

# CONTRA COSTA COUNTY

# **AGENDA**

# **Contra Costa County Zoning Administrator**

Monday, September 15, 2025

1:30 PM

30 Muir Road, Martinez

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

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

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

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

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

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

25-3750

**25-3751** 

2a. DANIEL HOY (applicant) - JOHN LINEWEAVER (Property Owner), County File #CDLP25-02021: A request for approval of a Land Use Permit and Development Plan for a new outdoor dining area for an existing restaurant tenant space in the Stone Valley shopping center to be located in the parking lot, and a request for approval of a Variance to the amount of parking spaces required to allow the removal of four spaces. The subject property is located at 3160 Danville Boulevard in the Alamo area of unincorporated Contra Costa County. Zoning: Retail Business (R-B); APN: 192-071-064 DV

**Attachments:** Attachment A - Findings and Conditions of Approval

Attachment B - Maps

Attachment C - Project Plans
Attachment D - Parking Study
Attachment E - Agency Comments

3. <u>DEVELOPMENT PLAN: PUBLIC HEARING</u>

3a. DEBBIE CHERNOFF, JACK BACKUS ARCHITECTS (Applicant) - TIMOTHY AND CATHERINE LO (Owners), County File CDDP24-03059: The applicant requests approval of a Kensington Design Review Development Plan for a new two-story single-family residence totaling 3,524-square-feet on a vacant lot, with grading of 207 cubic yards of fill and 182 cubic yards of cut. The applicant also requests approval of a Tree Permit for the removal of an 8-inch diameter Blueberry tree, and work within the dripline of six Oak trees, ranging from 6-inches to 22-inches in diameter. The project site is located at 18 Eagle Hill Road in the Kensington area of unincorporated Contra Costa County. (Zoning: R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District) (Assessor's Parcel Number: 571-070-010) DL

**Attachments:** Attachment A CDDP24-03059 Findings and COAs

Attachment B - Maps

Attachment C - Project Plans

Attachment D - Agency Comments

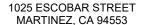
3:30 p.m.

4. GPEIR PUBLIC COMMENTS

2026 URBAN LIMIT LINE RENEWAL PROJECT (County File #GP25-0001): 4a. Pursuant to Section 15153 of the California Environmental Quality Act (CEQA) Guidelines, the County has prepared an Initial Study to evaluate whether the environmental impact report certified in November 2024 for the Contra Costa County 2045 General Plan and Contra Costa County Climate Action Plan 2024 Update (the "GPEIR") adequately describes and mitigates potential environmental impacts associated with a proposed 2026 ballot measure which, if approved by the voters of Contra Costa County, would modify and extend the County's 65/35 Land Preservation Plan Ordinance and Urban Limit Line through December 2051. The Initial Study determined that the GPEIR meets the criteria under Section 15153 and is adequate to serve as the CEQA environmental document for the 2026 ballot measure. A public review period for the Initial Study and GPEIR began on August 25, 2025, and runs through October 9, 2025. This hearing is an opportunity for the public to provide written and verbal comments on the adequacy of the GPEIR as the environmental document for the 2026 ballot measure WN

25-3752

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, OCTOBER 6, 2025.





# CONTRA COSTA COUNTY

# Staff Report

File #: 25-3750 Agenda Date: 9/15/2025 Agenda #: 2a.

**Project Title:** New Outdoor Dining Area for the Stone Valley Shopping

Center - Land Use Permit, Development Plan, and Parking

Variance

County File(s): CDLP25-02021

**Applicant/Owner:** Daniel Hoy / John Lineweaver

**Zoning/General Plan:** Retail Business (R-B) / Mixed-Use Community-Alamo (MUC) **Site Address/Location**: 3160 Danville Boulevard, Suite 3160 A, Alamo (APN: 192-071-

064)

California Environmental Categorical Exemption, Class 3: CEQA Guidelines Section

**Quality Act (CEQA) Status:** 15303(e) - Construction of accessory structures

**Project Planner:** Dominique Vogelpohl, Senior Planner (925) 655-2880

Dominique.Vogelpohl@dcd.cccounty.us

**Staff Recommendation:** Approve (See Section II for Full Recommendation)

#### I. PROJECT SUMMARY

A Land Use Permit and Development Plan for a new outdoor dining area for an existing restaurant tenant space in the Stone Valley shopping center to be located in the parking lot, and a request for a Variance to the amount of parking spaces required to allow the removal of four spaces.

#### II. RECOMMENDATION

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

A. APPROVE the Land Use Permit/Development Plan combination and parking Variance (County File #CDLP25-02021), based on the attached findings and subject to the attached conditions of approval;

B. DETERMINE that the proposed project is categorically exempt from CEQA under Section 15303 (e) of the CEQA Guidelines; and

C. DIRECT staff to file a Notice of Exemption.

#### III. GENERAL INFORMATION

- A. <u>General Plan</u>: The subject property is located within a Mixed-Use Community-Alamo (MUC) land use designation.
- B. Zoning: The subject property is located within a Retail Business (R-B) District.
- c. <u>Environmental Review</u>: The project is categorically exempt from the review requirements of the California Environmental Quality Act (CEQA) per section 15303(e), which exempts construction of accessory structures including garages, carports, patios, swimming pools, and fences. A platform and covered patio structure for an outdoor dining area, and parking lot modifications, fall within this category of an accessory structure, and therefore, meet the criteria of this categorical exemption.

## D. Previous Applications:

- **1.** <u>LP15-2001</u>: A land use permit to establish a veterinary hospital.
- 2. <u>RZ14-3227</u>: A rezoning application which designated the subject property from Planned Neighborhood Business District to Retail Business District. The application was approved by the Board of Supervisors on January 13, 2015.
- 3. <u>DP95-3002</u>: A development plan application which allowed the construction and operation of an "Espresso To Go" drive through hut within the parking lot of the subject shopping center.
- 4. <u>LP93-2048</u>: A land use permit that allowed "take-out" food for several tenant spaces within the shopping center.
- 5. <u>DP3019-85</u>: A development plan that allowed the expansion of two buildings at the subject site.
- 6. <u>DP82-3064</u>: A development plan that allowed the renovation of the subject shopping center.
- 7. <u>546-66</u>: A land use permit that allowed Safeway to establish a retail store at the subject site. The space Safeway occupied has changed tenants and is currently leased by CVS Pharmacy.

## IV. SITE/AREA DESCRIPTION

The subject site is located at the northeast corner of the Stone Valley Road/Danville Boulevard intersection in Alamo. The combined property consists of three parcels, Assessor's parcel numbers: 1) 192-081-004=3.49 acres, 2) 192-071-064=2.12 acres and 3) 192-071-030=0.57 acres. All three parcels are developed with the Stone Valley Center's retail shops and parking, with the exception of parcel 1 which contains a significant flood drainage channel. Parcels in the vicinity range in size from 0.1-acre to over 13 acres and tend to be developed with retail business and/or residential uses. The site is surrounded by properties zoned Planned Unit District (housing), Retail Business District, and R-20 Single-Family Residential District. The area is characterized by smaller office buildings and shops along Danville Boulevard while being surrounded by residential properties along the periphery. As this portion of Alamo is generally flat, the vast majority of land has been developed leaving few if any remaining locations vacant.

## V. PROJECT DESCRIPTION

The project is for a Land Use Permit and Development Plan combination to establish an outdoor seating area for a restaurant that will be in suite 3160 A of the Stone Valley shopping center. The outdoor dining area will be located in the parking lot in front of the restaurant, taking up four parking spaces, including one ADA space. The structure is shown to be metal framed with fabric material for the canopy and surrounded by planter boxes. The area is to be raised on a platform so it will be level with the adjacent walkway. There will be tables and chairs that can seat 92 people.

The project includes a request for approval of a Variance to allow for 205 parking spaces where 282 spaces is the required minimum due to the removal of 4 spaces and the increase in restaurant seating. Staff is recommending the project be conditioned to include speed bumps approaching the dining area and to replace the ADA parking space that is one of the four to be removed.

#### VI. AGENCY COMMENTS

A. <u>Alamo Municipal Advisory Council (MAC)</u>: In a memo dated September 3, 2025, the MAC stated they recommended approval of the project at their September 2, 2025 meeting, with the recommendations to require the patio dining surface be at the same level as the adjacent walkway, a curb at the edge of the patio area, barriers between the dining patio and the adjacent driveway, no obstructions to the existing walkway, and speed bumps to be installed in the main access routes leading to the dining patio.

Staff has incorporated the MAC's recommendations as conditions of approval for this entitlement.

- B. <u>Alamo Improvement Association (AIA)</u>: In a memo dated August 25, 2015, the AIA stated they recommended approval of the project at their August 21, 2025 meeting, with the same recommendations as the MAC.
- C. <u>Contra Costa County Public Works Department, Engineering Services Division</u>: Engineering Services staff indicated in a memo dated August 8, 2025, that they did not have any comments for this project.
- D. <u>Contra Costa Health Services</u>, <u>Environmental Health Division (CCEHD)</u>: In a memo dated August 12, 2025, CCEHD stated that the project sponsor must obtain a health permit from CCEHD prior to construction and operation.
- E. <u>San Ramon Valley Fire Protection District</u>: In a memo dated August 25, 2025, the Fire Protection District stated that the project sponsor must obtain a permit from the Fire Protection District prior to construction and operation.
- F. <u>East Bay Municipal Utilities District (EBMUD)</u>: In an email dated August 7, 2025, EBMUD stated they did not have any comments for this project.
- G. <u>Central Contra Costa Sanitary District (Central San)</u>: In a memo dated August 28, 2025, Central San stated that the project sponsor must obtain approval from Central San prior to construction and operation.

All received agency comments are attached to this staff report.

### VII. STAFF ANALYSIS

- A. <u>Appropriateness of Use</u>: The Alamo MAC and AIA find the addition of an outdoor dining area to be a positive addition to downtown Alamo and the Stone Valley shopping center. The proposed patio area is compatible with the shopping center. The project parking study prepared by the project architect, Daniell Hoy, dated August 5, 2025, (attached to this staff report) states that the shopping center will not be impacted by the loss of parking.
- B. <u>Consistency with General Plan</u>: The shopping center and project site is located in a mixed-use designated area. The Mixed-Use, Community Alamo (MUC) designation allows for various housing types, along with a wide range of neighborhood- and community-serving retail, personal service, office, hospitality, entertainment, and public uses. The existing tenant space was a restaurant, and a new restaurant is to move into this space, and the project is to provide an outdoor dining area for this new restaurant. An outdoor dining area is an accessory use to a

restaurant, and a restaurant is a consistent use with the MUC designation. Therefore, the proposed project is found to be consistent with the MUC land use designation.

C. Zoning Compliance: The shopping center and project is located within a Retail-Business (R-B) zoning district. The R-B district is intended to allow sales, demonstrations, displays, services, and other retail business that is conducted within an enclosed building. A commercial restaurant is considered a service business and therefore meets the intent and purpose of the R-B district. The outdoor dining area on a platform and covered by a shade structure is considered an acceptable accessory use to this business type. The R-B zoning district allows for business activities to be conducted outside of the enclosed building under County Code Section 84-52.404, Uses - Requiring a Land Use Permit (10) if certain findings can be made. Further review of the proposed project's compliance with the required Land Use Permit Findings is discussed in the Land Use Permit Findings section attached to this staff report. Therefore, staff finds the expansion to the outdoor activities for this restaurant consistent with the R-B Zoning district.

The shade structure, and platform recommended by the MAC and AIA, are also subject to the R-B Development Standards and as such requires approval of a Development Plan. The structure meets the required yards and height restrictions of the R-B district. The maximum height will be approximately 30-feet (where 50-feet is the maximum permitted). There are not minimum side or rear yards in R-B, and the structure more than meets the required 10-foot frontage setback requirement as it is located at the rear of the shopping center. Therefore, staff recommends approval of a Development Plan for a covered patio structure located in R-B.

D. Off-Street Parking: The off-street parking ordinance requires that adequate off-street parking is provided at each location given the specific use proposed. According to the project parking study, the shopping center is comprised of 14 tenant spaces and one coffee kiosk, which totals 40,991 square-feet of floor area. Per County Code Section 82-16.406 Required Number of parking Spaces, the CVS Pharmacy would fall under *grocery store* which requires 1 parking space for every 200 square-feet of floor area, the veterinary hospital would fall under *hospital* which requires 1 space for every 2 beds, the fast food/restaurants would fall under *restaurants* which require 1 space for every 100 square-feet, the remaining tenants would fall under *retail* which requires 1 space for every 300 square-feet, and the proposed outdoor dining area shows 92 seats which requires 1 space for every 3 seats. Therefore, the CVS requires a minimum of 80 parking spaces, the veterinary hospital requires 3 spaces, the restaurants require 132 spaces, the retail stores require 36 spaces, and the outdoor dining area requires 31 spaces, totaling 282 spaces. The study states the existing parking lot has 209 spaces, which is already at variance with a deficiency of 42 spaces. The proposed project requires the removal of 4 spaces, creating a request for the number of parking spaces to be 205 spaces where 282 is required.

According to parking study, the onsite parking survey was conducted between 12:00-1:00 p.m. and 5:00-6:00 p.m. The onsite parking survey indicated that there are many

unoccupied parking spaces during some of the peak retail and restaurant demand periods. Staff is adopting the recommendations of the MAC and AIA by conditioning the project to include speed bumps. Therefore, staff recommends approval for the parking variance to allow 205 parking spaces where 282 is required, which is expanded on in the attached Off-Street Parking Variance Findings section of this staff report.

## VIII. CONCLUSION

The proposed project with the recommendations of the Alamo MAC and AIA is found to be consistent with the County General Plan Mixed-Use, Community-Alamo (MUC) land use designation and the Retail Business (R-B) Zoning District. Therefore, staff is recommending approval of County File #CDLP25-02021, based on the attached findings and subject to the attached conditions of approval.

# FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDLP25-02021; DANIEL HOY (APPLICANT) & JOHN LINEWEAVER (OWNER)

#### **FINDINGS**

## A. Land Use Permit Findings

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

<u>Project Finding</u>: The project is required to comply with all applicable building, civil, fire, and environmental health codes and regulations. There is sufficient parking located at the subject site to accommodate the anticipated number of attendees. Compliance with all conditions of approval and applicable codes and regulations is considered to be evidence that the project will not present health and safety risks to users of the site or public in general.

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

<u>Project Finding</u>: The project will not obstruct the existing walkway as shown in the project plans, and the project is conditioned with traffic safety measures such as speed bumps and barriers between the outdoor dining area and traffic. Therefore, the project will not adversely affect the orderly development within the County or the surrounding community.

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

<u>Project Finding</u>: The project is not of a type and scale that would expectedly adversely affect property values as it will be permitted to not impact traffic flow and it is not anticipated to impact parking availability based on the project parking study prepared by the project architect, Daniel Hoy, dated August 5, 2025. Therefore, the project is not anticipated to adversely affect the tax base within the County.

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

<u>Project Finding</u>: The Stone Valley shopping center and project site is located in a mixed-use designated area. The Mixed-Use, Community – Alamo (MUC) designation allows for various housing types, along with a wide range of neighborhood and community-serving retail, personal service, office, hospitality, entertainment, and public uses. The existing tenant space was a restaurant, and a new restaurant is to

move into this space, and the project is to provide an outdoor dining area for this new restaurant. An outdoor dining area is an accessory use to a restaurant, and a restaurant is a consistent use with the MUC designation, and is not in conflict with any of the Alamo policies of the General Plan. Therefore, the project is not anticipated to adversely affect the policy and goals as set by the General Plan.

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

<u>Project Finding</u>: The project as conditioned will be constructed in a manner that does not encourage any nuisance related to drainage, mosquito or vector habitat, substandard buildings/structures, or any other known nuisance types. Therefore, the project will not create a nuisance and/or enforcement problem within the neighborhood or community.

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

<u>Project Finding</u>: The project as conditioned will not encourage marginal development within the neighborhood because development is controlled by the County's Zoning Code and General Plan. Therefore, the project will not encourage marginal development within the neighborhood.

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

<u>Project Finding</u>: The project has received the support of both the Alamo Municipal Advisory Council (MAC) and Alamo Improvement Association (AIA).

# B. <u>Development Plan Findings</u>

**1.** The project is consistent with the intent and purpose of the Retail Business (R-B) zoning district and is compatible with other uses in the vicinity, both inside and outside the district.

<u>Project Finding</u>: The shopping center and project site is located within a Retail-Business (R-B) zoning district. The R-B district is intended to allow sales, demonstrations, displays, services, and other retail business that is conducted within an enclosed building. A commercial restaurant is considered a service business and therefore meets the intent and purpose of the R-B district. The outdoor dining area on a platform and covered by a shade structure is considered an acceptable accessory use to this business type. The R-B zoning district allows for business activities to be conducted outside of the enclosed building under County Code Section 84-52.404,

Uses – Requiring a Land Use Permit (10) if certain findings can be made. Further review of the project's compliance with the required Land Use Permit Findings is discussed in the above Land Use Permit Findings section. Therefore, staff finds the addition of these outdoor activities for a restaurant consistent with the R-B zoning district.

The shade structure, and platform recommended by the Alamo MAC and AIA, are also subject to the R-B Development Standards and as such requires approval of a Development Plan. The structure meets the required yards and height restrictions of the R-B district. The maximum height will be approximately 30-feet (where 50-feet is the maximum permitted). There are not minimum side or rear yards in R-B, and the structure more than meets the required 10-foot frontage setback requirement as it is located at the rear of the shopping center.

Therefore, the project is consistent with the intent and purpose of the Retail Business (R-B) zoning district and is compatible with other uses in the vicinity, both inside and outside the district.

# C. <u>Variance Findings to Required Number of Parking Spaces</u>

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

<u>Project Finding</u>: The granting of a variance to allow for 205 parking spaces (where 282 spaces is required) due to the increase in customer seating will not constitute a grant of special privilege because the reduced parking lot will be of comparable size and capacity as the neighboring businesses with parking lots.

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

<u>Project Finding</u>: The project requires approval of the variance stated above. However, the existing parking lot is currently at variance with 209 spaces where 282 are required. The current amount of parking is sufficient, and according to the project parking study the loss of four spaces will not impact parking, even during peak times. Additionally, this project is conditioned to require a replacement ADA parking space, proper separation between the outdoor dining area and traffic, and speed bumps. Thus, strict application of the Off-Street Parking Ordinance would deprive

the subject property of the rights enjoyed by other properties in the immediate vicinity and within the identical land use district.

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

<u>Project Finding</u>: The intent and purpose of the Retail Business (R-B) land use district is to allow sales, demonstrations, displays, services, and other retail business that is conducted within an enclosed building. A commercial restaurant is considered a service business and therefore meets the intent and purpose of the R-B district, and the reduced parking lot will remain sufficient for patrons of the entire shopping center. Therefore, approval of the variance previously stated for the parking lot would meet the intent and purpose of the R-B land use district.

# D. California Environmental Quality Act (CEQA) Findings

The project is categorically exempt from the review requirements of the California Environmental Quality Act (CEQA) per section 15303(e), which exempts construction of accessory structures including garages, carports, patios, swimming pools, and fences. A platform and covered patio structure for an outdoor dining area, and parking lot modifications, fall within this category of an accessory structure, and therefore, meet the criteria of this categorical exemption.

#### **II. CONDITIONS OF APPROVAL FOR COUNTY FILE #CDLP25-02021:**

# **Project Approval**

- 1. This Land Use Permit/Development Plan combination for an outdoor dining area with 92 seats located in the parking lot of the Stone Valley Center for Suite 3160 A with a shade structure, platform, and planter boxes around the perimeter, is APPROVED.
- **2.** The Variance to the County Off-Street Parking Ordinance to allow the removal of 4 parking spaces leaving 205 parking spaces (where 282 is required) is APPROVED.
- **3.** The project approval is granted based on what is generally shown in the following documents:
  - Application and materials accepted by the Department of Conservation and Development, Community Development Division (CDD) on August 26, 2025,

- including the project Parking Study prepared by the project architect, Daniel Hoy, dated August 5, 2025; and
- Project plans accepted by CDD on August 21, 2025.
- **4.** Any change from this approval may require review and approval by CDD and may require the filing of an application to modify this Land Use Permit/Development Plan.
- **5.** No construction is approved with this permit. Any part of the project that requires a building permit shall obtain a grading and/or building permit from the Department of Conservation and Development, Building Inspection Division, prior to commencement of work.
- 6. This application is subject to an initial application deposit of \$5,500.00, which was paid with the application submittal, plus time and material costs if the application review expense exceeds the initial fee deposit. Any additional fee due must be paid prior to submittal of building permit(s), or within 60 days of the effective date of this Land Use Permit, whichever occurs first. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the Department of Conservation and development may seek a court judgment against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant or owner may obtain current costs by contacting the project planner.

# **Outdoor Dining Area**

- **7.** This outdoor dining area is restricted to 92 seats.
- **8.** The outdoor dining area shall be on a raised platform to be level with the shopping center outside walkway.
- **9.** The planter boxes shall be maintained as a barrier between the outdoor dining area and traffic and shall be maintained and remain in good condition for the life of the outdoor dining area.
- **10.** Speed bumps shall be installed at the main access routes to the outdoor dining area.
- **11.**A new ADA parking space shall be installed in accordance with ADA parking standards and shall be adjacent to the location of the existing ADA parking space that will be removed with this project.

**12.** Prior to this permit being considered exercised, or prior to final building inspection, whichever is first, as-built photos shall be provided to CDD for review and approval to verify compliancy with the *Outdoor Dining Area* conditions of approval.

## **Business Operations**

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

### Indemnification

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

# **Construction Period Restrictions and Requirements**

**15.**The following shall be implemented during project construction and **shall be present on the site plan for building permit(s) as construction notes:** 

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

Federal: http://www.federalreserve.gov/aboutthefed/k8.htm

State: http://www.sos.ca.gov/holidays.htm

- a. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
- b. The project sponsor shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors and concrete pumps as far away from sensitive receptors as possible.
- c. The applicant shall make a good-faith effort to avoid interference with existing neighborhood traffic flows.
- d. Transporting of heavy equipment and trucks shall be limited to the hours of 9:00 A.M. to 4:00 P.M., Monday through Friday, and is prohibited on state and federal holidays.
- e. Unnecessary idling of internal combustion engines is prohibited.

#### **ADVISORY NOTES**

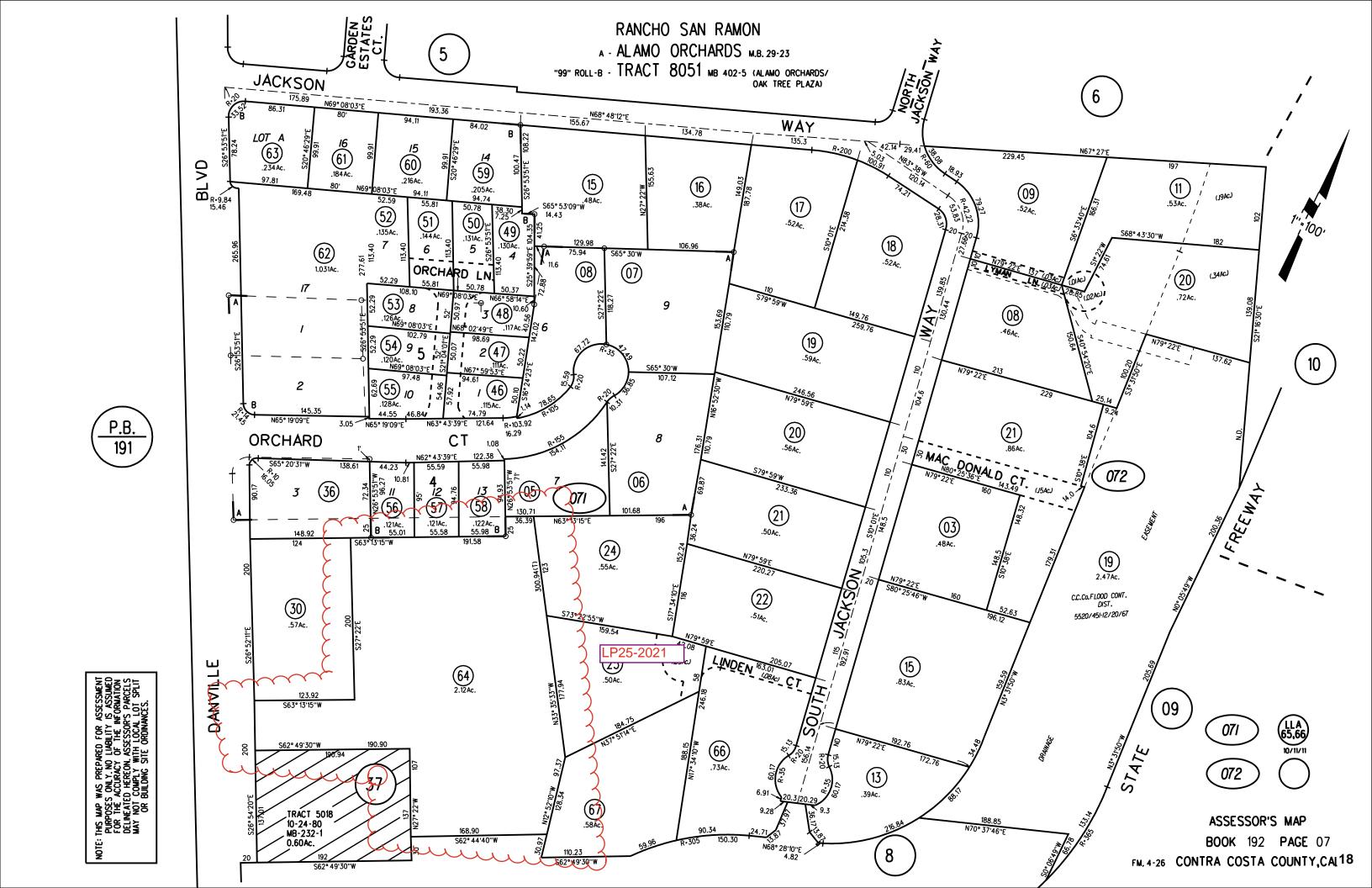
ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

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

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government

Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

- **B.** Prior to applying for a building permit, the applicant is strongly encouraged to contact the following agencies to determine if additional requirements and/or additional permits are required as part of the proposed project:
  - Contra Costa County Public Works Department
  - Contra Costa County Building Inspection Division
  - Contra Costa County Health Services
  - Central Contra Costa Sanitary District
  - East Bay Municipal Utility District
  - San Ramon Valley Fire Protection District
  - County Treasurer-Tax Collector



# General Plan: Mixed Use Community - Alamo (MUC)



Map Legend

County Border

Assessment Parcels

General Plan

na)

**RVL** (Residential Very-Low Density) (≤1 du/

RL (Residential Low Density)

(1-3 du/na)

RM (Residential Medium

Density) (7-17 du/na)

RMH

(Residential

Medium-High Density) (17-30 du/na)

MUM (Mixed-Use Medium) (30-75 du/na) (2.0 FAR)

MUC (Mixed-Use

Community-Specific) (Variable)

PS (Public and Semi-Public)

PR (Park and Recreation)

RC (Resource Conservation)

ers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

# Zoning: Retail Business (R-B), Cannabis Exclusion (-CE), Sign Control (-S-2)



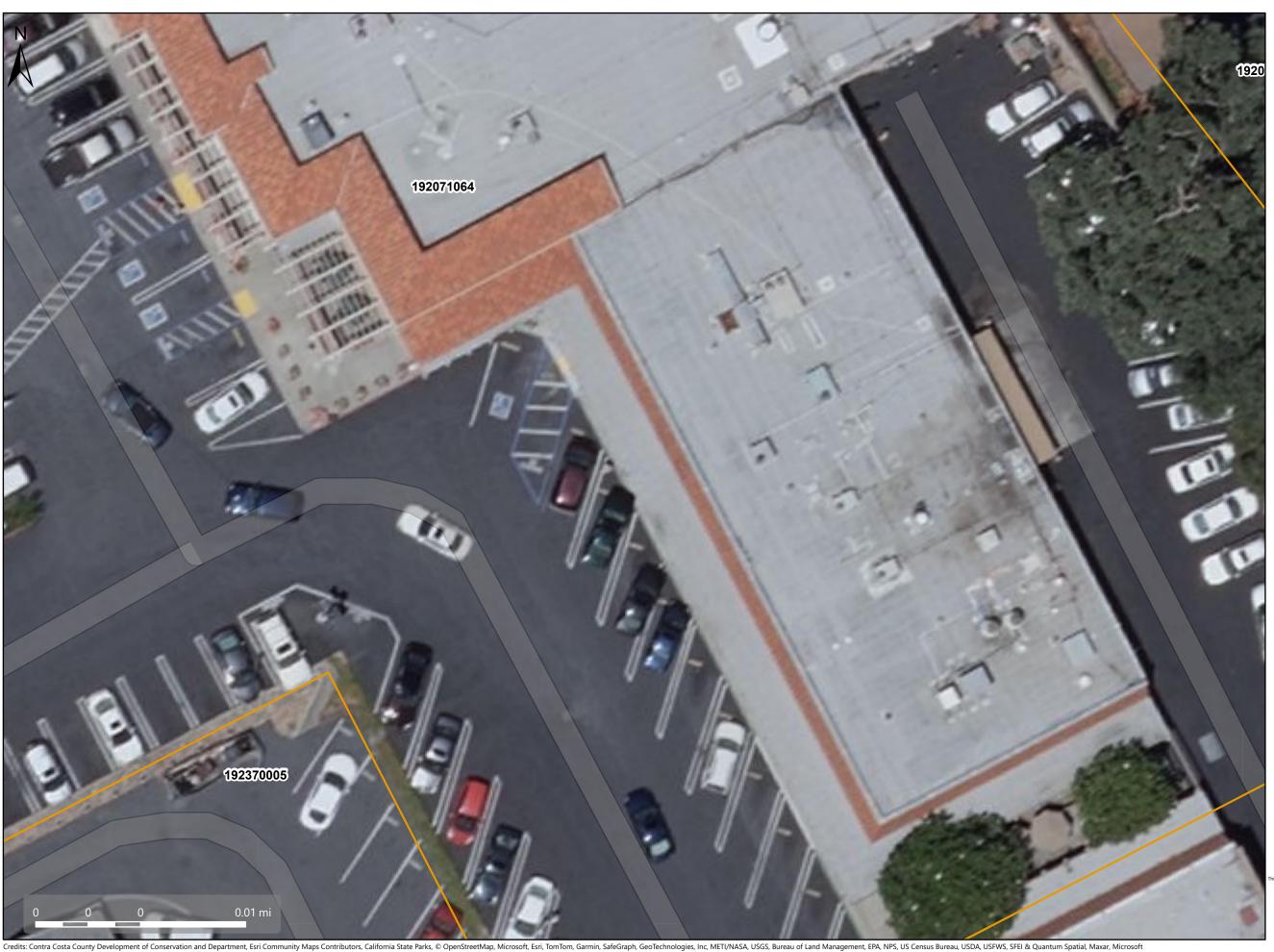
Consistency)

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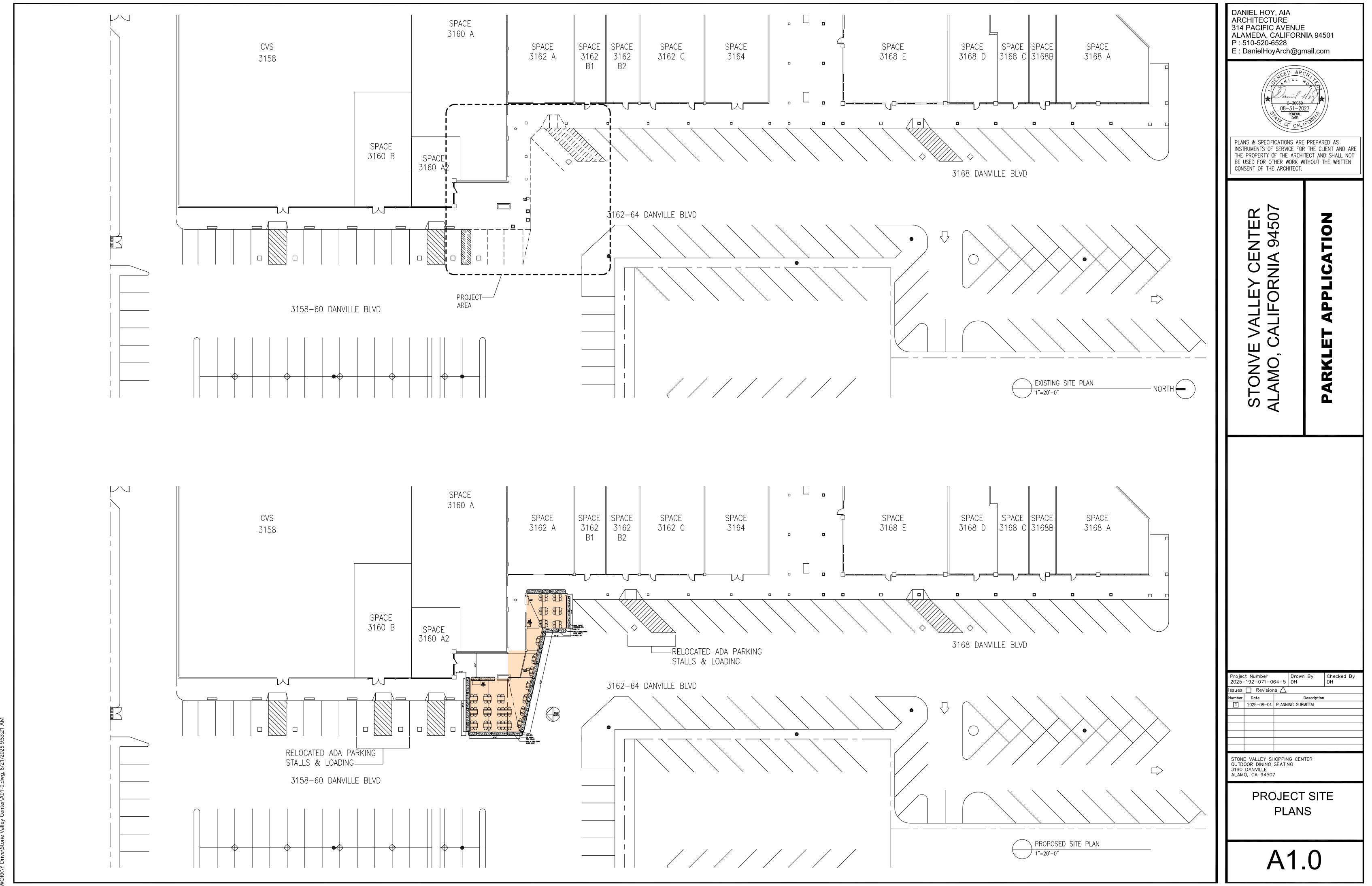
a layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

# Aerial Photo

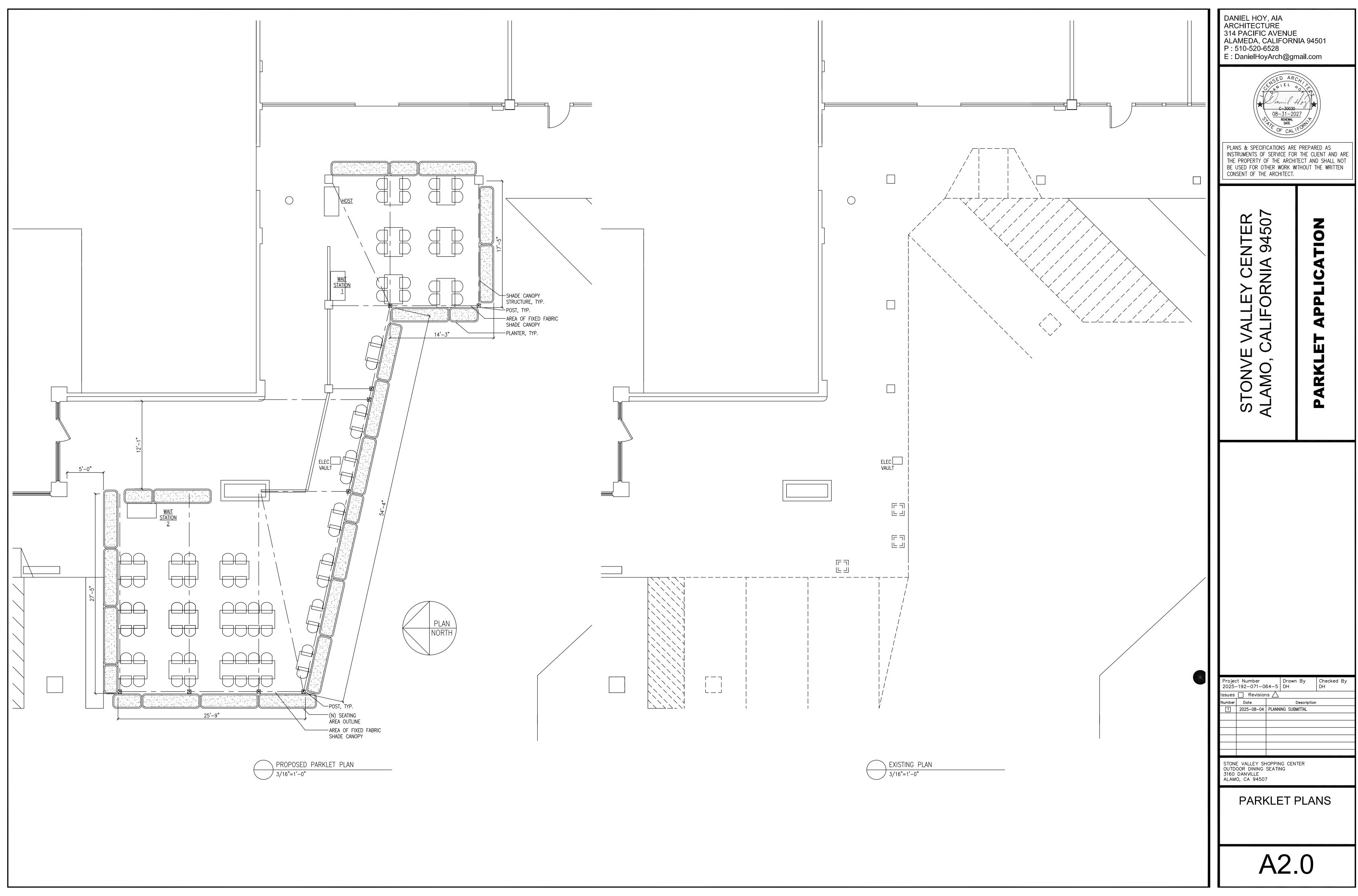


Map Legend County Border Assessment Parcels

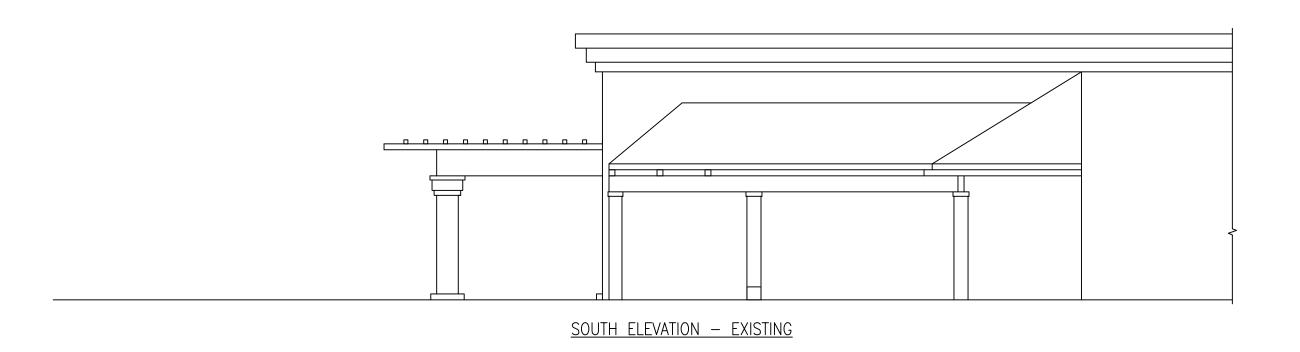
s a user generated, static output from an internet mapping application and is immended for reference use. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. "HIS MAP IS NOT TO BE USED FOR NAVIGATION." CCMap is maintained by Contra Costa Country Department of Information Technology, County GIS. ayers contained within the CCMap application are provided by various Contra Costa County Department.

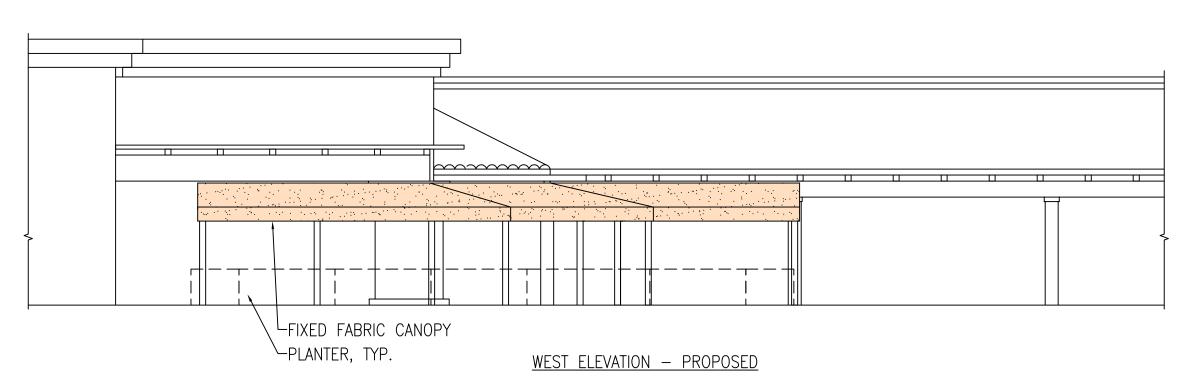


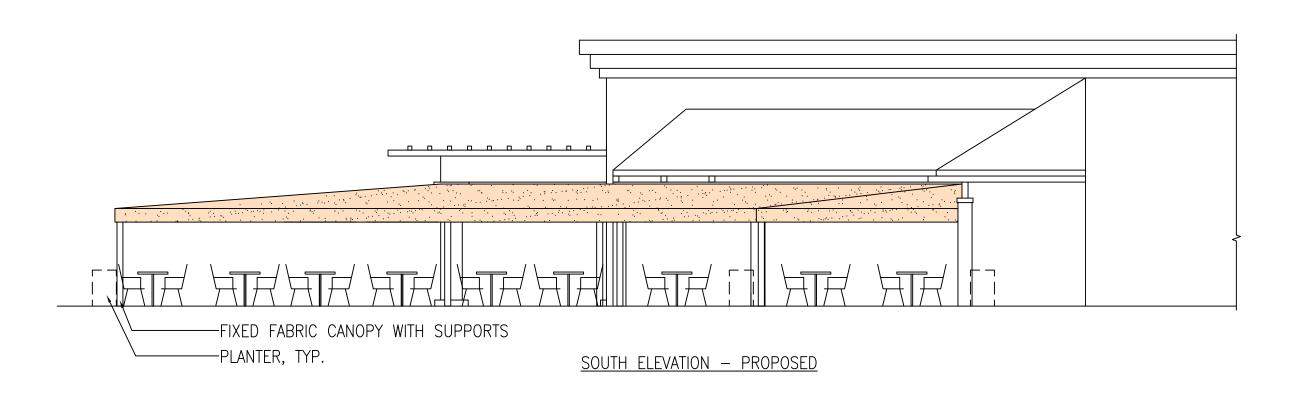
VORK\Y Drive\Stone Valley Center\A01-0.dwg, 8/21/20



ORK\Y Drive\Stone Valley Center\A02-0.dwg, 8/20/202







\ CONCEPT ELEVATIONS 1/8"=1'-0"





3 CONCEPT IMAGE

2 CONCEPT IMAGE

DANIEL HOY, AIA
ARCHITECTURE
314 PACIFIC AVENUE
ALAMEDA, CALIFORNIA 94501
P: 510-520-6528
E: DanielHoyArch@gmail.com



PLANS & SPECIFICATIONS ARE PREPARED AS INSTRUMENTS OF SERVICE FOR THE CLIENT AND ARE THE PROPERTY OF THE ARCHITECT AND SHALL NOT BE USED FOR OTHER WORK WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

NTER 94507

Project Number Drawn By 2025—192—071—064—5 DH Issues 🔲 Revisions 🛆 1 2025-08-04 PLANNING SUBMITTAL STONE VALLEY SHOPPING CENTER OUTDOOR DINING SEATING 3160 DANVILLE ALAMO, CA 94507

CONCEPT ELEVATIONS & IMAGES

A3.0

DANIEL HOY, AIA ARCHITECT

ARCHITECTURE + PROJECT MANAGEMENT

314 PACIFIC AVENUE ALAMEDA CALIFORNIA 94501 T 510.520.6528 E DanielHoyArch@gmail.com

August 5, 2025

Mr. John Lineweaver and Andy Lineweaver The Lineweaver Trust PO Box 680 Alamo, CA 94507

RE: Stone Valley Shopping Center parking analysis regarding proposed parklet with outdoor seating project at existing restaurant.

Dear Mr. Linweaver:

This letter report summarizes our Stone Valley Shopping Center parking demand analysis and characteristics regarding the proposed restaurant outdoor seating development within the center. This report reflects our discussion of the shopping center features, field survey of existing center parking spaces, current leased and vacant uses, and a review of County parking code requirements.

#### **EXISTING SITE CHARACTERISTICS AND HISTORY**

The Stone Valley Shopping Center is located in unincorporated Alamo, north of Stone Valley Road and east of Danville Boulevard (see attached Project Site Plan). Tenants and services in the Center include CVS, several restaurants, a thrift store, a nail salon, veterinary clinic, dry cleaning, liquor store, skin care and personal care services.

Vehicle access to the Center is provided by two full-access driveways located on Stone Valley Road and two full-access driveways on Danville Boulevard. There is a parking field located in both the Center's southern and northern halves. Parking aisles in the southern half are oriented in a north/south direction and primarily serve the smaller tenant retail spaces on the east side of the Center. Parking aisles in the northern parking field are also oriented in a north/south direction and primarily serve the CVS and the restaurants located at the north end of the Center. Other parking areas are located at the perimeter of the site, along street frontages and at the rear service area of the Center. Parking spaces are both diagonal and perpendicular in orientation.

According to recent discussions with the Stone Valley Shopping Center property management, an informal onsite parking survey has been conducted at the Center to obtain relative use occupancies of parking spaces between the Noon-1:00 p.m. and 5:00-6:00 p.m. hours. The parking occupancy conversation revealed that the site is generally overparked, resulting in a large number of

314 PACIFIC AVENUE ALAMEDA CALIFORNIA 94501 T 510.520.6528 E DanielHoyArch@gmail.com

unused spaces. Overall, the onsite parking survey indicates that there are many unoccupied parking spaces during some of the peak retail and restaurant demand periods.

## **EXISTING PARKING SPACE SURVEY**

A parking survey was conducted to inventory all existing parking spaces related to the Stone Valley Shopping Center (see attached Parking Inventory Survey). Note that there are two parcels located in the southwest quadrant of the site that are not part of the Stone Valley Shopping Center. These parcels do not share common access driveways with the Center.

As surveyed, the total number of parking spaces for the Center is 209 spaces. These include 8 handicapped spaces and 201 standard parking spaces.

The parking space survey also included field observations of where additional parking spaces could potentially be added to the Center. For the most part, the Center's parking fields are carefully and efficiently striped and cannot accommodate additional spaces.

All site parking areas were restriped in 2020, with added ADA compliant parking.

#### PROPOSED PROJECT CHARACTERISTICS

The Stone Valley Shopping Center has a total gross leasable area (GLA) of 40,851 square feet and 209 striped parking spaces. From the total 40,851 square feet of GLA, 39,766 square feet is leased and 1085 square feet is vacant. The leased space includes 13,103 square feet of restaurant uses, 20,280 square feet of commercial-retail uses, and 6,383 square feet of personal care and services.

Parking demand requirements for existing Stone Valley Shopping Center use has been based on the Contra Costa County municipal code for off-street parking requirements. Commercial-retail parking space demand is calculated on the basis of square feet per space use. Restaurant parking space demand is calculated based on the number of seats or square feet of GLA, whichever yields a higher parking requirement. The GLA for current shopping center use (in square feet) and/or restaurant seating positions have been used in the County Code calculations of the shopping center's parking demand. Note that retail-commercial use has been assumed for the vacant space within the Center.

314 PACIFIC AVENUE ALAMEDA CALIFORNIA 94501 T 510.520.6528 E DanielHoyArch@gmail.com

# PARKING DEMAND CALCULATIONS BASED ON COUNTY CODE REQUIREMENTS

The County Code parking demand calculations for the Stone Valley Shopping Center are shown in the attached Parking Inventory Survey. As indicated, the total shopping center demand is calculated at 229 spaces. This calculation includes the 39,766 square feet of leased space as well as 1,085 square feet of vacant space (calculated as retail development at 1 space/300 square feet). Based on an existing supply of 209 spaces, this results in a parking deficit of 20 parking spaces for the shopping center. Note that calculated parking demand for vacant space GLA does not include parking demand for the proposed Restaurant outdoor seating project.

The proposed Restaurant outdoor seating would consist of approximately 1,390 square feet and have an approximate "target" of 92 outdoor seats. Using the County's most conservative parking code requirement of 1 space/100 square feet of GLA or 1 space/3 seats, the project generated demand would be 31 spaces. The Center's overall parking demand would increase to 260 parking spaces. Calculated parking demand for the Center and proposed Restaurant outdoor seating project would result in a 51 space deficit based on an overall supply of 209 spaces. Furthermore, four parking stalls will be removed to accommodate the project seating area, reducing the available parking to 205 total stalls on the site.

The County parking code requirement calculation for the shopping center includes all of the various restaurant outdoor seating. Because outdoor seating is less usable during the peak December parking period, the inclusion of the outdoor seating provides a worst case analysis parking demand. In addition, the County's Code application of separate parking demand ratios to each center use does not account for customer interaction between retail uses and other center uses. This application of parking codes results in a very conservative overall parking demand calculation. As an example, research published by the Institute of Transportation Engineers (ITE) indicates that up to 25% of the total activity within a multi-tenant shopping center would reflect internal trips. This statistic suggest that the separate parking calculations for each shopping center tenant tends to overstate the actual total demand.

PARKING DEMAND CALCULATIONS BASED ON URBAN LAND INSTITUTE (ULI) AND INTERNATIONAL COUNCIL OF SHOPPING CENTER (ICSC) RESEARCH

314 PACIFIC AVENUE ALAMEDA CALIFORNIA 94501 T 510.520.6528 E DanielHoyArch@gmail.com

The ULI and ICSC have jointly published a summary document with overall recommendations for shopping center parking ratios. The recommended parking ratios reflect the size of the center and the portion of the center dedicated to restaurant and entertainment uses. The ULI/ICSC methodology recognizes that a shopping center functions as a mix of various tenants with multiple internal trips. These internal trips allow the overall parking supply to satisfy the needs of all tenants.

The ULI/ICSC parking ratios represent the 20th highest hour of annual parking demand (likely during the pre-holiday period). These recommended ratios recognize that there will be some pre-holiday days when the absolute peak demand will exceed supply, and customers will have to circulate before finding a space.

The Stone Valley Shopping Center has a total gross floor area of 40,851 square feet with 13,103 square feet, or approximately 32%, dedicated to restaurant uses. If it is assumed that 1,085 square feet of the center's vacant space was leased for Restaurant use, the total restaurant area would increase to 14,188 square feet, or approximately 35% of the total center area. The ULI/ICSC recommended parking ratio is 4.12 spaces per 1,000 square feet or a total of 168 spaces. This calculated demand would be met by the center's 209 available spaces. If the proposed outdoor seating area of 1,390 square feet is included in the calculation then, using the ULI formula, the number of parking stalls needed would be 174, which would still be met by the proposed number of overall project spaces at 205.

#### SUMMARY/CONCLUSIONS

Parking demand calculations for the Stone Valley Shopping Center based on County Code requirements indicate that the current parking supply of 209 spaces does not meet the calculated demand of 229 spaces with a 20 space deficit. The addition of the proposed Restaurant outdoor seating project would add 31 spaces to the overall demand, thus increasing the deficit to 51 spaces (or 260 space calculated parking demand). If the Center added future restaurant uses beyond the proposed outdoor seating there would be a further parking deficit as per the code calculation. The County code requirements for

Institute of Transportation Engineers (ITE), Trip Generation Handbook, Third Edition—An ITE Recommended Practice

Urban Land Institute (ULI) and International Council of Shopping Centers (ICSC), Parking Requirements for Shopping Centers, Summary Recommendations and Research Study Report, Second Edition. 1999

314 PACIFIC AVENUE ALAMEDA CALIFORNIA 94501 T 510.520.6528 E DanielHoyArch@gmail.com

restaurant uses stipulates that it should be based on 1 space per 100 square feet or 1 space per three spaces, whichever is greater. Because outdoor seating is less usable during the peak December parking period, the inclusion of the outdoor seating provides a worst case analysis parking demand. Additionally, the County's Code application of separate parking demand ratios to each center use does not account for customer interaction between retail uses and other center uses which results in a very conservative parking demand calculation. Assuming just 10% of the total activity within the Center reflects internal vehicle trips between tenant uses (and not 25% as ITE recommends), calculated parking demand would be reduced by 17 spaces yielding an acceptable surplus. Using ULI/ICSC research on parking research for shopping centers, the addition of the proposed Restaurant outdoor seating project would create a parking ratio of 4.12 spaces per 1,000 square feet. This parking ratio is based on the amount of overall restaurant uses within the shopping center. A 4.12 parking ratio would yield an overall demand of 168 spaces for the center and maintain a 37 space surplus.

I trust that this letter report responds to your needs relating to the Stone Valley Shopping Center parking demand and addition of a proposed Restaurant outdoor seating project.

Please contact me with any questions or comments.

Sincerely,

Daniel Hoy, AIA Architect Architecture and Project Management

Cc: Andy Lineweaver
Jeff Dudum
Stan Muraoka
Principal Planner
Contra Costa County Department of Conservation and Development

8/1/2025	Parking Inventory Survey					
3160 DANVILLE BLVD., ALAMO						
	192-071-030-6(Kiosk) +192-071-064-5(3160-62)					
	TENANT DBA	SQ FT				
3158	CVS PHARMACY	16,010				
3160 A	ALAMO RESTAURANT & BAR, LLC	5460				
3160 A2	SUBWAY	815				
3160 B	TACO BELL	1,681				
3162 A	HOSPICE THRIFT SHOPPE	2,010				
3162 B1	CUSTOM NAILS	1,020				
3162 B2	SEXTON VET CLINIC	990				
3162 C	RJ'S ASIAN FUSION	2,010				
3164	FRED'S CLEANERS	1,957				
LAND	COFFEE SHOP ALAMO, LP	LAND				
	TOTAL 3160	31,953				
3168 DANVILLE BLVD., ALAMO						
	192-081-004					
	TENANT DBA	SQ FT				
3168A	ALAMO LIQUOR	2,260				
3168 B	ADVANCED LASER & SKIN CARE CENTER	900				
3168 C	Vacant	1,085				
3168 D	ELEMENTS MASSAGE	1,516				
3168 E	MAGUEY MEXICAN RESTAURANT	3,137				
	TOTAL 3168	8,898				
	Grand total sq ft.	40,851				

0	Seats in	Seats out	Total seats	Retail Area 16010	Storage Area 1673	0.33	0.00333 Parking d 1/300	0.01 emand 1/100	0.001 1/1000 2	Highest	Parking demand total 55	Project created parking space demand
0 0 5 1 0 0 7	124 9 27	0	216 13 27	1,260 1020 990 1957	750	71 4 9	4 3 3 7	55 8 17 20	1	71 8 17	55 (existin 8 17 5 3 3 20 7	ng) 31
3 0 0 5 6 7 8	90	18	108	2260 900 1085 1516		36	8 3 4 5	31			8 3 4 5 36	

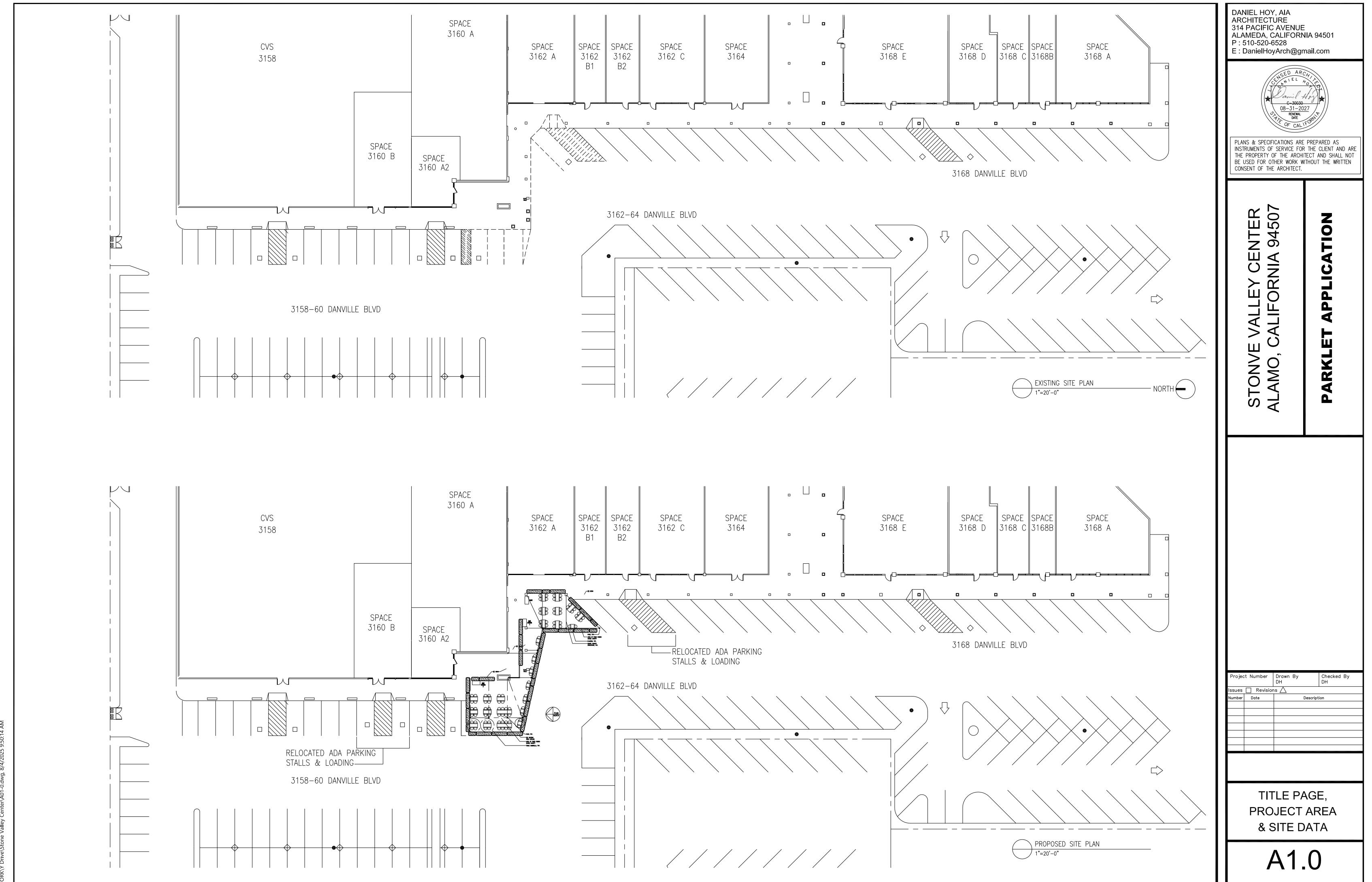
Parking demand (existing) Additional spaces required Revised total required

229 31 260

Parking demand total (proposed)	260
Standard parking stalls provided (existing)	201
ADA parking stalls provided (existing)	8
Total existing parking stalls provided	209
Stalls to be removed	-4
Total proposed parking stalls to be provided	205
Delta	-55

ULI parking standard	4.12 per 1000 sf of lease space		
Total lease space	40851 1000		
ULI quotient per 1000 sf	4.12		
Parking spaces recommended per ULI guidance	168		
Delta	37		

Prepared by: Daniel Hoy, AIA 314 Pacific Avenue Alameda CA 94501 (510) 520-6528



/ORK\Y Drive\Stone Valley Center\A01-0.dwg, 8/4/20

### **Alamo Municipal Advisory Council**

Heather Chaput, Chair Michaela Straznicka, Vice Chair Anne Struthers Cecily Barclay Robert Brannan Robert Mowat Sharon Burke Michelle Parkinson, Alternate



## **Candace Andersen, Supervisor**

Contra Costa County, District 2 309 Diablo Road Danville, CA 94526 925.655.2300

supervisorandersen@bos.cccounty.us

The Alamo Municipal Advisory Council serves as an advisory body to the Contra Costa County Board of Supervisors and the Department of Conservation and Development.

September 3, 2025

Department of Conservation & Development Attention: Dominique Vogelpohl 30 Muir Road Martinez, CA 94553

Re: CDLP25-02021 3160 Danville Blvd. Alamo, CA

Dear Grant,

The Alamo Municipal Advisory Council (MAC) heard application CDLP25-02021 at their Tuesday, September 2 meeting. The applicant is requesting a Land Use Permit and Development Plan for outdoor seating in the parking area of an existing shopping center. This application includes a request for a Variance from the parking requirements of the Off-Street Parking Ordinance.

The application was considered by the Alamo Municipal Advisory Council (MAC) Land Use Subcommittee and the entire Alamo MAC on Tuesday, September 2. The applicant and adjacent property owners were notified of MAC meeting. The property owner, architect and one neighbor were present at the meeting. The MAC recommends approval based on representations from the applicant that the following safety measures would be implemented: the patio dining surface would be at the same level as the adjacent sidewalk with a curb at the edge and not at the level of the parking lot; there will be substantial barriers between the dining patio and the adjacent driveway; that the adjacent sidewalk will be of sufficient width to facilitate pedestrian traffic to the restaurant and adjacent stores; and speed bumps would be installed in the main access routes leading to the dining patio.

Thank you for the opportunity to review this application. Please feel free to contact Alamo MAC Heather Chaput with any questions.

Sincerely,

Heather Chaput

Heather Chaput Alamo MAC Chair P.O. BOX 156 • ALAMO, CALIFORNIA 94507

August 25, 2025

# By E-mail to "dominique.vogelpohl@dcd.cccounty.us"

Department of Conservation & Development Community Development Division 30 Muir Road Martinez, CA. 94553

**Attn:** Dominique Vogelpohl

Re: CDLP25-02021 Site: 3160 Danville Blvd

## Dear Dominique:

This application is a request for approval of a Land Use Permit and Development Plan for a 1,390 sq. ft. outdoor dining patio with approximately 92 seats in the parking area of Stone Valley Center at the former location of Forli's Restaurant. This application also includes a request for a Variance from the parking requirements of the Off-Street Parking Ordinance. The application was reviewed at the AIA Planning Committee's August 21, 2025 meeting. The applicant and neighboring tenants were notified of the meeting. The applicant and the owner were present. Based upon the meeting discussions and the assurances of the applicant, the AIA recommends **APPROVAL** of the application, subject to the following understandings per the applicant:

#### **UNDERSTANDINGS**

- Although it is not specifically shown in the plans, the dining patio surface will be at the level of the adjacent pedestrian walkways, rather than the adjacent vehicular driveway. There will be a curb at the edge of the dining patio.
- The new dining patio will be protected from vehicular traffic by substantial barriers between the patio and the vehicular driveways.
- The walkway between the new dining patio and the building will be of sufficient width and visual quality to be an entry to the restaurant.

## REASONS FOR OUR RECOMMENDATION

• Land Use Permit & Development Plan: The addition of a substantial outdoor eating area would be a very positive addition to downtown Alamo and the Stone Valley Center.

Community Development Dept. Attn: Dominique Vogelpohl August 25, 2025 Page 2

• Parking Variance: Our observations regarding parking at Stone Valley Center are that the parking area is substantially underutilized at present. The applicant states that the available parking after addition of the new dining patio would exceed current Urban Land Institute standards for this type of commercial center and that, further, the amount of new seating would likely be somewhat reduced. This variance would not be a grant of special privilege, as parking variances have been granted in the past for Alamo Plaza.

As always, thank you for the opportunity to review and comment upon this application. Please feel free to contact Ed Moran at (925) 323-9660 or me at (510) 759-9617 if you have questions.

Sincerely,

Steve Meyers

Chair,

Planning Committee

Steve Meyers

cc: Applicant (by email: danielhoyarch@gmail.com)
Owner (by email: john@diabloholdings.com)
Supervisor Andersen (by email)
Alamo MAC Members (by bcc email)
Cameron Collins (by email)
AIA Board & Planning Committee (")
AIA File (")

# **CONTRA COSTA COUNTY DEPARTMENT OF CONSERVATION AND DEVELOPMENT**

COMMUNITY DEVELOPMENT DIVISION

30 Muir Road

Martinez, CA 94553-4601 Phone: 925-655-2700 Fax: 925-655-2758



# **AGENCY COMMENT REQUEST**

/e request your comments regarding the attached applic	Date 08/06/2025 cation currently under review.
INTERNAL  ✓ Building Inspection Advance Planning Trans. Planning ALUC Staff County Geologist  HEALTH SERVICES DEPARTMENT ✓ Environmental Health PUBLIC WORKS DEPARTMENT ✓ Engineering Services ✓ Traffic Flood Control (Full-size)  LOCAL ✓ Fire District SAN RAMON VALLEY FPD ✓ San Ramon Valley – (email) rwendel@srvfire.ca.gov Consolidated – (email) fire@cccfpd.org  ✓ Sanitary District EBMUD City of School District(s)  LAFCO Reclamation District # East Bay Regional Park District  MAC/TAC ALAMO	Please submit your comments to: Project Planner Dominique Vogelpohl Phone #902-655-2880 E-maildominique.vogelpohl@dcd.cccounty.u County File #_CDLP25-02021  Prior to09/05/2025  *****  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
<ul> <li>✓ Improvement/Community Association - Alamo</li> <li>✓ CC Mosquito &amp; Vector Control Dist (email)</li> <li>OTHERS/NON-LOCAL</li> <li>CHRIS (email only: nwic@sonoma.edu) CA</li> <li>n and Wildlife, Region 3 – Bay Delta Native</li> <li>erican Tribes</li> <li>ADDITIONAL RECIPIENTS</li> </ul>	Print Name Signature DATE Agency phone #



8/12/2025

CC DCD

Attn: DOMINIQUE VOGELPOHL

30 MUIR RD

MARTINEZ, CA94553

RE: CDLP2502021

3160 DANVILLE BLVD

APN: 192 071 064

Service Request #: SR0024941

#### Dear DOMINIQUE VOGELPOHL:

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

- A health permit is required for retail food facilities. Food facilities include restaurants, stores, bars, cafeterias, snack bars, kiosks at transit sites, and any business or operation that sells or gives food away to the public (including employees or students).
- Plans must be submitted to CCEH and approved <u>prior</u> to the issuance of building permits for such facilities. Prior to the submission of plans, CCEH staff is available to meet with prospective developers/operators to discuss the requirements for these facilities and the plan review process.
- Dumpster areas serving retail food facilities are required to have a drain to the sanitary sewer and
  provided with a hot/cold water supply. It is recommended that developers be informed of this
  requirement, since it is usually easier to plan for the installation of sewer and water in dumpster areas
  during initial construction rather than install these afterwards.
- All retail food facilities must have approved restrooms. This includes kiosks located at transit sites. It is recommended that developers be informed of this requirement, since it is usually easier to plan for the installation of restrooms during initial construction rather than install these afterwards.
- Some kitchens at church sites may be exempt from requirements to have plans approved by CCEH and
  may not require a health permit if it is not used for any retail use. Please note that retail use includes any
  of the following:
  - Providing school lunches.
  - Operating a homeless or senior feeding program.
  - Catering.
  - Events open to the general public where food is sold or given away\*\*.

If the future use of the kitchen includes any activity considered retail in nature, a health permit will be required <u>prior</u> to commencing such an activity. In this case a plan review would be required as part of the application process. Any required upgrades to the kitchen and associated facilities (e.g., dumpster area, restrooms, janitorial area) would need to be completed before the issuance of a health permit.

\*\*Please note, a temporary event, open to the general public, where food will be sold or given away requires a temporary event food permit whether or not they are held at the church site or somewhere else.

- If the project utilizes a mobile food facility (MFF), in addition to a required heath permit, MFFs are also subject to Contra County Ordinance Section 413-3.1612. This ordinance contains subsections that limit the amount of time a vehicle can remain in one location and the hours of operation, and also prohibits alcohol sales.
- Mobile food facilities that park in one location for more than one hour must have access to approved restroom facilities.
- Plans must be submitted to CCEH and approved prior to the issuance of building permits for such facilities.
   Prior to the submission of plans, CCEH staff is available to meet with prospective developers/operators to discuss the requirements for these facilities and the plan review process.

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,

Kristian Lucas, REHS

Director of Environmental Health



San Ramon Valley Fire Protection District Community Risk Reduction Division 2401 Crow Canyon Road, Suite A San Ramon, CA 94583

**phone:** 925.838.6600 **web:** www.firedepartment.org

Monday, August 25, 2025

Hello Dominique Vogelpohl,

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

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

PROJECT: CDLP25-02021

ADDRESS: 3160 DANVILLE BLVD (192071064)
APPLICATION TITLE: Planning and Site Development Review

PROJECT NUMBER: 1830735

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

#### **Planning Comments**

#### Open Issues: 1

#### PLANNING

General Issues

#### 1. Submit Plans

Roy Wendel 8/25/25 8:17 AM Plan submittal required to the Fire District. Visit www.firedepartment.org/submitplans for information on submittal requirements.

From: <u>Planning.review</u>
To: <u>Dominique Vogelpohl</u>

Cc: <u>Planning.review</u>; <u>Cherie Adriano</u>

**Subject:** CDLP25-02021 - 3160 DANVILLE BLVD, ALAMO

**Date:** Thursday, August 7, 2025 9:23:48 AM

Attachments: <u>image001.png</u>

Dear Dominique,

EBMUD has no comment on the subject agency request.

Best Regards, Amy

**Amy Wen** | Sr Administrative Clerk Water Distribution Planning Division





CENTRAL CONTRA COSTA SANITARY DISTRICT

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

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

> ROGER S. BAILEY General Manager

J. LEAH CASTELLA
Counsel for the District

KATIE YOUNG Secretary of the District

August 28, 2025

Dominique Vogelpohl Title of Requestor Contact Phone Number of Requestor Email Address of Requestor

SUBJECT: 3160 Danville Blvd., Alamo

APN: 192-071-064, Central San Response

Dear Mrs. Vogelpohl,

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

Development Information: (Based on the information provided)

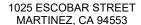
- Existing Use: Commercial
- **Planned Project Description**: Request approval of a Land Use Permit and Development Plan for outdoor seating in the parking area of an existing shopping center. This application includes a request for a Variance from the parking requirements of the Off-Street Parking Ordinance.

#### Site-Specific Development Conditions:

- Additional capacity fees will be due for the expansion of patio dining space. The applicant should promptly submit hard-copy, full-size improvement plans for Central San Permit staff to review and pay all applicable fees prior to receiving a building permit. For more information, the applicant should contact the Central San Permit Section at (925) 229-7371.
- Any proposed improvements that will impact the existing exterior side sewer or the related appurtenances will require a Central San Permit prior to alteration.
- A review by Central San's Environmental Compliance Section may be required. The review could require the installation of new or modified pre-treatment devices for the discharge to Central San's sewer system.
- Prior to receiving a building permit, the applicant should promptly submit hard-copy, full-size
  improvement plans to Central San Permit Counter located at 5019 Imhoff Place, Martinez. Staff
  will review and advise on any applicable fees due. For more information, the applicant should
  contact the Central San Permit Section at (925) 229-7371.

Sincerely,

Michelle Peon Del Valle Engineering Assistant





### CONTRA COSTA COUNTY

#### Staff Report

File #: 25-3751 Agenda Date: 9/15/2025 Agenda #: 3a.

**Project Title:** 18 Eagle Hill Road Kensington Design Review Development

Plan

County File(s): CDDP24-03059

**Applicant/Owners:** Debbie Chernoff, Jack Backus Architects (Applicant) / Timothy

and Catherine Lo (Owners)

**Zoning/General Plan**: R-6 Single-Family Residential District, -TOV Tree Obstruction of

Views Combining District, -K Kensington Combining District /

RM Residential Medium Density

**Site Address/Location**: 18 Eagle Hill Road in the Kensington area of unincorporated

Contra Costa County (APN: 571-070-010)

**California Environmental** 

**Quality Act (CEQA) Status:** 

Categorical Exemption, CEQA Guidelines Sections 15303(a)

**Project Planner:** Diana Lecca, Project Planner, (925) 655-2869

Diana.Lecca@dcd.cccounty.us

**Staff Recommendation:** Approve (See section II for full recommendation)

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

The applicant requests approval of a Kensington Design Review Development Plan for a new two-story single-family residence totaling 3,524 square feet on a vacant lot, with grading of 207 cubic yards of fill and 182 cubic yards of cut. The applicant also requests approval of a Tree Permit for the removal of an 8-inch diameter Blueberry tree, and work within the dripline of six Oak trees, ranging from 6-inches to 22-inches in diameter.

#### II. RECOMMENDATION

File #: 25-3751 Agenda Date: 9/15/2025 Agenda #: 3a.

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

- A. FIND that the project is categorically exempt from CEQA under Section 15303(a) of the CEQA Guidelines.
- B. APPROVE Kensington Design Review Development Plan CDDP24-03059 for the construction of a new single-family residence that has a gross floor area of 3,524 square feet on a vacant lot, and a Tree Permit for the removal of a code-protected Blueberry tree and work within the dripline of six Oak trees, based on the attached findings and subject to the attached conditions of approval.
- C. DIRECT staff to file a Notice of Exemption with the County Clerk.

#### III. GENERAL INFORMATION

- A. General Plan: RM Residential Medium Density.
- B. <u>Zoning</u>: R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District.
- C. <u>California Environmental Quality Act (CEQA)</u>: CEQA Guidelines Section 153013(a), New Construction, Class 3 exemption for the construction of one single-family residence in a residential zone.
- D. <u>Previous Applications</u>: There are no prior planning applications.

#### IV. SITE/AREA DESCRIPTION

The project site is a 6,525 square-foot trapezoidal parcel located on the south side of Eagle Hill Road between the cul-de-sac portion of Eagle Hill Road and Edgecroft Road in a neighborhood comprised of single-family residences. The subject parcel was created as part of the Kensington Park Subdivision Block 3, recorded on May 1, 1911. The parcel has a width of 35 feet along Eagle Hill Road and 56.45 feet along Edgecroft Road, and a depth of approximately 158 feet at its longest side. The parcel is vacant with no building permit records for any structure having ever been constructed on property. The parcel includes a number of trees and vegetation towards the southwestern portion of the lot abutting Edgecroft Road, where the slope is the steepest.

The terrain in this part of Kensington consists of moderate to steeply sloped hillsides. Generally, the elevation decreases from Eagle Hill Road down to Edgecroft Road. The slopes and residential designs that accommodate the hilly terrain provide expansive views towards San Francisco Bay,

showcasing landmarks such as the Golden Gate Bridge, and the Bay Bridge. The terrain creates conditions that are suitable for multi-level home designs with entrances at each level, and the surrounding neighborhood generally consists of two-story homes. The residences on the south side of Eagle Hill Road follow a massing pattern similar to the proposed residence, with the Eagle Hill Road side having the higher elevation compared to the secondary road frontage along Edgecroft Road. Properties on the north side of Eagle Hill Road across from the project site sit at a higher elevation.

#### V. PROJECT DESCRIPTION

The applicant requests approval of a Kensington Design Review Development Plan for the construction of a new two-story single-family residence that has a gross floor area of 3,524 square feet on a vacant lot. The residence includes a main floor area of 1,765 square feet, a lower floor area of 905 square feet, a 480 square-foot attached garage, and a 374 square-foot covered deck. Construction of the residence will require grading, including 207 cubic yards of fill and 182 cubic yards of cut. The grading is necessary to create a pad for the lower floor of the residence, as shown on the building sections of the project plans, which are included in Attachment C. The project includes a Tree Permit for the removal of one code-protected 8-inch diameter Blueberry tree as well as work within the dripline of six code-protected Oak trees, ranging from 6-inches to 22-inches in diameter.

#### VI. AGENCY COMMENTS

An Agency Comment Request packet was sent on December 19, 2024, to a number of public agencies, including the Building Inspection Division, the Environmental Health Division of Contra Costa Health, the Kensington Fire Protection District, the Stege Sanitary District, East the Bay Municipal Utility District, the City of El Cerrito, the Kensington Municipal Advisory Council, and the Contra Costa Mosquito and Vector Control District. The Agency Comment Request packet was also reviewed by the Engineering Services Division of the Public Works Department. Agency comments received by staff are included in Attachment D. Following are summaries of the agency comments received.

- A. <u>East Bay Municipal Utility District</u>: On January 6, 2025, the East Bay Municipal Utility District submitted a memorandum stating that if additional water service is needed, the applicant should contact their New Business Office and that new water service will not be provided unless applicable water efficiency measures are installed.
- B. <u>Kensington Municipal Advisory Council (MAC)</u>: On April 1, 2025, staff of the District 1 Supervisor submitted an email stating that the Kensington MAC recommended approval of the CDDP24-03059 project by a vote of 5-0 at its meeting on March 26, 2025, after the applicant made project modifications due to neighbor concerns.

C. <u>Engineering Services Division of the Public Works Department</u>: On August 15, 2025, the Engineering Services Division submitted an email stating that the project meets the collect and convey drainage requirements.

#### **VII. STAFF ANALYSIS**

A. General Plan Consistency: The 6,525 square-foot subject parcel is located within the RM Residential Medium Density General Plan land use designation. The RM designation allows for a residential density between 7-17 units per net acre. The RM designation is intended to promote higher-density single-family and low-density multiple-family residential development with lot sizes typically in the range of 2,500 to 6,000 square feet; however, lots are not limited to those size parameters. The project includes construction of one new single -family residence on the parcel which would result in a residential density of 8.34 units per net acre. Therefore, the project conforms to the residential density of the RM designation. Additionally, the proposed single-family residence is consistent with the typical uses allowed within the RM General Plan land use designation. The proposed residence will not alter the land use on the property and does not conflict with the intent and purpose of the RM designation.

<u>Specific Area Policies</u>: The Stronger Communities Element of the General Plan contains policies for specific geographic areas of the unincorporated County, including the Kensington area. Following is a detailed discussion of the proposed project's consistency with relevant policies.

• <u>Kensington Policy 1</u>: *Prioritize mitigation of wildfire and earthquake exposure when reviewing new development proposals.* 

The project site is readily serviced by the Kensington Fire Department and will be required to undergo structural review to address fire prevention. Additionally, the project has been reviewed by the County Geologist whose recommendations have been included in the Conditions of Approval.

- <u>Kensington Policy 3</u>. Ensure new development provides reasonable protection for existing residences regarding views, design compatibility (including building mass, height, and mechanical devices), adequate parking, privacy, and access to sunlight.
  - 1. <u>Views</u>: The construction of the new single-family residence will not impact any surrounding views as defined in Chapter 84-74 (-K Kensington Combining District), Section 84-74.404(r). The residence follows the slope of the subject parcel and does not exceed the 35 feet height limit or two and ½ story limit. Additionally, there are no residences located immediately to the north of the project that would have their views of the San Francsico Bay blocked. The parcels on the opposite side

of Eagle Hill Road are at a higher elevation, therefore their existing scenic vistas would be unaffected by any proposed development.

- 2. <u>Design Compatibility</u>; <u>Bulk</u>: The proposed new residence will be constructed on a lot with a negative slope away from the Eagle Hill Road frontage. The residence will be constructed with design elements similar to other residences in the vicinity. The development footprint of the residence will comply with applicable setbacks. The main floor of the residence is in line with those of other residences on the south side of Eagle Hill Road. The lower floor of the residence is not visible from the street frontage.
- 3. <u>Design Compatibility</u>; <u>Size</u>: The new residence has a gross floor area of 3,524 square feet, which includes a 480 square-foot garage, and a 374 square-foot covered deck area. The floor area for the residence is approximately 2,670 square feet, which is consistent with the sizes of residences in the neighborhood that range between 1,500 square feet and 4,400 square feet. Although the square footage exceeds the threshold for the Kensington Combining District, the size is not excessive for the neighborhood. Thus, the scale of the project is within the range of existing homes in the area
- 4. <u>Design Compatibility; Height</u>: The proposed residence will have a maximum height of 34'-3" feet and a maximum of two stories. The project does not exceed the maximum height allowance of 35 feet or two and ½ stories and is compatible with surrounding houses in that many houses along Eagle Hill Road are multileveled and two stories due to the steep topography.
- 5. Adequate Parking: The R-6 zoning district standards require two off-street parking spaces unless the parcel was created prior to September 9, 1971, in which case a single parking space would be required. The subject parcel was created in 1911, and therefore only one parking space is required. The proposed project includes a 2-car garage attached to the main residence and therefore, the project provides adequate parking.
- 6. <u>Privacy</u>: The new residence has a number of windows on both sides with most of them being fixed and used primarily for lighting and solar access to the residence. The open areas including the courtyard and decks are primarily set towards the rear, thereby minimizing intrusion on adjacent neighbors. The configuration of the window panels and the open areas adjust to the elevation changes and maintains a reasonable level of privacy between properties.
- 7. Access to Light: The project will not have any impact on the natural light currently enjoyed by residences in the neighborhood as the orientation of the

parcel and placement of the residence is towards the south and the bulk of the residence is further from the front. Additionally, due to the position of the sun, the project would not cast shadows onto any surrounding properties, as it does not tower over adjacent residences.

• <u>Kensington Policy 4:</u> When reviewing new development proposals, ensure views of scenic natural features (e.g., San Francisco Bay, distant mountains) and the developed environment (e.g., bridges, San Francisco skyline) are substantially preserved.

San Francisco Bay and some natural and built-out features within it, like the bridges and city skylines, are visible from the neighborhood looking southwest from Eagle Hill. However, the proposed project has no impact with respect to views as the parcel on the opposite side of Eagle Hill Road are on higher ground than the subject parcel. Moreover, because of the negative slope, the house appears to be only 12 feet tall from the street frontage with some additional taller elements reaching approximately 17 feet in height as viewed from the street. Therefore, views of the San Francisco bay are substantially preserved.

• <u>Kensington Policy 5</u>. For new developments, encourage building scale, massing, architectural style, and materials to provide harmonious scale transitions and blend with the surrounding existing residential neighborhood.

See Staff Response for Kensington Policy 3 above.

<u>Land Use Policies</u>: The Land Use Element of the General Plan contains policies relevant to the proposed project including the following.

• <u>Land Use Policy LU-P5.1</u>: Allow development only where requisite community services, facilities, and infrastructure can be provided.

The project is readily serviced by the East Bay Municipal District, the Stege Sanitary and the Kensington Fire Protection District. Therefore, the existing infrastructure can be provided to the new development.

• <u>Land use Policy LU-P7.5</u>: Require new residential development to be planned, designed, and constructed in a way that promotes health, minimizes hazard exposure for future residents, and mitigates potential adverse effects on natural resources and the environment.

The project is subject to the -K Kensington Combining District which requires development to be compatible with the Kensington area. As discussed above, the

project is designed to minimize view impacts, meets the setbacks and does not have any potential adverse effects.

B. <u>Zoning Compliance</u>: The subject parcel is located in the R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, and -K Kensington Combining District.

County Code Chapter 84-4 (R-6 Single-Family Residential District): The intent and purpose of the R-6 District is to facilitate orderly development and maintenance of high-density, single-family residential neighborhoods. The proposed residence conforms to all R-6 development standards (e.g. front setback, side and rear yards, building height, off- street parking). As discussed in Section IV (Site/Area Description), the subject parcel is part of the Kensington Park Subdivision Block 3, which was created in 1911, and has a width of 35 feet along Eagle Hill Road. Pursuant to County Code Section 82-14.004 (Side Yards on Lots Established Before Effective Date), a minimum single side yard of 3 feet and a minimum aggregate side yard of 8 feet applies to the parcel. The project provides a minimum single side yard of 5 feet and a minimum aggregate side yard of 10 feet 2 inches, and meets the reduced side yard standards. Therefore, the proposed single-family residence meets the intent and purpose of the R-6 District.

County Code Chapter 816-2 (Tree Obstruction of Views (-TOV) Combining District): The property is located within the -TOV Tree Obstruction of Views Combining District. The purposes of this chapter are to establish the right of a property owner to seek the restoration of views and sunlight that existed when the property owner purchased their property, and to establish a process by which property owners may seek restoration of these views and sunlight when they are unreasonably obstructed by the growth of trees on another property. The project seeks to remove one Blueberry tree due to its location and conflict with development. All other vegetation and trees on site are set to be preserved and maintain the same character and retain the aesthetic benefits provided to the neighborhood prior to development.

County Code Chapter 84-74 (-K Kensington Combining District): Section 84-74.802 of the County Code sets the gross floor area threshold standard for projects within the -K Kensington Combining District. Projects that exceed the specific lot threshold require a Development Plan application and a public hearing. For a lot size of 6,525 square feet, the gross floor area threshold standard is 2,800 square feet. The gross floor area for this project is 3,524 square feet which includes the 2,670 square-foot main residence, a 480 square-foot attached garage, and a 374 square-foot covered deck. Although this would be one of the larger residences in the immediate vicinity, it is not excessive for the area as there is at least one other residence exceeding 4,000 square feet in size. The project will also not impose any limitations with respect to views, privacy and parking constraints on the adjacent lots. The project includes tiered two-story development that complies with the R-6 height regulations

and minimizes potential sunlight and view protection infringements. The residence follows the downslope of the lot and is limited to the location on the parcel as generally shown on the project plans and is compatible with the surrounding area. Thus, the project meets the regulations of the Kensington Combining District.

- C. <u>Traffic and Circulation</u>: The subject parcel fronts Eagle Hill Road, and Edgecroft Road on the opposite side. Edgecroft Road is a publicly maintained road, while Eagle Hill Road is a privately maintained road. The applicant proposes a single driveway access off Eagle Hill Road, and no access from Edgecroft Road. The project provides a two-car garage, which exceeds the required number of off-street parking spaces. No additional right-of-way improvements are necessary with this application. Thus, the project will not obstruct circulation on either Eagle Hill Road or Edgecroft Road.
- D. <u>Drainage</u>: 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.

Based on available topography, drainage is generally conveyed north to south from Eagle Hill Road. The applicant has proposed to collect onsite drainage into two infiltration devices located on the southern and lower portion of the lot to reduce the flows. Stormwater is collected on the side of the proposed residence and directed toward the rear of the lot (downhill), as it then naturally flows downhill to the curb and gutter on Edgecroft Road. The Engineering Services Division of the Public Works Department has reviewed the proposed project drainage system and has determined it to be sufficient to avoid stormwater running off onto neighboring properties.

E. <u>Stormwater Management and Discharge Control Ordinance</u>: 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 and the County's Municipal Separate Storm Sewer System National Pollutant Discharge Elimination System Permit. Given that the project parcel is less than 10,000 square feet in area, the proposed project is below the threshold for required submittal of a SWCP. However, the applicant may be required to submit a SWCP for a Small Land Development Project with the building permit application for the residence.

#### F. Tree Protection and Preservation Ordinance:

The project also includes a Tree Permit for the removal of an 8-inch diameter Blueberry tree, and work within the dripline of six Oak trees, ranging from 6-inches to 22-inches in diameter. The location of the Blueberry tree is in the development area where the proposed residence

is to be located and the Oak trees would be encroached upon by the residence. The residence is sited on the subject parcel to conform to applicable yard setbacks and to avoid the steep downslope on the southern portion of the parcel near Edgecroft Road. Thus, the factors for approval of a tree permit pursuant to the County Tree Protection and Preservation Ordinance have been established.

#### VIII. CONCLUSION

Construction of the proposed two-story residence is consistent with the RM Residential Medium Density General Plan land use designation and complies with the intent and purpose of the R-6 Single-Family Residential Zoning District, the -K Kensington Combining District, and the Tree Protection and Preservation Ordinance. The project site is a vacant lot within an established single-family residential neighborhood. The proposed residence exceeds the maximum allowed gross floor area for the lot size; however, the bulk is not excessive for the area and development of the vacant lot will preserve property values of the surrounding area. Staff recommends that the Zoning Administrator approve Kensington Design Review Development Plan CDDP24-03059 to construct a new two-story 3,524 square foot residence on a vacant lot, with grading of 207 cubic yards of fill and 182 cubic yards of cut, and a Tree Permit for the removal of one Blueberry tree and work within the dripline of six Oak trees, based on the attached findings and subject to the attached conditions of approval.

# FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP24-03059, DEBBIE CHERNOFF, JACK BACKUS ARCHITECTS (APPLICANT), TIMOTHY AND CATHERINE LO (OWNERS)

#### **FINDINGS**

A. Kensington Combining District Findings

County Code Section 84-74.1206(b) requires a project within the Kensington Combining District to satisfy seven criteria to be approved.

1. Recognizing the rights of property owners to improve the value and enjoyment of their property.

<u>Project Finding</u>: Construction of a new 2-story 3,524 square-foot single-family residence that includes a main floor area of 1,765 square feet, a lower floor area of 905 square feet, a 480 square-foot attached garage, and a 374 square-foot covered deck, will allow the property owners to develop the residentially zoned vacant lot for a single-family residential land use. Approval of the project will allow the property owners to improve the lot by adding a housing unit and thereby add value to the existing vacant lot. Therefore, the project will afford the property owners to improve the value and enjoyment of their property.

2. Recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale, and design.

Project Finding: The proposed single-family residence will be constructed on a vacant lot and the design does not require any variances to the maximum building height or number of stories of the R-6 Single-Family Residential District. The design of the single-family residence is to be tiered with each successive story located further away from the front property line similar to other residences along Eagle Hill Road. The proposed new residence is consistent with adjacent properties, as its appearance from the street frontage is a one-story house, and utilizes the steep topography for its second story as do other residences in the area. The subject residence has a residential floor area of approximately 2,670 square feet and a total gross floor area of 3,524 square feet including the attached garage and covered deck, within a neighborhood where the sizes of residences range between 1,500 square feet and 4,400 square feet. Thus, the scale of the project is within the range of existing homes in the area. The design of the new residence is of modern

architecture consistent with other residences on Eagle Hill Road. Therefore, the project is compatible with the neighborhood in terms of bulk, scale and design.

#### 3. Minimizing impacts upon surrounding neighbors.

<u>Project Finding</u>: The project will not encroach into the required side yard setbacks as specified in the R-6 zoning district and thus will have a side space that is consistent with other lots in the immediate vicinity. The project will not have a maximum height higher than what is allowed and the story poles erected by the applicant illustrate the relatively minimal sight impacts to designated vista areas from adjacent properties. The project is for a single-family residence and thus will not include any non-conforming land uses that would otherwise have adverse impacts on the surrounding neighbors.

#### 4. Protecting the value and enjoyment of the neighbors' property.

<u>Project Finding</u>: The construction of a new single-family residence on the subject lot will not include marginal development that would otherwise negatively impact the surrounding vicinity. To the front of the property, development extends to the 805-foot elevation contour of the lot where the residence has a maximum height of 12 feet from grade. The height of the residence increases as it adjusts to the downward slope of the property. The new residence is visible from adjacent properties; however, the residence does not obstruct any views from surrounding vantage points (predominately the bay). It also does not substantially decrease access to sunlight for any surrounding properties due to its siting and massing. Therefore, the project would preserve the value and enjoyment of neighboring properties.

#### 5. Maintaining the community's property values;

<u>Project Finding</u>: As discussed above, the project is for the construction of a new single-family residence and does not include any marginal development that would otherwise negatively impact the surrounding area. The project does not involve a noncompatible land use that conflicts with the surrounding residential community in a manner that may negatively affect property values, and thereby, maintaining the residence on the subject property. The project has minimal, if any, impacts on views, light and solar access, and privacy of nearby residences. The siting and overall height are consistent with the development pattern along Eagle Hill Road.

6. Maximizing the use of existing interior space.

<u>Project Finding</u>: The project is for the construction of a new single-family residence and this criterion does not apply.

7. Promoting the general welfare, public health, and safety.

<u>Project Finding</u>: The project does not change the land use of the subject property and as described earlier, does not adversely impact surrounding properties. Construction of the single-family residence improves the value of the lot. There are no side or rear yard encroachments and the project is under the maximum height limit. In addition, the project will not use or emit hazardous substances beyond what is normal for a residential property. Based on the foregoing reasons, the project promotes the general welfare, public health, and safety of the Kensington community.

#### B. <u>Tree Permit Findings</u>

- 1. Required Factors for Granting 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 or removal of the tree, and this development could not be reasonably accommodated on another area of the lot. The existing site plan (A1.1) includes a survey of all existing trees on site. The proposed new residence is encroaching within the dripline of six code-protected Oak trees, and requires the removal of an 8-inch Blueberry tree. The siting of the residence complies with the setbacks and side yards as required by the zoning district and avoids removal of most trees with the exception of the Blueberry tree. This development cannot be reasonably accommodated on another area of the parcel given the steep downslope on the southern portion of the parcel near Edgecroft Road. All other trees on site are set to be preserved, and additional protection measures shall be included as part of the conditions of approval.

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.

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

Construction of the new single-family residence with a gross floor area of 3,524 square feet is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303(a), New Construction, 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 CDDP24-03059**

#### Project Approval

- 1. Kensington Design Review Development Plan CDDP24-03059 to construct a new two-story single-family residence, including an attached garage and covered deck, that has a gross floor area of 3,524 square feet on a vacant lot is APPROVED.
- 2. A Tree Permit for the removal of one code-protected 8-inch Blueberry tree and work within the dripline of six code-protected Oak trees, ranging from 6-inches to 22-inches in diameter, is APPROVED.
- 3. The project approvals described above are granted based on, or as generally shown on the following documents:
  - Application and materials accepted by the Department of Conservation and Development, Community Development Division (CDD) on December 16, 2024.
  - Revised project plans received on April 30, 2025.
- 4. Tree removal shall only occur with an issued grading or building permit.
- 5. Any deviation from the approved plans shall require review and approval by the CDD and may require the filing of an application for a new Kensington Design Development Plan or Tree Permit or both, if deemed necessary.

#### **Application Costs**

6. This Development Plan Permit application is subject to an initial application deposit of \$3,000.00, which was paid with the application submittal, plus time and materials costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to issuance of a building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the Department of Conservation and Development may seek a court judgement against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance.

#### **Building Permits**

7. No construction is approved with this permit. Any construction at the subject property will require issuance of building permits from the Department of Conservation and Development, Building Inspection Division, prior to commencement of work.

#### **Encroachment Permit**

8. Any construction or improvements within any public right of way will require an encroachment permit from the Contra Costa Public Works Department.

#### **Height Confirmation**

9. During the Framing stage, the applicant shall provide a letter from a certified civil engineer confirming that the height at construction does not exceed 35 feet.

#### **Arborist Expenses**

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

#### Security for Possible Damage to Trees Intended for Preservation

11. Pursuant to the requirements of Section 816-6.1204 of the Tree Protection and Preservation Ordinance, to address the possibility that construction activity damages

tree(s) that are to be preserved, the applicant shall provide the County with a security to allow for replacement of tree(s) that are significantly damaged or destroyed by construction activity. **Prior to issuance of a grading or building permit, whichever occurs first, the applicant shall provide a security that is acceptable to the CDD**.

- a. Amount of Security: The security shall be an amount sufficient to cover:
  - i. Preparation of a tree planning and irrigation plan prepared by a licensed arborist or landscape architect for review and approval by the CDD. The plan shall provide for the planting and irrigation of one (1) tree of a drought-tolerant species, minimum 15-inch box size, for each tree that is significantly damaged or destroyed up to a total of 6 trees, or an equivalent planting contribution as determined appropriate by the CDD. The plan shall comply with the State's Model Water Efficient Landscape Ordinance or the County's Water Efficient Landscape Ordinance, if the County's Ordinance has been adopted. Verification of compliance with the Water Efficient Landscape Ordinance shall accompany the plan.
  - ii. The estimated materials and labor costs to complete the improvements shown on the approved planting and irrigation plan (accounting for supply, delivery, and installation of trees and irrigation).
  - iii. An additional 20% above the costs described in Section 11.a.i and 11.a.ii above to account for inflation potential.
- b. <u>Initial Deposit for Processing of Security</u>: The County ordinance requires that the applicant pay fees to cover all staff time and materials costs for processing the required security. At the time of submittal of the security, the applicant shall pay an initial processing fee deposit of \$200.00.
- c. <u>Duration of Security</u>: After the final building inspection has been completed, the applicant shall submit a letter to the CDD composed by the consulting arborist, describing any construction impacts, if any, that may have occurred to trees intended for preservation. The security may be retained by the County may retain the security for up to 24 months beyond the date of receipt of the letter.

At 12 and 24 months from the date of the final building inspection, the applicant shall arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. The report shall be submitted for review by the CDD and shall

include any additional measures necessary for preserving the health of the trees. These measures shall be implemented by the applicant. In the event that the CDD determines that trees intended for preservation have been damaged by development activity, and that the applicant has not been diligent in providing reasonable restitution of the damaged trees, then the CDD may require that all or part of the security be used to provide for mitigation of the tree damaged, including replacement of any trees that have died.

#### **Tree Protection Measures**

- 12. Construction staging areas and routes of access shall avoid the dripline of trees to be preserved.
- 13. No storing of equipment, machinery or construction materials shall be permitted within the dripline of the tree to be preserved.
- 14. Equipment shall avoid trunks and branches of trees.
- 15. Tree trunks shall not be used as winch supports.
- 16. 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.
- 17. Digging or trenching within the drip line of the Oak trees shall be done by hand under the supervision of the licensed arborist.
- 18. Hand trenching shall leave roots 2 inches or larger undisturbed. Soil shall be removed under and around the roots to form the necessary trench.
- 19. Roots 2 inches and larger shall be removed only with the approval of the project arborist.

#### **Additional Tree Permit**

20. If any impacts to the trees occur, in addition to those described herein, a separate Tree Permit will be required. The fee for this application is a deposit of \$750.00 that is

subject to time and material costs. Should staff costs exceed the deposit, additional fees will be required.

#### **MWELO**

21. Any new landscaping shall comply with the County's Water Efficient Landscapes Ordinance. Verification of compliance with the Ordinance shall accompany the plan. The plan shall also include an estimate prepared by a licensed landscape architect, arborist, or landscape contractor of the materials and labor costs to complete the improvements (accounting for supply, delivery, and installation of trees and irrigation).

#### Park Impact Fees

22. Prior to CDD stamp-approval of plans for issuance 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 Fess

23. Prior to CDD stamp-approval of plans for issuance 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

24. Prior to CDD stamp-approval of plans for issuance of a building permit for a 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.

#### **Geology Review**

25. At least 60 days prior to the issuance of a grading or building permit, the project proponent shall submit a design-level geologic/ geotechnical report for the project, based on adequate subsurface exploration, laboratory testing and engineering analysis. The scope of the geotechnical investigation should provide at least a preliminary evaluation of the range of potential geologic/ geotechnical and seismic hazards listed in Appendix G of State CEQA Guidelines. Additional comments on the scope of the required report are as follows:

- a. An original geologic map of the project site presenting the interpretation of site conditions by the project geologist/ geotechnical engineer.
- b. The logs of borings and/or test pit logs shall show the details of observed features and conditions (e.g. describe the weathering profile, the depth and engineering properties of the surficial deposits and underlying bedrock, location of any geologic contacts, shear zones, seepage areas and features indicative of downslope displacement).
- c. Present the field and laboratory data to be used in the slope stability analysis, and description the methodology used to characterize the earthquake parameters to be used in the analysis. We request that the consultant compare the resulting seismic parameters to be used in the slope stability analysis with the seismic parameters presented in SHZ Report 134 that were utilized by CGS geologists in their stability analysis (i.e., see Plates that present pseudo-static PGA, probabilistic PGA and modal magnitude).
- d. In the slope stability analysis, we request the consultant include a model run that takes into the account the sensitivity of earth materials encountered during the field investigation to antecedent moisture (i.e. provide a model run to estimate the effect of elevated moisture content on the engineering properties / strength properties of native soils and severely weathered rock). The intent is to evaluate a worst case scenario: high magnitude earthquake occurring in the aftermath of a severe rain storm that has saturated native soils and severely weathered bedrock.
- e. Utilizing the results of slope stability analysis, provide mitigation measures (i.e., recommendations and specifications pertaining to foundation design, including any proposed foundation retaining walls, as well as site grading and drainage recommendations aimed and achieving long-term stability of the project site. Additionally, provide design level recommendations for the proposed improvements, and include California Building Code seismic design parameters.
- 26. The geotechnical report shall be subject to review by the County's peer review geologist, and review/approval of the Zoning Administrator. Improvement, grading and building plans shall carry out the recommendations of the approved report
- 27. The geotechnical report required by COA #25 routinely includes recommended geotechnical observation and testing services during construction. These services are essential to the success of the project. They allow the geotechnical engineer to (i)

ensure geotechnical recommendations for the project are properly interpreted and implemented by contractors, (ii) allow the geotechnical engineer to view exposed conditions during construction to ensure that field conditions match those that were the basis of the design recommendations in the approved report, and (iii) provide the opportunity for field modifications of geotechnical recommendations (with BID approval), based on exposed conditions. The monitoring shall commence during clearing, and extend through grading, placement of engineered fill, installation of recommended drainage facilities, and foundation related work. A **hard hold** shall be placed on the "final" building inspection, pending submittal of a report(s) from the project geotechnical engineer that documents their observation and testing services to that stage of construction, including monitoring and testing of any required backfill.

The monitoring report can be segmented into two reports: One following rough grading of the project site. That report shall present all test data gathered, as well as geologic mapping of exposures created during grading, and a map showing the location and estimated depth of subdrains and the planned location of all cleanouts; followed by a second report that documents monitoring of installation of the foundations and drainage-related work (e.g., pier hole drilling, drainage improvements to control of surface and subsurface waters, backfilling of utility trenches as well as viewing of other construction-related work that is addressed in the geotechnical report); and including the geotechnical engineer's opinion on the compliance of the as graded, as-built project with all recommendations in the design level report.

28. All grading, excavation and filling shall be conducted during the dry season (April 15 through October 15) only, and all areas of exposed soils shall be revegetated to minimize erosion and subsequent sedimentation. After October 15, only erosion control work shall be allowed. Any modification to the above schedule shall be subject to review by the Grading Inspector, and the review / approval of the Zoning Administrator.

#### **Construction Restrictions**

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

29. 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.

- 30. 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.
- 31. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
- 32. 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.
- 33. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal)

Birthday of Martin Luther King, Jr. (State and Federal)

Washington's Birthday (Federal)

Lincoln's Birthday (State)

President's Day (State)

Cesar Chavez Day (State)

Memorial Day (State and Federal)

Juneteenth National Independence Holiday (Federal)

Independence Day (State and Federal)

Labor Day (State and Federal)

Columbus Day (Federal)

Veterans Day (State and Federal)

Thanksgiving Day (State and Federal)

Day after Thanksgiving (State)

Christmas Day (State and Federal)

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

Federal Holidays: <u>Federal Holidays (opm.gov)</u>
California Holidays: <u>State Holidays (sos.ca.gov)</u>

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

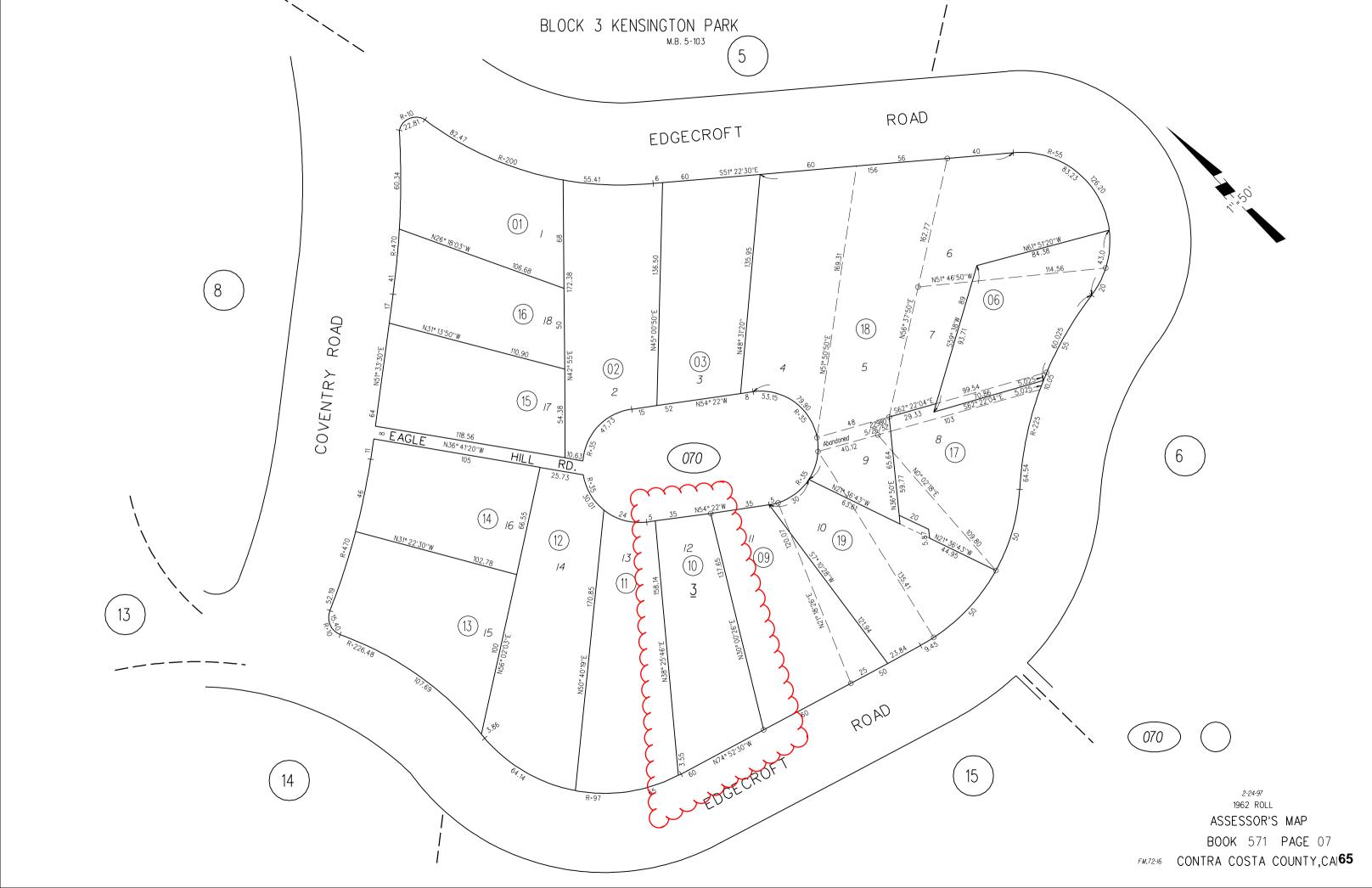
This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90)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

### County Zoning Administrator – September 15, 2025 CDDP24-03059 Findings and Conditions of Approval Page 13 of 13

- Department of Conservation and Development, Building Inspection Division
- Public Works Department
- Health Services Department, Environmental Health Division
- Kensington Fire Protection District
- Stege Sanitary District
- East Bay Municipal Utility District
- Contra Costa Mosquito and Vector Control District



## **Aerial View**



Map Legend Assessment Parcels

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

CMap is maintained by Contra Costa County Department of Information Technology, County GIS. ers contained within the CCMap application are provided by various Contra Costa County Department.

## General Plan: Residential Medium Density (RM)



Map Legend Assessment Parcels General Plan RM (Residential Medium Density) (7-17 du/na) Bay Area Counties

## Zoning: Single-Family Residential (R-6), Kensington Combining District (-K), Trees Obstruction of Views Combining District (-TOV)



Map Legend Assessment Parcels Zoning ZONE\_OVER R-6 -TOV -K (Tree Obstruction and Kensington) Bay Area Counties

20	

PHOTOS OF EXISTING PROPERTY



ASSESSORS PARCEL NUMBER: ZONE:	571070010 R-6 TOV-K	
	REQUIRED	PROPOSED
TOTAL LOT AREA:	6,000 SQ.FT. MINIMUM	6,755 SQ.FT.
TOTAL GROSS FLOOR AREA:		
ATTACHED PARKING GARAGE: MAIN FLOOR AREA: LOWER FLOOR AREA: COVERED DECK AREA:		480 SQ.FT. 1,765 SQ.FT. 905 SQ.FT. 374 SQ.FT.
TOTAL GROSS FLOOR AREA:		3,524 SQ.FT.
TOTAL LANDSCAPE AREA		1,892 SQ.FT. (INCLUDING HARDSCAPE AREA)
TOTAL IMPERVIOUS AREA		3,362 SQ.FT.
BUILDING HEIGHT	35'-O" MAXIMUM	34'-3"
NUMBER OF STORIES:	2 I/2 STORIES MAXIMUM	2 STORIES
NUMBER OF PARKING SPACES:	2	2

NUMBER OF STORIES:	2 1/2 STORIES MAXIMUM	2 STORIES		
NUMBER OF PARKING SPACES:	2	2		
AMOUNT OF EARTHWORK TO BE IMPORT: 25 CUBIC YARD:				
	MINIMUM SETBACK ALLOWED	<u>PROPOSED</u>		
FRONT YARD (NORTH):	20'-0"	22'-0"		
SIDE YARD (MEST):	AGGREGATE SIDE YARD WIDTH OF AT LEAST EIGHT FEET.	AT WORST CASE THE AGGREGATE SIDE YARD WIDTH IS 15'-O" (NO POINT ALONG SIDE YARD IS LESS		
SIDE YARD (EAST):	NO SIDE YARD SHALL BE LESS THAN THREE FEET WIDE.	THAN THREE FEET WIDE).		
REAR YARD (SOUTH):	15'- <i>0</i> "	25'-2"		
GENERAL NOTES				

## GENERAL NOTES

. ALL WORK SHALL COMPLY WITH ALL FEDERAL, STATE AND LOCAL CODES AND ORDINANCES, ANN UTILITY COMPANY RULES AND REGULATIONS AND SHALL BE DONE TO THE HIGHEST STANDARDS OF CRAFTSMANSHIP BY JORNEYMEN OF THE RESPECTIVE TRADES.

PROJECT INFORMATION

2. CONTRACTOR SHALL FURNISH ALL NECESSARY LINES, LEVELS, LOCATIONS AND MEASUREMENTS TO ALL OF THE WORK AND HE WILL BE HELD RESPONSIBLE FOR THEIR ACCURACY. NO DEPARTURE FROM THE TERMS OF THE CONTRACT WILL BE VALID UNLESS SUCH ORDERS OR DIRECTIONS ARE GIVEN OR CONFIRMED IN WRITING BY THE DESIGNER.

3. SUPERVISION: THE CONTRACTOR SHALL BE PRESENT AT THE SITE WHENEVER THE WORK IS IN PROGRESS WHETHER BY HIS OWN OR HIS SUBCONTRACTOR'S FORCES.

4. OWNER'S RIGHT TO CARRY OUT WORK: IF THE CONTRACTOR NEGLECTS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND FAILS TO COMMENCE AND CONTINUE CORRECTION OF SUCH NEGLECT WITH DILIGENCE WITHIN A SEVEN DAY PERIOD AFTER THE RECEIPT OF WRITTEN NOTICE FROM THE OWNER, THE OWNER MAY CORRECT SUCH DEFICIENCIES; IN SUCH CASE THE COST OF CORRECTING SUCH DEFICIENCIES: INCLUDING COMPENSATIONS FOR THE DESIGNER'S ADDITIONAL SERVICES MADE NECESSARY BY SUCH DEFAULT, SHALL BE DEDUCTED FROM PAYMENTS OWED TO THE CONTRACTOR; IF PAYMENTS DUE THE CONTRACTORE ARE NOT SUFFICIENT TO COVER SUCH AMOUNTS, THE CONTRACTOR SHALL PAY THE DIFFERENCE TO THE OWNER.

5. IN THE EVENT DISCREPANCIES OCCUR IN THE DRAWINGS, CONTACT THE ARCHITECT FOR RESOLUTION. FAILURE TO CONTACT THE DESIGNER WILL RESULT IN CONTRACTOR BEING RESPONSIBLE FOR SOLUTION.

6. THESE PLANS ARE FOR GENERAL CONSTRUCTION PURPOSES ONLY. THEY ARE NOT EXHAUSTIVELY DETAILED OR FULLY SPECIFIED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SELECT, VERIFY, RESOLVE AND INSTALL ALL EQUIPMENT.

7. THE ARCHITECT WILL NOT BE OBSERVING THE CONSTRUCTION OF THE PROJECT. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE QUALITY CONTROL AND CONSTRUCTION STANDARDS

FOR THIS PROJECT UNLESS OTHERWISE NOTED (U.O.N.)

8. WHERE DISCREPANCIES OCCUR BETWEEN SOILS REPORT, CIVIL, LANDSCAPE OR STRUCTURAL DRAWINGS AND ARCHITECT'S DRAWINGS, CONSULT THE ARCHITECT.

## 9. DIMENSIONS TAKE PRECEDENCE OVER SCALE.

IO. SPECIAL INSPECTION OR STRUCTURAL OBSERVATION IS NOT A SUBSTITUTE FOR INSPECTION BY THE BUILDING OFFICIAL OR BUILDING INSPECTOR. SPECIALLY INSPECTED WORK THAT IS INSTALLED OR COVERED WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL AND THE SPECIAL INSPECTOR AND DESIGN ENGINEER IS SUBJECT TO REMOVAL OR EXPOSURE.

II. CONTRACTOR SHALL MAINTAIN THE JOB CLEAR OF TRASH AND DEBRIS. CONTRACTOR SHALL PRESENT THE BUILDING TO THE OWNER FOR ACCEPTANCE CLEAN AND READY FOR OCCUPANCY. AS SOON AS CONDITIONS AT THE SITE PERMIT, THE BUILDING SHALL BE CAREFULLY LOCKED UP SO AS TO PREVENT VANDALISM, THEFT AND MALICIOUS MISCHIEF. IF THE GENERAL CONTRACTOR FAILS TO FULFILL HIS CLEANING REQUIREMENTS, THE OWNER MAY CARRY OUT THE WORK IN ACCORDANCE WITH GENERAL REQUIREMENTS.

12. ALL CONTRACTORS AND SUBCONTRACTORS SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE JOB SITE AND INFORM THE ARCHITECT OF ANY AND ALL ERRORS, OMISSIONS AND CLARIFICATIONS IN WRITING PRIOR TO COMMENCING WORK. WITHIN 24 HOURS, THE CONTRACTOR MUST NOTIFY THE ARCHITECT IN WRITING OF ANY CONDITION DISCOVERED WHICH MAY CAUSE DELAY IN COMPLETION AND STATE THE PROBLEMS AND RECOMMENDED SOLUTION FOR RESOLVING THE CONDITIONS DISCOVERED. THE ARCHITECT WILL RESPOND BASED ON THE DATA PROVIDED BY THE CONTRACTOR.

13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION SURVEYS INCLUDING BUT NOT LIMITED TO EXISTING HVAC DUCTS, PLUMBING AND ELECTRICAL LINES.

14. ALL MATERIAL AND EQUIPMENT PROVIDED BY THE CONTRACTOR AND/OR OWNER SHALL BE INSTALLED PER THE MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.

## SHEET INDEX

ARCHITECTURAL SHEETS (6 SHEETS ISSUED) (14 SHEETS ISSUED) CIVIL SHEETS

GRADING AND DRAINAGE PLAN PROJECT INFORMATION

PROPOSED PROJECT 3-D RENDERING C2 UTILITY PLAN PROPOSED PROJECT SHADOW STUDY EROSION CONTROL PLAN

EXISTING SITE PLAN C4.0 DETAIL SHEET PROPOSED SITE PLAN C4.I DETAIL SHEET PROPOSED PROJECT MAXIMUM HEIGHT CALCULATION C5 CONSTRUCTION BMPS

PROPOSED MAIN LEVEL FLOOR PLAN PROPOSED LOWER LEVEL FLOOR PLAN

PROPOSED ENLARGED WALL SECTIONS, PROPOSED NORTH AND SOUTH ELEVATION

PROPOSED EAST ELEVATION A3.3 PROPOSED WEST ELEVATION

AI.4 PROPOSED LANDSCAPE PLAN

A3.4 PROPOSED BUILDING SECTIONS

A3.5 PROPOSED BUILDING SECTIONS

## PROJECT DIRECTORY

ARCHITECT CIVIL ENGINEER CLIENT/ OWNER TIMOTHY AND CATHY LO JACK BACKUS ARCHITECTS GREEN CIVIL ENGINEERING, INC. 20 EAGLE HILL ROAD 1057 HUBERT ROAD 1900 S. NORFOLK ST., SUITE 350 SAN MATEO, CA 94403 KENSINGTON, CA 94707 OAKLAND, CA 94610 v. 510.409.9365 v. 510.393.9699 v. 650.888.5937 e. CATHY.LEUNGE@GMAIL.COM e. JACK@JBACKUSARCHITECTS.COM e. HLEE@GREEN-CE.COM

CONTACT: HON-CHEONG LEE CONTACT: JACK BACKUS

## PROJECT SCOPE

CONTACT: CATHY LO

CONSTRUCTION OF A NEW 2 STORIES 3,524 SQ.FT. (GROSS FLOOR AREA) 3 BEDROOMS AND 2 1/2 BATHS SINGLE FAMILY HOME.

#### SCOPE OF WORK TO INCLUDE:

ISSUES AND REVISIONS

18 EAGLE HILL

NEW RESIDENCE

JACK BACKUS

ARCHITECTS

ROAD

18 Eagle Hill Road

APN: 571070010

1057 Hubert Road Oakland, CA 94610

ph. 510.393.9699

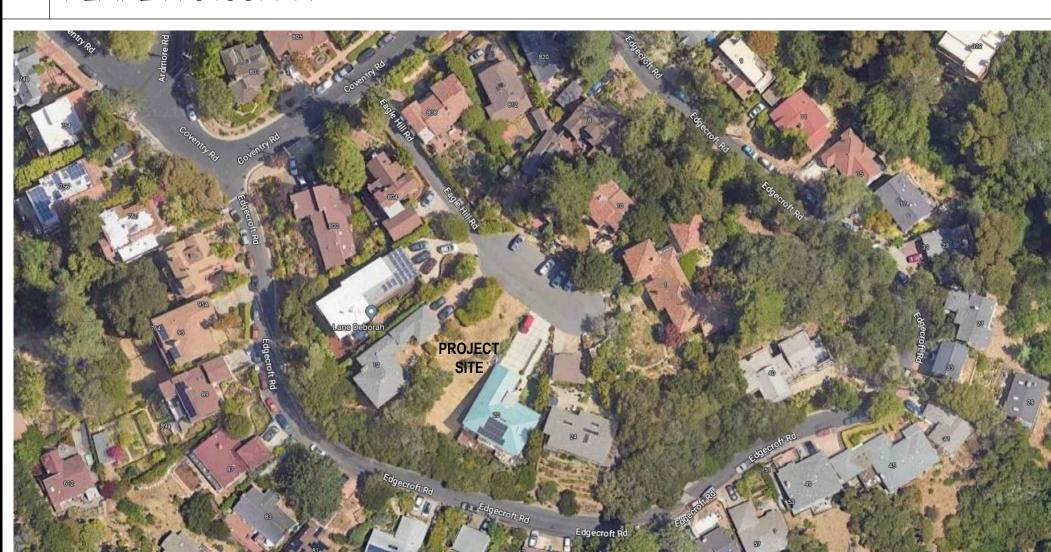
Kensington, CA 94707

12.01.2024 DESIGN REVIEW SET 2. 04.29.2025 DESIGN REVIEW SET REVISIONS

## CODE COMPLIANCE NOTES

ALL CONSTRUCTION, REGARDLESS OF DETAILS ON PLANS, SHALL COMPLY WITH 2022 CALIFORNIA BUILDING CODE, 2022 CALIFORNIA RESIDENTIAL CODE, 2022 CALIFORNIA PLUMBING CODE, 2022 CALIFORNIA MECHANICAL CODE, 2022 CALIFORNIA ELECTRICAL CODE, 2022 CALIFORNIA BUILDING ENERGY STANDARDS AND 2022 CALGREEN

## AERIAL PHOTOGRAPH



## VICINITY MAP

Exxon Lexington Rd Tussman Programs SITE

SHEET TITLE

PROJECT INFORMATION

SCALE AS NOTED

SHEET NUMBER

18 EAGLE HILL

NEW RESIDENCE

ARCHITECTS

ROAD

18 Eagle Hill Road Kensington, CA 94707 APN: 571070010

1057 Hubert Road Oakland, CA 94610

ph. 510.393.9699

ISSUES AND REVISIONS

SHEET TITLE

SCALE

AS NOTED

3D RENDERING

# IMAGE 2 IMAGE 3 IMAGE 4 IMAGE | JACK BACKUS IMAGE 5 IMAGE 6 IMAGE 7 IMAGE 8 12.01.2024 DESIGN REVIEW SET 04.29.2025 DESIGN REVIEW SET REVISIONS IMAGE 9 IMAGE 10 IMAGE II IMAGE 12

IMAGE 14

IMAGE 13

## 18 EAGLE HILL ROADNEW RESIDENCE

18 Eagle Hill Road Kensington, CA 94707 APN: 571070010

# JACK BACKUS ARCHITECTS

1057 Hubert Road Oakland, CA 94610 ph. 510.393.9699



ISSUES AND REVISIONS

12.01.2024 DESIGN REVIEW SET
 04.29.2025 DESIGN REVIEW SET REVISIONS



SOLAR ACCESS IMPACT AT 3:00 P.M. SPRING EQUINOX

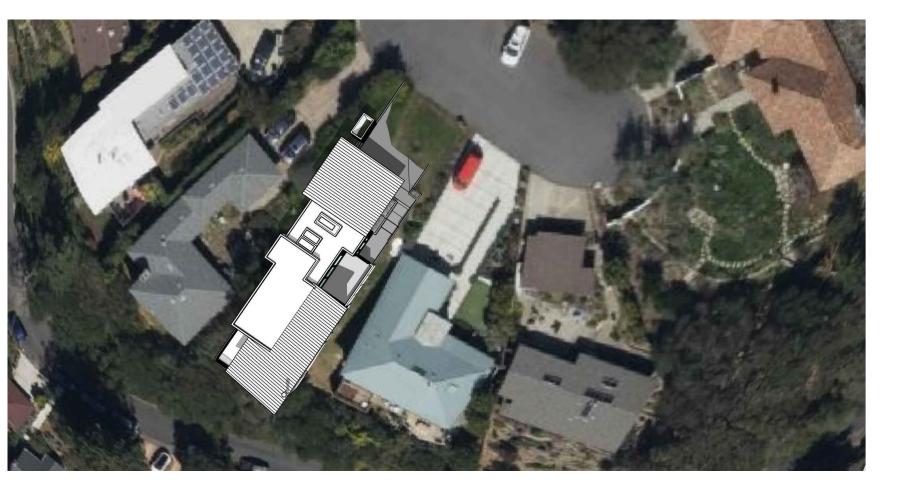
SHADOW STUDIES

SCALE AS NOTED

SHEET TITLE







SOLAR ACCESS IMPACT AT NOON FALL EQUINOX

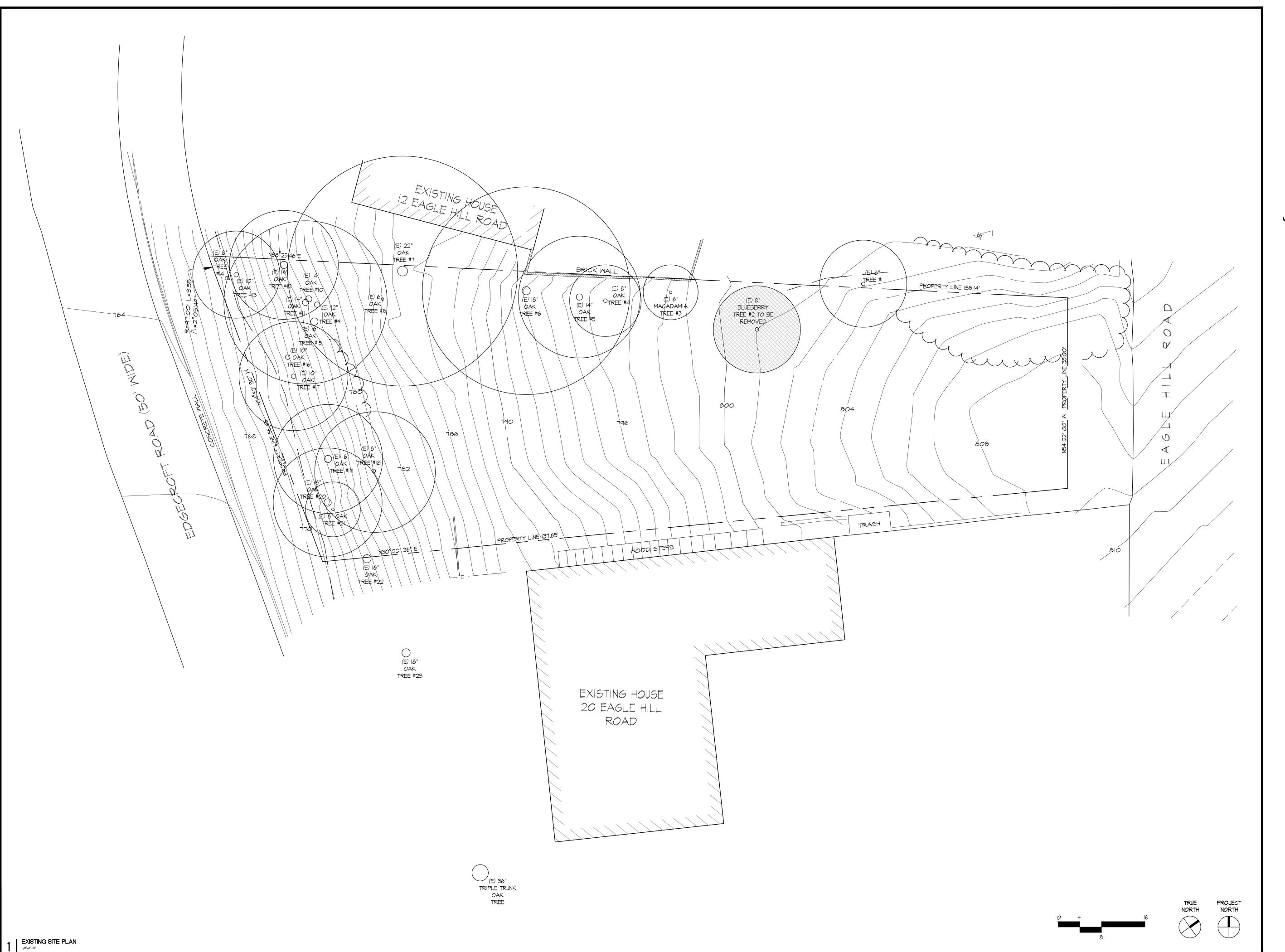


SOLAR ACCESS IMPACT AT 3:00 P.M. FALL EQUINOX

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SOLAR ACCESS IMPACT AT 9:00 A.M. SPRING EQUINOX

SOLAR ACCESS IMPACT AT 9:00 A.M. FALL EQUINOX



## 18 EAGLE HILL ROAD NEW RESIDENCE

18 Eagle Hill Road Kensington, CA 94707 APN: 571070010

# JACK BACKUS ARCHITECTS

1057 Hubert Road Oakland, CA 94610 ph. 510.393.9699



ISSUES AND REVISIONS

1. 12.01.2024 DESIGN REVIEW SET
2. 04.29.2025 DESIGN REVIEW SET REVISIONS

SHEET TITLE

EXISTING SITE PLAN

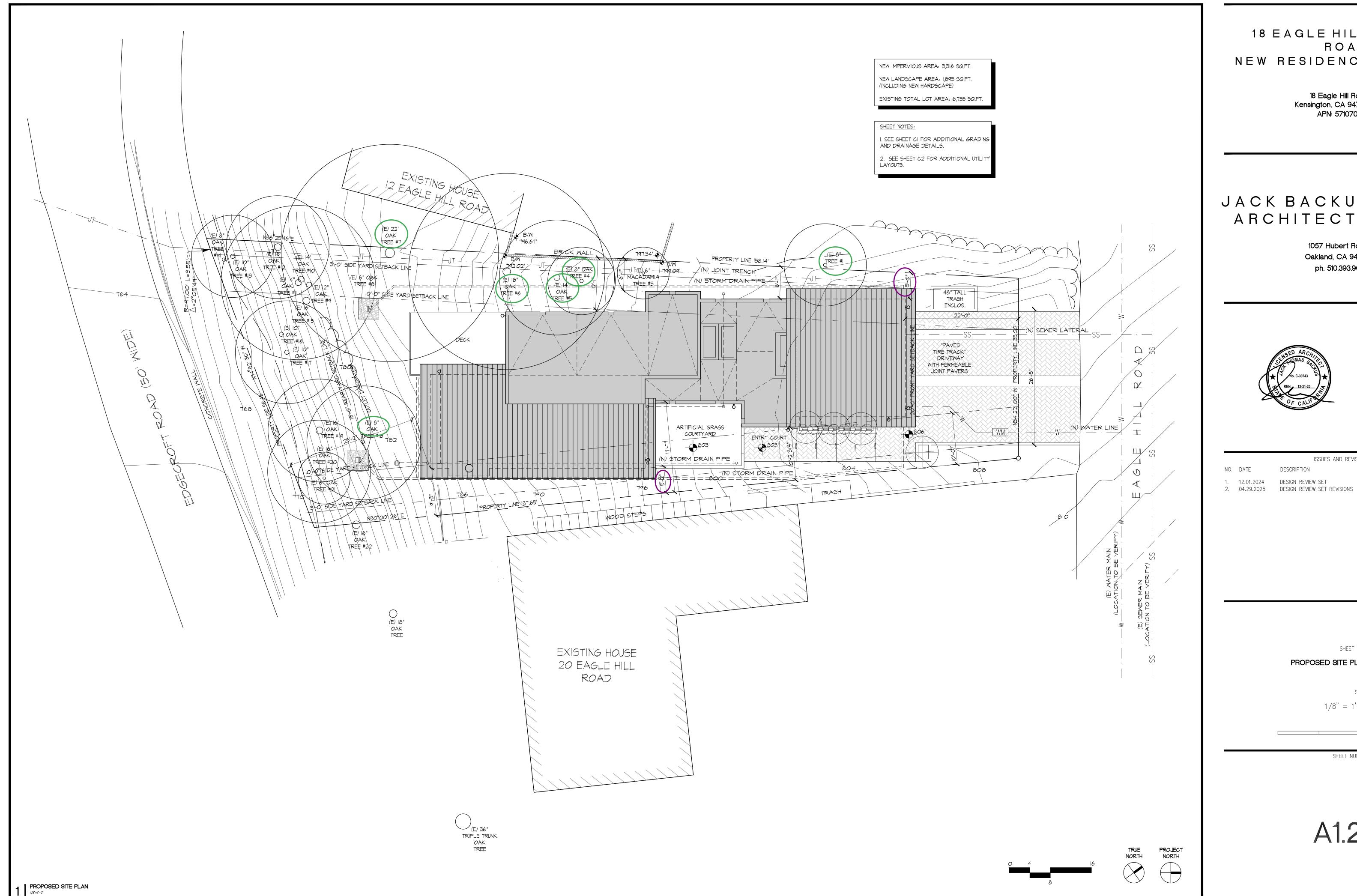
SCALE

1/8" = 1'-0"

SHEET NUMBER

Δ1

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# 18 EAGLE HILL ROADNEW RESIDENCE

18 Eagle Hill Road Kensington, CA 94707 APN: 571070010

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1057 Hubert Road Oakland, CA 94610 ph. 510.393.9699



ISSUES AND REVISIONS

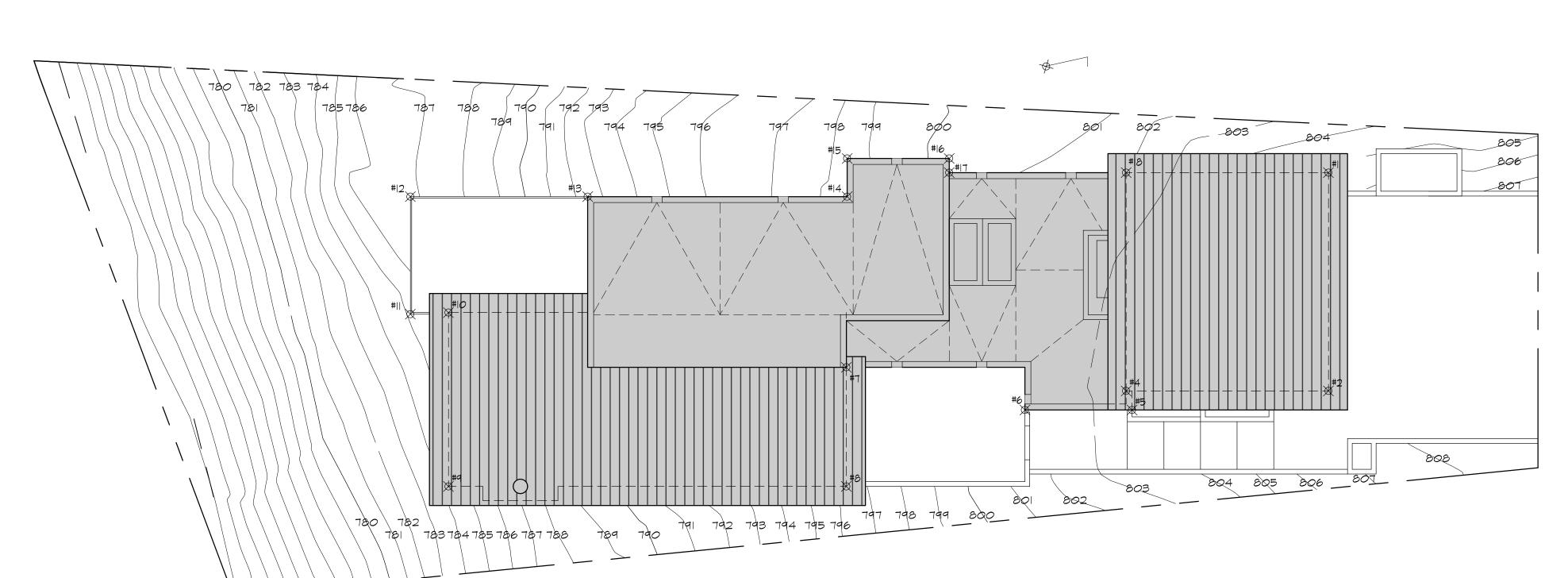
SHEET TITLE

PROPOSED SITE PLAN

SCALE 1/8" = 1'-0"

SHEET NUMBER

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LOCATION #	NATURAL GRADE ELEVATION (+/-)	FINISHED GRADE ELEVATION (+/-)	PEAK ELEVATION	DISTANCE FROM NATURAL GRADE TO PEAK ELEVATION	DISTANCE FROM FINISHED GRADE TO PEAK ELEVATION
#	EL: 805.25'	EL: 805.25'	EL: 817.25'	12.00'	12.00'
#2	EL: 807.25'	EL: 806.00'	EL: 815.33'	8.08'	9.33'
·					
#4	EL: 803.83'	EL: 803.50'	EL: 815.33'	11.50'	II.83'
#5	EL: 803.75'	EL: 803.00'	EL: 814.25'	10.50'	II.25'
#6	EL: 801.581	EL: 803.00'	EL: 814.25'	12.67'	11.25'
#7	EL: 797.90'	EL: 803.00'	EL: 8 6.00'	18.10'	13.00'
#8	EL: 796.45'	EL: 796.45'	EL: 818.50'	22.05'	22.05'
#9	EL: 784.27'	EL: 784.27'	EL: 818.50'	34.23'	34.23'
#10	EL: 786.42'	EL: 786.42'	EL: 814.00'	27.58'	27.58'
#	EL: 785.00'	EL: 785.00'	EL: 807.00'	22.00'	22.00'
#12	EL: 786.75'	EL: 786.75'	EL: 807.00'	20.25'	20.25'
#13	EL: 792.44'	EL: 792.44'	EL: 816.00'	23.56'	23.56'
# 4	EL: 798.49'	EL: 798.49'	EL: 816.00'	17.51'	17.51'
#15	EL: 798.40'	EL: 798.40'	EL: 816.00'	17.60'	17.60'
#16	EL: 800.27'	EL: 800.27'	EL: 816.00'	15.73'	15.73'
#17	EL: 800.31'	EL: 800.31'	EL: 816.00'	15.69'	15.69'
# 8	EL: 802.04'	EL: 802.04'	EL: 817.25'	15.21'	15.21'

# 18 EAGLE HILL ROAD NEW RESIDENCE

18 Eagle Hill Road Kensington, CA 94707 APN: 571070010

# JACK BACKUS ARCHITECTS

1057 Hubert Road Oakland, CA 94610 ph. 510.393.9699



ISSUES AND REVISIONS
DESCRIPTION

1. 12.01.2024 DESIGN REVIEW SET
2. 04.29.2025 DESIGN REVIEW SET REVISIONS

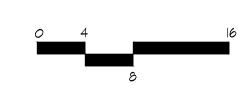
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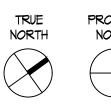
PROPOSED MAXIMUM HEIGHT CALCULATIONS

SCALE 1/8" = 1'-0"

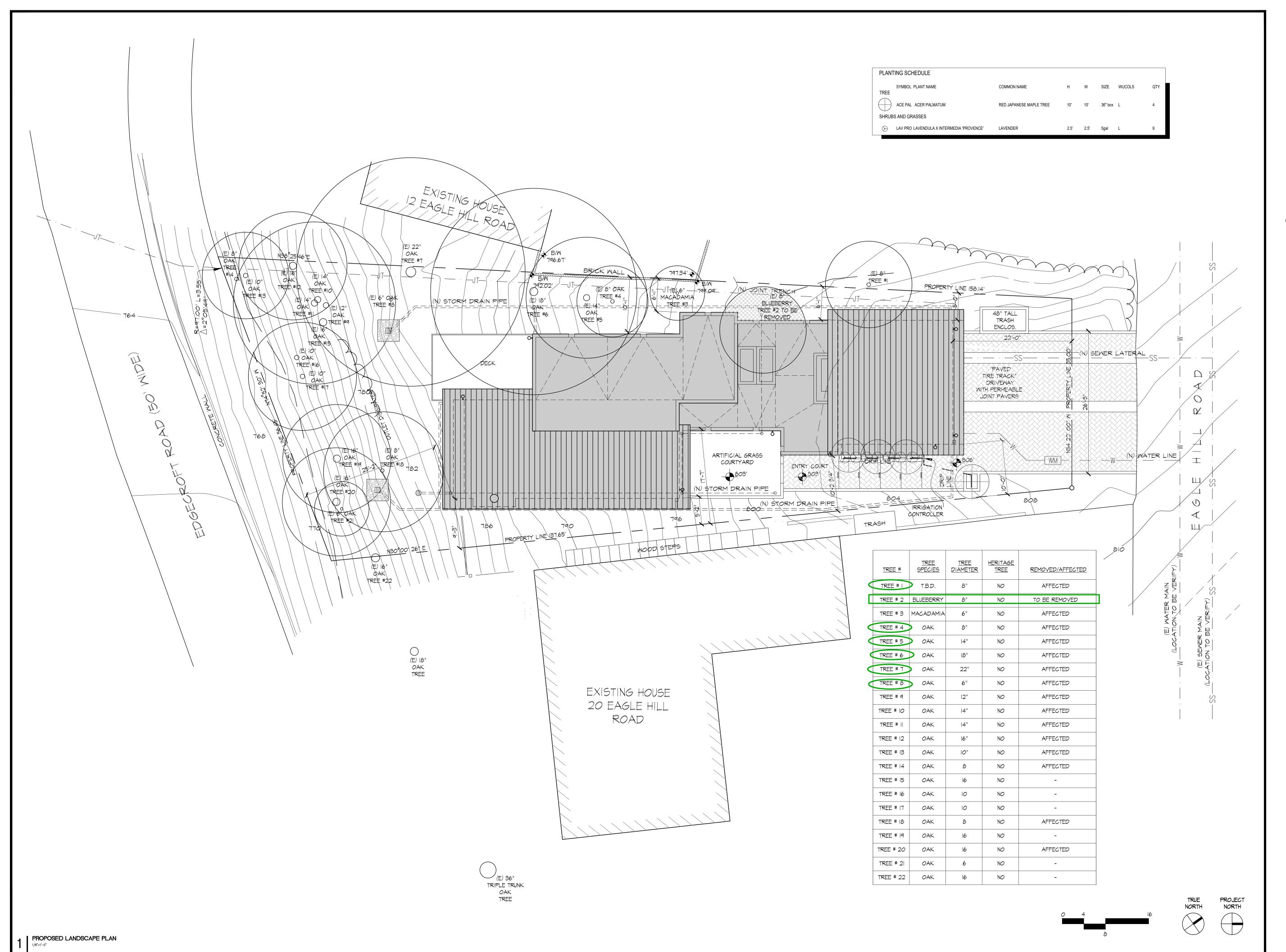
SHEET NUMBER

Δ15









# 18 EAGLE HILL ROAD NEW RESIDENCE

18 Eagle Hill Road Kensington, CA 94707 APN: 571070010

# JACK BACKUS ARCHITECTS

1057 Hubert Road Oakland, CA 94610 ph. 510.393.9699



ISSUES AND REVISIONS

NO. DATE DESCRIPTION

1. 12.01.2024 DESIGN REVIEW SET
2. 04.29.2025 DESIGN REVIEW SET REVISIONS

SHEET TITLE

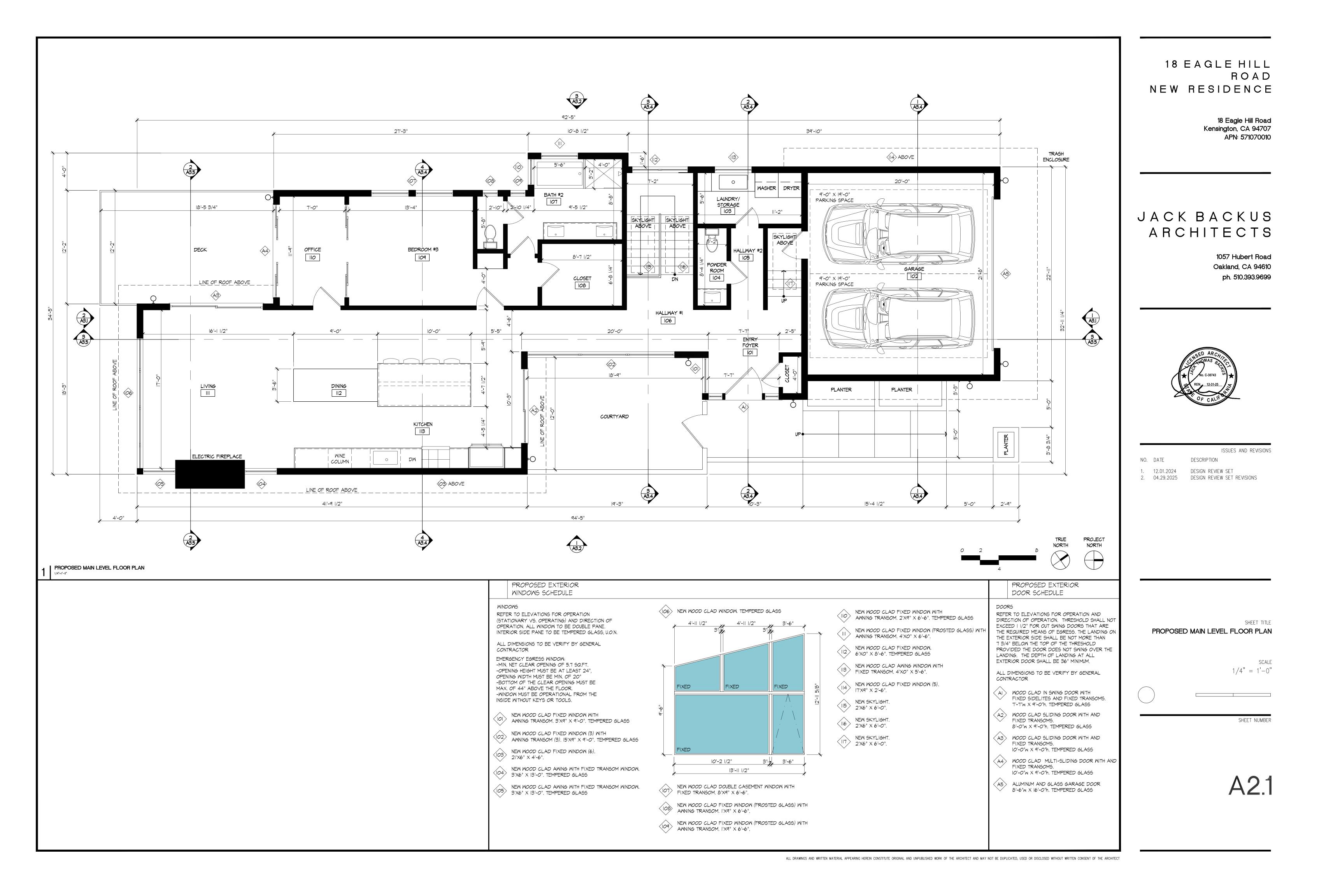
PROPOSED LANDSCAPE PLAN

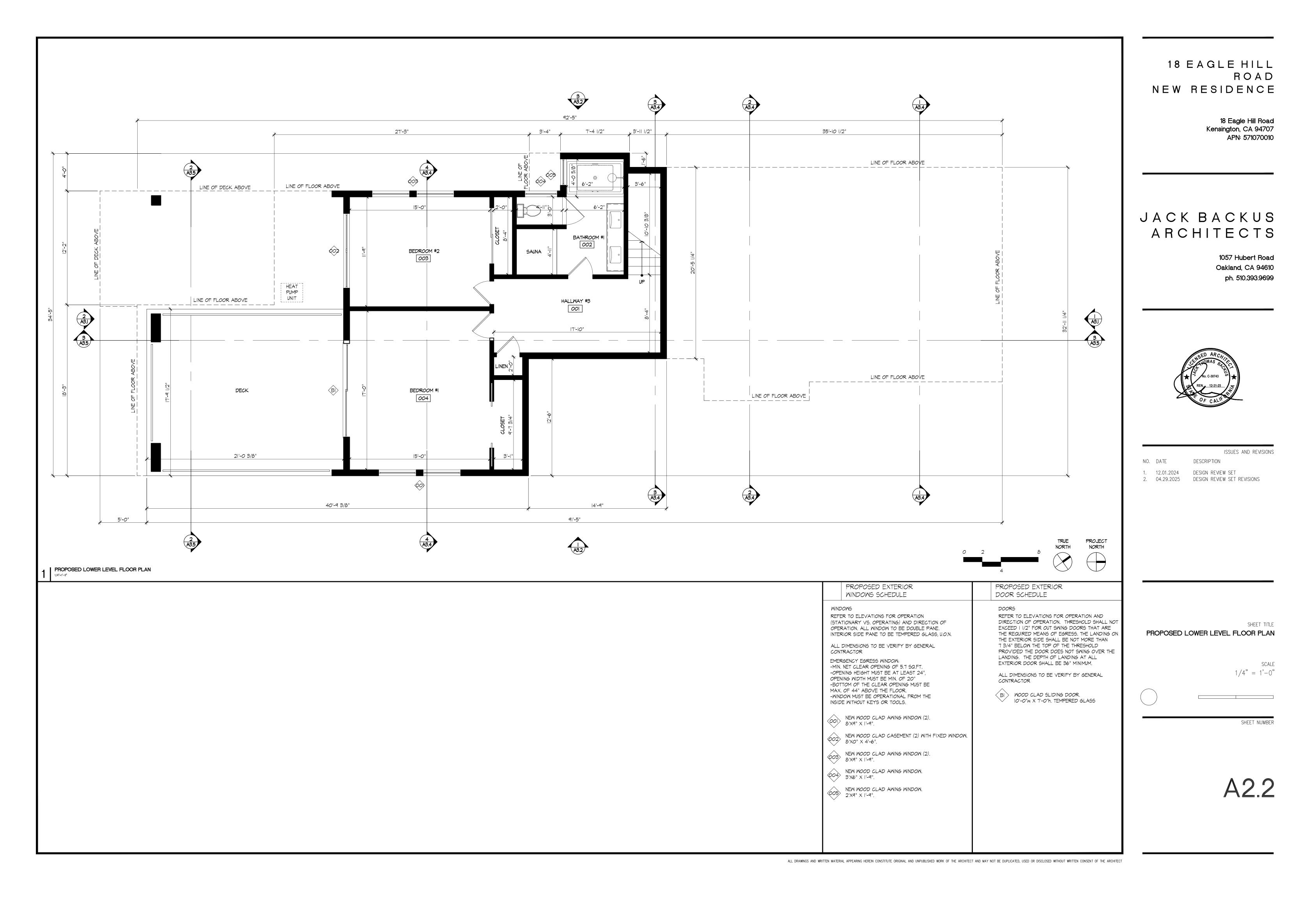
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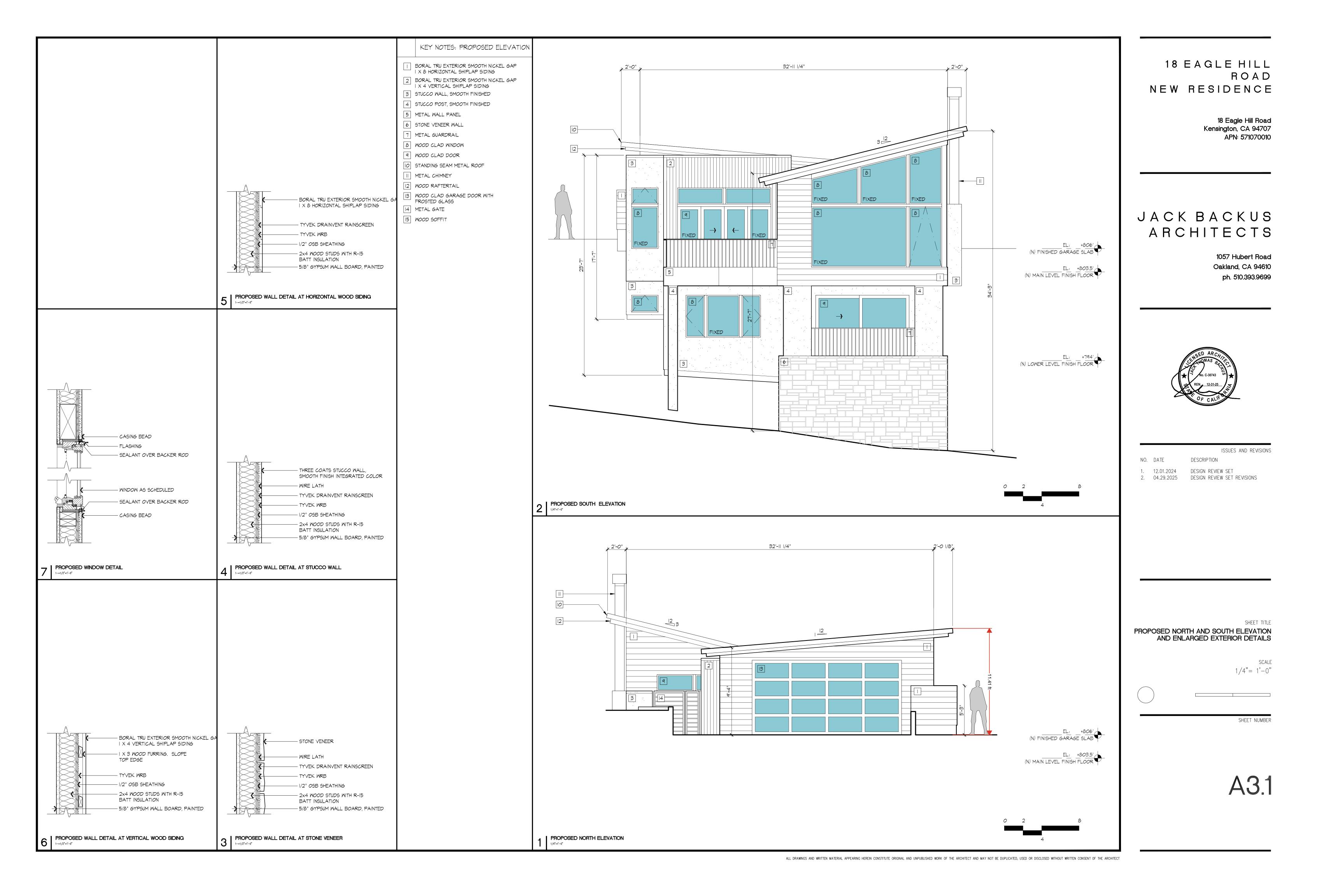
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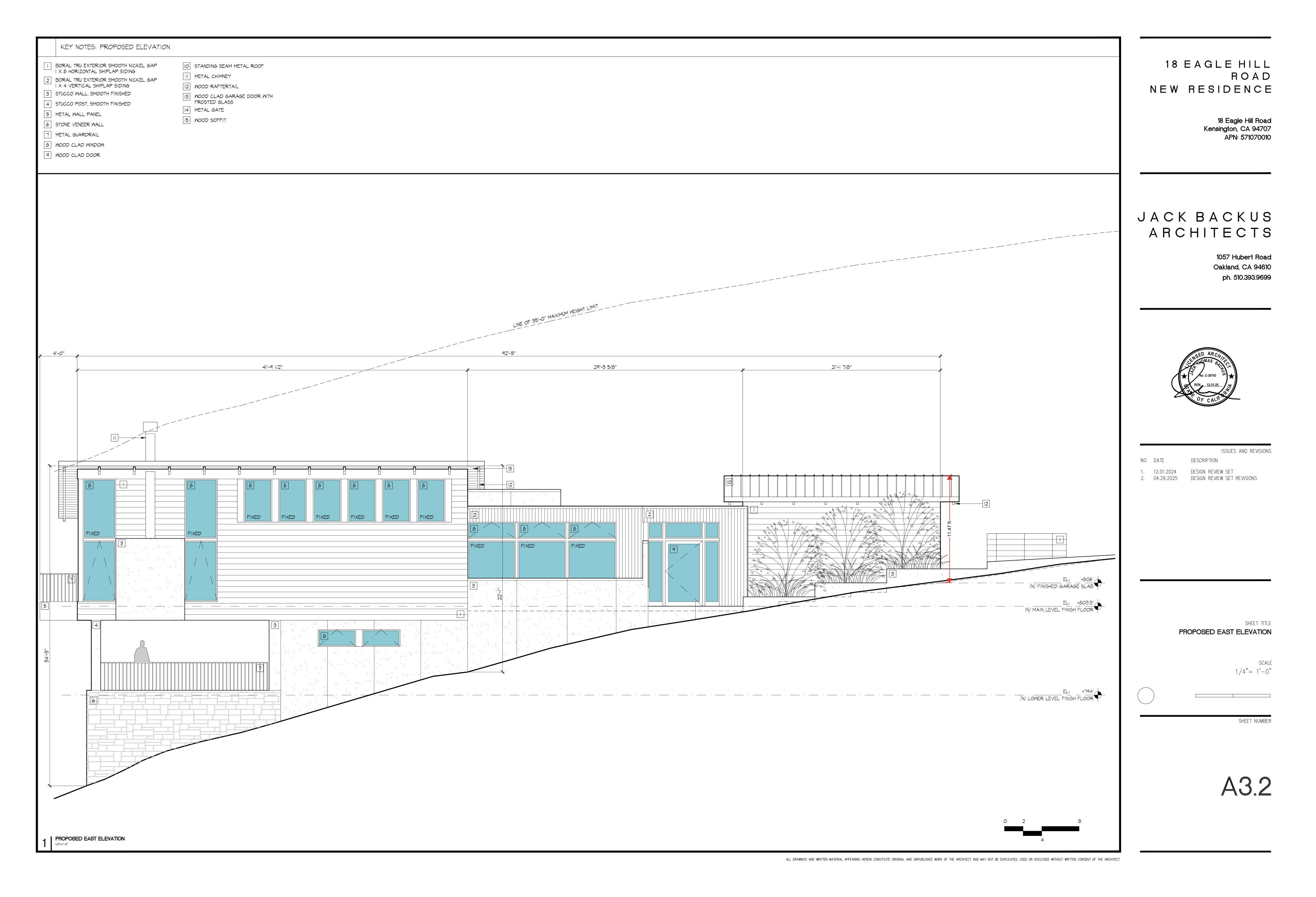
A14

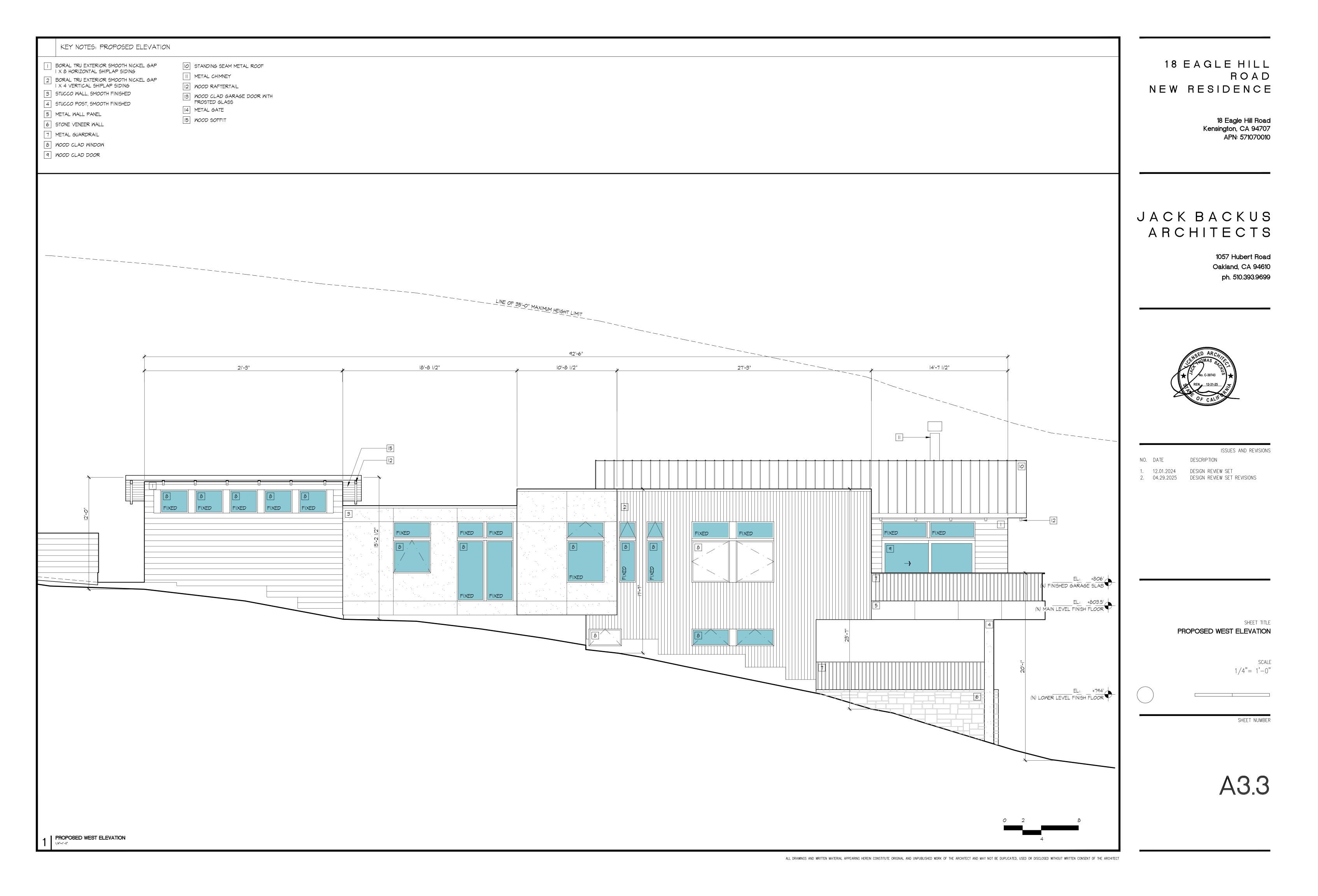
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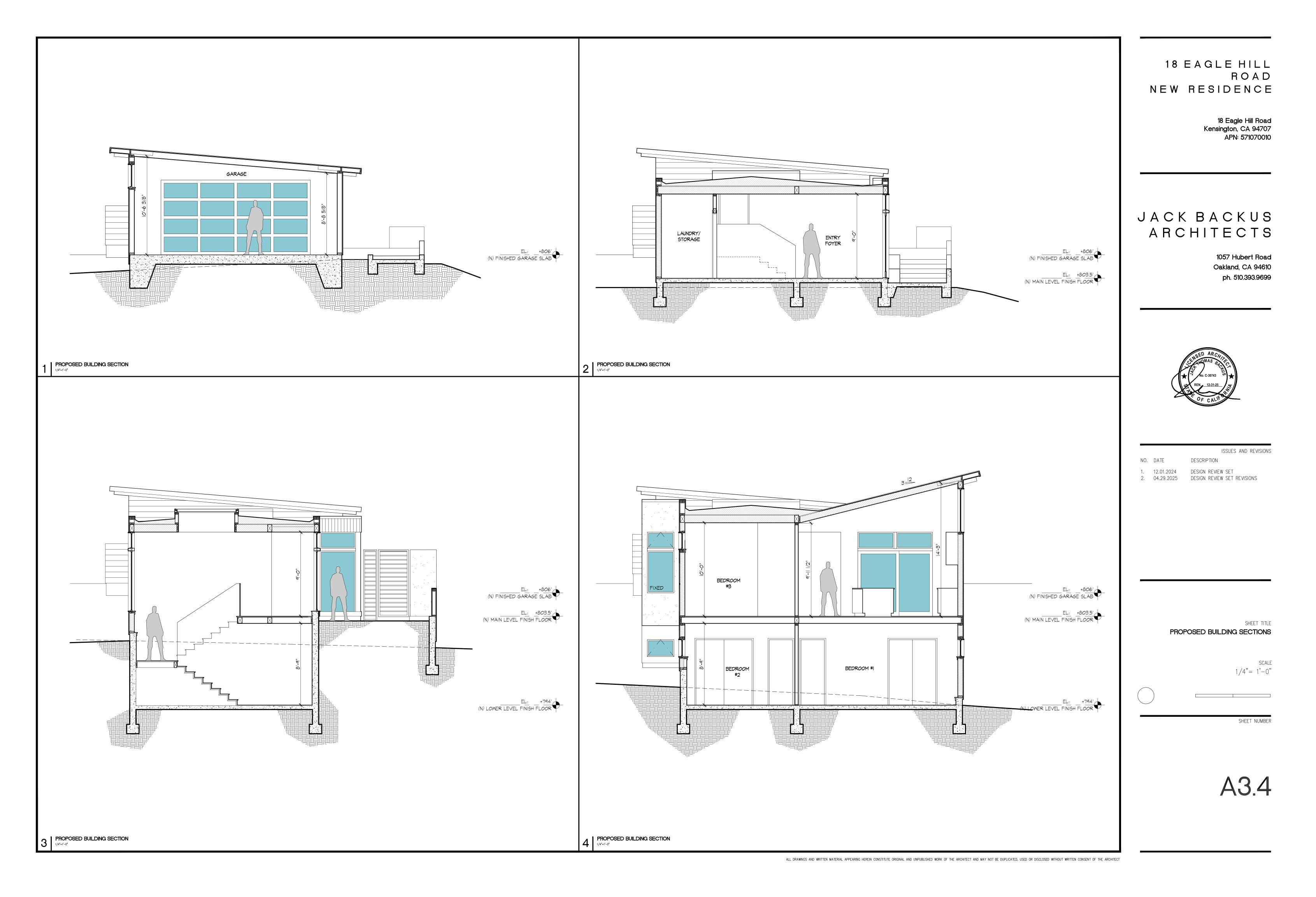


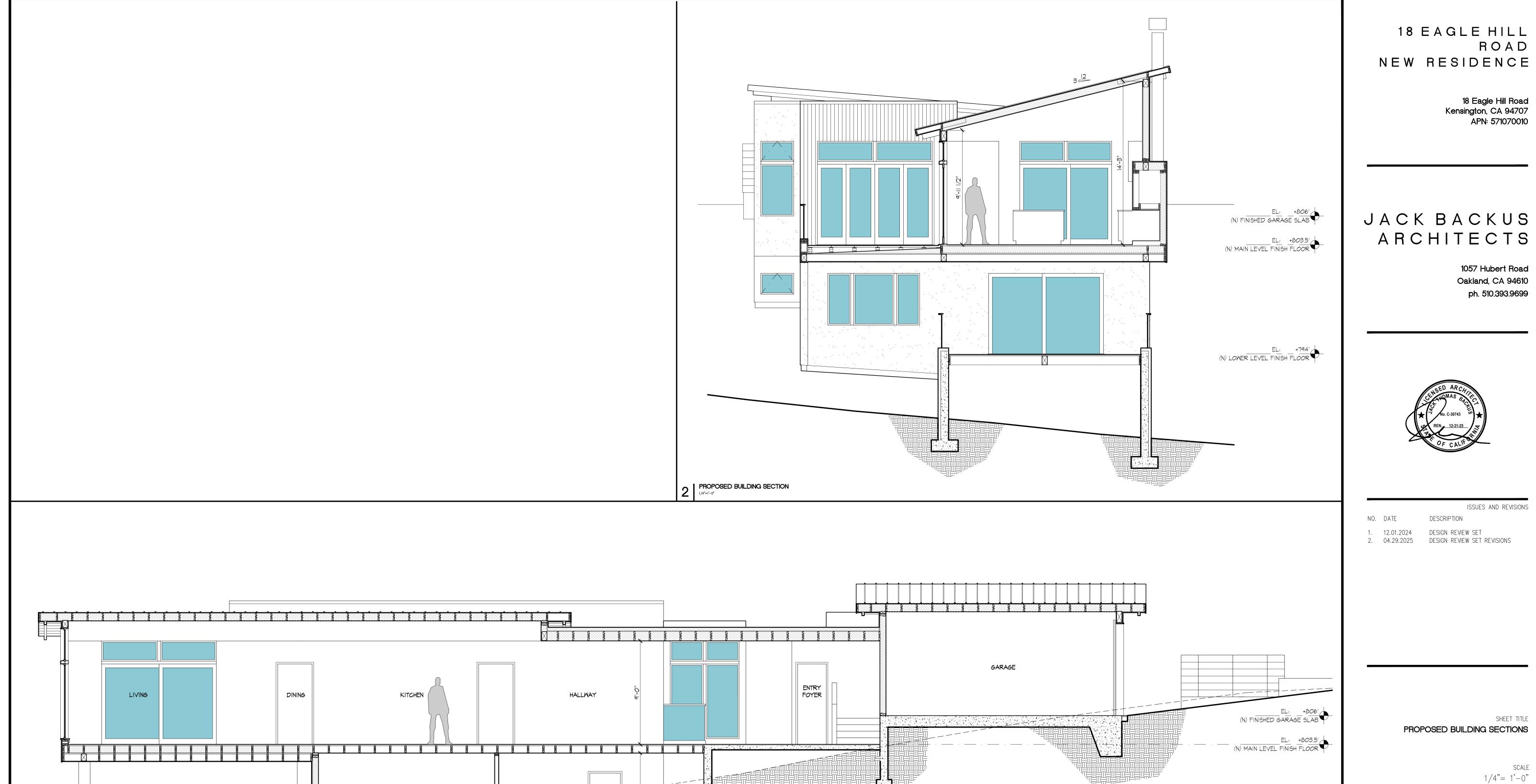












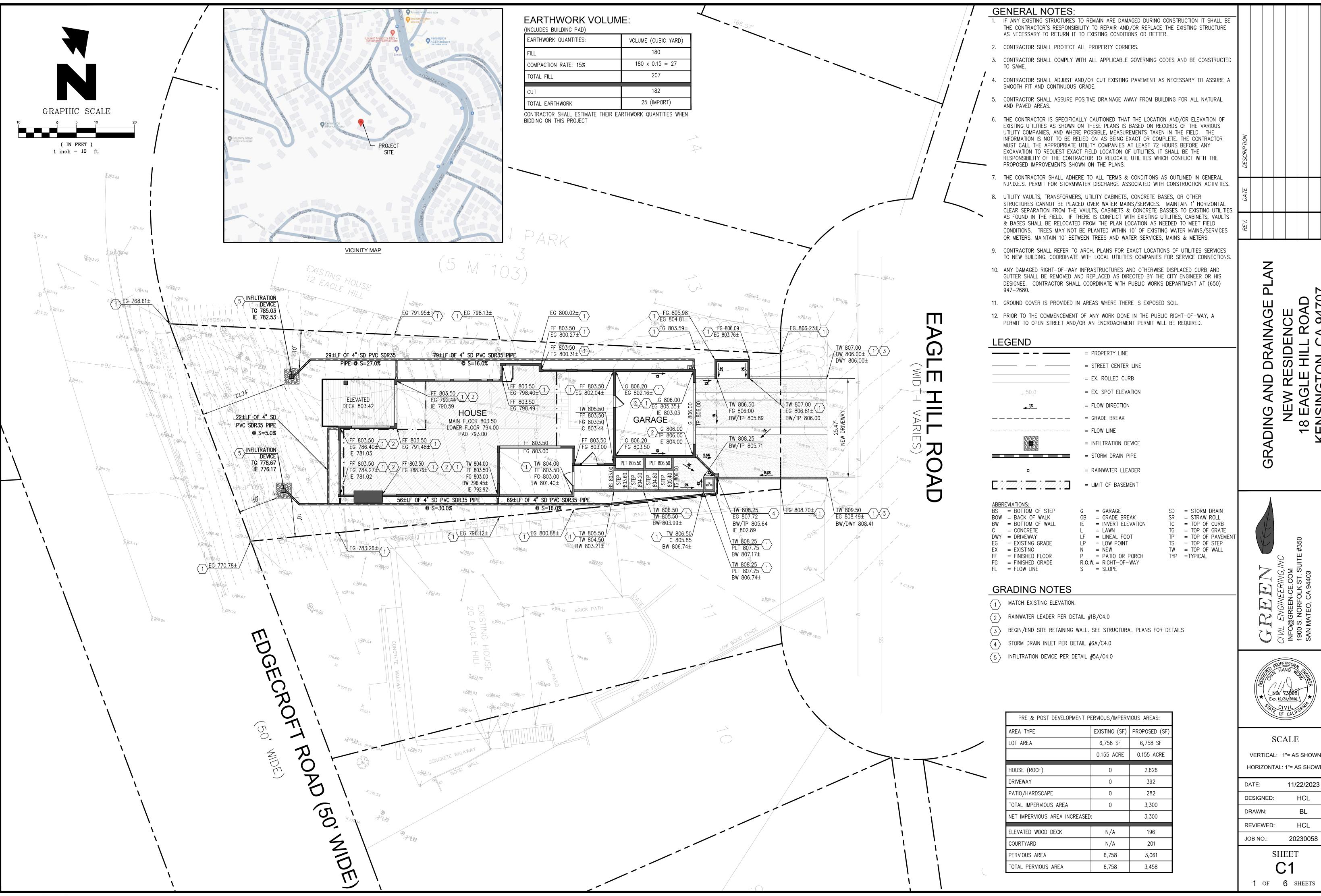
# ROAD

1057 Hubert Road Oakland, CA 94610

SHEET TITLE

1/4"= 1'-0"

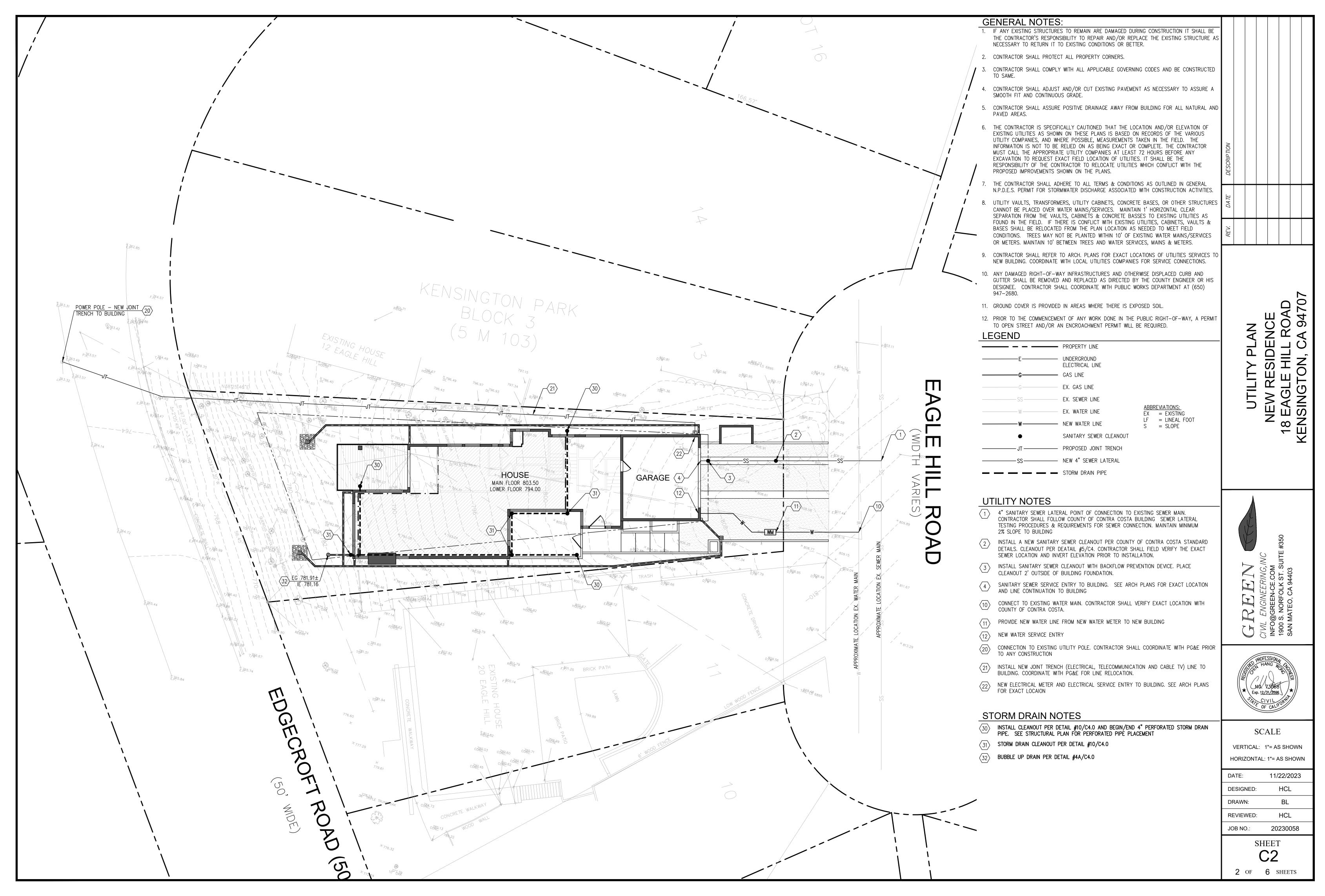
ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT WRITTEN CONSENT OF THE ARCHITECT

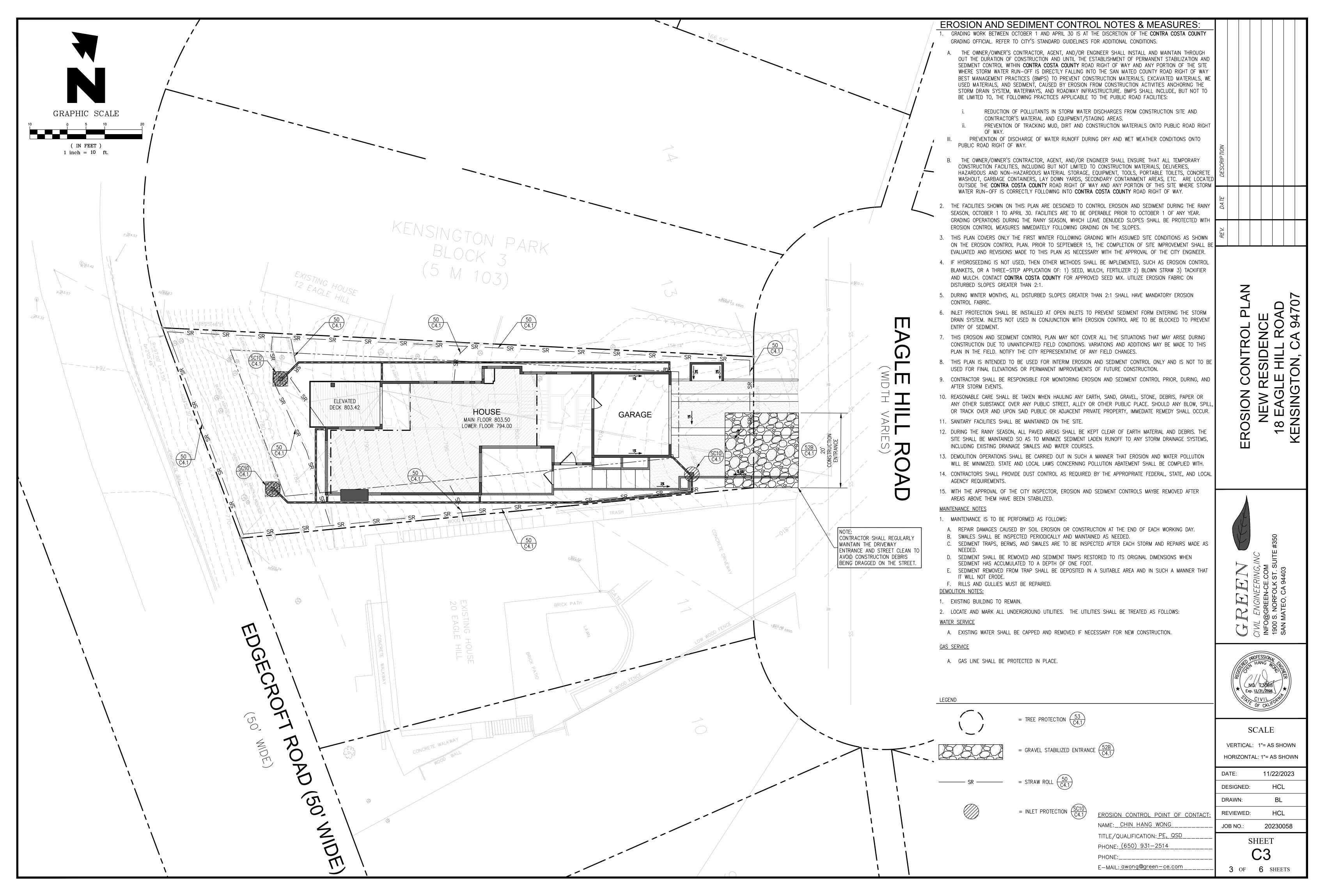


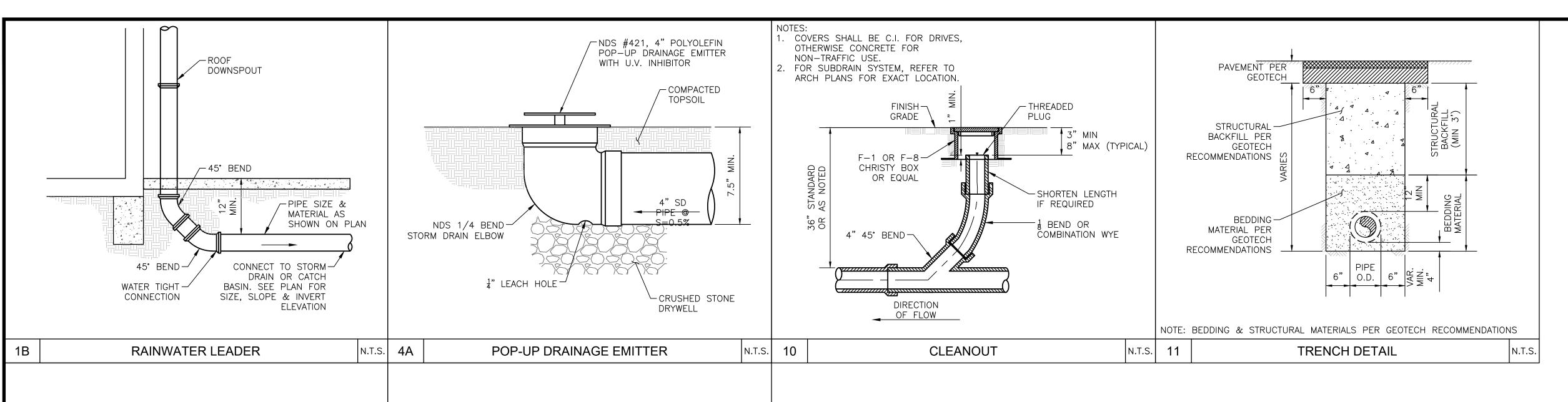
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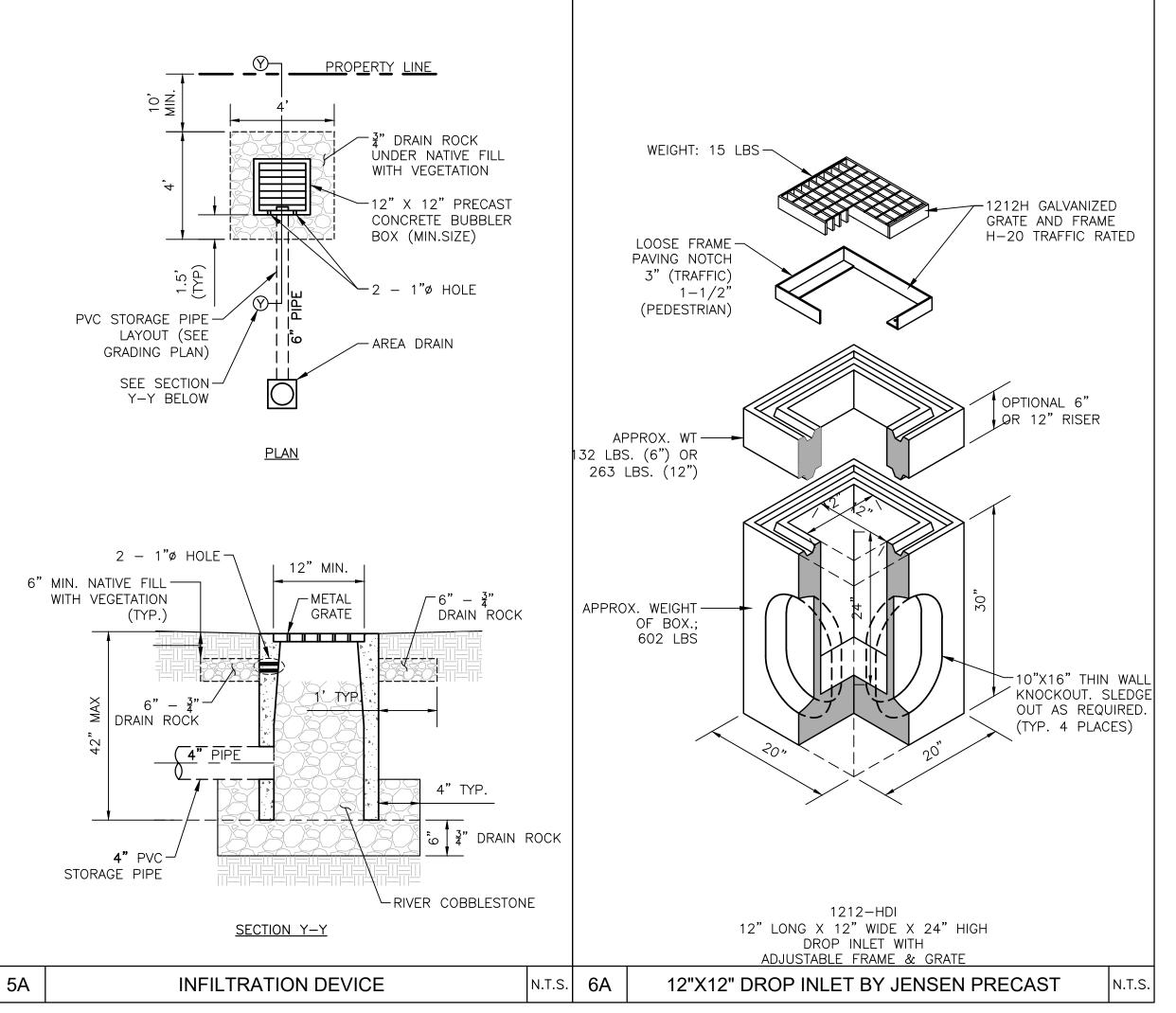
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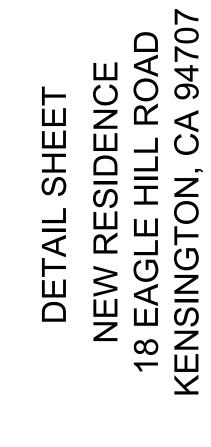
11/22/2023 HCL HCL



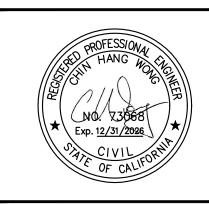












SCALE

VERTICAL: 1"= AS SHOWN

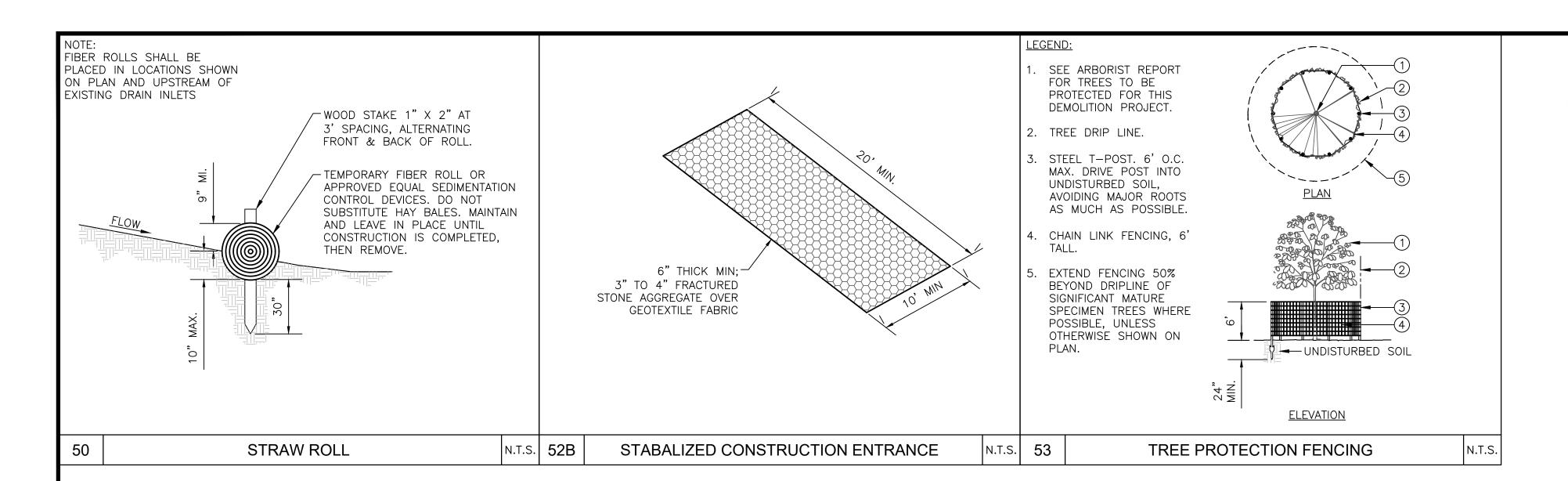
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DESIGNED:	HCL
DRAWN:	BL
REVIEWED:	HCL

SHEET
C4.0
4 OF 6 SHEETS

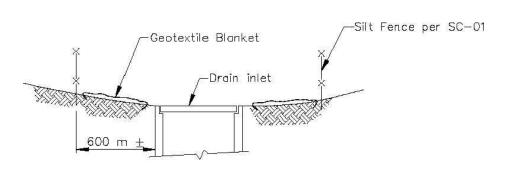
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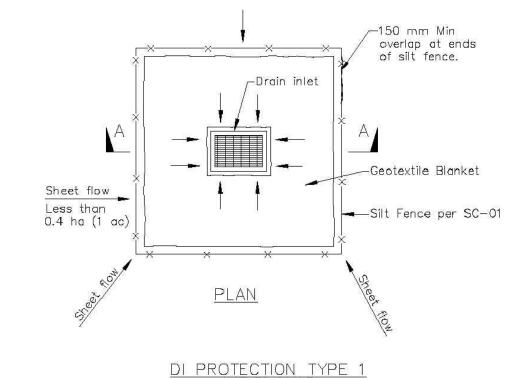


# **Storm Drain Inlet Protection**

SC-10



SECTION A-A



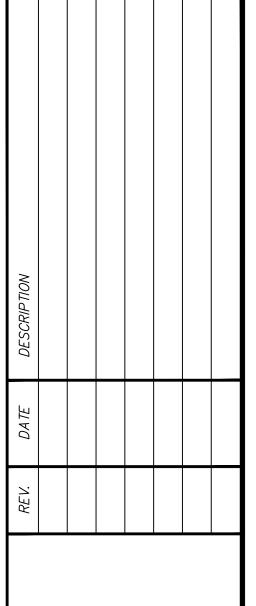
- 1. For use in areas where grading has been completed and final soil stabilization
- and seeding are pending.

  2. Not applicable in paved areas.

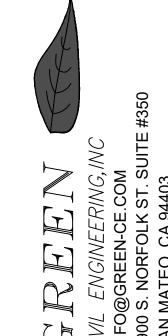
  3. Not applicable with concentrated flows.

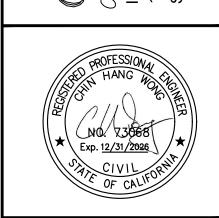






DETAIL SHEET
NEW RESIDENCE
18 EAGLE HILL ROAD
KENSINGTON, CA 94707





SCALE

VERTICAL: 1"= AS SHOWN

HORIZONTAL: 1"= AS SHOWN

DESIGNED: HCL

DRAWN: BL

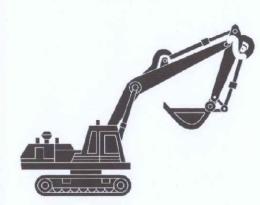
REVIEWED: HCL

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11/22/2023

SHEET
C4.1
5 OF 6 SHEETS

Best Management Practices for the Construction Industry



# **Best Management Practices for the**

- Site supervisors
- General contractors Home builders

Landscaping,

Construction Industry

Gardening, and

**Pool Maintenance** 

Best Management Practices for the

**Best Management Practices for the** 

Swimming pool/spa service and repair

Landscapers

General contractors

Home builders

Developers

Homeowners

Gardeners

# Vehicle and equipment operators

Developers

# Doing the Job Right

☐ Maintain all vehicles and heavy equipment.

Inspect frequently for and repair leaks. ☐ Perform major maintenance, repair jobs, and

☐ If you must drain and replace motor oil, radiator coolant, or other fluids on site, use drip pans or drop cloths to catch drips and spills. Collect all spent fluids, store in separate containers, and properly dispose as hazardous waste (recycle whenever possible).

vehicle and equipment washing off site where

- Do not use diesel oil to lubricate equipment parts, or clean equipment. Use only water for any onsite cleaning.
- Cover exposed fifth wheel hitches and other oily or greasy equipment during rain events.

#### Storm water Pollution from Heavy Equipment on Construction Sites

Poorly maintained vehicles and heavy equipment that leak fuel, oil, antifreeze or other fluids on the construction site are common sources of storm drain pollution. Prevent spills and leaks by isolating equipment from runoff channels, and by watching for leaks and other maintenance problems. Remove construction equipment from the site as soon as possible

Doing The Right Job

**General Business Practices** 

or secured plastic sheeting.

☐ Store pesticides, fertilizers, and other

# Site Planning and Preventive Vehicle

Clean up spills immediately when they

Spill Cleanup

■ Never hose down "dirty" pavement or impermeable surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags) whenever possible and properly dispose of absorbent materials.

- Sweep up spilled dry materials immediately. Never attempt to "wash them away" with water, or bury them.
- ☐ Use as little water as possible for dust control. Ensure water used doesn't leave silt or discharge to storm drains
- Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
- Report significant spills to the appropriate local spill response
- agencies immediately. If the spill poses a significant hazard to human health and safety, property or

the environment, you must also report it

to the State Office of Emergency

# **Paving** Construction Industry

Roadwork

and

Best Management Practices for the



# Best Management Practices for the

- Road crews Driveway/sidewalk/parking lot construction
  - Seal coat contractors
  - · Operators of grading equipment, paving machines, dump trucks, concrete mixers Construction inspectors
  - General contractors
  - Home builders Developers

# **Doing The Job Right**

# General Business Practices

- Develop and implement erosion/sediment control plans for roadway embankments.
- Schedule excavation and grading work during
- Check for and repair leaking equipment. Perform major equipment repairs at designated areas in your maintenance yard, where cleanup is easier. Avoid performing equipment
- repairs at construction sites. ■ When refueling or when vehicle/equipment maintenance must be done on site, designate a location away from storm drains and creeks. Do not use diesel oil to lubricate equipment
- parts or clean equipment. Recycle used oil, concrete, broken asphalt, etc. whenever possible, or dispose of properly.

Avoid paving and seal coating in wet weather,

# **During Construction**

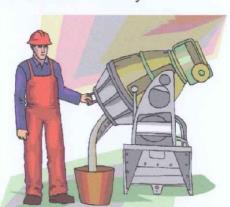
- or when rain is forecast, to prevent fresh materials from contacting stormwater runoff.
- Cover and seal catch basins and manholes when applying seal coat, slurry seal, fog seal, Protect drainage ways by using earth dikes,

#### sand bags, or other controls to divert or trap and filter runoff. Storm Drain Pollution from Roadwork

Road paving, surfacing, and pavement removal happen right in the street, where there are numerous opportunities for asphalt, saw-cut slurry, or excavated material to illegally enter storm drains. Extra planning is required to store and dispose of materials properly and guard against pollution of storm drains, creeks, and the Bay.

#### **Fresh Concrete** exposed- aggregate concrete or simila treatments into a street or storm drain. Collect and recycle, or dispose to dirt and Mortar ☐ Cover stockpiles (asphalt, sand, etc.) Application plastic tarps. Protect from rainfall and

Best Management Practices for the Construction Industry



# Best Management Practices for the

- Masons and bricklayers
- Sidewalk construction crews
- Patio construction workers
- General contractors
- Home builders
- Developers Concrete delivery/pumping workers

Los Altos Municipal Code Chapter 10.08.390 Non-storm water discharges

threatened discharges unless they are actively being cleaned up.

Los Altos Municipal Code Section 10.08.430 Requirements for construction operations

of the plan shall be in accordance with guidelines published by the city engineer

Construction inspectors

wash into lakes, streams, or estuaries are toxic to materials to the storm drains or creeks can block storm drains, causes serious problems, and is

Los Altos Municipal Code Requirements

A. Unlawful discharges. It shall be unlawful to discharge any domestic waste or industrial waste into storm drains, gutters, creeks, o

permitted by a discharge permit or unless exempted pursuant to guidelines published by the superintendent.

San Francisco Bay. Unlawful discharges to storm drains shall include, but not be limited to, discharge from toilets; sinks; industrial

limited to, painting, paving, concrete placement, saw cutting and grading; swimming pools; spas; and fountains, unless specifically

Threatened discharges. It shall be unlawful to cause hazardous materials, domestic waste, or industrial waste to be deposited i

such a manner or location as to constitute a threatened discharge into storm drains, gutters, creeks or San Francisco Bay. A

make it reasonably necessary to take immediate action to prevent, reduce or mitigate damages to persons, property or natural

resources. Domestic or industrial wastes that are no longer contained in a pipe, tank or other container are considered to be

available at the construction sites for all projects where the proposed construction site is equal to or greater than one acre of

A storm water pollution prevention plan shall be prepared and available at the construction sites for all projects greater than on

acre of disturbed soil and for any other projects for which the city engineer determines that a storm water management plan is

necessary to protect surface waters. Preparation of the plan shall be in accordance with guidelines published by the city engineer.

Prior approval shall be obtained from the city engineer or designee to discharge water pumped from construction sites to the storm

drain. The city engineer or designee may require gravity settling and filtration upon a determination that either or both would

improve the water quality of the discharge. Contaminated groundwater or water that exceeds state or federal requirements for

discharge to navigable waters may not be discharged to the storm drain. Such water may be discharged to the sewer, provided

that the requirements of Section 10.08.240 are met and the approval of the superintendent is obtained prior to discharge.

Remember: The property owner and the contractor share ultimate

responsibility for the activities that occur on a construction site.

You may be held responsible for any environmental damage

construction debris be deposited or allowed to be deposited in the storm drain system. (Prior code § 5-5.643)

"threatened discharge" is a condition creating a substantial probability of harm, when the probability and potential extent of harm

processes; cooling systems; boilers; fabric cleaning; equipment cleaning; vehicle cleaning; construction activities, including, but no

## **During Construction**

## General Business Practices

**Doing The Job Right** 

- Wash out concrete mixers only in designated wash-out areas in your yard, away from storm drains and waterways, where the water will flow into a temporary waste pit in a dirt area. Let water percolate through soil and dispose of settled, hardened concrete as garbage Whenever possible, recycle washout by
- ☐ Wash out chutes onto dirt areas at site that do not flow to streets or drains.

pumping back into mixers for reuse.

- Always store both dry and wet materials under cover, protected from rainfall and runoff and away from storm drains or waterways. Protect dry materials from wind.
- Secure bags of cement after they are open. Be sure to keep wind-blown cement powder away from streets, gutters, storm drains, rainfall, and
- Do not use diesel fuel as a lubricant on concrete forms, tools, or trailers

#### Storm Drain Pollution from Fresh Concrete and Mortar Applications

Fresh concrete and cement-related mortars that fish and the aquatic environment. Disposing of these

- Don't mix up more fresh concrete or cement than you will use in a two-hour
- ☐ Set up and operate small mixers on tarps or heavy plastic drop cloths. When cleaning up after driveway or
- the street or storm drain ☐ Protect applications of fresh concrete and mortar from rainfall and runoff until the material has dried.

sidewalk construction, wash fines onto

dirt areas, not down the driveway or into

- Wash down exposed aggregate concrete only when the wash water can (1) flow onto a dirt area; (2) drain onto a bermed surface from which it can be pumped and disposed of properly; or (3) be vacuumed from a catchment created by blocking a storm drain inlet. If necessary, divert runoff with temporary berms. Make sure runoff does not reach
- ☐ When breaking up pavement, be sure to pick up all the pieces and dispose of properly. Recycle large chunks of broken concrete at a landfill.

gutters or storm drains.

- Never bury waste material. Dispose of small amounts of excess dry concrete. grout, and mortar in the trash.
- Never dispose of washout into the street, storm drains, drainage ditches, or

# **Preventing Pollution:** It's Up to Us

In the Santa Clara Valley, storm drains transport water directly to local creeks and San Francisco Bay without treatment. Storm water pollution is a serious problem for wildlife dependent on our waterways and for the people who live near polluted streams or bay lands. Some common sources of this pollution include spilled oil, fuel, and fluids from vehicles and heavy equipment; construction debris; sediment created by erosion; landscaping runoff containing pesticides or weed killers; and materials such as used motor oil, antifreeze, and paint products that people pour or spill into a street or storm drain.

Thirteen valley municipalities have joined together with Santa Clara County and the Santa Clara Valley Water District to educate local residents and businesses and fight storm water pollution. TO comply with this program, contractors most comply with the practices described this drawing sheet.

# Spill Response Agencies

# DIAL 9-1-1

Services:

State Office of Emergency Services Warning Center (24 hours): 800-852-7550 Santa Clara County Environmental Health

(408) 299-6930

# Local Pollution Control Agencies

County of Santa Clara Pollution Prevention Program: (408) 441-1195

County of Santa Clara Integrated Waste

Management Program: (408) 441-1198 County of Santa Clara District Attorney

Environmental Crimes Hotline: (408) 299-TIPS

Santa Clara County 1-800-533-8414 Recycling Hotline:

Santa Clara Valley Water

A. A spill response plan for hazardous waste, hazardous materials and uncontained construction materials shall be prepared and (408) 265-2600 Santa Clara Valley Water District Pollution disturbed soil and for any other projects for which the city engineer determines is necessary to protect surface waters. Preparation 1-888-510-5151

> Regional Water Quality Control Board San Francisco Bay Region: (510) 622-2300

Palo Alto Regional Water Quality Control Plant: (650) 329-2598 Serving East Palo Alto Sanitary District, Los Altos, Los Altos Hills, Mountain View, Palo Alto, Stanford

# City of Los Altos

Building Department: (650) 947-2752

Engineering Department: (650) 947-2780

# General Construction **And Site** Supervision

# Best Management Practices For Construction



#### Best Management Practices for the General contractors

 Site supervisors Inspectors

Developers

Home builders

# Storm Drain Pollution from Construction Activities

Construction sites are common sources of storm water pollution. Materials and wastes that blow or wash into a storm drain, gutter, or street have a direct impact on local creeks and the Bay. As a contractor, or site supervisor, owner or operator of a site, you may be responsible for any environmental damage caused by your ubcontractors or employees

# From Landscaping and

Doing The Job Right

Keep an orderly site and ensure good

housekeeping practices are used.

Cover materials when they are not in use.

Keep materials away from streets, storm drains

Ensure dust control water doesn't leave site or

Schedule excavation and grading activities for

plant temporary vegetation or place other

Control the amount of runoff crossing your site

check dams or berms where appropriate.

Make these best management practices

available to everyone who works on the

construction site. Inform subcontractors about

the storm water requirements and their own

Designate one area of the site for auto parking,

vehicle refueling, and routine equipment

Keep materials out of the rain – prevent runoff

maintenance. The designated area should be

well away from streams or storm drain inlets,

bermed if necessary. Make major repairs off

contamination at the source. Cover exposed

sheeting or temporary roofs. Before it rains,

drain to storm drains, creeks, or channels.

Place trashcans and recycling receptacles

Keep pollutants off exposed surfaces.

around the site to minimize litter

piles of soil or construction materials with plastic

sweep and remove materials from surfaces that

Train your employees and subcontractors.

**Good Housekeeping Practices** 

dry weather periods. To reduce soil erosion,

erosion controls before rain begins. Use the

Erosion and Sediment Control Manual, available

from the Regional Water Quality Control Board,

(especially during excavation!) by using berms

or temporary or permanent drainage ditches to

divert water flow around the site. Reduce storm

water runoff velocities by constructing temporary

Advance Planning To Prevent Pollution

Maintain equipment properly.

and drainage channels

Many landscaping activities expose soils and increase the likelihood that earth and garden chemicals will run off into the storm drains during irrigation or when it rains. Swimming pool water containing chlorine and copper-based algaecides should never be discharged to storm drains. These chemicals are toxic to aquatic life.

#### ☐ Protect stockpiles and landscaping materials from wind and rain by storing them under tarps unincorporated County only). Sweep up any leaves, litter or residue in gutters or on

- chemicals indoors or in a shed or storage ☐ Schedule grading and excavation projects
- Use temporary check dams or ditches to divert runoff away from storm drains.
- sediment controls. Re-vegetation is an excellent form of erosion control for any site Landscaping/Garden Maintenance Use pesticides sparingly, according to

instructions on the label. Rinse empty

- containers, and use rinse water as product Dispose of rinsed, empty containers in the trash. Dispose of unused pesticides as ☐ Collect lawn and garden clippings, pruning
- waste, and tree trimmings. Chip if necessary, ☐ In communities with curbside pick-up of yard waste, place clippings and pruning waste at the curb in approved bags or containers. Or, take to a landfill that composts vard waste. No

# commercial properties Storm Drain Pollution

curbside pickup of vard waste is available for

**Swimming Pool Maintenance** 

## Do not blow or rake leaves, etc. into the street, or place yard waste in gutters or or dirt shoulders, unless you are piling them for recycling (allowed by San Jose and

☐ In San Jose, leave yard waste for curbside recycling pickup in piles in the street. 18 inches from the curb and completely out of

#### the flow line to any storm drain. Pool/Fountain/Spa Maintenance Protect storm drains with sandbags or other

**Draining Pools Or Spas** When it's time to drain a pool, spa, or fountain, please be sure to call your local wastewater treatment plant before you start for further guidance on flow rate restrictions, backflow prevention, and handling special cleaning

- waste (such as acid wash). Discharge flows shall not exceed 100 gallon per minute. Never discharge pool or spa water to a street or storm drain; discharge to a
- sanitary sewer cleanout. If possible, when emptying a pool or spa, then recycle/reuse water by draining it

gradually onto a landscaped area.

#### Do not use copper-based algaecides Control algae with chlorine or other alternatives, such as sodium bromide.

- Filter Cleaning Never clean a filter in the street or near a storm drain. Rinse cartridge and diatomaceous earth filters onto a dirt area, and spade filter residue into soil. Dispose
- of spent diatomaceous earth in the If there is no suitable dirt area, call your local wastewater treatment plant for instructions on discharging filter backwash or rinse water to the sanitary sewer.

Clean up leaks, drips and other spills

immediately so they do not contaminate

soil or groundwater or leave residue on

paved surfaces. Use dry cleanup methods

whenever possible. If you must use water

use just enough to keep the dust down.

Cover and maintain dumpsters. Check

dumpster. Never clean out a dumpster by

Set portable toilets away from storm drains.

working order. Check frequently for leaks.

hosing it down on the construction site.

Make sure portable toilets are in good

waste when you order materials. Order

only the amount you need to finish the job.

possible. Arrange for pick-up of recyclable

materials such as concrete, asphalt, scrap

□ Practice Source Reduction - minimize

Use recyclable materials whenever

metal, solvents, degreasers, cleared

vegetation, paper, rock, and vehicle

antifreeze, batteries, and tires.

Dispose of all wastes properly. Many

construction materials and wastes.

including solvents, water-based paints,

wood, and cleared vegetation can be

vehicle fluids, broken asphalt and concrete,

recycled. Materials that cannot be recycled

must be taken to an appropriate landfill or

disposed of as hazardous waste. Never

bury waste materials or leave them in the

street or near a creek or stream bed.

In addition to local building permits, you

will need to obtain coverage under the

State's General Construction Activity

site disturbs one acre or more. Obtain

Quality Control Board.

Storm water Permit if your construction

information from the Regional Water

maintenance materials such as used oil

Materials/Waste Handling

secured around the outside of the

requently for leaks. Place dumpsters under

roofs or cover with tarps or plastic sheeting

# **Application of** Solvents and Adhesives

Painting and

Best Management Practices for the

- Plasterers Graphic artists Dry wall crews

Home builders

Developers

# Construction Industry

Empty, dry paint cans also may be recycled as

# **Best Management Practices for the**

- Homeowners Paperhangers
- Floor covering installers General contractors

**Earth-Moving** 

Best Management Practices for the

**Best Management Practices for the** 

Dump truck drivers

General contractors

Site supervisors

Home builders

Developers

· Bulldozer, back hoe, and grading machine

Dewatering

**Activities** 

Construction Industry

All paints, solvents, and adhesives contain chemicals that are harmful to wildlife in local

into storm drains and watercourses.

**Doing The Job Right** 

dry weather.

General Business Practices

location away from storm drains.

Do not use diesel oil to lubricate equipment

Schedule excavation and grading work during

# **Doing The Job Right**

#### Handling Paint Products ☐ Keep all liquid paint products and wastes away from the gutter, street, and storm drains. Liquid residues from paints, thinners solvents, glues, and cleaning fluids are

a hazardous waste collection facility (contact your local stormwater program listed on the back of this brochure). ☐ When thoroughly dry, empty paint cans, used brushes, rags, and drop cloths may be disposed of as garbage in a sanitary landfill.

hazardous wastes and must be disposed of at

☐ Wash water from painted buildings constructed before 1978 can contain high amounts of lead, even if paint chips are not present. Before you begin stripping paint or cleaning pre-1978 building exteriors with water under high pressure, test paint for lead by taking pain scrapings to a local laboratory. See Yellow

#### Pages for a state-certified laboratory. ☐ If there is loose paint on the building, or if the paint tests positive for lead, block storm drains determine whether you may discharge water to the sanitary sewer, or if you must send it offsite for disposal as hazardous waste

Storm Drain Pollution from Paints, Solvents, and Adhesives creeks, San Francisco Bay, and the Pacific Ocean Toxic chemicals may come from liquid or solid products or from cleaning residues or rags. Paint material and wastes, adhesives and cleaning fluids should be recycled when possible, or disposed of properly to prevent these materials from flowing

# Painting Cleanup

☐ Never clean brushes or rinse paint containers into a street, gutter, storm drain, French drain, or stream. ☐ For water-based paints, paint out brushes to the extent possible, and rinse

□ Never wash excess material from

and other construction materials with

prevent runoff with temporary roofs or

Park paving machines over drip pans or

Clean up all spills and leaks using "dry"

methods (with absorbent materials

and/or rags), or dig up, remove, and

Collect and recycle or appropriately

Avoid over-application by water trucks

Asphalt/Concrete Removal

Avoid creating excess dust when

contact with rainfall or runoff.

☐ When making saw cuts, use as little

water as possible. Shovel or vacuum

Cover or protect storm drain inlets

during saw-cutting. Sweep up, and

properly dispose of, all residues.

Sweep, never hose down streets to

clean up tracked dirt. Use a street

vacuumed liquor in storm drains.

sweeper or vacuum truck. Do not dump

breaking asphalt or concrete.

After breaking up old pavement, be sure

to remove all chunks and pieces. Make

sure broken pavement does not come in

saw-cut slurry and remove from the site.

properly dispose of contaminated soil.

dispose of excess abrasive gravel or

absorbent material (cloth, rags, etc.) to

plastic sheets and berms.

catch drips when not in use.

sewer. Never pour paint down a storm For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of excess liquids and residue as hazardous

into a drain that goes to the sanitary

- Paint Removal Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up or collected in plastic drop cloths
- and disposed of as trash. Chemical paint stripping residue and chips and dust from marine paints or paints containing lead, mercury or tributyl tin nust be disposed of as hazardous wastes. Lead based paint removal requires a state-certified contractor
- exteriors with high-pressure water, block storm drains. Direct wash water onto a dirt area and spade into soil. Or, check with the local wastewater treatment authority to find out if you can collect (mop or vacuum) building cleaning water and dispose to the sanitary sewer. Sampling of the water may be required to assist the wastewater
- treatment authority in making its decision. Recycle/Reuse Leftover Paints Whenever Possible
- (latex) paint, or return to supplier. Reuse leftover oil-based paint. Dispose unwanted paint, as hazardous waste.

# Recycle or donate excess water-based D. No cleanup of construction debris from the streets shall result in the discharge of water to the storm drain system; nor shall an

- of non-recyclable thinners, sludge and
- ☐ Cover stockpiles and excavated soil with secured tarps or plastic sheeting.
- Perform major equipment repairs away from the sheen on groundwater. ■ When refueling or vehicle/equipment maintenance must be done on site, designate a
- parts, or clean equipment. Practices During Construction Remove existing vegetation only when absolutely necessary. Plant temporary vegetation for erosion control on slopes or where construction is not immediately planned. Protect down slope drainage courses, streams.

## Erosion and Sediment Control Field Manual for proper erosion and sediment control Storm Drain Pollution from Earth-Moving Activities

and storm drains with wattles, or temporary

drainage swales. Use check dams or ditche

to divert runoff around excavations. Refer to

Soil excavation and grading operations loosen large amounts of soil that can flow or blow into storm drains when handled improperly. Sediments in runoff can clog storm drains, smother aquatic life, and destroy habitats in creeks and the Bay. Effective erosion control practices reduce the amount of runoff ossing a site and slow the flow with check dams or roughened ground surfaces. Contaminated groundwater is a common problem in the Santa Clara Valley. Depending on soil types and

site history, groundwater pumped from construction

sites may be contaminated with toxics (such as oil or

solvents) or laden with sediments. Any of these

pollutants can harm wildlife in creeks or the Bay, or

Discharging sediment-laden water from a

dewatering site into any water of the state

interfere with wastewater treatment plant operation.

without treatment is prohibited

- 1. Check for Toxic Pollutants Check for odors, discoloration, or an oily
- ☐ If contamination is suspected, have the water tested by a certified laboratory.
- groundwater offsite for treatment and disposal at an appropriate treatment 2. Check for Sediment Levels ☐ If the water is clear, the pumping time is less than 24 hours, and the flow rate is less than 20 gallons per minute, you may
- If the pumping time is more than 24 hours and the flow rate greater than 20 gpm, call your local wastewater treatment plant If the water is not clear, solids must be filtered or settled out by pumping to a

pump water to the street or storm drain.

Pumping through a perforated pipe sunk part way into a small pit filled with gravel; Pumping from a bucket placed below water level using a submersible pump Pumping through a filtering device such as a swimming pool filter or filter fabric wrapped around end of suction

#### Unopened cans of paint may be able to be Criminal and judicial penalties can be assessed for non-compliance. returned to the paint vendor. Check with the vendor regarding its "buy-back" policy.

- **Dewatering Operations**
- Call your local wastewater treatment agency and ask whether the groundwater
- Depending on the test results, you may be allowed to discharge pumped groundwater to the storm drain (if no sediments present) or sanitary sewer. OR, you may be required to collect and haul pumped

# the Regional Water Quality Control Board's

and Dewatering

# settling tank prior to discharge. Options for filtering include:

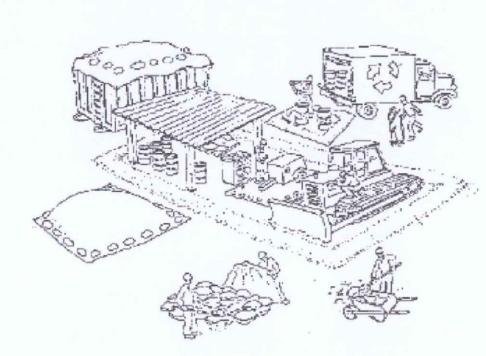
When discharging to a storm drain, protect the inlet using a barrier of burlap bags filled with drain rock, or cover inlet with filter fabric anchored under the grate. OR pump water through a grassy swale prior to discharge.

# Blueprint for a Clean Bay

caused by your subcontractors or employees. **Best Management Practices for the** 



Santa Clara **Urban Runoff Pollution Prevention Program** 



DESIGNED BY: LARRY LIND	APPROVED BY:	CITY	Y OF LOS ALTOS	DATE: OCTOBER, 2003
DRAWN BY: VICTOR CHEN	CITY ENGINEER	5 4	48056 R.C.E.	SCALE: N.T.S.
CHECKED BY: JIM GUSTAFSON	SHEET	OF	SHEETS	DRAWING NO:

# BMP

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**SCALE** VERTICAL: 1"= AS SHOWN HORIZONTAL: 1"= AS SHOWN

11/22/2023 DATE: DESIGNED: DRAWN: **REVIEWED:** JOB NO.: 20230058

SHEET

6 OF 6 SHEETS



#### **REVIEW OF AGENCY PLANNING APPLICATION**

	THIS IS NOT A P	ROPOSAL TO	PROVIDE WATE	R SER	VICES	
The technical data supplie	d herein is based on prel		ation, is subject to ILY	revisio	n and is to be used for planning purpose	
DATE: 12/30/2024 EBMUD M			P(S): 1485B514 EBMUD FII		JD FILE:S-11694	
AGENCI. Department of Conservation and			AGENCY FILE: CDDP24- 03059		FILE TYPE: Development Plan	
APPLICANT: Debbie Chernoff Jack Backus Architects 1057 Hubert Road Oakland, CA 94610				OWNER: Timothy & Cathe Lo 20 Eagle Hill Road Kensington, CA 94707-14		
		DEVELOP	MENT DATA			
ADDRESS/LOCATION: 18	B Eagle Hill Road City	:KENSINGTO	N Zip Code: 9470	7		
ZONING:Residential PR	REVIOUS LAND USE: Va	cant				
DESCRIPTION: Development Plan to construct a new 2-story 3,570 sq.f family residence on a vacant lot.			70 sq.ft. single-	single- TOTAL ACREAGE:0.15 ac.		
TYPE OF DEVELOPMENT		ngle Family Re	esidential:1 Units			
		WATER SER	VICES DATA			
PROPERTY: in EBMUD ST		ELEVATION RANGES OF STREETS: 450-460		ELEVATION RANGE OF PROPERTY TO BE DEVELOPED: 460-500		
All of development may be Location of Main(s):Edged		ain(s)	None from main e			
PRESSURE ZONE	ZONE SERVICE ELEVATION RANGE		Location of Existing		<u> </u>	
A4BB	400-500		PRESSURE ZONE		SERVICE ELEVATION RANGE	
		COMN	MENTS			
EBMUD's New Business C service to the development	Office and request a wate t. Engineering and install	r service estim ation of water	ate to determine the mains and meters	ne costs require	zed, the project sponsor should contact s and conditions of providing water s substantial lead time, which should be b be located in driveways. The project	

The property currently does not have water service. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine the costs and conditions of providing water service to the development. Engineering and installation of water mains and meters requires substantial lead time, which should be provided for in the project sponsor's development schedule. No water meters are allowed to be located in driveways. The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense. Due to EBMUD's limited water supply, all customers should plan for shortages in time of drought.

CHARGES & OTHER REQUIREMENTS FOR SERVICE: Contact the EBMUD New Business Office at (510)287-1008.

1/6/25

Chien Wang, Associate Civil Engineer; DATE WATER SERVICE PLANNING SECTION

From: Robert Rogers
To: Diana Lecca

 Subject:
 Re: CDDP24-03059 Application

 Date:
 Tuesday, April 1, 2025 5:22:15 PM

HI Diana,

Yes!

Here is our report for you:

Meeting on March 26, 2025:

Members in attendance: Brydon, Barry, Novickas, Peterson, Frydman

Member remote: Cooke

#### Business completed:

1. KMAC approved Feb. 26 meeting minutes

- 2. KMAC approved 03060 re: 279 Colusa Ave. following applicant and neighbors reaching some compromises
- 3. KMAC received Sup. Gioia's presentation on KMAC serving as an arbitration board for the local tree view ordinance
- 4. KMAC approved 03059 re: 20 Eagle Hill Rd. following applicant and neighbors reaching some compromises with story poles

Video Here: https://youtu.be/CU\_Gi9YSC80?si=tf6Seg8rplm9NJ0w

As of today, we have no pending items for the April 30 meeting.

Best,

Robert

Robert Rogers
District Coordinator
Office of County Supervisor John Gioia
11780 San Pablo Ave., Suite D
El Cerrito, CA, 94530
510.942.2224
www.cocobos.org/gioia

From: <u>Lawrence Theis</u>
To: <u>Diana Lecca</u>

 Subject:
 Re: CDDP24-03059 Drainage Plan

 Date:
 Friday, August 15, 2025 11:09:41 AM

#### This Message Is From an External Sender

This email originated from outside of Contra Costa County. Please do not click links or open attachments unless you are expecting this email.

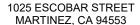
Report Suspicious

Hi Diana - I have not seen this before. I took a quick look at site drainage only (not for lot legality, creation or frontage).

My feedback is that the applicant is addressing collect and convey requirements - they are collecting stormwater on side of the home and directing toward the rear of the lot (downhill) and dissipating onsite to then naturally run downhill to the a curb and gutter on Edgecroft Rd. I think the applicant is approaching the drainage reasonably. I believe it is sufficient and makes sure to avoid running off stormwater onto neighboring properties which is usually the biggest issue that comes up.

Hope this is what you are looking for. I would not anticipate any specific PW COAs related to design; the property is probably subject to drainage area fees and annexation to districts.

LT





## CONTRA COSTA COUNTY

#### Staff Report

File #: 25-3752 Agenda Date: 9/15/2025 Agenda #: 4a.

**Project Title:** 2026 Urban Limit Line Renewal

**County File Number:** GP25-0001

**Applicant/Owner:** N/A

**Project Location**: Countywide

**California Environmental** Draft Environmental Impact Report pursuant to CEQA Guidelines

Quality Act (CEQA) Status: Section 15153

**Project Planner:** Will Nelson, Assistant Deputy Director, (925) 655-2898

**Staff Recommendation:** Accept comments on the adequacy of the Contra Costa County

2045 General Plan and Climate Action and Adaptation Plan 2024 Update Draft EIR as the environmental document for the 2026

Urban Limit Line Renewal.

#### I. BACKGROUND

On November 6, 1990, Contra Costa County voters approved Measure C (Measure C-1990), the 65/35 Contra Costa County Land Preservation Plan Ordinance (the 65/35 Plan, County Ordinance Code Chapter 82-1), which established various mechanisms aimed at containing urban sprawl and protecting resources like agricultural land and scenic ridges and hillsides. The most significant and impactful of these mechanisms are the 65/35 Land Preservation Standard (the 65/35 Standard) and Urban Limit Line (ULL). Pursuant to the 65/35 Standard, no more than 35 percent of the land within the county may be designated for urban uses (residential, commercial, industrial, etc.) in the General Plans of the County and the 19 incorporated cities within the county, and at least 65 percent of the land must be designated for nonurban uses such as agriculture, open space, and parks. Meanwhile, the ULL establishes a regulatory boundary beyond which no land may be designated for urban land uses. Operating together, the 65/35 Standard and ULL limit the expanse of urban development in the county.

Measure C-1990 was set to expire on December 31, 2010. On November 7, 2006, county voters approved Measure L (Measure L-2006), which carried forward most elements of Measure C-1990 while adding requirements for a four-fifths vote of the Board of Supervisors and voter approval to expand the ULL by more than 30 acres, and periodic reviews of the ULL by the Board of Supervisors. Measure L-2006 also included a new ULL Map. The provisions of Measure L-2006 expire on December 31, 2026.

#### II. PROPOSED PROJECT

The proposed project is a 2026 ballot measure asking voters to amend the Land Use Element of the 2045 General Plan and the 65/35 Contra Costa Land Preservation Plan Ordinance to:

File #: 25-3752 Agenda Date: 9/15/2025 Agenda #: 4a.

- 1. Extend the term of the 65/35 Plan and ULL for 25 years through December 31, 2051.
- 2. Modify the periodic ULL review requirements of the 65/35 Plan to require review of the ULL boundary concurrently with State-mandated Housing Element update cycles.
- 3. Modify the criteria and factors enumerated in the 65/35 Plan for determining whether land should be considered for placement outside the ULL.
- 4. Retain the requirement for voter approval to expand the ULL by more than 30 acres, except as specifically authorized in the 65/35 Plan, and approved by the voters in the ballot measure, namely:
  - a. The Board of Supervisors may, without subsequent voter approval, expand the ULL by any acreage within the boundaries of the Byron Airport Potential ULL Expansion Area, which will be illustrated on a new version of General Plan Land Use Element Figure LU-2, Urban Limit Line, after holding a public hearing at which the Board adopts a General Plan amendment for the expansion, by a four-fifths vote, after making each of the following findings based on substantial evidence in the record:
    - i. The expansion is necessary to further the economic viability of Byron Airport and attain the County's goals related to economic development.
    - ii. The expanded ULL area will accommodate uses directly linked to aeronautics, such as aviation research and development, aircraft manufacturing/assembly, and aeronautical schools/training facilities.
    - iii. The expanded ULL area will not accommodate residential development, logistics/distributions centers, lodging, or any other use not directly linked to aeronautics except for minor ancillary uses necessary to support the airport workforce.
    - iv. The expansion will not induce sprawl.
- 5. Retain in both the General Plan and County Ordinance Code the requirement that a four-fifths vote of the Board of Supervisors is necessary to place a measure on the election ballot to expand the ULL boundary by more than 30 acres through the year 2051.
- 6. Retain in both the General Plan and County Ordinance Code the existing procedure for expanding the County's ULL by 30 acres or fewer based on a four-fifths vote of the Board of Supervisors after holding a public hearing and making at least one of seven findings, as prescribed in both the General Plan and County Ordinance Code, based on substantial evidence in the record.
- 7. Modify the enumerated findings prescribed in both the General Plan and County Ordinance Code required for a change to the County's ULL under 30 acres to reflect the modified periodic ULL reviews and to make other non-substantive changes.
- 8. Retain the 65/35 standard for land preservation in Contra Costa County, whereby at least 65 percent of the overall county land area will be retained for non-urban uses through the year 2051.
- 9. Retain the protections for the county's prime agricultural land, specifically the area designated in the General Plan as the Agricultural Core, by maintaining the 40-acre minimum parcel size.

File #: 25-3752 Agenda Date: 9/15/2025 Agenda #: 4a.

- 10. Approve a new ULL Map for the General Plan (Land Use Element Figure LU-2), which reflects the following changes:
  - a. Moves 3,487 acres with significant development restrictions, such as ownership by government agencies or encumbrance with conservation or agricultural easements, outside the ULL.
  - b. Moves 1,488 acres of buffer lands around subdivisions, cemeteries, and industrial facilities, outside the ULL.
  - c. Moves 4,368 acres with significant development constraints, such as high fire hazards, steep slopes, and flood hazards, outside the ULL.
  - d. Moves 873 acres outside the ULL and 923 acres inside the ULL to align the ULL with city limits.
  - e. Moves 847 acres outside the ULL and 421 acres inside the ULL to simplify and improve understanding of the ULL along the county's shoreline.
- 11. Update administrative sections of the 65/35 Plan to correct outdated text and achieve consistency with the changes described in items 1-10 above.

The full draft ballot measure is included as Attachment A to the CEQA Initial Study for the project, which may be reviewed at https://envisioncontracosta2040.org/wp-content/uploads/2025/08/ULL\_Initial-Study.pdf.

#### III. <u>CEQA REVIEW</u>

On November 5, 2024, the Board of Supervisors certified an environmental impact report for the Contra Costa County 2045 General Plan and Contra Costa County Climate Action and Adaptation Plan 2024 Update (the "GPEIR"). The GPEIR identifies 18 potentially significant impacts in the following environmental topic areas:

Agriculture and Forestry Resources Mineral Resources

Air Quality Noise

Biological Resources Transportation

Cultural and Tribal Cultural Resources Wildfire

Geology and Soils

Twelve of the 18 impacts were determined to be significant and unavoidable, meaning no feasible mitigations or alternatives are available to reduce the impacts to less-than-significant levels. The significant and unavoidable impacts are anticipated to occur in the topical areas *italicized* above.

Pursuant to CEQA Guidelines Section 15153, a lead agency may employ a single EIR to describe more than one project if the projects are "essentially the same in terms of environmental impact" and the circumstances of the projects are essentially the same. Pursuant to Section 15153, the County has prepared an Initial Study to determine whether the GPEIR may serve as the environmental document for the proposed 2026 ULL ballot measure. The Initial Study concluded that the criteria enumerated in Section 15153 have been satisfied and the GPEIR may be used as the CEQA environmental document.

File #: 25-3752 Agenda Date: 9/15/2025 Agenda #: 4a.

#### IV. HEARING TO RECEIVE PUBLIC COMMENTS

The purpose of this hearing is to provide additional opportunity for the public to submit written or verbal comments on the adequacy of the GPEIR as the environmental document for the 2026 ballot measure. A 45 -day public review and comment period for the GPEIR began on Monday, August 25, 2025. Written comments not submitted during this meeting must be submitted to the following address by **5:00 p.m. on Thursday, October 9, 2025**:

Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553
Attn: Will Nelson

Written comments may also be submitted via email to <a href="will.nelson@dcd.cccounty.us">will.nelson@dcd.cccounty.us</a> or <a href="mailto:advanceplanning@dcd.cccounty.us">advanceplanning@dcd.cccounty.us</a> <a href="mailto:advanceplanning@dcd.cccounty.us">will.nelson@dcd.cccounty.us</a> <a href="mailto:advanceplanning@dcd.cccounty.us">mailto:advanceplanning@dcd.cccounty.us</a>.