



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Planning Commission

Wednesday, July 23, 2025

6:30 PM

30 Muir Road, Martinez

Zoom: <https://cccouny-us.zoom.us/j/84769800896> | Call in: (888)278-0254 Access code: 198675

CHAIR: Kevin Van Buskirk

VICE-CHAIR: Bhupen Amin

COMMISSIONERS: Jeffrey Wright, Donna Allen, Bob Mankin, Ross Hillesheim, Sanjiv Bhandari

The public may attend this meeting in person at the above location. The public may also attend this meeting remotely via Zoom or call-in. Login information and call-in information is provided below. Persons wishing to view the meeting but not participate may view the meeting live online at: <https://www.contracosta.ca.gov/4314/County-Planning-Commission>.

Persons who wish to address the Commission during public comment on matters within the Commission's jurisdiction that are not on the agenda, or who wish to comment with respect to an item on the agenda, may comment in person, via Zoom, or via call-in. Those participating in person should come to the podium when called upon. Those participating via Zoom should indicate they wish to speak by using the "raise your hand" feature in the Zoom app. Those calling in should indicate they wish to speak by pushing "#2" on their phone.

All public comments will be limited to 3 minutes per speaker. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccounty.us, or by voicemail at (925) 655-2860. 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.

For assistance with remote access, please contact County staff at (925) 494-4516

Any disclosable public records related to an item on a regular meeting agenda and distributed by County staff to a majority of the Planning Commissioners less than 96 hours prior to the meeting are available for inspection at 30 Muir Road, Martinez, CA 94553, during normal business hours.

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 County Planning Commission meetings. Please contact County staff at least 48 hours before the meeting at (925) 655-2860.

1. PLEDGE OF ALLEGIANCE

2. SUBDIVISION MAP EXTENSIONS

- 2a.** CITY VENTURES HOMEBUILDING LLC (Applicant and Owner), County File #CDS18-09491 and #CDDP18-03022. The applicant requests to extend the expiration date for three (3) additional years, to September 24, 2028, for the vesting tentative map for the Tara Creek Townhomes in the unincorporated San Pablo area, consisting of thirty-three residential parcels and two common space parcels approved under subdivision #CDS18-09491. The project is located on San Pablo Avenue between Tara Hills Drive and O'Hatch Drive in the unincorporated San Pablo area (Zoning: Planned Unit District, P-1) (Assessor's Parcel Number: 403-202-011) SS [25-2851](#)

Attachments: [Attachment A - Site Map](#)
[Attachment B - Vesting Tentative Map](#)
[Attachment C - SD18-9491 and DP18-3022 Permit](#)

3. PUBLIC HEARINGS

- 3a.** GEORGE NAVARRO (Appellant) – GEORGE NAVARRO (Applicant and Owner), County File CDVR24-01060: This is an appeal of the Zoning Administrator's decision to deny a Variance Permit and Small Lot Design Review to allow a 750 square-foot detached garage (where 500 square-feet is the maximum size allowed for an accessory building) that is 15-feet, 5-inches in total height (where 15-feet is the maximum height allowed). The project site is located at 3565 Willow Road in the Bethel Island area of unincorporated Contra Costa County. (Zoning: F-1 Water Recreation District, -FH Flood Hazard Combining District) (Assessor's Parcel Number: 029-100-014) AS [25-2852](#)

Attachments: [Attachment A Findings final](#)
[Attachment B Letter of Appeal received on May 14, 2025](#)
[Attachment C Maps](#)
[Attachment D Site Photos](#)
[Attachment E Project Plans](#)
[Attachment F Staff Report for the May 5, 2025 Zoning Administrator Meeting](#)
[Attachment G Agency Comments](#)
[Attachment H Public Comments](#)
[Attachment I PowerPoint Presentation final](#)

4. PUBLIC COMMENTS

5. STAFF REPORT

6. COMMISSIONERS' COMMENTS

7. COMMUNICATIONS

THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE HELD ON WEDNESDAY, AUGUST 13, 2025.



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 25-2851

Agenda Date: 7/23/2025

Agenda #: 2a.

Project Title:	Extension of Time for Major Subdivision 9491 known as the Tara Creek Townhomes
County File:	#CDSD18-09491 and #CDDP18-03022
Applicant & Owner:	City Ventures Homebuilding LLC
Zoning General Plan:	Planned Unit District (P-1) Montalvin Manor Mixed Use (M-9)
Site Address/Location:	Vacant 2.78-acre parcel located on San Pablo Avenue between Tara Hills Drive and O'Hatch Drive in the unincorporated San Pablo area (APN: 403-202-011)
Project Planner:	Syd Sotoodeh, Senior Planner; (925) 655-2877; syd.sotoodeh@dcd.cccounty.us
Staff Recommendation:	Approve (See section II for full recommendation)

I. PROJECT SUMMARY

The applicant requests to extend the period of time for filing a final map three (3) additional years, to September 24, 2028, for the vesting tentative map for the Tara Creek Townhomes in the unincorporated San Pablo area, consisting of thirty-three residential parcels and two common space parcels approved under subdivision #CDSD18-09491.

II. RECOMMENDATION

Staff recommends that the Planning Commission adopt a motion to extend the date for filing a final map three (3) additional years to September 24, 2028.

III. BACKGROUND

The Tara Creek Townhomes project included a subdivision and final development plan on approximately 2.78 acres of vacant land, located on the south side of San Pablo Avenue between Tara Hills Drive and O'Hatch Drive in the unincorporated San Pablo area of Contra Costa County. The project was approved to subdivide 2.78-acres into 33 new residential lots and two common space lots and to construct new townhome units on each new residential parcel with associated site improvements for the entire development, including new roadways, storm drain and clean-water improvements, and the establishment of an open space parcel. In order to develop the property as proposed, approval was granted for a final Development Plan (County File #CDDP18-

03022) in addition to the vesting tentative map.

The project was initially heard before the Zoning Administrator (ZA) on May 20, 2019. After taking public testimony, the ZA requested that the matter be continued as an open hearing to June 17, 2019. After hearing all speakers and considering all testimony, the ZA unanimously approved the project as recommended by staff with minor changes to findings and to conditions of approval #1, #2, and #21. One appeal of the Zoning Administrator's approval was received. Therefore, the project was heard before the County Planning Commission as an open hearing on September 11, 2019. After the hearing, the Planning Commission unanimously voted to deny the appeal and to approve the project as recommended by staff with minor changes to conditions of approval #16 and #19. Therefore, the project was approved on September 11, 2019, and became effective on September 24, 2019.

The original subdivision permit approval was valid for a period of three years and would have expired on September 24, 2022, based on the effective date. A request for an extension of six (6) years for filing the final map was received on February 22, 2022. On April 13, 2022, the County Planning Commission granted an extension for filing a final map three (3) additional years, to September 24, 2025.

IV. DISCRETIONARY TIME EXTENSIONS AND SPECIAL EXTENSIONS

- A. Discretionary Time Extension: The Subdivision Map Act allows for local jurisdictions to grant up to a maximum of six (6) additional years of discretionary extensions to file the final map upon request from the applicant and prior to expiration of the approved tentative map (Government Code Section 66452.6(e)). County Code Section 94-2.610 allows up to a three (3) year extension by the advisory agency which originally approved the tentative map prior to expiration of the approved tentative map. Subdivision 9491, known as the Tara Creek Townhomes, was approved on September 11, 2019, and became effective on September 24, 2019. The original permit approval was valid for a period of three years and would have expired on September 24, 2022, based on the effective date pursuant to the permit. The subdivision was subsequently granted a three (3) year discretionary extension beyond the original expiration date to September 24, 2025. Therefore, pursuant to County Code Section 94-2.610 and Government Code Section 66452.6(e), the subdivision is eligible to be extended three (3) additional years, making the final expiration date to file the final map September 24, 2028.
- B. Special Statutory Extensions Granted by State Legislature: Subdivision 9491 is not eligible for special statutory extensions as granted by the State legislature through the Subdivision Map Act.

V. CURRENT EXTENSION REQUEST

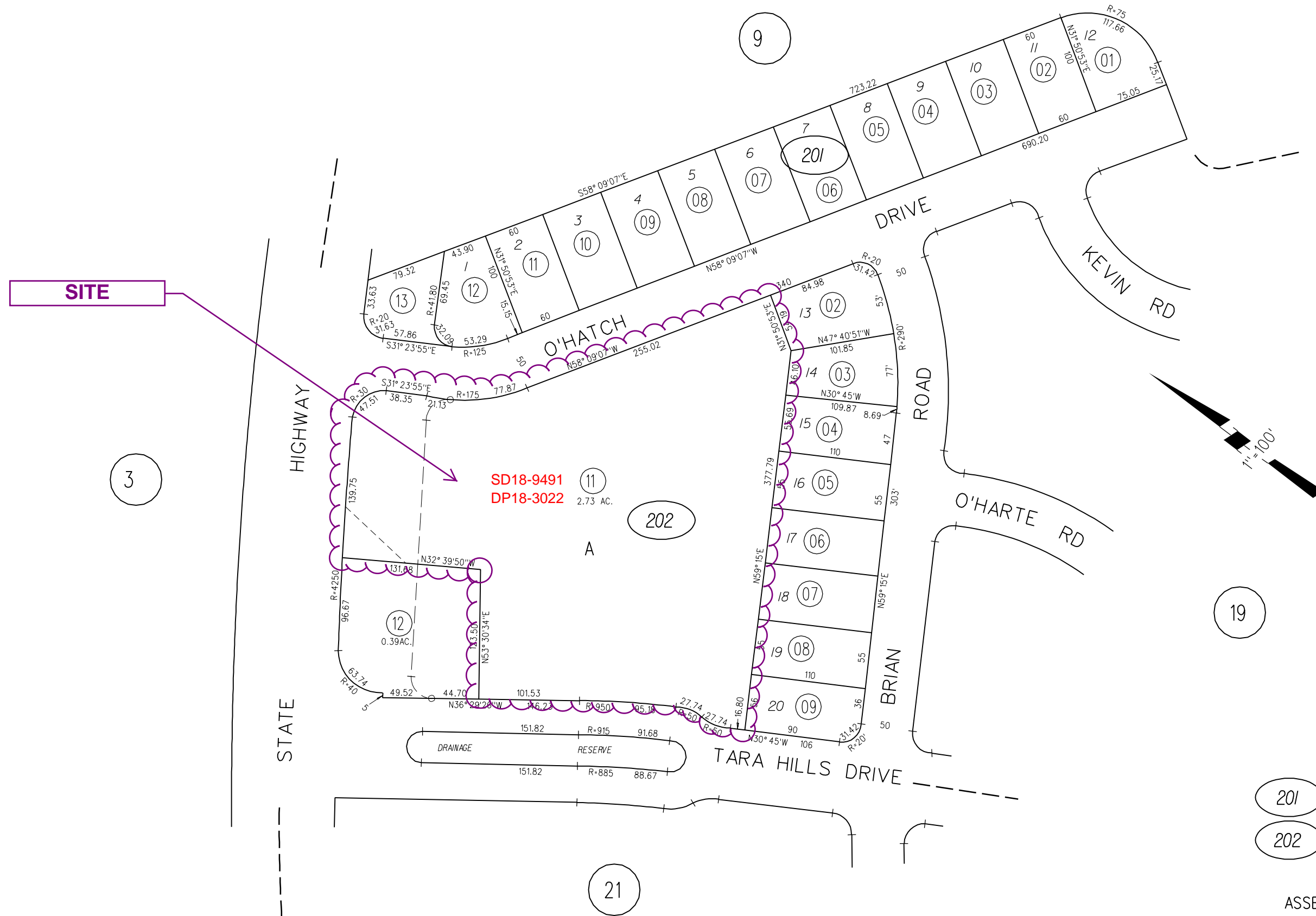
On May 12, 2025, City Ventures requested an extension of the filing period for the approved vesting tentative map for up to three years beyond the expiration date of September 24, 2025. Pursuant to County Code Section 94-2.610, approval of this extension will extend the date for filing the final map to September 24, 2028. According to the provisions of the Subdivision Map Act (Section 6645.6(e)), **no more discretionary time extensions for the filing of the vesting tentative map may be filed**. This approval includes the Final Development Plan CDDP18-03022.

VI. CONCLUSION

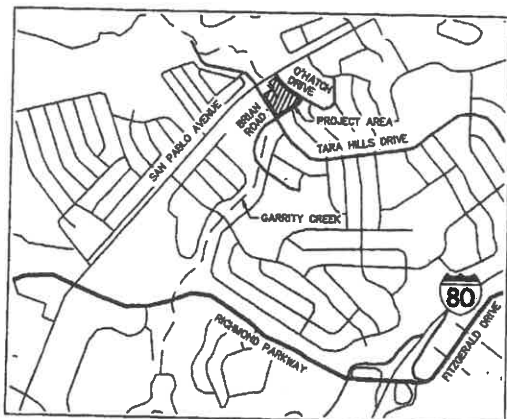
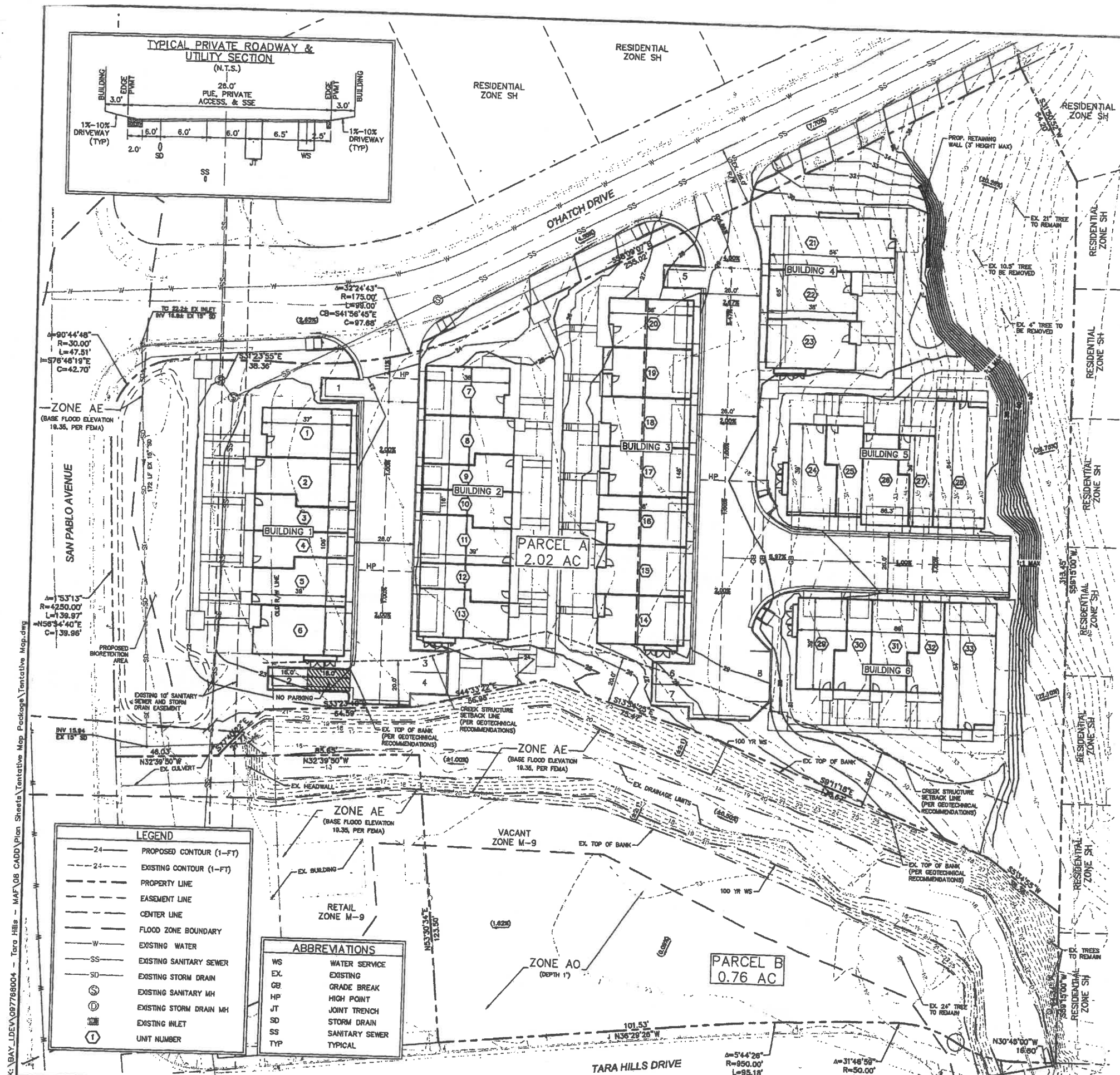
Staff recommends that the County Planning Commission approve the extension to file the final map to September 24, 2028.

Attachments:

- Attachment A - Parcel Map
- Attachment B - Vesting Tentative Map
- Attachment C - SD18-9491, DP18-3022 Permit and Conditions of Approval



201
202



LOCATION MAP
(N.T.S.)

ASSESSOR'S PARCEL NUMBER
403-202-011

PROJECT TEAM

OWNER/DEVELOPER
JASON BERNSTEIN
CITY VENTURES
444 SPEAR STREET, SUITE 200
SAN FRANCISCO, CA 94105
415.208.3325
JASON@CITYVENTURES.COM

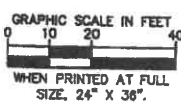
ARCHITECT
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VAN DORN ARDEN, LANDSCAPE
ARCHITECTS, INC.
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GENERAL NOTES

1. NET OWNERSHIP ACREAGE: 2.78 ACRES
PARCEL A 2.02 ACRES
PARCEL B 0.76 ACRES
2. TOTAL UNITS: 33 FOR SALE CONDOMINIUMS
3. ZONING: MONTALVIN MANOR MIXED USE (M-9)
4. EXISTING USE: VACANT
5. UTILITIES
SEWER: WEST COUNTY WASTEWATER DISTRICT
WATER: EAST BAY MUNICIPAL UTILITY DISTRICT
STORM DRAIN: HOME OWNER ASSOCIATION
ELECTRIC: PACIFIC GAS & ELECTRIC COMPANY
TELEPHONE: AT&T
FIRE: CONTRA COSTA COUNTY FIRE DISTRICT
SCHOOL DISTRICT: WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
6. THIS WILL BE A SINGLE PHASE SUBDIVISION.
7. FINAL MAP WILL DEDICATE UTILITY, EASEMENT, AND ACCESS EASEMENTS TO INTERNAL LOTS.
8. ALL SHARED DRIVEWAYS, EASEMENTS, SEWER, AND WATER FACILITIES WILL BE DEDICATED TO THE PUBLIC AGENCY HAVE JURISDICTION OVER THEM.
9. FLOOD ZONE X, ZONE AE, AND ZONE AO PER FEMA MAP 06013C0227F. ALL BUILDING IMPROVEMENTS ARE IN FLOOD ZONE X.
10. ELEVATIONS ARE BASED ON CONTRA COSTA BENCHMARK "F-1198," A BRASS DISK ON THE NORTH SIDE OF STATE HIGHWAY NO. 40 ALONG THE NORTH EDGE OF THE SOUTHWEST END OF A CONCRETE BRIDGE OVER GARRITY CREEK, DIRECTLY OVER A WING WALL. NGVD ELEVATION = 23.00'
11. FEMA FLOOD MAPS USE THE NAVD 88 DATUM. TO CONVERT FROM NAVD 88 TO NGVD 29, SUBTRACT 2.65 FEET FROM THE NAVD 88 ELEVATIONS.
12. PARCEL A IS FOR DEVELOPMENT. PARCEL B IS FOR A PRIVATE PARK AND OPEN SPACE.



TARA CREEK
VESTING TENTATIVE MAP
NO. 9491
FOR CONDOMINIUM PURPOSES
CONTRA COSTA COUNTY,
STATE OF CALIFORNIA

Kimley»Horn

4637 CHABOT DRIVE, SUITE 300, PLEASANTON, CA 94588
PHONE: 925-365-4840 FAX: 925-365-4849
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TARA CREEK
PREPARED FOR
CITY VENTURES

VESTING
TENTATIVE MAP

SHEET NUMBER
VTM-1

NO.	REVISIONS	DATE	BY

CONTRA COSTA COUNTY




**CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION**

APPROVED PERMIT

APPLICANT:	Jason Bernstein-City Ventures 444 Spear Street, Suite 200 San Francisco, CA 94105	APPLICATION NO.:	SD18-9491 DP18-3022
		ASSESSOR'S PARCEL NO.:	403-202-011
		PROJECT LOCATION:	San Pablo Ave and O'Hatch Drive San Pablo, CA
OWNER:	David and Rosie Wong 2198 Granite Drive Alamo, CA 94507	ZONING DISTRICT:	P-1
		APPROVED DATE:	September 11, 2019
		EFFECTIVE DATE:	September 24, 2019

This matter having not been appealed within the period of time prescribed by law, a VESTING TENTATIVE MAP to subdivide a 2.78-acre property into 33 new residential parcels, and two common parcels, and a DEVELOPMENT PLAN PERMIT to develop 33 townhomes on the site along with associated site improvements in the San Pablo area is hereby APPROVED, subject to the attached conditions of approval.

By: 
Aruna M. Bhat
Deputy Director

Unless otherwise provided, THIS PERMIT WILL EXPIRE THREE (3) YEARS from the effective date if the action allowed by this permit is not undertaken within that time.

PLEASE NOTE THE EFFECTIVE DATE, as no further notification will be sent by this office.

FINDINGS AND CONDITIONS OF APPROVAL FOR JASON BERNSTEIN-CITY VENTURES (APPLICANT) & DAVID & ROSIE WONG (OWNERS); COUNTY FILES #SD18-9491 & DP18-3022 AS APPROVED BY THE COUNTY PLANNING COMMISSION ON SEPTEMBER 11, 2019

I. FINDINGS

A. Growth Management Findings

1. Traffic: 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 additional AM or PM peak-hour trips. The proposed project consisting of a 33-lot subdivision and the construction of 33 townhomes would generate an estimated 33 AM and 33 PM peak-hour trips, and therefore, 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 Montalvin Manor area. Additionally, according to Figure 5-3 of the Transportation and Circulation Element, the subject property is located within a Transit Corridor and within Local Transit Service Area. Alternative modes of transportation are within close proximity to the property and are accessible for the proposed housing units. The project is located at the southwest corner of San Pablo Avenue and O'Hatch Drive, between O'Hatch Drive and Tara Hills Drive, in Montalvin Manor. Sidewalk exists along the San Pablo Avenue property frontage, and San Pablo Avenue has protected bike lanes in both directions. Furthermore, there are bus stops on the northwest and southwest sides of San Pablo Avenue where it intersects with Tara Hills Drive.
2. Water: The project site currently receives water service from the East Bay Municipal Utility District (EBMUD). EBMUD has reviewed the project application documents and has indicated that a new main will be required to accommodate the project, that all EBMUD water efficient measures shall be observed, and that they should be contacted regarding the provision of new water service pursuant to EMBUD water service regulations. Accordingly, the impact of providing water service to the project would be less than significant.
3. Sanitary Sewer: Wastewater generated by the project would originate from the 33 new townhomes that would be constructed within the new subdivision. The project site is served by the West County Wastewater District (WCWD). WCWD has received the project application comment request and has stated that wastewater services is available for the project, subject to the submittal, review and approval of WCWD. By meeting the development standards of WCWD,

the project is expected to be accommodated by existing WCWD facilities without expansion of the wastewater treatment system. By following this process, impacts of the project on WCWD facilities would be less than significant.

4. Fire Protection: Fire protection and emergency medical response services for the project vicinity are provided by the Contra Costa County Fire Protection District (CCCFFPD). The CCCFFPD submitted comments on the project application detailing requirements for fire lane delineation, water supply, fire hydrants, and CCCFFPD review of building permit submittals, amongst other items. Prior to construction of the project, the revised plans would be reviewed and approved by the CCCFFPD. As a result, potential impacts of the project on fire protection services would be less than significant.
5. Public Protection: Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Office, through the Bay Station, located approximately 2.5 miles driving distance to the west of the project site. Public protection standards under Policy 4-c of the Growth Management Program (GMP) of the County General Plan require a Sheriff facility standard of 155 square feet of station area and support facilities per 1,000 in population shall be maintained within the unincorporated area of the County. The project would not induce a significant population increase within the County that would equal or exceed 1,000 persons. The project would construct 33 new townhomes subsequent to subdividing the subject property, which would directly increase the Montalvin Manor area population by an estimated 91 people, based on the Census 2010 estimate of 2.77 people per household for Contra Costa County. As the project will add to the County's population, Condition of Approval (COA) #12 requires that, prior to the recording of the Final Map, the owner of the property shall participate in establishing a special tax for the parcels created by this subdivision. The collected tax money will be used to augment existing police services to accommodate for the incremental increase in population as a result of the subdivision.
6. Parks and Recreation: Parks and recreation standards under the GMP require three acres of neighborhood park area per 1,000 in population. The project would not induce a significant population increase within the County that would equal or exceed 1,000 persons. The project would construct 33 new townhomes subsequent to subdividing the subject property, which would directly increase the Montalvin Manor population by an estimated 91 people, based on the Census 2010 estimate of 2.77 people per household for Contra

Costa County. Furthermore, the applicant would be required to pay a Park Impact Fee for each new residence, which is used to acquire parkland and develop parks and recreation facilities to serve new residential development in the unincorporated areas of the County. Thus, there would be no impact from this project on the use of the local public parks and recreational facilities by residents of the Montalvin Manor area.

7. Flood Control and Drainage: Portions of the project lie within the Special Flood Hazard Area as designated on the Federal Emergency Management Agency Flood Insurance Rate Maps. The applicant shall be aware of the requirements of the National Flood Insurance Program and the County Floodplain Management Ordinance as they pertain to future construction of any structures on this property. There are three separate flood zones affecting this property. One is a Zone AO, indicating shallow flooding (1-foot depth), Zone AE with specified floodplain elevations, and a "Regulatory Floodway." Construction or other encroachments into the floodway, including grading, are generally prohibited.

A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 10,000 square feet in compliance with the County's Stormwater Management and Discharge Control Ordinance (§1014) and the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. The revised SWCP received on October 25, 2018 prepared by Kimley Horn has been deemed preliminarily complete for the purposes of this approval. A final SWCP and a Stormwater Control Operation and Maintenance Plan consistent with the County's Stormwater Management and Discharge Control Ordinance shall be required prior to filing of the Final Map. Provision C.10, Trash Load Reduction, of the County's NPDES permits requires control of trash in local waterways. To prevent or remove trash loads from municipal storm drain systems, trash capture devices shall be installed in catch basins (excludes those located within a bioretention/stormwater treatment facility). Devices must meet the County's NPDES permits and approved by Public Works Department. Location must be approved by Public Works Department.

The project would not substantially alter the drainage pattern of the site or area or result in substantial erosion or siltation. Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having

a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse. The property is generally level but slopes upward approximately 30 feet from northwest to southeast towards the rear of the property. The site currently drains to drainage infrastructure within San Pablo Avenue or directly into the existing Garrity Creek drainage channel. The project will improve the existing general drainage pattern, as it includes stormwater control facilities for the control of stormwaters entering the property. The applicant has submitted a preliminary Storm Water Control Plan that provides an underground storm drain system with bioretention facilities. The development has been entirely located on the flat, higher area of the site. In doing so, the site can continue to drain similarly to its existing condition while creating an opportune location for improvements and not creating any disturbance to Garrity Creek. The SWCP includes a large bioretention area along San Pablo Avenue, which would filter the storm water as it leads to other existing and new drainage facilities. The bioretention basins would be designed to intercept storm water collected in the storm drains or surface areas, remove pollutants from storm water, and allow for percolation into the ground or into the drainage facilities.

Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse. A preliminary SWCP has been reviewed and deemed sufficient by the Public Works Department (PWD), who has recommended conditions of approval regarding storm water management. PWD has stated that review of the final SWCP is required prior to construction of improvements. Conformance of the project with this PWD requirement would reduce the impact of the project on San Pablo Creek to a less than significant level and there would not be any significant risk due to an increase in the project-related volume of runoff that would result in onsite or off-site flooding.

B. Tentative Map Findings

1. Required Finding: The advisory agency shall not approve a tentative map unless it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general plan required by law.

Project Finding: The project involves a subdivision of the 2.78-acre property into 33 residential lots, with two common area parcels for the private access roads, open and recreational spaces for the residences and guest parking. The project is consistent with the Montalvin Manor Mixed Use (M-9) General Plan land use designation. As a general guide, the permitted density for multiple-family residential development on this site should be within the range of 7.3 to 11.9 units per net acre, comparable to the Multiple-Family Residential-Low Density (ML) land use designation. The 33-unit subdivision of the 2.78-acre property would result in a density of 11.87 units per net acre, which falls within the density range for the M-9 designation. Furthermore, the project involves the construction of a new multi-family development including 33 new residences, which is consistent with the uses allowed in M-9 and ML. Furthermore, the 2005-2020 Contra Costa County General Plan contains policies related to providing an adequate supply of housing and encouraging infill development on under-utilized sites within urbanized areas where necessary utilities already are installed. Thus, the project is consistent with the M-9 land use designation and the applicable policies contained in the General Plan.

The subject property is located within the Montalvin Manor Planned Unit District (P-1). Overall, the project is in compliance with the Montalvin Manor P-1, but it includes requests for deviations to certain aspects of the development standards due to physical constraints on the property. Building 2 includes a front setback of 6 feet, 11 inches from O'Hatch Drive, where 10 feet is required. Building 4 includes a setback of 9 feet, 7 inches from O'Hatch Drive, where 10 feet is required. As such, deviations to the Montalvin Manor P-1 are included for these front setbacks. A variance is also included to allow these two front, highway setbacks, where 10 feet is required pursuant to Section 82-12.402(a). Additionally, Buildings 1, 2, 3 and 4 include a maximum height of 37 feet, 6 inches, where 30 feet is the maximum height allowed, and Buildings 5 and 6 include a maximum height of 37 feet, 6 inches, where 20 feet is allowed within 50 feet of a single-family residential district. Finally, off-street guest parking spaces #1 and #5 include a five-foot setback from O'Hatch Drive, where 10 feet is required. In reviewing these deviations, staff determined that, although approval of the included deviations and variance would not conform to the minimum requirements of the Montalvin Manor P-1 Development Standards or Section 82-18.002, the construction of these residential buildings and parking spaces does not constitute a grant of special privilege due to special circumstances applicable to the subject property.

The subject property is divided into two separate areas by Garrity Creek, which runs through the property from the southern corner through to the northwestern corner. As a result, the property is divided into a 2.02-acre area on the east side of the creek and a 0.76-acre area on the west side. The townhome project is located on the 2.02-acre eastern side, as it is the larger portion and generally more feasible for development. Contrarily, the western side of the creek is approximately 10-15 feet lower in elevation and within the FEMA flood zone AE and AO. As a result, this portion of the parcel becomes physically disconnected from the eastern side by the creek and large elevation difference, and it is limited in development potential due to the flood zone designations. With the western side of the property essentially becoming undevelopable, the developable area of the property is reduced to the 2.02-acre side of Garrity Creek. Allowing the reduced setbacks would allow the project proponent to maximize the development potential for the property without creating a significant impact on the environment or surrounding community.

Furthermore, the deviations to allow increased heights above the allowed 20- and 30-foot height maximums is a direct result of this developable space limitation created by Garrity Creek. The subject site is located in an established community that consists of various types of commercial and high-density single-family and multi-family residential uses. In order to accommodate both the 33 units, as allowed by the M-9 designation, and the required number of parking spaces in the limited developable space, it is necessary for the buildings to grow vertically where they are limited in horizontal area. The 33 new townhomes, although taller overall than the neighboring residences to the north, would provide a residential use that would help transition to the commercial land uses to the south. Additionally, the single-family residential community to the east is situated at a ground-level elevation at least 30 feet higher than that of the project. As such, the building heights would rise only slightly higher than the ground level of these properties and would not pose a significant impact.

The Montalvin Manor P-1 requires two off-street parking spaces and 0.25 guest parking spaces for units that contain two or more bedrooms. The project includes two-car garages at the ground floor of each townhome, resulting in 66 off-street parking spaces for the 33 units. The project will include over 12 guest parking spaces throughout the site, which exceeds the guest parking requirement. In addition to the project exceeding the minimum parking requirements, there are additional alternative transit factors to consider in

reviewing this project. According to Figure 5-3 of the Transportation and Circulation Element, the subject property is located within a Transit Corridor and within Local Transit Service Area, and there are two bus stops adjacent to the property that provides access to public transit, such as other bus lines and BART. Therefore, staff finds that the project provides sufficient off-street parking for the 33 new residential units.

Overall, the establishment of the 33 new residential units at the subject site for multiple-family residential development is substantially consistent with the M-9 General Plan land use designation, as it is a permitted use in this designation and is consistent with the surrounding area that consists of a variety of commercial and both single-family and multi-family residential uses. The project will substantially comply with the Montalvin Manor P-1, even with the included deviations to the development standards driven by physical constraints on the property. Furthermore, the project will provide additional housing to the area in support of the County's General Plan Housing Element.

2. Required Finding: The advisory agency shall not approve a tentative map unless it shall find that the proposed subdivision fulfills construction requirements.

Project Finding: The project will comply with the collect and convey regulations, storm drainage facilities, and design standards for private roads. Additionally, compliance with the California Building Code and all applicable County Ordinances is required for grading of the property and construction of residential buildings.

C. Housing Element (SB 166) Finding

1. Required Finding: Pursuant to Government Code Section 65863, (a) Each city, county, or city and county shall ensure that its housing element inventory described in paragraph (3) of subdivision (a) of Section 65583 or its housing element program to make sites available pursuant to paragraph (1) of subdivision (c) of Section 65583 can accommodate, at all times throughout the planning period, its remaining unmet share of the regional housing need allocated pursuant to Section 65584, except as provided in paragraph (2) of subdivision (c). At no time, except as provided in paragraph (2) of subdivision (c), shall a city, county, or city and county by administrative, quasi-judicial, legislative, or other action permit or cause its inventory of sites identified in

the housing element to be insufficient to meet its remaining unmet share of the regional housing need for lower and moderate-income households.

Project Finding: A component of preparing the County's Housing Element for the General Plan is the identification of vacant and underutilized sites suitable for residential development, and an evaluation of the housing development potential of these sites in fulfilling the County's share of the regional housing needs as determined by the Association of Bay Area Governments. This property is identified in the County's 2015-2023 Housing Element Sites Inventory (the "Inventory") with a unit potential of 19 moderate income units and 1 low income unit, however, the project does not include any moderate or low income units.

This project includes 33 market-rate townhome units with two and three-bedrooms. These unit types will increase housing opportunities for larger households, and the project proposes to maximize the housing density and development of the site despite the presence of a creek that bisects the property. The existing zoning and general plan designation allows 7.3 to 11.9 units per net acre and the project is maximizing the density allowed on the site.

The Inventory currently has a surplus of approximately 266 low-income units and 614 moderate-income units. Although this project will result in a reduction of both low and moderate-income units identified for the site, there is sufficient capacity on other identified sites in the Inventory that can accommodate the County's unmet share of the regional housing need for the remainder of this cycle of the Housing Element.

D. Findings for Granting an Exception to the Subdivision Ordinance (Title 9) Requirements

On behalf of the applicant, the project's engineer, Kimley-Horn and Associates, submitted exception request letters dated August 6, 2018, January 21, 2019, February 1, 2019, and February 8, 2019, requesting exceptions from the following provisions of the County Ordinance Code:

- a) 96-10 – Underground utilities
- b) 96-12.406 – Private road turnaround
- c) 98-6.008 – Streets entering intersections
- d) 914-14.012 – Structure setback lines for unimproved earth channels

Pursuant to Section 92.6002, minor exceptions can be granted when the required findings can be made.

1. Exception #1: An exception request to Section 96-10 regarding the undergrounding of overhead utility lines on Tara Hills Drive.

- a. Required Finding: That there are unusual circumstances or conditions affecting the property.

Project Finding: Garrity Creek enters the site on Tara Hills Drive through a culvert. Undergrounding the overhead lines across the culvert could undermine the culvert, the adjacent road, and the area around the culvert. This would then impact the creek in violation of state and/or federal regulations which govern the regulatory waterway of Garrity Creek. Additionally, the utility pole located at this culvert cannot be shifted in any direction due to its reliance on tension from overhead lines connected to other utility poles to the west, east and south. As such, there are unusual circumstances or conditions affecting the property.

- b. Required Finding: That the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Project Finding: The applicant has worked closely with the County to develop a project that will bring much needed housing to this area of Contra Costa County. The applicant has worked with County staff to avoid work within Garrity Creek to allow the project to move forward. The project will not be viable if Garrity Creek is impacted, which would be the result if the applicant is required to underground overhead lines on Tara Hills Drive. Furthermore, any work under the culvert could damage the adjacent road creating traffic impacts and other unintended consequences. We do not recommend any work that would impact the culvert and find that this exemption is necessary for the development of the property. As such, the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

- c. Required Finding: That the granting of the exception will not be materially detrimental to the public welfare or injurious to other

property in the territory in which the property is situated. As such, the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Project Finding: The applicant is requesting to maintain the current overhead utility lines. As there is no history of this setup creating negative impacts, there would be no detriment to public welfare or other property in the territory. As such, 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.

2. Exception #2: An exception request to Section 96-12.406, which requires the construction of a turnaround at the terminus of private roads.

- a. Required Finding: That there are unusual circumstances or conditions affecting the property.

Project Finding: Garrity Creek bisects the property, resulting in a portion of the property being located in the flood plain. In order to achieve maximum density for the site, development must occur on the northern side of the creek to avoid building within the flood plain. Since all of the buildings must be on the northern side of the creek, the project cannot accommodate a 70-foot diameter turnaround at the end of the most northerly private road. As such, there are unusual circumstances or conditions affecting the property.

- b. Required Finding: That the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Project Finding: In order to prevent construction within the flood plain and to allow for the site's allowed density to be maximized, all development is located on the northern side of Garrity Creek. Since all of the buildings must be on the northern side of the creek, the project cannot accommodate a 70-foot diameter turnaround at the end of the most northerly private road. As such, the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

- c. Required Finding: That the granting of the exception will not be materially detrimental to the public welfare or injurious to other

property in the territory in which the property is situated. As such, the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Project Finding: The southern private road has a short, side branch from the main road that can function as a hammerhead turnaround for larger vehicles, such as fire trucks, refuse collection vehicles, etc. The northern private road, which serves 13 of the 33 units, has a parking stall sized restricted area similar to what is required in "dead end" parking lot aisles to facilitate turnarounds. As such, 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.

3. Exception #3: An exception request to Section 98-6.008, regarding the street gradient within 30 feet of the intersection of the private roads and O'Hatch Drive exceeding the maximum of 6%.

- a. Required Finding: That there are unusual circumstances or conditions affecting the property.

Project Finding: There is significant variation to the existing topography within the site. To balance the site to the extent practical, the common driveways need to be raised as much as possible to allow the finished floors within the buildings to be consistent. Since the units are served with short, three-foot driveway aprons, the longitudinal slope of the common driveways need to remain as flat as possible to prevent driveway aprons to unit garages from becoming excessively steep, which would cause scraping concerns. Balancing all of the varying slopes requires the exception, as it presents an unusual circumstance or condition affecting the property.

- b. Required Finding: That the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Project Finding: It is necessary to maximize grade where there are no driveway aprons to garages, such as at the intersections with O'Hatch Drive and at the internal intersection, in order to preserve the ability to maximize the allowed density of the site. As such, the exception is

necessary for the preservation and enjoyment of a substantial property right of the applicant.

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

Project Finding: The increased grade is limited to just over 1% above the maximum allowed by Code and occurs outside of the pedestrian crossings at the intersections. The centerline gradient will still meet the Americans with Disabilities Act (ADA) standards for access. As such, 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.

- 4. Exception #4: An exception request to Section 914-14.012 regarding creek structure setback lines relative to Garrity Creek.

- a. Required Finding: That there are unusual circumstances or conditions affecting the property.

Project Finding: Garrity Creek bisects the southern half of the site, which significantly reduces buildable area. The top of bank of the creek is higher on the northern side than the southern side, and according to FEMA the southern side of the creek overtops and floods approximately one foot deep during the 1% storm, which further reduces buildable area. As such, there are unusual circumstances or conditions affecting the property.

- b. Required Finding: That the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Project Finding: In order to prevent construction within the flood plain and to allow for the site's allowed density to be maximized, all development is located on the northern side of Garrity Creek, and the new buildings would not be able to meet the required creek structure setbacks. As such, the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

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

Project Finding: The project's geotechnical engineer has evaluated the existing creek bank and soil profile along the creek and has determined that the setbacks from the physical top of bank, as shown on the Vesting Tentative Map, are sufficient to protect the new residences. In addition, as there is no development on the southern side of the creek, the flood plain will not be developed, which would eliminate the potential that this project could increase downstream flooding. As such, 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.

E. Variance Findings

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

Project Finding: The project requires a variance to allow for reduced highway setbacks pursuant to Section 82-18.002. Building 2 includes a front setback of 6 feet, 11 inches from O'Hatch Drive, where 10 feet is required, Building 4 includes a setback of 9 feet, 7 inches from O'Hatch Drive, where 10 feet is required, and off-street guest parking spaces #1 and #5 include a five-foot setback from O'Hatch Drive, where 10 feet is required. The subject property is divided into two separate areas by Garrity Creek, which runs through the property from the southern corner through to the northwestern corner. As a result, the property is divided into a 2.02-acre area on the east side of the creek and a 0.76-acre area on the west side. The townhome project is located on the 2.02-acre eastern side, as it is the larger portion and generally more feasible for development. Contrarily, the western side of the creek is approximately 10-15 feet lower in elevation and within the FEMA flood zone AE and AO. As a result, this portion of the parcel becomes physically disconnected from the eastern side by the creek and large elevation difference, and it is limited in development potential due to the flood zone designations. With the western side of the property essentially becoming undevelopable, the developable area of the property is reduced to the 2.02-acre eastern side of Garrity Creek. Allowing the reduced setbacks would allow the project proponent to maximize

the development potential for the property without creating a significant impact on the environment. As such, granting a variance for reduced highway setbacks would not be a granting of special privilege.

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

Project Finding: Although approval of these reduced highway setbacks (where 10 feet is required) does not conform to the minimum requirements of Section 82-18.002, the construction of these buildings and parking spaces does not constitute a grant of special privilege due to special circumstances applicable to the subject property. The subject property is divided into two separate areas by Garrity Creek, which runs through the property from the southern corner through to the northwestern corner. As a result, the property is divided into a 2.02-acre area on the east side of the creek and a 0.76-acre area on the west side. The townhome project is located on the 2.02-acre eastern side, as it is the larger portion and generally more feasible for development. Contrarily, the western side of the creek is approximately 10-15 feet lower in elevation and within the FEMA flood zone AE and AO. As a result, this portion of the parcel becomes physically disconnected from the eastern side by the creek and large elevation difference, and it is limited in development potential due to the flood zone designations. With the western side of the property essentially becoming undevelopable, the developable area of the property is reduced to the 2.02-acre side of Garrity Creek. Allowing the reduced setbacks would allow the project proponent to maximize the development potential for the property without creating a significant impact on the environment.

Allowing this variance would also not result in a negative impact to the surrounding community. The subject property is situated in an established community that consists of various types of commercial and high-density single-family and multi-family residential uses. The 33 new townhomes, although taller overall than the neighboring residences to the north, would provide a residential use that would help transition to the commercial land uses to the south.

3. Required Finding: That any variance authorized substantially meets the intent and purpose of the respective land use district in which the subject property is located.

Project Finding: The property is within the Montalvin Manor Planned Unit District (P-1), which establishes land use consistency based on the subject property's General Plan land use designation. The subject property is located in the Montalvin Manor Mixed-Use (M-9) General Plan land use designation. The M-9 designation applies to two sites located at the intersection of Tara Hills Drive and San Pablo Avenue: a site consisting of one parcel at the north corner of the intersection and a site consisting of two parcels at the east corner of the intersection. A range of neighborhood retail, residential, and office uses are permitted in this designation to stimulate the upgrade and redevelopment of the properties. The mixed-use designation is intended to encourage the mix of both residential and neighborhood retail uses on this site. Although approval of reduced highway setbacks for multiple buildings (where 10 feet is required) does not conform to the minimum requirements of Section 82-18.002, the construction of the buildings with these reduced setbacks would allow for the construction of residential units in accordance with the M-9 designation and the General Plan Housing Element. Finally, the reduced highway setbacks, as part of the overall subdivision and townhome development plan, is consistent with the residential mixed-use nature of the two-parcel M-9 site and would substantially meet the intent and purpose of the M-9 land use designation. As such, approval of the requested variance would allow for the construction of a permitted use without negatively impacting the appearance or character of the neighborhood in any way and would allow the property owner to enjoy the same rights as nearby neighbors to further develop the property.

II. CONDITIONS OF APPROVAL FOR COUNTY FILES #SD18-9491 & DP18-3022

1. The Vesting Tentative Map and Final Development Plan for the 33 Residential-Lot and Two Common-Area-Lot Subdivision is APPROVED, as generally shown and based on the following documents:
 - A. Application and materials submitted to the Department of Conservation and Development, Community Development Division (CDD) on June 15, 2018;

- B. Revised Vesting Tentative Map, Final Development Plan, and Landscaping Plan for Subdivision 9491, dated received on October 25, 2018;
 - C. Revised site plan received June 4, 2019; with a height maximum of 27'-6" on the southwest unit and 37'6" in maximum height for the other units within the development;
 - D. Biological Resource Analysis Report, prepared by Johnson Marigot Consulting, LLC, received January 18, 2019;
 - E. Geotechnical Investigation Report, prepared by Quantum Geotechnical, Inc., dated June 11, 2018, and Response to Contra Costa County Flood Control Comments addendum received August 6, 2018;
 - F. Noise Assessment Study, Prepared by Edward L. Pack Associates, Inc., received June 15, 2018;
 - G. Stormwater Control Plan, prepared by Kimley-Horn and Associates, Inc., received October 25, 2018;
 - H. Traffic Impact Study, prepared by Advanced Mobility Group, received June 15, 2018.
 - I. Arborist Report, prepared by Horticultural Associates, received January 18, 2019.
2. Approval is granted to allow for the following variances that meet the requirements of Section 26-2.2006 of the County Ordinance Code:
- A. A highway setback of 6 feet, 11 inches from O'Hatch Drive for Building 2, where 10 feet is required pursuant to Section 82-18.002;
 - B. A highway setback of 9 feet, 7 inches from O'Hatch Drive for Building 4, where 10 feet is required pursuant to Section 82-18.002;
 - C. A highway setback of five feet from O'Hatch Drive for off-street guest parking spaces #1 and #5, where 10 feet is required pursuant to Section 82-18.002.

Application Fees

3. This application is subject to an initial application deposit of \$3,850.00, which was paid with the application submittal, plus time and materials costs if the application review expenses exceed 100% of the initial deposit. Any additional costs due must be paid within 60 days of the permit effective date or prior to use of the permit, whichever occurs first. The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

Indemnification

4. 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 fully in the defense.

Prior to recordation of the Final Map, or issuance of grading or building permits, whichever occurs first, the applicant shall submit the indemnification agreement between the applicant and Contra Costa County for the review and approval of CDD.

Compliance Report

5. **At least 45 days prior to recordation of the Final Map or issuance of a grading or building permit, whichever occurs first,** the applicant shall provide a permit compliance report to the Department of Conservation and Development, Community Development Division (CDD) for review and approval. The report shall identify all conditions of approval that are administered by the CDD. The report shall document the measures taken by the applicant to satisfy all relevant conditions. Copies of the permit conditions may be obtained from the CDD. Unless otherwise indicated, the applicant will be required to demonstrate compliance with the applicable conditions of this report prior to filing the Final Map.

The permit compliance review is subject to staff time and materials charges, with an initial deposit of \$1,500, which shall be paid at the time of submittal of the compliance report.

6. This Final Development Plan Permit includes approval of the design for the residences. Any changes to the approved plans stated above must be submitted for review and approval of CDD, and may require the submittal of an application, if deemed necessary.

Inclusionary Housing Ordinance

The following conditions of approval are for the purpose of compliance with Chapter 822-4 (Inclusionary Housing Ordinance) of the County Ordinance Code. Terms and definitions used in the following conditions of approval may be found in the above-referenced County Ordinance Code.

7. This project is subject to the Inclusionary Housing Ordinance (IHO). Pursuant to Section 822-4.402 of the County Ordinance Code, a residential development of 33 for-sale units shall require at least fifteen percent of the for-sale units to be developed and sold as inclusionary units (units that are required to be sold at an affordable sales price to lower and moderate income households). The applicant is required to construct 4.95 inclusionary housing units for the project. (Required inclusionary units: 33 for-sale units x 15% = 4.95 inclusionary units)

As an alternative to the requirement to construct inclusionary housing, the applicant has proposed the payment of a For-Sale Housing In-Lieu Fee. This alternative to collect an in-lieu fee, as established in DCD's fee schedule, has been accepted.

Prior to the recordation of the Final Map or the filing of a building permit for the development, whichever occurs first, the applicant must pay to the County the full amount of the IHO For-Sale Housing In-Lieu fee of \$127,871.37. This amount is calculated as: \$3,874.89/unit x 33 market rate units = \$127,871.37 total in-lieu fee. This in-lieu fee is non-refundable.

8. Should the applicant choose not to pay the in-lieu fee in full prior to the recordation of the Final Map or the filing of a building permit, whichever occurs first, then the applicant shall construct the required number of inclusionary units on-site, off-site, or a combination of both on-site and off-site.

Park Impact Fee

9. **Prior to submittal of a building permit for a new residence**, the applicant shall pay the applicable park impact fee as established by the Board of Supervisors.

Park Dedication Fee

10. **Prior to submittal of a building permit for a new residence**, the applicant shall pay the applicable park dedication fee as established by the Board of Supervisors.

Child Care

11. **Prior to submittal of a building permit for each new residence**, the applicant shall pay a fee of \$400.00 toward childcare facility needs in the area, as established by the Board of Supervisors.

Police Services District

12. **Election for Establishment of a Police Services District to Augment Police Services: Prior to the recordation of the Final Map**, the owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be per parcel annual amount (with appropriate future CPI adjustment) established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to filing the Final Map. The property owner shall be responsible for paying the cost of holding the election, payable at the time the election is requested by the owner. Allow a minimum of three to four months for processing.

Creation of Homeowners Association and CC&R's

13. Prior to filing the Final Map, a homeowners association (HOA) shall be created and the Covenants, Conditions and Restrictions (CC&R) shall be recorded concurrently with the final map. The CC&Rs shall be submitted for review and approval of the CDD. This document shall provide for the creation of a homeowners association that is responsible for maintenance of the private streets, scenic development/creek areas with required stormwater control measures (i.e. bio-retention basin), special road paving, drainage, and retaining walls, landscaping/park space/common areas/open space. During long-term operation of the storm drain system, the HOA shall be responsible for hiring a

contractor to complete regular maintenance activities, such as de-silting culverts and removing vegetation and debris from storm drain inlets, to assure that facilities are operating at their design capacities and to prevent on-site and downstream drainage/flooding problems. The HOA shall be responsible for maintenance of all common subdivision drainage devices and all stormwater treatment facilities required for compliance with Provision C.3 of the county's Municipal Regional Permit that regulates stormwater discharge.

Deed Restriction

14. At least 30 days prior to issuance of any permits (i.e. grading or building) a deed restriction must be prepared and recorded either prior to or concurrently with the filing and subsequent recordation of the vesting tentative map. The deed must notify all prospective Townhome Owners the garage must be used for each owners vehicle parking and will be enforced by the Homeowners Association.

CC&R's

15. Covenants, Conditions and Restrictions (CC&R's) shall be submitted for review with the final map, and shall be subject to review and approval by the CDD. This document shall provide for establishment, ownership and maintenance of the common open spaces, parking, fire protection, fencing, private streets, drainage maintenance, and establishment of signs.
16. Townhome residents may not park in the designated guest parking spaces or in on-street parking along O'Hatch Drive between San Pablo Avenue and Brian Road. Guest parking spaces shall not be rented or leased and shall remain available as guest parking spaces. Recreational Vehicle (RV) or trailer parking in guest parking spaces is strictly prohibited.

Community Outreach

17. The project developer shall hold two (2) additional community outreach meetings as follows:
 - A. The first meeting must occur prior to the issuance of a building and/or grading permit for the project

- B. The second meeting must occur during the construction/building phase and prior to issuance of any final occupancy permits. The purpose and intent is to further discussion and reasonable suggestions in regards to general traffic flow between the developer and residents. At the conclusion of each meeting the project developer will submit meeting minutes and/or meeting notes as evidence the meetings occurred to the CDD.

Lighting

- 18. **At least 30 days prior to submittal of a building permit**, a lighting plan for proposed exterior lighting shall be submitted to the Department of Conservation and Development, Community Development Division (CDD) for review and approval. The proposed exterior lighting shall be directed down so that lights shine onto the subject property and away from adjacent properties and away from San Pablo Avenue, O'Hatch Drive, and Tara Hills Drive.

On-site Guest Parking

- 19. At least 30 days prior to issuance of building or grading permits, the project sponsor shall submit a revised parking plan that provides 12 guest parking spaces on-site, subject to the review and approval of the Zoning Administrator.

Restitution for Tree Removal

- 20. Required Restitution for Approved Tree Removal: The following measures are intended to provide restitution for the removal of 13 code-protected trees:
 - A. Tree Restitution Planting and Irrigation Plan: **Prior to the removal of trees or submittal of building permits (e.g. demolition, grading or building) for each lot, whichever occurs first**, the applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of CDD. The plan shall provide for the planting of a total of **three (3) California-native-species trees, no larger than 15 gallons in size**. The plan shall comply with the State's Model Water Efficient Landscape Ordinance or the County Ordinance, if one is adopted. The plan shall be accompanied by an estimate prepared by a licensed landscape architect or arborist of the materials and labor costs to complete the improvements on the plan. **The plan shall be implemented prior to final building inspection for the final lot.**

- B. Required Security to Assure Completion of Plan Improvements: **Prior to removal of the code-protected tree or submittal of building permits (e.g. demolition, grading or building) for each lot, whichever occurs first,** the applicant shall submit a security that is acceptable to the CDD. The bond shall include the amount of the approved cost estimate, *plus* a 20% inflation surcharge.
- C. Initial Deposit for Processing of Security: The County ordinance requires that the applicant pay fees to cover all staff time and material costs of staff for processing the landscape improvement security. At the time of submittal of the security, the applicant shall pay an initial deposit of \$100.
- D. Duration of Security: The security for each lot shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time, the final inspection for the lot was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree(s) intended to be protected has been damaged, and CDD determines that the applicant has not been diligent in providing reasonable restitution, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s). Should one security be submitted for all lots, the security may be released upon complying with the requirements stated above and upon approval of a final inspection for the last lot constructed.

Tree Protection

- 21. Tree removal shall not occur until building permits are issued for construction.
- 22. The applicant shall adhere to all of the recommended tree preservation measures outlined within the arborist report prepared by prepared by Horticultural Associates, received January 18, 2019. All recommended tree protection measures shall be placed on the face of construction plans.
- 23. Prior to the start of any clearing, stockpiling, trenching, grading, compaction, paving or change in ground elevation on a site with trees to be preserved, the applicant shall install fencing at the dripline or other area as determined by an arborist report of all trees adjacent to or in the area to be altered. Prior to grading

or issuance of any permits, the fences may be inspected and the location thereof approved by appropriate County staff.

24. Common/Open Space areas must be suitably landscaped with a variety of California native plant material. All landscape plans shall be submitted for review prior to installation to the CDD.
25. No grading, compaction, stockpiling, trenching, paving or change in ground elevation shall be permitted within the dripline unless indicated on the grading plans approved by the County and addressed in any required report prepared by an arborist. If grading or construction is approved within the dripline, an arborist may be required to be present during grading and construction, an involved arborist shall prepare a report outlining further methods required for tree protection if any are required. All arborist expense shall be borne by the developer and applicant.
26. No parking or storing vehicles, equipment, machinery or construction materials, construction trailers and no dumping of oils or chemicals shall be permitted within the dripline within the dripline of any tree to be saved.

Landscaping

27. **Prior to issuance of a building permit**, a final landscaping and irrigation plan shall be submitted for the review and approval of CDD. The landscaping plan shall conform to the State's Model Water Efficient Landscape Ordinance or the County Ordinance, if one is adopted. The plan(s) must be prepared by a licensed Landscape Architect or licensed landscape contractor. **Prior to requesting a final inspection for the final lot of each phase**, the approved landscaping shall be installed and evidence of the installation (i.e. photos) shall be provided for the review and approval of CDD.

Air Quality

28. 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 (**MM AIR-1**):
 - 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 track-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. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 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.
- G. All construction and operational equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- H. 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.

Biological Resources

29. The following general avoidance and minimization measures shall be implemented throughout the construction activities to avoid potential impacts to sensitive biological resources. **(MM BIO-1)**

- A. All staging, maintenance, and storage of construction equipment will be performed in a manner to preclude any direct or indirect discharge of fuel, oil, or other petroleum products into waters of the U.S./State. No other debris, rubbish, creosote-treated wood, soil, silt, sand, cement, concrete or washings thereof, or other construction-related materials or wastes will be allowed to enter into or be placed where they may be washed by rainfall or runoff into waters of the U.S./State. All such debris and waste shall be picked-up daily and properly disposed of at an appropriate site.

- B. All food-related trash items such as wrappers, cans, bottles, and food scraps will be disposed of in closed containers and removed at least once a day from the project site.
- C. No firearms will be allowed on the project site except for those carried by authorized security personnel, or local, State, or Federal law enforcement officials.
- D. Project personnel shall not have dogs or cats in the project area.
- E. Project personnel will not be permitted to smoke in the project area.
- F. No pesticides of any kind will be used on the project site at any time during project implementation.
- G. No equipment will be operated in areas of flowing or standing water. No fueling, cleaning, or maintenance of vehicles or equipment will take place within any areas where an accidental discharge to waters of the U.S./State waters may occur.
- H. All equipment including excavators, trucks, hand tools, etc., that may have come in contact with invasive plants or the seeds of these plants, will be carefully cleaned before arriving on the site and shall also be carefully cleaned before removal from the site to prevent spread of these plants.
- I. Disturbance or removal of vegetation will not exceed the minimum necessary to complete construction.
- J. To minimize harassment, injury, death, and harm in the form of temporary habitat disturbances, all project-related vehicle traffic will be restricted to established roads, construction areas, equipment staging, parking, and stockpile areas.
- K. Along the length of the onsite portion of Garrity Creek, the work area will be delineated with orange silt fencing in order to minimize impacts to habitat beyond the work limit. This fencing will remain in place until all ground moving operations have ceased. Orange cyclone fencing, or other materials that can entrap small amphibians and reptiles and other small

wildlife species, will not be used.

- L. For each onsite tree proposed for preservation, a root protection zone will be established, extending from the trunk to the dripline (the outer extent of the tree canopy). This root protection zone will be fenced off from the work area with construction fencing in order to protect the preserved trees from inadvertent damage due to ground moving, compaction, and/or limb removal within the footprint of the dripline.

30. If vegetation removal or ground disturbance are scheduled to occur between February 15 and August 31, a preconstruction nesting bird survey of all suitable nesting habitat on the project site and within the zone of influence (the area immediately surrounding the project site that supports suitable nesting habitat that could be impacted by the project due to visual or auditory disturbance associated with the removal of vegetation and construction activities scheduled to occur during the nesting season) will be conducted by a qualified biologist within 14 days prior to commencement of vegetation removal or ground disturbance. If no nesting birds are observed during the survey, the vegetation removal and/or ground disturbance may commence as planned. If nesting birds are observed during the survey, a non-disturbance buffer of 50 feet for passerine birds and 250 feet for raptors will be established. This buffer will remain in place until such a time as the young have been determined (by a qualified biologist) to have fledged. **(MM BIO-2)**

Cultural Resources

31. If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, 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 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. **(MM CUL-1)**

32. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, they 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.

Prehistoric materials can include flake-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, or quartzite tool-making debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials can include wood, stone, concrete, or adobe footings, walls and other structural remains; debris-filled wells or privies; and deposits of wood, glass ceramics, and other refuse. **(MM CUL-2)**

33. If human remains are encountered, work within 50 feet of the discovery should be redirected and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to assess the situation. If the human remains are of a Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the property and provide recommendations for the proper treatment of the remains and associated grave goods.

Upon completion of the assessment, the archaeologist should prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the Northwest Information Center and appropriate Contra Costa agencies. **(MM CUL-3)**

Geology

34. **Prior to recordation of the Final Map**, the project sponsor shall provide an updated geotechnical report for technical review by the County Peer Review Geologist, and for review and approval by CDD. The updated geotechnical report shall include the following: (i) detailed slope stability analysis for Garrity Creek, (ii) review of project grading and drainage plans, including the siting and design of C.3 bio-retention facilities, (iii) present California Building Code Seismic Design Parameters, (iv) provide geotechnical recommendations pertaining to site clearing, grading, foundation designs, slabs-on-grade, pavement, flat work, and drainage, and (v) outline of details of the proposed observation, monitoring, and testing services recommended during construction. The geotechnical monitoring during construction shall commence with clearing, and extending through

grading, installation of drainage facilities, and foundation-related work. **(MM GEO-1)**

35. The gradient of this slope be restricted to 2½:1 (or flatter), with the top of the cut rounded to provide a smooth transition to natural topography. Consideration shall be given to use of special engineering (e.g. reinforced earth, retaining walls or combination of retaining wall and cut slope). If the updated geotechnical report deems the retreat of the top-of-bank to be a substantial risk, implementation of a deeper foundation system (e.g. pier and grade beam) and/or improvements to the creek bank shall be warranted to achieve long-term stability of the residential units nearest the creek corridor. **(MM GEO-2)**
36. The updated geotechnical report shall include additional corrosivity testing to determine if special precautions shall be required to avoid damage to improvements that are in contact with the ground (concrete or steel). **Following rough grading, but prior to commencement of foundation-related work,** additional testing of each building pad may be required by the County, if deemed to be necessary. **(MM GEO-3)**

Noise

37. To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for the project, and shall be stated on the face of all construction plans **(MM Noise-1)**:
- 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. 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.
 - D. 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 and Federal)
Cesar Chavez Day (State)
Memorial Day (State and Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (State and 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: http://www.opm.gov/Operating_Status_Schedules/fedhol/2019.asp

California: <http://www.ftb.ca.gov/aboutFTB/holidays.shtml>

38. To achieve compliance with the 65 dB DNL noise standard at the noise-impacted patios of the building closest to San Pablo Avenue, the following exterior noise reduction measures shall be implemented during project construction and shall be included on all construction plans. **(MM Noise-2)**

- A. Construct six-foot acoustically-effective front patio fences at the units closest to, and directly facing, San Pablo Avenue. The patio fence height is in reference to the nearest patio pad elevation.
- B. In order for the six-foot noise control fences to provide adequate noise shielding, the patios shall be no closer than 55 feet from the centerline of San Pablo Avenue.
- C. To achieve an acoustically-effective fence, it must be made air-tight (i.e. without cracks, gaps, or other openings) and must provide for long-term durability. The barriers shall be constructed of wood, concrete, stucco,

masonry, metal, or a combination thereof and must have a minimum surface weight 2.5 pounds per square foot. If wood fencing is used, homogenous sheet materials are preferable to conventional wood fencing, as the latter has a tendency to warp and form openings with age. However, high-quality, air-tight, tongue-and-groove, shiplap, or board and batten construction can be used, provided the minimum surface weight requirement is met and the construction is air-tight. The noise control barrier shall be constructed so that all joints, including connections with posts or pilasters, are sealed air-tight and no openings are permitted between the upper barrier components and the ground. Gates may be incorporated into the patio fences; however, the gates must be constructed air-tight and shall fit tightly to the fence when closed. Astragals shall be placed over the gaps at the stop and hinge jambs, and the gap under the gate shall be no more than one-inch high.

39. To achieve compliance with the 45 dB DNL noise standard of the Contra Costa County Noise Element and Title 24, the following exterior noise reduction measures shall be implemented during project construction and shall be included on all construction plans. **(MM Noise-3)**

- A. Maintain closed, at all times, all windows of living spaces of the first building closest to San Pablo Avenue. Install windows rated minimum Sound Transmission Class (STC) 32 at all living spaces on the east, north and west sides of the building. Install windows rated minimum STC 28 at all living spaces on the south side of the building.
- B. Maintain closed, at all times, all windows of living spaces of the second building from San Pablo Avenue facing east, north, west and the south facing spaces at the units on the east and west end of the building. Install windows rated minimum STC 28 at all living spaces with the closed window condition.
- C. Maintain closed, at all times, all windows of living spaces of the easterly three units and westerly two units of the third building from San Pablo Avenue that face north, east or west. Install windows rated minimum STC 28 at all living spaces on the east, north and west sides of the building. Install windows rated minimum STC 28 at all living spaces with the closed window condition.
- D. When windows are maintained closed at all times for noise control, mechanical ventilation shall be provided. The mechanical ventilation shall conform to the requirements of the California Mechanical Code and shall

not compromise the acoustical integrity of the building shell. All other windows of the development may be kept open as desired.

- E. When windows are kept closed for noise control, they shall be operable, as this mitigation does not imply a fixed or inoperable condition.
- F. In addition to the required STC ratings, the windows shall be installed in an acoustically-effective manner. To achieve an acoustically-effective window and door construction, the sliding window panels shall form an air-tight seal when in the closed position, and the window frames must be caulked to the wall opening around their entire perimeter with a non-hardening caulking compound to prevent sound infiltration.
- G. **Prior to issuance of building permits**, this report shall be submitted to CDD for review. The acoustical test report of all sound-rated windows and glass doors shall be reviewed by a qualified acoustician to ensure that the chosen windows and glass doors will adequately reduce interior noise exposure to acceptable levels.

Construction

- 40. Contractor and/or developer shall comply with the following construction, noise, dust and litter control requirements.
 - A. A dust and litter control program shall be submitted for the review and approval of the Community Development Division staff. Any violation of the approved program or applicable ordinances shall require an immediate work stoppage. Construction work shall not be allowed to resume until, if necessary, an appropriate construction bond has been posted.
 - B. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

Debris Recovery

- 41. **Prior to issuance of building permits**, the applicant shall submit Construction Waste Management Plan, which identifies approved methods to meet 65% recycling requirement of construction and demolition waste materials generated at jobsite.

42. **Prior to final inspection**, the applicant shall submit Construction Waste Management Final Report containing information and supporting documentation that demonstrates compliance with 65% recycling requirement of construction and demolition waste materials generated at jobsite.

Transportation Demand Management

43. **At least 30 days prior to recording the Final Map**, the applicant shall submit a Transportation Demand Management (TDM) information program in accord with the requirements of Chapter 82-32 of the County Zoning Code for review and approval by CDD. The applicant shall also comply with the County Growth Management Program and Bay Area Air Quality Management District regulations regarding transportation.

Street Names

44. **Prior to the recordation of the Final Map**, proposed names shall be submitted for review by the Department of Conservation and Development, GIS/Mapping Section. Alternate street names should be submitted. The Final Map cannot be certified by CDD without the approved street names.

**PUBLIC WORKS CONDITIONS OF APPROVAL FOR
SUBDIVISION SD18-9491/DP18-3022**

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the vesting tentative map submitted to the Department of Conservation and Development on October 25, 2018.

**UNLESS OTHERWISE SPECIFIED, COMPLY WITH THE FOLLOWING CONDITIONS
OF APPROVAL PRIOR TO FILING OF THE FINAL MAP.**

General Requirements

45. 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 Vesting Tentative Map received by the Department of Conservation and Development, Community Development Division, on October 25, 2018.

46. Applicant shall submit improvement plans prepared by a registered civil engineer to the Public Works Department and pay appropriate fees in accordance with the County Ordinance and these conditions of approval. The below conditions of approval are subject to the review and approval of the Public Works Department.

Roadway Improvements (San Pablo Avenue, Tara Hills Drive and O'Hatch Drive)

47. Applicant shall construct sidewalk, necessary longitudinal and transverse drainage, street lighting, and transitions along the frontages of San Pablo Avenue, Tara Hills Drive and O'Hatch Drive. Sidewalk widths along Tara Hills Drive and O'Hatch Drives shall generally be 6.5 feet (including curb width) and 10 feet along San Pablo Avenue. The sidewalk width along the transition zone near the Garrity Creek crossing of Tara Hills Drive may be reduced to 4-feet to conform with adjacent improvements to the east. In addition, the curb along O'Hatch Drive shall be removed and reconstructed such that the face of curb is at least 16 feet from the centerline of the existing right of way.
48. Any cracked and displaced curb, gutter, and sidewalk shall be removed and replaced along the project frontages of San Pablo Avenue and Tara Hills Drive. Concrete shall be saw cut prior to removal. Existing lines and grade shall be maintained. New curb and gutter shall be doveled into existing improvements.
49. Applicant shall construct a street-type connection with 20-foot radii curb returns and pedestrian ramps in lieu of standard driveway depressions at the intersections with the proposed private streets serving the site.
50. The existing pedestrian ramp at the intersection of O'Hatch Drive and San Pablo Avenue shall be reconstructed to meet current design standards.

Access to Adjoining Property

Proof of Access

51. 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.

Encroachment Permit

52. Applicant shall obtain an encroachment permit from the Application and Permit Center, if necessary, for construction of driveways or other improvements within the rights-of-way of San Pablo Avenue, Tara Hills Drive and O'Hatch Drive.

Abutter's Rights

53. Applicant shall relinquish abutter's rights of access along San Pablo Avenue, Tara Hills Drive and O'Hatch Drive with the exception of the proposed private road intersections.

Intersection Design/Sight Distance

Sight Distance

54. Applicant shall provide sight distance at the on-site driveways and O'Hatch Drive for a design speed of 30 miles per hour. The applicant shall trim vegetation, as necessary, to provide sight distance at these driveways. Any new landscaping, signs, fencing, retaining walls, or other obstructions proposed at the driveways shall be setback to ensure that the sight lines are clear.

Private Roads

55. Applicant shall construct an on-site roadway system to current County private road standards.

Exceptions

- A. Applicant shall be granted an exception from County Code §98-6.008, Streets Entering Intersection, provided that the centerline gradient does not exceed Americans with Disabilities Act (ADA) standards.
- B. Applicant shall be granted an exception from County Code Section 96-12.406, Private Road Turnaround, provided the applicant obtains approval from the Fire District and constructs the proposed parking restricted reserve adjacent to Unit 6 as shown on the Vesting Tentative Map.

Road Dedications

56. Property Owner shall convey to the County, by Offer of Dedication, the right-of-way necessary to encumber the new pedestrian ramps and path of travel at the private street intersections along O'Hatch Drive.

Bicycle - Pedestrian Facilities

Pedestrian Access

57. Curb ramps and driveways shall 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.

Parking

58. "No Parking" signs shall be installed along all or portions of San Pablo Avenue, Tara Hills Drive and O'Hatch Drive subject to the review of the Public Works Department and the review and approval of the Board of Supervisors.
59. Parking shall be prohibited on one side of on-site roadways where the curb-to-curb width is less than 36 feet and on both sides of on-site roadways where the curb-to-curb width is less than 28 feet. "No Parking" signs shall be installed along these portions of the roads subject to the review and approval of the Public Works Department.

Utilities/Undergrounding

60. Applicant shall underground all new and existing utility distribution facilities, including those along the frontage of San Pablo Avenue and O'Hatch Drive. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

Exception

An exception from the undergrounding of overhead utilities is allowed relative to the existing single joint pole located along the property's Tara Hills Drive frontage.

Maintenance of Facilities

61. The maintenance obligation of all common and open space areas, private roadways, any private street lights, public and private landscaped areas, perimeter walls/fences, and on-site drainage facilities shall be included in the covenants, conditions, and restrictions (CC&Rs). The language shall be submitted for the review and approval of the Zoning Administrator and Public Works Department at least 60 days prior to filing of the Final Map.

Drainage Improvements

Collect and Convey

62. 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.
63. The nearest public drainage facility is Garrity Creek traversing the project site.

Miscellaneous Drainage Requirements

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

Floodplain Management

66. 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 the requirements of the National Flood

Insurance Program (Federal) and the County Floodplain Management Ordinance (Ordinance No. 2000-33) as they pertain to construction of any structures on this property.

Creek Structure Setbacks

67. The applicant shall relinquish "development rights" over that portion of the site that is within the structure setback area of Garrity Creek. The structure setback area shall be determined by using the criteria outlined in Chapter 914-14, "Rights of Way and Setbacks," of the Subdivision Ordinance. "Development rights" shall be conveyed to the County by grant deed.

Exception

- A. The structure setback area may be reduced subject to the review of the Public Works Department based on a hydrology and hydraulic study and geotechnical analysis of the soil which shows that the creek banks will be stable and non-erosive with the anticipated creek flows and velocities. The hydrology and hydraulic study shall be based upon the ultimate development of the watershed.
- B. The property owner shall be aware that the creek banks on the site are potentially unstable. The property owner shall execute a recordable agreement with the County which states that the developer and the property owner and the future property owner(s) will hold harmless Contra Costa County and the Contra Costa County Flood Control and Water Conservation District in the event of damage to the on-site and off-site improvements as a result of creek-bank failure or erosion.
- C. The applicant shall design the foundation for this residential addition based on a soils and geotechnical report. The soils and geotechnical report shall address potential soils and bank instability resulting from potential erosive creek flows, potential creek bank erosion and instability, and shall be submitted to the Building Inspection Department for review. The foundation design may incorporate conservative design analysis rather than rigorous geotechnical analysis if acceptable to the Building Inspection.

National Pollutant Discharge Elimination System (NPDES)

68. 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:

- A. Minimize the amount of directly connected impervious surface area.
- B. Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention basins) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES permits.
- C. Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- D. Distribute public information items regarding the Clean Water Program and lot specific IMPs to buyers.
- E. Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance

69. The applicant shall submit a FINAL Storm Water Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to filing of the final map. To the extent required by the NPDES Permit, the Final Stormwater Control Plan and the O+M Plan will be required to comply with NPDES Permit requirements that have recently become

effective that may not be reflected in the preliminary SWCP and O+M Plan. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant.

70. Improvement Plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).
71. Stormwater management facilities shall be subject to inspection by the Public Works Department staff; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.
72. Prior to filing of the Final Map, the property owner(s) shall enter into a Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for and related to operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.
73. Prior to filing of the Final Map, the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.
74. Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

ADVISORY NOTES

ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL, BUT ARE NOT CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED IN ORDER TO INFORM THE APPLICANT OF ADDITIONAL REGULATIONS, ORDINANCES, AND REQUIREMENTS THAT MAY BE APPLICABLE TO THE PROPOSED PROJECT.

- 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 90-day period after the project is approved.

The ninety (90) day period, in which you may protest the amount of any fee or the 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 Department of Conservation and Development within 90 days of the approval date of this permit.

- B. The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the West Contra Costa (WCC) Transit/Pedestrian, WCCTAC Bridge/Road, and West County Areas of Benefit as adopted by the Board of Supervisors.
- C. 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.
- D. 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.
- E. This project is subject to the development fees in effect under County Ordinance as of October 8, 2018, the date the vesting tentative map application was accepted as complete by the Department of Conservation and Development. These fees are in addition to any other development fees which may specified in the conditions of approval.
- F. The applicant shall comply with the requirements of the following agencies:
 - Contra Costa County Building Inspection Division
 - Contra Costa County Public Works Department
 - Contra Costa Environmental Health Division
 - Contra Costa County Fire Protection District

- West County Wastewater District
- East Bay Municipal Utility District



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 25-2852

Agenda Date: 7/23/2025

Agenda #: 3a.

Project Title: 3565 Willow Road Variance

County File Number: CDVR24-01060

Appellant: George Navarro

Applicant/Owner: George Navarro (Applicant & Owner)

Zoning/General Plan: F-1 Water Recreational District, -FH Flood Hazard Combining District / RLM Residential Low Medium Density

Site Address/Location: 3565 Willow Road in the Bethel Island area of unincorporated Contra Costa County (Assessor's Parcel Number: 029-100-014)

California Environmental Quality Act (CEQA) Status: Exempt, CEQA Guidelines Section 15061(b)(4)

Project Planner: Allison Seoane, Project Planner (925) 655-2871
Allison.Seoane@dcd.cccounty.us

Staff Recommendation: Deny (See section II for full recommendation)

I. PROJECT SUMMARY

This is an appeal of the Zoning Administrator's decision to deny a Variance and Small Lot Design Review to allow a 750 square-foot detached garage (where 500 square feet is the maximum size allowed for an accessory building) that is 15 feet, 5 inches in total height (where 15 feet is the maximum height allowed).

II. RECOMMENDATION

Department of Conservation and Development, Community Development Division (CDD) staff recommends that the County Planning Commission:

- A. DENY the appeal.
- B. FIND that the project is exempt from CEQA under Section 15061(b)(4) of the CEQA Guidelines.
- C. UPHOLD the Zoning Administrator's denial of County File #CDVR24-01060, based on the attached findings.
- D. DIRECT staff to file a Notice of Exemption with the County Clerk.

III. GENERAL INFORMATION

- A. General Plan: RLM - Residential Low Medium Density.
- B. Zoning: F-1 Water Recreational District, -FH Flood Hazard Combining District.
- C. California Environmental Quality Act (CEQA): CEQA Guidelines, Section 15061(b)(4), Review for Exemption, exemption for projects that will be rejected or disapproved by a public agency.
- D. Previous Applications: There are no previous planning applications.

IV. BACKGROUND

- A. CECF24-00403 Code Enforcement Case: Code Enforcement Case CECF24-00403 for an oversized detached garage constructed without permits was initiated on May 21, 2024. A Notice to Comply was sent to the property owner on May 24, 2024, and a Notice of Intent was sent on October 17, 2024.
- B. Zoning Administrator Decision on the CDVR24-01060 Variance: A Variance application was accepted by the Department of Conservation and Development on December 19, 2024. CDD staff sent a Notice of Intent to Recommend Denial of Variance Review Application to the applicant on January 29, 2025, which included a deadline of February 10, 2025 to request a public hearing before the Zoning Administrator (ZA) on the application. On February 8, 2025, staff received a hearing request from George Navarro, the applicant and property owner.

On May 5, 2025, the CDVR24-01060 Variance application was heard by the ZA. After

considering the testimony provided at the public hearing from the owner as well as the one letter submitted by a neighboring property owner, the ZA denied the Variance.

- C. Appeal of the Zoning Administrator Decision: An appeal of the Zoning Administrator decision was filed on May 14, 2025, within the 10-day appeal period by George Navarro, the applicant and property owner.

V. SITE AREA/DESCRIPTION

The subject property is in a 9,250 square-foot trapezoid lot on the north side of Willow Road and southwest of Piper Slough and Franks Tract. The lot is developed with a two-story single-family residence with a dock to the rear of the property. The lot is similar to other properties in the vicinity along Willow Road. A detached garage has been built on the lot between the residence and Willow Road, as shown on the photos as Attachment D.

VI. PROJECT DESCRIPTION

The applicant requests approval of a Variance to allow the 750 square-foot detached garage (where 500 square feet is the maximum size allowed for an accessory building) with a height of 15 feet, 5 inches (where 15 feet is the maximum height allowed). The detached garage was constructed without obtaining prior planning or building approval. Approval of the Variance will allow the applicant to obtain a building permit for the as-built accessory building. The application includes Small Lot Design Review because the subject property is of substandard average lot width.

VII. APPEAL

An appeal letter from George Navarro, the applicant and property owner 3565 Willow Road, was received on May 14, 2025. The appeal letter is included as Attachment B. This appeal is based on five appeal points, each of which are summarized below and followed by a staff response.

- A. Summary of Appeal Point #1: *In response to Variance finding #1, the appellant provides a list of ten property addresses on Willow Road in Bethel Island where the appellant claims there are permitted accessory buildings larger than 500 square feet in size, and taller than 15 feet in height.*

Staff Response: Staff has reviewed the County records of the addresses provided.

Several of the properties listed contain attached garages, not oversized detached accessory buildings. The attached garages are not subject to accessory building height and size requirements. These properties are 3593, 3611, and 4139 Willow Road.

One property, at 4115 Willow Road, has two legally permitted accessory buildings that did not exceed 500 square feet in size or 15 feet in height. These accessory buildings are permitted under County Files CDSL20-00021, BIR20-4831, and BICR20-4830.

Some of the properties listed have no records to confirm that the County approved the detached accessory buildings or to confirm that the buildings exceed 500 square feet in size and/or 15 feet in height. These properties are 3607, 3753, 4061, and 4067 Willow Road.

Two properties do contain previously approved oversized detached buildings. The property at 4235 Willow Road was approved for a 780 square-foot, 17-foot, 5-inch-tall accessory building in 1990 under County File BICG165434, and the property at 3507 Willow Road was approved for a 624 square-foot detached garage that does not exceed 15 feet in height in 1986 under County File BI122578. These two permits were issued before accessory buildings were restricted in size and height by the 1996 accessory building zoning ordinance. With the change in the County Ordinance Code, these accessory buildings would not be approved in present times.

From the preceding discussion, it is generally not characteristic of the neighborhood have oversized detached accessory buildings.

- B. *Summary of Appeal Point #2: In response to Variance finding #2, the appellant claims that "the property's unique vulnerability stems from its lack of protection against the strong 4 to 5-foot waves generated by north winds. Unlike neighboring properties on the same side of the island, which benefit from natural or artificial barriers against Frank's Tract and Piper Slough wave damage, this property remains exposed."*

Staff Response: As shown on the site plan in Attachment E, the location of the accessory building is shielded from the water as it is inland of the existing single-family residence on the subject property. Moreover, placement of the subject garage is not topographically challenged as the subject property is relatively flat, thereby providing ample space for boat storage by means of an attached garage rather than a detached garage. As shown on the site plan, there is enough space for a 750 square-foot, 15-foot 5-inch-tall attached garage that would not be subject to the requirements of the County Ordinance Code for accessory buildings.

- C. *Summary of Appeal Point #3: In response to Variance finding #3, the appellant claims that "the accessory building at 750 square feet is less than the square footage of the house at 1,733 square feet, making it subordinate to the single-family residence."*

Staff Response: Although the detached garage is smaller than the house, it is not sufficiently considered subordinate because the size of the currently built detached garage is more akin to a dwelling unit than an accessory building. As discussed in the ZT89-1 staff report for the

1996 accessory building zoning ordinance, the majority of accessory buildings are designed and built as small scale structures for uses such as garages and storage buildings, and larger accessory buildings appear to be more appropriate for secondary residential uses. Thus, for the zoning ordinance, staff recommended a maximum size of 500 square feet on parcels under 20,000 square feet, which would be the size of a two-car garage, and a maximum size of 600 square feet on parcels over 20,000 square feet, which would be the size of a three-car garage. Staff also recommended a height limit of 15 feet allowing for a single-story structure with a pitched roof.

- D. *Summary of Appeal Point #4: The appellant requests approval of the Small Lot Design Review as part of the appeal.*

Staff Response: In order to approval a Small Lot Design Review application, findings related to location, size, height, and design must be made. As discussed in the Small Lot Design Review Findings in Attachment A, the location of the subject accessory building in the front yard beyond the required setback is compatible with the surrounding neighborhood. However, the 750 square-foot size and the 15-foot 5-inch height of the subject accessory building exceeds the size and height limitations for accessory buildings, as discussed in the preceding staff responses. Thus, neither the size nor height of the accessory building are compatible with the surrounding neighborhood. The design of the subject accessory building is dissimilar from other accessory buildings in the neighborhood in its size and height, and therefore, the design is not compatible with the surrounding neighborhood.

- E. *Summary of Appeal Point #5: The appellant lists other entities who he claims support the Variance, including the Bethel Island Municipal Advisory Council (BIMAC), neighbors at 3563 Willow Road and 3569 Willow Road, the Bethel Island Municipal Improvement District (BIMID), the Contra Costa Environmental Health (CCEH), and the Contra Costa County Fire Protection Department (CCCFPD).*

Staff Response: The appellant is correct that the BIMAC voted in support of the Variance. In addition, a letter of support was received by the property owner at 3569 Willow Road; however, there has been no correspondence received from the property owner at 3563 Willow Road. Even with the recommendation of approval from the BIMAC, and 3569 Willow Road neighbor stating they have no issue with the building, staff is unable to make the necessary findings to support the variance as these positive comments do not substantiate that the property exhibits a physical constraint that requires the subject accessory building to be oversized. The comments do not present any verifiable evidence to support the Variance and Small Lot Design Review findings necessary to recommend approval. With respect to the other agencies listed by the appellant, their comments only pertain to requirements of their divisions, and the lack of impact to these agencies is not an inherent proof of support.

VIII. STAFF ANALYSIS

The subject property is located along the north side of Willow Road where lots in the F-1 Water Recreational District are less than 20,000 square feet and accessory buildings are subject to the size limitations of County Ordinance Code Section 82-4.212(1) of 500 square feet. Accessory buildings are also limited to a height of 15 feet pursuant to County Code Section 82-4.212(2). In this neighborhood, many homes contain attached garages constructed in compliance with the restriction in the County Code. While there is one property within the vicinity that contain a permitted oversized accessory building, that structure was constructed prior to the current size and height requirements for accessory buildings. There is no other precedence in the vicinity for permitting an accessory building to be larger than 500 square feet in size and taller than 15 feet in height. Consequently, approval of the requested Variance would be considered a grant of special privilege.

The subject property as well as the surrounding lots on the north side of Willow Road are predominantly flat, with an elevation of 0 feet that rises to 10 feet near Piper Slough. There does not appear to be any special circumstance applicable to the subject property due to its size, shape, topography, location or surroundings that support relief from the zoning regulations for accessory buildings. The lack of physical constraints on the property does not show that the applicable zoning regulations would deprive the subject property of the rights enjoyed by other properties in the vicinity and in the F-1 District.

The F-1 District allows a detached single-family dwelling and auxiliary accessory structures. The detached garage could be consistent with the residential uses allowed in the F-1 District provided it meets the accessory building regulations in County Ordinance Code Section 82-4.212 that restricts the size of the accessory building on a parcel less than 20,000 square feet, to a maximum size of 500 square feet and a maximum height of 15 feet. The intent of the size and height limitations is to maintain a certain scale for an accessory building to be considered as subordinate to the single-family residence. Therefore, approval of a Variance to allow the previously constructed oversized accessory building would not meet the intent and purpose of the F-1 District.

IX. CONCLUSION

The subject property is predominantly flat lot in the F-1 Water Recreational District that can accommodate an accessory building that does not require a Variance to the size and height restrictions of County Ordinance Code Section 82-4.212. Staff is unable to make the required findings for recommending approval of the Variance and the Small Lot Design Review to allow an accessory building that is 750 square-foot (where 500 square feet is the maximum allowed) and 15 feet, 5 inches in total height (where 15 feet is the maximum height allowed). Therefore, staff recommends denying the appeal and upholding the Zoning Administrator's denial of Variance CDVR24-01060 to not allow the 750 square-foot detached garage (where 500 square feet is the maximum size allowed for an accessory building) that is 15 feet, 5 inches in total

height (where 15 feet is the maximum height allowed) based on the findings, which are included as Attachment A

**FINDINGS FOR DENIAL OF COUNTY FILE CDVR24-01060; GEORGE NAVARRO
(APPLICANT & OWNER)**

FINDINGS

A. Variance Findings

County Code Section 26-2.2006 states that all of the following findings must be made to approve the Variance permit application.

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.*

Project Finding: Approval of the requested variance will allow for an accessory building that is 750 square feet in size and 15 feet, 5 inches in height. The subject property is located along the north side of Willow Road where lots in the F-1 Water Recreational District are less than 20,000 square feet and accessory buildings are subject to the size limitation of County Ordinance Code Section 82-4.212(1) of 500 square feet, and the height limitation of County Code Section 82-4.212(2) of 15 feet. In this neighborhood, accessory structures have been constructed in compliance with the restrictions of the County Code. There appears to be no precedence in the vicinity for permitting an accessory building to be larger than 500 square feet in size and taller than 15 feet in height. Consequently, approval of the requested variance is considered a grant of special privilege.

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.*

Project Finding: The subject property is a 9,250 square-foot lot located in the F-1 Water Recreational District and the -FH Flood Hazard Combining District. The property as well as the surrounding lots on the north side of Willow Road are predominantly flat, with an elevation of 0 feet that rises to 10 feet near Piper Slough. The subject property has been developed with a single-family residence. In addition, a detached garage has been constructed without obtaining prior planning or building approval. Thus, there does not appear to be any special circumstance applicable to the subject property due to its size, shape, topography,

location or surroundings that support relief from the zoning regulations for accessory buildings. The lack of physical constraints on the property does not show that the applicable zoning regulations will deprive the subject property of the rights enjoyed by other properties in the vicinity and in the F-1 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.*

Project Finding: The subject property is located within the F-1 Water Recreational District and the -FH Flood Hazard Combining District. The uses allowed in the F-1 District are set forth in Section 84-34.402 of the County Ordinance Code, which includes a detached single-family dwelling and the accessory structures and uses normally auxiliary to it. The detached garage could be consistent with the residential uses allowed in the F-1 District provided it meets the accessory building regulations in County Code Section 82-4.212 that restricts the size of the accessory building on a parcel less than 20,000 square feet, to a maximum size of 500 square feet and a maximum height of 15 feet. The intent of the size and height limitations is to maintain a certain scale for accessory buildings to be considered as subordinate to the single-family residence, and allows a single-story structure with a pitched roof. Therefore, approval of a variance to allow the previously constructed oversized accessory building does not meet the intent and purpose of the F-1 District.

B. Small Lot Design Review Findings

County Code Section 82-10.002(c) states that all of the following findings must be made to approve the Small Lot Design Review permit application.

1. *Location:* The front of the accessory building meets the minimum required front yard setback of 25 feet, being located over 70 feet from the front property line. The sides of the building meet the required 5-foot minimum and 15-foot aggregate side yards, being located 5 feet, 5 inches from the east property line and 15 feet, 1 inch from the west property line. The back of the building meets the minimum required rear yard of 15 feet, being located over 80 feet from the rear property line. Therefore, the project's location is compatible with the surrounding neighborhood.
2. *Size:* County Code Section 82-4.212 restricts the size of the accessory building to a maximum size of 500 square feet on a parcel less than 20,000 square feet, and a maximum size of 600 square feet on a parcel over 20,000 square feet. The intent

of the size limitations is to maintain a certain scale for accessory buildings to be considered as subordinate to the single-family residence. Therefore, the project's size of 750 square feet on a 9,250 square-foot parcel is not compatible with the surrounding neighborhood.

3. Height: County Code Section 82-4.212 restricts the height of the accessory building to a maximum height of 15 feet. The intent of the height limitations is to maintain a certain scale for accessory buildings to be considered as subordinate to the single-family residence, and allows a single-story structure with a pitched roof. Therefore, the project's height being 15 feet, 5 inches is not compatible with the surrounding neighborhood.
4. Design: It appears that in this neighborhood, accessory buildings have been constructed in compliance with the restrictions of the County Code. There appears to be no precedence in the vicinity for permitting an accessory building to be larger than 500 square feet in size and taller than 15 feet in height. The design of the subject accessory building is dissimilar from other accessory buildings in the neighborhood in its size and height. Therefore, the project's design is not compatible with the surrounding neighborhood.

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

The project is exempt under CEQA Guidelines, Section 15061(4), Review for Exemption, exemption for projects that will be rejected or disapproved by a public agency.

Contra Costa County Application and Permit Center
30 Muir Road, Martinez, CA
Community Development Division

CONTRA COSTA COUNTY
DAP
2025 MAY 13 PM 12:00
14
APPLICATION AND PERMIT
CENTER

May 13, 2025

Appeal for Case CDVR24-01060

This letter serves as an appeal against the decision reached at the Contra Costa County Public Hearing on May 5, 2025, regarding Case CDVR24-01060. The case concerns variance requests for the property located at 3565 Willow Road, Bethel Island, CA.

In response to the Project Findings, below is evidence supporting the approval of a variance.

1. Project Finding Language: *There appears to be no precedence in the vicinity for permitting an accessory building to be larger than 500 square feet in size and taller than 15 feet in height.*
 - See addresses below for structures that appear to be larger than 500 square feet in size. They are all located on Bethel Island on the same street as our house.
 - 3507 Willow Road
 - 3593 Willow Road
 - 3607 Willow Road
 - 3611 Willow Road
 - 3753 Willow Road
 - 4061 Willow Road
 - 4067 Willow Road
 - 4115 Willow Road
 - 4139 Willow Road
 - 4229 Willow Road
2. Project Finding Language: *There does not appear to be any special circumstance applicable to the subject property due to its size, shape, topography, location or surroundings that support relief from the zoning regulations for accessory buildings.*
 - The property's unique vulnerability stems from its lack of protection against the strong 4 to 5-foot waves generated by north winds. Unlike neighboring properties on the same side of the island, which benefit from natural or artificial barriers against Frank's Tract and Piper Slough wave damage, this property remains exposed.
3. Project Finding Language: *The intent of the size and height limitations is to maintain a certain scale for accessory buildings to be considered as subordinate to the single-family residence.*
 - The accessory building at 750 square feet is less than the square footage of the house at 1,733 square feet, making it subordinate to the single-family residence.

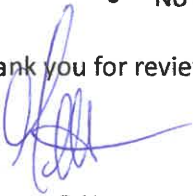
4. Small lot design review

- Even if a variance for the structure's size is not required, the small lot design review remains necessary. We request its approval as part of this appeal to prepare for future permit filings.

5. Variance Supporters:

- BIMAC recommended approval of the variance by a vote of 5-0.
- Two neighbors (Tony Medeiros at 3563 Willow Road and Bruce Johnson at 3569 Willow Road) support approving the variance and have submitted letters to the County stating their support. Tony's letter was not included in the public hearing although it had been delivered to the County office.
- BIMID responded that there is no impact to the levee prism or the related toe ditches.
- No concerns raised by CCEH (Contra Costa Environmental Health).
- No comments from the Contra Costa County Fire Protection

Thank you for reviewing our appeal and reconsidering your decision.



George P Navarro, Jr.

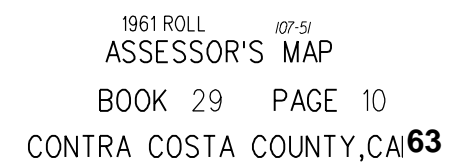
650-333-3933

gnavarropj@gmail.com

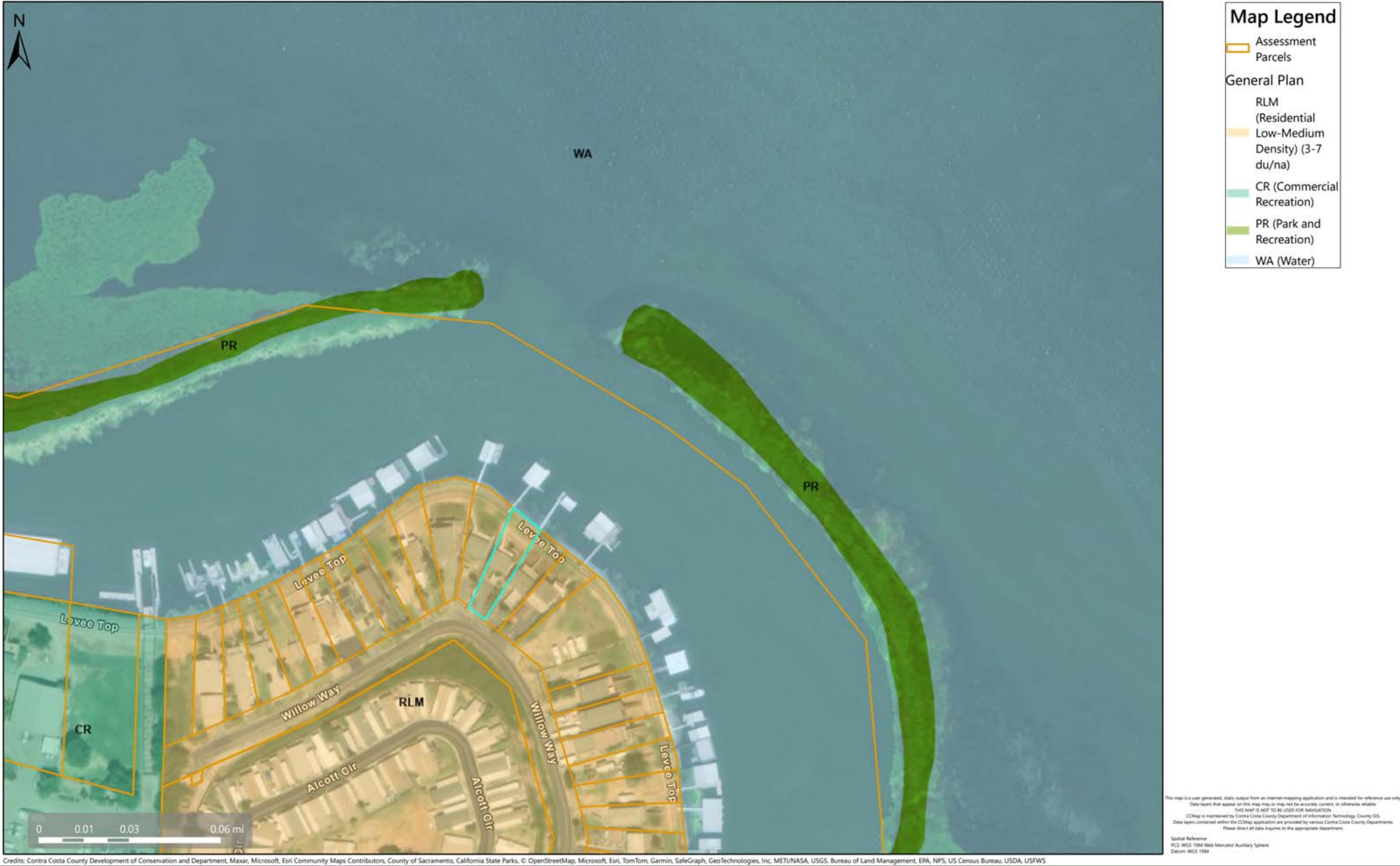
3565 Willow Road, Bethel Island, CA 94511

RECEIVED
MAY 19 PM 12:01
COUNTY OF CONTRA COSTA
CLERK OF SUPERIOR COURT

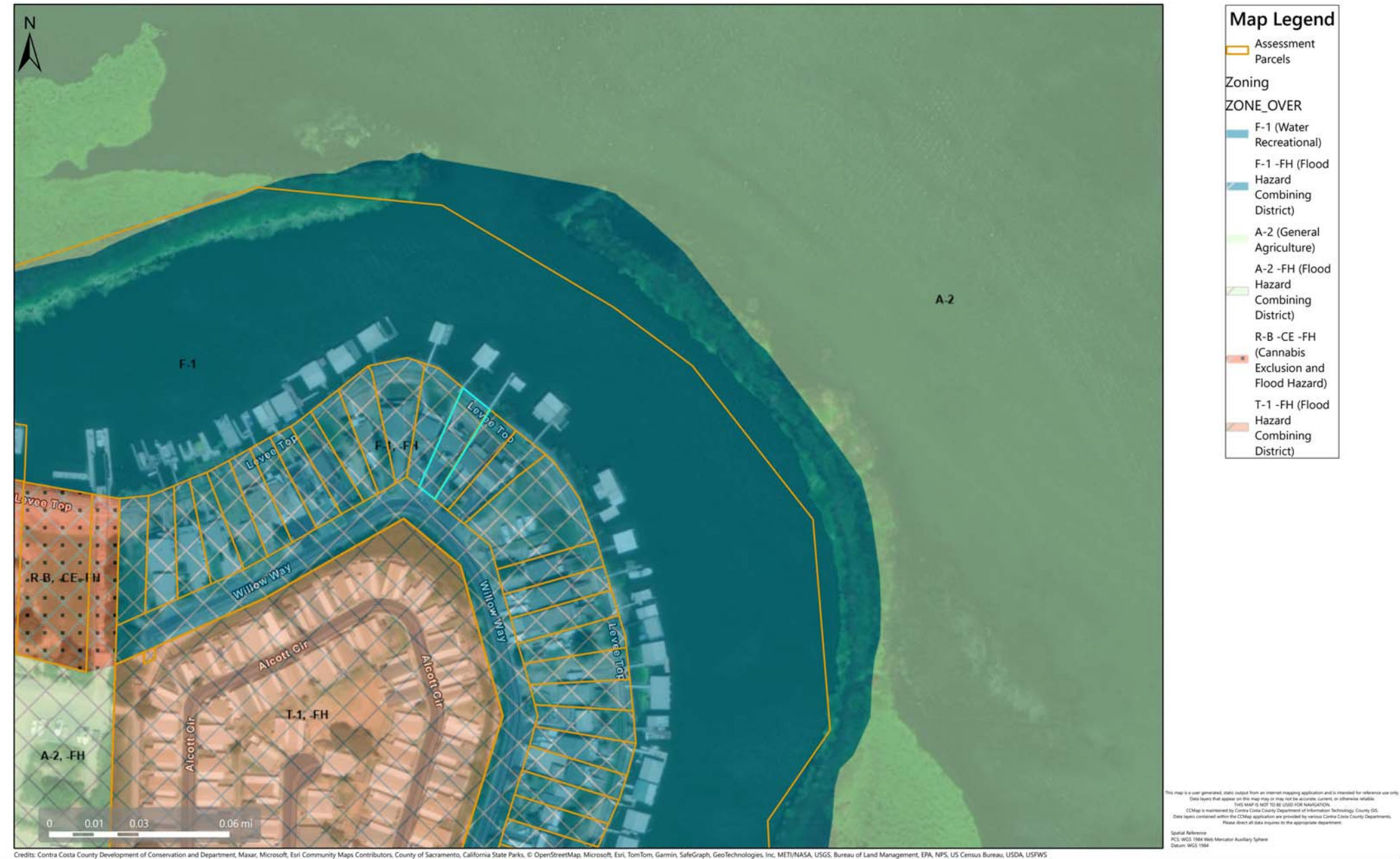
1- 70L.S.M.1 12-28-81



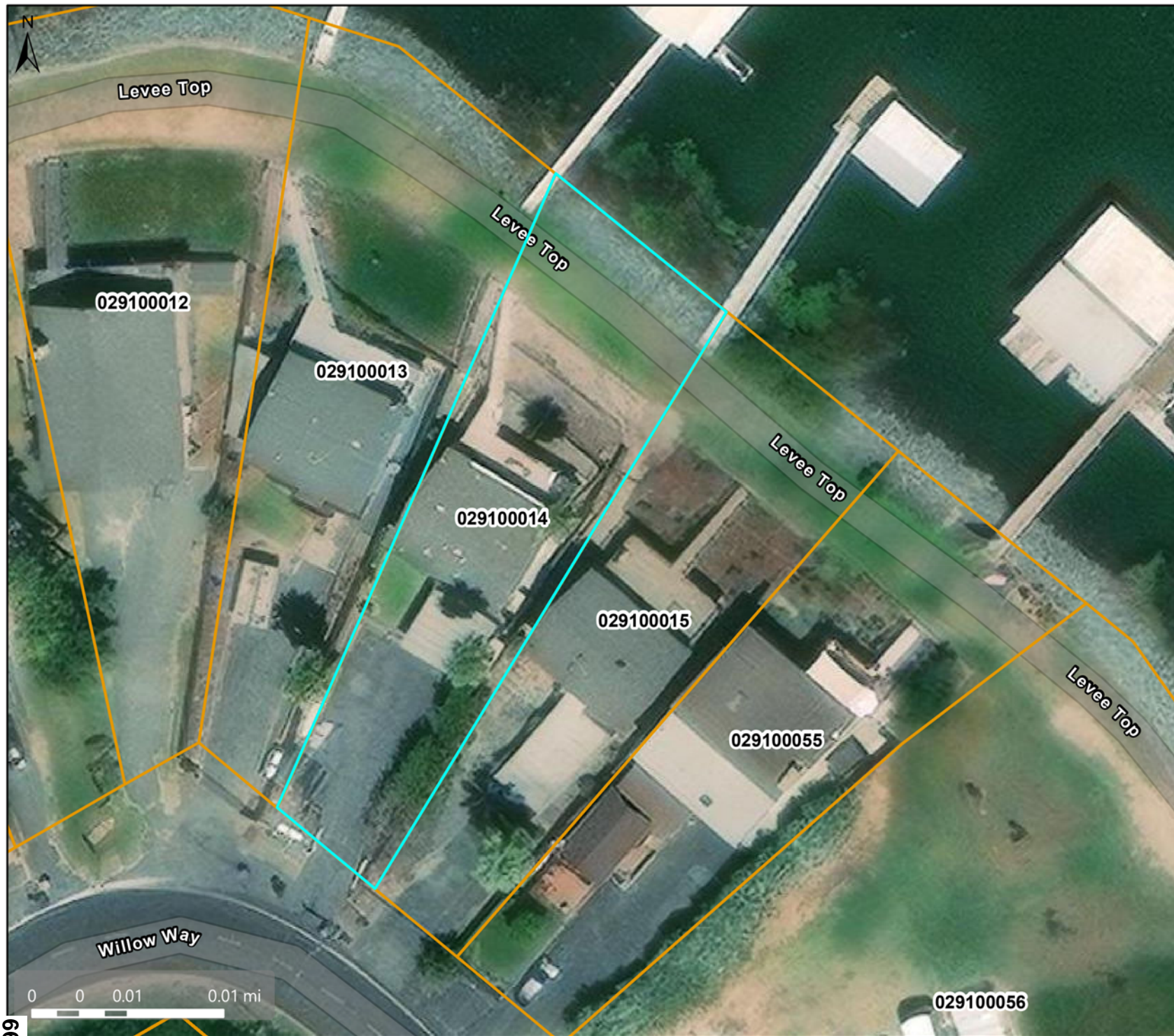
General Plan: Residential Low Medium Density (RLM)



Zachary Water Reclamation District (5-1), Flood Hazard Combination District (5H)



Aerial



Map Legend

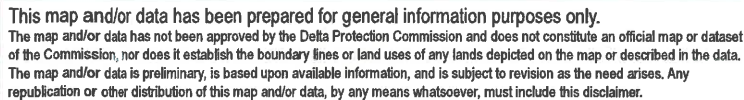
- Assessment
- Parcels

This 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 Departments. Please direct all data inquiries to the appropriate department.

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







NAVARRO RESIDENCE

3565 WILLOW ROAD, BETHEL ISLAND, CA

HOMEOWNER:	GEORGE AND CLAUDIA NAVARRO 3565 WILLOW RD. BETHEL ISLAND 94511 6 650.339.3433 C 650.444.0126 CLAU@COMCAST.NET	LOT COVERAGE & FLOOR AREA RATIO:	LOT AREA	9,250 SF
			(E) RESIDENCE (LOWER FLOOR)	757 SF
DESIGNER:	JENNIFER D. BROWN JB DRAFTING & DESIGN 925.992.3898 JENBROWN@JBDRAFTINGDESIGN.COM P.O. BOX #2735, DUBLIN, CA 94566	IMPERVIOUS SURFACES:	(E) GARAGE/UTILITY	750 SF
			TOTAL LOT COVERAGE (16%)	1,507 SF
APN:	0291000149	INDEX:	LOT AREA	9,250 SF
	R-3/U		BLG FOOTPRINT	1,507 SF
OCCUPANCY TYPE:	VB		DRIVEWAY & WALKWAYS	2,629 SF
	FIRE SPRINKLERS:		TOTAL SURFACE AREA (45%)	4,136 SF
SCOPE OF PROJECT:	PERMIT PREVIOUSLY UNPERMITTED GARAGE			

2022 CALIFORNIA BUILDING CODE	A1	GENERAL NOTES & SITE PLAN
2022 CALIFORNIA RESIDENTIAL CODE	A2	GARAGE FOUNDATION AND ELECTRICAL PLAN
2022 CALIFORNIA MECHANICAL CODE	1	COVER SHEET
2022 CALIFORNIA PLUMBING CODE	2	ELEVATIONS
2022 CALIFORNIA FIRE CODE	3	ANCHORAGE PLAN, REACTIONS AND NOTES
2022 CALIFORNIA ENERGY CODE	3B	ANCHORAGE TO AS-BUILT NOTES
2022 CALIFORNIA ELECTRIC CODE	4	COLUMN LAYOUT PLAN AND DETAILS
2022 TITLE 24 ENERGY STANDARDS	5	FRAME SECTION AND DETAILS
2022 CALIFORNIA GREEN BUILDING STANDARDS AND ANY OTHER APPLICABLE LOCAL, STATE AND FEDERAL LAWS AND REGULATIONS	6	SIDEWALL FRAMING AND DETAILS
THE CALIFORNIA BUILDING STANDARDS CODE IS BASED ON 2021 IBC, 2021 UMC, AND 2021 NEC.	7	END WALL FRAMING AND DETAILS
PLANS MUST COMPLY WITH LOCAL SECURITY ORDINANCES & ALL LOCAL MUNICIPAL ORDINANCES AND ALL LOCAL BUILDING CODES.		

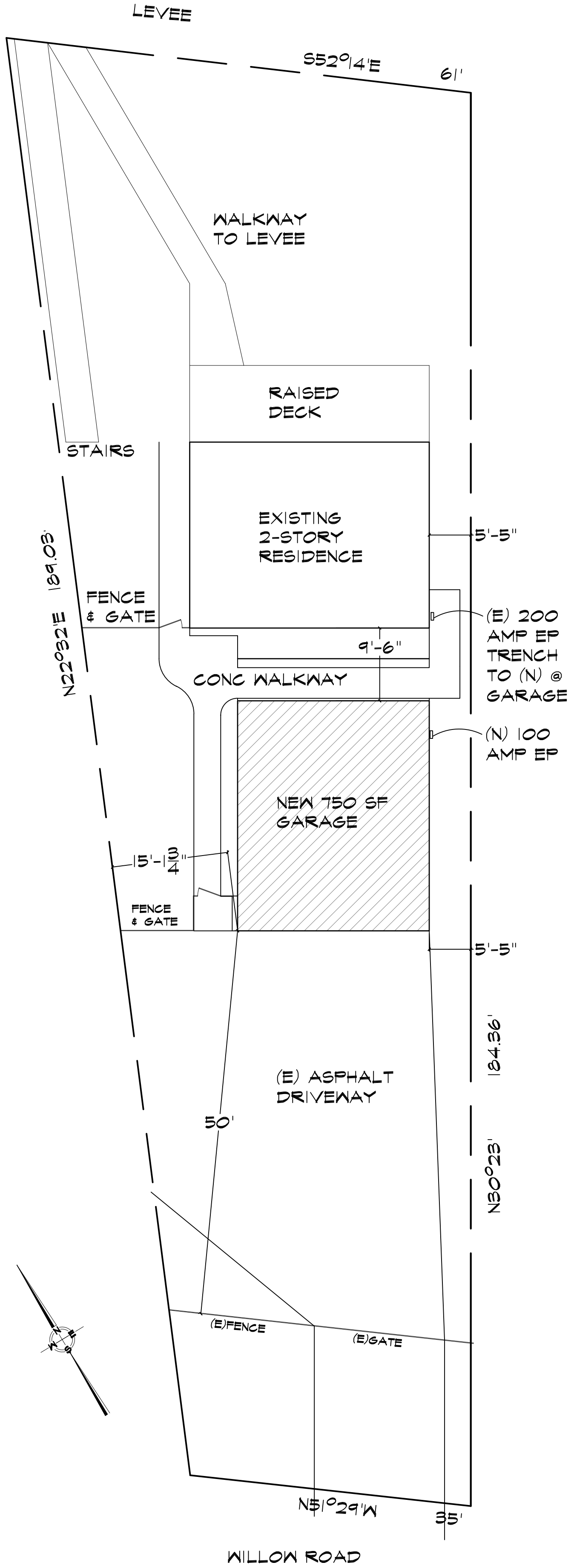
ALL WOOD CONSTRUCTED SHALL BE #1 D.F. UNLESS OTHERWISE NOTED.		
ALL DIMENSIONS TO BE VERIFIED IN FIELD.		
EGRESS WINDOWS SHALL HAVE THE BOTTOM OF THE CLEAR OPENINGS 44" AFF.		
GRADING AND PAVING: SURFACE WATER SHALL BE MANAGED TO DRAIN AWAY FROM BUILDINGS.		
USE SPLASH BLOCKS OR OTHER DIVERTERS TO DIRECT STORM WATER INTO LANDSCAPING.		
STORM WATER DRAINAGE AND RETENTION DURING CONSTRUCTION: STRAW MATTLES SURROUNDING AREA OF CONSTRUCTION SHALL BE APPLIED TO MANAGE STORM WATER AND DRAINAGE DURING CONSTRUCTION.		

DISCLAIMER:		
DRAWINGS, NOTES, AND DIMENSIONS ARE AN AID TO THE CONTRACTOR IN UNDERSTANDING THE WORK AND SHOULD NOT BE CONSTRUED AS COMPLETE IN EVERY DETAIL. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VISIT THE SITE, BECOME THOROUGHLY FAMILIAR WITH THE WORK AND BRING ALL DISCREPANCIES BETWEEN THE DRAWINGS AND THE ACTUAL JOB CONDITIONS TO THE ATTENTION OF THE OWNER, THE OWNER'S REPRESENTATIVE OR THE DESIGNER AS APPROPRIATE. THE CONTRACTOR SHALL CORRELATE WORK BETWEEN ARCHITECTURAL DESIGNS, SPECIFICATIONS AND CONSULTANT DRAWINGS. REPORT ALL DISCREPANCIES ENCOUNTERED TO THE OWNER, THE OWNER'S REPRESENTATIVE OR THE DESIGNER AS APPROPRIATE AND AWAIT SOLUTION OF ITEMS AFFECTED BEFORE PROCEEDING.		
RESIDENTIAL MANDATORY MEASURES:		
BUILDING MEETS OR EXCEED THE REQUIREMENTS OF THE CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS.		
STORM WATER DRAINAGE AND RETENTION SHALL BE IMPLEMENTED DURING CONSTRUCTION.		
SURFACE WATER SHALL BE MANAGED TO DRAIN AWAY FROM BUILDING.		
PLUMBING FIXTURES AND FITTINGS INSTALLED IN RESIDENTIAL BUILDINGS SHALL COMPLY WITH THE PRESCRIPTIVE REQUIREMENTS OF SECTIONS 4303.1.1 THROUGH 4303.1.4.4		
SINGLE SHOWERHEADS SHALL HAVE A MAX. FLOW RATE OF NOT MORE THAN 1.8 GPM AT 80 PSI.		
SHOWERHEADS SHALL BE CERTIFIED TO THE PERFORMANCE CRITERIA OF THE U.S. EPA WATERSENSE SPECIFICATION FOR SHOWERHEADS.		
THE MAX FLOW RATE OF RESIDENTIAL LAVATORY FAUCETS SHALL NOT EXCEED 1.2 GPM AT 60 PSI.		
THE MIN. FLOW RATE OF RESIDENTIAL LAVATORY FAUCETS SHALL NOT BE LESS THAN 0.8 GPM AT 20 PSI.		
THE MAX FLOW RATE OF KITCHEN FAUCETS SHALL NOT EXCEED 1.8 GPM AT 60 PSI.		
AUTOMATIC IRRIGATION SYSTEM CONTROLLERS INSTALLED AT THE TIME OF FINAL INSPECTION SHALL BE WEATHER OR SOIL MOISTURE-BASED.		
ANNUAL SPACES AROUND PIPES, ELECTRIC CABLES, CONDUITS OR OTHER OPENINGS IN SOLE/BOTTOM PLATES AT EXTERIOR WALLS SHALL BE PROTECTED AGAINST THE PASSAGE OF RODENTS BY CLOSING SUCH OPENINGS WITH CEMENT MORTAR, CONCRETE MASONRY OR A SIMILAR METHOD ACCEPTABLE TO THE ENFORCING AGENCY.		
RECYCLE AND/OR SALVAGE FOR REUSE A MINIMUM OF 50% OF THE NON-HAZARDOUS CONSTRUCTION AND DEMOLITION WASTE IN ACCORDANCE WITH ONE OF THE FOLLOWING:		
1. COMPLY WITH A MORE STRINGENT LOCAL CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT ORDINANCE, OR		
2. A CONSTRUCTION WASTE MANAGEMENT PLAN, PER SECTION 4.408.2; OR		
3. A WASTE MANAGEMENT COMPANY, PER SECTION 4.408.3; OR		
4. THE WASTE STREAM REDUCTION ALTERNATIVE, PER SECTION 4.408.4.		
AN OPERATION AND MAINTENANCE MANUAL SHALL BE PROVIDED TO THE BUILDING OCCUPANT OR OWNER.		
DUCT OPENINGS AND OTHER RELATED AIR DISTRIBUTION COMPONENT OPENINGS SHALL BE COVERED DURING CONSTRUCTION.		
ADHESIVES, SEALANTS, AND CAULKS SHALL BE COMPLIANT WITH VOC AND OTHER TOXIC COMPOUND LIMITS.		
PAINTS, STAINS AND OTHER COATINGS SHALL BE COMPLIANT WITH VOC LIMITS.		
AEROSOL PAINTS AND COATINGS SHALL BE COMPLIANT WITH PRODUCT WEIGHTED MIR LIMITS FOR VOC AND OTHER TOXIC COMPOUNDS.		
DOCUMENTATION SHALL BE PROVIDED TO VERIFY THAT COMPLIANT VOC LIMIT FINISH MATERIALS HAVE BEEN USED.		
ALL CARPET SHALL MEET THE TESTING AND PROJECT REQUIREMENTS PER SEC. 4504.3. ALL CARPET CUSHION INSTALLED IN THE BUILDING INTERIOR SHALL MEET THE REQUIREMENTS OF THE CARPET AND RUG INSTITUTE'S GREEN LABEL PROGRAM. ALL CARPET ADHESIVE SHALL MEET THE REQUIREMENTS OF TABLE 4504.1.		
AT LEAST 80% OF FLOOR AREA RECEIVING RESILIENT FLOORING SHALL COMPLY WITH THE REQUIREMENTS PER SEC. 4504.4.		
HARDWOOD PLYWOOD, PARTICLE BOARD AND MEDIUM DENSITY FIBERBOARD (MDF) USED ON INTERIOR OR EXTERIOR OF THE BUILDING SHALL COMPLY WITH FORMALDEHYDE EMISSION LIMITS PER TABLE 4504.5.		
VAPOR RETARDER AND CAPILLARY BREAK IS INSTALLED AT SLAB-ON-GRADE FOUNDATIONS.		
MOISTURE CONTENT OF BUILDING MATERIALS USED IN WALL AND FLOOR FRAMING SHALL NOT TO EXCEED 19% BEFORE INSULATION PRODUCTS WHICH ARE VISIBLY WET OR HAVE A HIGH MOISTURE CONTENT SHALL BE REPLACED OR ALLOWED TO DRY PRIOR TO ENCLOSURE.		
BATHROOM EXHAUST FANS SHALL BE ENERGY STAR DUCTED TO OUTSIDE. UNLESS FUNCTIONING AS A COMPONENT OF A WHOLE HOUSE VENTILATION SYSTEM, BATHROOM EXHAUST FANS MUST BE CONTROLLED BY A HUMIDISTAT BETWEEN A RELATIVE HUMIDITY RANGE OF 50%-80%.		
DUCT SYSTEMS ARE SIZED, DESIGNED AND EQUIPMENT IS SELECTED USING THE FOLLOWING METHODS:		
1. ESTABLISH HEAT LOSS AND HEAT IN VALUES ACCORDING TO ANSI/ACCA 2 MANUAL J-2011 OR EQ.		
2. SIZE DUCT SYSTEMS ACCORDING TO ANSI/ACCA 1 MANUAL D-2014 OR EQ.		
3. SELECT HEATING AND COOLING EQUIPMENT ACCORDING TO ANSI/ACCA 3 MANUAL S-2014 OR EQ.		
HVAC SYSTEM INSTALLERS ARE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION OF HVAC SYSTEMS.		
SPECIAL INSPECTORS EMPLOYED BY THE ENFORCING AGENCY MUST BE QUALIFIED AND ABLE TO DEMONSTRATE COMPETENCE IN THE DISCIPLINE THEY ARE INSPECTING.		
VERIFICATION OF COMPLIANCE WITH THIS CODE MAY INCLUDE CONSTRUCTION DOCUMENTS, PLANS, SPECIFICATIONS, BUILDER OR INSTALLER CERTIFICATION, INSPECTION REPORTS, OR OTHER METHODS ACCEPTABLE TO THE ENFORCING AGENCY WHICH SHOW SUBSTANTIAL PERFORMANCE.		

TYPICAL ELECTRICAL NOTES:	
ALL LIGHTING SHALL BE HIGH EFFICACY.	
ALL LIGHTING FIXTURES SHALL BE CONTROLLED BY EITHER A DIMMER SWITCH OR BY A VACANCY SENSOR SWITCH THAT REQUIRES A MANUAL ON ACTIVATION AND AUTOMATICALLY TURNS OFF WITHIN 30 MINS AFTER THE ROOM IS VACATED. EXCEPT THAT BATHROOMS, LAUNDRY ROOM, GARAGES AND UTILITY ROOMS SHALL HAVE ON LIGHT FIXTURE CONTROLLED BY A VACANCY SENSOR. ALL OTHER LIGHTING IN THESE ROOMS SHALL BE CONTROLLED BY A VACANCY SENSOR OR A DIMMER SWITCH. ALL LIGHT FIXTURES SHALL CONTAIN BULBS THAT ARE LABELED AS JAB-2016. SCREW BASE BULBS ARE PERMITTED, EXCEPT IN RECESSED LIGHTING FIXTURES.	
EXTERIOR LIGHTING AFFIXED TO THE RESIDENCE SHALL BE CONTROLLED BY A MANUAL ON/OFF SWITCH. WATER/WEATHER PROOF & SHALL BE HIGH EFFICACY IN ADDITION TO INCLUDE ONE OF THE FOLLOWING:	
A. PHOTOCELL & MOTION SENSOR, OR	
B. PHOTOCONTROL & AUTOMATIC TIME SWITCH CONTROL, OR	
C. ASTRONOMICAL TIME CLOCK CONTROL, OR	
D. ENERGY MANAGEMENT CONTROL SYSTEM	
LUMINARIES THAT ARE TO BE RECESSED INTO INSULATED CEILING SHALL BE IC-RATED, AIR-TIGHT, SEALED/CAULKED BETWEEN THE FIXTURE HOUSING AND CEILING. SHALL NOT CONTAIN A SCREW BASE SOCKET AND CONTAIN BULBS MARKED WITH JAB-2016-E EFFICIENCY LABEL. RECESSED LUMINARIES SHALL BE CONTROLLED BY DIMMERS OR VACANCY SENSOR. RECESSED LUMINARIES SHALL COMPLY WITH THE REFERENCE JOINT APPENDIX JAB AND SHALL NOT CONTAIN SCREW BASE SOCKETS IN ADDITION TO BEING CONTROLLED BY A DIMMER SWITCH OR VACANCY SENSOR.	
ALL 125 VOLT 15 & 20 AMP RECEPTACLES SHALL BE TAMPER-RESISTANT RECEPTACLES.	
ELECTRICAL OUTLETS IN KITCHEN, LAUNDRY & BATH SHALL BE 15 AMP, 120V W/ DUAL FUNCTION GFCI/AFCI.	
ALL OUTLETS WITHIN 6' FEET OF A SINK SHALL HAVE GFCI PROTECTION.	
A 120-VOLT RECEPTACLE OUTLET REQUIRED AT WASHING MACHINE INN LAUNDRY AREA.	
A DEDICATED 20-AMP OUTLET IS REQUIRED TO SERVE THE REQUIRED BATHROOM OUTLETS. THIS CIRCUIT CANNOT SUPPLY ANY OTHER RECEPTACLES, LIGHTS, FANS, ETC. (EXCEPTION--WHERE THE CIRCUIT SUPPLIES A SINGLE BATHROOM, OUTLETS FOR OTHER EQUIPMENT WITHIN THE SAME BATHROOM SHALL BE PERMITTED TO BE SUPPLIED.)	

TYPICAL PLUMBING NOTES:	
ALL NEW & EXISTING FIXTURES SHALL COMPLY WITH THE FOLLOWING: WATER CLOSETS: 1.2 GPF, MAX; SHOWERHEADS: 1.8 GPM, MAX @80 PSI; LAV.FAUCETS: 1.2 GPM, MAX @60 PSI; KITCHEN FAUCETS: 1.8 GPM, MAX @ 60 PSI. ANY NONCOMPLIANT PLUMBING FIXTURES THAT ARE NOT PART OF THE SCOPE OF WORK WILL BE REQUIRED TO COMPLY WITH THIS CODE SECTION.	
NEW OR RECONFIGURED SHOWER STALLS SHALL BE A MIN FINISHED INTERIOR OF 1024 SQ. IN. BE CAPABLE OF ENCOMPASSING A 30 IN DIAMETER CIRCLE. ANY DOORS SHALL SWING OUT OF THE ENCLOSURE HAVE A CLEAR OPENING OF 22 IN MIN.	
SHOWER STALLS AND BATHTUBS WITH SHOWER HEADS INSTALLED, SHALL HAVE WALLS FINISHED WITH A NONABSORBENT SURFACE FOR A MIN OF 6 FT. ABOVE THE FLOOR.	
THE WATER CLOSET SHALL HAVE A CLEARANCE OF 30 INCHES WIDE (15 IN ON CENTER) AND 24 INCHES IN FRONT.	
WHERE THE WATER CLOSET (OR OTHER PLUMBING FIXTURE) COMES INTO CONTACT WITH THE WALL OR FLOOR, THE JOINT SHALL BE CAULKED AND SEALED TO BE WATERTIGHT.	
MIXED WATER TO SHOWERS, TUB-SHOWER COMBINATION SHALL BE LIMITED TO 120°F. PROVIDE WATER TEMPERING VALVE CONFORMING TO ASSE 101.6 FOR SHOWER, TUB-SHOWER COMBINATION.	

GRADING AND DRAINAGE NOTES:	
PROJECTS WHICH DISTURB LESS THAN ONE ACRE OF SOIL AND ARE NOT PART OF A LARGER COMMON PLAN OF DEVELOPMENT WHICH IN TOTAL DISTURBS ONE ACRE OR MORE, SHALL MANAGE STORM WATER DRAINAGE DURING CONSTRUCTION IN ACCORDANCE WITH THE CALIFORNIA GREEN BUILDING STANDARDS CODE.	
CALL BEFORE YOU DIG! CONTACT UNDERGROUND SERVICE ALERT (USA) AT 1-800-227-2600 AT LEAST 2 WORKING DAYS BEFORE EXCAVATING.	
FINISHED GROUND SURFACES SHALL BE GRADED TO DRAIN THE FINISHED SITE PROPERLY. FINISHED GROUND SLOPE WITHIN 5 FEET OF THE BUILDING OR STRUCTURE SHALL SLOPE AWAY AT 5%.	
ALL EXTERIOR HARD SURFACES (INCLUDING TERRACES) SHALL BE INSTALLED WITH A 1% MINIMUM SLOPE AND SHALL DRAIN AWAY FROM THE BUILDING. DRAINAGE GRADES SHALL HAVE A MINIMUM SLOPE OF 1% MAX ALLOWABLE GRADE SLOPE IS 3 HORIZONTAL FEET TO 1 VERTICAL (33%).	
LOT GRADING SHALL CONFORM AT THE PROPERTY LINES AND SHALL NOT SLOPE TOWARD PROPERTY LINES IN A MANNER WHICH WOULD CAUSE STORMWATER TO FLOW ONTO NEIGHBORING PROPERTY. HISTORIC DRAINAGE PATTERNS SHALL NOT BE ALTERED IN A MANNER TO CAUSE DRAINAGE PROBLEMS TO NEIGHBORING PROPERTY.	
NEW RAINWATER DOWNSPOUTS SHALL BE DISCONNECTED AND DIRECT RUNOFF TO A LANDSCAPED AREA. DOWNSPOUTS MAY BE CONNECTED TO A POP UP DRAINAGE EMITTER IN THE LANDSCAPED AREA OR MAY DRAIN TO SPLASH BLOCKS OR COBBLESTONES THAT DIRECT WATER AWAY FROM THE BUILDING.	
CONTRACTOR TO FIELD VERIFY EXISTING DRAINAGE. IF EXISTING DRAINAGE SYSTEM IS DAMAGED DURING EXCAVATION, CONTRACTOR SHALL REPAIR AND/OR REROUTE DRAINAGE SYSTEM AND CONNECT TO EXISTING DRAINAGE FACILITY AS NECESSARY.	
EXISTING IMPROVEMENTS THAT ARE DAMAGED BY THE PROJECT CONSTRUCTION SHALL BE REPAIRED OR REPLACED.	
WATER METER, WATER LINE PIPE AND GAS LINE PIPE SIZING CALCULATIONS ALONG WITH ONE-LINE ISOMETRIC DRAWINGS MAY BE REQUIRED BY THE FIELD INSPECTOR AND WILL BE PROVIDED BY THE CONTRACTOR. ALL PLAN REVIEW FEES WILL BE PAID AS REQUIRED BY PERMITTEE.	
PLUMBING DRAIN WASTE AND VENT/OR MECHANICAL DUCTING AND/OR ELECTRICAL WIRE DIAGRAMS OR DRAWINGS MAY BE REQUIRED BY THE FIELD INSPECTOR AND WILL BE PROVIDED BY THE CONTRACTOR UPON REQUEST. ALL PLAN REVIEW FEES WILL BE PAID AS REQUESTED BY THE PERMITTEE.	
ELECTRICAL LOAD CALCULATIONS SHALL BE PROVIDED BY THE CONTRACTOR UPON THE REQUEST OF THE FIELD BUILDING INSPECTOR. ALL PLAN REVIEW FEES WILL BE PAID AS REQUIRED BY THE PERMITTEE.	



SITE PLAN

1/8"=1'-0"

VICINITY MAP:



RECEIVED on 12/19/2024 **CDVR24-01060**
By Contra Costa County
Department of Conservation and Development

jb drafting
design
P.O. Box 2735
Dublin, CA 94568
925-998-3898
jenbrown@jbdraftingdesign.com

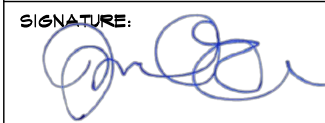
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GEORGE & CLAUDIA NAVARRO
3565 WILLOW ROAD
BETHEL ISLAND, CA 94511

REVISIONS:
△ N/A
△ N/A
△ N/A
△ N/A
△ N/A
△ N/A

SHEET TITLE:
GENERAL NOTES & SITE PLAN
JOB #241156
SCALE: AS NOTED
DRAWN BY: JDB
DATE: NOV 2024
SHEET NUMBER:
A

SIGNATURE:


REVISIONS:

△ N/A
△ N/A
△ N/A
△ N/A
△ N/A
△ N/A

SHEET TITLE:

GARAGE
FOUNDATION &
ELECTRICAL PLAN

JOB #241156

SCALE: $\frac{1}{4}" = 1'-0"$

DRAWN BY: JDB

DATE: NOV 2024

SHEET NUMBER:

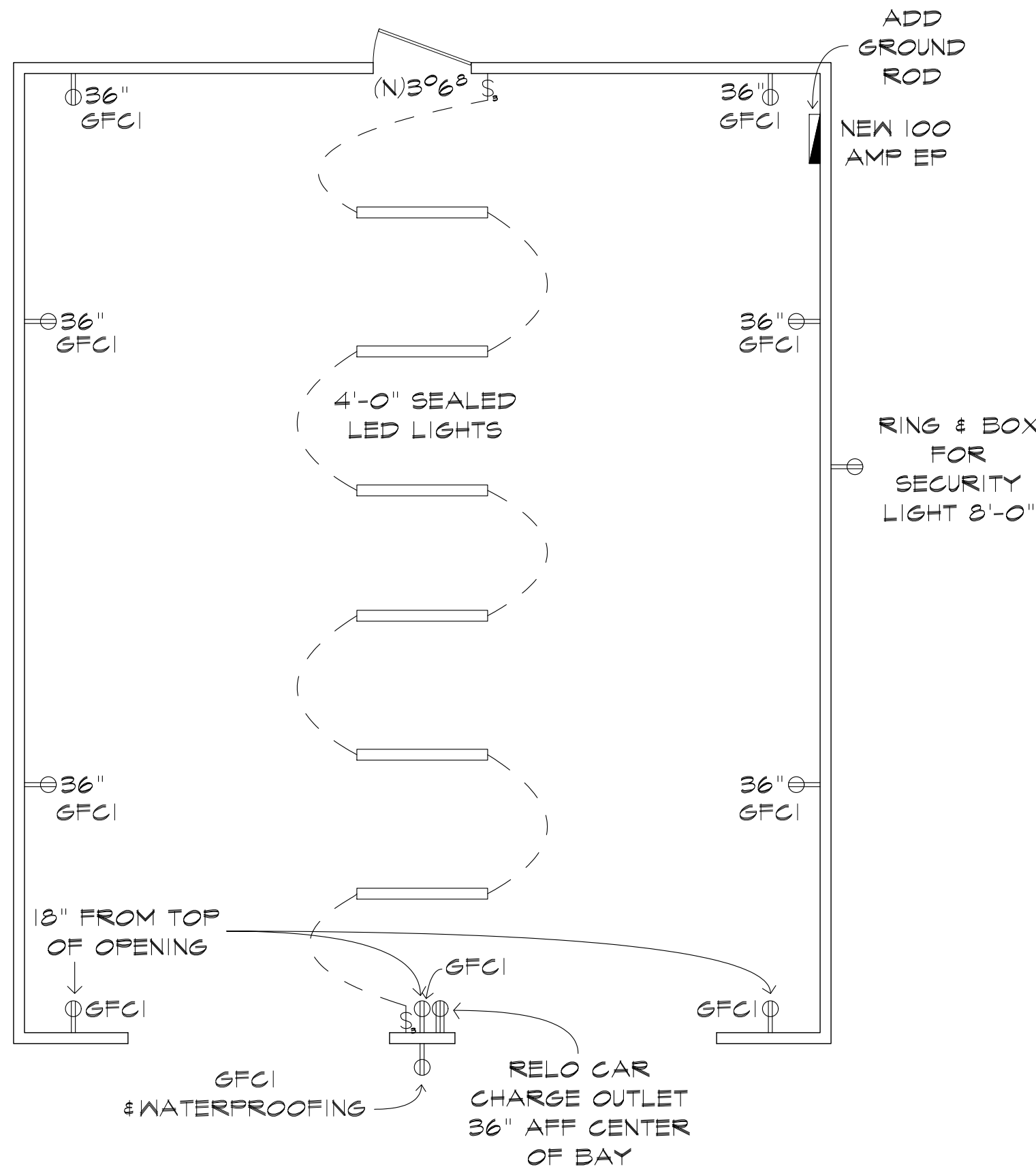
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ELECTRICAL NOTES:

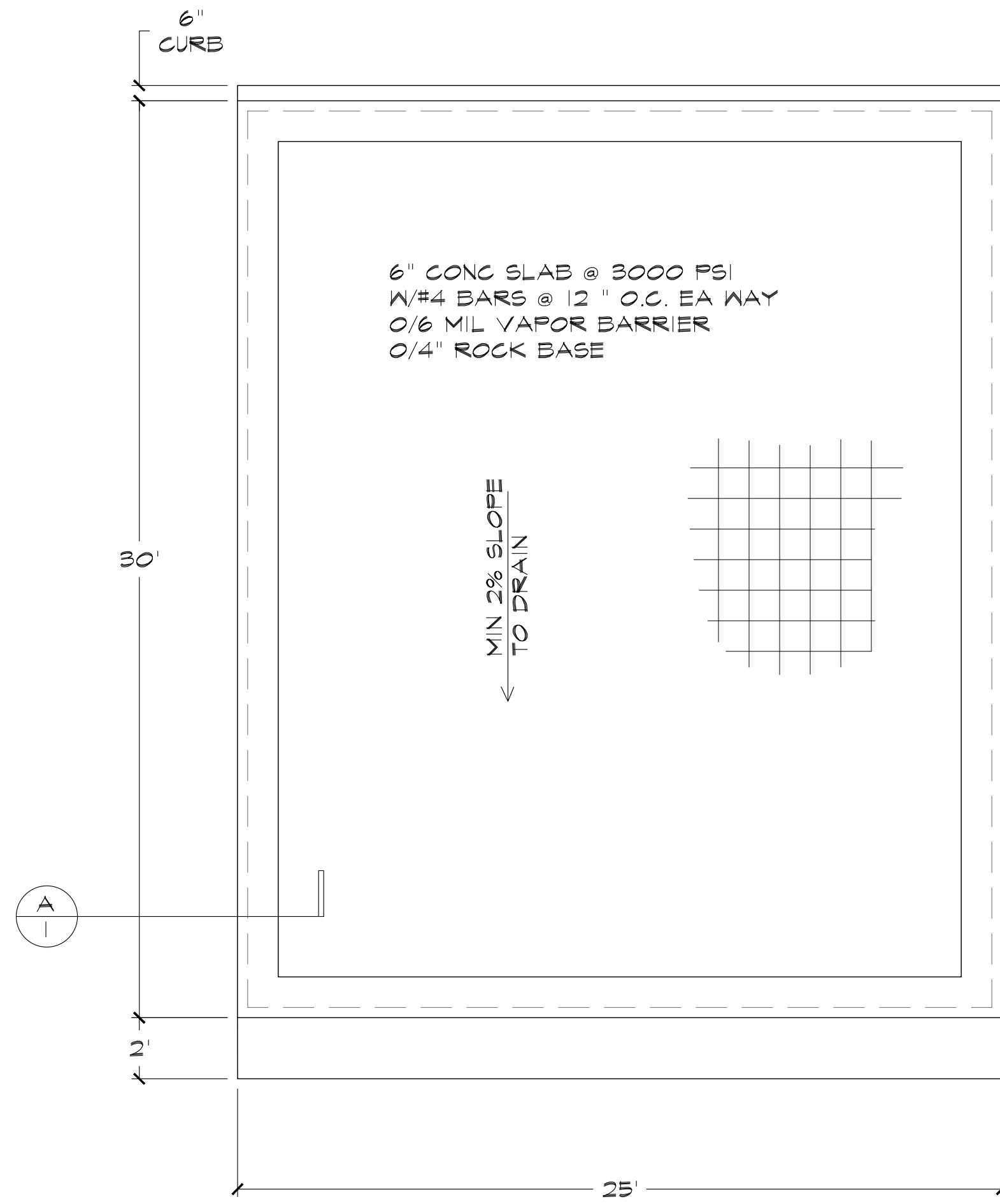
- ALL LIGHTING SHALL BE HIGH EFFICACY.
- ALL LIGHTING FIXTURES SHALL BE CONTROLLED BY EITHER A DIMMER SWITCH OR BY A VACANCY SENSOR SWITCH THAT REQUIRES A MANUAL ON ACTIVATION AND AUTOMATICALLY TURNS OFF WITHIN 30 MINS AFTER THE ROOM IS VACATED, EXCEPT THAT BATHROOMS, LAUNDRY ROOM, GARAGES AND UTILITY ROOMS SHALL HAVE ONE LIGHT FIXTURE CONTROLLED BY A VACANCY SENSOR OR A DIMMER SWITCH.
- ALL LIGHT FIXTURES SHALL CONTAIN BULBS THAT ARE LABELED AS JAS-2016. SCREW BASE BULBS ARE PERMITTED, EXCEPT IN RECESSED LIGHTING FIXTURES.
- EXTERIOR LIGHTING AFFIXED TO THE RESIDENCE SHALL BE CONTROLLED BY A MANUAL ON/OFF SWITCH, WATER/WEATHER PROOF & SHALL BE HIGH EFFICACY IN ADDITION TO INCLUDE ONE OF THE FOLLOWING: A. PHOTOCELL & MOTION SENSOR B. PHOTOCONTROL & AUTOMATIC TIME SWITCH CONTROL C. ASTRONOMICAL TIME CLOCK CONTROL D. ENERGY MANAGEMENT CONTROL SYSTEM
- LUMINARIES THAT ARE TO BE RECESSED INTO INSULATED CEILING SHALL BE IC-RATED, AIR-TIGHT, SEALED/CAULKED BETWEEN THE FIXTURE HOUSING AND CEILING, SHALL NOT CONTAIN A SCREW BASE SOCKET AND CONTAIN BULBS MARKED WITH JAS-2016-E EFFICIENCY LABEL. RECESSED LUMINARIES SHALL BE CONTROLLED BY DIMMERS OR VACANCY SENSOR. RECESSED LUMINARIES SHALL COMPLY WITH THE REFERENCE JOINT APPENDIX JAS AND SHALL NOT CONTAIN SCREW BASE SOCKETS INN ADDITION TO BEING CONTROLLED BY A DIMMER SWITCH OR VACANCY SENSOR.
- ALL 125 VOLT 15 & 20 AMP RECEPTACLES SHALL BE TAMPER-RESISTANT RECEPTACLES.
- ELECTRICAL OUTLETS IN KITCHEN, LAUNDRY & BATH SHALL BE 15 AMP, 120V W/ DUAL FUNCTION GFCI & AFCI.
- ALL OUTLETS WITHIN 6' FEET OF A SINK SHALL HAVE GFCI PROTECTION.
- A 120-VOLT RECEPTACLE OUTLET REQUIRED AT WASHING MACHINE IN LAUNDRY AREA.
- A DEDICATED 20-AMP OUTLET IS REQUIRED TO SERVE THE REQUIRED BATHROOM OUTLETS. THIS CIRCUIT CANNOT SUPPLY ANY OTHER RECEPTACLES, LIGHTS, FANS, ETC. (EXCEPTION--WHERE THE CIRCUIT SUPPLIES A SINGLE BATHROOM, OUTLETS FOR OTHER EQUIPMENT WITHIN THE SAME BATHROOM SHALL BE PERMITTED TO BE SUPPLIED.)
- CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING AND SHALL BE EQUIPPED WITH BATTERY BACK-UP.
- AT LEAST 2 OR MORE 20 AMP SMALL-APPLIANCE BRANCH CIRCUITS SHALL BE PROVIDED AT THE KITCHEN.
- ALL BRANCH CIRCUITS SUPPLYING OUTLETS OR DEVICES INSTALLED IN BEDROOM AND SIMILAR ROOMS/SPACES SHALL HAVE A LISTED COMBINATION TYPE ARC-FAULT CIRCUIT INTERRUPTER.
- BATHROOM EXHAUST FAN SHALL BE RATED FOR MIN 50 CFM AND KITCHEN EXHAUST FAN TO BE RATED FOR MIN 100 CFM.
- THE FOLLOWING COMPONENTS SHALL BE PROVIDED FOR THE WATER HEATING SYSTEM:
 - A. A DEDICATED 125-VOLT 20-AMP ELECTRICAL RECEPTACLE THAT IS CONNECTED TO THE ELECTRIC PANEL WITH A 120/240-VOLT 3 CONDUCTOR, 10 AWG COPPER BRANCH CIRCUIT WITHIN 3' FROM THE WATER HEATER ACCESSIBLE TO THE WATER HEATER WITH NO OBSTRUCTIONS. IN ADDITION ALL OF THE FOLLOWING:
 - BOTH ENDS OF THE UNUSED CONDUCTOR SHALL BE LABELED WITH THE WORD "SPARE" AND BE ELECTRICALLY ISOLATED; AND
 - A RESERVED SINGLE POLE CIRCUIT BREAKER SPACE IN THE ELECTRICAL PANEL ADJACENT TO THE CIRCUIT BREAKER FOR THE BRANCH CIRCUIT IN A ABOVE AND LABELED WITH THE WORDS "FUTURE 240V USE"
 - B. A CATEGORY III OR IV VENT, OR A TYPE B VENT WITH STRAIGHT PIPE BETWEEN THE OUTSIDE TERMINATION AND THE SPACE WHERE THE WATER HEATER IS INSTALLED.
 - C. A CONDENSATE DRAIN THAT IS NO MORE THAN 2" HIGHER THAN THE BASE OF THE INSTALLED WATER HEATER, AND ALLOWS NATURAL DRAINING WITHOUT PUMP ASSISTANCE
 - D. A GAS SUPPLY LINE WITH A CAPACITY OF AT LEAST 200,000 BTU/HR.

ELECTRICAL KEY:

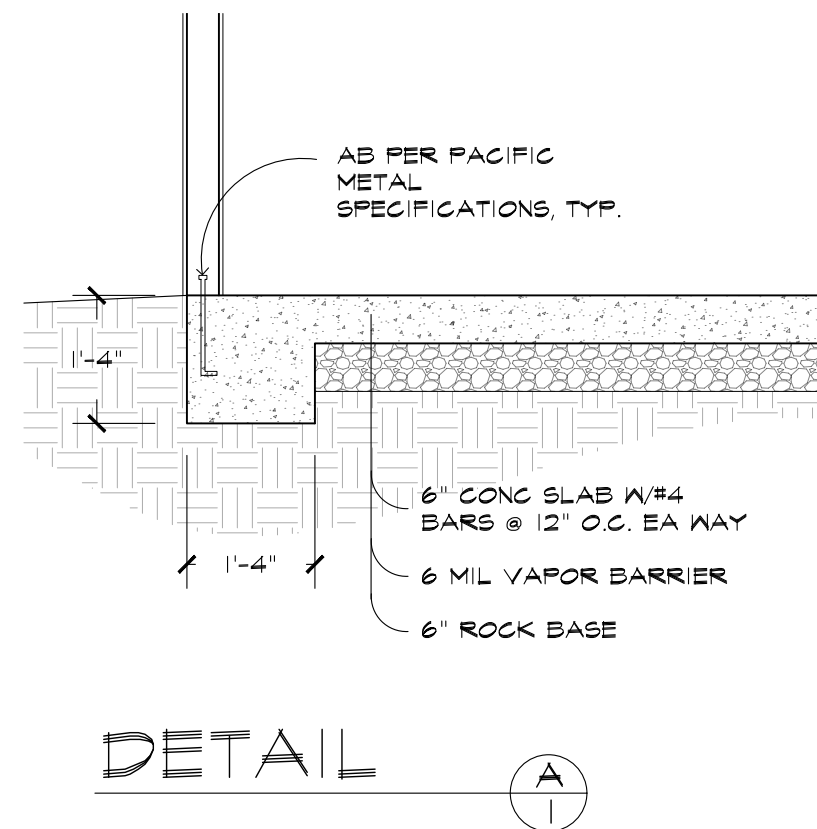
- 110V DUPLEX/ 220V OUTLET
- SWITCH/3-WAY SWITCH
- RECESSED CAN LT.
- WALL-MOUNT LT.
- CEILING MOUNT LT.
- LED ROPE LTG.
- CARBON MONOXIDE & SMOKE DETECTOR COMBO; VERIFY (E)
- HARD-WIRED, INTERCONNECTED SMOKE DETECTOR; VERIFY (E)
- CEILING MOUNT PEDANT LT.
- GAS STUB
- CEILING VENT/FAN
- CEILING-MT. FAN W/ LT.



PROPOSED ELECTRICAL PLAN



PROPOSED GARAGE FOUNDATION



DETAIL

GEORGE NAVARRO

3565 WILLOW RD, BETHEL ISLAND, CA 94511

(CONTRA COSTA COUNTY, CA)

24' X 30' X 12'

SCOPE OF PLANS:

1. TO PROVIDE STRUCTURAL DESIGN FOR THE PRE-FAB METAL BUILDING PER THE SPECIFIED DESIGN LOADS, AND APPLICABLE BUILDING CODES. ANY DISCREPANCIES IN DESIGN LOADS SHALL BE BROUGHT TO THE ATTN. OF THE ENGINEER OF RECORD.
2. DOES NOT PROVIDE ANY ARCHITECTURAL, SITE, ZONING, HVAC, ELEC, MECH DESIGN OR REQUIREMENTS. THESE ITEMS MUST BE ADDRESSED BY THEIR RESPECTIVE PROFESSIONALS IN CHARGE.

GENERAL STRUCTURAL DESIGN NOTES

1. THIS STRUCTURE IS DESIGNED FOR NON-HABITABLE USE. NO PERSONS ARE ALLOWED TO LIVE IN THIS BUILDING OR USE IT AS A LIVING SPACE. ONLY INCIDENTAL OCCUPANCY IS PERMITTED.
2. ALL WELDS ARE TO BE SHOP WELDS. FIELD WELDING IS NOT PERMITTED NOR REQUIRED. WELDING ELECTRODES PER AWS CODE, E70XX UNLESS NOTED OTHERWISE ON PLANS.
3. LIGHT GAUGE TUBING SHALL BE EITHER (OR EQUAL): ASTM A513-1035 (FY = 50 KSI, FU = 66 KSI) OR ASTM A500 GRADE C (FY = 50 KSI, FU = 65 KSI). ALL CHANNELS SHALL BE A653 (HSLA) GRADE 50 STEEL (FY = 50 KSI, FU = 65 KSI) OR EQUAL. HOT ROLLED STEEL SHAPES (FY = 36 KSI, BASE ANGLES) EXPOSED TO THE ELEMENTS, SHALL HAVE ONE COAT OF RUST PROOF PRIMER FOLLOWED BY TWO COATS OF PAINT.
4. ALL STRUCTURAL FIELD CONNECTIONS SHALL BE #12-14 x 3/4" SDS PER ESR-2196 U.N.O. REF. TO DESIGN NOTES ON SHEET 2 FOR SHEATHING FASTENER TYPE.
5. ADEQUATE BRACING DURING ALL STAGES OF CONSTRUCTION IS REQUIRED. STRUCTURE AND FOUNDATION ARE DESIGNED FOR COMPLETED CONDITION ONLY. ADDITIONAL SUPPORT TO MAINTAIN STABILITY IS REQUIRED IN CASE OF ROOF ACCESS FOR MAINTENANCE.
6. GYPSUM BOARD OR DRYWALL FINISH OR ANY BRITTLE BASE MATERIAL IS NOT CONSIDERED OR ACCOUNTED FOR ON THE DESIGN CRITERIA OF THIS STRUCTURE, U.N.O.

STRUCTURAL DESIGN CRITERIA

PREVAILING CODE:	CBC 2022
OCCUPANCY / USE GROUP:	U (PRIVATE GARAGE)
CONSTRUCTION TYPE:	V B (ANY MAT'L - IBC 602.5)
RISK CATEGORY:	II
BUILDING FOOTAGE:	720 SQ.FT
1. DEAD LOAD (D)	
COLLATERAL LOAD	2.0 PSF
2. ROOF LIVE LOAD (Lr)	Lr = 12 PSF
3. SNOW LOAD (S)	
GROUND SNOW LOAD	Pg = 0 PSF
IMPORTANCE FACTOR	Is = 1.00
THERMAL FACTOR	Ct = 1.2
EXPOSURE FACTOR	Ce = 1.0
ROOF SLOPE FACTOR	Cs = 1.0
FLAT ROOF SNOW LOAD	Pf = 0 PSF
SLOPED ROOF SNOW LOAD	Ps = 0 PSF
DESIGN SNOW LOAD	S = 0 PSF
4. WIND LOAD (W)	
DESIGN WIND SPEED	V = 110 MPH
EXPOSURE	C
5. SEISMIC LOAD (E)	
Ss / S1	1.115/0.401
SDs / SD1	0.892/0.508
DESIGN CATEGORY	D
SITE CLASS	D (DEFAULT)
IMPORTANCE FACTOR	Ie = 1.00
L.F.R.S IN X DIR (TRANSVERSE)	
TYPICAL FRAME	O.M.F.
RESPONSE MOD. FACTOR	R = 3.50
F & B END FRAMES	O.C.B.F
RESPONSE MOD. FACTOR	R = 3.25
SEISMIC COEFFICIENT	CSx = 0.232
SEISMIC BASE SHEAR	VSx = 849 LBF
L.F.R.S IN Z DIR (LONGITUDINAL)	
L & R SIDEWALLS	O.C.B.F
RESPONSE MOD. FACTOR	R = 3.25
SEISMIC COEFFICIENT	CSz = 0.232
SEISMIC BASE SHEAR	VSz = 849 LBF

STRUCTURAL DRAWING INDEX

- 1 COVER SHEET
- 2 ELEVATIONS
- 3A ANCHORAGE PLAN, REACTIONS & NOTES
- 3B ANCHORAGE TO AS-BUILT & NOTES
- 4 COLUMN LAYOUT PLAN & DETAILS
- 5 FRAME SECTION & DETAILS
- 6 SIDE WALL FRAMING & DETAILS
- 7A END WALL FRAMING & DETAILS
- 7B..... END WALL FRAMING DETAILS

REVISIONS LIST		
MARK	COMMENTS	DATE
-	ISSUED FOR PERMIT	NOV 18 2024

STATEMENT OF SPECIAL INSPECTIONS	REQ'D	PERIODIC	CONTINUOUS
		P	C
ANCHORAGE			
1. POST-INSTALLED CONCRETE ANCHOR BOLTS (PER ICC-ESR REQUIREMENTS - REF SHEET 3B)	Y	X	-
THE OWNER SHALL HIRE LICENSED SPECIAL INSPECTOR AT THEIR OWN COST. THE OWNER MAY BRING TO THE ATTENTION OF THE ENGINEER, ANY ISSUES OF CONCERN NOTED BY THE INSPECTOR.			

Rafael D Salgado

I am the author of this document
Toledo, OH
2024.11.21 13:44:23-05'00'

24-304.0

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SHEET NO: 1 OF 7

PROJECT NO: 232-24-3266

DRAWN BY: A.F

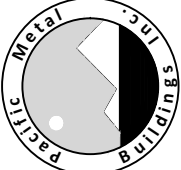
DATE: 11/15/2024

COVER SHEET

LOCATION: 3565 WILLOW RD
BETHEL ISLAND, CA 94511

PROJECT TITLE: GEORGE NAVARRO

METAL BUILDING MANUFACTURER



270 Old Highway 99
Maxwell, CA 95955
1-877-604-2777

WARNING: Unauthorized copy or use of the seal below is considered forgery subject to legal action to the fullest extent of the law and/or fines.

GEORGE NAVARRO
3565 WILLOW RD
BETHEL ISLAND, CA 94511

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GEORGE NAVARRO
3565 WILLOW RD
BETHEL ISLAND, CA 94511

REGISTERED PROFESSIONAL ENGINEER

CIVIL

RAFAEL D. SALGADO

C95761

STATE OF CALIFORNIA

EXPIRES: 03/31/2026

SIGNED: NOV 18 2024

SHEET NO:
2 OF 7

PROJECT NO:
232-24-3266

DRAWN BY:
A.F

DATE:
11/15/2024

ELEVATIONS

LOCATION:
3565 WILLOW RD
BETHEL ISLAND, CA 94511

PROJECT TITLE:
GEORGE NAVARRO

METAL BUILDING MANUFACTURER

Patco Metal Buildings

270 Old Highway 99
Maxwell, CA 95955
1-877-604-2777

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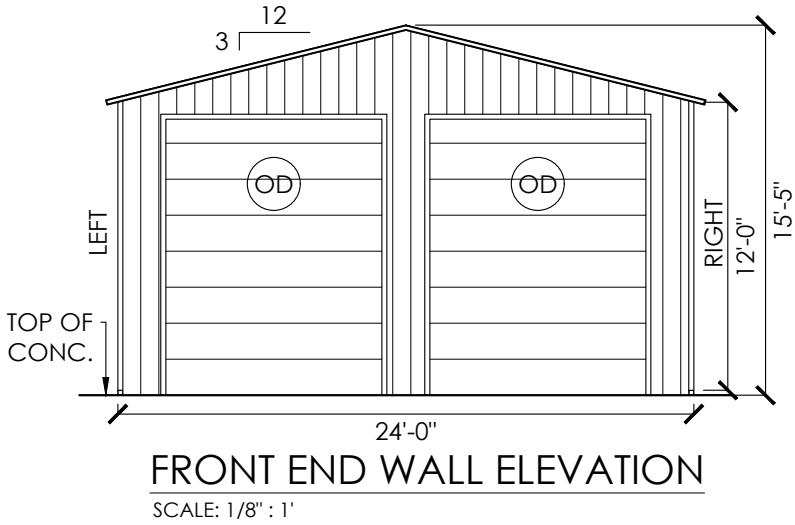
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3565 WILLOW RD
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EXPIRES: 03/31/2026
SIGNED: NOV 18 2024



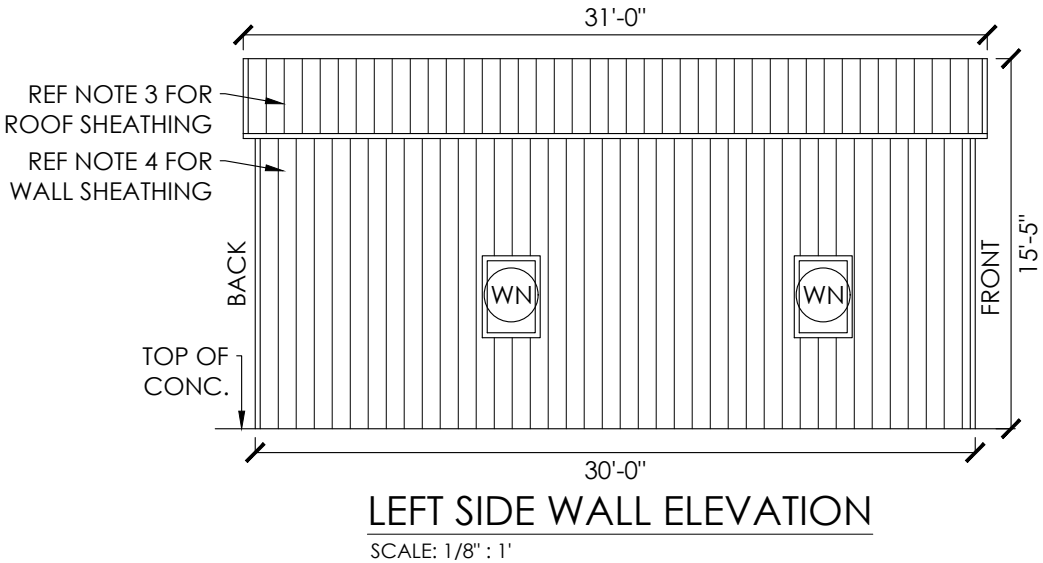
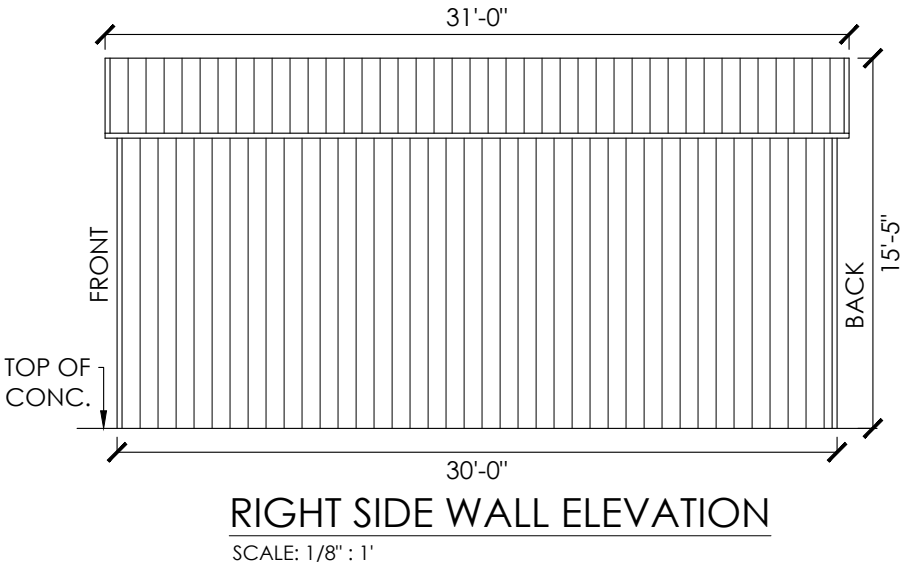
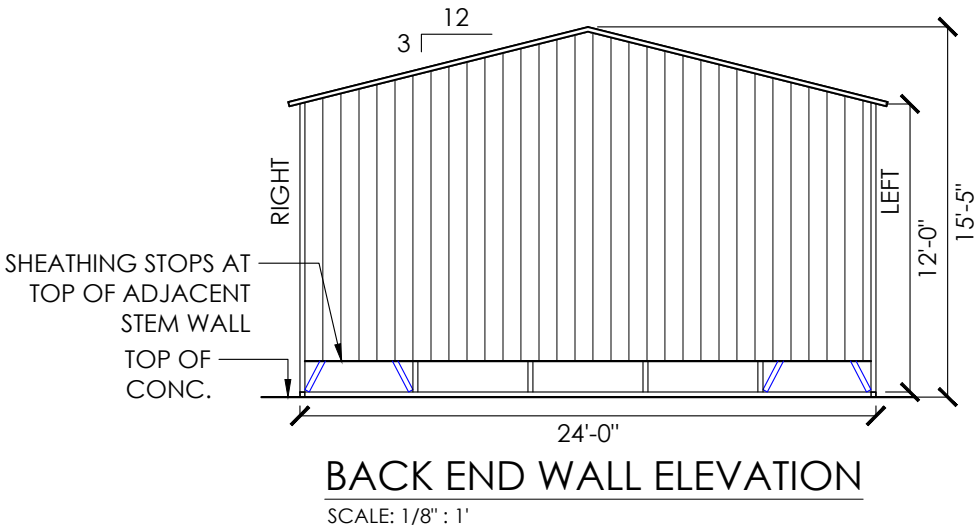
- DESIGN NOTES**
- THE INTENTION OF ELEVATIONS PROVIDED ON THIS SHEET IS TO INDICATE STRUCTURAL COMPONENTS, DIMENSIONS, AND BUILDING ORIENTATION ONLY.
 - ARCHITECTURAL DESIGN REQUIREMENTS ARE NOT COVERED IN THIS PLAN SET. THESE DESIGN REQUIREMENTS SHALL BE ADDRESSED IN A SEPARATE ARCHITECTURAL SET BY RESPONSIBLE LICENSED PROFESSIONALS IN CHARGE, AS NEEDED.
 - ALL EXT **ROOF** SHEATHING SHALL BE: CLASS A RATED 26GA. **1 1/4" PBR PANEL** - PER UES ER 0550 OR EQ. (REF. SHT 5 FOR PROFILE AND FASTENER SCHD.)
 - ALL EXT **WALL** SHEATHING SHALL BE: CLASS A RATED 26GA. **1 1/4" STRATA RIB** - PER UES ER 0550 OR EQ. (REF. SHT 5 FOR PROFILE AND FASTENER SCHD.)
 - SHEATHING CONNECTIONS SHALL BE #12-14 X 3/4" SDS** (PER UES-ER 0550 REQ.) W/ BONDED NEOPRENE WASHER PER ESR 2196.

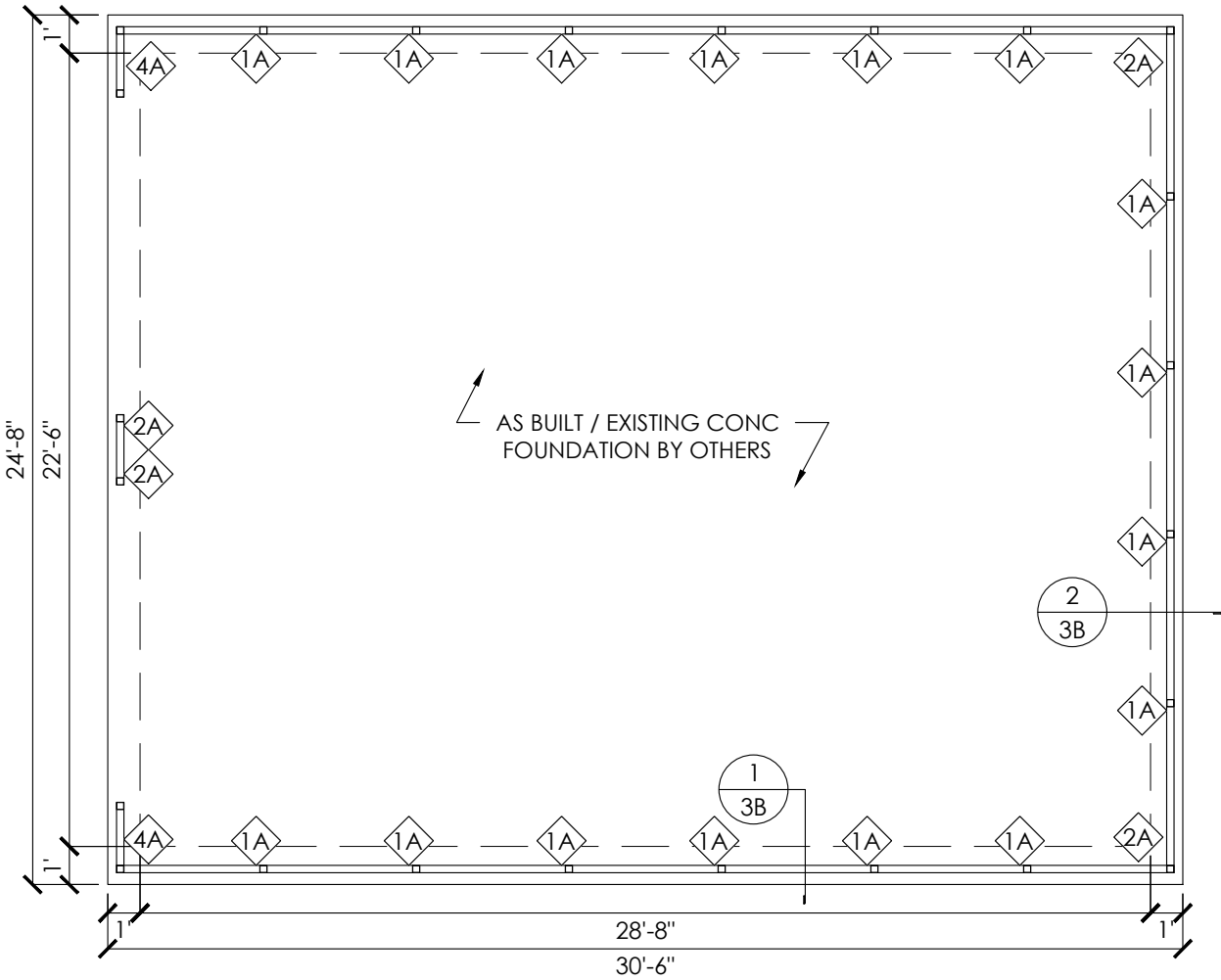
LEGEND

- (WN) WINDOWS (REF WINDOW MFG)
- (OD) OVER HEAD / ROLL-UP DOOR (REF DOOR MFG)

NOTE 1: ANY DOOR OR WINDOW DESIGN & CONNECTION / ATTACHMENT INFORMATION, IS NOT COVERED IN THIS PLAN SET AND SHALL BE ADDRESSED BY OTHERS.

NOTE 2: LOC OF WINDOWS CAN BE DETERMINED ON SITE AS LONG AS THEY FALL BETWEEN BAYS (BETWEEN FULL FRAMES).





ANCHORAGE PLAN
SCALE: 3/16" : 1'

CONCRETE ANCHORAGE	
1A	(1) 1/2"Ø x 7" LG. STRONG-BOLT 2EXPANSION ANCHOR (PER ESR 3037)
2A	(2) 1/2"Ø x 7" LG. STRONG-BOLT 2EXPANSION ANCHOR (PER ESR 3037)
4A	(4) 1/2"Ø x 7" LG. STRONG-BOLT 2EXPANSION ANCHOR (PER ESR 3037)

AS-BUILT / EXISTING FOUNDATION NOTES:

- THE VALIDITY OF ENGINEERS STAMP ON THIS SHEET DOES **NOT** COVER EITHER THE DESIGN OR REINFORCEMENT OF THE AS-BUILT FOUNDATION (AS FOUNDATION WAS POURED PRIOR TO ENGINEER OF RECORD'S INVOLVEMENT OR RECOMMENDATION). ALL AS-BUILT FOUNDATION DESIGN AND REINFORCEMENT SHALL BE RESPONSIBILITY OF ORIGINAL FOUNDATION DESIGNERS / OTHERS RESPONSIBLE.
- A MIN. SLAB SIZE OF 24'-8" X 30'-6" IS NECESSARY TO ALLOW THE MIN. OF 4" ANCHOR-TO-CONCRETE EDGE DISTANCE.
- CONCRETE ANCHORS SHALL BE LOCATED AS SHOWN ON THE ANCHORAGE PLAN WITH A MINIMUM OF (1) ANCHOR PER POST.
- ASSUMED CONCRETE STRENGTH FOR ANCHORAGE DESIGN TO BE A MIN OF 3000 PSI.

Corner Posts Max. Values							
Load Case	Fx	Fy (BRG)	Fy (UPLIFT)	Fz	Mx	My	Mz
(UNITS)	(KIP)	(KIP)	(KIP)	(KIP)	(KIP-IN)	(KIP-IN)	(KIP-IN)
DEAD	0.090	0.726	0.646	0.104	0.000	0.000	0.000
LIVE	0.306	2.690	2.371	0.402	0.000	0.000	0.000
Wind X (POS.)	0.711	1.956	-3.504	0.505	0.000	0.000	0.000
Wind X (NEG.)	0.699	2.218	-3.223	0.411	0.000	0.000	0.000
Wind Z (POS.)	0.248	0.692	-2.089	0.327	0.000	0.000	0.000
Wind Z (NEG.)	0.239	0.610	-1.822	0.233	0.000	0.000	0.000
Seismic X (POS.)	0.101	0.383	-0.383	0.035	0.000	0.000	0.000
Seismic X (NEG.)	0.101	0.383	-0.383	0.035	0.000	0.000	0.000
Seismic Z (POS.)	0.004	0.123	-0.129	0.042	0.000	0.000	0.000
Seismic Z (NEG.)	0.004	0.129	-0.123	0.042	0.000	0.000	0.000

Outer Side Wall Posts Max. Values (Non-corner)							
Load Case	Fx	Fy (BRG)	Fy (UPLIFT)	Fz	Mx	My	Mz
(UNITS)	(KIP)	(KIP)	(KIP)	(KIP)	(KIP-IN)	(KIP-IN)	(KIP-IN)
DEAD	0.009	0.223	0.047	0.020	0.000	0.000	0.000
LIVE	0.047	0.330	-0.308	0.042	0.000	0.000	0.000
Wind X (POS.)	0.352	0.389	-0.638	0.698	0.000	0.000	0.000
Wind X (NEG.)	0.453	0.590	-0.394	0.638	0.000	0.000	0.000
Wind Z (POS.)	0.388	-0.402	-0.585	0.483	0.000	0.000	0.000
Wind Z (NEG.)	0.311	-0.173	-0.342	0.586	0.000	0.000	0.000
Seismic X (POS.)	0.000	0.089	-0.089	0.076	0.000	0.000	0.000
Seismic X (NEG.)	0.000	0.089	-0.089	0.076	0.000	0.000	0.000
Seismic Z (POS.)	0.000	0.026	-0.027	0.058	0.000	0.000	0.000
Seismic Z (NEG.)	0.000	0.027	-0.026	0.058	0.000	0.000	0.000

End Wall Posts Max. Values (Non-corner)							
Load Case	Fx	Fy (BRG)	Fy (UPLIFT)	Fz	Mx	My	Mz
(UNITS)	(KIP)	(KIP)	(KIP)	(KIP)	(KIP-IN)	(KIP-IN)	(KIP-IN)
DEAD	0.048	0.388	0.000	0.010	0.000	0.000	0.000
LIVE	0.146	1.190	0.000	0.051	0.000	0.000	0.000
Wind X (POS.)	0.950	2.260	-3.104	0.808	0.000	0.000	0.000
Wind X (NEG.)	0.911	2.739	-2.607	0.574	0.000	0.000	0.000
Wind Z (POS.)	0.285	0.000	-0.766	0.417	0.000	0.000	0.000
Wind Z (NEG.)	0.167	0.066	-0.308	0.633	0.000	0.000	0.000
Seismic X (POS.)	0.108	0.330	-0.330	0.000	0.000	0.000	0.000
Seismic X (NEG.)	0.108	0.330	-0.330	0.000	0.000	0.000	0.000
Seismic Z (POS.)	0.020	0.063	-0.045	0.000	0.000	0.000	0.000
Seismic Z (NEG.)	0.020	0.045	-0.063	0.000	0.000	0.000	0.000

FOUNDATION REACTIONS

- REACTION NOTES:
- REACTIONS ARE PROVIDED FOR FOUNDATION ENGINEER.
 - POSITIVE Fy VALUE INDICATES BEARING.
 - NEGATIVE Fy VALUE INDICATES UPLIFT.
 - Fx AND Fz ARE ABSOLUTE VALUES.

NOTE:

- THE ENGINEERS CERTIFICATION IS LIMITED TO THE STRUCTURAL ENGINEERING FOR THE PREFABRICATED STRUCTURAL FRAMING AND POST INSTALLED CONCRETE ANCHORAGE ONLY.
- STRUCTURAL BASE REACTIONS VALUES ARE PROVIDED HEREIN TO AID THE DESIGN AND / OR CHECK THE AS-BUILT ANCHORAGE & FOUNDATION BY OTHERS. FOUNDATION HAS NOT BEEN SPECIFIED IN THIS PLAN SET AND SHALL BE THE RESPONSIBILITY OF OTHERS.

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BETHEL ISLAND, CA 94511

EXPIRES: 03/31/2026
SIGNED: NOV 18 2024

ANCHORAGE PLAN,
REACTIONS & NOTES

SHEET TITLE:

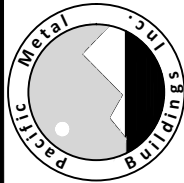
LOCATION:

3565 WILLOW RD
BETHEL ISLAND, CA 94511

PROJECT TITLE:

GEORGE NAVARRO

METAL BUILDING
MANUFACTURER



270 Old Highway 99
Maxwell, CA 95955
1-877-604-2777

CONCRETE ANCHORAGE	
1A	(1) 1/2"Ø x 7" LG. STRONG-BOLT 2EXPANSION ANCHOR (PER ESR 3037)
2A	(2) 1/2"Ø x 7" LG. STRONG-BOLT 2EXPANSION ANCHOR (PER ESR 3037)
4A	(4) 1/2"Ø x 7" LG. STRONG-BOLT 2EXPANSION ANCHOR (PER ESR 3037)

ANCHOR NOTES:

1. ANCHOR INSTALLATION REQUIREMENTS (REF ANCHORAGE DETAIL):

E.D. - ANCHOR EDGE DISTANCE:

H. - ANCHOR HOLE DEPTH:

D. - CONCRETE EMBEDMENT DEPTH:

SPACING BETWEEN (2) ANCHORS:

MIN. 4" OR U.N.O.

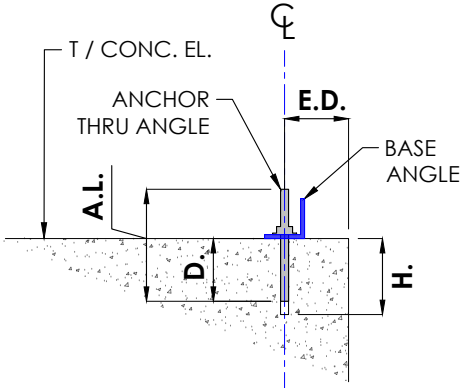
MIN. 3.00"

MIN. 2.75"

MIN. 2.75" OR U.N.O.
2. ANCHORS TO BE SPACED NO MORE THAN 6" FROM POSTS OR U.N.O.
3. ANCHORS TO BE INSTALLED PER MANUFACTURER'S REQ. PER SPECIFIED ESR.

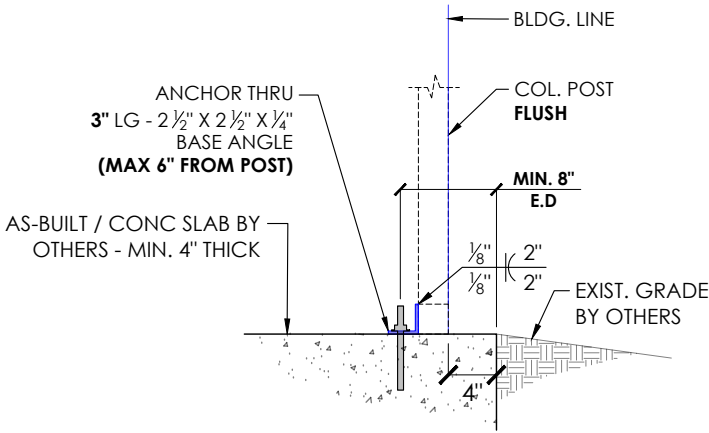
AS-BUILT NOTE:

1. ANY AS-BUILT INFORMATION OR DETAILS HAVE BEEN PREPARED BASED ON INFORMATION PROVIDED BY OTHERS. THE ENGINEER HAS NOT INSPECTED THE ACCURACY AND/OR THE COMPLETENESS OF THIS INFORMATION AND SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH MAY BE INCORPORATED HEREIN AS A RESULT.



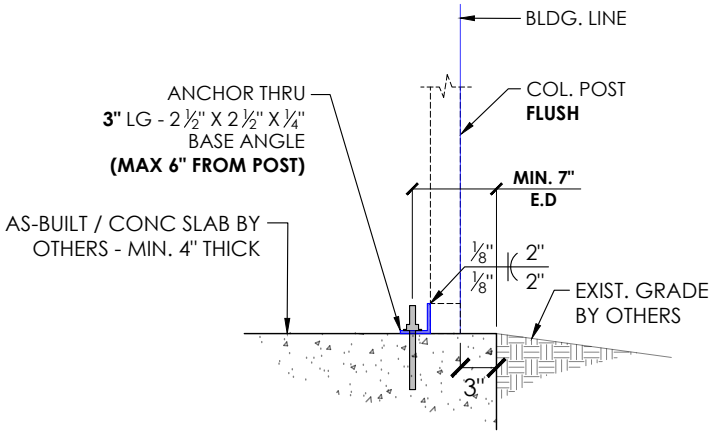
ANCHORAGE DETAIL

SCALE: NTS



1 FOUNDATION DETAILS

SCALE: 3/4" : 1'



2 FOUNDATION DETAILS

SCALE: 3/4" : 1'

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BETHEL ISLAND, CA 94511

EXPIRES: 03/31/2026
SIGNED: NOV 18 2024

SHEET NO: 3B OF 775

PROJECT NO: 232-24-3266

DRAWN BY: A.FDATE: 11/15/2024

ANCHORAGE TO AS-BUILT & NOTES

LOCATION: 3565 WILLOW RD
BETHEL ISLAND, CA 94511

PROJECT TITLE: GEORGE NAVARRO

METAL BUILDING MANUFACTURER



270 Old Highway 99
Maxwell, CA 95955
1-877-604-2777

SHEET TITLE:

COLUMN LAYOUT PLAN & DETAILS

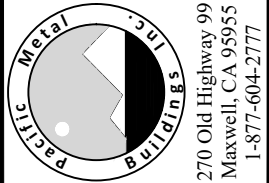
LOCATION:

3565 WILLOW RD
BETHEL ISLAND, CA 94511

PROJECT TITLE:

GEORGE NAVARRO

METAL BUILDING
MANUFACTURER



WARNING: Unauthorized copy or use of the seal below is considered forgery subject to legal action to the fullest extent of the law and/or fines.

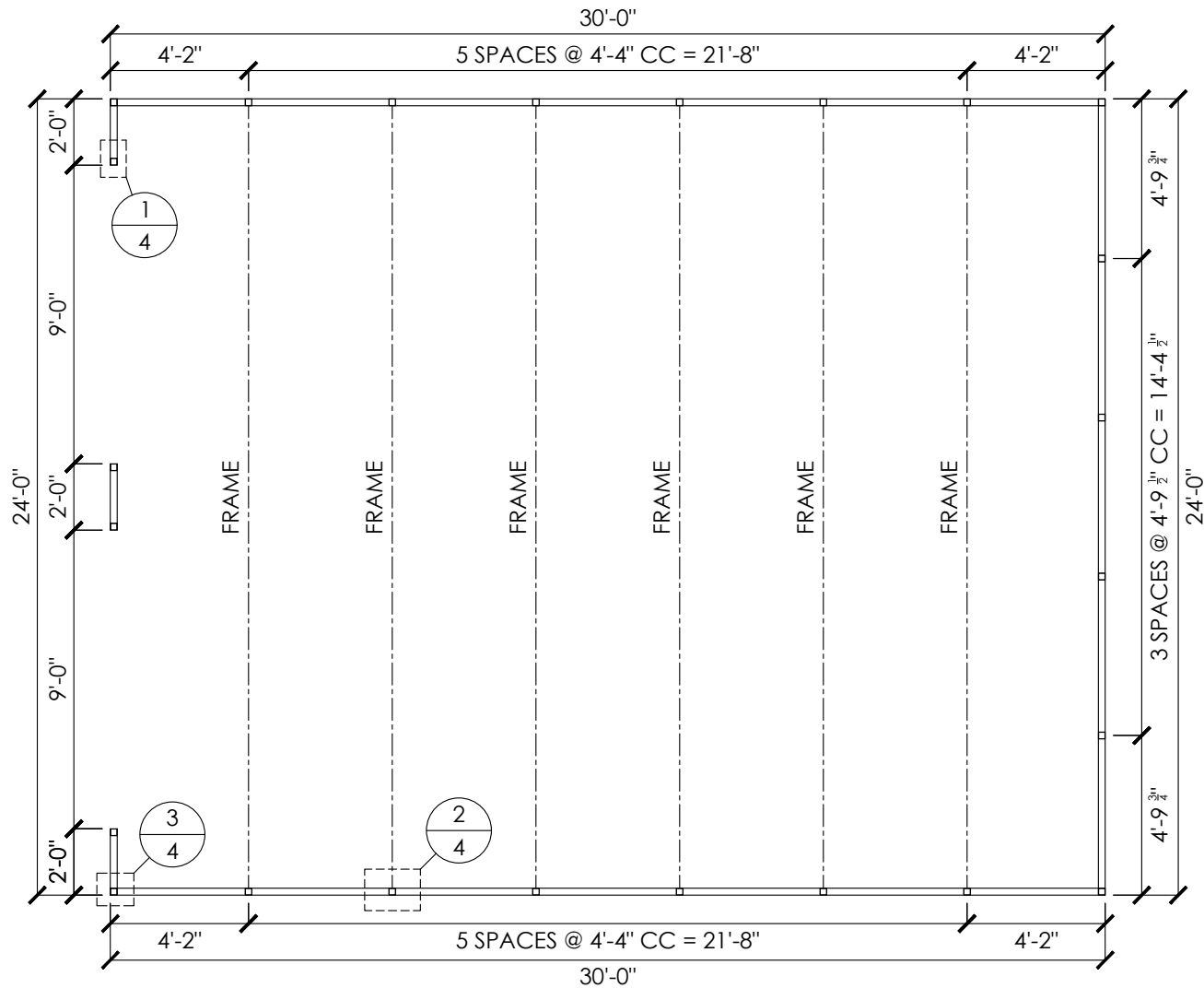
GEORGE NAVARRO
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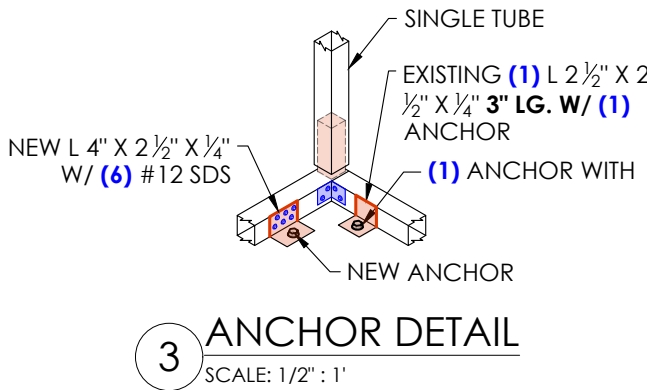
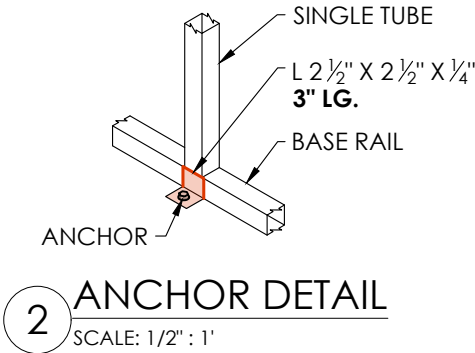
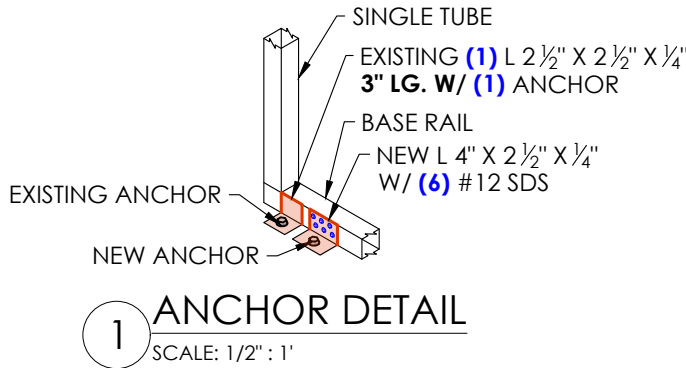
GEORGE NAVARRO
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BETHEL ISLAND, CA 94511

EXPIRES: 03/31/2026
SIGNED: NOV 18 2024



COLUMN LAYOUT PLAN
SCALE: 3/16" : 1'

NOTE:
SEE SHEET 3A / 3B FOR ANCHOR TYPE
SEE SHEET 5 FOR FRAME SECTION AND DETAILS



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BETHEL ISLAND, CA 94511

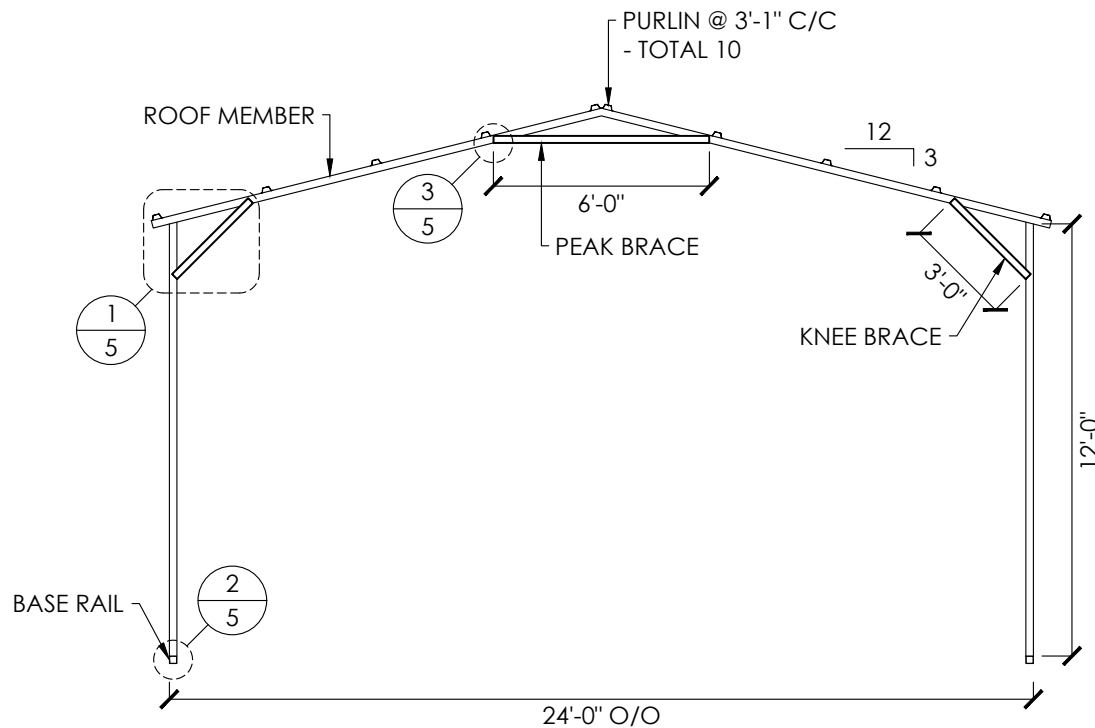
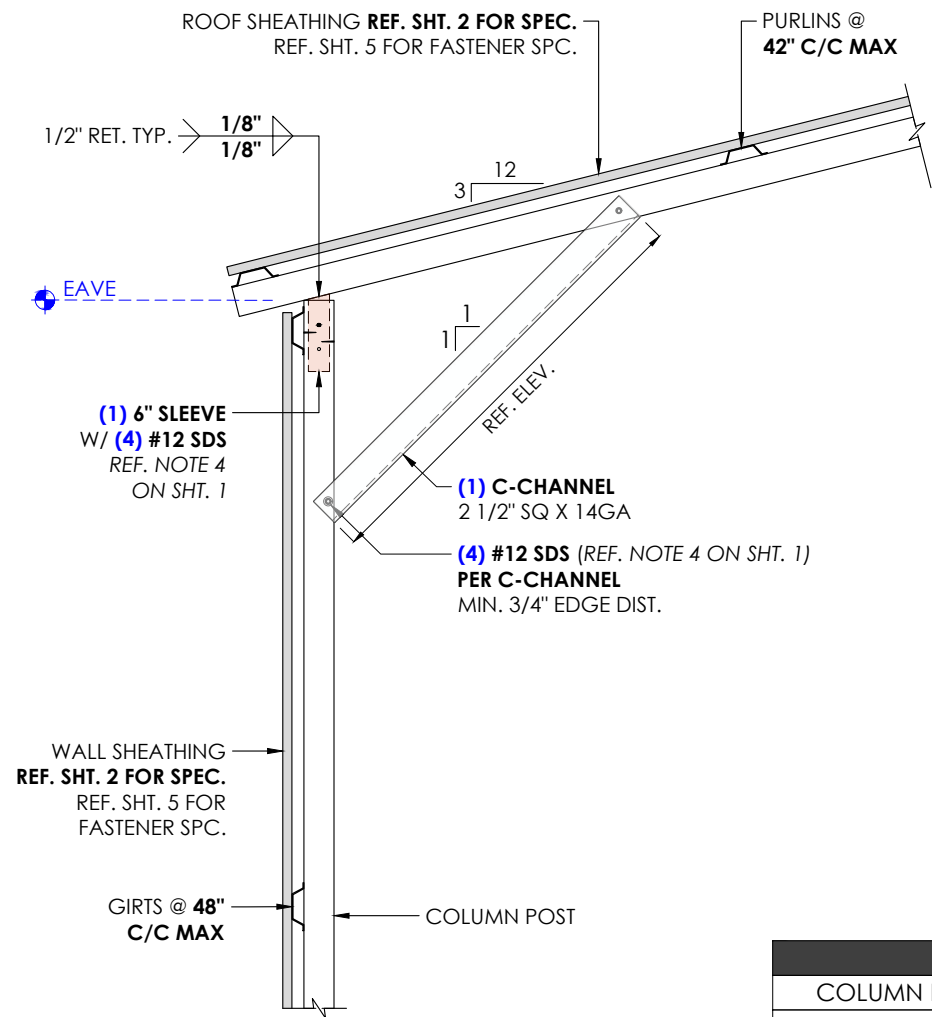
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3565 WILLOW RD
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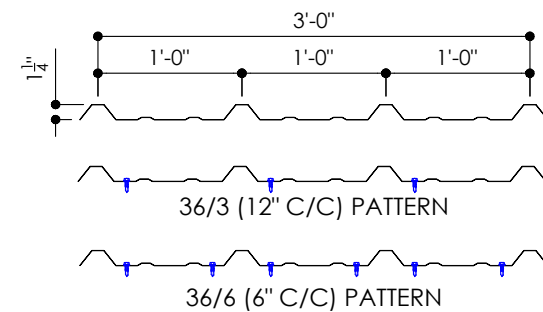
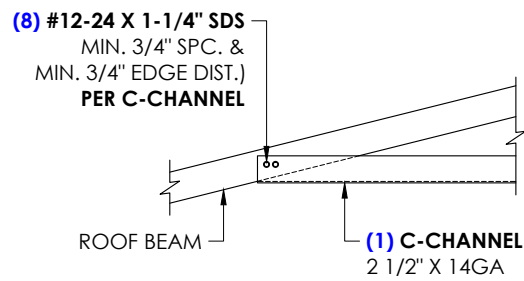
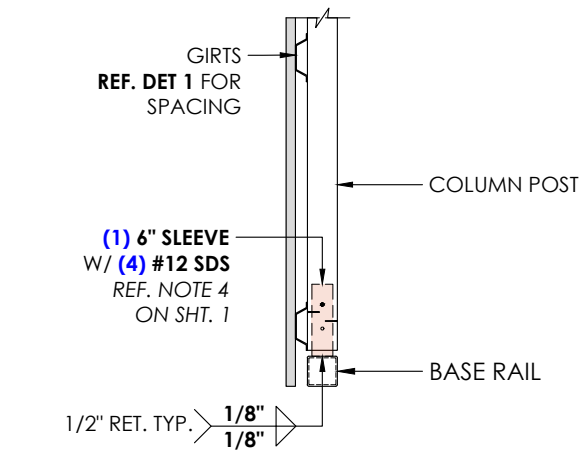
REGISTERED PROFESSIONAL ENGINEER
CIVIL
RAFAEL D. SALGADO
C95761
STATE OF CALIFORNIA

EXPIRES: 03/31/2026
SIGNED: NOV 18 2024



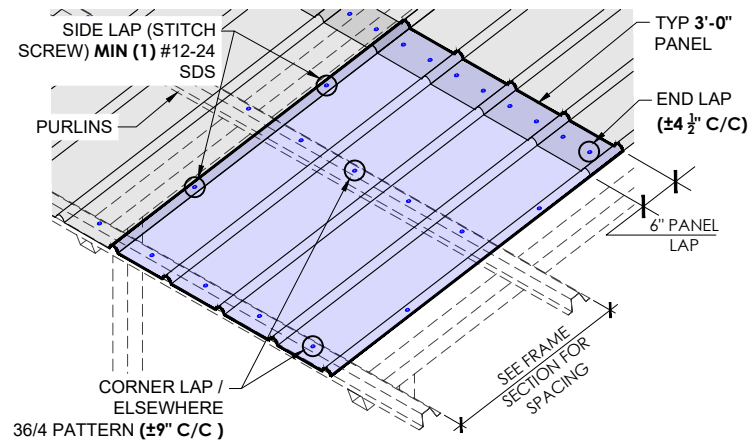
MEMBER PROPERTIES				
COLUMN POST		2 1/2" SQ. X 14GA TUBE		
ROOF MEMBER		2 1/2" SQ. X 14GA TUBE		
BASE RAIL		2 1/2" SQ. X 14GA TUBE		
PEAK BRACE		2 1/2" X 14GA CHANNEL		
KNEE BRACE		2 1/2" X 14GA CHANNEL		
CONNECTOR SLEEVE		2 1/4" SQ. X 12GA TUBE		
GIRTS		4" X 1" X 14GA HAT CHANNEL		
PURLINS		4" X 1" X 14GA HAT CHANNEL		
SHEATHING FASTENER SCHEDULE				
LOCATION	CORNER PANEL	SIDE LAPS	EDGE LAPS	ELSEWHERE
SPACING	9" CC	MIN. 1	4 1/2" CC	9" CC

REF. DESIGN NOTE ON SHEET 2 FOR SHEATHING FASTENER TYPE.



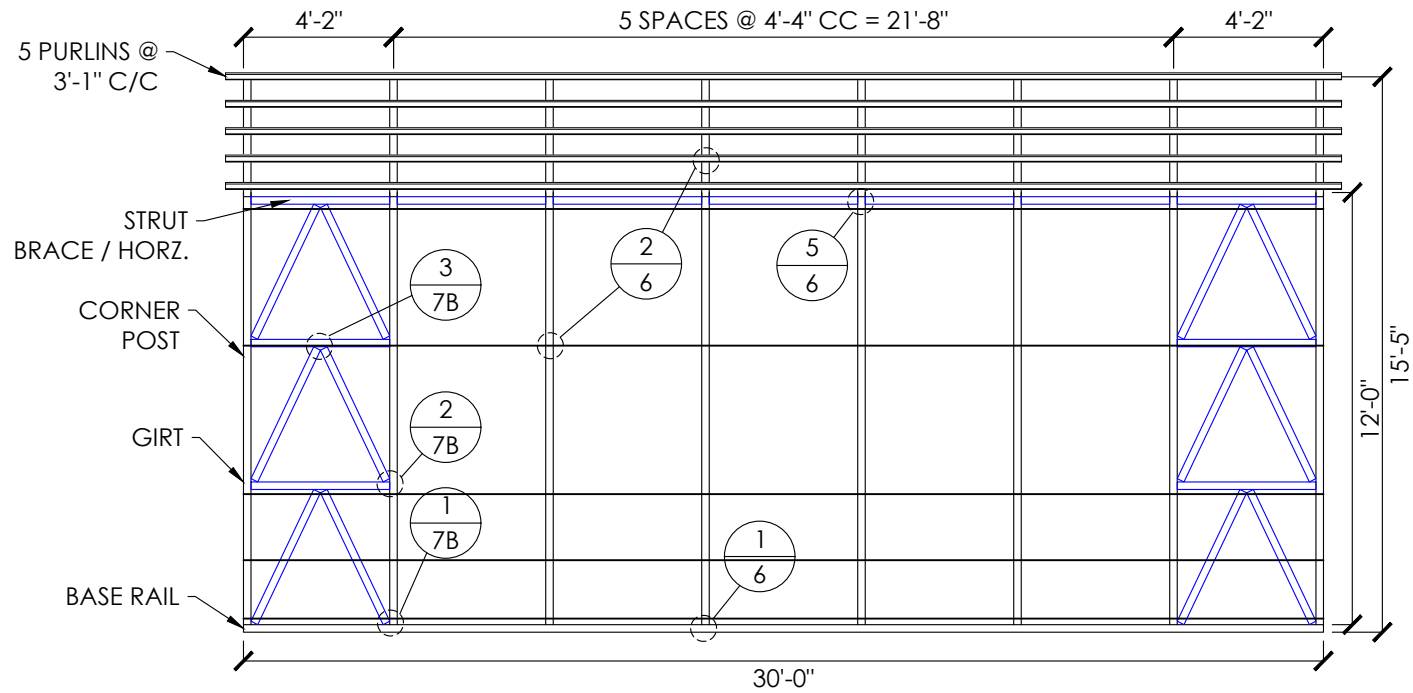
26GA. - 1 1/4" RIB - CORRUGATED SHEET

SCALE: 3/4" : 1'

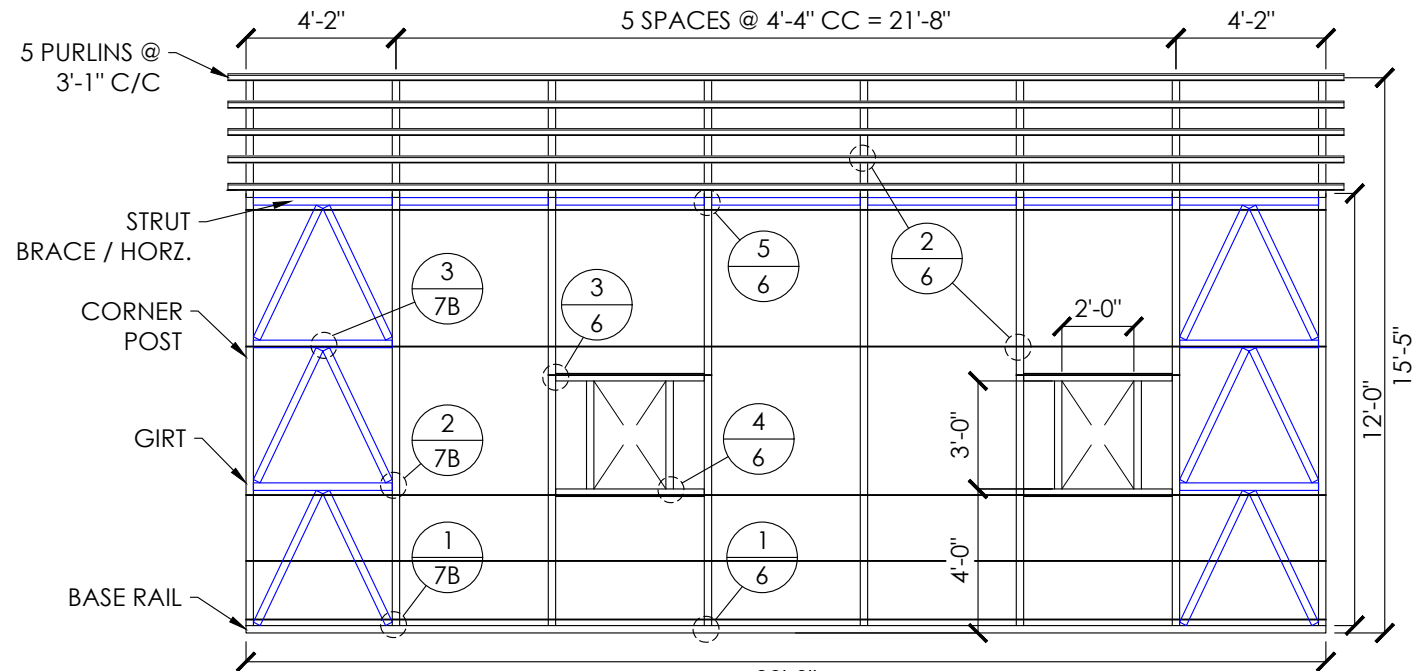


SHEATHING FASTENER PATTERN

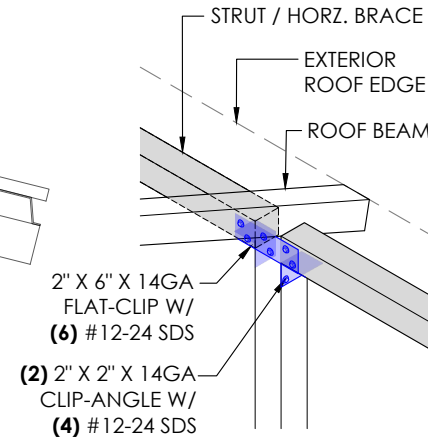
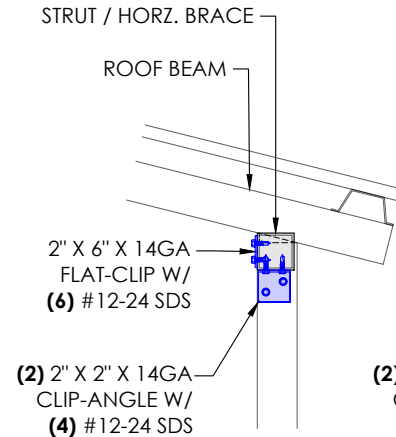
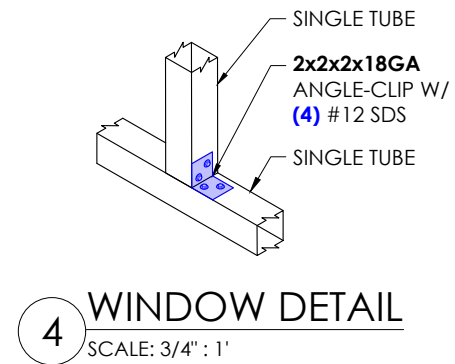
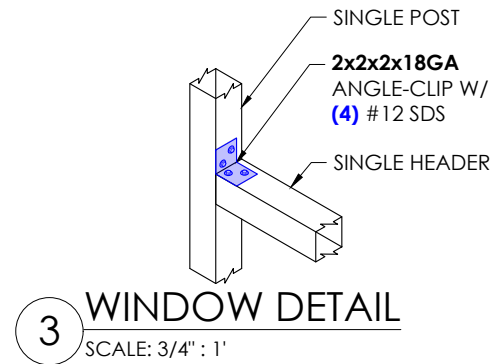
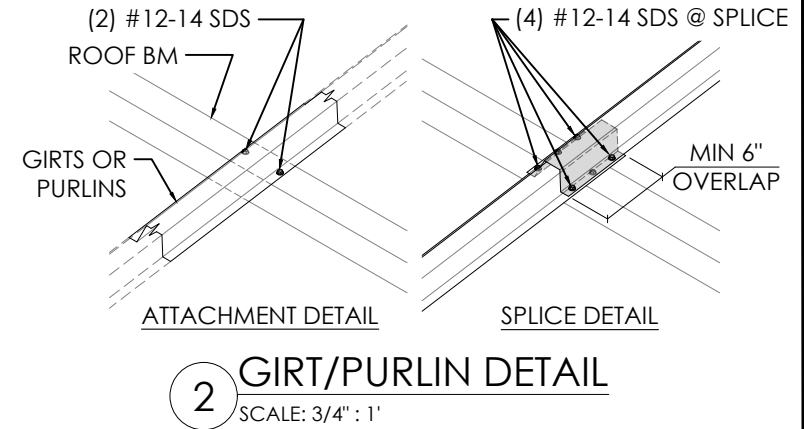
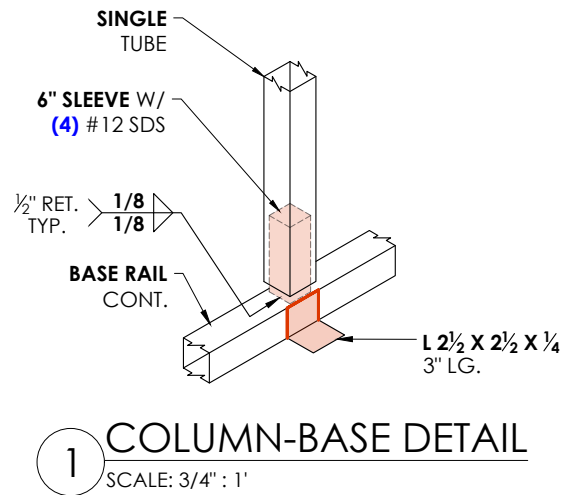
SCALE: 3/16" : 1'



RIGHT SIDE WALL FRAMING
SCALE: 3/16" : 1'



LEFT SIDE WALL FRAMING
SCALE: 3/16" : 1'



5 STRUT BRACE DETAIL
SCALE: 3/4" : 1'

MEMBER PROPERTIES	
SIDE WALL POST	2 1/2" SQ. X 14GA TUBE
BASE RAIL	2 1/2" SQ. X 14GA TUBE
CONNECTOR SLEEVE	2 1/4" SQ. X 12GA TUBE
PURLINS	4" X 1" X 14GA HAT CHANNEL
GIRTS	4" X 1" X 14GA HAT CHANNEL
WINDOW POST	2 1/2" SQ. X 14GA TUBE
HORZ. BRACE	2 1/4" SQ X 14GA TUBE
DIAGONAL BRACES	2" SQ. X 12GA TUBE

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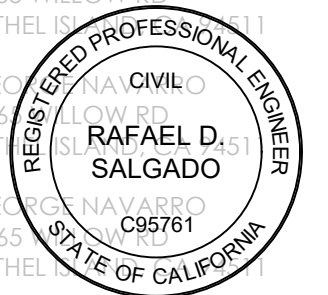
GEORGE NAVARRO
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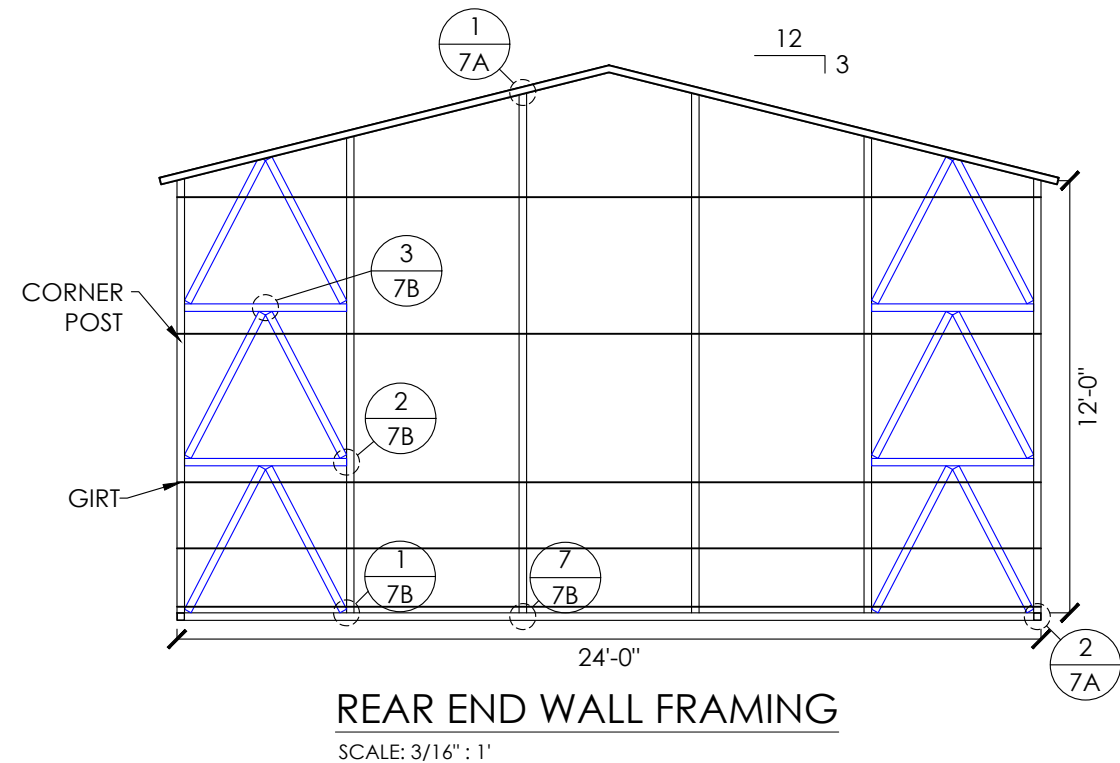
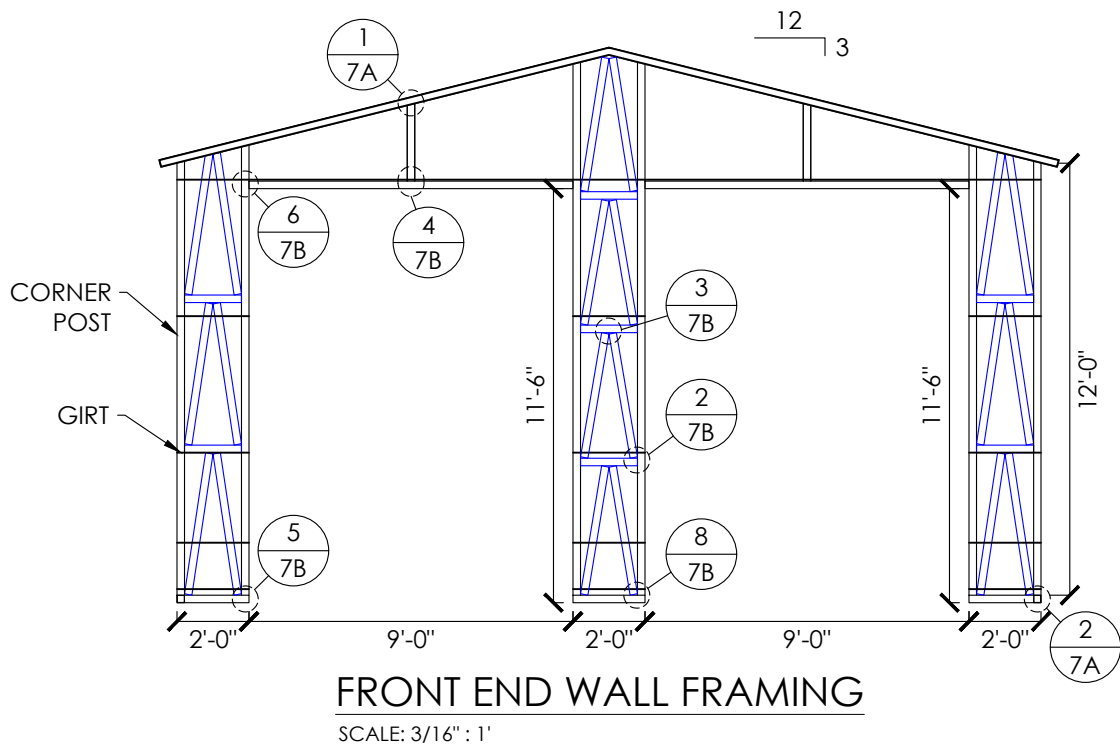
EXPIRES: 03/31/2026
SIGNED: NOV 18 2024



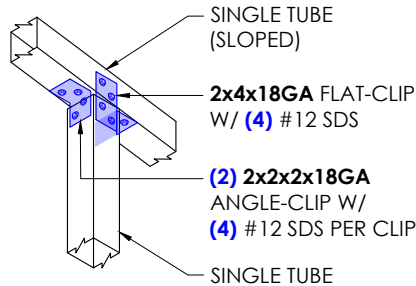
SIDE WALL FRAMING & DETAILS

SHEET NO: **6 OF 7** 78
PROJECT NO: 232-24-3266
DRAWN BY: A.F. DATE: 11/15/2024
LOCATION: 3565 WILLOW RD
BETHEL ISLAND, CA 94511
PROJECT TITLE: GEORGE NAVARRO
METAL BUILDING MANUFACTURER

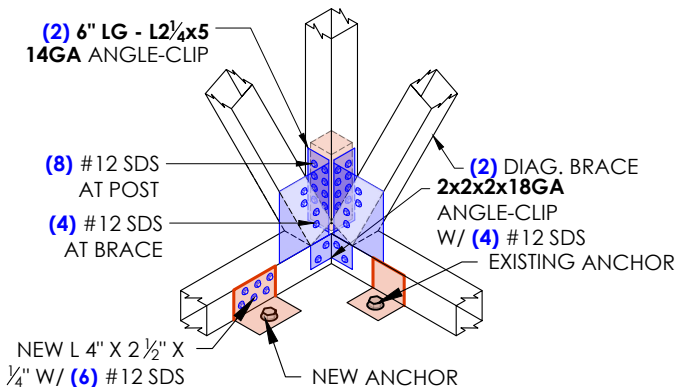
270 Old Highway 99
Maxwell, CA 95955
1-877-604-2777



MEMBER PROPERTIES	
CORNER POST	2 1/2" SQ. X 14GA TUBE
ROOF MEMBER	2 1/2" SQ. X 14GA TUBE
BASE RAIL	2 1/2" SQ. X 14GA TUBE
GIRTS	4" X 1" X 14GA HAT CHANNEL
HEADER	2 1/2" SQ. X 14GA TUBE
END WALL POSTS	2 1/2" SQ. X 14GA TUBE
DIAGONAL BRACES	2" SQ. X 12GA TUBE
HORZ. BRACE	2 1/4" SQ x 14GA TUBE



1 ROOF MEMBER DETAIL
SCALE: 3/4" : 1'



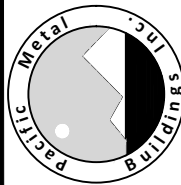
2 CORNER DETAIL
SCALE: 3/4" : 1'

SHEET TITLE: END WALL FRAMING & DETAILS

LOCATION:
3565 WILLOW RD
BETHEL ISLAND, CA 94511

PROJECT TITLE:
GEORGE NAVARRO

METAL BUILDING MANUFACTURER



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BETHEL ISLAND, CA 94511

EXPIRES: 03/31/2026
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SHEET TITLE:

END WALL FRAMING DETAILS

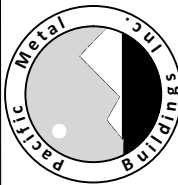
LOCATION:

3565 WILLOW RD
BETHEL ISLAND, CA 94511

PROJECT TITLE:

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270 Old Highway 99
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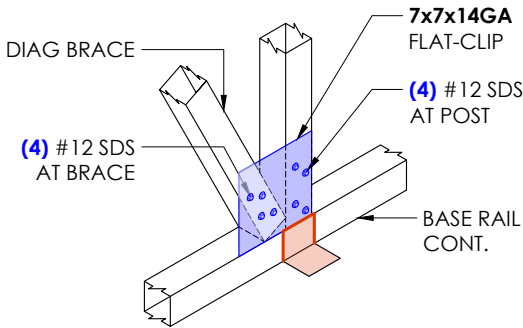
GEORGE NAVARRO
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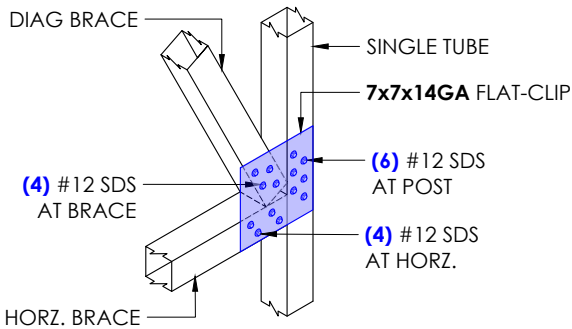
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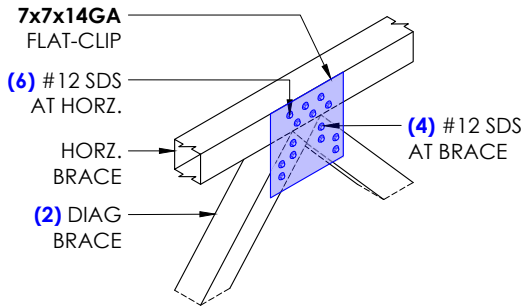
EXPIRES: 03/31/2026
SIGNED: NOV 18 2024



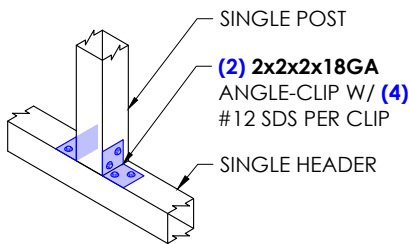
1 LATTICE BRACE DETAIL
SCALE: 3/4" : 1'



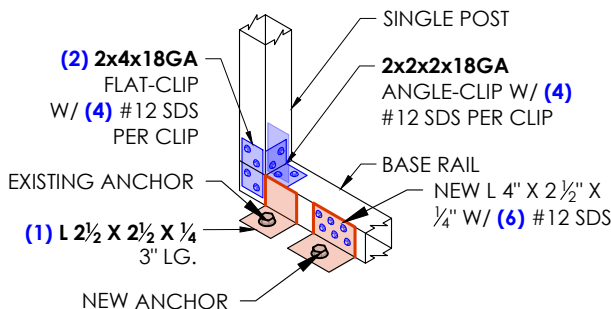
2 LATTICE BRACE DETAIL
SCALE: 3/4" : 1'



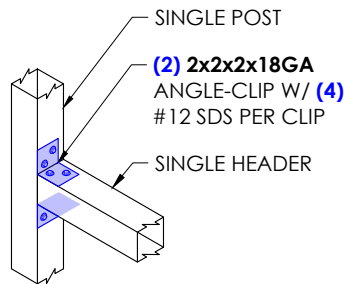
3 LATTICE BRACE DETAIL
SCALE: 3/4" : 1'



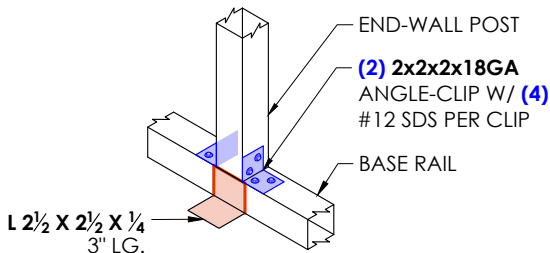
4 ABOVE HEADER DETAIL
SCALE: 3/4" : 1'



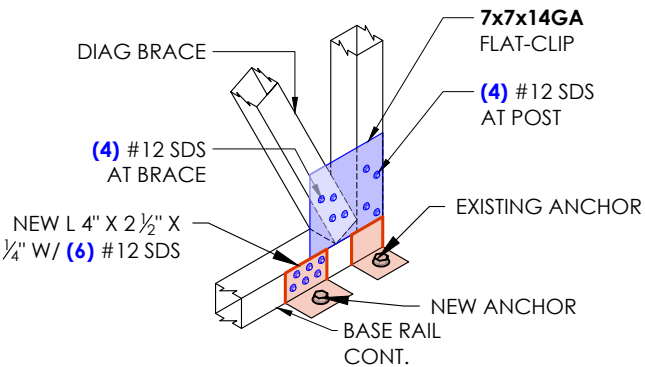
5 DOOR BASE DETAIL
SCALE: 3/4" : 1'



6 DOOR HEADER DETAIL
SCALE: 3/4" : 1'



7 COLUMN-BASE DETAIL
SCALE: 3/4" : 1'



8 LATTICE BRACE DETAIL
SCALE: 3/4" : 1'



Department of Conservation and Development

County Zoning Administrator

Monday, May 5, 2025 – 1:30.P.M.

STAFF REPORT

Agenda Item #4a

Project Title:	3565 Willow Road Variance
County File:	CDVR24-01060
Applicant/Owner:	George Navarro (Applicant & Owner)
Zoning/General Plan:	F-1 Water Recreational District, -FH Flood Hazard Combining District / RLM Residential Low Medium Density
Site Address/Location:	3565 Willow Road in the Bethel Island area of unincorporated Contra Costa County (Assessor's Parcel Number: 029-100-014)
California Environmental Quality Act (CEQA) Status:	Categorical Exemption, CEQA Guidelines Section 15061(b)(4)
Project Planner:	Allison Seoane, Project Planner (925) 655-2871 Allison.Seoane@dcd.cccounty.us
Staff Recommendation:	Deny (See Section II for Full Recommendation)

I. PROJECT SUMMARY

The applicant requests approval of a Variance Permit and Small Lot Design Review to allow a 750 square-foot detached garage (where 500 square-feet is the maximum size allowed for an accessory building) that is 15 feet, 5-inches in total height (where 15 feet is the maximum height allowed).

II. RECOMMENDATION

Department of Conservation and Development, Community Development Division (CDD) staff recommends that the County Zoning Administrator DENY County File CDVR24-01060 based on staff not being able to make the necessary findings for

approval of a Variance, as required by Section 26-2.2006 of the County Ordinance Code.

III. GENERAL INFORMATION

- A. General Plan: RLM Residential Low Medium Density.
- B. Zoning: F-1 Water Recreational District, -FH Flood Hazard Combining District.
- C. California Environmental Quality Act (CEQA): CEQA Guidelines, Section 15061(4), Review for Exemption, exemption for projects that will be rejected or disapproved by a public agency.
- D. Previous Applications: There are no previous planning applications.

IV. SITE/AREA DESCRIPTION

The subject property is in a 9,250 square-foot trapezoid lot on the north side of Willow Road and southwest of Piper Slough and Franks Tract. The lot is developed with a two-story single-family residence with a dock to the rear of the property. The lot is similar to other properties in the vicinity along Willow Road. A detached garage has been built on the lot between the residence and Willow Road, as shown on the photos in Attachment C.

V. PROJECT DESCRIPTION

The applicant requests approval of a variance to allow the 750 square-foot detached garage (where 500 square feet is the maximum size allowed for an accessory building) with a height of 15 feet, 5-inches (where 15 feet is the maximum height allowed). The detached garage was constructed without obtaining prior planning or building approval. Approval of the variance will allow the applicant to obtain a building permit for the as-built accessory building.

VI. AGENCY COMMENTS

An Agency Comment Request packet was sent on December 19, 2024, to a number of public agencies, including Building Inspection Division, Environmental Health Division of the Health Services Department, Contra Costa County Flood Control District, Contra Costa County Fire Protection District, Ironhouse Sanitary District,

Bethel Island Municipal Advisory Council, Bethel Island Municipal Improvement District, Delta Protection Commission, and Contra Costa County Water Agency. Agency comments received by staff are included in Attachment E. The following are summaries of the comments received.

- A. Environmental Health Division: On December 24, 2024, the Environmental Health Division submitted a letter, stating that a permit is required for any well or soil boring; abandoned wells and septic tanks must be destroyed under a permit from the Division; if not served by sanitary sewer a septic system is required that complies with current standards.
- B. Bethel Island Municipal Advisory Council (MAC): On January 16, 2025, staff of the District 3 Supervisor's Office submitted an email stating that at its meeting on January 14, 2025, the Bethel Island MAC voted 5-0 recommending approval of the Variance.
- C. Contra Costa County Fire Protection District: On January 16, 2025, the Fire Protection District returned an Agency Comment Request form stating that it had no comments on the project.
- D. Bethel Island Municipal Improvement District (BIMID): On January 17, 2025, BIMID returned an Agency Comment Request form stating that there appears to be no direct impact to the levee prism or toe ditches but that a BIMID project application is required should there be any change to the project that would require work within the levee prism.

VII. REQUEST FOR HEARING

A Notice of Intent to Recommend Denial of Variance Review Application was sent to the applicant on January 29, 2025 that included a February 10, 2025 deadline to request a public hearing. On February 8, 2025, a request for a public hearing was received from George Navarro of 3565 Willow Road, who is the applicant and owner of the subject property. The hearing request is included in Attachment F. The following is a summary of the comments in the hearing request along staff responses:

- A. Comment #1: "The structure is consistent with other structures on the island and in the land use district. See attached pictures."

Staff Response: One photo submitted by the applicant (see Attachment F) was provided of an accessory building that appeared to be oversized. The applicant did not provide an address and therefore, staff cannot review its location and permit history, or determine if the building referenced is in the neighborhood or permitted. Otherwise, no evidence has been submitted to prove that neighboring properties contain permitted, oversized accessory buildings.

- B. Comment #2: "The unique location of our property faces the opening to Piper Slough from Frank's Tract, which is in the direct path of the north winds and storms that are prevalent throughout the year. These storms bring 3- or 4-foot waves, causing damage to my dock and boat and posing a risk to my boat breaking loose from the lift. All of the other homes along the Slough have some protection from the weather. My property takes the brunt of all of the storms. See the attached map of my location."

Staff Response: The location of the accessory building is not topographically challenged as it is relatively flat, thereby providing ample space for boat storage by means of an attached garage. As the developable area of the property is not topographically challenged, and there is enough space for an attached garage that can be 750 square feet in area and 15 feet, 5-inches in height, as it would not be subject to the requirements of the County Ordinance Code for accessory buildings.

Comment #3: "The intent and purpose of the land use district is for a single-family residence (use code 11), and a garage is a standard structure that is a part of a single-family residence. The size and height of the structure are essential for accommodating my boat, trailer, and truck. There have been numerous thefts on the island, including incidents involving immediate neighbors. Although we have recently installed security cameras, they have not deterred criminal activity. Additionally, we do not reside on the island full-time, which leaves our property vulnerable for extended periods. The view from our neighbors' homes remains unobstructed, as the garage is positioned close to the front of the house facing the street. There is ample driveway space on our property, eliminating the need for street parking. The design of the houses in the neighborhood maximizes water views, and the structure does not hinder these views or their sightlines to the street. Neither neighborhood has raised concerns regarding the structure."

Staff Response: An attached garage is considered to be part of the primary building on a property. A detached garage is a separate auxiliary building from

the primary building (the single-family residence), and as defined in County Ordinance Code Section 82-4.212, is subject to the accessory building square footage and height limits. As discussed in the staff response to Comment #2 above, an attached garage of the same dimensions could be built on the lot such that the requirements of the County Code are met.

VIII. STAFF ANALYSIS

The subject property is located along the north side of Willow Road where lots in the F-1 Water Recreational District are less than 20,000 square feet and accessory buildings are subject to the size limitations of County Ordinance Code Section 82-4.212(1) of 500 square feet. Accessory buildings are also limited to a height of 15 feet pursuant to County Code Section 82-4.212(2). In this neighborhood, accessory buildings have been constructed in compliance with the restriction in the County Code. There appears to be no precedence in the vicinity for permitting an accessory building to be larger than 500 square feet in size and taller than 15 feet in height. Consequently, approval of the requested variance would be considered a grant of special privilege.

The subject property as well as the surrounding lots on the north side of Willow Road are predominantly flat, with an elevation of 0 feet that rises to 10 feet near Piper Slough. There does not appear to be any special circumstance applicable to the subject property due to its size, shape, topography, location or surroundings that support relief from the zoning regulations for accessory buildings. The lack of physical constraints on the property does not show that the applicable zoning regulations would deprive the subject property of the rights enjoyed by other properties in the vicinity and in the F-1 District.

The F-1 District allows a detached single-family dwelling and auxiliary accessory structures. The detached garage could be consistent with the residential uses allowed in the F-1 District provided it meets the accessory building regulations in County Ordinance Code Section 82-4.212 that restricts the size of the accessory building to a maximum size of 500 square feet and a maximum height of 15 feet. The intent of the size and height limitations is to maintain a certain scale for an accessory building to be considered as subordinate to the single-family residence. Therefore, approval of a variance to allow the previously constructed oversized accessory building would not meet the intent and purpose of the F-1 District.

IX. CONCLUSION

The subject property is predominantly flat lot in the F-1 Water Recreational District that can accommodate an accessory building that does not require a variance to the size and height restrictions of County Ordinance Code Section 82-4.212. Staff is unable to make the required findings for recommending approval of the Variance to allow an accessory building that is 750 square-foot (where 500 square-feet is the maximum allowed) and 15 feet, 5-inches in total height (where 15 feet is the maximum height allowed). Staff recommends that the Zoning Administrator deny the Variance because the findings required by the County Ordinance Code Section 26-2.2006 cannot be made.

February 8, 2025

To: Contra Costa County Department of Conservation and Development

Attn: Allison Seoane

RE: Notice of Intent to Recommend Denial of Variance Review Application

Site Address: 3565 Willow Road, Bethel Island; APN: 029-100-014

County File: #CDVR24-01060

I am writing to you to request a public hearing regarding a variance review application for a detached garage, county file #CDVR24-01060. The garage is necessary due to the unique location of my property, which faces Piper Slough and is significantly affected by north winds and storms coming through Frank's Tract that cause damage to my dock and boat. I plan to use the garage to store my boat, trailer, and truck to protect them from theft and damage, especially since I do not reside on the island full-time. The size of the structure is needed to accommodate the size of my boat/trailer and is consistent with the neighborhood, does not obstruct views from neighboring homes, and aligns with the intent of the land use district. I acknowledge my initial oversight in not obtaining a permit and want to clarify that the structure will not be used for business or rental purposes.

Based on the two county code sections referred to in the notice I received from the County, the following findings support granting a variance.

Code 26-2-2006

1. The structure is consistent with other structures on the island and in the land use district. See attached pictures.
2. The unique location of our property faces the opening to Piper Slough from Frank's Tract, which is in the direct path of the north winds and storms that are prevalent throughout the year. These storms bring 3- or 4-foot waves, causing damage to my dock and boat and posing a risk to my boat breaking loose from the lift. All of the other homes along the Slough have some protection from the weather. My property takes the brunt of all of the storms. See the attached map of my location.
3. The intent and purpose of the land use district is for a single-family residence (use code 11), and a garage is a standard structure that is a part of a single-family residence. The size and height of the structure are essential for accommodating my boat, trailer, and truck. There have been numerous thefts on the island, including incidents involving immediate neighbors. Although we have recently installed security cameras, they have not deterred criminal activity. Additionally, we do not reside on the island full-time, which leaves our property vulnerable for extended periods. The view from our

neighbors' homes remains unobstructed, as the garage is positioned close to the front of the house facing the street. There is ample driveway space on our property, eliminating the need for street parking. The design of the houses in the neighborhood maximizes water views, and the structure does not hinder these views or their sightlines to the street. Neither neighborhood has raised concerns regarding the structure.

Code 26-2-2008

1. The structure is not detrimental to the health, safety or general welfare of the county. It will only be used to park my boat, trailer and vehicle.
2. The architecture on the island is distinctive, and our structure contributes positively to the environment. The structure does not adversely affect the orderly development of property within the county. It is one structure on one residential lot that is not in the way of new developments.
3. The structure adds value to the property, increasing property values for the neighborhood. Many homes on the street are cluttered with excessive vehicles and debris, creating an eyesore for the community. See attached pictures. Rodents and wildlife have been observed emerging from these properties at night. The structure itself is a beautiful addition, consistent in color and architectural style with nearby homes.
4. The structure does not affect the policy and goals as by the general plan because it part of the single-family residence on the property.
5. The structure does not create a nuisance or enforcement problem within the neighborhood. Neither neighborhood has raised concerns regarding the structure.
6. The structure does not encourage marginal development within the neighborhood. It is a garage to store my boat, trailer and truck when they are not in use.
7. The property characteristics are unique in its exact location and positioning on the protruding corner in direct line with the opening of Piper Slough from Frank's Tract and is not protected from the strong winds and storms. The rest of the homes along Piper Slough have some sort of protection from the weather, making my property unique.

Regards,

George Navarro, Jr

Owner of 3565 Willow Road and Applicant for Variance Request

Map of Home Location and Wind Direction



Similar Structures



Neighboring Eye Sore Properties



Project Photo (garage requesting variance)





CONTRA COSTA
HEALTH
2120 Diamond Blvd. Suite 100 | Concord, CA 94520
Phone: 925-608-5500 | Fax: 925-608-5502
cchealth.org

RECEIVED on 12/24/2024 **CDVR24-01060**
By Contra Costa County
Department of Conservation and Development

12/24/2024

CONTRA COSTA DEPARTMENT OF CONSERVATION

Attn: SEOANE, ALLISON

30 MUIR RD

MARTINEZ, CA94553

RE: CDVR2401060
3565 WILLOW RD
APN: 029 100 014
Service Request #: SR0023878

Dear SEOANE, ALLISON :

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 prior 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 prior 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,

A handwritten signature in dark ink, appearing to read "Kristian Lucas", with a stylized, flowing script.

Kristian Lucas, REHS
Director of Environmental Health

From: [Stephen Griswold](#)
To: [Allison Seoane](#)
Subject: Bethel Island MAC - CDVR24-01060
Date: Thursday, January 16, 2025 10:43:04 AM

Good morning Allison,

My name is Stephen Griswold, and I am the staff contact for the Bethel Island MAC. CDVR24-01060 was on the agenda last Tuesday and the MAC recommended it be approved 5-0.

Please let me know if you have any questions!

Regards,

Stephen W. Griswold III
Deputy Chief of Staff



Office of Supervisor Diane Burgis
3361 Walnut Boulevard, Suite 140
Brentwood, CA 94513
Phone: (925) 655-2330
Direct: (925) 655-2339
Cell: (925) 839-3355

"This message is being sent on a public e-mail system and may be subject to disclosure under the California Public Records Act."



RECEIVED on 01/17/2025 **CDVR24-01060**
By Contra Costa County
Department of Conservation and Development

AGENCY COMMENT REQUEST

Date 12/19/24

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

DISTRIBUTION

INTERNAL

☒ Building Inspection Grading Inspection
Advance Planning Housing Programs
Trans. Planning Telecom Planner
ALUC Staff HCP/NCCP Staff
County Geologist

HEALTH SERVICES DEPARTMENT

☒ Environmental Health Hazardous Materials

PUBLIC WORKS DEPARTMENT

Engineering Services Special Districts
Traffic

☒ Flood Control (Full-size)

LOCAL

☒ Fire District _____
San Ramon Valley – (email) rwendel@srvfire.ca.gov
☒ Consolidated – (email) fire@cccfd.org

☒ Sanitary District Ironhouse Sanitary
Water District _____
City of _____
School District(s) _____
LAFCO
Reclamation District # _____
East Bay Regional Park District
Diablo/Discovery Bay/Crockett CSD

☒ MAC/TAC Bethel Island
Improvement/Community Association
CC Mosquito & Vector Control Dist (email)

OTHERS/NON-LOCAL

CHRIS (email only: nwic@sonoma.edu)
CA Fish and Wildlife, Region 3 – Bay Delta
Native American Tribes

ADDITIONAL RECIPIENTS

Bethel Island Municipal Improvement District, Delta Protection Committee

Ryan Hernandez,

Please submit your comments to:

Project Planner Allison Seoane
Phone # 925-655-2871
E-mail allison.seoane@dcd.cccounty.us
County File # CDVR24-01060
Prior to Jan. 16, 2025

We have found the following special programs apply to this application:

☒ Landslide ☒ Active Fault Zone (A-P)
☒ Liquefaction ☒ Flood Hazard Area
60-dBA Noise Control
CA EPA Hazardous Waste Site
High or Very High FHSZ

AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: None Below Attached

Print Name _____
Signature _____ DATE _____
Agency phone # _____

From: [REDACTED]
To: [Allison Seoane](#)
Subject: Re: letter Bruce Johnson 3569 Willow Rd Bethel Island Garage Variance
Date: Thursday, April 24, 2025 8:20:59 AM

Re: GEORGE NAVARRO (Applicant and Owner), County File CDVR24-01060: The applicant requests approval of a Variance Permit and Small Lot Design Review to allow a 750 square-foot detached garage (where 500 square-feet is the maximum size allowed for an accessory building) that is 15-feet, 5-inches in total height (where 15-feet is the maximum height allowed). The project site is located at 3565 Willow Road in the Bethel Island area of unincorporated Contra Costa County. (Zoning: F-1 Water Recreation District, -FH Flood Hazard Combining District) (Assessor's

Hi Allison,

Please include my letter in the public comments. I live two houses from the standing garage. I have no issue with the garage in its current configuration. I support giving the Navarro's a variance.

The 5" and 250' respective issues are a non issue. In fact, it enables the Navarro's to keep their possessions inside and protected from theft and from weather. In doing so, it also eliminates clutter that would otherwise be stored in public view.

Clutter is not a negative term. It is indicative of boats trailers and marine accessories, that are typical of the Bethel Island area.

The garage allows in Navarro's keep their lot tidy, which is not necessarily the norm for the Bethel Island area. I encourage you to grant the Navarro,'s a variance for the garage structure as built.

Very best,

Bruce Johnson

[REDACTED]

3569 Willow Road Bethel Island, CA



APPEAL OF 3565 Willow Road– OVERSIZED DETACHED GARAGE County File #CDVR24-01060

COUNTY PLANNING COMMISSION

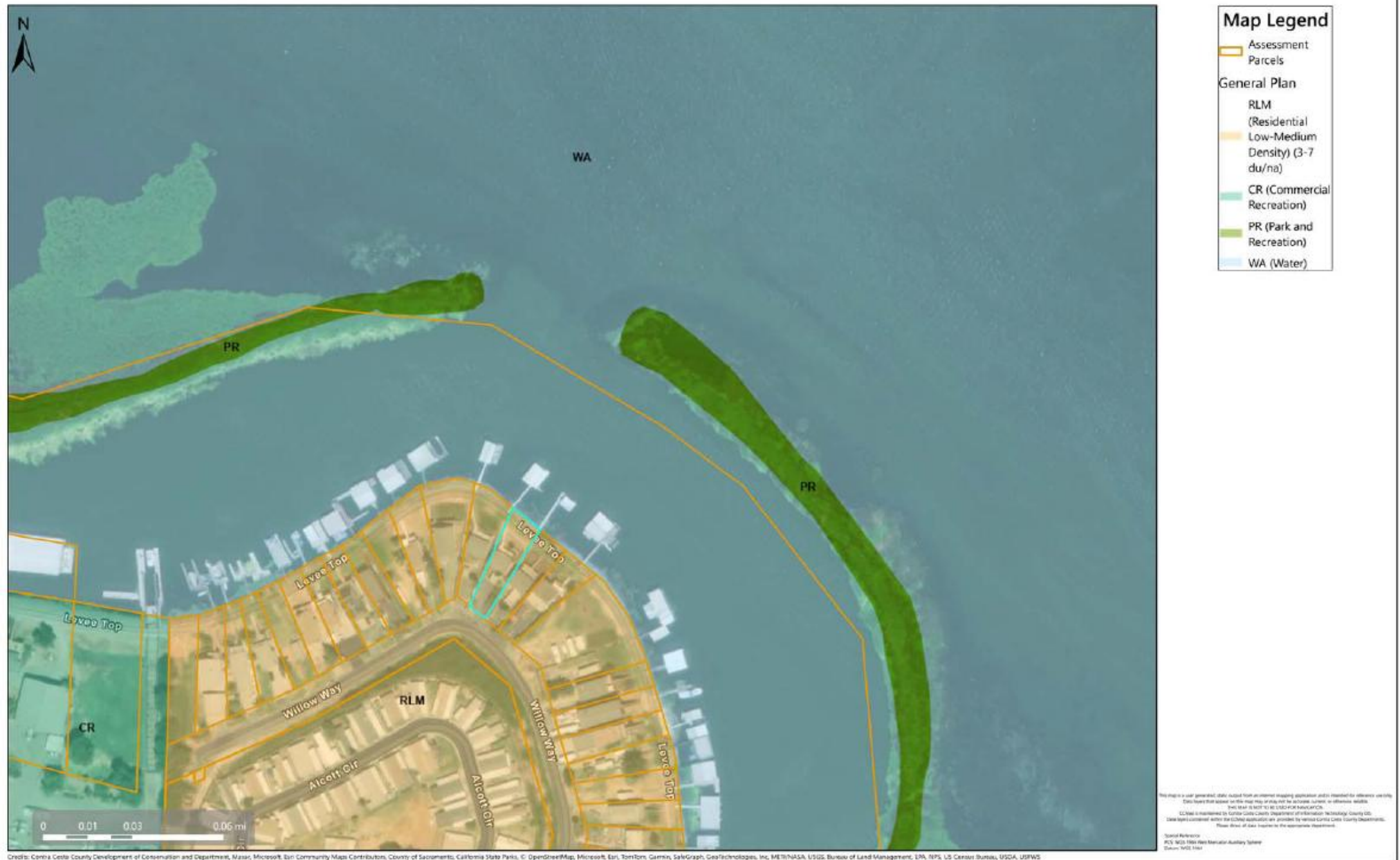
JULY 23, 2025

ALLISON SEOANE, PROJECT PLANNER

CONTACT: ALLISON.SEOANE@DCD.CCCOUNTY.US 925-655-2871



General Plan: Residential Low Medium Density (RLM)



Zoning: Water Recreational District (F-1), Flood Hazard Combining District (-FH)



Aerial



Map Legend

- Assessment
- Parcels

This 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. COWMap is maintained by Contra Costa County Department of Information Technology, County GIS. Data layers contained within the COWMap application are provided by various Contra Costa County Departments. Please direct all data inquiries to the appropriate department.

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

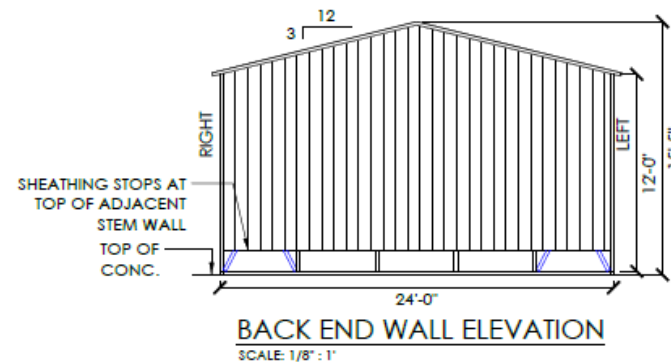
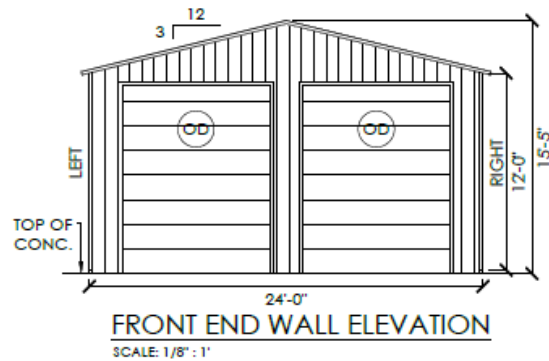
Background

5

- May 21, 2024 – Code Enforcement Case CECF24-00403 for an unpermitted oversized detached garage building was initiated.
- December 19, 2024 – Variance application CDVR24-01060 for the review of an already constructed oversized detached garage was accepted by the Department of Conservation and Development (DCD).
- January 29, 2025 – Staff informed the owner and applicant via a Notice of Intent letter that Staff would recommend denial of the Variance to the Zoning Administrator (ZA) and presented the opportunity to request a public hearing.
- February 10, 2025 – George Navarro, applicant and property owner of 3565 Willow Road, submitted a letter requesting a public hearing for Variance application CDVR24-01060 before the deadline of 5 p.m. on February 10, 2025.
- May 5, 2025 – Zoning Administrator denied the CDVR24-01060 Variance application.
- May 14, 2025 – George Navarro filed an appeal of the Zoning Administrator's decision.

Project Description

- The applicant requests approval of a Variance and Small Lot Design Review to legalize an already constructed 750 square-foot detached garage (where 500 square-feet is the maximum size allowed for an accessory building) that is 15 feet, 5 inches in total height (where 15 feet is the maximum height allowed) on a lot of substandard average lot width.



DESIGN NOTES

1. THE INTENTION OF ELEVATIONS PROVIDED ON THIS SHEET IS TO INDICATE STRUCTURAL COMPONENTS, DIMENSIONS, AND BUILDING ORIENTATION ONLY.
2. ARCHITECTURAL DESIGN REQUIREMENTS ARE NOT COVERED IN THIS PLAN SET. THESE DESIGN REQUIREMENTS SHALL BE ADDRESSED IN A SEPARATE ARCHITECTURAL SET BY RESPONSIBLE LICENSED PROFESSIONALS IN CHARGE, AS NEEDED.
3. ALL EXT ROOF SHEATHING SHALL BE:
CLASS A RATED 26GA. 1 1/4" PBR PANEL - PER UES ER 0550 OR EQ.
(REF. SHT 5 FOR PROFILE AND FASTENER SCHD.)
4. ALL EXT WALL SHEATHING SHALL BE:
CLASS A RATED 26GA. 1 1/4" STRATA RIB - PER UES ER 0550 OR EQ.
(REF. SHT 5 FOR PROFILE AND FASTENER SCHD.)
5. SHEATHING CONNECTIONS SHALL BE #12-14 X 3/4" SDS (PER UES-ER 0550 REQ.) W/ BONDED NEOPRENE WASHER PER ESR 2194.

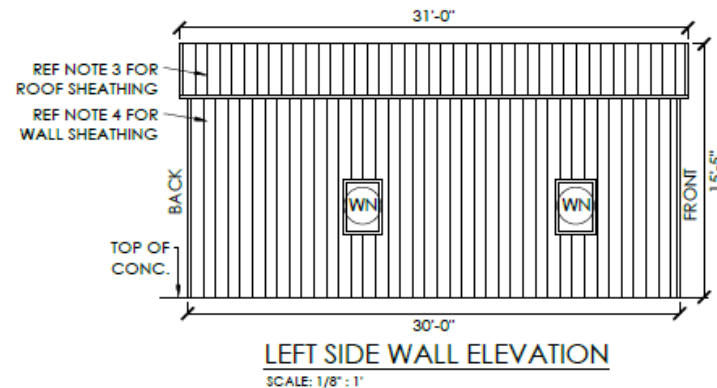
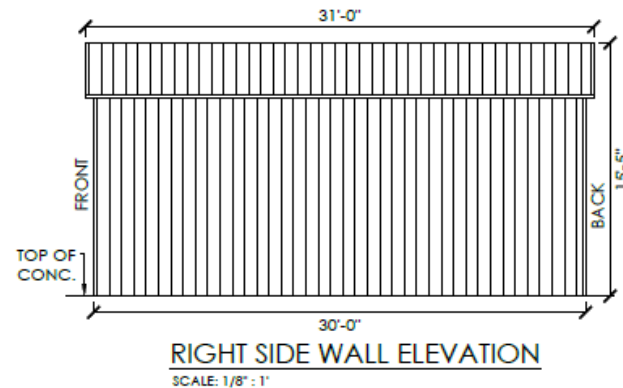
LEGEND

(WN) WINDOWS (REF WINDOW MFG)

(OD) OVER HEAD / ROLL-UP DOOR
(REF DOOR MFG)

NOTE 1: ANY DOOR OR WINDOW DESIGN & CONNECTION / ATTACHMENT INFORMATION, IS NOT COVERED IN THIS PLAN SET AND SHALL BE ADDRESSED BY OTHERS.

NOTE 2: LOC OF WINDOWS CAN BE DETERMINED ON SITE AS LONG AS THEY FALL BETWEEN BAYS (BETWEEN FULL FRAMES).



SHEET NO: 2 OF 7	
PROJECT NO: 232-24-3266	
DRAWN BY: A.F.	DATE: 11/15/2024
ELEVATIONS	
SHEET TITLE:	PROJECT TITLE: 3565 WILLOW RD BETHEL ISLAND, CA 94511
METAL BUILDING MANUFACTURER	

WARNING: Unauthorized copy or use of the seal below is considered forgery subject to legal action to the fullest extent of the law and/or fines.

GEORGE NAVARRO
3565 WILLOW RD
BETHEL ISLAND, CA 94511
REGISTERED PROFESSIONAL ENGINEER
CIVIL
RAFAEL D. SALGADO
C85781
STATE OF CALIFORNIA

GEORGE NAVARRO
3565 WILLOW RD
BETHEL ISLAND, CA 94511
EXPIRES: 03/31/2026
SIGNED: NOV 18 2024



EXISTING SITE PHOTO



AERIAL SITE PHOTO – NOT CURRENT

Summary of Appeal Points

As the basis for their appeal, the appellant mentioned the following concerns:

- *The existence of buildings that appear oversized on Willow Road at several listed addresses as argument against special privilege.*
- *The exposure of the rear of the property to Frank's Tract and Piper Slough as argument for special circumstances.*
- *The size of the accessory building as smaller than the residence as argument that the detached garage is subordinate to the single-family residence.*
- *The Small Lot Design Review should be approved as part of the appeal.*
- *Support from listed agencies and neighbors.*

Staff Responses

Staff response to appeal point #1:

- 3593, 3611, and 4139 Willow Road: three properties with garages attached to the residence, not oversized detached accessory buildings, and not subject to accessory building size and height restrictions.
- 3607, 3753, 4061, and 4067 Willow Road: four properties with no records to confirm that the County approved the detached accessory buildings.
- 4115 Willow Road: one property with two legally permitted accessory buildings that do not exceed 500 square feet in size or 15 feet in height.
- 3507 and 4235 Willow Road: two properties with permitted oversized detached accessory buildings, including a 780 square-foot, 17-foot, 5-inch-tall accessory building at 4235 Willow Road approved in 1990, and a 624 square-foot, 15-foot-tall detached garage at 3507 Willow Road approved in 1986. These two permits were issued before accessory buildings were restricted in size and height by the 1996 accessory building zoning ordinance. With the change in the County Ordinance Code, these accessory buildings would not be approved in present times.

Staff Responses

Staff response to appeal point #2:

- The physical circumstances described by the appellant do not require the accessory building to be larger than 500 square feet or taller than 15 feet or prevent the building from being attached to the residence and thereby, not subject to the size and height restrictions for accessory buildings.

Staff response to appeal point #3:

- Although the accessory detached garage is smaller than the house, it is not sufficiently considered subordinate because the size of the currently built detached garage is more akin to a dwelling unit than an accessory building.

Staff response to appeal point #4:

- The following findings must be made to approve the Small Lot Design Review. The location of the subject accessory building in the front yard beyond the required setback is compatible with the surrounding neighborhood. However, the 750 square foot size and the 15-foot 5-inch height exceed the size and height limitations for accessory building. Thus, neither the size nor height of the accessory building are compatible with the surrounding neighborhood. The design of the subject accessory building is dissimilar from other accessory buildings in the neighborhood in its size and height, and therefore, the design is not compatible with the surrounding neighborhood.

Staff Responses

Staff response to appeal point #4:

- The BIMAC voted in support of the Variance. In addition, a letter of support was received by the property owner at 3569 Willow Road. No correspondence was received from the property owner at 3563 Willow Road. Even with the recommendation of approval from the BIMAC, and 3569 Willow Road neighbor stating they have no issue with the building, staff is unable to make the necessary findings to support the variance as these positive comments do not substantiate that the property exhibits a physical restraint that requires the accessory building to be oversized. The comments do not present any verifiable evidence to support the Variance and Small Lot Design Review findings necessary to recommend approval. With respect to the other agencies listed by the appellant, their comments only pertain to requirements of their divisions, and the lack of impact to these agencies is not an inherent proof of support.

Staff Recommendation

Staff recommends that the County Planning Commission:

- OPEN the public hearing, RECEIVE testimony, and CLOSE the public hearing.
- DENY the appeal by George Navarro.
- FIND that the project is exempt from CEQA under Section 15061(b)(4) of the CEQA Guidelines.
- UPHOLD the Zoning Administrator's denial of County File CDVR24-01060 for a Variance and Small Lot Design Review to allow an already constructed 750 square-foot detached garage (where 500 square feet is the maximum size allowed for an accessory building) that is 15 feet, 5 inches in total height (where 15 feet is the maximum height allowed).
- DIRECT staff to file a Notice of Exemption.



THANK YOU

Questions ?

