

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDTP25-00067; LISA SHARPE, WALL TO WALL OF CALIFORNIA (APPLICANT), SHARON LOUIE (OWNER)

FINDINGS

A. Tree Permit Findings

1. Required Factors for Granting a Tree Permit. The Zoning Administrator is satisfied that the following factors as provided by County Code Section 816-6.8010 for granting a tree permit have been satisfied.
 - *Reasonable development of the property would require the alteration and removal of code-protected trees, and the development could not be reasonably accommodated elsewhere on the property.*

Project Finding: The code-protected honey locust tree to be removed is located in the front yard area of the subject lot and in the vicinity of the construction entrance for the purpose of demolishing the existing single-family residence as well as the subsequent construction of the new single-family residence. Unlike the existing residence, the proposed residence is located in the center of the lot in order meet the required yard setback distances and the code-protected honey locust tree is partially located outside of the setback area where the new residence can be developed. A second code-protected honey locust tree is within the activity area where demolition and construction work sill occur. Thus, reasonable development of the property requires the removal of one honey locust tree and work within the drip line of one honey locust tree and this development cannot be reasonable accommodated on another area of the lot.

2. Required Factors for Denying a Tree Permit: The Zoning Administrator is satisfied that none of the factors for denying a tree permit as provided by County Code Section 816-6.8010 apply.

B. Small Lot Design Review

County Code Section 82-10.002(c) requires that the proposed project is found to be compatible with the surrounding neighborhood in terms of its location, size, height and design. The compatibility of the project with these factors is discussed below:

1. Location: The proposed project includes demolition of the existing residence and subsequent construction of a new residence that will be more centrally located on the project site than the existing residence. The existing residence was constructed at variance

as it is 7 feet from the side yard property line, while the new residence will meet single and aggregate side yard setback requirements despite the average width of the lot being approximately 22 feet less than the 120-foot required minimum. The proposed residence also meets the applicable front and rear yard setback requirements. Thus, the project is consistent with the neighborhood in terms of location on the parcel.

2. Size: The proposed residence will be located on a residential lot on Milton Avenue in an unincorporated area of Walnut Creek. Milton Avenue as well as the surrounding neighborhood is characterized by a variety of architectural styles and home sizes. Homes in the area range in size from approximately 1,100 square feet to over 4,500 square feet. According to Contra Costa County Assessor's Data, six residences on Milton Avenue have square footage over 3,000 including one lot on the adjacent side of the street from the project site. Thus, the project is compatible with the neighborhood in terms of size.
3. Height: The residences on Milton Avenue are a mix of one- and two-story homes including two-story homes on several lots to the west of the project site on the south side of Milton Avenue. The proposed residence is to be two stories at a total height of 28.25 feet which is under the 2 ½ story and 35 foot height limits for the R-20 zoning district. Thus, the project is consistent in terms of height in the neighborhood.
4. Design: The proposed residence utilizes common design features found in other residences nearby and throughout the R-20 zoning district of Contra Costa County including but not limited to, a hip roof, stucco finishes, horizontal siding. Although a majority of residences along Milton Avenue are ranch style homes, the street is noted for having a variety of residential designs including Mediterranean with red clay tile roofs and large entryways, modern angular buildings with flat roofs and cement exteriors and Cape Code style homes with prominent dormers and central chimneys. The proposed design does not include any exaggerated features that may otherwise be uncharacteristic of homes in the immediate vicinity and includes exterior finishes that are common throughout the surrounding area. Thus, the project is compatible with the surrounding neighborhood with regards to design.

C. Environmental Findings

Tree Permit and Small Lot Design Review CDTP25-00067 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(a), New Construction of Small Structures, which provides a Class 3 exemption for the construction of one single-family residence in a residential zone. There is no substantial evidence that the project involves unusual circumstances, including future activities, resulting in, or which might reasonably result in, significant impacts which threaten the environment. None of the exceptions in CEQA guidelines section 15300.2 apply.

CONDITIONS OF APPROVAL FOR COUNTY FILE CDTP25-00067

Project Approvals

1. A Tree Permit to remove one code-protected 9-inch diameter honey locust tree and work within the drip line of one code-protected 22-inch diameter honey locust tree on the project site as shown on the site plan submitted on December 17, 2025, is APPROVED, subject to the conditions below.
2. Small Lot Design Review for construction of a new two-story, 3,095-square-foot single-family residence, with an attached 680-square-foot garage on a lot that is substandard in size and average width, is APPROVED.
3. The project approvals described above are granted based on, or as generally shown on, the following documents:
 - Application materials and plans submitted to the Department of Conservation and Development, Community Development Division (CDD) on December 17, 2025;
 - Landscaping plan and WELO application received by the CDD on January 27, 2026
4. Tree removal shall only occur with an approved grading or building permit.
5. Any deviation from the approved plans stated above shall require review and approval by the CDD and may require the filing of a new application to modify this Tree Permit or Small Lot Design Review.

Application Costs

6. The Tree Permit with Small Lot Design Review application was subject to an initial application deposit of \$3,000.00, which was paid with the application submittal, plus time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid within 60 days of the permit effective date or prior to use of the permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance in the event that additional fees are due.

Building Permit

7. The applicant is advised that this approval does not constitute a building permit. Please contact the Contra Costa County Building Department at 925-655-2700 for more information on how to apply.

Required Restitution for Approved Tree Removal

8. The following measures are intended to provide restitution for the tree that has been approved for removal.
 - A. Tree Restitution Planting/Irrigation Plan –**Prior to the issuance of a building permit**, the applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of the Community Development Division (CDD). The plan shall provide for the planting of at least one tree, minimum 15-gallons in size, species native to Contra Costa County and drought tolerant. The plan shall comply with the Model Water Efficient Landscaping Ordinance (County Code Chapter 82-26) and verification of such shall accompany the plan. 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.
 - B. Required Security to Assure the Completion of Plan Improvements - **Prior to the issuance of a building permit**, the applicant shall submit a security (e.g., bond, cash deposit) that is acceptable to the CDD. The bond shall include the amount of the approved cost estimate, **plus** a 20% inflation surcharge. Until evidence is submitted that the applicant has satisfactorily installed met the conditions of approval, the County may hold the security for up to a year following the exercise of this permit.
 - C. Initial Fee Deposit for Processing a Security - The County ordinance requires that the applicant pay fees for all time and material costs of staff for processing a landscape improvement security (Code S-060B). At the time of submittal of the security, the applicant shall pay an initial deposit of \$200.
 - D. Duration of Security – The security shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the written verification of the installation of the replacement trees. 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 existing trees and prepare a report on the trees’ health. In the event that the CDD determines that the existing tree(s) have been damaged or have died and determines that the applicant has not been diligent in providing a replacement, then the CDD may require

that all or part of the security be used to provide for replacement of the dead or damaged tree(s).

Arborist Expense

9. The applicant shall be responsible for all arborist expenses related to the work authorized by this permit.

Protection Measures for Remaining Trees

10. No storing of equipment, machinery or construction materials shall be permitted within the drip line of any remaining tree.
11. Equipment shall avoid trunks and branches of trees.
12. Tree trunks shall not be used as winch supports.
13. Construction-related pruning shall occur under the project arborist's direction. All pruning shall be completed by certified arborists familiar with the most recent editions of the American National Standard for Tree Care Operations (Z133.1) and Pruning (A-300) and Best Management Practices for Pruning published by the International Society of Arboriculture.
14. Hand trenching shall leave roots 2 inches or larger undisturbed. Soil shall be removed under and around the roots to form the necessary trench.
15. Roots 2 inches and larger shall be removed only with the approval of the project arborist.

Additional Tree Removal

16. If any impacts to the trees occur in addition to those described herein, a new Tree Permit may be required. The fee for this application is a deposit of \$750.00 that is subject to time and materials costs. Should staff costs exceed the deposit amount, additional fees will be required.

Water Efficient Landscape Ordinance (WELO)

17. Upon installation of the proposed landscaping as shown in the project plans received on December 17, 2025, the applicant is required to submit a completed WELO Part II - Certificate of Compliance for review and approval by the CDD.

Construction Restrictions

All construction activity shall comply with the following restrictions, which shall be included on the construction drawings.

18. 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.
19. 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.
20. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
21. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
22. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:
 - New Year's Day (State and Federal)
 - Birthday of Martin Luther King, Jr. (State and Federal)
 - Washington's Birthday (Federal)
 - Lincoln's Birthday (State)
 - President's Day (State)
 - Cesar Chavez Day (State)
 - Memorial Day (State and Federal)
 - Juneteenth National Independence Holiday (Federal)
 - Independence Day (State and Federal)
 - Labor Day (State and Federal)
 - Columbus Day (Federal)
 - Veterans Day (State and Federal)

Thanksgiving Day (State and Federal)

Day after Thanksgiving (State)

Christmas Day (State and Federal)

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

Federal Holidays: [Federal Holidays \(opm.gov\)](https://www.opm.gov)

California Holidays: [State Holidays \(sos.ca.gov\)](https://sos.ca.gov)

23. 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.

ADVISORY NOTES

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

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

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

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

- B. Prior to applying for a building permit, the applicant may wish to contact the following agencies to determine if additional requirements and/or additional permits are required as part of the proposed project:

- Department of Conservation and Development, Building Inspection Division
- Public Works Department

- Contra Costa Health, Environmental Health Division
- Contra Costa County Fire Protection District
- Central Sanitary District
- East Bay Municipal Utility District
- Contra Costa Mosquito and Vector Control District