identical land use district.

<u>*Project Finding*</u>. The requested variances is to recognize the existing nonconforming front yard setback and side yard. The building is existing and permitted. It was approved to have 10-foot side and front yard setbacks, and therefore, the footprint shifted during construction, which would not be out of character for construction during this time period. There is no building

development proposed with this project, so this entitlement is to accept current conditions, and future development will still be subject to current L-I setback standards. Thus, strict application of the L-I zoning regulations would deprive the subject property of the rights enjoyed by other properties in the immediate vicinity and within the identical land use district.

3. That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the property is located.

<u>Project Finding</u>: The intent and purpose of the L-I Light Industrial land use district is for all types of industrial uses. The building's interior is comprised of 6 units, each with approximately 2,200 square-feet of warehouse space and approximately 400 square-feet to office space, with one bathroom. This configuration is conducive to the type of businesses that are permitted in the LI District, and this is not impacted with the building's location not meeting side or front yard setbacks. Therefore, approval of the variances previously stated meets the intent and purpose of the L-I land use district.

#### D. Parking Variance Findings

1. 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.

<u>Project Finding</u>. The granting of variances to Code Section 82-16.404 - Design and Layout for parking spaces to be 8'2"x14'9" (where 8.5'x18' is the minimum) and to Code Section 82-16.412 – Bicycle Parking for zero bicycle parking spaces to be required (where 2 short term and 2 long term spaces is minimum) would not constitute a grant of special privilege because the area does not warrant these parking requirements as the neighboring industrial businesses do not have such parking improvements, and the business has functioned sufficiently without these parking area elements.

2. 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.

<u>Project Finding</u>: The parking area requires approval of the variances stated above because the it is existing and functions sufficiently with parking spaces at these dimensions and without bicycle parking. Increasing the width and depth of the parking spaces would result in losing spaces and negatively impact traffic flow, and there is no sidewalk or bicycle lanes for the area. Requiring these parking elements would deprive the subject property of the rights enjoyed by other properties in the immediate vicinity and within the identical land use district.

3. That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the subject property is located.

<u>Project Finding</u>. The intent and purpose of the L-I Light Industrial land use district is for all types of industrial/commercial activities. Parking is necessary but should not be required to change the parking stall dimensions or add bicycle parking as the parking area functions properly without these elements. Therefore, approval of the variances previously stated meets the intent and purpose of the L-I land use district.

#### E. California Environmental Quality Act (CEQA) Findings

The is categorically exempt pursuant to CEQA Guidelines Section 15301(k), regarding "Existing Facilities", which exempts the subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt. The project is a 5-unit condominium conversion, which is a subdivision, of an industrial building, and the physical changes that would otherwise be exempt are minor corrective measures necessary to meet current codes in order to be compliant with any regulations found to be essential to the health, safety and welfare of the public, the owners and the occupants of the building, and also installing separate meters as required by the individual utility companies/agencies, and for the parking lot, installing EV charging stations per the Building Code and Title 7 of the County Code, and restriping the parking stalls and designating a loading space per Chapter 82-16 of the County Code.

#### CONDITIONS OF APPROVAL FOR COUNTY FILE #CDMS24-00023

#### Project Approval

- 1. The Minor Subdivision for a tentative map for a 5-unit commercial condominium conversion for units A, B, C and D, E, F, and shared parking area, is APPROVED.
- 2. The Variances to allow a 9.4-foot front yard setback (where 10-feet is the minimum) and a 5-foot side yard (where 10-feet is the minimum) to recognize the building in its current location, are APPROVED.
- 3. The Variances to allow the parking spaces to remain 8'2"x14'9" (where 8.5'x18' is the minimum) and to not require bicycle parking spaces (where 2 short term and 2 long term spaces is minimum), are APPROVED.
- 4. The project approval described above is granted based on, or as generally shown on, the following documents.
  - Application and materials accepted by the Department of Conservation and Development, Community Development Division (CDD) on November 26, 2024.
  - Resubmittal of application materials accepted on February 10, 2025.
  - Tentative Map prepared by Kier+Wright dated February 10, 2025.
- 5. Any change from this approval will require review and approval by CDD and may require the filing of an application to modify this Minor Subdivision.

#### Application Costs

6. The Minor Subdivision application was subject to an initial deposit of \$7,500 that was paid with the application submittal, plus time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to issuance of a building permit, or 60 days of the effective date of this 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, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance in the event that additional fees are due.

#### Compliance Report

7. Prior to recordation of the Parcel Map, a permit compliance report shall be submitted to 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 to be taken to satisfy all relevant conditions. Unless otherwise indicated, the permit compliance report will be required to demonstrate compliance with the applicable conditions of this report prior to filing the Parcel Map or planning approval of a grading or building permit, whichever occurs first.

The permit compliance report will be filed and reviewed through a Condition of Approval Compliance Review application.

#### **Indemnification**

8. Prior to recordation of the Parcel Map, pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agent thereof) shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees, to attack, set aside, void, or annul, the Agency's approval concerning this subdivision map application, which action is brought within the time period provided in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate full in the defense.

#### Condominium Conversions

- 9. Prior to recordation of the Parcel Map, public utilities shall be independently metered to each unit.
- 10. Prior to recordation of the Parcel Map, a report on the condition of the building listing any regulation violations found to be detrimental to the health, safety and welfare of the public, the owners and the occupants of the building, shall be prepared by a qualified professional, which includes specific recommendations for alterations necessary to rectify any found violations, and these violations shall be remedied.
- 11. Prior to recordation of the Parcel Map, an acoustical engineer's analysis of current unit to unit noise transmission characteristics compared to current Title 7 requirements, shall be prepared by a certified acoustical engineer, which includes specific recommendations for alterations necessary to meet current Title 7 noise transmission requirements, and these requirements shall be satisfied.

12. Prior to recordation of the Parcel Map, the Covenants, Conditions and Restrictions (CC&R's) for this project shall be submitted to CDD for review and approval.

#### **Business Operations**

- 13. Outdoor storage shall be prohibited.
- 14. Prior to any new business operations, the permittee shall obtain a Property Use Verification form from CDD prior to applying for a business license from the County Treasurer-Tax Collector.

#### Parking Requirements

- 15. The 21-lot parking area in its approved configuration shall be maintained in good condition during the existence of the building or facility that it serves.
- 16. In the event that any new parking is proposed, a parking plan shall be submitted to CDD for review and approval.
- 17. No off-street parking area shall be used for automobile sales, storage, repair work, dismantling, or servicing of any kind.

Prior to recordation of the Parcel Map, the following shall be satisfied:

- 18. The permittee shall comply with the provisions of Chapter 74-4 pertaining to electric vehicle charging.
- 19. The parking area shall be restriped.
- 20. A loading space that is at least 10'x35'x15' shall be designated in the parking area and shall be maintained in good condition during the existence of the building or facility that it serves and shall be used only for loading and unloading purposes.

#### **Landscaping**

21. The onsite landscaping and irrigation system shall be maintained in good condition during the existence of the building or facility that it serves. All landscaping shall comply with the County's Water Efficient Landscapes Ordinance.

22. In the event that any new landscaping is proposed, a landscaping and irrigation plan shall be submitted to CDD for review and approval.

#### <u>Signage</u>

23. In the event that any signage is proposed, a signage plan shall be submitted to CDD for review and approval and shall comply with the County's Signs Ordinance.

#### <u>Lighting</u>

24. In the event that any new outdoor lighting is proposed, a lighting plan shall be submitted to CDD for review and approval. The lighting shall be deflected down so that light shines only onto the project site and not toward adjacent properties.

#### **Construction Restrictions**

- 25. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
- 26. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
- 27. Transportation of heavy equipment and trucks shall be limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M. and prohibited on Federal and State holiday.
- 28. The site shall be maintained in an orderly fashion. Following the cessation of construction activity; all construction debris shall be removed from the site.
- 29. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
- 30. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays

on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal) Birthday of Martin Luther King, Jr. (State and Federal) Washington's Birthday (Federal) Lincoln's Birthday (State) President's Day (State) Cesar Chavez Day (State) Memorial Day (State and Federal) Juneteenth National Independence Holiday (Federal) Independence Day (State and Federal) Labor Day (State and Federal) Columbus Day (Federal) Veterans Day (State and Federal) Thanksgiving Day (State and Federal) Day after Thanksgiving (State) Christmas Day (State and Federal)

For specific details on the actual day the State and Federal holidays occur, please visit the following websites:

Federal Holidays:	Federal Holidays (opm.gov)
California Holidays:	http://www.ftb.ca.gov/aboutftb/holidays.shtml

#### PUBLIC WORKS CONDITIONS OF APPROVAL FOR MINOR SUBDIVISION #CDMS24-00023

# COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE PARCEL MAP.

#### General Requirements

31. In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the tentative map

received by the Department of Conservation and Development, Community Development Division, on February 10, 2025.

32. 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 subdivision. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department.

#### Roadway Improvements (Frontage)

33. Any cracked and displaced curb, gutter, and sidewalk shall be removed and replaced along the project frontage of Forni Drive. Concrete shall be saw-cut prior to removal. Existing lines and grade shall be maintained. New curb and gutter shall be doweled into existing improvements.

#### Bicycle – Pedestrian Facilities

- 34. Pedestrian Access: Curb ramps and driveways should be designed and constructed in accordance with current County standards. A detectable warning surface (e.g. truncated domes) shall be installed on all curb ramps. Adequate right-of-way shall be dedicated at the curb returns to accommodate the returns and curb ramps; accommodate a minimum 4-foot landing on top of any curb ramp proposed.
- 35. Pedestrian Access: Applicant shall design all public and private pedestrian facilities for accessibility in accordance with Title 24 and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps.

#### Countywide Street Light Financing

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

#### **ADVISORY NOTES**

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

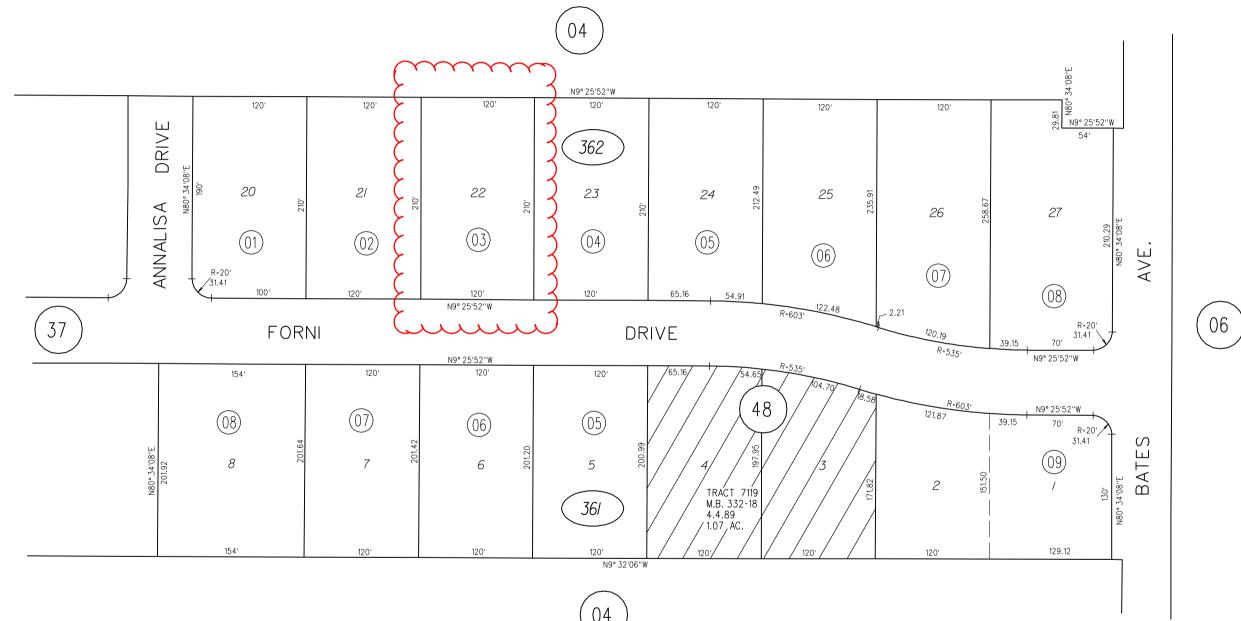
#### A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

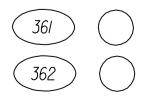
- B. The project is located in a Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance Rate Maps. The applicant shall be aware of and comply with the requirements of the National Flood Insurance Program (Federal) and the County Floodplain Management Ordinance as they pertain to development and future construction of any structures on this property.
- C. Additional requirements may be imposed by the following agencies and departments:
  - County Public Works Department
  - County Building Inspection Division
  - Contra Costa Fire Protection District
  - Contra Costa Water District
  - Central Contra Costa Sanitary District
  - County Treasurer-Tax Collector
  - County Health Services Department

The applicant is strongly encouraged to review these agencies' requirements prior to continuing the project.

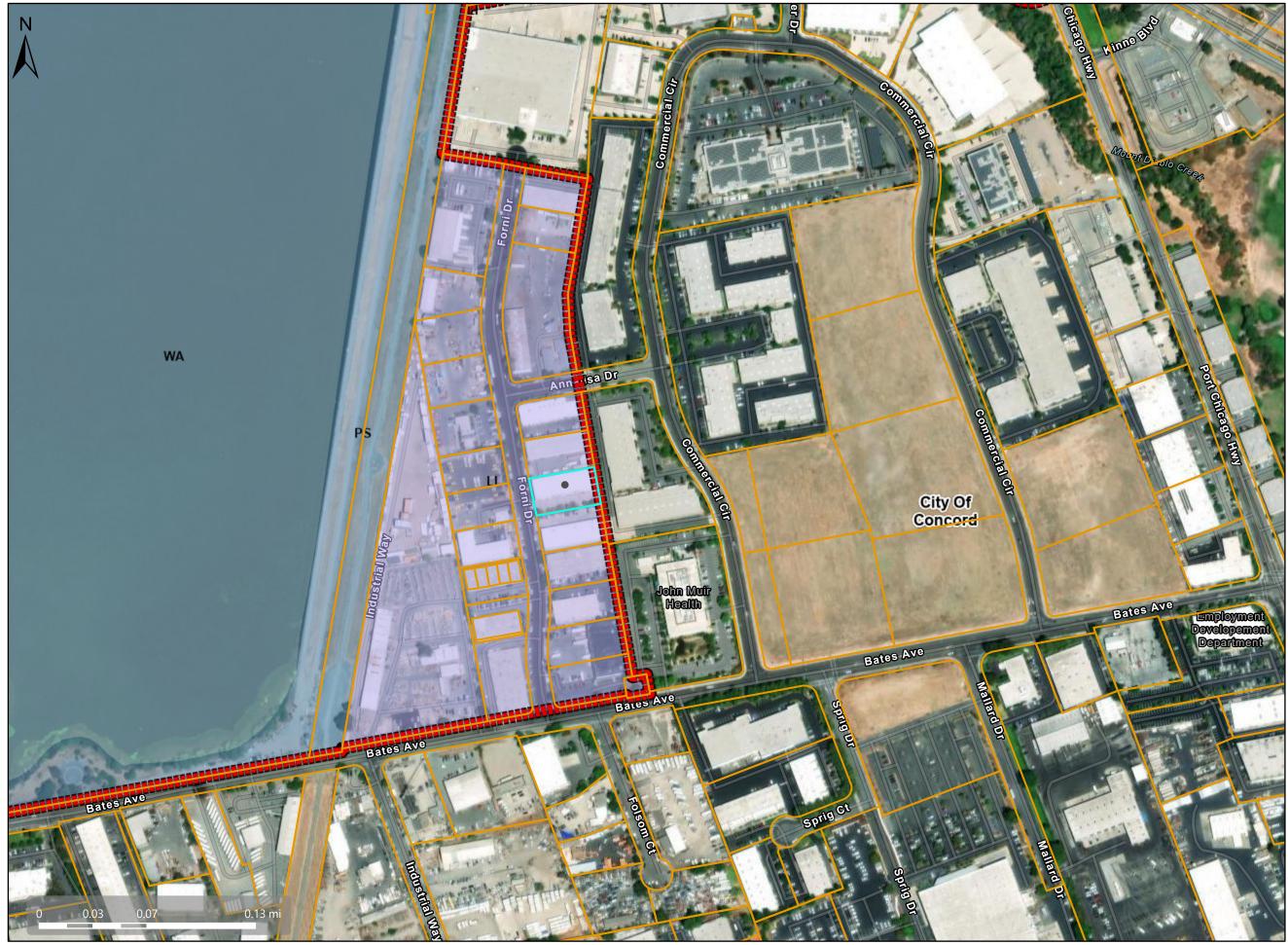


04





3-7-80 FM. 159-04 ASSESSOR'S MAP **BOOK** 159 **PAGE** 36 CONTRA COSTA COUNTY,CAI25 General Plan: Light Industrial (LI)



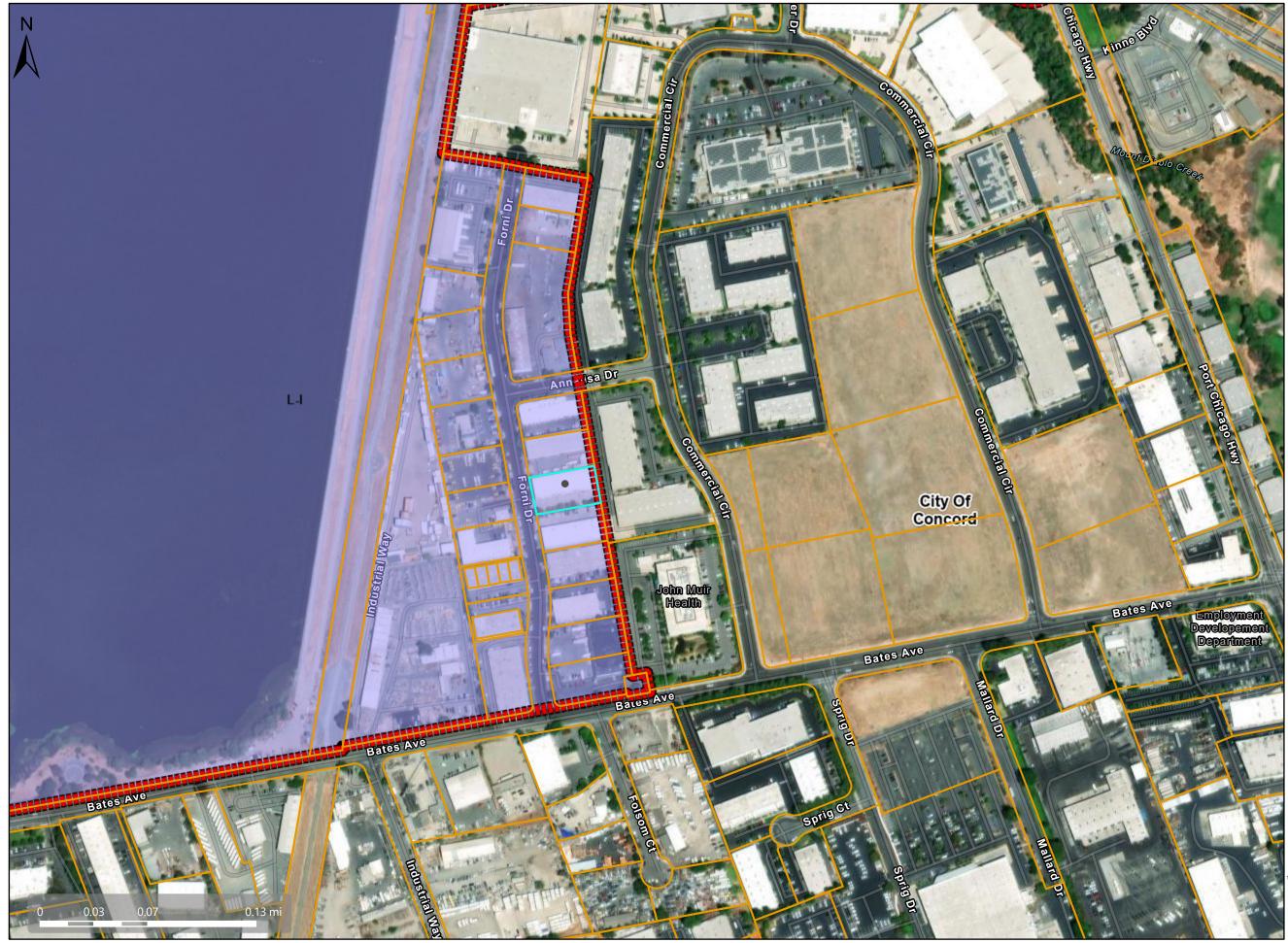
Credits: Contra Costa County Development of Conservation and Department, Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar

Ma	p Legend
	County Border
	Assessment Parcels
Gene	eral Plan
	LI (Light Industry) (1.5 FAR)
	PS (Public and Semi-Public)
	WA (Water)
	City Limits

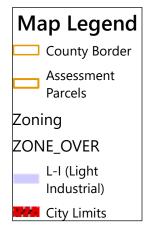
static output from an internet mapping application and is intendeed for reference u pippear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION. de by Contra Costa County Department of Information Technology. County GIS. hin the CCMap application are provided by various Contra Costa County Departme

Spatial Reference PCS: WGS 1984 Web Mercator Auxiliary Sphere Datum: WGS 1984

Zoning: Light Industrial (L-I)



Credits: Contra Costa County Development of Conservation and Department, Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar

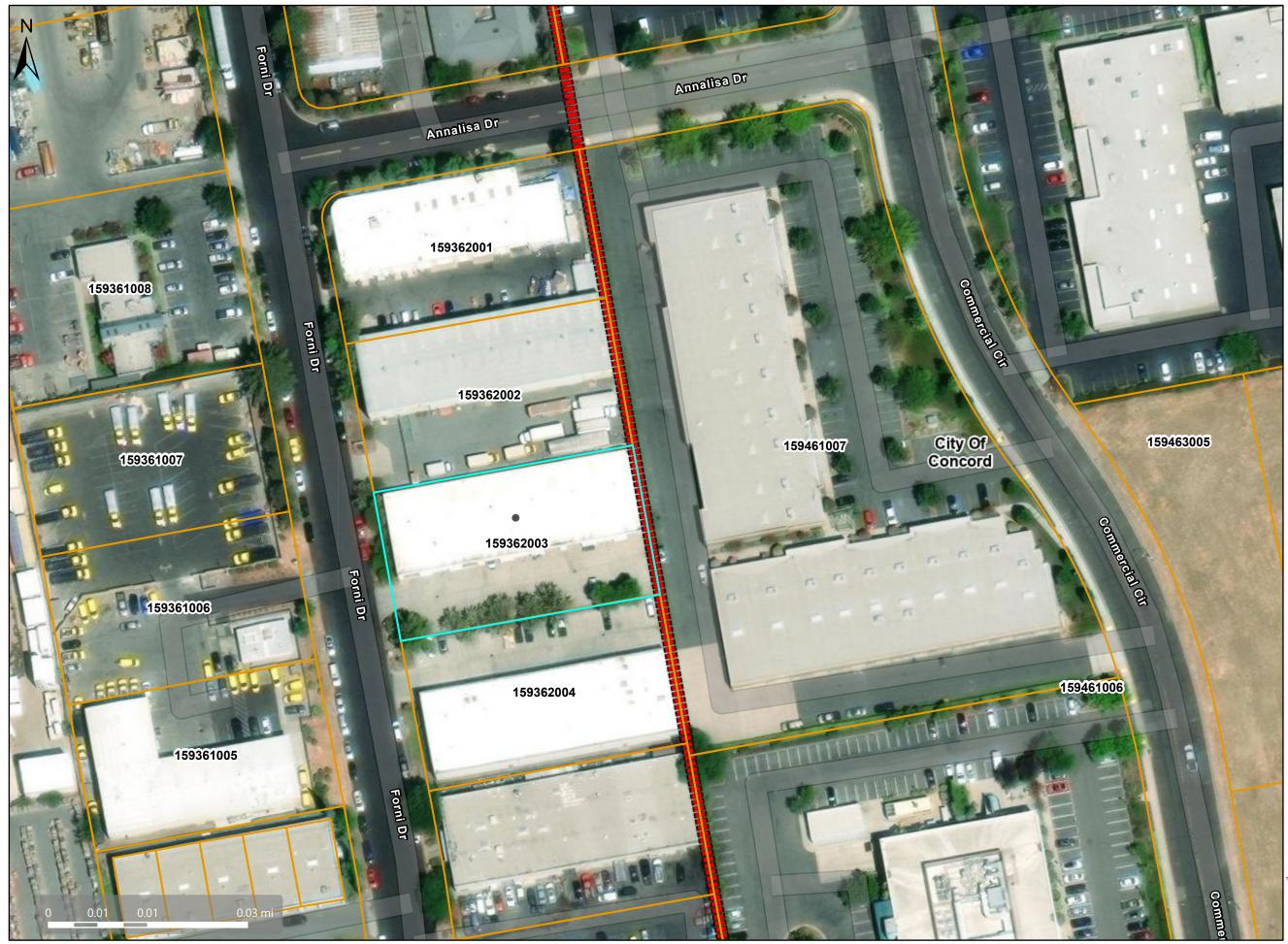


is map is a user generated, static output from an internet mapping application and is intended for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

CCMap is maintained by Contra Costa County Department of Information Technology, County GIS. Data layers contained within the CCMap application are provided by various Contra Costa County Department Desse clinical di data inourises to the anorgonized expansion.

Spatial Reference PCS: WGS 1984 Web Mercator Auxiliary Sphere Datum: WGS 1984

# Aerial Photo



Credits: Contra Costa County Development of Conservation and Department, Maxar, Microsoft, Esri, Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS

Ma	ap Legend
	County Border
	Assessment Parcels
	City Limits

ed, static output from an internet mapping application and is intended for refere

s a user generated, static output nom an internet mapping application and is intendee for reterence u 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. (CMap is maintained by Contra Costa County Department of Information Technology, County GIS layers contained within the CCMap application are provided by various Contra Costa County Departme Data la Please direct all data inquires to the appro

Spatial Reference PCS: WGS 1984 Web Mercator Auxiliary Sphere Datum: WGS 1984





# TENTATIVE MAP FOR CONDOMINIUM PURPOSES MS24-0023

			PROJEC	T DA	ТА	
•	OWNER/DEVELOPER: ELWOOD INVESTMENTS, INC. ATTN: BROOKS STRATMORE 34 ALAMO SQUARE DRIVE, ALAMO, CA. 94507			12.	AS SHOWN ON THA FEBRUARY 26, 198	S: ORTH 09° 25' 52" WEST TAKEN ON T CERTAIN SUBDIVISION MAP, NUM O IN BOOK 235 OF PARCEL MAPS UNTY WAS TAKEN AS THE BASIS F
2.	<u>CIVIL ENGINEER:</u>			13.	ADDITIONAL EASEME	ENTS MAY BE NECESSARY, ANY AD THE PROJECT EVOLVES.
	KIER & WRIGHT CIVIL ENGIN ATTN: DEAN A. JURADO 250 CHERRY LANE, SUITE 2			14.		DEDICATED ON THE FINAL MAP OR
	MANTECA, CA 95337 (209)328–1123			15.	UTILITIES: STORM DRAIN:	CITY OF CONCORD
	APN: 159-362-003				SANITARY SEWER: WATER SUPPLY:	CITY OF CONCORD CITY OF CONCORD EAST BAY MUNICIPAL UTILIT
	EXISTING ZONING: LI, "LIGH	T INDUSTRIAL"			GAS: ELECTRIC:	PACIFIC GAS & ELECTRIC CO PACIFIC GAS & ELECTRIC CO
	PROPOSED ZONING: LI, "LIG				TELEPHONE: CABLE:	AT&T COMCAST
	0.5785–GROSS ACRE SITE.	E LOT SUBDIVISION FOR CONDOMINIL	JM PURPUSES UN A	20.		PERTY NOT LOCATED WITHIN A GEO
	EXISTING NUMBER OF LOTS			21. 22.		VILL CONFORM TO THE STREET PLA
	NO NEW STREET NAMES PR	OPOSED. WAS PREPARED FROM INFORMATION	FURNISHED IN A PRELIMINARY	23.		SURVEY MAKES NO EVALUATION
	TITLE REPORT, PREPARED E 10, 2024, ORDER NUMBER OF RECORD NOT STATED IN	BY COMMONWEALTH LAND TITLE INS 09187283-918-KH2-DNO. NO LIAB N SAID PRELIMINARY TITLE REPORT EASEMENTS OF THE PROPERTY.	URANCE COMPANY, DATED MAY ILITY IS ASSUMED FOR MATTERS		·	ES OTHER THAN CURRENT MUNICIP. PERTY IS CURRENTLY ZONED: LI,
).	FLOOD ZONE NOTE: THE SUBJECT PROPERTY IS	SHOWN ON THE FEDERAL EMERGE	NCY MANAGEMENT AGENCY		SETBACKS: FRONT: 10 FEE	
	NUMBERS 06013C0093H FO	RATE MAP (FIRM) FOR CONTRA CO R COMMUNITY NUMBER 065022 (CI	TY OF CONCORD), WITH AN		SIDE: 10 FEE REAR: 0 FEE	
		I 21, 2017, AS BEING LOCATED IN I	FLOOD ZONE "AE".			ACK LINES HAVE BEEN PLOTTED H
	BASE FLOOD ELEVATIONS D					HEIGHT: NO BUILDING OR STRUCTU ES HIGH ABOVE THE HIGHEST POIN
	INFORMATION WAS OBTAINE 2024.	D FROM THE FEMA GOVERNMENT W	EBSITE ON SEPTEMBER 23,		FLOOR AREA RATIO	
1.	BENCHMARK: CONTRA COSTA COUNTY BE	ENCHMARK 3726, BRASS TAG & FA	STENER SET ON TOP OF		PARKING REQUIREM OFFICE, BUSINESS (	OR PROFESSIONAL:
	CONCRETE HEADWALL AT S	COUTHWEST CORNER OF PORT CHICA ORTH OF INTERSECTION OF HIGHWAY	GO HIGHWAY BRIDGE OVER	24.		SQUARE FEET OF GROSS FLOOR AF
		,			FILED.	ILDINGS ARE TO BE UPGRADED OR
	ANNALISA DRIVE 68' WIDE PUBLIC R/W)		LOT 20 (234 M 24)			Existing Building
		R=20.00' D=90'00'00" L=31.41'				<sup>№88</sup> 

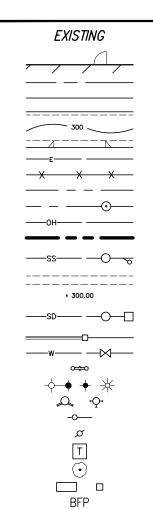
A ONE LOT SUBDIVISION FOR 5 COMMERCIAL CONDOMINIUM UNITS CITY OF CONCORD - CONTRA COSTA COUNTY - CALIFORNIA FEBRUARY, 2025



Livermore, CA 94551

**KIER+WRIGHT** 





BI

CATVB

#### N THE MONUMENT LINE OF FORNI DRIVE MBER 5624 FILED FOR RECORD ON AT PAGE 24, OFFICIAL RECORDS OF FOR ALL BEARINGS SHOWN HEREON.

DDITIONAL EASEMENT REQUIREMENTS WILL

R BY SEPARATE INSTRUMENT.

ITY DISTRICT COMPANY

OLOGICAL HAZARD ZONE. AN OF THE CITY OF CONCORD. S DURING THE COURSE OF THIS SURVEY.

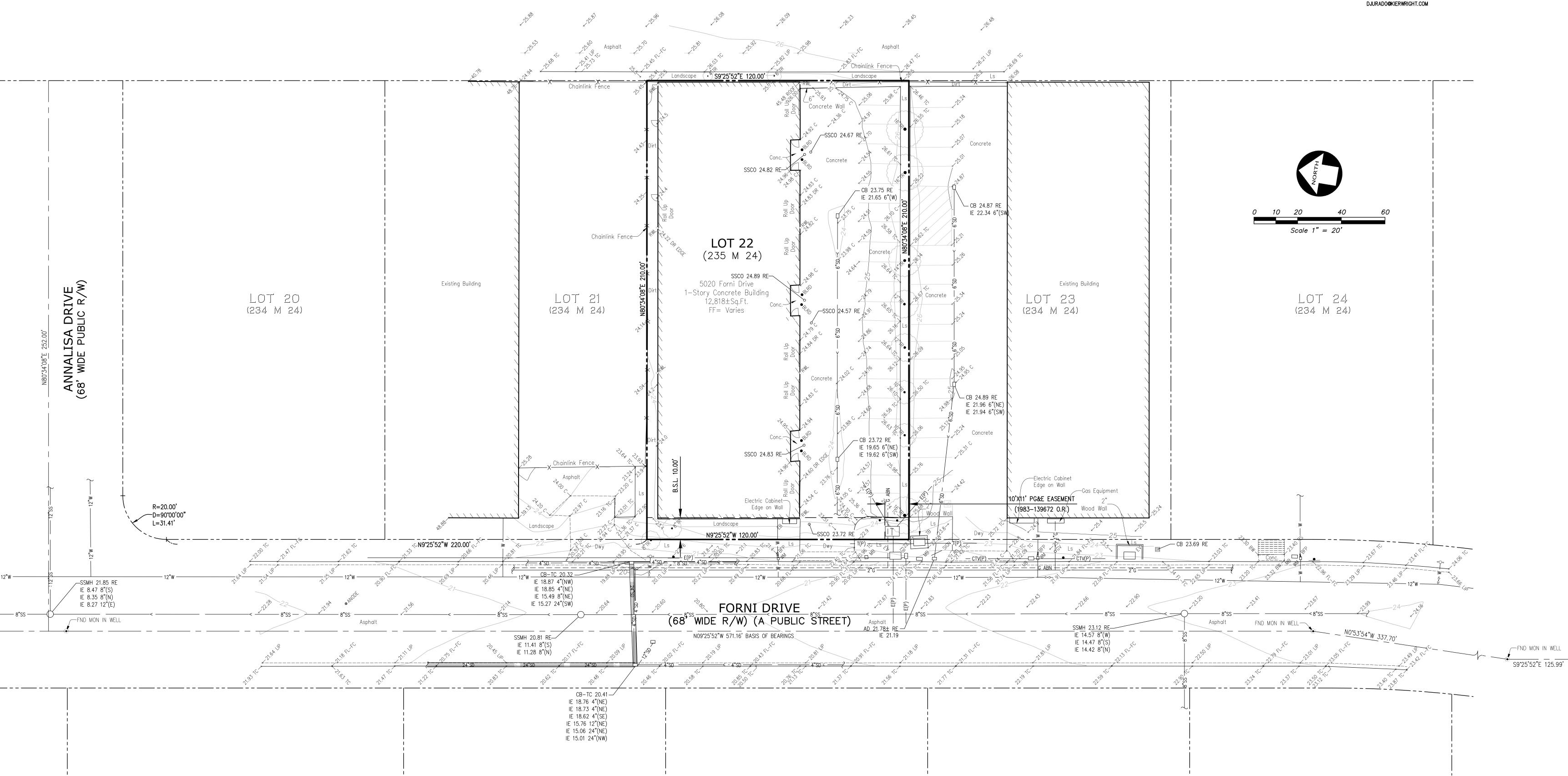
AS TO COMPLIANCE WITH ZONING CODES PAL BUILDING SETBACK LINE LOCATIONS.

HEREON.

TURE OR PART OF IT SHALL BE MORE INT OF GROUND ELEVATION ON THE LOT

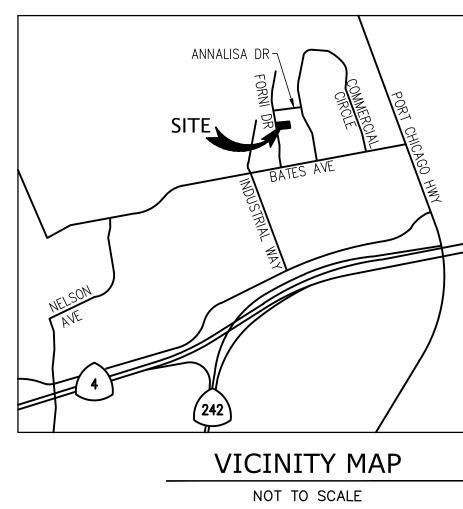
AREA.

OSED LOT SPLIT AND WILL REMAIN R MODIFIED A SEPARATE PERMIT WILL BE



# LEGEND

	EXISTING	
BUILDING LINE	CB	CATCH BASIN
	CONC	CONCRETE
CENTER LINE	DR	DOOR
CONCRETE CURB	DWY	DRIVEWAY
CONCRETE CURB & GUTTER	EB	ELECTRICAL BOX
CONTOUR LINE	EV	ELECTRICAL VAULT
DRIVEWAY	EW	EDGE OF WALK
ELECTRIC LINE	FC	FACE OF CURB
FENCE LINE	FH	FIRE HYDRANT
LOT LINE	FL	FLOWLINE
MONUMENT/MONUMENT LINE	FND	FOUNDATION
OVERHEAD POWER LINE	FW	FACE OF WALL
PROPERTY LINE	GV	GAS VALVE
SANITARY SEWER-MANHOLE &	IB	IRRIGATION BOX
CLEANOUT	IE	INVERT ELEVATION
	Ls	LANDSCAPING
SPOT ELEVATION	MB	MAIL BOX
STORM DRAIN—MANHOLE & CATCH BASIN	MON	MONUMENT
THRU CURB DRAIN	Р	PAVEMENT
WATER LINE & VALVE	PIV	POST INDICATOR VALVE
BACKFLOW PREVENTION DEVICE	POC	POINT OF CONNECTION
ELECTROLIER	PP	POWER POLE
	RE	RIM ELEVATION
FIRE HYDRANT	RWL	RAIN WATER LEADER
POST INDICATOR VALVE	SDMH	STORM DRAIN MANHOLE
POWER POLE/JOINT POLE	SL	STREET LIGHT
TRANSFORMER	SSCO	SANITARY SEWER CLEANOUT
TREE	SSMH	SANITARY SEWER MANHOLE
UTILITY BOX	T	TRANSFORMER
BACK FLOW PREVENTER	TC	TOP OF CURB
BUILDING LINE	TW	TOP OF WALL
CONCRETE	WB	WATER BOX
CABLE TELEVISION BOX	WM	WATER METER

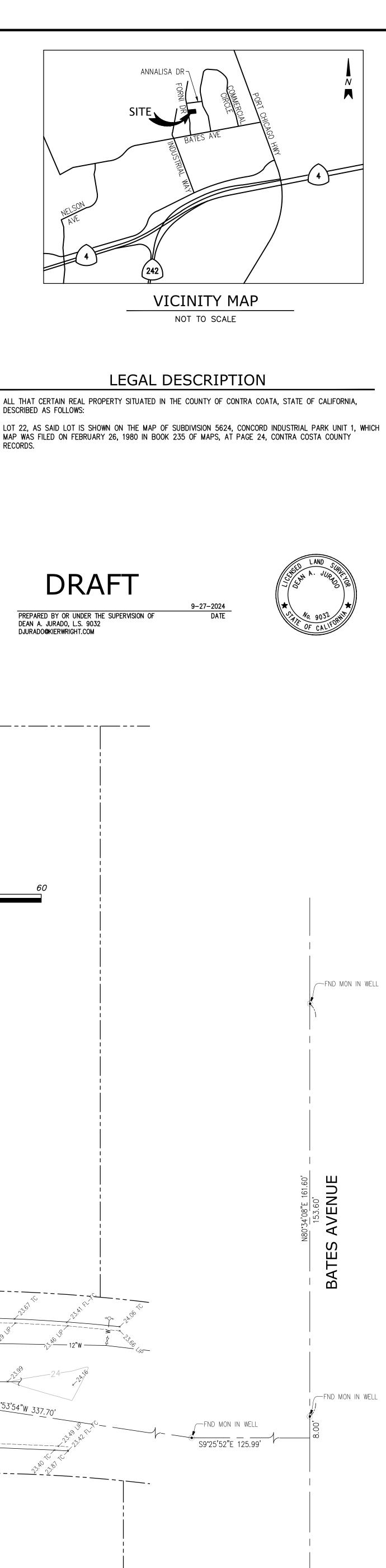


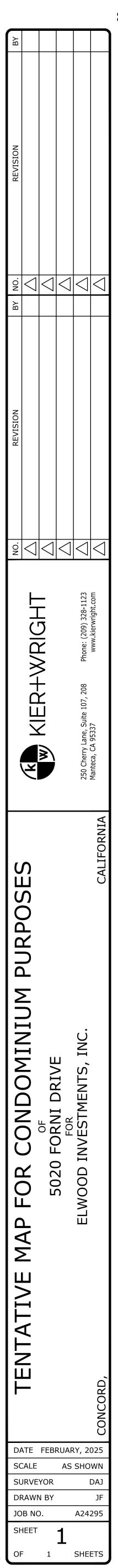
# LEGAL DESCRIPTION

9-27-2024

DESCRIBED AS FOLLOWS: LOT 22, AS SAID LOT IS SHOWN ON THE MAP OF SUBDIVISION 5624, CONCORD INDUSTRIAL PARK UNIT 1, WHICH MAP WAS FILED ON FEBRUARY 26, 1980 IN BOOK 235 OF MAPS, AT PAGE 24, CONTRA COSTA COUNTY RECORDS.

DRAFT PREPARED BY OR UNDER THE SUPERVISION OF DEAN A. JURADO, L.S. 9032

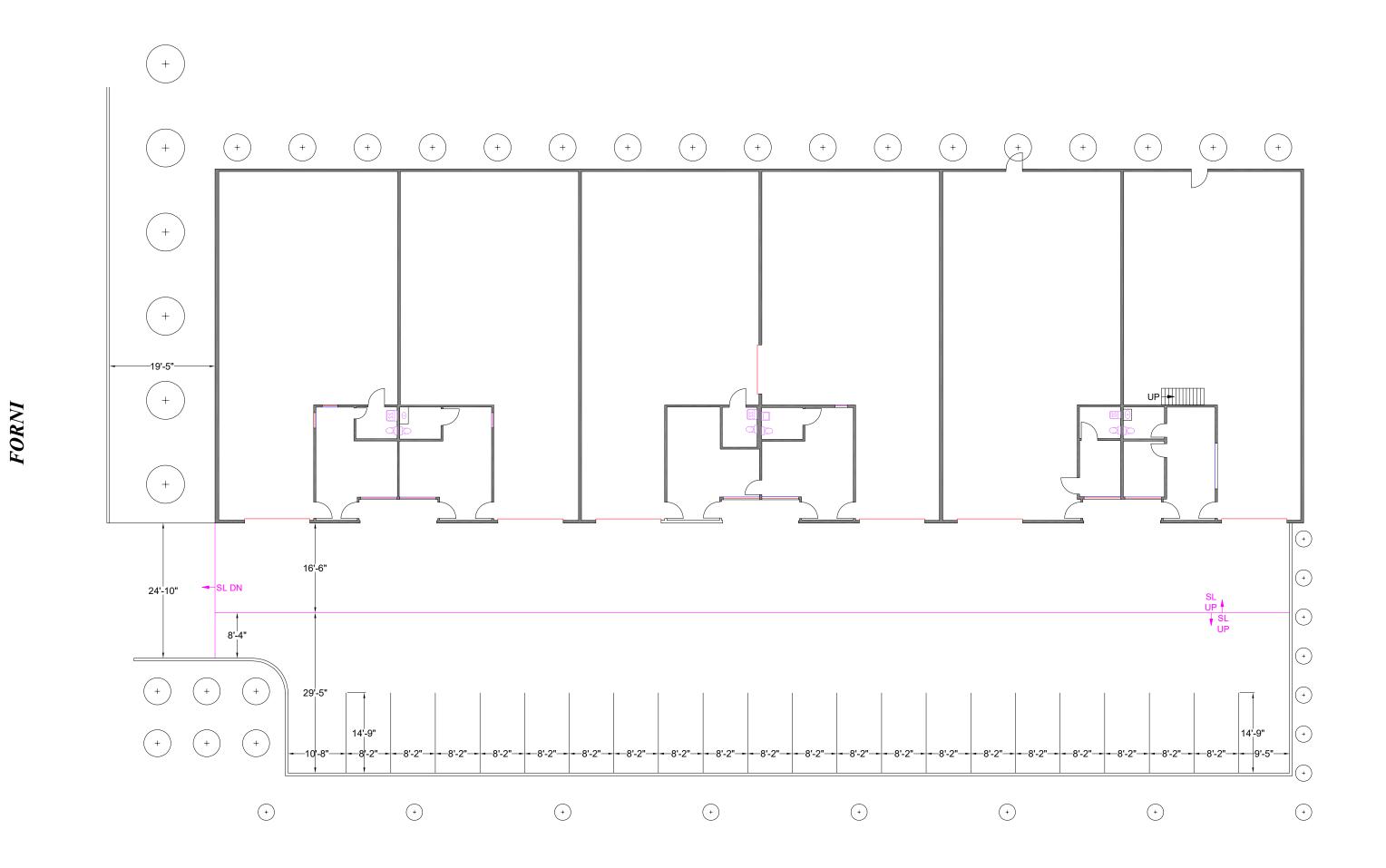




PREPARED FOR:

Stone Valley Investments 34 Alamo Square, Suite 200 Alamo, CA 94507 Tel (925) 788-1708

₹360° CLICK HERE



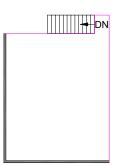
16′	8′	0	16′
SCA	ALE:	1/16″ =	1'-0"

SITE PLAN

# 5020 FORNI DRIVE CONCORD, CA

(As Measured: June 2024)







*https://LT-FP.com* TEL: (888) 393-6655 FILE: 24-211

#### PREPARED FOR:

Floor Billing Summary 1

\*Measured Built-out Area:

\*Measured Warehouse Area:

Stone Valley Investments 34 Alamo Square, Suite 200 Alamo, CA 94507 Tel (925) 788-1708

SQ.FT.

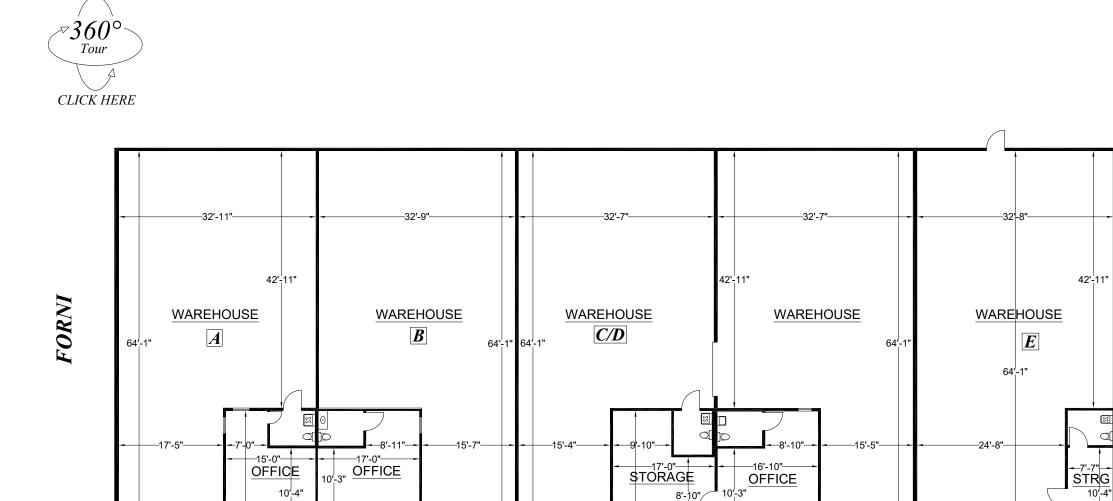
2,423

10,980

%

18%

82%





ŧ

20'-10"

**FLOOR PLAN** 

Building Billing Summary	SQ.FT.	%
*Measured Built-out Area:	2,423	18%
*Measured Warehouse Area:	10,980	82%

#### Survey Accuracy: +/- 0.00 %

**Note:** All dimensions shown are rounded to the nearest inch, for informational purposes only. All measurements are recorded to 1/8" accuracy as documented in the final CAD drawing supplied.

LASERTECH® is a registered US trademark of Lasertech® Floorplans Ltd. Copyright 1998 Lasertech® Floorplans Ltd., All Rights Reserved

\*Measured Area represents the footprint of the floor, and is used solely for billing purposes. It is NOT to be used for leasing purposes.

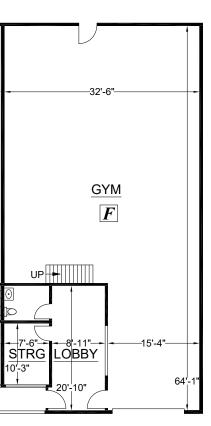
 $\circ$ 

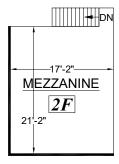
0'-3"

## **5020 FORNI DRIVE** CONCORD, CA

(As Measured: June 2024)









https://LT-FP.com TEL: (888) 393-6655 FILE: 24-211

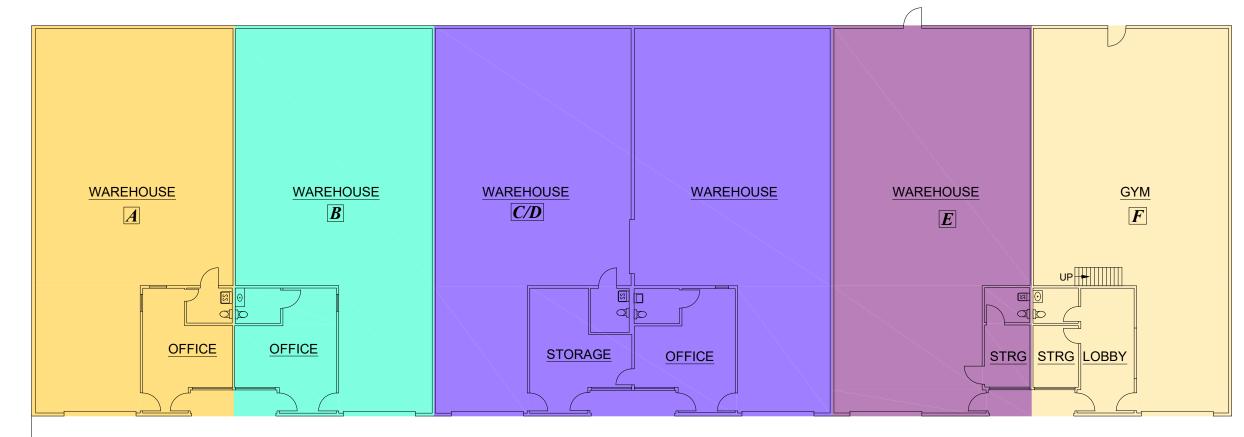
#### PREPARED FOR:

Stone Valley Investments 34 Alamo Square, Suite 200 Alamo, CA 94507 Tel (925) 788-1708

360° Tour CLICK HERE

FORNI

## **LEASE PLAN**



BUILDING SUMMARY	SQ.FT.
Total Rentable	13,403
Total Usable	13,403
Total Occupant	13,403
Floor Service	0
Building Service	0
Inter-Building Service	0
Building Amenity	0
Inter-Building Amenity	0
Total Vertical Penetration	0
Total Exclusions 1	0
Total Exclusions 2	0

Suite #	Occup. Area	Rentable	Capped R.	Capped LF	% of Tot. R.
А	2,197.4	2,197.4	2,197.4	1.0000	16.4
В	2,166.1	2,166.1	2,166.1	1.0000	16.2
C/D	4,318.9	4,318.9	4,318.9	1.0000	32.2
Е	2,164.6	2,164.6	2,164.6	1.0000	16.2
F	2,170.7	2,170.7	2,170.7	1.0000	16.2
2F	385.2	385.2	385.2	1.0000	2.9

AREAS COMPUTED IN ACCORDANCE WITH ANSI/BOMA (Z65.2) 2019 INDUSTRIAL STANDARD. Note: Overhang areas are EXCLUDED from Rentable



SCALE: 1/16" =1' -0"

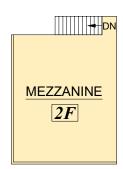
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Survey Accuracy: +/- 0.00 %

## 5020 FORNI DRIVE CONCORD, CA

(As Measured: June 2024)







*https://LT-FP.com* TEL: (888) 393-6655 FILE: 24-211



Contra Costa County Public Works Department

# Memo

December 24, 2024

TO:	Dominique Vogelpohl, Project Planner, Department of Conservation and Development
FROM: For	Larry Gossett, Senior Civil Engineer, Engineering Services Division The Can
SUBJECT:	MINOR SUBDIVISION MS24-0023 STAFF REPORT AND CONDITIONS OF APPROVAL (Forni Drive 5020/Forni Drive/Concord/APN 159-362-003)
FILE:	MS24-0023

We have reviewed the application for **minor subdivision MS24-0023** received by your office on **November 26, 2024**, and submit the following comments:

#### Background

The applicant requests Minor Subdivision permit to create 5 commercial condominiums within an existing light industrial building on Forni Drive in the North Concord area. All street improvements and infrastructure were installed under the master subdivision of the area, Tract 5624. No external improvements are necessary. Exterior improvements will be limited to any maintenance or corrective measures necessary to meet current codes.

Although this is a 5 condominium conversion, Section 66426 (c) of the Subdivision Map Act allows for the filing of a Parcel Map in lieu of A Final Map in this situation based on the in zoning and previous development of the property.

#### **Floodplain Management**

The property lies 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 parcel has not been annexed into the L-100 lighting district. Annexation into the County Facilities District 2020-1 will be required.

LG:ss

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cc: J. LaRocque, Engineering Services

A. Vazquez Engineering Services Shelly Butler, Kier & Wright, *applicant* 13350 Scott Boulevard, Bldg. 22 Santa Clara, CA 94551, Forni Drive 5020, *owner* 975 A Detroit Avenue, Concord, CA 94518

> "Accredited by the American Public Works Association" 255 Glacier Drive Martinez, CA 94553-4825 TEL: (925) 313-2000 • FAX: (925) 313-2333 www.cccpublicworks.org

#### PUBLIC WORKS RECOMMENDED CONDITIONS OF APPROVAL FOR SUBDIVISION MS24-0023

# COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE PARCEL MAP.

#### **General Requirements:**

- In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below require the review and approval of the Public Works Department and are based on the tentative map received by the Department of Conservation and Development, Community Development Division, on August 1, 2024.
- 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 subdivision. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department.

#### Roadway Improvements (Frontage):

 Any cracked and displaced curb, gutter, and sidewalk shall be removed and replaced along the project frontage of Forni Drive. Concrete shall be saw-cut prior to removal. Existing lines and grade shall be maintained. New curb and gutter shall be doweled into existing improvements.

#### **Bicycle - Pedestrian Facilities:**

#### Pedestrian Access

- Curb ramps and driveways should be designed and constructed in accordance with current County standards. A detectable warning surface (e.g. truncated domes) shall be installed on all curb ramps. Adequate right-of-way shall be dedicated at the curb returns to accommodate the returns and curb ramps; accommodate a minimum 4-foot landing on top of any curb ramp proposed.
- Applicant shall design all public and private pedestrian facilities for accessibility in accordance with Title 24 and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps.

#### **Countywide Street Light Financing:**

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

#### **ADVISORY NOTES**

The project is located in a Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance Rate Maps. The applicant shall be aware of and comply with the requirements of the National Flood Insurance Program (Federal) and the County Floodplain Management Ordinance as they pertain to development and future construction of any structures on this property.



# **CONTRA COSTA COUNTY DEPARTMENT OF CONSERVATION & DEVELOPMENT** 30 Muir Road Martinez, CA 94553

Fax:

(925) 655-2750

**TO:** Dominique Vogelpohl, Project Planner

**Telephone:** 

**FROM:** Samantha Harris, Transportation Planning Section

**DATE:** February 13, 2025

# SUBJECT: 5020 Forni Drive (CDMS24-00023)

The Transportation Planning Section has reviewed the subject project. Comments are below; in summary, the comments pertain to an evaluation of the project's "vehicle miles traveled" and transportation operations ("level of service") impacts, and active transportation facilities. Please let me know if you have any questions.

(925) 655-2709

#### **Background**

The project is subject to the following policies:

**Vehicle Miles Traveled (VMT):** On June 23, 2020, in compliance with SB 743 (2013), the Board of Supervisors adopted Transportation Analysis Guidelines (TAG)<sup>1</sup>, which defines the County's approach to analyzing VMT impacts from certain projects. As a result of SB 743, VMT is the metric used to define transportation impacts in a CEQA review.

**Level of Service (LOS):** The County and the Contra Costa Transportation Authority (CCTA) require an LOS analysis in order to comply with the Growth Management Program. CCTA maintains the Technical Procedures Manual<sup>2</sup>, which defines the approach to analyzing LOS impacts from certain projects. While LOS is no longer considered an impact under CEQA, SB 743 does allow local jurisdictions to maintain LOS-based policies and standards.

**Contra Costa Complete Streets Policy**<sup>3</sup>**:** In July 2016, the County adopted the Complete Streets Policy, which ensures that the needs of travelers of all ages and abilities, in a wide variety of travel modes, are considered in all planning, programming, design, construction, operations, and maintenance activities.

#### **Comments**

1. The project will <u>not</u> require a VMT analysis or LOS review because the existing building's occupancy limit should not be expanding, and a building this size should generate less than 110 daily vehicle trips.

File: Transportation > Land Development > Subdivision Review > General > 2024

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<sup>&</sup>lt;sup>1</sup> County Transportation Analysis Guidelines (TAG): <u>link</u>

<sup>&</sup>lt;sup>2</sup> CCTA Technical Procedures: <u>link</u>

<sup>&</sup>lt;sup>3</sup> Complete Streets Policy:

<sup>2016:</sup> Complete Streets Resolution link, CS Policy Final Draft link

- 2. In accordance with the Contra Costa Complete Streets Policy, typically bicycle and pedestrian infrastructure are required. However, Forni Drive is a collector street and a cul-de-sac with traffic demand that is typical for a light industrial area. Additionally, Forni Drive is not identified in the County General Plan's Planned Bicycle Network, or in a Pedestrian Priority Area. Therefore, the addition of bike lanes and sidewalk might not be appropriate.
- 3. The proposed project must comply with County Code Chapter 82-16 Off-Street Parking, and the provisions of Chapter 74-4 pertaining to electric vehicle charging.
- cc: John Cunningham, DCD Jamar Stamps, DCD Maureen Toms, DCD Raquel De La Torre, DCD Jerry Fahy, PWD Jeff Valeros, PWD Joe Smithonic, PWD Monish Sen, PWD



BOARD OF DIRECTORS Ernesto A. Avila, P.E. PRESIDENT Antonio Martinez VICE PRESIDENT John A. Burgh Connstance Holdaway Patt Young

December 20, 2024

GENERAL MANAGER Rachel Murphy, P.E.

Dominique Vogelpohl, Project Planner Department of Conservation and Development Contra Costa County 30 Muir Road, Martinez, CA 94553

Subject: 5020 Forni Drive, Concord – APN 159-362-003 (File Number: CDMS24-00023)

Dear Dominique Vogelpohl:

The following are comments from the Contra Costa Water District (CCWD) on this proposed project, which is to establish five commercial condominium units on an approximately 0.58-acre property located at 5020 Forni Drive, Concord. The project site's APN is 159-362-003. The project site is within an area where CCWD serves treated water.

CCWD has reviewed the project plans and has the following comments:

 Existing water infrastructure will need to be evaluated, and any modifications will need to be designed and constructed at the Developer's/Owner's expense. There currently is a 1 <sup>5</sup>/<sub>8</sub>-inch domestic meter with a <sup>3</sup>/<sub>4</sub>-inch reduced pressure principle (RP) assembly servicing the building. If any future tenants want their own separate meter, they will need to inquire.

The applicant should work with CCWD's Engineering Services Coordinator, Cindy Sweeney, for more details. She can be reached at 925-688-8014 or at csweeney@ccwater.com.

Sincerely, ody Tricksen

Cody Ericksen Associate Planner

CE:ck



#### 5019 IMHOFF PLACE, MARTINEZ, CA 94553-4392

PHONE: (925) 228-9500 FAX: (925) 228-4624 www.centralsan.org

> ROGER S. BAILEY General Manager

J. LEAH CASTELLA Counsel for the District

KATIE YOUNG Secretary of the District

January 14, 2025

Domonique Vogelpohl Project Planner 925-655-2880 dominique.vogelpohl@dcd.cccounty.us

SUBJECT: 5020 Forni Dr., Concord APN: 159-362-003, Central San Response 5 Commercial Condominium Units

Dear Mrs. Vogelpohl,

According to Central Contra Costa Sanitary District (Central San) records, the project site is within Central San's service area and is currently receiving sewer service.

Development Information: (Based on the information provided)

- Existing Use: Light Industrial
- **Planned Project Description**: The applicant seeks tentative map review for the purpose of establishing five (5) commercial condominium units on an approximately 0.58 acre subject property.

Site-Specific Development Conditions:

- Per Central San District Code, if a parcel is being subdivided, each individual lot / parcel will need its own connection to Central San's public sewer main, and Central San permit(s) will be required for the sewer lateral work.
- The applicant should promptly submit full-size improvement plans for Central San Permit staff to review and pay all applicable fees prior to receiving a building permit. For more information, the applicant should contact the Central San Permit Section at (925) 229-7371.

Sincerely,

Michelle Peon Del Valle Engineering Assistant



12/24/2024

CONTRA COSTA COUNTY DEPARTMENT OF CONSERVATION Attn: DOMINIQUE VOGELPOHL 30 MUIR RD MARTINEZ, CA94553

> RE: CDMS2400023 5020 FORNI DR APN: 159 362 003 Service Request #: SR0023875

Dear DOMINIQUE VOGELPOHL :

Contra Costa Environmental Health (CCEH) has received a request for agency comment regarding the above referenced project. See below for our comments grouped by environmental health program:

- If an onsite water supply well is used for this project, it must meet current standards, including construction, yield, water quality, and setbacks. A hydrogeological study may be required to ensure adequate water supply.
- A permit from CCEH is required for any well or soil boring <u>prior</u> to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.
- Any abandoned wells (water, environmental, or geotechnical) and septic tanks must be destroyed under permit from CCEH. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEH requirements.
- If this project is not served by sanitary sewer and an onsite wastewater disposal system (septic system) is needed for this project, a permit from CCEH is required <u>prior</u> to installation. The new septic system, including disposal field replacement area must comply with current standards. Holding tanks for sewage disposal are prohibited unless these are owned and maintained by a public entity.
- For proposed subdivisions/minor subdivisions served by onsite wastewater disposal systems (septic systems). It must be demonstrated that each lot can accommodate a septic system meeting current standards, including disposal field replacement area.
- For proposed subdivisions/minor subdivisions served by onsite private water wells. It must be demonstrated that each lot has a water supply well meeting current standards, including construction, yield, water quality, and setbacks. A hydrogeological study may be required to ensure adequate water

supply.

- If the project will require a small public water system, these systems must operate under permit from CCEH. The water supply (e.g. well) must meet current standards, including construction, yield, water quality, and setbacks. A hydrogeological study may be required to ensure adequate water supply.
- If the proposed lot line adjustment involves properties served by an onsite waster disposal system (septic system). The new lot configurations must accommodate the septic system(s), including the disposal field replacement area(s), without conflicting with current standards (e.g., setbacks to property lines).
- If the proposed lot line adjustment involves properties served by an onsite water well. The new lot configurations must not conflict with current standards(e.g., setbacks to property lines).
- Horse boarding facilities are subject to the requirements of the Contra Costa County Cleanwater Program, including routine inspections. The applicant can contact CCEH for details.
- It is recommended that the project be served by public sewer and public water wherever possible.

These comments do not limit an applicant's obligation to comply with all applicable laws and regulations. If the proposed project is subject to regulation by CCEH, the project tenant must apply for all applicable health permits. Should you have any questions, please do not hesitate to contact Environmental Health at (925) 608-5500 or CoCoEH@cchealth.org.

Sincerely,

Juite have

Kristian Lucas, REHS Director of Environmental Health



CONTRA COSTA COUNTY

Staff Report

File #: 25-2782	Agenda Date: 7/7/2025	Agenda #: 3a
Project Title:	6621 Johnston Road Second Residence Land Use Permit	
County File(s):	CDLP23-02056	
Applicant/Owners:	Louis Miramontes (Applicant) / Louis and Kristi Mira (Owners)	montes
Zoning/General Plan:	A-20 Exclusive Agricultural District / AL Agricultural I	_ands
Site Address/Location:	6621 Johnston Road in the San Ramon area of uning Contra Costa County (APN: 204-120-015)	orporated
California Environmental Quality Act (CEQA) Status:	Mitigated Negative Declaration, SCH 2025041096	
Project Planner:	Diana Lecca, Project Planner (925) 655-2869 Diana.Lecca@dcd.cccounty.us	
Staff Recommendation:	Approve (See Section II for Full Recommendation)	

#### I. **PROJECT SUMMARY**

The applicant requests approval of a Land Use Permit and Small Lot Design Review to construct a 2,840 square-foot second single-family residence with an attached 536 square-foot garage and a new driveway on a substandard size lot. The applicant is also requesting authorization of an Exception to the requirements and regulations of County Code Section 914-2.004 (Offsite Collect and Convey).

#### II. <u>RECOMMENDATION</u>

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

- A. ADOPT Mitigated Negative Declaration/Initial Study (MND), SCH 2025041096, and the April 21, 2025 Mitigation Monitoring and Reporting Program (MMRP), based on the attached findings, and specify that the Department of Conservation and Development (located at 30 Muir Road, Martinez, CA) is the custodian of the documents and other materials, which constitute the record of proceedings upon which this decision is based.
- B. GRANT the exception to the drainage improvements required under County Code Section 914-2.004 (Offsite Collect and Convey), as detailed in the attached findings.
- C. APPROVE the Land Use Permit Application and Small Lot Design Review (County File CDLP23-02056) for construction of a second single-family residence with an attached garage and a new driveway, based on the attached findings and subject to the attached conditions of approval.
- D. DIRECT Staff to file a Notice of Exemption with the County Clerk.

# III. GENERAL INFORMATION

- A. <u>General Plan</u>: AL Agricultural Lands.
- B. <u>Zoning</u>: A-20 Exclusive Agricultural District.
- C. <u>California Environmental Quality Act (CEQA)</u>: A draft Mitigated Negative Declaration/Initial Study, State Clearinghouse Number (SCH) 2025041096, was prepared and published for the application. The public review period for the draft MND started on April 21, 2025, and ended on May 12, 2025. No comments were received in response to the publication of the draft MND.
- D. <u>Tribal Cultural Resources</u>: In accordance with Section 21080.3.1 of the California Public Resources Code, a Notice of Opportunity to Request Consultation was both mailed and sent via email on March 4, 2025 to the Confederated Villages of Lisjan, and on March 5, 2025 to the Wilton Rancheria, the California Native American tribes that have requested notification of proposed projects within unincorporated Contra Costa County. Pursuant to Section 21080.3.1(d), there was a 30-day time period from receipt of the Notice for the Native American tribes to either request or decline consultation in writing for this project. On March 4, 2025, the Confederated Villages of Lisjan submitted an email requesting any cultural resource or archaeological reports. On March 7, 2025, the Wilton Rancheria submitted an email with no comments on the project.

On March 6, 2025. staff send a request for information on cultural resources related to the project site, to the Northwest Information Center of the California Historical Resources Information System (CHRIS). On April 1, 2025, CHRIS submitted a letter stating that there was

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**Agenda Date:** 7/7/2025

no record of previous cultural resource studies for the project area. The letter from CHRIS is included as Attachment D. In its letter, CHRIS also stated that given the proximity of known archaeological sites located in similar environments, they recommend that a qualified archaeologist conduct further archival and field study of the project area to identify cultural resources. The possibility of discovery of previously undiscovered archaeological resources was identified as a potentially significant adverse environmental impact in the MND, which includes mitigation measure Cultural Resources 1 to address this potential impact. Cultural Resources 1 is included as Condition of Approval #10.

On April 29, 2025, the Confederated Villages of Lisjan submitted an email stating that it wished to be contacted if any cultural resources or burial sites are encountered during ground disturbance. Mitigation measures Cultural Resources 1 and Cultural Resources 2 in the MND respond to this request and are included as Conditions of Approval #10 and #11.

#### E.<u>Previous Applications:</u>

<u>LP79-2018</u>: This Land Use Permit to establish a caretaker's mobile home for a time period of two years was approved by the Zoning Administrator on June 22, 1979.

<u>LP84-2061</u>: This Land Use Permit to establish a caretaker's mobile home for a time period of two years was approved by the Zoning Administrator on March 14, 1984.

<u>LP86-2015</u>: This Land Use Permit to establish a caretaker's mobile home for a time period of two years was approved by the Zoning Administrator on August 29, 1986.

<u>CDMS87-00001</u>: This Minor Subdivision which subdivided a 37-acre parcel (APN 204-120-003) into two lots was approved by the San Ramon Valley Regional Planning Commission on June 17, 1987, contingent upon Board of Supervisors approval of Rezoning RZ87-2704. The Parcel Map was recorded on August 12, 1988. Lot B of the Parcel Map (APN 204-120-015) is the project site at 6621 Johnston Road.

<u>RZ87-2704</u>: This Rezoning to rezone the 37-acre parcel (APN 204-120-003) from the A-40 Exclusive Agricultural District to the A-20 Exclusive Agricultural District, was approved by the Board of Supervisors on July 28, 1987.

#### IV. SITE/AREA DESCRIPTION

The project site is located in a predominantly agricultural area east of Camino Tassajara in the unincorporated San Ramon area of Contra Costa County. Lots in the surrounding area are primarily agricultural in nature with some single-family residential development as well. Adjacent to the east, there is a commercial equestrian facility. To the north, west and south, properties include some private residences with agricultural structures. The San Ramon city limit is located

File #: 25-2782

approximately 5 driving miles to the west, and the Alameda County boundary is approximately 4.75 driving miles to the south. This area is also a few miles east of the eastern boundaries of the Town of Danville and the Blackhawk community.

The project site is a 16.87-acre lot located on Johnston Road, approximately 1.4 miles east of the intersection of Camino Tassajara and Johnston Road. The lot is relatively flat and is bounded on the northwest side by a tributary of Tassajara Creek. The lot has been developed with a single-family residence and a walnut orchard that will remain after the construction of the proposed second single-family residence. The property has vehicular access from the southern property line off of Johnston Road.

# V. PROJECT DESCRIPTION

The project is a request for approval of a Land Use Permit to establish a second single-family residence on the 16.87-acre lot with an existing single-family residence, and walnut orchard in the A-20 Exclusive Agricultural District. The project includes Small Lot Design Review for the new second residence given that the lot is substandard in size, as 20 acres is the minimum lot size in the A-20 District. The second residence would have a total area of 2,840 square feet with an attached 536 square-foot garage, and a new driveway from Johnston Road. The application also includes an exception from County Ordinance Code, Chapter 914-2.004 regarding collect and convey requirements.

# VI. AGENCY COMMENTS

An Agency Comment Request packet was sent on December 6, 2023, to a number of public agencies, including Building Inspection Division, Environmental Health Division of the Health Services Department, Engineering Services Division of the Public Works Department, San Ramon Valley Fire Protection District, and the Contra Costa Mosquito and Vector Control District. Comments received by staff are included in Attachment C. Following are summaries of the comments received.

- A. <u>San Ramon Valley Fire Protection District</u>: On December 15, 2023, the Fire Protection District submitted a letter stating that submittal would be required for fire and access review at the time of the construction permit submittal.
- B. <u>Department of Public Works, Engineering Services Division</u>: On June 25, 2024, the Engineering Services Division submitted a memo describing the regulatory programs that applied to the project site and included a number of conditions of approval and advisory notes to be applied to the proposed project. The Division recommended approval of the request for an exception to County Code Section 914-2.004 (Offsite Collect and Convey).

The June 25, 2024 Public Works conditions of approval and advisory notes are incorporated in the Conditions of Approval and the Advisory Notes.

#### VII. ENVIRONMENTAL REVIEW

A draft Mitigated Negative Declaration/Initial Study, State Clearinghouse Number (SCH) 2025041096, was prepared and published on April 21, 2025. Potentially significant impacts were identified in the draft MND, including: construction period air pollutant emissions and odors; uncovering previously unknown cultural remains, burial sites, and paleontological resources during construction, including potential tribal cultural resources; adequacy of the existing leach field; effects of expansive and corrosive soils; and construction period noise. The public review period for the draft MND started on April 21, 2025, and ended on May 12, 2025. No comments were received in response to the publication of the draft MND, and therefore, preparation of a final MND is not necessary. The draft MND constitutes the MND for the application and is included as Attachment F.

A Mitigation Monitoring and Reporting Program (MMRP) was prepared for MND, SCH 2025041096, that addresses all of the mitigation measures recommended in the draft MND. The MMRP is included as Attachment G. If the project is approved, the MND mitigation measures will be applied to Land Use Permit CDLP23-02056 as Conditions of Approval.

# VIII. STAFF ANALYSIS

- A. <u>General Plan Consistency</u>: Although the Contra Costa County Board of Supervisors adopted the 2045 General Plan on November 5, 2024, the CDLP23-02056 Land Use Permit application was deemed complete on June 26, 2024. Therefore, the goals, policies, and standards of the former General Plan 2005-2020 apply to this application.
  - 1. <u>Land Use</u>: The project site is located in the AL Agricultural Lands General Plan Land Use designation. The purpose of the AL designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials. This designation is intended to be descriptive of the predominant land-extensive agricultural uses that take place in these areas. The maximum allowable residential density in the AL designation is one dwelling unit per 5 acres (or 0.2 units per net acre). The 16.87-acre project site is approximately 12.65 net acres, on which a total of 2.5 units is allowed. Therefore, a second residence on the site is consistent with the AL designation.
  - 2. <u>Transportation</u>: The project site is located approximately 1.4 miles east of the intersection of Camino Tassajara and Johnston Road. Camino Tassajara is a County-designated arterial in the San Ramon area of unincorporated Contra Costa County. Given that the proposed project would maintain the agricultural character of Johnston Road

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and would, in the future, allow for one new single-family residence to be accessed from Johnston Road, and given the distance to Camino Tassajara, there would not be a substantial effect on the arterial.

3. <u>Noise</u>: The Community Noise Exposure Levels on Figure 11-6 of the General Plan 2005-2020 Noise Element show that levels of 75 dB or less are normally acceptable and 80 dB or less are conditionally acceptable for agricultural land uses. As evaluated in the MND, the types and levels of noise generated from the second single-family residence on the project site would be similar to noise levels from existing surrounding residential development. Therefore, the future residential development of the site would meet the acceptable agricultural noise level standards of the Noise Element.

As identified in the MND, during grading and construction of the second single-family residence, there may be periods of time where there would be loud noise from construction equipment, vehicles, and tools. The construction period noise could disturb occupants of nearby residences. Thus, MND mitigation measure Noise 1 sets forth noise reduction measures to be implemented during project construction. Noise 1 is included as Condition of Approval #14. Implementation of this Condition of Approval would limit disruptions due to noise, in compliance with the policies and restrictions of the Noise Element.

B. <u>Consistency with Zoning</u>: The project site is located in the A-20 Exclusive Agricultural District which allows for a second single-family residence with the approval of a land use permit per County Code 84-14.404(18) - Uses- Requiring land use permit.

The project also meets the applicable development standards for the A-20 District, including all required yards and setbacks, building height, and parking requirements as shown on the following chart.

Development Standards	<u>Requirement</u>	<u>Project</u>
Front Yard Setback	25 feet (minimum)	200 Feet
Side Yards	50 feet (minimum)	235 feet and 660 Feet
Rear Yard	None	550 Feet
Building Height	35 feet (maximum) or 2 ½ stories	27.3 Feet
Off-Street Parking	Two (9'x19') spaces located outside of the setbacks	Attached garage for two parking spaces

C. <u>Compatibility with Surrounding Neighborhood</u>: The project must be found to be compatible with the surrounding neighborhood in terms of its location, size, height, and

design in order to approve the Small Lot Design Review.

- 1. Location: The project is a new 2,840 square-foot second single-family residence with an attached 536 square-foot garage. The second residence is located approximately 200 feet from the front of the property and from Johnston Road, and meets all the other yard requirements established in the A-20 Exclusive Agricultural District. The location of the second residence is sufficiently set back from the road such that visibility from the street is minimal, and construction of the new residence will not significantly alter the overall character of the project site or the Johnston Road area. The rest of the parcel would maintain its agricultural feel and use, as a walnut orchard with it maintained mature trees. As typical for the vicinity, residences are not particularly close to the roads, and are set back from the roads. The new residence would follow the same location pattern. As a result, the project would be compatible with the surrounding neighborhood in terms of setbacks and design.
- 2. <u>Size</u>: Home sizes in this agricultural neighborhood along Johnston Road range between 2,000 square feet to 5,000 square feet on lots that range between 5 acres to over 42 acres. Strictly in terms of square footage, the residence is within the same range as most of the residences in the area, as most residences are close to 3,800 square feet. The existing residence on the project site is 4,325 square feet, and the new residence would be approximately this size. Given its location approximately 200 feet from the front of the property, the second residence would not significantly stand out, and would be compatible with the surrounding neighborhood as it would remain in line with other residences in the vicinity.
- 3. <u>Height</u>: The proposed second residence would be approximately 27 feet in height, which is below the 35-foot maximum height allowed for residential structures in the A-20 District. Surrounding properties have a wide variety of one and two-story residences, as well as additional accessory and agricultural structures that exceed the height of the proposed residence. The second residence is a one-story residence with a typical high ceiling for properties in the vicinity. Thus, in terms of height, the project would be compatible with the surrounding neighborhood.
- 4. <u>Design</u>: The surrounding agricultural neighborhood along Johnston Road is characterized by a combination of one-story and two-story homes with various agricultural buildings associated with the agricultural uses in the area. Styles are primarily ranch-style homes or variations of such. The new second residence has a board and batten façade with a typical shingle roof and would be similar to other residences in the area, and thereby, would be consistent with the design of other houses in the neighborhood.
- D. Request for Exception: County Code Section 914-2.004 (Offsite Collect and Convey).

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File #: 25-2782

requires that runoff from any subdivision be conveyed without diversion to an adequate storm drainage facility. Pursuant to County Code Chapter 92-6, the applicant has requested an exception to the offsite collect and convey requirements specified in County Code Section 914-2.004.

Currently, stormwater runoff flows west on the project site towards a bridge on Johnston Road over the tributary of Tassajara Creek, which bounds the site to the northwest. Runoff from the existing single-family residence is directed towards this point, and given the elevation of the new residence, the same can be inferred for the second residence. The second residence is in a low-density part of Johnston Road, located over one mile from the Johnston Road bridge. Accordingly, designing and constructing a water canal and associated infrastructure of over one mile to accommodate the second residence would be disruptive to the surrounding properties and environment. Construction of a second residence is not expected to significantly alter the drainage pattern and is consistent with the residential development in the immediate vicinity. Further, the Public Works Department has conditioned the project to abide by the drainage requirements of the County Ordinance Code, and to mitigate storm water runoff so as to not drain across the sidewalks and in a concentrated manner, as well as for storm drainage to not be discharged onto adjacent properties. For these reasons, the second residence would minimally impact existing onsite runoff, and therefore the granting of the exception would not be detrimental to the public welfare. Therefore, staff recommends granting the requested exception.

# IX. <u>CONCLUSION</u>

The second single-family residence will meet the residential density requirements of the AL land use designation and is an allowed use within the A-20 District with approval of a land use permit. The proposed development will not cause the existing single-family residence to be out of compliance with the General Plan and A-20 zoning regulations. The project will not have any additional adverse impacts on the surrounding area with respect to the capacity for agricultural use or residential development or any other consistent land use. Further, the County does not have any records of this property creating any nuisance or problems for the surrounding area. With respect to Small Lot Design Review, the project is compatible with the surrounding neighborhood in terms of its location, size, height, and design. Staff recommends approval of Land Use Permit CDLP23-02056, based on the attached findings and subject to the attached Conditions of Approval.

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# FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP23-02056, LOUIS MIRAMONTES (APPLICANT) & LOUIS AND KRISTI MIRAMONTES (OWNERS)

# FINDINGS

#### A. Land Use Permit Findings

1. The project shall not be detrimental to the health, safety and general welfare of the county.

<u>Project Finding</u>: The project site is an agricultural property with a single family residence and a walnut orchard, and shall remain an agricultural property with the inclusion of the proposed second single-family residence. The second residence will be subject to applicable Building Code Requirements. The residence is also subject to the requirements of the San Ramon Valley Fire Protection District. Compliance with these regulations and standards will ensure that the project will not present health and safety risks to the public. Thus, as conditioned, the second residence will not lead to any activities that will be detrimental to the health, safety, and general welfare of the County.

2. The project shall not adversely affect the orderly development within the County or the community.

<u>Project Finding</u>: It is not anticipated that the second residence will detract from the existing agricultural nature of the project site or the surrounding area. The project is in conformance with the residential density of the AL Agricultural Lands General Plan Land Use Designation and complies with the development standards of the A-20 Exclusive Agricultural District. Thus, the project will not adversely affect the orderly development within the County or community.

3. *The project shall not adversely affect the preservation of property values and the protection of the tax base within the county.* 

<u>Project Finding</u>. The project will add one additional single-family residence to the area. The project is expected to increase neighboring property values due to the high-quality design of the building and corresponding increase in property value. Moreover, the agricultural nature of the property and the vicinity will not be altered by the construction of the one additional residence. Thus, the project will not adversely affect the preservation of property values and protection of the tax base

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within the County.

4. The project shall not adversely affect the policies and goals as set by the General Plan.

Project Finding: Although, the Contra Costa County Board of Supervisors adopted the 2045 General Plan on November 5, 2024, the CDLP23-02056 Land Use Permit application was deemed complete on June 26, 2024. Therefore, the goals, policies, and standards of the former General Plan 2005-2020 apply to this application. The project site is located within an AL Agricultural Lands General Plan Land Use designation. The purpose of the AL designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials, but it also allows residential development. The maximum allowable density in this category is one dwelling unit per 5 acres (or 0.2 units per net acre). The 16.87-acre project site is approximately 12.65 net acres, on which a total of 2.5 units is allowed. Therefore, a second residence is consistent with the AL designation for this site. The project will maintain the agricultural character of Johnston Road and will allow for one new single-family residence to be accessed from Johnston Road, and given the 1.4 mile distance to Camino Tassajara, the nearest County-designated arterial, the second residence will not have a substantial effect on the arterial. As conditioned to reduce construction noise, would limit disruptions to the neighborhood due to noise, in compliance with General Plan noise policies and restrictions for the agricultural area. Therefore, the second residence is consistent with the policies and goals of the General Plan.

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

<u>Project Finding</u>. The County has no record of any code enforcement problems at the project site. Also, the project will not change the current use of the property. Additionally, residential development, and more specifically a second residence, in agricultural zoned areas is allowed with the granting of a land use permit, and thereby limits nuisances or enforcement problems. As such, the project is not anticipated to create a nuisance and/or enforcement problem within the neighborhood or community.

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6. The project shall not encourage marginal development within the neighborhood.

<u>Project Finding</u>: The project remains consistent with the existing agricultural use and character along Johnston Road. The project site is served by a water and septic system permitted by the Contra Costa Health Services Department, Environmental Health Division. Any future changes to the water and septic system will require approval by the Environmental Health Division. Therefore, the project will not encourage marginal development within the area.

7. That special conditions or unique characteristics of the subject property and its location or surroundings are established.

<u>Project Finding</u>. The property is located in a predominantly agricultural area east of Camino Tassajara. Lots in the surrounding area along Johnston Road are primarily agricultural in nature. Some lots include single-family residential development. A commercial equestrian facility is adjacent to the east. To the north, west and south, properties include some private residences and agricultural structures. As described, the overall condition of the area is heavily agricultural, interspersed with some residential uses. The site is currently developed with a single-family residence and a walnut orchard, both of which will remain after the construction of the second single-family residence. The second residence is located away from the road, and thereby its visibility from the road will be low. Therefore, the second residence will be compatible with the surrounding neighborhood and will not deviate from the existing nature of the vicinity. Therefore, the project is consistent with special conditions or unique characteristics of the project site and its location or surroundings.

B. Small Lot Design Review Findings

The proposed project must be found to be compatible with the surrounding neighborhood in terms of its location, size, height, and design in order to approve the Small Lot Design Review

1. <u>Location</u>: The project is a new 2,840 square-foot second single-family residence with an attached 536 square-foot garage. The second residence is located approximately 200 feet from the front of the property and from Johnston Road, and meets all the other yard requirements established in the A-20 Exclusive Agricultural District. The location of the second residence is sufficiently set back from the road such that visibility from the street is minimal, and construction of *County Zoning Administrator – July 7, 2025 CDLP23-02056 Findings and Conditions of Approval Page 4 of 17* 

the new residence will not significantly alter the overall character of the project site or the Johnston Road area. The rest of the parcel will maintain its agricultural feel and use, as a walnut orchard with it maintained mature trees. As typical for the vicinity, residences are not particularly close to the roads, and are set back from the roads. The new residence will follow the same location pattern. As a result, the project will be compatible with the surrounding neighborhood in terms of setbacks and design.

- 1. <u>Size</u>: Home sizes in this agricultural neighborhood along Johnston Road range between 2,000 square feet to 5,000 square feet on lots that range between 5 acres to over 42 acres. Strictly in terms of square footage, the residence is within the same range as most of the residences in the area, as most residences are close to 3,800 square feet. The existing residence on the project site is 4,325 square feet, and the new residence will be approximately  $\frac{2}{3}$  this size. Given its location approximately 200 feet from the front of the property, the second residence will not significantly stand out, and will be compatible with the surrounding neighborhood as it will remain in line with other residences in the vicinity.
- 2. <u>Height</u>: The proposed second residence will be approximately 27 feet in height, which is below the 35-foot maximum height allowed for residential structures in the A-20 District. Surrounding properties have a wide variety of one and two-story residences, as well as additional accessory and agricultural structures that exceed the height of the proposed residence. The second residence is a one-story residence with a typical high ceiling for properties in the vicinity. Thus, in terms of height, the project will be compatible with the surrounding neighborhood.
- 3. <u>Design</u>: The surrounding agricultural neighborhood along Johnston Road is characterized by a combination of one-story and two-story homes with various agricultural buildings associated with the agricultural uses in the area. Styles are primarily ranch-style homes or variations of such. The new second residence will have a board and batten façade with a typical shingle roof and will be similar to other residences in the area, and thereby, will be consistent with the design of other houses in the neighborhood.
- C. Exceptions Findings:

The applicant has requested an exception to County Code Section 914-2.004 (Offsite Collect and Convey) that requires that runoff from any subdivision be conveyed without diversion to an adequate storm drainage facility. Pursuant to Chapter 92-6 of

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the County Code, the Advisory Agency (Zoning Administrator) may authorize exceptions to the requirements and regulations of County Code Section 914-2.004. Accordingly, following are the findings for granting the requested exception.

# 1. That there are unusual circumstances or conditions affecting the property.

<u>Project Finding</u>: Presently, based on County elevation data, runoff that falls onto the project site flows west towards the bridge on Johnston Road over the tributary of Tassajara Creek, which bounds the site to the northwest. Runoff from the existing single-family residence is thus directed towards this point, and given the elevation of the new residence, the same can be inferred for the second residence. The second residence is in a low-density part of Johnston Road, located over one mile from the Johnston Road bridge. Thus, due to the distance between the residence and the creek as a collection point, the logistical constraints of designing and constructing off-site drainage infrastructure to accommodate development is an unusual circumstance which warrants granting the requested exception.

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

<u>Project Finding</u>: Construction of a second residence is not expected to significantly alter the drainage pattern and is consistent with the residential development in the immediate vicinity. A second residence is a use allowed with the issuance of a land use permit in the A-20 Exclusive Agricultural District. Given the property's topography and conditions, designing and constructing a water canal and associated infrastructure of over one mile to accommodate development will be disruptive to the surrounding properties and environment. Thus, given the logistical constraints of this work, the exception is necessary in order to allow reasonable development of the project site without the burden of unnecessary offsite storm drain improvements that are of limited public benefit.

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.

<u>Project Finding</u>: The new second residence will be subject to permitting by the Department of Conservation and Development and by the Public Works Department. The Public Works Department has conditioned the project to abide by the drainage requirements of the County Ordinance Code, and to mitigate

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storm water runoff so as to not drain across the sidewalks and in a concentrated manner, as well as for storm drainage to not be discharged onto adjacent properties. As conditioned, the granting of the exception will not be detrimental to the public welfare, or injurious to other property in the project vicinity.

#### D. Environmental Findings

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

- A draft Mitigated Negative Declaration/Initial Study (MND), State Clearinghouse Number (SCH) 2025041096, was prepared for Land Use Permit CDLP23-02056. The public review period for the draft MND started on April 21, 2025, and ended on May 12, 2025. No comments were received during the public review period for the draft MND.
- 2. As there were no comments received on the draft MND, preparation of a final MND that includes written comments received, responses to the comments received, and staff-initiated text changes is not necessary.
- 3. On the basis of the whole record before it, including the draft MND, the Zoning Administrator finds that:
  - There is no substantial evidence that the project with the proposed mitigation measures will have a significant effect on the environment;
  - MND SCH 2025041096, consisting of the draft MND, reflects the County's independent judgement and analysis;
  - The MND is adequate and complete; and
  - The MND has been prepared in compliance with the California Environmental Quality Act and the State and County CEQA guidelines.
- 4. A Mitigation Monitoring and Reporting Program has been prepared, based on the identified significant environmental impacts and mitigation measures in MND SCH 2025041096. The mitigation measures in the Mitigation Monitoring and Reporting Program are included in the project Conditions of Approval.

# CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP23-02056

#### Project Approvals

- 1. The Land Use Permit and Small Lot Design Review to construct a 2,840 square-foot second single-family residence with an attached 536 square-foot garage and a new driveway on a substandard size lot, is APPROVED.
- 2. The project approvals described above is granted based on, or as generally shown on the following documents.
  - Application accepted by the Department of Conservation and Development, Community Development Division (CDD) on December 5, 2023.
  - Henry Justiniano & Associates, Geotechnical Engineering, May 30, 2023. Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California, received on December 5, 2023
  - Henry Justiniano & Associates, Geotechnical Engineering, July 25, 1989. *Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California,* received on December 5, 2023.
  - Revised project plans received January 11, 2024.
- 3. Any modification to the project approved under this permit that is not required by a Condition of Approval herein shall be subject to the review and approval of the CDD.

# **Application Costs**

4. The Land Use Permit application is subject to an initial application deposit of \$5,500.00, which was paid with the application submittal, plus time, and material costs if the application review expenses exceed 100% of the initial deposit. Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this 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, the Department of Conservation and Development may seek a court judgement against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant may obtain current costs by contacting the

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project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance in the event that additional fees are due.

# Grading and Building Permits

5. This approval does not constitute a grading or building permit. Please contact the Department of Conservation and Development, Building Inspection Division for information on how to apply for a grading or building permit.

# Child Care

6. Prior to issuance of a grading or building permit for the second residence, whichever comes first, the applicant is required to pay a fee toward childcare facility needs in the area as established by the Board of Supervisors. The current childcare fee is \$400.00 per parcel. However, the actual fee amount collected will be that which is applicable at the time of building permit issuance.

# Park Impact / Park Dedication Fee

7. Prior to the issuance of building permits for the second residence, the applicant shall pay a Park Impact / Park Dedication fee for park and recreation improvements in the area as established by the Board of Supervisors. The current park dedication / park impact fee is \$9,584.00, however, the actual fee amount collected will be that which is applicable at the time of the building permit issuance.

# MITIGATION MEASURES FROM THE MITIGATION MONITORING AND REPORTING PROGRAM APPLIED AS CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP23-02056

# <u>Air Quality</u>

- 8. *Mitigation Measure Air Quality 1:* The following Bay Area Air Quality Management District, Basic Best Management Practices for Construction-Related Fugitive Dust Emissions shall be implemented during project construction and shall be included on all construction plans.
  - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - b. All haul trucks transporting soil, sand, or other loose material off-site shall be

covered.

- c. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- g. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- h. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- i. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.
- 9. *Mitigation Measure Air Quality 2:* The following emissions measures, as recommended by the Bay Area Air Quality Management District, shall be included on the construction drawings for the proposed project and implemented during construction.
  - a. Idling times shall be minimized either by shutting equipment off when not in use of reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
  - b. All construction equipment shall be maintained and properly tuned in accordance

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with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- c. The applicant shall require construction contractors to reduce construction related fugitive VOC emissions by ensuring that low VOC coatings having a VOC content of 50 grams per liter or less are used during the coating of the buildings interiors and exterior surfaces.
- d. All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall utilize diesel engines that are USEPA certified "Tier 4 final" emission standards for particulate matter and be equipped with CARB-certified Level 3 Diesel Particulate Filters. Prior to the CDD stamp approval of any construction plans for the issuance of demolition, construction, or grading permits, the construction contractor shall submit the specifications of the equipment to be used during construction to CDD staff.

# Cultural Resources

- 10. *Mitigation Measure Cultural Resources 1:* The following Mitigation Measures shall be implemented during project construction.
  - a. A program of on-site education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
  - b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.
- 11. *Mitigation Measure Cultural Resources 2:* Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section

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7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

# Geology and Soils

- 12. *Mitigation Measure Geology 1:* The applicant shall incorporate the recommendations of the geotechnical study (Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California. Henry Justiniano & Associates, July 25, 1989) as modified by the geotechnical update report (Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California. Henry Justiniano & Associates, May 30, 2023) in the construction documents submitted for the grading and building permit applications for the second single-family residence.
- 13. *Mitigation Measure Geology 2:* The applicant shall be responsible for documenting the adequacy of the existing leach field or identify a potential leach field site of adequate size that complies with regulations administered by the Environmental Health Division of the County Health Services Department. If a suitable site is not identified on the site, the project sponsor will need to request that the Environment Health Division consider a specialized design.

# <u>Noise</u>

- 14. *Mitigation Measure Noise 1:* The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.
  - a. The project sponsor shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
  - b. The project sponsor shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away

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from existing residences as possible.

- c. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
- d. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal) Birthday of Martin Luther King, Jr. (State and Federal) Washington's Birthday (Federal) Lincoln's Birthday (State) President's Day (State) Cesar Chavez Day (State) Memorial Day (State and Federal) Juneteenth National Independence Holiday (Federal) Independence Day (State and Federal) Labor Day (State and Federal) Columbus Day (Federal) Veterans Day (State and Federal) Thanksgiving Day (State and Federal) Day after Thanksgiving (State) Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (opm.gov)

California Holidays: State Holidays (sos.ca.gov)

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e. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

# PUBLIC WORKS CONDITIONS OF APPROVAL FOR SUBDIVISION CDLP23-02056

The applicant shall 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:

- 15. For Public Works review for compliance relative to this Land Use Permit, a Compliance Review Fee deposit shall be submitted directly to the Public Works Department in accordance with the County's adopted Fee Schedule for such services. This fee is separate from similar fees required by the Department of Conservation and Development and is a deposit to offset staff costs relative to review and processing of these conditions of approval and other Public Works related services ancillary to the issuance of building permits and completion of this project.
- 16. 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 subdivision. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department.

#### Access to Adjoining Property:

# Proof of Access

- 17. 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.
- 18. The applicant shall furnish proof to the Public Works Department that legal access to the property is available from the County-maintained portion of Johnston Road.

# Road Alignment/Intersection Design/Sight Distance:

19. The applicant shall provide sight distance at the intersection of the private driveway with Johnston Road in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall trim vegetation, as necessary, to provide sight distance at this intersection, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at this intersection shall be setback to ensure that the sight line is clear of any obstructions.

#### Countywide Street Light Financing:

20. The property owner(s) shall annex to the County 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.

#### Utilities/Undergrounding:

21. The applicant shall underground all new utility distribution facilities.

#### Drainage Improvements:

#### Collect and Convey

22. The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the stormwater to an adequate natural watercourse, in accordance with Division 914 of the Ordinance Code..

#### Exception, Subject to granting thereof by the "Advisory Agency"

The applicant shall be permitted an exception from the collect and convey requirements of the County Ordinance Code provided that the existing drainage pattern is maintained and concentrated storm drainage is not discharged onto adjacent property.

# Miscellaneous Drainage Requirements:

- 23. The applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.
- 24. The applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

#### Creek Banks and Creek Structure Setbacks:

25. The applicant shall show the creek structure setback line on the site plan/Tentative Map in accordance with Section 914-14.012, "Structures Setback Lines for Unimproved Earth Channels" and observe this setback line as if this were a subdivision.

#### National Pollutant Discharge Elimination System (NPDES):

26. 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 San Francisco Bay - Region II.

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 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.
- 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.

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#### **ADVISORY NOTES**

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

# A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

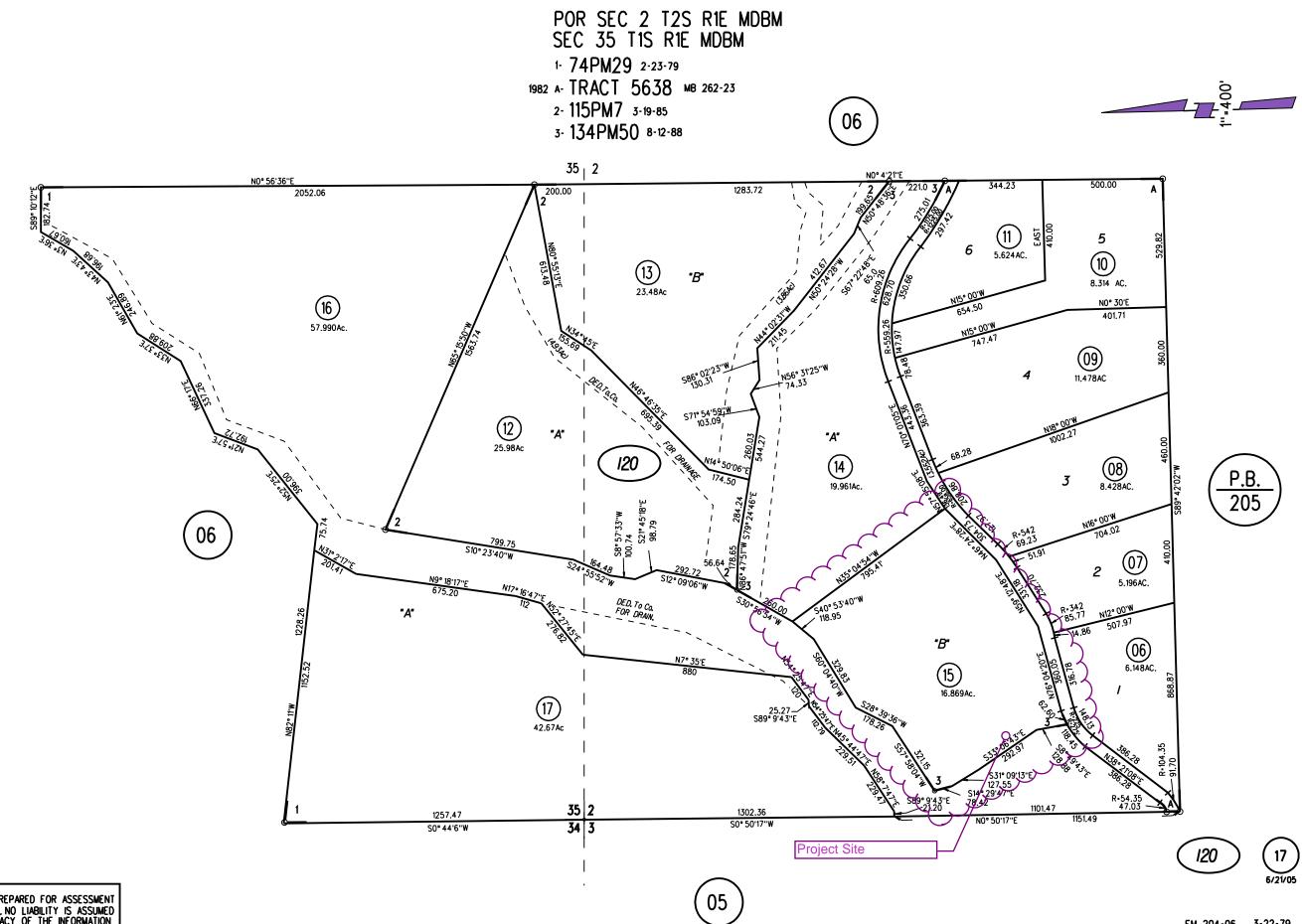
This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

- B. Prior to applying for a building 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:
  - Department of Conservation and Development, Building Inspection Division
  - Public Works Department
  - Health Services Department, Environmental Health Division
  - San Ramon Valley Fire Protection District
  - Contra Costa Mosquito and Vector Control District
- C. The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the South County Area of Benefit as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.

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D. 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 project site 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.



NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY, NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION DELINEATED HEREON, ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

FM, 204-06 3-22-79 ASSESSOR'S MAP BOOK 204 PAGE 12 CONTRA COSTA COUNTY, CAL 68

# Aerial

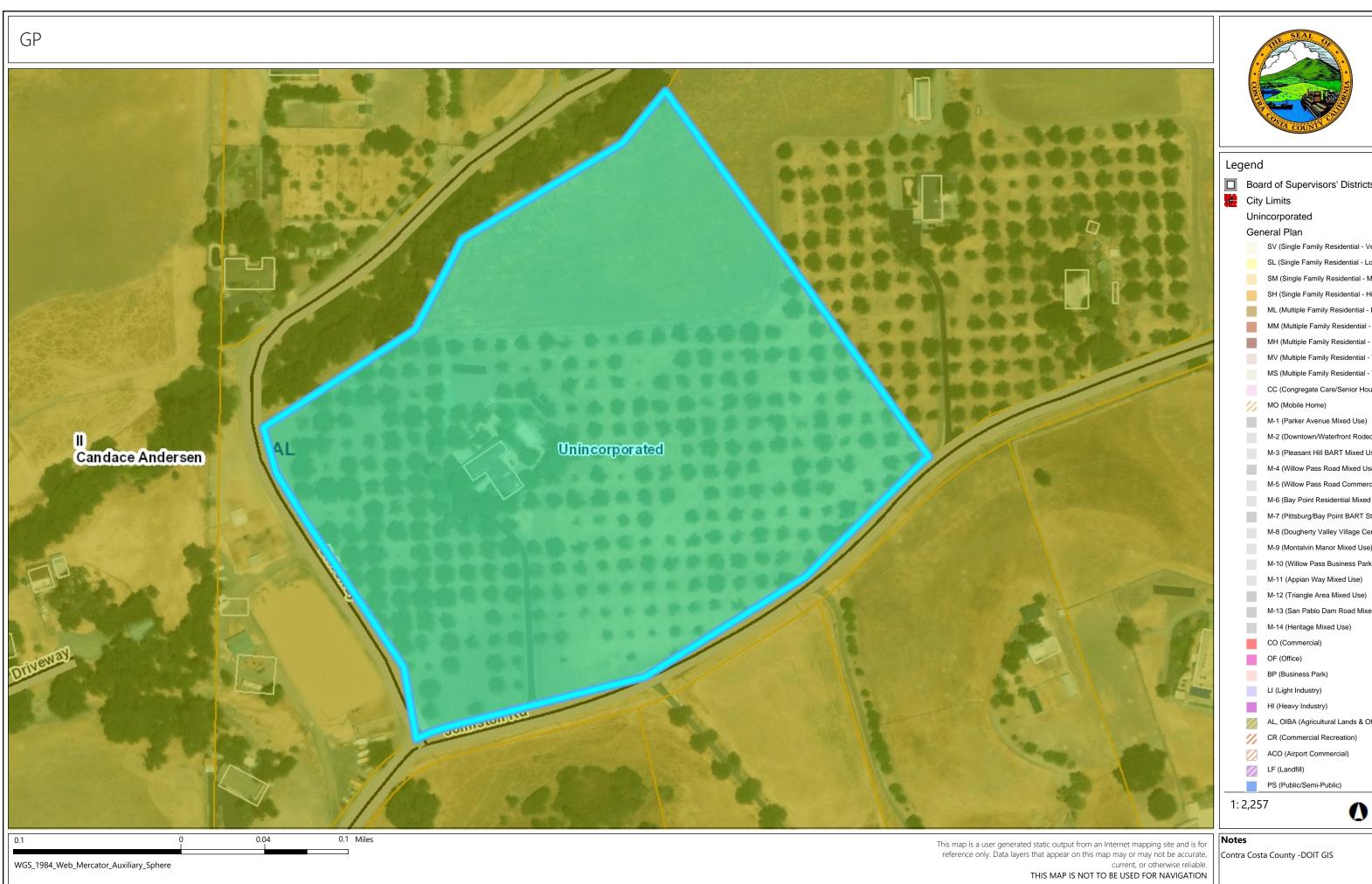




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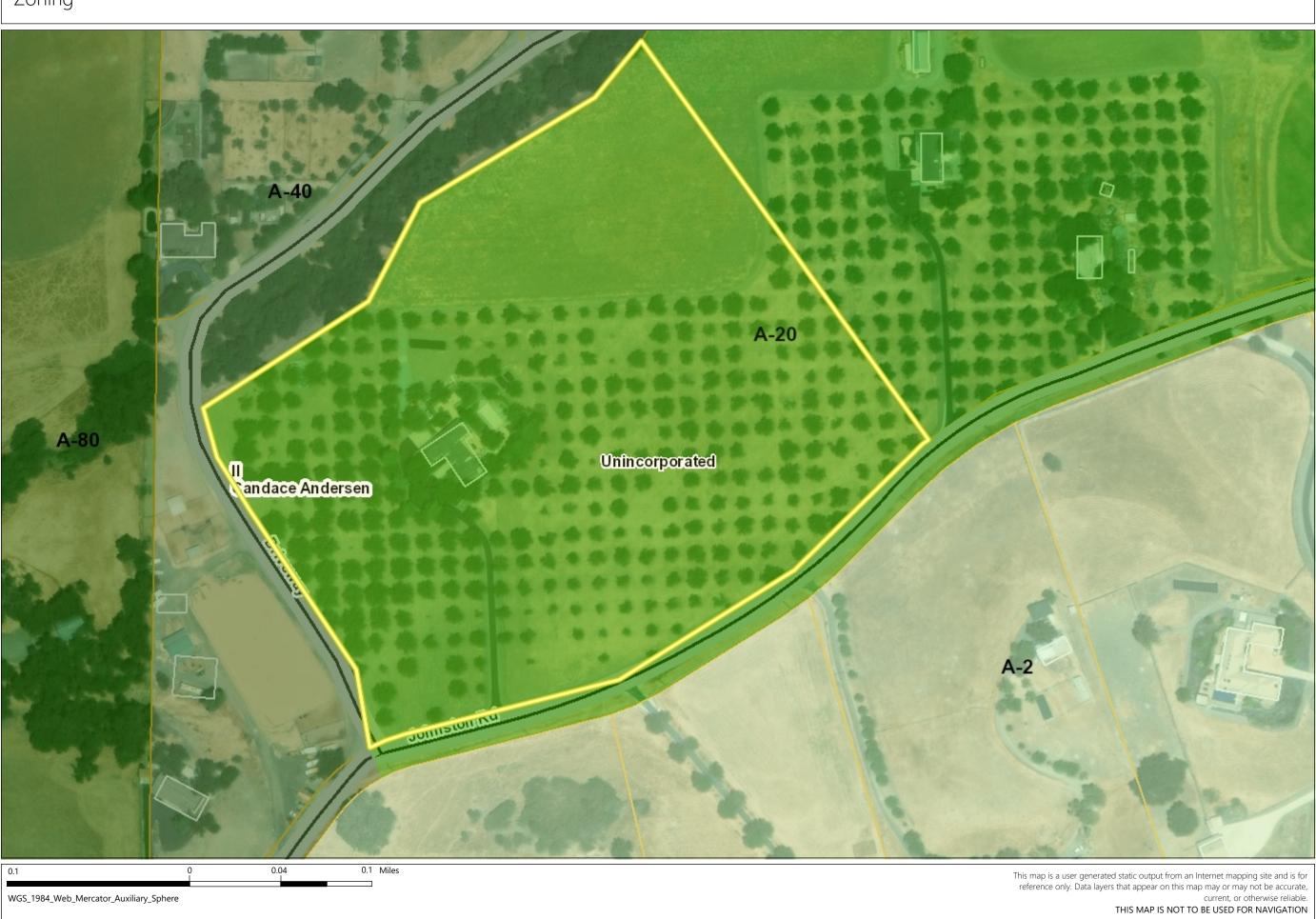


Notes Contra Costa County -DOIT GIS



ן ב	Boa	rd of Supervisors' Districts			
	City Limits				
	Unincorporated				
	General Plan				
		SV (Single Family Residential - Ver			
		SL (Single Family Residential - Low			
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	1/2	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 Stat			
		M-8 (Dougherty Valley Village Cent			
		M-9 (Montalvin Manor Mixed Use)			
		M-10 (Willow Pass Business Park N			
		M-11 (Appian Way Mixed Use)			
		M-12 (Triangle Area Mixed Use)			
	Ξ.	M-13 (San Pablo Dam Road Mixed			
	Ξ.	M-14 (Heritage Mixed Use)			
		CO (Commercial)			
		OF (Office)			
	Ξ.	BP (Business Park)			
		LI (Light Industry)			
		HI (Heavy Industry)			
		AL, OIBA (Agricultural Lands & Off			
	1	CR (Commercial Recreation)			
		ACO (Airport Commercial)			
		LF (Landfill)			
		PS (Public/Semi-Public)			
1:2	2,25	7			

# Zoning





Legend				
	Boa	ard of Supervisors' Districts		
		City Limits		
	Unincorporated			
	Zoning			
	R-6 (Single Family Residential)			
	. 7	R-6, -FH -UE (Flood Hazard and A		
	× •	R-6 -SD-1 (Slope Density Hillside [		
		R-6 -TOV -K (Tree Obstruction and		
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		R-40, -UE (Urban Farm Animal Exc		
		R-65 (Single Family Residential)		
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		M-12 (Multiple Family Residential)		
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		M-17 (Multiple Family Residential)		
		M-29 (Multiple Family Residential)		
		F-R (Forestry Recreational)		
		F-R -FH (Flood Hazard Combining		
		F-1 (Water Recreational)		
	$\checkmark$	F-1 -FH (Flood Hazard Combining [		
		A-2 (General Agriculture)		
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	/	A-2 -FH (Flood Hazard Combining I		
	X	A-2, -FH -SG (Flood Hazard and Sc		
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Notes Contra Costa County -DOIT GIS 0



phone: 925.838.6600 web: www.firedepartment.org

Friday, December 15, 2023

Hello Diana Lecca,

The Fire District has reviewed the Planning Application for the below noted address. Based upon the information provided, comments and requirements have been made as conditions of approval.

If during the course of the entitlement process the project changes, additional requirements may apply. Thank you for the opportunity to comment on the project. Please feel free to contact me directly with any questions or concerns.

PROJECT:CDLP23-02056ADDRESS:6621 JOHNSTON RD (204120015)APPLICATION TITLE:Planning and Site Development ReviewPROJECT NUMBER:1192986

Roy Wendel Interim Fire Marshal rwendel@srvfire.ca.gov 925.838.6687

## **Planning Comments**

0							
Open I	Open Issues: 2						
PLA	PLANNING						
<u>General Issues</u>							
	1. Submit Plans						
	Roy Wendel 12/15/23 7:44 AM	Plan submittal required to the Fire District. Visit www.firedepartment.org/submitplans for information on submittal requirements.					
	2. Access						
	Roy Wendel 12/15/23 7:44 AM	Current requirements for water supply and Fire Department access will be applied at time of submittal for construction permits. Visit www.firedepartment.org/submitplans for the current Ordinance, Standards and Submittal Requirements.					



## Memo

June 25, 2024

FILE:	LP23-2056
SUBJECT:	LAND USE PERMIT LP23-2056 STAFF REPORT & RECOMMENDED CONDITIONS OF APPROVAL (Louis & Kristi Miramontes/Johnston Road/San Ramon/APN 204-120-015)
	By: Anthony DiSilvestre, Staff Engineer, Engineering Services Division
FROM:	Kellen O'Connor, Associate Civil Engineer, Engineering Services Division
TO:	Diana Lecca, Planner, Department of Conservation and Development

We have reviewed the application for **land use permit LP23-2056** received by your office on **December 5, 2023.** 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 for the construction of a second residence on a parcel zoned A-20.

The site is located in the unincorporated San Ramon area. Northwest of the site is a Tributary of Tassajara Creek, southeast and southwest of the site is Johnston Road, and to the northeast is a neighboring parcel with agricultural zoning.

## **Exception Requests**

On June 5, 2024, the applicant submitted an exception request related to the County's collect and convey requirements. Comments relative to this request are included below in the Drainage sub-section of this report.

## **Traffic and Circulation**

The project site will front and gain access from the privately maintained portion of Johnston Road. No road widening or right-of-way dedication is recommended as part of this project.

Improvements along Johnston Road at this location include a picket fence adjacent to the edge of the roadway. No additional improvements are proposed, and none are recommended.

Diana Lecca June 25, 2024 Page 2 of 3

## 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 <u>adequate</u> 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.

According to County elevation data, runoff that falls onto the site flows west towards the bridge of Johnston Road bridge over the Tributary of Tassajara Creek to the west. The applicant has submitted an exception request per Chapter 92-6 from the collect and convey requirements. The request for exception is based on the findings outlined below:

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

The proposed home site is in a low-density part of Johnston Road, located over one mile from the Johnston Road Bridge.

2. That the exception is necessary for the preservation and enjoyment of the substantial right of the applicant.

Constructing a water canal of over one mile would be disruptive to the surrounding properties and environment.

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.

Granting an exception would not be materially detrimental to the public welfare or injurious to other property owners, as the proposed home fits in well with the topography of the area and will be similar to homes on Johnston Road.

The Public Works Department would not oppose granting these exceptions to the collect and convey requirements of this parcel by the advisory agency.

## Stormwater Management and Discharge Control

A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 5,000 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. This project proposes to legalize about 3,400 square feet of impervious surface within the second residence, which is below the threshold requiring submittal of a SWCP.

## Floodplain Management

The project does <u>not</u> lie within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance Rate Map.

Diana Lecca June 25, 2024 Page 3 of 3

## **Lighting District Annexation**

The subject property is <u>not</u> annexed into the lighting district. The property owner will be required, as a condition of approval, to annex into the County Facilities District 2010-1 formed for 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 South County Area of Benefit, as adopted by the Board of Supervisors. The fees shall be paid prior to issuing of a land use permit.

## Drainage Area Fee

The property is located within unformed Drainage Area 102. There is currently no fee ordinance adopted by the Board of Supervisors for this area.

Should you have any questions, please contact Anthony DiSilvestre at (925) 313-2262 or anthony.disilvestre@pw.cccounty.us or Kellen O'Connor at (925) 313-2278 or kellen.o'connor@pw.cccounty.us.

KO:AD:ss

G:\engsvc\Land Dev\LP\LP 23-2056\Staff Report & COAs LP23-2056.docx

c: J. LaRocque, Engineering Services L. Gossett, Engineering Services K. O'Connor, Engineering Services A. DiSilvestre, Engineering Services Louis & Kristi Miramontes, *owner/applicant* 6621 Johnston Road Pleasanton, CA 94588

## PUBLIC WORKS RECOMMENDED CONDITIONS OF APPROVAL FOR PERMIT LP23-2056

## 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:**

- For Public Works review for compliance relative to this Land Use Permit, a Compliance Review Fee deposit shall be submitted directly to the Public Works Department in accordance with the County's adopted Fee Schedule for such services. This fee is separate from similar fees required by the Department of Conservation and Development and is a deposit to offset staff costs relative to review and processing of these conditions of approval and other Public Works related services ancillary to the issuance of building permits and completion of this project.
- 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 subdivision. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department.

## 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.
- Applicant shall furnish proof to the Public Works Department that legal access to the property is available from the County-maintained portion of Johnston Road.

## Road Alignment/Intersection Design/Sight Distance:

 Applicant shall provide sight distance at the intersection of the private driveway with Johnston Road in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall trim vegetation, as necessary, to provide sight distance at this intersection, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at this intersection shall be setback to ensure that the sight line is clear of any obstructions.

## Countywide Street Light Financing:

• Property owner(s) shall annex to the County 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.

## Utilities/Undergrounding:

• Applicant shall underground all <u>new</u> utility distribution facilities.

## **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 system, to an
adequate natural watercourse having definable bed and banks, or to an existing adequate
public storm drainage system which conveys the stormwater to an adequate natural
watercourse, in accordance with Division 914 of the Ordinance Code.

## 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 provided that the existing drainage pattern is maintained and concentrated storm drainage is not discharged onto adjacent property.

## **Miscellaneous Drainage Requirements:**

- Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.
- Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

## Creek Banks and Creek Structure Setbacks:

• Applicant shall show the creek structure setback line on the site plan/Tentative Map in accordance with Section 914-14.012, "Structures Setback Lines for Unimproved Earth Channels" and observe this setback line as if this were a subdivision.

## 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 San Francisco Bay - Region II.

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 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.
- 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.

## **ADVISORY NOTES**

- Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the South County Area 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.



## Northwest Information Center

Sonoma State University 1400 Valley House Drive, Suite 210 Rohnert Park, California 94928-3609 Tel: 707.588.8455 nwic@sonoma.edu https://nwic.sonoma.edu

File No.: 24-1404

April 1, 2025

Contra Costa County

Diana Lecca, Project Planner Department of Conservation and Development

**Community Development Division** 30 Muir Road Martinez, CA 94553-4601

re: CDLP23-02056 / APN-204-120-015 at 6621 Johnston Rd., Pleasanton / Lou MiraMontes

Dear Diana Lecca,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.

## **Project Description:**

The applicant requests approval of a land use permit for the construction of a second residence on a parcel zoned A-20.

## **Previous Studies:**

XX Study #20828 (Holman 1997), covering approximately the proposed project area, identified no cultural resources within those portions of the proposed project area (see recommendation below).

## Archaeological and Native American Resources Recommendations:

- XX We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.
- XX Although the general vicinity has sensitivity for archaeological resources, the proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended. If archaeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations.

## **Built Environment Recommendations:**

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Contra Costa County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <u>http://www.chrisinfo.org</u>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,

Bryan Much Coordinator



# NEW MIRAMONTE RESIDENCE

Roof LL	20 /16 psf	
Attic LL	10 psf	
Floor LL	40 psf	
Wind Speed	110 mph	
Wind Exposure	С	
Site Class	D	
Seismic Design Category	D	
SDS	1.373	
V =	0.196W	
Importance Factor	1.0	

VATION, S Ш RONT AND L AN Ш Ч SITE

ENGINEERING DESIG

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Plann'g Apprvl 7

MIRAMONTE RESIDENCE TBD JOHNSTON ROAD PLEASANTON, CA

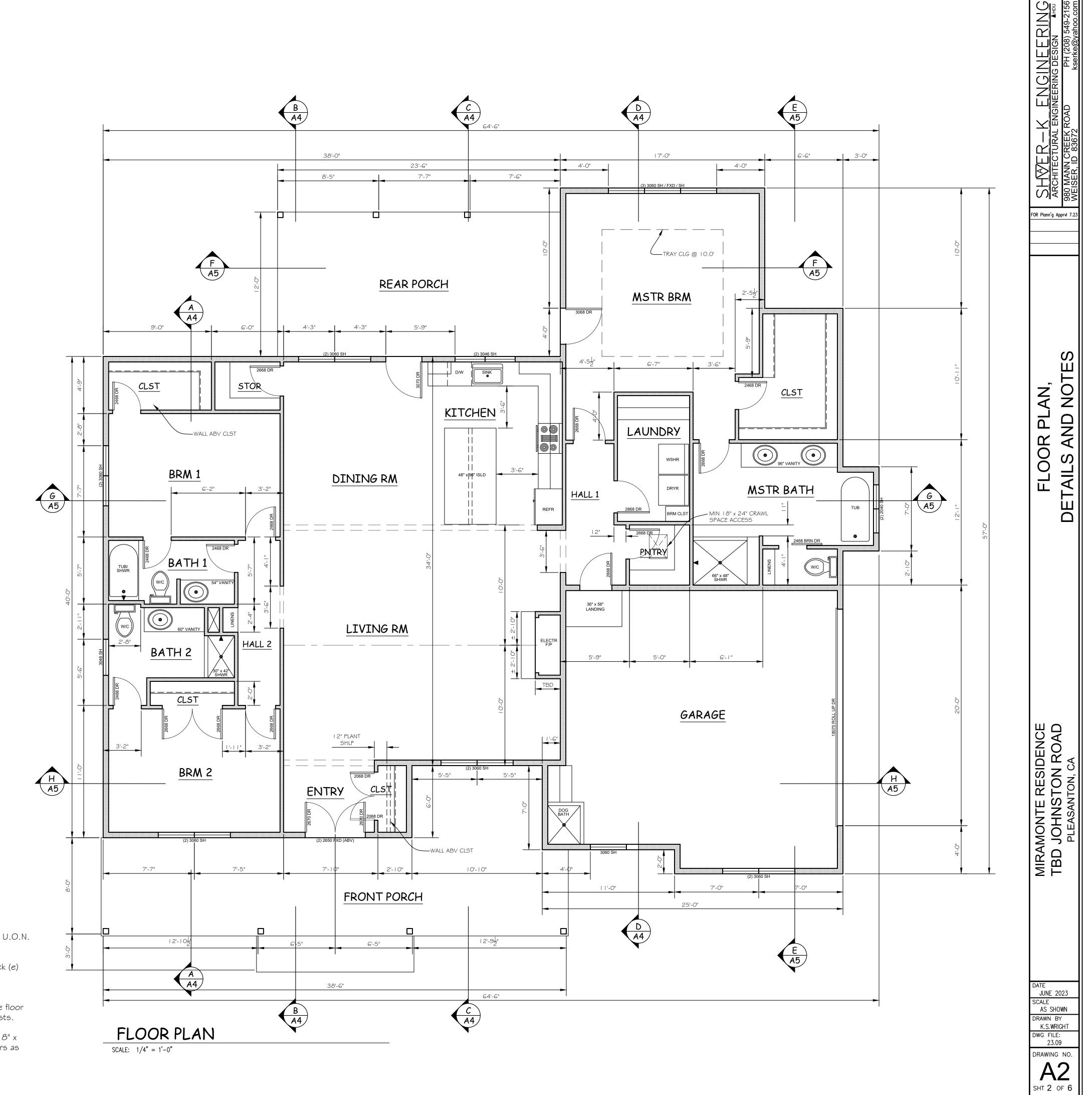
DATE JUNE 2023 SCALE AS SHOWN DRAWN BY K.S.WRIGHT DWG FILE: 23.09 DRAWING NO. A1 SHT 1 OF 6

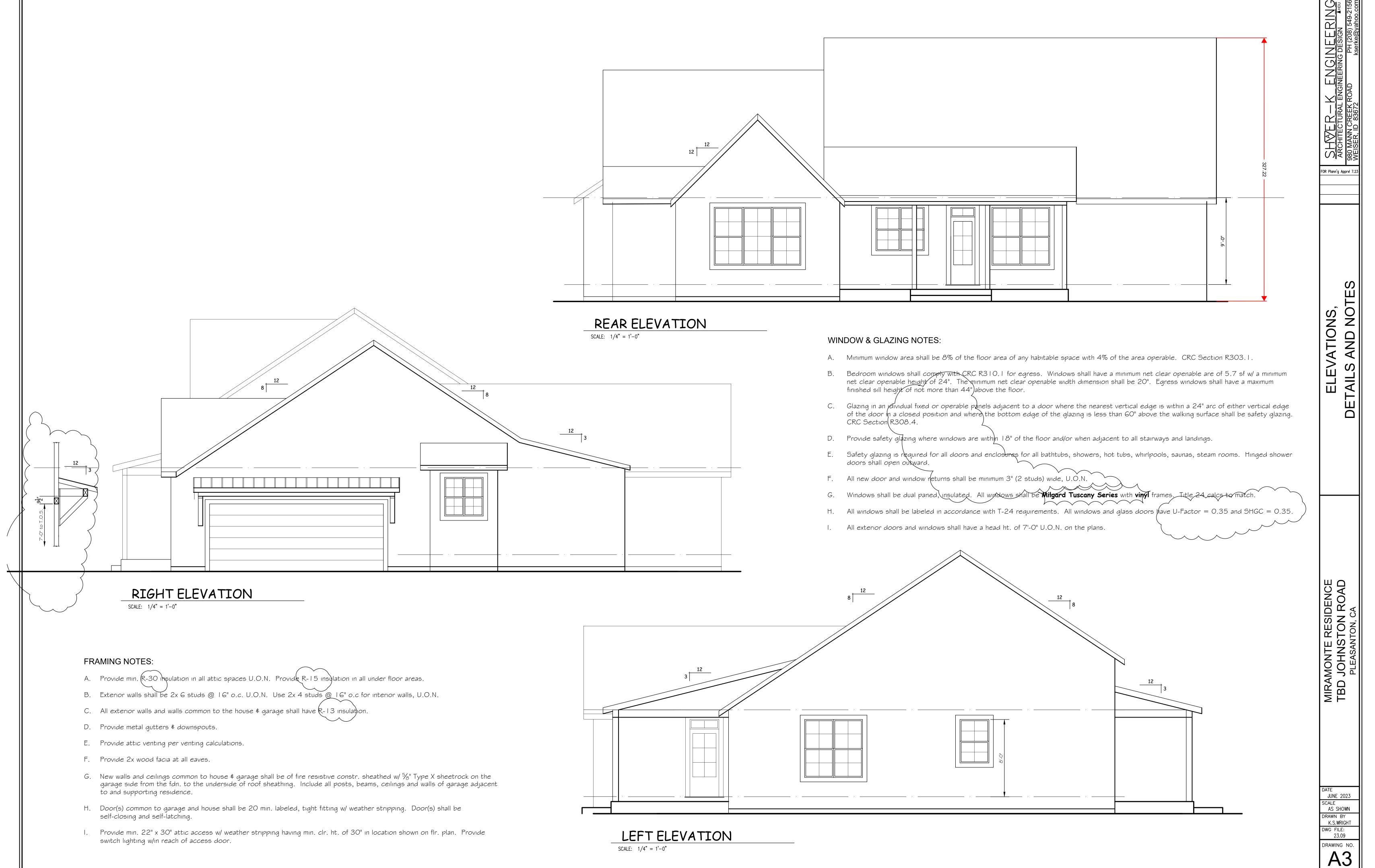
## w/h HVAC

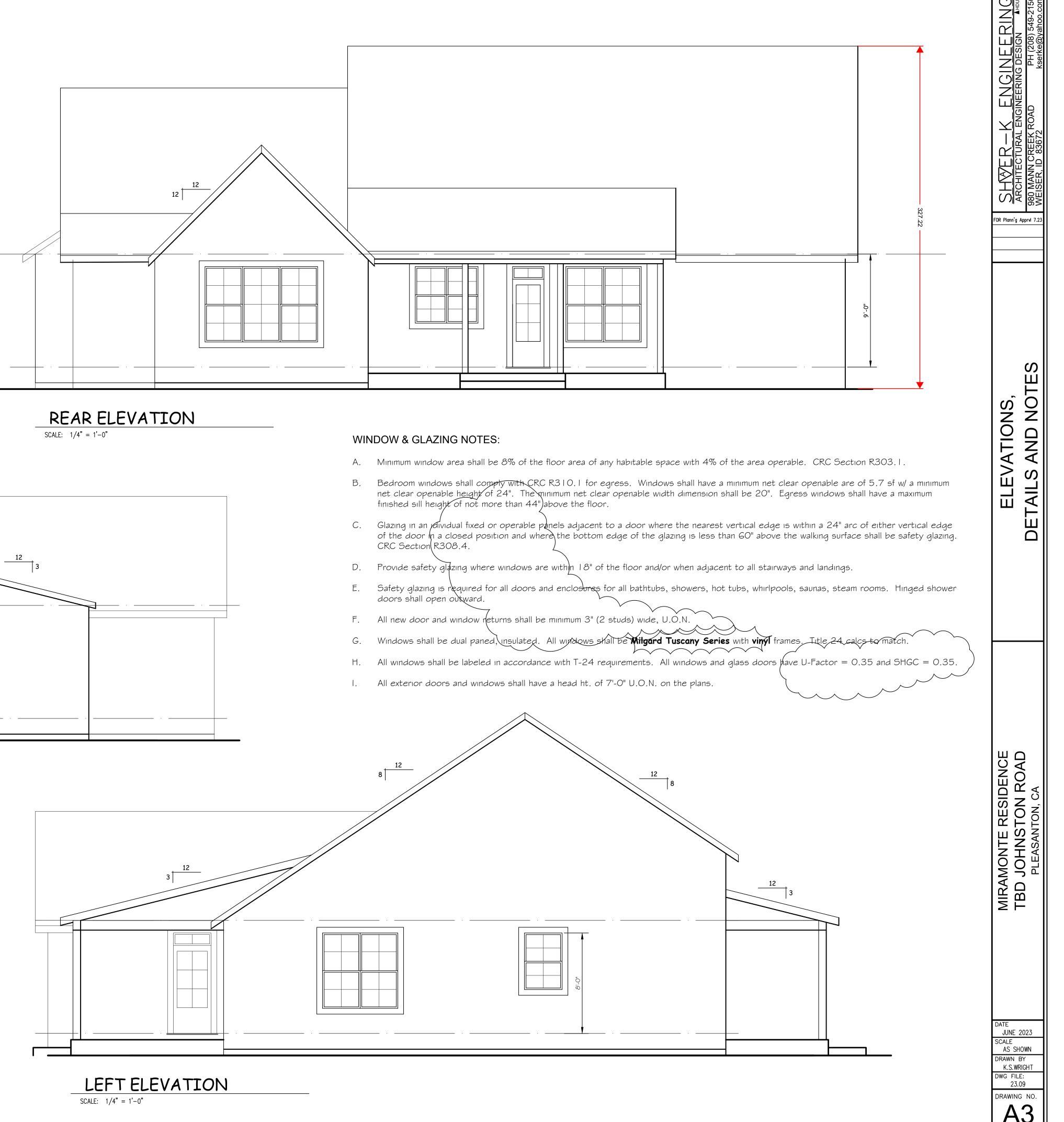
## attic access?

## FOUNDATION NOTES:

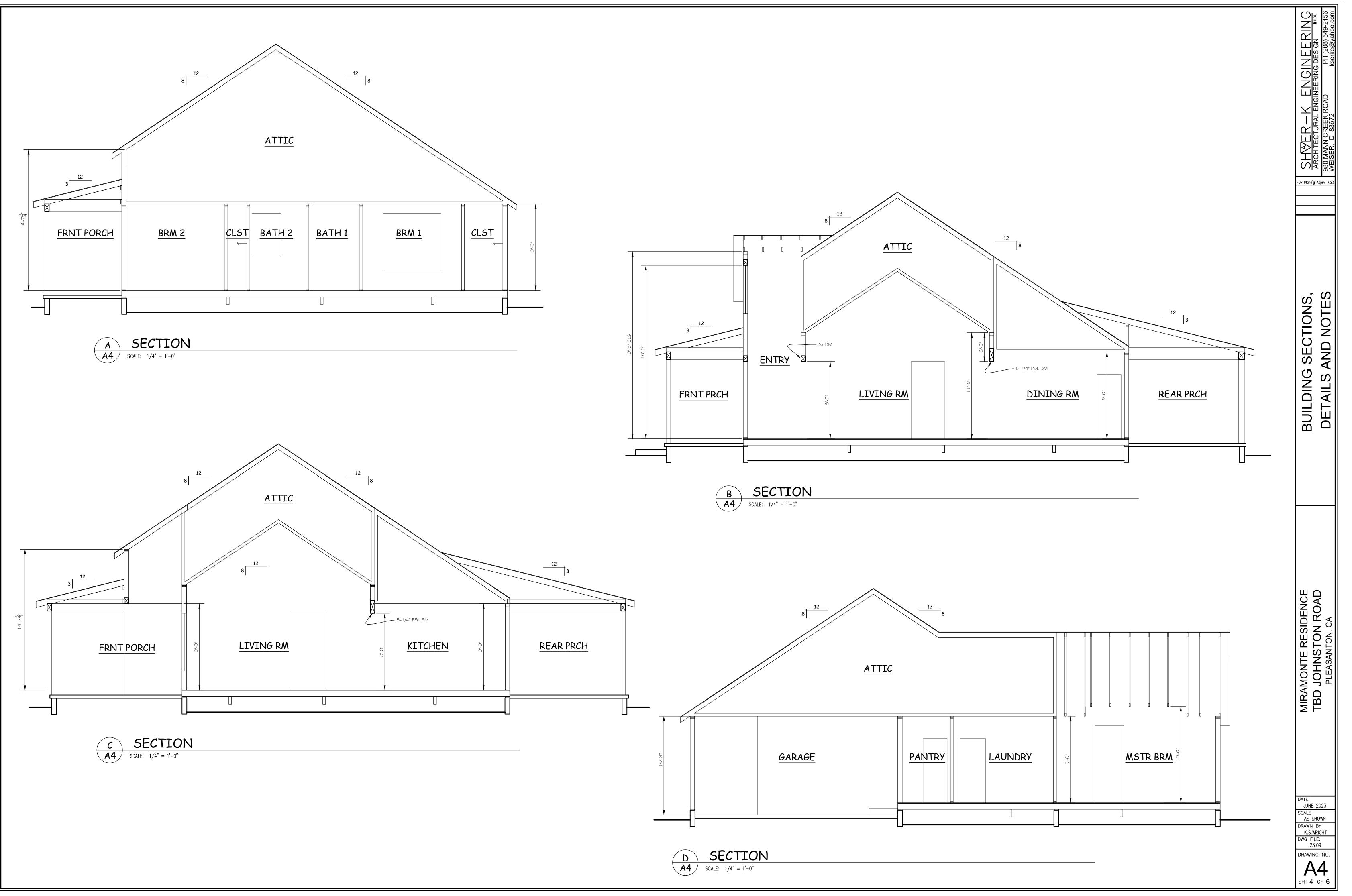
- A. Provide R-19 insulation in all new floor areas U.O.N.
- B. Provide metal foundation vents per venting calculations on Foundation Plan. Do not block (e) vents.
- C. Provide solid blocking under walls that run perpendicular to floor joists. Provide double floor joists under walls running parallel to floor joists.
- D. Provide new crawl space access. Minimum 18" x 24". See plan for location. Use joist hangers as needed.

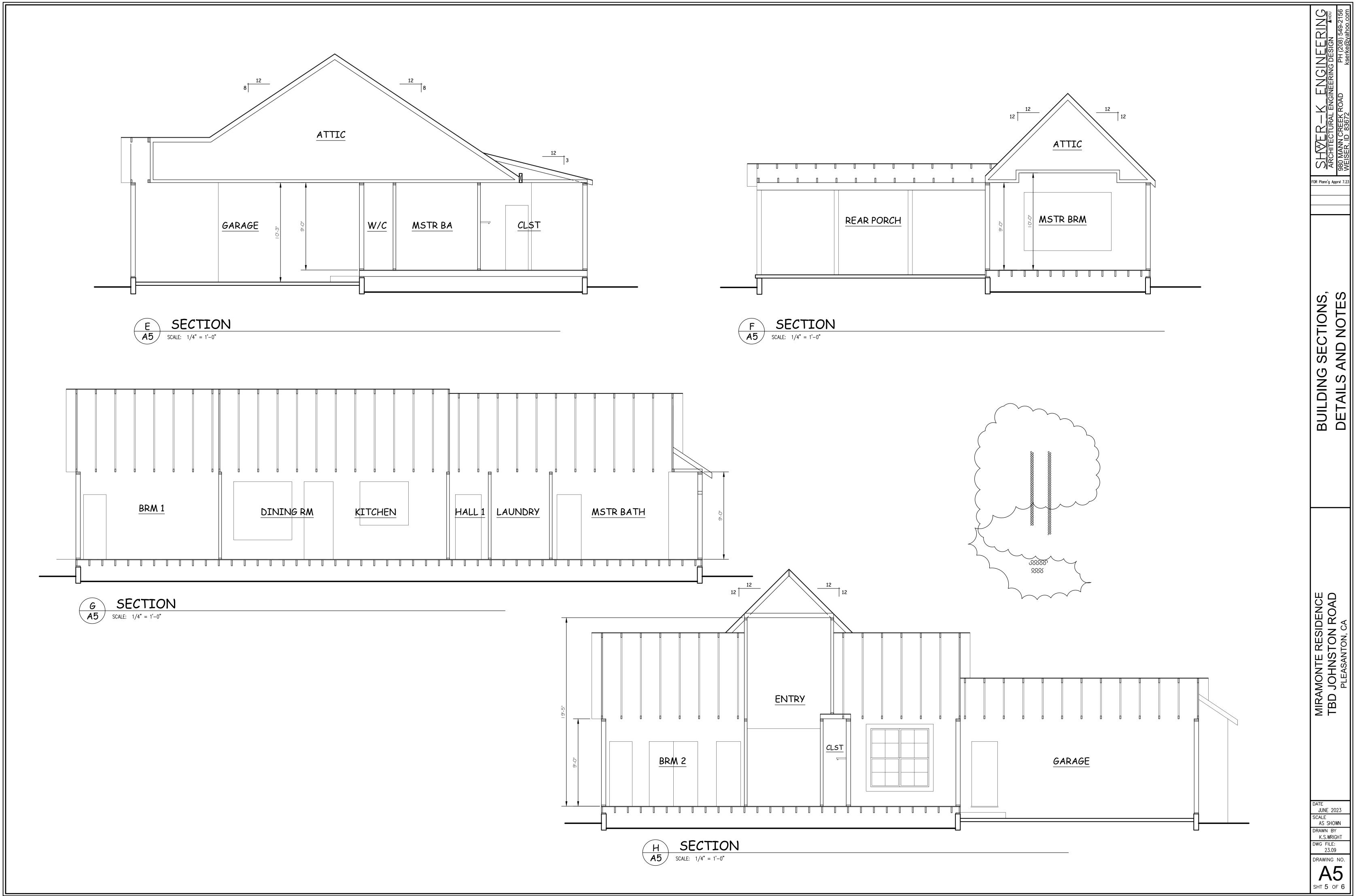






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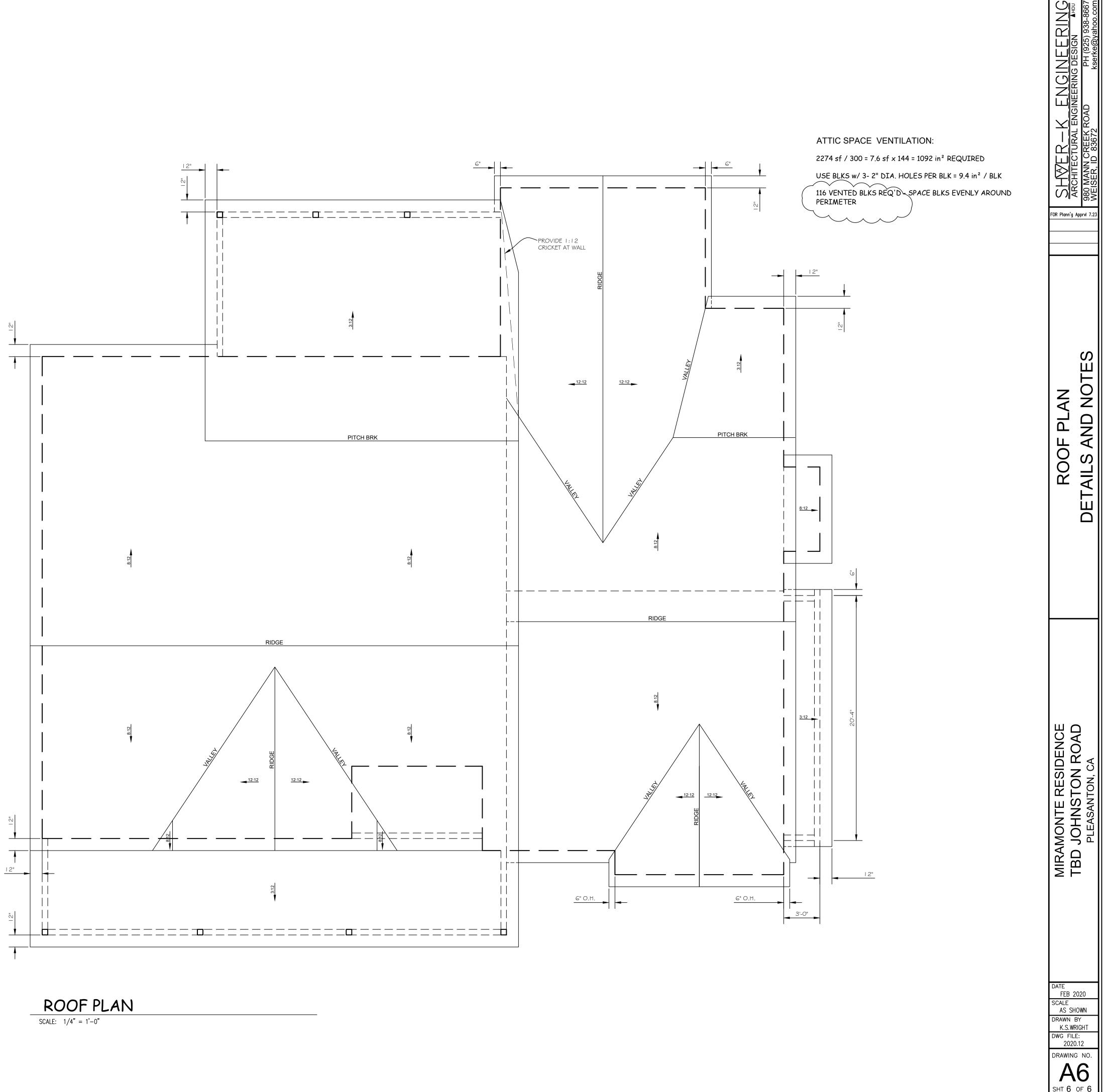


## PRE-MANUFACTURED ROOF TRUSSES

- A. Pre-fabricated timber trusses shall be designed and fabricated with ICC approved plate fasteners. Lumber used in trusses shall be Douglas Fir. Trusses shall be designed by a registered Civil Engineer, licensed in California; design calculations and shop drawings shall be provided for review by the engineer of record, then submitted to the Building Department.
  - I. Unless noted otherwise on the drawings, truss loading shall conform to the following:

Roof trusses: Top chord loading: DL = 17 psf Top Chord shall be min 2x 6 LL = 16 psfBottom chord loading: DL = 5 psf\* Not simultaneous with top chord LL  $LL = 10 \text{ psf}^*$ TL = 38 psf

- B. Truss manufacturer shall supply all hangers, clips, plates, blocks, bridging, and all other items relative to their units.
- C. All trusses shall be delivered to the site, bundle wrapped and piece-marked for locations. Trusses shall not be field cut.
- D. Connector plates: All connector plates shall be a minimum thickness of 0.036" and shall be of steel meeting the requirements of ASTM A446 Grade A as a minimum, hot dipped galvanized per ASTM A525, G60 coating (unless placed in highly corrosive environments).
- E. Girder trusses: Design special trusses for same criteria as standard trusses including the effects of tributary loads from in-framing members. See framing plan for truss layouts. The truss manufacturer shall submit the design and detail of all connectors required to transfer loads to the special trusses, U.N.O. on the plans.
- F. Collector trusses: Design special trusses for same criteria as standard trusses including the effects of lateral loads as noted on framing plans. See framing plan for truss layouts. The truss manufacturer shall submit the design and detail of all connectors required to transfer loads to the special trusses, U.N.O. on the plans.
- G. Provide minimum of (2) studs below the bearing points of all girder and hip trusses and carry down to foundation level, typical.
- H. Execution:
  - I. Inspect the installed work of other trades and verify that such work has been so installed as to allow rough carpentry to produce surfaces to the required design.
  - 2. Provide all permanent structural cross bracing to ensure overall rigidity of the diaphragm in accordance with the architectural and engineering plans for the structure.
  - 3. Cut all wood members for a tight fit. Do not shim. Erect all members straight, plumb, and accurately located.
- I. Install all backing, blocking and stripping required for the work of other trades.
- J. Brace all trusses and pre-fabricated wood joists during erection and after permanent installation.
- K Review prior to installation: Prior to installation of trusses, two copies of the following materials bearing the approval of the Engineer of Record (Shaer-K Engineering) in the form of a separate letter must be submitted to the Building Official for review at least two weeks prior to frame inspection: (1) truss layout drawings; and (2) truss calculations and details showing axial and bending stresses and joint designs, clearly indicating that designs conform to the 2020 CBC.



## 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

Deidra Dingman Deputy Director

Ruben Hernandez Deputy Director

Gabriel Lemus Assistant Deputy Director

April 21, 2025

## NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A

## **PROPOSED MITIGATED 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:

**Project Title:** 6621 Johnston Road Second Residence Land Use Permit 1. 2. County File Number: CDLP23-02056 3. Lead Agency Name and Contra Costa County Address: Department of Conservation and Development 30 Muir Road Martinez, CA 94553 4. Contact Person and Phone Diana Lecca, Project Planner Number: (925) 655-2869 6621 Johnston Road in the San Ramon area of 5. **Project Location**: unincorporated Contra Costa County (Assessor's Parcel Number. 204-120-015) 6. Applicant / Project Sponsor's Louis Miramontes Name, Address, and Phone 6621 Johnston Road

- **7. Description of Project:** The applicant requests approval of a land use permit to establish a second single-family residence on a 16.87-acre agricultural lot with an existing single-family residence and walnut orchard. The proposed 2,840 square-foot second residence will have an attached 536 square-foot garage and a new driveway from Johnston Road. The application includes a request for an exception from the collect and convey drainage requirements of Chapter 914-2.004 of the Contra Costa County Ordinance Code.
- 8. Surrounding Land Uses and Setting: The project site is located in the San Ramon area of unincorporated Contra Costa County on the north side of Johnston Road, approximately 1.4 miles east of the intersection of Camino Tassajara and Johnston Road. Access to the site is from the southern property line off Johnston Road. The site is relatively flat and is bounded on the northwest side by a tributary of Tassajara Creek. The site is currently developed with a single-family residence and a walnut orchard, both of which will remain after the construction of the proposed new residence.

The site is located in a predominantly agricultural area east of Camino Tassajara. Lots in the surrounding area are primarily agricultural in nature. Some lots also include single-family residential development. A commercial equestrian facility is adjacent to the east. To the north, west and south, properties include some private residences and agricultural structures. The San Ramon city limit is located approximately 5 driving miles to the west, and the Alameda County boundary is approximately 4.75 driving miles to the south. This area is also a few miles east of the eastern boundaries of the Town of Danville and the Blackhawk community.

**9. Determination:** The County has determined that without mitigation the project may result in significant impacts to the environment. Therefore, pursuant to California Code of Regulations Section 15070, a Mitigated Negative Declaration/Initial Study has been prepared which identifies mitigation measures to be incorporated into the project that will reduce the impacts to less than significant levels. Prior to adoption of the Mitigated Negative Declaration, the County will be accepting comments on the Mitigated Negative Declaration/initial study during a 20-day public comment period.

The Mitigated Negative Declaration/Initial Study can be viewed online at the following link: <u>California Environmental Quality Act (CEQA) Notifications | Contra Costa County, CA Official Website</u> or upon request by contacting the project planner. Any documents referenced in the Mitigated Negative Declaration/Initial Study 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 extend to **<u>5:00 PM, Monday, May 12, 2025</u>**. Any comments should be submitted in writing to the following address:

Contra Costa County Department of Conservation & Development **Attn: Diana Lecca** 30 Muir Road

## Martinez, CA 94553

## or via email to: <u>diana.lecca@dcd.cccounty.us</u>

The proposed Mitigated Negative Declaration and the proposed project will be considered at a meeting of the County Zoning Administrator. The hearing date before the County Zoning Administrator has not yet been scheduled. Hearing notices with instructions on how and/or where to attend the meeting will be sent out prior to the finalized hearing date.

**Additional Information** – For additional information on the Mitigated Negative Declaration and the proposed project, contact Diana Lecca by telephone at (925) 655-2869, or email at <u>diana.lecca@dcd.cccounty.us</u>

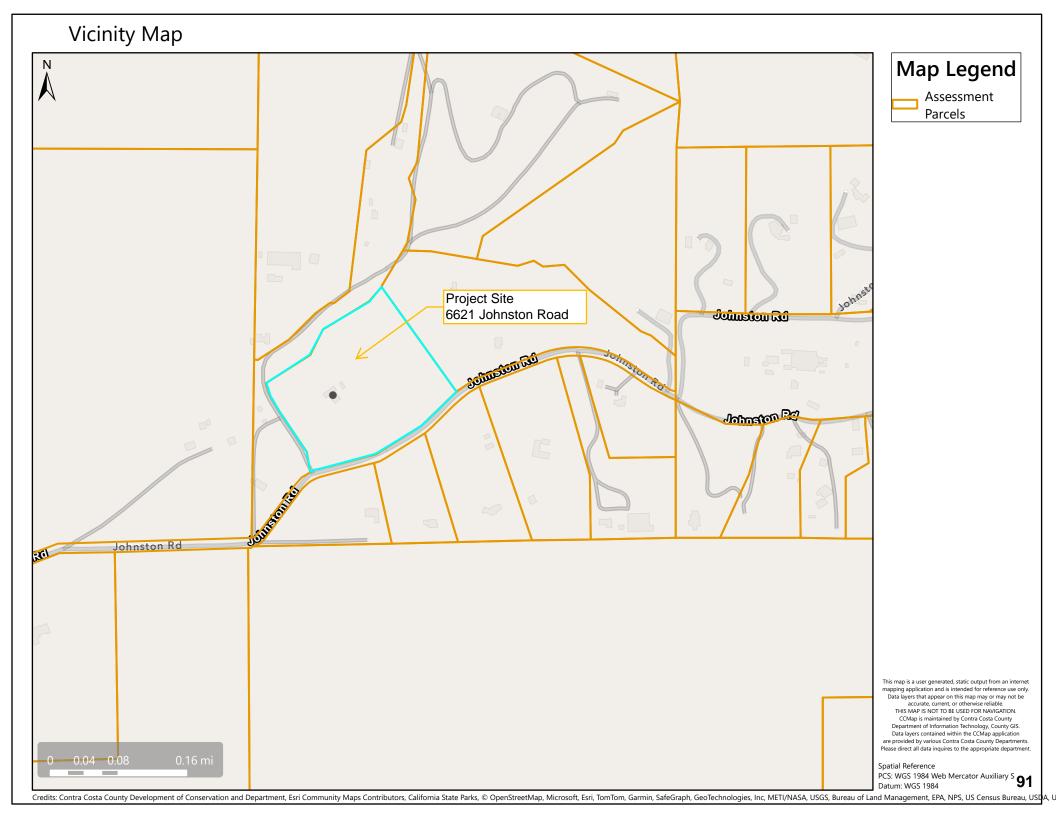
Sincerely,

Diana Lecca

Diana Lecca Project Planner Department of Conservation & Development

cc: County Clerk's Office (2 copies)

attachment: Project Vicinity



## CEQA ENVIRONMENTAL CHECKLIST FORM

1.	Project Title:	6621 Johnston Road Second Residence Land Use Permit County File CDLP23-02056
2.	Lead Agency Name and Address:	Contra Costa County Department of Conservation and Development 30 Muir Road Martinez, CA 94553
3.	Contact Person and Phone Number:	Diana Lecca, Project Planner (925) 655-2869
4.	Project Location:	6621 Johnston Road in the San Ramon area of unincorporated Contra Costa County (Assessor's Parcel Number. 204-120-015)
5.	Project Sponsor's Name and Address:	Louis Miramontes 6621 Johnston Road Pleasanton, CA 94588
6.	General Plan Designation:	AL, Agricultural Lands
7.	Zoning:	A-20, Exclusive Agricultural District

- 8. Description of Project: The applicant requests approval of a land use permit to establish a second single-family residence on a 16.87-acre agricultural lot with an existing single-family residence and walnut orchard. The proposed 2,840 square-foot second residence will have an attached 536 square-foot garage and a new driveway from Johnston Road. The application includes a request for an exception from the collect and convey drainage requirements of Chapter 914-2.004 of the Contra Costa County Ordinance Code.
- **9. Surrounding Land Uses and Setting**: The project site is located in the San Ramon area of unincorporated Contra Costa County on the north side of Johnston Road, approximately 1.4 miles east of the intersection of Camino Tassajara and Johnston Road. Access to the site is from the southern property line off Johnston Road. The site is relatively flat and is bounded on the northwest side by a tributary of Tassajara Creek. The site is currently developed with a single-family residence and a walnut orchard, both of which will remain after the construction of the proposed new residence.

The site is located in a predominantly agricultural area east of Camino Tassajara. Lots in the surrounding area are primarily agricultural in nature. Some lots also include single-family residential development. A commercial equestrian facility is adjacent to the east. To the north, west and south, properties include some private residences and agricultural structures. The San Ramon city limit is located approximately 5 driving miles to the west, and the Alameda County boundary is approximately 4.75 driving miles to the south. This area is also a few miles east of the eastern boundaries of the Town of Danville and the Blackhawk community.

- **10.** Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement:
  - Contra Costa County Public Works Department
  - Contra Costa County Building Inspection Division
  - San Ramon Valley Fire Protection District
  - Contra Costa County Environmental Health Division
- 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, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In accordance with Section 21080.3.1 of the California Public Resources Code, a Notice of Opportunity to Request Consultation was sent on March 5, 2025, to the Confederated Villages of Lisjan Nation and the Wilton Rancheria, the California Native American tribes that have requested notification of proposed projects within unincorporated Contra Costa County. Pursuant to section 21080.3.1(d), there is a 30-day time period for the Wilton Rancheria and/or the Villages of Lisjan Nation to either request or decline consultation in writing for this project. The Confederated Villages requested CHRIS records for the project site on March 4, 2025, which staff received on April 1, 2025. The CHRIS records indicated that a previous 1997 study, covering approximately the proposed project area, identified no cultural resources within those portions of the project site affected by the proposed project. Although the general vicinity has sensitivity for archaeological resources, the proposed project area has a low possibility of containing unrecorded archaeological site(s).

Previously, the Wilton Rancheria had requested consultation in response to a Notice of Opportunity for a different project that led to a meeting between staff and a representative of the Wilton Rancheria. At that meeting, a tentative agreement was reached between staff and the Wilton Rancheria that the Native American tribe will be notified of any discovery of cultural resources or human remains on a project site. Subsequently, the Native American Heritage Commission (NAHC) requested that pursuant to State law, the NAHC shall be notified of any discovery of human remains rather than the Native American tribe. Standard Contra Costa County Department of Conservation and Development, Community Development Division (CDD) Conditions of Approval – see Conditions of Approval Cultural Resources 1 and Cultural Resources 2 in Environmental Checklist Section 5 (Cultural Resources) – provide for notice to the NAHC of any discovery of human remains on the site. Any future construction activity on the project site would be subject to CDD Conditions of Approval Cultural Resources 1 and Cultural Resources 2.

Environmental Factors Potentially Affected							
Without mitigation, the environmental factors checked below would have been potentially affected							
by this project. Upon incorpo	pration of the mitigation measures	s identified in the following pages it					
has been found that the project	ct will not result in any impacts t	to the environment.					
Aesthetics	Agriculture and Forestry Resources	Air Quality					
Biological Resources	Cultural Resources	Energy					
Geology/Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials					
Hydrology/Water Quality	Land Use/Planning	Mineral Resources					
Noise	Population/Housing	Public Services					
Recreation	Transportation	Tribal Cultural Resources					
Utilities/Services Systems	☐ Wildfire	☐ 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, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Date

## **ENVIRONMENTAL CHECKLIST**

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	-
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
1.		STHETICS – Except as provided in Public Re ject:	esources Cod	le Section 21	099, would	the
	a)	Have a substantial adverse effect on a scenic vista?				$\boxtimes$
	b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?				$\boxtimes$
	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?				
	d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			$\boxtimes$	

## **SUMMARY**:

## a) 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<sup>1</sup> identifies major scenic ridges and waterways within the County. The project site is not in the vicinity of any scenic ridges or waterways. The site is located approximately 0.74 miles to the north of Highland Road, which is designated as a scenic route on Figure 5-4 (Scenic Routes) of the General Plan Transportation and Circulation Element; however, due to the topography of the surrounding area as well as presence of existing structures and mature foliage, Highland Road is not visible from the site. Thus, the project will have no impact on scenic vistas.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? (No Impact)

<sup>&</sup>lt;sup>1</sup> Although, the Contra Costa County Board of Supervisors adopted the 2045 General Plan on November 5, 2024, the CDLP23-02056 Land Use Permit application was deemed complete on June 26, 2024. Therefore, the goals, policies, and standards of the former General Plan 2005-2020 apply to the application.

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

Figure 5-4 (Scenic Routes) of the General Plan Transportation and Circulation Element identifies both State Scenic Highways and County designated Scenic Routes. The project site is not adjacent to any State Scenic Highway or County designated Scenic Route. In addition, there are no historic buildings, rock outcroppings or trees of significant scenic value located on or adjacent to the project site. Thus, the proposed project would not damage any scenic resources.

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? (Less Than Significant Impact)

The project site is located within a rural (non-urbanized) area of the County that is predominantly characterized by agricultural uses such as cattle grazing, livestock production, and crop farming. The terrain surrounding the project site is hilly and adjacent parcels are largely undeveloped aside from some private residences and agricultural structures located along Johnston Road. The parcel itself has already been developed with a single-family residence and walnut orchard. The project includes the construction of a second single-family residence that would be consistent with the development (single-family homes and agricultural buildings) on surrounding parcels. In addition, new development is limited to the relatively flat portion of the subject property, which would reduce the visual impact of new construction from surrounding parcels. Therefore, the project will have less than a significant effect on the established visual character in the area.

*d)* Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Less Than Significant Impact)

The new single-family residence would introduce more light and glare in the area, which may change the existing character of the area. However, daytime views would be similar to views of other residences located on Johnston Road. Although lighting of the new residence, including yard and exterior house lights, may affect nighttime views, this lighting would be similar to that of existing residences along Johnston Road. Therefore, the impact on day or nighttime views would be less than significant.

## Sources of Information

- Contra Costa County General Plan, 2005-2020. Open Space Element.
- Contra Costa County General Plan, 2005-2020. Transportation and Circulation Element.
- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	-
2	- 10	Environmental Issues	Significant Impact	Mitigation	Less Than Significant Impact	No Impact
2.	<u>AG</u> a)	<b>ERICULTURAL AND FOREST RESOURCE</b> 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?		ne project:		
	b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				
	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)?				
	d)	Result in the loss of forest land or conversion of forest land to non-forest use?				$\boxtimes$
	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?				

## SUMMARY:

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? (Less Than Significant Impact)

As shown on the California Department of Conservation's *Contra Costa County Important Farmland* 2020 map, and the California Important Farmland Finder, the parcel is located within a Unique Farmland area. The proposed project to construct a second single-family residence will convert a portion of the current walnut orchard to a non-agricultural use but would keep the remainder of the area as agricultural. The proposed development is allowed with a land use permit and would be compatible with the agricultural land use district and would not substantially alter the land in a manner that would be detrimental to its capacity to sustain agricultural activities.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (No Impact)

The project site is within an agricultural area that is largely non-urbanized. The project proposes a new second residence which is consistent with uses permitted within the A-20 District. Although the

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

property is zoned for agricultural use, the property is not included in a Williamson Act contract. Therefore, no impact arising from a conflict with existing agricultural uses

The project site is in the A-20 Exclusive Agricultural District and is not under a Williamson Act contract. Also, the proposed project does not create any conflicts with existing zoning, because an additional single-family residence is allowed in the A-20 District with a land use permit.

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)? (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. The project site is located within the A-20 Exclusive Agricultural District and the proposed use of the parcel is permitted within this zoning district with a land use permit. Construction at the subject site would not result in the conversion or loss of forest resources.

d) 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.

*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? (Less Than Significant Impact)

Development of this project would not significantly change the existing environment, which due to its location and nature would result in conversion of a small amount of farmland to non-agricultural use. Historically, the parcel has been used as a walnut orchard. However, as mentioned above, a second single-family residence would be compatible with the agricultural land use district and would not substantially alter the land in a manner that would be detrimental to its capacity to sustain agricultural activities. Therefore, development of the project would result in a less than significant impact on the conversion of farmland to non-agricultural uses.

## Sources of Information

- California Department of Conservation, Division of Land Resource Protection, 2025. *Contra Costa County Important Farmland 2020.*
- <u>DLRP Important Farmland Finder</u>, 2025. California Department of Conservation, Division of Land Resource Protection.
- Contra Costa County Code, Title 8. Zoning Ordinance.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan I Impact	-
3.	A 11	Environmental Issues R QUALITY – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
5.	a)	Conflict with or obstruct implementation of the applicable air quality plan?		$\boxtimes$		
	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?				
	c)	Expose sensitive receptors to substantial pollutant concentrations?		$\boxtimes$		
	d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		$\boxtimes$		

## SUMMARY:

## a) Would the project conflict with or obstruct implementation of the applicable air quality plan? (Less than Significant with Mitigation)

The project site is within the San Francisco Bay Air Basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the 2017 Bay Area Clean Air Plan: Spare the Air, Cool the Climate. The Clean Air Plan serves as the regional Air Quality Plan (AQP) for the Air Basin for attaining National Ambient Air Quality Standards (NAAQS). The United States Environmental Protection Agency (EPA) is responsible for identifying nonattainment and attainment areas for each criteria pollutant within the Air Basin. The EPA has established NAAQS for six of the most common air pollutants—carbon monoxide, lead, ground level ozone, particulate matter, nitrogen dioxide, and sulfur dioxide—known as "criteria pollutants". The Air Basin is designated as nonattainment for State standards for 1-hour and 8-hour ozone, 24-hour respirable particulate matter 10 micrometers or less in diameter ( $PM_{10}$ ), annual  $PM_{10}$ , and annual particulate matter 2.5 micrometers or less in diameter ( $PM_{2.5}$ ).

The primary goals of the AQP are to protect public health and protect the climate. The AQP identifies a wide range of control measures intended to decrease both criteria pollutants and greenhouse gas (GHG) emissions. The BAAQMD does not provide a numerical threshold of significance for project-level consistency analysis with the regional AQP. A measure for determining whether the proposed project supports the primary goals of the AQP is if the project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the air quality plans. This measure is determined by comparing project emissions to the significance

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

thresholds identified by the BAAQMD for construction- and operation-related pollutants. These significance thresholds are discussed in Environmental Checklist Section 3.b below. As discussed in Environmental Checklist Section 3.b, if emissions control measures are not implemented, fugitive dust could be significant during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement Mitigation Measure Air Quality 1.

Implementation of the Air Quality 1 and Geology and Soils 1 mitigation measures would reduce the impact of fugitive dust during project construction to a less than significant level.

b) Would the project 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? (Less than Significant with Mitigation)

This cumulative analysis focuses on whether the proposed project would result in cumulatively considerable emissions. The determination of cumulative air quality impacts for construction and operational emissions is based on whether the project would result in regional emissions that exceed the BAAQMD regional thresholds of significance for construction and operations on a project level. The thresholds of significance represent the allowable amount of emissions each project can generate without generating a cumulatively considerable contribution to regional air quality impacts. Therefore, a project that would not exceed the BAAQMD thresholds of significance on the project level also would not be considered to result in a cumulatively considerable contribution to these regional air quality impacts.

The BAAQMD 2024 CEQA Guidelines include screening criteria for purposes of identifying development projects for potentially significant air quality impacts. If a project does not exceed the screening criteria size it is generally expected to result in less than significant impacts relating to criteria air pollutants and precursors, absent exclusionary conditions. The BAAQMD screening criteria for the proposed project are presented in the table below:

TABLE AQ-1: Land Use Screening Criteria							
Land Use Type	Operational Criteria	Construction-Related Screening					
	Pollutant Screening Size	Size					
Single-Family Residential	421 dwelling units	254 dwelling units					

As shown in the table above, the project represents a marginal percentage of the screening threshold. While nature and scale of the project are such that significant air quality impacts are generally not expected based on the BAAQMD screening criteria, the project involves grading during construction which could result in cumulatively significant emissions of fugitive dust.

With respect to the estimated project emissions of fugitive dust ( $PM_{10}$  and  $PM_{2.5}$ ), the BAAQMD does not recommend a numerical threshold for fugitive dust particulate matter emissions. Instead, the

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

BAAQMD bases the determination of significance for fugitive dust on considering the control measures to be implemented. If all appropriate emissions control measures are implemented for a project as recommended by the BAAQMD, then fugitive dust emissions during construction are not considered significant. However, **if emissions control measures are not implemented, fugitive dust could be significant during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact.** Consequently, the applicant is required to implement the following mitigation measures.

*Air Quality 1*: The following Bay Area Air Quality Management District, Basic Best Management Practices for Construction-Related Fugitive Dust Emissions shall be implemented during project construction and shall be included on all construction plans.

- a. All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- g. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- h. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- i. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

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

Implementation of the *Air Quality 1* mitigation measures would reduce the impact of fugitive dust during project construction to a less than significant level.

## c) Would the project expose sensitive receptors to substantial pollutant concentrations? (Less than Significant with Mitigation)

The BAAQMD defines a sensitive receptor as the following: "Facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals, and residential areas." As specified by the BAAQMD, health risk and hazard impacts should be analyzed for sensitive receptors within a 1,000-foot radius of the project site.

Occupancy of the one new single-family residence would not be expected to cause any localized emissions that could expose sensitive receptors to unhealthy long-term air pollutant levels. Construction activities, however, would result in localized emissions of dust and diesel exhaust that could result in temporary impacts at nearby single-family residences. The BAAQMD CEQA Guidelines state that 85% of the inhalation cancer risk from toxic air contaminants (TACs) is from diesel engine emissions.

Construction and grading activities would produce combustion emissions from various sources, including heavy equipment engines, asphalt paving, and motor vehicles used by the construction workers. Dust would be generated during site clearing, grading, and construction activities, with the most dust occurring during grading activities. The amount of dust generated would be highly variable and would be dependent on the size of the area disturbed, amount of activity, soil conditions, and meteorological conditions. Although grading and construction activities would be temporary, such activities would generate construction-related emissions that could have a potentially significant adverse environmental impact during project construction. Consequently, the applicant is required to implement BAAQMD-recommended mitigation measures of Air Quality 1 to reduce construction dust impacts. In addition, the applicant is required to implement BAAQMD construction is required to implement Practices in Air Quality 2 to reduce construction-related exhaust emissions.

*Air Quality 2*: The following emissions measures, as recommended by the Bay Area Air Quality Management District, shall be included on the construction drawings for the proposed project and implemented during construction:

a. Idling times shall be minimized either by shutting equipment off when not in use of reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.

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

- b. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- c. The applicant shall require construction contractors to reduce construction related fugitive VOC emissions by ensuring that low-VOC coatings having a VOC content of 50 grams per liter or less are used during the coating of the buildings interiors and exterior surfaces.
- d. All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall utilize diesel engines that are USEPA certified "Tier 4 final" emission standards for particulate matter and be equipped with CARB-certified Level 3 Diesel Particulate Filters. Prior to the CDD stamp approval of any construction plans for the issuance of demolition, construction, or grading permits, the construction contractor shall submit the specifications of the equipment to be used during construction to CDD staff.

Implementation of the **Air Quality 1** and **Air Quality 2** mitigation measures would reduce the impact during project construction on sensitive receptors to a less than significant level.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Less than Significant with Mitigation)

As stated in the BAAQMD CEQA Guidelines, odors are generally regarded as an annoyance rather than a health hazard. The ability to detect odors varies considerably among the populations and is subjective. Objectionable odors are typically associated with agricultural or heavy industrial land uses such as refineries, chemical plants, paper mills, landfills, sewage-treatment plants, etc. There is nothing in the project description that would indicate that the proposal would be a source of objectionable odors beyond that which is ordinarily associated with the grading/paving of a secondary residence. However, the BAAQMD recommends operational screening criteria that are based on the distance between receptors and types of sources known to generate odors. For projects within the screening distances, the BAAQMD has the following threshold for project operations: An odor source with five or more confirmed complaints per year averaged over 3 years is considered to have a significant impact on receptors within the screening distance shown in Table AQ-2 below.

Two circumstances have the potential to cause odor impacts:

- 1. A source of odors is proposed to be located near existing or planned sensitive receptors, or
- 2. A sensitive receptor land use is proposed near an existing or planned source of odor.

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

Projects that would site an odor source or a receptor farther than the applicable screening distance, shown in Table AQ-4 below, would not likely result in a significant odor impact.

TABLE AQ-2: Odor Screening Distances					
Land Use/Type of Operation	Project Screening Distance				
Wastewater Treatment Plant	2 miles				
Wastewater Pumping Facilities	1 mile				
Sanitary Landfill	2 miles				
Transfer Station	1 mile				
Composting Facility	1 mile				
Petroleum Refinery	2 miles				
Asphalt Batch Plant	2 miles				
Chemical Manufacturing	2 miles				
Fiberglass Manufacturing	1 mile				
Painting/Coating Operations	1 mile				
Rendering Plant	2 miles				
Coffee Roaster	1 mile				
Food Processing Facility	1 mile				
Confined Animal Facility/Feed Lot/Dairy	1 mile				
Green Waste and Recycling Operations	1 mile				
Metal Smelting Plans	2 miles				
Source: Bay Area Air Quality Management Distric	ct., 2022. CEQA Guidelines.				

## Project Operation

Land uses typically associated with odors include wastewater treatment facilities, waste disposal facilities, agricultural operations, or other operations listed in Table AQ-2. The proposed second residence project is not within the odor screening distances for a sewage treatment plant, refinery, or other odor producing sources. Therefore, there would be no impact regarding odors associated with the location of the proposed project.

## Project Construction

During construction and grading, diesel powered vehicles and equipment used on the site could create localized odors. These odors would be temporary; however, there could be a potentially significant adverse environmental impact during project construction due to the creation of objectionable odors. Consequently, the applicant is required to implement mitigation measures Air Quality 1 and Air Quality 2 above.

Implementation of these mitigation measures would reduce the impact from the creation of objectionable odors to a less than significant level.

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

## Sources of Information

- <u>attachment-a\_-proposed-final-cap-vol-1-pdf.pdf (baaqmd.gov)</u>, 2025. Spare the Air, Cool the Climate, Final 2017 Clean Air Plan, Bay Area Air Quality Management District.
- <u>CEQA Thresholds and Guidelines Update (baaqmd.gov)</u>, 2025. CEQA Thresholds and Guidelines Update, 2022 CEQA Guidelines, Bay Area Air Quality Management District.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
4.	BI	OLOGICAL RESOURCES – Would the proje	ct:			
	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?				
	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?				
	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?				
	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?				
	e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				
	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?				

## **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)

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.

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

According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas map (Figure 8-1) of the General Plan Conservation Element, this area does not have 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. The location of the second single-family residence is within the existing walnut orchard on the project site. The new residence would not alter the use or significantly change any level of activity on site. Construction of the new residence would create approximately 3,400 square feet of new impervious surface area. Due to the limited area of onsite disturbance, it is unlikely that there would be any plant or animal species of concern that would be affected by future construction of a residence..

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)

A tributary of Tassajara Creek is adjacent to the northwest of the project site; however, the area of proposed construction activity on the site would be approximately 550 feet east of the tributary and within the existing walnut orchard. All project activities would be limited to the site, with construction access from Johnston Road east of the site. Given the distance between the tributary and the construction location on the project site, the project would have a less than significant impact 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? (No Impact)

Section 404 of the Clean Water Act uses the Army Corps of Engineers definition of wetlands, which are defined 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." There are no isolated wetlands on the project site. Therefore, no substantial adverse effects on federally protected wetlands are expected.

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)

The project site is bounded to the northwest by a tributary of Tassajara Creek; however most of the site is an existing walnut orchard and the area of proposed construction activity would be within the walnut orchard approximately 550 feet east of the tributary. As discussed in Environmental Checklist

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

Section 4.a, the project site does not support a special-status or unique wildlife population. Therefore, the project would 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.

The walnut orchard on the project site has been in long-term active use, and is regularly maintained as a working orchard. Therefore, it is not likely the orchard would provide nesting and foraging habitat.

*e)* Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (*No Impact*)

The Contra Costa County Tree Protection and Preservation Ordinance (Chapter 816-6 of the County Ordinance Code) provides for the protection of certain trees by regulating tree removal while allowing for reasonable development of private property. The project site contains a walnut orchard which will remain after the construction of the proposed new residence. This orchard qualifies under County Code Section 816-5.1002(4), Permit Exceptions, whereby a tree permit is not required for tree removal or alteration within the orchard. Therefore, the proposed project would not be in conflict with the Ordinance.

*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? (No 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). The plan 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 East Contra Costa County. The plan lists Covered activities that fall into three distinct categories: (1) all activities and projects that occur inside the HCP/NCCP preserves; and (3) specific projects and activities outside the UDA. As the project does not fall into any of these categories, the project is not covered by, or in conflict with the adopted HCP/NCCP.

## Sources of Information

- Contra Costa County General Plan, 2005-2020. Conservation Element.
- California Department of Fish and Wildlife, 2025. Public Access Lands Map. October 17, 2024.
- <u>East Contra Costa County Habitat Conservancy, CA | Official Website (cocohcp.org)</u>, 2025. *East Contra Costa County Habitat Conservancy*.

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

• SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.

5.	CU	Environmental Issues LTURAL RESOURCES – Would the project:	Significant	Less Than Significant With Mitigation	Significant	No Impact
	a)	Cause a substantial adverse change in the significance of a historical resource pursuant to \$15064.5?			$\boxtimes$	
	b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to \$15064.5?		$\boxtimes$		
	c)	Disturb any human remains, including those interred outside of formal cemeteries?		$\boxtimes$		

## 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? (Less Than Significant Impact)

Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as a resource that fits any of the following definitions:

- Is listed in the California Register of Historic Places and has been determined to be eligible for listing by the State Historic Resources Commission;
- Is included in a local register of historic resources, and identified as significant in a historical resource survey that has been or will be included in the State Historic Resources Inventory; or
- Has been determined to be historically or culturally significant by a lead agency.

The project site has an existing 4,325-square-foot single-family residence with garage constructed in the 1990; and solar equipment. Neither the residence nor the site are on the Contra Costa County Historic Resources Inventory or in the California Register of Historic Places. Thus, construction of a second single-family residence site would not affect any known historical or culturally significant resource.

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

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? (Less than Significant with Mitigation)

The archaeological sensitivity map (Figure 9-2) of the County's General Plan Open Space Element identifies this area as having medium sensitivity in terms of potential for significant archeological resources. The project will involve minor grading to construct a second residence and therefore will require ground disturbing activities. Although the area of construction activity has been in long-term active .agricultural use, construction could result in **a possibility that buried archaeological resources could be present and accidental discovery could occur during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact on archaeological resources. Consequently, the applicant is required to implement the following mitigation measures.** 

*Cultural Resources 1*: The following Mitigation Measures shall be implemented during project construction.

- a. A program of onsite education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
- b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

Implementation of these mitigation measures would reduce the impact on archeological resources during project construction to a less than significant level.

*c)* Would the project disturb any human remains, including those interred outside of formal cemeteries? (*Less than Significant with Mitigation*)

No human remains or cemeteries are known to exist within or near the project site: however, there is a possibility that human remains could be present, and accidental discovery could occur during project construction. Consequently, **construction activities on the project site could result in a potentially significant impact due to disturbance of human remains.** Thus, the applicant is required to implement the following mitigation measure.

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

*Cultural Resources 2:* Should human remains be uncovered during grading, trenching, or other onsite excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementation of this mitigation measure would reduce the impact on human remains during project construction to a less than significant level.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- Contra Costa County General Plan 2005-2020. Open Space Element.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	=
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
6.	a)	<b>ERGY – Would the project:</b> Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				
		Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			$\boxtimes$	

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 with Mitigation)

The proposed project entails the construction of one new single family residence. During the operation of the new residence, energy would be consumed as part of the use of the residence, which would involve energy consumption for the various household appliances and equipment, along with outdoor lighting. The future residence would be designed and constructed in accordance with the California Buildings Codes, which includes specific requirements for residential construction to reduce the amount of energy required for lighting and heating, as well as to promote energy conservation.

During construction of the residence, there would be energy consumption through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction equipment. Fossil fuels to power construction vehicles and other energy-consuming equipment would be used during grading, paving, and building construction. The types of equipment could include gasoline- and diesel-powered construction and transportation equipment. If the proposed project is approved, the applicant will be required to implement the Department's standard construction restrictions that include, but are not limited to, limiting all construction activities and use of large trucks and heavy equipment to daylight, non-holiday weekday hours. However, during working hours, **inefficient or unnecessary energy use due to operation and idling of vehicles and equipment and operating improperly maintained equipment could result in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement mitigation measures in Air Quality 2 above.** 

Implementation of these mitigation measures would reduce the impact of inefficient or unnecessary consumption of energy to a less than significant level.

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

# b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Less Than Significant Impact)

The State of California has routinely adopted legislation to address climate change and clean energy production that has resulted in efforts to increase the efficiency of vehicles, buildings, and appliances and to provide energy from renewable sources. Locally, the Contra Costa County Board of Supervisors adopted the Contra Costa County Climate Action and Adaptation Plan 2024 Update on November 5, 2024. The 2024 Update includes a number of GHG emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County.

The construction and operation of the new single-family residence would be subject to the measures in the 2024 Update. Thus, the second residence would be consistent with the strategies of the adopted Climate Action and Adaptation Plan 2024 Update, and would not impede any State or local initiatives for increasing renewable energy or efficiency.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- Contra Costa County, Climate Action and Adaptation Plan 2024 Update. 2024.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
7.	GE	EOLOGY AND SOILS – Would the project:			•	
	a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
		<ul> <li>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? Refer to Division of Mines and Geology Special Publication 42.</li> </ul>				
		ii) Strong seismic ground shaking?	Π	Π	$\square$	Π
		iii) Seismic-related ground failure, including liquefaction?				
		iv) Landslides?				$\boxtimes$
	b)	Result in substantial soil erosion or the loss of topsoil?				
	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?				
	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?		$\boxtimes$		
	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?				
	f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		$\boxtimes$		

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:

	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No
	Significant	witigation	Significant	INO
Environmental Issues	Impact	Incorporated	Impact	Impact

*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? (Less Than Significant Impact)

The California Geological Survey (CGS) has delineated Alquist-Priolo Earthquake Fault Zones along the known active faults in California. The nearest fault considered active by CGS is the Marsh Creek Fault, which is mapped approximately three miles east of the project site. Given that the site is not within an official Earthquake Fault Zone, the risk of fault rupture is generally regarded as very low. Thus, the risk of fault rupture can be considered to be less than significant.

# *ii)* Strong seismic ground shaking? (Less Than Significant Impact)

The U.S. Geological Survey (2016) indicates that there is a 72 percent chance of at least one magnitude 6.7 or greater earthquake striking the San Francisco Bay region between 2014 and 2043. Thus, the General Plan Safety Element identifies areas that are more or less susceptible to seismic damage as shown in Figure 10-4, Estimated Seismic Ground Response. According to Figure 10-4, the project site is located in an area of Hard Bedrock which is noted to have a lowest damage susceptibility. The risk of structural damage from ground shaking is regulated by the Building Code and the County Grading Ordinance. The Building Code requires use of seismic parameters which allow the structural engineer to design buildings to be 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. Thus, the environmental impact from seismic ground shaking would be considered to be less than significant.

## *iii)* Seismic-related ground failure, including liquefaction? (Less Than Significant Impact)

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 low" category. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. The construction of the new residence is subject to the building code regulations, therefore the environmental impact from seismic-related ground failure, including liquefaction, would be expected to be less than significant.

## iv) Landslides? (No Impact)

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

In 1975 the U.S. Geological Survey (USGS) issued photointerpretive maps of Contra Costa County showing the distribution of landslide and other surficial deposits. The USGS mapping is presented on Figure 10-6 (Geologic (Landslide) Hazards) of the General Plan Safety Element. According to this map, which was prepared by an experienced USGS geologist, landsliding is not a potential hazard for this site.

b) Would the project result in substantial soil erosion or the loss of topsoil? (Less Than Significant Impact)

According to the US Web Soil Survey, the soil series that occur on the project site is primarily Conejo Clay loam (2 to 5 percent slopes), and clay substratum (0 to 2 percent slopes). The Conejo Clay series is described as consisting of very deep, well-drained, and forms in alluvium from basic igneous or sedimentary rocks. The hazard of erosion of Conejo clay loam is none to slight where soil is tilled and exposed. As a result, there would be a less than significant adverse environmental impact related to substantial soil 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 discussed in Environmental Checklist Sections 7.a.iii and 7.a.iv above, the project site is not within a liquefaction or a landslide area. Thus, the risk of unstable soil would 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 with Mitigation)

As discussed in Environmental Checklist Section 7.b, the soil series mapped on the site is Conejo clay loam. With regard to its engineering properties, the underlying clayey soil is moderately expansive and moderately corrosive. The expansion and contraction of soils could cause cracking, tilting, and eventual collapse of structures. The risks of damage associated with these adverse engineering properties of the soils can be avoided or minimized by proper site preparation work, in combination with foundation and drainage design that is sensitive to the prevailing soils conditions.

The geotechnical study prepared for the existing single-family residence on the project site (*Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California.* Henry Justiniano & Associates, July 25, 1989) confirmed the expansion potential of the soil. The geotechnical study included recommendations for grading, foundation design, drainage, utility trenches, and pavements. Subsequently a geotechnical update report (*Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California.* Henry Justiniano & Associates, May 30, 2023) was prepared for the proposed second single-family residence. Recommendations in

		Less Than Significant		
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	Significant	Mitigation	Significant	No
Environmental Issues	Impact	Incorporated	Impact	Impact

the geotechnical update include applying the construction recommendations of the 1989 geotechnical study with revised recommendations for slab-on-grade design.

Thus, there is a potentially significant impact due to expansive soil for the second single-family residence if the recommendations of the geotechnical study and geotechnical update report are not implemented. Consequently, the project sponsor is required to implement the following mitigation measures.

*Geology 1*: The applicant shall incorporate the recommendations of the geotechnical study (*Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California.* Henry Justiniano & Associates, July 25, 1989) as modified by the geotechnical update report (*Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California.* Henry Justiniano & Associates, May 30, 2023) in the construction documents submitted for the grading and building permit applications for the second single-family residence.

Implementation of this mitigation measure would reduce the impacts of expansive soils to less than significant levels.

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 with Mitigation)

The project site is currently not served by a municipal sewer system but has well water and a septic system that is permitted by the Contra Costa Health Services Department, Environmental Health Division. Any future work and increase of use will have to be approved by the Environmental Health Division.

As described in Environmental Checklist Section 7.b above, the soil series that occurs on the project site are the Conejo Clay loam (2 to 5 percent slopes), and clay substratum (0 to 2 percent slopes). The permeability of these soils is moderately slow. Based on the soil properties, the Soil Survey of Contra Costa County concludes that these soils have severe limitation for use as a filter field for septic system. Thus, there would be a potentially significant impact on septic systems due to soil conditions on the project site. Consequently, The applicant is required to implement the following mitigation measure.

**Geology 2**: The applicant shall be responsible for documenting the adequacy of the existing leach field or identify a potential leach field site of adequate size that complies with regulations administered by the Environmental Health Division of the County Health Services Department. If a suitable site is not identified on the site, the project sponsor will need to request that the Environment Health Division consider a specialized design.

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

Implementation of this mitigation measure would reduce the impact of soil conditions on septic systems to a less than significant level.

*f)* Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Less than Significant with Mitigation)

Although there are no known unique paleontological resources or geologic features on the project site, there is a possibility that buried fossils and other paleontological resources or hidden geologic features could be present and accidental discovery could occur during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact on paleontological resources. Consequently, the applicant is required to implement the Cultural Resources 1 mitigation measures.

Implementation of these mitigation measures would reduce the impact on archeological resources during project construction to a less than significant level.

- Contra Costa County General Plan, 2005-2020. Safety Element.
- United States Department of Agriculture, Soil Conservation Service, 1977. Soil Survey of Contra Costa County, California.
- <u>Web Soil Survey Home (usda.gov)</u>, 2025. USDA Web Soil Survey.
- Henry Justiniano & Associates, Geotechnical Engineering, May 30, 2023. *Geotechnical Update Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California.*
- Henry Justiniano & Associates, Geotechnical Engineering, July 25, 1989. *Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California.*

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	-
	Environmental Issues	Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
8.	a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				
	b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				

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.

Construction and operation of the second single-family residence on the project site will generate some GHG emissions; however, the amount generated would not result in a significant adverse environmental impact. The 2022 BAAQMD CEQA Guidelines state that for a project to have a less-than-significant impact related to operational GHG emissions, it must include, at a minimum, no natural gas appliances or natural gas plumbing in the residences, and no wasteful, inefficient, or unnecessary energy use. As discussed in Environmental Checklist Section 6 above, the new single-family residence would be operated and constructed in accordance with the California Buildings Codes, which includes specific requirements for residential construction to reduce the amount of energy required for lighting and heating, as well as to promote energy conservation. As a result, the project would result in the generation of less than significant amounts of GHG emissions.

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

At a regional scale, the BAAQMD adopted the Bay Area 2017 Clean Air Plan that addresses GHG emissions as well as various criteria air pollutants. The BAAQMD Plan included a number of pollutant reduction strategies for the San Francisco Bay air basin. Within Contra Costa County, the Contra Costa County Board of Supervisors adopted the Contra Costa County Climate Action and

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

Adaptation Plan 2024 Update on November 5, 2024, which includes a number of GHG emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County. All building/grading activities associated with the project are subject to compliance with these measures. Thus, the proposed project would generate some GHG emissions, but not at levels that would result in a conflict with any policy, plan, or regulation adopted for the purpose of reducing GHG emissions.

- <u>attachment-a\_proposed-final-cap-vol-1-pdf.pdf (baaqmd.gov)</u>, 2025. Spare the Air, Cool the Climate, Final 2017 Clean Air Plan, Bay Area Air Quality Management District.
- <u>CEQA Thresholds and Guidelines Update (baaqmd.gov)</u>, 2025. CEQA Thresholds and Guidelines Update, 2022 CEQA Guidelines, Bay Area Air Quality Management District.
- Contra Costa County, Climate Action and Adaptation Plan 2024 Update. 2024.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
9.	HA	ZARDS 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?				
	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?			$\boxtimes$	
	c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
	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?				
	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?				
	f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				
	g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				

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)

There would be associated use of fuels and lubricants, and other construction materials during the construction period for the second single-family residence. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA)

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

requirements. With compliance with existing regulations, the project would have a less than significant impact from construction.

Operation of the new residence would involve the routine transport, use, and disposal of hazardous materials in very small quantities as they relate to household use. Contra Costa County regulates household hazard disposal, and the home's occupants would be responsible for proper handling and disposal of household materials. For example, household hazardous substances can be dropped off for free at the Central Contra Costa Sanitary District Household Hazardous Waste Collection Facility, located approximately 18.7 miles north of the project site at 4797 Imhoff Place in Martinez. Because any hazardous materials used for household operations would be in small quantities, long-term impacts associated with handling, storing, and dispensing of hazardous materials from project operation would be less than significant.

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)

The proposed project to construct a second residence on the project site would not involve handling, use, or storage of substances that are acutely hazardous. The site has historically been in agricultural use with an existing single-family residence located within the walnut orchard south of the proposed location of the second residence. Thus, substantial concentrations of asbestos-containing materials, lead-based paint, or other hazardous materials would not be present on the site, and the risk of release of hazardous materials into the environment would be less than significant.

*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? (*No Impact*)

There are no schools within 0.25 mile of the project site. The closest schools are more than two miles from the site, including Creekside Elementary School at 6011 Massara Street approximately 2.28 miles to the west, and Tassajara Hills Elementary at 4675 Camino Tassajara approximately 2.25 miles to the west-northwest. Due to the distance between the project site and the schools, the proposed project would not have an impact on the schools related to hazardous substances.

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 property is currently in residential and agricultural uses. A review of regulatory databases maintained by County, State, and federal agencies found no documentation of hazardous materials violations or discharge on the project site. The project site is not listed on the State of California Hazardous Waste and Substance Sites (Cortese) List. that is maintained pursuant to California Government Code section 65962.5. The nearest site that has been investigated by the California

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

Department of Toxic Substances Control (DTSC) is the Creekside Elementary School site. The school site was determined not to have any potential hazards and the DTSC issued a No Action determination on December 11, 2007. Thus, there would be no impact.

*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 project is not located within two miles of an airport. The nearest public use airport is the Byron Airport, located 11.71 miles to the east-northeast. The airport influence area is delineated in the Contra Costa County Airport Land Use Compatibility Plan. The site is not within the Byron Airport influence area. Thus, 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 second residence would access the property from a new driveway intersection with Johnston Road, which would be independent of the existing driveway for the existing residence. The driveway would access the publicly-maintained section of Johnston Road until it reaches Camino Tassajara approximately 1.4 miles to the west. Camino Tassajara is a designated County arterial as shown on Figure 5-2 (Roadway Network Plan) of the General Plan Transportation and Circulation Element that would be used in the event of an emergency requiring evacuation of the local neighborhood. If the project is approved, the Public Works Department will require a Code-compliant curb and driveway to Johnston Road. Therefore, the proposed project would have a less than significant impact on emergency response and emergency evacuation plans.

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 and vicinity are in a high fire hazard severity zone in a state responsibility area. Consequently, the new single-family residence would be required to conform to the provisions of the California Building Code and California Fire Code related to construction in wildland urban interface fire areas. The second residence would be required to conform to California Building Code Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure), California Fire Code Chapter 49 (Requirements for Wildland-Urban Interface Fire Areas), and Title 24 of the California Code of Regulations (California Building Standards). Construction drawings for the building permit would be required to receive approval from the San Ramon Valley Fire Protection District. As a result, fire-related risks for the new residence would be less than significant.

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

- <u>EnviroStor (ca.gov)</u>, 2025. California Department of Toxic Substances Control, 2025. Hazardous Waste and Substances List (Cortese).
- Contra Costa County, 2000. Contra Costa County Airport Land Use Compatibility Plan.
- Contra Costa County Public Works Department, June 25, 2024. Land Use Permit LP23-2056 Staff Report & Recommended Conditions of Approval.
- <u>FHSZ\_Contra\_Costa\_County\_SRA\_11x17\_09292023.pdf</u> | Powered by Box, 2025. Office of the State Fire Marshal, State Responsibility Area Fire Hazard Severity Zone Maps, Contra Costa County, updated March 27, 2024.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
10. HY	DROLOGY AND WATER QUALITY – Wou	ld the projec	et:		
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				
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:				
	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?			$\boxtimes$	
	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?				
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				

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 proposed project must comply with applicable Contra Costa County C.3 requirements. Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, and 16 incorporated cities in the county have formed the Contra Costa Clean Water Program. In October

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

2009, the Regional Water Quality Control Board for the San Francisco Bay Region (RWQCB) adopted the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit for the Program, which regulates discharges from municipal storm drains. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control storm water runoff. The County has the authority to enforce compliance with its Municipal Regional Permit authority in its adopted C.3 requirements. The C.3 requirements stipulate that projects that create or replace 2,500 square feet or more of impervious surface must incorporate specific measures to reduce runoff, such as dispersion of runoff to vegetated areas, use of pervious pavement, installation of cisterns, and installation of bioretention facilities or planter boxes. If 10,000 square feet of impervious surface is created, the project sponsor will need to prepare a storm water control plan. The proposed project would add approximately 3,400 square feet of impervious surface. Therefore, the Public Works Department states that a stormwater control plan is not required for the project. The Public Works Department has reviewed the project plans minor subdivision plans and is requiring all storm drainage facilities to be incompliance with the Couty Ordinance Code and Public Works design standards. With compliance of the project with these requirements, the project would have a less than significant impact on water quality..

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 16.87-acre project site is currently served by a well at a central location on the property. . At the time of application for a building permit for the second single-family residence, the applicant will be required to submit water supply plans to the Department of Environmental Health, Environmental Health Division. The Division would review the plans with respect to applicable well standards, including setbacks, sustained yield, water quality, and construction. .Thus, the project is not expected to significantly impact groundwater resources in the area.

- c) Would the project substantially alter the existing drainage pattern of the 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? (Less Than Significant Impact)

The applicant proposes to maintain the existing drainage pattern on the project site, whereby runoff flows west towards the tributary of Tassajara Creek. The applicant has requested an exception to the collect and convey requirements of Division 914 of the County Ordinance Code. Public Works staff have reviewed the exception request and states that it is not opposed to the granting of the exception, and thereby finds that continuing the existing drainage pattern would not be detrimental to the public welfare or injurious to other property owners. With the granting of the exception and given the relatively low-density of the area, the addition of a new

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

residence would not have a significant impact on the existing drainage pattern, and therefore, would not result in a 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? (Less Than Significant Impact)

As discussed above in Environmental Checklist Section 10.c.i, storm runoff would follow the existing patterns of the site with the granting of the exception. Public Works staff has indicated that the current patterns of drainage to a natural adequate watercourse would suffice and would not result in a substantial increase that would create flooding. Therefore, there would be a less than significant impact on the existing drainage system and would not result in on or off-site flooding.

*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?* (Less Than Significant Impact)

As mentioned above, Public Works staff has reviewed the conditions of the site and indicated that the proposed home site is in a low-density part of Johnston Road, and the existing drainage pattern on the project site will be adequate for the new residence. Therefore, the proposed project would not have significant impacts on the operation of existing and planned stormwater drainage systems..

*iv)* Impede or redirect flood flows? (No Impact)

The project site is not within a 100-year flood hazard area. The project site is located FEMA (Federal Emergency Management Agency) Flood Map 06013C0500F. As shown on the FEMA Flood Map, land in the project vicinity is classified as being in Zone X, which is considered to be an area of minimal flood hazard. Thus, the proposed project would have a less than significant impact on flood flows.

*d)* In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? (*No Impact*)

As discussed in Environmental Checklist Section 10.c.iv above, the project site is not within a 100year flood hazard area. The project site is also not in an area that would be susceptible to inundation by seiche or tsunami. The California Geological Survey (2009) has projected and mapped the tsunami hazard posed by a tidal wave that passes through the Golden Gate and into San Francisco Bay, San Pablo Bay and Carquinez Strait. As mapped, the tsunami hazard in Contra Costa County is limited to the lowland areas immediately adjacent to these waterways. A seiche is a water wave in a standing body of water such as a large lake or reservoir that is caused by an earthquake, a major landslide, or

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

strong winds. This hazard does not exist within the project vicinity as there are no large lakes or reservoirs in the area.

*e)* Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less Than Significant Impact)

As discussed in Environmental Checklist Section 10.a above, the applicant is not required to prepare a stormwater control plan since it does not exceed the threshold for such requirement. Additionally, Public Works staff has reviewed and has found that the current drainage system is adequate to support a secondary residence. Thus, the proposed project would not conflict with a water quality control plan or groundwater management plan and would have a less than significant impact.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- Contra Costa County Code, Title 10, Division 1014. *Stormwater Management and Discharge Control.*
- Contra Costa County Public Works Department, June 25, 2024. Land Use Permit LP23-2056 Staff Report & Recommended Conditions of Approval.
- FEMA Flood Map Service Center | Search By Address, 2025. FEMA (Federal Emergency Management Agency), Flood Map 06013C0500F, effective 06/16/2009.
- California Emergency Management Agency, 2009. Tsunami Inundation Maps for Emergency Planning: Richmond Quadrangle/San Quentin Quadrangle, Mare Island Quadrangle, Benicia Quadrangle.
- Contra Costa County General Plan, 2005-2020. Safety Element.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
11. LA	ND USE AND PLANNING – Would the proj	ect:			
a)	Physically divide an established community?				$\boxtimes$
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?				

a) Would the project physically divide an established community? (No Impact)

The 16.87-acre project site is located on the north side of Johnston Road in the A-20 Exclusive Agricultural District, wherein an additional single-family residence is allowed with a land use permit. The second residence on the site would be located north of the existing residence within the walnut orchard. As described in Section 9 (Surrounding Land Uses and Setting), other agricultural parcels to the north, west and south include some private residences and agricultural structures. Therefore the property will remain consistent with the uses allowed in the A-20 District after development of the second residence and 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? (*No Impact*)

There are currently no applicable specific area policies for this unincorporated San Ramon Area adopted for the purpose of avoiding or mitigating an environmental effect, nor are there any specific to this land use type. The project involves the establishment an additional single-family residence on a property in the A-20 District, which is allowed with a land use permit. Development of the second residence with the granting of the exception would be in compliance with County Ordinance Code regulations. Also, the removal of walnut trees to accommodate the second residence is exempt from the regulations of the Tree Protection and Preservation Ordinance. Thus, the project would not be in conflict with any land use plan, policy, or regulation.

#### Sources of Information

Contra Costa County General Plan, 2005-2020. Land Use Element.

Contra Costa County Code, Title 8. Zoning Ordinance.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	-
12 M	Environmental Issues NERAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a)					
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?				

*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 General Plan Conservation Element. 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, 2005-2020, Conservation Element.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan I Impact	-
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
13. NO	DISE – Would the project:				
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?				
b)	Generation of excessive groundborne vibration or groundborne noise levels?			$\square$	
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?				

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 with Mitigation)

The use of the property would not substantially change with the second single-family residence. Accordingly, activities at the project site are not expected to expose persons to, or generate, noise levels in excess of the Community Noise Exposure Levels shown on Figure 11-6 of the General Plan Noise Element. Parcels previously developed with single-family residences, and other agricultural uses adjoin the project site to the north and east. Figure 11-6 shows that levels of 75 dB or less are normally acceptable and noise levels up to 80 dB are conditionally acceptable in agricultural areas. The types and levels of noise generated from the second residence would be similar to noise levels from existing residential development on the site and in the area.

During project construction, there may be periods of time when there would be loud noise from construction equipment, vehicles, and tools. The maximum projected noise level of construction equipment operating on the project site could be up to 88 dBA at a distance of 50 feet. Although the construction activities would be temporary, the activities could have a potentially significant impact during project construction on adjacent residences. Consequently, the applicant is required to implement the following noise mitigation measures.

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

*Noise 1*: The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.

- a. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
- b. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
- c. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
- d. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal) Birthday of Martin Luther King, Jr. (State and Federal) Washington's Birthday (Federal) Lincoln's Birthday (State) President's Day (State) Cesar Chavez Day (State) Memorial Day (State and Federal) Juneteenth National Independence Holiday (Federal) Independence Day (State and Federal) Labor Day (State and Federal) Columbus Day (Federal) Veterans Day (State and Federal) Thanksgiving Day (State and Federal) Day after Thanksgiving (State)

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

Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (opm.gov)

California Holidays: State Holidays (ca.gov)

e. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

Implementation of these mitigation measures would reduce construction period noise impacts to a less than significant level.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels? (Less Than Significant Impact)

Residential use of the project site would not generate significant ground borne vibration. Also, the project does not include any components (e.g., pile driving) that would generate excessive ground-borne vibration levels during construction activities.

*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)

There is no currently operating private airstrip in the vicinity of the project site. Thus, the proposed project would not expose people to airstrip-related noise.

The nearest public use airport is the Byron Airport, which is located 11.71 miles to the east-northeast of the project site. Accordingly, the project site would not be located within an area where there would be excessive airport-related noise.

- Contra Costa County General Plan, 2005-2020, Noise Element.
- Bolt, Beranek, and Newman, 1971. *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances.* U.S.E.P.A. Office of Noise Abatement and Control, Contract 68-04-0047.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan I Impact	
14 PO	Environmental Issues PULATION AND HOUSING – Would the p	Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
	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)?				
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				

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)

A second single-family residence on the project site would directly increase the San Ramon area population by an estimated three persons, based on the Census 2020 estimate of 2.88 people per household for the 94583 zip code area (San Ramon, California). The Census 2020 estimate for the population in the 94583 zip code area in 2023 is 84,929 persons, and therefore, the impact of adding three persons to the zip code area would be less than significant.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (No Impact)

The project site currently includes one single-family residence and a walnut orchard that will remain with construction of the second single-family residence. Also, there is no evidence of homeless persons residing on the site. Thus, the proposed project would not displace any person or existing housing and would have no housing displacement impact.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- <u>U.S. Census Bureau QuickFacts: United States</u>, 2023. Census 2020, QuickFacts, Contra Costa County, CA.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan I Impact		
	Potentially	Less Than Significant	Less Than		
	Significant	0	Significant		
Environmental Issues	Impact	Mitigation	Impact	No Impact	
<b>15.</b> <i>PUBLIC SERVICES – Would the project</i> 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?			$\square$		
b) Police Protection?					
c) Schools?			$\square$		
d) Parks?				$\square$	
e) Other public facilities?			$\square$		

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 in the project vicinity are provided by the San Ramon Valley Fire Protection District (SRVFPD). Fire protection at the project site would be provided by Fire Station 36 located at 2001 Lusitano Street, approximately 2.9 mile driving distance to the northwest. Prior to construction of the second residence, the construction drawings would be reviewed and approved by the SRVFPD. As a result, potential impacts of the proposed project on fire protection services would be less than significant.

#### b) Police Protection? (Less Than Significant Impact)

Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Office, which provides patrol service to the San Ramon neighborhood. In addition to regular patrol service, backup police protection services would be provided by the Valley Station of the Sheriff's Office, located at 150 Alamo Plaza #C, approximately 14 miles driving distance to the northwest of the project site. The addition of the second residence on the project site would not significantly affect the provision of police services to the neighborhood.

#### c) Schools? (Less Than Significant Impact)

The San Ramon Valley Unified School District (SRVUSD) provides public education services from kindergarten to 12th grade to the San Ramon neighborhood. Students in this neighborhood would

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

attend the Tassajara Hills Elementary School located at 4675 Camino Tassajara, approximately 3 miles driving distance west-northwest of the project site, Diablo Vista Middle School located at 4100 Camino Tassajara, approximately 3.9 miles driving distance to the west, and Dougherty Valley High School located at 10550 Albion Road, approximately 7.8 miles driving distance to the southwest. Tassajara Hills Elementary School has a current enrollment of 447 from kindergarten to 5th grade. Diablo Vista Middle School has a current enrollment of 837 students from 6th to 8th grade. Dougherty Valley High School has a current enrollment of 3,340 students from 9th to 12th grade.

Based on Census 2020 data, 26.9% of the population of the 94583 zip code area would be under 18 years old and 5.1% of the population would be under 5 years old. Therefore, of the projected three persons living in the secondary single-family residence, at most one person would be under 18 years old. Using a conservative estimate of one person attending schools in the San Ramon Valley Unified School District, the project-related increase in enrollment at any school would be less than one percent. Also, the project applicant for the second single-family residence would be required to pay the state-mandated school impact fee for the new dwelling unit. Accordingly, school impacts would be less than significant.

## d) Parks? (No Impact)

The closest public parks to the project site include the Morgan Territory Regional Preserve 2.93 miles to the northeast (to the Morgan Territory Road Stating Area), Diablo Vista Park 4.49 miles to the west, Rancho San Ramon Community Park 5.27 miles to the southwest, and Mount Diablo State Park 6.93 mile to the east (to the Summit Trailhead). The 5,321-acre Morgan Territory Regional Preserve is maintained by the East Bay Regional Park District and is an undeveloped wilderness area with trail connections into the almost 20,000-acre Mount Diablo State Park. Diablo Vista Park is a 20-acre community park maintained by the Town of Danville. Rancho San Ramon Community Park is a 22.89-acre community park maintained by the City of San Ramon. Given the Census 2020 estimate of 2.88 people per household for the 94583 zip code area, occupancy of the new residence would contribute to a negligible increase in use of the parks. The amount of available park space and the project's small addition to the San Ramon area population would minimize project impacts on recreational facilities. As such, the project would have no impact.

## e) Other public facilities? (Less Than Significant Impact)

<u>Libraries</u>: The Contra Costa Library operates 26 facilities in Contra Costa County, including the Dougherty Station Library, located at 17017 Bollinger Canyon Road Front Street, approximately 7.1 miles driving distance to the southwest of the project site. Based on the Census 2020 estimate of the occupancy of the second residence, the new residence on the project site would not substantially increase the number of library patrons and would have a less than significant impact on library facilities.

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

<u>Health Facilities</u>: The Contra Costa County Health Services District operates a regional medical center (hospital) and 15 health centers and clinics in the county. There is no public health facility in the Diablo area. The closest public health facilities to the project site are the Concord Public Health Clinic, located at 2355 Stanwell Circle, and the Concord Health Center, located at 3052 Willow Pass Road. Both facilities are approximately 24.1 miles driving distance to the northwest. Based on an average household size of 2.88 people for the 94583 zip code area, development of the second residence would not result in a substantial increase in population and thus would not substantially impact the use of public health facilities. The project would have a less than significant impact.

- <u>Stations & Facilities | San Ramon Valley Fire Protection District</u>, 2025. San Ramon Valley Fire Protection District, Fire Stations.
- <u>Valley Station | Contra Costa Sheriff, CA (cocosheriff.org)</u>, 2025. *Contra Costa County office of the Sheriff, Valley Station*.
- <u>San Ramon Valley Unified School District Home</u>, 2025. San Ramon Valley Unified School District.
- <u>School/District Profile Search Results (CA Dept of Education)</u>, 2025. *California Department of Education*, 2024-2025 Enrollment by Grade, San Ramon Valley Unified School District.
- <u>Diablo Vista Park | Danville, CA</u>, 2025. Town of Danville, Community Parks, Diablo Vista Park.
- <u>Rancho San Ramon Community Park City of San Ramon</u>, 2025. *City of San Ramon, Rancho San Ramon Community Park.*
- <u>Morgan Territory Regional Preserve | East Bay Parks</u>, 2025. *East Bay Regional Park District, Morgan Territory Regional Preserve*.
- <u>Mount Diablo State Park</u>, 2025. *California Department of Parks and Recreation, Mount Diablo State Park.*
- <u>http://ccclib.org/</u>, 2025. *Contra Costa County Library*.
- <u>https://cchealth.org/#Centers</u>, 2025. *Health Centers & Clinics, Contra Costa Health Services*.

Environmental Issues 16. RECREATION	Significant	Less Than Significant With Mitigation	Significant	No Impact
<ul> <li>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?</li> </ul>				$\boxtimes$

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	-
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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?				

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*)

As discussed in Section Environmental Checklist Section 15.d, the closest parks to the project site include the 5,321-acre Morgan Territory Regional Preserve 2.93 miles to the northeast, the 20-acre Diablo Vista Park 4.49 miles to the west, the 22.89-acre Rancho San Ramon Community Park 5.27 miles to the southwest, and the almost 20,000-acre Mount Diablo State Park 6.93 mile to the east (to the Summit Trailhead). The second residence on the project site may incrementally increase use of these parks; however, given the amount of available park space and the project's small addition to local area population, the project would have no impact on the use of existing neighborhood and regional parks.

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**)

The proposed project would not include a recreational facility on the project site. Given the location of the nearby neighborhood and regional parks, the residents of the second residence would likely use these existing parks. The incremental increase in the use of these park facilities would not be expected to result in the need to construct or expand recreational facilities.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- <u>Diablo Vista Park | Danville, CA</u>, 2025. Town of Danville, Community Parks, Diablo Vista Park.
- <u>Rancho San Ramon Community Park City of San Ramon</u>, 2025. *City of San Ramon, Rancho San Ramon Community Park*.
- <u>Morgan Territory Regional Preserve | East Bay Parks</u>, 2025. East Bay Regional Park District, Morgan Territory Regional Preserve.

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

• <u>Mount Diablo State Park</u>, 2025. *California Department of Parks and Recreation, Mount Diablo State Park*.

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

## 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)

The Contra Costa County Board of Supervisors adopted the Contra Costa County Transportation Analysis Guidelines in June 2020. The Transportation Analysis Guidelines require a transportation impact analysis of any project that is estimated to generate 100 or more new peak-hour trips. Based on the Institute of Transportation Engineers peak period trip generation rate of 0.74 AM peak hour trip and 0.99 PM peak hour trip per dwelling unit for single-family residences, the existing singlefamily residence on the project site generates a total of 2 (1 AM and 1 PM) peak hour trips. The second single-family residence would similarly generate a total of 2 (1 AM and 1 PM) peak hour trips. Accordingly, a project-specific traffic impact analysis is not required. Since the project would yield less than 100 AM or PM peak hour trips, the proposed project would not conflict with circulation along Johnston Road and Camino Tassajara.

There is no transit service, bicycle facilities or pedestrian facilities on Johnston Road. On Camino Tassajara in the vicinity of Johnston Road, there is a Class II bicycle facility, but no transit service or pedestrian facilities. The closest bust stop is at the Camino Tassajara / Charbray Street intersection located 3.2 driving miles to the west. Because of the distance to transit stops and the rural character of Johnston Road and Camino Tassajara in the vicinity of Johnston Road, significant demand for transit service is not expected, and the proposed project would not impede any existing transit service.

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

Due to the rural character of this area, pedestrian activity along any roadway is largely non-existent. The location and characteristics of the project site make it unlikely that anyone would travel by foot. Thus, the absence of pedestrian facilities would not constitute a significant impact.

With respect to bicycle facilities, there are no plans to add any bicycle facility to Johnston Road. As discussed in Environmental Checklist Section 17.a, the second single-family residence on the project site would generate a total of 2 (1 AM and 1 PM) peak hour trips. This increase in traffic would have a less than significant effect on the bicycle facility along Camino Tassajara.

# *b)* Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?(Less Than Significant Impact)

The June 2020 Contra Costa County Transportation Analysis Guidelines include the following screening criteria. If a proposed project meets the screening criteria, the project would be expected to have a less than significant impact and would not require VMT (Vehicle Miles Traveled) analysis.

- i. Projects that:
  - a. Generate or attract fewer than 110 daily vehicle trips; or,
  - b. Projects of 10,000 square feet or less of non-residential space or 20 residential units or less, or otherwise generating less than 836 VMT per day.
- ii. Residential, retail, office projects, or mixed-use projects proposed within <sup>1</sup>/<sub>2</sub> mile of an existing major transit stop or an existing stop along a high-quality transit corridor.
- iii. Residential projects (home-based VMT) at 15% or below the baseline County-wide homebased average VMT per capita, or employment projects (employee VMT) at 15% or below the baseline Bay Area average commute VMT per employee in areas with low VMT that incorporate similar VMT reducing features (i.e., density, mix of uses, transit accessibility).
- iv. Public facilities (e.g. emergency services, passive parks (low-intensity recreation, open space), libraries, community centers, public utilities) and government buildings.

Based on the Institute of Transportation Engineers daily trip generation rate of 9.44 daily trips per dwelling unit for single-family residences, the existing single-family residence on the project site generates a total of 9 daily trips. Thus, the current use of the project site is below the thresholds of 110 daily vehicle trips and 20 residential units. Similarly, the second single-family residence would generate a total of 9 daily trips. Thus, with the second residence, use of the site will remain below the thresholds. Therefore, a VMT analysis is not required. Accordingly, the proposed project would have a less than significant transportation impact and would be consistent with CEQA Guidelines Section 15064.3(b).

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Enthemanicatio	inipact	meerperated	Impact	impaor

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)

As discussed in Environmental Checklist Section 9.f, the second residence would access the property from a new driveway intersection with Johnston Road, which would be independent of the existing driveway for the existing residence. If the project is approved, the Public Works Department will require a Code-compliant curb and driveway to Johnston Road. Therefore, the proposed project would not increase hazards due to design features and it would have a less than significant impact.

# d) Would the project result in inadequate emergency access? (Less Than Significant Impact)

As described above in Environmental Checklist Section 17.c, access to the second residence would be subject to review and approval by the Public Works Department. Access would also be subject to review and approval by the Building Inspection Division of the Department of Conservation and Development and the San Ramon Valley Fire Protection District. Accordingly, the project would have a less than significant impact on emergency access.

- Contra Costa County General Plan, 2005-2020. Growth Management Element.
- Contra Costa County General Plan, 2005-2020. Transportation and Circulation Element.
- Contra Costa County, 2020. Contra Costa County Transportation Analysis Guidelines.
- Institute of Transportation Engineers, 2017. Trip Generation Manual, 10th Edition.
- Contra Costa County Public Works Department, June 25, 2024. Land Use Permit LP23-2056 Staff Report & Recommended Conditions of Approval.
- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact		
<b>18.</b> 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:						
<ul> <li>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)?</li> </ul>			$\boxtimes$			

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	-
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<ul> <li>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?</li> </ul>		$\boxtimes$		

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)? (Less Than Significant Impact)

As discussed in Environmental Checklist Section 5.a above, there is an existing residence on the project site, a 4,325-square-foot single-family residence built in the 1990. Neither the residence nor the site are on the Contra Costa County Historic Resources Inventory or in the California Register of Historic Places. Thus, the project would have a less than significant impact on any known historical or culturally significant and visible tribal cultural resources.

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 In applying the criteria set forth in subdivision (c) of Public Resources Code Section 50241, the lead agency shall consider significance of the resource to a California Naïve American tribe? (Less than Significant with Mitigation)

As discussed in Environmental Checklist Sections 5.b and 5.c above, grading and other earthwork associated with construction of the second residence could encounter previously undiscovered archaeological resources and human remains. Damage or destruction of archaeological resources and disturbance of human remains during project construction would be potentially significant impacts. Thus, the applicant is required to implement the mitigation measures of Cultural Resources 1 and Cultural Resources 2.

Regarding paleontological resources, as discussed in Environmental Checklist Section 7.f, there is a possibility that buried fossils and other paleontological resources or hidden geologic features could be present and encountered during grading and other earthwork. **Damage or destruction of** 

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

# paleontological resources during project construction would be a potentially significant impact. Thus, the applicant is required to implement the mitigation measures of Cultural Resources 1

Implementation of these mitigation measures would reduce the adverse environmental impact on archaeological resources, human remains, buried fossils and other paleontological resources, or hidden geologic features to a less than significant level.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- Contra Costa County General Plan 2005-2020. Open Space Element.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	
	Environmental Issues	Potentially Significant Impact		Significant	No Impact
19. UT	ILITIES AND SERVICE SYSTEMS – Would	d the project	t:		
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 telecommunications facilities, the construction of which could cause significant environmental effects?				
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry, and multiple dry years?				$\boxtimes$
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?				
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?				
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				

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? (No 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. Similar to other land uses in the vicinity, the proposed project would use an on-site groundwater wells for potable water and an on-site septic system for wastewater disposal. The wells and septic system would be subject to review and approval by the Environmental Health Division. Environmental Health has reviewed the project proposal and has indicated that the septic system for the project must comply with current standards. Environmental Health's approval will be required prior to the issuance of building permits.

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

The project site includes existing improvements for electric power, natural gas, and other common utilities. The new second single-family residence would connect to existing improvements, and therefore, construction of new or relocated facilities would not be necessary.

The potential impacts of the project on water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities would be less than significant.

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? (**No Impact**)

The project site currently has a fresh water well. The County Environmental Health Department has reviewed the project proposal and has indicated that the water supply well will be subject to review for compliance with current standards for water quality and sustained yield prior to the issuance of permits. The addition of one single-family residence within a walnut orchard on the project site would not significantly deplete groundwater supplies. Thus, the demand for water resources to serve future development on the project site would have a less than significant impact on existing water resources.

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? (No Impact)

The project site is in an agricultural area that is not served by any municipal wastewater system, and therefore, the project would have no effect on wastewater treatment facilities.

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? (*No Impact*)

Construction of the second single-family residence would generate construction solid waste. Construction on the project site would be subject to the California Green Building Standards Code (CalGreen), which requires that at least 65% by weight of job site debris generated by most types of building project types be recycled, reused, or otherwise diverted from landfill disposal. This requirement applies to demolition projects and most new construction, as well as the majority of building additions or alterations. CalGreen is administered in the County through the Construction and Demolition Debris Recovery Program, and verifiable post-project documentation is required to be submitted to demonstrate that at least 65% of the nonhazardous construction and demolition (C&D) debris generated on the job site are salvaged for reuse, recycled or otherwise diverted. The Debris Recovery Program would reduce the construction debris headed to a landfill by diverting materials that can be recycled to appropriate recycling facilities. Nondiverted C&D debris is required to be transported to an approved Construction and Demolition Processing Facility. Accordingly, the environmental impact of construction waste would be less than significant.

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

With respect to residential waste, Contra Costa County contracts with franchise haulers for solid waste, recycling, and organics collection service for about one half of the unincorporated County. The Department of Conservation and Development, Solid Waste and Recycling Section administers four franchise agreements with Allied Waste Systems, Crockett Sanitary Service, Garaventa Enterprises, and Richmond Sanitary Service. Republic Services collects residential waste under the Allied Waste, Crockett Sanitary, and Richmond Sanitary agreements. Mt. Diablo Resource Recovery collects residential waste under the Garaventa Enterprises agreement. In the other half of unincorporated County, collection service is managed by three different sanitary districts, the Kensington Community Services District, the Central Contra Costa Solid Waste Authority (RecycleSmart, a joint powers authority), and the City of San Ramon, where unincorporated areas of San Ramon are served under the city's collection franchise. California Public Resource Code (PRC) Division 30, and Title 14, Natural Resources, of the California Code of Regulations require solid waste facilities to have a 15-year capacity. The capacity of Keller Canyon is approximately 40 years if the maximum daily capacity was brought to the landfill. As is the case with construction debris, a portion of the residential waste is expected to be recycled and would thereby reduce the residential waste headed to a landfill by a franchise hauler. Thus, residential waste from the second single-family residence on the project site would incrementally add to the operational waste handled by a franchise hauler; however, the impact of the project-related residential waste is considered to be less than significant.

*e)* Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (*No Impact*)

The proposed project would be required to comply with applicable federal, state, and local laws related to solid waste. Development of a second single-family residence would not result in the generation of unique types of solid waste that would conflict with existing regulations applicable to solid waste. Thus, the project would have no impact.

#### Sources of Information

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- <u>https://www.contracosta.ca.gov/4746/CalGreen-Construction-Demolition-Debris</u>,2025. *Contra Costa County, Conservation and Development Department, CalGreen / Construction & Demolition (C&D) Debris Recovery Program.*
- <u>https://www.contracosta.ca.gov/DocumentCenter/View/44986/Approved-CD-Processing-</u> <u>Facilities?bidId</u>, 2025. Contra Costa County, Approved Construction & Demolition (C&D) Processing Facilities.
- <u>https://cccrecycle.org/235/Franchise-Agreements</u>, 2025. *Contra Costa County, Franchise Agreements*.
- <u>https://cocogis.maps.arcgis.com/apps/webappviewer/index.html?id=2c5e6c6b1f7d419eac7005c8</u> <u>4a76de90</u>, 2025. *Contra Costa County, Waste Hauler Area Map.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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	Environmental Issues	Potentially Significant Impact		Significant	No Impact
	<b>LDFIRE</b> – If located in or near the state respo hazard severity zones, <b>would the project:</b>	nsibility are	as or lands	classified as	s very high
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?			$\square$	
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?			$\boxtimes$	
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?			$\boxtimes$	

#### 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? (Less Than Significant Impact)

As discussed in Environmental Checklist Section 9.g, the project site and vicinity are in a high fire hazard severity zone in a state responsibility area. Consequently, the new single-family residence would be required to conform to the provisions of the California Building Code and California Fire Code related to construction in wildland urban interface fire areas. The second residence would be required to conform to California Building Code Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure), California Fire Code Chapter 49 (Requirements for Wildland-Urban Interface Fire Areas), and Title 24 of the California Code of Regulations (California Building Standards). Construction drawings for the building permit would be required to receive approval from These requirements would reduce the risk of loss, injury, or death from wildland fires.

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

As discussed in Environmental Checklist Section 15.a, fire protection and emergency medical response services in the project vicinity are provided by the SRVFPD. Fire protection at the project site would be provided by Fire Station 36 located at 2001 Lusitano Street, approximately 2.9 mile driving distance to the northwest. Prior to construction of the second residence, the construction drawings would be reviewed and approved by the SRVFPD. Compliance with SRVFPD requirements would ensure that project impacts in emergency response and evacuation would be less than significant.

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? (Less Than Significant Impact)

The lot is relatively flat and contains numerous trees due to its nature as a walnut orchard; however, construction drawings for the building permit for the existing single-family residence within the walnut orchard was reviewed and approved by the SRVFPD. Similarly, the construction drawings for the second single-family residence would be reviewed and approved by the SRVFPD. Accordingly, based on this SRVFPD review and approval, access to and from the residence would not be substantially encumbered due to a wildfire and persons on the project site would be able to readily evacuate if necessary. Therefore, wildfire risk to the occupants of single-family residences on the project site would be less than significant.

*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? (Less than Significant Impact)

As discussed in Environmental Checklist Section 20.b above, construction plans for the second residence would be reviewed and approved by the SRVFPD, and compliance with all Fire Protection District requirements would ensure that temporary or ongoing impacts to the environment due to wildfires would be less than significant.

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? (Less than Significant Impact)

As discussed in Environmental Checklist Sections 7.a.iv and 7.c, the project is not within a landslide area and the risk of unstable soil would be less than significant. Thus, expose of people or structures to significant risk of fire-related slope instability due to the proposed project would be less than significant.

#### Sources of Information

• <u>FHSZ\_Contra\_Costa\_County\_SRA\_11x17\_09292023.pdf</u> | <u>Powered by Box</u>, 2025. Office of the State Fire Marshal, State Responsibility Area Fire Hazard Severity Zone Maps, Contra Costa County, updated March 27, 2024.

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

• <u>Stations & Facilities | San Ramon Valley Fire Protection District</u>, 2025. San Ramon Valley Fire Protection District, Fire Stations.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	
			Less Than Significant		impuor
	Environmental Issues	Significant Impact	With Mitigation	Significant Impact	No Impact
21. MA	NDATORY FINDINGS OF SIGNIFICANC	E			
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?				
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.)				
c)	Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				

#### 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 with Mitigation)

As discussed in Environmental Checklist Sections 3 (Air Quality), 5 (Cultural Resources), 6 (Energy), 7 (Geology and Soils), and 18 (Tribal Cultural Resources), the proposed project would have potentially significant construction impacts on air quality, and due to the accidental discovery of buried archaeological and paleontological resources and human remains. Mitigation measures, including Air Quality 1, Air Quality 2, Cultural Resources 1, and Cultural Resources 2 are proposed that address these potentially significant impacts. If the proposed project is approved, the mitigation measures will be conditions of approval of the proposed project and the applicant will be responsible

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

for implementation of the measures. With implementation of the mitigation measures, project impacts will be less than significant.

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)

There are no improvements proposed that will significantly alter the existing environmental conditions of the site. Nevertheless, the proposed project and construction implications have been analyzed as part of this study and were found to have a less than significant impact on the environment. The incremental impacts of this project are negligible and the risk of cumulatively considerable impacts (when considering past, current or probable future projects) is less than significant given the land use limitations for properties outside of the Urban Limit Line.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (Less than Significant with Mitigation)

This Environmental Checklist has disclosed impacts that would be less than significant with the implementation of mitigation measures. If the project is approved, all identified mitigation measures will be included as conditions of approval for the project, and the applicant will be responsible for implementation of the measures. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

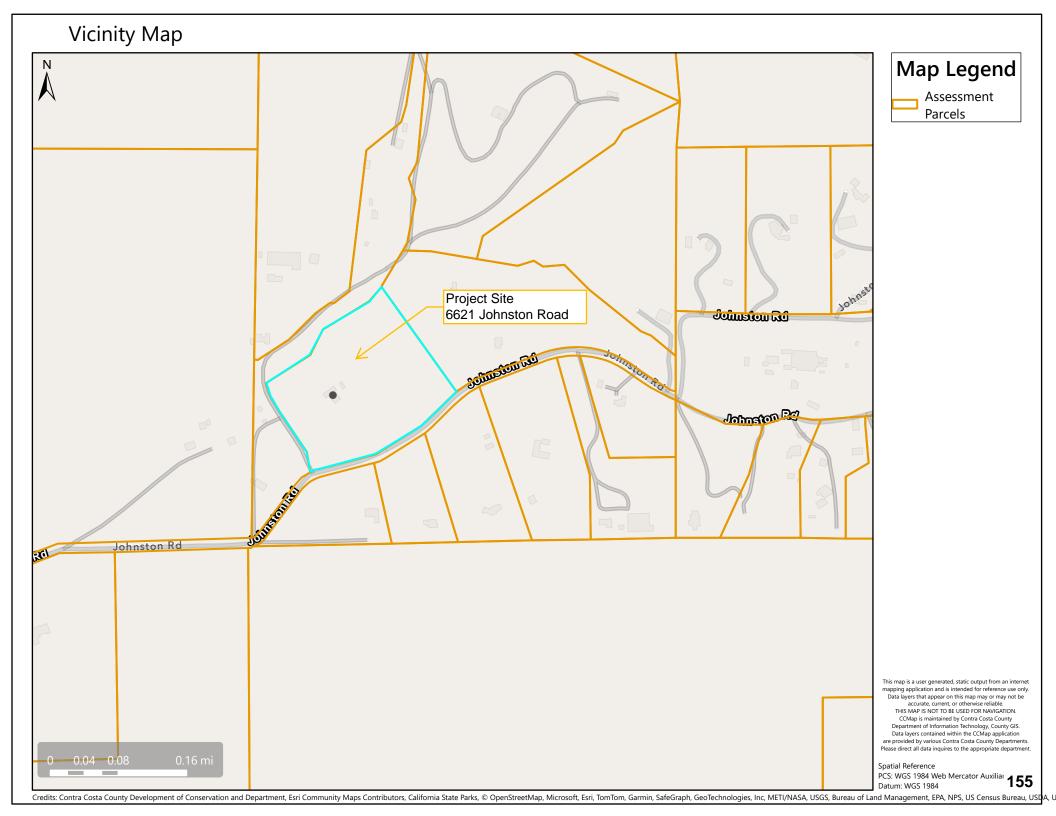
#### REFERENCES

In the process of preparing the Environmental Checklist and conduction of the evaluation, the following references were consulted and are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553

- Bolt, Beranek, and Newman, 1971. Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances. U.S.E.P.A. Office of Noise Abatement and Control, Contract 68-04-0047.
- California Department of Conservation. Contra Costa County Important Farmland Map 2020.
- California Emergency Management Agency, 2009. Tsunami Inundation Maps for Emergency Planning: Richmond Quadrangle/San Quentin Quadrangle, Mare Island Quadrangle, Benicia Quadrangle.
- Contra Costa County Public Works Department, June 25, 2024. Land Use Permit LP23-2056 Staff Report & Recommended Conditions of Approval.
- Henry Justiniano & Associates, Geotechnical Engineering, May 30, 2023. *Geotechnical Update Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California.*
- Henry Justiniano & Associates, Geotechnical Engineering, July 25, 1989. *Geotechnical Study* for Single Family Residence, Johnston Road, Contra Costa, California.
- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- United States Department of Agriculture, Soil conservation Service, 1977. Soil Survey of Contra Costa County, California

#### ATTACHMENTS

- 1. Vicinity Map
- 2. Project Plans





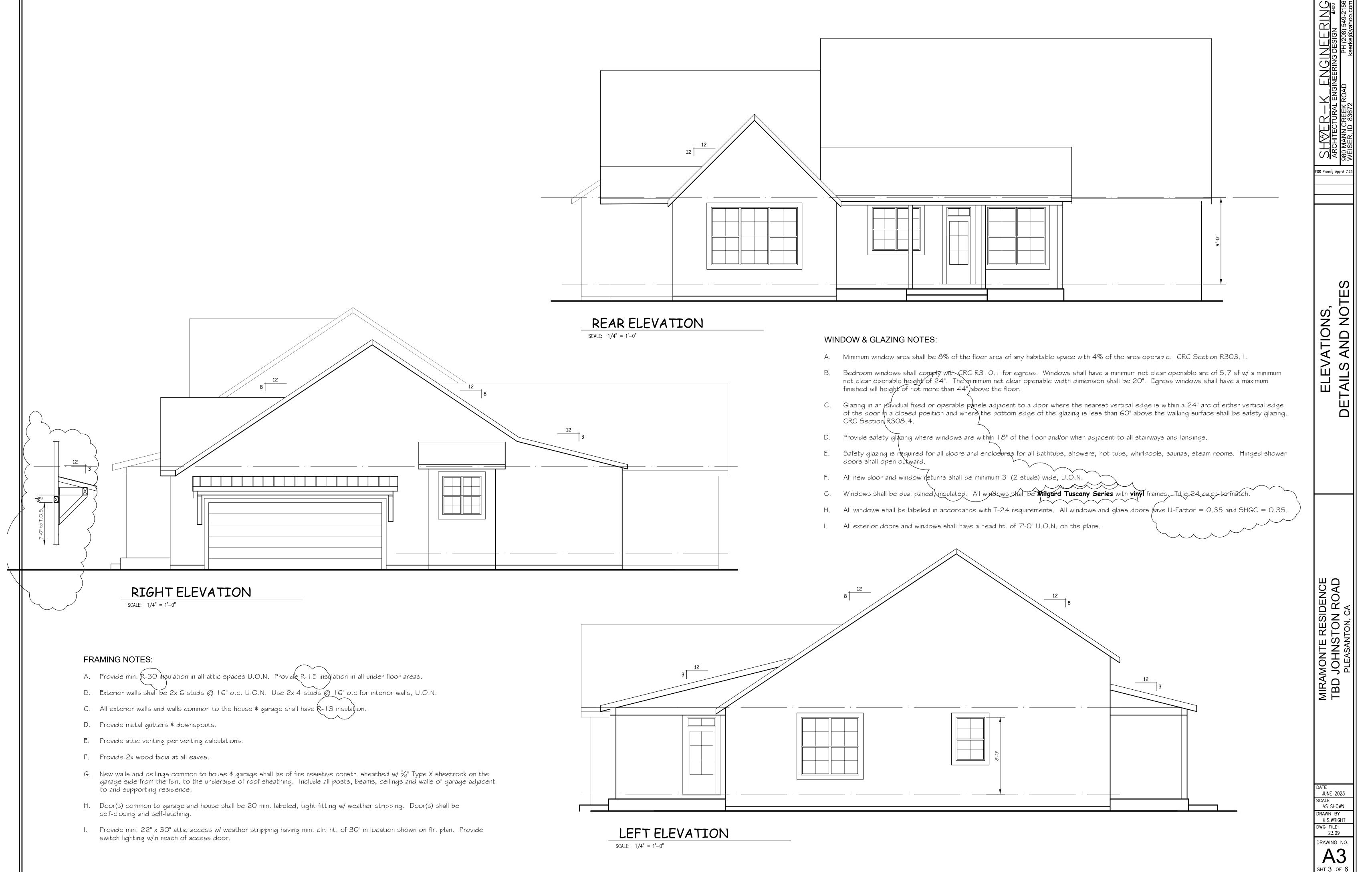
Roof LL	20 /16 psf
Attic LL	10 psf
Floor LL	40 psf
Wind Speed	110 mph
Wind Exposure	С
Site Class	D
Seismic Design Category	D
SDS	1.373
V =	0.196W
Importance Factor	1.0

VATION, S Ш ONT Ř L AN Ш Р SITE

Plann'g Apprvl

MIRAMONTE RESIDENCE TBD JOHNSTON ROAD PLEASANTON, CA

DATE JUNE 2023 SCALE AS SHOWN DRAWN BY K.S.WRIGHT DWG FILE: 23.09 DRAWING NO. A1 SHT 1 OF 6





# Mitigation Monitoring and Reporting Program 6621 Johnston Road Second Residence Land Use Permit

County File Number CDLP23-02056 State Clearinghouse Number SCH 2025041096

> 6621 Johnston Road San Ramon, CA 94528 April 21, 2025

# **SECTION 3: AIR QUALITY**

**Potentially Significant Impacts**: (b) Construction of the new residence could expose sensitive receptors to substantial pollutant concentrations. (c) Construction activities result in localized emissions of dust and diesel exhaust that could result in temporary impacts at nearby single-family residences. (d) Construction of the second residence result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

# Mitigation Measure(s):

**Air Quality 1**: The following Bay Area Air Quality Management District, Basic Best Management Practices for Construction-Related Fugitive Dust Emissions shall be implemented during project construction and shall be included on all construction plans.

- a. All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- g. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

- h. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- i. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

**Air Quality 2**: The following emissions measures, as recommended by the Bay Area Air Quality Management District, shall be included on the construction drawings for the proposed project and implemented during construction.

- a. Idling times shall be minimized either by shutting equipment off when not in use of reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- b. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- c. The applicant shall require construction contractors to reduce construction related fugitive VOC emissions by ensuring that low-VOC coatings having a VOC content of 50 grams per liter or less are used during the coating of the buildings interiors and exterior surfaces.
- d. All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall utilize diesel engines that are USEPA certified "Tier 4 final" emission standards for particulate matter and be equipped with CARB-certified Level 3 Diesel Particulate Filters. Prior to the CDD stamp approval of any construction plans for the issuance of demolition, construction, or grading permits, the construction contractor shall submit the specifications of the equipment to be used during construction to CDD staff.

Implementing Action:	СОА
Timing of Verification:	During project construction of new residence
Party Responsible for Verification:	Project Sponsor and contractor(s), CDD, BID
Compliance Verification:	Field verification by contractor, BID

# **SECTION 5: CULTURAL RESOURCES**

**Potentially Significant Impact**: *(b) Accidental discovery of buried archaeological resources could occur during grading and other earthwork during construction activities.* 

# Mitigation Measure(s):

**Cultural Resources 1:** The following Mitigation Measures shall be implemented during project construction.

- a. A program of on-site education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
- b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

Implementing Action:	COA
Timing of Verification:	Prior to active project construction; field review during construction
Party Responsible for Verification:	Project Sponsor and contractor(s), project archaeologist, CDD, BID
Compliance Verification:	Field verification by contractor, project archaeologist, BID

**Potentially Significant Impact**: *(c) Accidental discovery of human remains could occur during project construction.* 

# Mitigation Measure(s):

**Cultural Resources 2:** Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains.

Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementing Action:	COA
Timing of Verification:	Field review during construction
Party Responsible for Verification:	Project Sponsor and contractor(s), project archaeologist, CDD, BID
Compliance Verification:	Field verification by contractor, project archaeologist, BID

## **SECTION 6: ENERGY**

**Potentially Significant Impacts**: (a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

# Mitigation Measure(s):

**Air Quality 2**: The following emissions measures, as recommended by the Bay Area Air Quality Management District, shall be included on the construction drawings for the proposed project and implemented during construction.

- a. Idling times shall be minimized either by shutting equipment off when not in use of reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- b. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- c. The applicant shall require construction contractors to reduce construction related fugitive VOC emissions by ensuring that low-VOC coatings having a VOC content of 50 grams per liter or less are used during the coating of the buildings interiors and exterior surfaces.
- d. All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall utilize diesel engines that are USEPA certified "Tier 4 final" emission standards for particulate matter and be equipped with CARB-certified Level 3 Diesel Particulate Filters. Prior to the CDD stamp approval of any construction plans for the issuance of demolition, construction, or grading permits, the construction contractor shall submit the specifications of the equipment to be used during construction to CDD staff.

Implementing Action:	COA
Timing of Verification:	During project construction of new residence

Party Responsible for Verification:	Project Sponsor and contractor(s), CDD, BID
Compliance Verification:	Field verification by contractor, BID

# **SECTION 7: GEOLOGY AND SOILS**

**Potentially Significant Impacts**: *(d) Expansive and corrosive soils on Parcel A could affect construction on the site.* 

# Mitigation Measure(s):

**Geology 1:** The applicant shall incorporate the recommendations of the geotechnical study (Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California. Henry Justiniano & Associates, July 25, 1989) as modified by the geotechnical update report (Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California. Henry Justiniano & Associates, May 30, 2023) in the construction documents submitted for the grading and building permit applications for the second single-family residence.

Implementing Action:	COA	
Timing of Verification:	Prior to CDD approval of construction documents; field review during construction	
Party Responsible for Verification:	Project Sponsor and contractor(s), project geotechnical engineer, County Peer Review Geologist, CDD, BID	
Compliance Verification:	County Peer Review Geologist review of construction documents, CDD review and approval of construction documents, Field verification by contractor, project geotechnical engineer, BID	

**Potentially Significant Impacts**: *(e) Soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems could affect the construction of the new residence.* 

## Mitigation Measure(s):

**Geology 2:** The applicant shall be responsible for documenting the adequacy of the existing leach field or identify a potential leach field site of adequate size that complies with regulations administered by the Environmental Health Division of the County Health Services Department. If a suitable site is not identified on the site, the project sponsor will need to request that the Environment Health Division consider a specialized design.

Implementing Action:

COA

Timing of Verification:	Prior to CDD approval of construction documents; field review during construction	
Party Responsible for Verification:	Project Sponsor and contractor(s), project geotechnical engineer, CDD, BID	
Compliance Verification:	CDD review and approval of construction documents, Field verification by contractor, project geotechnical engineer, BID	

**Potentially Significant Impact**: *(f) Grading and other earthwork could directly or indirectly destroy buried fossils or other paleontological resource or hidden geologic feature.* 

Mitigation Measure(s):

**Cultural Resources 1:** The following Mitigation Measures shall be implemented during project construction.

- a. A program of on-site education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
- b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

Implementing Action:	COA
Timing of Verification:	Prior to active project construction; field review during construction
Party Responsible for Verification:	Project Sponsor and contractor(s), project archaeologist, CDD, BID
Compliance Verification:	Field verification by contractor, project archaeologist, BID

# **SECTION 13: NOISE**

**Potentially Significant Impact**: (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.

# Mitigation Measure(s):

**Noise 1:** The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.

- a. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
- b. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
- c. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
- d. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:
  - New Year's Day (State and Federal)
  - Birthday of Martin Luther King, Jr. (State and Federal)
  - Washington's Birthday (Federal)
  - Lincoln's Birthday (State)
  - President's Day (State)
  - Cesar Chavez Day (State)

<ul> <li>Memorial Day (State and Federal)</li> <li>Juneteenth National Independence Holiday (Federal)</li> <li>Independence Day (State and Federal)</li> <li>Labor Day (State and Federal)</li> <li>Columbus Day (Federal)</li> </ul>		
<ul> <li>Veterans Day (State and Federal)</li> <li>Thanksgiving Day (State and Federal)</li> <li>Day after Thanksgiving (State)</li> </ul>		
<ul> <li>Christmas Day (State and Federal)</li> <li>For specific details on the actual date the State and Federal holidays occur, please visit the following websites:         <ul> <li>Federal Holidays: Federal Holidays (opm.gov)</li> <li>California Holidays: State Holidays (ca.gov)</li> </ul> </li> <li>Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.</li> </ul>		
Implementing Action:	СОА	
Timing of Verification:	During project construction	
Party Responsible for Verification:	Project Sponsor and contractor(s), CDD, BID	
Compliance Verification:	Field verification by contractor, BID	

# SECTION 18: TRIBAL CULTURAL RESOURCES

**Potentially Significant Impact**: (b) Damage or destruction of previously undiscovered archaeological resources and human remains, and buried paleontological resources, could occur during grading and other earthwork.

# Mitigation Measure(s):

**Cultural Resources 1:** The following Mitigation Measures shall be implemented during project construction.

- a. A program of on-site education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
- b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

**Cultural Resources 2:** Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementing Action:	COA
Timing of Verification:	Prior to active project construction; field review during construction

Party Responsible for Verification:	Project Sponsor and contractor(s), project archaeologist, CDD, BID	
Compliance Verification:	Field verification by contractor, project archaeologist, BID	





Staff Report

File #: 25-2783	Agenda Date: 7/7/2025	Agenda #: 3b
Project Title:	AT&T Wireless Telecommunication Facility	
County File Number:	#CDLP24-02033	
Applicant: Owner:	AT&T c/o Melissa Gonzalez, J5 Infrastructure Partner McElley Trust	rs Janet D.
General Plan Zoning:	Agricultural Lands (AL) A-20 Exclusive Agricultural [ 20)	District (A-
Project Location:	5707 Highland Road, San Ramon, CA 94583 (Assess Numbers 205-090-006, 205-090-007)	or's Parcel
California Environmenta	Pursuant to the State of California Public Resources	Code an
Quality Act (CEQA) Status	<b>s:</b> Addendum to the previously adopted Mitigated Neg	gative
	Declaration was prepared for the project which foun significant impacts.	d no
Project Planner:	Dulce Reckmeyer-Walton, Project Planner (925) 655-	2854
Staff Recommendation:	Staff recommends the Zoning Administrator approve subject to the recommended conditions of approval Section II for Full Recommendation).	

#### I. **PROJECT SUMMARY**

The applicant is requesting approval of a Land Use Permit, for the purpose of modifying a previously approved Land Use permit, County file #CDLP22-02051, to establish a wireless telecommunication facility at the subject property. The project includes a 170- foot-tall by 28-foot-wide faux water tank tower and one separate lease area, 15 by 25 feet for ancillary equipment. An existing dirt road would be improved with gravel to meet fire code standards.

#### II. <u>RECOMMENDATION</u>

Staff recommends that the Zoning Administrator:

A. FIND that on the basis of the whole record before the County (Department of

Conservation and Development, 30 Muir Road, Martinez, CA 94553), that there is no substantial evidence the project will have a significant effect on the environment and that the Addendum to the Mitigated Negative Declaration prepared for this project reflects the County's independent judgment and analysis;

- B. ADOPT the Addendum to the Mitigated Negative Declaration (MND), and Mitigation Monitoring and Reporting Program (MMRP) prepared for the project;
- C. APPROVE the AT&T Wireless Telecommunication Facility Project, County File CDLP24-02033; and
- D. DIRECT Staff to file a Notice of Determination with the County Clerk.

## III. GENERAL INFORMATION

- A. <u>General Plan</u>: The subject property is located within the Agricultural Lands (AL) General Plan Land Use designation.
- B. **Zoning**: The subject property is located within the A-20 Exclusive Agricultural District (A -20).
- C. <u>CEQA Status</u>: An Initial Study resulting in a Mitigated Negative Declaration (MND) was prepared pursuant to Public Resources Code Section 21080(c), 21063.5, and Article 6 of the California Environmental Quality Act (CEQA) Guidelines for the previously approved Land Use permit, CDLP22-02051. The initial study for the proposed project identified potentially significant impacts in the environmental areas of biological resources, geology/soils, cultural resources, air quality, and tribal cultural resources. Environmental analysis determined that measures were available to mitigate potential adverse impacts to insignificant levels. Pursuant to CEQA Guidelines, Section 15162, Subsequent EIR and Negative Declarations.

The current application is to modify the previously approved Land Use Permit to relocate the faux water tank wireless tower approximately 143 feet northeast of the property, adjacent to the previously approved lease area, and to allow 170-foot tall by 28 foot wide tower. Pursuant to the requirements of CEQA (CEQA Guidelines Section 15164) an addendum to the previously adopted Mitigated Negative Declaration (MND) has been prepared to assess the minor technical changes or additions to the project. The addendum which has been prepared determined that the project modification to relocate the wireless facility and increase the height of the tower will not result in new or more severe environmental impacts that were identified in the MND.

D. Lot Creation: The project site parcels were established through the recordation of Minor Subdivision 78-69 as Parcel B and Parcel C.

### E. Previous Applications:

- 1. <u>MS78-69</u>: The application included an approved vesting tentative map for a three-lot parcel map. The map was recorded July 3, 1969.
- 2. <u>CDLP22-02051</u>: The application included approval to establish an AT&T wireless telecommunication facility for a 120-foot-tall by 22-foot-wide faux water tower and two separate lease areas for ancillary equipment.

#### IV. SITE/AREA DESCRIPTION

The project site consists of two parcels totaling approximately 56-acres improved by a residential development, ranch buildings and barns, and grazing land. The area of the property on which the installation is proposed, currently consists of a graded and cleared area used for cattle grazing and part of a dirt road. Land immediately surrounding the Project Site consists of land used for cattle grazing.

#### V. <u>PROJECT DESCRIPTION</u>

The applicant is requesting approval of a Land Use Permit, for the purpose of modifying a previously approved Land Use Permit (County File #CDLP22-02051) to establish a wireless telecommunication facility at the subject property. The project includes a 170- foot-tall by 28-foot-wide faux water tank tower and one separate lease area, 15 by 25 feet for ancillary equipment. An existing dirt road would be improved for a 10-wide access easement to meet fire code standards on adjacent parcel.

#### VI. AGENCY COMMENTS

The following agency comments were received for the application:

- A. Department of Conservation and Development (DCD), Building Inspection Division: Building Inspection staff were solicited for comments regarding the subject project. The proposed facility would require a building permit and is expected to comply with the current building code.
- **B.** <u>Department of Health Services, Environmental Health Division (Environmental Health)</u>: In a letter dated January 21, 2025, the Department of Health Services, Environmental Health Division listing the requirements Environmental Health signoff prior to submitting a building permit. The unmanned facility is not expected to have any special requirements for water or sanitary wastewater.

- **C.** <u>San Ramon Valley Fire Protection District</u>: In a letter dated January 25, 2025, Fire District staff provided comments regarding the proposed project. No concerns were raised, and the project is required to obtain fire district approval to ensure compliance with the California Fire Code.
- **D.** <u>Contra Costa County Public Works Department</u>: In a letter dated February 6, 2025, Public Works Department stated that all construction activities within the public right-of-way of Highland Road, including, but not limited to installation of fiber optic cable and pull boxes, will require an encroachment permit from the Public Works Department.
- **E.** <u>Mosquito Vector Control District:</u> An agency comment request was sent to the Mosquito Vector Control District on January 21, 2025. To date no comments have been received.

#### VII. STAFF ANALYSIS

#### A. <u>General Plan Consistency</u>:

The proposed project would conform to the applicable General Plan land use designation. The subject property has an Agricultural Lands (AL) General Plan land use designation. The AL designation allows for all land-dependent and non-land-dependent agricultural production and related activities. The proposed Wireless Telecommunication Facility is an allowed land use in the designation.

Pursuant to General Plan Policy LU-P4.4, which requires site and building reconfigurations, setback increases, landscaping enhancements, screening, or other design solutions wherever necessary to minimize potential conflicts between use, the design for the proposed tower will be faux water tank to match the surrounding agricultural area and minimize potential conflicts between uses agricultural and non-agricultural uses and preserve the rural character of Tassajara Valley Road (LU-P10.3).

B. **Zoning Compliance**: The project is located in the A-20 Exclusive Agricultural zoning district. The A-20 district allows for a wireless telecommunication facility upon the approval of a land use permit. All proposed structures would be subject to, and meet, applicable setbacks and height requirements for the district. No variances to the A-20 district requirements would be necessary for the project.

The telecommunication facility is subject to the provisions of the County's Wireless Telecommunication Facilities Ordinance (Ch. 88-24). This application is a request to modify a previously approved Land Use permit to relocate the previously approved telecommunication facility approximately 143 feet northeast, next to the immediate adjacent lease area, and increase the tower height from 120-feet to 170-feet tall. The proposed project would be compliant with this ordinance in terms of design, location, building standards and operational requirements.

Pursuant to the location requirements of Section 88-24.406, collocation is encouraged and no new tower can be located within 1,000-feet of an existing tower unless certain findings are made. A new facility must not visually impact a scenic ridgeline. A high-visibility facility must be located within the facility site at a location that will have the least visual and aesthetic impacts to surrounding lots. The surrounding area is very hilly, but the wireless facility would include a stealth facility camouflaged as a water tower, thus, it would not infringe on ridgeways or any other scenic vistas. Therefore, the facility and proposed improvements meet the location requirements of Section 88-24.406 of the Wireless Ordinance.

Pursuant to the design guidelines of Section 88-24.408(a), the facility must meet or exceed design requirements to reduce the facility's visual and aesthetic impacts, such as it must be designed to blend in with the surrounding area, have a non-reflective finish, be painted and textured to match or blend in with the predominant background, and must be camouflaged if visible against a skyline. The faux water tower design of the facility would meet these design guidelines. Therefore, the facility would maintain the existing visual character of the area and meet the design guidelines of Section 88-24.408(a) of the Wireless Ordinance.

Section 88-24.414(a) of the Wireless Telecommunication Facilities Ordinance requires that the facility comply with the County's noise ordinance. In general, wireless telecommunications facilities are not associated with the generation of significant noise levels. However, when facilities include ancillary equipment such as generators and cabinets with cooling fans, the potential for noise impacts are increased. The project includes the installation of a generator. Given the location of the facility relative to sensitive uses, any noise from the facility is expected to comply with the County's noise requirements. Additionally, Conditions of Approval are included with the project to require certification of the noise levels. Thus, the facility would be compliant with Section 88-24.414(a) of the Wireless Ordinance. Given the project's conformance with the County General Plan and Ordinance Code, a less than significant impact is expected due to conflict with local land use regulations.

# C. **Appropriateness of the Use:**

The project is to modify a previously approved wireless facility to relocate the wireless facility and increase the height of the tower, the modification will not change the primary use of the property; the type of primary (rural residential agriculture) will remain unchanged. The proposed wireless facility would be consistent with the County's Wireless Telecommunication Facilities Ordinance and is expected to comply with all local, state, and federal regulations for wireless telecommunication facilities. The facility would be compatible with the surrounding environment with respect to land use and aesthetics, given the covert design as a faux water tower. Wireless telecommunication facilities provide a vital service to both residents and visitors of the County and are relied upon for general communication needs and for emergency personnel such as Fire and Sheriff Department Staff.

The proposed project would allow for the operation of an AT&T telecommunication facility which would provide telecommunication service to the surrounding area. The facility would replace coverage that is currently provided by a nearby facility. Based on the RF Emissions Compliance Report certified by Michael Fischer, Licensed Electrical Engineer, received February 12, 2025, the facility would meet all FCC requirements. Thus, the project would be appropriate for the site, given its compatibility with the existing uses on the site and in the surrounding area, and the benefit it would provide to the area.

D. **Federal Communications Commission (FCC):** This agency has adopted radio frequency protection standards, which establish safety levels with respect to human exposure to radio frequency (RF) emissions. These standards are jointly published by the American National Standards Institute and the Institute of Electrical and Electronics Engineers. The standards prescribe limits for continuous exposure to RF emissions. Consequently, the applicant has provided a Radio Frequency - Electromagnetic Energy (RF-EME) report for this project showing compliance with these standards. The report certified by Michael Fischer, Licensed Electrical Engineer, evaluated the cumulative impacts of the existing facility. The report concluded that the resulting cumulative maximum RF-EME emissions of the site would not exceed the FCC standards' allowable public exposure limit at ground level. Therefore, the facility does not exceed the FCC's occupational and/or general public exposure limits and will be compliant overall with FCC regulations with the installation of additional safety and warning signage.

## VIII. <u>CONCLUSION</u>

File #: 25-2783

#### **Agenda Date:** 7/7/2025

The establishment of the wireless facility is consistent with the provisions and policies of the A-20 Zoning District, the AL General Plan land use designations, and the County Wireless Telecommunication Facilities Ordinance. Therefore, staff recommends that the Zoning Administrator approve County File #CDLP24-02033 based on the attached findings and subject to the attached conditions of approval.

Attachments:

- Findings and Conditions of Approval
- CEQA Addendum to Previously Adopted Mitigated Negative Declaration
- Previously Approved Initial Study and Mitigated Negative Declaration
- Agency Comments
- Maps
- Plans

# FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDLP24-02033, ATT c/o MELISSA GONZALEZ, J5 INFRASTRUCTURE PARTNERS (APPLICANT) - JANET D MCELLEY TRUST (OWNER)

# I. **FINDINGS**

#### A. Land Use Permit Findings

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

<u>Project Finding</u>: The Federal Communications Commission (FCC) has adopted radio frequency protection standards, which establish safety levels with respect to human exposure to radio frequency (RF) emissions. These standards are jointly published by the American National Standards Institute and the Institute of Electrical and Electronics Engineers. The standards prescribe limits for continuous exposure to RF emissions. Consequently, the applicant has provided a Radio Frequency – Electromagnetic Energy (RF-EME) report for this project showing compliance with these standards. The report certified by Michael Fischer, Licensed Electrical Engineer, dated December 9, 2024, and received February 12, 2025, evaluated the cumulative impacts of the existing facility. The report concluded that the resulting cumulative maximum RF-EME emissions of the site would not exceed the FCC standards' allowable public exposure limit at ground level. Therefore, the facility does not exceed the FCC's occupational and/or general public exposure limits and is compliant overall with FCC regulations.

2. <u>*Required Finding:*</u> The proposed project shall not adversely affect the orderly development within the County or the community.

<u>Project Finding</u>: The granting of this Land Use Permit to modify a previously approved wireless facility to relocate the previously approved wireless facility and increase the tower height will not adversely affect the orderly development of property within the County. The tower height increase will maximize the telecommunication service in the area, and the continuation of telecommunications service has not been known to adversely affect orderly development. Thus, the project will not adversely affect the orderly development within the County or the community.

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

Project Finding: The project includes the modification of a previously approved

establishment of an AT&T wireless telecommunication facility. The facility is unmanned and is not expected to impact development activity in the area or result in an adverse impact on the value of properties within the area. This determination is due to the projects design which is consistent with the rural nature of the surrounding area. As conditioned,, the project is not expected to adversely affect the preservation of property values and the protection of the tax base within the County.

4. <u>*Required Finding:*</u> The proposed project as conditioned shall not adversely affect the policy and goals as set by the General Plan.

<u>Project Finding</u>: The subject property is located within the Agricultural Lands (AL) General Plan land use designation. Approval of the operation of the wireless facility does not result in an adverse impact on the surrounding uses. The project as designed and conditioned is consistent with these General Plan policies. The antenna area is consistent with the requirements of the County's Wireless Facilities Ordinance and state and federal requirements. Though the equipment would be located on a minor ridgeway, the design of the facility would ensure it does not negatively impact views in the area. With conditions requiring the stealth design of the facility, it will continue to be camouflaged on the hillside. Therefore, the project is consistent with the County's General Plan policies and goals.

The project is located on property with a Williamson Act contract, which limits what uses are permitted on the site. However, Section 51238(a)(l) of the Williamson Act states:

"Notwithstanding any determination of compatible uses by the county or city pursuant to this article, unless the board or council after notice and hearing makes a finding to the contrary, the erection, construction, alteration, or maintenance of gas, electric, water, communication, or agricultural laborer housing facilities are hereby determined to be compatible uses within any agricultural preserve." Thus, the Williamson Act allows communication facilities on parcel's with existing Williamson Act contracts, and the wireless facility is consistent with what is permitted on parcels enrolled in the Williamson Act Program.

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

<u>Project Finding</u>: The project, as conditioned, will not create a nuisance and/or enforcement problem within the neighborhood or community. There is no record of code compliance issues with these types of facilities. The conditions of approval require that the site be maintained in an orderly manner and that all facilities be removed on cessation of the use. Furthermore, if approved, the applicant will be required to submit 5-year condition of approval compliance reviews in order for County staff to evaluate the on-going compliance efforts. 6. <u>*Required Finding:*</u> The proposed project as conditioned shall not encourage marginal development within the neighborhood.

<u>Project Finding</u>: The project as conditioned will not encourage marginal development within the neighborhood because development is controlled by the County's Zoning Code and General Plan. Where there is a sizeable population or major road, the public demands wireless telecommunications facilities. This project allows for the continued provision of wireless service to the area. Thus, given the physical conditions of the area, and the nature of the project as an unmanned telecommunications facility, the project will not encourage marginal development within the area.

7. <u>*Required Finding:*</u> That special conditions or unique characteristics of the subject property and its location or surroundings are established.

<u>Project Finding</u>: The wireless facility is consistent with the provisions of the County's Wireless Telecommunication Facility Ordinance, and the project is conditioned to ensure the facility's continued compliance. The facility uses the relatively high elevation of the property to transmit wireless service to the surrounding area. As an unmanned facility with a relatively small footprint on the property, the facility would not change the current use or design of the property. Therefore, the wireless telecommunication facility will not detract from the existing characteristics of the subject property or the surrounding areas.

# B. <u>Wireless Telecommunications Facility Land Use Permit Findings (County Code</u> <u>Section 88-24.614(b)</u>

# 1. <u>Required Finding</u>: The facility has been reviewed pursuant to all appropriate environmental laws and regulations, including the California Environmental Quality Act.

<u>Project Finding</u>: An Addendum to the previously adopted Mitigated Negative Declaration (MND) has been prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15071. The initial study for the project identified potentially significant impacts in the environmental areas of air quality, biological resources, cultural resources, and tribal cultural resources. Environmental analysis determined that measures were available to mitigate potential adverse impacts to insignificant levels. Mitigations have been included in the project and are required to be implemented as conditions of approval.

## 2. <u>Required Finding: The applicant has provided the financial assurance required</u> by the Wireless Ordinance.

<u>Project Finding</u>: Pursuant to COA #7, the applicant shall submit a removal bond to the County to guarantee the removal of the subject facility in the event it is abandoned, revoked, or the use permit expires.

## 3. Required Finding: The permittee has paid the application processing fees.

<u>Project Finding</u>: A deposit in the amount of \$7,500 was submitted with this application for a Land Use Permit. An initial COA compliance review, required within 60 days of this approval, will ensure that any time and materials charges exceeding the deposit will be collected by CDD staff in a timely manner.

## C. California Environmental Quality Act (CEQA) Findings

An Initial Study resulting in a Mitigated Negative Declaration (MND) has been prepared pursuant to Public Resources Code Section 21080(c), 21063.5, and Article 6 of the California Environmental Quality Act (CEQA) Guidelines. The initial study for the project identified potentially significant impacts in the environmental areas of air quality, biological resources, cultural resources, and tribal cultural resources. Environmental analysis determined that measures were available to mitigate potential adverse impacts to insignificant levels. Mitigations have been included in the project and are required to be implemented as conditions of approval.

Pursuant to the requirements of CEQA (CEQA Guidelines Section 15071) the MND described the project; identified, analyzed, and evaluated the potential significant environmental impacts, which may result from the project; and identified measures to mitigate adverse environmental impacts. The mitigations identified in the document and designed for the proposed project will ensure that the project will not have a significant impact on the environment.

Furthermore, pursuant to the requirements of CEQA (CEQA Guidelines Section 15164) an addendum to the previously adopted Mitigated Negative Declaration (MND) has been prepared to assess the minor technical changes or additions to the project.

## II. CONDITIONS OF APPROVAL

 This Land Use Permit approval is granted for the purpose of modifying a previously approved Land Use Permit (County File #CDLP22-02051) to establish a wireless telecommunication facility at the subject property, including a 170- foot-tall by 28-footwide faux water tank tower and one separate lease area, 15 by 25 feet for ancillary equipment, and improvements of an existing dirt road for a 10-wide access easement to meet fire code standards on adjacent parcel.

- 2. The Land Use Permit described above is generally based on the following documents and materials received by the Department of Conservation and Development, Community Development Division (CDD):
  - Application, and materials received on December 26, 2024;
  - Revised plans received February 12, 2025
  - Noise Assessment Report certified by Robert J Lara, dated November 10, 2022 and received February 12, 2025.
  - Radio Frequency Electromagnetic Energy (RF-EME) report certified by Michael Fischer, Licensed Electrical Engineer, dated December 9, 2024, and received February 12, 2025.
  - Biological Assessment Addendum, prepared by Tony Maguire, Principal Biologist, dated April 8, 2025 and received April 16, 2025.

## **Application Fees**

3. This application is subject to an initial application deposit of \$7,500.00, which was paid with the application submittal, plus time and materials costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to issuance of a building permit, or 60 days of the effective date of this 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 2013/340, where a fee payment is over 60 days past due, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance.

## **Initial Compliance report**

4. Prior to submittal of a building permit, the applicant shall submit a report addressing compliance with the conditions of approval, for review and approval of the CDD. The report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. Unless otherwise indicated, the applicant will be required to demonstrate compliance with the conditions of this report prior to issuance of construction permits. The Zoning Administrator may reject the report if it is not comprehensive with respect to applicable requirements for the requested permit. The deposit for review of the Compliance Report is \$1,500.00; the actual fee shall

be time and materials.

## Permit Duration and Permit Review

5. This Land Use Permit is granted for a period of ten years and shall be administratively reviewed at five-year intervals. The applicant shall initiate the first review by submitting a statement as to the current status of the project to the Zoning Administrator no later than five years following the effective date of the project approval. This review by the Zoning Administrator will be for the purpose of ensuring continued compliance with the conditions of permit approval. Non-compliance with the approved conditions and/or the ordinance code provisions after written notice thereof shall be cause for revocations proceedings.

For the review of existing commercial wireless communications facilities, submittal shall include photo documentation of existing conditions and equipment for comparison with the applicable approved conditions.

The applicant is encouraged, at the time of each administrative review, to review the design of the telecommunications facility and make voluntary upgrades to the facility for the purpose of improving safety and lessening visual obtrusiveness.

A review fee in the amount of \$1,500.00 (subject to time and materials) will be filed through a Compliance Verification application to allow for review of the approved conditions.

## **Removal of Facility/Site Restoration**

6. All structures and equipment associated with a commercial wireless communications facility shall be removed within 60 days of the discontinuance of the use; and the site shall be restored by the permittee to its original pre-development condition. In addition, the permittee shall provide the Department of Conservation and Development with a notice of intent to vacate the site a minimum of 30 days prior to vacation.

## Security to Provide for Removal of Equipment

7. Prior to submittal of a building permit, the applicant or permittee shall provide bond, cash, or other surety, to the satisfactory of the Zoning Administrator, for the removal of the facility in the event that the use is abandoned or the use permit expires, or is revoked, or otherwise terminated. If the permittee does not remove any obsolete or unused facilities as described above, the financial guarantee shall be used by the County to remove any obsolete or unused facilities and to return the site to its pre-development condition.

The financial assurance must be submitted before a permit will be issued. A financial assurance must be irrevocable and not cancelable, except by the County.

Each form of financial assurance must remain valid for the duration of the permit and for six months following termination, cancellation, or revocation permit.

Any unused financial guarantee shall be returned to the applicant upon termination of the use and removal of the facility or transfer of the lease accompanied by a financial guarantee by the new lessee or owner. The amount of the security shall be based on a cost estimate provided by a contractor or other qualified professional to the satisfactory of the Zoning Administrator.

## **General Provisions**

- 8. Any deviation from or substantial change beyond the limits of this permit approved under this application may require the filing and approval of a request for modification of the Land Use Permit.
- 9. A minor alteration to this Land Use Permit (or collocation if CEQA environmental review of collocation for the land use permit has been completed) may be issued if the modification(s) are not considered a substantial modification as stated under federal law (Title 47, Section 1.40001).

A minor alteration (or a collocation) has a term that is the shorter of the following:

A. 10 years: or,

B. The duration, including any renewal period, of the permit that authorizes the existing facility on which the new facility will be collocated or on which the minor alteration will occur.

- 10. The conditions contained herein shall be accepted by the applicant, their agents, lessees, survivors or successors for continuing obligation.
- 11. At all times the facility shall comply with applicable rules, regulations and standards of the FCC and other agencies having jurisdiction, and any other applicable Federal, State, and County laws and regulations.
- 12. Facilities shall be operated in such a manner as not to contribute to ambient RF/EMF emissions in excess of then current FCC adopted RF/EMF emission standards. **Within**

**15 days of antennas being installed,** the applicant shall take RF power density measurements with the antenna operating to verify the level of the Radio Frequency – Electromagnetic Energy (RF-EME) and the FCC public exposure threshold level is not exceeded in any publicly accessible area. This measurement shall be taken again if any equipment is replaced or added. Verification of these measurements shall be submitted to CDD for review and to confirm that the requirements of the Ordinance Code have been met.

- 13. The equipment shall be maintained in good condition over the term of the permit. This shall include keeping the structures graffiti-free.
- 14. Antennas, towers, cabinets, and mountings shall not be used for advertising.
- 15. No lights or beacons may be installed on any antenna or antenna support structure, unless lights or beacons are required by a state or federal agency having jurisdiction over the antenna or antenna support structure, such as the California Public Utilities Commission, Federal Communications Commission, or Federal Aviation Administration, or if lights or beacons are recommended by the County Airport Land Use Commission.

## Exterior Noise

16. The applicant shall submit evidence for review and approval of the CDD that the wireless telecommunications facility meets acceptable exterior noise level standards as established in the Noise and Land Use Compatibility Guidelines contained in the Noise Element of the County General Plan. The evidence can either be theoretical calculations for identical equipment or noise monitoring data recorded on the site. Generator testing shall only occur between the hours of 9:00 am and 5:00pm, Monday through Friday.

## **Frequency Interference**

17. The facility may be operated at a frequency that will interfere with an emergency communication system or 911 system, including any regional emergency communication system.

## **Aesthetics**

18. The facility, all fences surrounding a facility, and all other fixtures and improvements on the facility site shall be camouflaged to blend into the scenic hillside. The proposed faux water tower shall conceal all antennas and ancillary equipment so they

are not visible from the surrounding properties. Fences shall be made of wood or otherwise blend into the rural agricultural landscape. All equipment and fences must be maintained as often as necessary to prevent fading, chipping, or weathering of paint that would defeat the camouflaging of the facility.

- 19. The use of highly reflective materials, including but not limited to glass and unfinished metals, shall be prohibited from use.
- 20. Any lighting needed for maintenance purposes shall be within the fenced area and shall be hooded and deflected downward so as to focus illumination towards the equipment. Lighting shall have on/off switches so it can be turned off when not in use, rather than being able to be turned on with motion detection.
- 21. Color photographs showing the as-built condition of the wireless facility shall be submitted for review of CDD staff to verify compliance with the Aesthetics Conditions of Approval **prior to final building inspection**.

## Work Restrictions

- 22. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to other uses on the site. This shall be communicated to project-related contractors.
- 23. The project sponsor shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors and concrete pumps as far away from existing residences as possible.
- 24. Transportation of heavy equipment and trucks shall be limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M. and prohibited on Federal and State holidays.
- 25. The site shall be maintained in an orderly fashion. Following the cessation of construction activity; all construction debris shall be removed from the site.
- 26. During construction, a publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
- 27. Non-emergency maintenance, construction and other activities on the site related to this use are restricted to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal) Birthday of Martin Luther King, Jr. (State and Federal) Washington's Birthday (Federal) Presidents' Day (State) Cesar Chavez Day (State) Memorial Day (State and Federal) Juneteenth National Independence Day (Federal) Independence Day (State and Federal) Labor Day (State and Federal) Columbus Day (Federal) Veterans Day (State and Federal) Thanksgiving Day (State and Federal) Day after Thanksgiving (State) Christmas Day (State and Federal)

For specific details on the actual days and dates that these holidays occur, please visit the following websites:

Federal Holidays: <u>www.federalreserve.gov/aboutthefed/k8.htm</u> California Holidays: <u>www.sos.ca.gov/state-holidays</u>

## **Indemnity Requirement**

28. To the fullest extent permitted by law, the applicant shall defend, indemnify, and hold harmless the county, its officers, employees, contractors, consultants, and volunteers from and against: (1) All claims, losses, damages (including injury or death), liabilities, suits, costs, and expenses, including reasonable attorney's fees, in any way connected to or arising from the design, construction, installation, use, maintenance, or operation of the facility; and (2) all claims, actions, or proceedings to attack, set aside, void, or annul any decision to approve the application and issue a land use permit or renewed permit to the applicant, or any other discretionary action of the County related to the issuance of that permit.

## Contra Costa County Public Works Department Encroachment Permit

29. Prior to CDD-stamp of approval of plans for the issuance of a building permit, the applicant shall obtain an encroachment permit from Public Works for all construction activities within the public right-of-way of Highland Road, including, but not limited to installation of fiber optic cable and pull boxes.

# Air Quality

- 30. Air Quality 1: The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during project construction and shall be included on all construction plans.
  - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
  - All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - All vehicle speeds on unpaved roads shall be limited to 15 mph.
  - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
  - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
  - Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

(MM Air Quality 1)

## **Biological Resources**

- 31. To the extent possible, construction should be avoided during the wet season from approximately October 15th (or the first measurable rainfall of 1 inch or greater) and March 15th to avoid dispersing California Tiger Salamanders and California Red-legged Frogs. Mitigation measures to be implemented outside of the wet season include:
  - Employees and contractors performing construction related activities will receive environmental sensitivity training. Training will include a review of environmental laws

and Avoidance and Minimization Measures (AMMs) that must be followed by all personnel to reduce or avoid effects on covered species during construction activities.

- Contracts with contractors, construction management firms, and subcontractors will obligate all contractors to comply with these AMMs.
- A biologist should be present for all ground-disturbing activities.
- The following will not be allowed at or near work sites for covered activities: trash dumping, firearms, open fires (such as barbecues), and hunting.
- Vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas to the extent possible.
- Pipes, culverts and similar materials greater than four inches in diameter, will be stored so as to prevent covered wildlife species from using these as temporary refuges, and these materials will be inspected each morning for the presence of animals prior to being moved.
- All foods and food-related trash items will be enclosed in sealed trash containers at the end of each day and removed completely from the site once every three days.
- No pets will be allowed anywhere in the project site during construction.
- All equipment will be maintained such that there will be no leaks of automotive fluids such as gasoline, oils, or solvents.

Should construction need to occur during the wet season, the following minimization measures should be implemented to prevent impacts caused by dispersing California Tiger Salamanders and California Red-legged Frogs entering the work area during construction:

- A biological monitor will be present throughout the project duration.
- Barrier fencing will be constructed around the worksite to prevent California Tiger Salamanders and California Red-legged Frogs from entering the work area. Barrier fencing will be removed within 72 hours of the completion of work.
- Before the start of work each morning, all equipment such as vehicles and stored pipes will be inspected for CTS or CRLF. The biological monitor will check all excavated steep-walled holes or trenches greater than 6-inches deep.

(MM Biology 1)

## **Cultural Resources**

- 32. The following Mitigation Measures shall be implemented during project related ground disturbance, and shall be included on all construction plans:
- i. All construction personnel, including operators of equipment involved in grading, or trenching activities will be advised of the need to immediately stop work if they

observe any indications of the presence of an unanticipated cultural resource discovery (e.g. wood, stone, foundations, and other structural remains; debris-filled wells or privies; deposits of wood, glass, ceramics). If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery shall be redirected and a qualified archaeologist, certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), shall be contacted to evaluate the finds and, if necessary, develop appropriate treatment measures in consultation with the County and other appropriate agencies.

If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

ii. Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

(MM Cultural Resources 1)

# **ADVISORY NOTES**

- This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.
- Applicant shall be required to comply with all rules, regulations, and procedures of the National Pollutant Discharge Elimination Systems (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 (San Francisco Bay Region II ).

- This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- The applicant shall comply with the requirements of the following agencies:
  - Department of Conservation and Development, Building Inspection
  - San Ramon Valley Fire Protection District
  - Contra Costa County, Health Department
  - Bay Area Air Quality Management District
  - Federal Communications Commission

# ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION PREPARED FOR ATT c/o MELISSA GONZALEZ, J5 INFRASTRUCTURE PARTNERS (APPLICANT) AND JANET D MCELLEY TRUST (OWNER) COUNTY FILE #LP24-02033

# I. BACKGROUND INFORMATION

On January 10, 2024 the County approved a Land Use permit to establish an AT&T wireless telecommunication facility, including a 120-foot-tall by 22-footwide faux water tank tower and two separate lease areas for ancillary equipment located at 5707 Highland Road in the unincorporated San Ramon area. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the County prepared an Initial Study / Mitigated Negative Declaration (MND) dated October 12, 2023 and approved on January 10, 2024, incorporated herein and by this reference. The MND identified potentially significant impacts associated with air quality, biological resources, geology and soils, hydrology, and noise, but determined that these impacts would be less than significant with the implementation of mitigation measures agreed to by the Project proponent, all of which were identified in the MND and incorporated into the Project's conditions of approval.

On December 26, 2025, the County received an application to modify the previously approved Land Use permit, the modification includes the relocation of the wireless telecommunication facility approximately 143 feet northeast next to the immediately adjacent lease area. The height of the tower will also increase from 120-foot to 170-foot tall. The current application is to modify the previously approved Land Use permit. Pursuant to the requirements of CEQA (CEQA Guidelines Section 15164) an addendum to the previously adopted Mitigated Negative Declaration (MND) has been prepared to assess the minor technical changes or additions to the project.

# II. CEQA ADDENDUM PROTOCOL

For a proposed modification to an approved project, State CEQA Guidelines (Section 15164; Appendix B) provides that an Addendum to an adopted MND may be prepared if only minor technical changes or additions are necessary or none of the following conditions (outlined in CEQA Guidelines Section 15162) calling for the preparation of a subsequent MND have occurred:

- a. When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
  - 1. Substantial changes in the project, which require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects,

The modification includes the relocation of the previously approved wireless facility by approximately 143 feet northeast of the property and increase the tower height from 120-foot to 170-foot tall. The new location of the wireless telecommunication facility is immediately adjacent to the lease area which was assessed for environmental effects. The project applicant provided a biological assessment addendum dated April 8, 2025 by EBI Consulting, and found that the new location for the wireless facility will not result in a significant new environmental effect or substantially increase the severity of previously identified effects because the proposed ancillary equipment and leasing area was already identified as

2. Substantial changes with respect to the circumstances under which the project is undertaken which require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

The modification to the location of the previously approved facility will not result in substantial changes in circumstances involving new or increased environmental effects. There are no changes to the circumstances under which the Project will be undertaken because the project modification is to relocate the facility from the previously approved location. The new facility will be directly adjacent to the previously assessed lease area with new tower height of 170 feet tall. Therefore, the need for approval of the modification to relocate the wireless telecommunication facility does not constitute a substantial change in circumstances involving new or increased environmental effects.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of MND adoption, shows any of the following:

A. The project will have one or more significant effects not discussed in Page **2** of **9** 

the MND;

The modification to the previously approved Land Use permit will not result in any new information that was not discussed previously in the Mitigated Negative Declaration (MND). The mitigations issued with the approved MND will be sufficient to ensure that the proposed project will not cause any significant impact in its surroundings. Therefore, a subsequent MND is not necessary.

B. Significant effects previously examined will be substantially more severe than shown in the previous MND;

The modification to the location of the previously approved facility will not result in substantial changes because the project is to relocate the facility approximately 143 feet to the northeast of the property. The new location of the wireless facility will have no changes to the previously determined may affect, not likely to adversely effect according to the Addendum to the Biological Report, dated April 8, 2025.

C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measure or alternative; or

The approval of the modification to the previously approved Land Use does not affect any of the mitigations identified for this project. The Project proponent agreed to all mitigation measures proposed by the County. Thus, no alternative mitigation measures or alternatives, which would substantially reduce one of more significant effects, were identified for the Project that the Project proponent declined to adopt.

D. Mitigation measures or alternatives that are considerably different from those analyzed in the MND would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

As mentioned in section (c) above, the Project proponent accepted all proposed mitigation measures contained in the MND. Thus, no alternative mitigation measures or alternatives, which would substantially reduce one of more significant effects, were identified for Page **3** of **9**  b. If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, and addendum, or no further documentation.

The County has determined that a subsequent MND will not be required because no changes or new information resulting in significant Projectrelated environmental impacts not previously discussed have become available. The County has elected to prepare an Addendum to the issued MND with a revised Project description and recommend the project for approval.

c. Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

The County is the responsible agency preparing the Addendum to the MND. As discussed above, none of the conditions described in subsection (a) have occurred, thus, a new CEQA document need not be prepared.

d. A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.

The County has determined that this Project will not require a subsequent MND. Therefore, no additional public review will occur with the adoption of this Addendum.

The purpose of this Addendum is to evaluate the proposed modification to the original project and to demonstrate that the proposed project does not trigger any of the conditions described above. Based on the analysis provided below, an Addendum to

the original IS/MND is the appropriate CEQA document.

#### III. SUMMARY OF ANALYSIS

The Department of Conservation and Development, Community Development Division (CDD) has concluded that the amendment of the Project, described in CDLP24-02033 as proposed, will not result in new significant environmental effects not previously considered, nor increase the severity of previously identified significant effects. Therefore, no new mitigation measures would be necessary to reduce significant effects. No change has occurred with respect to circumstances surrounding the Project that would cause new or substantially more severe significant environmental effects than those identified in the original MND. In addition, an updated biological report was provided determining that the Project would not cause new or substantially more severe significant environmental effects which have not already been analyzed in the original MND. Therefore, no further environmental review is required beyond this addendum.

## IV. PROJECT DESCRIPTION

The applicant is requesting approval of a Land Use Permit, for the purpose of modifying a previously approved Land Use Permit (County File #CDLP22-02051) to establish a wireless telecommunication facility at the subject property. The project includes a 170- foot-tall by 28-foot-wide faux water tank tower and one separate lease area, 15 by 25 feet for ancillary equipment. An existing dirt road would be improved for a 10-wide access easement to meet fire code standards on adjacent parcel.

## V. PROJECT MODIFICATION SINCE IS/MND ADOPTION

The Project Description has been modified to relocate the proposed wireless telecommunication facility approximately 143 feet northeast next immediately adjacent to the lease area. The tower height will increase from 120-foot to 170-foot tall. The utilities will follow the existing access road located along Highland Road and the adjacent parcel.

## VI. IMPACT ASSESSMENT OF PROPOSED ADDENDUM

The CDD has concluded that the amendment of CDLP22-02051 as proposed will not result in new significant environmental effects not previously considered, nor increase the severity of previously identified significant effects. Those impacts include:

<u>Aesthetics</u>: The original MND found that the Project would have less than

# Addendum to MND County File #CDLP24-02033

significant or no impact upon the categories of Aesthetics Impacts set out in the Initial Study. Given that the Project is prominently located on a minor ridge near scenic routes, the design of the Project has been tailored to fit the scenic and rural character of the area. The previously approved faux water tank exterior design will remain as previously approved. Therefore, no new or substantially more severe significant effects would occur, and no additional mitigation measures are required.

<u>Agricultural Resources</u>: The Project site is within the A-20 Exclusive Agricultural District and has an Agricultural Lands (AL) General Plan Land Use designation. Though the property is zoned for agricultural use, the property is not included in a Williamson Act contract. The wireless facility would convert some land that could be used for agriculture, however, the overall use of the 56-acre site would not be limited. The Project modification is a request to relocate the previously approved wireless facility; the use will remain the same. The A-20 Exclusive Agricultural zoning district allows for the establishment of a wireless facility with the issuance of a land use permit; as permitted use, the wireless telecommunication facility is consistent with the agricultural use of the site. Therefore, a less than significant impact is expected from a conflict with existing agricultural use.

<u>Air Quality:</u> The MND identified possibly significant short-term construction impacts; but, with the implementation of Mitigation Measure IIIc, on page 8 of the MND, those impacts will be reduced to less than significant. The Project Proponent has agreed to those mitigation measures and to the additional regulations on construction activity and noise, Condition of Approval #30. The modification to the Project will not cause any physical changes to the Project nor result in any short-term or long-term air quality impacts.

<u>Biological Resources</u>: The modification to the Project Description will not result in any physical changes to the scope of work originally considered within the MND Therefore, there is no potential for new impacts on biological resources beyond those previously considered. The MND identifies possibly significant impacts upon biological resources but determines with the implementation of Mitigation Measure IVd-1 and IVd-2, all significant impacts will be avoided. Those mitigation measures are agreed to by the Project Proponent and will be implemented as a part of the Project.

As stated in the *5707 Highland Road Biological Resources Assessment Addendum* letter, by EBI Consulting, the proposed modifications have no changes to the previously determination on the possibly significant impacts for the project.

Therefore, no additional mitigation measures are required.

<u>Cultural Resources</u>: The MND found the Project would have no impact to cultural resources. Nevertheless, Condition of Approval #32 set forth requirements if such resources are actually discovered during construction. Those will be implemented during Project construction. The Project Modification will not result in any additional or increased impacts. The Cultural Resources section is thus sufficient as originally written.

<u>Geology and Soils</u>: The MND identified possible areas of potentially significant impacts and set out Mitigation Measures VIa-3 and VId to address those. In addition, Conditions of Approval 26 through 30 are requirements addressing geological and soils impacts that will be implemented. The Project Modification can have no further impact and no new mitigation measures are required.

<u>Energy:</u> The project's energy demand would be typical for a development of this scope and nature of the expected new telecommunication facility, as well as the energy use for construction and maintenance of the proposed project. The project would not conflict with the policies outlined in the Contra Costa County Climate Action Plan (CAP), thus the Project would not be considered to have significant impact.

Hazards and Hazardous Material: The project modification requires a governmental action with no inherent hazards, and which does not involve the handling of hazardous materials beyond those previously discussed in the MND.

<u>Hydrology and Water Quality</u>: There is no potential for the project modification to result in new impacts to hydrology and water quality beyond those previously considered in the MND.

Land Use and Planning: The original MND found the project would not physically divide an established community, nor would it conflict with any applicable habitat conservation plan or community conservation plan. The proposed use is consistent with allowed uses within the zoning designation of Exclusive Agricultural District (A-20) and Agricultural Lands General Plan Designation (AL). The project Modification does not conflict with the County's general plan.

Therefore, no changes have been made to the conclusions of the Land Use and Planning analysis presented in the original MND. No new or substantially more severe significant effects would occur, and no additional mitigation measures are required.

Mineral Resources: The project does not involve the removal or extraction of

mineral resources identified in the County's General Plan.

Noise: The project modification involves a governmental action which will not result in noise impacts at the Project site beyond those previously considered. Condition of Approval #16 set forth requirements for the applicant to provide evidence for review and approval to confirm that the wireless facility meets acceptable exterior noise level standards as established in the Noise and Land Use Compatibility Guidelines contained in the Noise Element of the County General Plan. Therefore, no changes have been made to the conclusions of the noise analysis presented in the original MND. No new or substantially more severe significant effects would occur, and no additional mitigation measures are required.

<u>Population and Housing</u>: The project site is currently occupied by a single-family residence which would remain. The project modification to relocate the wireless facility will be unmanned, which would not increase the area population. Therefore, the project will have no impact upon population and housing.

<u>Public Services</u>: The MND concluded the impact upon Public Services would be less than significant and the Project modification does nothing to change that conclusion.

<u>Recreation</u>: The project was determined in the MND to cause less than significant impacts on parks and recreational services and since the Project is to establish a wireless facility, the Project modification does nothing to change that conclusion.

<u>Transportation/Traffic</u>: Transportation and Traffic impacts were determined to be less than significant. The project modification will not increase the severity of those impacts.

<u>Tribal Resources</u>: It is not likely that the project would cause a substantial adverse change in the significance of tribal cultural resources since the site is fully disturbed. If during the project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant. Implementation of Mitigation Measure Cultural Resources 1 would reduce the impact on tribal cultural resources during the project related work to a level that would be considered less than significant.

<u>Utilities and Service Systems</u>: The project site currently does not have drainage facilities. However, the property site is currently developed and connected to septic wastewater, electricity and gas. No significate new stormwater is expected from the new structure, that could not be accommodated by the existing drainage

pattern. Additionally, the project includes the improvement of an access easement to allow emergency access.

<u>Mandatory Findings of Significance</u>: The project modification will not result in new or more severe environmental impacts than those identified in the MND. It does not have the potential to degrade the quality of the environment nor substantially reduce the habitat of fish or wildlife species. It will not result in impacts that are individually limited but cumulatively considerable. It will not have effects upon human beings, either directly or indirectly.

## VII. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED

- Contra Costa County Building Inspection Division
- Contra Costa County Grading Division
- Contra Costa County Public Works Department
- Contra Costa County Fire Protection District
- Contra Costa County Health Department
- Bay Area Air Quality Management District
- Federal Communications Commission

# Department of Conservation and Development

30 Muir Road Martinez, CA 94553

Phone: 1-855-323-2626

October 12, 2023





John Kopchik Director

Deidra Dingman Deputy Director

Jason Crapo Deputy Director

Maureen Toms Deputy Director

Ruben Hernandez Deputy Director

Gabrial Lemus Assistant Deptuty Director

# REVISED NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A PROPOSED MITIGATED NEGATIVE DECLARATION

County File No. CDLP22-02051

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 Community Development Division of the Department of Conservation and Development of Contra Costa County has prepared an initial study on the following project:

**PROJECT NAME**: County File #CDLP22-02051; AT&T Wireless Telecommunication Facility

LOCATION:	The property is located at 5707 Highland Road, San Ramon, CA 94583 Assessor's Parcel Number: 205-090-006, 205-090-007			
APPLICANT:	Melissa Gonzalez, J5 Infrastructure Partners 23 Mauchly Suite 110, Irvine, CA 92618			
LEAD AGENCY:	Contra Costa County, Department of Conservation and Development (925)655-2872 30 Muir Road, Martinez, CA 94553			

#### **DESCRIPTION:**

<u>Project Description</u>: The applicant is requesting approval of a Land Use Permit, for the purpose of establishing a wireless telecommunication facility at the subject property. The project includes a 120-foot-tall by 22-foot-wide faux water tank tower and two separate lease areas, one 15 by 25 feet and one 4 feet by 11 feet for ancillary equipment. An existing dirt road would be improved with gravel to meet fire code standards.

<u>Site and Area Description</u>: The project site consists of two parcels totaling approximately 56-acres improved by a residential development, ranch buildings and barns, and grazing land. The area of the property on which the installation is proposed, currently consists of a graded and cleared area used for cattle grazing and part of a dirt road. Land immediately surrounding the Project Site consists of land used for cattle grazing.

## **ENVIRONMENTAL EFFECTS:**

The initial study for the proposed project identified potentially significant impacts in the environmental areas of air quality, biological resources, cultural resources, and tribal cultural resources. Environmental

analysis determined that measures were available to mitigate potential adverse impacts to insignificant levels. As a result, a Mitigated Negative Declaration (MND) has been prepared pursuant to Public Resources Code Section 21080(c), 21063.5, and Article 6 of the California Environmental Quality Act (CEQA) Guidelines.

Pursuant to the requirements of CEQA (CEQA Guidelines Section 15071) the MND describes the proposed project; identifies, analyzes, and evaluates the potential significant environmental impacts, which may result from the proposed project; and identifies measures to mitigate adverse environmental impacts. The mitigations identified in this document and designed for the proposed project, will ensure that the project will not cause a significant impact on the environment.

A copy of the mitigated negative declaration and all documents referenced in the mitigated negative declaration may be reviewed on the Department of Conservation and Development webpage at the following address:

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

**Public Comment Period** - The period for accepting comments on the adequacy of the environmental documents extends to **Tuesday, October 31, 2023, at 5:00 P.M**. Following the close of the public comment period, the County will consider adopting the Mitigated Negative Declaration prior to consideration of the Land Use Permit. Any comments should be in writing and submitted by email to joseph.lawlor@dcd.cccounty.us} or by post to the following address:

Name: Joseph W. Lawlor Jr, AICP; Project Planner; (925) 655-2872Community Development DivisionContra Costa County, Department of Conservation and Development30 Muir Road, Martinez, CA 94553

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Joseph W. Lawlor Jr, AICP Project Planner

cc: County Clerk's Office (2 copies) Adjacent Occupants and Owners Notification List Attached: Vicinity Map

#### CEQA ENVIRONMENTAL CHECKLIST FORM (REVISED JANUARY 7, 2019)

1.	Project Title:	AT&T Wireless Telecommunication Facility Project County File #CDLP22-02051
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:	Joseph W. Lawlor Jr, AICP; (925) 655-2872
4.	Project Location:	5707 Highland Rd. San Ramon, CA 94583 Assessor's Parcel Number: 205-090-006, 205-090-007
5.	Project Sponsor's Name and Address:	Melissa Gonzalez J5 Infrastructure Partners 23 Mauchly Suite 110 Irvine, CA 92618
6.	General Plan Designation:	The subject property is located within the Agricultural Lands (AL) General Plan Land Use designation.
7.	Zoning:	The subject property is located within the A-20 Exclusive Agricultural District (A-20).

- 8. Description of Project: The applicant is requesting approval of a Land Use Permit, for the purpose of establishing a wireless telecommunication facility at the subject property. The project includes a 120-foot-tall by 22-foot-wide faux water tank tower and two separate lease areas, one 15 by 25 feet and one 4 feet by 11 feet for ancillary equipment. An existing dirt road would be improved with gravel to meet fire code standards.
- **9. Surrounding Land Uses and Setting:** The project site consists of two parcels totaling approximately 56-acres improved by a residential development, ranch buildings and barns, and grazing land. The area of the property on which the installation is proposed, currently consists of a graded and cleared area used for cattle grazing and part of a dirt road. Land immediately surrounding the Project Site consists of land used for cattle grazing.
- **10.** Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement:

Contra Costa County Public Works Department, Contra Costa County Department of Health Services, San Ramon Valley 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, is there a plan for consultation that includes, for example,

# the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Notice of the proposed project was sent to Native American tribes, as applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1. No requests for consultation were received.

Environmental Factors Potentially Affected							
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.							
	Agriculture and Forestry Resources	$\boxtimes$	Air Quality				
$\boxtimes$	Cultural Resources		Energy				
	Greenhouse Gas Emissions		Hazards & Hazardous Materials				
	Land Use/Planning		Mineral Resources				
	Population/Housing		Public Services				
	Transportation	$\boxtimes$	Tribal Cultural Resources				
	Wildfire		Mandatory Findings of Significance				
	ow wo	ow would be potentially affected by this p         as indicated by the checklist on the foll         Agriculture and Forestry         Resources         Cultural Resources         Greenhouse Gas Emissions         Land Use/Planning         Population/Housing         Transportation	ow would be potentially affected by this project         ow would be potentially affected by this project         ow as indicated by the checklist on the following         Agriculture and Forestry         Resources         Cultural Resources         Greenhouse Gas Emissions         Land Use/Planning         Population/Housing         Transportation				

#### **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.

10/11/2023

Date

Joseph W. Lawlor Jr, AICP Project Planner Contra Costa County Department of Conservation & Development

#### **ENVIRONMENTAL CHECKLIST**

1. <b>AESTHETICS –</b> Except as provided in Public Resources Code Section 21099, would the project:					
Environmental Issues	Potentially Significant Impact	Less Than Significant With	Less Than Significant Impact	No Impact	
a) Have a substantial adverse effect on a scenic vista?			$\boxtimes$		
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			$\boxtimes$		
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?					
<ul> <li>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</li> </ul>			$\boxtimes$		

#### SUMMARY:

#### a) Would the project have a substantial adverse effect on a scenic vista? (Less than Significant)

Figure 9-1 of the Open Space Element of the County General Plan identifies major scenic ridges and scenic waterways in the County. According to this map, the project site is not located adjacent to a scenic ridge. However, as shown on the Scenic Routes Map, Figure 5-4 of the County General Plan, the project site is adjacent to two County designated scenic routes, Highland Road and Camino Tassajara. Given that the project is prominently located on a minor ridge near these scenic routes and could be visible to people in the area, the design of the project design has been tailored to fit the scenic and rural character of the area. Furthermore, as demonstrated in the applicants Alternatives Analysis, the project is necessary to close a significant service coverage gap that could not be achieved otherwise. Thus, the project is not expected to adversely impact scenic resources in the county.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? (Less than Significant)

The Scenic Routes Map (Figure 5-4) of the County General Plan's Transportation and Circulation Element identifies scenic routes in the County, including both State Scenic Highways and County designated Scenic Routes. The project site is located adjacent to two County designated Scenic Routes, Highland Road and Camino Tassajara. However, as designed, the faux water tower facility would blend into the scenic rural area. Thus, the project would have less than significant impact on scenic resources within a state scenic highway.

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? (Less Than Significant Impact)

The project is located in a non-urbanized area as designated by the U.S. Census Bureau Urban Area Reference Maps. The subject property is located within the AL General Plan land use designation and within the A-20 Zoning District. The wireless facility on the site would be allowed in the zoning district upon issuance of a Land Use Permit, and thus would be consistent with the applicable zoning regulations. All setback and height requirements would be considered prior to issuance of a building permit. Furthermore, the faux water tower design is expected to blend into the scenic rural surroundings. Thus, the project is not expected to degrade the existing visual character or quality of public views of the site and its surroundings.

*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)

Daytime views of the camouflaged wireless facility would be similar to views of other development in the area.

The change in ambient nighttime light levels on the project site, and the extent to which project lighting would spill off the project site and affect adjacent light-sensitive areas, would determine whether the project could adversely affect nighttime views in the area. After construction, the project is not expected to produce light and glare in the area. The only light sources that would be allowed would be those required by state or federal agency having jurisdiction over the antenna or antenna support structure, such as the California Public Utilities Commission, Federal Communications Commission, or the Federal Aviation Administration, or if lights or beacons are recommended by the County Airport Land Use Commission. Consequently, no light is expected to spill off the project site and affect adjacent light-sensitive areas.

#### Sources of Information

- AT&T Project Plans 5707 Highland Road. April 2023. (Project Plans)
- Contra Costa County General Plan, 2005-2020. Open Space Element.
- Contra Costa County General Plan, 2005-2020. Transportation and Circulation Element.
- U.S. Department of Commerce, Economics & Statistics Administration, U.S. Census Bureau. 2023. TIGERweb.

2. AGRICULTURAL AND FOREST RESOURCES – Would the project:					
Env	vironmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Farmland as shown Farmland	rime Farmland, Unique Farmland, or of Statewide Importance (Farmland), on the maps prepared pursuant to the Mapping and Monitoring Program of prnia Resources Agency, to non- l use?				
	ith existing zoning for agricultural use, mson Act contract?			$\boxtimes$	
rezoning of Resources defined by or timberla	with existing zoning for, or cause of, forest land (as defined in Public Code section 12220(g), timberland (as Public Resources Code section 4526), and zoned Timberland Production (as Government Code section 51104(g)?				
'	the loss of forest land or conversion of d to non-forest use?				$\boxtimes$
environme	other changes in the existing nt, which due to their location or ild result in conversion of farmland, to iltural use?				

#### **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? (Less than Significant Impact)

As shown on the California Department of Conservation's Important Farmland Finder map, the subject property includes land classified as "Farmland of Local Importance". "Farmland of Local Importance" is land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee. Thus, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide importance to a non-agricultural use; therefore, a less than significant impact is expected.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? (Less than Significant Impact)

The project site is within the A-20 district and has an AL General Plan Land Use designation. Agricultural uses are located in the surrounding rural agricultural area of East Contra Costa County. Though the property is zoned for agricultural use, the property is not included in a Williamson Act contract, and there is no reason to believe the project would conflict with any existing agricultural uses. The new wireless telecommunication facility would convert some land that could be used for agriculture, however, the overall use of the 56-acre site would not be limited.

Furthermore, the A-20 zoning district allows for the establishment of a wireless telecommunication facility with the issuance of a land use permit; as a permitted use, the wireless telecommunication facility is consistent with the agricultural use of the site. Therefore, a less than significant impact is expected from a conflict with existing agricultural uses.

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 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 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), timberland as defined by California Public Resources Code Section 4526, or zoned Timberland Production as defined by Government Code section 51104(g). Furthermore, the project site is within the A-20 zoning district and the proposed use is an allowed use within the zoning district. Thus, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland.

California Public Resources Code Section 12220, under the Forest Legacy Program Act, defines "forest land" as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Public Resources Code 4526, under the Forest Practice Act, defines "timberland" as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species are determined by the board on a district basis after consultation with the district committees and others.

California Government Code 51104, under the Timberland Productivity Act, defines "timberland" as privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre. "Timberland production zone" or "TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 of the Government Code and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in Public Resources Code 4526 or 12220. With respect to the general plans of cities and counties, "timberland preserve zone" means "timberland production zone." As stated in the Contra Costa County General Plan, no land is used for timber harvesting in the County.

d) Would the project involve or result in the loss of forest land or conversion of forest land to nonforest use? (No Impact) The project site is not considered forest land, as discussed in "c" above.

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? (Less than Significant Impact)

The proposed project would add a wireless telecommunication facility to an agriculturally zoned property in a rural residential and agricultural area. This improvement would remove a small portion of the property, 0.18 acres of new, permanent disturbance (less than .01%) from potential agricultural production. Given the small scale of the project, the project would have a less than significant impact on the conversion of farmland.

#### Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. Land Use Element.
- California Department of Conservation. Accessed October 9, 2023. Important Farmlands Viewer. <u>https://maps.conservation.ca.gov/DLRP/CIFF/</u>
- Contra Costa County Department of Conservation and Development. Accessed October 9, 2023. 2016 Agricultural Preserves Map. http://www.co.contra-costa.ca.us/DocumentCenter/View/882/Map-of-Properties-Under-Contract?bidId=

3. A	R QUALITY – Would the project:				
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?			$\boxtimes$	
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?	_			
c)	Expose sensitive receptors to substantial pollutant concentrations?		$\boxtimes$		
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		$\boxtimes$		

#### SUMMARY:

a) Would the project conflict with or obstruct implementation of the applicable air quality plan? (Less Than Significant Impact)

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 Bay Area 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 proper 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.

The proposed project could result in the future construction of an unmanned wireless telecommunication facility and associated development on the project site. This would be well below the BAAQMD. The unmanned site is not expected to produce operational emission as and, therefore, a detailed air quality analysis is not necessary, and the project would not be in conflict with the Clean Air Plan or obstruct its implementation.

b) Would the project 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? (Less Than Significant Impact)

The region is in nonattainment for the federal and state ozone standards, the state PM10 standards, and the federal and state PM2.5 standards. As discussed above, the proposed project would not result in significant emissions of criteria air pollutants during the construction period or during project operation. Although the proposed project would contribute small increments to the level of criteria air pollutants in the atmosphere, the project would have a less than significant adverse environmental impact on the level of any criteria pollutant, because it is below the screening threshold.

c) Would the project expose sensitive receptors to substantial pollutant concentrations? (Less Than Significant Impact)

Construction and operation of the unmanned wireless telecommunication facility would not cause any localized emissions that could expose sensitive receptors (e.g., nearby residences, schools) to unhealthy long-term air pollutant levels. Construction activities, however, could result in localized emissions of dust and diesel exhaust that could result in temporary impacts to nearby single-family residences.

Construction and grading activities would produce combustion emissions from various sources, including heavy equipment engines, paving, and motor vehicles used by the construction workers. Dust would be generated during site clearing, grading, and construction activities, with the most dust occurring during grading activities. The amount of dust generated would be highly variable

and would be dependent on the size of the area disturbed, amount of activity, soil conditions, and meteorological conditions. Although grading and construction activities would be temporary, such activities could have a potentially significant adverse environmental impact during project construction. Consequently, the applicant would be required to implement the following recommended BAAQMD mitigation measures to reduce construction dust and exhaust impacts.

Air Quality 1: The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during project construction and shall be included on all construction plans.

- 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 3. All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- 4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- 8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Implementation of these mitigation measures would reduce the impact on the sensitive receptors during project construction to a less than significant level.

*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 with Mitigations)

The proposed project would not produce any major sources of odor and is not located in an area with existing issues (e.g., landfills, treatment plants). Therefore, the operation of the project would have a less than significant impact in terms of odors.

During construction and grading, diesel powered vehicles and equipment used on the site could create localized odors. These odors would be temporary; however, there could be a potentially significant adverse environmental impact during project construction due to the creation of objectionable odors. Consequently, the applicant is required to implement Mitigation Measure *Air Quality 1* above.

Implementation of this mitigation would reduce the impact from the creation of objectionable odors to a less than significant level

#### Sources of Information

- Bay Area Air Quality Management District. 2017. Bay Area 2017 Clean Air Plan.
- Bay Area Air Quality Management District. 2017. Air Quality Guidelines.

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?				
	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?				
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?				
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?				
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				
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?				

#### 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 with Mitigation)

EBI Consulting (EBI) prepared a Biological Resources Analysis (BRA) for the property, which included a review the impacts from habitat modifications on the subject property. The analysis reviewed the potential impacts of this facility on natural resources. A site visit survey was completed on the project site on November 28, 2022. Bases on the analysis, fourteen state- or federally-listed threatened or endangered species are known to occur in the vicinity, including San Joaquin kit fox, California condor, Alameda whipsnake, California red-legged frog, California tiger salamander, monarch butterfly, vernal pool fairy shrimp, and large flower fiddleneck. The report determined that there was no suitable aquatic breeding, riparian, or upland habitat for these species but noted that there was potentially suitable dispersal habitat throughout the area. As recommended in the report, Consultation with the USFWS would be required and the following mitigation measures would be included as conditions of approval to minimize impacts to these species.

**Biology 1:** To the extent possible, construction should be avoided during the wet season from approximately October 15th (or the first measurable rainfall of 1 inch or greater) and March 15th to avoid dispersing California Tiger Salamanders and California Red-legged Frogs. Mitigation measures to be implemented outside of the wet season include:

1. Employees and contractors performing construction related activities will receive environmental sensitivity training. Training will include a review of environmental laws and Avoidance and Minimization Measures (AMMs) that must be followed by all personnel to reduce or avoid effects on covered species during construction activities.

2. Contracts with contractors, construction management firms, and subcontractors will obligate all contractors to comply with these AMMs.

3. A biologist should be present for all ground-disturbing activities.

4. The following will not be allowed at or near work sites for covered activities: trash dumping, firearms, open fires (such as barbecues), and hunting.

5. Vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas to the extent possible.

6. Pipes, culverts and similar materials greater than four inches in diameter, will be stored so as to prevent covered wildlife species from using these as temporary refuges, and these materials will be inspected each morning for the presence of animals prior to being moved.

7. All foods and food-related trash items will be enclosed in sealed trash containers at the end of each day and removed completely from the site once every three days.

8. No pets will be allowed anywhere in the project site during construction.

9. All equipment will be maintained such that there will be no leaks of automotive fluids such as gasoline, oils, or solvents.

Should construction need to occur during the wet season, the following minimization measures should be implemented to prevent impacts caused by dispersing California Tiger Salamanders and California Red-legged Frogs entering the work area during construction:

1. A biological monitor will be present throughout the project duration.

2. Barrier fencing will be constructed around the worksite to prevent California Tiger Salamanders and California Red-legged Frogs from entering the work area. Barrier fencing will be removed within 72 hours of the completion of work.

3. Before the start of work each morning, all equipment such as vehicles and stored pipes will be inspected for CTS or CRLF. The biological monitor will check all excavated steep-walled holes or trenches greater than 6-inches deep.

Thus, with implementation of the above mitigation measures, the project is not expected to have a significant 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 Wildlife or U.S. Fish and Wildlife Service. Thus, pursuant to CEQA, a less than significant impact is expected from implementation of the proposed project.

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? (No Impact)

As described in the BRA prepared by EBI, the project will not impact riparian habitat or other sensitive natural communities; these features are not present on the project site. No aquatic features (e.g., drainages, creeks, ponds, etc.) occur on the project site.

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? (No Impact)

As described in the BRA prepared by EBI, the project will not impact wetlands and/or jurisdictional waters of the United States/State; these features are not present on the project site. No aquatic features (e.g., drainages, creeks, ponds, etc.) occur on the project site.

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 with Mitigation)

Based on the EBI BRA, the project site does not currently provide a movement corridor for any wildlife species, nor does it provide nursery sites for any species. However, given the rural nature of the project, impacts to wildlife species have limited potential to occur. With implantation of the Mitigation Measures *Biology 1*, a less than significant impact of these species is expected.

The Migratory Bird Treaty Act of 1918 (16 U.S.C. §§ 703-712, July 3, 1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989) makes it unlawful to "take" (kill, harm, harass, shoot, etc.) any migratory bird listed in Title 50 of the Code of Federal Regulations, Section 10.13, including their nests, eggs, or young. Migratory birds include geese, ducks, shorebirds, raptors, songbirds, wading birds, seabirds, and passerine birds (such as warblers, flycatchers, swallows,

etc.). Further, California Fish and Game Code sections §3503, 3503.5, 3511, and 3513 prohibit the "take, possession, or destruction of birds, their nests or eggs." Disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered "take." Given the disturbed nature of the project site, and lack of vegetation in the proposed work areas, it is reasonable to expect that no birds will be impacted by the project.

In 1984, the State legislated the California Endangered Species Act (CESA) (Fish and Game Code §2050). The basic policy of CESA is to conserve and enhance endangered species and their habitats. State agencies will not approve private or public projects under their jurisdiction that would impact threatened or endangered species if reasonable and prudent alternatives are available.

Given all of the above, with the included mitigations the project can be expected to have a less than significant impact in regards to interference 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.

*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 Conservation Element of the County's General Plan addresses the County's policies regarding the identification, preservation and management of natural resources in the unincorporated County. Within the Conservation Element, the "Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas" (Figure 8-1) identifies significant resources throughout the County. The map shows no resources in the vicinity of the project site. The entirety of the property where work is to take place is disturbed and would not be considered native habitat, and the property is not located in or adjacent to any identified significant ecological resource. Thus, the project is not expected to conflict with any local policies or ordinances protecting biological resources.

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 developable undeveloped property, the Ordinance requires tree alteration or removal to be considered as part of the project application. Based on the submitted plans, no protected trees would be removed to accommodate the project. Thus, the project complies with the County's Tree Protection and Preservation Ordinance.

*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? (No 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). The plan 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 East Contra Costa County. The plan lists Covered activities that fall into three distinct categories: (1) all activities and projects associated with urban growth within the urban development area (UDA); (2) activities and projects that occur inside the HCP/NCCP preserves; and (3) specific projects and activities outside the UDA. As the project does not fall into any of these categories, the project is not covered by, or in conflict with the adopted HCP.

#### Sources of Information

- AT&T Project Plans 5707 Highland Road. April 2023. (Project Plans)
- East Contra Costa County Habitat Conservancy. Accessed October 10, 2023. http://www.co.contra-costa.ca.us/depart/cd/water/HCP/.
- EBI Consulting. July 3, 2023. 5707 Highland Road Biological Resources Assessment (Natural Resources Review).

5.	<b>CULTURAL RESOURCES –</b> Would the project:				
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	<ul> <li>a) Cause a substantial adverse change in the significance of a historical resource pursuant to \$15064.5?</li> </ul>		$\boxtimes$		
	<li>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</li>		$\boxtimes$		
	c) Disturb any human remains, including those interred outside of formal cemeteries?				

#### 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? (Less Than Significant Impact with Mitigations)

Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as resources that fit any of the following definitions:

- Is listed in the California Register of Historic Places and has been determined to be eligible for listing by the State Historic Resources Commission;
- Is included in a local register of historic resources, and identified as significant in a historical resource survey that has been or will be included in the State Historic Resources Inventory; or
- Has been determined to be historically or culturally significant by a lead agency.

The existing structure on the project site is contemporary and does not have historical significance; thus, the project would not impact any known historical or culturally significant resources.

The archaeological sensitivity map of the County's General Plan (Figure 9-2), identifies the project area as "Medium Sensitivity," which has a medium potential to contain significant archeological resources. While unlikely since the site is fully disturbed, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. The following mitigation measure would reduce the potentially significant impact to a less than significant level.

*Cultural Resources 1*: The following Mitigation Measures shall be implemented during project related ground disturbance, and shall be included on all construction plans:

i. All construction personnel, including operators of equipment involved in grading, or trenching activities will be advised of the need to immediately stop work if they observe any indications of the presence of an unanticipated cultural resource discovery (e.g. wood, stone, foundations, and other structural remains; debris-filled wells or privies; deposits of wood, glass, ceramics). If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery shall be redirected and a qualified archaeologist, certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), shall be contacted to evaluate the finds and, if necessary, develop appropriate treatment measures in consultation with the County and other appropriate agencies.

If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

ii. Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementation of these mitigations would ensure a less than significant adverse environmental impact on historical resources.

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? (Less Than Significant Impact with Mitigation)

As stated previously, the project site does not appear to host any historical resources. However, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources. In keeping with the CEQA guidelines, if archaeological remains are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. Mitigation Measure *Cultural Resources I* would reduce the potentially significant impact to a less than significant level.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries? (Less Than Significant Impact with Mitigation)

There is a possibility that human remains could be present and accidental discovery could occur. If during project construction, subsurface construction activities damaged previously undiscovered human remains, there could be a potentially significant impact. Mitigation Measure *Cultural Resources 1* would reduce the potentially significant impact to a less than significant level.

#### Sources of Information

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

6. ENERGY – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul> <li>a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?</li> </ul>			$\boxtimes$	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			$\boxtimes$	

#### 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)

Environmental effects related to energy include the project's energy requirements and its energy use efficiencies by amount and fuel type during construction and operation; the effects of the project on local and regional energy supplies; the effects of the project on peak and base period demands for electricity and other forms of energy; the degree to which the project complies with existing energy standards; the effects of the project on energy resources; and the project's projected transportation energy use requirements and its overall use of efficient transportation alternatives, if applicable. The following factors demonstrate a project's significance in relation to these effects: (1) Why certain measures were incorporated in the project and why other measures were dismissed; (2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid-waste; (3) The potential for reducing peak energy demand; (4) Alternate fuels (particularly renewable ones) or energy systems; and (5) Energy conservation which could result from recycling efforts.

New energy consumption includes energy required for operation of the expected new telecommunication facility and transportation system (private and commercial vehicles), as well as energy used for construction and maintenance of the proposed project. Issues related to energy use include the levels of consumption of non-renewable and renewable energy sources for the construction and operation of the proposed project.

The proposed project's energy demand would be typical for a development of this scope and nature and would comply with current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Building Inspection division. That the Legislature added the energy analysis requirement in CEQA at the same time that it created an Energy Commission authorized to impose building energy standards indicates that compliance with the building code is a necessary but not exclusive means of satisfying CEQA's independent requirement to analyze energy impacts broadly. Thus, this report also considers energy consumption related to transportation and efficiency measures not included in the building design.

Other measures that are included in the project that demonstrate the projects efficiency include the inclusion of permeable pavement and vegetated landscaping, which would reduce the contamination and quantity of stormwater discharge from the site. Furthermore, compliance with the State Model Water Efficient Landscape requirements indicates that water related energy use would not be considered wasteful, inefficient, or unnecessary.

Given the above considerations, the project would have a less than significant impact due to energy consumption.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Less Than Significant Impact)

The Contra Costa County Climate Action Plan includes several Green House Gas (GHG) emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste

disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County.

The project would not conflict with the policies outlined in the CAP. Furthermore, as the polices in the CAP are recommendations and not requirements, the project would not conflict with the CAP. Thus, the project would not be considered to have a significant impact. Furthermore, as previously stated, the proposed project's energy demand would be typical for a development of this scope and nature and would comply with current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Building Inspection division.

#### Sources of Information

• Contra Costa County, 2015. *Municipal Climate Action Plan*.

7.	<b>GEOLOGY AND SOILS</b> – Would the project:				
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:		· ·		
	<ul> <li>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?</li> </ul>				
	ii) Strong seismic ground shaking?				
	iii) Seismic-related ground failure, including liquefaction?			$\boxtimes$	
	iv) Landslides?			$\square$	
	b) Result in substantial soil erosion or the loss of topsoil?			$\boxtimes$	
	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?				
	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?				
	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?				
	f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				

- *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? (Less Than Significant Impact)

The California Geological Survey (CGS) has delineated Alquist-Priolo (A-P) zones along the known active faults in California. The nearest fault considered active by CGS is the Marsh Creek fault, which is mapped approximately 4 miles east of the project site. However, because the site is not within the Marsh Creek A-P zone, the risk of fault rupture is generally regarded as low. As a result, the potential impact from surface fault rupture would be less than significant.

#### *ii)* Strong seismic ground shaking? (Less Than Significant Impact)

Figure 10-4 (Estimated Seismic Ground Response) of the County General Plan Safety Element identifies the site in an area rated "Moderate" damage susceptibility. The risk of structural damage from ground shaking is regulated by the building code and the County Grading Ordinance. The building code requires use of seismic parameters which allow structural engineers to design structures 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. Thus, the environmental impact from seismic ground shaking would be considered to be less than significant.

#### *iii)* Seismic-related ground failure, including liquefaction? (Less Than Significant Impact)

According to the Figure 10-5 (Estimated Liquefaction Potential) of the County General Plan Safety Element, the site is located in an area of "Generally Low" liquefaction potential. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. Thus, the environmental impact from seismic-related ground failure would be considered to be less than significant.

#### *iv)* Landslides? (Less Than Significant Impact)

In 1975 the United States Geological Survey (USGS) issued photo-interpretation maps of landslide and other surficial deposits of Contra Costa County. This mapping is presented on page 10-24 of the Safety Element of the County General Plan. According to this USGS map, there are no landslides in proximity of the proposed project. Furthermore, the unmanned facility is not expected to have impacts related to the risk of loss, injury, or death.

# b) Would the project result in substantial soil erosion or the loss of topsoil? (Less Than Significant Impact)

The project site currently does not have drainage facilities. No significant new stormwater is expected from the new structure, that could not be accommodated by the existing drainage pattern. Furthermore, the existing roadway would be further stabilized with the installation of gravel to allow emergency access. Thus, a less than significant impact from soil erosion or topsoil loss is expected.

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 discussed in a) iii above, the project site is in an area that has "Generally Low" liquefaction potential. Building and grading regulations can be expected to keep risks within generally acceptable limits. Thus, the environmental impact from an unstable geologic unit or soil would be 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)

The proposed facility would be unmanned and is thus not expected to create substantial direct or indirect risk to life or property. Furthermore, quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. Thus, the environmental impact from a moderately expansive soil would be considered to be less than significant.

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? (No Impact)

The proposed project would be unmanned and would not require wastewater facilities. Thus, no impact is expected related to the supporting of wastewater treatment.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Less Than Significant Impact with Mitigation)

Similar to archaeological resources, there is a possibility that previously undiscovered buried fossils and other paleontological resources could be present and accidental discovery could occur. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. Mitigation Measure *Cultural Resources 1* would reduce the potentially significant impact to a less than significant level. No unique geologic features exist on the site. Thus, a less than significant impact would be expected with the included mitigations.

#### Sources of Information

- California Geological Survey, 1992. Earthquake Zones of Required Investigation.
- Contra Costa County General Plan, 2005-2020. Safety Element.

8.	8. GREENHOUSE GAS EMISSIONS – Would the project:					
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
	a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			$\boxtimes$		
	b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			$\boxtimes$		

#### 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.

The bright-line numeric threshold of 1,100 MT CO2/yr is a numeric emissions level below which a project's contribution to global climate change would be less than "cumulatively considerable." This emissions rate is equivalent to a project size of approximately 60 single-family dwelling units. Future construction and operation of the new telecommunications facility would generate some GHG emissions; however, the amount generated would not result in a significant adverse environmental impact. As the project does not exceed the screening criteria, the project would not result in the generation of GHG emissions that exceed the threshold of significance.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Less Than Significant Impact)

At a regional scale, the BAAQMD adopted the Bay Area 2017 Clean Air Plan that addresses GHG emissions as well as various criteria air pollutants. The BAAQMD Plan included a number of pollutant reduction strategies for the San Francisco Bay air basin, many of which would be included in the project through building code requirements. Furthermore, if necessary, the project would obtain permits from the air district for emissions generating equipment like generators, ensuring emissions levels are within acceptable ranges.

Within Contra Costa County, the Contra Costa County Board of Supervisors convened a Climate Change Working Group (CCWG) in May 2005, to identify existing County activities and policies that could reduce GHG emissions. In November 2005, the CCWG presented its Climate Protection Report to the Board of Supervisors, which included a list of existing and potential GHG reduction measures. This led to the quantification of relevant County information on GHGs in the December 2008 Municipal Climate Action Plan.

In April 2012, the Board directed the Department of Conservation and Development to prepare a Climate Action Plan (CAP) to address the reduction of GHG emissions in the unincorporated areas of the County. In December 2015, the Climate Action Plan was adopted by the Board of Supervisors. The Climate Action Plan includes a number of GHG emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County.

The project does not conflict with the policies outlined in the CAP. The project will incorporate Contra Costa County Climate Action Plan (CCC) emission reduction measures (as referenced in Appendix E "Developer Checklist" of the CCC). Implementation of these emission reduction measures is considered a Qualified GHG Reduction Strategy under the CCC and therefore meets the BAAQMD's GHG threshold. Furthermore, as other measures identified in the CAP are recommendations and not requirements, the project would not conflict with the CAP and thus would not be considered to have a significant impact.

#### Sources of Information

- Bay Area Air Quality Management District, 2017. Bay Area 2017 Clean Air Plan.
- Bay Area Air Quality Management District, 2017. Air Quality Guidelines.
- Contra Costa County Code, Title 8. Zoning Ordinance.
- Contra Costa County, 2008. *Municipal Climate Action Plan*. Contra Costa County, 2015. *Climate Action Plan*.

9. H	AZARDS AND HAZARDOUS MATERIALS -	Would the p	roject:		
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			$\boxtimes$	
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?				
c	) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				$\boxtimes$
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?				
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?				
f	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			$\boxtimes$	
g	) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			$\boxtimes$	

## 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)

It is expected that one wireless telecommunication facility would be constructed as part of the project. There would be associated use of fuels, lubricants, paints, and other construction materials during the construction period. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA) requirements. With compliance with existing regulations, the project would have a less than significant impact from construction.

Project operation would involve the occasional transport, use, and disposal of hazardous materials in very small quantities as they relate to maintenance of the unmanned facility. Contra Costa County regulates hazard disposal, and the facility would be responsible for proper handling and disposal of hazardous materials. Because any hazardous materials used for facility operations would be in small quantities, long-term impacts associated with handling, storing, and dispensing of hazardous materials from project operation would be considered less than significant.

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)

The proposed telecommunication facility use of the site would not involve handling, use, or storage of substances that are acutely hazardous.

The lot currently hosts one single family residence. No evidence reviewed by staff suggests that the project would include foreseeable conditions involving the likely release of hazardous materials into the environment. Thus, with compliance with existing regulations, the project would have a less than significant impact.

*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? (*No Impact*)

The nearest school is the Creekside Elementary School, located approximately 1.5 miles northwest of the project site. As the project would not be expected to release hazardous materials into the environment, no impact on the school is expected.

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? (Less Than Significant Impact)

The property currently hosts a single-family residence. A review of regulatory databases maintained by County, State, and federal agencies found no documentation of hazardous materials violations or discharge on the subject property. The site is not listed on the State of California Hazardous Waste and Substance Sites (Cortese) List. California Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The Cortese List is a planning document with hazardous material contaminated site information, used by the State, local agencies and developers to comply with the California Environmental Quality Act. Thus, the project is not expected to result in a significant hazard to the public or the 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 project site is not within an airport influence area, not within an airport safety zone, and outside of the 55-60 dB CNEL airport noise contour. Thus, there would be no hazard related to a public airport or public use airport.

*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 proposed project would not impair implementation of or physically interfere with the County's adopted emergency response plan related to Highland Road or the project site. Thus, project impacts on emergency response would be a less than significant.

With respect to proposed onsite improvements, the Contra Costa Consolidated Fire Protection District would review the construction drawings for the project at the time of submittal of a building permit application, confirming all construction would comply with applicable Fire Code standards.

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)

Most of California is subject to some degree of fire hazard; however, there are specific features that make some areas more hazardous. The California Department of Forestry and Fire Protection (CAL FIRE) maps areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These designations, referred to as Fire Hazard Severity Zones (FHSZ), mandate how people construct buildings and protect property to reduce risk associated with wildland fires. The project site is in a rural area in unincorporated Contra Costa County. Cal Fire's Very High Fire Hazard Severity Zone Map characterizes this area as a High Fire Hazard Severity Zone area. The California Building Code requires reducing the risk of burning embers fanned by wind-blown wildfires from igniting buildings. Roofing standards vary by the fire hazard zone rating of the site. The codes for siding, decking, windows, and vents apply throughout all state responsibility area regardless of the fire hazard severity ranking. With implementation of the building code requirements, a less than significant risk of loss, injury or death involving exposure of people or structures to wildland fires would be expected.

#### Sources of Information

- California Department of Forestry and Fire Protection (CalFire). *Fire Hazard Severity Zones Viewer. https://egis.fire.ca.gov/FHSZ/*
- Contra Costa County, 2000. Contra Costa County Airport Land Use Compatibility Plan.
- Contra Costa County General Plan, 2005-2020. Transportation and Circulation Element.

10. HYDRO	LOGY AND WATER QUALITY - Would	l the project:			
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
discha	intially degrade surface or ground water				
interfe such	antially decrease groundwater supplies or ere substantially with groundwater recharge that the project may impede sustainable dwater management of the basin?				
of are course	antially alter the existing drainage pattern a, including through the alteration of the e of a stream or river or through the addition appervious surfaces, in a manner which l:			$\boxtimes$	
	esult in substantial erosion or siltation on- r off-site?			$\boxtimes$	
su	ubstantially increase the rate or amount of urface runoff in a manner which would esult in flooding on- or off-site?			$\boxtimes$	
iii) C w pl pr	Treate or contribute runoff water which yould exceed the capacity of existing or lanned stormwater drainage systems or rovide substantial additional sources of olluted runoff?			$\boxtimes$	
iv) Ir	npede or redirect flood flows?				
release	od hazard, tsunami, or seiche zones, risk e of pollutants due to project inundation?				
water	ict with or obstruct implementation of a quality control plan or sustainable dwater management plan?			$\boxtimes$	

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 proposed project would comply with applicable water quality and discharge requirements. Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, and 16 incorporated cities in the county have formed the Contra Costa Clean Water Program. In October 2009, the Regional Water Quality Control Board for the San Francisco Bay Region (RWQCB) adopted the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit for the Program, which regulates discharges from municipal storm drains. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. The County has the authority to enforce compliance with its Municipal Regional Permit through the County's adopted C.3 requirements. The C.3 requirements stipulate those projects creating and/or redeveloping at least

10,000 square feet of impervious surface shall treat stormwater runoff with permanent stormwater management facilities, along with measures to control runoff rates and volumes.

The proposed project would add less than the 10,000 square foot threshold. The C.3 requirements stipulate that projects that create or replace 2,500 square feet or more of impervious surface must incorporate specific measures to reduce runoff, such as dispersion of runoff to vegetated areas, use of pervious pavement, installation of cisterns, and installation of bioretention facilities or planter boxes. With implementation of the practicable stormwater controls, the project would be compliant with applicable water quality standards or waste discharge requirements, resulting in a less than significant impact.

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 proposed project is located at a rural site, currently serviced by a private well. Proposed uses on-site would include an unmanned wireless telecommunication facility. The use of an on-site well must comply with the applicable standards, including, setback, sustained yield, water quality, and construction, as administered by the Contra Costa Environmental Health Division (CCEHD). Given compliance with these standards, there will be no negative impacts with respect to water resources as a result of the project.

The increased impermeable area on the property could cause a small reduction in groundwater supplies by redirecting water that was previously infiltrated into the basin. However, the small scope of the project and the fact that the runoff would be directed to a nearby water channel, suggests the project would have a less than significant impact on groundwater recharge.

- c) Would the project substantially alter the existing drainage pattern of the 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? (Less Than Significant Impact)

The project site currently does not have drainage facilities. The specific location of the proposed facility has a slope of less than 10% from north to south. The project site varies from nearly flat to slightly sloping from north to south, directing all sheet flow resulting from vertical precipitation southward toward Highland Road. No aquatic features (e.g., drainages, creeks, ponds, etc.) occur on the project site. As the water drains across the site, it is infiltrated on the largely grass covered site. No significant new stormwater is expected from the new structure, that could not be accommodated by the existing drainage pattern. Thus, a less than significant impact from soil erosion 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? (Less Than Significant Impact)

As described previously, the proposed project would not substantially alter the existing drainage pattern of the site or area. Thus, there would not be a significant risk due to an increase in the project-related volume of runoff that would result in onsite or off-site flooding.

 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? (Less Than Significant Impact)

As described previously, the proposed project would not substantially alter the existing drainage pattern of the site or area. Thus, there would not be a significant risk due to an increase in the project-related volume of runoff to stormwater drainage systems.

#### *iv)* Impede or redirect flood flows? (Less Than Significant Impact)

According to Flood Insurance Rate Map (FIRM) 06013C0463F, the project is located in area that is outside of the Special Flood Hazard Area. Furthermore, the improvements on the site are not expected to create any barrier that would impede or redirect flood flows, should flooding occur.

# d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? (Less Than Significant Impact)

According to Flood Insurance Rate Map (FIRM) 06013C0463F, the project is located in area that is outside of the Special Flood Hazard Area. The proposed project would not be susceptible to inundation by seiche or tsunami. The California Geological Survey (2009) has projected and mapped the tsunami hazard posed by a tidal wave that passes through the Golden Gate and into San Francisco Bay, San Pablo Bay and Carquinez Strait. The project site is not included in the inundation area on any tsunami hazard map.

*e)* Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less Than Significant Impact)

As stated above, the proposed project would comply with applicable water quality and discharge requirements. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. Thus, the project would not conflict with or obstruct implementation of a water quality control plan.

The Sustainable Groundwater Management Act (SGMA), effective January 1, 2015, established a framework of priorities and requirements to facilitate sustainable groundwater management throughout the State. The intent of SGMA is for groundwater to be managed by local public agencies and newly-formed Groundwater Sustainability Agencies (GSAs) to ensure a groundwater basin is operated within its sustainable yield through the development and implementation of a Groundwater Sustainability Plans (GSP). The project is located near the San Joaquin Valley and Clayton Basins, which are designated as Medium and Very Low Priority groundwater basins based on the Groundwater Basin Prioritization by the State Department of Water Resources (DWR). No sustainable groundwater management plan has been prepared for the basins due to their priority status.

#### Sources of Information

- California Department of Water Resources. <u>https://water.ca.gov/Programs/Groundwater-</u> <u>Management</u>
- Federal Emergency Management Agency (FEMA). *National Flood Insurance Rate Map* (*FIRM*). <u>https://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping</u>.

11. LAND USE AND PLANNING – Would the project:					
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Physically divide an established community?					
<ul> <li>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?</li> </ul>					

#### SUMMARY:

a) Would the project physically divide an established community? (No Impact)

Development of the proposed project would not physically divide an established community. The proposed project will occur on a developed parcel within an agricultural and rural residential portion of unincorporated San Ramon.

 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)

#### **General Plan**

The proposed project would conform to the applicable General Plan land use designation. The subject property has an Agricultural Lands (AL) General Plan land use designation. The AL designation allows for all land-dependent and non-land-dependent agricultural production and related activities. The proposed Wireless Telecommunication Facility is an allowed land uses in the designation.

#### Zoning

The project is located in the A-20 Exclusive Agricultural zoning district. The A-20 district allows for a wireless telecommunication facility upon the approval of a land use permit. All proposed

structures would be subject to, and meet, applicable setback and height requirements for the district. No variances to the A-20 district requirements would be necessary for the project.

The telecommunication facility is subject to the provisions of the County's Wireless Telecommunication Facilities Ordinance (Ch. 88-24). This application is a request to establish a facility to allow the continued operation of a telecommunication facility would be compliant with this ordinance in terms of design, location, building standards and operational requirements.

Pursuant to the location requirements of Section 88-24.406, collocation is encouraged and no new tower can be located within 1,000-feet of an existing tower unless certain findings are made. A new facility must not visually impact a scenic ridgeline. A high-visibility facility must be located within the facility site at a location that will have the least visual and aesthetic impacts to surrounding lots. The surrounding area is very hilly, but the wireless facility would a stealth facility camouflaged as a water tower, thus, it would not infringe on ridgeways or any other scenic vistas. Therefore, the facility and proposed improvements meet the location requirements of Section 88-24.406 of the Wireless Ordinance.

Pursuant to the design guidelines of Section 88-24.408(a), the facility must meet or exceed design requirements to reduce the facility's visual and aesthetic impacts, such as it must be designed to blend in with the surrounding area, have a non-reflective finish, be painted and textured to match or blend in with the predominant background, and must be camouflaged if visible against a skyline. The faux water tower design of the facility would meet these design guidelines. Therefore, the facility would maintain the existing visual character of the area and meet the design guidelines of Section 88-24.408(a) of the Wireless Ordinance.

Section 88-24.414(a) of the Wireless Telecommunication Facilities Ordinance requires that the facility comply with the County's noise ordinance. In general, wireless telecommunications facilities are not associated with the generation of significant noise levels. However, when facilities include ancillary equipment such as generators and cabinets with cooling fans, the potential for noise impacts are increased. Given the location of the facility relative to sensitive uses, any noise from the facility is expected to comply with the County's noise requirements. Additionally, Conditions of Approval are included with the project to require certification of the noise levels. Thus, the facility would be compliant with Section 88-24.414(a) of the Wireless Ordinance.Given the projects conformance with the County General Plan and Ordinance Code, a less than significant impact is expected due to conflict with local land use regulations.

#### Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. Land Use Element.

12. MINERAL RESOURCES – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul> <li>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?</li> </ul>	_			$\boxtimes$
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?				$\boxtimes$

*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 General Plan Conservation Element. 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, 2005-2020, Conservation Element.

13. NOISE – Would the project result in:						
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact		
a) Generation of a substantial temporary of permanent increase in ambient noise levels in the vicinity of the project in excess of standard established in the local general plan or noise ordinance, or applicable standards of othe agencies?						
<ul> <li>b) Generation of excessive groundborne vibration or groundborne noise levels?</li> </ul>	<sup>n</sup>					

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?



#### 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)

Activities associated with the future wireless telecommunication facility are not expected to expose persons to, or generate, noise levels in excess of the Community Noise Exposure Levels shown on Figure 11-6 of the General Plan Noise Element. Figure 11-6 shows that levels of 60 dB or less are normally acceptable and noise levels between 60 dB to 70 dB are conditionally acceptable in residential areas. Types and levels of noise generated from the unmanned facility would be similar to noise levels from the existing agricultural developments in the area. Thus, project noise impacts to the existing surrounding land uses would be less than significant.

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

Project construction would not include any components (e.g. pile-driving) that would generate excessive groundborne vibration levels. Additionally, the unmanned facility would not generate groundborne vibrations during project operations.

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?

As discussed in Section 9.e, the project site is not within an airport influence area, not within an airport safety zone, and outside of the 55-60 dB CNEL airport noise contour. Thus, the project would not expose people residing or working in the project area to excessive noise levels from an airport use.

#### Sources of Information

- Contra Costa County General Plan, 2005-2020, Noise *Element*.
- Contra Costa County, 2000. Contra Costa County Airport Land Use Compatibility Plan.

14. POPULATION AND HOUSING – Would the project:						
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact		
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)?						
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?						

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 proposed project would result in the development of an unmanned wireless telecommunication facility, which would not be expected to increase the area population. The project would include improvements to an existing dirt roadway and other infrastructure to accommodate the new facility. The development is limited to the project site, and would not be expected to lead to indirect population growth.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (No Impact)

The project site is currently occupied by a single-family residence which would remain, and the proposed project is expected to result in the construction of a wireless telecommunication facility that would not have an impact on residential uses in the area. Therefore, the project would have no impact on housing displacement.

#### Sources of Information

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:
Less Than

		Less Than Significant		
	Potentially Significant	With Mitigation	Less Than Significant	No
Environmental Issues	Impact	Incorporated	Impact	Impact
a) Fire Protection?			$\boxtimes$	
b) Police Protection?			$\square$	

c) Schools?		$\square$	
d) Parks?		$\boxtimes$	
e) Other public facilities?		$\square$	

#### <u>SUMMARY</u>:

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 Consolidated Fire Protection District. The project is required to comply with the applicable provisions of the California Fire Code, the California Building Code, and applicable Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. Prior to the issuance of building permits, the construction drawings would be reviewed and approved by the Fire District. As a result, potential impacts of the proposed project relating to fire protection would be less than significant.

#### b) Police Protection? (Less Than Significant Impact)

Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Office, which provides patrol service to the unincorporated San Ramon area. The wireless facility would be unmanned and would not significantly affect the provision of police services to the area.

#### c) Schools? (Less Than Significant Impact)

Prior to issuance of a building permit for the facility, the applicant would be required to pay the state-mandated school impact fees for the commercial facility. Payment of the fees pursuant to State regulations for school services would reduce school impacts to less than significant levels.

#### d) Parks? (Less Than Significant Impact)

The unmanned facility is not expected to increase use of the parks; thus, no significant impact on the park facilities would be expected.

#### e) Other public facilities? (Less Than Significant Impact)

Impacts to other public facilities, such as hospitals and libraries are usually caused by substantial increases in population. Implementation of the proposed project is not anticipated to induce population growth. The project is not anticipated to create substantial additional service demands besides those which have been preliminarily reviewed by various agencies of Contra Costa County, or result in adverse physical impacts associated with the delivery of fire, police, schools,

parks, or other public services. Therefore, the impact to hospitals, libraries or other public facilities is less than significant

#### Sources of Information

16. <i>R</i>	ECREATION				
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			$\boxtimes$	
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?				

#### 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? (Less Than Significant Impact)

The wireless telecommunication facility would not be expected to incrementally increase use of parks and recreational facilities in the area. No increase in population is expected; thus no impact to recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. Thus, the impact of this increase in use of the parks and recreational facilities would be less than significant.

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? (Less Than Significant Impact)

As described above, no population increase is expected to result from the unmanned facility, thus no increase use of recreational facilities or construction or expansion of recreational facilities is expected to result from the project implementation.

17. TRANSPORTATION – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul> <li>a) Conflict with a program, plan, ordinance policy addressing the circulation syste including transit, roadway, bicycle, a pedestrian facilities?</li> </ul>			$\boxtimes$	
b) Conflict or be inconsistent with CEQ Guidelines Section 15064.3(b)?	QA		$\boxtimes$	
c) Substantially increase hazards due to a geomet design feature (e.g., sharp curves or dangero intersections) or incompatible uses (e.g., fa equipment)?	ous 🗆			
d) Result in inadequate emergency access?			$\square$	

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 General Plan requires a traffic impact analysis of any project that is estimated to generate 100 or more AM or PM peak-hour trips. The proposed unmanned facility is not expected to result in traffic other than occasional maintenance. Therefore, the project is not required to have a project-specific traffic impact analysis. Since the project would yield less than 100 peak-hour AM or PM trips, the proposed project would not conflict with the circulation system in the unincorporated Brentwood area.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)? (Less Than Significant Impact)

The proposed project is not expected to increase the number of automobile trips in the area. As outlined in the Contra Costa County Transportation Analysis Guideline, projects resulting in fewer than 110 daily vehicle trips are expected to cause a less than significant transportation impact. Thus, the project would result in a less than significant impact.

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 project is located in a rural agricultural area. An onsite dirt roadway would be improved with gravel for accessibility in the case of emergencies. The design features for the access are typical for rural agricultural areas and would not be considered hazardous. Thus, the project would result in a less than significant impact due to design features or incompatible uses.

#### d) Would the project result in inadequate emergency access? (Less Than Significant Impact)

The project is located in an agricultural and rural residential area with available emergency services provided by the County Sheriff's Department and Contra Costa Consolidated Fire Protection District. Furthermore, prior to the County review of construction drawings for building permits, the Fire District would review the construction drawings and ensure that adequate emergency access to buildings on the project site could be provided. Thus, a less than significant impact is expected due to emergency access.

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:

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul> <li>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)?</li> </ul>		$\boxtimes$		
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence to be significant pursuant to criteria set forth ir subdivision (c) of Public Resources Code Sectior 5024.1?	, 1 🗌			

#### 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: (Less Than Significant Impact With Mitigations)

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)? (Less Than Significant Impact with Mitigations)

As discussed in Sections 5.a through 5.c above, no historical resources are likely to exist on the project site. Further, according to the County's Archaeological Sensitivities map, Figure 9-2, of the County General Plan, the subject site is located in an area that is considered "Moderate Sensitivity," and is generally not considered to be a location with significant archaeological resources. Given all of these factors, there is little potential for the project to impact cultural resources on the site.

Pertaining to the significance of tribal cultural resources, there are no onsite historical resources, pursuant to Public Resources Code section 5020.1(k) that are included in a local register of historic resources.

Nevertheless, the expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. Implementation of Mitigation Measure *Cultural Resources 1* would reduce the impact on cultural resources during project related work to a level that would be considered less than significant.

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 with Mitigations)

As discussed in Sections 5.a through 5.c above, no historical resources are likely to exist on the project site. Further, according to the County's Archaeological Sensitivities map, Figure 9-2, of the County General Plan, the subject site is located in an area that is considered "Moderate Sensitivity," and is not considered to be a location with significant archaeological resources. Thus, there is little potential for the project to impact cultural resources on the site.

It is not likely that the project would cause a substantial adverse change in the significance of a tribal cultural resource that meets the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, for the reasons stated above.

Nevertheless, the expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. Implementation of Mitigation Measure *Cultural Resources 1* would reduce the impact on cultural resources during project related work to a less than significant level

19. U	19. UTILITIES AND SERVICE SYSTEMS – Would the project:					
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natura gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?					
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?					
c)	Result in a determination by the wastewate 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?	e 🗌				

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?			
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?		$\boxtimes$	

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 has been previously developed and is currently connected to septic wastewater, electric, gas, and telecommunication facilities. Agency comment letters received thus far have indicated that adequate facilities would be available to accommodate the project. Thus, no significant environmental effects are expected from the construction of new facilities that would be required to provide services to the project.

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 proposed project is located at a rural site, currently serviced by a private well. Proposed uses on-site would not require additional water use. Furthermore, if necessary, the use of the on-site well must comply with the applicable standards, including, setback, sustained yield, water quality, and construction, as administered by the Contra Costa Environmental Health Division (CCEHD). Given compliance with these standards, there will be no negative impacts with respect to water resources as a result of the project.

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 currently served by an on-site septic system. The proposed unmanned facility would not require septic service. Thus, a less than significant impact is expected related to wastewater treatment.

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)

The proposed project would generate construction solid waste. Construction waste would be hauled to one of the recycling centers and/or transfer stations located in the area. The recycling center and/or transfer station would sort through the material and pull out recyclable materials.

Future construction of the proposed project would incrementally add to the construction waste headed to a landfill; however, the impact of the project-related incremental increase would be considered to be less than significant. Furthermore, construction on the project site would be subject to the CalGreen Construction and Demolition Debris Recovery Program administered by the CDD at the time of application for a building permit. The Debris Recovery Program would reduce the construction debris headed to the landfill by diverting materials that could be recycled to appropriate recycling facilities.

No waste is expected to result from the operation of the unmanned facility.

*e)* Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Less Than Significant Impact)

The proposed project would be required to comply with applicable federal, state, and local laws related to solid waste. The project includes commercial land uses that would not result in the generation of unique types of solid waste that would conflict with existing regulations applicable to solid waste.

<b>20.</b> WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
Env	vironmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	Ily impair an adopted emergency lan or emergency evacuation plan?			$\boxtimes$	
exacerbate project of	pe, prevailing winds, and other factors, e wildfire risks, and thereby, expose ecupants to pollutant concentrations ldfire or the uncontrolled spread of a			$\boxtimes$	
associated breaks, en other utili	the installation or maintenance of infrastructure (such as roads, fuel hergency water sources, power lines or ties) that may exacerbate fire risk or esult in temporary or ongoing impacts fronment?				
including landslides	cople or structures to significant risks, downslope or downstream flooding or , as a result of runoff, post-fire slope , or drainage changes?			$\boxtimes$	

#### SUMMARY:

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

As discussed in section 9.g above, the Department of Forestry and Fire Protection's Very High Fire Hazard Severity Zone Map characterizes this area as a High Fire Hazard Severity Zone area within a State Responsibility Area.

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
   As discussed 9.f above, the wireless telecommunication facility is not expected to impair any adopted emergency response 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?

As discussed in section 9 above, Cal Fire's Very High Fire Hazard Severity Zone Map characterizes this area as a High Fire Hazard Severity Zone area. The California Building Code requires reducing the risk of burning embers fanned by wind-blown wildfires from igniting buildings. Roofing standards vary by the fire hazard zone rating of the site. The codes for siding, decking, windows, and vents apply throughout all state responsibility area regardless of the fire hazard severity ranking. With implementation of the building code requirements, a less than significant risk of exposure of people to pollutant concentrations from a wildfire or spread of wildfire would be expected.

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??

The project is developed and not expected to require the extension of infrastructure for the subject project.

*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?* 

The project is not located on a steep slope and runoff in the area is accommodated through sheet drainage on the surrounding property. A fire in the area is not expected to alter this drainage pattern.

#### Sources of Information

• California Department of Forestry and Fire Protection (CalFire). *Fire Hazard Severity Zones Viewer. https://egis.fire.ca.gov/FHSZ/* 

21. MANDATORY FINDINGS OF SIGNIFICANCE				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 of restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				
<ul> <li>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.)</li> </ul>				
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			$\boxtimes$	

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?

As discussed in individual sections of this Initial Study, the project to establish a wireless telecommunication facility on the site may impact the quality of the environment (Air Quality, Biological Resources, Cultural Resources, and Tribal Cultural Resources) but the impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specified in the respective sections of this Initial Study. The project is not expected to threaten any wildlife population, impact endangered plants or animals, or affect state cultural resources with the already identified Mitigation Measures.

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.)

The proposed project would not create substantial cumulative impacts. The project site is located on an agricultural property that allows for the establishment of a wireless telecommunication facility. The proposed project would be consistent with the existing surrounding development and rural agricultural nature of the area.

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

This Initial Study has disclosed impacts that would be less than significant with the implementation of Mitigation Measures. All identified Mitigation Measures would be included in the conditions of approval for the proposed project, and the applicant would be responsible for implementation of the measures. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

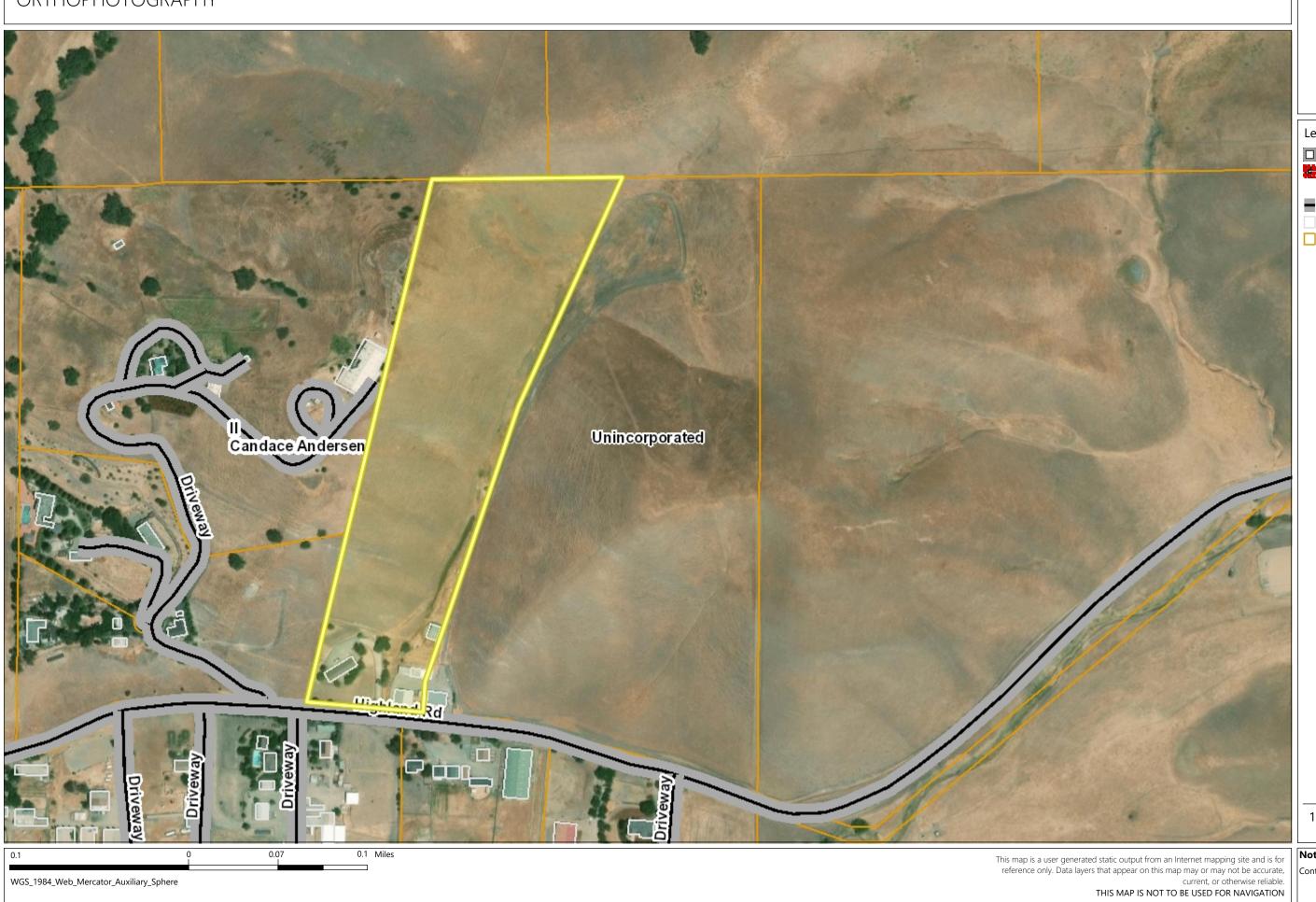
### REFERENCES

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

### ATTACHMENTS

- 1. Vicinity Map
- 2. Site Plan
- 3. MMRP

### ORTHOPHOTOGRAPHY





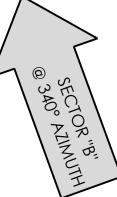
#### Legend

Leg	jend
	Board of Supervisors' Districts
	City Limits
	Unincorporated
	Streets
	Building Footprints
	Assessment Parcels
	World Imagery
	Low Resolution 15m Imagery
	High Resolution 60cm Imagery
	High Resolution 30cm Imagery
	Citations
	4 5 1 4
	4,514

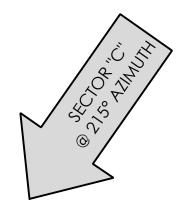
for ate, ole

# THIS IS NOT A SITE SURVEY

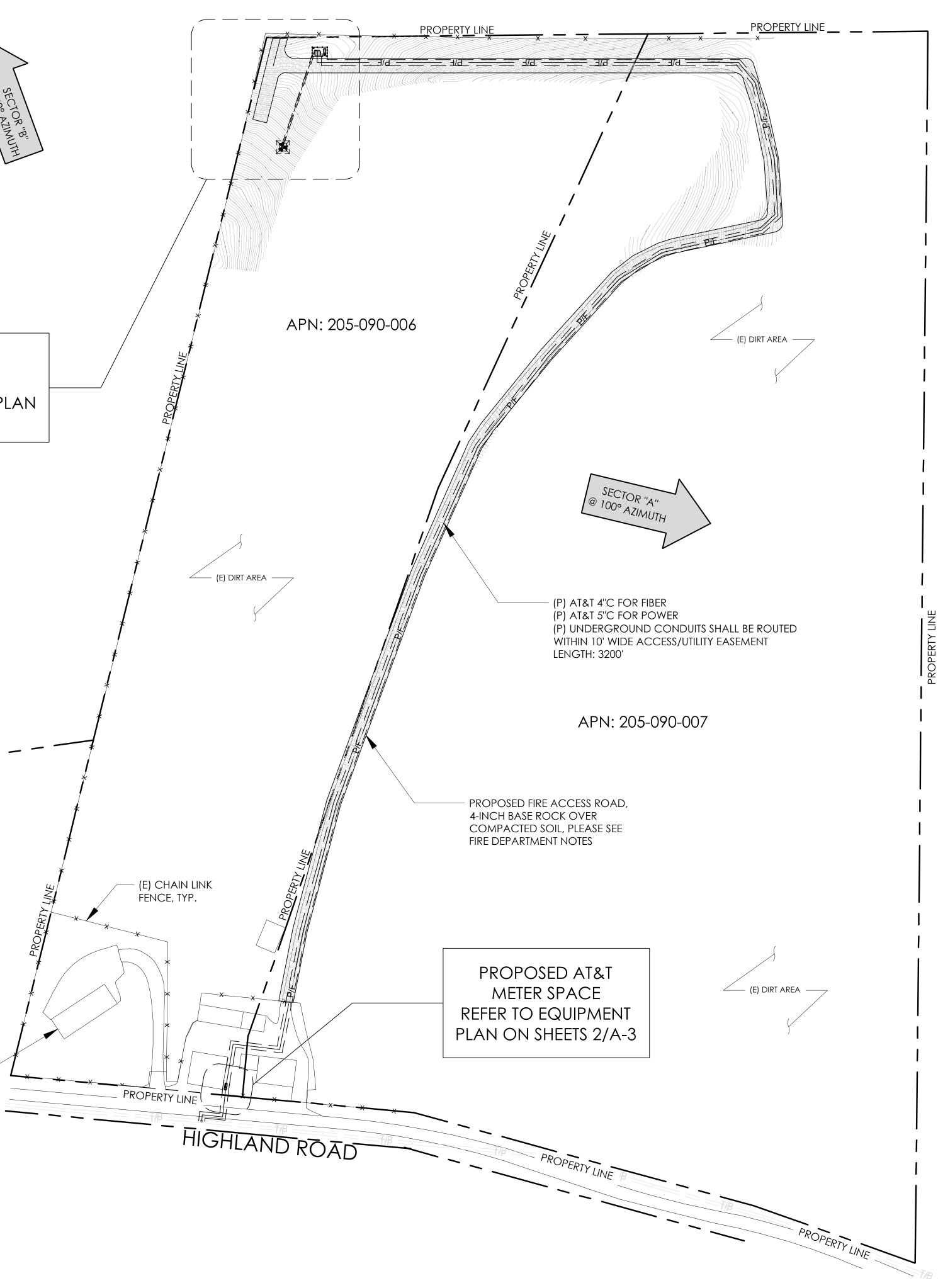
ALL PROPERTY BOUNDARIES, ORIENTATION OF TRUE NORTH AND STREET HALF-WIDTHS HAVE BEEN OBTAINED FROM A TAX PARCEL MAP AND EXISTING DRAWINGS AND ARE APPROXIMATE.



PROPOSED AT&T PROJECT AREA REFER TO ENLARGED SITE PLAN ON SHEET A-2



(E) BUILDING, TYP.



	VENDOR:	23 MAUCHLY, SUITE 110 IRVINE, CA 92618 P-020718
	APPLICANT:	Soo1 EXECUTIVE PKWY, SAN RAMON CA 94583
	SITE INFORMATION:	CCLO4383 5707 HIGHLAND ROAD 5707 HIGHLAND ROAD 5707 HIGHLAND ROAD SAN RAMON, CA 94583 FA#: 14226177 PACE#: MRSFR044517 PT#: 3701A0DNV5
	DESIGN RECORD:	11       07/01/22       REVISED 100% ZD       BH         11       03/22/23       REVISED 100% ZD       MM3         10       02/15/23       REVISED 100% ZD       BH         9       01/26/23       REVISED 100% ZD       BH         8       01/23/23       REVISED 100% ZD       BH         7       08/10/22       REVISED 100% ZD       BH         6       08/01/22       REVISED 100% ZD       BH         5       07/11/22       100% ZD       BH         4       06/02/22       95% ZD       SMR         3       04/21/22       REVISED 90% ZD       BH         2       04/12/22       REVISED 90% ZD       BH         0       02/07/22       90% ZD       BH         0       02/07/22       90% ZD       BH
	PROFESSIONAL STAMP:	It is a violation of law for any persons, unless they are acting under the direction of a licensed professional engineer, to alter this document
	SHEET TITLE:	A-1
24"x36" SCALE: 1" = 100'-0" 11"x17" SCALE: 1" = 200'-0" 100' 50' 0" 100'	SHEET NAME:	OVERALL SITE PLAN

Melissa Gonzalez, J5 Infrastructure Partners (Applicant) Janet D. McElley Trust (Owner)

### Mitigation Monitoring and Reporting Program County File #CDLP22-02051

5707 Highland Road San Ramon, CA 94583

October 2023

#### **SECTION 3: AIR QUALITY**

**Potential Impact:** Grading and construction activities could have a potentially significant adverse environmental impact by exposing sensitive receptors to substantial pollutant concentrations.

#### **Mitigation Measures:**

**Air Quality 1:** The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during project construction and shall be included on all construction plans.

- 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 3. All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- 4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- 8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Implementing Action:	СОА
Timing Verification:	Prior to CDD issuance of a grading or building permit, all construction plan sets shall include Basic Construction measures.
Responsible Department or Agency:	Project proponent and CDD.
Compliance Verification:	CDD Plan Check review of plans prior to issuance of building or grading permit, and field verification by the Building Inspection Division.

# SECTION 4: BIOLOGICAL RESOURCESAIR QUALITY

**Potential Impact:** The project could cause 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

# **Mitigation Measures:**

Biology 1: To the extent possible, construction should be avoided during the wet season from approximately October 15th (or the first measurable rainfall of 1 inch or greater) and March 15th to avoid dispersing California Tiger Salamanders and California Red-legged Frogs. Mitigation measures to be implemented outside of the wet season include:

1. Employees and contractors performing construction related activities will receive environmental sensitivity training. Training will include a review of environmental laws and Avoidance and Minimization Measures (AMMs) that must be followed by all personnel to reduce or avoid effects on covered species during construction activities.

2. Contracts with contractors, construction management firms, and subcontractors will obligate all contractors to comply with these AMMs.

3. A biologist should be present for all ground-disturbing activities.

4. The following will not be allowed at or near work sites for covered activities: trash dumping, firearms, open fires (such as barbecues), and hunting.

5. Vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas to the extent possible.

6. Pipes, culverts and similar materials greater than four inches in diameter, will be stored so as to prevent covered wildlife species from using these as temporary refuges, and these materials will be inspected each morning for the presence of animals prior to being moved.

7. All foods and food-related trash items will be enclosed in sealed trash containers at the end of each day and removed completely from the site once every three days.

8. No pets will be allowed anywhere in the project site during construction.

9. All equipment will be maintained such that there will be no leaks of automotive fluids such as gasoline, oils, or solvents.

Should construction need to occur during the wet season, the following minimization measures should be implemented to prevent impacts caused by dispersing California Tiger Salamanders and California Red-legged Frogs entering the work area during construction:

1. A biological monitor will be present throughout the project duration.

2. Barrier fencing will be constructed around the worksite to prevent California Tiger Salamanders and California Red-legged Frogs from entering the work area. Barrier fencing will be removed within 72 hours of the completion of work.

3. Before the start of work each morning, all equipment such as vehicles and stored pipes will be inspected for CTS or CRLF. The biological monitor will check all excavated steep-walled holes or trenches greater than 6-inches deep.

Implementing Action:	СОА
----------------------	-----

Timing Verification:	Prior to CDD issuance of a grading or building permit, applicant shall provide confirmation of surveys and show mitigation on plans		
Responsible Department or Agency:	Project proponent and CDD.		
Compliance Verification:	CDD Compliance Review of COAs prior to issuance of Building Permit.		

# SECTION 4: CULTURAL RESOURCES

**Potential Impact:** The project could cause a substantial adverse change in the significance of a historical resource as defined in California Environmental Quality Act Guidelines Section 15064.5. Subsurface construction activities have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact.

# **Mitigation Measures:**

**Cultural Resources 1:** The following mitigation measures shall be implemented during project-related ground disturbance, and shall be included on all construction plans:

1. All construction personnel, including operators of equipment involved in grading, or trenching activities will be advised of the need to immediately stop work if they observe any indications of the presence of an unanticipated cultural resource discovery (e.g. wood, stone, foundations, and other structural remains; debris-filled wells or privies; deposits of wood, glass, ceramics). If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery shall be redirected and a qualified archaeologist, certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), shall be contacted to evaluate the finds and, if necessary, develop appropriate treatment measures in consultation with the County and other appropriate agencies.

If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

2. Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment

and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementing Action:	COA		
Timing of Verification:	During initial review of construction plan sets and throughout project.		
Responsible Department, Agency, or Party:	Project proponent and CDD.		
Compliance Verification:	Include on plan sets during plan check and submittal of archaeologist report in the event of a find, for CDD review.		

# **SECTION 9: TRIBAL CULTURAL RESOURCES**

**Potential Impact:** The project could 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 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). The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources.

## **Mitigation Measures:**

Implementation of mitigations measure **Cultural Resources 1** would reduce the impact on archeological resources during project related work.

**Potential Impact:** The project could 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 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. The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources.

# **Mitigation Measures:**

Implementation of mitigations measure **Cultural Resources 1** would reduce the impact on archeological resources during project related work.

# SECTION 10: MANDATORY FINDINGS OF SIGNIFICANCE

**Potential Impact:** As discussed in individual sections of the Initial Study, the project to establish a second residence on the site may impact the quality of the environment (Air Quality, Biological Resources, Cultural Resources, and Tribal Cultural Resources).

# **Mitigation Measures:**

The impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specified in the respective sections of the Initial Study.





2120 Diamond Blvd. Suite 100 | Concord, CA 94520 Phone: 925-608-5500 | Fax: 925-608-5502 cchealth.org

1/21/2025

CONTRA COSTA COUNTY DEPARTMENT OF CONSERVATION Attn: DULCE RECKMEYER-WALTON 30 MUIR RD MARTINEZ, CA94553

# RE: CDL2402033 5707 HIGHLAND RD

APN: 205 090 006

# Service Request #: SR0023945

## Dear DULCE RECKMEYER-WALTON :

Contra Costa Environmental Health (CCEH) has received a request for agency comment regarding the above referenced project. See below for our comments grouped by environmental health program:

- If an onsite water supply well is used for this project, it must meet current standards, including construction, yield, water quality, hydrogeological study and setbacks. А may be required to ensure adequate water supply.
- A permit from CCEH is required for any well or soil boring <u>prior</u> to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.
- Any abandoned wells (water, environmental, or geotechnical) and septic tanks must be destroyed under permit from CCEH. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEH requirements.
- If this project is not served by sanitary sewer and an onsite wastewater disposal system (septic system) is needed for this project, a permit from CCEH is required <u>prior</u> to installation. The new septic system, including disposal field replacement area must comply with current standards. Holding tanks for sewage disposal are prohibited unless these are owned and maintained by a public entity.
- For proposed subdivisions/minor subdivisions served by onsite wastewater disposal systems (septic must be demonstrated that each lot can systems). accommodate a septic system It meeting current standards, including disposal field replacement area.
- subdivisions by onsite wells. It For proposed subdivisions/minor served private water must be demonstrated that each lot has water supply well meeting current standards, including construction а A hydrogeological study may be required to ensure adequate wat yield, water quality, and setbacks.

supply.

- If the project will require a small public water system, these systems must operate under permit from CCEH. The water supply (e.g. well) must meet current standards, including construction, yield, water quality, and setbacks. A hydrogeological study may be required to ensure adequate water supply.
- If the proposed lot line adjustment involves properties served by an onsite waster disposal system (septic system). The new lot configurations must accommodate the septic system(s), including the disposal field replacement area(s), without conflicting with current standards (e.g., setbacks to property lines).
- If the proposed lot line adjustment involves properties served by an onsite water well. The new lot configurations must not conflict with current standards (e.g., setbacks to property lines).
- Horse boarding facilities are subject to the requirements of the Contra Costa County Cleanwater Program, including routine inspections. The applicant can contact CCEH for details.
- It is recommended that the project be served by public sewer and public water wherever possible.

These comments do not limit an applicant's obligation to comply with all applicable laws and regulations. If the proposed project is subject to regulation by CCEH, the project tenant must apply for all applicable health permits. Should you have any questions, please do not hesitate to contact Environmental Health at (925) 608-5500 or CoCoEH@cchealth.org.

Sincerely,

White here

Kristian Lucas, REHS Director of Environmental Health

# CONTRA COSTA COUNTY **DEPARTMENT OF CONSERVATION AND DEVELOPMENT** COMMUNITY DEVELOPMENT DIVISION 30 Muir Road Martinez, CA 94553-4601 Phone: 925-655-2700 Fax: 925-655-2758



RECEIVED on 2/6/2025 CDLP24-02033 By Contra Costa County Department of Conservation and Development

AGENCY COMMENT REQUEST
------------------------

Date\_\_\_\_\_12/27/24

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

DISTRIBUTION	Please submit your comments to:			
	Project Planner Dulce Reckmeyer-Walton			
Building Inspection     Grading Inspection	Phone #925-655-2854			
Advance Planning Housing Programs	E-mail_dulce.reckmeyer-walton@dcd.cccoun			
Trans. Planning V Telecom Planner	County File #CDLP24-02033			
ALUC Staff HCP/NCCP Staff	lon 24, 2025			
County Geologist	Prior to Jan. 24, 2025			
HEALTH SERVICES DEPARTMENT	* * * *			
<ul> <li>Environmental Health Hazardous Materials</li> </ul>	We have found the following special programs apply to this application:			
PUBLIC WORKS DEPARTMENT	Landslide Active Fault Zone (A-P)			
Engineering Services Special Districts	Liquefaction Flood Hazard Area			
Traffic	60-dBA Noise Control			
Flood Control (Full-size)	CA EPA Hazardous Waste Site			
LOCAL				
✓ Fire District	High or Very High FHSZ			
San Ramon Valley – (email) <a href="mailto:rwendel@srvfire.ca.gov">rwendel@srvfire.ca.gov</a>	AGENCIES: Please indicate the applicable code			
Consolidated – (email) <u>fire@cccfpd.org</u>	section for any recommendation required by law or			
	ordinance. Please send copies of your response to the			
Sanitary District	Applicant and Owner.			
Water District	Comments: None Below Attached			
City of	All construction activitie within the public right of			
School District(s)	way of Highland Road, including, but not limited to			
LAFCO	installation of fiber optic cable and pull boxes, will require an encroachment permit from the Public			
Reclamation District #	Works Department.			
East Bay Regional Park District				
Diablo/Discovery Bay/Crockett CSD				
MAC/TAC				
Improvement/Community Association				
<ul> <li>CC Mosquito &amp; Vector Control Dist (email)</li> </ul>				
OTHERS/NON-LOCAL				
CHRIS (email only: nwic@sonoma.edu)	Print Name Larry Gossett			
CA Fish and Wildlife, Region 3 – Bay Delta	Print Name_Larry Gosson			
Native American Tribes	Signature DATE 2/6/25			
ADDITIONAL RECIPIENTS	Digitataio Di tite			
District II,	Agency phone # 925-313-2000			

**RECEIVED** on 1/25/2025 CDLP24-02033 By Contra Costa County Department of Conservation and Development



San Ramon Valley Fire Protection District Community Risk Reduction Division 2401 Crow Canyon Road, Suite A San Ramon, CA 94583

phone: 925.838.6600 web: www.firedepartment.org

Saturday, January 25, 2025

Hello Dulce Reckmeyer-Walton,

The Fire District has reviewed the Planning Application for the below noted address. Based upon the information provided, comments and requirements have been made as conditions of approval.

If during the course of the entitlement process the project changes, additional requirements may apply. Thank you for the opportunity to comment on the project. Please feel free to contact me directly with any questions or concerns.

CDLP24-02033

1588500

5707 HIGHLAND RD (205090006)

Planning and Site Development Review

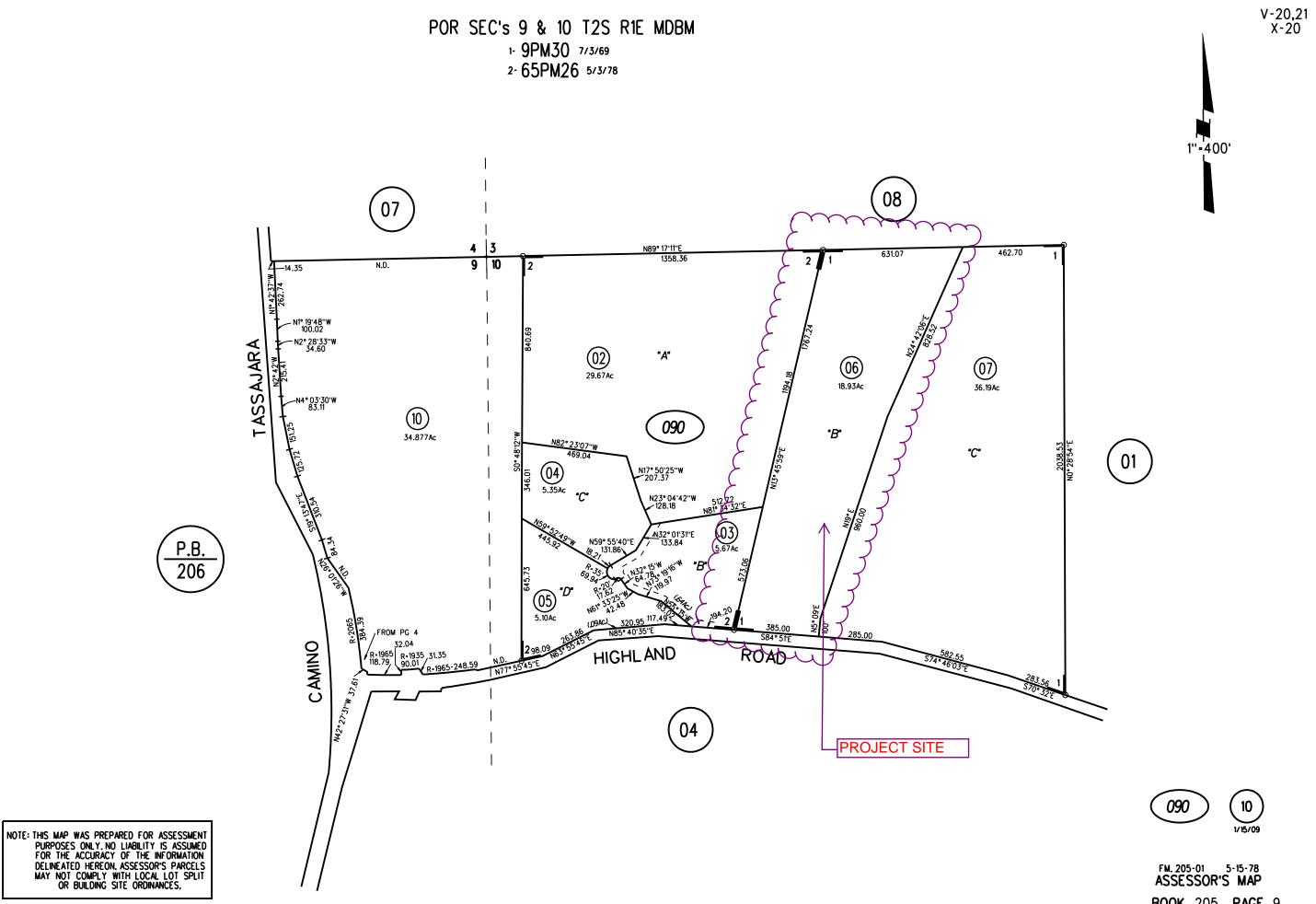
PROJECT: ADDRESS: APPLICATION TITLE: PROJECT NUMBER:

Roy Wendel Fire Marshal rwendel@srvfire.ca.gov 925.838.6687

Created with GeoCivix On 1/25/25

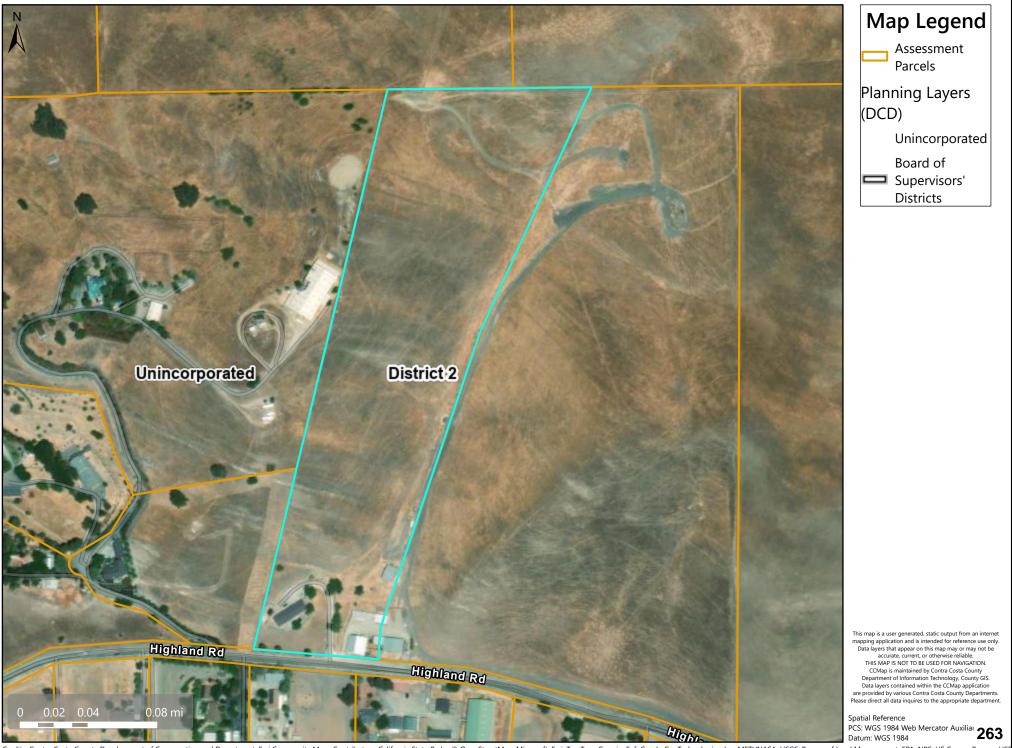
## **Planning Comments**

Open Iss	ues: 1	
PLAN	NING	
<u>Gen</u>	eral Issues	
1	. Submit Plans	
	Roy Wendel 1/25/25 5:33 PM	Plan submittal required to the Fire District. Visit www.firedepartment.org/submitplans for information on submittal requirements.

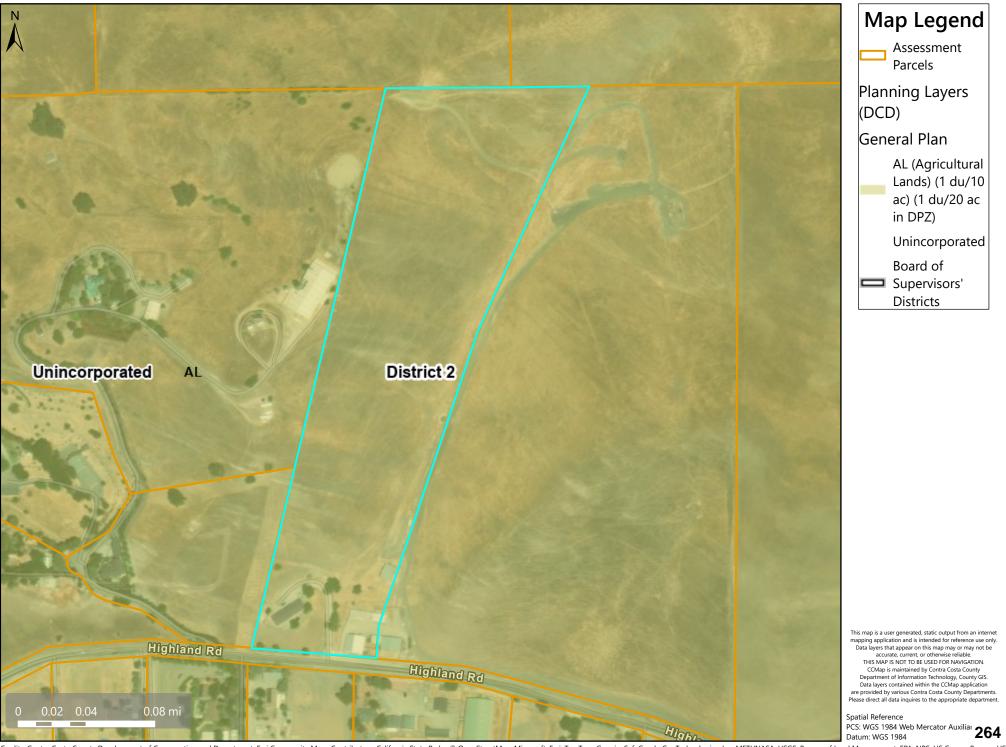


**BOOK** 205 **PAGE** 9 CONTRA COSTA COUNTY,C 262

# Aeria Map - CDLP24-02033I



# General Plan - AL



# Zoning - A -20 Map Legend N A A-2 Assessment Parcels Planning Layers (DCD) Zoning ZONE\_OVER A-2 (General Agriculture) A-20 (Exclusive Agriculture) A-80 (Exclusive A-20 Agriculture) Unincorporated Board of A-80 Supervisors' Unincorporated District 2 Districts A-2 This map is a user generated, static output from an internet mapping application and is intended for reference use only. Highland Rd 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. Highland Rd CCMap is maintained by Contra Costa County Department of Information Technology, County GIS. Data layers contained within the CCMap application are provided by various Contra Costa County Departments. Please direct all data inquires to the appropriate department. Spatial Reference PCS: WGS 1984 Web Mercator Auxiliar 265 Datum: WGS 1984

Credits: Contra Costa County Development of Conservation and Department, Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USI



RFID#: 4961407 315565 USID #: 14226177 FA #: 5G NR 1SR CBAND PTN#: 3701A17444 PACE#: MRSFR098445 LTE1C CELL SITE REPLACEMENT PTN#: 3701A0DNV5 PACE#: MRSFR044517 LTE 5C PTN#: 3701A0MCSA PACE#: MRSFR058521

LTE 2C PTN#: 3701A0MD9G PACE#: MRSFR058518 LTE 3C PTN#: 3701A0MCTA PACE#: MRSFR058519 LTE 4C PTN#: 3701A0MD9Q PACE#: MRSFR058485 SITE NUMBER: SITE NAME: SITE TYPE: ADDRESS:

# **PROJECT TEAM**

# APPLICANT / LESSEE:

AT&T MOBILITY 5001 EXECUTIVE PARKWAY, 4W550E SAN RAMON, CA 94583 CONTACT: TAYIIKA (TY) LOGAN-BURKS EMAIL: TL784A@ATT.COM PH: 925.549.4671

# CONSTRUCTION MANAGER:

CONTACT: SEAN WATSON FIELD COORDINATOR EMAIL: SWATSON5@BECHTEL.COM PH: (925) 594-9070

# **RF ENGINEER:**

AT&T MOBILITY CONTACT: EDWIN AVILES EMAIL: EA5477@ATT.COM PH: (909) 997-9917

# LEASING:

CENTERLINE COMMUNICATIONS CONTACT: STEPHANIE VICK EMAIL: SVICK@CLINELLC.COM PHONE: (858) 774-5191

SITE INFORMATION

PROPERTY OWNER: MCELLEY JANET D TRE 5707 HIGHLAND ROAD SAN RAMON, CA 94583 CONTACT: SHANE MCELLEY SHANEMCELLEY@GMAIL.COM EMAIL:

POWER AGENCY: TBD PH: TBD TELEPHONE AGENCY: AT&T

JURISDICTION: CONTRA COSTA COUNTY 205-090-006 & 205-090-007 A.P.N.: CURRENT ZONING: AGRICULTURAL PRESERVE, A20 EXISTING USE: MULTIUSE PROPOSED USE: MULTIUSE, COMMUNICATIONS FACILITY LATITUDE (NAD 83): 37.780776° 37° 46' 50.79" N LONGITUDE (NAD 83): -121.854035° 121° 51' 14.53" W

ACCESSIBILITY REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY IS NOT REQUIRED PER CFC2022, SECTION 1207 (LIMITED ACCESS SPACE)

OCCUPANCY GROUPS: TYPE OF CONSTRUCTION: SPRINKLERS: STORIES:	GROUP S-1 V-B N/A N/A
AREA OF WORK (SQ.FT.):	EQUIPMENT AT GRADE: 375 SQ FT.



DO NOT SCALE DRAWINGS

PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL

# VICINITY MAP CODE COMPLIANCE ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. Five Star Equestrian CALIFORNIA BUILDING STANDARDS CODE: 2022 TRIENNIAL EDITION OF TITLE 24, WITH AN EFFECTIVE DATE OF JANUARY 1, 2023. PART 1 - CALIFORNIA ADMINISTRATIVE CODE PART 2 - CALIFORNIA BUILDING CODE, BASED ON THE 2021 INTERNATIONAL BUILDING CODE PART 2.5 - CALIFORNIA RESIDENTIAL CODE, BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE PART 3 - CALIFORNIA ELECTRICAL CODE, BASED ON THE 2020 NATIONAL ELECTRICAL CODE PART 4 - CALIFORNIA MECHANICAL CODE, BASED ON THE 2021 UNIFORM MECHANICAL CODE PART 5 - CALIFORNIA PLUMBING CODE, BASED ON THE 2021 UNIFORM PLUMBING CODE PART 6 - CALIFORNIA ENERGY CODE PART 7 - VACANT PART 8 - CALIFORNIA HISTORICAL BUILDING CODE PART 9 - CALIFORNIA FIRE CODE, BASED ON THE 2021 INTERNATIONAL FIRE CODE PART 10 - CALIFORNIA EXISTING BUILDING CODE, BASED ON THE 2021 INTERNATIONAL EXISTING BUILDING CODE PART 11 - CALIFORNIA GREEN BUILDING STANDARDS CODE (CGBSC; ALSO KNOWN AS CALGREEN) PART 12 - CALIFORNIA REFERENCED STANDARDS CODE Regional ANSI/TIA-222 (REV H) Preserve 3. 2021 NFPA 101, LIFE SAFETY CODE 4. 2022 NFPA 72, NATIONAL FIRE ALARM AND SIGNALING CODE 5. 2022 NFPA 13, STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS Costco Wholesale 🕒 580 GENERAL CONTRACTOR NOTES DRIVING DIRECTIONS AT&T CORPORATE OFFICES FROM: THESE PLANS ARE FORMATTED TO BE FULL SIZE AT 24" X 36". CONTRACTORS SHALL VERIFY ALL 5005 EXECUTIVE PKWY SAN RAMON, CA 94583 IMMEDIATELY NOTIFY THE ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. TO: 5707 HIGHLAND ROAD SAN RAMON, CA 94583 GENERAL NOTES THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR STATEMENTS DIGALERT STRUCTURAL ANALYSIS IS NOT WITHIN THE SCOPE OF WORK CONTAINED IN THIS DRAWINGS SET. FOR ANALYSIS OF EXISTING AND/OR PROPOSED COMPONENTS, REFER TO STRUCTURAL ANALYSIS ANTENNA MOUNT ANALYSIS IS NOT WITHIN THE SCOPE OF WORK CONTAINED IN THIS DRAWING SET. FOR ANALYSIS OF MOUNT TO SUPPORT EXISTING AND/OR PROPOSED COMPONENTS, REFER 800-227-2600

TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

PROVIDED UNDER SEPARATE COVER.

TO ANTENNA MOUNT STRUCTURAL ANALYSIS PROVIDED UNDER SEPARATE COVER.

# PROJECT MANAGER:

CENTERLINE COMMUNICATIONS CONTACT: ALLYSON POE EMAIL: APOE@CLINELLC.COM CELL: (772) 713-6229

RFDS VERSION: 6.0

DATE CREATED: 01/19/22

DATE UPDATED: 07/02/24

# A&E MANAGER:

CENTERLINE COMMUNICATIONS contact: STEVEN M. RAMON EMAIL: SRAMON@CLINELLC.COM PH: (562) 846-5556

NOTE: ALL EQUIPMENT SHALL BE PAINTED BEIGE.

# CCL04383 5707 HIGHLAND ROAD FAUX WATER TANK / CWIC SHELTER 5707 HIGHLAND ROAD SAN RAMON, CA 94583

	SHEET INDEX REV		
	T-1 TITLE SHEETO		
LL BE PAINTED BEIGE.	GN-1 GENERAL NOTES 0	ANT:	
	GN-2SITE SIGNAGE0GN-3CONDITIONS OF APPROVAL0	ICAP	AT&T
	C-1 TOPOGRAPHIC SURVEY EXISTING CONDITIONS	APPLIC/	
ATER TANK IS A	C-2 TOPOGRAPHIC SURVEY EXISTING CONDITIONS	◄	5005 EXECUTIVE PARKWAY
IBLE FACILITY.	C-3 TOPOGRAPHIC SURVEY EXISTING CONDITIONS		SAN RAMON, CA 94583
	A-1OVERALL SITE PLAN0A-1.1FIRE SITE PLAN0		
	A-2 ENLARGED SITE PLAN 0		
	A-3 NEW EQUIPMENT PLAN 0		
	A-3.1 NEW COMPOUND DIMENSION PLAN0		
	A-4 NEW ANTENNA PLAN 0	OR:	
	A-4.1RF SCHEDULE0A-5NEW EQUIPMENT ELEVATIONS0	VENDOR:	P. MARSHALL & ASSOCIATES
	A-6 NEW FAUX WATER TANK ELEVATIONS 0		A CENTERLINE COMMUNICATIONS COMPANY
	A-7 NEW FAUX WATER TANK ELEVATIONS 0		ROSWELL, GA 30076 OFFICE (678) 280-2325
	D-1 DETAILS 0		
	D-2         DETAILS         0           D-3         DETAILS         0		
	D-4 DETAILS 0		
	D-5 DETAILS 0		CCL04383
	D-6 DETAILS 0		UCLU4303
	D-7         DETAILS         0           D-8         DETAILS         0		
	D-8 DETAILS 0	<u>.</u> ,	5707 HIGHLAND ROAD
	S-1 STRUCTURAL NOTES 0	10 1	
	S-2 STRUCTURAL DETAILS 0	MA	
	E-1ELECTRICAL NOTES0E-2PROPOSED ENLARGED SITE PLAN (ELECTRICAL)0	101	5707 HIGHLAND ROAD
	E-3 SINGLE LINE DIAGRAM & PANEL SCHEDULE 0	N N N	SAN RAMON, CA 94583
G AUTHORITIES. NOTHING ) THESE CODES.	G-1 GROUNDING PLANS AND NOTES 0	SIT	
ITLE 24, WITH AN EFFECTIVE	G-2 GROUNDING DETAILS 0		
	RF-1 PLUMBING DIAGRAM 0		
AL BUILDING CODE	MSDS-1 MATERIAL SAFETY DATA SHEET & LEAD ACID BATTERY0		
TIONAL RESIDENTIAL CODE	SS-1 SITE SIGNAGE0		
ELECTRICAL CODE 1 MECHANICAL CODE	FAUX WATER PLANS:		
UMBING CODE	MP-0 170-FT FAUX WATER TANK		BH BH SSMR SMR
	MP-1 170-FT FAUX WATER TANK		
	MP-2 170-FT FAUX WATER TANK		
e code Ternational existing	MP-3 170-FT FAUX WATER TANK		90%CD'S 95%CD'S 00%CD'S
	MP-4 170-FT FAUX WATER TANK	.: []	
o known as calgreen)	MP-5 170-FT FAUX WATER TANK	CORI	FOR FOR
		REC	DES ISSUED I ISSUED F
		ESIGN	
		DES	
		-	E /24 /24
	PROJECT DESCRIPTION		DATE 09/24/24 10/30/24 11/11/24
	INSTALLATION OF A NEW SITE BUILD, UNMANNED TELECOMMUNICATIONS FACILITY,		
	CONSISTING OF THE FOLLOWING:		0 B > K
	ANTENNA SOW:	Ľ	
	<ul> <li>INSTALL (1) 170'-0" TALL FAUX WATER TANK WITH 21'X21' TOWER FOOTING</li> <li>INSTALL (6) DMP65R-BU8DA-K PANEL ANTENNAS, TYP. (3) PER SECTOR</li> </ul>		ROFESSION
	<ul> <li>INSTALL (3) AIR6419 B77G ANTENNA, TYP. (1) PER SECTOR</li> <li>INSTALL (3) AIR6449 B77D ANTENNA, TYP. (1) PER SECTOR</li> </ul>		E BERTERIZEN
	•• INSTALL (3) RRUS 4449 B5/B12, TYP. (1) PER SECTOR	i. L	81607 (FF)
	<ul> <li>INSTALL (3) RRUS 8843 B2/B66, TYP. (1) PER SECTOR</li> <li>INSTALL (3) RRUS 4478 B14, TYP. (1) PER SECTOR</li> </ul>	STAMP	Acres IS
	<ul> <li>INSTALL (3) DC-9 SURGE SUPPRESSORS, TYP. (1) PER SECTOR</li> <li>INSTALL (9) NEW #4AWG DC POWER TRUNKS &amp; (3) FIBER TRUNKS TO NEW</li> </ul>		OF CALLEOR
	DC9, APPROX. LENGTH 220'-0"	essional	SIGNED: 2024/11/11
	EQUIPMENT SOW:		EXPIRES: 2025/09/30
	<ul> <li>INSTALL(1) PREFABRICATED SHELTER</li> <li>INSTALL (1) 4" DIA. WOOD POST 6'-0" HIGH BARBED WIRE FENCE</li> </ul>	ROF	It is a violation of law for any
	ENCLOSURE AROUND NEW EQUIPMENT AND WATER TANK AND SHALL	РР	persons, unless they are acting under the direction of a
	<ul> <li>PROTECT FROM ROAMING CATTLE</li> <li>INSTALL (1) GPS ANTENNA</li> </ul>		licensed professional engineer,
	<ul> <li>INSTALL (3) CONCRETE PADS</li> <li>INSTALL (1) 200A AC POWER PANEL</li> </ul>		to alter this document
	•• INSTALL (1) CAMLOCK	F	
	<ul> <li>INSTALL (1) VERTIV DCPP RACK</li> <li>INSTALL (16) RECTIFIERS WITHIN DCPP</li> </ul>	TLE:	
	<ul> <li>INSTALL (8) 190AH BATTERIES WITHIN DCPP</li> <li>INSTALL (2) EQUIPMENT RACKS</li> </ul>	ET TITL	∣ <b>T</b> -1
	•• INSTALL (2) 6651 WITHIN RACK	SHEET	
	<ul> <li>INSTALL (1) XMU WITHIN RACK</li> <li>INSTALL (1) DC50 CABINET MOUNTED ON SHELTER</li> </ul>		
	<ul> <li>INSTALL (1) BACK-UP 30KW GENERATOR WITH UL2085 TANK</li> <li>INSTALL (1) STEP UP TRANSFORMER</li> </ul>		
	INSTALL (1) STEP DOWN TRANSFORMER		
DIGALFRT	<ul> <li>INSTALL (1) CIENA AND HOFFMAN BOX ON H-FRAME</li> <li>INSTALL (1) 200A METER WITH TEST BLOCK BYPASS ON H-FRAME</li> </ul>		
	<ul> <li>INSTALL (1) 400A HOT GUTTER WITH SPACE FOR (1) FUTURE METER</li> <li>INSTALL (1) VERTIV XTE 201 CABINET ON H-FRAME</li> </ul>	AME	
	•• INSTALL (1) 4"Ø U.G. CONDUIT FOR TELCO	SHEET NAME	TITLE SHEET
	<ul> <li>INSTALL (1) 5"Ø U.G. CONDUIT FOR POWER</li> <li>INSTALL (4) 4"Ø U.G. CONDUIT FOR DC POWER &amp; FIBER CABLES</li> </ul>	SHE	
800-227-2600			
Call 2 Full Working Days In Advance			

GENERAL CONSTRUCTION NOTES:

- 1. PLANS ARE INTENDED TO BE DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE. THE WORK SHALL INCLUDE FURNIS APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
- 2. THE CONTRACTOR SHALL OBTAIN, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT C THE CONTRACT DOCUMENTS.
- 3. CONTRACTOR SHALL CONTACT USA (UNDERGROUND SERVICE ALERT) AT (800) 227-2600, FOR UTILITY LOCATIONS, 48 HOUR EXCAVATION, SITE WORK OR CONSTRUCTION.
- 4. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENT INDICATED OTHERWISE, OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
- 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CBC / UBC'S REQUIREMENTS REGARDING EARTHQUAKE RESISTAN PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS, AND MECHANICAL EQUIPMENT. ALL WORK MUST COMPLY WI AND REGULATIONS.
- REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWINGS, SHALL NOT BE USED TO OF TRUE NORTH AT THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYO ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ARCHITECT / ENGINEER PRIOR TO PROCEEDING WITH THE WORK IF BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE C SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT / ENGINEER.
- 7. THE BUILDING DEPARTMENT ISSUING THE PERMITS SHALL BE NOTIFIED AT LEAST TWO WORKING DAYS PRIOR TO THE COMMEN OTHERWISE STIPULATED BY THE CODE ENFORCEMENT OFFICIAL HAVING JURISDICTION.
- 8. DO NOT EXCAVATE OR DISTURB BEYOND THE PROPERTY LINES OR LEASE LINES, UNLESS OTHERWISE NOTED.
- 9. ALL EXISTING UTILITIES, FACILITIES, CONDITIONS, AND THEIR DIMENSIONS SHOWN ON THE PLAN HAVE BEEN PLOTTED FROM A ARCHITECT / ENGINEER AND THE OWNER ASSUME NO RESPONSIBILITY WHATSOEVER AS TO THE SUFFICIENCY OR THE ACCUI SHOWN ON THE PLANS, OR THE MANNER OF THEIR REMOVAL OR ADJUSTMENT. CONTRACTORS SHALL BE RESPONSIBLE FOR OF ALL EXISTING UTILITIES AND FACILITIES PRIOR TO START OF CONSTRUCTION. CONTRACTORS SHALL ALSO OBTAIN FROM E INFORMATION RELATIVE TO WORKING SCHEDULES AND METHODS OF REMOVING OR ADJUSTING EXISTING UTILITIES.
- 10. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, BOTH HORIZONTAL AND VERTICALLY, PRIOR TO THE START OF CONSTRUCT DOUBTS AS TO THE INTERPRETATION OF PLANS SHOULD BE IMMEDIATELY REPORTED TO THE ARCHITECT / ENGINEER FOR RESO NO FURTHER WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS CHECKED AND CORRECTED BY THE ARCHITECT / ENG INSTRUCTION MEANS CONTRACTOR WILL HAVE WORKED AT HIS/HER OWN RISK AND EXPENSE.
- 11. ALL NEW AND EXISTING UTILITY STRUCTURES ON SITE AND IN AREAS TO BE DISTURBED BY CONSTRUCTION SHALL BE ADJUSTED FINAL INSPECTION OF WORK.
- 12. ANY DRAIN AND/OR FIELD TILE ENCOUNTERED / DISTURBED DURING CONSTRUCTION SHALL BE RETURNED TO IT'S ORIGINAL COMPLETION OF WORK. SIZE, LOCATION AND TYPE OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHALL BE ACCUR "AS-BUILT" DRAWINGS BY GENERAL CONTRACTOR, AND ISSUED TO THE ARCHITECT / ENGINEER AT COMPLETION OF PROJECT
- 13. ALL TEMPORARY EXCAVATIONS FOR THE INSTALLATION OF FOUNDATIONS, UTILITIES, ETC., SHALL BE PROPERLY LAID BACK O CORRECT OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS.
- 14. INCLUDE MISC. ITEMS PER AT&T SPECIFICATIONS

# APPLICABLE CODES, REGULATIONS AND STANDARDS:

- 1. SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION.
- 2. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.
- 3. SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:
- 3.1. AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE
- 3.2. AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION
- TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARD FOR STRUCTURAL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES 3.3.
- 3.4. INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM IEEE 1100 (1999) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRICAL EQUIPMENT.
- 3.5. IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")
- 3.6. TIA 607 COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS TELCORDIA GR-63 NETWORK
- EQUIPMENT-BUILDING SYSTEM (NEBS): PHYSICAL PROTECTION 3.7.
- TELCORDIA GR-347 CENTRAL OFFICE POWER WIRING 3.8.
- 3.9. TELCORDIA GR-1275 GENERAL INSTALLATION REQUIREMENTS
- 3.10. TELCORDIA GR-1503 COAXIAL CABLE CONNECTIONS
- 3.11. ANY AND ALL OTHER LOCAL & STATE LAWS AND REGULATIONS
- 3.12. FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

SHING MATERIALS, EQUIPMENT,	A.B. ABV.
CLEARLY DEFINED OR IDENTIFIED BY	ACCA ADD'L
	A.F.F. A.F.G.
RS BEFORE PROCEEDING WITH ANY	ALUM. ALT.
IDATIONS UNLESS SPECIFICALLY	ANT. APPRX. ARCH.
NCE, FOR, BUT NOT LIMITED TO,	AWG. BLDG.
ITH LOCAL EARTHQUAKE CODES	BLK. BLKG.
O IDENTIFY OR ESTABLISH BEARING	BM. B.N.
	BTCW.
DR'S MARKINGS AT THE SITE FOR THE	B.O.F. B/U
ANY DISCREPANCY IS FOUND	CAB.
CIVIL SURVEY. THE CONTRACTOR	CANT. C.I.P.
NCEMENT OF WORK, OR AS	CLG. CLR. COL. CONC.
AVAILABLE RECORDS. THE	CONN. CONST.
	CONT.
IRACY OF THE INFORMATION	d DBL.
R DETERMINING EXACT LOCATION	DEPT.
EACH UTILITY COMPANY DETAILED	D.F. DIA.
ICTION. ANY DISCREPANCIES OR	DIAG. DIM.
OLUTION AND INSTRUCTION, AND	DWG. DWL.
GINEER. FAILURE TO SECURE SUCH	EA. EL.
d to finish elevations prior to	ELEC. ELEV.
	EMT. E.N.
CONDITION PRIOR TO	ENG.
RATELY NOTED AND PLACED ON	EQ.
CT.	EXP. EXST.(E)
DR BRACED IN ACCORDANCE WITH	EXT. FAB.
	F.F. F.G.

FIN. FLR.

ANCHOR BOLT
ABOVE
ANTENNA CABLE COVER ASSEMBL
ADDITIONAL
ABOVE FINISHED FLOOR
ABOVE FINISHED GRADE
ALUMINUM
ALTERNATE
ANTENNA
ARCHITECT(URAL) AMERICAN WIRE GAUGE
BUILDING
BLOCK
BLOCKING
BEAM
BOUNDARY NAILING
BARE TINNED COPPER WIRE
BOTTOM OF FOOTING
BACK-UP CABINET
CABINET CANTILEVER(ED)
CAST IN PLACE
CEILING
CLEAR
COLUMN
CONCRETE
CONNECTION(OR)
CONSTRUCTION
PENNY (NAILS) DOUBLE
DEPARTMENT
DOUGLAS FIR
DIAMETER
DIAGONAL
DIMENSION
DRAWING(S)
DOWEL(S)
EACH ELEVATION
ELECTRICAL
ELEVATOR
ELECTRICAL METALLIC TUBING
EDGE NAIL
ENGINEER
EQUAL
EXPANSION
EXISTING
EXTERIOR FABRICATION(OR)
FINISH FLOOR
FINISH GRADE
FINISH(ED)
FLOOR

FDN. F.O.C. F.O.M. F.O.S. F.O.W. F.S. FT.(') FTG. G. GA. GI. G.F.I.
INTERRUPTER GLB. (GLU-LA GPS GRND. HDR. HGR. HT.
ICGB. IN. ( '' ) INT. LB.(#) L.B. L.F.
L. MAS. MAX. M.B. MECH. MFR. MIN.
MISC. MTL. (N) NO.(#) N.T.S. O.C. OPNG.
P/C PCS SERVICES PLY. PPC PRC P.S.F.
P.S.I. P.T. PWR. QTY. RAD.(R) REF. REINF. REQ'D/ RGS.

	۵BR	REVIATIONS:			Π	
Г	FDN.	FOUNDATION	SCH.	SCHEDULE		
BLE COVER ASSEMBLY	F.O.C. F.O.M.	FACE OF CONCRETE FACE OF MASONRY	SHT. SIM.	SHEET SIMILAR	ANT:	
	F.O.S.	FACE OF STUD	SPEC.	Specifications		AT&T
ED FLOOR ED GRADE	F.O.W. F.S.	FACE OF WALL FINISH SURFACE	SQ. S.S.	SQUARE STAINLESS STEEL	API	
	FT.(')	FOOT (FEET)	STD. STL.	STANDARD STEEL		5005 EXECUTIVE PARKWAY SAN RAMON, CA 94583
	FTG. G.	FOOTING GROWTH (CABINET)	STRUC.	STRUCTURAL		
E(LY) RAL)	GA. GI.	GAUGE GALVANIZE(D)	TEMP. THK.	TEMPORARY THICK(NESS)	Ē	
REGAUGE	G.F.I. INTERRUPTER	GROUND FAULT CIRCUIT	T.N. T.O.A.	TOE NAIL TOP OF ANTENNA		
	GLB. (GLU-LAM)	GLUE LAMINATED BEAM	T.O.C.	TOP OF CURB		
	GPS GRND.	GLOBAL POSITIONING SYSTEM GROUND	T.O.F. T.O.P.	TOP OF FOUNDATION TOP OF PLATE (PARAPET)	NDOR:	
AILING COPPER WIRE	HDR. HGR.	HEADER HANGER	T.O.S. T.O.W.	TOP OF STEEL TOP OF WALL	/END	
DOTING	HT.	HEIGHT	TYP.	TYPICAL		1000 HOLCOMB WOODS PKWY. STE 210 ROSWELL, GA 30076
INET	ICGB. IN. ( '' )	ISOLATED COPPER GROUND BUS INCH(ES)	S U.G. U.L.	UNDER GROUND UNDERWRITERS LABORATORY		OFFICE (678) 280-2325
D) =	INT. LB.(#)	INTERIOR POUND(S)	U.N.O. V.I.F.	UNLESS NOTED OTHERWISE VERIFY IN FIELD		
-	L.B.	LAG BOLTS	W	WIDE (WIDTH)		
	L.F. L.	LINEAR FEET (FOOT) LONG(ITUDINAL)	w/ WD.	WITH WOOD		00104000
(OR)	MAS. MAX.	MASONRY MAXIMUM	W.P. WAT.	WEATHERPROOF WEIGHT		CCL04383
N	M.B.	MACHINE BOLT	C	CENTERLINE		
	MECH. MFR.	MECHANICAL MANUFACTURER	Р	PLATE, PROPERTY LINE	ż	5707 HIGHLAND ROAD
	MIN. MISC.	MINIMUM MISCELLANEOUS			ATIO	
	MTL.	METAL			JRM,	
	(N) NO.(#)	NEW NUMBER			INFO	5707 HIGHLAND ROAD
	N.T.S. O.C.	NOT TO SCALE ON CENTER			SITE	SAN RAMON, CA 94583
	OPNG.	OPENING				
	P/C PCS	PRECAST CONCRETE PERSONAL COMMUNICATION				
	SERVICES PLY.	PLYWOOD				
ETALLIC TUBING	PPC	POWER PROTECTION CABINET				
	PRC P.S.F.	PRIMARY RADIO CABINET POUNDS PER SQUARE FOOT				
	P.S.I. P.T.	POUNDS PER SQUARE INCH PRESSURE TREATED				INT. BH SMR SMR
	PWR.	POWER (CABINET)				
OR)	QTY. RAD.(R)	QUANTITY RADIUS				S S S
	REF. REINF.	REFERENCE REINFORCEMENT(ING)				CRIPTION COR 90%CD'S COR 95%CD'S OR 100%CD'S
	REQ'D/	REQUIRED			ORD	CRIPTION FOR 90%C FOR 95%C OR 100%C
	RGS.	RIGID GALVANIZED STEEL			REC	DESCRIP ISSUED FOR ISSUED FOR ISSUED FOR 1
					U.U.	ISSI ISSI
SYMBOLS LEGEND:					DES	
		a	GROUT OR PLASTER			DATE 09/24/24 10/30/24 11/11/24
1 A-300	BLDG. SECTION		(E) BRICK			09, C
			(E) MASONRY			A B A KE
A5	WALL SECTION		CONCRETE			
A-310			EARTH			PROFESSIONA
D5 A-500	DETAIL		GRAVEL			
A-300			PLYWOOD		MP:	199 81607 TH
C1 A-113			Sand		STA	CIVIL ST
A4 A-113	ELEVATION		PLYWOOD		NAL	SIGNED: 2024/11/11
A1 (A-113)			SAND		SSIC	EXPIRES: 2025/09/30
			(E) STEEL		OFE	It is a violation of law for any
001	door symbol		MATCH LINE		Ľ	persons, unless they are acting under the direction of a
	WINDOW SYMBOL	· · ·	GROUND CONDUCT	OR		licensed professional engineer,
$\langle 3 \rangle$	TILT-UP PANEL MARK	—— ОН ——	OVERHEAD SERVICE	CONDUCTORS	μ	to alter this document
	PROPERTY LINE	Tel	TELEPHONE CONDU	Т		
	CENTERLINE	Pwr	POWER CONDUIT			
. +0"		Coax	COAXIAL CABLE			GN-1
◆ <sup>±0</sup> "	ELEVATION DATUM		CHAIN LINK FENCE		S	
(A)	GRID/COLUMN LINE				F	
3	KEYNOTE, DIMENSION		(N) ANTENNA			
	KEYNOTE, CONSTRUC		(N) RRU (N) DC SURGE SUPPR	RESSION	انن	
	WALL TYPE MARK		(F) ANTENNA		NAM	GENERAL NOTES
			(F) RRU		SHEET I	
OFFICE	ROOM NAME ROOM NUMBER		(E) EQUIPMENT		$\sim$	

# **1207.4 GENERAL INSTALLATIONS REQUIREMENTS**

# 1207.4.1 ELECTRICAL DISCONNECTS:

IN ACCORDANCE WITH SECTION 1207.4.1, THE ESS IS UNDER THE EXCLUSIVE CONTROL OF A COMMUNICATIONS FACILITY AND WILL HAVE ELECTRICAL DISCONNECT SIGNAGE IN ACCORDANCE WITH NFPA 76. SEE EMERGENCY SHUT DOWN AND BACK UP BATTERY DISCONNECT SIGNAGE ON SITE SIGNAGE SHEET IN THIS DRAWING SET.

# 1207.4.2 WORKING CLEARANCES:

IN ACCORDANCE WITH SECTION 1207.4.2, THE ESS WILL MAINTAIN PROPER WORKING CLEARANCES AS PRESCRIBED BY THE CALIFORNIA ELECTRICAL CODE AND THE MANUFACTURER'S INSTRUCTIONS.

# 1207.4.4 SEISMIC AND STRUCTURAL DESIGN:

IN ACCORDANCE WITH SECTION 1207.4.4, THE ESS WILL NOT EXCEED THE FLOOR LOADING LIMITATION OF THE BUILDING, REFERENCE PASSING STRUCTURAL ANALYSIS REPORT UNDER SEPARATE COVER.

# 1207.4.5 VEHICLE IMPACT PROTECTION:

THE ESS CABINETS ARE LOCATED IN AN UNOCCUPIED AND UNMANNED OUTDOOR TELECOMMUNICATIONS FACILITY AND IS NOT SUBJECT TO IMPACT BY VEHICLES. SHOULD THE ESS BE SUBJECT TO POTENTIAL IMPACT BY VEHICLES, IMPACT PROTECTION SHALL BE IN PLACE IN ACCORDANCE WITH SECTION 312.

# 1207.4.6 COMBUSTIBLE STORAGE:

IN ACCORDANCE WITH SECTION 1207.4.6, NO COMBUSTIBLE MATERIALS WILL BE STORED WITHIN 3' OF THE BATTERY CABINETS.

# 1207.4.7 TOXIC AND HIGHLY TOXIC GASES:

THE ESS BATTERY CABINET IS LOCATED OUTDOORS AND IS NATURALLY VENTILATED, NO EXHAUST SYSTEM IS REQUIRED.

# 1207.4.8 SIGNAGE:

IN ACCORDANCE WITH SECTION 1207.4.8, HAZARD SIGNAGE WILL BE PLACED AT THE BATTERY STORAGE SYSTEM INDICATING "DANGER", "LEAD ACID BATTERIES", "CORROSIVE LIQUIDS", ENERGIZED ELECTRICAL CIRCUITS", "NO SMOKING". SEE SITE SIGNAGE SHEET IN THIS DRAWING SET.

# 1207.4.9 SECURITY OF INSTALLATIONS:

IN ACCORDANCE WITH SECTION 1207.4.9, THE BATTERY CABINETS AND ENCLOSURES WILL BE LOCKED AND SECURED AGAINST UNAUTHORIZED ENTRY.

# 1207.4.10 OCCUPIED WORK CENTERS:

THE TELECOMMUNICATIONS FACILITY AND IT'S ESS IS UNMANNED AND NOT OCCUPIED BY ANY PERSONNEL OTHER THAN THOSE DIRECTLY INVOLVED IN ITS MAINTENANCE.

# 1207.4.11 OPEN RACK INSTALLATIONS:

THE TELECOMMUNICATIONS FACILITY/CABINETS ARE LOCKED AND ONLY AUTHORIZED PERSONNEL HAVE ACCESS TO THE FACILITY AND ESS.

# 1207.4.12 WALK-IN UNITS:

WALK-IN UNITS SHALL BE ENTERED ONLY FOR INSPECTION, MAINTENANCE AND REPAIR OF ESS UNITS AND ANCILLARY EQUIPMENT, AND ARE NOT OCCUPIED FOR ANY OTHER PURPOSES.

# 1207.8.3 CLEARANCE TO EXPOSURES:

IN ACCORDANCE WITH SECTION 1207.8.3, THE ESS IS IN A WEATHERPROOF ENCLOSURE CONSTRUCTED OF NONCOMBUSTIBLE MATERIALS AND IS AT LEAST 10' FROM ANY LOT LINES, PUBLIC WAYS, BUILDINGS, STORED COMBUSTIBLE MATERIALS, HAZARDOUS MATERIALS, HIGH-PILED STOCK, OR OTHER EXPOSURE hazards.

# 1207.5.5 FIRE SUPPRESSION SYSTEMS

1207.5.5.1WATER-REACTIVE SYSTEMS: THE ESS IS A VALVE REGULATED LEAD ACID (VRLA) BATTERY SYSTEM THAT DOES NOT UTILIZE WATER-REACTIVE MATERIALS.

1207.5.2 MAXIMUM ALLOWABLE QUANTITIES: THE ESS IS A VALVE REGULATED LEAD ACID (VRLA) BATTERY SYSTEM AND PER TABLE 1207.5 THE MAXIMUM ALLOWABLE QUANTITY IS "UNLIMITED".

# 1207.5.1 SIZE AND SEPARATION:

1207.6.1 EXHAUST VENTILATION: THE CABINETS CONTAINING BATTERIES ARE OUTDOORS AND MEET VENTILATION REQUIREMENTS. THE ESS IS ALSO UNDER THE EXCLUSIVE CONTROL OF A COMMUNICATIONS UTILITY AND IS UNDER THE 1,000 GALLON THRESHOLD NOTED IN SECTION 1207.6.2.3.

1207.6.2.3.

# 1207.6.2.1 SPILL CONTROL:

1207.6.2.2 NEUTRALIZATION:

SEE RESPONSE FOR SECTION 1207.6.2 ABOVE, A SPILL CONTAINMENT SYSTEM KIT WILL BE STORED AT THE LEASE AREA. THE ESS IS ALSO UNDER THE EXCLUSIVE CONTROL OF A COMMUNICATIONS UTILITY AND IS UNDER THE 1,000 GALLON THRESHOLD NOTED IN SECTION 1207.6.2.3.

# 1207.6.4 SAFETY CAPS:

1207.6.5 THERMAL RUNAWAY: IN ACCORDANCE WITH SECTION 1207.6.5, THE CABINETS CONTAINING BATTERIES SHALL CONTAIN THERMAL RUNAWAY MANAGEMENT.

THE ESS IS FOR A LEAD-ACID BATTERY SYSTEMS UNDER THE EXCLUSIVE CONTROL OF A COMMUNICATIONS UTILITY THAT OPERATE AT LESS THAN 50 VAC AND 60 VDC. ADDITIONALLY, THE ESS IS LOCATED OUTDOORS AND DOES NOT REQUIRE AN AUTOMATIC FIRE SUPPRESSION SYSTEM.

# 1207.5.8 MEANS OF EGRESS SEPARATION:

IN ACCORDANCE WITH SECTION 1207.5.8, THE ESS IS LOCATED A MINIMUM OF 10' AWAY FROM ANY MEANS OF EGRESS AND DOES NOT OBSTRUCT OR IMPEDE SAFE EGRESS UNDER FIRE CONDITIONS.

PER EXCEPTION 1 IN SECTION 1207.5.1, THE ESS IS A LEAD-ACID BATTERY SYSTEM WHICH IS UNDER THE EXCLUSIVE CONTROL OF A COMMUNICATIONS UTILITY AND IS IN COMPLIANCE WITH NFPA 76.

# 1207.6.2 SPILL CONTROL AND NEUTRALIZATION:

IN COMPLIANCE WITH SECTION 1207.6.2 OF THE 2022 CALIFORNIA FIRE CODE, A SPILL CONTAINMENT SYSTEM KIT WILL BE STORED AT THE LEASE AREA. THE ESS IS ALSO UNDER THE EXCLUSIVE CONTROL OF A COMMUNICATIONS UTILITY AND IS UNDER THE 1,000 GALLON THRESHOLD NOTED IN SECTION

THE ESS IS STORED IN CABINETS WHICH COME EQUIPPED WITH SPILL CONTROL TRAYS WHICH ARE CAPABLE OF CONTAINING MORE THAN THE SINGLE LARGEST BATTERY OR VESSEL STORED IN THE CABINET. THE ESS IS ALSO UNDER THE EXCLUSIVE CONTROL OF A COMMUNICATIONS UTILITY AND IS UNDER THE 1,000 GALLON THRESHOLD NOTED IN SECTION 1207.6.2.3.

IN ACCORDANCE WITH SECTION 1207.6.4, THE PROPOSED BATTERIES SHALL BE EQUIPPED WITH SELF-RESEALING FLAME ARRESTING CAPS.

# 1207.5.7 VEGETATION CONTROL:

IN ACCORDANCE WITH SECTION 1207.5.7, THE OUTDOOR ESS SHALL BE CLEARED OF COMBUSTIBLE VEGETATION AREAS WITHIN 10' ON EACH SIDE OF THE OUTDOOR ESS CABINETS. EXCEPTION FOR SINGLE SPECIMENS OF TREES, SHRUBBERY OR CULTIVATED GROUND COVER SUCH AS GREEN GRASS, IVY, SUCCULENTS OR SIMILAR PLANTS USED AS GROUND COVER PROVIDED THAT THEY DO NOT FORM A MEANS OF READILY TRANSMITTING FIRE.



Container	5-Gallon D.O.T.	20-Gallon D.O.T.	Cart with Organizers	55-Gallon D.O.T.
Calobal Compliance Solutions				
Tyvek body coveralls	1	2	2	2
Headgear/face shield	1	2	2	2
Goggles	1	2	2	2
Rubber Gloves	1	2	2	2
pH test Kit	1	1	1	1
Duct Tape	1	1	1	1
Absorbent wipes	10	20	15	20
Hazmat disposal bags	2	2	2	3
Disposable respirator	1	2	2	2
Emergency response guidebook	1	1	1	1
NeutraSorb	5 lbs.	10 lbs.	5 lbs.	(4x) 10 lbs.
Neutralizing & absorbing Pads	3	3	5	6
SOCs		2		7
Scoop		1	1	1
Brush		1 brush	1	1 broom with collapsible handle
pH7			1 qt. bottle	16 oz. bottle.
Squeegee				1 with collapsible handle



# 5-Gallon Spill Clean-up Kit

# **Kit Includes**

- 5-Gallon D.O.T. container
- I pair of Tyvek body coveralls I headgear/face shield
- 1 pair of goggles
- I pair of rubber gloves
- I roll of duct tape, 1 pH test kit
- 3 neutralizing & absorbing pads
- 10 absorbent wipes
- 2 hazmat disposal bags
- 1 disposable respirator
- I emergency response guidebook

# Part Number

SCK-5 - Also available for NICd (SCK-5-K) applications

# **Regulations In Compliance With**

- Fire Codes
- Building Codes
- OSHA 1920.178

# Specifications

- Height: 14.5"
- Diameter: 11.25"

APPLICANT:	Source       Source         5005 EXECUTIVE PARKWAY         SAN RAMON, CA 94583
VENDOR:	P. MARSHALL & ASSOCIATES         ✓ A CENTERLINE COMMUNICATIONS COMPANY         1000 HOLCOMB WOODS PKWY. STE 210         ROSWELL, GA 30076         OFFICE (678) 280-2325
SITE INFORMATION:	CCLO4383 5707 HIGHLAND ROAD 5707 HIGHLAND ROAD SAN RAMON, CA 94583
	INI. SMR SMR INI.
DESIGN RECORD:	DESCRIPTION ISSUED FOR 90%CD'S ISSUED FOR 100%CD'S ISSUED FOR 100%CD'S
	DATE 09/24/24 10/30/24 11/11/24
PROFESSIONAL STAMP:	SIGNED: 2024/11/11 EXPIRES: 2025/09/30 It is a violation of law for any persons, unless they are acting under the direction of a licensed professional engineer, to alter this document
SHEET TITLE:	GN-2
SHEET NAME:	CFC 2022 SECTION 1207 COMPLIANCE

Spill Clean-Up Kits Neutralizing Products Cabinet Kits

5 lbs. NeutraSorb (acid absorbent & neutralizer)



Lockable Rolling

# CULTURAL RESOURCES:

31. THE FOLLOWING MITIGATION MEASURES SHALL BE IMPLEMENTED DURING PROJECT RELATED GROUND DISTURBANCE, AND SHALL BE INCLUDED ON ALL CONSTRUCTION PLANS:

i. ALL CONSTRUCTION PERSONNEL, INCLUDING OPERATORS OF EQUIPMENT INVOLVED IN GRADING, OR TRENCHING ACTIVITIES WILL BE ADVISED OF THE NEED TO IMMEDIATELY STOP WORK IF THEY OBSERVE ANY INDICATIONS OF THE PRESENCE OF AN UNANTICIPATED CULTURAL RESOURCE DISCOVERY (E.G. WOOD, STONE, FOUNDATIONS, AND OTHER STRUCTURAL REMAINS; DEBRIS-FILLED WELLS OR PRIVIES; DEPOSITS OF WOOD, GLASS, CERAMICS). IF DEPOSITS OF PREHISTORIC OR HISTORICAL ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING GROUND DISTURBANCE ACTIVITIES, ALL WORK WITHIN 50 FEET OF THE DISCOVERY SHALL BE REDIRECTED AND A QUALIFIED ARCHAEOLOGIST, CERTIFIED BY THE SOCIETY FOR CALIFORNIA ARCHAEOLOGY (SCA) AND/OR THE SOCIETY OF PROFESSIONAL ARCHAEOLOGY (SOPA), SHALL BE CONTACTED TO EVALUATE THE FINDS AND, IF NECESSARY, DEVELOP APPROPRIATE TREATMENT MEASURES IN CONSULTATION WITH THE COUNTY AND OTHER APPROPRIATE AGENCIES.

IF THE DEPOSITS ARE NOT ELIGIBLE, AVOIDANCE IS NOT NECESSARY. IF ELIGIBLE, DEPOSITS WILL NEED TO BE AVOIDED BY IMPACTS OR SUCH IMPACTS MUST BE MITIGATED. UPON COMPLETION OF THE ARCHAEOLOGICAL ASSESSMENT, A REPORT SHOULD BE PREPARED DOCUMENTING THE METHODS, RESULTS, AND RECOMMENDATIONS. THE REPORT SHOULD BE SUBMITTED TO THE NORTHWEST INFORMATION CENTER AND APPROPRIATE CONTRA COSTA COUNTY AGENCIES.

ii. SHOULD HUMAN REMAINS BE UNCOVERED DURING GRADING, TRENCHING, OR OTHER ON-SITE EXCAVATION(S), EARTHWORK WITHIN 30 YARDS OF THESE MATERIALS SHALL BE STOPPED UNTIL THE COUNTY CORONER HAS HAD AN OPPORTUNITY TO EVALUATE THE SIGNIFICANCE OF THE HUMAN REMAINS AND DETERMINE THE PROPER TREATMENT AND DISPOSITION OF THE REMAINS. PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 7050.5, IF THE CORONER DETERMINES THE REMAINS MAY THOSE OF A NATIVE AMERICAN, THE CORONER IS RESPONSIBLE FOR CONTACTING THE NATIVE AMERICAN HERITAGE COMMISSION (NAHC) BY TELEPHONE WITHIN 24 HOURS. PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTION 5097.98, THE NAHC WILL THEN DETERMINE A MOST LIKELY DESCENDANT (MLD) TRIBE AND CONTACT THEM. THE MLD TRIBE HAS 48 HOURS FROM THE TIME THEY ARE GIVEN ACCESS TO THE SITE TO MAKE RECOMMENDATIONS TO THE LAND OWNER FOR TREATMENT AND DISPOSITION OF THE ANCESTOR'S REMAINS. THE LAND OWNER SHALL FOLLOW THE REQUIREMENTS OF PUBLIC RESOURCES CODE SECTION 5097.98 FOR THE REMAINS. (MM CULTURAL RESOURCES 1)

AIR QUALITY

- TIMES PER DAY.

- EVALUATOR.
- (MM AIR QUALITY 1)

# **AESTHETICS:**

FACILITY.

29. AIR QUALITY 1: THE FOLLOWING BAY AREA AIR QUALITY MANAGEMENT DISTRICT, BASIC CONSTRUCTION MITIGATION MEASURES SHALL BE IMPLEMENTED DURING PROJECT CONSTRUCTION AND SHALL BE INCLUDED ON ALL CONSTRUCTION PLANS.

 ALL EXPOSED SURFACES (E.G., PARKING AREAS, STAGING AREAS, SOIL PILES, GRADED AREAS, AND UNPAVED ACCESS ROADS) SHALL BE WATERED TWO

 ALL HAUL TRUCKS TRANSPORTING SOIL, SAND, OR OTHER LOOSE MATERIAL OFF-SITE SHALL BE COVERED.

 ALL VISIBLE MUD OR DIRT TRACKED-OUT ONTO ADJACENT PUBLIC ROADS SHALL BE REMOVED USING WET POWER VACUUM STREET SWEEPERS AT LEAST ONCE PER DAY. THE USE OF DRY POWER IS PROHIBITED.

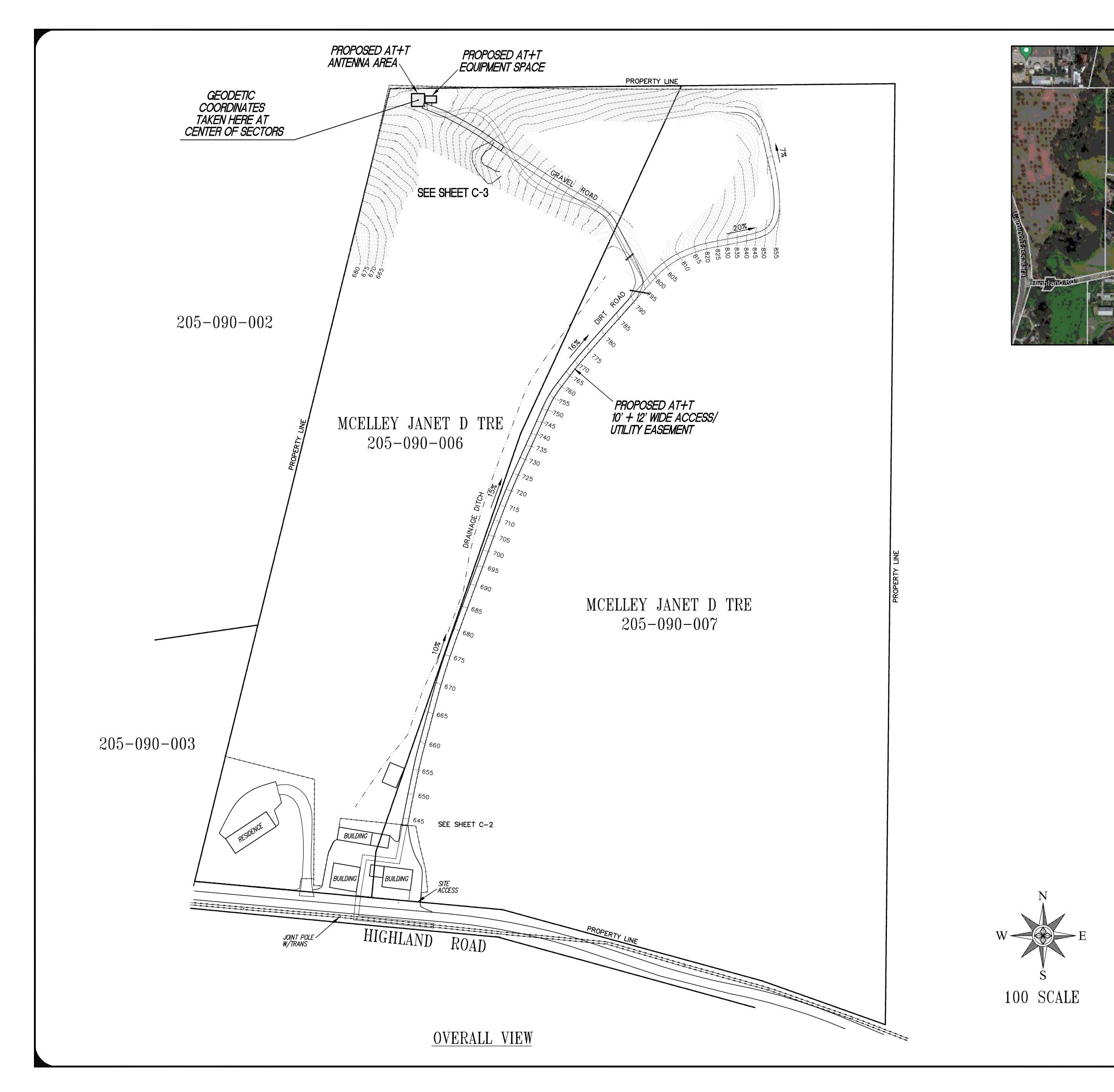
• ALL VEHICLE SPEEDS ON UNPAVED ROADS SHALL BE LIMITED TO 15 MPH. • ALL ROADWAYS, DRIVEWAYS, AND SIDEWALKS TO BE PAVED SHALL BE COMPLETED AS SOON AS POSSIBLE. BUILDING PADS SHALL BE LAID AS SOON AS POSSIBLE AFTER GRADING UNLESS SEEDING OR SOIL BINDERS ARE USED. IDLING TIMES SHALL BE MINIMIZED EITHER BY SHUTTING EQUIPMENT OFF WHEN NOT IN USE OR REDUCING THE MAXIMUM IDLING TIME TO FIVE MINUTES (AS REQUIRED BY THE CALIFORNIA AIRBORNE TOXICS CONTROL MEASURE TITLE 13, SECTION 2485 OF CALIFORNIA CODE OF REGULATIONS [CCR]). CLEAR SIGNAGE SHALL BE PROVIDED FOR CONSTRUCTION WORKERS AT ALL ACCESS POINTS.

 ALL CONSTRUCTION EQUIPMENT SHALL BE MAINTAINED AND PROPERLY TUNED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS. ALL EQUIPMENT SHALL BE CHECKED BY A CERTIFIED VISIBLE EMISSIONS

 POST A PUBLICLY VISIBLE SIGN WITH THE TELEPHONE NUMBER AND PERSON TO CONTACT AT THE LEAD AGENCY REGARDING DUST COMPLAINTS. THIS PERSON SHALL RESPOND AND TAKE CORRECTIVE ACTION WITHIN 48 HOURS. THE AIR DISTRICT'S PHONE NUMBER SHALL ALSO BE VISIBLE TO ENSURE COMPLIANCE WITH APPLICABLE REGULATIONS.

18. THE FACILITY, ALL FENCES SURROUNDING A FACILITY, AND ALL OTHER FIXTURES AND IMPROVEMENTS ON THE FACILITY SITE SHALL BE CAMOUFLAGED TO BLEND INTO THE SCENIC HILLSIDE. THE PROPOSED FAUX WATER TOWER SHALL CONCEAL ALL ANTENNAS AND ANCILLARY EQUIPMENT SO THEY ARE NOT VISIBLE FROM THE SURROUNDING PROPERTIES. FENCES SHALL BE MADE OF WOOD OR OTHERWISE BLEND INTO THE RURAL AGRICULTURAL LANDSCAPE. ALL EQUIPMENT AND FENCES MUST BE MAINTAINED AS OFTEN AS NECESSARY TO PREVENT FADING, CHIPPING, OR WEATHERING OF PAINT THAT WOULD DEFEAT THE CAMOUFLAGING OF THE

APPLICANT:				XEC		IVE	Г РА СА			Y
VENDOR:	¢	P. MARSHALL & ASSOCIATES         ✓         A CENTERLINE COMMUNICATIONS COMPANY         1000 HOLCOMB WOODS PKWY. STE 210         ROSWELL, GA 30076         OFFICE (678) 280-2325								
SITE INFORMATION:	5	<b>570</b>	7 ⊦	<b>IIG</b>	HL	AN AN		RO	AD	)
	INI.	BH	SMR	SMR						
DESIGN RECORD:	DESCRIPTION	ISSUED FOR 90%CD'S	ISSUED FOR 95%CD'S	ISSUED FOR 100%CD'S						
D	DATE	09/24/24	10/30/24	11/11/24						
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PROFESSIONAL STAMP:	pe	EXPRESSION SIGNED: 2024/11/11 EXPIRES: 2025/09/30 It is a violation of law for any persons, unless they are acting under the direction of a licensed professional engineer, to alter this document								
SHEET TITLE:			(	5	N	J		3	1	
SHEET NAME:		С	_			_	) N V A	-	DF	





# VICINITY MAP

# PROPERTY INFORMATION

OWNER: ADDRESS:	MCELLEY JANET D TRE 5707 HIGHLAND ROAD SAN RAMON, CA 94583
SITE:	JANET AND SHANE McELLEY 5707 HIGHLAND ROAD SAN RAMON, CA 94583

ASSESSOR'S PARCEL NUMBER: <u>205-090-006 & 205-090-0</u>07 EXISTING GROUND ELEVATION: <u>CENTER OF SECTORS=902.0'</u>

# SURVEYOR'S NOTES

ALL EASEMENTS CONTAINED IN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED. SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

# BASIS OF BEARING

BEARINGS SHOWED HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM *STATE PLANE COORDINATE ZONE 3*, DETERMINED BY GPS OBSERVATIONS.

# UTILITY NOTES

SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT U.S.A. AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/ OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

# LESSOR'S LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, RECORDED PARCEL B, MAP OF PARCEL MAP, FILED JULY 3, 1969 BOOK 9 PARCEL MAPS, PAGE 30 CONTRA COSTA COUNTY RECORDS.

# BENCHMARK

ELEVATION ESTABLISHED FROM GPS DERIVED ORTHOMETRIC HEIGHTS, APPLYING GEOID 99 SEPARATIONS, CONSTRAINING TO NGS CONTROL STATION 'LUTZ' ELEVATION=450.0' (NAVD88)

# TITLE REPORT

TITLE REPORT WAS PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, ORDER NO: 5026900-6746706 AND 5026900-6755519, DATED: DECEMBER 29, 2021.

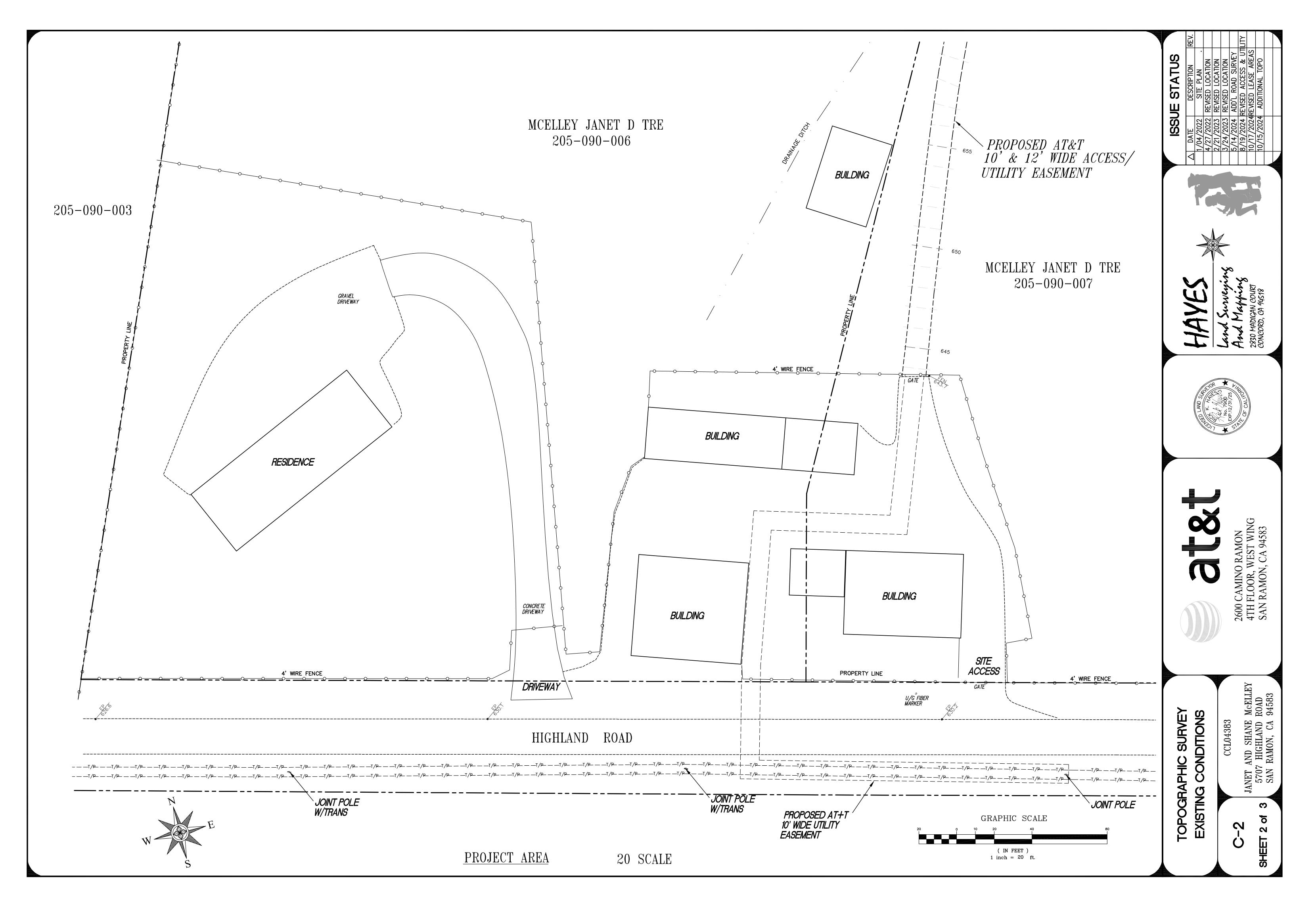
# SURVEY DATE

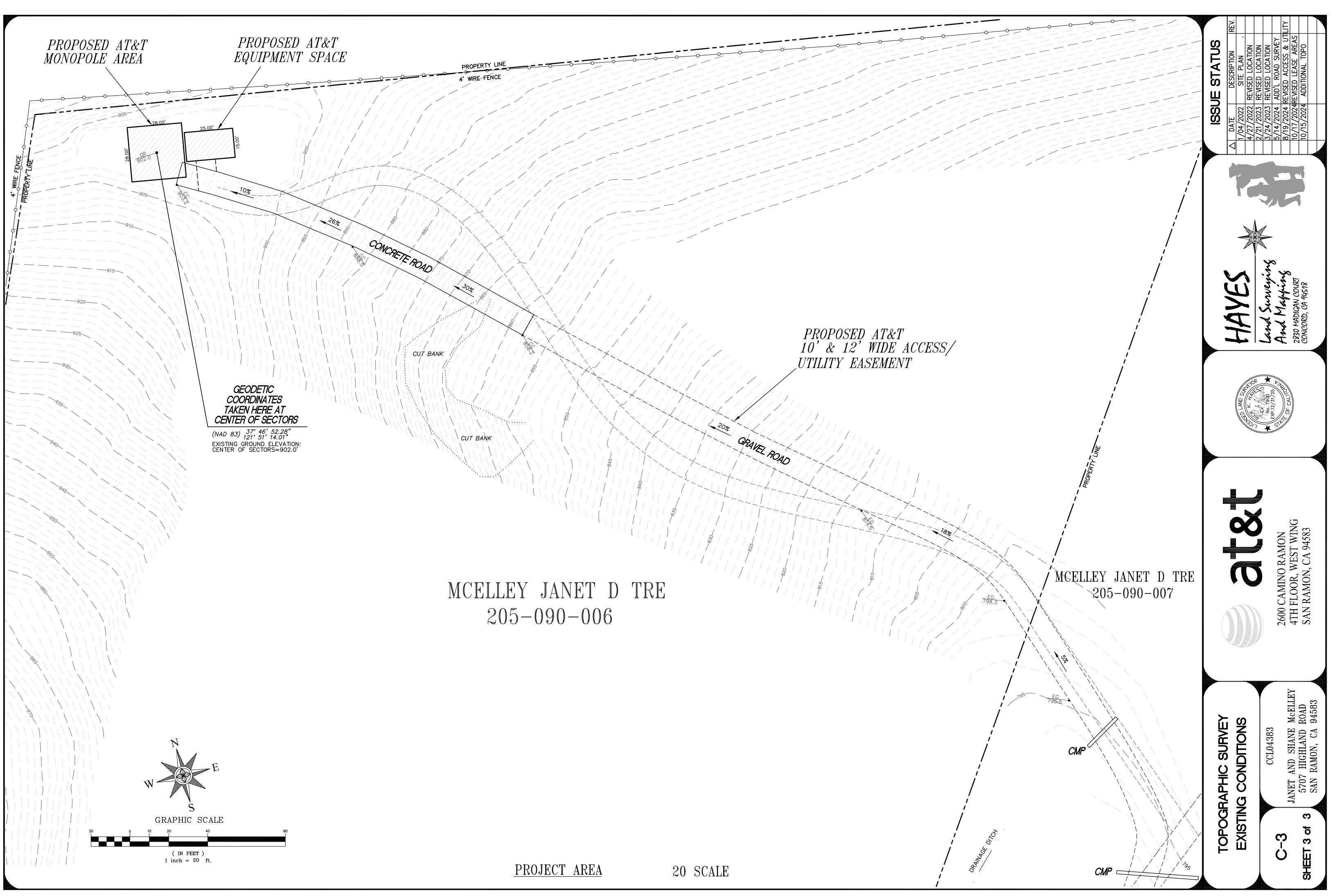
# LEGEND

		wv		
P.O.B. TFC GR EP DWY JP	POINT OF BEGINNING TOP FACE OF CURB GROUND SHOT EDGE OF PAVEMENT ACCESS DRIVEWAY JOINT POLE	Ç] ⊛ ∳	WATER CONTROL VALVE FIRE HYDRANT GUY CONDUCTOR FOUND AS NOTED POWER POLE	
TRANS TW ELEC SSCO	TRANSFORMER TOP OF WALL ELECTRIC SEWER CLEAN OUT	¢ E AC ≊	ELECTRICAL TRANSFORMER AIR CONDITIONING UNIT TELEPHONE PEDESTAL	
****	GEODETIC COORDINATES SPOT ELEVATION DISH ANTENNA	⊡ © ₀ ∞	TELEPHONE VAULT TELEPHONE MANHOLE GAS VALVE GAS METER	
Þ	6' CHAINLINK FENCE			
	GRAPH	IC S	CALE	
100	0 50 100			400

( IN FEET ) 1 inch = 100 ft.

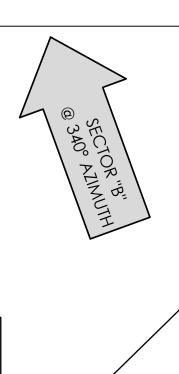
TOPOGRAPHIC SLIRVEY				ISSUE STATUS	
EXISTING CONDITIONS		STAND SIZ	HAVES	△     DATE     DESCRIPTION     RE       1/04/2022     SITE PLAN     .	REV.
		CC K. HALL		4/27/2022 REVISED LOCATION	
		~ ( Such Martin a		2/21/2023 REVISED LOCATION	
CCL04383			Land Surveying	3/24/2023 REVISED LOCATION	
		0, EXP.12/31/28		5/14/2024   ADD'L ROAD SURVEY	
	2000 CAIVILINU KAIVIUN	OF CALLOR	HAA FLAMMAN	8/19/2024 REVISED ACCESS & UTULTY	₹
JANET AND SHANE MCELLEY	4TH FLOOR, WEST WING		2820 MADICAN COURT	10/17/2024REVISED LEASE AREAS	
CHEET 1 of 3 5707 HIGHLAND ROAD	SAN RAMON CA 94583		CONCORD, CA 14518	10/15/2024 ADDITIONAL TOPO	





# THIS IS NOT A SITE SURVEY

ALL PROPERTY BOUNDARIES, ORIENTATION OF TRUE NORTH AND STREET HALF-WIDTHS HAVE BEEN OBTAINED FROM A TAX PARCEL MAP AND EXISTING DRAWINGS AND ARE APPROXIMATE.

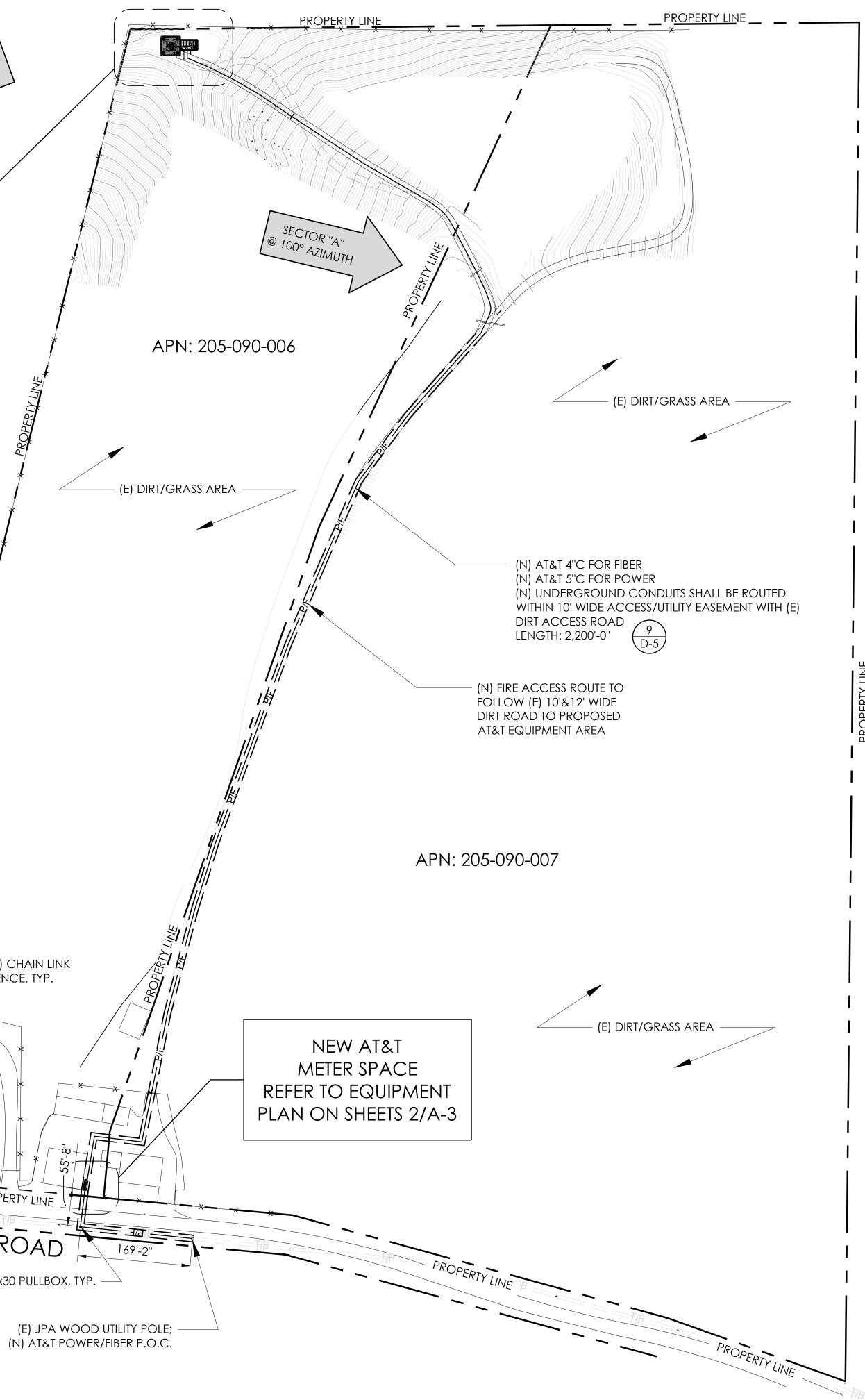


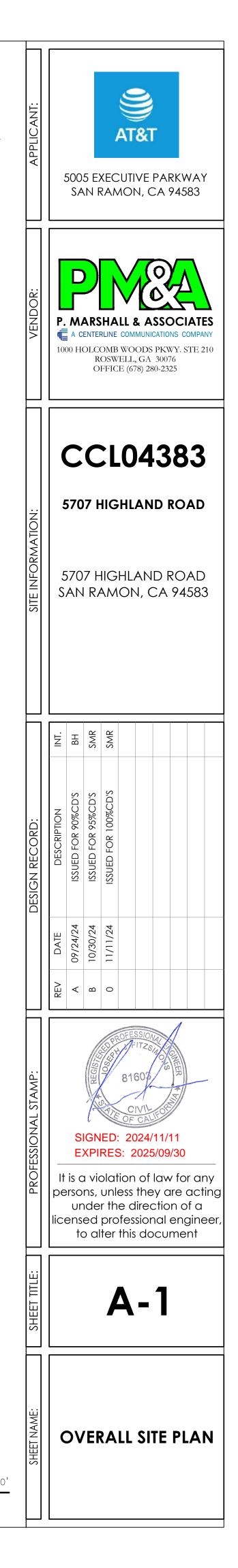
NEW AT&T

PROJECT AREA REFER TO ENLARGED SITE PLAN ON SHEET A-2 \_ \_ \_ - (E) CHAIN LINK FENCE, TYP. (E) BUILDING, TYP. PROPERTY LINE HIGHLAND ROAD

(N) 17x30 PULLBOX, TYP.  $\longrightarrow$ 

OVERALL SITE PLAN



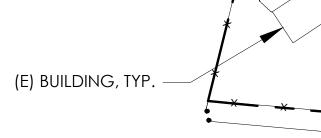


 $\bigcirc$ 

24"x36" SCALE: 1" = 100'-0" 11"x17" SCALE: 1" = 200'-0"

FIRE DEPARTMENT NOTES:

- 1. A FIRE DEPARTMENT INSPECTION IS REQUIRED BEFORE THE FUEL CAN BE PLACED INTO THE TANK AND THE GENERATOR IS USED.
- LABEL ABOVE GROUND TANK ON BOTH SIDES AND OR TANK ENCLOSURE WITH "190 GALLONS DIESEL FUEL – COMBUSTIBLE LIQUID – NO SMOKING" OR PROVIDE SIGNAGE INDICATING THE SAME.
- 3. INSTALL HAZARD IDENTIFICATION SIGNS AS SPECIFIED IN NFPA 704 AT THE ENTRANCES TO LOCATIONS WHERE HAZARDOUS MATERIALS ARE STORED, AND ON STATIONARY ABOVE-GROUND TANKS.

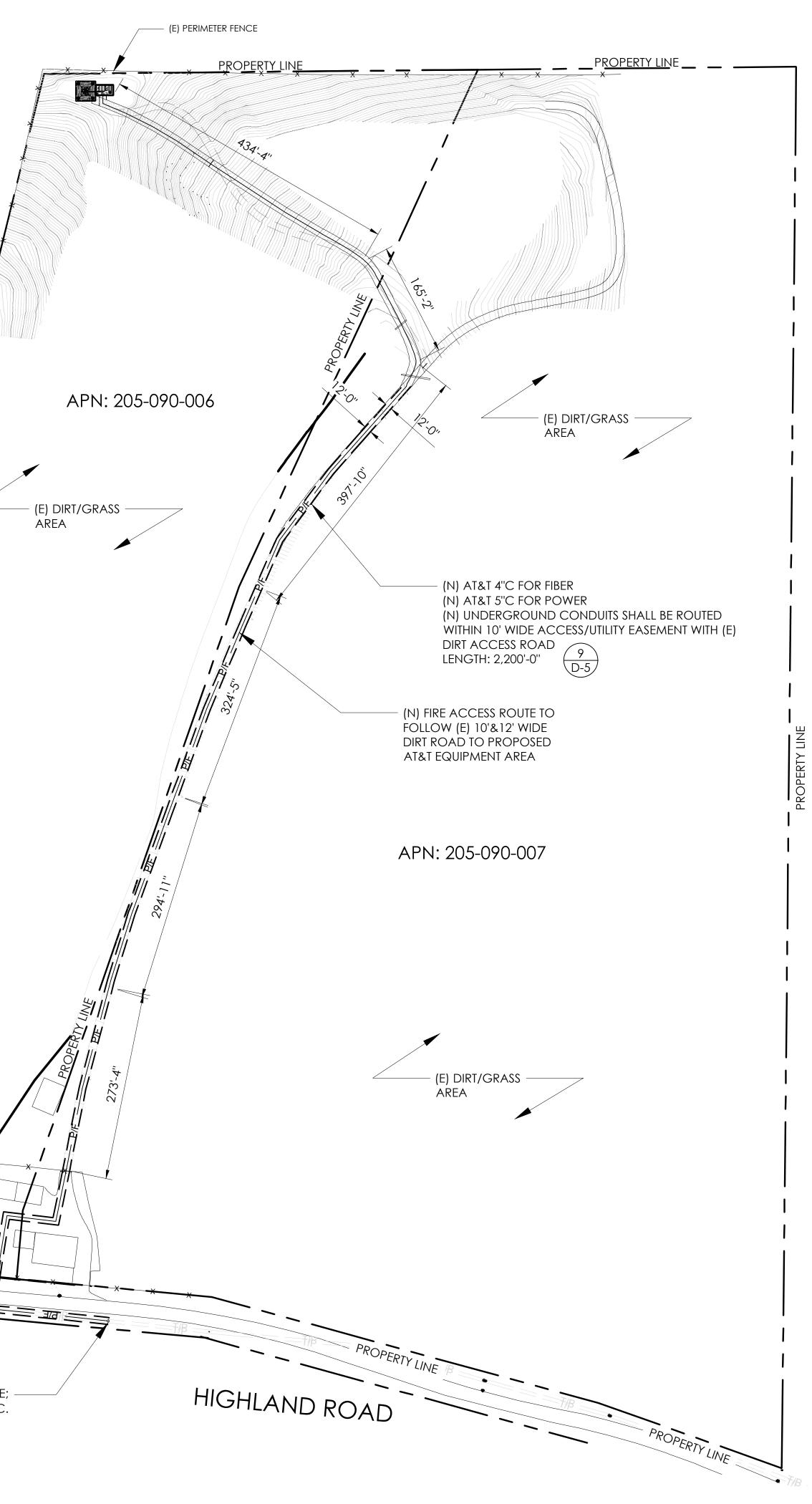


\_ \_

(E) JPA WOOD UTILITY POLE; (N) AT&T POWER/FIBER P.O.C.

\_ PROPERTY LINE

– (E) CHAIN LINK FENCE, TYP.

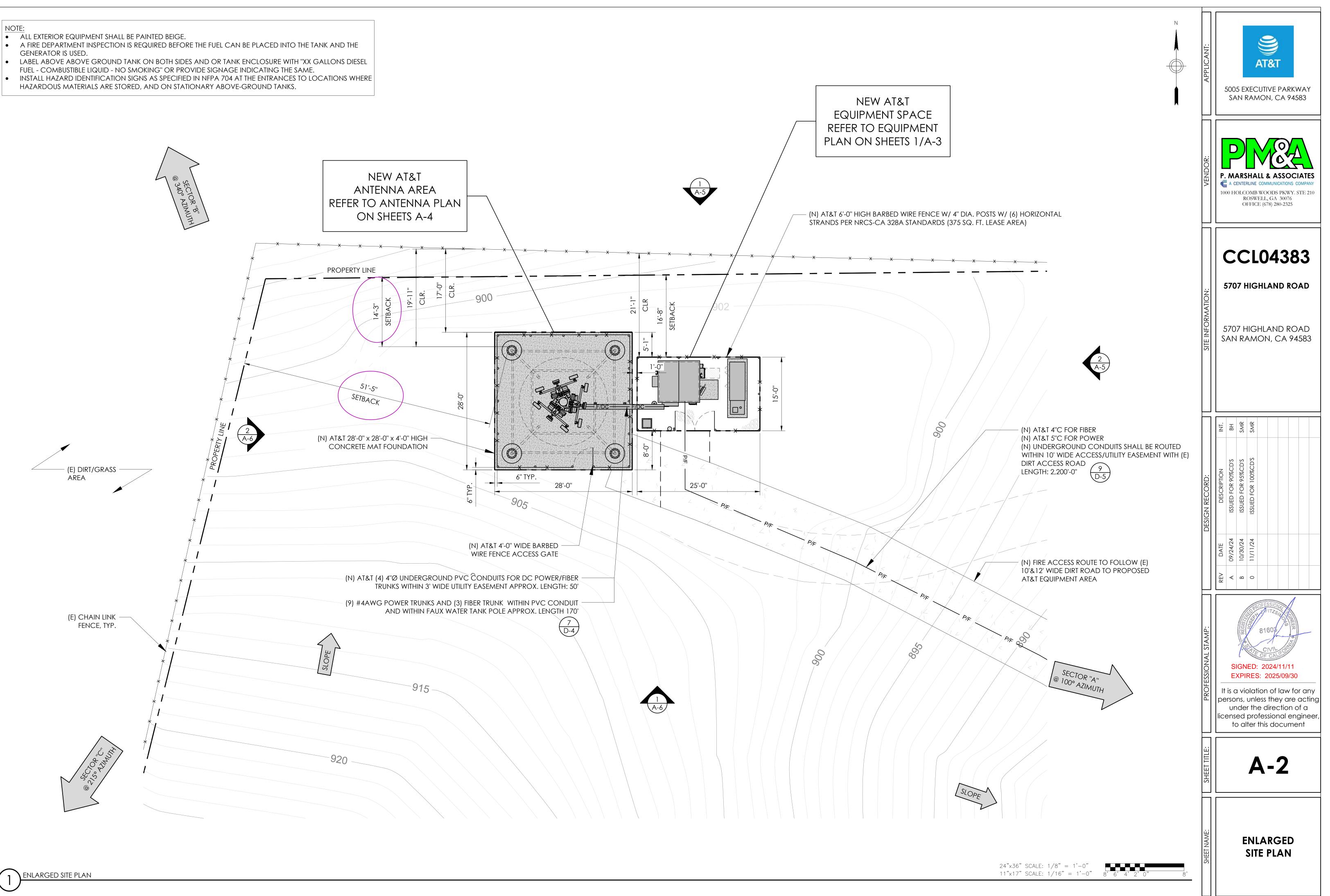


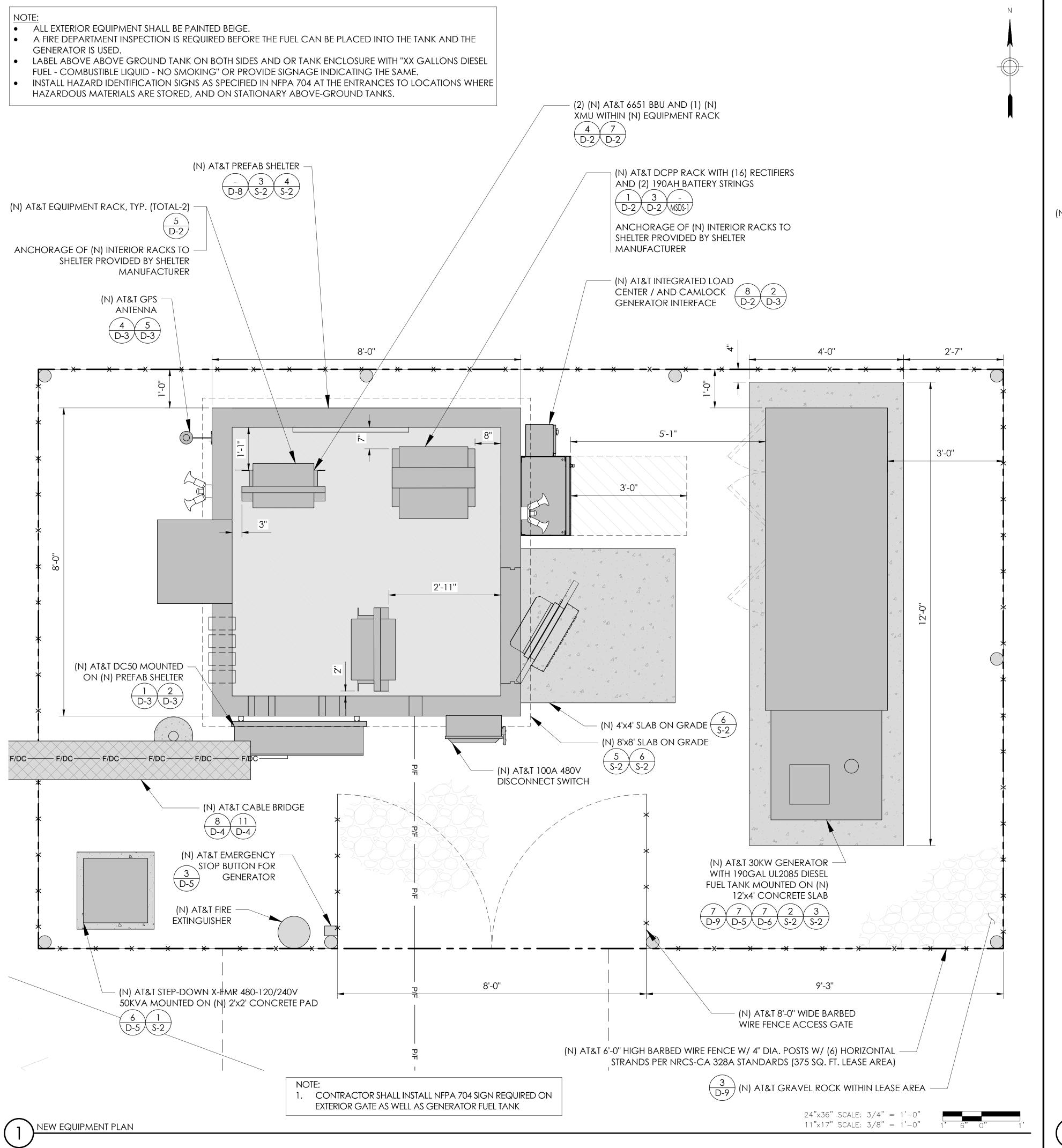
APPLICANT:				XEC	CUT	8 8 IVE N, C	PA			(
VENDOR:		A C	ENTER OLCO R	RLINE OMB OSW	CON WC WC	00DS , GA 78) 28	CATIO PKV 300	NSC WY.S 76	OMPA	NY
SITE INFORMATION:	5	570	7 F	liG	HL	<b>AN</b>		<b>RO</b>	AD	)
H	INT.	BH	SMR	SMR						
DESIGN RECORD:	DESCRIPTION	ISSUED FOR 90%CD'S	ISSUED FOR 95%CD'S	ISSUED FOR 100%CD'S						
	DATE	09/24/24	10/30/24	11/11/24						
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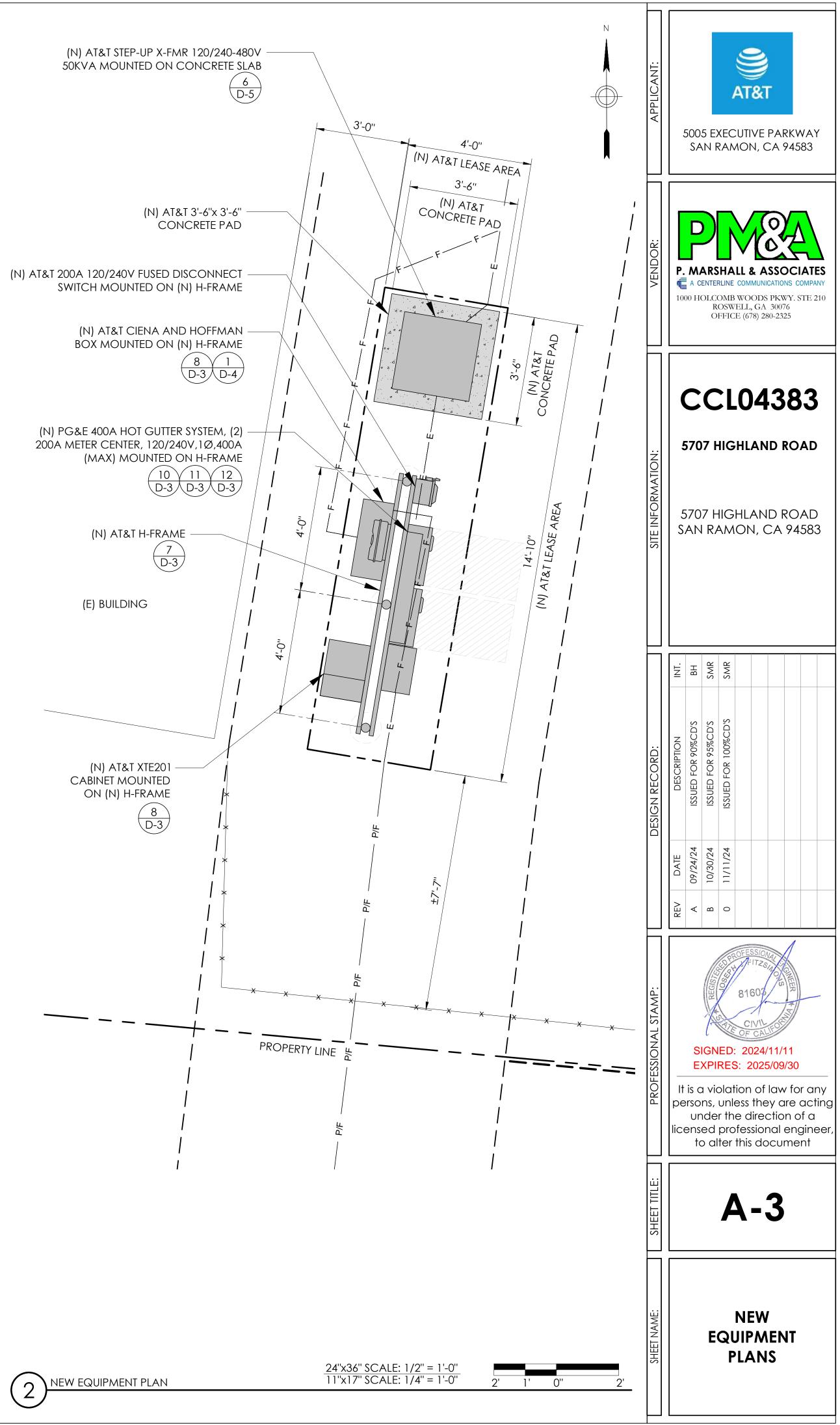
24"x36" SCALE: 1" = 100'-0" 11"x17" SCALE: 1" = 200'-0"

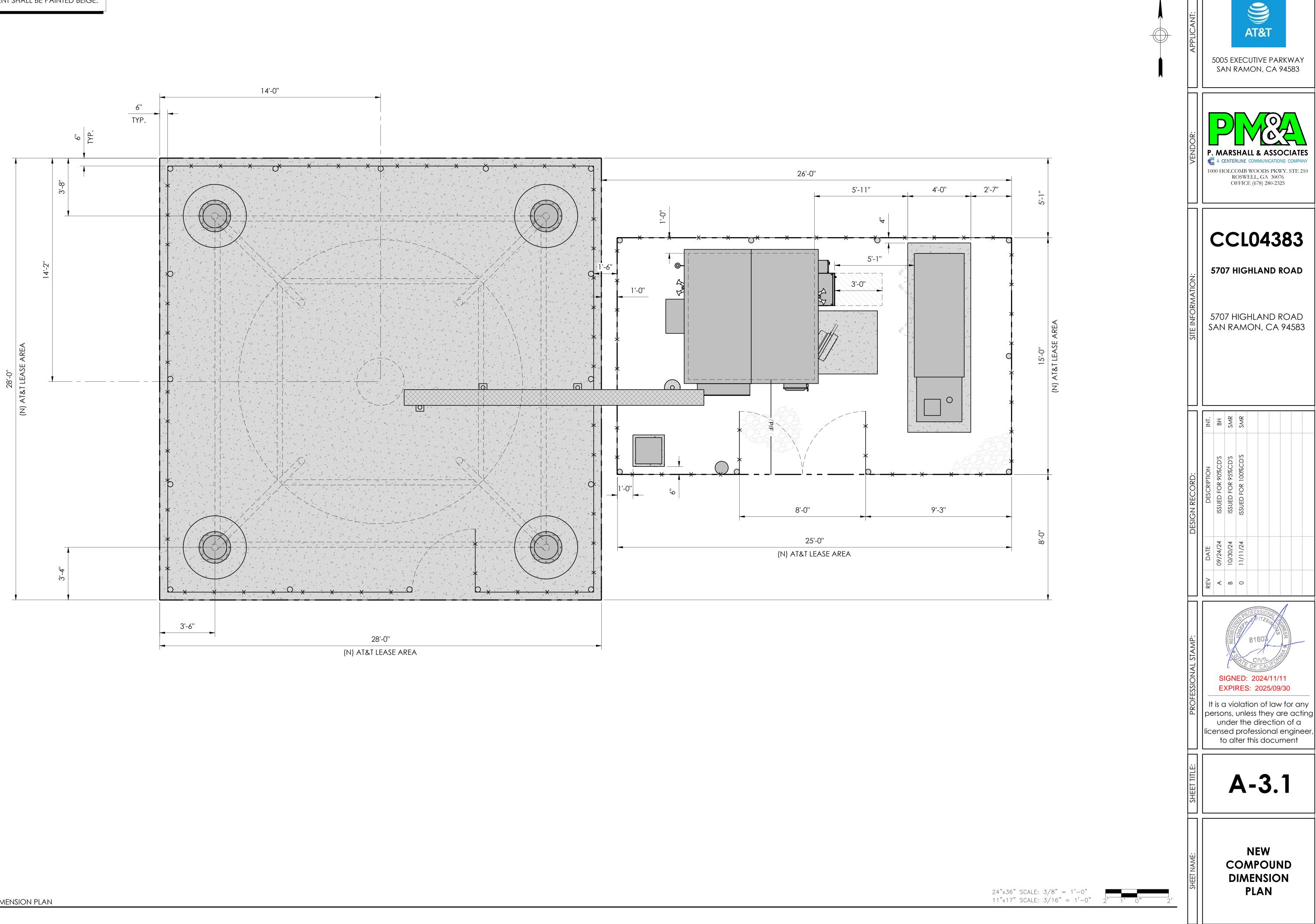
# NOTE:

- A FIRE DEPARTMENT INSPECTION IS REQUIRED BEFORE THE FUEL CAN BE PLACED INTO THE TANK AND THE GENERATOR IS USED.
- LABEL ABOVE ABOVE GROUND TANK ON BOTH SIDES AND OR TANK ENCLOSURE WITH "XX GALLONS DIESEL
- INSTALL HAZARD IDENTIFICATION SIGNS AS SPECIFIED IN NFPA 704 AT THE ENTRANCES TO LOCATIONS WHERE



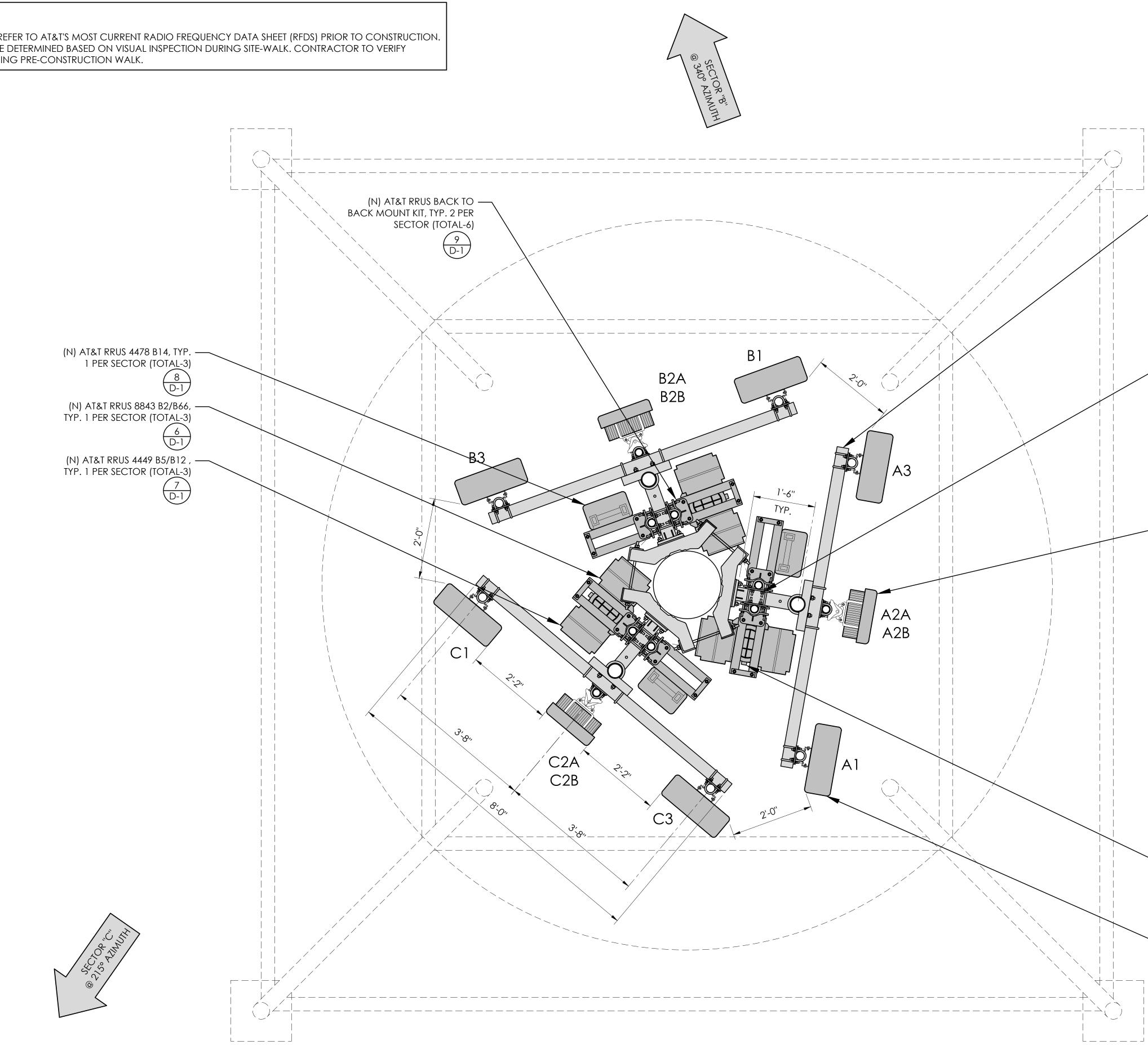






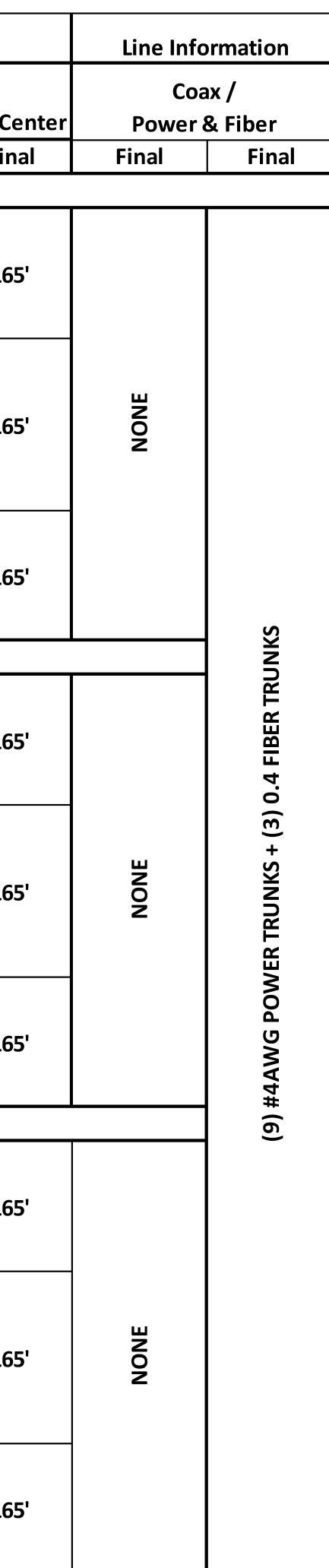






	APPLICANT:	Solution       Solution         5005       EXECUTIVE PARKWAY         SAN RAMON, CA 94583
(N) AT&T ANTENNA MOUNT (SITE PRO - RMVD8-2120-18) 4 D-7	VENDOR:	P. MARSHALL & ASSOCIATES         Image: A centerline communications company         1000 HOLCOMB WOODS PKWY. STE 210 ROSWELL, GA 30076 OFFICE (678) 280-2325
(N) AT&T BACK TO BACK PIPE MOUNT, TYP. (TOTAL-3)	SITE INFORMATION:	CCLO4383 5707 HIGHLAND ROAD 5707 HIGHLAND ROAD SAN RAMON, CA 94583
(N) AT&T AIR6419 B77G (ABOVE) + AIR6449 B77D (BELOW), TYP. STACKED PER SECTOR (TOTAL-6) 1 2 3 D-1 D-1 D-1		IION INT. 00%CD'S BH 55%CD'S SMR 00%CD'S SMR
SECTOR "A" @ 100° AZIMUTH	DESIGN RECORD:	REV         DATE         DESCRIPTIC           A         09/24/24         ISSUED FOR 90'           B         10/30/24         ISSUED FOR 90'           0         11/11/24         ISSUED FOR 100'           1         11/11/24         ISSUED FOR 100'
<ul> <li>(N) AT&amp;T DC9 SURGE SUPPRESSOR (DOME), TYP. 1 PER SECTOR (TOTAL-3)</li> <li>10 D-1</li> <li>(N) AT&amp;T DMP65R-BU8DA-K PANEL ANTENNAS, TYP. 2 PER SECTOR (TOTAL-6)</li> </ul>	PROFESSIONAL STAMP:	SIGNED: 2024/11/11 EXPIRES: 2025/09/30 It is a violation of law for any persons, unless they are acting under the direction of a licensed professional engineer, to alter this document
$\frac{4}{D-1} \frac{5}{D-1}$	SHEET TITLE:	A-4
24"x36" SCALE: 3/4" = 1'-0" 11"x17" SCALE: 3/8" = 1'-0" 1' 6" 0"	, SHEET NAME:	NEW ANTENNA PLAN

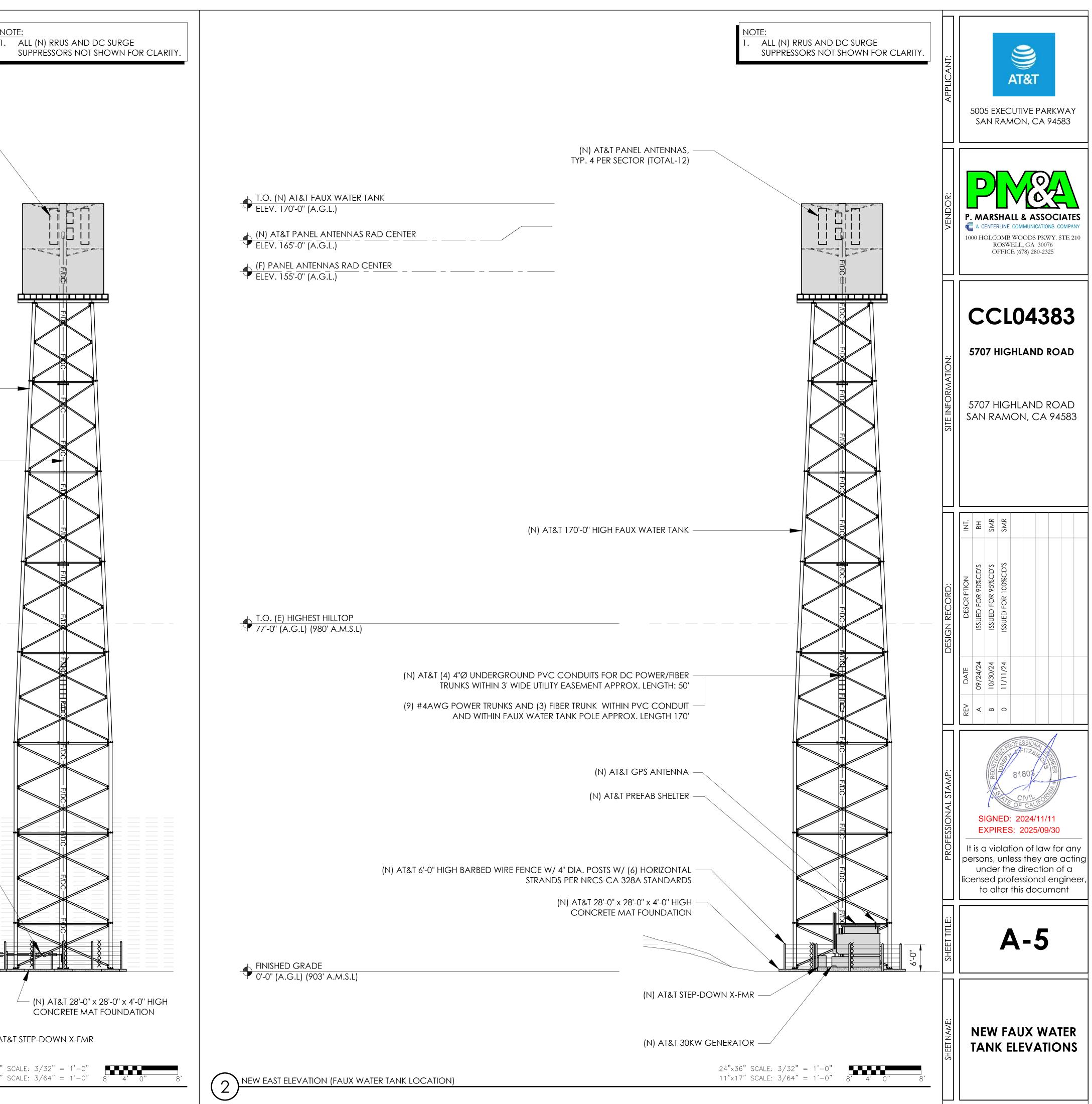
		Antenna		Addit	ional Antenna Informati	ion	1
Position	sition Use Existing/ Swap/New Final			Final	Final		Rad Ce
			Final	Туре	Location	Final	Fina
				ALPHA			
	NEW	ССІ	LTE 700	RRUS 4449 B5/B12	ТОР		
1		DMP65R-BU8DA-K	5G 850 LTE 1900 5G 1900	RRUS 8843 B2/B66A	ΤΟΡ	100	165
2		(STACKED) ERICSSON AIR6419 B77G ERICSSON AIR6449 B77D	5G DoD 5G CBAND	NONE	NONE	100	165
3		CCI DMP65R-BU8DA-K	LTE FNET LTE 700 LTE AWS 5G AWS	RRUS 4478 B14	ТОР	100	165
				BETA			
1		CCI DMP65R-BU8DA-K	LTE 700 5G 850 LTE 1900 5G 1900	RRUS 4449 B5/B12 RRUS 8843 B2/B66A	TOP TOP	340	165
2		(STACKED) ERICSSON AIR6419 B77G ERICSSON AIR6449 B77D	5G DoD 5G CBAND	NONE	NONE	340	165
3		CCI DMP65R-BU8DA-K	LTE FNET LTE 700 LTE AWS 5G AWS	RRUS 4478 B14	ТОР	340	165
				GAMMA			
1		CCI DMP65R-BU8DA-K	LTE 700 5G 850 LTE 1900 5G 1900	RRUS 4449 B5/B12 RRUS 8843 B2/B66A	TOP TOP	215	165
2		(STACKED) ERICSSON AIR6419 B77G ERICSSON AIR6449 B77D	5G DoD 5G CBAND	NONE	NONE	215	165
3		CCI DMP65R-BU8DA-K	LTE FNET LTE 700 LTE AWS 5G AWS	RRUS 4478 B14	ТОР	215	165



APPLICANT:				-	CUTI		PAI		VA) 83	ſ
VENDOR:	Ý.	P. MARSHALL & ASSOCIATES A CENTERLINE COMMUNICATIONS COMPANY 1000 HOLCOMB WOODS PKWY. STE 210 ROSWELL, GA 30076 OFFICE (678) 280-2325								
SITE INFORMATION:	Ę	<b>570</b>	7 ►	<b>IIG</b>	HL	AN	D F	<b>RO</b> .	AD	)
	INT.	BH	SMR	SMR						
DESIGN RECORD:	DESCRIPTION	ISSUED FOR 90%CD'S	ISSUED FOR 95%CD'S	ISSUED FOR 100%CD'S						
	REV DATE	A 09/24/24	B 10/30/24	0 11/11/24						
PROFESSIONAL STAMP:	Image: Additional system       Image: Additional system         Image: Additional system									
SHEET TITLE:				4		4	••	1		
SHEET NAME:			RF	S	Cŀ	łE	DU	ILE		

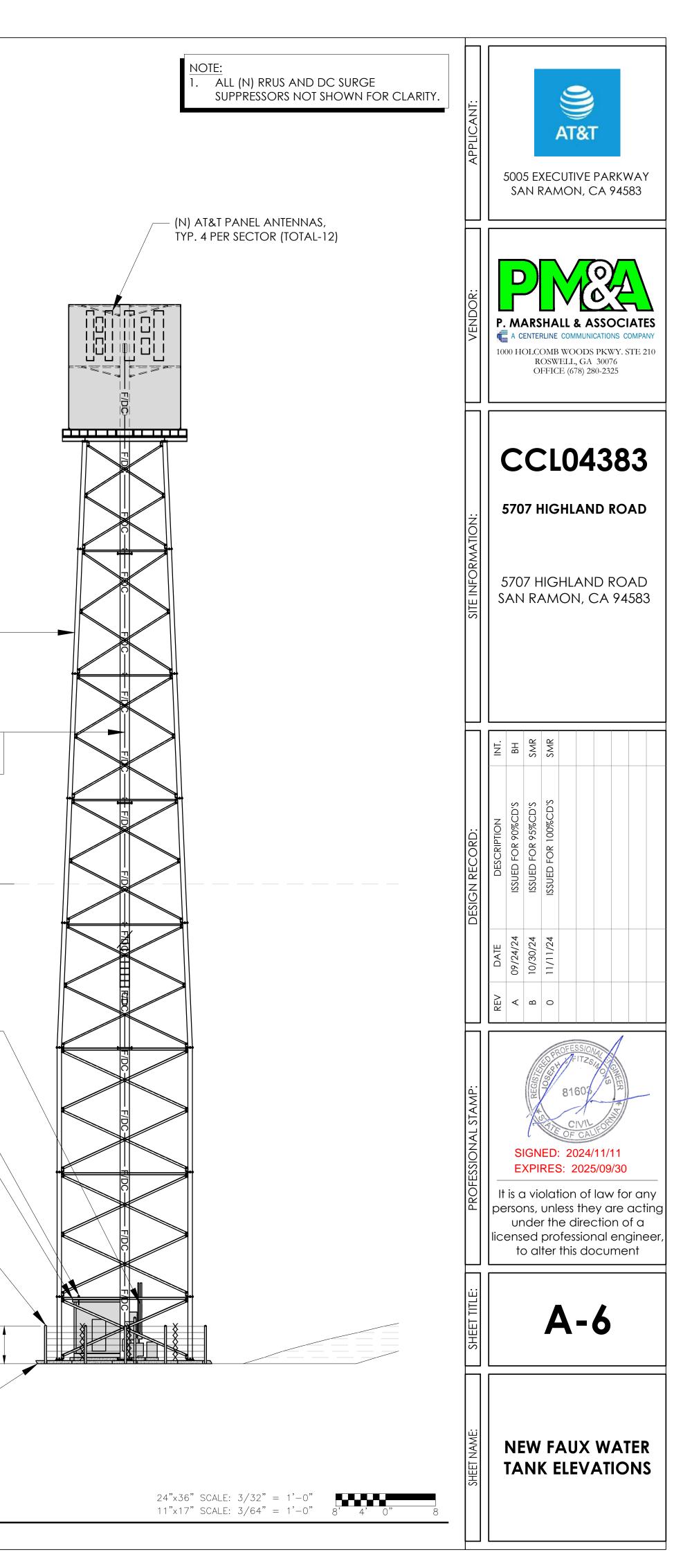
(N) AT&T PANEL ANTENNAS, --TYP. 4 PER SECTOR (TOTAL-12)

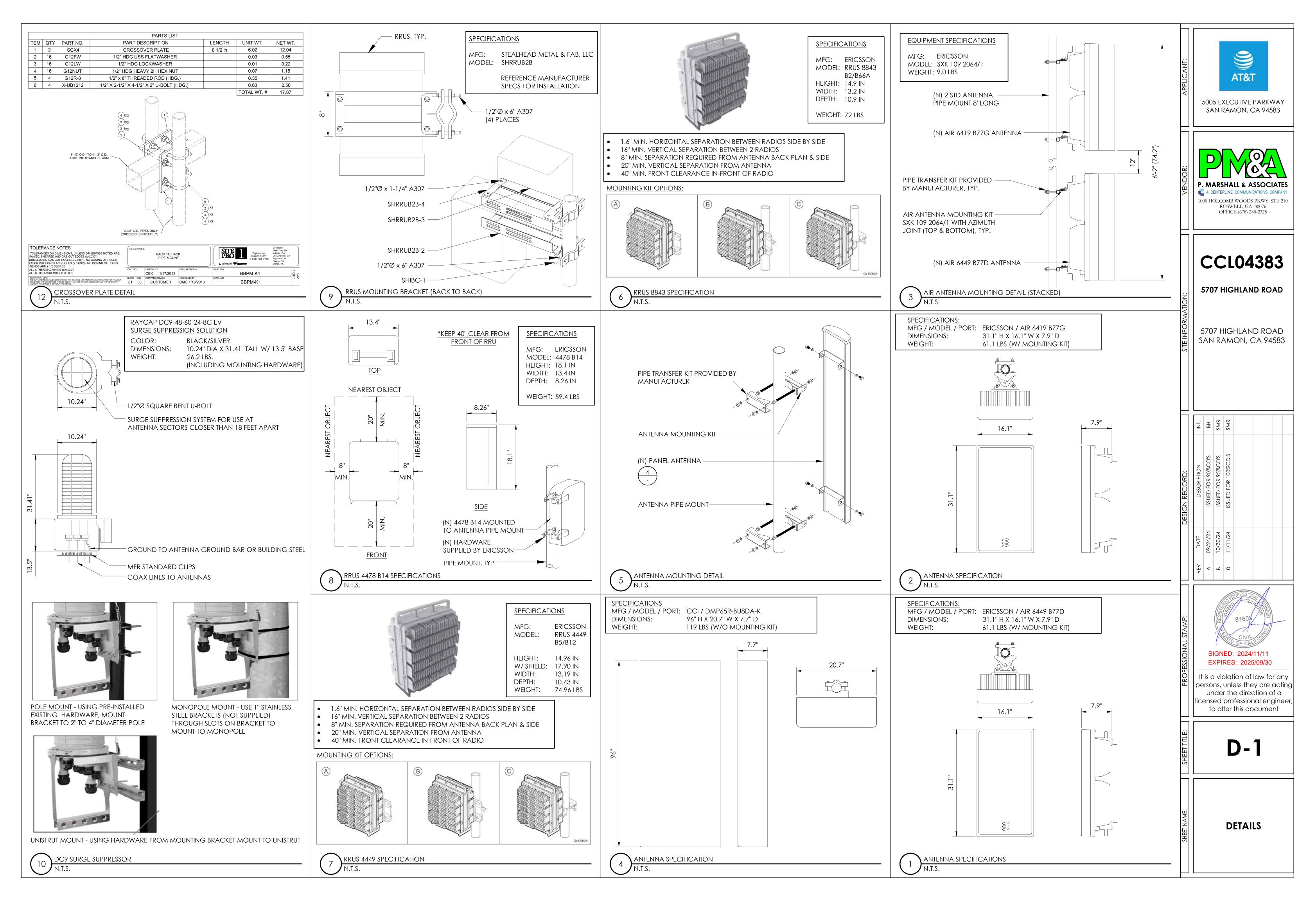
(N) AT&T PANEL ANTENNAS RAD CENTER ELEV. 165'-0'' (A.G.L.)			
(F) PANEL ANTENNAS RAD CENTER ELEV. 155'-0" (A.G.L.)			
₩ ELEV. 155'-0" (A.G.L.)			
	(N) AT	&T 170'-0" HIGH FAUX WATER TANK	<
	(N) AT&T (4) 4"Ø UNDERGROUND PVC TRUNKS WITHIN 3' WIDE UTILIT	CONDUITS FOR DC POWER/FIBER Y EASEMENT APPROX. LENGTH: 50	
	(9) #4AWG POWER TRUNKS AND (3) F AND WITHIN FAUX WATER	IBER TRUNK WITHIN PVC CONDUIT TANK POLE APPROX. LENGTH 170	
• T.O. (E) HIGHEST HILLTOP 77'-0'' (A.G.L) (980' A.M.S.L)			
T.O. (E) HIGHEST HILLTOP 77'-0'' (A.G.L) (980' A.M.S.L)			
T.O. (E) HIGHEST HILLTOP 77'-0" (A.G.L) (980' A.M.S.L)			
• T.O. (E) HIGHEST HILLTOP 77'-0" (A.G.L) (980' A.M.S.L)			
• T.O. (E) HIGHEST HILLTOP 77'-0" (A.G.L) (980' A.M.S.L)			
• T.O. (E) HIGHEST HILLTOP 77'-0" (A.G.L) (980' A.M.S.L)	(N) A	AT&T CABLE BRIDGE	
• <u>T.O. (E) HIGHEST HILLTOP</u> 77'-0" (A.G.L) (980' A.M.S.L)	(N) A	AT&T CABLE BRIDGE	
T.O. (E) HIGHEST HILLTOP 77'-0" (A.G.L) (980' A.M.S.L)	(N) AT&T GPS ANTENNA	AT&T CABLE BRIDGE	
T.O. (E) HIGHEST HILLTOP 77'-0" (A.G.L) (980' A.M.S.L)		AT&T CABLE BRIDGE	
(N) AT&T 6'-0" HIGH BARBED WIRE FENCE	(N) AT&T GPS ANTENNA (N) AT&T PREFAB SHELTER	AT&T CABLE BRIDGE	
(N) AT&T 6'-0" HIGH BARBED WIRE FENCE	(N) AT&T GPS ANTENNA (N) AT&T PREFAB SHELTER W/ 4'' DIA. POSTS W/ (6) HORIZONTAL	AT&T CABLE BRIDGE	
(N) AT&T 6'-0" HIGH BARBED WIRE FENCE	(N) AT&T GPS ANTENNA (N) AT&T PREFAB SHELTER W/ 4'' DIA. POSTS W/ (6) HORIZONTAL	AT&T CABLE BRIDGE	
(N) AT&T 6'-0" HIGH BARBED WIRE FENCE	(N) AT&T GPS ANTENNA (N) AT&T PREFAB SHELTER W/ 4'' DIA. POSTS W/ (6) HORIZONTAL	AT&T CABLE BRIDGE	
(N) AT&T 6'-0" HIGH BARBED WIRE FENCE STRANDS PER NRCS-CA 328A	(N) AT&T GPS ANTENNA (N) AT&T PREFAB SHELTER W/ 4'' DIA. POSTS W/ (6) HORIZONTAL		
(N) AT&T 6'-0" HIGH BARBED WIRE FENCE	(N) AT&T GPS ANTENNA (N) AT&T PREFAB SHELTER W/ 4'' DIA. POSTS W/ (6) HORIZONTAL	AT&T CABLE BRIDGE	
(N) AT&T 6'-0" HIGH BARBED WIRE FENCE STRANDS PER NRCS-CA 328A	(N) AT&T GPS ANTENNA (N) AT&T PREFAB SHELTER W/ 4'' DIA. POSTS W/ (6) HORIZONTAL		
(N) AT&T 6'-0" HIGH BARBED WIRE FENCE STRANDS PER NRCS-CA 328A	(N) AT&T GPS ANTENNA (N) AT&T PREFAB SHELTER W/ 4'' DIA. POSTS W/ (6) HORIZONTAL		

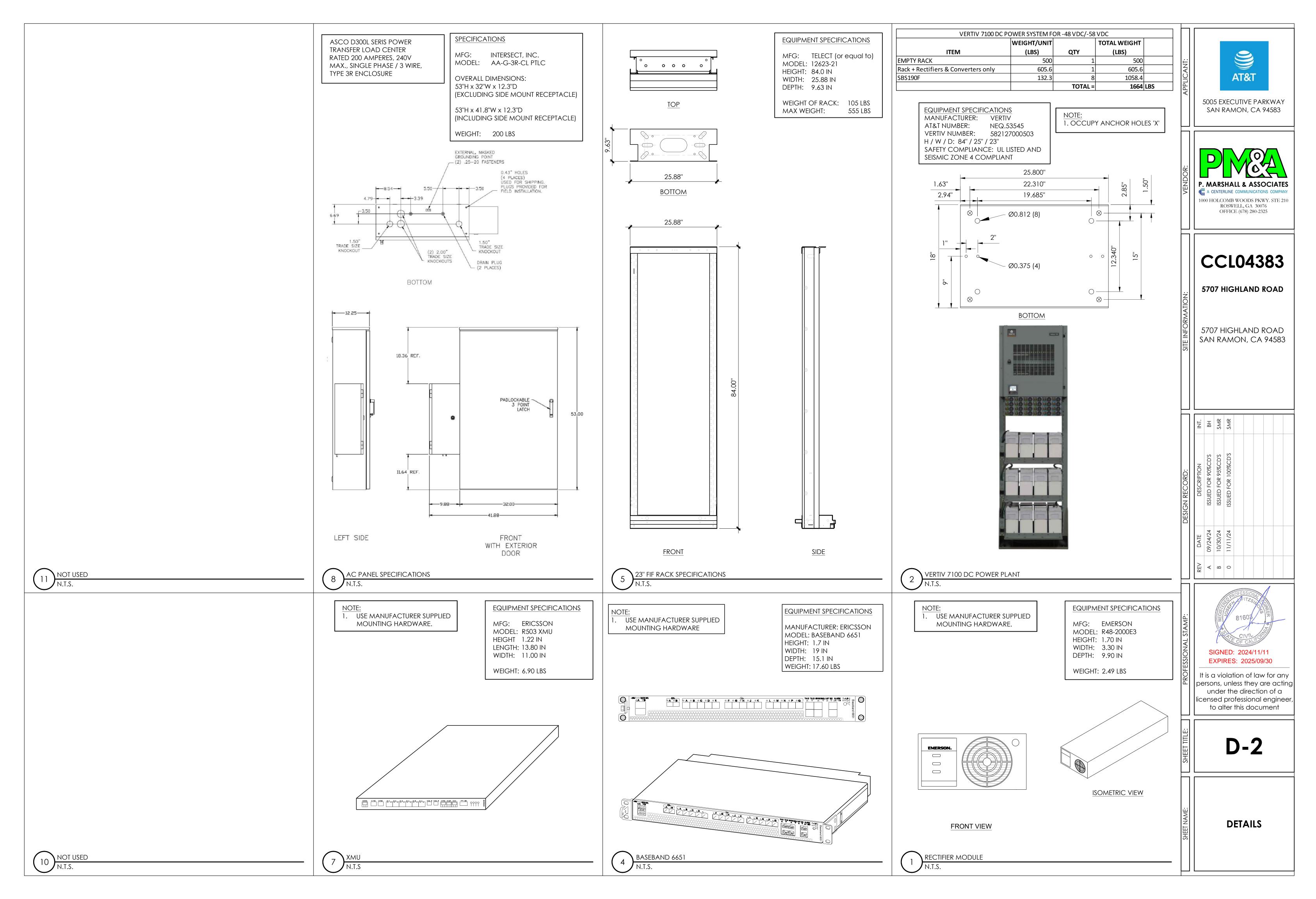


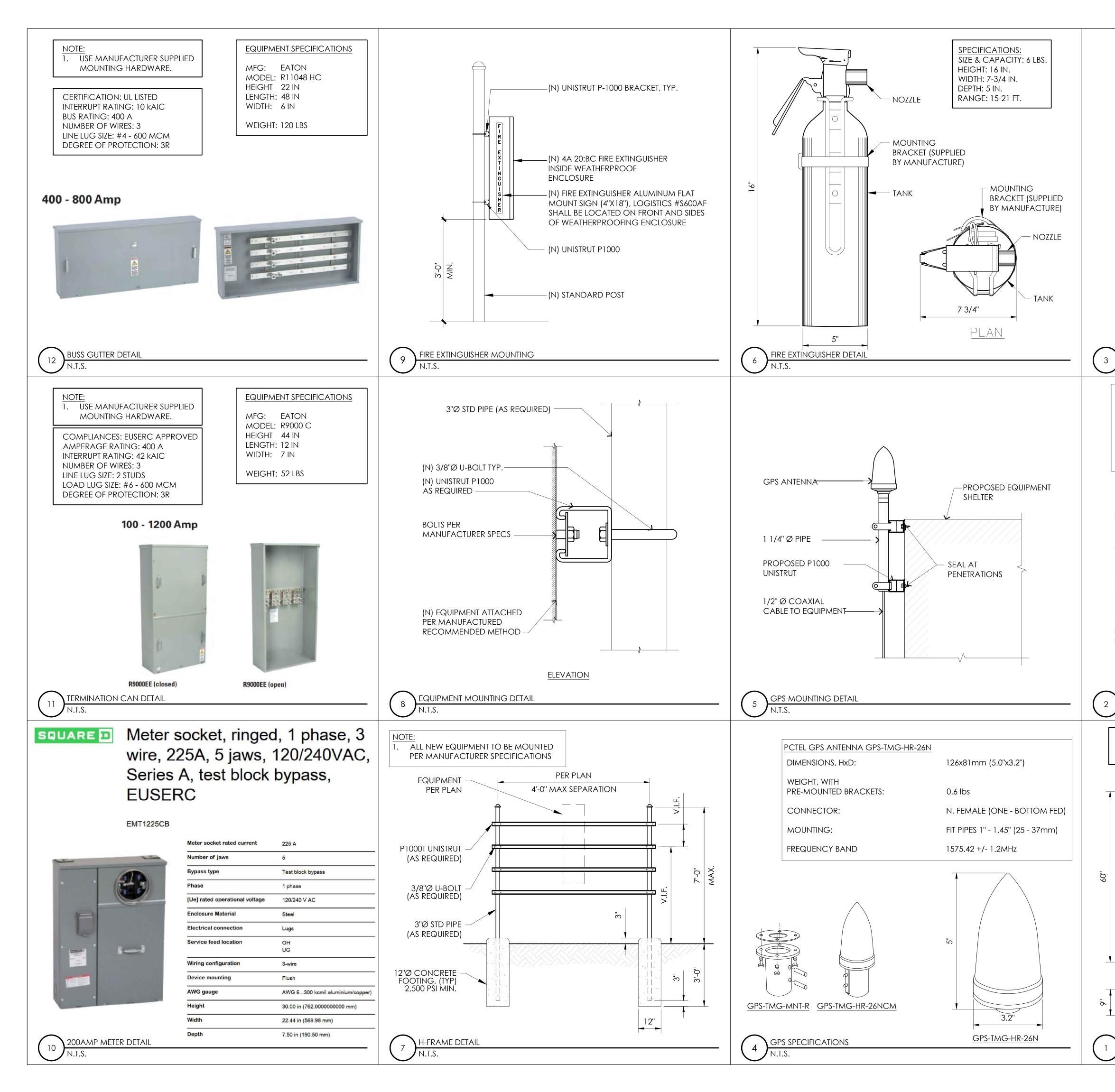
280

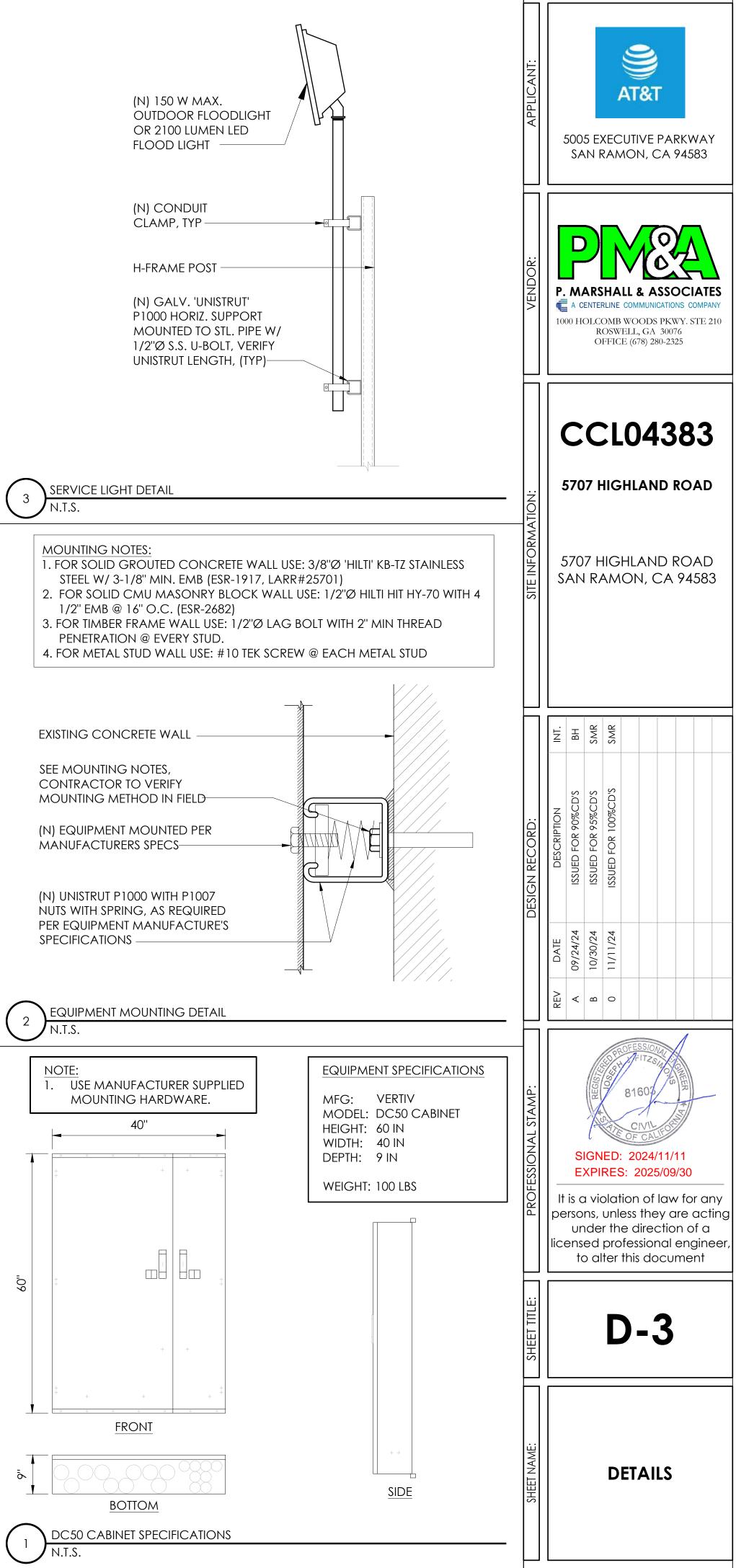
	NOTE: 1. ALL (N) RRUS AND DC SURGE SUPPRESSORS NOT SHOWN FOR CLARITY.	
	(N) AT&T PANEL ANTENNAS,	
T.O. (N) AT&T FAUX WATER TANK ELEV. 170'-0'' (A.G.L.)	TYP. 4 PER SECTOR (TOTAL-12)	T.O. (N) AT&T FAUX WATER TANK ELEV. 170'-0'' (A.G.L.)
(N) AT&T PANEL ANTENNAS RAD CENTER ELEV. 165'-0" (A.G.L.)		(N) AT&T PANEL ANTENNAS RAD CENTER ELEV. 165'-0'' (A.G.L.)
(F) PANEL ANTENNAS RAD CENTER		(F) PANEL ANTENNAS RAD CENTER
(N) AT&T 170'-0" HIGH FAUX WATER TANK		(N) AT&T 170'-0" HIGH FAUX WATER TANK
		(N) AT&T (4) 4''Ø UNDERGROUND PVC CONDUITS FOR DC POWER/FIBER TRUNKS WITHIN 3' WIDE UTILITY EASEMENT APPROX. LENGTH: 50'
(N) AT&T (4) 4"Ø UNDERGROUND PVC CONDUITS FOR DC POWER/FIBER TRUNKS WITHIN 3' WIDE UTILITY EASEMENT APPROX. LENGTH: 50'		(9) #4AWG POWER TRUNKS AND (3) FIBER TRUNK WITHIN PVC CONDUIT AND WITHIN FAUX WATER TANK POLE APPROX. LENGTH 170'
(9) #4AWG POWER TRUNKS AND (3) FIBER TRUNK WITHIN PVC CONDUIT — AND WITHIN FAUX WATER TANK POLE APPROX. LENGTH 170'		
T.O. (E) HIGHEST HILLTOP 77'-0'' (A.G.L) (980' A.M.S.L)		T.O. (E) HIGHEST HILLTOP 77'-0'' (A.G.L) (980' A.M.S.L)
(N) AT&T 30KW GENERATOR		
(N) AT&T GPS ANTENNA —		(N) AT&T 30KW GENERATOR
(N) AT&T PREFAB SHELTER	FDC	(N) AT&T GPS ANTENNA —
(N) AT&T CABLE BRIDGE		(N) AT&T 6'-0" HIGH BARBED WIRE FENCE W/ 4" DIA. POSTS W/ (6) HORIZONTAL STRANDS PER NRCS-CA 328A STANDARDS
FINISHED GRADE 0'-0'' (A.G.L) (903' A.M.S.L) (N) AT&T 28'-0'' x 28'-0'' x 4'-0'' HIGH CONCRETE MAT FOUNDATION (N) AT	T&T STEP-DOWN X-FMR —	FINISHED GRADE 0'-0" (A.G.L) (903' A.M.S.L) (N) AT&T 28'-0" x 28'-0" x 4'-0"
(N) AT&T 6'-0'' HIGH BARBED POSTS W/ (6) HORIZONTAL STRAN	WIRE FENCE W/ 4" DIA.	HIGH CONCRETE PAD
1 NEW SOUTH ELEVATION (FAUX WATER TANK LOCATION)	24"x36" SCALE: $3/32" = 1'-0"$ 11"x17" SCALE: $3/64" = 1'-0"$ 8' 4' 0" 8'	NEW WEST ELEVATION (FAUX WATER TANK LOCATION)

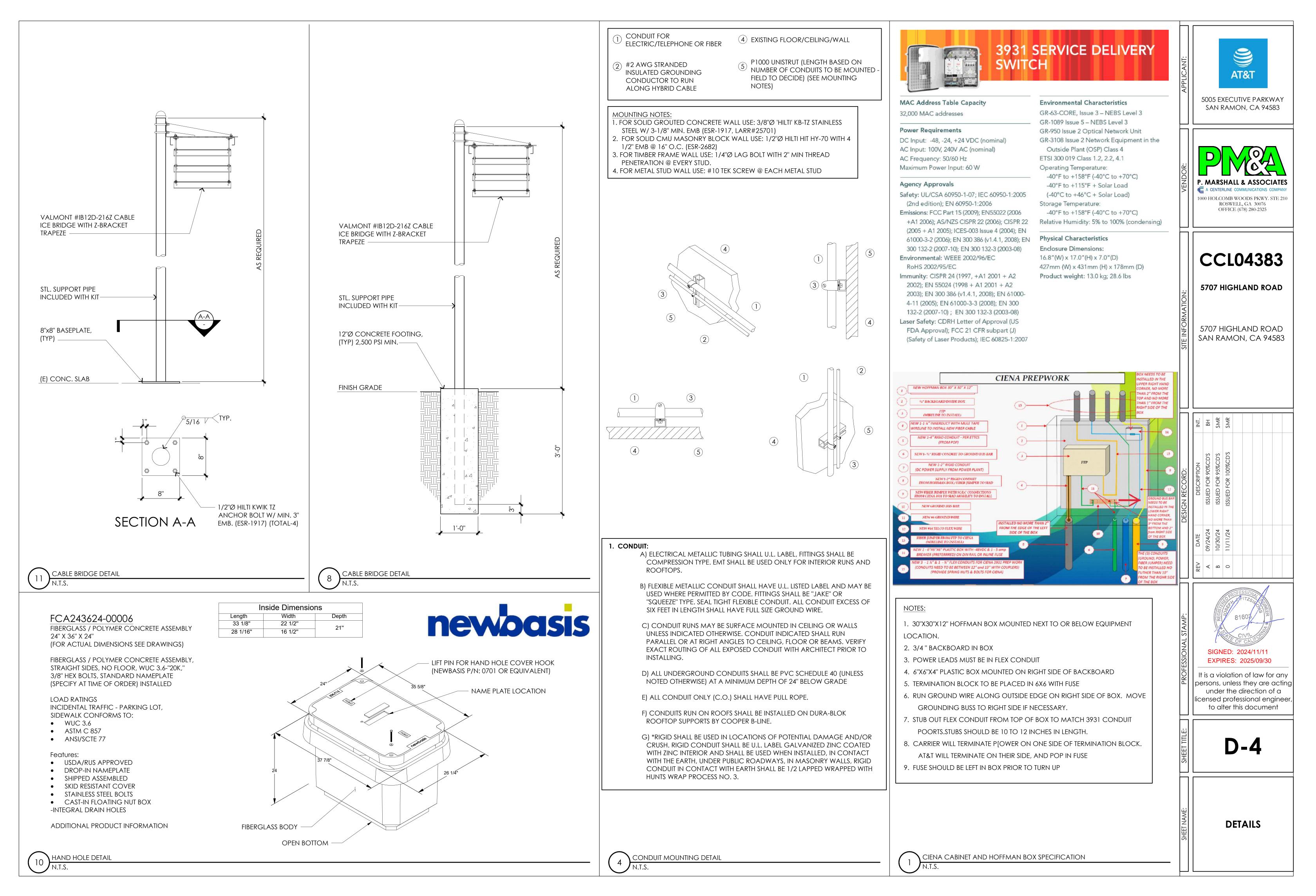




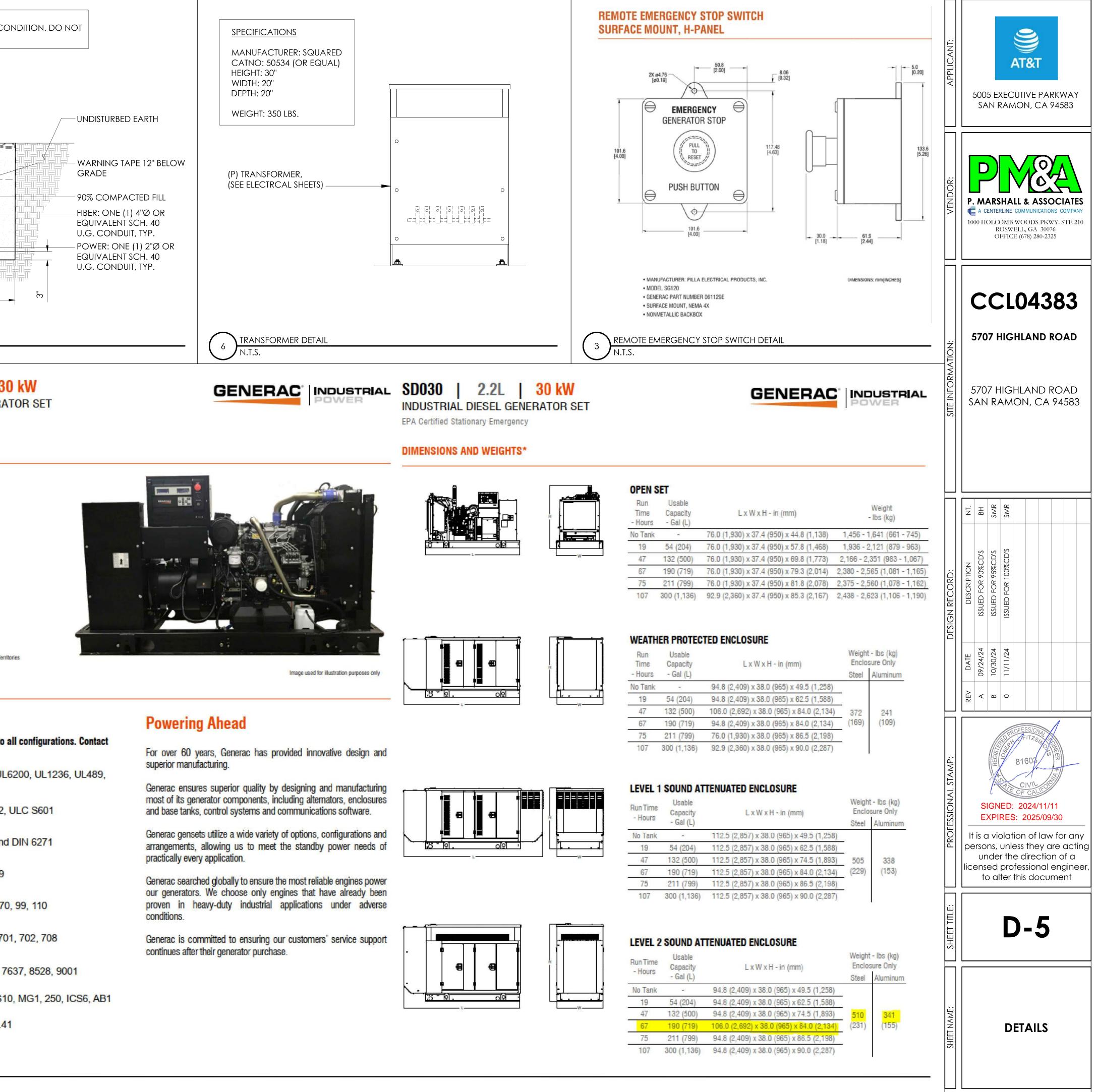






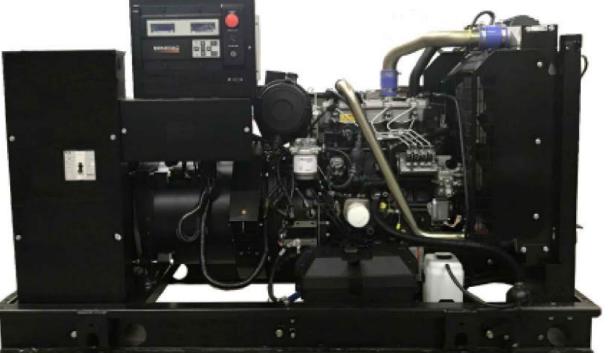


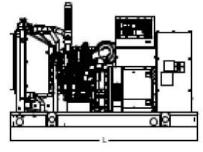
		1. VERIFY (E) CONDUIT LOCATION AND C
		EXISTING SURFACE
<text><text><text><text></text></text></text></text>		9       JOINT UTILITY TRENCH         9       N.T.S.         SD030       2.2L       3         INDUSTRIAL DIESEL GENERA
NOT USED         NT.S.    Codes and standards apply to table the table of the table of tab		Standby Power Rating 30 kW, 38 kVA, 60 Hz Prime Power Rating*
Tot used       Not used             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.             Image: Contract of the standards apply to factory for details.	NOT USED	9001: 2008 Thereaded in the IEA andre
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		ANSI C62.4
	10 NOT USED N.T.S.	7 GENERATOR SPECIFICATIONS N.T.S.

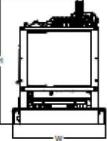


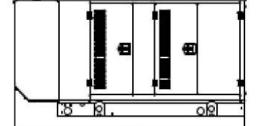
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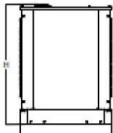


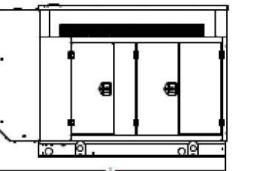


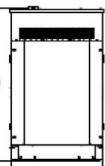




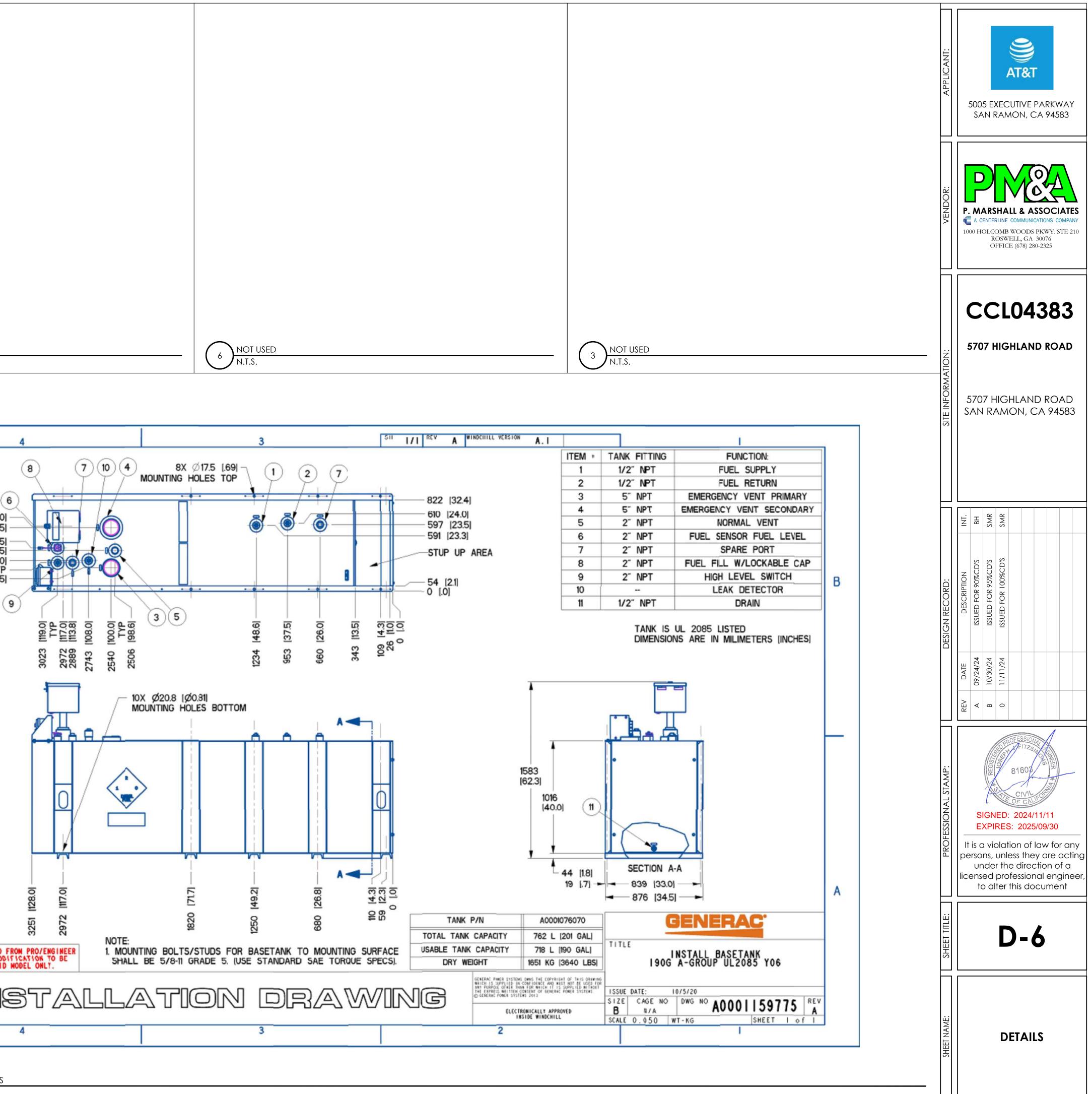


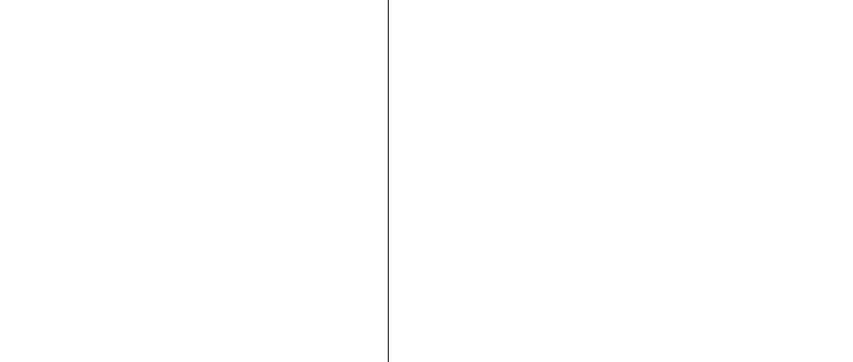


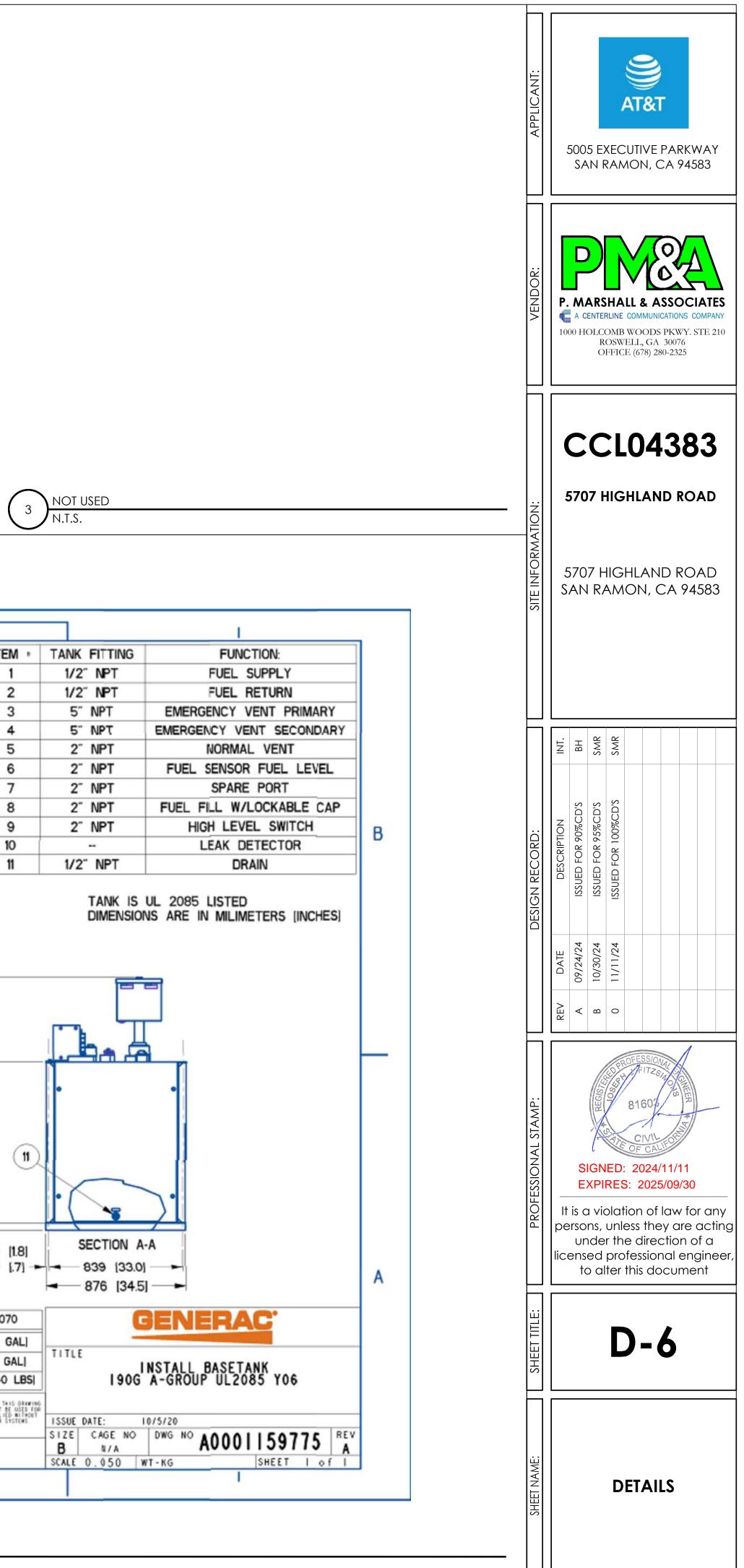




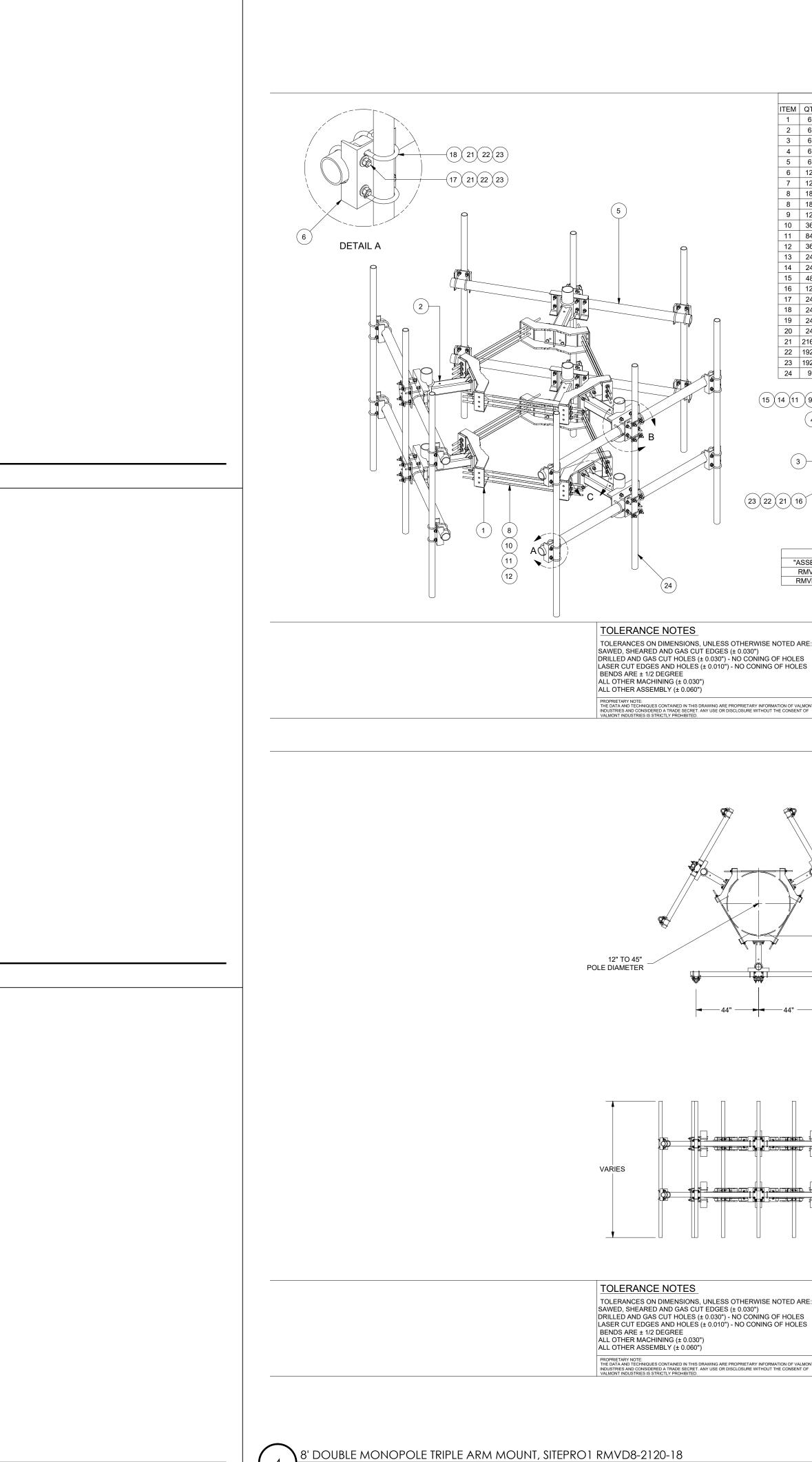
12 NOT USED N.T.S.	9 NOT USED N.T.S.	)	
NOT USED		В	584 [23.0] 572 [22.5] 394 [15.5] 368 [14.5] 279 [11.0] 260 [10.3] TYP 216 [8.5]
N.T.S.		A	
10 NOT USED	7 GENERATO N.T.S.	<u>OR TANK</u>	DRAWING CREATED I 30 FILE - ECO MOD APPLIED TO SOLID INTO SOLID SPECIFICATIONS







12 NOT USED N.T.S.	9 NOT USED N.T.S.
11 NOT USED N.T.S.	8 NOT USED N.T.S.
10 NOT USED N.T.S.	7 NOT USED N.T.S.



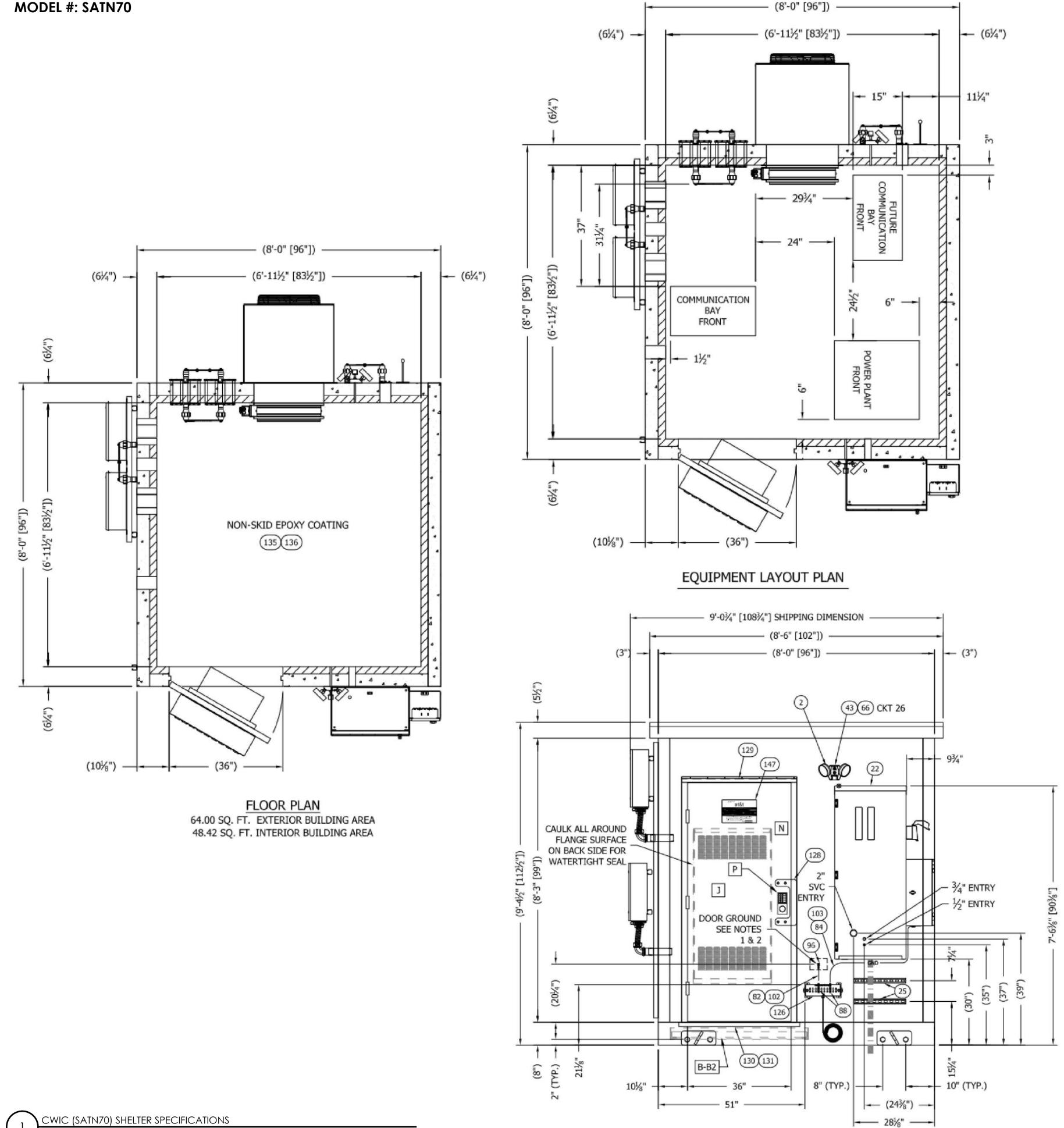
4 8' DO

1 QTY 6 6 6 6	PART NO. X-LWRM X-SV197-18 X-SP216 SCX3	PARTS LIST PART DESCRIPTION RING MOUNT WELDMENT SUPPORT ARM WELDMENT - 18" LARGE SUPPORT CROSS PLATE CROSSOVER PLATE	LENGTH 9.250 in	UNIT WT. 68.81 45.69 22.08 7.19	NET WT. 412.85 274.15 132.46 43.13	APPLICANT:				CUTI		\RKWAY 94583	<i>,</i>
6 12 12	P396 X-SP219 X-100064	3-1/2" X 96" (3" SCH 40) GALVANZIED PIPE SMALL SUPPORT CROSS PLATE CLAMP (4" V-CLAMP) GALVANIZED	96.000 in 8.250 in	60.75 8.61 0.92	364.49 103.33 11.06								$\exists$
18 18 12	G58R-48 G58R-24 X-UB5458	5/8" X 48" GALV THREADED ROD 5/8" x 24" THREADED ROD (HDG.) 5/8" X 4-5/8" X 7" X 3" U-BOLT (HDG.)		4.39 2.09 1.54	79.03 37.63 18.42					$\mathbf{}$	<u>7</u> 0	$\mathbf{v}$	
36 84 36	G58FW G58LW G58NUT	5/8" HDG USS FLATWASHER 5/8" HDG LOCKWASHER 5/8" HDG HEAVY 2H HEX NUT	.122	0.07 0.03 0.13	2.54 2.19 4.68	OR:			1	Ň	(o		
24 24 48	A58234 A58FW A58NUT	5/8" x 2-3/4" HDG A325 HEX BOLT 5/8" HDG A325 FLATWASHER 5/8" HDG A325 HEX NUT	2.75	0.36 0.03 0.13	8.54 0.82 6.23	VENDOR:						OCIATE ONS COMPA	
12 24 24	X-UB1358 X-UB1306 X-UB1212	1/2" X 3-5/8" X 5-1/2" X 3" U-BOLT (HDG.)           1/2" X 3-5/8" X 6" X 3" U-BOLT (HDG.)           1/2" X 2-1/2" X 4-1/2" X 2" U-BOLT (HDG.)		0.77 0.83 0.63	9.27 19.88 15.00				LCON ROS	AB WO SWELL		WY. STE 2 076	
24 24 216	G12R-8 G12045 G12FW	1/2" x 8" THREADED ROD (HDG.) 1/2" x 4.5" HDG HEX BOLT GR5 FULL THREAD 1/2" HDG USS FLATWASHER	4.5 0.095	0.45 0.30 0.03	10.71 7.15 7.36				-	- (-	,		
192 192 9	G12LW G12NUT A	1/2" HDG LOCKWASHER 1/2" HDG HEAVY 2H HEX NUT B	.125	0.01 0.07 D	2.67 13.75 E								
1 9 4 4 4 4 4 4 4 4 4 4 4 4 4						SITE INFORMATION:	CCLO4383 5707 HIGHLAND ROAD 5707 HIGHLAND ROAD SAN RAMON, CA 94583						
VARE: ES LES	CPD NO. DRA CLASS SUB DRA	WING USAGE CHECKED BY DWG. NO.	Support 1-888-7	tr Team: Los A 753-7446 Plym Sale Dalla	York, NY a, GA ngeles, CA buth, IN n, OR		INT.	BH	SMK				
						DESIGN RECORD:		ISSUED FOR					
Þ							DATE	09/24/24	10/30/24				
	31 3/16"						REV	< (		>			
						PROFESSIONAL STAMP:	pe	EX is a r son unc ense	violo s, ui der 1	ES: 2 ation nless the c rofes	2025/09 they of sional		ing
) ARE:		SLE MONOPOLE TRIPLE T-ARM	Suppor	neering Atlan rt Team: Los A	ions: /ork, NY a, GA ngeles, CA Juth, IN	SHEET TITLE:		D-7					
LES ILES	CPD NO. DRA CM CLASS \$UB DRA	Image: WN BY         ENG. APPROVAL         PART NO.           IFL 11/23/2021         11/13/2020         DWG. NO.		Sale Dalla X-18	n, OR	SHEET NAME:		DETAILS					



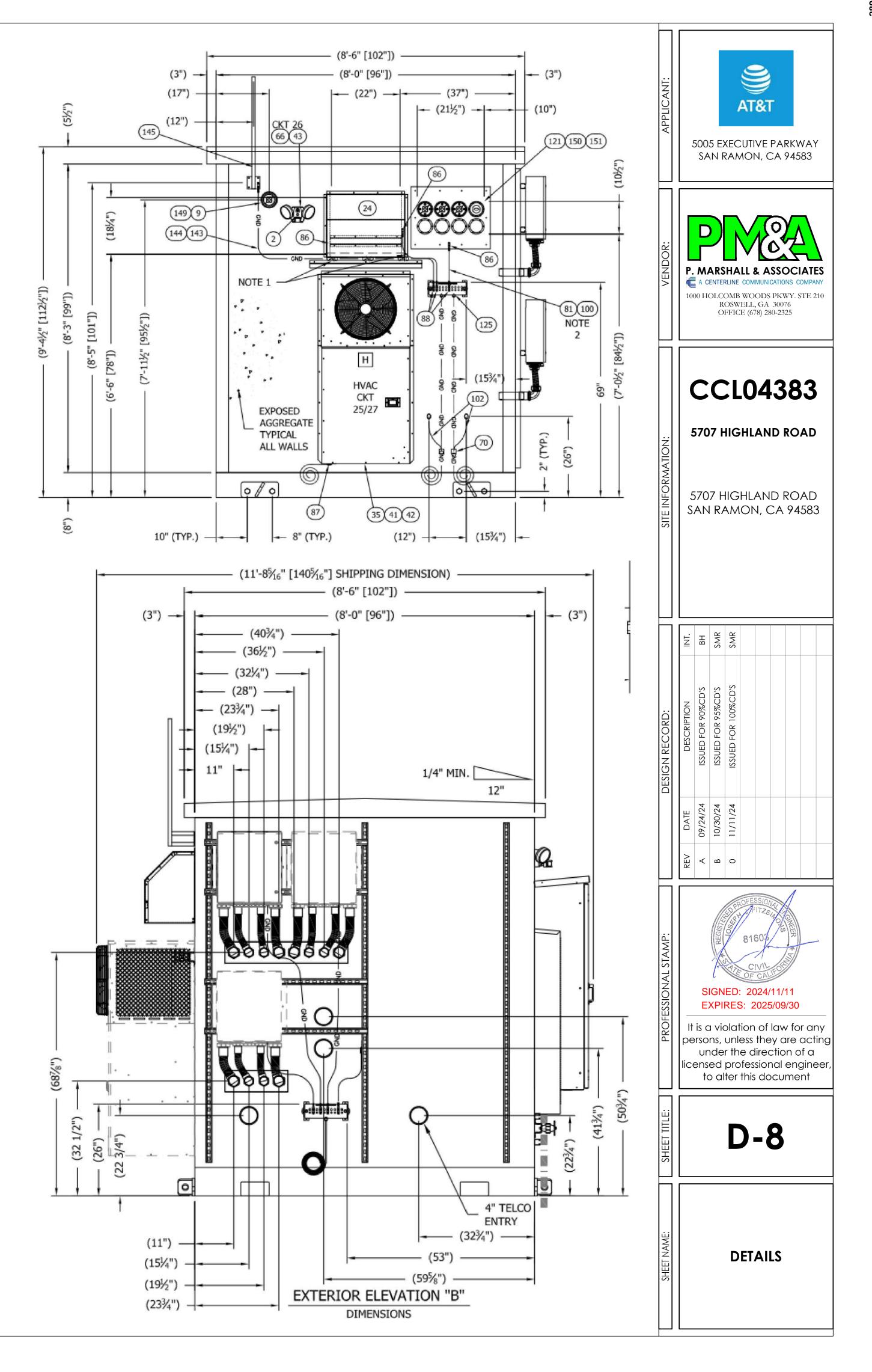
SHELTER DIMENSIONS: 8'-0"W X 8'-0"L SHIPPING DIMENSIONS: 10'-11 5/8"W X 9'-3/4"L X 9'-4 1/2"H - (Old Style HVAC) SHIPPING DIMENSIONS:11'-8 5/16"W X 9'-3/4"L X 9'-4 1/2"H – (New Style HVAC) SHELTER WEIGHT (SHELTER ONLY): 21,500 SHELTER WEIGHT (WITH EQUIPMENT): 25,000

SHELTER BY CELLXION (SABRE) MODEL #: SATN70

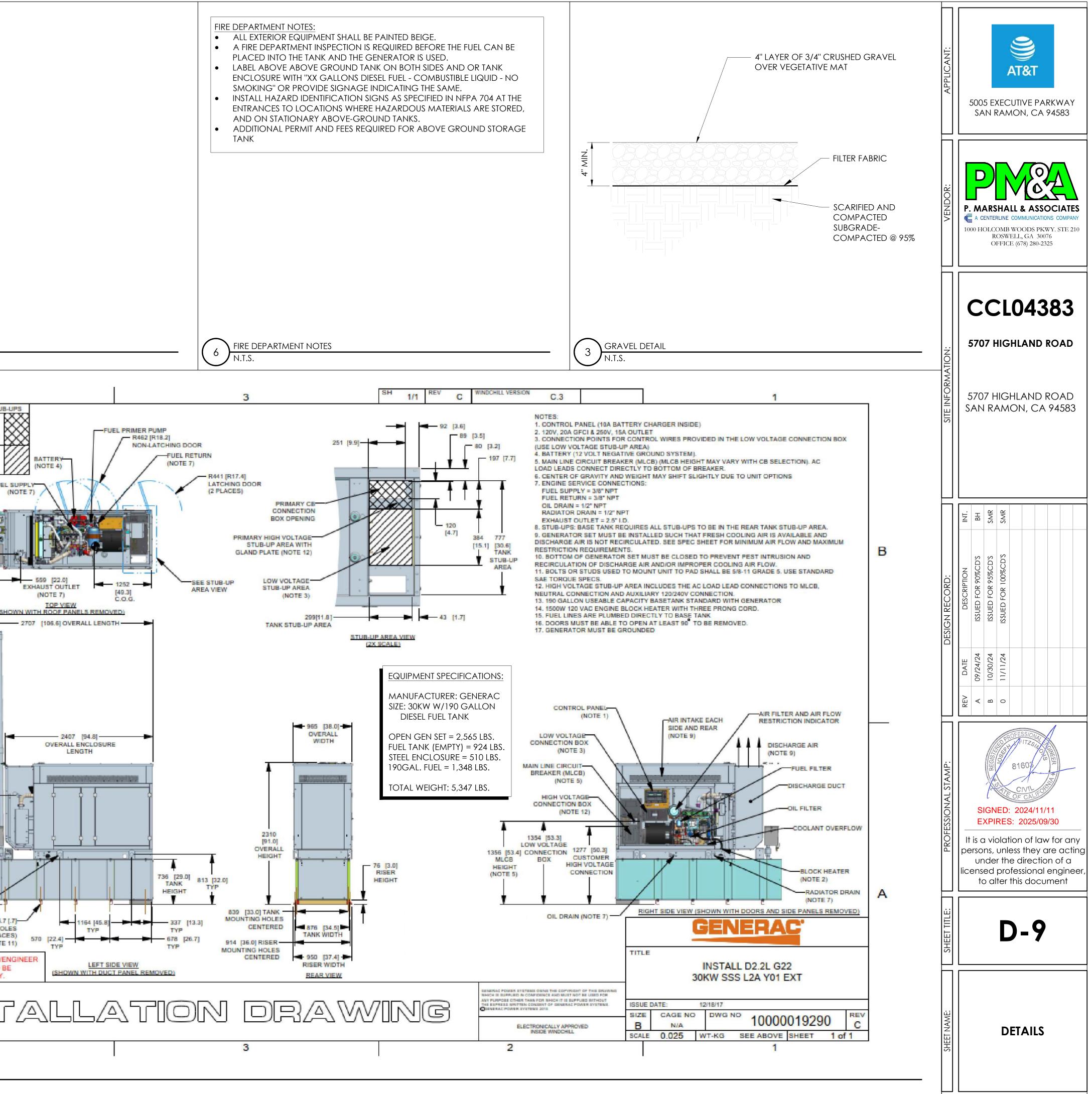


N.T.S.





NOT USED		SED
12 N.T.S.	9 N.T.S.	
NOT USED	В	4 RECOMMENDED ELECTRICAL STUE (HIGH VOLTAGE STUB-UP) AC LOAD LEAD CONDUIT FOR PERMANENT MAGNET EXCITATION (LOW VOLTAGE STUE-UP) FUEL TANK FUEL LEVEL FUEL FILL 203 [8:0] 203 [8:0] EXHAUST OUTLET (NOTE 7) (SI)
	A	3657.6 [144.00] VENT EXTENSION INSTALLED AT SITE BY CONTRACTOR (OPTIONAL) 1774 [69.8] EXHAUST OUTLET (NOTE 9) 686 [27.0] 167 (4 PLACES) MOUNTING HOD (8 PLACE) DRAWING CREATED FROM PROFE 3D FILE. ECO MODIFICATION TO B APPLIED TO SOLID MODEL ONLY.
10 NOT USED		RATOR SPECIFICATIONS
N.T.S.	N.T.S.	



# STRUCTURAL NOTES

## A. STRUCTURAL DESIGN CRITERIA

- THE STRUCTURAL DESIGN HAS BEEN PERFORMED IN ACCORDANCE WITH 1.
- THE 2022 CALIFORNIA BUILDING CODE (BUILDING CODE). WIND DESIGN DATA 2. ULTIMATE WIND SPEED V = 93 mph RISK CATEGORY EXPOSURE CATEGORY SEISMIC DESIGN DATA RISK CATEGORY SEISMIC IMPORTANCE FACTOR  $I_{E} = 1.0$  $S_{s} = 2.06$ MAPPED SPECTRAL ACCELERATION MAPPED SPECTRAL ACCELERATION  $S_1 = 0.676$ SITE CLASS DESIGN SPECTRAL ACCELERATION  $S_{DS} = 1.648$ DESIGN SPECTRAL ACCELERATION  $S_{D1} = 0.766$ SEISMIC DESIGN CATEGORY

#### B. GENERAL

- 1. SPECIFIC NOTES AND DETAILS ON THE STRUCTURAL DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS.
- STRUCTURAL DRAWINGS SHALL NOT BE SCALED. COORDINATE DIMENSION, ELEVATION, SLOPE, AND DRAINAGE REQUIREMENTS WITH THE ARCHITECTURAL DRAWINGS.
- STANDARDS REFERENCED ON THE STRUCTURAL DRAWINGS REFER TO THE EDITION APPLICABLE UNDER THE APPLICABLE BUILDING CODE.
- THE RESPONSIBILITY FOR THE REVIEW AND COORDINATION OF 4. DRAWINGS AND SPECIFICATIONS PRIOR TO THE START OF RELATED CONSTRUCTION SHALL BEAR ON THE CONTRACTOR. DISCREPANCIES THAT EXIST SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IN A TIMELY MANNER, PRIOR TO START OF RELATED CONSTRUCTION.
- WORK PERFORMED IN CONFLICT WITH THE STRUCTURAL DRAWINGS OR APPLICABLE BUILDING CODE REQUIREMENTS SHALL BE CORRECTED AT THE EXPENSE OF THE CONTRACTOR.
- EXISTING CONDITIONS SHALL BE VERIFIED BEFORE STARTING RELATED WORK. EXISTING CONDITIONS THAT ARE NOT REFLECTED ON THE STRUCTURAL DRAWINGS OR THAT DEVIATE FROM THE MAXIMUM OR MINIMUM DIMENSIONS INDICATED SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IN A TIMELY MANNER. SUCH CONDITIONS MAY INCLUDE CONFLICT IN GRADES, ADVERSE SOIL CONDITIONS, PRESENCE OF GROUND WATER, UNCOVERED OR UNEXPECTED EXISTING CONSTRUCTION CONFIGURATIONS, ETC.
- MATERIALS AND WORKMANSHIP SHALL CONFORM TO REQUIREMENTS OF APPLICABLE REGULATIONS AND THE BUILDING CODE AS AMENDED AND ADOPTED BY THE BUILDING OFFICIAL
- LOADS TO THE BUILDING AND/OR EXISTING STRUCTURES EXCEEDING 8. THE LOADS INDICATED ON THE PLANS, OR ANY LOADS EXCEEDING 400 POUNDS THAT ARE NOT INDICATED ON THE STRUCTURAL DRAWINGS SHALL BE REPORTED TO THE ENGINEER.

#### TEMPORARY WORK AND SITE SAFETY

- THE STRUCTURAL DRAWINGS SHOW THE REQUIREMENTS FOR THE 1 COMPLETED STRUCTURE ONLY. TEMPORARY WORKS REQUIRED TO COMPLETE THE CONSTRUCTION PROCESS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE STRUCTURAL ENGINEER SHALL NOT BE RESPONSIBLE FOR THE DESIGN OR FIELD VERIFICATION OF TEMPORARY AND ANCILLARY WORK.
- 2. THE RESPONSIBILITY FOR SAFETY IN AND AROUND THE JOBSITE SHALL BEAR ON THE CONTRACTOR, PROPER AND SAFE METHODS OF CONSTRUCTION SHALL BE EMPLOYED AT ALL TIMES INCLUDING THE STABILIZING OF INCOMPLETE STRUCTURES, FORMWORK, SHORING, RESHORING, FALSEWORK, PLATFORMS, SCAFFOLDING, BARRIERS, WALKWAYS, ETC. AND INCLUDING CONTROL OF THE INTENSITY, DURATION AND LOCATION OF CONSTRUCTION LOADS.
- THE RESPONSIBILITY FOR THE DESIGN AND INSTALLATION OF ALL 3. CRIBBING, SHEATHING, UNDERPINNING, AND SHORING REQUIRED TO SAFELY RETAIN ALL GRADES AND STRUCTURES SHALL BEAR ON THE CONTRACTOR.
- 4. CONSTRUCTION MATERIALS SHALL BE SPREAD OUT IF PLACED ON A STRUCTURE. LOADS SHALL NOT EXCEED THE DESIGN LIVE LOAD INDICATED. WHERE THE STRUCTURE HAS NOT ATTAINED FINAL DESIGN STRENGTH, ADEQUATE SHORING AND OR BRACING SHALL BE INSTALLED.

#### D. FOUNDATIONS

- 1. A SOILS REPORT WAS NOT MADE AVAILABLE FOR THIS PROJECT.
- 2. THE ENGINEER OF RECORD HAS CLASSIFIED THE UNDISTURBED NATIVE SOILS TO BE CLASS 5 MATERIAL. IN ACCORDANCE WITH TABLE 1806.2 OF THE BUILDING CODE, AN ALLOWABLE FOUNDATION BEARING PRESSURE OF 1,500 psf HAS BEEN ASSIGNED FOR THE DESIGN OF FOUNDATIONS RELATED TO THIS PROJECT.
- 3 IF THE BUILDING OFFICIAL OR CONTRACTOR SUSPECTS FILL MATERIAL, EXPANSIVE SOIL OR GEOLOGIC INSTABILITY UPON OBSERVATION OF THE FOUNDATION EXCAVATIONS, A GEOLOGICAL INVESTIGATION REPORT AND CONSTRUCTION DRAWINGS THAT ARE COMPLIANT WITH THE RECOMMENDATIONS OF THAT GEOLOGICAL INVESTIGATION REPORT MAY BE REQUIRED TO BE SUBMITTED FOR REVIEW BY THE BUILDING OFFICIAL PRIOR TO CONSTRUCTION OF THE FOUNDATIONS.

#### Ε. REINFORCING STEEL

- DETAILING, FABRICATION AND ERECTION OF REINFORCING BE PREFORMED IN ACCORDANCE WITH ACI 315, "DETAILS A DETAILING OF CONCRETE REINFORCEMENT."
- REINFORCING BARS SHALL CONFORM TO ASTM A 615, GRA 3
  - U.N.O., REINFORCING BAR LAP SPLICES SHALL BE: NW & LW CONCRETE C 64 BA MASONRY (CMU)
- DETAILS OF REINFORCEMENT SHALL COMPLY WITH THE PRO ACI 318.
- WHERE HOOKS ARE ILLUSTRATED AS 90-DEGREE HOOKS, 18 HOOKS MAY BE USED IN LIEU OF 90-DEGREE HOOKS.
- REINFORCING BARS FOR CONCRETE SHALL BE PROVIDED W FOLLOWING MINIMUM COVER:

CONCRETE CAST AGAINST EARTH

- FORMED CONCRETE EXPOSED TO EARTH / WEATHER
- **#5 OR SMALLER** #6 OR LARGER

6

7

SLABS (#11 AND SMALLER)

VERTICAL WALL BARS SHALL BE ACCURATELY POSITIONED A AT THE CENTER OF THE WALL, U.N.O.

#### F. REINFORCED CONCRETE

- 1 CONCRETE CONSTRUCTION SHALL CONFORM WITH CHAPTE
- BUILDING CODE AND TO THE PROVISIONS OF ACI 318.
- THE STRUCTURAL DESIGN OF FOOTINGS SHOWN ON THESE 2. BASED ON A SPECIFIED COMPRESSIVE STRENGTH, f'c, NOT MORE THAN 2,500 psi.
- 3. WATER MAY BE ADDED TO CONCRETE ON-SITE TO OBTAIN SPECIFIED SLUMPS PROVIDED THAT IT IS ADDED WITHIN ONE HOUR OF BATCHING AND SITE-ADDED WATER IS SPECIFIED ON THE BATCH REPORT. SITE-ADDED WATER SHALL NOT COMPROMISE THE STRENGTH OR SLUMP OF THE CONCRETE.
- CONCRETE SHALL NOT BE PLACED BEYOND 1-1/2 HOURS FOLLOWING BATCHING.
- PROJECTING CORNERS OF SLABS, BEAMS, WALLS, COLUMNS, ETC. BE FORMED WITH A 3/4" CHAMFER U.O.N.
- WHERE CONCRETE IS PLACED AGAINST EXISTING CONCRETE SUR THE EXISTING CONCRETE SURFACES SHALL BE THOROUGHLY CLE AND ROUGHENED TO A MINIMUM AMPLITUDE OF ¼-INCH. A CON BONDING AGENT SHALL BE APPLIED TO THE EXISTING CONCRETE SURFACE.
- READY MIX CONCRETE SHALL BE MIXED AND DELIVERED IN ACCO 7. WITH ASTM C 94.
- CEMENT SHALL CONFORM TO ASTM C 150 TYPE I OR II, LOW ALKA 8. FLYASH SHALL CONFORM TO ASTM C 618, CLASS F. FLYASH SHAL
- LIMITED TO NO MORE THAN 20% OF THE TOTAL WEIGHT OF CEMENTITIOUS MATERIALS IN THE CONCRETE, U.O.N. AGGREGATES FOR NORMAL WEIGHT CONCRETE SHALL CONFORM
- ASTM C 33.
- 11. NORMAL WEIGHT CONCRETE SHALL HAVE A MAXIMUM DRY DEM 150 pcf.
- MINIMUM CONCRETE COMPRESSIVE STRENGTHS AT 28 DAYS, MA SLUMPS, AND MAXIMUM WATER/CEMENT RATIOS SHALL BE AS FOLLOWS:

	MIN 28	
DESCRIPTION	DAY $f'_c$	SLUMP
SHALLOW FOUNDATIONS	3,500 psi	4" +/- 1"
SLABS ON GRADE	3,000 psi	4" +/- 1"

- 13. SLUMPS INDICATED ARE PRIOR TO PLASTICIZER ADDITIVES.
- 14. CONCRETE EXPOSED TO WEATHER SHALL BE AIR ENTRAINED.

## G. POST-INSTALLED EXPANSION ANCHORS

- 1. SPECIAL INSPECTION AND TESTING IS REQUIRED IN ACCORDANCE SECTIONS 1704 AND 1705 OF THE BUILDING CODE AND THE "STAT OF SPECIAL INSPECTIONS" ON THESE CONSTRUCTION DOCUMENT
- 2. POST-INSTALLED EXPANSION ANCHORS SHALL BE AS FOLLOWS, U MATERIAL

NW & LW CONCRETE	HILTI KB-TZ2 (
SOLID GROUTED CMU	HILTI KB-TZ2 (

- 3 ANCHORS SHALL BE OF THE TYPE, DIAMETER, AND MINIMUM DIMENSIONAL REQUIREMENTS (EMBEDMENT, SPACING, AND EDG DISTANCE) AS INDICATED ON THE DRAWINGS.
- ANCHORS SHALL BE INSTALLED IN HOLES DRILLED WITH DRILLING EQUIPMENT OF THE TYPE REQUIRED IN THE MANUFACTURER'S PUBLISHED EVALUATION REPORT. HOLES SHALL BE CLEANED IN CONFORMANCE WITH THE ANCHOR MANUFACTURER'S INSTRUC
- 5. WHEN INSTALLING ANCHORS IN EXISTING REINFORCED CONCRET MASONRY, AVOID CUTTING OR DAMAGING THE EXISTING REINFO BARS.
- WHEN INSTALLING ANCHORS INTO PRESTRESSED CONCRETE (PRE 6. POST-TENSIONED), LOCATE THE PRESTRESSED TENDONS BY USIN NON-DESTRUCTIVE METHOD PRIOR TO INSTALLATION. AVOID CU OR DAMAGING THE TENDONS.

	н.
BARS SHALL AND	1.
DE 60, U.O.N.	2.
LASS B (18″ MIN) NR DIA. (24″ MIN) OVISIONS OF	3.
	4.
80-DEGREE	5.
/ITH THE	
3″	6.
1 ½" 2" ¾"	7.
AND SECURED	8.
ER 19 OF THE	
E DRAWINGS IS	9.

MAX

ANC (ESR-4 (ESR-4

#### H. POST-INSTALLED ADHESIVE ANCHORS

SPECIAL INSPECTION AND TESTING IS REQUIRED IN ACCORDANCE WITH SECTIONS 1704 AND 1705 OF THE BUILDING CODE AND THE "STATEMENT OF SPECIAL INSPECTIONS" ON THESE CONSTRUCTION DOCUMENTS. ADHESIVE ANCHOR INSTALLERS SHALL BE TRAINED BY A QUALIFIED

- REPRESENTATIVE OF THE ADHESIVE MANUFACTURER ON THE PROPER PROCEDURES AND TECHNIQUES FOR INSTALLATION.
- ADHESIVE SHALL BE STORED ON THE JOBSITE IN A COOL, DRY LOCATION 3 IN CONFORMANCE WITH THE MANUFACTURER'S REQUIREMENTS.
- ADHESIVE ANCHORS SHALL NOT BE USED FOR OVERHEAD INSTALLATION. POST-INSTALLED ADHESIVE ANCHORS SHALL BE AS FOLLOWS, U.N.O.
- MATERIAL ANCHOR HILTI HIT-HY 200 V3 (ESR-4868) NW & LW CONCRETE SOLID GROUTED CMU HILTI HIT-HY 270 (ESR-4143)
- THREADED RODS FOR ADHESIVE ANCHORS SHALL CONFORM TO ASTM F1554 GR 36, UNO. NUTS FOR ANCHOR RODS SHALL CONFORM TO ASTM A563, GR A HEX.
- ANCHORS SHALL BE OF THE TYPE, DIAMETER, AND MINIMUM 7 DIMENSIONAL REQUIREMENTS (EMBEDMENT, SPACING, AND EDGE DISTANCE) AS INDICATED ON THE DRAWINGS.
- 8. ANCHORS SHALL BE INSTALLED IN HOLES DRILLED WITH DRILLING EQUIPMENT OF THE TYPE REQUIRED IN THE MANUFACTURER'S PUBLISHED EVALUATION REPORT. HOLES SHALL BE CLEANED IN CONFORMANCE WITH THE ANCHOR MANUFACTURER'S INSTRUCTIONS.
- 9. WHEN INSTALLING ANCHORS IN EXISTING REINFORCED CONCRETE OR MASONRY, AVOID CUTTING OR DAMAGING THE EXISTING REINFORCING BARS
- 10. WHEN INSTALLING ANCHORS INTO PRESTRESSED CONCRETE (PRE- OR POST-TENSIONED), LOCATE THE PRESTRESSED TENDONS BY USING A NON-DESTRUCTIVE METHOD PRIOR TO INSTALLATION. AVOID CUTTING OR DAMAGING THE TENDONS.

# STRUCTURAL ABBREVIATIONS

THE STRUCTURAL DRAWINGS MAY INCLUDE THE FOLLOWING STANDARD ABBREVIATIONS:

C., SHALL	ABBREVIATIONS:	
C., SHALL	(E)	EXISTING
	(N)	NEW
RFACES,	(P)	PROPOSED
EANED	BLDG	BUILDING
DNCRETE	BM	BEAM
E	BOTT	BOTTOM
	BRG	BEARING
ORDANCE	CJP	COMPLETE JOINT PENETRATION
	CL	CENTERLINE
KALI.	CLR	CLEAR
	COL	COLUMN
LL BE	CONC	CONCRETE
	CONN	CONNECTION
	CONT	CONTINUOUS
MTO	CTR	CENTER
	DBL	DOUBLE
NSITY OF	EA	EACH
	EQUIP	
	F.N.	EQUIPMENT FIELD NAILING
AXIMUM		
	FRP	FIBER-REINFORCED POLYMER
	FTG	FOOTING
X W/C	GALV	GALVANIZED
RATIO	GLB	GLULAM BEAM / MEMBER
0.52	HGR	HANGER
0.45	HORIZ	HORIZONTAL
	HSS	HOLLOW STEEL SECTION
	INT	INTERIOR
	k	KIP(S) = 1,000  lb
	lb	POUND(S)
	MFR	MANUFACTURER
	MTL	METAL
ATEMENT	O.D.	OUTSIDE DIAMETER
NTS.	O.H.	OPPOSITE HAND / MIRROR
U.N.O.	OC	ON CENTER
ICHOR	PL	PLATE
-4266)	psf	POUNDS PER SQUARE FOOT
-4561)	P-T	POST-TENSIONED
-45017	REINF	REINFORCEMENT
	PSL	PARALLEL STRAND LUMBER
DGE	REQ'D	REQUIRED
	SHTG	SHEATHING
IG	SMS	SHEET METAL SCREW
	SQ	SQUARE
l	STIFF	STIFFENER
CTIONS.	STL	STEEL
TE OR	T&B	TOP & BOTTOM
ORCING	T&G	TONGUE & GROOVE
Oneinio	ТНК	THICK
	TPL	TRIPLE
RE- OR	TYP	TYPICAL
NG A	UNO	UNLESS NOTED OTHERWISE
CUTTING	VERT	VERTICAL
	VIF	VERIFY IN FIELD
	W/	WITH
	,	

# SPECIAL INSPECTION AND TESTING PROGRAM

## A. GENERAL

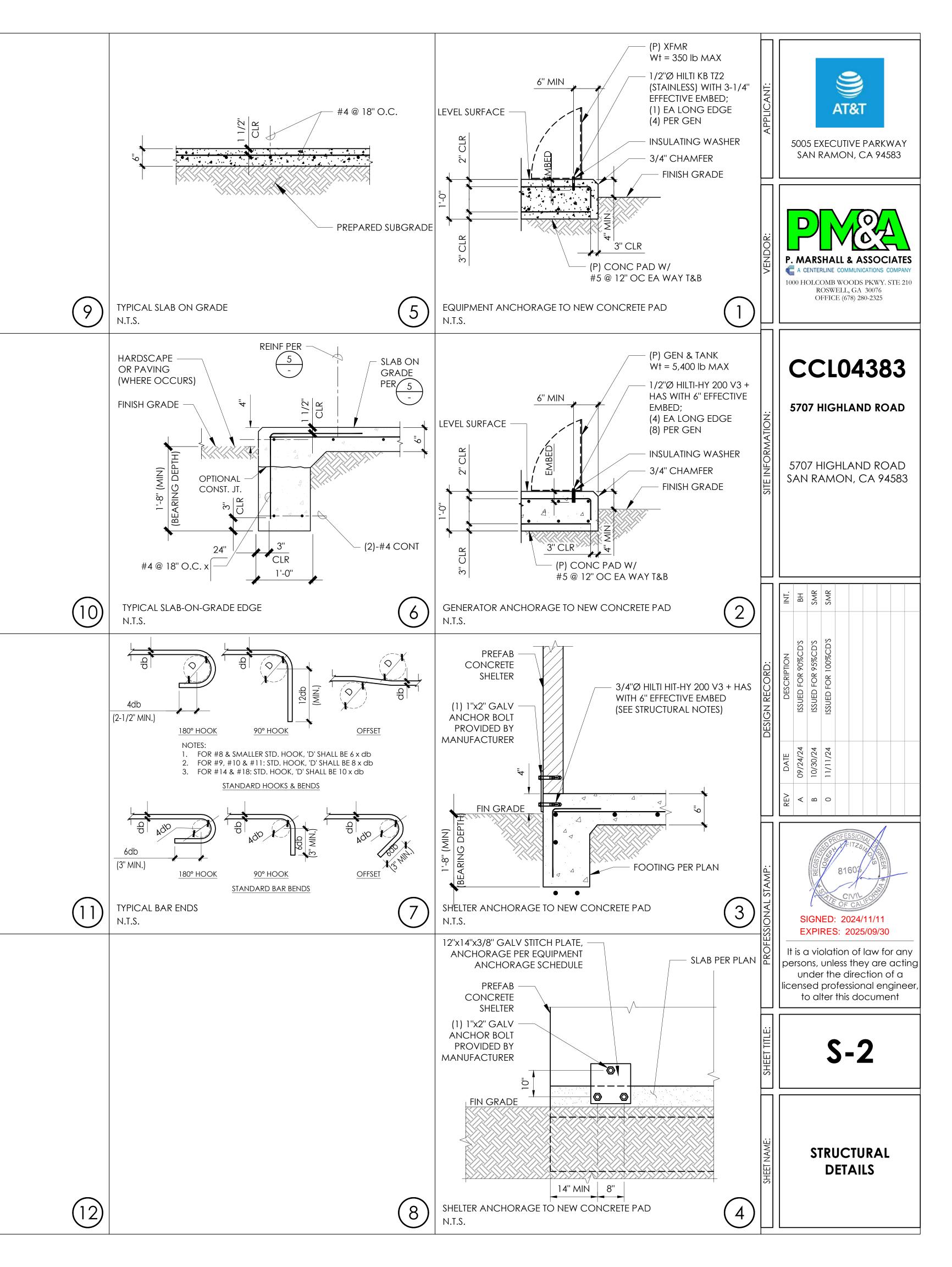
- NOTICE TO THE APPLICANT, OWNER, OWNER'S AGENT, ARCHITEC ENGINEER OF RECORD: BY USING THESE PERMITTED CONSTRUCTION DRAWINGS FOR CONSTRUCTION OR INSTALLATION OF THE WORK SPECIFIED HEREIN, YOU AGREE TO COMPLY WITH THE REQUIREME OF THE BUILDING OFFICIAL FOR SPECIAL INSPECTIONS, STRUCTURA OBSERVATIONS, CONSTRUCTION MATERIAL TESTING AND OFF-SITI FABRICATION OF BUILDING COMPONENTS CONTAINED IN THE STATEMENT OF SPECIAL INSPECTIONS AND AS REQUIRED BY CONSTRUCTION CODES.
- NOTICE TO THE CONTRACTOR, BUILDER, INSTALLER, SUBCONTRAC OR OWNER-BUILDER: BY USING THESE PERMITTED CONSTRUCTION DRAWINGS FOR CONSTRUCTION OR INSTALLATION OF THE WORK SPECIFIED HEREIN, YOU ACKNOWLEDGE THAT YOU ARE AWARE OF REQUIREMENTS CONTAINED IN THE STATEMENT OF SPECIAL INSPECTIONS. YOU AGREE TO COMPLY WITH THE REQUIREMENTS BUILDING OFFICIAL FOR SPECIAL INSPECTIONS, STRUCTURAL OBSERVATIONS, CONSTRUCTION MATERIAL TESTING AND OFF-SITI FABRICATION OF BUILDING COMPONENTS CONTAINED IN THE STATEMENT OF SPECIAL INSPECTIONS AND AS REQUIRED BY CONSTRUCTION CODES.
- THE OWNER OR OWNER'S AGENT, OTHER THAN THE CONTRACTOR SHALL EMPLOY SPECIAL INSPECTION AND TESTING AGENCIES TO PROVIDE INSPECTIONS DURING CONSTRUCTION ON THE TYPES OF LISTED IN THE STATEMENT OF SPECIAL INSPECTIONS.
- SPECIAL INSPECTION SHALL BE PERFORMED IN ADDITION TO INSPE 4 BY THE BUILDING OFFICIAL AS REQUIRED IN SECTION 110 OF THE BUILDING CODE. SPECIAL INSPECTION SHALL NOT BE A SUBSTITUTI INSPECTION BY THE BUILDING OFFICIAL
- WHEN WORK IN MORE THAN ONE CATEGORY OF WORK REQUIRIN 5 SPECIAL INSPECTION OR TESTING IS TO BE PERFORMED SIMULTANEOUSLY, OR THE GEOGRAPHIC LOCATION OF THE WORK SUCH THAT IT CANNOT BE OBSERVED IN ACCORDANCE WITH THE STATEMENT OF SPECIAL INSPECTIONS AND SECTION 1704 OF THE BUILDING CODE, IT SHALL BE THE SPECIAL INSPECTION AGENCY'S RESPONSIBILITY TO EMPLOY A SUFFICIENT NUMBER OF INSPECTOR ASSURE THAT THE REQUIRED WORK IS INSPECTED.
- THE SPECIAL INSPECTION AGENCY SHALL BE APPROVED BY THE BU OFFICIAL FOR INSPECTION OF THE PARTICULAR TYPE OF CONSTRUCT OR OPERATION REQUIRING SPECIAL INSPECTION. EXCEPTIONS:
  - A. WHEN THIS REQUIREMENT FOR AGENCY APPROVAL IS WAI THE BUILDING OFFICIAL.
- THE CONSTRUCTION MATERIALS TESTING AGENCY SHALL BE APPR 7 BY THE BUILDING OFFICIAL FOR THE TESTING OF MATERIALS, SYST COMPONENTS AND EQUIPMENT.
- PRIOR TO THE START OF CONSTRUCTION, THE SPECIAL INSPECTION TESTING AGENCIES SHALL SUBMIT DOCUMENTATION TO THE BUIL OFFICIAL DEMONSTRATING THE COMPETENCE AND RELEVANT EXPERIENCE OR TRAINING OF THE SPECIAL INSPECTORS WHO WILL PERFORM THE SPECIAL INSPECTIONS AND TESTS DURING CONSTRUCTION.
- EACH CONTRACTOR RESPONSIBLE FOR THE CONSTRUCTION OF TH 9 MAIN WIND- OR SEISMIC-FORCE-RESISTING SYSTEM, DESIGNATED SEISMIC SYSTEM, OR WIND- OR SEISMIC-RESISTING COMPONENT IN THE STATEMENT OF SPECIAL INSPECTIONS SHALL SUBMIT A STATEMENT OF RESPONSIBILITY TO THE OWNER (OR OWNER'S DESIGNATED AGENT) AND BUILDING OFFICIAL PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR'S STATEMENT OF RESPONSIBILITY SHALL CONTAIN ACKNOWLEDGEMENT OF AWARE OF THE SPECIAL REQUIREMENTS CONTAINED IN THE STATEMENT ( SPECIAL INSPECTIONS AND TESTING.
- 10. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE SPI INSPECTION OR TESTING AGENCIES AT LEAST ONE WORKING DAY TO PERFORMING ANY WORK THAT REQUIRES SPECIAL INSPECTION
- 11. WORK REQUIRING SPECIAL INSPECTION OR TESTING THAT IS INSTA OR COVERED WITHOUT THE APPROVAL OF THE BUILDING OFFICIAI SUBJECT TO REMOVAL OR EXPOSURE AT THE CONTRACTOR'S EXPE

## B. REQUIRED REPORTS:

- 1. THE SPECIAL INSPECTION AGENCY SHALL FURNISH INSPECTION REI TO THE BUILDING OFFICIAL AND TO THE REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE.
- 2. SPECIAL INSPECTION REPORTS SHALL INDICATE WHETHER THE WO INSPECTED WAS, OR WAS NOT PERFORMED IN CONFORMANCE W THE APPROVED CONSTRUCTION DOCUMENTS.
- 3. THE CONSTRUCTION MATERIALS TESTING AGENCY SHALL FURNISH REPORTS TO THE BUILDING OFFICIAL AND TO THE REGISTERED DES PROFESSIONAL IN RESPONSIBLE CHARGE.
- 4. MATERIAL TESTING REPORTS SHALL INDICATE WHETHER THE TEST MATERIALS CONFORM, OR DO NOT CONFORM, TO THE REQUIREM OF THE APPROVED CONSTRUCTION DOCUMENTS.
- 5 DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTIC THE CONTRACTOR FOR CORRECTION.
- IF DISCREPANCIES ARE NOT CORRECTED, THE DISCREPANCIES SHAI BROUGHT TO THE ATTENTION OF THE BUILDING OFFICIAL AND TO REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE PRIC COMPLETION OF THAT PHASE OF WORK.
- A FINAL REPORT DOCUMENTING THE REQUIRED SPECIAL INSPECTION MATERIAL TESTING AND CORRECTION OF ANY DISCREPANCIES NO THE INSPECTIONS SHALL BE SUBMITTED AT A POINT IN TIME AGRE UPON, PRIOR TO THE START OF WORK, BY THE PERMIT APPLICANT THE BUILDING OFFICIAL.

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	_	MINIMUM, PERIODIC SI												
	D.	OFF-SITE FABRICA												
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	4.	PREFABRICATED COMP SPECIAL INSPECTION SH		ERIFICATION T	HAT THE				$\frown$		<b>Л</b> 4	00	))	
RK		FABRICATOR MAINTAIN CONTROL PROCEDURES CONTROL OF WORKMA	IS DETAILED FAI THAT PROVIDE NSHIP AND THE	BRICATION AN A BASIS FOR FABRICATOR	ID QUALITY INSPECTION 'S ABILITY TO					LO				
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BY	INS EX	ST-INSTALLED ANCHORS STALLATION OF PANSION ANCHORS		X	1			1						
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#### **ELECTRICAL INSTALLATION METHODS:**

- 1. THIS INSTALLATION SHALL COMPLY WITH THE CURRENTLY ADOPTED EDITION OF THE NATIONAL ELECTRICAL CODE AND WITH UTILITY COMPANY AND LOCAL CODE REQUIREMENTS.
- 2. INSTALL SUFFICIENT LENGTHS OF LFMC INCLUDING ALL CONDUIT FITTINGS (NUTS, REDUCING BUSHINGS, ELBOWS, COUPLINGS, ETC) NECESSARY FOR CONNECTION FROM IMC OR PVC CONDUIT TO THE INTERIOR OF THE BTS CABINET.
- 3. POWER, CONTROL AND EQUIPMENT GROUND WIRING IN TUBING OR CONDUIT SHALL BE SINGLE CONDUCTOR (#14 AWG AND LARGER), 600V, OIL RESISTANT THHN OR THWN-2, CLASS B STRANDED COPPER CABLE RATED FOR 90°C (WET AND DRY) OPERATION; LISTED OR LABELED FOR THE LOCATION AND RACEWAY SYSTEM USED.
- 4. CUT, COIL AND TAPE A 3 FOOT PIGTAIL FROM END OF LFMC FOR TERMINATING BY BTS EQUIPMENT MANUFACTURER.
- 5. SUPPLEMENTAL EQUIPMENT GROUND WIRING LOCATED INDOORS SHALL BE SINGLE CONDUCTOR (#6 AWG AND LARGER), 600V, OIL RESISTANT THHN OR THWN-2 GREEN INSULATION, CLASS B STRANDED COPPER CABLE RATED FOR 90°C (WET AND DRY) OPERATION, LISTED OR LABELED FOR THE LOCATION AND RACEWAY SYSTEM USED.
- 6. SUPPLEMENTAL EQUIPMENT GROUND WIRING LOCATED OUTDOORS OR BELOW GRADE SHALL BE SINGLE CONDUCTOR #2 AWG SOLID, TINNED, COPPER CABLE.
- 7. POWER AND CONTROL WIRING, NOT IN TUBING OR CONDUIT, SHALL BE MULTI-CONDUCTOR, TYPE TC. CABLE (#14 AWG AND LARGER), 600V, OIL RESISTANT THHN OR THWN-2, CLASS B, STRANDED COPPER CABLE RATED FOR 90°C (WET OR DRY) OPERATION, WITH OUTER JACKET LISTED OR LABELED FOR THE LOCATION USED.
- 8. CABLES SHALL NOT BE ROUTED THROUGH LADDER-STYLE CABLE TRAY RUNGS.
- 9. RACEWAY AND CABLE TRAY SHALL BE LISTED OR LABELED FOR ELECTRICAL USE IN ACCORDANCE WITH NEMA, UL, ANSI/IEEE AND NEC.
- 10. NEW RACEWAY OR CABLE TRAY SHALL MATCH THE EXISTING INSTALLATION WHERE POSSIBLE.
- 11. ALL POWER AND GROUNDING CONNECTIONS SHALL BE CRIMP STYLE, COMPRESSION, WIRE LUGS AND WIRENUTS BY THOMAS AND BETTS (OR EQUAL). LUGS AND WIRENUTS SHALL BE RATED FOR OPERATION AT NO LESS THAN 75°C.
- 12. EACH END OF EVERY POWER, GROUNDING AND T1 CONDUCTOR AND CABLE SHALL BE LABELED WITH COLOR CODED INSULATION OR ELECTRICAL TAPE. THE IDENTIFICATION METHOD SHALL CONFORM WITH NEC & OSHA AND MATCH EXISTING INSTALLATION REQUIREMENTS.
- 13. ALL ELECTRICAL COMPONENTS SHALL BE CLEARLY LABELED WITH ENGRAVED LAMINATED PLASTIC LABELS. ALL EQUIPMENT SHALL BE LABELED WITH THEIR VOLTAGE RATING, PHASE CONFIGURATION, WIRE CONFIGURATION, POWER OR AMPACITY RATING AND BRANCH CIRCUIT ID NUMBERS (PANELBOARD AND CIRCUIT IDENTIFICATION).
- 14. ALL TIE WRAPS SHALL BE CUT FLUSH WITH APPROVED CUTTING TOOL TO REMOVE SHARP EDGES.
- 15. RIGID NONMETALLIC CONDUIT (PVC SCHEDULE 40 OR PVC SCHEDULE 80) SHALL BE USED UNDERGROUND, DIRECT BURIED IN AREAS OF OCCASIONAL LIGHT VEHICLE TRAFFIC OR ENCASED IN REINFORCED CONCRETE IN AREAS OF HEAVY VEHICLE TRAFFIC.
- 16. ALL CONDUIT RUN ABOVE GROUND OR EXPOSED SHALL BE EMT, LFMC, IMC OR RIGID STEEL.
- 17. ELECTRICAL METALLIC TUBING (EMT) SHALL BE USED FOR INDOOR AND ROOFTOP LOCATIONS.
- 18. LIQUID TIGHT FLEXIBLE METALLIC CONDUIT SHALL BE USED INDOORS AND OUTDOORS WHERE VIBRATION OCCURS OR FLEXIBILITY IS NEEDED.

- 19. CONDUIT AND TUBING FITTINGS SHALL BE THREADED OR COMPRESSION TYPE AND APPROVED FOR THE LOCATION USED. SETSCREW FITTINGS ARE NOT ACCEPTABLE.
- 20. CABINETS, BOXES AND WIREWAYS SHALL BE LISTED OR LABELED FOR ELECTRICAL USE IN ACCORDANCE WITH NEMA, UL, ANSI/IEEE AND NEC.
- 21. CABINETS, BOXES AND WIREWAYS SHALL MATCH THE EXISTING INSTALLATION WHERE POSSIBLE.
- 22. PROVIDE NECESSARY TAGGING ON THE BREAKERS, CABLES AND DISTRIBUTION PANELS IN ACCORDANCE WITH APPLICABLE CODES AND STANDARDS TO SAFEGUARD LIFE AND PROPERTY.
- 23. THE SUBCONTRACTOR SHALL REVIEW AND INSPECT THE EXISTING FACILITY GROUNDING SYSTEM AND LIGHTNING PROTECTION SYSTEM (AS DESIGNED AND INSTALLED) FOR STRICT COMPLIANCE WITH THE NEC. THE SITE SPECIFIC LIGHTNING PROTECTION CODE AND GENERAL COMPLIANCE WITH TELCORDIA AND TIA GROUNDING STANDARDS. THE SUBCONTRACTOR SHALL REPORT ANY VIOLATIONS OR ADVERSE FINDINGS TO THE CONTRACTOR FOR RESOLUTION.
- 24. ALL ELECTRODE SYSTEMS (INCLUDING TELECOMMUNICATION, RADIO, LIGHTNING PROTECTION AND AC POWER GES'S) SHALL BE BONDED TOGETHER AT OR BELOW GRADE BY TWO OR MORE COPPER BONDING CONDUCTORS IN ACCORDANCE WITH THE NEC.
- 25. PERFORM IEEE FALL-OF-POTENTIAL RESISTANCE TO EARTH TESTING (PER IEEE 1100 AND 81) FOR NEW GROUND ELECTRODE SYSTEMS. THE SUBCONTRACTOR SHALL FURNISH AND INSTALL SUPPLEMENTAL GROUND ELECTRODES AS NEEDED TO ACHIEVE A TEST RESULT OF 5 OHMS OR LESS.
- 26. METAL RACEWAY SHALL NOT BE USED AS THE NEC REQUIRED EQUIPMENT GROUND CONDUCTOR. STRANDED COPPER CONDUCTORS WITH GREEN INSULATION SIZED IN ACCORDANCE WITH THE NEC SHALL BE FURNISHED AND INSTALLED WITH THE POWER CIRCUITS TO BTS EQUIPMENT.
- 27. EACH INDOOR BTS CABINET FRAME SHALL BE DIRECTLY CONNECTED TO THE MASTER GROUND BAR WITH SUPPLEMENTAL EQUIPMENT GROUND WIRES #6 OR LARGER.
- 28. EXOTHERMIC WELDS SHALL BE USED FOR ALL GROUNDING CONNECTIONS BELOW GRADE.
- 29. APPROVED ANTIOXIDANT COATINGS (I.E. CONDUCTIVE GEL OR PASTE) SHALL BE USED ON ALL COMPRESSION AND BOLTED GROUND CONNECTIONS.
- 30. ICE BRIDGE BONDING CONDUCTORS SHALL BE EXOTHERMICALLY BONDED OR BOLTED TO THE BRIDGE AND THE TOWER GROUND BAR.
- 31. SURFACES TO BE CONNECTED TO GROUND CONDUCTORS SHALL BE CLEANED TO A BRIGHT SURFACE AT ALL CONNECTIONS.
- 32. EXPOSED GROUND CONNECTIONS SHALL BE MADE WITH COMPRESSION CONNECTORS WHICH ARE THEN BOLTED TO EQUIPMENT USING STAINLESS STEEL HARDWARE. INSTALLATION TORQUE SHALL BE PER MANUFACTURER'S REQUIREMENTS.
- 33. DC POWER CABLES SHALL BE COBRA COP-FLEX 2000, FLEXIBLE CLASS B OR APPROVED EQUAL.

#### PRODUCTS:

1. ALL MATERIALS SHALL BE NEW, CONFORMING WITH NEC, ANSI, NEMA, AND THEY SHALL BE U.L. LISTED AND LABELED.

#### 2. CONDUIT:

- A) ELECTRICAL METALLIC TUBING SHALL U.L. LABEL, FITTINGS SHALL BE COMPRESSION TYPE. EMT SHALL BE USED ONLY FOR INTERIOR RUNS AND ROOFTOPS.
- B) FLEXIBLE METALLIC CONDUIT SHALL HAVE U.L. LISTED LABEL AND MAY BE USED WHERE PERMITTED BY CODE. FITTINGS SHALL BE "JAKE" OR "SQUEEZE" TYPE. SEAL TIGHT FLEXIBLE CONDUIT. ALL CONDUIT EXCESS OF SIX FEET IN LENGTH SHALL HAVE FULL SIZE GROUND WIRE.
- C) CONDUIT RUNS MAY BE SURFACE MOUNTED IN CEILING OR WALLS UNLESS INDICATED OTHERWISE. CONDUIT INDICATED SHALL RUN PARALLEL OR AT RIGHT ANGLES TO CEILING, FLOOR OR BEAMS. VERIFY EXACT ROUTING OF ALL EXPOSED CONDUIT WITH ARCHITECT PRIOR TO INSTALLING.
- D) ALL UNDERGROUND CONDUITS SHALL BE PVC SCHEDULE 40 (UNLESS NOTED OTHERWISE) AT A MINIMUM DEPTH OF 24" BELOW GRADE
- E) ALL CONDUIT ONLY (C.O.) SHALL HAVE PULL ROPE.
- F) CONDUITS RUN ON ROOFS SHALL BE INSTALLED ON DURA-BLOK ROOFTOP SUPPORTS BY COOPER B-LINE.
- G) \*RIGID SHALL BE USED IN LOCATIONS OF POTENTIAL DAMAGE AND/OR CRUSH. RIGID CONDUIT SHALL BE U.L. LABEL GALVANIZED ZINC COATED WITH ZINC INTERIOR AND SHALL BE USED WHEN INSTALLED, IN CONTACT WITH THE EARTH, UNDER PUBLIC ROADWAYS, IN MASONRY WALLS, RIGID CONDUIT IN CONTACT WITH EARTH SHALL BE 1/2 LAPPED WRAPPED WITH HUNTS WRAP PROCESS NO. 3.

3. ALL WIRE AND CABLE SHALL BE COPPER, 600 VOLT, #12 AWG MINIMUM UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS. CONDUCTORS #10 AWG AND SMALLER SHALL BE SOLID. CONDUCTORS #8 AWG AND LARGER SHALL BE STRANDED. TYPE THHN INSULATION USED UNLESS CONDUCTORS INSTALLED IN CONDUIT EXPOSED TO WEATHER, IN WHICH CASE TYPE THWN INSULATION SHALL BE USED.

4. PROVIDE GALVANIZED COATED STEEL BOXES AND ACCESSORIES SIZED PER CODE TO ACCOMMODATE ALL DEVICES AND WIRING.

5. DUPLEX RECEPTACLES SHALL BE SPECIFICATION GRADE WITH WHITE FINISH (UNLESS NOTED BY ENGINEER), 20 AMP, 125 VOLT, THREE WIRE GROUNDING TYPE, NEMA 5-20R. MOUNT RECEPTACLE AT +12" ABOVE FINISHED FLOOR UNLESS OTHERWISE INDICATED ON DRAWINGS OR IN DETAILS. WEATHERPROOF RECEPTACLES SHALL BE GROUND FAULT INTERRUPTER TYPE WITH SIERRA #WPD-8 LIFT COVERPLATES.

6. TOGGLE SWITCHES SHALL BE 20 AMP, 120 VOLT AC, SPECIFICATION GRADE WHITE (UNLESS NOTED OTHERWISE) FINISH. MOUNT SWITCHES AT +48" ABOVE FINISHED FLOOR.

7. PANELBOARDS SHALL BE DEAD FRONT SAFETY TYPE WITH ANTI-BURN SOLDERLESS COMPRESSION APPROVED FOR COPPER CONDUCTORS, COPPER BUS BARS, FULL SIZED NEUTRAL BUS, GROUND BUS AND EQUIPPED WITH QUICK-MAKE QUICK-BREAK BOLT-IN TYPE THERMAL MAGNETIC CIRCUIT BREAKERS. MOUNT TOP OF THE PANELBOARDS AT 6'-3" ABOVE FINISHED FLOOR. PROVIDE TYPE WRITTEN CIRCUIT DIRECTORY.

8. ALL CIRCUIT BREAKERS, MAGNETIC STARTERS AND OTHER ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING RATING NOT LESS THAN MAXIMUM SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED.

9. GROUND RODS SHALL BE COPPER CLAD STEEL, 5/8" ROUND AND 10' LONG. COPPERWELD OR APPROVED EQUAL.

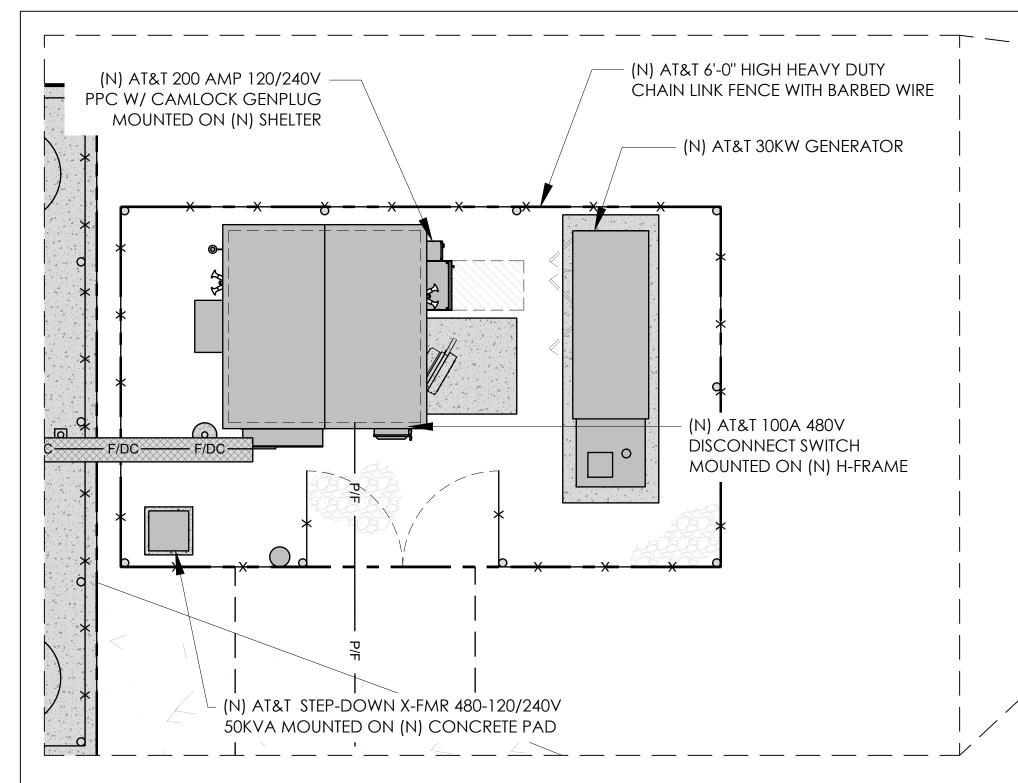
#### **GROUNDING NOTES:**

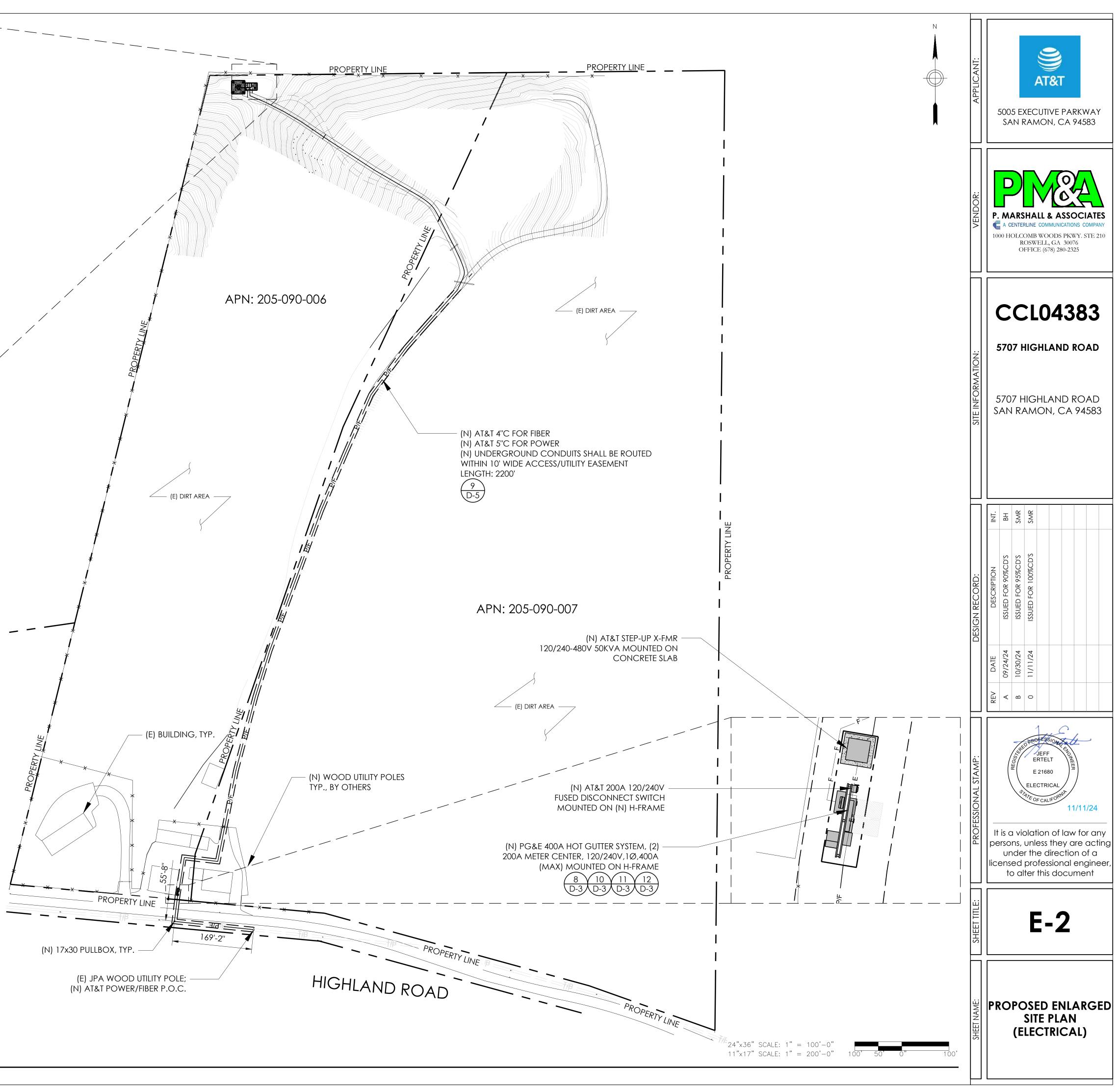
- 1. ALL DETAILS ARE SHOWN IN GENERAL TERMS. ACTUAL GROUNDING INSTALLATION REQUIREMENTS AND CONSTRUCTION ACCORDING TO SITE CONDITIONS.
- 2. ALL GROUNDING CONDUCTORS: #2 AWG SOLID BARE TINNED COPPER WIRE UNLESS OTHERWISE NOTED.
- 3. GROUND BAR LOCATED IN BASE OF EQUIPMENT WILL BE PROVIDED, FURNISHED AND INSTALLED BY THE VENDOR.
- 4. ALL BELOW GRADE CONNECTIONS: EXOTHERMIC WELD TYPE, ABOVE GRADE CONNECTIONS: EXOTHERMIC WELD TYPE.
- 5. GROUND RING SHALL BE LOCATED A MINIMUM OF 24" BELOW GRADE OR 6" MINIMUM BELOW THE FROST LINE.
- 6. INSTALL GROUND CONDUCTORS AND GROUND ROD MINIMUM OF 1'-0" FROM EQUIPMENT CONCRETE SLAB, SPREAD FOOTING, OR FENCE.
- 7. EXOTHERMIC WELD GROUND CONNECTION TO FENCE POST: TREAT WITH A COLD GALVANIZED SPRAY.
- 8. GROUND BARS:
  - A) EQUIPMENT GROUND BUS BAR (EGB) LOCATED AT THE BOTTOM OF ANTENNA POLE/MAST FOR MAKING GROUNDING JUMPER CONNECTIONS TO COAX FEEDER CABLES SHALL BE FURNISHED AND INSTALLED BY ELECTRICAL CONTRACTOR. JUMPERS (FURNISHED BY OWNERS) SHALL BE INSTALLED AND CONNECTED BY ELECTRICAL CONTRACTOR.
- 9. ALL GROUNDING INSTALLATIONS AND CONNECTIONS SHALL BE MADE BY ELECTRICAL CONTRACTOR.
- 10. OBSERVE N.E.C. AND LOCAL UTILITY REQUIREMENTS FOR ELECTRICAL SERVICE GROUNDING.
- 11. GROUNDING ATTACHMENT TO TOWER SHALL BE AS PER MANUFACTURER'S RECOMMENDATIONS OR AT GROUNDING POINTS PROVIDED (2 MINIMUM).
- 12. IF EQUIPMENT IS IN A C.L. FENCE ENCLOSURE, GROUND ONLY CORNER POSTS AND SUPPORT POSTS OF GATE. IF CHAIN LINK LID IS USED, THEN GROUND LID ALSO.
- 13. GROUNDING AT PPC CABINET SHALL BE VERTICALLY INSTALLED.
- 14. ALL GROUNDING FOR ANTENNAS SHALL BE CONNECTED SO THAT IT WILL BY-PASS MAIN BUSS BAR.
- 15. ALL EMT RUNS SHALL BE GROUNDED AND HAVE A BUSHING, NO PVC ABOVE GROUND.
- 16. USE SEPARATE HOLES FOR GROUNDING AT BUSS BAR. NO "DOUBLE-UP" OF LUGS.
- 17. POWER AND TELCO CABINETS SHALL BE GROUNDED (BONDED) TOGETHER.
- 18. NO LB'S ALLOWED ON GROUNDING.
- 19. PROVIDE STAINLESS STEEL CLAMP AND BRASS TAGS ON COAX AT ANTENNAS AND DOGHOUSE.
- 20 ALL ELECTRICAL AND GROUNDING AT THE CELL SITE SHALL COMPLY WITH THE NATIONAL ELECTRICAL CODE (NEC), NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 780 (LATEST EDITION), AND MANUFACTURER SPECIFICATION.
- 21 IF THE AC PANEL IN THE POWER CABINET IS WIRED AS SERVICE ENTRANCE, THE AC SERVICE GROUND CONDUCTOR SHALL BE CONNECTED TO GROUND ELECTRODE SYSTEM. WHEN THE AC PANEL IN THE POWER CABINET IS CONSIDERED A SUB-PANEL, THE GROUND WIRE SHALL BE INSTALLED IN THE AC POWER CONDUIT. THE INSTALLATION SHALL BE PER LOCAL AND NATIONAL ELECTRIC CODE (NFPA-70).
- 22 EXOTHERMIC WELDING IS RECOMMENDED FOR GROUNDING CONNECTION WHERE PRACTICAL. OTHERWISE, THE CONNECTION SHALL BE MADE USING COMPRESSION TYPE-2 HOLES. LONG BARREL LUGS OR DOUBLE CRIMP CLAMP "C" CLAMP. THE COPPER CABLES SHALL BE COATED WITH ANTIOXIDANT (COPPER SHIELD) BEFORE MAKING THE CONNECTIONS. THE MANUFACTURER'S TORQUING RECOMMENDATIONS ON THE BOLT ASSEMBLY TO SECURE CONNECTIONS SHALL BE FOLLOWED.
- 23 THE ANTENNA CABLES SHALL BE GROUNDED AT THE TOP AND BOTTOM OF THE VERTICAL RUN FOR LIGHTING PROTECTION. THE ANTENNA CABLE SHIELD SHALL BE BONDED TO A COPPER GROUND BUSS AT THE LOWER MOST POINT OF A VERTICAL RUN JUST BEFORE IT BEGINS TO BEND TOWARD THE HORIZONTAL PLANE. WIRE RUNS TO GROUND SHALL BE KEPT AS STRAIGHT AND SHORT AS POSSIBLE. ANTENNA CABLE SHIELD SHALL BE GROUNDED JUST BEFORE ENTERING THE CELL CABINET. ANY ANTENNA CABLES OVER 200 FEET IN LENGTH SHALL ALSO BE EQUIPPED WITH ADDITIONAL GROUNDING AT MID-POINT.
- 24 ALL GROUNDING CONDUCTORS INSIDE THE BUILDING SHALL BE RUN IN CONDUIT RACEWAY SYSTEM, AND SHALL BE INSTALLED

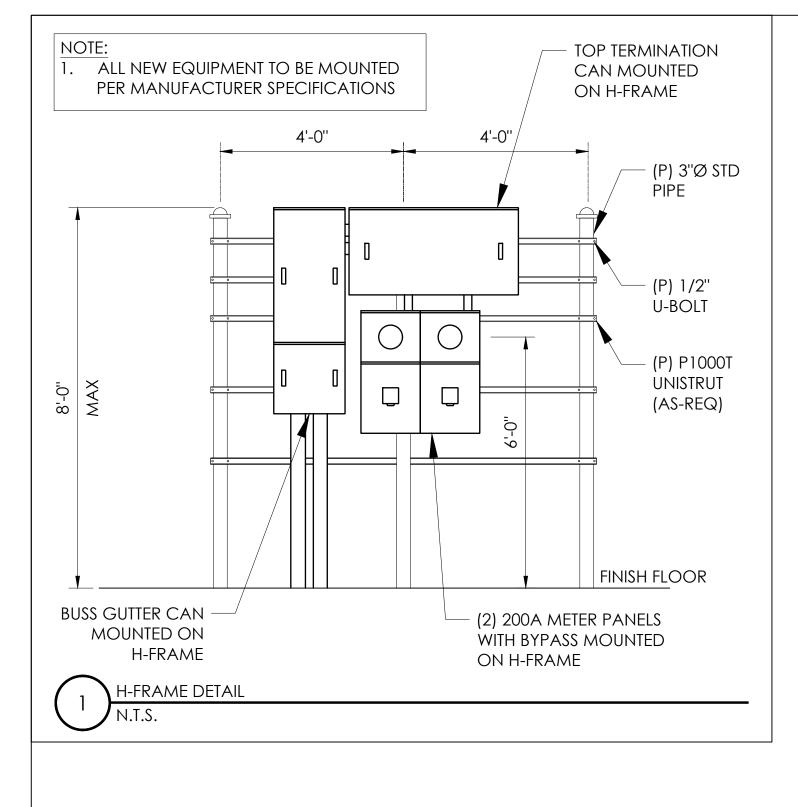
AS STRAIGHT AS PRACTICAL WITH MINOR BENDS TO AVOID OBSTRUCTIONS. THE BENDING RADIUS OF ANY #2 GROUNDING CONDUCTOR IS 8". PVC RACEWAY MAY BE FLEXIBLE OR RIGID PER THE FIELD CONDITIONS. GROUNDING CONDUCTORS SHALL NOT MAKE CONTACT WITH ANY METALLIC CONDUITS, SURFACES OR EQUIPMENT.

- 25 PROVIDE PVC SLEEVES WHERE GROUNDING CONDUCTORS PASS THROUGH THE BUILDING WALLS AND /OR CEILINGS.
- 26. INSTALL GROUND BUSHINGS ON ALL METALLIC CONDUITS AND BOND TO THE EQUIPMENT GROUND BUSS IN THE PANEL BOARD.
- 27 GROUND ANTENNA BASES, FRAMES, CABLE RACKS AND OTHER METALLIC COMPONENTS WITH #2 GROUNDING CONDUCTORS AND CONNECT TO INSULATED SURFACE MOUNTED GROUND BARS. CONNECTION DETAILS SHALL FOLLOW MANUFACTURER'S SPECIFICATIONS FOR GROUNDING.
- 28. ALL PROPOSED GROUNDING CONDUCTORS SHALL BE ROUTED AND CONNECTED TO THE MAIN GROUND BAR OR EXISTING GROUND RING.
- 29. THE CONTRACTOR SHALL PROVIDE A COMPLETE, AND APPROVED GROUNDING SYSTEM INCLUDING ELECTRODES, ELECTRODE CONDUCTOR, BONDING CONDUCTORS, AND EQUIPMENT CONDUCTORS AS REQUIRED BY ARTICLE 250 OF THE NATIONAL ELECTRICAL CODE.
- 30. CONDUITS CONNECTED TO EQUIPMENT AND DEVICES SHALL BE METALLICALLY JOINED TOGETHER TO PROVIDE EFFECTIVE ELECTRICAL CONTINUITY.
- 31. FEEDERS AND BRANCH CIRCUIT WIRING INSTALLED IN A NONMETALLIC CONDUIT SHALL INCLUDE A CODE SIZED GROUNDING CONDUCTOR HAVING GREEN INSULATION. THE GROUND CONDUCTOR SHALL BE PROPERLY CONNECTED AT BOTH ENDS TO MAINTAIN ELECTRICAL CONTINUITY.
- 32. REFER TO GROUND BUS DETAILS. PROVIDE NEW GROUND SYSTEM COMPLETE WITH CONDUCTORS, GROUND ROD AND DESCRIBED TERMINATIONS.
- 33. ALL GROUNDING CONDUCTORS SHALL BE SOLID TINNED COPPER AND ANNEALED #2 UNLESS NOTED OTHERWISE.
- 34. ALL NON-DIRECT BURIED TELEPHONE EQUIPMENT GROUND CONDUCTORS SHALL BE #2 STRANDED THHN (GREEN) INSULATION.
- 35. ALL GROUND CONNECTIONS SHALL BE MADE WITH "HYGROUND" COMPRESSION SYSTEM BURNDY CONNECTORS EXCEPT WHERE NOTED OTHERWISE.
- 36. PAINT AT ALL GROUND CONNECTIONS SHALL BE REMOVED.
- 37. GROUNDING SYSTEM RESISTANCE SHALL NOT EXCEED 5 OHMS. IF THE RESISTANCE VALUE IS EXCEEDED, NOTIFY THE OWNER FOR FUTURE INSTRUCTION ON METHODS FOR REDUCING THE RESISTANCE VALUE. SUBMIT TEST REPORTS AND FURNISH TO SMART SMR ONE COMPLETE SET OF PRINTS SHOWING "INSTALLED WORK".
- 38. #2 STRANDED THHN WITH WATER CLAMPS AT EVERY 25' MOUNTED ON CONDUITS AT ROOFTOP LOCATIONS

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#### NOTES:

- 1. ALL WORK TO CONFORM TO N.E.C. LATEST STATE ADOPTED EDITION.
- 2. LABEL SERVICE DISCONNECT WITH A RED TAG.
- 3. SWITCH LEG CONDUCTORS SHALL BE THE SAME COLOR AS CIRCUIT CONDUCTORS.
- 4. PULL ONE GROUND CONDUCTOR PER FLEXIBLE NONMETALLIC CONDUIT. FOR ALL OTHER CIRCUITS PULL A SEPARATE CONDUCTOR.
- 5. ALL GFCI RECEPTACLES TO HAVE A DEDICATED GROUND WIRE.
- 6. EQUIPMENT TERMINATION LUGS AND CONDUCTORS ARE RATED AT A MINIMUM OF 75°C.
- 7. THE MAIN SWITCHBOARD SHALL BE LEGIBLY MARKED IN THE FIELD WITH THE MAXIMUM AVAILABLE FAULT CURRENT. THE FIELD MARKING(S) SHALL INCLUDE THE DATE THE FAULT-CURRENT CALCULATION WAS PERFORMED. CEC 110.24(A).
- 8. ARC FLASH HAZARD DISCONNECT SHALL BE PROVIDED IN ACCORDANCE WITH CEC 110.16.
- 9. THE MAIN SERVICE DISCONNECT SHALL BE MARKED PERMANENTLY CEC 230.70(B).
- 10. SWITCHBOARDS, SWITCHGEAR, AND PANELBOARDS SHALL HAVE THE AVAILABLE FAULT CURRENT AND THE DATE THE CALCULATION WAS PERFORMED SHALL BE FIELD MARKED ON THE ENCLOSURE AT THE POINT OF SUPPLY. THE MARKING SHALL COMPLY WITH 110.21(B)(3). CEC 408.6.
- 11. PROVIDE A PLAQUE OR DIRECTORY PER CEC 700.7(A) OR 702.7(A).

## KEY NOTES:

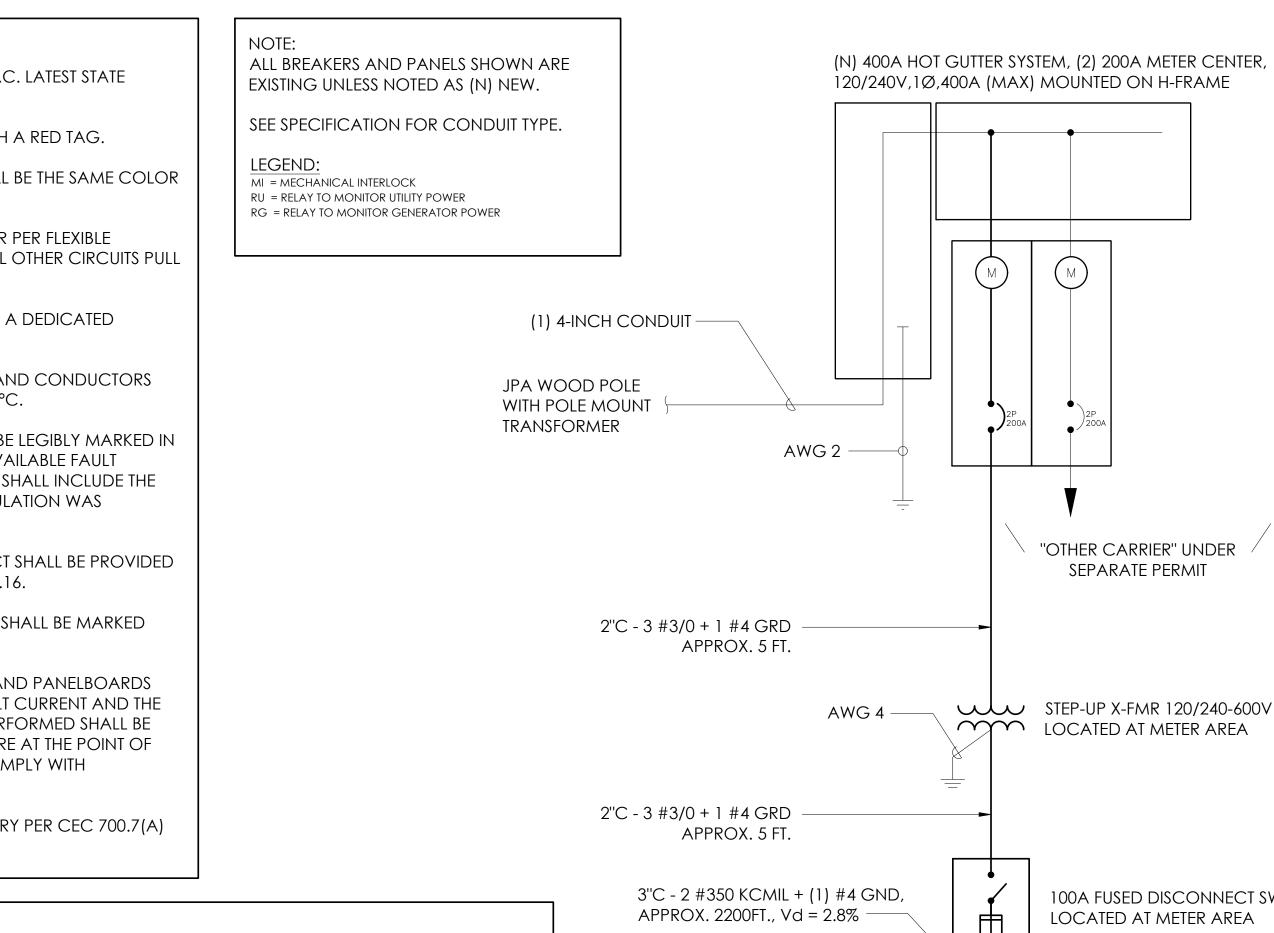
- $\langle 1 \rangle$  (P) 2"C \_ (3)#3/0 + (1)#4 GND, APPROX 30FT.

- (P) 3/4 "C \_ (4) #12 + (2) #12 GND. FOR BATTERY CHARGER AND BLOCK HEATER

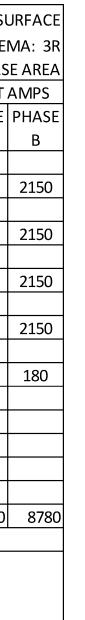
10	TES:
•	THIS PANEL IS PROVIDED AND INSTALLED BY VAULT MANUFACTURER
	LIGHTING, DUPLEX RECEPTACLE, G.F.I ARE DESIGNED AND INSTALLED BY VAULT MANUFACTURER.

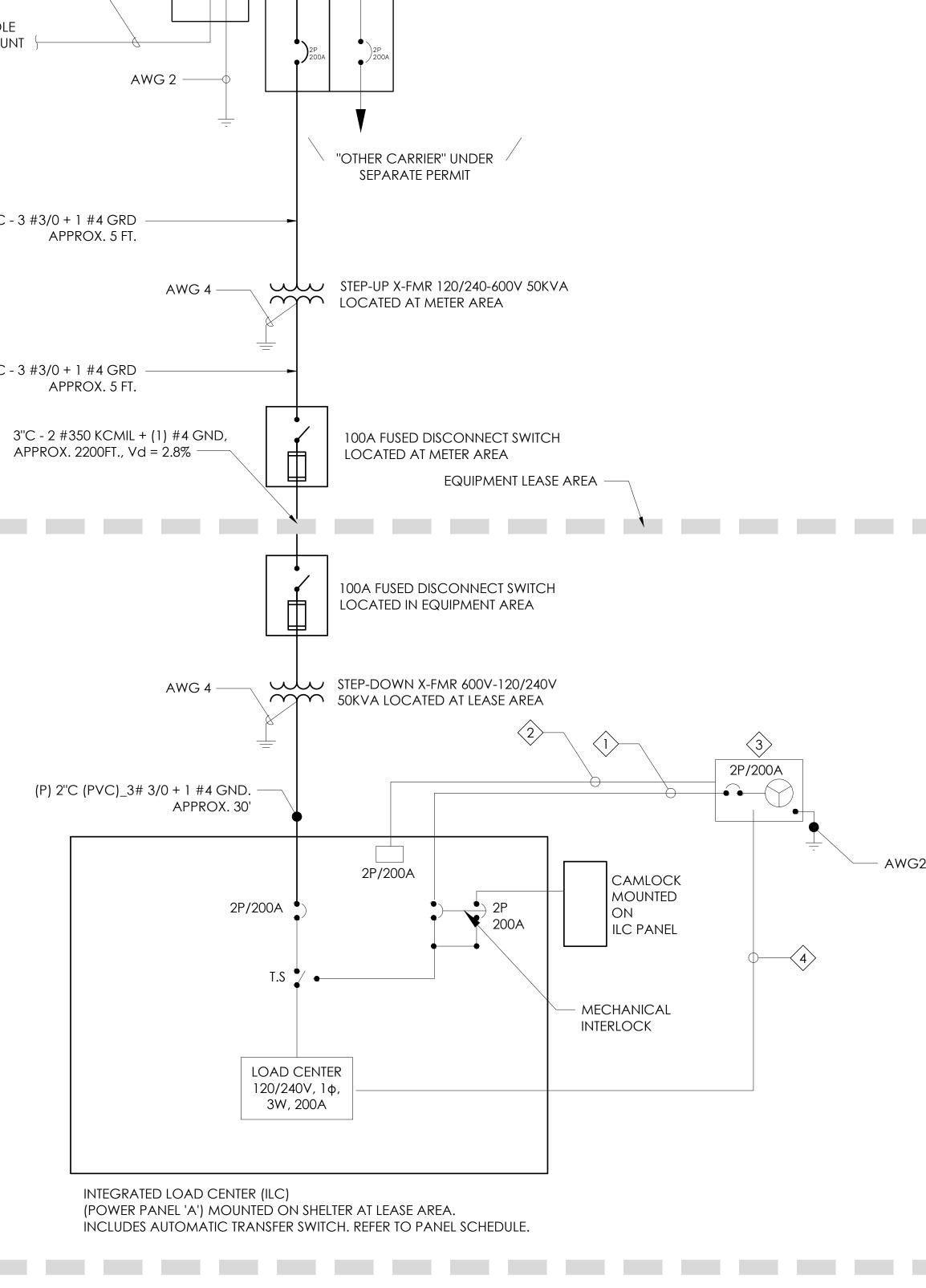
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	2150	VERTIV 7100			3		_	•	4			VERTIV 7100	
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	2150	VERTIV 7100			7		_	•—	8			VERTIV 7100	
2150		RECTIFIERS 09&10	2	30	9				10	30	2	RECTIFIERS 11&12	2150
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2150		RECTIFIERS 13&14	2	30	13		)		14	30	2	RECTIFIERS 15&16	2150
	2150	VERTIV 7100			15			•	16			VERTIV 7100	
360		BATTERY CHARGER	1	20	17		-		18	20	1	LIGHT & RECEPTACLE	560
	480	<b>BATTERY HEATER</b>	1	20	19		_	•	20	20	1	GFCI	
1400		HVAC	2	25	21		)		22	30	2	SURGE SUPPRESSOR	
	1400	-			23		_	•	24			SPACE	
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		SPACE			27			•	28			SPACE	
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PHA	SE A =	19520	VA							PHAS	5E B =	19260	VA
CONNE	ECTED LC	DAD:			38780	VA							

**AC PANEL SCHEDULE** N.T.S.

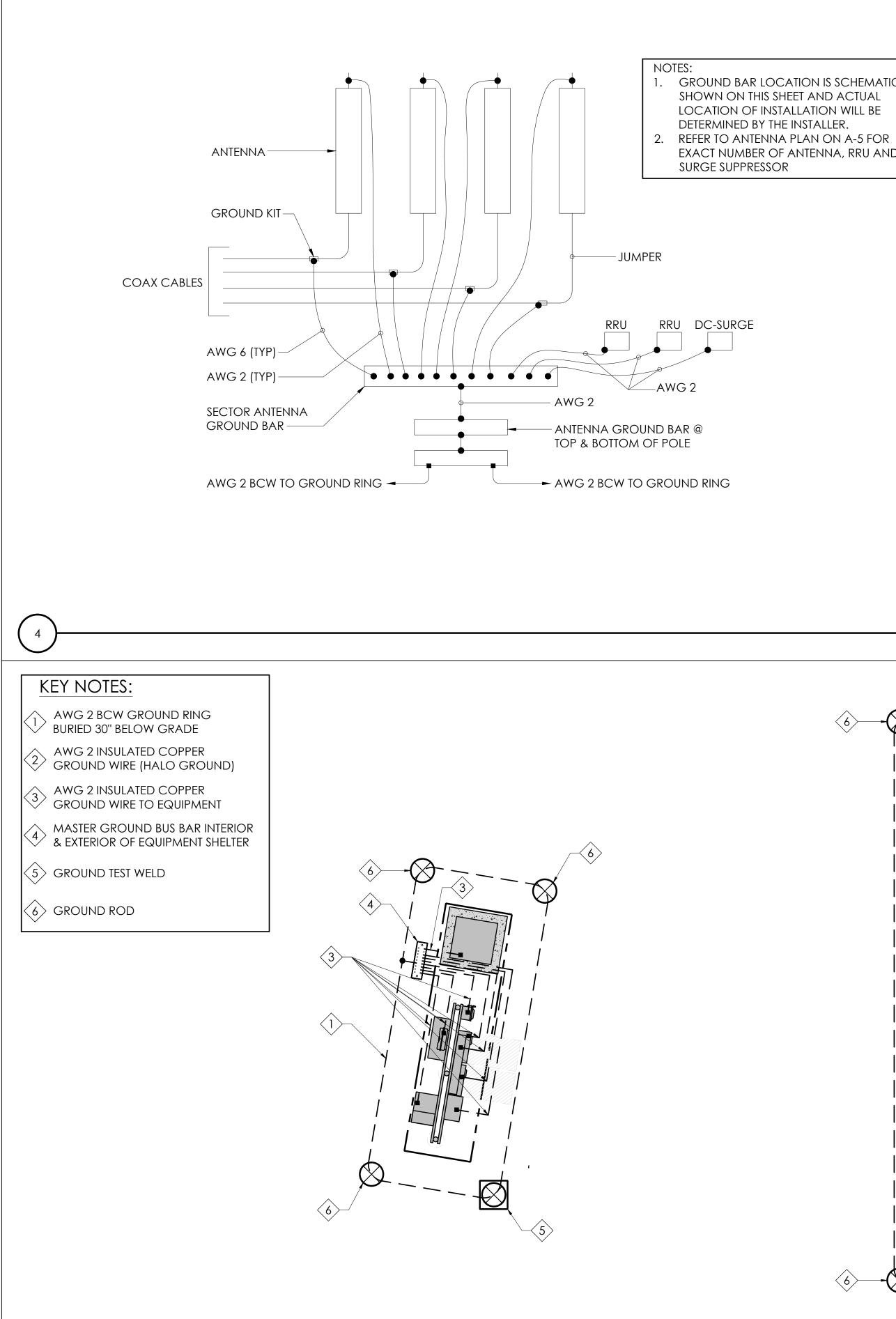


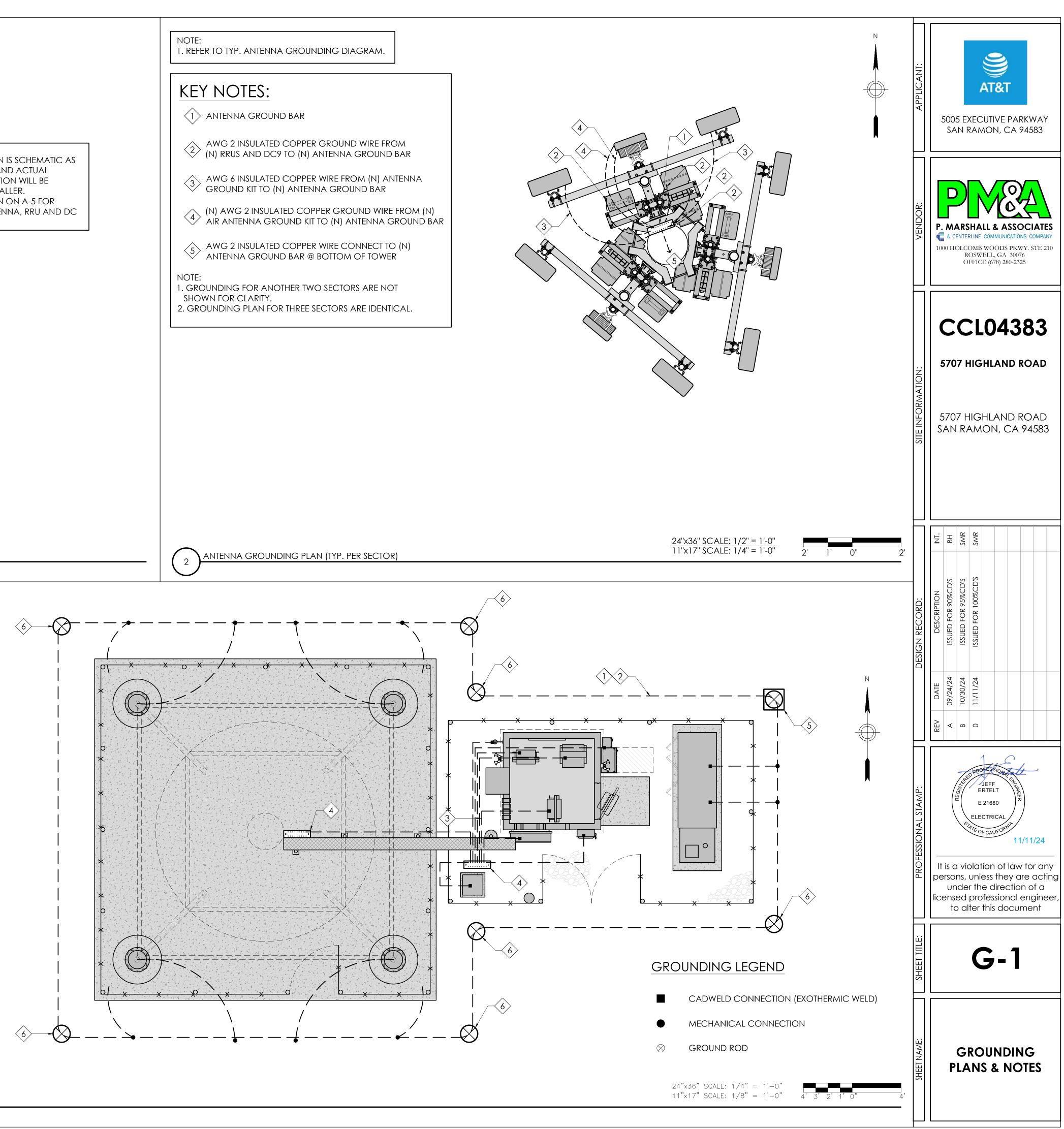
(P) 1"C \_ (2)#16 FOR START/STOP GENERATOR, AND (1) CAT 5 CABLE FOR ALARM & MONITOR. REFER TO SHELTER DRAWINGS PROVIDED BY SHELTER MANUFACTURER FOR DETAILED WIRING CONNECTION  $\langle 3 \rangle$  (P) GENERATOR 120/240V, 1 $\phi$  30KW, FURNISHED W/ DIS. CB, LOCKABLE IN THE OPEN POSITION.





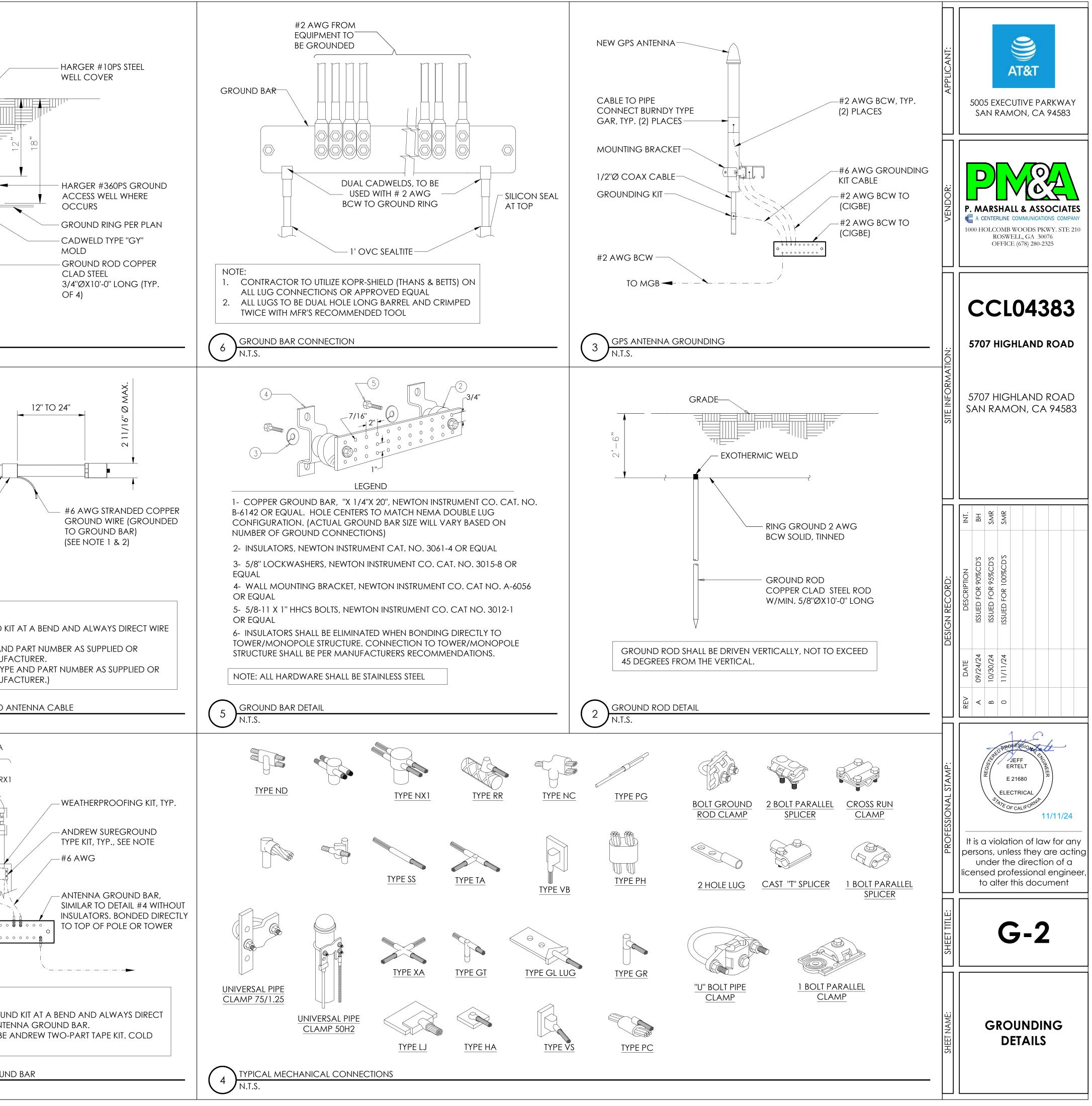
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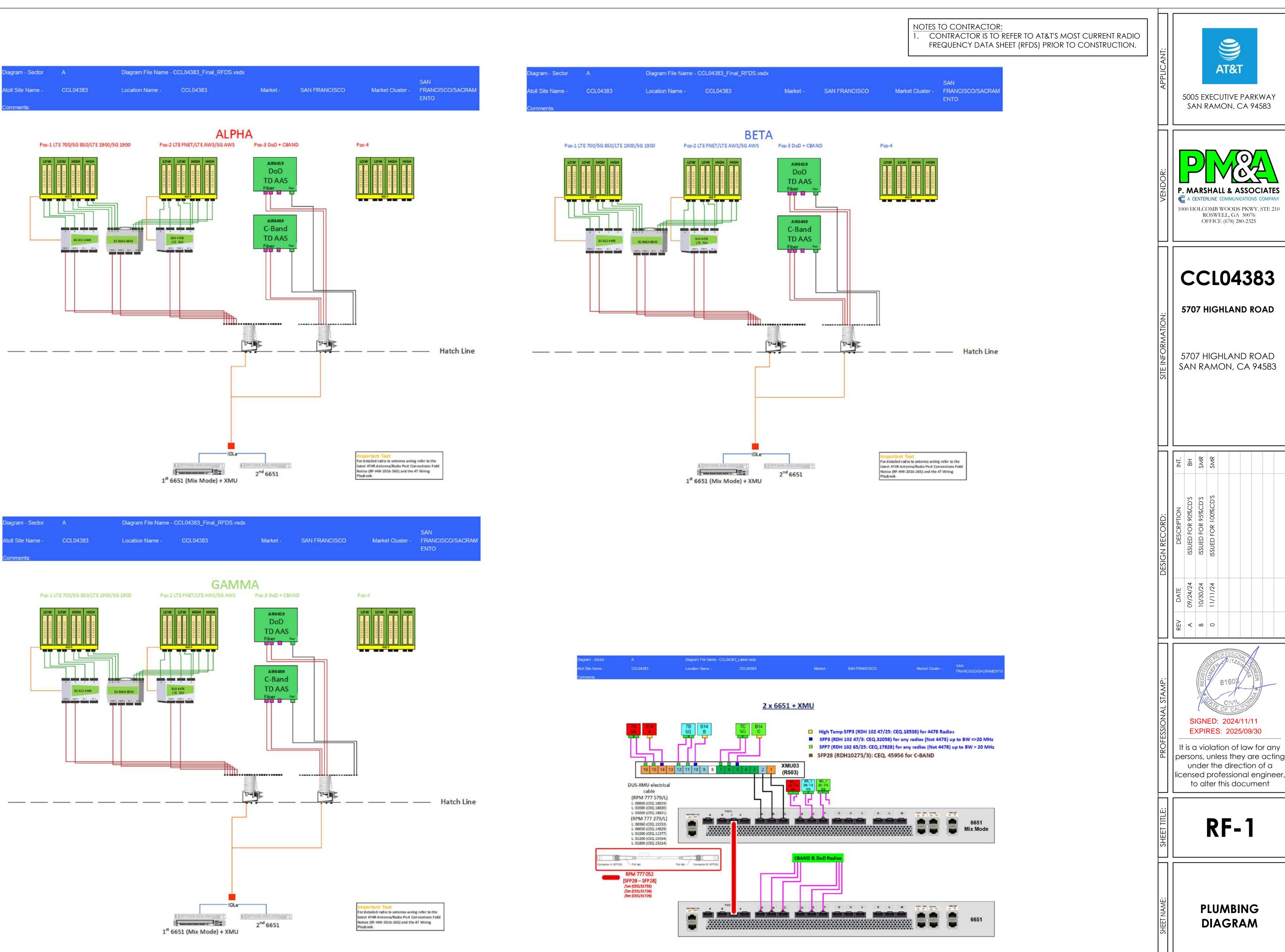


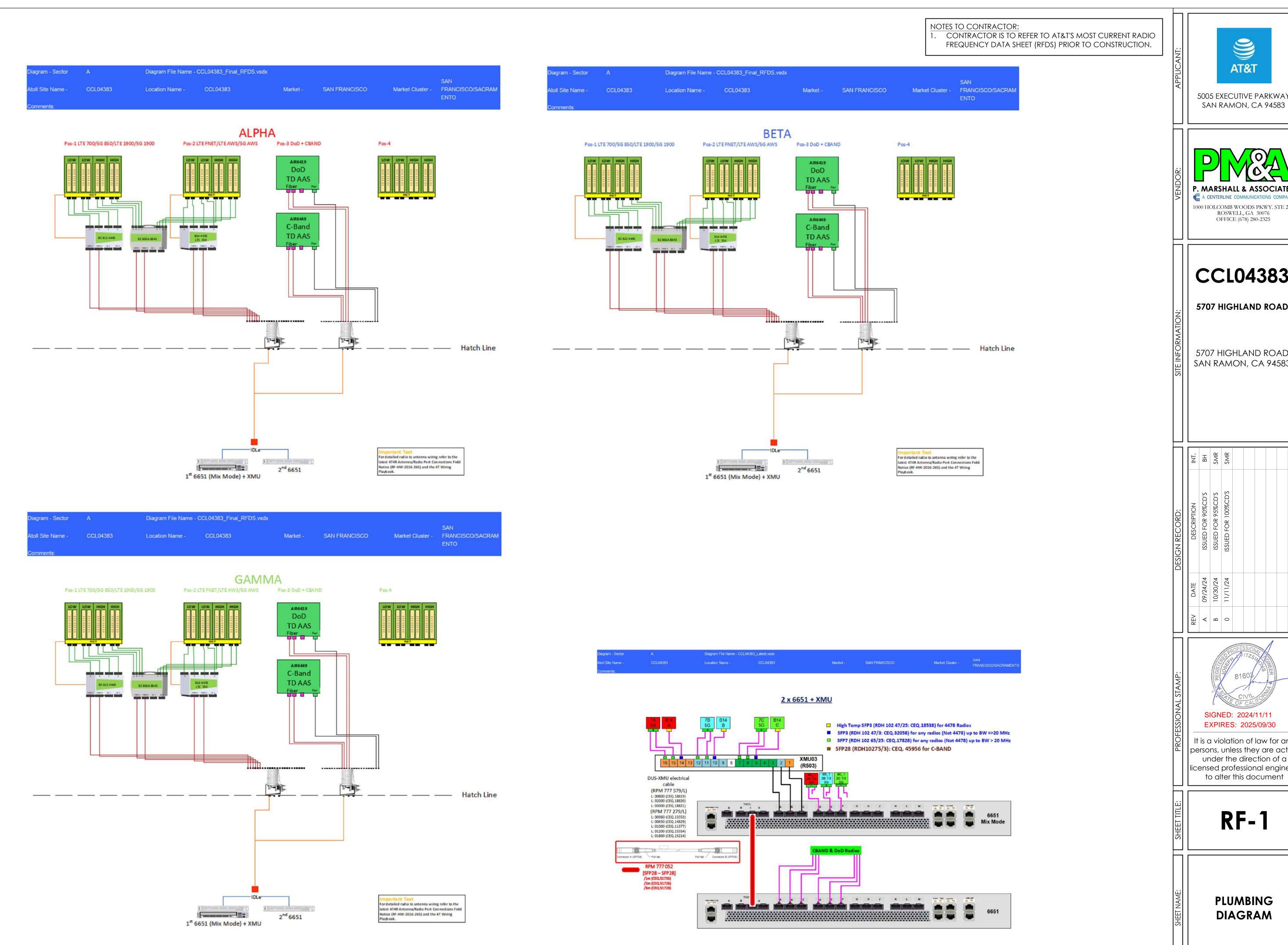


1. GROUND BAR LOCATION IS SCHEMATIC AS SHOWN ON THIS SHEET AND ACTUAL LOCATION OF INSTALLATION WILL BE EXACT NUMBER OF ANTENNA, RRU AND DC

	FINISHED GRADE
12 NOT USED N.T.S.	9 GROUND TEST WELL N.T.S.
	WEATHERPROOFING KIT (SEE NOTE 3) CABLE GROUNDING KIT
	NOTE: 1 DO NOT INSTALL CABLE GROUND DOWN TO GROUND BAR. 2. GROUNDING KIT SHALL BE TYPE A RECOMMENDED BY CABLE MANU 3. WEATHER PROOFING SHALL BE (T RECOMMENDED BY CABLE MANU
NOT USED N.T.S.	8 CONNECTION OF GROUND KIT TO N.T.S.
	COAX JUMPER, TYP. CONNECTOR WEATHERPROOFING KIT, TYP. SEE NOTE 2
	ANTENNA CABLE TO BTS EQUIPMENT, TYP.
	NOTE: 1. DO NOT INSTALL CABLE GROUND GROUND WIRE DOWN TO AN 2. WEATHER PROOFING SHALL B SHRINK SHALL NOT BE USED
10 NOT USED N.T.S.	$(7) \text{GROUND CONNECTION TO GROUND ROUTED FOR A ROUTED$







PLUMBING DIAGRAM

N.T.S.



# **General Specifications**



## Features and Benefits

- Capacity range 26 to 170Ah
- Multiple string
- configurations available Two year shelf life
- SR-4228 compliant
- Long service life
- High energy density and cycling capability

# **Battery** Range Summary and Performance Specifications

The Original High Temperature battery - with a wide operating temperature: The PowerSafe® SBS battery range utilizes unique and proven technology to provide a superior range of valve regulated batteries with an extended service life in compact and energy dense configurations. PowerSafe SBS batteries are manufactured to the highest international standards and are ideal for reliable use in all wireless and fixed-line communication applications. PowerSafe SBS batteries are also widely used in cable TV Head-Ends, hybrid systems, power generation, offshore applications and various oil rig applications.

PowerSafe SBS top terminal batteries are available in capacities of 26 Ah to 170 Ah. SBS batteries are suitable for a wide range of telecorn and reserve power applications especially where space is limited.

PowerSafe SBS batteries are designed to cope with elevated temperatures and harsh environments. The advanced Thin Plate Pure Lead (TPPL) technology and unique manufacturing methods, used by EnerSys®, make PowerSafe S8S batteries the choice for long and trouble-free service.

Powersafe SBS batteries have been developed to provide not only long float service life but also designed to provide controlled high cycling and fast recharge performance in unreliable grid applications.



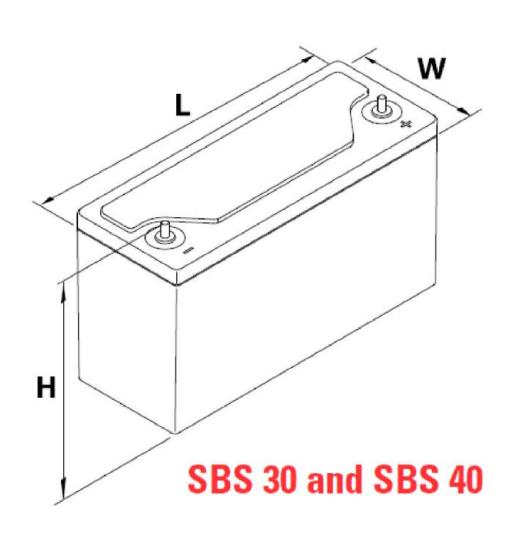
Visit us at www.enersys.com

			Nominal	Capacity		No	ninal Dir	nensions	•				Short			E	lectrolyte	e (1.300 S	.G.)	Pu	ire Acid	(H <sub>2</sub> SO <sub>4</sub> ) A	cid				
Battery Type	Number of Cells	Cells (V)	Voltage	of Voltage	8hr. Rate 1.75Vpc @ 77°F	1.80Vpc	Le in	ngth mm	Wi in	dth mm	Hei in	ight mm		ical ight kg	Circuit Current (Amps)	Internal** Resistance Milli-0hms			ume bloc) L	Wei (per Ibs	and the second		ume bloc) L		ight bloc) kg		Weight bloc) kg
SBS® 30	6	12	26	26	9.84	250	3.82	97.0	6.14	156	20.9	9.50	1556	7.90	M6 M	0.40	1.51	4.33	1.96	0.11	0.43	1.72	0.78	15.5	7.04		
SBS 40	6	12	38	38	9.84	250	3.82	97.0	8.11	206	29.1	13.2	2184	5.60	M6 M	0.59	2.23	6.69	2.90	0.17	0.63	2.53	1.15	21.2	9.61		
SBS C11F	6	12	91	92	16.4	417	4.13	105	10.1	256	61.6	27.9	2300	5.50	M6 M	1.28	4.85	<mark>13.9</mark>	6.29	0.36	1.36	5.50	2.49	43.3	19.7		
SBS 100F	6	12	100	100	15.6	395	4.25	108	11.3	287	71.9	32.6	2210	5.60	M6 M	1.34	5.09	14.6	6.60	0.38	1.43	5.77	2.62	49.7	22.5		
SBS 150	6	12	156	151	22.1	561	4.92	125	11.1	283	108	49.0	3330	3.80	M6 M	2.10	7.97	23.5	10.6	0.66	2.49	10.2	4.61	69.2	31.4		
<b>SBS 170F</b>	6	12	170	170	22.1	561	4.92	125	11.1	283	116	52.5	3400	4.00	M6 M	2.09	7.92	22.7	10.3	0.59	2.23	8.99	4.08	82.0	37.2		
SBS 190F	6	12	190	190	22.1	561	4.92	125	12.4	316	132	60.0	3800	3.30	M6 M	2.34	8.86	25.3	11.5	0.66	2.49	10.1	4.56	<mark>95.8</mark>	43.4		

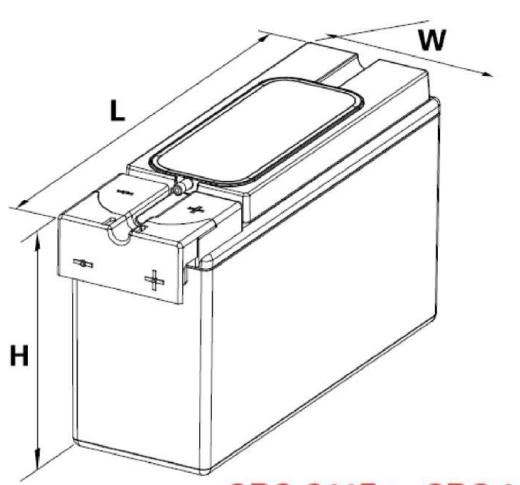
\*\*Resistance values are for reference only and not intended to represent an Ohmic value or base line measurement

Item Number	Item Description	OEM	Manufacturer Part Number
NEQ. 19853	EnerSys®, SBS®30, PowerSafe SBS 26AH 12V, Battery Module	EnerSys	SBS 30
NEQ. 12942	EnerSys, SBS 40, PowerSafe SBS 38AH 12V, Battery Module	EnerSys	SBS 40
NEQ. 19854	EnerSys, SBSC11F, PowerSafe SBS 91AH 12V, Battery Module	EnerSys	SBS C11F
NEQ. 19855	EnerSys, SBS 100F, PowerSafe SBS 100AH 12V, Battery Module	EnerSys	SBS 100F
NEQ. 19857	EnerSys, SBS 150, PowerSafe SBS 150AH 12V, Battery Module	EnerSys	SBS 150
NEQ.16622	EnerSys, SBS 170F, PowerSafe SBS 170AH 12V, Battery Module	EnerSys	SBS 170F
NEQ. 19858	EnerSys, SBS 190F, PowerSafe SBS 190AH 12V, Battery Module	EnerSys	SBS 190F

BATTERY INFORIVIATION (VRLA TYPE BATTERIES)										
INSTALL STATUS	BATTERY MODEL	TOTAL # OF BATTERY UNITS INSTALLED (EA)	VOLTAGE (V)	AMP- HOURS (AH)	KWh, Kilowatt- hours = (V*AH)/1000	TOTAL BATTERY CAPACITY, KWh	STATIONARY BATTERY STORAGE SYSTEM THRESHOLD QUANTITY, PER CFC 2022 SECTION 1207	STATIONARY BATTERY STORAGE SYSTEM CODE CHECK	TOTAL ELECTROLYTE VOLUME (GALLONS) PER UNIT	TOTAL ELECTROLYTE BY VOLUME (GALLONS) =
PROPOSED	ENERSYS POWERSAFE SBS 190F	8	12	190	2.28	18.24			2.34	18.72
TOTAL		8				18.24	70	CFC 2022 SECTION 1207 DOES NOT APPLY		18.72



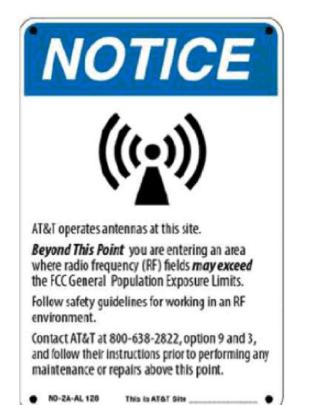
# BATTERY INFORMATION (VRIA TYPE BATTERIES)



SBS C11F to SBS 190F

	_								
APPLICANT:	Solution       Solution         5005       EXECUTIVE PARKWAY         SAN RAMON, CA 94583								
VENDOR:	P. MARSHALL & ASSOCIATES         Image: Comparison of the state								
SITE INFORMATION:	CCLO4383 5707 HIGHLAND ROAD 5707 HIGHLAND ROAD SAN RAMON, CA 94583								
	INT.	BH	SMR	SMR					
DESIGN RECORD:	DESCRIPTION	ISSUED FOR 90%CD'S	ISSUED FOR 95%CD'S	ISSUED FOR 100%CD'S					
	DATE	09/24/24	10/30/24	11/11/24					
	REV	¥	B 10	0					
PROFESSIONAL STAMP:	SIGNED: 2024/11/11 EXPIRES: 2025/09/30 It is a violation of law for any persons, unless they are acting under the direction of a licensed professional engineer, to alter this document								
SHEET TITLE:		MSDS-1							
SHEET NAME:	MATERIAL SAFETY DATA SHEET & LEAD ACID BATTERY -2								





Notice Sign 2 (8" x 12")

**A**CAUTION AT&T operates antennas at this site. Beyond This Point you are entering an area where radio frequency (RF) fields may exceed the FCC Occupational Exposure Limits. Follow safety guidelines for working in an RF environment. Contact AT&T at 800-638-2822, option 9 and 3, and follow their instructions prior to performing maintenance or repairs beyond this point.

> Caution Sign 2 (8" x 12")

• Caudian Sign #CARTP-AL-007 This is AT&T site \_

#### NOTES:

DECAL AND ALUMINUM)

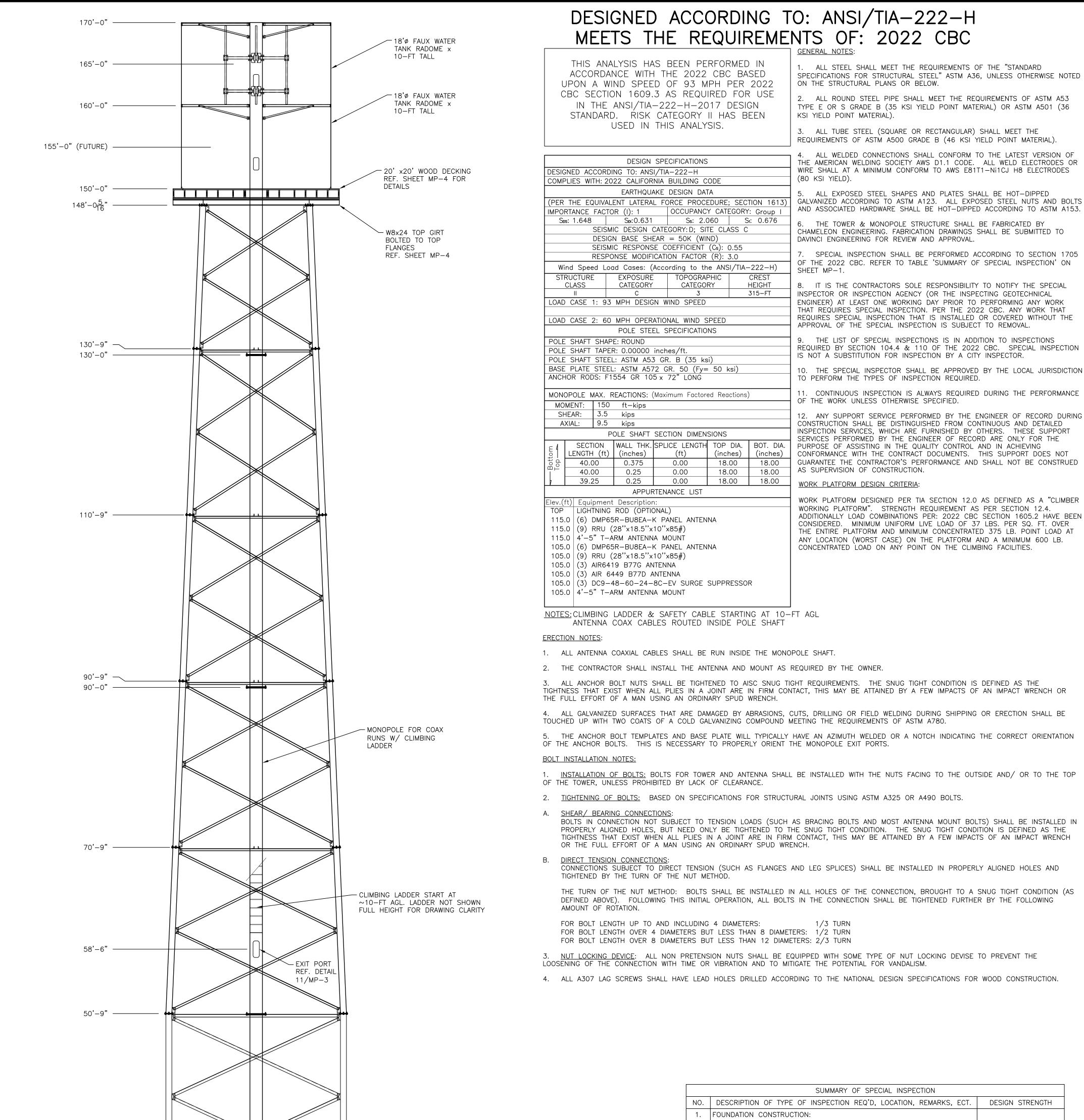
1. CONTRACTOR SHALL INSTALL ALL INFORMATION SIGNAGE IN ACCORDANCE w/ AT&T WIRELESS DOCUMENT, RF EXPOSURE POLICY AND RF SAFETY COMPLIANCE PROGRAM, LATEST EDITION. 2. ALL SIGNS HAVE THE SAME 8" X 12" DIMENSIONS (AVAILABLE IN

SIGNAGE VENDORS THAT CARRY AT&T RF SAFETY SIGNAGE:

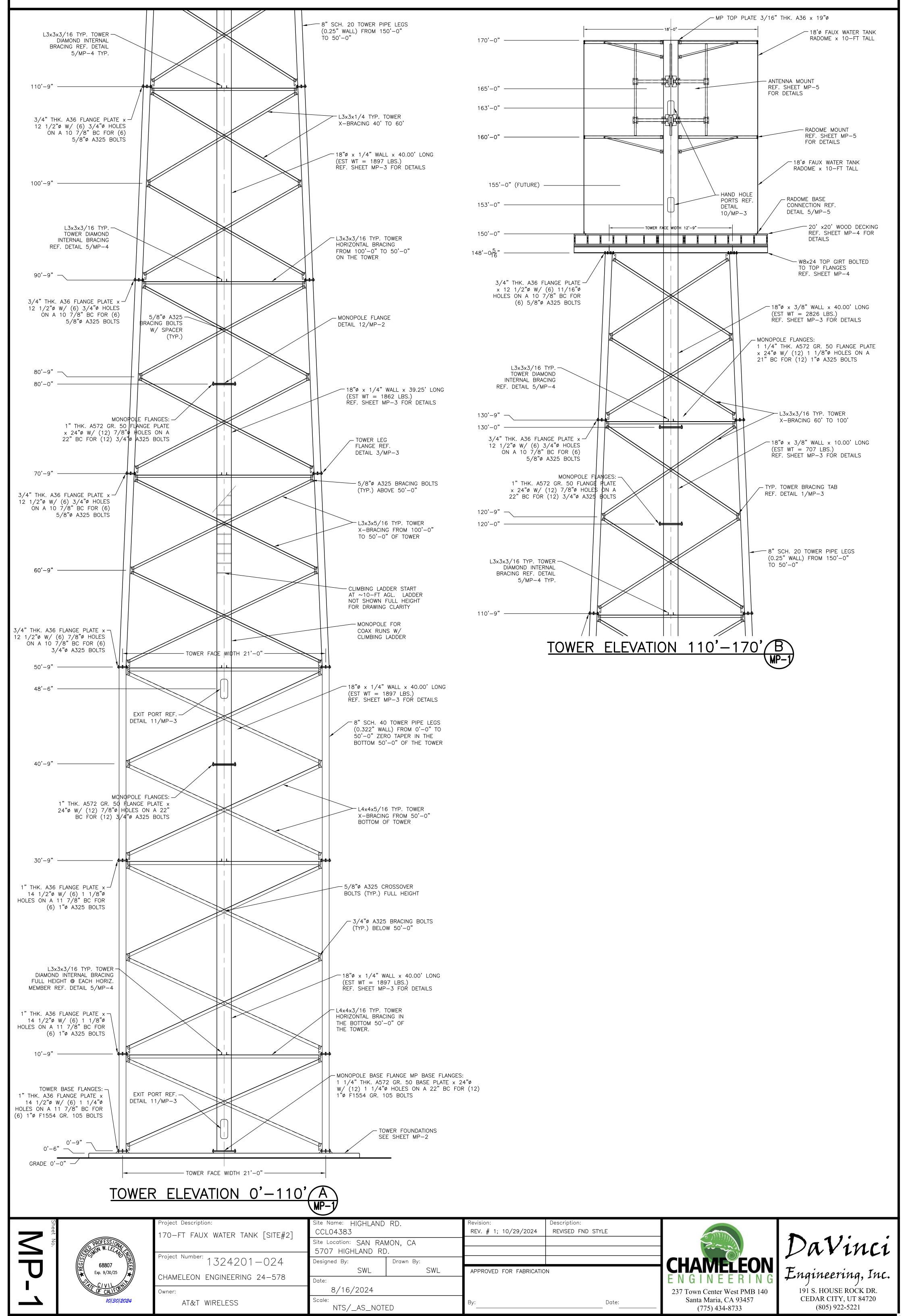
EXCEL SIGN & DECAL, INC. 41353 ALBRAE STREET FREMONT CA 94538 PHONE: 510.651.0445 FAX: 510.651.0444 EMAIL: SUPPORT@WENEEDSIGNS.COM HTTP://WWW.WENEEDSIGNS.COM/HOME.PHP?CAT=337

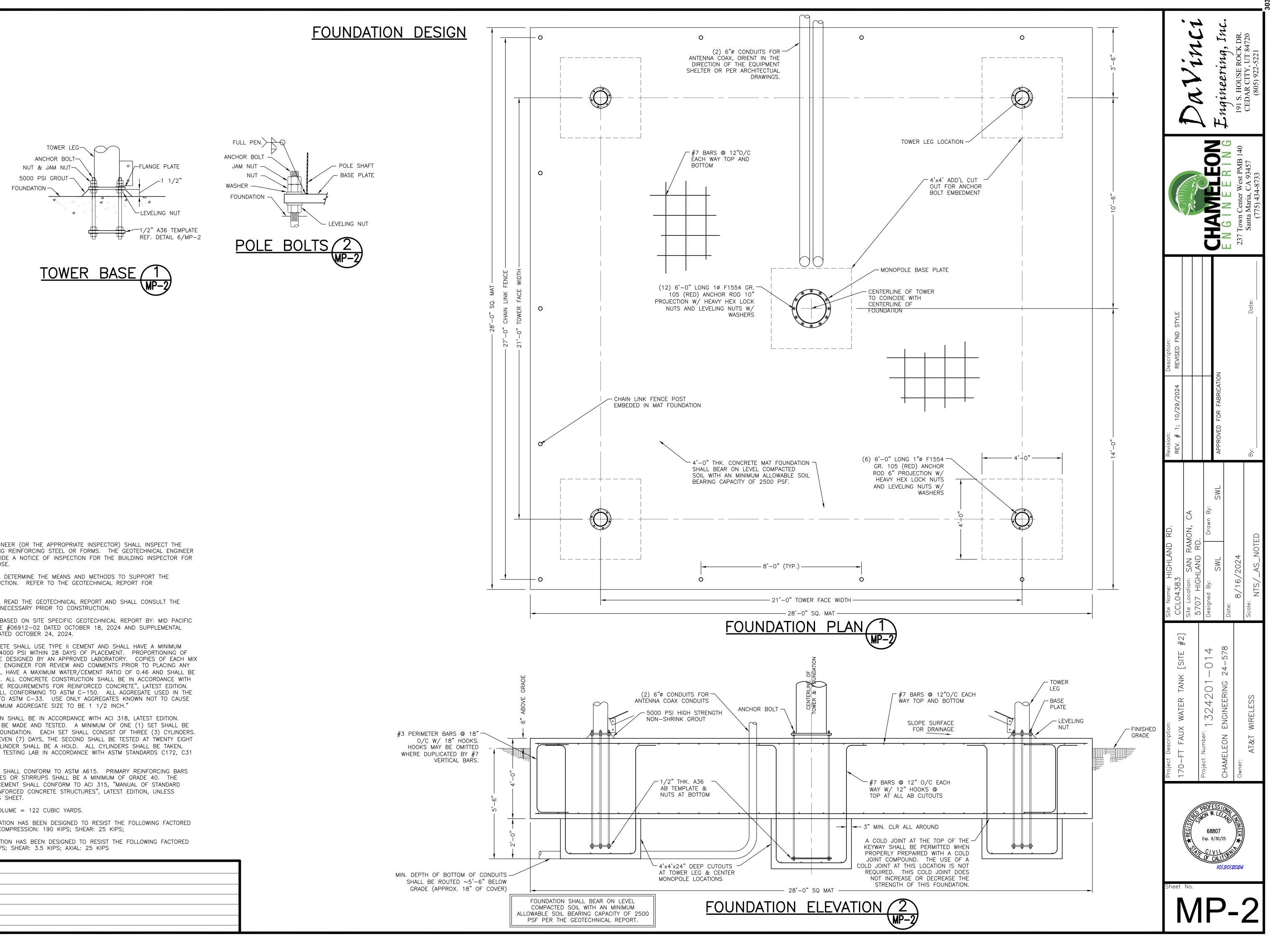
ALERTI ALERTING & INFORMATION SIGNAGE

<ol> <li>SIGNAGE AND STRIPING INFORMATION</li> <li>THE FOLLOWING INFORMATION IS A GUIDELINE w/ RESPECT TO PREVAILING STANDARDS LIMITING HUMAN EXPOSURE TO RADIO FREQUENCY ENERGY AND SHOULD BE USED AS SUCH. IF THE SITE'S EMF REPORT OR ANY LOCAL, STATE OR FEDERAL GUIDELINES OR REGULATIONS SHOULD BE IN CONFLICT w/ ANY PART OF THESE NOTES OR PLANS, THE MORE RESTRICTIVE GUIDELINE OR REGULATION SHALL BE FOLLOWED AND OVERRIDE THE LESSER.</li> </ol>	APPLICANT:	Solution       Solution         5005       EXECUTIVE PARKWAY         SAN RAMON, CA 94583
2. CONTRACTOR SHALL INSTALL ALL INFORMATION SIGNAGE IN ACCORDANCE W/ AT&T WIRELESS DOCUMENT #03-0074, RF EXPOSURE POLICY AND RF SAFETY COMPLIANCE PROGRAM, LATEST EDITION.		
3. IF THE PUBLIC LIMIT OF RF EXPOSURE ON THE SITE IS EXCEEDED AND THE AREA IS PUBLICLY ACCESSIBLE (e.g. ROOF ACCESS DOOR THAT CANNOT BE LOCKED, OR FIRE EGRESS) THEN BOTH BARRICADES AND STRIPING SHALL BE PLACED AROUND THE ANTENNAS. THE EXACT EXTENT OF THE BARRICADES AND STRIPING SHALL BE DETERMINED BY THE EMF REPORT. USE THE PLANS AS A GUIDELINE FOR PLACEMENT OF SUCH BARRICADES AND STRIPING.	VENDOR:	P. MARSHALL & ASSOCIATES A CENTERLINE COMMUNICATIONS COMPANY 1000 HOLCOMB WOODS PKWY. STE 210 ROSWELL, GA 30076 OFFICE (678) 280-2325
<ol> <li>STRIPING SHALL BE DONE w/ FADE RESISTANT YELLOW SAFETY PAINT IN A CROSS-HATCH PATTERN AS DETAILED BY THE CONSTRUCTION DRAWINGS.</li> </ol>		CCL04383
5. ALL BARRICADES SHALL BE MADE OF AN RF FRIENDLY MATERIAL SO AS NOT TO BLOCK OR INTERFERE w/ THE OPERATION OF THE ANTENNAS. BARRICADES SHALL BE PAINTED w/ FADE RESTRAINT YELLOW SAFETY PAINT. THE CONTRACTOR SHALL PROVIDE ALL RF FRIENDLY BARRICADES NEEDED.	SITE INFORMATION:	5707 HIGHLAND ROAD 5707 HIGHLAND ROAD SAN RAMON, CA 94583
		INI. BH SMR SMR
2 GENERAL NOTES N.T.S.	DESIGN RECORD:	REV         DATE         DESCRIPTION           A         09/24/24         ISSUED FOR 90%CD'S           B         10/30/24         ISSUED FOR 90%CD'S           D         11/11/24         ISSUED FOR 100%CD'S           I         INTITIZA         ISSUED FOR 100%CD'S           I         INTITIZA         ISSUED FOR 100%CD'S
<ol> <li>CALL CONTACT NUMBER AND GIVE SITE IDENTIFICATION NO. CONTACT PHONE NUMBER: 1-800-638-2822 (OPTION 9 AND 3) SITE IDENTIFICATION NUMBER: CCL04383</li> <li>DISCONNECT POWER AT MAIN SERVICE DISCONNECT:         <ul> <li>JISCONNECT POWER AT MAIN SERVICE DISCONNECT:</li> <li>LOCATED ON THE EXTERIOR OF SHELTER WALL</li> <li>DRAWING NOTES:</li> </ul> </li> </ol>	PROFESSIONAL STAMP:	SIGNED: 2024/11/11 EXPIRES: 2025/09/30 It is a violation of law for any persons, unless they are acting
<ol> <li>SIGN SHALL BE A PHENOLIC LABEL WITH WHITE BACKGROUND AND BLACK LETTERING. THE TITLE BLOCK SHALL BE A RED BACKGROUND AND 1" HIGH WHITE LETTERING.</li> <li>CONTRACTOR TO PLACE SIGNS IN FOLLOWING LOCATIONS:         <ul> <li>a. CELL SITE EQUIPMENT ROOM DOOR</li> <li>b. BATTERY LOCATION WITHIN PROXIMITY OF BATTERY DISCONNECT</li> <li>c. FCC ROOM WITHIN PROXIMITY OF THE FIRE ALARM PANEL</li> <li>d. BUILDING'S MAIN ELECTRICAL ROOM WITHIN PROXIMITY OF THE MAIN SHUTOFF AND/OR THE CELL SITE MAIN ELECTRICAL DISCONNECT</li> </ul> </li> </ol>	SHEET TITLE:	under the direction of a licensed professional engineer, to alter this document <b>SS-1</b>
NOTE: SIGN TO BE PERMANENTLY MOUNTED AT THE FOLLOWING LOCATIONS: 1. CELL SITE EQUIPMENT ROOM DOOR 2. BATTERY LOCATION WITHIN PROXIMITY OF BATTERY DISCONNECT 3. FCC ROOM WITHIN PROXIMITY OF THE FIRE ALARM PANEL 4. BUILDING'S MAIN ELECTRICAL ROOM WITHIN PROXIMITY OF THE MAIN SHUTOFF AND/OR THE CELL SITE MAIN ELECTRICAL DISCONNECT 1. CELL SITE EQUIPMENT ROOM DOOR 2. BATTERY LOCATION WITHIN PROXIMITY OF BATTERY DISCONNECT 3. FCC ROOM WITHIN PROXIMITY OF THE FIRE ALARM PANEL 4. BUILDING'S MAIN ELECTRICAL ROOM WITHIN PROXIMITY OF THE MAIN SHUTOFF AND/OR THE CELL SITE MAIN ELECTRICAL DISCONNECT 1. DEMERGENCY SHUT DOWN SIGN	SHEET NAME:	SITE SIGNAGE



	30'-9" 10'-9" 0'-9" 0'-6" GRADE $0'-0"$	TOWER FACE WIDTH 21'-0"	TOWER STRUCTURE REF. MP-1		1.FOUNDATIONCCA.GEOTECHNICAL INSPECTOR FORB.SHALL VERIFY T PRIOR TO THEC.SHALL VERIFY T SOIL REPORT.2.CAST IN PLACEA.REINFORCING C. GEOMETRY, SIZEB.ALL CONCRETE ENSURE THE CO FOUNDATION NOC.CONTINUOUS IN 3.3.ANCHOR BOLTS PLACEMENT SHALLA.PLACEMENT SHALLB.SHALL BE PLUN ON THE STRUCTB.SHALL BE PLUN C.C.SHALL BE TIGH MANUAL OF STE 4.A.ALL A325 BOLT INSTALLATION N5.FIELD WELDING: A.A.NO FIELD WELD APPROVED FABI 	ENGINEER OF RECORD MAY SERVE AS THE SPECIAL THE FOUNDATION CONSTRUCTION. THE DIAMETER, DEPTH, AND QUALITY OF THE EXCAVAT CONCRETE PLACEMENT THAT THE ON SITE SOILS ARE AS DETERMINED IN THE CONCRETE (FOUNDATION): AGE SHALL BE INSPECTED TO ENSURE THAT THE PRO E, LENGTH, QUANTITY AND GRADE MATERIAL ARE USED SHALL BE AS SPECIFIED BY ACI-318, LATEST EDITIO DMPRESSIVE STRENGTH IS ATTAINED AS DESCRIBED IN DTES. SPECTION IS REQ'D DURING THE CONCRETE PLACEME INSTALLED IN CONCRETE: ALL BE ORIENTED ON PROPER BOLT CIRCLE AS SHOW TURAL PLANS, WITH TOP AND BOT. TEMPLATES INSTAIL MB FOR MONOPOLE AND CANTED FOR TOWER MINIMUM EMBEDMENT OF 62 INCHES INTO FOUNDATION PROJECTION) TENED TO A SNUG TIGHT CONDITION PER AISC STEEL EL CONSTRUCTION. BOLTING: 'S SHALL BE TIGHTENED ACCORDING TO THE BOLT OTES ON SHEET MP-1. ING SHALL BE PERMITTED. DING OF STRUCTURAL STEEL SHALL BE PERFORMED FOR RICATOR'S SHOP PER 2022 CBC SECTION 1704 DNNECTIONS SHALL CONFORM TO THE LATEST VERSION WELDING SOCIETY A.W.S. D1.1 DES SHALL CONFORM TO E80 ELECTRODES OR WIRE. SPECTION OF SHOP WELDING IS NOT REQUIRED. VIS ALL BE PERFORMED BEFORE AND AFTER GALVANIZING	PER 2022 CBCTIONINSPECT AND REPORTEINSPECT AND REPORTDOPER60 KSI (40 KSI TIES)OPER60 KSI (40 KSI TIES)DN, TO4000 PSI @ 28 DAYSENTINSPECT AND REPORTWNINSPECT AND REPORTUNSPECT AND REPORTINSPECT AND REPORTON (9INSPECT AND REPORTON (9INSPECT AND REPORTINSPECT FOR LOCKINGDEVISE OR CONT. INSP. FOR PRE TENSIONED BOLTSINSPECT FOR LOCKINGDEVISE OR CONT. INSP. FOR PRE TENSIONED BOLTSBY ANPROVIDE CERTS.IN OFINSPECT AND REPORTEY ANPROVIDE CERTS.IN OFINSPECT AND REPORTENTE-80XXSUALVISUAL INSPECTION PER EOR
		TOWER ELEVATION			IF A WELD IS I E. BE TESTED USI	ALL BE PERFORMED BEFORE AND AFTER GALVANIZING N QUESTION PER THE VISUAL INSPECTION THEN IT SI NG AN APPROPRIATE TEST, EX. DIE PENETRATION, OR ICLE, U.T. ECT.	HALL
Sheet No.	BROFESSION BROFESSION BROF BROT BROT BROT BROT BROT BROT BROT BROT	Project Description: 170-FT FAUX WATER TANK [SITE#2] Project Number: 1324201-024 CHAMELEON ENGINEERING 24-578 Owner: AT&T WIRELESS	Site Name: HIGHLAND RD. CCL04383 Site Location: SAN RAMON, CA 5707 HIGHLAND RD. Designed By: Drawn By: SWL Date: 8/16/2024 Scale: NTS/_AS_NOTED	Revision: REV. # 1; 10/29/2024 APPROVED FOR FABRICATIC	Description: REVISED FND STYLE	CHARTER CHARTER CHARTER CHARTER CHARTER CHARTER CONTRIBUTION CONTRIBUTICON CONTRECON CONTRIBUTICON CONTRA CONTRIBUTIC	Davinci Engineering, Inc. 191 S. HOUSE ROCK DR. CEDAR CITY, UT 84720 (805) 922-5221





FOUNDATION NOTES:

THE GEOTECHNICAL ENGINEER (OR THE APPROPRIATE INSPECTOR) SHALL INSPECT THE EXCAVATION PRIOR TO PLACING REINFORCING STEEL OR FORMS. THE GEOTECHNICAL ENGINEER (OR INSPECTOR) SHALL PROVIDE A NOTICE OF INSPECTION FOR THE BUILDING INSPECTOR FOR REVIEW AND RÉCORDS PURPOSE.

2. THE CONTRACTOR SHALL DETERMINE THE MEANS AND METHODS TO SUPPORT THE EXCAVATION DURING CONSTRUCTION. REFER TO THE GEOTECHNICAL REPORT FOR RECOMMENDATIONS.

THE CONTRACTOR SHALL READ THE GEOTECHNICAL REPORT AND SHALL CONSULT THE GEOTECHNICAL ENGINEER AS NECESSARY PRIOR TO CONSTRUCTION.

4. FOUNDATION DESIGN IS BASED ON SITE SPECIFIC GEOTECHNICAL REPORT BY: MID PACIFIC ENGINEERING, INC. REFERENCE #06912-02 DATED OCTOBER 18, 2024 AND SUPPLEMENTAL RECOMMENDATIONS LETTER DATED OCTOBER 24, 2024.

5. ALL FOUNDATION CONCRETE SHALL USE TYPE II CEMENT AND SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI WITHIN 28 DAYS OF PLACEMENT. PROPORTIONING OF THE CONCRETE MIX SHALL BE DESIGNED BY AN APPROVED LABORATORY. COPIES OF EACH MIX SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND COMMENTS PRIOR TO PLACING ANY CONCRETE. CONCRETE SHALL HAVE A MAXIMUM WATER/CEMENT RATIO OF 0.46 AND SHALL BE AIR ENTRAINED 4.5% (±1.5%). ALL CONCRETE CONSTRUCTION SHALL BE IN ACCORDANCE WITH ACI 318, "THE BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE", LATEST EDITION. CEMENT SHALL BE LOW ALKALI, CONFORMING TO ASTM C-150. ALL AGGREGATE USED IN THE CONCRETE SHALL CONFORM TO ASTM C-33. USE ONLY AGGREGATES KNOWN NOT TO CAUSE EXCESSIVE SHRINKAGE. MAXIMUM AGGREGATE SIZE TO BE 1 1/2 INCH."

6. FOUNDATION INSTALLATION SHALL BE IN ACCORDANCE WITH ACI 318, LATEST EDITION. CONCRETE CYLINDERS SHALL BE MADE AND TESTED. A MINIMUM OF ONE (1) SET SHALL BE TAKEN FROM CONCRETE IN FOUNDATION. EACH SET SHALL CONSIST OF THREE (3) CYLINDERS. ONE SHALL BE TESTED AT SEVEN (7) DAYS, THE SECOND SHALL BE TESTED AT TWENTY EIGHT (28) DAYS AND THE LAST CYLINDER SHALL BE A HOLD. ALL CYLINDERS SHALL BE TAKEN, PRÉPARED AND TESTED BY A TESTING LAB IN ACCORDANCE WITH ASTM STANDARDS C172, C31 AND C39.

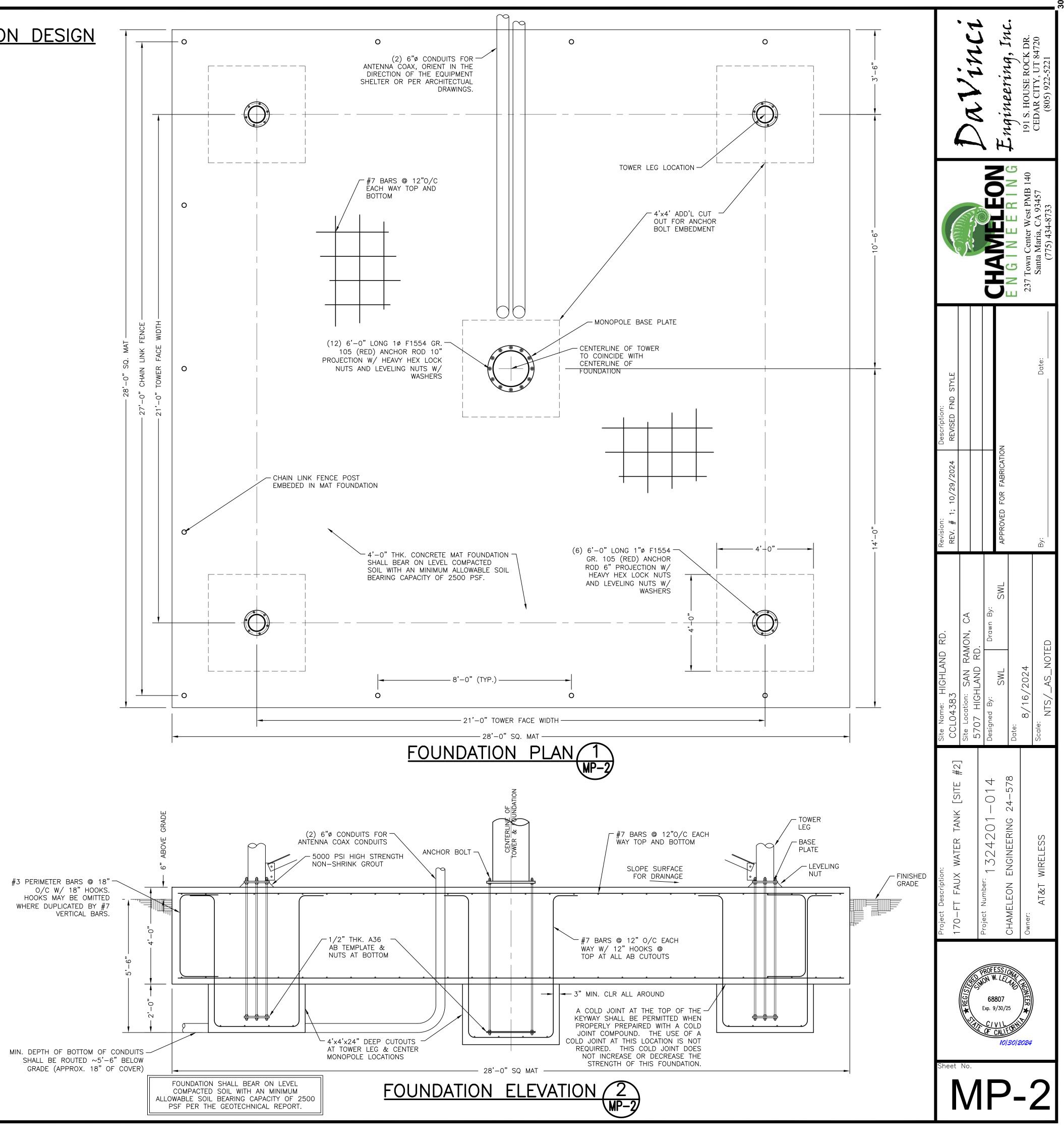
7. ALL REINFORCING STEEL SHALL CONFORM TO ASTM A615. PRIMARY REINFORCING BARS SHALL BE GRADE 60, AND TIES OR STIRRUPS SHALL BE A MINIMUM OF GRADE 40. THE PLACEMENT OF ALL REINFORCEMENT SHALL CONFORM TO ACI 315, "MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES", LATEST EDITION, UNLESS OTHERWISE DETAILED ON THIS SHEET.

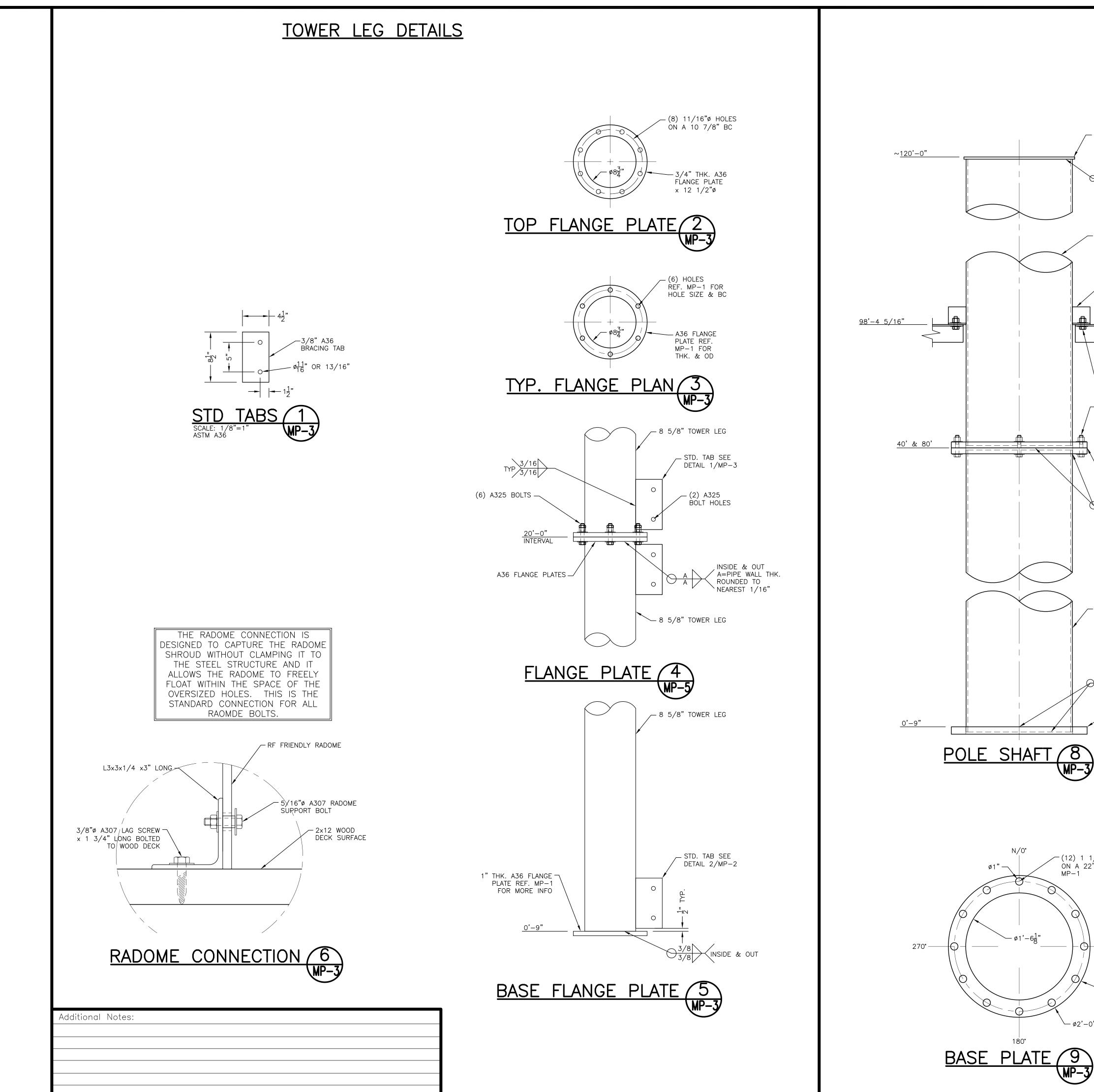
8. ESTIMATED CONCRETE VOLUME = 122 CUBIC YARDS.

THE TOWER LEG FOUNDATION HAS BEEN DESIGNED TO RESIST THE FOLLOWING FACTORED LOADS: UPLIFT: 165 KIPS; COMPRESSION: 190 KIPS; SHEAR: 25 KIPS;

10. THE MONOPOLE FOUNDATION HAS BEEN DESIGNED TO RESIST THE FOLLOWING FACTORED LOADS: MOMENT: 150 FT\*KIPS; SHEAR: 3.5 KIPS; AXIAL: 25 KIPS

Additional Notes:





- 1 1/4" THK. BASE PLATE A572 GR. 50

- 90°

-ø2'-0"

# MONOPOLE DETAILS

- 3/16" A36 TOP PLATE x19"ø

— 18"ø x 3/8" WALL

<sup>0</sup>3/16√

L3x3x3/8 A36 BOLT TO POLE BRACING

L3x3x3/8 POLE BRACING

└- 3/4"ø A325 BOLTS

- (12) 7/8"Ø HOLES ON A 22" BC FOR 3/4"ø A325 BOLTS

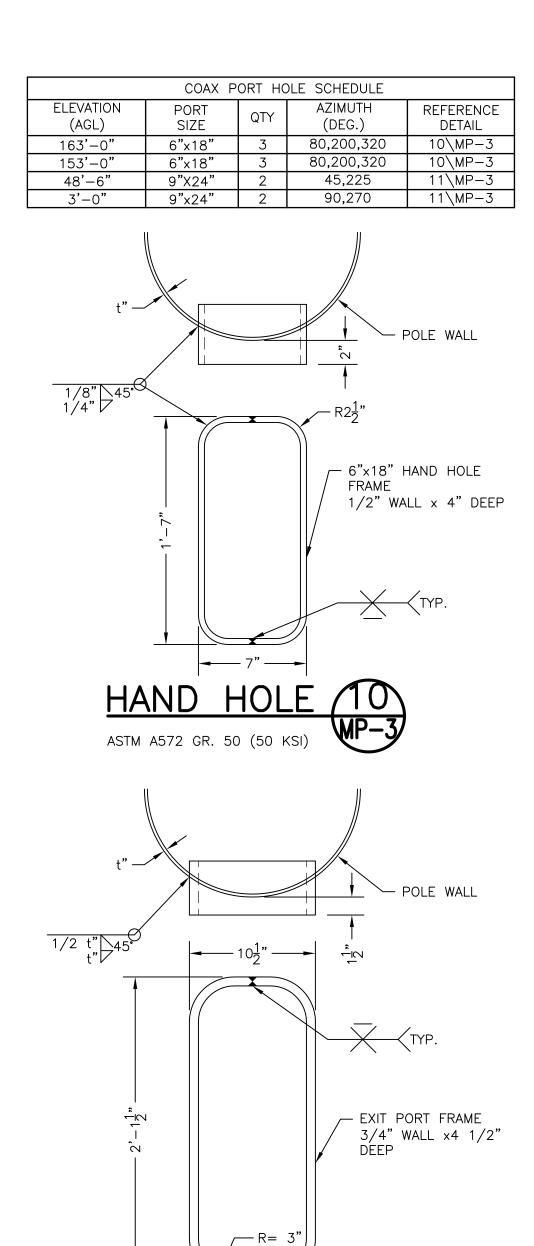
> -(2) 1"THK. A572 GR. 50 FLANGE PLATE

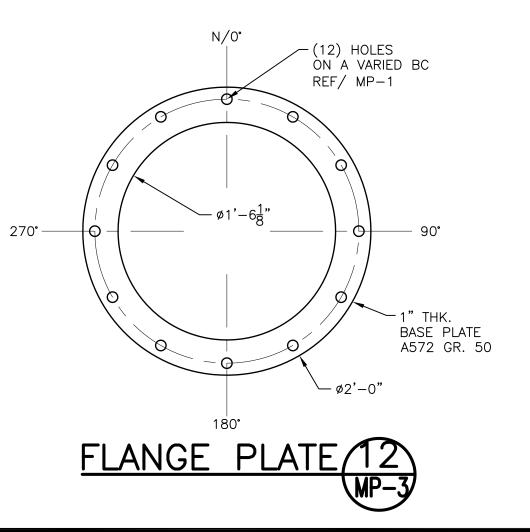
-CH-

MP-1

- 18"ø x 1/4" WALL CENTER POLE SHAFT W/ CLIMBING LADDER

- 1 1/4" THK. A572 GR. 50 BASE FLANGE PLATE

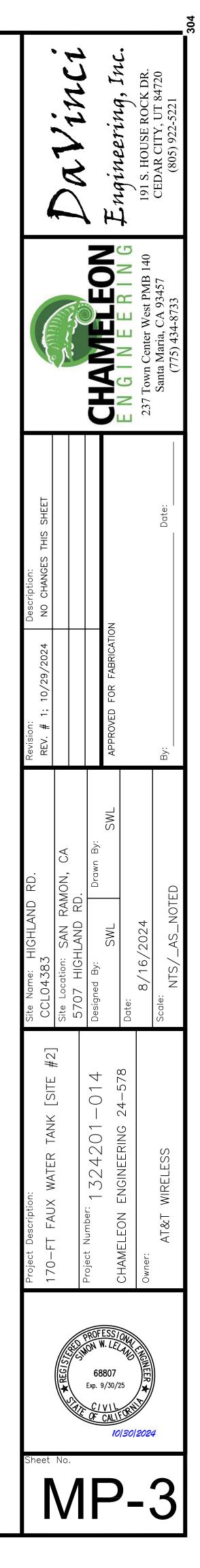


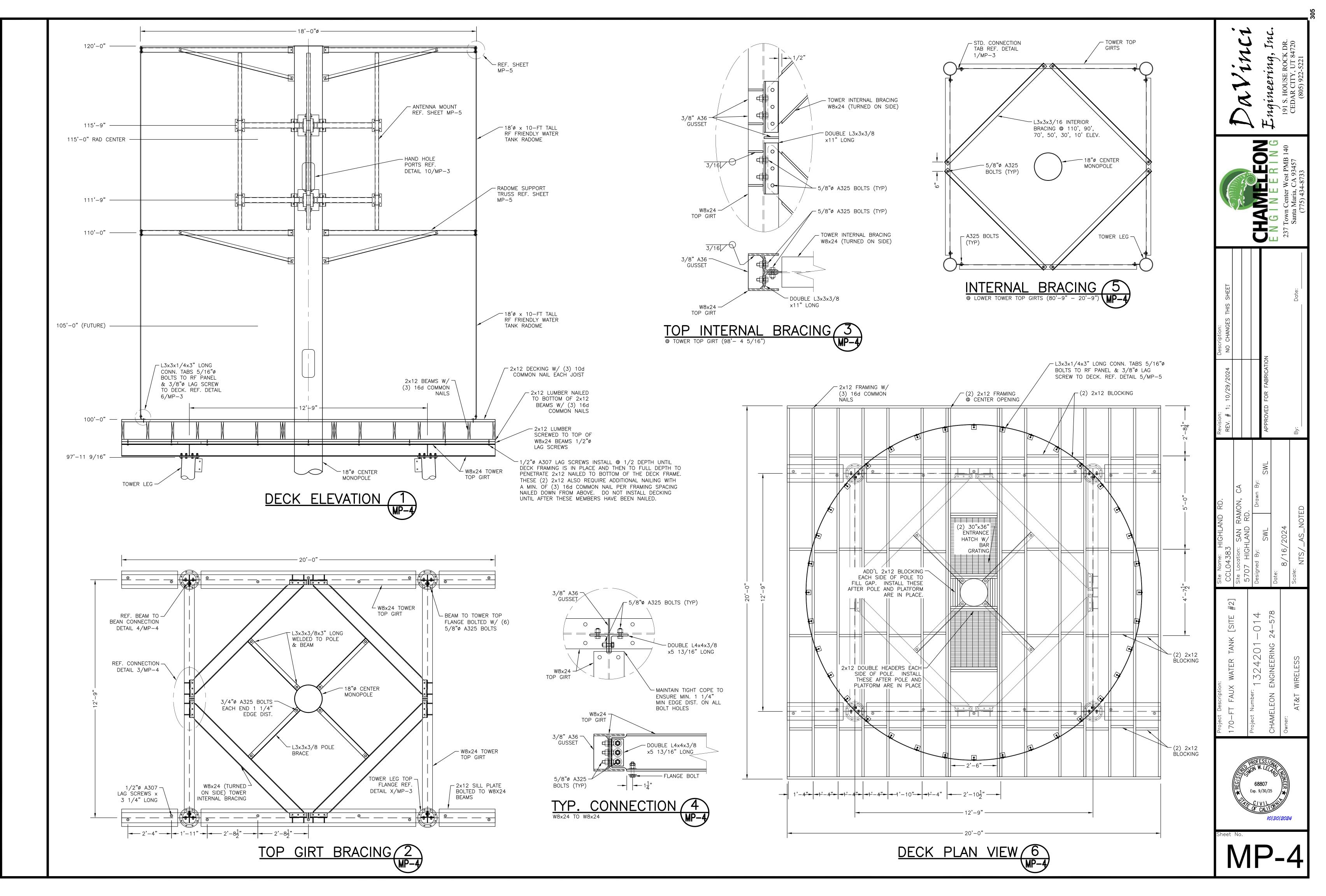


EXIT PORT

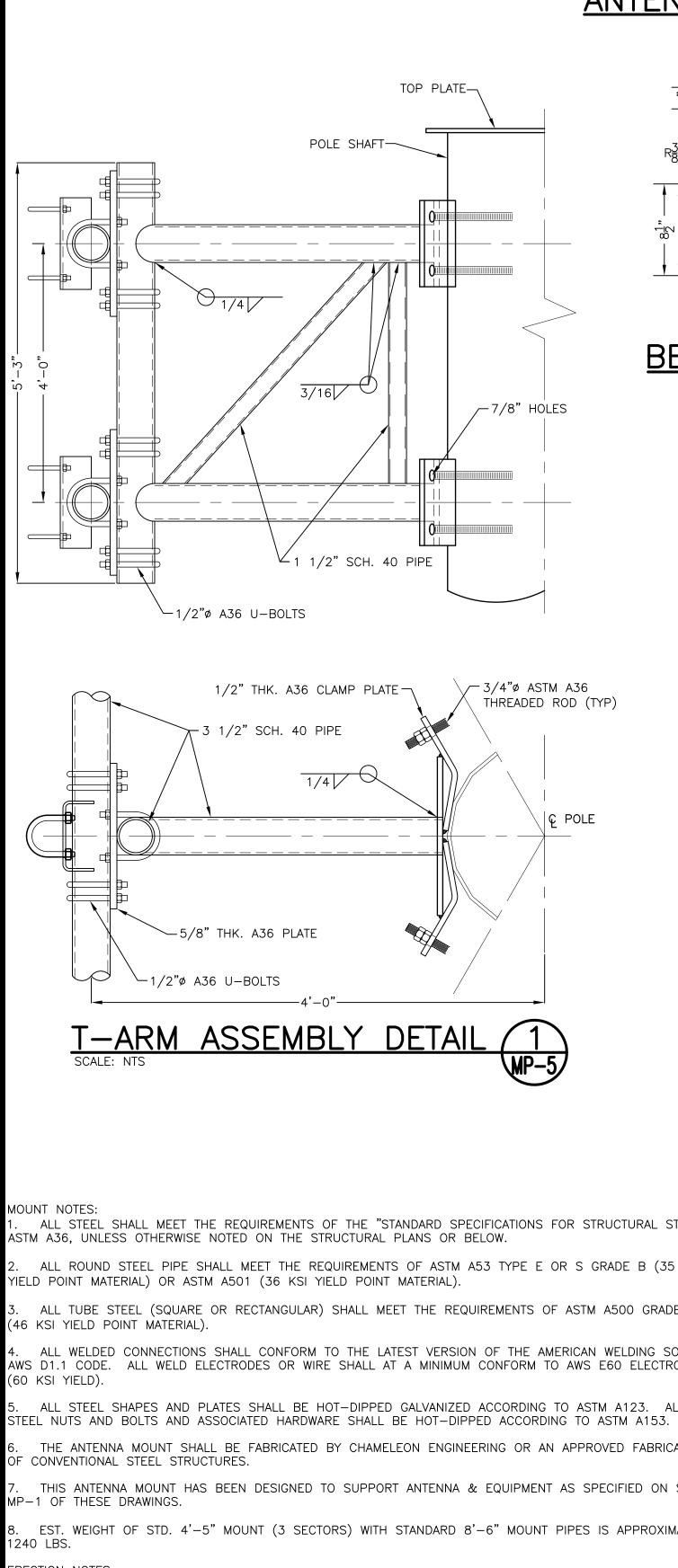
ASTM A572 GR. 65 (65 KSI)

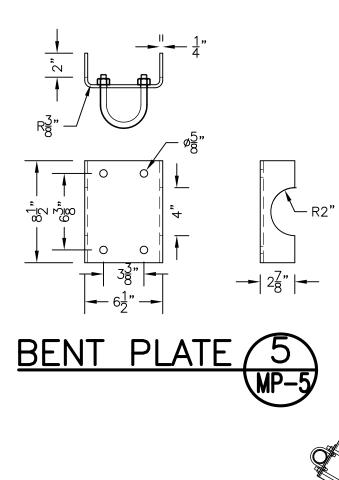
WP-3





# ANTENNA MOUNT DETAILS





ALL STEEL SHALL MEET THE REQUIREMENTS OF THE "STANDARD SPECIFICATIONS FOR STRUCTURAL STEEL"

ALL ROUND STEEL PIPE SHALL MEET THE REQUIREMENTS OF ASTM A53 TYPE E OR S GRADE B (35 KSI

ALL TUBE STEEL (SQUARE OR RECTANGULAR) SHALL MEET THE REQUIREMENTS OF ASTM A500 GRADE B

4. ALL WELDED CONNECTIONS SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN WELDING SOCIETY AWS D1.1 CODE. ALL WELD ELECTRODES OR WIRE SHALL AT A MINIMUM CONFORM TO AWS E60 ELECTRODES

ALL STEEL SHAPES AND PLATES SHALL BE HOT-DIPPED GALVANIZED ACCORDING TO ASTM A123. ALL

THE ANTENNA MOUNT SHALL BE FABRICATED BY CHAMELEON ENGINEERING OR AN APPROVED FABRICATOR

THIS ANTENNA MOUNT HAS BEEN DESIGNED TO SUPPORT ANTENNA & EQUIPMENT AS SPECIFIED ON SHEET

EST. WEIGHT OF STD. 4'-5" MOUNT (3 SECTORS) WITH STANDARD 8'-6" MOUNT PIPES IS APPROXIMATELY

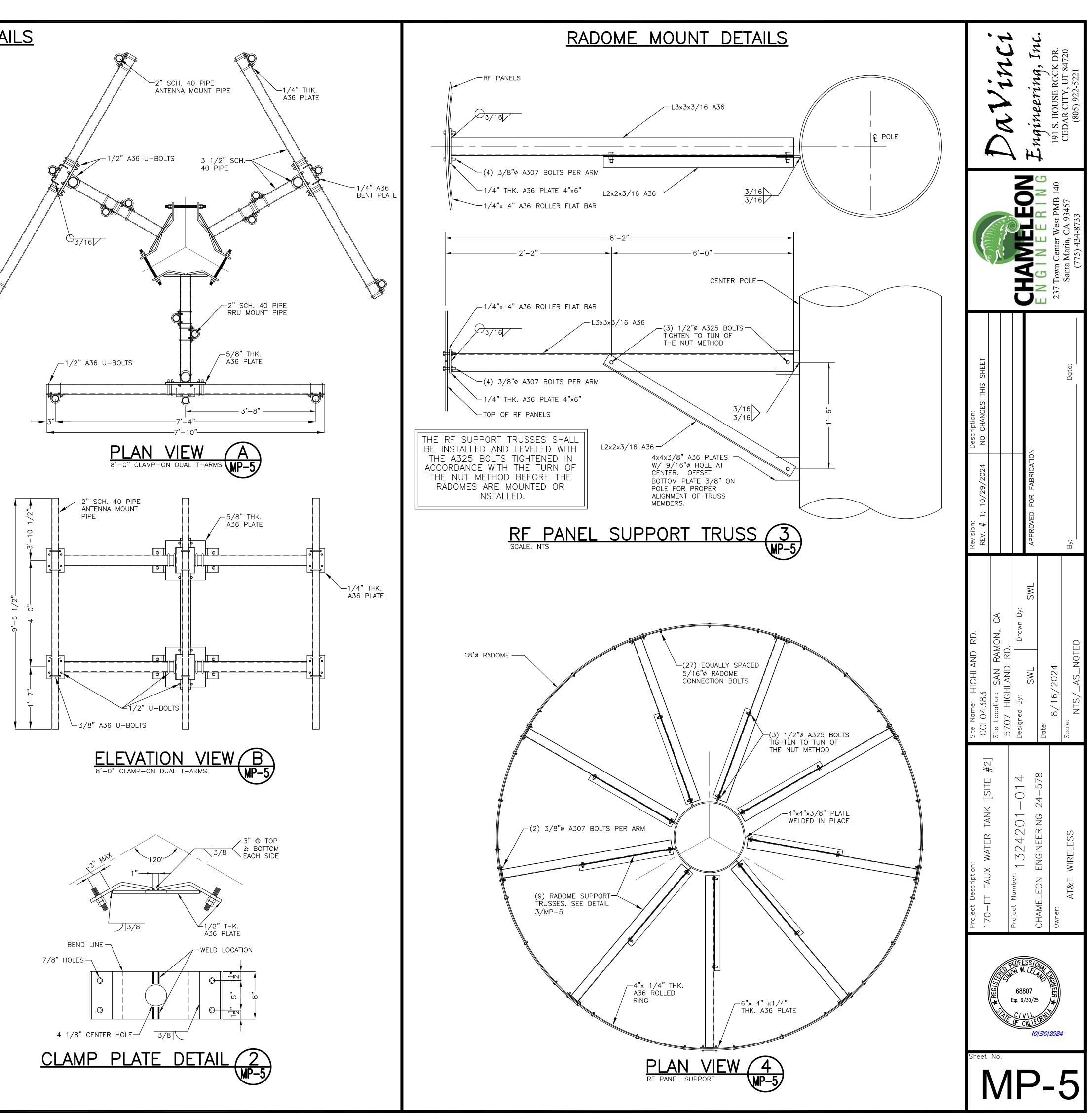
ERECTION NOTES: THE CONTRACTOR SHALL INSTALL THE ANTENNA AND MOUNT AS REQUIRED BY THE OWNER.

2. ALL A36 THREADED ROD AND U-BOLTS SHALL BE TIGHTENED TO AISC SNUG TIGHT REQUIREMENTS. THE SNUG TIGHT CONDITION IS DEFINED AS THE TIGHTNESS THAT EXISTS WHEN ALL PLIES IN A JOINT ARE IN FIRM CONTACT, THIS MAY BE ATTAINED BY A FEW IMPACTS OF AN IMPACT WRENCH OR THE FULL EFFORT OF A MAN USING AN ORDINARY SPUD WRENCH. A36 NUTS AND BOLTS TIGHTENING DO NOT REQUIRE SPECIAL INSPECTION.

ANY GALVANIZED SURFACES THAT ARE DAMAGED BY ABRASIONS, CUTS, DRILLING, OR FIELD WELDING DURING SHIPPING OR ERECTION SHALL BE TOUCHED UP WITH TWO COATS OF A COLD GALVANIZING COMPOUND MEETING THE REQUIREMENTS OF ASTM A780.

ANTENNA MOUNT SHALL NOT BE USED AS A CLIMBING DEVICE. WORKERS SHALL ALWAYS TIE OFF TO A SPECIFIED CLIMBING POINT. THE ANTENNA MOUNT DESIGN HAS NOT BEEN CHECKED FOR THE MAINTENANCE \_OADING CONDITIONS AND LOAD COMBINATIONS 2& 3 FROM ANSI/TIA-222-H SECTION 16.4.1. DUE TO THE CONCEANMENT REQUIREMENTS ON THIS SITE THE ANTENNA MOUNT SHALL NOT BE USED AS A CLIMBING DEVICE.

Additional Notes:





Staff Report

File #: 25-2784	Agenda Date: 7/7/2025	Agenda #: 4a		
Project Title:	Wireless Access Permit for Verizon Wireless Facility			
County File: #CDWA25-00009				
Applicant: Owners:	Verizon Wireless Contra Costa Public Works Depart	ment /		
	Northern California Joint Pole Association			
Zoning/General Plan:	General Agricultural District (A-2) / Agricultural Land	ds (AL)		
Site Location:	Marsh Creek Road right-of-way (northern side, opp	osite 14101		
	Marsh Creek Road), Clayton (APN: ROW 078-140-01	LO)		
California Environmental	Categorical Exemption: Class II, CEQA Guidelines Se	ection		
Quality Act (CEQA) Status:	15302(b).			
Project Planner:	Chloe Partain, Project Planner (925) 655-2857			
-	chloe.partain@dcd.cccounty.us			
Staff Recommendation:	Approve (See Section II for Full Recommendation)			

#### I. **PROJECT SUMMARY**

The applicant requests approval of a Wireless Access permit to allow for the continued operation of an existing Verizon wireless telecommunications facility located upon an existing utility pole within the Marsh Creek Road public right-of-way. The facility was originally established under Land Use Permit #CDLP13-02055, which expired on July 26, 2023. The project includes the removal of an existing 30' utility pole and the installation of a new 37'6"-tall replacement pole at the same location. Additionally, the project includes the removal and replacement of two (2) existing antennas and associated radio equipment presently mounted to the existing utility pole. The two (2) proposed new antennas would be affixed at the end of wooden cross arms, extending horizontally 2'6" from the eastern and western sides of new utility pole.

#### II. <u>RECOMMENDATION</u>

Staff recommends that the Zoning Administrator:

- A. OPEN the public hearing on the proposed project, RECEIVE testimony, and CLOSE the public hearing.
- B. DETERMINE that the proposed project is exempt from the California Environmental

Quality Act (CEQA) under CEQA Guidelines Section 15302(b).

- C. APPROVE the proposed Wireless Access Permit CDWA25-00009.
- D. APPROVE the attached findings in support of the project.

E.APPROVE the attached conditions of approval.

F.DIRECT staff to file a CEQA Notice of Exemption with the County Clerk.

#### III. <u>BACKGROUND</u>

The subject Verizon Wireless telecommunications facility was originally entitled under Land Use Permit #CDLP13-02055, which was approved by the County Zoning Administrator on July 15, 2013. The prior approval authorized the operation of the subject facility for a ten-year period expiring July 23, 2023. A timely application for the renewal of the facility was not submitted to the County, and the Land Use Permit subsequently expired. On May 7, 2025, the subject Wireless Access Permit application (County File #CDWA25-00009) was submitted to the Community Development Division (CDD). On May 23, 2025, CDD staff mailed a Notice of Intent to Render an Administrative Decision on CDWA25-00009 to the owners of properties located within 300-feet of the subject property. On June 2, 2025, CDD staff received an email correspondence from a neighboring property owner seeking a public hearing in response to this notice. The correspondence indicates concerns associated with the replacement of the existing utility pole, as well as concerns that the project plans do not accurately reflect existing conditions. The specific concerns identified by the respondent are discussed in further detail in Section VIII of this staff report.

#### IV. GENERAL INFORMATION

- A. <u>General Plan</u>: Agricultural Lands (AL)
- B. <u>Zoning</u>: A-2, General Agricultural District
- C. <u>California Environmental Quality Act (CEQA) Compliance</u>: Categorical Exemption Class
   2: CEQA Guidelines Section 15302 (b) the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity, are exempt from review.
- D. <u>Previous Applications of Relevance</u>:
  - 1) <u>CDWM19-00003</u>: A wireless minor alteration permit authorizing a non-substantial change of the existing Verizon wireless facility. The Wireless Minor Alteration Permit was

approved by the Zoning Administrator on March 6, 2019.

- 2) <u>CDCV19-00010</u>: A compliance review application seeking administrative review to verify the existing facility's compliance with the Conditions of Approval set forth in County File #CDLP13-02055. The compliance review was approved by staff on February 21, 2019.
- 3) <u>CDCV14-00026</u>: An administrative application seeking a compliance review of a proposed antenna upgrade to the existing facility. The compliance review was approved by staff on April 2, 2014.
- <u>CDCV13-00097</u>: An administrative application seeking an initial compliance review prior to the issuance of permits for the construction of the facility previously approved under County File #CDLP13-02055. The compliance review was approved by staff on January 28, 2014.
- 5) <u>CDLP13-02055</u>: A land use permit authorizing the construction of a new Verizon Wireless telecommunication facility upon an existing utility pole. The Land Use Permit was approved by the County Zoning Administrator on July 15, 2013, and subsequently expired on July 26, 2023.
- 6) <u>CDLP13-02084</u>: A land use permit authorizing the replacement of an existing utility pole within the Marsh Creek Road right-of-way, and the installation of a new ExteNet wireless telecommunications facility on the replacement utility pole. This facility is located approximately 0.25-miles west of the subject facility. The Land Use Permit was approved by the County Zoning Administrator on February 19, 2014, and subsequently expired on March 3, 2024.

#### V. <u>SITE/ AREA DESCRIPTION</u>

The subject utility pole is located within the public right-of-way on the northern side of Marsh Creek Road, approximately 0.25 miles east of its intersection with Gill Drive, adjacent to the property addressed 14101 Marsh Creek Road. Marsh Creek Road consists of a 24-foot six-inch-wide paved roadway within a 67-foot 4-inch-wide public right-of-way. The existing pole is approximately 30 feet in height, and includes a wooden bayonet affixed to the top which results in a total combined existing pole/facility of 37 feet 3 inches. The grade increases dramatically in elevation on the northern side of the right-of-way and decreases in elevation in the southern. There are numerous mature trees scattered along the roadway and on adjacent hillsides. There are no other wireless telecommunication providers located on the subject utility pole.

The surrounding area is similar to the subject site, which consists of steep, wooded hillsides on parcels located within General Agricultural (A-2) and Agricultural Preserve (A-4) Zoning Districts. Lands in the immediate project vicinity have Open Space General Plan Land Use designations

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such as Agricultural Lands (AL) or Park and Recreation (PR), consistent with their agricultural zoning. Many properties along Marsh Creek Road have been developed with single-family residences.

#### VI. **PROJECT DESCRIPTION**

The applicant requests approval of a Wireless Access permit to allow for the continued operation of an existing Verizon wireless telecommunications facility located upon an existing utility pole within the Marsh Creek Road public right-of-way. The facility was originally established under Land Use Permit #CDLP13-02055, which expired on July 26, 2023. The project includes the removal of an existing 30' utility pole and the installation of a new 37'6"-tall replacement pole at the same location and additional equipment upgrades as detailed below:

- Removal of existing 30-foot utility pole and 7-foot 3-inch pole-top bayonet;
- Installation of new 37-foot 6-inch replacement utility pole;
- Removal of two (2) existing Verizon antennas;
- Installation of two (2) new 5G Verizon antennas, mounted at the ends of wooden cross arms extending 30" horizontally from the western/eastern sides of the replacement utility pole;
- Removal of one (1) existing pole-mounted radio unit;
- Installation of two new radio units within a pole-mounted equipment cabinet; and
- Installation of associated cabling and vertical conduit runs, installed vertically along the replacement utility pole.

#### VII. AGENCY COMMENTS

An Agency Comment Request packet was sent on May 7, 2025 to a number of public agencies, including Building Inspection Division, Telecom Planning staff, Environmental Health Division of the Health Services Department, Engineering Services Division of the Public Works Department, Contra Costa County Fire Protection District, and the Contra Costa Mosquito and Vector Control District. Agency comments received by staff are included in Attachment 3. The following are summaries of the agency comments received.

- A. <u>Contra Costa County Fire Protection District (CCCFPD)</u>: In a returned Agency Comment Request form dated May 16, 2025, CCCFPD staff indicated no comment on the proposed project.
- B. <u>Public Works Department, Engineering Services Division</u>: In an email dated May 19, 2025, Engineering Services Division staff indicated no comment on the proposed project and advised of the requirement to obtain an encroachment permit for traffic control during installation of facilities on the poles.

C. <u>East Contra Costa County Habitat Conservancy (HCP/NCCP</u>): In an email dated May 20, 2025, HCP/NCCP staff stated that take coverage is available to the project under the HCP/NCCP permit program.

#### VIII. <u>PUBLIC COMMENTS</u>

The Department of Conservation and Development received an email on June 2, 2025, requesting a public hearing on the project in response to a Notice of Intent to Render an Administrative Decision, mailed by CDD staff on May 23, 2025. The correspondence indicates questions/concerns surrounding the replacement of the facility, as well as general concerns over environmental impacts. Lastly, the concerned party expressed concerns over the accuracy of the existing conditions depicted on the project site plan.

If this Wireless Access Permit is approved, construction plans for the telecommunications equipment upgrades will be subject to review/approval by the Building Inspection Division to ensure that the project meets all applicable building code requirements for the issuance of building permits. Additionally, the replacement of the existing PG&E utility pole, and associated telecommunications equipment upgrades within the public right-of-way may only proceed upon the issuance of an encroachment permit by the Contra Costa County Department of Public Works. The applicant is required to submit a traffic control plan with their encroachment permit application which demonstrates, to the satisfaction of County Public Works Department staff, that project construction personnel will safely and adequately manage traffic on portions of Marsh Creek Road affected by construction work within the right-of-way. The project's compliance with all applicable encroachment permit conditions will ensure that project way.

As previously mentioned in section IV(c) of this report, the proposed project is exempt from environmental review pursuant to CEQA guidelines section 15302(c), which covers the replacement of existing utility infrastructure. Projects of this type have been determined not to have a significant effect on the environment. There are no special circumstances or other project characteristics which warrant special environmental consideration. Therefore, no environmental review has been performed by CDD staff in connection with this project.

Lastly, the June 2, 2025, correspondence identifies concerns that the project site plans do not accurately reflect existing conditions. The party concerned later clarified for staff that this statement relates to a sidewalk depicted adjacent to the northern side of Marsh Creek Road, where only a gravel shoulder exists. CDD staff visited the site on June 3, 2025, and observed that there are no sidewalks on either side of Marsh Creek Road near the existing utility pole. The location of the utility pole, overhead wires, and existing telecom equipment observed by CDD staff all appear consistent with the project plans that were submitted with this application. The applicant has been made aware of the mislabeled shoulder and has revised the project plan

accordingly to correct this error.

#### IX. STAFF ANALYSIS AND DISCUSSION

- A. <u>General Plan</u>: The subject property is located within an Agricultural Lands (AL) General Plan Land Use designation. Generally, parcels within this designation are non-irrigated, rural lands that may support grazing and dryland farming. Agricultural, open space, and non-urban uses are considered consistent with this designation. The project does not conflict with agricultural, open space or non-urban land uses on private property because it is located entirely within the Marsh Creek Road public right-of-way and would not encroach on neighboring parcels. Additionally, the provision of cellular coverage provides a vital service to the area that would also be of benefit to nearby residents, commuters, farmers, and/or recreationists in the area. Therefore, the land use is considered consistent and harmonious with land uses allowed within the AL designation.
- B. <u>Zoning</u>: The project site is located within a General Agricultural (A-2) zoning district. Generally, the purpose of the A-2 district is to provide for orderly development and land uses on lands suitable for the production of food and/or fiber. Telecommunications facilities are a conditionally permitted land use within the A-2 zoning district and are also permissible within any public right-of-way upon approval of a Wireless Access permit. Thus, the project is consistent and compatible with the allowed uses within the A-2 district.
- C. <u>Wireless Telecommunications Facilities Ordinance (Chapter 88-24)</u>: The project proposes to reestablish a wireless telecom facility upon a utility pole within a public right-of-way pursuant to section 88-24.402(a) of the County Ordinance Code. The project would reestablish the Verizon Wireless facility that has been operating on a utility pole at this same location since 2013. The project is considered a "low visibility facility," as defined in section 88-24.204(p)(4) of the County Ordinance code and would not affect any scenic ridges or peaks. Thus, the project meets all applicable location requirements for wireless facilities specified in sections 88-44.402 and 88-44.406 of the County Ordinance Code.

The County Wireless Ordinance (section 88-24.408) also includes design criteria for telecommunications facilities intended to limit aesthetic impacts, and to prevent such facilities from impeding the use of public rights-of-way by pedestrians or vehicles. The project minimizes aesthetic impacts because it is a "low visibility facility," and all equipment to be mounted on the pole will be painted to blend in with the utility pole as shown on photo simulations submitted with this application. All proposed radio equipment mounted to the pole would be at least 11 feet above ground level (replacing equipment located  $\pm 9$  feet above ground level). No portion of the existing or proposed facility extends laterally over the traveled roadway or shoulder area. Thus, the project will not impede the use of the Marsh Creek Road right-of-way, nor will it affect traffic circulation therein.

Presently, the existing facility consists of a 30-foot-tall utility pole with two antennas located between 27-30 feet above ground level. A 7-foot-3-inch-tall wooden bayonet is installed atop the pole to provide vertical clearance above the antennas for overhead electrical wires located approximately 37 feet above ground level. The project would replace the existing utility pole with a 37-foot-six-inch-tall pole, resulting in a 3-inch height increase relative to existing conditions. All equipment upgrades proposed for the facility are considered minor alterations, having negligible effect on the facility in terms of height, bulk, or aesthetics.

The project is conditioned to prohibit advertisements, signal lights or other illumination, graffiti, and litter. Compliance with these conditions, and with applicable FCC regulations for radio emissions emitted from the site, shall be verified via administrative compliance review application prior to the initiation of the use, and again five-years thereafter. The project's adherence to all applicable project conditions ensures that the proposed facility will operate in accord with the provisions of the County Wireless Ordinance.

In the event that the wireless telecommunications use is discontinued, the project is conditioned to require the removal of all equipment and restoration of the site to pre project conditions within 60 days. A financial assurance in an amount sufficient to provide for the removal of the facility has previously been provided to the County to ensure the facility's removal in connection with expired land use permit #CDLP13-02055. The project is conditioned to require the applicant to provide an updated cost estimate for the facility's removal prior to the issuance of building permits to ensure that the bond presently retained by the County remains sufficient for its' intended purpose.

In cumulative consideration of the above, the project, as conditioned, is compliant with all applicable provisions of the County Wireless Ordinance.

- D. <u>Appropriateness of Use</u>: Wireless telecommunications facilities are conditionally permitted in all agricultural zoning districts within the County, which includes the General Agricultural (A-2) District in which the subject property is located. The project is not located on private property, so the operation of the facility would not be to the detriment of established or future agricultural land-use activities on or near the project site. Additionally, the provision of wireless telecommunications coverage provides a vital service to the area that benefits commuters, residents and/or recreationists in the area. Therefore, the project is an appropriate use of the subject property.
- E. <u>Federal Communications Commission (FCC) Compliance</u>: The applicant has provided a report on theoretical modeling of Radio Frequency (RF) emissions originating from the facility, to predict the cumulative exposure from existing antennas at ground level. The RF report, prepared by a licensed electrical engineer, indicates that the predicted maximum level of RF emissions measured at ground level will be 3.20% of the FCC General Population

limits. Therefore, the project is compliant with federal regulations pertaining to RF emissions.

#### X. <u>CONCLUSION</u>

The project would establish a wireless access permit for the purpose of authorizing the operation of an existing wireless telecommunications facility in the public right-of-way. The project does not involve a substantial modification to the established facility, as defined in Title 47, Code of Federal Regulations, Section 1.40001. As discussed throughout this report, the long-established land use is consistent with the County's Wireless Ordinance, the Agricultural Lands (AL) General Plan Land Use Designation, the A-2 zoning district, as well as FCC radio frequency emissions standards. Therefore, staff recommends that the Zoning Administrator approve County File #CDWA25-00009 based on the attached findings and subject to the attached conditions of approval.

#### Attachments:

- 1. Findings and Conditions of Approval
- 2. Public Comments
- 3. Maps And Plans
- 4. Agency Comments
- 5. Photosimulations

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#### FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP23-02056, LOUIS MIRAMONTES (APPLICANT) & LOUIS AND KRISTI MIRAMONTES (OWNERS)

#### FINDINGS

#### A. Land Use Permit Findings

1. The project shall not be detrimental to the health, safety and general welfare of the county.

<u>Project Finding</u>: The project site is an agricultural property with a single family residence and a walnut orchard, and shall remain an agricultural property with the inclusion of the proposed second single-family residence. The second residence will be subject to applicable Building Code Requirements. The residence is also subject to the requirements of the San Ramon Valley Fire Protection District. Compliance with these regulations and standards will ensure that the project will not present health and safety risks to the public. Thus, as conditioned, the second residence will not lead to any activities that will be detrimental to the health, safety, and general welfare of the County.

2. The project shall not adversely affect the orderly development within the County or the community.

<u>Project Finding</u>: It is not anticipated that the second residence will detract from the existing agricultural nature of the project site or the surrounding area. The project is in conformance with the residential density of the AL Agricultural Lands General Plan Land Use Designation and complies with the development standards of the A-20 Exclusive Agricultural District. Thus, the project will not adversely affect the orderly development within the County or community.

3. *The project shall not adversely affect the preservation of property values and the protection of the tax base within the county.* 

<u>Project Finding</u>. The project will add one additional single-family residence to the area. The project is expected to increase neighboring property values due to the high-quality design of the building and corresponding increase in property value. Moreover, the agricultural nature of the property and the vicinity will not be altered by the construction of the one additional residence. Thus, the project will not adversely affect the preservation of property values and protection of the tax base

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within the County.

4. The project shall not adversely affect the policies and goals as set by the General Plan.

Project Finding: Although, the Contra Costa County Board of Supervisors adopted the 2045 General Plan on November 5, 2024, the CDLP23-02056 Land Use Permit application was deemed complete on June 26, 2024. Therefore, the goals, policies, and standards of the former General Plan 2005-2020 apply to this application. The project site is located within an AL Agricultural Lands General Plan Land Use designation. The purpose of the AL designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials, but it also allows residential development. The maximum allowable density in this category is one dwelling unit per 5 acres (or 0.2 units per net acre). The 16.87-acre project site is approximately 12.65 net acres, on which a total of 2.5 units is allowed. Therefore, a second residence is consistent with the AL designation for this site. The project will maintain the agricultural character of Johnston Road and will allow for one new single-family residence to be accessed from Johnston Road, and given the 1.4 mile distance to Camino Tassajara, the nearest County-designated arterial, the second residence will not have a substantial effect on the arterial. As conditioned to reduce construction noise, would limit disruptions to the neighborhood due to noise, in compliance with General Plan noise policies and restrictions for the agricultural area. Therefore, the second residence is consistent with the policies and goals of the General Plan.

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

<u>Project Finding</u>. The County has no record of any code enforcement problems at the project site. Also, the project will not change the current use of the property. Additionally, residential development, and more specifically a second residence, in agricultural zoned areas is allowed with the granting of a land use permit, and thereby limits nuisances or enforcement problems. As such, the project is not anticipated to create a nuisance and/or enforcement problem within the neighborhood or community.

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6. The project shall not encourage marginal development within the neighborhood.

<u>Project Finding</u>: The project remains consistent with the existing agricultural use and character along Johnston Road. The project site is served by a water and septic system permitted by the Contra Costa Health Services Department, Environmental Health Division. Any future changes to the water and septic system will require approval by the Environmental Health Division. Therefore, the project will not encourage marginal development within the area.

7. That special conditions or unique characteristics of the subject property and its location or surroundings are established.

<u>Project Finding</u>. The property is located in a predominantly agricultural area east of Camino Tassajara. Lots in the surrounding area along Johnston Road are primarily agricultural in nature. Some lots include single-family residential development. A commercial equestrian facility is adjacent to the east. To the north, west and south, properties include some private residences and agricultural structures. As described, the overall condition of the area is heavily agricultural, interspersed with some residential uses. The site is currently developed with a single-family residence and a walnut orchard, both of which will remain after the construction of the second single-family residence. The second residence is located away from the road, and thereby its visibility from the road will be low. Therefore, the second residence will be compatible with the surrounding neighborhood and will not deviate from the existing nature of the vicinity. Therefore, the project is consistent with special conditions or unique characteristics of the project site and its location or surroundings.

B. Small Lot Design Review Findings

The proposed project must be found to be compatible with the surrounding neighborhood in terms of its location, size, height, and design in order to approve the Small Lot Design Review

1. <u>Location</u>: The project is a new 2,840 square-foot second single-family residence with an attached 536 square-foot garage. The second residence is located approximately 200 feet from the front of the property and from Johnston Road, and meets all the other yard requirements established in the A-20 Exclusive Agricultural District. The location of the second residence is sufficiently set back from the road such that visibility from the street is minimal, and construction of *County Zoning Administrator – July 7, 2025 CDLP23-02056 Findings and Conditions of Approval Page 4 of 17* 

the new residence will not significantly alter the overall character of the project site or the Johnston Road area. The rest of the parcel will maintain its agricultural feel and use, as a walnut orchard with it maintained mature trees. As typical for the vicinity, residences are not particularly close to the roads, and are set back from the roads. The new residence will follow the same location pattern. As a result, the project will be compatible with the surrounding neighborhood in terms of setbacks and design.

- 1. <u>Size</u>: Home sizes in this agricultural neighborhood along Johnston Road range between 2,000 square feet to 5,000 square feet on lots that range between 5 acres to over 42 acres. Strictly in terms of square footage, the residence is within the same range as most of the residences in the area, as most residences are close to 3,800 square feet. The existing residence on the project site is 4,325 square feet, and the new residence will be approximately  $\frac{2}{3}$  this size. Given its location approximately 200 feet from the front of the property, the second residence will not significantly stand out, and will be compatible with the surrounding neighborhood as it will remain in line with other residences in the vicinity.
- 2. <u>Height</u>: The proposed second residence will be approximately 27 feet in height, which is below the 35-foot maximum height allowed for residential structures in the A-20 District. Surrounding properties have a wide variety of one and two-story residences, as well as additional accessory and agricultural structures that exceed the height of the proposed residence. The second residence is a one-story residence with a typical high ceiling for properties in the vicinity. Thus, in terms of height, the project will be compatible with the surrounding neighborhood.
- 3. <u>Design</u>: The surrounding agricultural neighborhood along Johnston Road is characterized by a combination of one-story and two-story homes with various agricultural buildings associated with the agricultural uses in the area. Styles are primarily ranch-style homes or variations of such. The new second residence will have a board and batten façade with a typical shingle roof and will be similar to other residences in the area, and thereby, will be consistent with the design of other houses in the neighborhood.

#### C. Exceptions Findings:

The applicant has requested an exception to County Code Section 914-2.004 (Offsite Collect and Convey) that requires that runoff from any subdivision be conveyed without diversion to an adequate storm drainage facility. Pursuant to Chapter 92-6 of

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the County Code, the Advisory Agency (Zoning Administrator) may authorize exceptions to the requirements and regulations of County Code Section 914-2.004. Accordingly, following are the findings for granting the requested exception.

#### 1. That there are unusual circumstances or conditions affecting the property.

<u>Project Finding</u>: Presently, based on County elevation data, runoff that falls onto the project site flows west towards the bridge on Johnston Road over the tributary of Tassajara Creek, which bounds the site to the northwest. Runoff from the existing single-family residence is thus directed towards this point, and given the elevation of the new residence, the same can be inferred for the second residence. The second residence is in a low-density part of Johnston Road, located over one mile from the Johnston Road bridge. Thus, due to the distance between the residence and the creek as a collection point, the logistical constraints of designing and constructing off-site drainage infrastructure to accommodate development is an unusual circumstance which warrants granting the requested exception.

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

<u>Project Finding</u>: Construction of a second residence is not expected to significantly alter the drainage pattern and is consistent with the residential development in the immediate vicinity. A second residence is a use allowed with the issuance of a land use permit in the A-20 Exclusive Agricultural District. Given the property's topography and conditions, designing and constructing a water canal and associated infrastructure of over one mile to accommodate development will be disruptive to the surrounding properties and environment. Thus, given the logistical constraints of this work, the exception is necessary in order to allow reasonable development of the project site without the burden of unnecessary offsite storm drain improvements that are of limited public benefit.

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.

<u>Project Finding</u>: The new second residence will be subject to permitting by the Department of Conservation and Development and by the Public Works Department. The Public Works Department has conditioned the project to abide by the drainage requirements of the County Ordinance Code, and to mitigate

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storm water runoff so as to not drain across the sidewalks and in a concentrated manner, as well as for storm drainage to not be discharged onto adjacent properties. As conditioned, the granting of the exception will not be detrimental to the public welfare, or injurious to other property in the project vicinity.

#### D. Environmental Findings

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

- A draft Mitigated Negative Declaration/Initial Study (MND), State Clearinghouse Number (SCH) 2025041096, was prepared for Land Use Permit CDLP23-02056. The public review period for the draft MND started on April 21, 2025, and ended on May 12, 2025. No comments were received during the public review period for the draft MND.
- 2. As there were no comments received on the draft MND, preparation of a final MND that includes written comments received, responses to the comments received, and staff-initiated text changes is not necessary.
- 3. On the basis of the whole record before it, including the draft MND, the Zoning Administrator finds that:
  - There is no substantial evidence that the project with the proposed mitigation measures will have a significant effect on the environment;
  - MND SCH 2025041096, consisting of the draft MND, reflects the County's independent judgement and analysis;
  - The MND is adequate and complete; and
  - The MND has been prepared in compliance with the California Environmental Quality Act and the State and County CEQA guidelines.
- 4. A Mitigation Monitoring and Reporting Program has been prepared, based on the identified significant environmental impacts and mitigation measures in MND SCH 2025041096. The mitigation measures in the Mitigation Monitoring and Reporting Program are included in the project Conditions of Approval.

#### CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP23-02056

#### Project Approvals

- 1. The Land Use Permit and Small Lot Design Review to construct a 2,840 square-foot second single-family residence with an attached 536 square-foot garage and a new driveway on a substandard size lot, is APPROVED.
- 2. The project approvals described above is granted based on, or as generally shown on the following documents.
  - Application accepted by the Department of Conservation and Development, Community Development Division (CDD) on December 5, 2023.
  - Henry Justiniano & Associates, Geotechnical Engineering, May 30, 2023. Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California, received on December 5, 2023
  - Henry Justiniano & Associates, Geotechnical Engineering, July 25, 1989. *Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California,* received on December 5, 2023.
  - Revised project plans received January 11, 2024.
- 3. Any modification to the project approved under this permit that is not required by a Condition of Approval herein shall be subject to the review and approval of the CDD.

#### **Application Costs**

4. The Land Use Permit application is subject to an initial application deposit of \$5,500.00, which was paid with the application submittal, plus time, and material costs if the application review expenses exceed 100% of the initial deposit. Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this 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, the Department of Conservation and Development may seek a court judgement against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant may obtain current costs by contacting the

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project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance in the event that additional fees are due.

#### Grading and Building Permits

5. This approval does not constitute a grading or building permit. Please contact the Department of Conservation and Development, Building Inspection Division for information on how to apply for a grading or building permit.

#### Child Care

6. Prior to issuance of a grading or building permit for the second residence, whichever comes first, the applicant is required to pay a fee toward childcare facility needs in the area as established by the Board of Supervisors. The current childcare fee is \$400.00 per parcel. However, the actual fee amount collected will be that which is applicable at the time of building permit issuance.

#### Park Impact / Park Dedication Fee

7. Prior to the issuance of building permits for the second residence, the applicant shall pay a Park Impact / Park Dedication fee for park and recreation improvements in the area as established by the Board of Supervisors. The current park dedication / park impact fee is \$9,584.00, however, the actual fee amount collected will be that which is applicable at the time of the building permit issuance.

#### MITIGATION MEASURES FROM THE MITIGATION MONITORING AND REPORTING PROGRAM APPLIED AS CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP23-02056

#### <u>Air Quality</u>

- 8. *Mitigation Measure Air Quality 1:* The following Bay Area Air Quality Management District, Basic Best Management Practices for Construction-Related Fugitive Dust Emissions shall be implemented during project construction and shall be included on all construction plans.
  - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - b. All haul trucks transporting soil, sand, or other loose material off-site shall be

covered.

- c. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- g. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- h. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- i. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.
- 9. *Mitigation Measure Air Quality 2:* The following emissions measures, as recommended by the Bay Area Air Quality Management District, shall be included on the construction drawings for the proposed project and implemented during construction.
  - a. Idling times shall be minimized either by shutting equipment off when not in use of reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
  - b. All construction equipment shall be maintained and properly tuned in accordance

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with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- c. The applicant shall require construction contractors to reduce construction related fugitive VOC emissions by ensuring that low VOC coatings having a VOC content of 50 grams per liter or less are used during the coating of the buildings interiors and exterior surfaces.
- d. All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall utilize diesel engines that are USEPA certified "Tier 4 final" emission standards for particulate matter and be equipped with CARB-certified Level 3 Diesel Particulate Filters. Prior to the CDD stamp approval of any construction plans for the issuance of demolition, construction, or grading permits, the construction contractor shall submit the specifications of the equipment to be used during construction to CDD staff.

#### Cultural Resources

- 10. *Mitigation Measure Cultural Resources 1:* The following Mitigation Measures shall be implemented during project construction.
  - a. A program of on-site education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
  - b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.
- 11. *Mitigation Measure Cultural Resources 2:* Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section

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7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

### Geology and Soils

- 12. *Mitigation Measure Geology 1:* The applicant shall incorporate the recommendations of the geotechnical study (Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California. Henry Justiniano & Associates, July 25, 1989) as modified by the geotechnical update report (Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California. Henry Justiniano & Associates, May 30, 2023) in the construction documents submitted for the grading and building permit applications for the second single-family residence.
- 13. *Mitigation Measure Geology 2:* The applicant shall be responsible for documenting the adequacy of the existing leach field or identify a potential leach field site of adequate size that complies with regulations administered by the Environmental Health Division of the County Health Services Department. If a suitable site is not identified on the site, the project sponsor will need to request that the Environment Health Division consider a specialized design.

### <u>Noise</u>

- 14. *Mitigation Measure Noise 1:* The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.
  - a. The project sponsor shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
  - b. The project sponsor shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away

*County Zoning Administrator – July 7, 2025 CDLP23-02056 Findings and Conditions of Approval Page 12 of 17* 

from existing residences as possible.

- c. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
- d. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal) Birthday of Martin Luther King, Jr. (State and Federal) Washington's Birthday (Federal) Lincoln's Birthday (State) President's Day (State) Cesar Chavez Day (State) Memorial Day (State and Federal) Juneteenth National Independence Holiday (Federal) Independence Day (State and Federal) Labor Day (State and Federal) Columbus Day (Federal) Veterans Day (State and Federal) Thanksgiving Day (State and Federal) Day after Thanksgiving (State) Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: <u>Federal Holidays (opm.gov)</u>

California Holidays: State Holidays (sos.ca.gov)

*County Zoning Administrator – July 7, 2025 CDLP23-02056 Findings and Conditions of Approval Page 13 of 17* 

e. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

### PUBLIC WORKS CONDITIONS OF APPROVAL FOR SUBDIVISION CDLP23-02056

The applicant shall 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:

- 15. For Public Works review for compliance relative to this Land Use Permit, a Compliance Review Fee deposit shall be submitted directly to the Public Works Department in accordance with the County's adopted Fee Schedule for such services. This fee is separate from similar fees required by the Department of Conservation and Development and is a deposit to offset staff costs relative to review and processing of these conditions of approval and other Public Works related services ancillary to the issuance of building permits and completion of this project.
- 16. 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 subdivision. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department.

### Access to Adjoining Property:

### Proof of Access

- 17. 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.
- 18. The applicant shall furnish proof to the Public Works Department that legal access to the property is available from the County-maintained portion of Johnston Road.

### Road Alignment/Intersection Design/Sight Distance:

19. The applicant shall provide sight distance at the intersection of the private driveway with Johnston Road in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall trim vegetation, as necessary, to provide sight distance at this intersection, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at this intersection shall be setback to ensure that the sight line is clear of any obstructions.

### Countywide Street Light Financing:

20. The property owner(s) shall annex to the County 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.

### Utilities/Undergrounding:

21. The applicant shall underground all new utility distribution facilities.

### Drainage Improvements:

### Collect and Convey

22. The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the stormwater to an adequate natural watercourse, in accordance with Division 914 of the Ordinance Code..

### Exception, Subject to granting thereof by the "Advisory Agency"

The applicant shall be permitted an exception from the collect and convey requirements of the County Ordinance Code provided that the existing drainage pattern is maintained and concentrated storm drainage is not discharged onto adjacent property.

### Miscellaneous Drainage Requirements:

- 23. The applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.
- 24. The applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

### Creek Banks and Creek Structure Setbacks:

25. The applicant shall show the creek structure setback line on the site plan/Tentative Map in accordance with Section 914-14.012, "Structures Setback Lines for Unimproved Earth Channels" and observe this setback line as if this were a subdivision.

### National Pollutant Discharge Elimination System (NPDES):

26. 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 San Francisco Bay - Region II.

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 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.
- 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.

*County Zoning Administrator – July 7, 2025 CDLP23-02056 Findings and Conditions of Approval Page 16 of 17* 

### **ADVISORY NOTES**

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

### A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

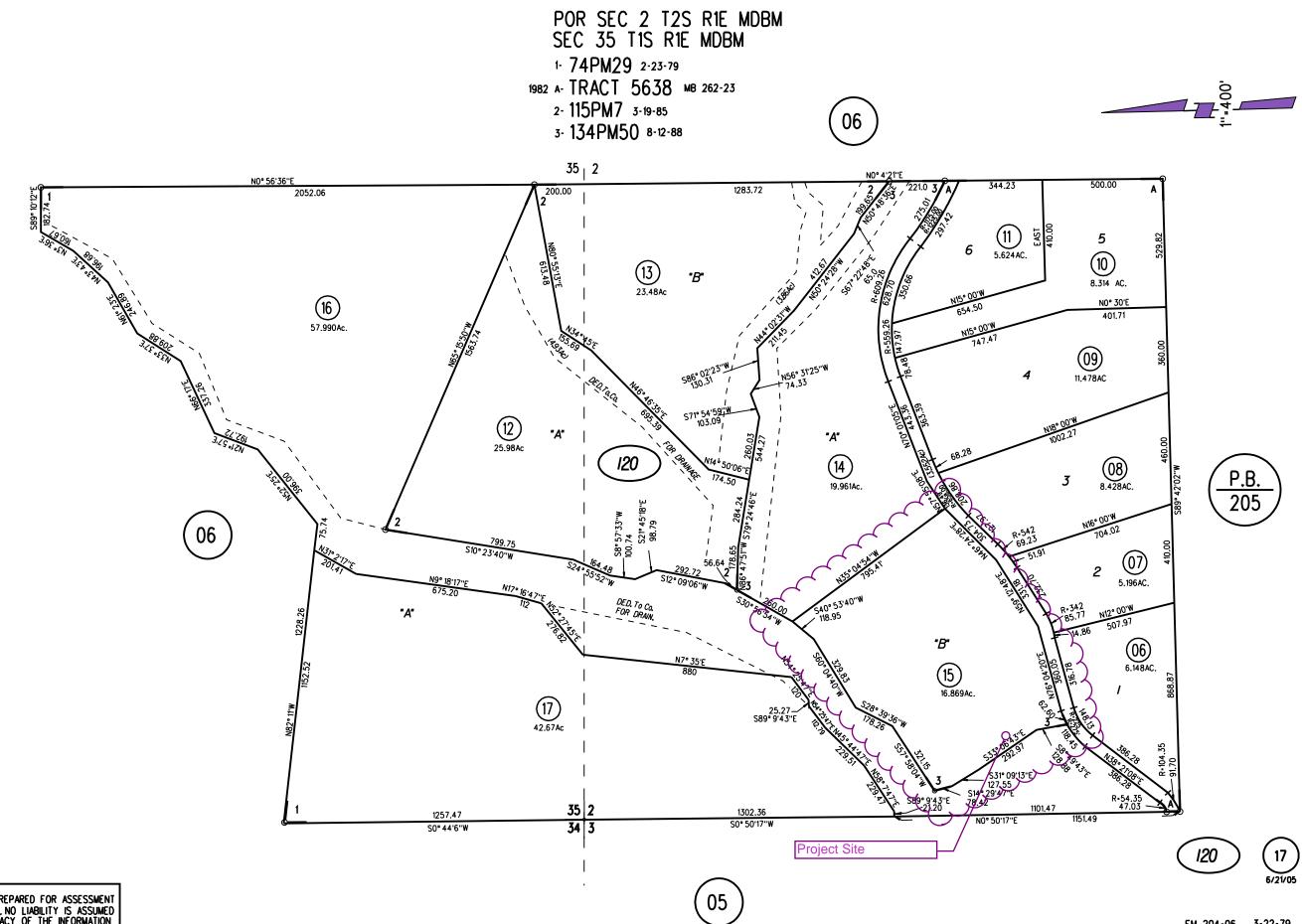
This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

- B. Prior to applying for a building 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:
  - Department of Conservation and Development, Building Inspection Division
  - Public Works Department
  - Health Services Department, Environmental Health Division
  - San Ramon Valley Fire Protection District
  - Contra Costa Mosquito and Vector Control District
- C. The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the South County Area of Benefit as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.

*County Zoning Administrator – July 7, 2025 CDLP23-02056 Findings and Conditions of Approval Page 17 of 17* 

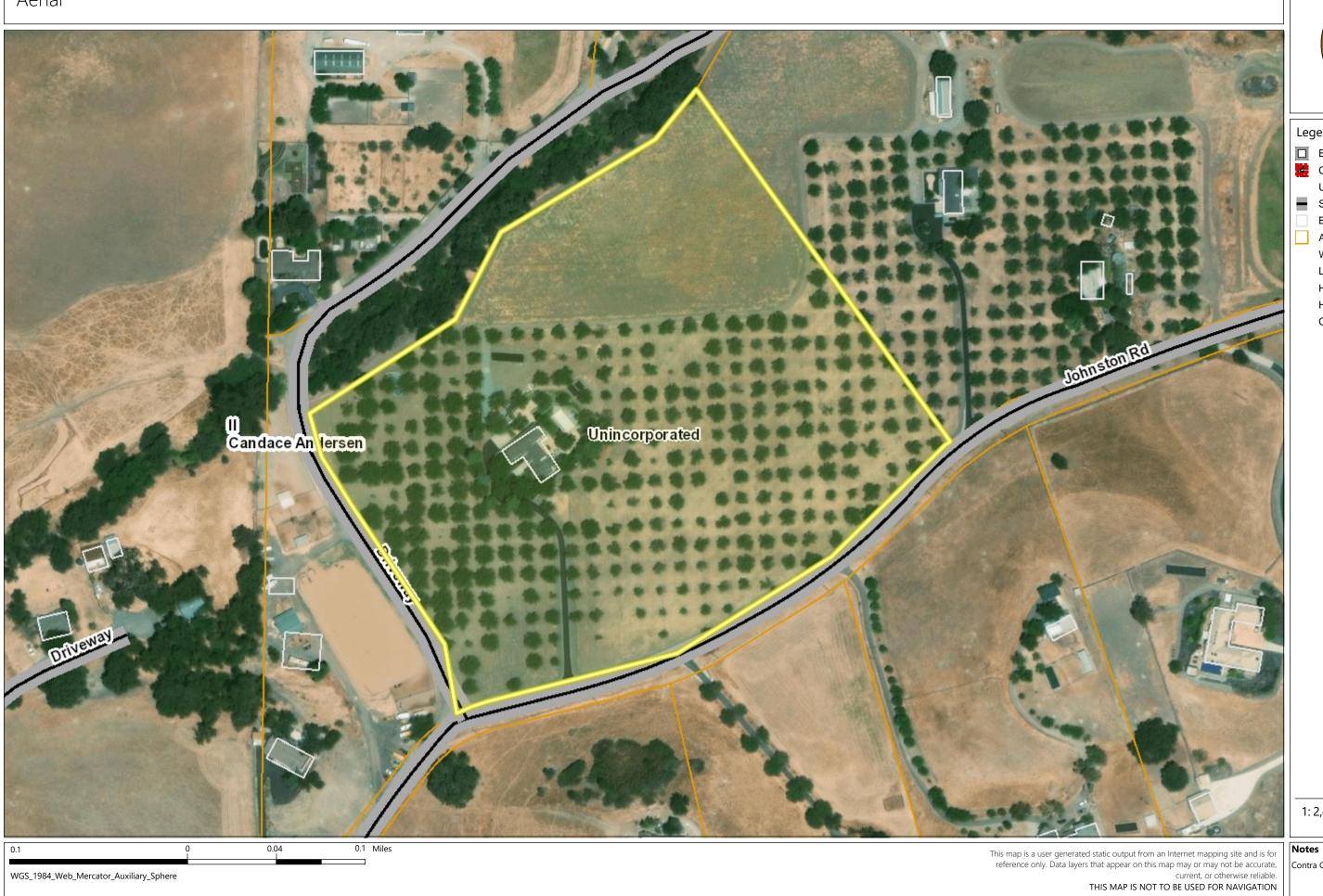
D. Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and 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 project site 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.



NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY, NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION DELINEATED HEREON, ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

FM, 204-06 3-22-79 ASSESSOR'S MAP BOOK 204 PAGE 12 CONTRA COSTA COUNTY,C 332

### Aerial



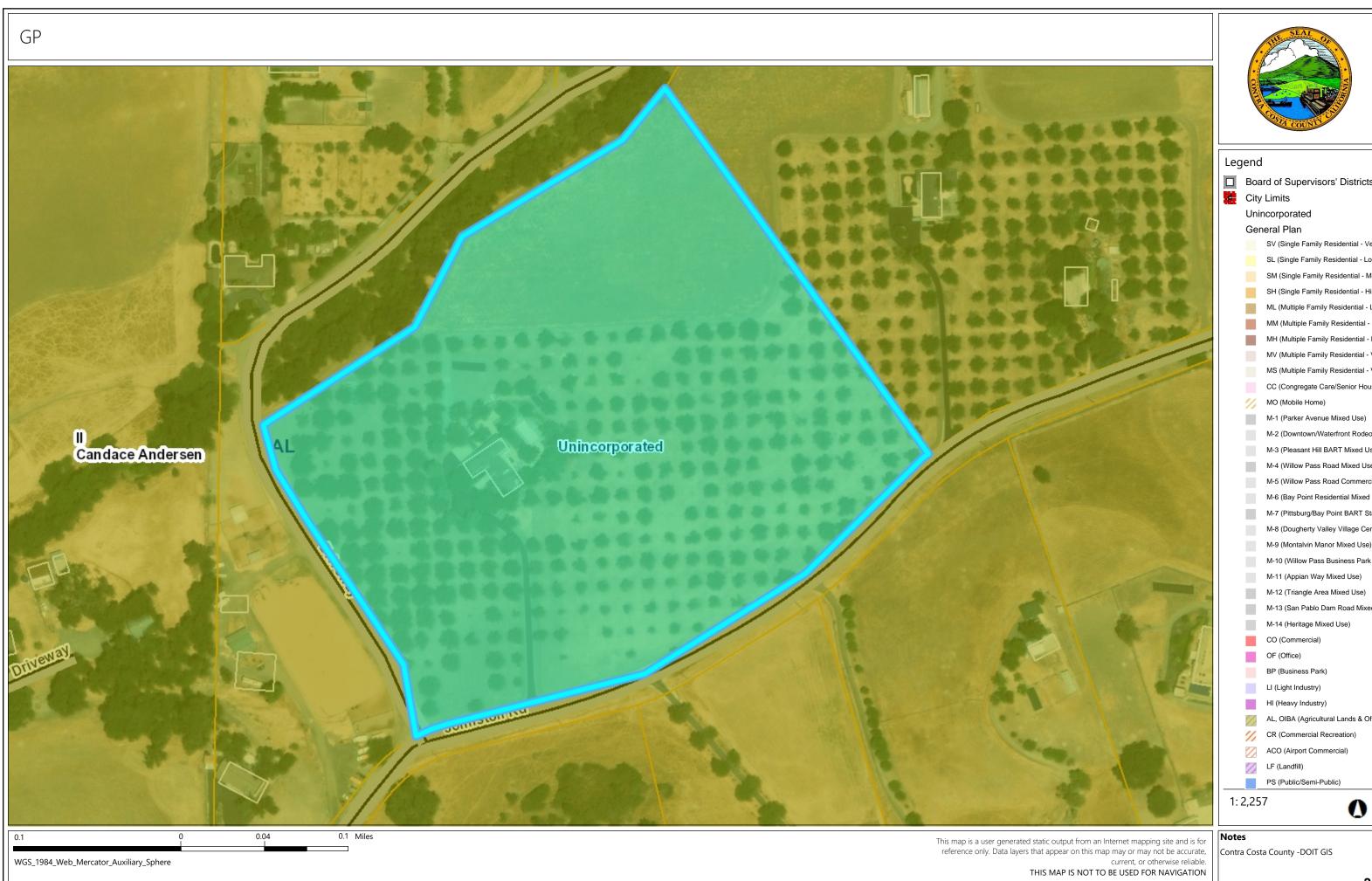


Leg	end
	Board of Supervisors' Districts
	City Limits
	Unincorporated
	Streets
	Building Footprints
	Assessment Parcels
	World Imagery
	Low Resolution 15m Imagery
	High Resolution 60cm Imagery
	High Resolution 30cm Imagery
	Citations

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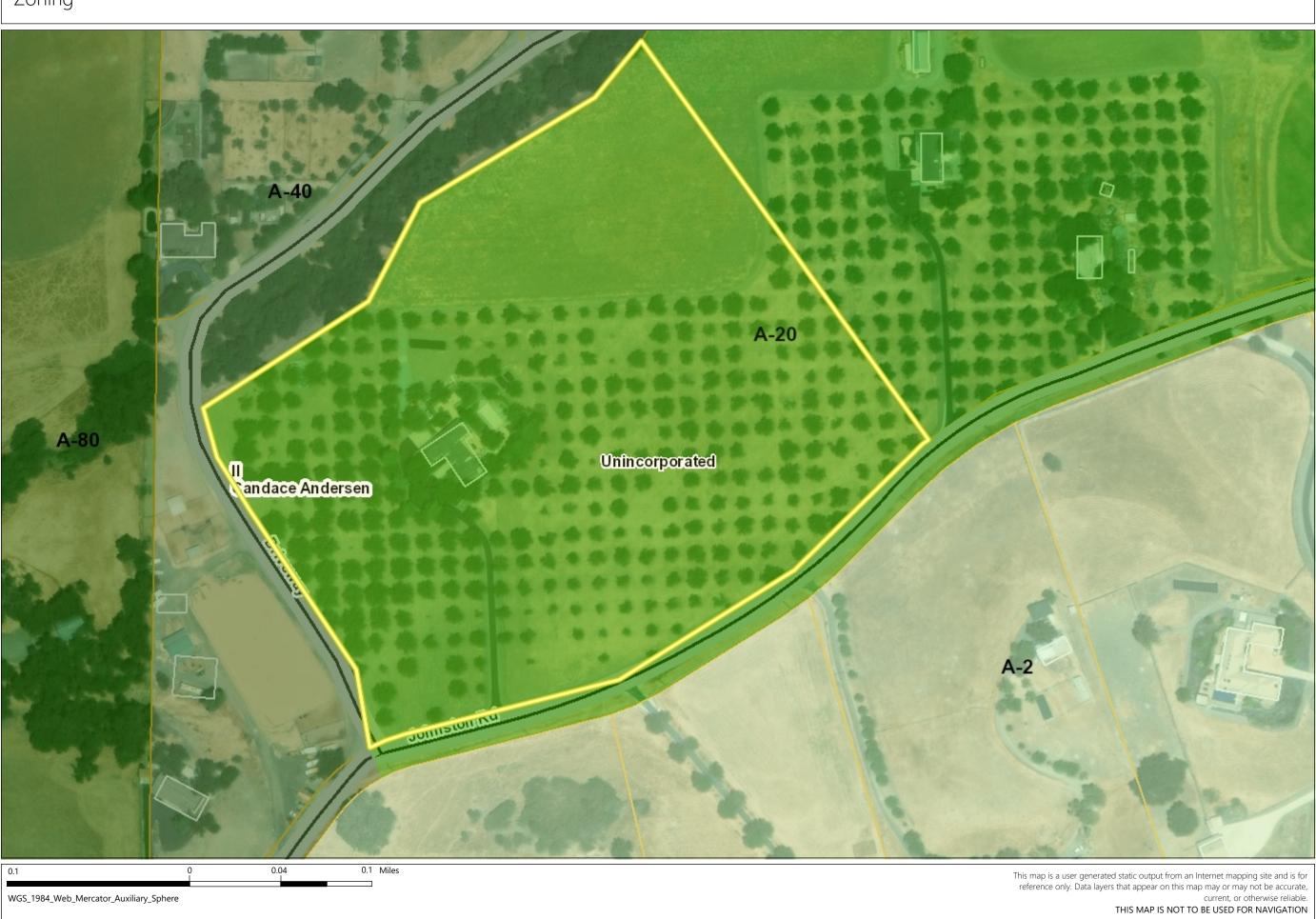


Contra Costa County -DOIT GIS



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		M-13 (San Pablo Dam Road Mixed
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		ACO (Airport Commercial)
		LF (Landfill)
		PS (Public/Semi-Public)
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### Zoning





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Notes Contra Costa County -DOIT GIS



phone: 925.838.6600 web: www.firedepartment.org

Friday, December 15, 2023

Hello Diana Lecca,

The Fire District has reviewed the Planning Application for the below noted address. Based upon the information provided, comments and requirements have been made as conditions of approval.

If during the course of the entitlement process the project changes, additional requirements may apply. Thank you for the opportunity to comment on the project. Please feel free to contact me directly with any questions or concerns.

PROJECT:CDLP23-02056ADDRESS:6621 JOHNSTON RD (204120015)APPLICATION TITLE:Planning and Site Development ReviewPROJECT NUMBER:1192986

Roy Wendel Interim Fire Marshal rwendel@srvfire.ca.gov 925.838.6687

### **Planning Comments**

-	9						
Оре	Open Issues: 2						
P	PLANNING						
	<u>General Issues</u>						
	1. Submit Plans						
	Roy Wendel 12/15/23 7:44 AM	Plan submittal required to the Fire District. Visit www.firedepartment.org/submitplans for information on submittal requirements.					
	2. Access						
	Roy Wendel 12/15/23 7:44 AM	Current requirements for water supply and Fire Department access will be applied at time of submittal for construction permits. Visit www.firedepartment.org/submitplans for the current Ordinance, Standards and Submittal Requirements.					



### Memo

June 25, 2024

FILE:	LP23-2056
SUBJECT:	LAND USE PERMIT LP23-2056 STAFF REPORT & RECOMMENDED CONDITIONS OF APPROVAL (Louis & Kristi Miramontes/Johnston Road/San Ramon/APN 204-120-015)
	By: Anthony DiSilvestre, Staff Engineer, Engineering Services Division
FROM:	Kellen O'Connor, Associate Civil Engineer, Engineering Services Division
TO:	Diana Lecca, Planner, Department of Conservation and Development

We have reviewed the application for **land use permit LP23-2056** received by your office on **December 5, 2023.** 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 for the construction of a second residence on a parcel zoned A-20.

The site is located in the unincorporated San Ramon area. Northwest of the site is a Tributary of Tassajara Creek, southeast and southwest of the site is Johnston Road, and to the northeast is a neighboring parcel with agricultural zoning.

### **Exception Requests**

On June 5, 2024, the applicant submitted an exception request related to the County's collect and convey requirements. Comments relative to this request are included below in the Drainage sub-section of this report.

### **Traffic and Circulation**

The project site will front and gain access from the privately maintained portion of Johnston Road. No road widening or right-of-way dedication is recommended as part of this project.

Improvements along Johnston Road at this location include a picket fence adjacent to the edge of the roadway. No additional improvements are proposed, and none are recommended.

Diana Lecca June 25, 2024 Page 2 of 3

### 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 <u>adequate</u> 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.

According to County elevation data, runoff that falls onto the site flows west towards the bridge of Johnston Road bridge over the Tributary of Tassajara Creek to the west. The applicant has submitted an exception request per Chapter 92-6 from the collect and convey requirements. The request for exception is based on the findings outlined below:

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

The proposed home site is in a low-density part of Johnston Road, located over one mile from the Johnston Road Bridge.

2. That the exception is necessary for the preservation and enjoyment of the substantial right of the applicant.

Constructing a water canal of over one mile would be disruptive to the surrounding properties and environment.

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.

Granting an exception would not be materially detrimental to the public welfare or injurious to other property owners, as the proposed home fits in well with the topography of the area and will be similar to homes on Johnston Road.

The Public Works Department would not oppose granting these exceptions to the collect and convey requirements of this parcel by the advisory agency.

### Stormwater Management and Discharge Control

A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 5,000 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. This project proposes to legalize about 3,400 square feet of impervious surface within the second residence, which is below the threshold requiring submittal of a SWCP.

### Floodplain Management

The project does <u>not</u> lie within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance Rate Map.

Diana Lecca June 25, 2024 Page 3 of 3

### **Lighting District Annexation**

The subject property is <u>not</u> annexed into the lighting district. The property owner will be required, as a condition of approval, to annex into the County Facilities District 2010-1 formed for 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 South County Area of Benefit, as adopted by the Board of Supervisors. The fees shall be paid prior to issuing of a land use permit.

### Drainage Area Fee

The property is located within unformed Drainage Area 102. There is currently no fee ordinance adopted by the Board of Supervisors for this area.

Should you have any questions, please contact Anthony DiSilvestre at (925) 313-2262 or anthony.disilvestre@pw.cccounty.us or Kellen O'Connor at (925) 313-2278 or kellen.o'connor@pw.cccounty.us.

KO:AD:ss

G:\engsvc\Land Dev\LP\LP 23-2056\Staff Report & COAs LP23-2056.docx

c: J. LaRocque, Engineering Services L. Gossett, Engineering Services K. O'Connor, Engineering Services A. DiSilvestre, Engineering Services Louis & Kristi Miramontes, *owner/applicant* 6621 Johnston Road Pleasanton, CA 94588

### PUBLIC WORKS RECOMMENDED CONDITIONS OF APPROVAL FOR PERMIT LP23-2056

### 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:**

- For Public Works review for compliance relative to this Land Use Permit, a Compliance Review Fee deposit shall be submitted directly to the Public Works Department in accordance with the County's adopted Fee Schedule for such services. This fee is separate from similar fees required by the Department of Conservation and Development and is a deposit to offset staff costs relative to review and processing of these conditions of approval and other Public Works related services ancillary to the issuance of building permits and completion of this project.
- 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 subdivision. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department.

### 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.
- Applicant shall furnish proof to the Public Works Department that legal access to the property is available from the County-maintained portion of Johnston Road.

### Road Alignment/Intersection Design/Sight Distance:

 Applicant shall provide sight distance at the intersection of the private driveway with Johnston Road in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall trim vegetation, as necessary, to provide sight distance at this intersection, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at this intersection shall be setback to ensure that the sight line is clear of any obstructions.

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• Property owner(s) shall annex to the County 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.

### Utilities/Undergrounding:

• Applicant shall underground all <u>new</u> utility distribution facilities.

### **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 system, to an
adequate natural watercourse having definable bed and banks, or to an existing adequate
public storm drainage system which conveys the stormwater to an adequate natural
watercourse, in accordance with Division 914 of the Ordinance Code.

### 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 provided that the existing drainage pattern is maintained and concentrated storm drainage is not discharged onto adjacent property.

### **Miscellaneous Drainage Requirements:**

- Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.
- Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

### Creek Banks and Creek Structure Setbacks:

• Applicant shall show the creek structure setback line on the site plan/Tentative Map in accordance with Section 914-14.012, "Structures Setback Lines for Unimproved Earth Channels" and observe this setback line as if this were a subdivision.

### 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 San Francisco Bay - Region II.

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 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.
- 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.

### **ADVISORY NOTES**

- Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the South County Area 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.



Northwest Information Center

Sonoma State University 1400 Valley House Drive, Suite 210 Rohnert Park, California 94928-3609 Tel: 707.588.8455 nwic@sonoma.edu https://nwic.sonoma.edu

April 1, 2025

File No.: 24-1404

Diana Lecca, Project Planner Contra Costa County Department of Conservation and Development Community Development Division 30 Muir Road Martinez, CA 94553-4601

### re: CDLP23-02056 / APN-204-120-015 at 6621 Johnston Rd., Pleasanton / Lou MiraMontes

Dear Diana Lecca,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. <u>Please note that use of the term cultural resources includes both archaeological sites and historical buildings</u> <u>and/or structures.</u> <u>The review for possible historic-era building/structures, however, was limited to</u> <u>references currently in our office and should not be considered comprehensive.</u>

### **Project Description:**

The applicant requests approval of a land use permit for the construction of a second residence on a parcel zoned A-20.

### **Previous Studies:**

XX Study #20828 (Holman 1997), covering approximately the proposed project area, identified no <u>cultural</u> <u>resources</u> within those portions of the proposed project area (*see recommendation below*).

### Archaeological and Native American Resources Recommendations:

- XX We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.
- XX Although the general vicinity has sensitivity for archaeological resources, the proposed project area has a <u>low</u> possibility of containing unrecorded <u>archaeological site(s)</u>. Therefore, no further study for archaeological resources is recommended. If archaeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations.

### **Built Environment Recommendations:**

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Contra Costa County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <u>http://www.chrisinfo.org</u>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,

Bryan Much Coordinator



# NEW MIRAMONTE RESIDENCE

Roof LL	20 /16 psf
Attic LL	10 psf
Floor LL	40 psf
Wind Speed	110 mph
Wind Exposure	С
Site Class	D
Seismic Design Category	D
SDS	1.373
V =	0.196W
Importance Factor	1.0

VATION, S Ш RONT AND L AN Ш Ч SITE

ENGINEERING DESIG

L FK

Plann'g Apprvl 7

MIRAMONTE RESIDENCE TBD JOHNSTON ROAD PLEASANTON, CA

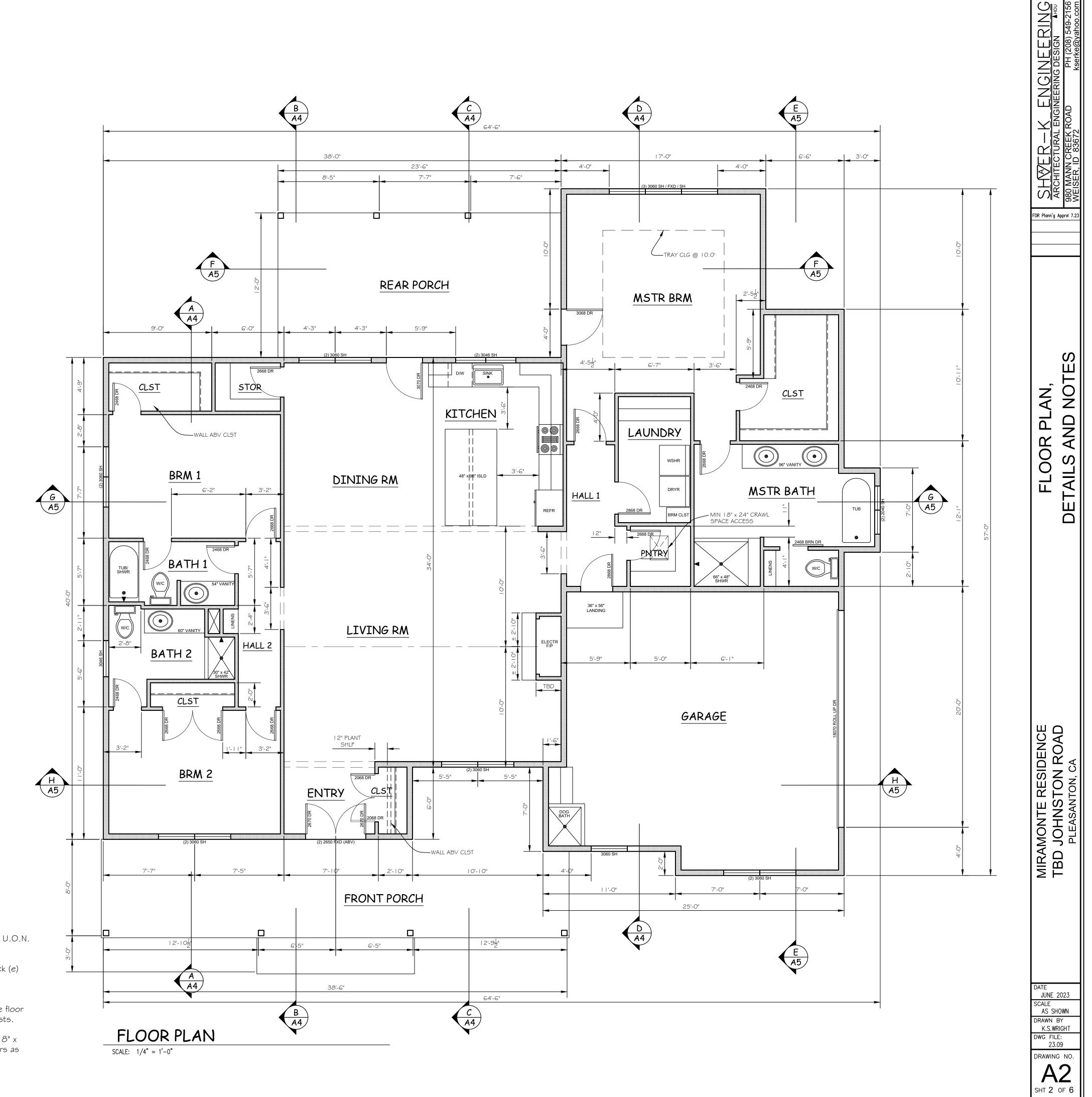
DATE JUNE 2023 SCALE AS SHOWN DRAWN BY K.S.WRIGHT DWG FILE: 23.09 DRAWING NO. A1 SHT 1 OF 6

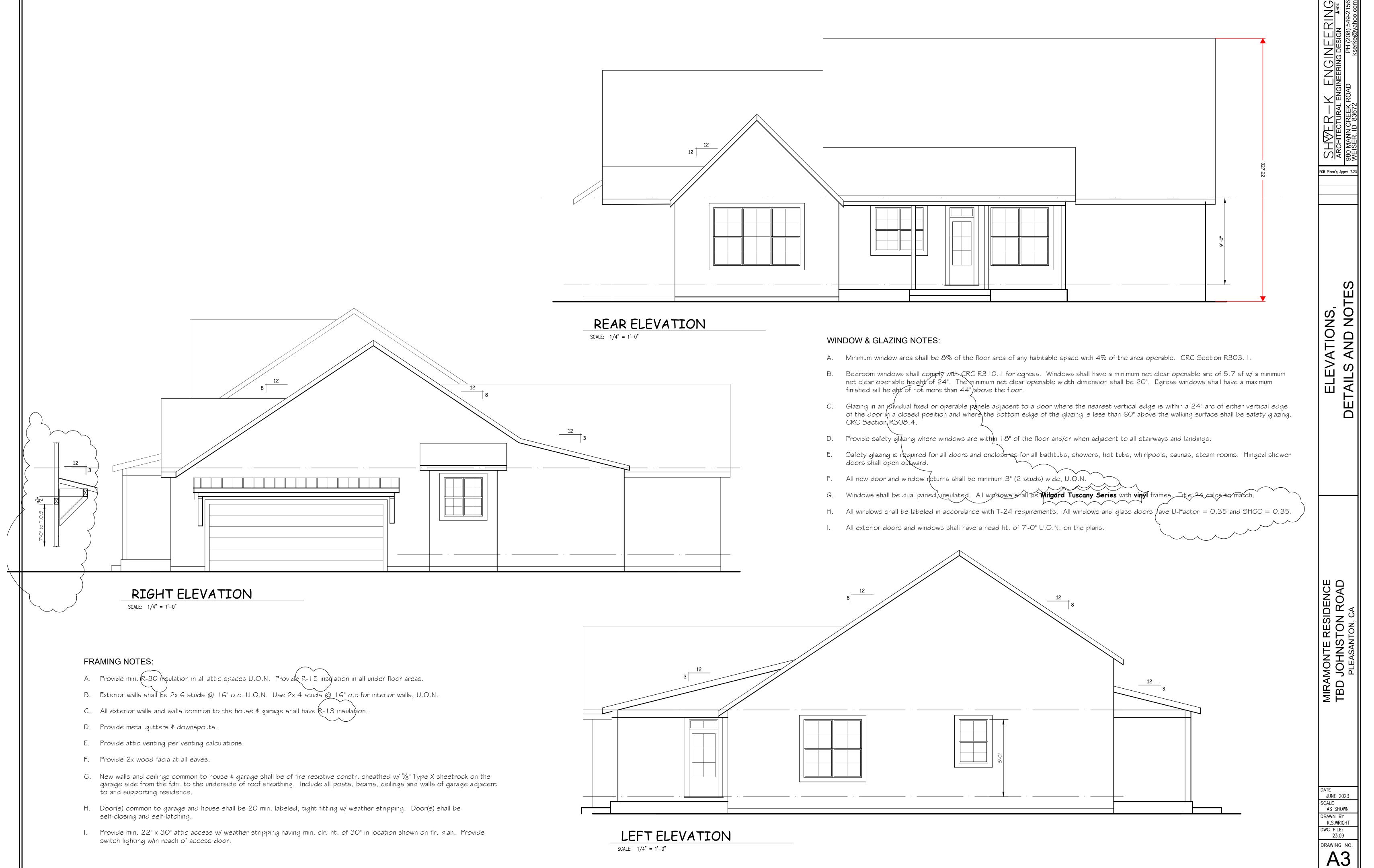
## w/h HVAC

### attic access?

### FOUNDATION NOTES:

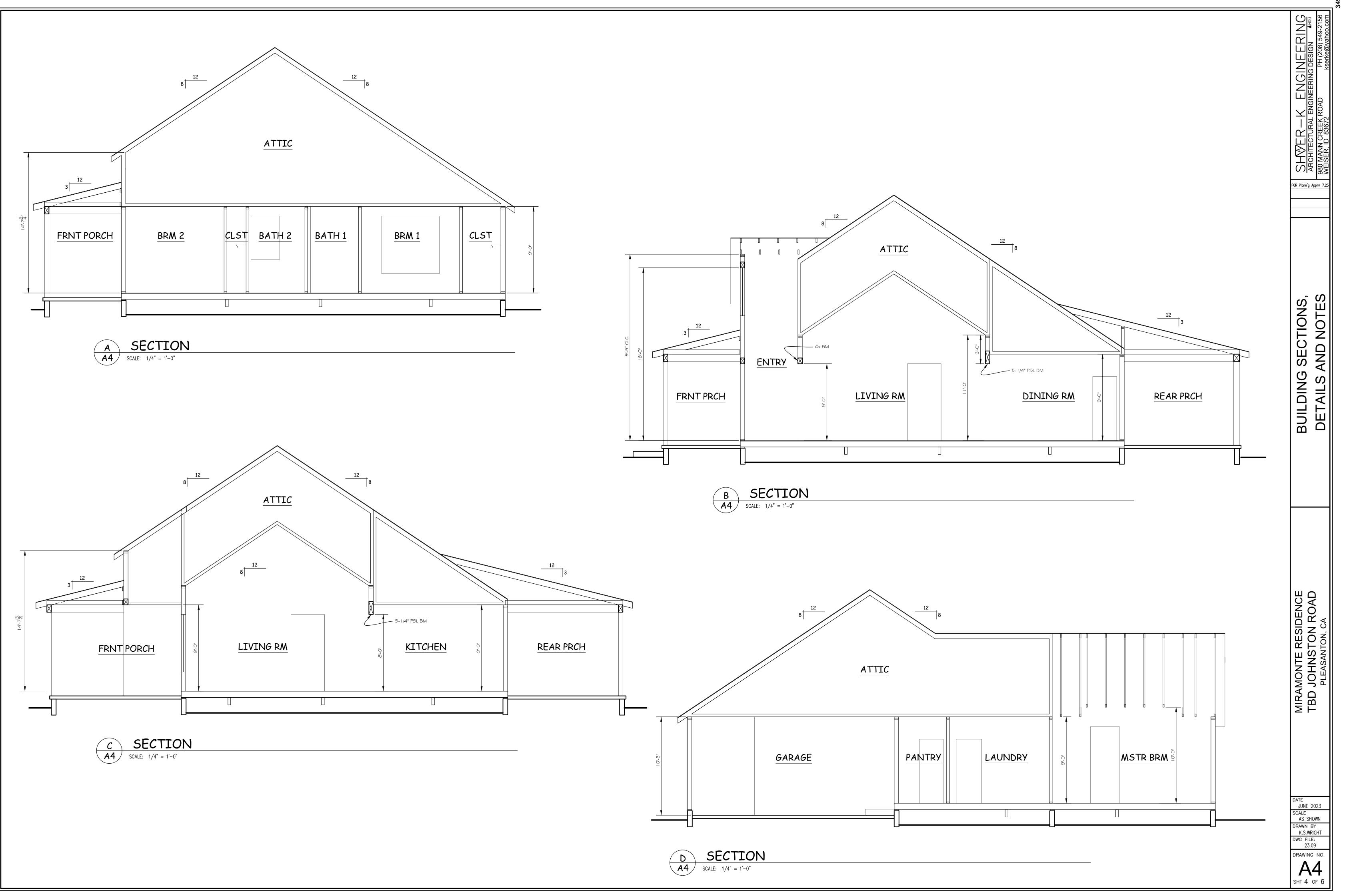
- A. Provide R-19 insulation in all new floor areas U.O.N.
- B. Provide metal foundation vents per venting calculations on Foundation Plan. Do not block (e) vents.
- C. Provide solid blocking under walls that run perpendicular to floor joists. Provide double floor joists under walls running parallel to floor joists.
- D. Provide new crawl space access. Minimum 18" x 24". See plan for location. Use joist hangers as needed.

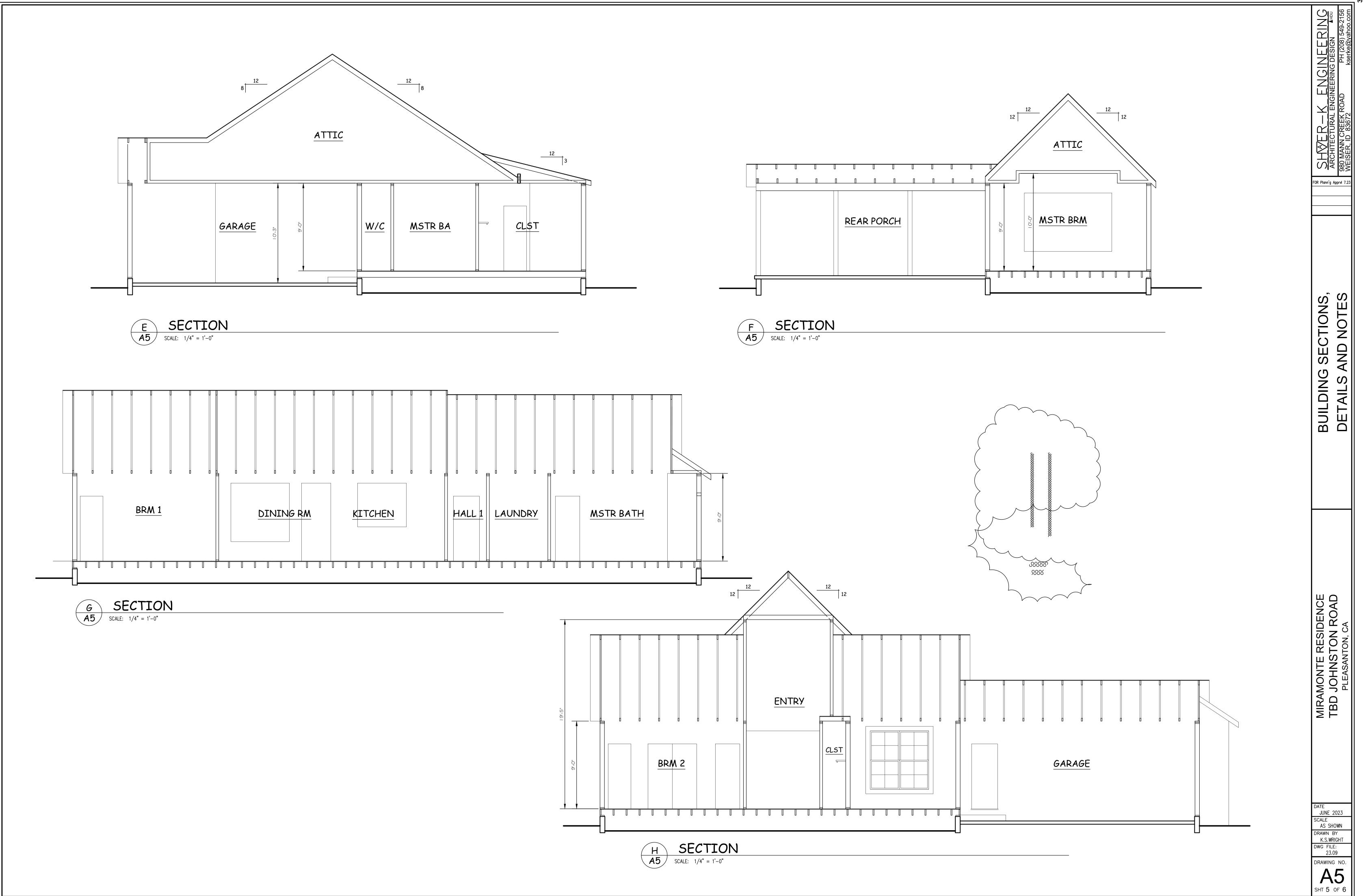






SHT 3 OF 6



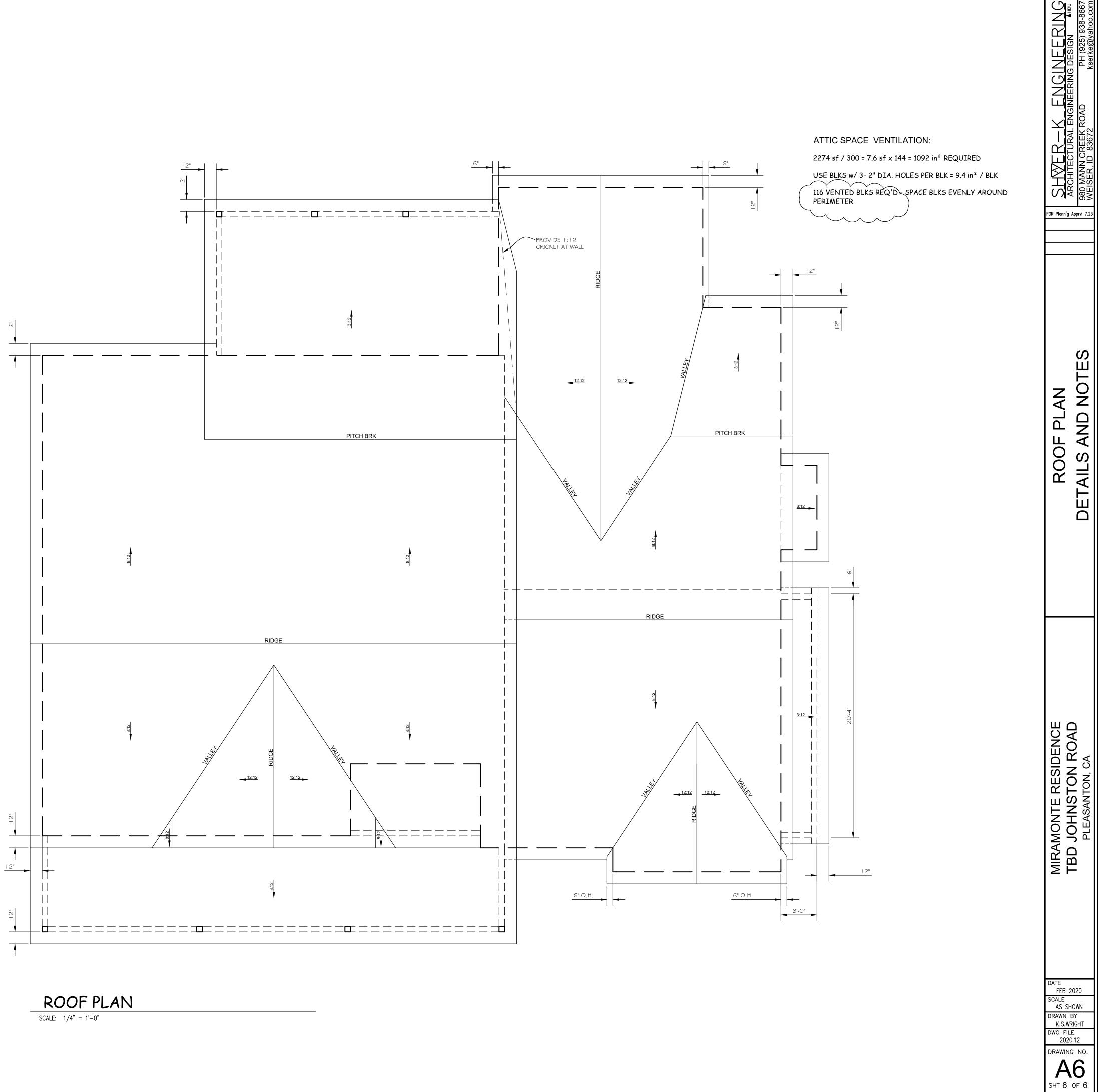


### PRE-MANUFACTURED ROOF TRUSSES

- A. Pre-fabricated timber trusses shall be designed and fabricated with ICC approved plate fasteners. Lumber used in trusses shall be Douglas Fir. Trusses shall be designed by a registered Civil Engineer, licensed in California; design calculations and shop drawings shall be provided for review by the engineer of record, then submitted to the Building Department.
  - I. Unless noted otherwise on the drawings, truss loading shall conform to the following:

Roof trusses: Top chord loading: DL = 17 psf Top Chord shall be min 2x 6 LL = 16 psfBottom chord loading: DL = 5 psf\* Not simultaneous with top chord LL  $LL = 10 \text{ psf}^*$ TL = 38 psf

- B. Truss manufacturer shall supply all hangers, clips, plates, blocks, bridging, and all other items relative to their units.
- C. All trusses shall be delivered to the site, bundle wrapped and piece-marked for locations. Trusses shall not be field cut.
- D. Connector plates: All connector plates shall be a minimum thickness of 0.036" and shall be of steel meeting the requirements of ASTM A446 Grade A as a minimum, hot dipped galvanized per ASTM A525, G60 coating (unless placed in highly corrosive environments).
- E. Girder trusses: Design special trusses for same criteria as standard trusses including the effects of tributary loads from in-framing members. See framing plan for truss layouts. The truss manufacturer shall submit the design and detail of all connectors required to transfer loads to the special trusses, U.N.O. on the plans.
- F. Collector trusses: Design special trusses for same criteria as standard trusses including the effects of lateral loads as noted on framing plans. See framing plan for truss layouts. The truss manufacturer shall submit the design and detail of all connectors required to transfer loads to the special trusses, U.N.O. on the plans.
- G. Provide minimum of (2) studs below the bearing points of all girder and hip trusses and carry down to foundation level, typical.
- H. Execution:
  - I. Inspect the installed work of other trades and verify that such work has been so installed as to allow rough carpentry to produce surfaces to the required design.
  - 2. Provide all permanent structural cross bracing to ensure overall rigidity of the diaphragm in accordance with the architectural and engineering plans for the structure.
  - 3. Cut all wood members for a tight fit. Do not shim. Erect all members straight, plumb, and accurately located.
- I. Install all backing, blocking and stripping required for the work of other trades.
- J. Brace all trusses and pre-fabricated wood joists during erection and after permanent installation.
- K Review prior to installation: Prior to installation of trusses, two copies of the following materials bearing the approval of the Engineer of Record (Shaer-K Engineering) in the form of a separate letter must be submitted to the Building Official for review at least two weeks prior to frame inspection: (1) truss layout drawings; and (2) truss calculations and details showing axial and bending stresses and joint designs, clearly indicating that designs conform to the 2020 CBC.



### 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

Deidra Dingman Deputy Director

Ruben Hernandez Deputy Director

Gabriel Lemus Assistant Deputy Director

April 21, 2025

### NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A

### PROPOSED MITIGATED 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:

- **Project Title:** 6621 Johnston Road Second Residence Land Use Permit 1. 2. County File Number: CDLP23-02056 3. Lead Agency Name and Contra Costa County Address: Department of Conservation and Development 30 Muir Road Martinez, CA 94553 4. Contact Person and Phone Diana Lecca, Project Planner Number: (925) 655-2869 6621 Johnston Road in the San Ramon area of 5. **Project Location**: unincorporated Contra Costa County (Assessor's Parcel Number. 204-120-015) 6. Applicant / Project Sponsor's Louis Miramontes
  - Name, Address, and Phone 6621 Johnston Road Number: Pleasanton, CA 94588 (415)269-0610

- **7. Description of Project:** The applicant requests approval of a land use permit to establish a second single-family residence on a 16.87-acre agricultural lot with an existing single-family residence and walnut orchard. The proposed 2,840 square-foot second residence will have an attached 536 square-foot garage and a new driveway from Johnston Road. The application includes a request for an exception from the collect and convey drainage requirements of Chapter 914-2.004 of the Contra Costa County Ordinance Code.
- 8. Surrounding Land Uses and Setting: The project site is located in the San Ramon area of unincorporated Contra Costa County on the north side of Johnston Road, approximately 1.4 miles east of the intersection of Camino Tassajara and Johnston Road. Access to the site is from the southern property line off Johnston Road. The site is relatively flat and is bounded on the northwest side by a tributary of Tassajara Creek. The site is currently developed with a single-family residence and a walnut orchard, both of which will remain after the construction of the proposed new residence.

The site is located in a predominantly agricultural area east of Camino Tassajara. Lots in the surrounding area are primarily agricultural in nature. Some lots also include single-family residential development. A commercial equestrian facility is adjacent to the east. To the north, west and south, properties include some private residences and agricultural structures. The San Ramon city limit is located approximately 5 driving miles to the west, and the Alameda County boundary is approximately 4.75 driving miles to the south. This area is also a few miles east of the eastern boundaries of the Town of Danville and the Blackhawk community.

**9. Determination:** The County has determined that without mitigation the project may result in significant impacts to the environment. Therefore, pursuant to California Code of Regulations Section 15070, a Mitigated Negative Declaration/Initial Study has been prepared which identifies mitigation measures to be incorporated into the project that will reduce the impacts to less than significant levels. Prior to adoption of the Mitigated Negative Declaration, the County will be accepting comments on the Mitigated Negative Declaration/initial study during a 20-day public comment period.

The Mitigated Negative Declaration/Initial Study can be viewed online at the following link: <u>California Environmental Quality Act (CEQA) Notifications | Contra Costa County, CA Official Website</u> or upon request by contacting the project planner. Any documents referenced in the Mitigated Negative Declaration/Initial Study 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 extend to **<u>5:00 PM, Monday, May 12, 2025</u>**. Any comments should be submitted in writing to the following address:

Contra Costa County Department of Conservation & Development **Attn: Diana Lecca** 30 Muir Road

### Martinez, CA 94553

### or via email to: diana.lecca@dcd.cccounty.us

The proposed Mitigated Negative Declaration and the proposed project will be considered at a meeting of the County Zoning Administrator. The hearing date before the County Zoning Administrator has not yet been scheduled. Hearing notices with instructions on how and/or where to attend the meeting will be sent out prior to the finalized hearing date.

**Additional Information** – For additional information on the Mitigated Negative Declaration and the proposed project, contact Diana Lecca by telephone at (925) 655-2869, or email at <u>diana.lecca@dcd.cccounty.us</u>

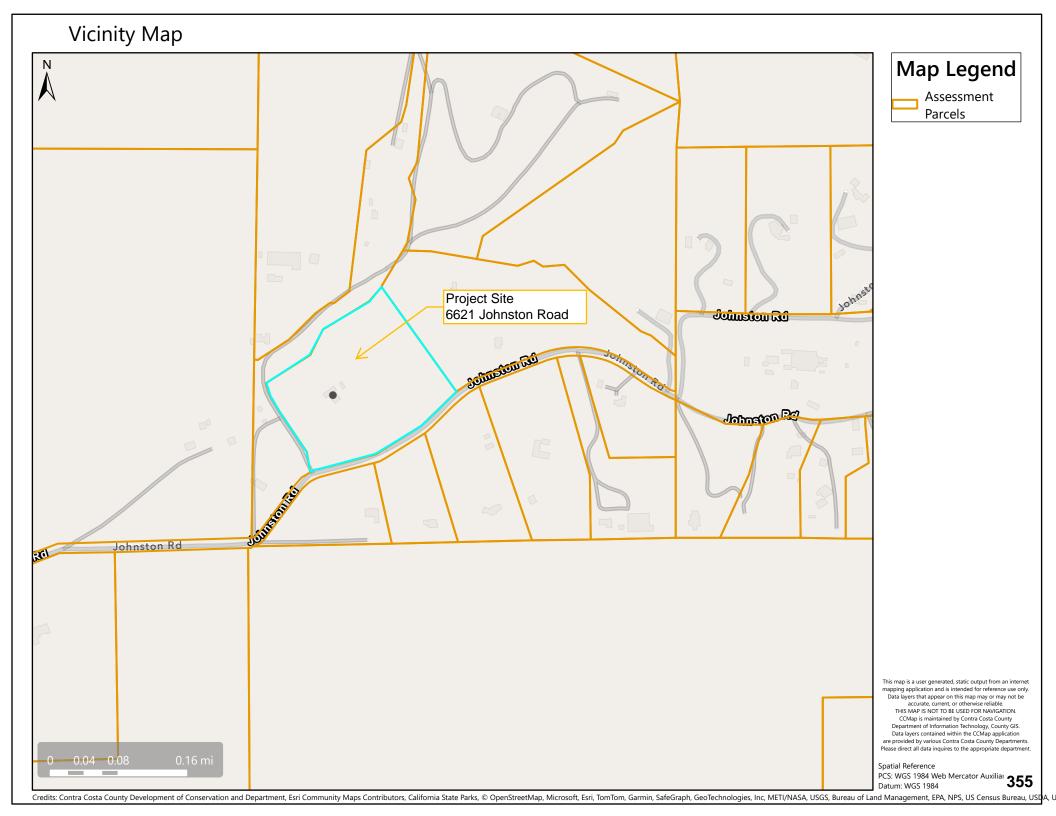
Sincerely,

Diana Lecca

Diana Lecca Project Planner Department of Conservation & Development

cc: County Clerk's Office (2 copies)

attachment: Project Vicinity



### CEQA ENVIRONMENTAL CHECKLIST FORM

1.	Project Title:	6621 Johnston Road Second Residence Land Use Permit County File CDLP23-02056
2.	Lead Agency Name and Address:	Contra Costa County Department of Conservation and Development 30 Muir Road Martinez, CA 94553
3.	Contact Person and Phone Number:	Diana Lecca, Project Planner (925) 655-2869
4.	Project Location:	6621 Johnston Road in the San Ramon area of unincorporated Contra Costa County (Assessor's Parcel Number. 204-120-015)
5.	Project Sponsor's Name and Address:	Louis Miramontes 6621 Johnston Road Pleasanton, CA 94588
6.	General Plan Designation:	AL, Agricultural Lands
7.	Zoning:	A-20, Exclusive Agricultural District

- 8. Description of Project: The applicant requests approval of a land use permit to establish a second single-family residence on a 16.87-acre agricultural lot with an existing single-family residence and walnut orchard. The proposed 2,840 square-foot second residence will have an attached 536 square-foot garage and a new driveway from Johnston Road. The application includes a request for an exception from the collect and convey drainage requirements of Chapter 914-2.004 of the Contra Costa County Ordinance Code.
- **9. Surrounding Land Uses and Setting**: The project site is located in the San Ramon area of unincorporated Contra Costa County on the north side of Johnston Road, approximately 1.4 miles east of the intersection of Camino Tassajara and Johnston Road. Access to the site is from the southern property line off Johnston Road. The site is relatively flat and is bounded on the northwest side by a tributary of Tassajara Creek. The site is currently developed with a single-family residence and a walnut orchard, both of which will remain after the construction of the proposed new residence.

The site is located in a predominantly agricultural area east of Camino Tassajara. Lots in the surrounding area are primarily agricultural in nature. Some lots also include single-family residential development. A commercial equestrian facility is adjacent to the east. To the north, west and south, properties include some private residences and agricultural structures. The San Ramon city limit is located approximately 5 driving miles to the west, and the Alameda County boundary is approximately 4.75 driving miles to the south. This area is also a few miles east of the eastern boundaries of the Town of Danville and the Blackhawk community.

- **10.** Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement:
  - Contra Costa County Public Works Department
  - Contra Costa County Building Inspection Division
  - San Ramon Valley Fire Protection District
  - Contra Costa County Environmental Health Division
- 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, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In accordance with Section 21080.3.1 of the California Public Resources Code, a Notice of Opportunity to Request Consultation was sent on March 5, 2025, to the Confederated Villages of Lisjan Nation and the Wilton Rancheria, the California Native American tribes that have requested notification of proposed projects within unincorporated Contra Costa County. Pursuant to section 21080.3.1(d), there is a 30-day time period for the Wilton Rancheria and/or the Villages of Lisjan Nation to either request or decline consultation in writing for this project. The Confederated Villages requested CHRIS records for the project site on March 4, 2025, which staff received on April 1, 2025. The CHRIS records indicated that a previous 1997 study, covering approximately the proposed project area, identified no cultural resources within those portions of the project site affected by the proposed project. Although the general vicinity has sensitivity for archaeological resources, the proposed project area has a low possibility of containing unrecorded archaeological site(s).

Previously, the Wilton Rancheria had requested consultation in response to a Notice of Opportunity for a different project that led to a meeting between staff and a representative of the Wilton Rancheria. At that meeting, a tentative agreement was reached between staff and the Wilton Rancheria that the Native American tribe will be notified of any discovery of cultural resources or human remains on a project site. Subsequently, the Native American Heritage Commission (NAHC) requested that pursuant to State law, the NAHC shall be notified of any discovery of human remains rather than the Native American tribe. Standard Contra Costa County Department of Conservation and Development, Community Development Division (CDD) Conditions of Approval – see Conditions of Approval Cultural Resources 1 and Cultural Resources 2 in Environmental Checklist Section 5 (Cultural Resources) – provide for notice to the NAHC of any discovery of human remains on the site. Any future construction activity on the project site would be subject to CDD Conditions of Approval Cultural Resources 1 and Cultural Resources 2.

Environmental Factors Potentially Affected							
Without mitigation, the environmental factors checked below would have been potentially affected							
by this project. Upon incorporation of the mitigation measures identified in the following pages it							
has been found that the project will not result in any impacts to the environment.							
Aesthetics	Agriculture and Forestry Resources	Air Quality					
Biological Resources	Cultural Resources	Energy					
Geology/Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials					
Hydrology/Water Quality	Land Use/Planning	Mineral Resources					
Noise	Population/Housing	Public Services					
Recreation	Transportation	Tribal Cultural Resources					
Utilities/Services Systems	☐ Wildfire	☐ 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, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Date

### **ENVIRONMENTAL CHECKLIST**

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
1.		STHETICS – Except as provided in Public Re ject:	esources Cod	le Section 21	099, would	the
	a)	Have a substantial adverse effect on a scenic vista?				$\boxtimes$
	b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?				$\boxtimes$
	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?				
	d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			$\boxtimes$	

### SUMMARY:

### a) 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<sup>1</sup> identifies major scenic ridges and waterways within the County. The project site is not in the vicinity of any scenic ridges or waterways. The site is located approximately 0.74 miles to the north of Highland Road, which is designated as a scenic route on Figure 5-4 (Scenic Routes) of the General Plan Transportation and Circulation Element; however, due to the topography of the surrounding area as well as presence of existing structures and mature foliage, Highland Road is not visible from the site. Thus, the project will have no impact on scenic vistas.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? (No Impact)

<sup>&</sup>lt;sup>1</sup> Although, the Contra Costa County Board of Supervisors adopted the 2045 General Plan on November 5, 2024, the CDLP23-02056 Land Use Permit application was deemed complete on June 26, 2024. Therefore, the goals, policies, and standards of the former General Plan 2005-2020 apply to the application.

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

Figure 5-4 (Scenic Routes) of the General Plan Transportation and Circulation Element identifies both State Scenic Highways and County designated Scenic Routes. The project site is not adjacent to any State Scenic Highway or County designated Scenic Route. In addition, there are no historic buildings, rock outcroppings or trees of significant scenic value located on or adjacent to the project site. Thus, the proposed project would not damage any scenic resources.

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? (Less Than Significant Impact)

The project site is located within a rural (non-urbanized) area of the County that is predominantly characterized by agricultural uses such as cattle grazing, livestock production, and crop farming. The terrain surrounding the project site is hilly and adjacent parcels are largely undeveloped aside from some private residences and agricultural structures located along Johnston Road. The parcel itself has already been developed with a single-family residence and walnut orchard. The project includes the construction of a second single-family residence that would be consistent with the development (single-family homes and agricultural buildings) on surrounding parcels. In addition, new development is limited to the relatively flat portion of the subject property, which would reduce the visual impact of new construction from surrounding parcels. Therefore, the project will have less than a significant effect on the established visual character in the area.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Less Than Significant Impact)

The new single-family residence would introduce more light and glare in the area, which may change the existing character of the area. However, daytime views would be similar to views of other residences located on Johnston Road. Although lighting of the new residence, including yard and exterior house lights, may affect nighttime views, this lighting would be similar to that of existing residences along Johnston Road. Therefore, the impact on day or nighttime views would be less than significant.

### Sources of Information

- Contra Costa County General Plan, 2005-2020. Open Space Element.
- Contra Costa County General Plan, 2005-2020. Transportation and Circulation Element.
- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	-
2	- 10	Environmental Issues	Significant Impact	Mitigation	Less Than Significant Impact	No Impact
2.	<u>AG</u> a)	<b>ERICULTURAL AND FOREST RESOURCE</b> 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?		ne project:		
	b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				
	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)?				
	d)	Result in the loss of forest land or conversion of forest land to non-forest use?				$\boxtimes$
	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?				

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? (Less Than Significant Impact)

As shown on the California Department of Conservation's *Contra Costa County Important Farmland* 2020 map, and the California Important Farmland Finder, the parcel is located within a Unique Farmland area. The proposed project to construct a second single-family residence will convert a portion of the current walnut orchard to a non-agricultural use but would keep the remainder of the area as agricultural. The proposed development is allowed with a land use permit and would be compatible with the agricultural land use district and would not substantially alter the land in a manner that would be detrimental to its capacity to sustain agricultural activities.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (No Impact)

The project site is within an agricultural area that is largely non-urbanized. The project proposes a new second residence which is consistent with uses permitted within the A-20 District. Although the

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

property is zoned for agricultural use, the property is not included in a Williamson Act contract. Therefore, no impact arising from a conflict with existing agricultural uses

The project site is in the A-20 Exclusive Agricultural District and is not under a Williamson Act contract. Also, the proposed project does not create any conflicts with existing zoning, because an additional single-family residence is allowed in the A-20 District with a land use permit.

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)? (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. The project site is located within the A-20 Exclusive Agricultural District and the proposed use of the parcel is permitted within this zoning district with a land use permit. Construction at the subject site would not result in the conversion or loss of forest resources.

d) 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.

*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? (Less Than Significant Impact)

Development of this project would not significantly change the existing environment, which due to its location and nature would result in conversion of a small amount of farmland to non-agricultural use. Historically, the parcel has been used as a walnut orchard. However, as mentioned above, a second single-family residence would be compatible with the agricultural land use district and would not substantially alter the land in a manner that would be detrimental to its capacity to sustain agricultural activities. Therefore, development of the project would result in a less than significant impact on the conversion of farmland to non-agricultural uses.

- California Department of Conservation, Division of Land Resource Protection, 2025. *Contra Costa County Important Farmland 2020.*
- <u>DLRP Important Farmland Finder</u>, 2025. California Department of Conservation, Division of Land Resource Protection.
- Contra Costa County Code, Title 8. Zoning Ordinance.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan I Impact	=
3.	AII	Environmental Issues R QUALITY – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<u>.</u>	a)	Conflict with or obstruct implementation of the applicable air quality plan?		$\boxtimes$		
	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?				
	c)	Expose sensitive receptors to substantial pollutant concentrations?		$\boxtimes$		
	d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		$\boxtimes$		

## a) Would the project conflict with or obstruct implementation of the applicable air quality plan? (Less than Significant with Mitigation)

The project site is within the San Francisco Bay Air Basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the 2017 Bay Area Clean Air Plan: Spare the Air, Cool the Climate. The Clean Air Plan serves as the regional Air Quality Plan (AQP) for the Air Basin for attaining National Ambient Air Quality Standards (NAAQS). The United States Environmental Protection Agency (EPA) is responsible for identifying nonattainment and attainment areas for each criteria pollutant within the Air Basin. The EPA has established NAAQS for six of the most common air pollutants—carbon monoxide, lead, ground level ozone, particulate matter, nitrogen dioxide, and sulfur dioxide—known as "criteria pollutants". The Air Basin is designated as nonattainment for State standards for 1-hour and 8-hour ozone, 24-hour respirable particulate matter 10 micrometers or less in diameter ( $PM_{10}$ ), annual  $PM_{10}$ , and annual particulate matter 2.5 micrometers or less in diameter ( $PM_{2.5}$ ).

The primary goals of the AQP are to protect public health and protect the climate. The AQP identifies a wide range of control measures intended to decrease both criteria pollutants and greenhouse gas (GHG) emissions. The BAAQMD does not provide a numerical threshold of significance for project-level consistency analysis with the regional AQP. A measure for determining whether the proposed project supports the primary goals of the AQP is if the project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the air quality plans. This measure is determined by comparing project emissions to the significance

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

thresholds identified by the BAAQMD for construction- and operation-related pollutants. These significance thresholds are discussed in Environmental Checklist Section 3.b below. As discussed in Environmental Checklist Section 3.b, if emissions control measures are not implemented, fugitive dust could be significant during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement Mitigation Measure Air Quality 1.

Implementation of the Air Quality 1 and Geology and Soils 1 mitigation measures would reduce the impact of fugitive dust during project construction to a less than significant level.

b) Would the project 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? (Less than Significant with Mitigation)

This cumulative analysis focuses on whether the proposed project would result in cumulatively considerable emissions. The determination of cumulative air quality impacts for construction and operational emissions is based on whether the project would result in regional emissions that exceed the BAAQMD regional thresholds of significance for construction and operations on a project level. The thresholds of significance represent the allowable amount of emissions each project can generate without generating a cumulatively considerable contribution to regional air quality impacts. Therefore, a project that would not exceed the BAAQMD thresholds of significance on the project level also would not be considered to result in a cumulatively considerable contribution to these regional air quality impacts.

The BAAQMD 2024 CEQA Guidelines include screening criteria for purposes of identifying development projects for potentially significant air quality impacts. If a project does not exceed the screening criteria size it is generally expected to result in less than significant impacts relating to criteria air pollutants and precursors, absent exclusionary conditions. The BAAQMD screening criteria for the proposed project are presented in the table below:

TABLE AQ-1: Land Use Screening Criteria						
Land Use Type	Operational Criteria	Construction-Related Screening				
	Pollutant Screening Size	Size				
Single-Family Residential	421 dwelling units	254 dwelling units				

As shown in the table above, the project represents a marginal percentage of the screening threshold. While nature and scale of the project are such that significant air quality impacts are generally not expected based on the BAAQMD screening criteria, the project involves grading during construction which could result in cumulatively significant emissions of fugitive dust.

With respect to the estimated project emissions of fugitive dust ( $PM_{10}$  and  $PM_{2.5}$ ), the BAAQMD does not recommend a numerical threshold for fugitive dust particulate matter emissions. Instead, the

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

BAAQMD bases the determination of significance for fugitive dust on considering the control measures to be implemented. If all appropriate emissions control measures are implemented for a project as recommended by the BAAQMD, then fugitive dust emissions during construction are not considered significant. However, **if emissions control measures are not implemented, fugitive dust could be significant during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact.** Consequently, the applicant is required to implement the following mitigation measures.

*Air Quality 1*: The following Bay Area Air Quality Management District, Basic Best Management Practices for Construction-Related Fugitive Dust Emissions shall be implemented during project construction and shall be included on all construction plans.

- a. All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- g. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- h. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- i. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

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

Implementation of the *Air Quality 1* mitigation measures would reduce the impact of fugitive dust during project construction to a less than significant level.

# c) Would the project expose sensitive receptors to substantial pollutant concentrations? (Less than Significant with Mitigation)

The BAAQMD defines a sensitive receptor as the following: "Facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals, and residential areas." As specified by the BAAQMD, health risk and hazard impacts should be analyzed for sensitive receptors within a 1,000-foot radius of the project site.

Occupancy of the one new single-family residence would not be expected to cause any localized emissions that could expose sensitive receptors to unhealthy long-term air pollutant levels. Construction activities, however, would result in localized emissions of dust and diesel exhaust that could result in temporary impacts at nearby single-family residences. The BAAQMD CEQA Guidelines state that 85% of the inhalation cancer risk from toxic air contaminants (TACs) is from diesel engine emissions.

Construction and grading activities would produce combustion emissions from various sources, including heavy equipment engines, asphalt paving, and motor vehicles used by the construction workers. Dust would be generated during site clearing, grading, and construction activities, with the most dust occurring during grading activities. The amount of dust generated would be highly variable and would be dependent on the size of the area disturbed, amount of activity, soil conditions, and meteorological conditions. Although grading and construction activities would be temporary, such activities would generate construction-related emissions that could have a potentially significant adverse environmental impact during project construction. Consequently, the applicant is required to implement BAAQMD-recommended mitigation measures of Air Quality 1 to reduce construction dust impacts. In addition, the applicant is required to implement BAAQMD construction is required to implement Practices in Air Quality 2 to reduce construction-related exhaust emissions.

*Air Quality 2*: The following emissions measures, as recommended by the Bay Area Air Quality Management District, shall be included on the construction drawings for the proposed project and implemented during construction:

a. Idling times shall be minimized either by shutting equipment off when not in use of reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.

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

- b. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- c. The applicant shall require construction contractors to reduce construction related fugitive VOC emissions by ensuring that low-VOC coatings having a VOC content of 50 grams per liter or less are used during the coating of the buildings interiors and exterior surfaces.
- d. All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall utilize diesel engines that are USEPA certified "Tier 4 final" emission standards for particulate matter and be equipped with CARB-certified Level 3 Diesel Particulate Filters. Prior to the CDD stamp approval of any construction plans for the issuance of demolition, construction, or grading permits, the construction contractor shall submit the specifications of the equipment to be used during construction to CDD staff.

Implementation of the **Air Quality 1** and **Air Quality 2** mitigation measures would reduce the impact during project construction on sensitive receptors to a less than significant level.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Less than Significant with Mitigation)

As stated in the BAAQMD CEQA Guidelines, odors are generally regarded as an annoyance rather than a health hazard. The ability to detect odors varies considerably among the populations and is subjective. Objectionable odors are typically associated with agricultural or heavy industrial land uses such as refineries, chemical plants, paper mills, landfills, sewage-treatment plants, etc. There is nothing in the project description that would indicate that the proposal would be a source of objectionable odors beyond that which is ordinarily associated with the grading/paving of a secondary residence. However, the BAAQMD recommends operational screening criteria that are based on the distance between receptors and types of sources known to generate odors. For projects within the screening distances, the BAAQMD has the following threshold for project operations: An odor source with five or more confirmed complaints per year averaged over 3 years is considered to have a significant impact on receptors within the screening distance shown in Table AQ-2 below.

Two circumstances have the potential to cause odor impacts:

- 1. A source of odors is proposed to be located near existing or planned sensitive receptors, or
- 2. A sensitive receptor land use is proposed near an existing or planned source of odor.

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

Projects that would site an odor source or a receptor farther than the applicable screening distance, shown in Table AQ-4 below, would not likely result in a significant odor impact.

TABLE AQ-2: Odor Screening Distances					
Land Use/Type of Operation	Project Screening Distance				
Wastewater Treatment Plant	2 miles				
Wastewater Pumping Facilities	1 mile				
Sanitary Landfill	2 miles				
Transfer Station	1 mile				
Composting Facility	1 mile				
Petroleum Refinery	2 miles				
Asphalt Batch Plant	2 miles				
Chemical Manufacturing	2 miles				
Fiberglass Manufacturing	1 mile				
Painting/Coating Operations	1 mile				
Rendering Plant	2 miles				
Coffee Roaster	1 mile				
Food Processing Facility	1 mile				
Confined Animal Facility/Feed Lot/Dairy	1 mile				
Green Waste and Recycling Operations	1 mile				
Metal Smelting Plans	2 miles				
Source: Bay Area Air Quality Management Distric	ct., 2022. CEQA Guidelines.				

## Project Operation

Land uses typically associated with odors include wastewater treatment facilities, waste disposal facilities, agricultural operations, or other operations listed in Table AQ-2. The proposed second residence project is not within the odor screening distances for a sewage treatment plant, refinery, or other odor producing sources. Therefore, there would be no impact regarding odors associated with the location of the proposed project.

## Project Construction

During construction and grading, diesel powered vehicles and equipment used on the site could create localized odors. These odors would be temporary; however, there could be a potentially significant adverse environmental impact during project construction due to the creation of objectionable odors. Consequently, the applicant is required to implement mitigation measures Air Quality 1 and Air Quality 2 above.

Implementation of these mitigation measures would reduce the impact from the creation of objectionable odors to a less than significant level.

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

- <u>attachment-a\_-proposed-final-cap-vol-1-pdf.pdf (baaqmd.gov)</u>, 2025. Spare the Air, Cool the Climate, Final 2017 Clean Air Plan, Bay Area Air Quality Management District.
- <u>CEQA Thresholds and Guidelines Update (baaqmd.gov)</u>, 2025. CEQA Thresholds and Guidelines Update, 2022 CEQA Guidelines, Bay Area Air Quality Management District.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
4.	BIG	OLOGICAL RESOURCES – Would the proje	ct:			
	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?				
	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?				
	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?				
	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?				
	e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				
	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?				

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)

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.

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

According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas map (Figure 8-1) of the General Plan Conservation Element, this area does not have 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. The location of the second single-family residence is within the existing walnut orchard on the project site. The new residence would not alter the use or significantly change any level of activity on site. Construction of the new residence would create approximately 3,400 square feet of new impervious surface area. Due to the limited area of onsite disturbance, it is unlikely that there would be any plant or animal species of concern that would be affected by future construction of a residence..

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)

A tributary of Tassajara Creek is adjacent to the northwest of the project site; however, the area of proposed construction activity on the site would be approximately 550 feet east of the tributary and within the existing walnut orchard. All project activities would be limited to the site, with construction access from Johnston Road east of the site. Given the distance between the tributary and the construction location on the project site, the project would have a less than significant impact 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? (No Impact)

Section 404 of the Clean Water Act uses the Army Corps of Engineers definition of wetlands, which are defined 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." There are no isolated wetlands on the project site. Therefore, no substantial adverse effects on federally protected wetlands are expected.

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)

The project site is bounded to the northwest by a tributary of Tassajara Creek; however most of the site is an existing walnut orchard and the area of proposed construction activity would be within the walnut orchard approximately 550 feet east of the tributary. As discussed in Environmental Checklist

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

Section 4.a, the project site does not support a special-status or unique wildlife population. Therefore, the project would 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.

The walnut orchard on the project site has been in long-term active use, and is regularly maintained as a working orchard. Therefore, it is not likely the orchard would provide nesting and foraging habitat.

*e)* Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (*No Impact*)

The Contra Costa County Tree Protection and Preservation Ordinance (Chapter 816-6 of the County Ordinance Code) provides for the protection of certain trees by regulating tree removal while allowing for reasonable development of private property. The project site contains a walnut orchard which will remain after the construction of the proposed new residence. This orchard qualifies under County Code Section 816-5.1002(4), Permit Exceptions, whereby a tree permit is not required for tree removal or alteration within the orchard. Therefore, the proposed project would not be in conflict with the Ordinance.

*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? (No 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). The plan 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 East Contra Costa County. The plan lists Covered activities that fall into three distinct categories: (1) all activities and projects that occur inside the HCP/NCCP preserves; and (3) specific projects and activities outside the UDA. As the project does not fall into any of these categories, the project is not covered by, or in conflict with the adopted HCP/NCCP.

- Contra Costa County General Plan, 2005-2020. Conservation Element.
- California Department of Fish and Wildlife, 2025. Public Access Lands Map. October 17, 2024.
- <u>East Contra Costa County Habitat Conservancy, CA | Official Website (cocohcp.org)</u>, 2025. *East Contra Costa County Habitat Conservancy*.

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

• SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.

5.	CU	Environmental Issues LTURAL RESOURCES – Would the project:	Significant	Less Than Significant With Mitigation	Significant	No Impact
		Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			$\boxtimes$	
	b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to \$15064.5?		$\boxtimes$		
	c)	Disturb any human remains, including those interred outside of formal cemeteries?		$\boxtimes$		

#### 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? (Less Than Significant Impact)

Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as a resource that fits any of the following definitions:

- Is listed in the California Register of Historic Places and has been determined to be eligible for listing by the State Historic Resources Commission;
- Is included in a local register of historic resources, and identified as significant in a historical resource survey that has been or will be included in the State Historic Resources Inventory; or
- Has been determined to be historically or culturally significant by a lead agency.

The project site has an existing 4,325-square-foot single-family residence with garage constructed in the 1990; and solar equipment. Neither the residence nor the site are on the Contra Costa County Historic Resources Inventory or in the California Register of Historic Places. Thus, construction of a second single-family residence site would not affect any known historical or culturally significant resource.

	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No
	olginneant	Milligation	orginiteant	
Environmental Issues	Impact	Incorporated	Impact	Impact

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? (Less than Significant with Mitigation)

The archaeological sensitivity map (Figure 9-2) of the County's General Plan Open Space Element identifies this area as having medium sensitivity in terms of potential for significant archeological resources. The project will involve minor grading to construct a second residence and therefore will require ground disturbing activities. Although the area of construction activity has been in long-term active .agricultural use, construction could result in **a possibility that buried archaeological resources could be present and accidental discovery could occur during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact on archaeological resources. Consequently, the applicant is required to implement the following mitigation measures.** 

*Cultural Resources 1*: The following Mitigation Measures shall be implemented during project construction.

- a. A program of onsite education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
- b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

Implementation of these mitigation measures would reduce the impact on archeological resources during project construction to a less than significant level.

*c)* Would the project disturb any human remains, including those interred outside of formal cemeteries? (*Less than Significant with Mitigation*)

No human remains or cemeteries are known to exist within or near the project site: however, there is a possibility that human remains could be present, and accidental discovery could occur during project construction. Consequently, **construction activities on the project site could result in a potentially significant impact due to disturbance of human remains.** Thus, the applicant is required to implement the following mitigation measure.

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

*Cultural Resources 2:* Should human remains be uncovered during grading, trenching, or other onsite excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementation of this mitigation measure would reduce the impact on human remains during project construction to a less than significant level.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- Contra Costa County General Plan 2005-2020. Open Space Element.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	=
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
6.	a)	<b>ERGY – Would the project:</b> Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				
		Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			$\boxtimes$	

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 with Mitigation)

The proposed project entails the construction of one new single family residence. During the operation of the new residence, energy would be consumed as part of the use of the residence, which would involve energy consumption for the various household appliances and equipment, along with outdoor lighting. The future residence would be designed and constructed in accordance with the California Buildings Codes, which includes specific requirements for residential construction to reduce the amount of energy required for lighting and heating, as well as to promote energy conservation.

During construction of the residence, there would be energy consumption through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction equipment. Fossil fuels to power construction vehicles and other energy-consuming equipment would be used during grading, paving, and building construction. The types of equipment could include gasoline- and diesel-powered construction and transportation equipment. If the proposed project is approved, the applicant will be required to implement the Department's standard construction restrictions that include, but are not limited to, limiting all construction activities and use of large trucks and heavy equipment to daylight, non-holiday weekday hours. However, during working hours, **inefficient or unnecessary energy use due to operation and idling of vehicles and equipment and operating improperly maintained equipment could result in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement mitigation measures in Air Quality 2 above.** 

Implementation of these mitigation measures would reduce the impact of inefficient or unnecessary consumption of energy to a less than significant level.

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

## b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Less Than Significant Impact)

The State of California has routinely adopted legislation to address climate change and clean energy production that has resulted in efforts to increase the efficiency of vehicles, buildings, and appliances and to provide energy from renewable sources. Locally, the Contra Costa County Board of Supervisors adopted the Contra Costa County Climate Action and Adaptation Plan 2024 Update on November 5, 2024. The 2024 Update includes a number of GHG emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County.

The construction and operation of the new single-family residence would be subject to the measures in the 2024 Update. Thus, the second residence would be consistent with the strategies of the adopted Climate Action and Adaptation Plan 2024 Update, and would not impede any State or local initiatives for increasing renewable energy or efficiency.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- Contra Costa County, Climate Action and Adaptation Plan 2024 Update. 2024.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
7.	GE	EOLOGY AND SOILS – Would the project:			-	•
	a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
		<ul> <li>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? Refer to Division of Mines and Geology Special Publication 42.</li> </ul>				
		ii) Strong seismic ground shaking?	Π		$\square$	Π
		iii) Seismic-related ground failure, including liquefaction?				
		iv) Landslides?				$\boxtimes$
	b)	Result in substantial soil erosion or the loss of topsoil?			$\boxtimes$	
	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?				
	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?				
	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?				
	f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:

	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No
	Significant	witigation	Significant	INO
Environmental Issues	Impact	Incorporated	Impact	Impact

*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? (Less Than Significant Impact)

The California Geological Survey (CGS) has delineated Alquist-Priolo Earthquake Fault Zones along the known active faults in California. The nearest fault considered active by CGS is the Marsh Creek Fault, which is mapped approximately three miles east of the project site. Given that the site is not within an official Earthquake Fault Zone, the risk of fault rupture is generally regarded as very low. Thus, the risk of fault rupture can be considered to be less than significant.

#### *ii)* Strong seismic ground shaking? (Less Than Significant Impact)

The U.S. Geological Survey (2016) indicates that there is a 72 percent chance of at least one magnitude 6.7 or greater earthquake striking the San Francisco Bay region between 2014 and 2043. Thus, the General Plan Safety Element identifies areas that are more or less susceptible to seismic damage as shown in Figure 10-4, Estimated Seismic Ground Response. According to Figure 10-4, the project site is located in an area of Hard Bedrock which is noted to have a lowest damage susceptibility. The risk of structural damage from ground shaking is regulated by the Building Code and the County Grading Ordinance. The Building Code requires use of seismic parameters which allow the structural engineer to design buildings to be 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. Thus, the environmental impact from seismic ground shaking would be considered to be less than significant.

#### *iii)* Seismic-related ground failure, including liquefaction? (Less Than Significant Impact)

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 low" category. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. The construction of the new residence is subject to the building code regulations, therefore the environmental impact from seismic-related ground failure, including liquefaction, would be expected to be less than significant.

#### iv) Landslides? (No Impact)

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

In 1975 the U.S. Geological Survey (USGS) issued photointerpretive maps of Contra Costa County showing the distribution of landslide and other surficial deposits. The USGS mapping is presented on Figure 10-6 (Geologic (Landslide) Hazards) of the General Plan Safety Element. According to this map, which was prepared by an experienced USGS geologist, landsliding is not a potential hazard for this site.

b) Would the project result in substantial soil erosion or the loss of topsoil? (Less Than Significant Impact)

According to the US Web Soil Survey, the soil series that occur on the project site is primarily Conejo Clay loam (2 to 5 percent slopes), and clay substratum (0 to 2 percent slopes). The Conejo Clay series is described as consisting of very deep, well-drained, and forms in alluvium from basic igneous or sedimentary rocks. The hazard of erosion of Conejo clay loam is none to slight where soil is tilled and exposed. As a result, there would be a less than significant adverse environmental impact related to substantial soil 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 discussed in Environmental Checklist Sections 7.a.iii and 7.a.iv above, the project site is not within a liquefaction or a landslide area. Thus, the risk of unstable soil would 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 with Mitigation)

As discussed in Environmental Checklist Section 7.b, the soil series mapped on the site is Conejo clay loam. With regard to its engineering properties, the underlying clayey soil is moderately expansive and moderately corrosive. The expansion and contraction of soils could cause cracking, tilting, and eventual collapse of structures. The risks of damage associated with these adverse engineering properties of the soils can be avoided or minimized by proper site preparation work, in combination with foundation and drainage design that is sensitive to the prevailing soils conditions.

The geotechnical study prepared for the existing single-family residence on the project site (*Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California.* Henry Justiniano & Associates, July 25, 1989) confirmed the expansion potential of the soil. The geotechnical study included recommendations for grading, foundation design, drainage, utility trenches, and pavements. Subsequently a geotechnical update report (*Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California.* Henry Justiniano & Associates, May 30, 2023) was prepared for the proposed second single-family residence. Recommendations in

		Less Than Significant		
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	Significant	Mitigation	Significant	No
Environmental Issues	Impact	Incorporated	Impact	Impact

the geotechnical update include applying the construction recommendations of the 1989 geotechnical study with revised recommendations for slab-on-grade design.

Thus, there is a potentially significant impact due to expansive soil for the second single-family residence if the recommendations of the geotechnical study and geotechnical update report are not implemented. Consequently, the project sponsor is required to implement the following mitigation measures.

*Geology 1*: The applicant shall incorporate the recommendations of the geotechnical study (*Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California.* Henry Justiniano & Associates, July 25, 1989) as modified by the geotechnical update report (*Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California.* Henry Justiniano & Associates, May 30, 2023) in the construction documents submitted for the grading and building permit applications for the second single-family residence.

Implementation of this mitigation measure would reduce the impacts of expansive soils to less than significant levels.

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 with Mitigation)

The project site is currently not served by a municipal sewer system but has well water and a septic system that is permitted by the Contra Costa Health Services Department, Environmental Health Division. Any future work and increase of use will have to be approved by the Environmental Health Division.

As described in Environmental Checklist Section 7.b above, the soil series that occurs on the project site are the Conejo Clay loam (2 to 5 percent slopes), and clay substratum (0 to 2 percent slopes). The permeability of these soils is moderately slow. Based on the soil properties, the Soil Survey of Contra Costa County concludes that these soils have severe limitation for use as a filter field for septic system. Thus, there would be a potentially significant impact on septic systems due to soil conditions on the project site. Consequently, The applicant is required to implement the following mitigation measure.

**Geology 2**: The applicant shall be responsible for documenting the adequacy of the existing leach field or identify a potential leach field site of adequate size that complies with regulations administered by the Environmental Health Division of the County Health Services Department. If a suitable site is not identified on the site, the project sponsor will need to request that the Environment Health Division consider a specialized design.

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Environmental Issues	Impact	Incorporated	Impact	Impact

Implementation of this mitigation measure would reduce the impact of soil conditions on septic systems to a less than significant level.

*f)* Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Less than Significant with Mitigation)

Although there are no known unique paleontological resources or geologic features on the project site, there is a possibility that buried fossils and other paleontological resources or hidden geologic features could be present and accidental discovery could occur during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact on paleontological resources. Consequently, the applicant is required to implement the Cultural Resources 1 mitigation measures.

Implementation of these mitigation measures would reduce the impact on archeological resources during project construction to a less than significant level.

- Contra Costa County General Plan, 2005-2020. Safety Element.
- United States Department of Agriculture, Soil Conservation Service, 1977. Soil Survey of Contra Costa County, California.
- <u>Web Soil Survey Home (usda.gov)</u>, 2025. USDA Web Soil Survey.
- Henry Justiniano & Associates, Geotechnical Engineering, May 30, 2023. *Geotechnical Update Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California.*
- Henry Justiniano & Associates, Geotechnical Engineering, July 25, 1989. *Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California.*

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	
0	Environmental Issues	Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
8.	a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			$\boxtimes$	
	b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				

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.

Construction and operation of the second single-family residence on the project site will generate some GHG emissions; however, the amount generated would not result in a significant adverse environmental impact. The 2022 BAAQMD CEQA Guidelines state that for a project to have a less-than-significant impact related to operational GHG emissions, it must include, at a minimum, no natural gas appliances or natural gas plumbing in the residences, and no wasteful, inefficient, or unnecessary energy use. As discussed in Environmental Checklist Section 6 above, the new single-family residence would be operated and constructed in accordance with the California Buildings Codes, which includes specific requirements for residential construction to reduce the amount of energy required for lighting and heating, as well as to promote energy conservation. As a result, the project would result in the generation of less than significant amounts of GHG emissions.

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

At a regional scale, the BAAQMD adopted the Bay Area 2017 Clean Air Plan that addresses GHG emissions as well as various criteria air pollutants. The BAAQMD Plan included a number of pollutant reduction strategies for the San Francisco Bay air basin. Within Contra Costa County, the Contra Costa County Board of Supervisors adopted the Contra Costa County Climate Action and

		Less Than Significant		
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	Significant	Mitigation	Significant	No
Environmental Issues	Impact	Incorporated	Impact	Impact

Adaptation Plan 2024 Update on November 5, 2024, which includes a number of GHG emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County. All building/grading activities associated with the project are subject to compliance with these measures. Thus, the proposed project would generate some GHG emissions, but not at levels that would result in a conflict with any policy, plan, or regulation adopted for the purpose of reducing GHG emissions.

- <u>attachment-a\_proposed-final-cap-vol-1-pdf.pdf (baaqmd.gov)</u>, 2025. Spare the Air, Cool the Climate, Final 2017 Clean Air Plan, Bay Area Air Quality Management District.
- <u>CEQA Thresholds and Guidelines Update (baaqmd.gov)</u>, 2025. CEQA Thresholds and Guidelines Update, 2022 CEQA Guidelines, Bay Area Air Quality Management District.
- Contra Costa County, Climate Action and Adaptation Plan 2024 Update. 2024.

		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	
		Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
9.	HA	ZARDS 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?				
	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?			$\boxtimes$	
	c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
	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?				
	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?				
	f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				
	g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				

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)

There would be associated use of fuels and lubricants, and other construction materials during the construction period for the second single-family residence. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA)

		Less Than Significant		
	Potentially	With	Less Than	
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Environmental Issues	Impact	Incorporated	Impact	Impact

requirements. With compliance with existing regulations, the project would have a less than significant impact from construction.

Operation of the new residence would involve the routine transport, use, and disposal of hazardous materials in very small quantities as they relate to household use. Contra Costa County regulates household hazard disposal, and the home's occupants would be responsible for proper handling and disposal of household materials. For example, household hazardous substances can be dropped off for free at the Central Contra Costa Sanitary District Household Hazardous Waste Collection Facility, located approximately 18.7 miles north of the project site at 4797 Imhoff Place in Martinez. Because any hazardous materials used for household operations would be in small quantities, long-term impacts associated with handling, storing, and dispensing of hazardous materials from project operation would be less than significant.

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)

The proposed project to construct a second residence on the project site would not involve handling, use, or storage of substances that are acutely hazardous. The site has historically been in agricultural use with an existing single-family residence located within the walnut orchard south of the proposed location of the second residence. Thus, substantial concentrations of asbestos-containing materials, lead-based paint, or other hazardous materials would not be present on the site, and the risk of release of hazardous materials into the environment would be less than significant.

*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? (*No Impact*)

There are no schools within 0.25 mile of the project site. The closest schools are more than two miles from the site, including Creekside Elementary School at 6011 Massara Street approximately 2.28 miles to the west, and Tassajara Hills Elementary at 4675 Camino Tassajara approximately 2.25 miles to the west-northwest. Due to the distance between the project site and the schools, the proposed project would not have an impact on the schools related to hazardous substances.

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 property is currently in residential and agricultural uses. A review of regulatory databases maintained by County, State, and federal agencies found no documentation of hazardous materials violations or discharge on the project site. The project site is not listed on the State of California Hazardous Waste and Substance Sites (Cortese) List. that is maintained pursuant to California Government Code section 65962.5. The nearest site that has been investigated by the California

		Less Than Significant		
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	Significant	Mitigation	Significant	No
Environmental Issues	Impact	Incorporated	Impact	Impact

Department of Toxic Substances Control (DTSC) is the Creekside Elementary School site. The school site was determined not to have any potential hazards and the DTSC issued a No Action determination on December 11, 2007. Thus, there would be no impact.

*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 project is not located within two miles of an airport. The nearest public use airport is the Byron Airport, located 11.71 miles to the east-northeast. The airport influence area is delineated in the Contra Costa County Airport Land Use Compatibility Plan. The site is not within the Byron Airport influence area. Thus, 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 second residence would access the property from a new driveway intersection with Johnston Road, which would be independent of the existing driveway for the existing residence. The driveway would access the publicly-maintained section of Johnston Road until it reaches Camino Tassajara approximately 1.4 miles to the west. Camino Tassajara is a designated County arterial as shown on Figure 5-2 (Roadway Network Plan) of the General Plan Transportation and Circulation Element that would be used in the event of an emergency requiring evacuation of the local neighborhood. If the project is approved, the Public Works Department will require a Code-compliant curb and driveway to Johnston Road. Therefore, the proposed project would have a less than significant impact on emergency response and emergency evacuation plans.

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 and vicinity are in a high fire hazard severity zone in a state responsibility area. Consequently, the new single-family residence would be required to conform to the provisions of the California Building Code and California Fire Code related to construction in wildland urban interface fire areas. The second residence would be required to conform to California Building Code Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure), California Fire Code Chapter 49 (Requirements for Wildland-Urban Interface Fire Areas), and Title 24 of the California Code of Regulations (California Building Standards). Construction drawings for the building permit would be required to receive approval from the San Ramon Valley Fire Protection District. As a result, fire-related risks for the new residence would be less than significant.

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

- <u>EnviroStor (ca.gov)</u>, 2025. California Department of Toxic Substances Control, 2025. Hazardous Waste and Substances List (Cortese).
- Contra Costa County, 2000. Contra Costa County Airport Land Use Compatibility Plan.
- Contra Costa County Public Works Department, June 25, 2024. Land Use Permit LP23-2056 Staff Report & Recommended Conditions of Approval.
- <u>FHSZ\_Contra\_Costa\_County\_SRA\_11x17\_09292023.pdf</u> | Powered by Box, 2025. Office of the State Fire Marshal, State Responsibility Area Fire Hazard Severity Zone Maps, Contra Costa County, updated March 27, 2024.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
10. HY	DROLOGY AND WATER QUALITY – Wou	ld the projec	et:		
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				
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:				
	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?			$\boxtimes$	
	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?				
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				

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 proposed project must comply with applicable Contra Costa County C.3 requirements. Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, and 16 incorporated cities in the county have formed the Contra Costa Clean Water Program. In October

		Less Than Significant		
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	Significant	Mitigation	Significant	No
Environmental Issues	Impact	Incorporated	Impact	Impact

2009, the Regional Water Quality Control Board for the San Francisco Bay Region (RWQCB) adopted the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit for the Program, which regulates discharges from municipal storm drains. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control storm water runoff. The County has the authority to enforce compliance with its Municipal Regional Permit authority in its adopted C.3 requirements. The C.3 requirements stipulate that projects that create or replace 2,500 square feet or more of impervious surface must incorporate specific measures to reduce runoff, such as dispersion of runoff to vegetated areas, use of pervious pavement, installation of cisterns, and installation of bioretention facilities or planter boxes. If 10,000 square feet of impervious surface is created, the project sponsor will need to prepare a storm water control plan. The proposed project would add approximately 3,400 square feet of impervious surface. Therefore, the Public Works Department states that a stormwater control plan is not required for the project. The Public Works Department has reviewed the project plans minor subdivision plans and is requiring all storm drainage facilities to be incompliance with the Couty Ordinance Code and Public Works design standards. With compliance of the project with these requirements, the project would have a less than significant impact on water quality..

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 16.87-acre project site is currently served by a well at a central location on the property. . At the time of application for a building permit for the second single-family residence, the applicant will be required to submit water supply plans to the Department of Environmental Health, Environmental Health Division. The Division would review the plans with respect to applicable well standards, including setbacks, sustained yield, water quality, and construction. .Thus, the project is not expected to significantly impact groundwater resources in the area.

- c) Would the project substantially alter the existing drainage pattern of the 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? (Less Than Significant Impact)

The applicant proposes to maintain the existing drainage pattern on the project site, whereby runoff flows west towards the tributary of Tassajara Creek. The applicant has requested an exception to the collect and convey requirements of Division 914 of the County Ordinance Code. Public Works staff have reviewed the exception request and states that it is not opposed to the granting of the exception, and thereby finds that continuing the existing drainage pattern would not be detrimental to the public welfare or injurious to other property owners. With the granting of the exception and given the relatively low-density of the area, the addition of a new

		Less Than Significant		
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	Significant	Mitigation	Significant	No
Environmental Issues	Impact	Incorporated	Impact	Impact

residence would not have a significant impact on the existing drainage pattern, and therefore, would not result in a 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? (Less Than Significant Impact)

As discussed above in Environmental Checklist Section 10.c.i, storm runoff would follow the existing patterns of the site with the granting of the exception. Public Works staff has indicated that the current patterns of drainage to a natural adequate watercourse would suffice and would not result in a substantial increase that would create flooding. Therefore, there would be a less than significant impact on the existing drainage system and would not result in on or off-site flooding.

*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?* (Less Than Significant Impact)

As mentioned above, Public Works staff has reviewed the conditions of the site and indicated that the proposed home site is in a low-density part of Johnston Road, and the existing drainage pattern on the project site will be adequate for the new residence. Therefore, the proposed project would not have significant impacts on the operation of existing and planned stormwater drainage systems..

*iv)* Impede or redirect flood flows? (No Impact)

The project site is not within a 100-year flood hazard area. The project site is located FEMA (Federal Emergency Management Agency) Flood Map 06013C0500F. As shown on the FEMA Flood Map, land in the project vicinity is classified as being in Zone X, which is considered to be an area of minimal flood hazard. Thus, the proposed project would have a less than significant impact on flood flows.

*d)* In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? (*No Impact*)

As discussed in Environmental Checklist Section 10.c.iv above, the project site is not within a 100year flood hazard area. The project site is also not in an area that would be susceptible to inundation by seiche or tsunami. The California Geological Survey (2009) has projected and mapped the tsunami hazard posed by a tidal wave that passes through the Golden Gate and into San Francisco Bay, San Pablo Bay and Carquinez Strait. As mapped, the tsunami hazard in Contra Costa County is limited to the lowland areas immediately adjacent to these waterways. A seiche is a water wave in a standing body of water such as a large lake or reservoir that is caused by an earthquake, a major landslide, or

		Less Than Significant		
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Environmental Issues	Impact	Incorporated	Impact	Impact

strong winds. This hazard does not exist within the project vicinity as there are no large lakes or reservoirs in the area.

*e)* Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less Than Significant Impact)

As discussed in Environmental Checklist Section 10.a above, the applicant is not required to prepare a stormwater control plan since it does not exceed the threshold for such requirement. Additionally, Public Works staff has reviewed and has found that the current drainage system is adequate to support a secondary residence. Thus, the proposed project would not conflict with a water quality control plan or groundwater management plan and would have a less than significant impact.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- Contra Costa County Code, Title 10, Division 1014. *Stormwater Management and Discharge Control.*
- Contra Costa County Public Works Department, June 25, 2024. Land Use Permit LP23-2056 Staff Report & Recommended Conditions of Approval.
- FEMA Flood Map Service Center | Search By Address, 2025. FEMA (Federal Emergency Management Agency), Flood Map 06013C0500F, effective 06/16/2009.
- California Emergency Management Agency, 2009. Tsunami Inundation Maps for Emergency Planning: Richmond Quadrangle/San Quentin Quadrangle, Mare Island Quadrangle, Benicia Quadrangle.
- Contra Costa County General Plan, 2005-2020. Safety Element.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan Impact	
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
11. LA	ND USE AND PLANNING – Would the proj	ect:			
a)	Physically divide an established community?				$\boxtimes$
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?				

a) Would the project physically divide an established community? (No Impact)

The 16.87-acre project site is located on the north side of Johnston Road in the A-20 Exclusive Agricultural District, wherein an additional single-family residence is allowed with a land use permit. The second residence on the site would be located north of the existing residence within the walnut orchard. As described in Section 9 (Surrounding Land Uses and Setting), other agricultural parcels to the north, west and south include some private residences and agricultural structures. Therefore the property will remain consistent with the uses allowed in the A-20 District after development of the second residence and 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? (*No Impact*)

There are currently no applicable specific area policies for this unincorporated San Ramon Area adopted for the purpose of avoiding or mitigating an environmental effect, nor are there any specific to this land use type. The project involves the establishment an additional single-family residence on a property in the A-20 District, which is allowed with a land use permit. Development of the second residence with the granting of the exception would be in compliance with County Ordinance Code regulations. Also, the removal of walnut trees to accommodate the second residence is exempt from the regulations of the Tree Protection and Preservation Ordinance. Thus, the project would not be in conflict with any land use plan, policy, or regulation.

#### Sources of Information

Contra Costa County General Plan, 2005-2020. Land Use Element.

Contra Costa County Code, Title 8. Zoning Ordinance.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	-
12 M	Environmental Issues NERAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a)					
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?				

*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 General Plan Conservation Element. 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, 2005-2020, Conservation Element.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan I Impact	-	
	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact	
13. NOISE – Would the project:						
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?					
b)	Generation of excessive groundborne vibration or groundborne noise levels?			$\square$		
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?					

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 with Mitigation)

The use of the property would not substantially change with the second single-family residence. Accordingly, activities at the project site are not expected to expose persons to, or generate, noise levels in excess of the Community Noise Exposure Levels shown on Figure 11-6 of the General Plan Noise Element. Parcels previously developed with single-family residences, and other agricultural uses adjoin the project site to the north and east. Figure 11-6 shows that levels of 75 dB or less are normally acceptable and noise levels up to 80 dB are conditionally acceptable in agricultural areas. The types and levels of noise generated from the second residence would be similar to noise levels from existing residential development on the site and in the area.

During project construction, there may be periods of time when there would be loud noise from construction equipment, vehicles, and tools. The maximum projected noise level of construction equipment operating on the project site could be up to 88 dBA at a distance of 50 feet. Although the construction activities would be temporary, the activities could have a potentially significant impact during project construction on adjacent residences. Consequently, the applicant is required to implement the following noise mitigation measures.

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

*Noise 1*: The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.

- a. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
- b. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
- c. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
- d. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal) Birthday of Martin Luther King, Jr. (State and Federal) Washington's Birthday (Federal) Lincoln's Birthday (State) President's Day (State) Cesar Chavez Day (State) Memorial Day (State and Federal) Juneteenth National Independence Holiday (Federal) Independence Day (State and Federal) Labor Day (State and Federal) Columbus Day (Federal) Veterans Day (State and Federal) Thanksgiving Day (State and Federal) Day after Thanksgiving (State)

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

Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (opm.gov)

California Holidays: State Holidays (ca.gov)

e. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

Implementation of these mitigation measures would reduce construction period noise impacts to a less than significant level.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels? (Less Than Significant Impact)

Residential use of the project site would not generate significant ground borne vibration. Also, the project does not include any components (e.g., pile driving) that would generate excessive ground-borne vibration levels during construction activities.

*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)

There is no currently operating private airstrip in the vicinity of the project site. Thus, the proposed project would not expose people to airstrip-related noise.

The nearest public use airport is the Byron Airport, which is located 11.71 miles to the east-northeast of the project site. Accordingly, the project site would not be located within an area where there would be excessive airport-related noise.

- Contra Costa County General Plan, 2005-2020, Noise Element.
- Bolt, Beranek, and Newman, 1971. *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances.* U.S.E.P.A. Office of Noise Abatement and Control, Contract 68-04-0047.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan I Impact	
14 PO	Environmental Issues PULATION AND HOUSING – Would the p	Significant Impact	Less Than Significant With Mitigation	Significant	No Impact
	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)?				
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				

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)

A second single-family residence on the project site would directly increase the San Ramon area population by an estimated three persons, based on the Census 2020 estimate of 2.88 people per household for the 94583 zip code area (San Ramon, California). The Census 2020 estimate for the population in the 94583 zip code area in 2023 is 84,929 persons, and therefore, the impact of adding three persons to the zip code area would be less than significant.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (No Impact)

The project site currently includes one single-family residence and a walnut orchard that will remain with construction of the second single-family residence. Also, there is no evidence of homeless persons residing on the site. Thus, the proposed project would not displace any person or existing housing and would have no housing displacement impact.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- <u>U.S. Census Bureau QuickFacts: United States</u>, 2023. Census 2020, QuickFacts, Contra Costa County, CA.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan I Impact		
	Potentially	Less Than Significant	Less Than		
	Significant	0	Significant		
Environmental Issues	Impact	Mitigation	Impact	No Impact	
<b>15.</b> <i>PUBLIC SERVICES</i> – <i>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:</i>					
a) Fire Protection?			$\square$		
b) Police Protection?					
c) Schools?			$\square$		
d) Parks?				$\square$	
e) Other public facilities?			$\square$		

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 in the project vicinity are provided by the San Ramon Valley Fire Protection District (SRVFPD). Fire protection at the project site would be provided by Fire Station 36 located at 2001 Lusitano Street, approximately 2.9 mile driving distance to the northwest. Prior to construction of the second residence, the construction drawings would be reviewed and approved by the SRVFPD. As a result, potential impacts of the proposed project on fire protection services would be less than significant.

#### b) Police Protection? (Less Than Significant Impact)

Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Office, which provides patrol service to the San Ramon neighborhood. In addition to regular patrol service, backup police protection services would be provided by the Valley Station of the Sheriff's Office, located at 150 Alamo Plaza #C, approximately 14 miles driving distance to the northwest of the project site. The addition of the second residence on the project site would not significantly affect the provision of police services to the neighborhood.

#### c) Schools? (Less Than Significant Impact)

The San Ramon Valley Unified School District (SRVUSD) provides public education services from kindergarten to 12th grade to the San Ramon neighborhood. Students in this neighborhood would

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

attend the Tassajara Hills Elementary School located at 4675 Camino Tassajara, approximately 3 miles driving distance west-northwest of the project site, Diablo Vista Middle School located at 4100 Camino Tassajara, approximately 3.9 miles driving distance to the west, and Dougherty Valley High School located at 10550 Albion Road, approximately 7.8 miles driving distance to the southwest. Tassajara Hills Elementary School has a current enrollment of 447 from kindergarten to 5th grade. Diablo Vista Middle School has a current enrollment of 837 students from 6th to 8th grade. Dougherty Valley High School has a current enrollment of 3,340 students from 9th to 12th grade.

Based on Census 2020 data, 26.9% of the population of the 94583 zip code area would be under 18 years old and 5.1% of the population would be under 5 years old. Therefore, of the projected three persons living in the secondary single-family residence, at most one person would be under 18 years old. Using a conservative estimate of one person attending schools in the San Ramon Valley Unified School District, the project-related increase in enrollment at any school would be less than one percent. Also, the project applicant for the second single-family residence would be required to pay the state-mandated school impact fee for the new dwelling unit. Accordingly, school impacts would be less than significant.

#### d) Parks? (No Impact)

The closest public parks to the project site include the Morgan Territory Regional Preserve 2.93 miles to the northeast (to the Morgan Territory Road Stating Area), Diablo Vista Park 4.49 miles to the west, Rancho San Ramon Community Park 5.27 miles to the southwest, and Mount Diablo State Park 6.93 mile to the east (to the Summit Trailhead). The 5,321-acre Morgan Territory Regional Preserve is maintained by the East Bay Regional Park District and is an undeveloped wilderness area with trail connections into the almost 20,000-acre Mount Diablo State Park. Diablo Vista Park is a 20-acre community park maintained by the Town of Danville. Rancho San Ramon Community Park is a 22.89-acre community park maintained by the City of San Ramon. Given the Census 2020 estimate of 2.88 people per household for the 94583 zip code area, occupancy of the new residence would contribute to a negligible increase in use of the parks. The amount of available park space and the project's small addition to the San Ramon area population would minimize project impacts on recreational facilities. As such, the project would have no impact.

#### e) Other public facilities? (Less Than Significant Impact)

<u>Libraries</u>: The Contra Costa Library operates 26 facilities in Contra Costa County, including the Dougherty Station Library, located at 17017 Bollinger Canyon Road Front Street, approximately 7.1 miles driving distance to the southwest of the project site. Based on the Census 2020 estimate of the occupancy of the second residence, the new residence on the project site would not substantially increase the number of library patrons and would have a less than significant impact on library facilities.

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

<u>Health Facilities</u>: The Contra Costa County Health Services District operates a regional medical center (hospital) and 15 health centers and clinics in the county. There is no public health facility in the Diablo area. The closest public health facilities to the project site are the Concord Public Health Clinic, located at 2355 Stanwell Circle, and the Concord Health Center, located at 3052 Willow Pass Road. Both facilities are approximately 24.1 miles driving distance to the northwest. Based on an average household size of 2.88 people for the 94583 zip code area, development of the second residence would not result in a substantial increase in population and thus would not substantially impact the use of public health facilities. The project would have a less than significant impact.

- <u>Stations & Facilities | San Ramon Valley Fire Protection District</u>, 2025. San Ramon Valley Fire Protection District, Fire Stations.
- <u>Valley Station | Contra Costa Sheriff, CA (cocosheriff.org)</u>, 2025. *Contra Costa County office of the Sheriff, Valley Station*.
- San Ramon Valley Unified School District Home, 2025. San Ramon Valley Unified School District.
- <u>School/District Profile Search Results (CA Dept of Education)</u>, 2025. *California Department of Education*, 2024-2025 Enrollment by Grade, San Ramon Valley Unified School District.
- <u>Diablo Vista Park | Danville, CA</u>, 2025. Town of Danville, Community Parks, Diablo Vista Park.
- <u>Rancho San Ramon Community Park City of San Ramon</u>, 2025. *City of San Ramon, Rancho San Ramon Community Park.*
- <u>Morgan Territory Regional Preserve | East Bay Parks</u>, 2025. *East Bay Regional Park District, Morgan Territory Regional Preserve*.
- <u>Mount Diablo State Park</u>, 2025. *California Department of Parks and Recreation, Mount Diablo State Park.*
- <u>http://ccclib.org/</u>, 2025. *Contra Costa County Library*.
- <u>https://cchealth.org/#Centers</u>, 2025. *Health Centers & Clinics, Contra Costa Health Services*.

Environmental Issues 16. RECREATION	Significant	Less Than Significant With Mitigation	Significant	No Impact
<ul> <li>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?</li> </ul>				$\boxtimes$

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	-
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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?				

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*)

As discussed in Section Environmental Checklist Section 15.d, the closest parks to the project site include the 5,321-acre Morgan Territory Regional Preserve 2.93 miles to the northeast, the 20-acre Diablo Vista Park 4.49 miles to the west, the 22.89-acre Rancho San Ramon Community Park 5.27 miles to the southwest, and the almost 20,000-acre Mount Diablo State Park 6.93 mile to the east (to the Summit Trailhead). The second residence on the project site may incrementally increase use of these parks; however, given the amount of available park space and the project's small addition to local area population, the project would have no impact on the use of existing neighborhood and regional parks.

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**)

The proposed project would not include a recreational facility on the project site. Given the location of the nearby neighborhood and regional parks, the residents of the second residence would likely use these existing parks. The incremental increase in the use of these park facilities would not be expected to result in the need to construct or expand recreational facilities.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- <u>Diablo Vista Park | Danville, CA</u>, 2025. Town of Danville, Community Parks, Diablo Vista Park.
- <u>Rancho San Ramon Community Park City of San Ramon</u>, 2025. *City of San Ramon, Rancho San Ramon Community Park*.
- <u>Morgan Territory Regional Preserve | East Bay Parks</u>, 2025. *East Bay Regional Park District, Morgan Territory Regional Preserve*.

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

• <u>Mount Diablo State Park</u>, 2025. *California Department of Parks and Recreation, Mount Diablo State Park*.

17. TR	Environmental Issues ANSPORTATION – Would the project:	Significant	Less Than Significant With Mitigation	Significant	No Impact
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			$\boxtimes$	
b)	Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?			$\boxtimes$	
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			$\boxtimes$	
d)	Result in inadequate emergency access?			$\square$	

#### 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)

The Contra Costa County Board of Supervisors adopted the Contra Costa County Transportation Analysis Guidelines in June 2020. The Transportation Analysis Guidelines require a transportation impact analysis of any project that is estimated to generate 100 or more new peak-hour trips. Based on the Institute of Transportation Engineers peak period trip generation rate of 0.74 AM peak hour trip and 0.99 PM peak hour trip per dwelling unit for single-family residences, the existing singlefamily residence on the project site generates a total of 2 (1 AM and 1 PM) peak hour trips. The second single-family residence would similarly generate a total of 2 (1 AM and 1 PM) peak hour trips. Accordingly, a project-specific traffic impact analysis is not required. Since the project would yield less than 100 AM or PM peak hour trips, the proposed project would not conflict with circulation along Johnston Road and Camino Tassajara.

There is no transit service, bicycle facilities or pedestrian facilities on Johnston Road. On Camino Tassajara in the vicinity of Johnston Road, there is a Class II bicycle facility, but no transit service or pedestrian facilities. The closest bust stop is at the Camino Tassajara / Charbray Street intersection located 3.2 driving miles to the west. Because of the distance to transit stops and the rural character of Johnston Road and Camino Tassajara in the vicinity of Johnston Road, significant demand for transit service is not expected, and the proposed project would not impede any existing transit service.

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

Due to the rural character of this area, pedestrian activity along any roadway is largely non-existent. The location and characteristics of the project site make it unlikely that anyone would travel by foot. Thus, the absence of pedestrian facilities would not constitute a significant impact.

With respect to bicycle facilities, there are no plans to add any bicycle facility to Johnston Road. As discussed in Environmental Checklist Section 17.a, the second single-family residence on the project site would generate a total of 2 (1 AM and 1 PM) peak hour trips. This increase in traffic would have a less than significant effect on the bicycle facility along Camino Tassajara.

# *b)* Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?(Less Than Significant Impact)

The June 2020 Contra Costa County Transportation Analysis Guidelines include the following screening criteria. If a proposed project meets the screening criteria, the project would be expected to have a less than significant impact and would not require VMT (Vehicle Miles Traveled) analysis.

- i. Projects that:
  - a. Generate or attract fewer than 110 daily vehicle trips; or,
  - b. Projects of 10,000 square feet or less of non-residential space or 20 residential units or less, or otherwise generating less than 836 VMT per day.
- ii. Residential, retail, office projects, or mixed-use projects proposed within <sup>1</sup>/<sub>2</sub> mile of an existing major transit stop or an existing stop along a high-quality transit corridor.
- iii. Residential projects (home-based VMT) at 15% or below the baseline County-wide homebased average VMT per capita, or employment projects (employee VMT) at 15% or below the baseline Bay Area average commute VMT per employee in areas with low VMT that incorporate similar VMT reducing features (i.e., density, mix of uses, transit accessibility).
- iv. Public facilities (e.g. emergency services, passive parks (low-intensity recreation, open space), libraries, community centers, public utilities) and government buildings.

Based on the Institute of Transportation Engineers daily trip generation rate of 9.44 daily trips per dwelling unit for single-family residences, the existing single-family residence on the project site generates a total of 9 daily trips. Thus, the current use of the project site is below the thresholds of 110 daily vehicle trips and 20 residential units. Similarly, the second single-family residence would generate a total of 9 daily trips. Thus, with the second residence, use of the site will remain below the thresholds. Therefore, a VMT analysis is not required. Accordingly, the proposed project would have a less than significant transportation impact and would be consistent with CEQA Guidelines Section 15064.3(b).

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

As discussed in Environmental Checklist Section 9.f, the second residence would access the property from a new driveway intersection with Johnston Road, which would be independent of the existing driveway for the existing residence. If the project is approved, the Public Works Department will require a Code-compliant curb and driveway to Johnston Road. Therefore, the proposed project would not increase hazards due to design features and it would have a less than significant impact.

### d) Would the project result in inadequate emergency access? (Less Than Significant Impact)

As described above in Environmental Checklist Section 17.c, access to the second residence would be subject to review and approval by the Public Works Department. Access would also be subject to review and approval by the Building Inspection Division of the Department of Conservation and Development and the San Ramon Valley Fire Protection District. Accordingly, the project would have a less than significant impact on emergency access.

- Contra Costa County General Plan, 2005-2020. Growth Management Element.
- Contra Costa County General Plan, 2005-2020. Transportation and Circulation Element.
- Contra Costa County, 2020. Contra Costa County Transportation Analysis Guidelines.
- Institute of Transportation Engineers, 2017. Trip Generation Manual, 10th Edition.
- Contra Costa County Public Works Department, June 25, 2024. Land Use Permit LP23-2056 Staff Report & Recommended Conditions of Approval.
- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact		
<ul> <li>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:</li> </ul>						
<ul> <li>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)?</li> </ul>			$\boxtimes$			

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	-
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<ul> <li>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?</li> </ul>				

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)? (Less Than Significant Impact)

As discussed in Environmental Checklist Section 5.a above, there is an existing residence on the project site, a 4,325-square-foot single-family residence built in the 1990. Neither the residence nor the site are on the Contra Costa County Historic Resources Inventory or in the California Register of Historic Places. Thus, the project would have a less than significant impact on any known historical or culturally significant and visible tribal cultural resources.

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 In applying the criteria set forth in subdivision (c) of Public Resources Code Section 50241, the lead agency shall consider significance of the resource to a California Naïve American tribe? (Less than Significant with Mitigation)

As discussed in Environmental Checklist Sections 5.b and 5.c above, grading and other earthwork associated with construction of the second residence could encounter previously undiscovered archaeological resources and human remains. Damage or destruction of archaeological resources and disturbance of human remains during project construction would be potentially significant impacts. Thus, the applicant is required to implement the mitigation measures of Cultural Resources 1 and Cultural Resources 2.

Regarding paleontological resources, as discussed in Environmental Checklist Section 7.f, there is a possibility that buried fossils and other paleontological resources or hidden geologic features could be present and encountered during grading and other earthwork. **Damage or destruction of** 

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

### paleontological resources during project construction would be a potentially significant impact. Thus, the applicant is required to implement the mitigation measures of Cultural Resources 1

Implementation of these mitigation measures would reduce the adverse environmental impact on archaeological resources, human remains, buried fossils and other paleontological resources, or hidden geologic features to a less than significant level.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- Contra Costa County General Plan 2005-2020. Open Space Element.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	
	Environmental Issues	Potentially Significant Impact		Significant	No Impact
19. UT	ILITIES AND SERVICE SYSTEMS – Would	d the project	t:		
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 telecommunications facilities, the construction of which could cause significant environmental effects?				
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry, and multiple dry years?				$\boxtimes$
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?				
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?				
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				

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? (No 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. Similar to other land uses in the vicinity, the proposed project would use an on-site groundwater wells for potable water and an on-site septic system for wastewater disposal. The wells and septic system would be subject to review and approval by the Environmental Health Division. Environmental Health has reviewed the project proposal and has indicated that the septic system for the project must comply with current standards. Environmental Health's approval will be required prior to the issuance of building permits.

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

The project site includes existing improvements for electric power, natural gas, and other common utilities. The new second single-family residence would connect to existing improvements, and therefore, construction of new or relocated facilities would not be necessary.

The potential impacts of the project on water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities would be less than significant.

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? (**No Impact**)

The project site currently has a fresh water well. The County Environmental Health Department has reviewed the project proposal and has indicated that the water supply well will be subject to review for compliance with current standards for water quality and sustained yield prior to the issuance of permits. The addition of one single-family residence within a walnut orchard on the project site would not significantly deplete groundwater supplies. Thus, the demand for water resources to serve future development on the project site would have a less than significant impact on existing water resources.

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? (No Impact)

The project site is in an agricultural area that is not served by any municipal wastewater system, and therefore, the project would have no effect on wastewater treatment facilities.

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? (*No Impact*)

Construction of the second single-family residence would generate construction solid waste. Construction on the project site would be subject to the California Green Building Standards Code (CalGreen), which requires that at least 65% by weight of job site debris generated by most types of building project types be recycled, reused, or otherwise diverted from landfill disposal. This requirement applies to demolition projects and most new construction, as well as the majority of building additions or alterations. CalGreen is administered in the County through the Construction and Demolition Debris Recovery Program, and verifiable post-project documentation is required to be submitted to demonstrate that at least 65% of the nonhazardous construction and demolition (C&D) debris generated on the job site are salvaged for reuse, recycled or otherwise diverted. The Debris Recovery Program would reduce the construction debris headed to a landfill by diverting materials that can be recycled to appropriate recycling facilities. Nondiverted C&D debris is required to be transported to an approved Construction and Demolition Processing Facility. Accordingly, the environmental impact of construction waste would be less than significant.

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

With respect to residential waste, Contra Costa County contracts with franchise haulers for solid waste, recycling, and organics collection service for about one half of the unincorporated County. The Department of Conservation and Development, Solid Waste and Recycling Section administers four franchise agreements with Allied Waste Systems, Crockett Sanitary Service, Garaventa Enterprises, and Richmond Sanitary Service. Republic Services collects residential waste under the Allied Waste, Crockett Sanitary, and Richmond Sanitary agreements. Mt. Diablo Resource Recovery collects residential waste under the Garaventa Enterprises agreement. In the other half of unincorporated County, collection service is managed by three different sanitary districts, the Kensington Community Services District, the Central Contra Costa Solid Waste Authority (RecycleSmart, a joint powers authority), and the City of San Ramon, where unincorporated areas of San Ramon are served under the city's collection franchise. California Public Resource Code (PRC) Division 30, and Title 14, Natural Resources, of the California Code of Regulations require solid waste facilities to have a 15-year capacity. The capacity of Keller Canyon is approximately 40 years if the maximum daily capacity was brought to the landfill. As is the case with construction debris, a portion of the residential waste is expected to be recycled and would thereby reduce the residential waste headed to a landfill by a franchise hauler. Thus, residential waste from the second single-family residence on the project site would incrementally add to the operational waste handled by a franchise hauler; however, the impact of the project-related residential waste is considered to be less than significant.

*e)* Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (*No Impact*)

The proposed project would be required to comply with applicable federal, state, and local laws related to solid waste. Development of a second single-family residence would not result in the generation of unique types of solid waste that would conflict with existing regulations applicable to solid waste. Thus, the project would have no impact.

- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- <u>https://www.contracosta.ca.gov/4746/CalGreen-Construction-Demolition-Debris</u>,2025. *Contra Costa County, Conservation and Development Department, CalGreen / Construction & Demolition (C&D) Debris Recovery Program.*
- <u>https://www.contracosta.ca.gov/DocumentCenter/View/44986/Approved-CD-Processing-</u> <u>Facilities?bidId</u>, 2025. Contra Costa County, Approved Construction & Demolition (C&D) Processing Facilities.
- <u>https://cccrecycle.org/235/Franchise-Agreements</u>, 2025. *Contra Costa County, Franchise Agreements*.
- <u>https://cocogis.maps.arcgis.com/apps/webappviewer/index.html?id=2c5e6c6b1f7d419eac7005c8</u> <u>4a76de90</u>, 2025. *Contra Costa County, Waste Hauler Area Map.*

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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	Environmental Issues	Potentially Significant Impact		Significant	No Impact
	<b>LDFIRE</b> – If located in or near the state respo hazard severity zones, <b>would the project:</b>	nsibility are	as or lands	classified as	s very high
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?			$\square$	
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?			$\boxtimes$	
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?			$\boxtimes$	

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? (Less Than Significant Impact)

As discussed in Environmental Checklist Section 9.g, the project site and vicinity are in a high fire hazard severity zone in a state responsibility area. Consequently, the new single-family residence would be required to conform to the provisions of the California Building Code and California Fire Code related to construction in wildland urban interface fire areas. The second residence would be required to conform to California Building Code Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure), California Fire Code Chapter 49 (Requirements for Wildland-Urban Interface Fire Areas), and Title 24 of the California Code of Regulations (California Building Standards). Construction drawings for the building permit would be required to receive approval from These requirements would reduce the risk of loss, injury, or death from wildland fires.

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

As discussed in Environmental Checklist Section 15.a, fire protection and emergency medical response services in the project vicinity are provided by the SRVFPD. Fire protection at the project site would be provided by Fire Station 36 located at 2001 Lusitano Street, approximately 2.9 mile driving distance to the northwest. Prior to construction of the second residence, the construction drawings would be reviewed and approved by the SRVFPD. Compliance with SRVFPD requirements would ensure that project impacts in emergency response and evacuation would be less than significant.

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? (Less Than Significant Impact)

The lot is relatively flat and contains numerous trees due to its nature as a walnut orchard; however, construction drawings for the building permit for the existing single-family residence within the walnut orchard was reviewed and approved by the SRVFPD. Similarly, the construction drawings for the second single-family residence would be reviewed and approved by the SRVFPD. Accordingly, based on this SRVFPD review and approval, access to and from the residence would not be substantially encumbered due to a wildfire and persons on the project site would be able to readily evacuate if necessary. Therefore, wildfire risk to the occupants of single-family residences on the project site would be less than significant.

*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? (Less than Significant Impact)

As discussed in Environmental Checklist Section 20.b above, construction plans for the second residence would be reviewed and approved by the SRVFPD, and compliance with all Fire Protection District requirements would ensure that temporary or ongoing impacts to the environment due to wildfires would be less than significant.

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? (Less than Significant Impact)

As discussed in Environmental Checklist Sections 7.a.iv and 7.c, the project is not within a landslide area and the risk of unstable soil would be less than significant. Thus, expose of people or structures to significant risk of fire-related slope instability due to the proposed project would be less than significant.

#### Sources of Information

• <u>FHSZ\_Contra\_Costa\_County\_SRA\_11x17\_09292023.pdf</u> Powered by Box, 2025. Office of the State Fire Marshal, State Responsibility Area Fire Hazard Severity Zone Maps, Contra Costa County, updated March 27, 2024.

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

• <u>Stations & Facilities | San Ramon Valley Fire Protection District</u>, 2025. San Ramon Valley Fire Protection District, Fire Stations.

	Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Thar Significan Impact	
			Less Than Significant		impuor
	Environmental Issues	Significant Impact	With Mitigation	Significant Impact	No Impact
21. MA	NDATORY FINDINGS OF SIGNIFICANC	E			
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?				
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.)				
c)	Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				

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 with Mitigation)

As discussed in Environmental Checklist Sections 3 (Air Quality), 5 (Cultural Resources), 6 (Energy), 7 (Geology and Soils), and 18 (Tribal Cultural Resources), the proposed project would have potentially significant construction impacts on air quality, and due to the accidental discovery of buried archaeological and paleontological resources and human remains. Mitigation measures, including Air Quality 1, Air Quality 2, Cultural Resources 1, and Cultural Resources 2 are proposed that address these potentially significant impacts. If the proposed project is approved, the mitigation measures will be conditions of approval of the proposed project and the applicant will be responsible

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

for implementation of the measures. With implementation of the mitigation measures, project impacts will be less than significant.

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)

There are no improvements proposed that will significantly alter the existing environmental conditions of the site. Nevertheless, the proposed project and construction implications have been analyzed as part of this study and were found to have a less than significant impact on the environment. The incremental impacts of this project are negligible and the risk of cumulatively considerable impacts (when considering past, current or probable future projects) is less than significant given the land use limitations for properties outside of the Urban Limit Line.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (Less than Significant with Mitigation)

This Environmental Checklist has disclosed impacts that would be less than significant with the implementation of mitigation measures. If the project is approved, all identified mitigation measures will be included as conditions of approval for the project, and the applicant will be responsible for implementation of the measures. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

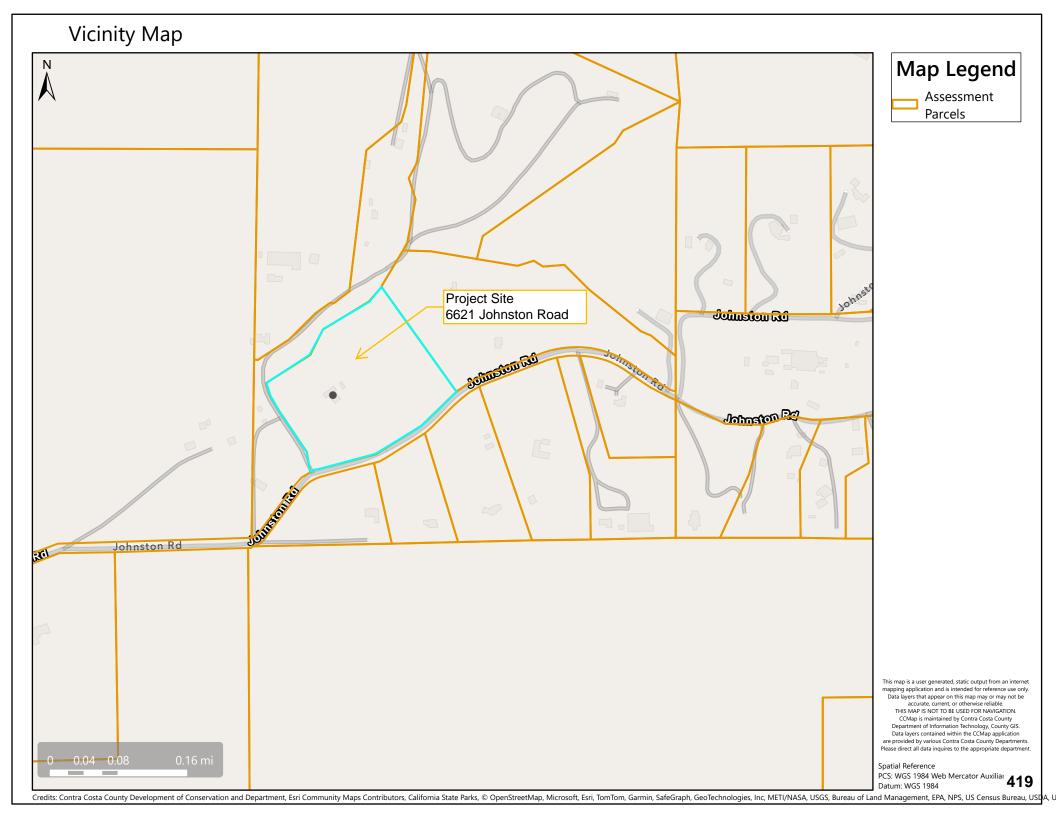
#### REFERENCES

In the process of preparing the Environmental Checklist and conduction of the evaluation, the following references were consulted and are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553

- Bolt, Beranek, and Newman, 1971. Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances. U.S.E.P.A. Office of Noise Abatement and Control, Contract 68-04-0047.
- California Department of Conservation. Contra Costa County Important Farmland Map 2020.
- California Emergency Management Agency, 2009. Tsunami Inundation Maps for Emergency Planning: Richmond Quadrangle/San Quentin Quadrangle, Mare Island Quadrangle, Benicia Quadrangle.
- Contra Costa County Public Works Department, June 25, 2024. Land Use Permit LP23-2056 Staff Report & Recommended Conditions of Approval.
- Henry Justiniano & Associates, Geotechnical Engineering, May 30, 2023. *Geotechnical Update Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California.*
- Henry Justiniano & Associates, Geotechnical Engineering, July 25, 1989. *Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California.*
- SHAER-K Engineering, 2023. New Miramonte Residence, Site Plan, Front Elevation, Details and Notes.
- United States Department of Agriculture, Soil conservation Service, 1977. Soil Survey of Contra Costa County, California

### ATTACHMENTS

- 1. Vicinity Map
- 2. Project Plans





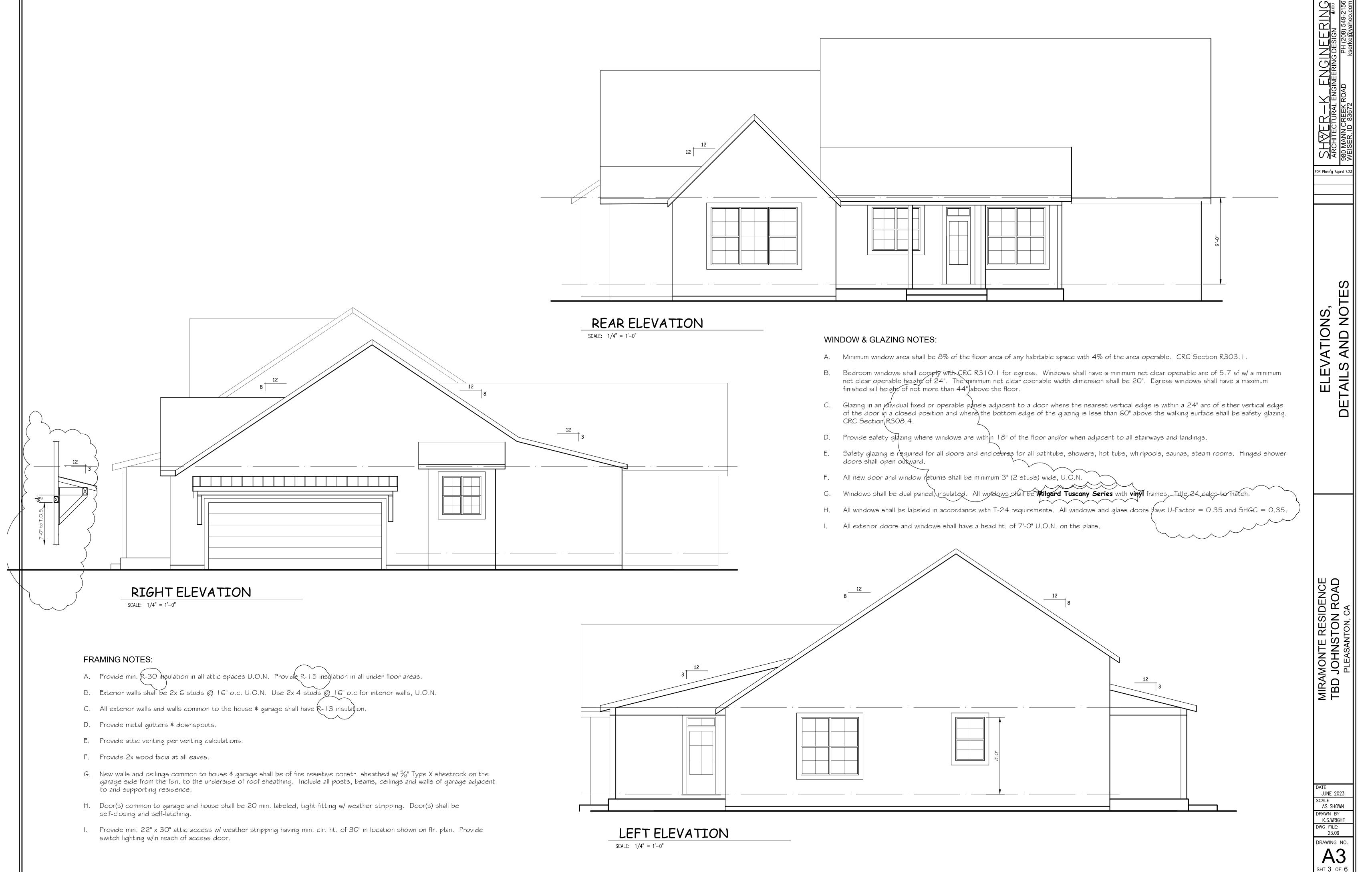
Roof LL	20 /16 psf
Attic LL	10 psf
Floor LL	40 psf
Wind Speed	110 mph
Wind Exposure	С
Site Class	D
Seismic Design Category	D
SDS	1.373
V =	0.196W
Importance Factor	1.0

VATION, S Ш ONT Ř L AN Ш Р SITE

Plann'g Apprvl

MIRAMONTE RESIDENCE TBD JOHNSTON ROAD PLEASANTON, CA

DATE JUNE 2023 SCALE AS SHOWN DRAWN BY K.S.WRIGHT DWG FILE: 23.09 DRAWING NO. A1 SHT 1 OF 6





# Mitigation Monitoring and Reporting Program 6621 Johnston Road Second Residence Land Use Permit

County File Number CDLP23-02056 State Clearinghouse Number SCH 2025041096

> 6621 Johnston Road San Ramon, CA 94528 April 21, 2025

# **SECTION 3: AIR QUALITY**

**Potentially Significant Impacts**: (b) Construction of the new residence could expose sensitive receptors to substantial pollutant concentrations. (c) Construction activities result in localized emissions of dust and diesel exhaust that could result in temporary impacts at nearby single-family residences. (d) Construction of the second residence result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

# Mitigation Measure(s):

**Air Quality 1**: The following Bay Area Air Quality Management District, Basic Best Management Practices for Construction-Related Fugitive Dust Emissions shall be implemented during project construction and shall be included on all construction plans.

- a. All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- g. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

- h. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- i. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

**Air Quality 2**: The following emissions measures, as recommended by the Bay Area Air Quality Management District, shall be included on the construction drawings for the proposed project and implemented during construction.

- a. Idling times shall be minimized either by shutting equipment off when not in use of reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- b. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- c. The applicant shall require construction contractors to reduce construction related fugitive VOC emissions by ensuring that low-VOC coatings having a VOC content of 50 grams per liter or less are used during the coating of the buildings interiors and exterior surfaces.
- d. All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall utilize diesel engines that are USEPA certified "Tier 4 final" emission standards for particulate matter and be equipped with CARB-certified Level 3 Diesel Particulate Filters. Prior to the CDD stamp approval of any construction plans for the issuance of demolition, construction, or grading permits, the construction contractor shall submit the specifications of the equipment to be used during construction to CDD staff.

Implementing Action:	СОА
Timing of Verification:	During project construction of new residence
Party Responsible for Verification:	Project Sponsor and contractor(s), CDD, BID
Compliance Verification:	Field verification by contractor, BID

# **SECTION 5: CULTURAL RESOURCES**

**Potentially Significant Impact**: *(b) Accidental discovery of buried archaeological resources could occur during grading and other earthwork during construction activities.* 

# Mitigation Measure(s):

**Cultural Resources 1:** The following Mitigation Measures shall be implemented during project construction.

- a. A program of on-site education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
- b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

Implementing Action:	COA
Timing of Verification:	Prior to active project construction; field review during construction
Party Responsible for Verification:	Project Sponsor and contractor(s), project archaeologist, CDD, BID
Compliance Verification:	Field verification by contractor, project archaeologist, BID

**Potentially Significant Impact**: *(c) Accidental discovery of human remains could occur during project construction.* 

# Mitigation Measure(s):

**Cultural Resources 2:** Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains.

Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementing Action:	COA
Timing of Verification:	Field review during construction
Party Responsible for Verification:	Project Sponsor and contractor(s), project archaeologist, CDD, BID
Compliance Verification:	Field verification by contractor, project archaeologist, BID

## **SECTION 6: ENERGY**

**Potentially Significant Impacts**: (a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

# Mitigation Measure(s):

**Air Quality 2**: The following emissions measures, as recommended by the Bay Area Air Quality Management District, shall be included on the construction drawings for the proposed project and implemented during construction.

- a. Idling times shall be minimized either by shutting equipment off when not in use of reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- b. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- c. The applicant shall require construction contractors to reduce construction related fugitive VOC emissions by ensuring that low-VOC coatings having a VOC content of 50 grams per liter or less are used during the coating of the buildings interiors and exterior surfaces.
- d. All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall utilize diesel engines that are USEPA certified "Tier 4 final" emission standards for particulate matter and be equipped with CARB-certified Level 3 Diesel Particulate Filters. Prior to the CDD stamp approval of any construction plans for the issuance of demolition, construction, or grading permits, the construction contractor shall submit the specifications of the equipment to be used during construction to CDD staff.

Implementing Action:	COA
Timing of Verification:	During project construction of new residence

Party Responsible for Verification:	Project Sponsor and contractor(s), CDD, BID
Compliance Verification:	Field verification by contractor, BID

# **SECTION 7: GEOLOGY AND SOILS**

**Potentially Significant Impacts**: *(d) Expansive and corrosive soils on Parcel A could affect construction on the site.* 

# Mitigation Measure(s):

**Geology 1:** The applicant shall incorporate the recommendations of the geotechnical study (Geotechnical Study for Single Family Residence, Johnston Road, Contra Costa, California. Henry Justiniano & Associates, July 25, 1989) as modified by the geotechnical update report (Geotechnical Update, Proposed Single Family Residence 6621 Johnston Rd. Pleasanton, California. Henry Justiniano & Associates, May 30, 2023) in the construction documents submitted for the grading and building permit applications for the second single-family residence.

Implementing Action:	СОА
Timing of Verification:	Prior to CDD approval of construction documents; field review during construction
Party Responsible for Verification:	Project Sponsor and contractor(s), project geotechnical engineer, County Peer Review Geologist, CDD, BID
Compliance Verification:	County Peer Review Geologist review of construction documents, CDD review and approval of construction documents, Field verification by contractor, project geotechnical engineer, BID

**Potentially Significant Impacts**: *(e) Soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems could affect the construction of the new residence.* 

## Mitigation Measure(s):

**Geology 2:** The applicant shall be responsible for documenting the adequacy of the existing leach field or identify a potential leach field site of adequate size that complies with regulations administered by the Environmental Health Division of the County Health Services Department. If a suitable site is not identified on the site, the project sponsor will need to request that the Environment Health Division consider a specialized design.

Implementing Action:

COA

Timing of Verification:	Prior to CDD approval of construction documents; field review during construction
Party Responsible for Verification:	Project Sponsor and contractor(s), project geotechnical engineer, CDD, BID
Compliance Verification:	CDD review and approval of construction documents, Field verification by contractor, project geotechnical engineer, BID

**Potentially Significant Impact**: *(f) Grading and other earthwork could directly or indirectly destroy buried fossils or other paleontological resource or hidden geologic feature.* 

Mitigation Measure(s):

**Cultural Resources 1:** The following Mitigation Measures shall be implemented during project construction.

- a. A program of on-site education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
- b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

Implementing Action:	COA
Timing of Verification:	Prior to active project construction; field review during construction
Party Responsible for Verification:	Project Sponsor and contractor(s), project archaeologist, CDD, BID
Compliance Verification:	Field verification by contractor, project archaeologist, BID

# **SECTION 13: NOISE**

**Potentially Significant Impact**: (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.

# Mitigation Measure(s):

**Noise 1:** The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.

- a. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
- b. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
- c. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
- d. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:
  - New Year's Day (State and Federal)
  - Birthday of Martin Luther King, Jr. (State and Federal)
  - Washington's Birthday (Federal)
  - Lincoln's Birthday (State)
  - President's Day (State)
  - Cesar Chavez Day (State)

<ul> <li>Memorial Day (State and Federal)</li> <li>Juneteenth National Independence Holiday (Federal)</li> <li>Independence Day (State and Federal)</li> <li>Labor Day (State and Federal)</li> <li>Columbus Day (Federal)</li> <li>Veterans Day (State and Federal)</li> <li>Thanksgiving Day (State and Federal)</li> <li>Day after Thanksgiving (State)</li> <li>Christmas Day (State and Federal)</li> <li>For specific details on the actual date the State and Federal holidays occ please visit the following websites: <ul> <li>Federal Holidays: Federal Holidays (opm.gov)</li> <li>California Holidays: State Holidays (ca.gov)</li> </ul> </li> <li>e. Large trucks and heavy equipment are subject to the same restrictions thare imposed on construction activities, except that the hours are limited 9:00 AM to 4:00 PM.</li> </ul>					
•	activities, except that the hours are limited to				
Implementing Action:	СОА				
Timing of Verification:	During project construction				
Party Responsible for Verification:	Project Sponsor and contractor(s), CDD, BID				
Compliance Verification:	Field verification by contractor, BID				

#### SECTION 18: TRIBAL CULTURAL RESOURCES

**Potentially Significant Impact**: (b) Damage or destruction of previously undiscovered archaeological resources and human remains, and buried paleontological resources, could occur during grading and other earthwork.

#### Mitigation Measure(s):

**Cultural Resources 1:** The following Mitigation Measures shall be implemented during project construction.

- a. A program of on-site education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
- b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

**Cultural Resources 2:** Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementing Action:	СОА
Timing of Verification:	Prior to active project construction; field review during construction

Party Responsible for Verification:	Project Sponsor and contractor(s), project archaeologist, CDD, BID
Compliance Verification:	Field verification by contractor, project archaeologist, BID



CONTRA COSTA COUNTY

Staff Report

File #: 25-2785	Agenda Date: 7/7/2025	<b>Agenda #:</b> 5a					
Project Title:	Revocation of Legal-Nonconforming Status of Tobac	cco Retailing					
	Use for Smoke Depot in El Sobrante						
County File:	CDSE22-00009						
Applicant: Owner:	Ahmed Dubaih Matthew Pourabedin						
Zoning/General Plan: Planned Unit District (P-1) / Mixed-Use Low Density (MUL)							
Site Address/Location: 3770 San Pablo Dam Road, El Sobrante, CA 94803 APN: 420-140-035							
California Environmental Categorical Exemption, CEQA Guidelines Section 15321, Categorical							
Quality Act (CEQA) Status:	Exemptions, Class 21: Enforcement Actions by Regula	atory Agencies					
Project Planner:	Everett Louie, Planner III (925) 655-2873 and email:						
	Everett.louie@dcd.cccounty.us						
Staff Recommendation:	Revoke legal nonconforming status of tobacco retaili	ing use (See					
	Section II for Full Recommendation)						

#### I. PROJECT SUMMARY

A hearing to consider if cause exists to revoke the legal non-conforming status for a tobacco retailing use located at 3770 San Pablo Dam Road in El Sobrante ("Subject Property"), known as Smoke Depot. In accordance with Section 26-2.2022 of the County Ordinance Code, the causes for revocation are as follows:

- (a) A failure to comply with the terms, limitations and condition of the permit;
- (b) The property is being used or maintained in violation of the zoning code;
- (c) The use for which the permit was granted has been so exercised as to be detrimental to the public health or safety or as to constitute a nuisance; and
- (d) A license required for the conduct of the business on the premises covered by the permit has been suspended or revoked.

Revocation of the legal non-conforming status for tobacco retailing from the Subject Property would require any future tobacco retailing from the Subject Property to comply with the current provisions of the County Tobacco Retailing Businesses Ordinance (Chapter 88-26). Because the subject property is located within 500 feet from three other tobacco retailers (ARCO at 3753 San Pablo dam Road; Food Stop at 3800 San Pablo Dam Road, Suite A; Jay Vee Liquor at 3640 San Pablo Dam Road. [school/park/other tobacco retailer], the Subject Property does not comply with the location requirements of the Tobacco Retailing Businesses Ordinance. As a result, revocation of the legal non-

#### Agenda Date: 7/7/2025

conforming status would prevent Smoke Depot, or any other tobacco retailing business located at 3770 San Pablo Dam Road in El Sobrante, from obtaining zoning approval for a tobacco retailing business in accordance with the Tobacco Retailing Businesses Ordinance, and would preclude the issuance of a tobacco retailers license from the County Health Department.

#### II. <u>RECOMMENDATION</u>

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

- A. OPEN the public hearing on the revocation of the legal non-conforming status for tobacco retailing use at the Subject Property RECEIVE testimony, and CLOSE the public hearing.
- B. REVOKE the legal non-conforming tobacco retailing use established under County File CDSE22-00009, based on the attached Findings.
- C. DETERMINE that the revocation of the legal non-conforming status is categorically exempt from CEQA under Section 15321, of the CEQA Guidelines.
- D. DIRECT staff to file a Notice of Exemption with the County Clerk.

#### III. GENERAL INFORMATION

- A. <u>General Plan</u> The subject property land use designation is Mixed-Use Low Density (MUL) General Plan Land Use designation.
- B. <u>Zoning District</u> The Subject Property is zoned Planned Unit District (P-1).
- C. <u>California Environmental Quality Act (CEQA)</u> The revocation of the legal non-conforming status is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321, Categorical Exemptions, Class 21: Enforcement Actions by Regulatory Agencies, of the State CEQA Guidelines, which applies to actions by regulatory agencies to revoke an entitlement for a use issued by the County. Section 15321 exempts actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administrated by the regulatory agency (County). Here, the County proposes to revoke a land use entitlement in the form of the legal non-conforming status for a tobacco retailing use at the Subject Property.
- D. <u>Prior DCD Files Related to the Property</u>:
  - 1. <u>CDSE22-00009</u>: A determination letter dated January 25, 2023, from Contra Costa County, Department of Conservation and Development determining that the retailing of tobacco

products at the Subject Property is considered a legal nonconforming use under Section 88-26.406 of the County's Tobacco Retailing Business Ordinance (Chapter 88-26). (**Attachment B**.)

2. <u>CDSE24-00006</u>: An El Sobrante Administrative Permit to replace the copy/visual image of an existing roof mounted sign for "Smoke Depot" was approved on July 23, 2024.

#### IV. SITE/ AREA DESCRIPTION

The nonconforming tobacco retailing business is located at 3770 San Pablo Dam Road in the El Sobrante area of Contra Costa County (Subject Property) and is currently being operated under the business name Smoke Depot. The building is single story retail structure located on a 0.71-acre parcel which fronts on San Pablo Dam Road. There are two other buildings located on the Subject Property including a church and restaurant. All the buildings are separated by a parking lot which provides parking for all three uses. The parcel is approximately 102 feet west of the San Pablo Dam and Hillcrest Road intersection. The parcel is located within 500 feet of three other tobacco retailers on San Pablo Dam Road.

#### V. BACKGROUND

Jasmine Gifts and Tobacco operated continuously at the property since 1986. According to a Business Bill of Sale (Purchase Agreement) submitted with County File CDSE22-00009, the Jasmine Gifts & Tobacco business, was sold on May 20, 2022 and renamed Smoke Depot. Tobacco retailer's licenses are nontransferable. (Ordinance Code, Section 445-10.010(c).) Because tobacco retailer's licenses are nontransferable, Smoke Depot was required to apply for and obtain a new valid tobacco retailer's license.

On December 9, 2022, an application was submitted to the Department of Conservation and Development for a proposed tobacco retailing business to be located at the Subject Property. In a determination letter dated January 25, 2023, the County determined that the retailing of tobacco products at the subject property was considered a legal nonconforming use under Chapter 88-26.406 of the County's Tobacco Retailing Business Ordinance (Chapter 88-26). (See **Attachment B** - CDSE22-00009 Determination Letter). The legal nonconforming determination authorized the applicant to apply for a tobacco retailers license from the County Health Department, but a valid tobacco retailer's license was never obtained nor issued.

Nonetheless, Smoke Depot began to sell tobacco and tobacco products from the premises without having obtained a new and valid tobacco retailer's license from the County Health Department. In or around November 2022, the County began receiving complaints from community members alleging illegal activities occurring at Smoke Depot, including the sale of prohibited tobacco products and unlicensed cannabis sales. To verify these complaints, the Contra Costa County Sheriff's Department (Sheriff) conducted an inspection on November 9, 2022 and confirmed that (i) Smoke Depot was selling tobacco products despite not holding a valid County tobacco retailer's license, and (ii) Smoke Depot was selling illegal tobacco and other products. (See **Attachment C** - Sheriff's Inspection Report ). Staff notes that the inspection reports incorrectly state that Smoke Depot had obtained a tobacco retailer's license; but that is incorrect. The County Health Department has confirmed that no valid tobacco retailer's license was ever obtained or issued for Smoke Depot at the Subject Property. See

#### Attachment E.

Between 2023 and 2024, the County Health Department contacted Smoke Depot numerous times advising Smoke Depot on the County's Tobacco Retailing Ordinance and informing Smoke Depot of the need to obtain a new valid tobacco retail license. Smoke Depot applied for a tobacco retail license, but did not discontinue selling prohibited tobacco products while their application was processing. At no point did Smoke Depot receive a new valid tobacco retail license from the County Health Department. As a result of Smoke Depot's illegal tobacco sales, the County Health Department cited Smoke Depot for operating a tobacco retail business without a valid tobacco retail license and for selling prohibited tobacco products and other illegal contraband.

On January 27, 2023, the County Health Department issued an Administrative Penalty Notice of Fine to Smoke Depot for violations including operating without a valid tobacco retailer's license, for selling illegal tobacco products, and inadequate signage required to protect minors. See **Attachment G**. The Notice of Fine became a final administrative order when it was not appealed by Smoke Depot.

On April 24, 2024, the County Health Department issued Smoke Depot a Notice of Suspension Hearing for Smoke Depot's pending tobacco retail license application. (**Attachment D**.) On June 11, 2024, Contra Costa Health Department held the Suspension Hearing. At the Suspension Hearing, Dr. Sefanit Mekuria, the Contra Costa County Medical Director and the Deputy Health Officer, determined that Smoke Depot had been operating without obtaining a new, valid tobacco retailer's license and that illegal tobacco products were being sold from the Subject Property. As a result, the Public Health Director suspended the processing of Smoke Depot's current tobacco retail license application and prohibited all tobacco retailing at the Subject Property. On June 26, 2024, a written Notice of Decision was sent to the Smoke Depot informing them of the decision and appeal instructions. (See **Attachment E**). No appeal was filed within 30 days of the Contra Costa Health Department's decision, and the decision became final. A detailed timeline of the County Health Department's communications with and enforcement actions related to Smoke Depot is attached as **Attachment H**.

#### VI. STAFF ANALYSIS:

When cause can be shown, Chapter 26-2 of the County Ordinance Code allows the Department of Conservation and Development to revoke a land use entitlement, with issuance of written findings, following a public hearing. County Ordinance Code, Section 26-2.2022, provides that a land use entitlement may be revoked based on specific grounds provided in the code. The grounds for revocation along with the required findings are provided below.

<u>Required Finding #1:</u> Failure to comply with any term, limitation or condition of the permit.

<u>Finding #1:</u> County File #CDSE22-00009 determined that the retailing of tobacco products at the Subject Property was considered a legal non-conforming use and established that Smoke Depot would need to abide by County Ordinance Code Section 88-26.406(b), which governs nonconforming tobacco retailing uses. Section 88-26.406(b) requires all nonconforming tobacco retailing uses to maintain a valid tobacco retailer's license and that the nonconforming tobacco retailing use may not be increased, enlarged, or expanded.

First, Smoke Depot failed to obtain a tobacco retailer's license and as such, did not comply with the requirement. Since January 2023, the Health Department has issued multiple notices determining that Smoke Depot was operating without obtaining a new, valid tobacco retailer's license, including a Administrative Penalty Notice of Fine dated January 27, 2023, and a Notice of Decision dated June 26, 2024 following a suspension hearing. (See **Attachment G** - Notice of Fine; see also **Attachment D** - Contra Costa Health Notice of Suspension Hearing, April 24, 2024; see also **Attachment E** - Contra Costa Health Notice Of Decision, June 26, 2024). Failure to obtain and maintain a valid tobacco retailer's license is a failure to comply with the conditions of maintaining a legal non-conforming status for a tobacco retailing use under CDSE22-0009 and Ordinance Code, Section 88-26.406(b).

Second, Smoke Depot actively expanded the tobacco products sold onsite to include prohibited items such as flavored tobacco products, other prohibited Tabacco products, and illegal contraband. Sheriff department citations from November 9, 2022, April 18, 2024, March 7, 2025, and April 29, 2025 (**Attachment C**) and Health Department site inspection records from April 18, 2024 (**Attachment F**) cite the following violations by Smoke Depot related to products sold at the Subject Property:

- a. Selling flavored tobacco products, including menthol cigarettes, in violation of County Ordinance Code, Section 445-6.006.
- b. Selling small pack of cigars in violation of County Ordinance Code, Section 445-6.010.
- c. Selling single cigars in violation of County Ordinance Code, Section 445-6.010.
- d. Selling electronic smoking devices in violation of County Ordinance Code, Section 445-6.014.
- e. Selling drug paraphernalia, including mushrooms and cannabis in violation of County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Sections 11364.5 and 11377.

Each of these violations is in direct violation of CDSE22-0009 and Ordinance Code, Section 88-26.406(b) which prohibits the expansion of the nonconforming tobacco retailing use. Therefore, County Staff recommends the Zoning Administrator revoke the legal non-conforming status for tobacco retailing use at the Subject Property.

<u>Required Finding #2:</u> The property or portion thereof subject to the permit is used or maintained in violation of any requirement of this code.

<u>Finding #2</u>: CDSE22-00009 and County Ordinance Code Section 88-26.406(b) require Smoke Depot to maintain a valid tobacco retailer's license in order to maintain its legal nonconforming status. Evidence submitted by the Health Department (**Attachment D**, **Attachment E**, and **Attachment F**) and Sheriff's Department (**Attachment C**) indicate that Smoke Depot was operating without a valid tobacco retailer's license and conducting the sale of prohibited or illegal tobacco and cannabis products, Thus, Smoke Depot was in direct violation of County Code 88-26.406(b). Additionally, the Health Department and Sheriff cited Smoke Depot on multiple occasions for violations of the County's Secondhand Smoke and Tobacco Product Control Ordinance (Division 445 of the County Ordinance Code). Specifically, Smoke Depot has been cited for the following violations:

- a. Selling flavored tobacco products, including menthol cigarettes, in violation of County Ordinance Code, Section 445-6.006.
- b. Selling small pack of cigars in violation of County Ordinance Code, Section 445-6.010.
- c. Selling single cigars in violation of County Ordinance Code, Section 445-6.010.
- d. Selling electronic smoking devices in violation of County Ordinance Code, Section 445-6.014.
- e. Selling drug paraphernalia, including mushrooms and cannabis in violation of County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Sections 11364.5 and 11377.

Therefore, County Staff recommends the Zoning Administrator revoke the nonconforming tobacco retailing status for Smoke Depot.

<u>Required Finding #3:</u> The use for which the permit was granted has been so exercised as to be detrimental to the public health or safety or as to constitute a nuisance.

<u>Finding #3</u>: Violations of the County Code may be detrimental to public health and safety as the Ordinance Code exists to maintain public health and safety by requiring compliance with relevant regulations. Failure to abide by the Ordinance Code may create unsafe situations or public nuisances for members of the public. Smoke Depot was cited numerous times for violations to County Ordinance Code 445-6 (County's Tobacco Retail Sales Ordinance) for the following:

- Retailing tobacco without a valid tobacco retailer's license Violation of 445-10.010(c) and 88-26.406(b). (See **Attachments D** and **E**).
- Flavored Tobacco Products on display and offered for sale Violation of 445-6.006. (See Attachment F Health Department Site Visit Photos for photo evidence and Attachment C Sheriff's Inspection Report).
- Menthol Cigarettes on display and offered for sale Violation of 445.6.006. (See Attachment F Health Department Site Visit Photos for photo evidence).
- Electronic smoking devices on display and offered for sale violation of 445-6.014. (See Attachment C and Attachment F Health Department Site Visit Photos for photo evidence).

The operation of a tobacco business without a tobacco retailer's license in Contra Costa County directly violates all ordinances put in place to maintain the health and safety of the public and therefore is considered to be detrimental to the public health and safety. Thus, County Staff recommends the Zoning Administrator revoke the nonconforming tobacco retailing use for Smoke Depot.

<u>Required Finding #4:</u> A license required for the conduct of the business on the premises covered by the permit has been suspended or revoked.

<u>Finding #4:</u> In order for a retailer, individual, or entity to conduct tobacco retailing in the unincorporated area of Contra Costa County, the retailer, individual, or entity must first obtain and maintain a valid tobacco retailer's license from Contra Costa County for the location where

tobacco retailing is being conducted. On April 24, 2024, Contra Costa Health issued a Notice of Suspension Hearing for Smoke Depot. (**Attachment D**). The Notice cited multiple violations of the tobacco retailer's license ordinance and informed Smoke Depot that the Public Health Director will hold a License Suspension Hearing on June 11, 2024. At the June 11, 2024, License Suspension Hearing, the Contra Costa County Medical Director and Deputy Health Officer determined that Smoke Depot was operating without a new, valid tobacco retailer's license, in direct violation of the County Ordinance Code, Section 445-10.002. Accordingly, the Public Health Director suspended Smoke Depot's application for a new tobacco retailer's license and ordered the immediate cessation of all retailing of tobacco products at the Subject Property. (**Attachment E**.) Despite the Public Health Director's order, Smoke Depot has continued to sell tobacco products at the Subject Property. (**Attachment C**.) Therefore, County Staff recommends the Zoning Administrator revoke the nonconforming tobacco retailing use for Smoke Depot.

#### A. <u>Violation of Chapter 88-26 - Tobacco Retailing Businesses</u>

Smoke Depot, located at 3770 San Pablo Dam Road in El Sobrante, California, is a tobacco retailing business located within 500 feet of another tobacco retailing business, and within 1,000 feet of a school, park and playground, contrary to the provisions of Sections 88-26.402(a) and (b). However, because Smoke Depot existed under a different name and ownership (Jasmine Gifts & Tobacco), as a lawful tobacco retailing business prior to 2017 when the relevant Ordinance Code chapter became effective, DCD previously determined, under County File CDSE22-00009, that the retailing of tobacco products at the subject property was considered a legal nonconforming use where tobacco retailing of normal tobacco products were sold. Smoke Depot's legal nonconforming status is considered a form of special permit as it allows it to operate at the current location despite its nonconformance with the County Ordinance Code's tobacco retailing business location restrictions.

Nonconforming tobacco retailing use is subject to the County Ordinance Code, Section 88-26.406(b), which requires a nonconforming tobacco retailer to "maintain in full force and effect all applicable permits and licenses, including a County tobacco retailer's license." Smoke Depot violated County Ordinance Code, Section 88-26.406(b) because Smoke Depot was operating the establishment without obtaining a new, valid tobacco retailer's license. Evidence of non-compliance include **Attachment D** (Contra Costa Health Notice of Suspension Hearing) which identified that the Subject Property does not have a valid County tobacco retailer's license. Furthermore, Smoke Depot was also identified as operating without a new, valid County tobacco retailer's license in **Attachment E** (- Contra Costa Health Notice of Decision). Staff included the relevant section from the Notice of Decision below (Box 1.1) which states that Smoke Depot has not maintained in full force and effect a valid tobacco retailer's license.

#### Box 1.1

After considering the testimony and evidence, the Director makes the following factual

findings:

1. The above-named retailer purchased the Smoke Depot, located at 3770 San Pablo

Dam Road, El Sobrante, CA, in or around August 2023 and has been operating

the Smoke Depot without obtaining a new, valid tobacco retailer's license. It is

Smoke Depot also violated County Ordinance Code, Section 88-26.406(b), which states "the nonconforming tobacco retailing use may not be increased, enlarged or expanded." As stated in CDSE22-00009, Smoke Depot was determined to only be allowed to retail tobacco products as defined under 445-2.006(u). However, Smoke Depot increased, enlarged and expanded the tobacco products sold at the business to exceed the definition of "tobacco product" as listed in the County Ordinance Code. In the April 18, 2024, site visit performed by the Health Department, Health Department Staff identified that Smoke Depot had expanded its retail sales to include the following tobacco related items: (Photos can be found in **Attachment F** - Health Department Site Visit Photos 4.18.2024).

- Flavored tobacco products. (not allowed under County Ordinance Code, Section 445-6.006);
- Menthol Cigarettes. (not allowed under County Ordinance Code, Section 445-6.006);
- Electronic smoking devices and e-liquids. (not allowed under County Ordinance Code, Section 445-6.014).

Because Smoke Depot is in direct violation with County Code Section 88-26.406(b) (requiring retailers to maintain a valid County tobacco retailer's license with the Contra Costa County Health Services) and because Smoke Depot has increased, enlarged and expanded the tobacco retailing use including selling flavored tobacco products, menthol cigarettes and electronic tobacco smoking devices, Smoke Depot no longer qualifies as a nonconforming tobacco retailing use.

#### VII. CONCLUSION

Based on the evidence provided in this Staff Report and associated attachments, revocation findings, and evidence discovered during inspections by County Staff, the Department of Conservation and Development Staff recommends that the Zoning Administrator revoke the nonconforming tobacco retailing use located at 3770 San Pablo Dam Road in El Sobrante pursuant to the findings in **Attachment A**. Furthermore, Staff has determined that the use has been exercised as to be detrimental to the public health, safety, and welfare, and the manner of operation is creating a public nuisance.

Attachments:

- Attachment A Revocation Findings
- Attachment B CDSE22-00009 Determination Letter

- Attachment C Sheriff's Inspection Report
- Attachment D Contra Costa Health Notice of Suspension Hearing, April 24, 2024
- Attachment E Contra Costa Health Notice Of Decision, June 26, 2024
- Attachment F Health Department Site Visit Photos 4.18.2024
- Attachment G Administrative Notice Of Fine
- Attachment H County Health Department Timeline

#### FINDINGS FOR REVOCATION FOR COUNTY FILE #CDSE22-00009; AHMED DUBAIH (BUSINESS OWNER) AND MATTHEW POURABEDIN & ROYA IRANPOUR (OWNER)

#### **FINDINGS**

#### A. <u>Revocation Findings:</u>

A permit may be revoked on any of the following grounds:

1. <u>Required Finding</u>: The failure to comply with any term, limitation or condition of the permit;

<u>Project Finding</u>: County File #CDSE22-00009 determined that the retailing of tobacco products at the Subject Property was considered a legal non-conforming use and established that Smoke Depot would need to abide by County Ordinance Code Section 88-26.406(b), which governs nonconforming tobacco retailing uses. Section 88-26.406(b) requires all nonconforming tobacco retailing uses to maintain a valid tobacco retailer's license and that the nonconforming tobacco retailing use may not be increased, enlarged, or expanded.

First, Smoke Depot failed to obtain a tobacco retailer's license and as such, did not comply with the requirement. Since January 2023, the Health Department has issued multiple notices determining that Smoke Depot was operating without obtaining a new, valid tobacco retailer's license, including a Administrative Penalty Notice of Fine dated January 27, 2023, and a Notice of Decision dated June 26, 2024 following a suspension hearing. (See Attachment G – Notice of Fine; see also Attachment D - Contra Costa Health Notice of Suspension Hearing, April 24, 2024; see also Attachment E - Contra Costa Health Notice Of Decision, June 26, 2024). Failure to obtain and maintain a valid tobacco retailer's license is a failure to comply with the conditions of maintaining a legal non-conforming status for a tobacco retailing use under CDSE22-0009 and Ordinance Code, Section 88-26.406(b).

Second, Smoke Depot actively expanded the tobacco products sold onsite to include prohibited items such as flavored tobacco products, other prohibited tabacco products, and illegal contraband. Sheriff department citations from November 9, 2022, April 18, 2024, March 7, 2025, and April 29, 2025 (Attachment C) and Health Department site inspection records from April 18, 2024 (Attachment F) cite the following violations by Smoke Depot related to products sold at the Subject Property:

- a. Selling flavored tobacco products, including menthol cigarettes, in violation of County Ordinance Code, Section 445-6.006.
- b. Selling small pack of cigars in violation of County Ordinance Code, Section 445-6.010.
- c. Selling single cigars in violation of County Ordinance Code, Section 445-6.010.
- d. Selling electronic smoking devices in violation of County Ordinance Code, Section 445-6.014.

e. Selling drug paraphernalia, including mushrooms and cannabis in violation of County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Sections 11364.5 and 11377.

Each of these violations is in direct violation of CDSE22-0009 and Ordinance Code, Section 88-26.406(b) which prohibits the expansion of the nonconforming tobacco retailing use. Therefore, County Staff recommends the Zoning Administrator revoke the legal non-conforming status for tobacco retailing use at the Subject Property.

2. <u>Required Finding</u>: The property or potion thereof subject to the permit is used or maintained in violation of any requirement of this code:

<u>Project Finding</u>: CDSE22-00009 and County Ordinance Code Section 88-26.406(b) require Smoke Depot to maintain a valid tobacco retailer's license in order to maintain its legal non-conforming status. Evidence submitted by the Health Department (Attachment D, Attachment E, and Attachment F) and Sheriff's Department (Attachment C) indicate that Smoke Depot was operating without a valid tobacco retailer's license and conducting the sale of prohibited or illegal tobacco and cannabis products, Thus, Smoke Depot was in direct violation of County Code 88-26.406(b). Additionally, the Health Department and Sheriff cited Smoke Depot on multiple occasions for violations of the County's Secondhand Smoke and Tobacco Product Control Ordinance (Division 445 of the County Ordinance Code). Specifically, Smoke Depot has been cited for the following violations:

- a. Selling flavored tobacco products, including menthol cigarettes, in violation of County Ordinance Code, Section 445-6.006.
- b. Selling small pack of cigars in violation of County Ordinance Code, Section 445-6.010.
- c. Selling single cigars in violation of County Ordinance Code, Section 445-6.010.
- d. Selling electronic smoking devices in violation of County Ordinance Code, Section 445-6.014.
- e. Selling drug paraphernalia, including mushrooms and cannabis in violation of County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Sections 11364.5 and 11377.

*Therefore, County Staff recommends the Zoning Administrator revoke the nonconforming tobacco retailing status for Smoke Depot.* 

3. <u>Required Finding</u>: The use for which the permit was granted has been so exercised as to be detrimental to the public health or safety as to constitute a nuisance;

<u>Project Finding</u>: Violations of the County Code may be detrimental to public health and safety as the Ordinance Code exists to maintain public health and safety by requiring compliance with relevant regulations. Failure to abide by the Ordinance Code may create unsafe situations or public nuisances for members of the public. Smoke Depot was cited

numerous times for violations to County Ordinance Code 445-6 (County's Tobacco Retail Sales Ordinance) for the following:

- Retailing tobacco without a valid tobacco retailer's license Violation of 445-10.010(c) and 88-26.406(b). (See Attachments D and E).
- Flavored Tobacco Products on display and offered for sale Violation of 445-6.006. (See Attachment F – Health Department Site Visit Photos for photo evidence and Attachment C – Sheriff's Inspection Report).
- Menthol Cigarettes on display and offered for sale Violation of 445.6.006. (See Attachment F – Health Department Site Visit Photos for photo evidence).
- Electronic smoking devices on display and offered for sale violation of 445-6.014. (See Attachment C and Attachment F – Health Department Site Visit Photos for photo evidence).

The operation of a tobacco business without a tobacco retailer's license in Contra Costa County directly violates all ordinances put in place to maintain the health and safety of the public and therefore is considered to be detrimental to the public health and safety. Thus, County Staff recommends the Zoning Administrator revoke the nonconforming tobacco retailing use for Smoke Depot.

4. <u>Required Finding</u>: A license required for the conduct of the business on the premises covered by the permit has been suspended or revoked;

Project Finding: In order for a retailer, individual, or entity to conduct tobacco retailing in the unincorporated area of Contra Costa County, the retailer, individual, or entity must first obtain and maintain a valid tobacco retailer's license from Contra Costa County for the location where tobacco retailing is being conducted. On April 24, 2024, Contra Costa Health issued a Notice of Suspension Hearing for Smoke Depot. (Attachment D). The Notice cited multiple violations of the tobacco retailer's license ordinance and informed Smoke Depot that the Public Health Director will hold a License Suspension Hearing on June 11, 2024. At the June 11, 2024, License Suspension Hearing, the Contra Costa County Medical Director and Deputy Health Officer determined that Smoke Depot was operating without a new, valid tobacco retailer's license, in direct violation of the County Ordinance Code, Section 445-10.002. Accordingly, the Public Health Director suspended Smoke Depot's application for a new tobacco retailer's license and ordered the immediate cessation of all retailing of tobacco products at the Subject Property. (Attachment E.) Despite the Public Health Director's order, Smoke Depot has continued to sell tobacco products at the Subject Property. (Attachment C.) Therefore, County Staff recommends the Zoning Administrator revoke the nonconforming tobacco retailing use for Smoke Depot.

#### B. California Environmental Quality Act (CEQA) Findings:

The project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act §15321, Class 21, Enforcement Actions

by Regulatory Agencies. Section 15321 exempts actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administrated by the regulatory agency (County). The County will revoke a land use entitlement in the form of the legal non-conforming status for a tobacco retailing use at the Subject Property.

### Department of Conservation and Development

30 Muir Road Martinez, CA 94553

Phone:1-855-323-2626

Contra Costa County



John Kopchik Director

Aruna Bhat Deputy Director

Jason Crapo Deputy Director

Maureen Toms Deputy Director

Deidra Dingman Deputy Director

Gabriel Lemus Asst. Deputy Director

January 25, 2023

Smoke Depot 3770 San Pablo Dam Road El Sobrante, CA 94803

#### RE: Updated Zoning Determination for Tobacco Retailer (Smoke Depot) Site Address: 3770 San Pablo Dam Road, El Sobrante, CA 94803 County File #CDSE22-00009 APN: 420-140-035 (Zoning: P-1/GP: M-13)

Dear Smoke Depot:

This letter is in response to an El-Sobrante P-1 administrative review request submitted to the Department of Conservation and Development on December 9, 2022, for a proposed tobacco retailing business to be located at 3770 San Pablo Dam Road in the El Sobrante area.

The establishment of a proposed tobacco retailing business (Smoke Depot) at the property identified above has been reviewed for compliance with County zoning regulations. The zoning determination of the Department of Conservation & Development is provided below.

#### El Sobrante P-1 (Planned Unit) District Zoning Consistency

The Department of Conservation and Development, Community Development Division (CDD), has determined that, based on the application materials submitted on December 9, 2022, the proposed retail business (Smoke Depot) is a permitted use within the San Pablo Dam Road Mixed Use (M-13) Land Use District and is consistent with the intent and purpose of the El Sobrante P-1.

#### Tobacco Retailing Businesses Ordinance (Ord. 88-26)

Based on additional information submitted to CDD on January 24, 2023, it has been shown that the subject property, 3770 San Pablo Dam Road in El Sobrante, was established as a tobacco retailer since at least December 1, 1986, operating as Jasmine Gifts & Tobacco. Historical business license and tobacco retail licenses for Jasmine Gifts & Tobacco were provided as evidence showing that both licenses have been maintained for the site up to the current date. Thus, the retailing of

tobacco products at the subject property is considered a nonconforming use under Chapter 88-26.406 of the County's Tobacco Retailing Businesses Ordinance (Chapter 88-26).

Please note that no evidence has been submitted to the Department of Conservation and Development that indicate that 3770 San Pablo Dam Road was operating as a *"significant tobacco retailing business"*. Therefore, the establishment of a significant tobacco retailing business is not allowed at this location. County Ordinance Code 88-26.204 defines a significant tobacco retailing business as follows: *"…any tobacco retailing business for which twenty percent or more of floor or display area is devoted to tobacco products, tobacco paraphernalia, or both."* 

Additionally, no signage was reviewed or approved within this determination letter. Any proposed signage will be subject to the review and approval by the Department of Conservation and Development.

Please be aware that this determination letter does not constitute a building permit for any tenant improvements. Additionally, this approval does not constitute a business license. It is the responsibility of the business owner to obtain a business license from the County prior to engaging in commercial activities at the subject property. Attached hereto is a property use verification form needed to obtain your business license from the County Tax Collector.

If you have any additional questions, you may contact the project planner, Everett Louie at <u>everett.louie@dcd.cccounty.us</u> or at (925) 655-2873.

Sincerely,

Ruben L. Hernandez

Deputy Zoning Administrator

Cc: County File #CDSE22-00009 Monica Marquez <u>monica.marquez@cchealth.org</u>

Attach: Property Use Verification Form



#### 1980 MUIR ROAD, MARTINEZ – PHONE: 925-313-2500 TOBACCO ENFORCEMENT Date of Inspection: Va/22

The Tobacco Enforcement Unit is aimed to eliminate the illegal sale of tobacco products to minors within unincorporated Contra Costa County. The unit conducts periodic inspections of tobacco retailer establishments, responds to complaints, and partners with local, state and federal law enforcement agencies to address laws pertaining to the sale of tobacco to minors and tobacco related business activity. This checklist is intended to provide retailers a general understanding of what is reviewed during the inspection.

Contra Costa County Business License?	Yes / No)	Is Business License Visible?	Yes /
Contra Costa County Tobacco Retailer's License?	Hes / No	Is County Tobacco Retailer Permit Visible?	KES/N
California Cigarette & Tobacco Product License?	Xes No	Is the California Tobacco Retailer License Visible?	(Pes / N
California Tobacco Seller's Permit?	Tes/ No	Is Seller's Permit Visible?	(Tes) / M
Inventory List of Tobacco Products?	Yes No	Contra Costa County Health Permit	Yes

#### SIGNAGE AND DISPLAYS

#### MERCHANDISE

SIGNAGE AND DISPLATS	
Every store that sells tobacco must post a boldly printed, contrasting-color sign in a Conspicuous place at each point of purchase saying that tobacco products may not be sold to minors. The sign must include 1-800-5ASK-4-ID (STAKE Act signs). [Ca Business & Professions Code Sections 22952,22956 (STAKE Act): CA Code of Regulations, Title 17, Section 6902(a), CA Penal Code Section 308(c). Yes NO ARE THERE SELF-SERVICE SALES? It is unlawful to sell, offer for sale, or display any tobacco product or paraphernalia through a self-service display, which is accessible to the public without assistance of the clerk. For sale in packages of fewer than 20 cigarettes. [CA Business & Profession: Code Section 22960, 22962 (STAKE Act), CCC Ord. 445-6.002] Yes NO ARE THERE VENDING MACHINES? Tobacco products may not be sold, offered for sale, or distributed from vending machines. [Ca Business & Professions Code 22960, 22958, 22957 (STAKE Act).	No - ARE SINGLE CIGARETTES PRESENT? No person shall sell one or more cigarette other than in the sealed and properly labeled package of the manufacturer or importer, which conform to Federal labeling requirements, including the Federal warning labeling [CA Penal Code Sections 308.2]. WARNED ABOUT SECURNS, PACKS OF 2. SWISHER SWEETS /CL GAREULOS Yes / No - IS MINIMUM CIGARETTE PACK SIZE MET? Cigarettes may not be distributed, sold offered for sale in packages of fewer than 20 cigarettes. Roll-your-own tobacco may not be distributed, sold, or offered for sale in a package containing less than 0.60 Ounces of tobacco. [Ca Penal Code Sections 308.3; 21 CFR 1140.14]. Yes / No - DO CIAGARETTES OR TOBACCO PRODUCTS MEET MINIMUM PACKAGE SIZE? Unpackaged or packages of smokeless tobacco may not be distributed, sold, or offered for sale in packages that are smaller than those distributed by the manufacturer for individual use. [21 CFR 1140.14]. Yes /NO - ARE BIDIS PRESENT?
Yes / No IS STOREFRONT ADVERTISING IN COMPLIANCE? No more than 33% of the square footage of windows and clear glass doors of a business establishment may be covered. [CA Business & Professions Code Sections 25612] WAR VERTISING DISPLAY? Yes / No IS THERE BLUNT WRAP ADVERTISING DISPLAY?	It is unlawful to sell, offer to sell, distribute, or import Bidis, defined as products containing tobacco wrapped temburni leaf or tendu leaf. [CA Penal Code 301.1]. Yes / No – IS FLAVORED TOBACCO PRESENT? It is unlawful for any type of flavored tobacco product (Menthol is permitted) to be sold in Contra Costa County within 1,000 feet of schools, parks,
NO – DOES IT MEET MINIMUM REQUIREMENTS? No person or business may place advertising for blunt wraps lower than four (4) feet above the floor. No person or business offering blunt wraps for sale may place blunt wrap advertising within two (2) feet of a candy, snack, or nonalcoholic beverage display. [CA Penal Code Section 308; CA Business & Professions Code Section 22962 (STAKE Act)].	playgrounds, or libraries. [CCC Ord. 445-6.006] NO – IS DRUG PARAPHERNALIA KEPT, DISPLAYED, OR OFFERED IN ANY MANNER? Reward from "Drug Paraphernalia" means all equipment, products, and materials of any kind which are intended for use or designed for use in planting, cultivating, growing manufacturing, producing, processing, preparing, testing, analyzing, packaging, storing, concealing, injecting, ingesting, inhaling, or introducing into the human body a controlled substance as defined in Section 11364.5(d) URS
Refusal of inspection is in violation of 22980(b) B&P and shall be punished by a fine not to exceed five thousand dollars (\$5,000), or imprisonment not exceeding one year in a county jail or both the fine and imprisonment.	



#### TORXECO HETXE WORF CTION CHEORORI CONTRA COBTA COUNTY OFFICE OF THE BHERIFF TORACCO ENFORCEMENT HIRO MUR ROAD, MATTHEZ, CA BEESS 825-313-2000

Date of Inspection: 4, 18, 24

The Tobacco Enforcement Unit is amend to eliminate the rilegal sale of tobacco products to miniors within unincorporated. Contra Costa County, The unit conducts periodic inspections of tobacco retailer establishments, responds to complaints, and partners with local, state and federal law anforcement apencies to adaress laws pertaining to the sale of tobacco to minors and tobacco related business activity. This checklist is intended to provide refailers a general understanding of what is reviewed during the inspection.

Yes (No) In Business Line Arts Contra Costa County Business License? Contra Costa County Tobacco Retailer's License? Cattornia Cigarette & Tobacco Product License? Is Business License Visible? Yes/No Is County Tobacco Retailer Permit Visible? CO2/No Yes / No Is the California Tobacco Retailer License Visible? Inventory Last of Tobacco Products? CXFIRE California Yobacco Seller's Permit? Yes / No Is Seller's Permit Visible? Yes AND (they No Contra Costa County Health Permit? Yes / No Yes No I SIGN POSTING REQUIREMENT MET? Cet-No DO CIGARILLOS/LITTLE CIGARS OR TOBACCO Every speed that asks tobacco must post a boldy privated, contrasting color sign Every space there are stocked must polet a body preset, constraining odd with in a consecutor piece at each polet of participate, saying that totacco products may not be set to minor. The sign must include : 1-00-5A3K-4-3D (STAKE Act agens) (CA shuenees & Professions Code Sections 22960, 22966 (Stake Act) CA Code of Reputations, Title 17, Section B902(a), CA Penal Code 308(c)) ODUCTS MEET MINIMUM PACKAGE SIZE OF 10? Unpackaged or packages of smokeless tobacco may not be distributed, sold, or offered for sale in packages that are smaller than those distributed by the manufacturer for individual use [Contra Costa County Ordinance 445-6 010] 13 Ve / No - ARE ELECTRONIC SMOKING DEVICES OR E-LIQUIDS SOLD? Only Vaping devices that have a premarket review order issued under Section 387(0303(A)(i) of Tale 21 of the U.S. Code. (Contra Costa County Ordinance 445-Yes ARE CIGARS A MINIMUM OF \$5.00 U.S. DOLLAR [Contra Costa County Ordinance 445-6.010] 6.014 Yes / No STOREFRONT ADVERTISING IS COMPLIANCE? Mes/ No - ARE ANY FLAVORED TOBACCO PRODUCTS No more than 33% of the square footage of windows and clear glass doors of a IN business establishment may be covered (CA Business & Professions Code It is untawful for any type of flavored tobacco product (fluity, liquor flavor, mint/menthol) to be sold in Contra Costa County, playgrounds, or libraries [Contra Costa County Ordinance 445-6.006) Yes / No - IS DRUG PARAPHERNALIA KEPT, DISPLAYED, OR OFFERED IN ANY MANNER? Ves / No - ARE CANNABIS PROUDCTS SOLD? "Drug Paraphernalia" means all equipment, products, and materials of any kind which are intended for use or designed for use in planting, cultivating, prowing A plainess that sells tobacco or alcohol cannot sell or offer to sell any cannabia manufacturing producing, processing, preparing, testing, analyzing, packaging, products [Contra Costa County Ordinance 2018-18, § 3, 6-26-18]. storing, concealing, system, inpasting, inhaling, or introducing into the human body a controlled substance as defined in Section 11364 S(d) Health & Safety (6) No - DOES IT MEET MINIMUM REQUIREMENTS? Business Address: 2770 SAN PABLO DM RD GL SOBRANTGCA to person or business may place advertising for blunt wraps lower than four (4) teet above the foor. No person or business offering blunt wraps for sale may place blunt wrap adventising within (2) feet of a candy, snack; or nonalcoholic beverage display (CA Penal Code Section 308; CA Business & Professions Code PAULOS YOHANNES Owner Name: SMAEL ALJALAL fortunal of proposition in incomparison of 22500c04 BBP and shall be purchased by a fine root a sense of the recovered striker (24 doct, or propriors made not exceeding and year in a PETELTIVE CESAR GUERRE Signature (Job Title) : efunal Signature Officer / ID# : 6

osai3770@gmail.com

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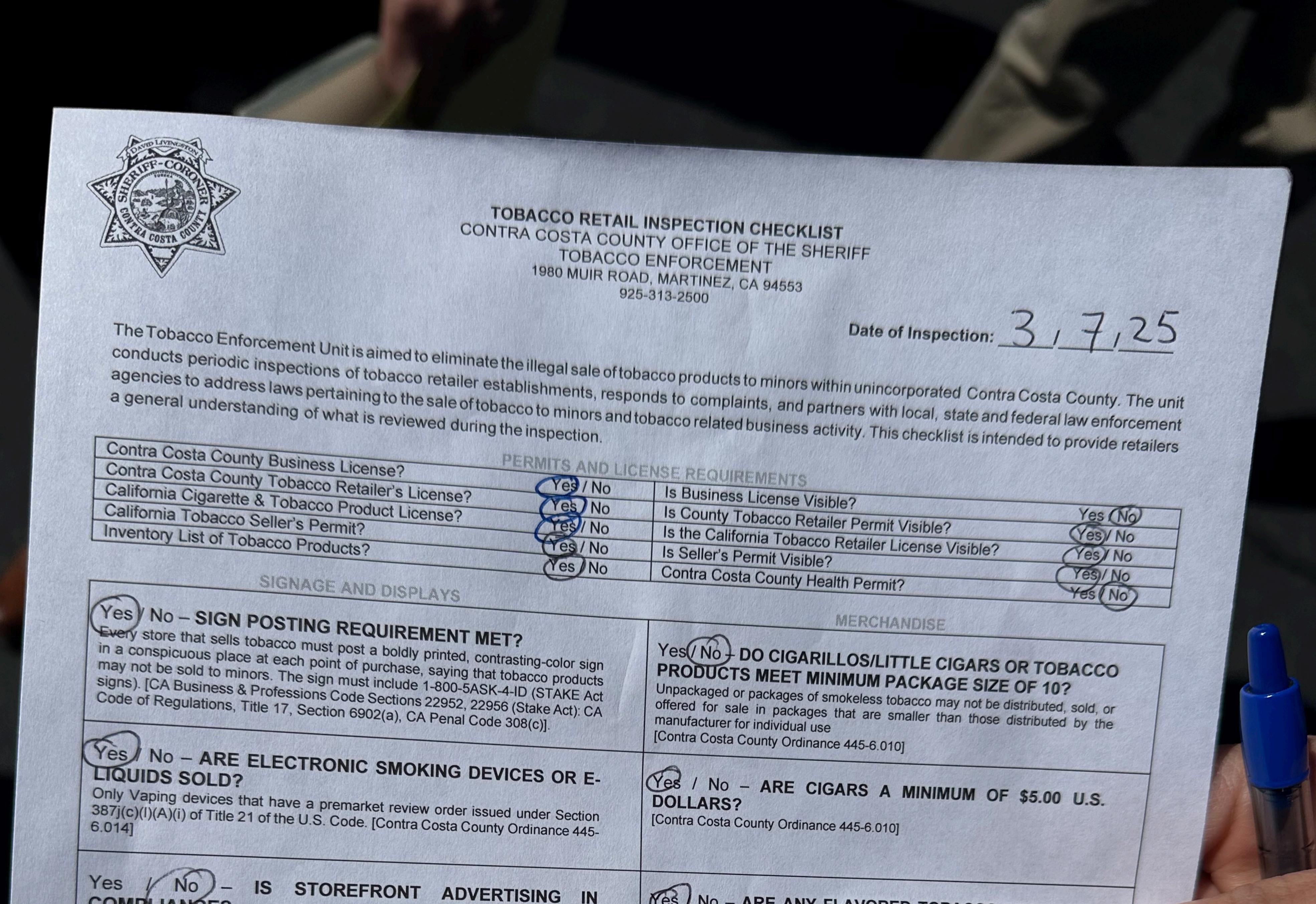
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Section 22962 (STAKE Act)].

No more than 33% of the square footage of windows and clear glass doors of a business establishment may be covered [CA Business & Professions Code Sections 25612].

# Yes / No - IS DRUG PARAPHERNALIA KEPT, DISPLAYED, **OR OFFERED IN ANY MANNER?**

"Drug Paraphernalia" means all equipment, products, and materials of any kind which are intended for use or designed for use in planting, cultivating, growing manufacturing, producing, processing, preparing, testing, analyzing, packaging, storing, concealing, injecting, ingesting, inhaling, or introducing into the human body a controlled substance as defined in Section 11364.S(d) Health & Safety Code.

## DOES IT MEET MINIMUM REQUIREMENTS? No person or business may place advertising for blunt wraps lower than four (4) feet above the floor. No person or business offering blunt wraps for sale may place blunt wrap advertising within (2) feet of a candy, snack, or nonalcoholic beverage display [CA Penal Code Section 308; CA Business & Professions Code

Refusal of inspection is in violation of 22980(b) B&P and shall be punished by a fine not to exceed five thousand dollars (\$5,000), or imprisonment not exceeding one year in a county jail or both the fine and imprisonment.

## Ne - ARE ANY FLAVORED TOBACCO PRODUCTS PRESENT?

It is unlawful for any type of flavored tobacco product (fruity, liquor flavor, mint/menthol) to be sold in Contra Costa County, playgrounds, or libraries [Contra Costa County Ordinance 445-6.006].

# Yes No - ARE CANNABIS PROUDCTS SOLD?

BAZEL

AMMAD

**Colom** 

A business that sells tobacco or alcohol cannot sell or offer to sell any cannabis products [Contra Costa County Ordinance 2018-18, § 3, 6-26-18].

Officer / ID# :	CAI 77482	_
		Depress

ALQADHI

Notes:

**Refusal Signature:** 

Business is responsible for amending the above violated requirements by 3 1712 25 WHITE COPY: Contra Costa County Sheriff's Office CCCSO TBE Inspection Checklist Form 03/2023

Business Address:

Clerk Name:

**Owner Name:** 

Signature (Job Title)

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#### Narrative

On 04/29/2025 at approximately, 1910 hours, I was on duty, employed by the California Highway Patrol, assigned to the Contra Costa County Sheriff's Violence Suppression Unit (VSU). I, along with my VSU partners, were conducting Tobacco Retail Inspections within Contra Costa County. We were in plain clothes, identified by departmental badges hanging from a chain around our necks.

We conducted an inspection at Smoke Depot, located at 3770 San Pablo Dam Road, El Sobrante, CA 94803. Based on previous conversations with VSU detectives, I know Smoke Depot to consistently be in violation of County ordinances regarding the sale of Tobacco. Additionally, on 03/07/2025, Detective Ward issued a citation to Bazel Alqadhi for 11359(b) H&S.

Upon contacting the worker, later identified as Bazel Sadeq Alqadhi, Alqadhi was uncooperative and became increasingly aggressive towards detectives. Alqadhi was advised by VSU Detectives of the Tobacco Inspection, and reminded him that he was cited during the previous inspection VSU Detectives conducted. Alqadhi attempted to retreat into the back room of the shop, and was asked to reposition to the front of the shop. Alqadhi continued to be disrespectful and aggressive towards Detectives and was uncompliant. He used several profanities toward law enforcement and refused to answer any questions regarding the tobacco sales in the store.

While searching for the proper licenses, multiple individual packages of Marijuana were located behind the counter. Below the packages, a box of U.S. Currency, totaling \$285 was located. In the backroom, a white backpack was located on the floor. Inside the backpack additional individual packaged Marijuana was located, along with a large plastic bag containing processed Marijuana buds. During my inspection, I was unable to locate all of the appropriate

### Distribution List INVESTIGATION CAPTAIN

Additional Routing			
Reporting Deputy (Print) HERNANDEZ,AL	Date/Time Written 05/12/2025 15:50:08	Disposition Case Active	
Approving Supervisor (Print) RODIER,JEFF	Supervisor ID. 68559	Date/Time 05/13/2025 09:18:20	455

#### CONTRA COSTA, COUNTY OFFICE OF THE SHERIFF

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license's required to sell tobacco and/or marijuana products.

Additionally, while searching the backroom, a previous Tobacco Retail Inspection Checklist was located. The checklist showed Smoke Depot had multiple violations, including drug paraphernalia and the selling of Cannabis Products.

During a search of the backroom, a hidden compartment was located behind shelving affixed to the wall. Inside the hidden compartment, additional banned products were located, including Vapes and other flavored tobacco.

In the front of the store, I observed glass pipes, which based on my training and experience, I know to be commonly used as drug paraphernalia, which Smoke Depot was previously provided warnings about.

Based on my observation of the individual packaged Marijuana, the U.S. Currency separated from the cash register, and Alqadhi being cited previously for 11359(b) H&S, I determined that Bazel Sadeq Alqadhi was again in violation of 11359(b) H&S.

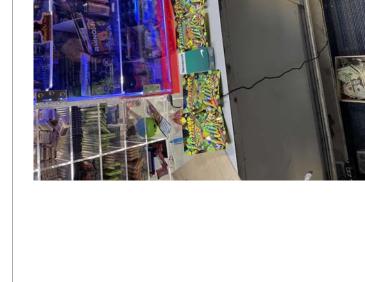
The prohibited products were seized, including Marijuana. All of the products were later booked into Sheriff's evidence.

### Distribution List

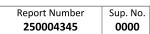
Additional Routing			
Reporting Deputy (Print) HERNANDEZ,AL	Date/Time Written 05/12/2025 15:50:08	Disposition Case Active	
Approving Supervisor (Print) RODIER,JEFF	Supervisor ID. 68559	Date/Time 05/13/2025 09:18:20	456

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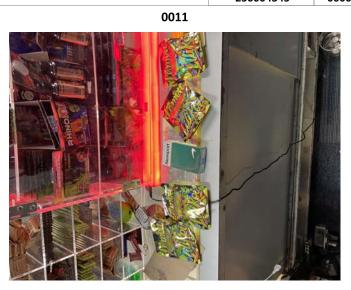
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2500 Bates Ave | Concord, CA, 94520 | Phone: (925) 608-5231 cchealth.org

#### NOTICE OF SUSPENSION HEARING (Contra Costa County Ordinance Code, § 445-10.018)

April 24, 2024

Ahmed Dubaih 3770 San Pablo Dam Road El Sobrante, CA 94803

RE: Smoke Depot SITE ADDRESS: 3770 San Pablo Dam Road, El Sobrante, CA, 94803 APN: 420-140-035

Smoke Depot, located at 3770 San Pablo Dam Road, El Sobrante, California (the "Property") operates pursuant to a tobacco retailer's license regulated under Chapter 445-10 (Tobacco Retailer's License Ordinance) of the Contra Costa County Ordinance Code. Our records indicate that you are the listed licensee for the above-referenced Property. Inspection of the Property was conducted on April 18, 2024, and the following violations of the Tobacco Retailer's License Ordinance were observed:

#### April 18, 2024

- 1. Flavored tobacco products on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
- 2. Menthol cigarettes on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
- 3. Electronic smoking devices on display and offered for sale. (County Ordinance Code, Section 445-6.014.)
- 4. Drug paraphernalia, specifically mushrooms, cannabis flower, flavored cannabis vaping liquids, and blunts were on display and offered for sale, and offered for sale in a location that did not exclude unaccompanied persons under the age of 18. (County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Section 11364.5; Cal. Health and Saf. Code, Section 11377.)
- 5. Single cigars on display and offered for sale. (County Ordinance Code, Section 445-6.010.)
- 6. Self-service displays. (County Ordinance Code, Section 445-6.002.)

Staff has also become aware that you purchased the above-referenced property in or around August 2023 and have been operating the subject business under the previous tobacco retailer's license without obtaining a new, valid tobacco retailer's license. A tobacco retailer's license is nontransferable. Accordingly, this is a violation of County Ordinance Code, Section 445-10.010(c).

Due to the above-cited violations, the proposed time period of the tobacco retailer's license suspension is **90 days**.

The violations cited herein constitute the Smoke Depot's second violation of the Tobacco Retailer's License Ordinance. A Notice of Fine was issued and became a final administrative order on January 26, 2023, documenting Smoke Depot's first violation. A tobacco retailer's license may be suspended for up to 90 days for a second violation that occurs within five years after the first violation. (County Ordinance Code, Section 445-6.018.)

The processing of your current application for a new tobacco retailer's license for the abovereferenced property will be placed on hold. If a suspension of the current tobacco retailer's license is ordered, your application may not be approved, and a new tobacco retailer's license will not be issued until the suspension period has concluded.

The Public Health Director will hold a license suspension hearing on **Tuesday, June 11, 2024, at 11:00am.,** at 597 Center Ave, Room 120, Martinez, CA 94553. At the hearing, you will be given the opportunity to testify and present any supporting evidence concerning the notice of suspension hearing. After consideration of the evidence and testimonies at the hearing, the Public Health Director will issue a written decision to suspend or not suspend the tobacco retailer's license. The written decision will include the reason or reasons for the decision and the time period of the tobacco retailer's license suspension.

2

Anna Roth Director, Department of Health Services Contra Costa County

By

Dr. Ori Tzvieli Health Officer, Public Health Director



2500 Bates Ave | Concord, CA, 94520 | Phone: (925) 608-5231 cchealth.org

#### NOTICE OF DECISION

June 26, 2024

Ahmed Dubaih 3770 San Pablo Dam Road El Sobrante, CA 94803

IN THE MATTER OF:

NAME: Smoke Depot SITE: 3770 San Pablo Dam Road El Sobrante, CA 94803 APN: 420-140-035

WRITTEN DECISION FOLLOWING HEARING

This matter came on for hearing before Dr. Sefanit Mekuria, Contra Costa County Medical Director, Deputy Health Officer, on June 11, 2024, 11:00 a.m., at 597 Center Avenue, Suite 120, Martinez, CA 94553. The purpose of the hearing was to determine whether the above-referenced tobacco retailer committed violations of the County's Tobacco Product Control Ordinance (County Ordinance Code Division 445). The following individuals testified on behalf of the County:

 Monica Marquez, Senior Health Education Specialist, Contra Costa County Public Health

The following individuals testified on behalf of the retailer:

1. Ismail Mahyoub Abduljala

The following evidence was submitted:

- Contra Costa County Sheriff Tobacco Retail Inspection Report, dated April 18, 2024
- 2. Contra Costa County Sheriff Citation #20-1602762, dated April 18, 2924
- Photos taken by Public Health Department Staff during April 18, 2024 site inspection

After considering the testimony and evidence, the Director makes the following factual findings:

- The above-named retailer purchased the Smoke Depot, located at 3770 San Pablo Dam Road, El Sobrante, CA, in or around August 2023 and has been operating the Smoke Depot without obtaining a new, valid tobacco retailer's license. It is unlawful for any retailer, individual, or entity to conduct tobacco retailing in the unincorporated area of the county without first obtaining and maintaining a valid tobacco retailer's license from Contra Costa County for each location where tobacco retailing is conducted. Accordingly, this is a violation of County Ordinance Code, Section 445-10.002.
- 2. Additional violations occurred at the above-referenced retail location and were observed on April 18, 2024.

2

3. The additional violations include:

#### April 18, 2024

- a. Flavored tobacco products on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
- b. Menthol cigarettes on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
- c. Electronic smoking devices on display and offered for sale. (County Ordinance Code, Section 445-6.014.)
- d. Drug paraphernalia, specifically mushrooms, cannabis flower, flavored cannabis vaping liquids, and blunts were on display and offered for sale, and offered for sale in a location that did not exclude unaccompanied persons under the age of 18. (County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Section 11364.5; Cal. Health and Saf. Code, Section 11377.)
- e. Single cigars on display and offered for sale. (County Ordinance Code, Section 445-6.010.)
- f. Self-service displays. (County Ordinance Code, Section 445-6.002.)
- 4. The Sheriff's Report, Citation, and photos include documentary evidence that each of the violations occurred.
- 5. The herein cited violations constitute the second violation of the County's

Tobacco Product Control Ordinance at the above-referenced Smoke Depot retail location within the past five years. A Notice of Fine was issued and became a final administrative order on January 26, 2023, documenting the first violation occurring at the Smoke Depot

6. The above-named retailer, Mr. Dubaih, through his representative or agent, has acknowledged the violations.

#### ORDER

The Public Health Director orders:

The above-referenced tobacco retailer does not have valid tobacco retailer's license from Contra Costa County to sell tobacco products at 3770 San Pablo Dam Road, El Sobrante, CA, commonly known as Smoke Depot. All retailing of tobacco products at this location must be discontinued immediately. Tobacco products may not be retailed at this location until a valid tobacco retailer's license for this location has been issued.

The processing of the above-named retailer's application for a new tobacco retailer's license for the Smoke Depot will be placed on hold for a period of **90 days** from the date of this decision. The application may not be approved, and a new tobacco retailer's license for the Smoke Depot will not be issued, before **September 23, 2024**. Any additional violations of the County's Tobacco Product Control Ordinance during this period may further delay issuance of a tobacco retailer's license.

This decision may be appealed to the Board of Supervisors by filing a written notice of appeal with the Clerk of the Board of Supervisors, County Administration Building, 1025 Escobar Street, Martinez, California, within 30 days of the date this decision is served.

Date: <u>6/26/2024</u>

#### Sefanít Mekuría

Sefanit Mekuria, MD Medical Director, Deputy Health Officer Contra Costa County



**1.Flavored tobacco products on display and offered for sale.** (County Ordinance Code, Section 445-6.006.)



# 445-6.006 Flavored tobacco products

No tobacco retailer may sell, offer for sale, or exchange or offer to exchange for any form of consideration, to a consumer any flavored tobacco product. (Ord. No. 2019-34, § VI, 11-19-19; Ord. No. 2017-01, § IV, 7-18-17)

\*Photos taken by the Health Department Smoke Depot 3770 San Pablo Dam Road El Sobrante, CA



## **2.Menthol cigarettes on display and offered for sale.** (County Ordinance Code, Section 445-6.006.)





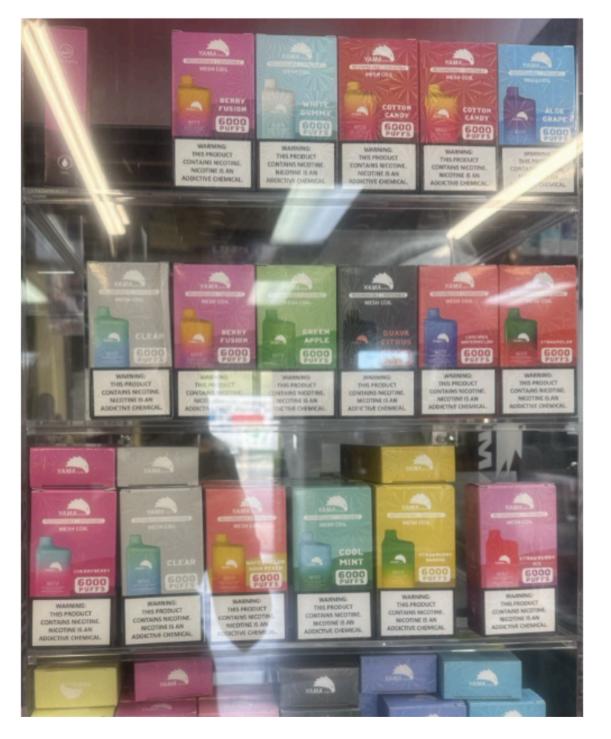
No tobacco retailer may sell, offer for sale, or exchange or offer to exchange for any form of consideration, to a consumer menthol cigarettes. (Ord. No. 2019-34, § VI, 11-19-19; Ord. No. 2017-01, § IV, 7−18−17)

\*Photos taken by the Health Department Smoke Depot 3770 San Pablo Dam Road El Sobrante, CA

### 445-6.006 menthol cigarettes.



### **3.Electronic smoking devices on display and offered for** sale. (County Ordinance Code, Section 445-6.014.)



### 445-6.014 - Electronic smoking devices and e-liquids.

No tobacco retailer may sell, offer for sale, or exchange or offer to exchange for any form of consideration, to a consumer any electronic smoking device or e-liquid where the electronic smoking device or eliquid:

- of the U.S. Code;
- Code; and
- 19-19)

\*Photos taken by the Health Department Smoke Depot 3770 San Pablo Dam Road El Sobrante, CA

Is a new tobacco product as defined in Section 387j(a)(I) of Title 21

• Requires premarket review under Section 387j of Title 21 of the U.S.

• Does not have a premarket review order issued under Section 387j(c)(I)(A)(i) of Title 21 of the U.S. Code.(Ord. No. <u>2019-34</u>, § III, 11Anna M. Roth, RN, MS, MPH Health Services Director Ori Tzvieli, MD

Health Officer Public Health Director





Community Wellness & Prevention Program

597 Center Avenue, Suite 110 Martinez, California 94553

> Ph (925) 313-6808 Fax (925) 313-6840 cchealth.org/prevention

#### ADMINISTRATIVE PENALTY NOTICE OF FINE (Contra Costa County Ordinance Code, § 14-12.006)

January 27, 2023

Goma Kafle 3770 San Pablo Dam Road El Sobrante, CA

RE: Smoke Depot SITE ADDRESS: 3770 San Pablo Dam Road, El Sobrante, CA APN: 420-140-035

Our records indicate that you are the responsible party of record of the above-referenced property. Inspections of the property were conducted on 11/09/2022 and 12/16/2022, and the following violation(s) of the Tobacco Retailer's License Ordinance were observed:

#### 11/09/2022

- 1. Selling small pack of cigars. This is a violation of Contra Costa County Ordinance Code, Section 445-6.010.
- 2. Selling electronic smoking devices. This is a violation of Contra Cost County Ordinance Code, Section 445-6.014.
- No STAKE Act age of sale warning sign was posted. This is a violation of Contra Costa County Ordinance Code, Section 445-10.018(a); Cal. Code of Regs, Tit. 17, Section 6902.
- Selling Drug paraphernalia. This is a violation of Contra Costa County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Section 11364.5.
- 5. Retailing tobacco without a valid Tobacco Retailer's License. This is a violation of Contra Costa County Ordinance Code, Section 445-10.002.

#### 12/16/2022

- 1. Selling electronic smoking devices. This is a violation of Contra Cost County Ordinance Code, Section 445-6.014.
- 2. Retailing tobacco without a valid Tobacco Retailer's License. This is a violation of Contra Costa County Ordinance Code, Section 445-10.002.



Administrative Penalty Notice of Fine Goma Kafle Page 2

The fine amount for a first violation is \$100. The fine amount for a second violation within one year of the first violation is \$200. There is a \$500 fine for each additional violation that occurs within one year of the first violation. Because a separate violation occurred on two days and were observed during two different inspections, the Director has imposed on you a fine in the amount of \$300. (Contra Costa County Ordinance Code, Section 14-12.006.)

On 1/12/2023 and 1/13/2023, County staff informed you that a valid Tobacco Retailer's License is required to legally retail tobacco under County Ordinance Code, section 445-10.002. On 1/23/2023, County staff met and discussed with you the requirements for obtaining a Tobacco Retailer's License and provided you with additional information related to retailing tobacco in Contra Costa County. County staff will continue to assist you in the procurement of a valid Tobacco Retailer's License for this location. The payment of outstanding fines is required prior to the issuance of a Tobacco Retailer's License. (Contra Costa County Ordinance Code, Section 445-10.010.)

Payment must be sent to Contra Costa County, Department of Health Services, Public Health Division, 597 Center Ave, Suite 110, Martinez, CA 94553 within thirty (30) days of the date of this notification. The administrative penalty is a personal obligation, and failure to pay the penalty may result in the amount being made a lien and/or special assessment against your property, and other legal action may be taken to collect the penalty. If a judicial action is required to collect the penalty, the County will seek to recover its attorney fees and cost from you.

#### **RIGHT TO APPEAL**

You may appeal this fine by filing a written appeal with the Contra Costa County, Department of Health Services, Public Health Division, at 597 Center Ave, Suite 110, Martinez, CA 94553, within 15 calendar days of the date of mailing of this notice. The written appeal must contain:

- 1. A brief statement setting forth the interest you have in the matter relating to the imposition of the penalty;
- 2. A brief statement of the material facts you claim support the contention that no fine should be imposed or that a fine of a different amount is warranted; and
- 3. An address at which you agree that notice of any additional proceedings or an order relating to imposition of the fine may be received by first class mail.

If you file an appeal, a notice of the appeal hearing will be mailed to you. The appeal hearing will be set no sooner than 20 days and no later than 45 days following the service date of the notice of appeal hearing. Failure to appear will cause this notice to become a final order. If you fail to request an appeal, this notice shall be final. Government Code section 53069.4 authorizes judicial review of a final administrative order.

The Director may record a copy of this Notice of Fine with the Contra Costa County Recorder.

Anna Roth Director, Department of Health Services Contra Costa County



Contra Costa Behavioral Health Services 
 Contra Costa Emergency Medical Services 
 Contra Costa Environmental Health & Hazardous Materials Programs

Contra Costa Health, Housing & Homeless Services 
 Contra Costa Health Plan
 Contra Costa Public Health
 Contra Costa Regional Medical Center & Health Centers

Administrative Penalty Notice of Fine Goma Kafle Page 3

By <u>Cedrita Claiborne</u>

Cedrita Claiborne, MPA, Director Community Wellness and Prevention Program



• Contra Costa Behavioral Health Services • Contra Costa Emergency Medical Services • Contra Costa Environmental Health & Hazardous Materials Programs •

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2500 Bates Ave, Suite B | Concord, CA 94520 | Phone: 925-608-5250 | cchealth.org

#### Smoke Depot 3770 San Pablo Dam Road Historical Timeline

#### 2021

2/8/2021: Pawan Kalwar, then-owner of Smoke Depot, applied to Public Health for a Tobacco Retail License (TRL) to retail tobacco products from Smoke Depot's original location at 4100 San Pablo Dam Road. Business Licensing Office (BLO) issued a TRL to Smoke Depot on 2/17/2021, with a term through 6/30/2021, for Smoke Depot's 4100 San Pablo Dam Road location. Note, TRLs expire each year on June 30, and must be renewed annually by application to Public Health and the BLO. Smoke Depot would operate from this location until approximately September 2022, when it was sold and relocated to its current location at 3770 San Pablo Dam Road.

#### 2022

- **Prior to 6/1/2022:** Prior to June 2022, the location at 3770 San Pablo Dam Road operated as a tobacco retailer Jasmine Gifts & Tobacco. On 6/1/2022, Jasmine owner contacted BLO of cessation of operations and closure of business license account. Tobacco retailing has occurred at this location since 1986.
- 9/16/2022: Goma Kafle applied to BLO for a business license for Smoke Depot to operate at 3770 San Pablo Dam Rd. The application was placed on hold due to Goma Kafle having not applied for a TRL with Public Health.
- 11/9/2022: Sheriff's Department conducted inspection (EXHIBIT A) at 3770 San Pablo Dam Road (previously Jasmine Gifts & Tobacco and now operating as Smoke Depot). Violations cited included:
  - $\circ \quad \text{No local tobacco business license}$
  - Sale of prohibited tobacco and cannabis products (small packs, vapes, and other drug paraphernalia)
  - Absence of a STAKE Act sign
- **11/12 and 13/2022:** Public Health staff contacted Smoke Depot owner, Goma Kafle, to advise of County's Tobacco Retailing Ordinance and TRL requirement for retailing tobacco products.
  - 0

• 12/16/2022: Public Health conducted follow-up inspection at 3770 San Pablo Dam Road and found Smoke Depot selling electronic smoking devices and tobacco products without a valid TRL.

#### 2023

- 1/11/2023: Smoke Depot owner, Goma Kafle, contacted Public Health via email stating they had purchased the business at 3770 San Pablo Dam Road (formerly Jasmine Gifts & Tobacco) and was now operating the location as Smoke Depot). Kafle submitted a TRL application and requested assistance with obtaining and processing their TRL application.
- 1/13/2023: Goma Kafle visited Public Health offices regarding their TRL application. Staff informed Kafle that a valid TRL is required to retail tobacco products, and that their application was under review. Follow-up email from Public Health to Kafle emphasized that no TRL had issued and that no tobacco could be retailed from the Smoke Depot location until a valid TRL had issued.
- 1/23/2023: Public Health met with Goma Kafle, provided education on TRL requirements, and approved the TRL application for tobacco retailing as Smoke Depot at 3770 San Pablo Dam Road subject to Zoning Verification by DCD for compliance with County's tobacco retailing business ordinance. BLO issued the Smoke Depot TRL with a term through 6/30/2023.
- 1/25/2023: DCD issued Determination Letter for Zoning Verification (EXHIBIT B), determining that a tobacco retailing business had been established at 3770 San Pablo Dam Road prior to the effective date of the County's tobacco retailing businesses ordinance, thus determining that a tobacco retailing business at that location is a legal non-conforming use despite not complying with the location requirements (e.g., no tobacco retailing business may be located within 1,000 feet of listed sensitive receptors or within 500 fee of another tobacco retailing business) of the ordinance.
- 1/27/2023: Public Health issued a Notice of Fine (Fine amount \$300) for violations at Smoke Depot on 11/9/2022 and 12/16/2022, occurring prior to issuance of the TRL (EXHIBIT C)
  - Selling small pack sizes, electronic devices, drug paraphernalia
  - No STAKE Act sign
  - Retailing tobacco without a valid TRL
- 2/19/2023: Goma Kafle submitted payment for \$300 fine.

#### 2024

- 4/18/2024: Sheriff's Department conducted inspection of Smoke Depot location at 3770 San Pablo Dam Road (EXHIBIT D). Inspection resulted in a citation for:
  - Selling flavored tobacco, menthol cigarettes, e-smoking devices, drug paraphernalia, single cigars, and self-service displays

- Retailing without a valid TRL
- **5/1/2024:** Public Health received voicemail from Ahmed Dubaih, new owner of Smoke Depot, requesting TRL.
- 5/2/2024: Ahmed Dubaih submitted ID and CA state license via email to apply for TRL.
- **5/14/2024:** Ahmed Dubaih emailed Public Health to check status of TRL application.
- 5/20/2024: Public Health mailed Notice of Suspension Hearing (dated April 24, 2025) (EXHIBIT E) by regular and certified mail on 5/20/2024 (21 days before hearing) to Smoke Depot owner, Ahmed Dubaih, at business address 3770 San Pablo Dam Road, in accordance with Section 445-10.018 of the County Ordinance Code. The notice identified violation observed on 4/18/2024 as Smoke Depot's second violation within one year (following 1/27/2023 Notice of Fine). The notice proposed a 90-day suspension and that no new TRL for the location would issue until the suspension period had concluded.
- 5/31/2024: Public Health received email stating Ahmed Dubaih is out of the country and unable to attend the hearing, and requested that a representative be allowed to attend in his absence. Request approved by Public Health staff via email.
- **6/9/2024**: Public Health received email with ID and information of representative who will attend the hearing, Ismail Abduljala.
- **6/11/2024**: Suspension Hearing held. Public Health presented evidence from 4/18/2024 inspection to support the recommended suspension period of 90 days. Hearing Officer Dr. Sefanit Mekuria ordered:
  - All tobacco retailing at Smoke Depot, 3770 San Pablo Dam Road, must stop immediately due to invalid TRL.
  - No tobacco products may be retailed at this location until a valid TRL has issued.
  - Processing of the Smoke Depot TRL application on hold for a period of 90 days. The application may not be approved, and a new TRL for Smoke Depot will not be issued, before September 23, 2024.
- 6/26/2024: Written Notice of Decision (EXHIBIT F) sent by regular and certified mail. No appeal was filed within 30 days of decision.
- 6/26/2024- 01/06/2025: Smoke Depot did not contact Public Health to reapply for a license.

2025

• 1/6/2025: Public Health conducted audit and identified Smoke Depot as an unlicensed tobacco retailer.

- 2/7/2025: Public Health contacted Ahmed Dubaih to advise of the County's TRL requirement and provide resources for the TRL process. No answer left voicemail.
- 2/11/2025: Public Health sent follow-up email to Ahmed Dubaih regarding TRL requirement. Dubaih responded that they would like to proceed with TRL process.
- 2/24/2025: Public Health emailed Dubaih to inform them that a new TRL application was required and that Dubaih must obtain an updated Zoning Verification letter from DCD regarding compliance with the County's tobacco retailing businesses ordinance.
- 3/5/2024: DCD notifies Public Health that Smoke Depot continues to sell tobacco products.
- 3/7/2025: Inspection conducted at Smoke Depot, 2770 San Pablo Dam Road, by Sheriff's Department, DCD, Environmental Health, and Public Health (EXHIBIT G). Violations cited include:
  - Selling out-of-state menthol cigarettes, flavored tobacco, small packs, vapes, and cannabis
  - No current, valid TRL for the business location
- 3/12/2025: Public Health emailed Ahmed Dubaih to notify them that their application cannot be processed without a current and valid DCD Zoning Verification or Determination Letter for 2025.

#### 1980 MUIR ROAD, MARTINEZ - PHONE: 925-313-2500 **TOBACCO ENFORCEMENT**

### **EXHIBIT A**

Date of Inspection: 1/2/22

The Tobacco Enforcement Unit is aimed to eliminate the illegal sale of tobacco products to minors within unincorporated Contra Costa County. The unit conducts periodic inspections of tobacco retailer establishments, responds to complaints, and partners with local, state and federal law enforcement agencies to address laws pertaining to the sale of tobacco to minors and tobacco related business activity. This checklist is intended to provide retailers a general understanding of what is reviewed during the inspection.

Contra Costa County Business License?	Yes / No)	SE REQUIREMENTS Is Business License Visible?	Yes / No
Contra Costa County Tobacco Retailer's License?		Is County Tobacco Retailer Permit Visible?	NOT NO
California Cigarette & Tobacco Product License?		Is the California Tobacco Retailer License Visible?	(Tes / No
California Tobacco Seller's Permit?	Tes/ No	Is Seller's Permit Visible?	(Yes) / No
Inventory List of Tobacco Products?	Yes No	Contra Costa County Health Permit	Yes No

#### MERCHANDISE

SIGNAGE AND DISPLAYS	MERCHARDICE
No - SIGN POSTING REQUIREMENT MET? Every store that sells tobacco must post a boldly printed, contrasting-color sign in a Conspicuous place at each point of purchase saying that tobacco products may not be sold to minors. The sign must include 1-800-5ASK-4-ID (STAKE Act signs). [Ca Business & Professions Code Sections 22952,22956 (STAKE Act): CA Code of Regulations, Title 17, Section 6902(a), CA Penal Code Section 308(c).	No - ARE SINGLE CIGARETTES PRESENT? No person shall sell one or more cigarette other than in the sealed and properly labeled package of the manufacturer or importer, which conform to Federal labeling requirements, including the Federal warning labeling [CA Penal Code Sections 308.2]. WARNED ABOUT SELLING Photos OF 2 BUISHER SWEETS CLOREDS
Yes NO ARE THERE SELF-SERVICE SALES? It is unlawfor to sell, offer for sale, or display any tobacco product or paraphernalia through a self-service display, which is accessible to the public without assistance of the clerk. For sale in packages of fewer than 20 cigarettes. [CA Business & Professions Code Section 22960, 22962 (STAKE Act), CCC Ord. 445-6.002]	Yes / No – IS MINIMUM CIGARETTE PACK SIZE MET? Cigarettes may not be distributed, sold offered for sale in packages of fewer than 20 cigarettes. Roll-your-own tobacco may not be distributed, sold, or offered for sale in a package containing less than 0.60 Ounces of tobacco. [Ca percel Code Sections 308.3; 21 CFR 1140.14].
Yes No ARE THERE VENDING MACHINES? Tobacco products may not be sold, offered for sale, or distributed from vending machines. [Ca Business & Professions Code 22960, 22958, 22957 (STAKE Act).	Yes / No – DO CIAGARETTES OR TOBACCO PRODUCTS MEET MINIMUM PACKAGE SIZE? Unpackaged or packages of smokeless tobacco may not be distributed, sold, or offered for sale in packages that are smaller than those distributed by the manufacturer for individual use. [21 CFR 1140.14].
Yes / No IS STOREFRONT ADVERTISING IN COMPLIANCE? No more than 33% of the square footage of windows and clear glass doors of a business establishment may be covered. [CA Business & Professions Code Sections 25612].	
Yes NO- IS THERE BLUNT WRAP ADVERTISING DISPLAY?	to be sold in Contra Costa County within 1,000 feet of schools, parks, playerounds, or libraries. [CCC Ord. 445-6.006]
No – DOES IT MEET MINIMUM REQUIREMENTS? No person or business may place advertising for blunt wraps lower than four (4) feet above the floor. No person or business offering blunt wraps for sale may place blunt wrap advertising within two (2) feet of a candy, snack, or nonalcoholic beverage display. [CA Penal Code Section 308; CA Business & Professions Code Section 22962 (STAKE Act)].	kind which are intended for use or designed for use in planting, cuttivating, growing manufacturing, producing, processing, preparing, testing, analyzing, packaging, storing, concealing, injecting, ingesting, inhaling, or introducing into the human body a controlled substance as defined in Section 11364.5(d) use
Refusal of inspection is in violation of 22980(b) B&P and shall be punished by a fine not to exceed five thousand dollars (\$5,000) or imprisonment not exceeding one year in a county jail or both the fine and imprisonment.	

#### **EXHIBIT B**

#### Department of Conservation and Development

30 Muir Road Martinez, CA 94553

Phone:1-855-323-2626

Contra Costa County



John Kopchik Director

Aruna Bhat Deputy Director

Jason Crapo Deputy Director

Maureen Toms Deputy Director

Deidra Dingman Deputy Director

Gabriel Lemus Asst. Deputy Director

January 25, 2023

Smoke Depot 3770 San Pablo Dam Road El Sobrante, CA 94803

#### RE: Updated Zoning Determination for Tobacco Retailer (Smoke Depot) Site Address: 3770 San Pablo Dam Road, El Sobrante, CA 94803 County File #CDSE22-00009 APN: 420-140-035 (Zoning: P-1/GP: M-13)

Dear Smoke Depot:

This letter is in response to an El-Sobrante P-1 administrative review request submitted to the Department of Conservation and Development on December 9, 2022, for a proposed tobacco retailing business to be located at 3770 San Pablo Dam Road in the El Sobrante area.

The establishment of a proposed tobacco retailing business (Smoke Depot) at the property identified above has been reviewed for compliance with County zoning regulations. The zoning determination of the Department of Conservation & Development is provided below.

#### El Sobrante P-1 (Planned Unit) District Zoning Consistency

The Department of Conservation and Development, Community Development Division (CDD), has determined that, based on the application materials submitted on December 9, 2022, the proposed retail business (Smoke Depot) is a permitted use within the San Pablo Dam Road Mixed Use (M-13) Land Use District and is consistent with the intent and purpose of the El Sobrante P-1.

#### Tobacco Retailing Businesses Ordinance (Ord. 88-26)

Based on additional information submitted to CDD on January 24, 2023, it has been shown that the subject property, 3770 San Pablo Dam Road in El Sobrante, was established as a tobacco retailer since at least December 1, 1986, operating as Jasmine Gifts & Tobacco. Historical business license and tobacco retail licenses for Jasmine Gifts & Tobacco were provided as evidence showing that both licenses have been maintained for the site up to the current date. Thus, the retailing of

tobacco products at the subject property is considered a nonconforming use under Chapter 88-26.406 of the County's Tobacco Retailing Businesses Ordinance (Chapter 88-26).

Please note that no evidence has been submitted to the Department of Conservation and Development that indicate that 3770 San Pablo Dam Road was operating as a *"significant tobacco retailing business"*. Therefore, the establishment of a significant tobacco retailing business is not allowed at this location. County Ordinance Code 88-26.204 defines a significant tobacco retailing business as follows: *"…any tobacco retailing business for which twenty percent or more of floor or display area is devoted to tobacco products, tobacco paraphernalia, or both."* 

Additionally, no signage was reviewed or approved within this determination letter. Any proposed signage will be subject to the review and approval by the Department of Conservation and Development.

Please be aware that this determination letter does not constitute a building permit for any tenant improvements. Additionally, this approval does not constitute a business license. It is the responsibility of the business owner to obtain a business license from the County prior to engaging in commercial activities at the subject property. Attached hereto is a property use verification form needed to obtain your business license from the County Tax Collector.

If you have any additional questions, you may contact the project planner, Everett Louie at <u>everett.louie@dcd.cccounty.us</u> or at (925) 655-2873.

Sincerely,

Ruben L. Hernandez

Deputy Zoning Administrator

Cc: County File #CDSE22-00009 Monica Marquez <u>monica.marquez@cchealth.org</u>

Attach: Property Use Verification Form

Anna M. Roth, RN, MS, MPH Health Services Director Ori Tzvieli, MD

Health Officer Public Health Director





Community Wellness & Prevention Program

597 Center Avenue, Suite 110 Martinez, California 94553

> Ph (925) 313-6808 Fax (925) 313-6840 cchealth.org/prevention

#### ADMINISTRATIVE PENALTY NOTICE OF FINE (Contra Costa County Ordinance Code, § 14-12.006)

January 27, 2023

Goma Kafle 3770 San Pablo Dam Road El Sobrante, CA

RE: Smoke Depot SITE ADDRESS: 3770 San Pablo Dam Road, El Sobrante, CA APN: 420-140-035

Our records indicate that you are the responsible party of record of the above-referenced property. Inspections of the property were conducted on 11/09/2022 and 12/16/2022, and the following violation(s) of the Tobacco Retailer's License Ordinance were observed:

#### 11/09/2022

- 1. Selling small pack of cigars. This is a violation of Contra Costa County Ordinance Code, Section 445-6.010.
- 2. Selling electronic smoking devices. This is a violation of Contra Cost County Ordinance Code, Section 445-6.014.
- No STAKE Act age of sale warning sign was posted. This is a violation of Contra Costa County Ordinance Code, Section 445-10.018(a); Cal. Code of Regs, Tit. 17, Section 6902.
- Selling Drug paraphernalia. This is a violation of Contra Costa County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Section 11364.5.
- 5. Retailing tobacco without a valid Tobacco Retailer's License. This is a violation of Contra Costa County Ordinance Code, Section 445-10.002.

#### 12/16/2022

- 1. Selling electronic smoking devices. This is a violation of Contra Cost County Ordinance Code, Section 445-6.014.
- 2. Retailing tobacco without a valid Tobacco Retailer's License. This is a violation of Contra Costa County Ordinance Code, Section 445-10.002.



Administrative Penalty Notice of Fine Goma Kafle Page 2

The fine amount for a first violation is \$100. The fine amount for a second violation within one year of the first violation is \$200. There is a \$500 fine for each additional violation that occurs within one year of the first violation. Because a separate violation occurred on two days and were observed during two different inspections, the Director has imposed on you a fine in the amount of \$300. (Contra Costa County Ordinance Code, Section 14-12.006.)

On 1/12/2023 and 1/13/2023, County staff informed you that a valid Tobacco Retailer's License is required to legally retail tobacco under County Ordinance Code, section 445-10.002. On 1/23/2023, County staff met and discussed with you the requirements for obtaining a Tobacco Retailer's License and provided you with additional information related to retailing tobacco in Contra Costa County. County staff will continue to assist you in the procurement of a valid Tobacco Retailer's License for this location. The payment of outstanding fines is required prior to the issuance of a Tobacco Retailer's License. (Contra Costa County Ordinance Code, Section 445-10.010.)

Payment must be sent to Contra Costa County, Department of Health Services, Public Health Division, 597 Center Ave, Suite 110, Martinez, CA 94553 within thirty (30) days of the date of this notification. The administrative penalty is a personal obligation, and failure to pay the penalty may result in the amount being made a lien and/or special assessment against your property, and other legal action may be taken to collect the penalty. If a judicial action is required to collect the penalty, the County will seek to recover its attorney fees and cost from you.

#### **RIGHT TO APPEAL**

You may appeal this fine by filing a written appeal with the Contra Costa County, Department of Health Services, Public Health Division, at 597 Center Ave, Suite 110, Martinez, CA 94553, within 15 calendar days of the date of mailing of this notice. The written appeal must contain:

- 1. A brief statement setting forth the interest you have in the matter relating to the imposition of the penalty;
- 2. A brief statement of the material facts you claim support the contention that no fine should be imposed or that a fine of a different amount is warranted; and
- 3. An address at which you agree that notice of any additional proceedings or an order relating to imposition of the fine may be received by first class mail.

If you file an appeal, a notice of the appeal hearing will be mailed to you. The appeal hearing will be set no sooner than 20 days and no later than 45 days following the service date of the notice of appeal hearing. Failure to appear will cause this notice to become a final order. If you fail to request an appeal, this notice shall be final. Government Code section 53069.4 authorizes judicial review of a final administrative order.

The Director may record a copy of this Notice of Fine with the Contra Costa County Recorder.

Anna Roth Director, Department of Health Services Contra Costa County



Contra Costa Behavioral Health Services 
 Contra Costa Emergency Medical Services 
 Contra Costa Environmental Health & Hazardous Materials Programs

Contra Costa Health, Housing & Homeless Services 
 Contra Costa Health Plan
 Contra Costa Public Health
 Contra Costa Regional Medical Center & Health Centers

Administrative Penalty Notice of Fine Goma Kafle Page 3

By <u>Cedrita Claiborne</u>

Cedrita Claiborne, MPA, Director Community Wellness and Prevention Program



• Contra Costa Behavioral Health Services • Contra Costa Emergency Medical Services • Contra Costa Environmental Health & Hazardous Materials Programs •

Contra Costa Health, Housing & Homeless Services • Contra Costa Health Plan • Contra Costa Public Health • Contra Costa Regional Medical Center & Health Centers •



### TOBACCO HETXIL INSPECTION CHECKLIGI CONTRA CODITA COUNTY OFFICE OF THE SHERIFF TOBACCO ENFORCEMENT TOBACCO ENFORCEMENT THE MUR ROAD, MAITHEZ, CA NESS

005-313-2000

#### EXHIBIT

Date of Inspection: 4, 18, 24

The Tobacco Enforcement Unit is amend to eliminate the rilegal sale of tobacco products to miniors within unincorporated Contra Costa County. The unit conducts periodic inspections of tobacco retailer establishments, responds to complaints, and partners with local, state and federal law anforcement apencies to adaress laws pertaining to the sale of tobacco to minors and tobacco related business activity. This checklist is intended to provide refailers a general understanding of what is reviewed during the inspection.

Yes (No) Is Business License V GG/NO Is County Tobacco Re Yes / No Is County Tobacco Re Contra Costa County Business License? Contra Costa County Tobacco Retailer's License? Cattornia Cigarette & Tobacco Product License? Is Business License Visible? Yes/No Is County Tobacco Retailer Permit Visible? CO2/No Is the California Tobacco Retailer License Visible? Inventory Last of Tobacco Products? CXFIRE California Yobacco Seller's Permit? Yes / No Is Seller's Permit Visible? Yes AND (they No Contra Costa County Health Permit? Yes / No Yes No / SIGN POSTING REQUIREMENT MET? CET. No DO CIGARILLOS/LITTLE CIGARS OR TOBACCO Every speed that asks tobacco must post a boldy privated, contrasting-color sign Every space there are stocked must polet a body preset, constraining odd with in a consecutor piece at each polet of participate, saying that totacco products may not be set to minor. The sign must include : 1-00-5A3K-4-3D (STAKE Act agens) (CA shuenees & Professions Code Sections 22960, 22966 (Stake Act) CA Code of Reputations, Title 17, Section B902(a), CA Penal Code 308(c)) ODUCTS MEET MINIMUM PACKAGE SIZE OF 10? Unpackaged or packages of smokeless tobacco may not be distributed, sold, or offered for sale in packages that are smaller than those distributed by the manufacturer for individual use [Contra Costa County Ordinance 445-6 010] 13 Ve / No - ARE ELECTRONIC SMOKING DEVICES OR E-LIQUIDS SOLD? Only Vaping devices that have a premarket review order issued under Section 387(0303(A)(i) of Tale 21 of the U.S. Code. (Contra Costa County Ordinance 445-Yes ARE CIGARS A MINIMUM OF \$5.00 U.S. DOLLAR [Contra Costa County Ordinance 445-6.010] 6.014 Yes / No STOREFRONT ADVERTISING IS COMPLIANCE? Mes/ No - ARE ANY FLAVORED TOBACCO PRODUCTS No more than 33% of the square footage of windows and clear glass doors of a IN business establishment may be covered (CA Business & Professions Code It is untawful for any type of flavored tobacco product (fluity, liquor flavor, mins/menthol) to be sold in Contra Costa County, playgrounds, or librariles [Contra Yes / No - IS DRUG PARAPHERNALIA KEPT, DISPLAYED, OR OFFERED IN ANY MANNER? Ves / No - ARE CANNABIS PROUDCTS SOLD? "Drug Paraphernalia" means all equipment, products, and materials of any kind which are intended for use or designed for use in planting, cultivating, prowing A posiness that sells tobacco or alcohol cannot sell or offer to sell any cannabia manufacturing producing, processing, preparing, testing, analyzing, packaging, products [Contra Costa County Ordinance 2018-18, § 3, 6-26-18]. storing, concealing, system, inpasting, inhaling, or introducing into the human body a controlled substance as defined in Section 11364 S(d) Health & Safety (6) No - DOES IT MEET MINIMUM REQUIREMENTS? Business Address: 3770 SAN PABLO DM RD GL SOBRANTSCA to person or business may place advertising for blunt wraps lower than four (4) feet above the foor. No person or business offering blunt wraps for sale may place blunt wrap adventising within (2) feet of a candy, snack; or nonalcoholic beverage display (CA Penal Code Section 308; CA Business & Professions Code PAULOS YOHANNES Owner Name: SMAEL ALJALAL fortunal of proposition in incomparison of 22500c04 BBP and shall be purchased by a fine root a sense of the recovered striker (24 doct, or propriors made not exceeding and year in a PETELTIVE CESAR GUERRE Signature (Job Title) : efunal Signature Officer / ID# : 6 osai3770@gmail.com Business is responsible for amendin WHITE COPY: Contra Costa County

REVOLLE + TAXATION 34061A1

18:

5

hove violated requirements by YELLOW COPY: Business

483





2500 Bates Ave | Concord, CA, 94520 | Phone: (925) 608-5231 cchealth.org

#### NOTICE OF SUSPENSION HEARING (Contra Costa County Ordinance Code, § 445-10.018)

April 24, 2024

Ahmed Dubaih 3770 San Pablo Dam Road El Sobrante, CA 94803

RE: Smoke Depot SITE ADDRESS: 3770 San Pablo Dam Road, El Sobrante, CA, 94803 APN: 420-140-035

Smoke Depot, located at 3770 San Pablo Dam Road, El Sobrante, California (the "Property") operates pursuant to a tobacco retailer's license regulated under Chapter 445-10 (Tobacco Retailer's License Ordinance) of the Contra Costa County Ordinance Code. Our records indicate that you are the listed licensee for the above-referenced Property. Inspection of the Property was conducted on April 18, 2024, and the following violations of the Tobacco Retailer's License Ordinance were observed:

#### April 18, 2024

- 1. Flavored tobacco products on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
- 2. Menthol cigarettes on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
- 3. Electronic smoking devices on display and offered for sale. (County Ordinance Code, Section 445-6.014.)
- 4. Drug paraphernalia, specifically mushrooms, cannabis flower, flavored cannabis vaping liquids, and blunts were on display and offered for sale, and offered for sale in a location that did not exclude unaccompanied persons under the age of 18. (County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Section 11364.5; Cal. Health and Saf. Code, Section 11377.)
- 5. Single cigars on display and offered for sale. (County Ordinance Code, Section 445-6.010.)
- 6. Self-service displays. (County Ordinance Code, Section 445-6.002.)

Staff has also become aware that you purchased the above-referenced property in or around August 2023 and have been operating the subject business under the previous tobacco retailer's license without obtaining a new, valid tobacco retailer's license. A tobacco retailer's license is nontransferable. Accordingly, this is a violation of County Ordinance Code, Section 445-10.010(c).

Due to the above-cited violations, the proposed time period of the tobacco retailer's license suspension is **90 days**.

The violations cited herein constitute the Smoke Depot's second violation of the Tobacco Retailer's License Ordinance. A Notice of Fine was issued and became a final administrative order on January 26, 2023, documenting Smoke Depot's first violation. A tobacco retailer's license may be suspended for up to 90 days for a second violation that occurs within five years after the first violation. (County Ordinance Code, Section 445-6.018.)

The processing of your current application for a new tobacco retailer's license for the abovereferenced property will be placed on hold. If a suspension of the current tobacco retailer's license is ordered, your application may not be approved, and a new tobacco retailer's license will not be issued until the suspension period has concluded.

The Public Health Director will hold a license suspension hearing on **Tuesday, June 11, 2024, at 11:00am.,** at 597 Center Ave, Room 120, Martinez, CA 94553. At the hearing, you will be given the opportunity to testify and present any supporting evidence concerning the notice of suspension hearing. After consideration of the evidence and testimonies at the hearing, the Public Health Director will issue a written decision to suspend or not suspend the tobacco retailer's license. The written decision will include the reason or reasons for the decision and the time period of the tobacco retailer's license suspension.

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Anna Roth Director, Department of Health Services Contra Costa County

By

Dr. Ori Tzvieli Health Officer, Public Health Director



Community Wellness & Prev. Prgm. 2500 BATES AVE. SUITE B CONCORD CA. 94520

#### EXHIBIT E

Confidential — To be opened by addressee only

Athmed Dubaih 3770 Sun Pablo Dam Road El Sobrante, CA 94803

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Community Wellness & Prev. Prgm. 2500 BATES AVE. SUITE B CONCORD CA. 94520

Confidential — To be opened by addressee only

Ahmed Dubain 3770 San Palolo Dam Poad El sobrante, UA 99803



### Add a Caption

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# Monday • May 20, 2024 • 1:29 PM

### Apple iPhone 11 Pro

Wide Camera — 26 mm *f*1.8 12 MP • 3024 × 4032 • 1.7 MB

ISO 64 26 mm 0 ev f1.8 1/60 s



Adjust

HEIF





2500 Bates Ave | Concord, CA, 94520 | Phone: (925) 608-5231 cchealth.org

#### NOTICE OF DECISION

June 26, 2024

Ahmed Dubaih 3770 San Pablo Dam Road El Sobrante, CA 94803

IN THE MATTER OF:

NAME: Smoke Depot SITE: 3770 San Pablo Dam Road El Sobrante, CA 94803 APN: 420-140-035

WRITTEN DECISION FOLLOWING HEARING

This matter came on for hearing before Dr. Sefanit Mekuria, Contra Costa County Medical Director, Deputy Health Officer, on June 11, 2024, 11:00 a.m., at 597 Center Avenue, Suite 120, Martinez, CA 94553. The purpose of the hearing was to determine whether the above-referenced tobacco retailer committed violations of the County's Tobacco Product Control Ordinance (County Ordinance Code Division 445). The following individuals testified on behalf of the County:

 Monica Marquez, Senior Health Education Specialist, Contra Costa County Public Health

The following individuals testified on behalf of the retailer:

1. Ismail Mahyoub Abduljala

The following evidence was submitted:

- Contra Costa County Sheriff Tobacco Retail Inspection Report, dated April 18, 2024
- 2. Contra Costa County Sheriff Citation #20-1602762, dated April 18, 2924
- Photos taken by Public Health Department Staff during April 18, 2024 site inspection

After considering the testimony and evidence, the Director makes the following factual findings:

- 1. The above-named retailer purchased the Smoke Depot, located at 3770 San Pablo Dam Road, El Sobrante, CA, in or around August 2023 and has been operating the Smoke Depot without obtaining a new, valid tobacco retailer's license. It is unlawful for any retailer, individual, or entity to conduct tobacco retailing in the unincorporated area of the county without first obtaining and maintaining a valid tobacco retailer's license from Contra Costa County for each location where tobacco retailing is conducted. Accordingly, this is a violation of County Ordinance Code, Section 445-10.002.
- 2. Additional violations occurred at the above-referenced retail location and were observed on April 18, 2024.

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3. The additional violations include:

#### April 18, 2024

- a. Flavored tobacco products on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
- b. Menthol cigarettes on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
- c. Electronic smoking devices on display and offered for sale. (County Ordinance Code, Section 445-6.014.)
- d. Drug paraphernalia, specifically mushrooms, cannabis flower, flavored cannabis vaping liquids, and blunts were on display and offered for sale, and offered for sale in a location that did not exclude unaccompanied persons under the age of 18. (County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Section 11364.5; Cal. Health and Saf. Code, Section 11377.)
- e. Single cigars on display and offered for sale. (County Ordinance Code, Section 445-6.010.)
- f. Self-service displays. (County Ordinance Code, Section 445-6.002.)
- 4. The Sheriff's Report, Citation, and photos include documentary evidence that each of the violations occurred.
- 5. The herein cited violations constitute the second violation of the County's

Tobacco Product Control Ordinance at the above-referenced Smoke Depot retail location within the past five years. A Notice of Fine was issued and became a final administrative order on January 26, 2023, documenting the first violation occurring at the Smoke Depot

6. The above-named retailer, Mr. Dubaih, through his representative or agent, has acknowledged the violations.

#### ORDER

The Public Health Director orders:

The above-referenced tobacco retailer does not have valid tobacco retailer's license from Contra Costa County to sell tobacco products at 3770 San Pablo Dam Road, El Sobrante, CA, commonly known as Smoke Depot. All retailing of tobacco products at this location must be discontinued immediately. Tobacco products may not be retailed at this location until a valid tobacco retailer's license for this location has been issued.

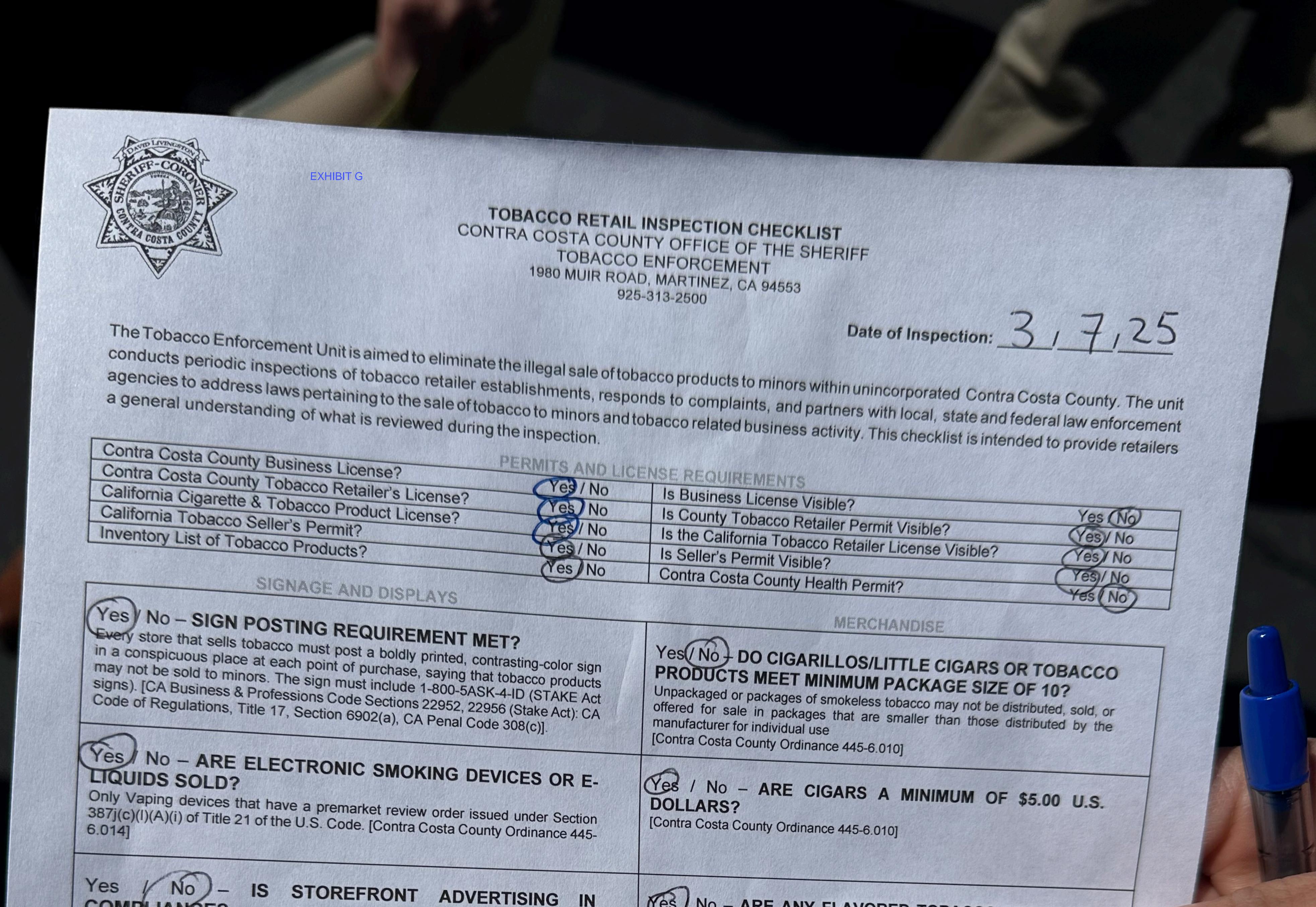
The processing of the above-named retailer's application for a new tobacco retailer's license for the Smoke Depot will be placed on hold for a period of **90 days** from the date of this decision. The application may not be approved, and a new tobacco retailer's license for the Smoke Depot will not be issued, before **September 23, 2024**. Any additional violations of the County's Tobacco Product Control Ordinance during this period may further delay issuance of a tobacco retailer's license.

This decision may be appealed to the Board of Supervisors by filing a written notice of appeal with the Clerk of the Board of Supervisors, County Administration Building, 1025 Escobar Street, Martinez, California, within 30 days of the date this decision is served.

Date: <u>6/26/2024</u>

#### Sefanít Mekuría

Sefanit Mekuria, MD Medical Director, Deputy Health Officer Contra Costa County



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Section 22962 (STAKE Act)].

No more than 33% of the square footage of windows and clear glass doors of a business establishment may be covered [CA Business & Professions Code Sections 25612].

# Yes / No - IS DRUG PARAPHERNALIA KEPT, DISPLAYED, **OR OFFERED IN ANY MANNER?**

"Drug Paraphernalia" means all equipment, products, and materials of any kind which are intended for use or designed for use in planting, cultivating, growing manufacturing, producing, processing, preparing, testing, analyzing, packaging, storing, concealing, injecting, ingesting, inhaling, or introducing into the human body a controlled substance as defined in Section 11364.S(d) Health & Safety Code.

### DOES IT MEET MINIMUM REQUIREMENTS? No person or business may place advertising for blunt wraps lower than four (4) feet above the floor. No person or business offering blunt wraps for sale may place blunt wrap advertising within (2) feet of a candy, snack, or nonalcoholic beverage display [CA Penal Code Section 308; CA Business & Professions Code

Refusal of inspection is in violation of 22980(b) B&P and shall be punished by a fine not to exceed five thousand dollars (\$5,000), or imprisonment not exceeding one year in a county jail or both the fine and imprisonment.

## Ne - ARE ANY FLAVORED TOBACCO PRODUCTS PRESENT?

It is unlawful for any type of flavored tobacco product (fruity, liquor flavor, mint/menthol) to be sold in Contra Costa County, playgrounds, or libraries [Contra Costa County Ordinance 445-6.006].

# Yes No - ARE CANNABIS PROUDCTS SOLD?

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A business that sells tobacco or alcohol cannot sell or offer to sell any cannabis products [Contra Costa County Ordinance 2018-18, § 3, 6-26-18].

Officer / ID# :	CAI 77482	_
		Depres

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Notes:

**Refusal Signature:** 

Business is responsible for amending the above violated requirements by 3 1712 25 WHITE COPY: Contra Costa County Sheriff's Office CCCSO TBE Inspection Checklist Form 03/2023

Business Address:

Clerk Name:

**Owner Name:** 

Signature (Job Title)