CONTRA COSTA COUNTY

AGENDA

Contra Costa County Zoning Administrator

Wednesday, January 21, 2026 **1:30 PM** **30 Muir Road, Maartinez, CA**

Zoom: https://cccounty-us.zoom.us/j/85491390617
Webinar ID: 854 9139 0617 Call in: (855) 758-1310 or (408) 961-3928

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 (855)758-1310 US Toll Free or (408) 961-3928. 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/85491390617 Webinar ID: 854 9139 0617.

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. DEVELOPMENT PLAN: CONTINUED PUBLIC HEARING

2a. NUMAIR ALI (Applicant) - ALI SHAKIL AND ANITA A TRUST (Owner), County File #CDDP22-03021: The applicant requests approval of a Development Plan to construct eight townhome units within two separate three-story buildings and to install associated improvements (e.g. pavement, utilities, stormwater conveyance). Building 1 will be approximately 10,995 square feet and building 2 will be approximately 6,615 square feet. The project includes a Tree permit for the removal of five code-protected Trees, ranging in size from 7" to 30" DBH and consisting of a Deodar Cedar, a Douglas Fir, a Pear and two Olive Trees. The project includes grading approximately 200 cubic yards of cut and 750 cubic yards of fill. The project includes a request for a deviation to the El Sobrante P-1 development standards to allow for a 33'-6 ½" height (where 27' is the maximum height allowed). The project also includes a request for an exception to Division 914, Collect and Convey requirements. The project site is addressed as 4301 Appian Way, in the El Sobrante area of the County. (Zoning: P-1, Planned Unit Development) (APN: 425-142-030) (Continued from 12.15.2025 WRN) EL **26-200**

Attachments: Attachment A CONTINUED CDDP22-03031 Findings & Conditions
Attachment B - CDDP22-03021 ZA Staff Report and Attachments
Attacment C - CDDP22-03021 Revised Elevations

3. LAND USE PERMIT: PUBLIC HEARING

3a. ISABEL CHAVEZ, NETWORK CONNEX (Applicant) - ARTHUR ROAD ASSOCIATES (Owner), County File #CDLP25-02025: The applicant requests approval of a Land Use Permit to allow for the continuing operation of an existing T-Mobile wireless telecommunications facility with no modifications proposed to the facility. The subject property is located at 183 Arthur Road in the unincorporated area of Martinez in Contra Costa County. (APN: 380-041-008, Zoning: L-I Light Industrial District) CP **26-201**

Attachments: Attachment 1 - Findings_COAs
Attachment 2 - Maps and Plans
Attachment 3 - Agency Comments
Attachment 4 - CDLP15-02050 Final Action

4. DEVELOPMENT PLAN: PUBLIC HEARING

4a. BETTY SANCHEZ, DUCHENEY CONSTRUCTION, INC. (Applicant) - THE LAKES AT DISCOVERY BAY (Property owner); County File #CDDP25-03020: A request for approval of a Development Plan to construct a replacement guardhouse and drive isle canopy structure for The Lakes at Discovery Bay, Single Family Home Community. The project site is located at the start of Fallman Boulevard off Bixler Road in the Discovery Bay area of unincorporated Contra Costa County. Zoning: Planned-Unit (P-1) District; APN: 011-241-012 AS **26-202**

Attachments:
Attachment A Findings and Conditions of Approval
Attachment B Maps
Attachment C Site Photos
Attachment D Project Plans
Attachment E Agency Comments
Attachment F Public Hearing Requests
Attachment G Final Development Plan CDDP91-03025
Attachment H Applicant Powerpoint and Materials
Attachment I Public Comments

5. VARIANCE: PUBLIC HEARING

5a. JAMIE GROETSCH, THE ARCHITECTS OFFICE (Applicant) - STEPHEN C LOWRY TRE (Owner), County File CDVR25-01041: The applicant requests approval of a Development Plan for a Kensington Design Review to allow a gross floor area of 2,828 square feet (where the maximum gross floor area is 2,000 square feet) for the construction of a new, approximately 135-square-foot second story uncovered deck built over a lower level patio area located at the rear of an existing single-family residence and a Variance to allow a 9'-11" secondary frontage setback (where 15' is the minimum) for the construction of a new, uncovered deck. The subject property is located at 242 Yale Avenue in the Kensington area in Contra Costa County. (APN: 570-071-005, Zoning: R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District) CP **26-203**

Attachments:
Attachment 1 - Findings_COAs
Attachment 2 - Maps
Attachment 3 - Agency Comments
Attachment 4 - Project Plans

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, FEBRUARY 2, 2026.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-200 **Agenda Date:** 1/21/2026 **Agenda #:** 2a.

CONTINUED OPEN PUBLIC HEARING ITEM

Project Title:	Development Plan for Eight Unit El Sobrante To
County File(s):	#CDDP22-03021
Applicant: Owner:	Numair Ali Ali Shakil and Anita
Zoning/General Plan:	Downtown El Sobrante Planned Unit Developm Mixed-Use Low Density (MUL) and Resource Co
Site Address/Location:	4301 Appian Way, El Sobrante, CA 94803 APN: 4
California Environmental Quality Act (CEQA) Status:	The Initial Study (SCH No. 2025110313) identifie significant impacts in the areas of Aesthetics, Ai Biological Resources, Cultural Resources, Geolo and Tribal Cultural Resources, and identified mi measures to reduce such impacts to a less-than levels.
Project Planner:	Everett Louie, Planner III - phone: (925) 655-287 everett.louie@dcd.cccounty.us
Staff Recommendation:	Approve (See section II for full recommendatior

I. PROJECT SUMMARY

The applicant requests approval of a Development Plan to construct eight, three-story townhomes within two separate buildings and to install associated improvements (e.g. pavement, utilities, stormwater conveyance). The project includes a Tree Permit for the removal of five code-protected trees. The project includes one unit for very low-income household. The project includes approximately 200 cubic yards of cut and 750 cubic yards of fill. The project includes a request for a deviation to the El Sobrante P-1 development standards to allow for a 30' height (where 27' is the maximum height allowed) and an exception to Division 914, Collect and Convey requirements. The existing residence and detached garage will be demolished.

II. RECOMMENDATION

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

A. OPEN the public hearing on the El Sobrante Townhomes Project, RECEIVE testimony, and CLOSE the public hearing.

B. FIND that the mitigated negative declaration (SCH No. 2025110313) prepared for the project adequately analyzes the project's environmental impacts, that there is no substantial evidence that the project will have a significant effect on the environment, and that the mitigated negative declaration reflects the County's independent judgement and analysis.

C. ADOPT the mitigated negative declaration (SCH No. 2024060676) prepared for the project.

D. ADOPT the mitigation monitoring and reporting program for the Project.

E. DIRECT the Department of Conservation and Development to file a CEQA Notice of Determination with the County Clerk.

F. SPECIFY that the Department of Conservation and Development, located at 30 Muir Street, Martinez, California, is the custodian of the documents and other material that constitutes the record of proceedings upon which the decision of the Zoning Administrator is based.

G. APPROVE the project, Development Plan County File #CDDP22-03021 which includes a Tree Permit, a Deviation, and an Exception, based on the attached findings and conditions of approval;

III. BACKGROUND

On December 15, 2025, the project was scheduled for the Zoning Administrator public hearing. The Zoning Administrator opened the public hearing to receive testimony from the applicant and neighbors. At the hearing, a neighbor commented on the height of the project and privacy issues. Thus, the Zoning Administrator requested the applicant/property owner reduce the overall height of the project, review any privacy concerns and continued the item as an open public hearing to the January 21, 2026, meeting in order to further consider the project.

IV. PROJECT REVISION

Height:

Staff met with the applicant to discuss potentially lowering the overall height of the townhomes. The original proposal was for a 33'-6 ½" height. After discussion with the applicant, the applicant confirmed that lowering the height to 30' was possible. Therefore, Staff included Condition of Approval #25 which requires the applicant to submit revised plans for the review and approval of the Community Development Division to show that the maximum height of the townhomes will not exceed 30'. A deviation is still requested to allow for a 30' maximum height (where 27' is the maximum height allowed).

Privacy:

Public comment at the December 15, 2025, Zoning Administrator public hearing included comments on privacy infringement. In response to this, the applicant has proposed to revise the windows on Building 2 to have obscure glass on sides facing the neighboring residential properties and reduced the elevation widow sizes and placement. Staff has included Condition of Approval #26 which requires the applicant to submit construction plans for the review and approval of the Community Development Division to show that the windows on the second and third floor facing any residential parcel of building 2 will have obscure glass to enhance privacy on neighboring properties.

V. CONCLUSION

Staff recommends that the Zoning Administrator APPROVE County file #CDDP22-03021 based on the attached findings and conditions of approval.

ATTACHMENTS

Attachment A - Findings and Conditions
Attachment B - ZA Staff Report and Attachments
Attachment C - Revised Elevations

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDDP22-03021; NUMAIR ALI (APPLICANT) & SHAKIL AND ANITA ALI (OWNERS)

I. FINDINGS

A. Growth Management Performance Standards

1. Traffic: The Growth Management Element Policy 2.3 requires any development project that generates more than 100 peak-hour trips to submit a traffic impact analysis. The project was reviewed by the Transportation Planning Section of the Department of Conservation and Development and determined to generate 6 AM peak hour trips and 8 PM peak hour trips. Therefore, the project would yield less than 100 peak-hour trips and as such, would not affect the existing traffic patterns in the El Sobrante area.

2. Water: The Growth Management Program (GMP) requires new development to demonstrate that adequate water quantity can be provided. The subject property currently receives water service from the East Bay Municipal Utility District, and the district has stated that water service is available for the project as the entire site is within the water districts service area. Prior to occupation of the multi-family units, the applicant will be required to submit plans for review and approval from the Utility District.

3. Sanitary Sewer: The GMP requires new development to demonstrate that adequate sanitary sewer service is available. The project site currently receives sanitary sewer service from West County Wastewater. The district provided a letter stating that there is wastewater service available for development.

4. Fire Protection: The fire protection standards under the GMP require that a fire station be within one and one-half miles of development in urban, suburban, and central business district, or requires that an automatic fire sprinkler system be installed to satisfy this standard. The project is served by the Contra Costa County Fire Protection District and is 0.4 miles driving north from Contra Costa County Fire Station #69. The project is required to comply with the applicable provisions of the California Fire Code, the California Residential Code, and Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. Prior to submittal for building permits, the construction drawings would have to be reviewed and approved by the Contra Costa County Fire Protection District.

5. Public Protection: Public protection standards under the GMP require that a Sheriff Facility standard of 155 square feet of station area and support facilities per 1,000 in population shall be maintained within the unincorporated area of the County. Based on the United States Census Bureau's estimate of 2.89 persons per household for the 2020 Census for El Sobrante, the project would potentially increase the population by an

estimated 23 people. Since the project would result in a relatively small change in population, the project would not impact the County's ability to maintain a Sheriff facility standard of 155 square feet of station area and support facilities per 1,000 members of the population. Thus, the project would not significantly affect the provision of public protection services to the El Sobrante area.

6. Parks and Recreation: As the project will add to the County's population, the applicant will be required to comply with two Conditions of Approval that requires the project proponent to pay applicable Park Impact and Park Dedication in-lieu fees for the new units. These fees, in conjunction with all other Park Dedication fees collected for development within the County, will be used in part to purchase new park land and upgrade existing community parks as determined appropriate by the Board of Supervisors.

7. Flood Control and Drainage: A portion of the property resides within the Special Flood Hazard Area (100-year flood boundary). The County Public Works Department provided conditions of approval that require the applicant to obtain a Letter of Map Amendment and to comply with the County Floodplain Management Ordinance. Division 914 of the County Code Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed. The applicant will construct two bio-retention basins on the site and submitted an exception request from the "collect and convey" requirements. The County Public Works department reviewed the exception request and provided comments stating that there is no objection to granting the exception from the collect and convey requirements. Therefore, with the implementation of the two bio-retention basins, the project will comply with all County drainage requirements.

B. Development Plan Findings

1. Required Finding: ***The proposed project is consistent with the purpose of the zoning district:***

Project Finding: The site is within the Downtown El Sobrante Planned Unit Development P-1 Zoning District. Within the P-1, the project parcel is designated under the M-11 Appian Way General Mixed Use Zoning District listed in the P-1. The intent and purpose of the M-11 Appian Way General Mixed Use Zoning District is to allow for multiple family residential district development designed to provide as much compatibility as possible with the mixed uses of Appian Way. The project is a multiple-family townhouse project that will provide new residential units which is permitted use in conjunction with a Development Plan. The project complies with the development standards and provides

adequate car parking on-site. Therefore, given that the project provides multi-family residential housing which is the intent of the zoning district in which it is located and is surrounded by compatible uses, the project is appropriate for the site and area in which it is located.

2. **Required Finding:** ***The proposed project is compatible with other uses in the vicinity, both inside and outside the zoning district.***

   Project Finding: The project is within the M-11 Appian Way General Mixed Use Zoning District. Within this area of Appian Way in El Sobrante, there are many uses including commercial, retail, single-family residential and multiple-family residential uses. The project will introduce eight new residential townhouses to an area where mixed use is the dominant use along Appian Way. The project which is two buildings is designed to comply with all setback requirements and will provide adequate parking. Moreover, the design of the townhouses will mimic other multi-family housing designs including a recently approved subdivision located north of the project site which also contains the three-story aspect with the garage on the bottom level and an existing apartment complex immediately south with the design of elongated building design. The project meets all required setbacks and floor area ratio in the zoning district. Lastly, the exterior design which will be stucco and brick veneer with earth tone colors, will be designed to compliment the surrounding natural palette of the area.

C. Findings for Granting an Exception Per Section 92-6.002:

Request for an exception from Title 9 Offsite Collect and Convey Diversion requirements (Section 914-2.0040)

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

   Project Finding: The site currently slopes slightly towards Appian Creek which is located in the northwestern portion of the property. The project will have two bio-retention basins with storm drain lines to convey drainage towards Appian Creek in the back of the property. Unfortunately, Appian Creek which abuts the subject property, is not adequate due to an inadequate culvert at Garden Lane. Requiring the applicant to fix the inadequate culvert at Garden Lane that will be prohibitively expensive and will have access and right of way constraints that would be prohibitive for a relatively small project. Therefore, there are unusual circumstances or conditions affecting the current property that require an exception from the collect and convey requirements.

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

   Project Finding: Due to existing downstream drainage constraints that cannot be reasonable remedied, the exception from the "collect and convey" requirements allow the project to utilize solely the two bio-retention basins that are on the site. Improving the culvert at Garden Lane is not currently possible as it would be prohibitively expensive and have access and right-of-way constraints that would be prohibitive for the project. This means that the project is not feasible unless the exception is granted. Additionally, the applicant submitted a Hydrology and Hydraulics report that demonstrated to the County Public Works Department that the bioretention basins included with this project demonstrate residual capacity to mitigate the additional runoff volume resulting from the increased impervious surface created from the project.

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

   Project Finding: The on-site detention measures (bio-retention basins) will be verified by the County Public Works Department to ensure that they are sufficient to accommodate the runoff from the new impervious surface created by the project. All stormwater will be directed to the two bio-retention basins which will reduce the additional runoff rate from the site to pre-project conditions. Therefore, the exception will not be materially detrimental to the public welfare or injurious to other properties in the area where the subject property is located.

D. Tree Protection and Preservation Findings:

Required Factors for Granting Tree Permit: The Zoning Administrator is satisfied 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.

- Where the arborist or forester report has been required, and the director is satisfied that the issuance of a permit will not negatively affect the sustainability of the resource.

  In order to demo the existing buildings on site, grade the site and install the

associated improvements including the construction of the townhouses, the project will require removal of five trees and the removal of four dead tree stumps. Reasonable development of the site requires the removal of the trees as the placement of the buildings are reasonable located due to physical constraints of the property which includes setback requirements, steep topography at the rear and a water feature at the rear. Additionally, an arborist report prepared by Aaron Sunshine, ISA Certified Arborist WE-12959A, determined that the "most appropriate action is the professional removal of all trees."

E. Deviation Finding:

Project Finding: The project is requesting a deviation to allow a 30' height where 27 feet is the maximum height allowed. The El Sobrante P-1 Land Use Matrix section under footnote J allows for deviations to development standards in accordance with the County Zoning Code. The requested height deviation is necessary to allow reasonable development of the site consistent with other townhouse and multi-family projects in the vicinity. The project proposes three-story townhomes with covered parking provided within enclosed garages on the ground floor, which is a standard requirement for townhouse developments. Providing required covered parking at the lower level increases the overall height of the buildings, as two levels of living space are located above the garage level.

In addition, the site is constrained by a creek located along the rear property line, which triggers a 30-foot creek structure setback where development is prohibited. Approximately 6,217 square feet of the 30,750-square-foot parcel is located within this setback area, and the Public Works Department requires the applicant to relinquish development rights over that portion of the property. The unusable area within the creek structure setback reduces the overall development area of the site which constrains where the applicant can locate covered parking. Moreover, the design of two levels of living space over a garage is a common design feature along Appian Way. These environmental and regulatory constraints significantly reduce the developable area of the site, making a three-story design necessary to achieve a reasonable density and functional unit layout consistent with the site's zoning designation.

California Environmental Quality Act (CEQA) Finding

In accordance with CEQA Guidelines, Section 15071 and Section 15072, a Mitigated Negative Declaration/Initial Study (MND) was prepared and published for the project. The 20-day public review period for the MND started on November 10, 2025 and ended on December 1, 2025. Three comment letters were received during the public review period for the MND.

The comments received did not specifically challenge the adequacy of the environmental document. Neither the comments nor the staff response to the comments resulted in any changes to the MND, and the impacts, mitigation measures and findings of the MND are unchanged.

On the basis of the whole record before it, including the MND, and in accordance with section 15074, the County Zoning Administrator finds that:

- There is no substantial evidence that the project with the proposed mitigation measures will have a significant effect on the environment;
- The MND reflects the County's independent judgement and analysis;
- The MND is adequate and complete; and
- The MND has been prepared in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA guidelines.

Pursuant to CEQA Section 15097, a Mitigation Monitoring Program has been prepared, based on the identified impacts and mitigation measures in the MND. The Mitigation Monitoring Program is intended to ensure that the mitigation measures identified in the MND are implemented. All mitigation measures are included in the Conditions of Approval for the project.

II. CONDITIONS OF APPROVAL FOR COUNTY FILE #CDDP22-03021:

Project Approval

1. **Development Plan** for an eight-unit townhomes project, is APPROVED, as generally shown and based on the following documents:

    - Application and materials submitted to the Department of Conservation and Development, Community Development Division (CDD) on May 6, 2022.
    - Revised project plans received on April 22, 2025.
    - Arborist report prepared by Aaron Sunshine, ISA Certified Arborist WE-12959A, received on October 31, 2025
    - Geotechnical report prepared by GEOTECHNIA, received on April 22, 2025.
    - Biological Report prepared by BIOMAAS INC, received on September 15, 2025.
    - Archaeological Survey Report prepared by Daniel Shoup, received on May 16, 2024.

2. Approval of a Tree Permit to allow the removal of five code protected trees (tree #1, 2, 5, 7 and 8).

3. Approval is granted to allow for the following exception that meet the requirements of Section 92-6.002 of the County Ordinance Code:

    A. Exception to Division 914, Collect and Convey Requirements.

4. Approval is granted to allow for the following deviation that meets the requirements of the County Ordinance Code:

    A. Deviation to the El Sobrante P-1 development standards to allow a 30' height where the maximum building height allowed is 27'.

5. Any change from the approved plans shall require review and approval by CDD and may require the filing of an application to modify the Development Plan.

Application Fees

6. This Development Plan Permit application is subject to an initial application deposit of $5,000.00, 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.

Indemnification

7. Pursuant to Government Code Section 66474.9, the applicant (including the property owner 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 Development Plan application, which action is brought within the time period provided in Section 66499.37. The County will promptly notify the applicant/property owner of any such claim, action, or proceeding and cooperate full in the defense.

Compliance Report

8. **Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, or tree removal, whichever occurs first**, the applicant shall submit a compliance report to the Department of Conservation and Development, Community Development Division (CDD) for review and approval. The report shall identify all conditions of approval that are administered by the CDD. The report shall document the measures taken by the applicant to satisfy all relevant conditions. Copies of the permit conditions may be obtained from the CDD. The permit compliance review is subject to staff time and materials charges, with an initial deposit of $1,500, which shall be paid at the time of submittal of the compliance report.

Waste Disposal

9. **Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first,** the applicant shall identify on the plan sheet the location of the garbage/recycling/organics collection units. The project shall include adequate container (carts or bins) enclosures and accessibility for collection vehicles to collect all three waste streams pursuant to County Code Chapters 418-6 Mandatory Subscription and 418-20 Organic Waste Disposal Reduction.

Signage

10. No signage is approved with this permit. Any proposed signage is subject to a review and approval by the Department of Conservation and Development under a Sign Permit application and shall comply with the Sign Ordinance Chapter 88-6.

Inclusionary Housing Ordinance

11. A residential development of five or more rental units is subject to the County's Inclusionary Housing Ordinance. Pursuant to Section 822-4.402(a) of the County Ordinance Code, in a residential development of five through one hundred twenty-five rental units, at least fifteen percent of the rental units shall be developed and rented as inclusionary units under the terms and conditions of Section 822-4.410(a) of the County Ordinance Code. At least twenty percent of the inclusionary units shall be rented at an affordable rent to lower-income households. An in-lieu fee may be paid pursuant to Section 822-4.404 of the County Ordinance Code as an alternative to providing some or all of the required inclusionary units.

    Required Inclusionary Housing Unit Calculation:

    - 8 units x 15% = 1.2 inclusionary units required.

- 1.2 x 20% = 0.24 units shall be rented at an affordable rent to very low-income households.
- 1.2 – 0.2 = 0.96 units shall be rented at an affordable rent to lower-income households.

The applicant, owner, and/or developer (Applicant) is required to construct 1.2 inclusionary units for the project. The Applicant has submitted an Inclusionary Housing Plan received on August 30, 2024, which proposed the construction of one inclusionary unit within the multi-family housing development. One unit shall be available to and occupied by a very low-income household (50% Area Median Income). The fractional unit of 0.2 would be satisfied with the payment of a partial in-lieu fee.

Inclusionary Housing Agreement

12. **At least 90 days prior to the Community Development Division's (CDD) approval of a building, demolition, or grading permit application, whichever occurs first**, and with the filing of a condition of approval compliance review, the Applicant shall initiate the County's preparation and execution of an Inclusionary Housing Agreement (Agreement), form to be provided by the County, with the County pursuant to County Ordinance Chapter 822-4 Inclusionary Housing, County Ordinance and Government Code 65915 to ensure that one (1) of the approved units is affordable to and occupied by a very low-income household. The Agreement shall be submitted to the Board of Supervisors for approval on behalf of the County. Following the execution of the Agreement, the completed Agreement will be filed and recorded on the subject property.

    The one on-site inclusionary unit identified will include:

    1 Two-bedroom unit for Very Low-Income (50% AMI)

    Maximum affordable rents shall be determined annually by the County and adjusted for family size appropriate for the unit.

    The continued affordability of the very low-income rental units shall remain restricted and affordable to the designated income category for fifty-five (55) years or longer if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

    Definitions

Terms and definitions used in these conditions of approval may be found in the above-referenced County Ordinance Codes and Government Code.

A. Affordable rent – means rent, including a reasonable utility allowance determined by the Department of Conservation and Development (DCD) Director or designee, that does not exceed the following calculations pursuant to Health & Safety Code Section 50053:

   For Lower-Income Households: the product of thirty percent times sixty percent of the area median income adjusted for family size appropriate for the unit.

   For Very Low-Income Households: the product of thirty percent times fifty percent of the area median income adjusted for family size appropriate for the unit.

B. Inclusionary Unit – means a rental unit that must be rented at an affordable rent to the households specified in Section 822-4.402.

C. Lower-Income Households – means a household whose income does not exceed the lower income limits applicable to Contra Costa County, adjusted for household size, as published, and periodically updated by the State Department of Housing and Community Development pursuant to Health and Safety Code Section 50079.5.

D. Very Low-Income Households – means a household whose income does not exceed the very low-income limits applicable to Contra Costa County adjusted for household size, as published and periodically updated by the State Department of Housing and Community Development pursuant to Health and Safety Code Section 50105.

Inclusionary Housing Partial In-Lieu Fee

13. **Prior to CDD-stamp approval of plans for the issuance a building, demolition, or grading permit for the housing development, whichever occurs first,** the Applicant shall pay the County the partial in-lieu fee for the remaining fractional 0.2 inclusionary unit. The current in-lieu fee calculation, based on the 8 base units, is $32,267.40. However, the actual fee collected will be that which is applicable prior to CDD approval of the grading permit, building permit, or demolition permit, whichever occurs first.

    This in-lieu fee is non-refundable and non-transferable.

    General

14. The following are general terms for the Inclusionary Housing Ordinance.

    A. The Applicant hereby represents, warrants, and covenants that it will cause the Agreement to be recorded in the real property records of Contra Costa County, California, and in such other places as the County may reasonably request. The Applicant shall pay all fees and charges incurred in connection with any such recording. The recording of the Agreement shall occur after the acceptance of the document by the County and prior to CDD's approval of a building permit or grading permit.

    B. The County will provide the Applicant a form for income certification to be completed by the renters. The income levels of all very low-income household and lower-income household applicants for units in the project shall be certified by DCD prior to initial occupancy and annually thereafter, and records shall be maintained by the Applicant over the entire term of the period of affordability.

    C. The one (1) inclusionary units in the project shall be available for rent on a continuous basis to members of the general public who are income-eligible. The Applicant shall not give preference to any particular class or group of persons in renting the units, except to the extent that the units are required to be rented to a very low-income household and lower-income households. There shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, sexual orientation, marital status, national origin, source of income (e.g., SSI), age (except for lawful senior housing), ancestry, or disability, in the rent of any unit in the Project nor shall the Applicant or any person claiming under or through the Applicant, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of renters of any unit or in connection with employment of persons for the construction of the project.

    D. In addition to any other marketing efforts, the lower-income units and very low-income units shall be marketed through local non-profits, social services, faith-based organizations, and other organizations with potential renters as clients or constituents. The Applicant shall translate marketing materials into Spanish and Chinese. A copy of the translated marketing materials, tenant selection plan, and marketing plan shall be submitted to DCD at least three months prior to the marketing of the inclusionary units for the review and approval of DCD and on an annual basis with the annual report.

Marketing may also include publicity through local television and radio stations and local newspapers, including the Contra Costa Times, Classified Flea Market, El Mensajero, Thoi Bao Magazine, Berkeley/Richmond/San Francisco Posts, Korea Times, El Mundo, Hankook Il Bo, and the Sing Tao Daily.

E. Upon violation of any of the provisions of the Agreement by the Applicant, the County may give written notice to the Applicant specifying the nature of the violation. If the violation is not corrected to the satisfaction of the County within a reasonable period of time, not longer than thirty (30) days after the date the notice is deemed received, or within such further time as the County determines is necessary to correct the violation, the County may declare a default under this Agreement. Upon declaration of a default or if the County determines that the Applicant has made any misrepresentation in connection with receiving any benefits under this Agreement, the County may apply to a court of competent jurisdiction for such relief at law or in equity as may be appropriate.

Development Standards

15. The inclusionary units are subject to the standards of Section 822-4.412 of the County Ordinance.

16. All inclusionary units must be constructed and occupied prior to or concurrently with the market rate units within the same residential development.

Location (Inclusionary Units)

17. Inclusionary units must be dispersed throughout the residential development and have access to all on-site amenities that are available to market-rate units.

Annual Reporting and Compliance Review

18. **Prior to the initial occupancy of each inclusionary unit,** the Applicant shall submit to the Department of Conservation and Development, a condition of approval compliance review application and fee along with the following information for review and approval of qualified tenants: forms and documentation that demonstrates the tenants of the inclusionary units have been certified as a qualified lower income household or very low-income households. **A hold shall be placed on the final inspection of the building permit** until all documentation has been deemed adequate by the Department of Conservation and Development.

19. **After the initial occupancy of the inclusionary units, the Applicant shall submit to the Department of Conservation and Development, a condition of approval compliance review application and fee along with an annual compliance review report for all inclusionary units and density bonus units.** The report must include the name, unit number, household size, and income of each person occupying inclusionary units, identify the number of bedrooms and monthly rent or cost (including utility allowance) of each inclusionary unit, and the affordability restriction of the unit. Tenants in rental housing developments shall provide consent to the owners to allow these disclosures. **The annual compliance review report is due April 1.**

20. The Applicant is responsible for keeping the Department of Conservation and Development informed of the contact information of the owner or local designee who is responsible for maintenance and compliance with this permit and how they may be contacted (i.e., mailing and email addresses, and telephone number) at all times.

    A. **Prior to CDD-stamp approval of plans for the issuance a building, demolition, or grading permit, whichever occurs first, and with the filing of a condition of approval compliance review,** the Applicant shall provide the name of the owner or local designee representing the owner of the property for permit compliance and their contact information including phone number, e-mail address, and mailing address.

    B. Should the contact subsequently change (e.g., new designee or owner), within 30 days of the change, the Applicant shall issue a letter to the Department of Conservation and Development with the project name, project address, name of the new party who has been assigned permit compliance responsibility and their contact information. Failure to satisfy this condition may result in the commencement of procedures to revoke the permit.

<u>Park Impact Fee</u>

21. **Prior to CDD stamp approval of plans for the issuance a building permit** for the multiple-family residential building, the applicant shall pay the applicable park impact fee as established by the Board of Supervisors.

<u>Park Dedication Fee</u>

22. **Prior to CDD-stamp approval of plans for the issuance a building permit** for the multiple-family residential building, the applicant shall pay the applicable park dedication fee as established by the Board of Supervisors.

Child Care Fee

23. **Prior to CDD-stamp approval of plans for the issuance a building permit** for the multiple-family residential building, the applicant shall pay a per unit fee toward childcare facility needs in the area as established by the Board of Supervisors.

Lighting

24. **Prior to CDD-stamp approval of plans for the issuance of a building permit** for the multiple-family residential building, a lighting plan shall be submitted to the (CDD) for review and approval. The lighting plan shall provide the specifications of the proposed light post as shown on the approved plans. All outdoor lighting shall be directed down and screened away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover.

Building Height

25. **Prior to CDD stamp approval of plans for the issuance of a building permit,** the applicant shall submit revised plans for the review and approval of CDD that show the multiple-family residential building will have a maximum height of 30' and that the exterior façade shall be consistent with the Downtown El Sobrante Design Guidelines – Residential Guidelines.

Privacy

26. **Prior to CDD stamp approval of plans for the issuance of a building permit,** the applicant shall submit revised construction drawings for the review and approval of CDD that show all windows on the second and third floor facing any residential parcel shall have obscure glass.

Restitution for Tree Removal

27. Required Restitution for Approved Tree Removal: The following measures are intended to provide restitution for the removal of five code-protected trees:

    A. Tree Restitution Planting and Irrigation Plan: Prior to the removal of trees or CDD stamp-approval of plans for issuance of building permits (e.g. demolition, grading or building), whichever occurs first, the applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of CDD. The plan shall provide for the planting of

eight 24-inch boxed trees or larger. The plan shall comply with the County's Water Efficient Landscapes Ordinance. The plan shall be accompanied by an estimate prepared by a licensed landscape architect or arborist of the materials and labor costs to complete the improvements on the plan. The plan shall be implemented prior to final building inspection of the building.

B. Required Security to Assure Completion of Plan Improvements: Prior to removal of trees or CDD stamp-approval of plans for issuance of building permits (e.g. demolition, grading or building, whichever occurs first, the applicant shall submit a security (e.g. bond, cash deposit) that is acceptable to the CDD. The bond shall include the amount of the approved cost estimate described in section 26A above, *plus* a 20% inflation surcharge.

C. Initial Deposit for Processing of Security: The County ordinance requires that the applicant pay fees to cover all staff time and material costs of staff for processing the landscape improvement security. At the time of submittal of the security, the applicant shall pay an initial deposit of $200.

D. Duration of Security: The security shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time the final inspection for the apartment building was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree(s) intended to be protected has been damaged, and CDD determines that the applicant has not been diligent in providing reasonable restitution, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s).

E. Integration with Final Landscape Plan: The tree restitution planting and irrigation plans described in subsection (a) above may be incorporated as part of the Final Landscape Plan required pursuant to Condition #28 below. However, the planting plan shall identify the replacement trees required to replace removed protected trees, which are intended to satisfy this condition. In addition, the provided estimate shall only cover materials and labor associated with the implementation of the required tree restitution, and not for the full landscape plan.

28. Tree removal shall occur only with an approved grading or building permit.

Landscaping

29. **Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, or tree removal, whichever occurs first,** a final Landscape Plan shall be submitted to the (CDD) for review and approval. The landscaping plan shall conform to the County's Water Efficient Landscapes Ordinance. **Prior to requesting a final inspection**, the approved landscaping shall be installed and evidence of the installation (e.g., photos) shall be provided for the review and approval of CDD.

30. The walkway identified on the site plan located at the rear of building 2 shall be extended around the perimeter of the property to the extent feasible to enhance on-site facilities for residents. **Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first,** the final Landscape Plan shall be updated to reflect the walkway extensions and shall be submitted for review and approval of CDD.

Electric Vehicle (EV) Ordinance

31. In accordance with the County's Electric Vehicle (EV) Ordinance, the project is required to provide ten percent of the total parking spaces at the site shall be EV charging spaces (3). Half of the EV charging spaces (minimum 1 space) shall install fully operational (minimum Level 2 or higher) EV charging stations. The remaining EV charging spaces shall be capable of supporting future electric vehicle charging infrastructure.

32. In accordance with the County's Electric Vehicle (EV) Ordinance, the applicant is required to install a listed raceway to accommodate a dedicated 208/240-volt branch circuit for each residential unit.

Bicycle Parking

33. A minimum of 4 bicycle spaces shall be provided for the site.

Debris Recovery

34. **Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first,**, the developer shall submit a Construction Waste Management Plan, which identifies approved methods to comply with CalGreen requirement to recycle and/or salvage for reuse a minimum of 65%, or current CalGreen mandate, of construction and demolition (C&D) waste materials generated at jobsite.

35. **Prior to requesting a final inspection for the multiple -family residential building**, the developer shall submit a Construction Waste Management Final Report containing information and supporting documentation that demonstrates compliance with

CalGreen requirements to recycle and/or salvage for reuse a minimum of 65%, or current CalGreen mandate, of C&D waste materials generated at jobsite.

Construction Restrictions and Requirements

The following construction restrictions shall be implemented during project construction and shall be included on all construction plans. **Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first,** the applicant shall provide evidence that the construction restrictions and requirements are include on the face of the construction plans.

36. 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. The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of demolition, grading, and construction activities.

37. The project site shall be maintained in an orderly fashion at all times. All random debris and trash shall be disposed of in a timely manner.

38. 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 to call in complaints shall also be visible to ensure compliance with applicable regulations.

39. 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.

40. The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.

41. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.

42. The construction contractor shall ensure that the construction staging areas shall be located to create the greatest feasible distance between the staging area and noise-sensitive receptors nearest the project site.

43. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activates, except the hours are limited to 9:00 am to 4:00 pm.

Lighting

44. Proposed exterior lighting shall be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover. All exterior lighting shall be turned off during the daytime hours. **(MM AES-1)**

Air Quality

45. The following Bay Area Air Quality Management District, Basic Construction mitigation measures shall be implemented during project construction and shall be stated on the face of all construction plans:

    A. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

    B. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

    C. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

    D. All vehicle speeds on unpaved roads shall be limited to 15 mph.

    E. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

    F. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

    G. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

    H. The applicant shall post a publicly visible sign with the developer/project manager's name and telephone number regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. **(MM AIR-1)**

Biological Resources

46. A protective buffer of 30 to 50 feet from Appian Creek will be established by the project applicant. Silt fence or similar Best Management Practices (BMPS) shall be established to prevent construction related debris and runoff from entering the creek during construction. **(MM BIO-1)**

47. At least 5 days prior to vegetation removal, tree removal during the nesting season, (February 1 through August 31) a pre-construction survey shall be conducted by a qualified biologist who is familiar with the nesting behavior of a variety of species and can establish protective buffers around the nest based upon the type of construction activity. Nest buffers should be adhered to by all construction related personnel and can only be removed by the biologist after the nest is no longer active. **(MM BIO-2)**

48. At least 5 days prior to beginning ground disturbance and/or construction, a qualified wildlife Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area. If the Biologist determines bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization. **(MM BIO-3)**

49. Vegetation removal, if necessary, should be kept to a minimum. If riparian vegetation removal is required, a CDFW Streambed Alteration Agreement, and RWQCB 401 Water Quality Certification if required prior to removal. **(MM BIO-4)**

<u>Cultural Resources</u>

50. The project area has a high sensitivity for buried Native American archaeological deposits, and is located within 1000 feet of four shell midden sites (CA-CCO-126, CA-CCO-151, CA-CCO-155, and CA-CCO-505), three of which are known to contain burials. To ensure that the project does not cause substantial adverse impacts to historical resources as defined at 14 CCR §15064.5, the following shall be implemented prior to any ground disturbing activity:

    A. Prior to any ground-disturbing activity, construction crews should receive a cultural resources training from a qualified archaeologist. The training should review the types of cultural resources that might be found, the legal obligations of the contractors, and steps to follow if archaeological materials or human remains are identified.

    B. Prior to issuance of a building permit, a qualified archaeologist should design a subsurface testing program to assess the presence or absence of buried archaeological sites in the project area. Mechanical trenching of a representative sample of the project area to the level of potential ground disturbance or four

feet, whichever is greater, should be completed in order to evaluate the presence and depth of possible cultural soils. Mechanical trenching may be supplemented by hand augering or other sampling strategies as needed. All mechanical excavations should be monitored by a qualified archaeologist and representative of the Native American community. If cultural resources are identified, it may be necessary to collect additional data to evaluate the significance of the resource.

C. Should subsurface testing not prove feasible, ground-disturbing activity on the project area should be monitored by a qualified archaeologist and representative of the Native American community until sufficient information has been gathered to demonstrate the presence or absence of archaeological resources within the area that will be disturbed by the proposed project.

D. If human remains are found during monitoring, the monitor will stop all activity within a 100- foot radius, and the Contra Costa County Coroner will be informed. If the remains appear to be Native American, the Native American Heritage Commission will be notified and invited to identify a Most Likely Descendant, who will make recommendations regarding reburial of the human remains, per §15064.5(e) of the CEQA Guidelines. **(MM CUL-1)**

Geology and Soils

51. **Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first,** the applicant shall prepare a geotechnical report to address liquefaction hazards. The evaluation of the liquefaction hazard shall be based on analysis of the Cone Penetration Test (CPT) data. The SHZ report should include a) Project description, b) Review of published geologic mapping and seismicity of the El Sobrante area, c) Provide justification for all assumptions used as inputs to the computer analysis of liquefaction potential based on analysis of CPT date. The methodology used by the project geotechnical engineers to evaluate liquefaction shall be consistent with guidelines adopted by the California Geological Survey for liquefaction analysis. If the CPT analysis confirms the presence of potentially liquefiable sands in the subsurface, the amount of anticipated total settlement and differential settlement across a building site shall be provided. **(MM GEO-1)**

52. **Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first,** the applicant shall evaluate the potential hazard posed by corrosive soils and provide mitigation for any substantial hazard posed by corrosive soils. **(MM GEO-2)**

53. **Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first,** the applicant shall submit a geotechnical update of the 2024 Geotecnia report. The purpose of the update is to provide an opportunity for the geotechnical engineer to review and modify recommendations as warranted, based on the design level plans. **(MM GEO-3)**

54. The applicant/contractor shall require adequate geotechnical monitoring to verify the design-level recommendations of Geotecnia are fully/correctly implemented in the field and documented in a final report from the geotechnical engineer. That report shall include monitoring dates on site, identify the location/nature of the features observed, provide any test results, and provide the engineer's professional opinion of compliance of the as-graded, as-built project with geotechnical recommendations. **(MM GEO-4)**

55. All required reports shall be subject to peer review by the County Peer Review Geologist and shall be subject to review and approval by the Department of Conservation and Development. **(MM GEO-5)**

<u>Noise</u>

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

    A. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 7:30 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

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

Day after Thanksgiving (State)
Christmas Day (State and Federal)

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

Federal Holidays: Federal Holidays (opm.gov)
California Holidays: https://www.calhr.ca.gov/employees/pages/state-holidays.aspx

B. Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.

C. 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.

D. The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities

E. The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and shall maintain a log of complaints, which shall be available for review by County staff upon request.

F. **Prior to the issuance of building permits,** a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance. **(MM NOI-1)**

PUBLIC WORKS CONDITIONS OF APPROVAL FOR PERMIT CDDP22-03021

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exceptions must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan submitted to the Department of Conservation and Development dated on November 19, 2024.

UNLESS OTHERWIE NOTED, COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT.

General Requirements:

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

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

Roadway Improvements (Appian Way Frontage):

59. The Applicant shall construct curb, 8-foot sidewalk, necessary longitudinal and transverse drainage, street lighting, and pavement widening and transitions along the frontage of Appian Way. Applicant shall construct face of curb 8 feet from the ultimate right-of-way line.

Access to Adjoining Property:

Proof of Access

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

Encroachment Permit

61. The Applicant shall obtain an encroachment permit from Public Works, if necessary for construction of driveways or other improvements within the right-of-way of Appian Way.

Abutter's Rights

62. The Applicant shall relinquish abutter's rights of access along Appian Way with the exception of the proposed private driveway intersection.

Road Alignment/Intersection Design/Sight Distance:

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

On-Site Vehicle Circulation:

64. The Applicant shall construct the on-site private drive to current County private road standards with a minimum traveled width of 20 feet.

65. The Applicant shall construct a paved turnaround at the end of the proposed private drive.

66. Internal access and turnaround are subject to approval by the Fire District and Public Works.

Road Dedications:

67. The Property owner(s) shall convey to the County, by Offer of Dedication, the right-of-way necessary for the planned future half-width of 40 feet along the frontage of Appian Way.

Bicycle – Pedestrian Facilities:

Pedestrian Access

68. The Applicant shall design all public and private pedestrian facilities for accessibility in accordance with Title 24 and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps.

Parking:

69. Parking shall be prohibited along the internal driveway and turnaround with the exception of designated parking stalls opposite Units 1, 2 and 3. "No Parking" signs and/or pavement markings shall be installed along these portions of the roads subject to the review and approval of the Fire District and Public Works Department.

70. "No Parking" signs shall be installed along Appian Way subject to the review of the Public Works Department and the review and approval of the Board of Supervisors.

Utilities/Undergrounding:

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

Drainage Improvements:

Collect and Convey

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

Exception (Subject to Advisory Agency findings and approval)

Due to existing downstream drainage constraints that cannot be reasonably remedied, Applicant shall be permitted an exception from the collect and convey requirements of the County Ordinance Code provided that on-site detention

measures are employed to mitigate the additional runoff rate from the site to pre-project conditions.

Miscellaneous Drainage Requirements:

73. The Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.

74. The Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

Floodplain Management:

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

76. **Prior to issuance of a building permit** for the westerly building (Units 6, 7, and 8) , the applicant shall obtain a Letter of Map Amendment (LOMA) that removes the building footprint for that building area from the Special Flood Hazard Area. If the conditions are such that it does not qualify for a LOMA, a Conditional Letter of Map Revision based on Fill (CLOMR-F) will be required. In the latter case, a final Letter of Map Revision based on Fill will be required prior to occupancy.

Creek Banks and Creek Structure Setbacks:

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

    Hold Harmless

78. The property owner shall be aware that the creek banks on the site are potentially unstable. The property owner shall execute a recordable agreement with the County which states that the developer and the property owner and the future property owner(s) will hold harmless Contra Costa County and the Contra Costa County Flood Control and

Water Conservation District in the event of damage to the on-site and off-site improvements as a result of creek-bank failure or erosion.

National Pollutant Discharge Elimination System (NPDES):

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

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

    -Minimize the amount of directly connected impervious surface area.
    -Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention area) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES Permit.
    -Place advisory warnings on all catch basins and storm drains using current storm drain markers.
    -Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
    -Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance:

80. The applicant shall submit a final Storm Water Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to issuance of a building permit. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant.

81. Improvement plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).

82. Stormwater management facilities shall be subject to inspection by the Public Works Department; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.

83. Prior to the initiation of the proposed use, the property owner(s) shall enter into a Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for and related to the operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.

84. Prior to issuance of a building permit, the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.

85. Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

Area of Benefit Fee Ordinance:

86. The Applicant shall comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the WCCTAC Transit/Pedestrian/Bridges/Roads, and El Sobrante Road Areas of Benefits as adopted by the Board of Supervisors.

Drainage Area Fee Ordinance:

87. The Applicant shall comply with the drainage fee requirements for Drainage Area 73 as adopted by the Board of Supervisors. This fee shall be paid prior to issuance of a building permit.

88. The applicant shall construct creek capacity improvements as called for in the "San Pablo Creek Watershed Study" and as directed by the Public Works Department or Flood Control and Water Conservation District.

    OR

89. Applicant shall contribute $0.25 per square foot of additional impervious surface area to the San Pablo Creek watershed mitigation fund, to be used for creek capacity improvements within the San Pablo Creek Drainage Area.

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. This project may be subject to the requirements of the following agencies:

- Department of Conservation and Development, Building Inspection Division
- Contra Costa County Public Works Department
- Contra Costa County Fire Protection District
- Contra Costa County Health Services Department
- East Bay Municipal Utility District
- West County Wastewater District

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

C. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.

D. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

Department of Conservation and Development

County Zoning Administrator

Monday, December 15, 2025 – 1:30 P.M.

STAFF REPORT **Agenda Item #____**

Project Title:	Development Plan for eight unit El Sobrante Townhomes
County File Number:	CDDP22-03021
Applicant:	Numair Ali
Owner:	Ali Shakil and Anita
Zoning/General Plan:	Downtown El Sobrante Planned Unit Development (P-1) / Mixed-Use Low Density (MUL) and Resource Conservation (RC)
Site Address/Location:	4301 Appian Way, El Sobrante, CA 94803 (APN: 425-142-030)
California Environmental Quality Act (CEQA) Status:	The Initial Study (SCH No. 2025110313) identified potentially significant impacts in the areas of Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Noise and Tribal Cultural Resources, and identified mitigation measures to reduce such impacts to a less-than significant levels.
Project Planner:	Everett Louie, Planner III – Phone: (925) 655-2873 Email: everett.louie@dcd.cccounty.us
Staff Recommendation:	Approve (See section II for full recommendation)

I. PROJECT SUMMARY

The applicant requests approval of a Development Plan to construct eight, three-story townhomes within two separate buildings and to install associated improvements (e.g. pavement, utilities, stormwater conveyance). The project includes a Tree Permit for the removal of five code-protected trees. The project includes one unit for very low-income household. The project includes approximately 200 cubic yards of cut and 750 cubic yards of fill. The project includes a request for a deviation to the El Sobrante P-1 development standards to allow for a 33′-6 ½″ height (where 27′ is the maximum height allowed) and an exception to Division 914, Collect and Convey requirements. The existing residence and detached garage will be demolished.

II. RECOMMENDATION

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

A. OPEN the public hearing on the El Sobrante Townhomes Project, RECEIVE testimony, and CLOSE the public hearing.

B. FIND that the mitigated negative declaration (SCH No. 2025110313) prepared for the project adequately analyzes the project's environmental impacts, that there is no substantial evidence that the project will have a significant effect on the environment, and that the mitigated negative declaration reflects the County's independent judgement and analysis.

C. ADOPT the mitigated negative declaration (SCH No. 2024060676) prepared for the project.

D. ADOPT the mitigation monitoring and reporting program for the Project.

E. DIRECT the Department of Conservation and Development to file a CEQA Notice of Determination with the County Clerk.

F. SPECIFY that the Department of Conservation and Development, located at 30 Muir Street, Martinez, California, is the custodian of the documents and other material that constitutes the record of proceedings upon which the decision of the Zoning Administrator is based.

G. APPROVE the project, Development Plan County File #CDDP22-03021 which includes a Tree Permit a Deviation and an Exception, based on the attached findings and conditions of approval;

III. GENERAL INFORMATION

A. General Plan: The subject property is located within the Mixed-Use Low Density (MUL) and Resources Conservation (RC) General Plan land use designation.

B. Zoning: The subject property is located within the Downtown El Sobrante Planned Unit Development (P-1).

C. California Environmental Quality Act (CEQA) Compliance: A CEQA Initial Study was prepared for the project. The Initial Study identified potentially significant impacts in the areas of aesthetics, air quality, biological resources, cultural resources, geology and soils,

noise and tribal cultural resources. Mitigation measures were identified which will reduce such impacts to less-than significant levels. Three comments were received during the public noticing period for the CEQA document. These comments are addressed in section VII– Environmental Review.

D. Lot Creation: The project site is lot 54 of Santa Rita Acres Unit No 1, recorded on October 21, 1937.

IV. SITE/AREA DESCRIPTION

Site Description: The subject parcel is one parcel with 30,750 square feet in area and is located at 4301 Appian Way in the El Sobrante area of Contra Costa County. The site fronts Appian Way to the southeast. The project site topography is generally level from Appian way which starts at 111 feet above mean sea level and slopes just slightly towards the rear at 109 feet above mean sea level (slopes towards Appian Creek along the northwest portion of the property). At the very rear of the property is Appian Creek which bisects the property at the rear property line and occupies approximately 3,500 square feet of the parcel. At the creek portion, the topography slopes steeply, going from 107 feet above mean sea level at the creek bank, sloping downward to 97 feet above mean sea level for the creek bed. The site consists of one parcel. Assessor's parcel number 425-142-030. The site contains several trees of various species and sizes and currently has an existing single-family residence and a detached garage.

Surrounding Land Uses: Directly south is a small retail shopping plaza and directly north is a church. To the rear of the property (west) is single-family residential development and across Appian way is a mixture of area servicing retail and single-family residential development. The development pattern of this area is residential uses mixed in with neighborhood serving retail and commercial uses.

V. PROJECT DESCRIPTION

The applicant requests approval of a Development Plan to construct two three-story, 33'-6 ½" tall townhouse buildings. The project will demolish the existing single-family house and detached garage in order to make room for the project. The building closest to the frontage (building 1) will contain 5 units (units 1-5) while the building located at the rear (building 2) will contain 3 units (unit 6-8). Building 1 will be approximately 10,995 square feet and Building 2 will be approximately 6,615 square feet. Each unit is three stories and will have the same layout and square footage. Each unit will consist of the following:

- Lower Level – 128 square feet (SF) laundry and storage area and 616 SF, two car garage
- Main Level – 744 SF with a 30 SF deck (dining, living, kitchen and bathroom)
- Upper Level -744 SF (two bedroom and two bathrooms)

The project also includes other improvements such as the following:

- Parking related improvements for eight parking spaces with minimum dimensions of 19 feet depth x 9 feet width.
- Asphalt and permeable pavement.
- Two bio-retention basins.
- Utility lines and connections.
- A fifteen-foot right of way dedication along the frontage of Appian Way.
- Turnaround at the terminus of the proposed driveway.
- Four bicycle parking spots for short term and long term bicycle parking.
- Approximately 13,721 square feet of landscaping.
- 200 cubic yards of cut and 750 cubic yards of fill.

The project also requests an exception to Division 914, Collect and Convey requirements and a Deviation to the El Sobrante P-1 development standards to allow for a 33'-6 ½" height where 27' is the maximum height allowed.

Parking

Each townhouse unit will have a two-car garage located at the lower level. Additionally, the site will have eight guest parking spaces and will provide four bicycle parking spaces for short term and long-term bicycle parking. The eight guest parking spaces will be located adjacent to the driveway, at the northeast of the parcel while the bicycle parking will be located directly north of building 1.

Tree Removal

The project parcel contains eight trees and four tree stumps. The project will remove eight trees, five of which are code protected as the other do not have the diameter at breast height (DBH) to qualify as a code protected tree. The project will also remove four stumps of dead trees. The dead stumps are not considered code protected trees. The following table represents the trees on site.

No.	Species	DBH (inches)	Condition	Status	Protected
1	Deodar Cedar	30	Fair	Remove	Y
2	Douglas fir	32	Fair	Remove	Y
3	Citron	1.5	Fair	Remove	N
4	Tree privet	2	Good	Remove	N
5	Common pear	4, 5, 5	Fair	Remove	Y
6	Common fig	1	Fair	Remove	N
7	Olive	7, 7, 7, 11	Good	Remove	Y
8	Olive	7, 9, 7, 6, 10	Good	Remove	Y
9	Northern California	15, 10, 17	Poor	Stump	N

	black walnut				
10	Northern California black walnut	13, 8	Poor	Stump	N
11	Douglas fir	37	Dead	Stump	N
12	Douglas fir	34	Dead	Stump	N

Inclusionary Housing Ordinance

The project includes the construction of eight for-sale units and is subject to the County Ordinance Code, Chapter 822-4, Inclusionary Housing Ordinance. The ordinance requires at least 15 percent of the dwelling units in a residential development of five or more for-sale units to be developed as inclusionary units. The applicant/owner/developer is required to construct 1.2 inclusionary units for the project. The project will propose one unit to be occupied at a very low-income household (50% Area Median Income). To satisfy the remaining 0.2 units of the Inclusionary Housing Ordinance requirement, the applicant has proposed to pay the in-lieu fee of $32,267.40. the in-lieu fee is non-refundable and non-transferable.

VI. AGENCY COMMENTS

A. West County Wastewater(WCW): In a letter dated May 13, 2022, WCW determined that wastewater service is available for the proposed project. The applicant will need to submit a plot plan to WCW for review and approval.

B. Contra Costa County Mosquito & Vector Control District: In a returned agency comment request dated May 13, 2022, the District provided comments in regard to preventing standing water in excess of 72 hours.

C. Contra Costa County Fire Protection District (CCCFPD): In a letter dated June 1, 2022, the Fire Protection District requested that the applicant submit improvement plants for review and approval prior to obtaining a building permit.

D. California Historical Resources Information System (CHRIS): In a letter dated June 6, 2022, CHRIS recommended an archaeological study be performed to identify any unrecorded archaeological resources on the site.

E. East Bay Municipal Utility District (EBMUD): In a letter dated June 6, 2022, the Utility District stated that water service is available for the site and the applicant shall contact EBMUD for review and approval of construction drawings.

F. Contra Costa County Public Works Department, Flood Control Division: In an email sent on June 9, 2022, the Flood Control Division submitted comments regarding drainage impacts to Appian Creek. The Flood Control Division stated that the grading and drainage plans should be reviewed by the Engineering Services Division of the Contra Costa County Public Works Department.

G. Contra Costa County Department of Conservation & Development, Transportation Planning Section: In a review letter dated June 22, 2022, the Transportation Planning Section determined that the project is not subject to Vehicle Miles Traveled analysis nor is the project subject to Level of Service analysis. Comments also recommended bicycle parking and electric vehicle parking spaces.

H. El Sobrante Municipal Advisory Council (MAC): The MAC heard the project on July 13, 2022 and voted to support the project with some recommendations for more parking and to provide green waste bins. In response to the MAC comments, County Staff reviewed the project and determined that the project complies with all parking requirements and will comply with the County waste disposal ordinance.

I. El Sobrante Planning and Zoning: An agency comment request was sent to El Sobrante Planning and Zoning. However, as of the date of this Staff Report, no comments were received.

J. Contra Costa County Department of Conservation & Development, Advanced Planning: In an email dated October 27, 2022, Advanced Planning determined that the project at the time, did not meet the old General Plan Land Use Designation but that Advanced Planning would support a General Plan Amendment. A General Plan Amendment is no longer required as the current General Plan 2045 Land Use Designation supports the current density.

K. Contra Costa County Department of Conservation & Development, Solid Waste: In a returned agency comment letter, Solid Waste provided comments stating that the applicant needs to provide adequate waste collection bins.

L. Contra Costa Environmental Health (CCEH): In a review letter dated May 16, 2022 CCEH provided comments regarding wells, utilities and construction waste.

M. Contra Costa County, Public Works Department Engineering Services: The Public Works Department provided a staff report dated January 23, 2025 which includes their conditions of approval and their determination that the exception request is warranted.

N. Contra Costa County, Housing & Community Improvement Division: In a letter dated September 4, 2024, the Housing & Community Improvement Division determined that the Inclusionary Housing Plan was sufficient and that the project is required to construct 1.2 inclusionary units for the project. In order to achieve this, the Housing & Community Improvement Division reviewed the proposal for one very low-income unit and payment of a partial in-lieu fee.

O. Contra Costa County, County Geologist: In a review letter dated July 14, 2025, the County Geologist reviewed the Geotechnical report and determined that report adequately

responded to any geological concerns. The County Geologist review letter provided mitigation measures which are included as conditions of approval with this project.

VII. ENVIRONMENTAL REVIEW

A CEQA Initial Study was prepared for the project. The Initial Study identified potentially significant impacts in the areas of Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Noise and Tribal Cultural Resources. Mitigation measures were identified which will reduce such impacts to less-than significant levels. The Initial Study and Mitigated Negative Declaration (MND) for the proposed project were posted for public review beginning on November 10, 2025 and extended until December 1, 2025. Three comment letters were received during that time from the Department of Toxic Substances Control, the East Bay Municipal Utility District and John Crowl of 4284 Appian Way. Below is a summary of the comments that addresses environmentally related issues discussed in the MND, and staff's responses to those comments.

A. Letter from Department of Toxic Substances Control dated November 14, 2025.

1. Comment: The Department of Toxic Substances Control provided comments related to the demolition of any buildings or structures and the presence of lead-based paints, mercury, asbestos, etc. and is requiring that any imported soil or fill not contain contaminated soils.

   Staff Response: The comments received from the Department of Toxic Substances Control did not specifically challenge the adequacy of the environmental document. The letter pertains more to the project following regulations when dealing with the potential for toxic substances. As reviewed in the Mitigated Negative Declaration, the project site is not categorized as a hazardous materials site according to the Cortese list and would not utilize high risk hazardous products during project construction. Additionally, the applicant is required to obtain a demolition permit for any demolition of structure or buildings and is required to obtain a grading permit for any proposed grading from the Contra Costa County Building Inspection Division. During the permitting process, the applicant will be required to comply with all regulations related to the potential for toxic chemicals or contaminated fill. Therefore, because the applicant is required to comply with the permitting requirements of both the grading and building division, this will ensure that any potential for toxic substances will be addressed.

B. Letter from East Bay Municipal Utility District (EBMUD) dated November 25, 2025.

2. Comment: EBMUD provided comments related to metering infrastructure for each dwelling unit, requiring the project to incorporate water conservation measures pursuant to Assembly Bill 325 and to require the applicant/developer to submit plans to EBMUD's new business office.

   Staff Response: The comments received from EBMUD did not specifically challenge the adequacy of the environmental document. The letter pertains more to the project following regulations during installation of water services. As reviewed in the Mitigated Negative Declaration, the project applicant is required to obtain approval from the water district prior to occupancy.

C. Letter from John Crowl of 4284 Appian Way, El Sobrante, CA 94803 dated December 1, 2025.

3. Comment: Mr. Crowl has concerns regarding the traffic, including the speed limit, parking restrictions along Appian Way and is concerned that a potential driveway would require the removal of the Deodar Cedar.

   Staff Response: The comments received from Mr. Crowl did not specifically challenge the adequacy of the environmental document but rather expressed concerns regarding traffic and tree removal. The conditions of approval require "no parking" signs to be installed along Appian Way subject to the review and approval of the Public Works Department and the Board of Supervisors. Additionally, the project was analyzed by the Transportation Planning Section of the Department of Conservation and Development and was determined to contribute only 6/8 AM/PM Peak hour trips. In regards to the removal of the Deodar Cedar tree, an arborist report was submitted which evaluated that the tree had a fair health and was fully within the construction zone of Unit 1. The Deodar Cedar is also not within the driveway area as Mr. Crowl has indicated. Appropriate findings have been made including reasonable development of the property would require the removal of the tree and an arborist report was submitted reviewing the removal of the tree.

VIII. STAFF ANALYSIS

A. **General Plan Consistency:** The project site has a General Plan land use designation of Mixed-Use Low (MUL) and Resource Conservation (RC). The project will be located within the MUL portion of the parcel. The MUL General Plan land use designation allows for various housing types including townhouses with a Density range of 10-30 and a FAR of 1.0. The project is located on a 0.67 net acre property which allows for a density range of 7 to 20 residential units. The project is proposing 8 residential units which is within the density range for the MUL General Plan Designation. The parcel 30,750 square feet

and the total building floor area is 11.904 square feet which equates a FAR of 0.39 which does not exceed the maximum FAR of 1.

Chapter 3: Stronger Communities Element of the Contra Costa County 2045 General Plan provides specific policies for the El Sobrante Area. The project site is located within the Appian Way Mixed-Use Area which is defined as an area that is designed to enhance the neighborhood scene including shopping, offices and residential projects. The below policies apply to the project.

Policy 1: In mixed-use areas, support development and retention of commercial uses and local-serving businesses in mixed-use areas to meet the daily needs of the community while promoting new residential development.

Staff Response: The project proposes eight new residential units that will provide housing for residents within the El Sobrante area. Therefore, the project complies with the policy.

Policy 5: Improve the pedestrian and bicycle environment, particularly along major thoroughfares, by closing gaps in the sidewalk system, widening sidewalks, discouraging "drive-through" businesses, and enforcing speed limits and traffic safety rules.

Staff Response: The project will be required to construct curb and an 8-foot sidewalk along Appian Way. These improvements will increase pedestrian and bicycle environment along Appian Way which is designated as a Class II bike lane.

Policy 8: Encourage multiple-family residential projects to provide on-site recreational facilities for residents.

Staff Response: The parcel site contains a creek at the rear that covers approximately 3,500 square feet of the parcel which restricts building a large open space area. Currently, the project proposes a pervious walkway at the rear to allow future residents to walk along the rear property line to enjoy views of the creek. To enhance on-site recreational facilities for future residents, County Staff has included a condition of approval to extend the pervious walkway around the permitter of the property to enhance on-site recreational facilities for residents.

Based on the consistency with the applicable policies and land use designation standards, the project would conform with the County's General Plan.

B. **Housing Element Compliance**: A component of preparing the County's Housing Element for the General Plan is the identification of vacant and underutilized suits suitable for residential development, and an evaluation of the housing development potential of these sites in fulfilling the County's share of the regional housing needs as

determined by the Association of Bay Area Governments (ABAG).

In order to assess whether this residential development application is subject to requirements of California Government Code section 65863, staff reviewed the site inventory for the adopted 2023-2031 Housing Element and determined that Assessor's Parcel Number 425-142-030 is not among the parcels listed in the inventory of residential sites which were relied upon to meet the County's share of regional housing needs. Nevertheless, the project includes a total of eight residential units. These unit types will increase housing opportunities for different size households for different income categories. Therefore, the project will contribute towards the regional housing need for the County and provide needed housing units for the region.

C. **Zoning Consistency**: The subject property is located within the Downtown El Sobrante Planned Unit Development (P-1) Zoning District. The El Sobrante P-1 has land use districts and according to the Land Use District Map listed in the Downtown El Sobrante Planned Unit Development, the project is located within the Appian Way General Mixed Use (M-11). Under the old General Plan, the property was designated as M-11 and under the current 2045 General Plan, the property is designated as MUC. While the M-11 is no longer a land use within the current General Plan, Staff has identified that this is the most comparable land use for the property. Therefore, according to the land use matrix, M-11, multiple-family uses are permitted uses. Additionally, under the El Sobrante P-1 Zoning District, a new residential project over 2 units will also require a Development Plan permit. The El Sobrante P-1 contains development standards that the project will comply with. However, the project is also requesting a deviation to the maximum building height requirement of 27' as the project proposes 33'-6 ½". The below table shows how the proposed project complies with the development standards as stated below.

	Required	Proposed
Max Area	3,500 SF	30,750 SF
Min Width	35'	100 ft
Building Height:	Maximum 27' with findings	33'-6 ½" *
Floor Area Ratio (FAR)	0.1-1.0	0.39
Maximum Lot Coverage	40%	19.09%
Unit Density	10-30 Density range which yields 7 – 20 0.67 net acre	8 units Within Density range
Front Setback:	0'	Greater than 13' from Appian Way

Side Setback:	0’	10’ on south side 15’ on north side
Street Side Yard	10’	Does not apply
Rear Setback:	15’	Greater than 15’
Creek Structure Setback:	30’	30’
Parking Spaces:	Multiple Family 2.25 spc/unit 2+ bdrm (18 spc recuired)	24 spc provided
Covered Parking:	9 covered (50% of Required Parking Spaces)	16 covered
Bicycle Parking	Multiple Family four spaces	Four bicycle parking

*The applicant is requesting a deviation to the El Sobrante Planned Unit P-1 Height Development Standards.

As stated above, the project is requesting a deviation to allow a 33’-6 ½” height where 27 feet is the maximum height allowed. The El Sobrante P-1 Land Use Matrix section under footnote J allows for deviations to development standards in accordance with the County Zoning Code. The requested height deviation is necessary to allow reasonable development of the site consistent with other townhouse and multi-family projects in the vicinity. The project proposes three-story townhomes with covered parking provided within enclosed garages on the ground floor, which is a standard requirement for townhouse developments. Providing required covered parking at the lower level increases the overall height of the buildings, as two levels of living space are located above the garage level.

In addition, the site is constrained by a creek located along the rear property line, which triggers a 30-foot creek structure setback where development is prohibited. Approximately 6,217 square feet of the 30,750-square-foot parcel is located within this setback area, and the Public Works Department requires the applicant to relinquish development rights over that portion of the property. The unusable area within the creek structure setback reduces the overall development area of the site which constrains where the applicant can locate covered parking. Moreover, the design of two levels of living space over a garage is a common design feature along Appian Way. These environmental and regulatory constraints significantly reduce the developable area of the site, making a three-story design necessary to achieve a reasonable density and functional unit layout consistent with the site’s zoning designation.

D. **Downtown El Sobrante Design Guidelines – Residential Guidelines:**

The El Sobrante P-1 contains residential guidelines that provide guidance on compatible designs for residential projects. The following design guidelines are related to multiple-family projects within the El Sobrante Specific Plan.

Policy H.5: Design multiple family projects to enhance the neighborhood character.

Staff Response: The project is designed to break the street façade by not locating the units at the very front. The project places 3 units at the rear which breaks up the massing and location of the units. The project includes balconies and other design features to break up the large building walls. Each unit has a balcony on the upper level. Lastly, the garage at the lower level is designed using forms and materials similar to the main structure. Therefore, the project complies with the residential guidelines of the El Sobrante P-1.

E. **Appropriateness of Use:** The project will construct eight new townhouses which will increase the housing stock in this area of El Sobrante. As stated above, the El Sobrante P-1 allows for multiple-family projects with a Development Plan and the General Plan MUL allows for various housing types including townhouses on small parcels less than 1 acre. Moreover, this area is characterized as mixed use with residential uses blended with commercial and retail. There are numerous multi-family uses within Appian Way and San Pablo Dam Road. Within a 2,500-foot radius from the site is at least 9 multiple-family uses. Additionally, there is a subdivision 1,500 feet north that is consists of a three-story residential use which would be mimicked by this project. Therefore, multiple-family projects are not an uncommon use in this area, and as such, the project is consistent with the neighborhood.

F. **Inclusionary Housing Ordinance:** A residential development of five or more rental units is subject to the County's Inclusionary Housing Ordinance. Pursuant to Section 822-4.402(a) of the County Ordinance Code, in a residential development of five through one hundred twenty-five rental units, at least fifteen percent of the rental units shall be developed and rented as inclusionary units under the terms and conditions of Section 822-4.410(a) of the County Ordinance Code. At least twenty percent of the inclusionary units shall be rented at an affordable rent to lower-income households. An in-lieu fee may be paid pursuant to Section 822-4.404 of the County Ordinance Code as an alternative to providing some or all of the required inclusionary units.

Required inclusionary Housing Unit Calculation:

- 8 units x 15% = 1.2 inclusionary units required
- 1.2 x 20% = 0.24 units shall be rented at an affordable rent to very low-income households
- 1.2 – 0.2 = 0.96 units shall be rented at an affordable rent to lower-income households.

Under the Housing Unit Calculation, the applicant is required to construct 1.2 inclusionary for the project. The Applicant submitted an Inclusionary Housing Plan received on August 30, 2024, which proposed the construction of one inclusionary unit within the multi-family housing development. One unit shall be available to and occupied by a very low-income household (50% Area Median Income). The fractional unit of 0.2 would be satisfied with the payment of a partial in-lieu fee. The current in-lieu fee calculation, based on the 8 base units, is $32,267.40.

G. **Trees:** The project parcel contains eight trees (five of which are code protected) and four dead tree stumps. (See Tree Removal Table in section V). The project will remove all eight trees and four dead stumps. An arborist report prepared by Aaron Sunshine, ISA Certified Arborist WE-12959A reviewed the site and determined that reasonable development of the property requires the removal of the trees. As a condition of approval for the tree removal, a bond will ensure that the applicant installs five replacement trees and to ensure that the replacement trees would remain healthy after construction has been completed. A final landscape plan will be required and the landscaping for the project will be required to comply with the County's Water Efficient Landscapes Ordinance.

H. **Off-Street Parking:** As stated in the Zoning section above, the project is subject to the parking requirement within the El Sobrante P-1. The El Sobrante P-1 requires 2.25 spaces per unit for multiple family with 2 or more bedrooms. Guest parking is already added in the 2.25 spaces requirement. Therefore, the project is required to provide (2.25 spaces per unit x 8 units) 18 spaces. The project proposes 24 parking spaces which exceeds the requirement. The project is also required to comply with the Off-Street Parking Ordinance requirements for design and layout below:

   A. Access Requirements: The requirement for access is access 20 feet for two way travel, and a driveway aisle intersection requirement of 18 feet away from the parking space nearest. The project proposes a 26 feet access width and the nearest parking space to the intersection is approximately 36 feet away.

   B. Driveway Aisles: The requirement for a driveway aisle of ninety degrees is 25 feet. The project proposes a 26-foot driveway aisle.

   C. Surfacing: The requirement for surfacing a parking area is asphalt or cement or a similar paving material The project proposes to locate the parking area on hardscape cement.

   D. Striping, Marking and Signage: The requirement includes marking each parking space and appropriate signage. The project proposes to mark each space to designate the location. Signage and directional markings are not deemed necessary for this residential project.

   E. Lighting: The requirement is to provide for adequate illumination for the parking area. The project will have exterior lights on the buildings that will allow for

illumination for the parking area. Additionally, a condition of approval will require that all lights must be directed downward and away from adjacent areas and public streets and rights-of-way.

F. Screening and buffers: The requirement is to screen parking areas if adjacent to a residential zoning district or a planned unit district. The property immediately to the rear is zoned residential. However, the location of the eight guest parking spaces is orientated away from the residential zoned parcel at the rear. Therefore, because the proposed parking area is not adjacent to any residential zoned district or residential planned unit district, further screening or buffers is not required.

G. Parking Space design: The requirement for a ninety degree angled parking is a space width of 8'6" with a space depth of 18'. The project proposes parking spaces with 9' in width and 17 feet in depth with a two-foot bumper overhang for a total 19 foot parking space (17 feet depth + a two foot overhang). The bumper overhang will be planted with low-lying ground cover or landscaping. A condition of approval will require the applicant to show on the final landscaping plan that the two-foot bumper overhang is landscaped.

H. Electric Vehicle Charging (EV): The requirement for electric vehicle charging is 10% of the parking spaces. The project is providing 24 parking spaces so 3 parking spaces must be EV ready. The project proposes to install an EV charging station in each garage (8 total) and one additional EV charging station within the guest parking for a total of 9 EV charging stations.

I. **Traffic and Circulation:** Appian Way is a County maintained road. It's half-width configuration along the project frontage is 22 feet of pavement within a 25-foot right of way and is planned to have 32 feet of pavement within a 40-foot right of way. A 15-foot right of way dedication, pavement widening, curb and sidewalk to match the improvements previously installed on neighboring parcels as shown on the applicant's site plan will be required.

The applicant proposes to relocate the existing driveway off Appian Way further north to serve the new residential units. The site plan proposes eight on-site guest parking spaces and a turnaround subject to approval by the Fire District.

Class II bike lanes currently exist on Appian Way. On-street parking along Appian Way will be prohibited to reduce adverse impacts to bike lane usage**.**

J. **County Wide Street Light Financing:** The subject property is already within Service Area L-100. No annexation to County Facilities District (CFD) 2010-1 for Countywide Street Light Financing is necessary.

K. **Utility Undergrounding:** Utility services in this area have already been placed underground. All new utilities are also required to be installed underground.

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

The site currently appears to slope slightly towards Appian Creek located in the northwest of the property. Two bio-retention basins are proposed on this site, with storm drain lines to convey drainage towards Appian Creek in the back of the property. Unfortunately, Appian Creek, which abuts the subject property, is not adequate due to an inadequate culvert at Garden Lane that would be prohibitively expensive and have access and right of way constraints that would be prohibitive for a relatively small project such as this. The applicant submitted an exception request to the Public Works Department who reviewed the request and provided their support for the exception.

M. **Stormwater Management and Discharge Control:** A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 5,000 square feet in compliance with the County's Stormwater Management and Discharge Control Ordinance (§1014) and the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. A Stormwater Control Plan prepared by the Humann Co. and was reviewed and determined to be "preliminarily complete" by the Public Works Department. The applicant will be required to submit a final SWCP to the Public Works Department for review and approval prior to issuance of building permits.

N. **Floodplain Management:** Portions of the property lie within the Special Flood Hazard Area (100 year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map. The applicant will be required to comply with all requirements of the National Flood Insurance Program and the County Floodplain Management Ordinance as they pertain to development and construction of any structures on this property.

O. **Area of Benefit Fee:** The applicant will need to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the WCCTAC Transit/Pedestrian/Bridges/Roads, and El Sobrante Road Areas of Benefits, as adopted by the Board of Supervisors. The fee should be paid prior to the issuance of building permits.

P. **Drainage Area Fee and Creek Mitigation**: The applicant will be required to comply with the drainage fee requirements for Drainage Area 73, as adopted by the Board of Supervisors. This fee should be paid prior to issuance of a building permit.

IX. CONCLUSION

The proposed project is consistent with applicable goals and policies of the General Plan,

and also with the intent of the MUL general Plan designation and the El Sobrante P-1 Zoning District. The project is an underutilized site, and the project will be consistent with the uses nearby. The design and use of the project site for multiple-family residences is an allowed use within this area and the project provides additional housing units. All environmental impacts would be mitigated to a less-than-significant level. Therefore, Staff recommends that the Zoning Administrator approve the project subject to the attached conditions of approval.

Attachments:

A. Findings and Conditions of Approval
B. CEQA Public Comments
C. ISND, Written Acceptance of MM, MMRP
D. Agency Comments
E. Special Reports, Arborist Report, Archaeological Survey Report, Biological Resources Assessment, Geotechnical Study
F. Project Plans

RECEIVED on 11/14/2025 CDDP22-03021
By Contra Costa County
Department of Conservation and Development

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

November 14, 2025

Everett Louie
Planner III
Contra Costa County
30 Muir Road
Martinez, CA 94553
everett.louie@dcd.cccounty.us

RE: MITIGATED NEGATIVE DECLARATION FOR THE ALI CARRIAGE RENTAL HOMES – DEVELOPMENT PLAN PROJECT FOR CONSTRUCTION OF 8 TOWNHOMES, COUNTY FILE #CDDP22-03021 DATED NOVEMBER 7, 2025, STATE CLEARINGHOUSE NUMBER 2025110313

Dear Everett Louie,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the Ali Carriage Rental Homes – Development Plan Project for Construction of 8 Townhomes, County File #CDDP22-03021 (Project). The applicant seeks approval to develop 8 rental townhomes. The Project includes construction of two buildings. containing 8 units and each unit will comprise of two bedrooms with 744 square feet while the main level will contain a living area approximately 744 square feet and a 30-square-foot-deck. The lower level will also consist of a 616-square-foot, two-car garage. The project will require approximately 200 cubic yards of cut and 750 cubic yards of fill for grading.

DTSC recommends and requests consideration of the following comments:

1. If buildings or other structures are to be demolished on any Project sites included in the proposed Project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and

polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual.

2. All imported soil/fill material should be tested to assess any contaminants of concern meet screening levels as outlined in DTSC's PEA Guidance Manual. Additionally, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing soil/fill is necessary. To minimize the possibility of introducing contaminated soil/fill material there should be documentation of the origins of the soil/fill material and, if applicable, sampling be conducted to ensure that the imported soil/fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the soil/fill and knowledge of prior land use. Additional information can be found by visiting DTSC's Human and Ecological Risk Office (HERO) webpage.

DTSC would like to thank you for the opportunity to comment on the MND for the Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our CEQA Review email for additional guidance.

Sincerely,

Dave Kereazis

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
state.clearinghouse@lci.ca.gov

Numair Ali
Applicant
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Tamara Purvis
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Scott Wiley
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John Crowl
4284 Appian Way
El Sobrante, Ca 94803
Phone 510 222-1729
crowlco07@comcast.net

December 1, 2025

To: Everett Louie, Project Planner everett.louie@dcd.cccounty.us
Re: Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration
Project Location: 4301 Appian Way, El Sobrante, CA
Concerns about the Project: **Dangerous traffic situation, removal of iconic deodar cedar**

Dear Mr Louie,

Thank you for sending me the information about the proposed project at 4301 Appian Way. I'm a retired general contractor and owner of the property directly across the street from the proposed development. I built my home here and have lived here with my family since shortly after 1985 when I acquired the property. I've read through the report and see that quite a bit of consideration has been given to the proposal, and I appreciate that, but several issues are either not addressed or seem to be just glossed over.

1. **Dangerous traffic situation**. Appian Way is a busy 2 lane thoroughfare with a center turning lane. Cars travel at a fairly high rate of speed, often in excess of the 35mph speed limit. During the day delivery trucks supplying the strip center and Central Foods, park in the center turning lane making it difficult to see the oncoming traffic. During peak commute hours the traffic flow exceeds 1000 cars per hour.

It's very difficult for me or others using my single lane driveway to turn right or left. Every person making a turn on this block has the same difficulty to one degree or another. I'm not exaggerating! We have to make a split second judgment, and then accelerate quickly to avoid being hit. I was rear ended several years ago while making a right turn into my driveway! About a year ago, my neighbor at 4278 was t boned trying to pull out of his driveway. Pedestrians trying to cross the street face the same conditions. About 10 years ago I heard the collision and witnessed a woman lying dead in median strip! Also, I would like to note that the sheriff **does not enforce** the no parking in the bike lane requirement, which further adds to a person's difficulty in seeing oncoming traffic, should cars be parked anywhere in the sight line.

I believe that **before** any significant developments are permitted in this block of Appian Way, which by the way, not only contains Central Foods and the strip mall, but also 3 apartment complexes, a car wash, the library, a bar, a church, a beauty parlor, an auto repair, as well as single family homes, that the speed limit should be **reduced to 25mph and be enforced**! Perhaps there are other measures. A crosswalk would be useful. I believe the report simply says " no impacts will be expected". How can adding let's say 30+ vehicle trips per day under these conditions not make the situation more dangerous! This would be true for us, the current residents, and the new occupants at the site.

2. **Deodar Cedar**. This is an iconic beautiful tree which has been an important asset to this neighborhood since I have been here in El Sobrante. I have lived in El Sobrante since 1974, 11 years before I moved to Appian Way. What a tragedy it would be to cut down this tree! My neighbors all agree. We cringe every time we hear a chain saw. I believe it is not necessary to cut this tree.

As I estimate it, the tree is approximately 20' from the existing roadway and about 6-8' inboard of the inner sidewalk line in front of the strip mall. I haven't seen the building plans for the new units, but I'm sure that I could design a situation which keeps the tree in place. There is plenty of room for a driveway on the north. Please incorporate this provision into the mitigated declaration.

Thank you for your considerations. I know that it is desirable to provide additional housing in this area where we have a shortage, and that the zoning allows for this type of development. I do hope that if it is allowed at 4301 that the traffic danger will be addressed and that the deodar cedar will be protected.

Sincerely,

John Crowl

EAST BAY
MUNICIPAL UTILITY DISTRICT

November 25, 2025

Everett Louie, Planner III
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Re: Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration for the Ali Carriage Rental Homes Project (County File CDDP22-03021), El Sobrante

Dear Everett Louie,

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration for the Ali Carriage Rental Homes Project (County File CDDP22-03021) located in El Sobrante in unincorporated Contra Costa County (County). EBMUD has the following comments.

WATER SERVICE

Effective January 1, 2018, water service for new multiunit structures shall be individually metered or sub-metered in compliance with Section 537 of California's Water Code & Section 1954.201-219 of California's Civil Code, which encourages conservation of water in multi-family residential, mixed-use multi-family, and commercial buildings by requiring metering infrastructure for each dwelling unit, including appropriate water billing safeguards for both tenants and landlords. EBMUD water services shall be conditioned for all development projects that are subject to these metering requirements and will be released only after the project sponsor has satisfied all requirements and provided evidence of conformance with Section 537 of California's Water Code & Section 1954.201-2019 of California's Civil Code.

EBMUD's Road 24 Pressure Zone, with a service elevation between 100 and 200 feet, will serve the proposed development. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions for providing water service to the project.

Engineering and installation of water services require substantial lead time, which should be provided for in the project sponsor's development schedule.

WATER CONSERVATION

The project presents an opportunity to incorporate water conservation measures. EBMUD requests that the County include in its conditions of approval a requirement that the project sponsor comply with Assembly Bill 325, "Model Water Efficient Landscape Ordinance," (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). 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.

Bill Maggiore
Acting Manager of Water Distribution Planning

DJR:WTJ:th:kn
wdpd25_185 Ali Carriage Rental Homes County CDDP22-03021File.doc

cc: Numair Ali
2021 Elderberry Drive
San Ramon, CA 94582

CEQA ENVIRONMENTAL CHECKLIST FORM

1.	**Project Title:**	Ali Carriage Rental Homes – Development Plan project for construction of 8 townhomes, County file #CDDP22-03021
2.	**Lead Agency Name and Address:**	Contra Costa County Department of Conservation and Development 30 Muir Rd. Martinez, CA 94553
3.	**Contact Person and Phone Number:**	Everett Louie, Planner III, (925) 655-2873
4.	**Project Location:**	The project area is identified as 4301 Appian Way, El Sobrante, CA 94803 (APN: 425-142-030).
5.	**Project Sponsor's Name and Address:**	Applicant: Numair Ali 2021 Elderberry Drive San Ramon, CA 94582 (925) 789-0564 Owners: Shakil and Anita Ali 835 Alhambra Avenue Martinez, CA 94553
6.	**General Plan Designation:**	The subject property is located within the Mixed-Use Low Density (MUL) and the Resource Conservation (RC) General Plan land use designation.
7.	**Zoning:**	The subject property is located within the Downtown El Sobrante Planned Unit Development (P-1) Zoning District.

8. Description of Project: The applicant seeks approval of a Development Plan application to develop eight rental townhomes under County File #CDDP22-03021. Project details are as follows:

Number of Buildings/Unit Types: The project includes construction of two buildings. The building closest to the frontage will contain (5 units) Unit 1-5 while the building located at the rear will contain (3 units) Units 6-8. All 8 units will be of a three-story design with a maximum height of approximately 33'-6 ½". All units will have the same floor plan layout and square footage with the upper level containing two bedrooms with 744 square feet, the main level will contain a living area approximately 744 square feet and a 30-square-foot-deck and the lower level will consist of a 616-square-foot, two-car garage (ground level).

Underground Utilities: The County Ordinance Code requires all overhead utilities along the frontage of public streets to be removed and placed underground. Utility services in this area have already been placed underground and therefore, all new utilities that will be used to service the project will also be required to be installed underground.

Tree Removal: The project parcel contains eight trees and four tree stumps of numerous species. The project will remove eight trees and the four stumps. The species of trees included Deodar Cedar, Douglas Fir, Citron, Tree Privet, Common Pear, Common Fig, Olive and Northern California Black Walnut. Diameters at breast height in inches ranges from 1 to 37.

Inclusionary Housing Ordinance: The project includes the construction of eight rental units as the project is subject to County Ordinance Code, Chapter 822-4. The ordinance requires at least 15 percent of the dwelling units in a residential development of five or more rental units to be developed as inclusionary units. The project is required to provide 1.2 inclusionary units. The applicant/owner, and/or developer (applicant) has submitted an Inclusionary Housing Plan to construct one inclusionary unit which will be available to and occupied by a very low-income household (50% area median income). The applicant has indicated that they will pay the partial in-lieu fee for the remaining fractional 0.2 inclusionary unit with a fee of $32,267.40.

Grading: The project will require approximately 200 cubic yards of cut and 750 cubic yards of fill for grading.

Exception: One exception to Code Section 914 of the County Ordinance Code which requires that all storm water entering and or/ originating on the 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 stormwater to an adequate natural watercourse. The applicant is requesting an exception from the "collect and convey" requirements of the County Ordinance Code.

Deviation: The Downtown El Sobrante P-1 Zoning requires a 27-foot height max. The project is requesting a deviation to this development standard to allow for a 33'-6 ½" building height in accordance with the County Zoning Code.

9. **Surrounding Land Uses and Setting:** The subject parcel is located at 4301 Appian Way in the El Sobrante area of Contra Costa County. The site fronts Appian Way to the southeast. Directly south is a small retail shopping plaza and directly north is a church. To the rear of the property (west) is single-family residential development and across Appian way is a mixture of area servicing retail and single-family residential development. The project site topography is generally level from Appian way which starts at 111 feet above mean sea level and slopes just slightly towards the rear at 109 feet above mean sea level. At the very rear of the property is Appian Creek which bisects the property at the rear property line. At the creek portion, the topography slopes steeply, going from 107 feet above mean sea level at the creek bank, sloping downward to 97 feet above mean sea level for the creek bed. The site consists of one parcel. Assessor's parcel number 425-142-030. The site contains several trees of various species and sizes.

   Currently, the parcel contains a 10' wide storm drain easement along the south side yard property line, an existing detached garage and an existing single-family residence. The existing garage and residence will be demolished as part of this project.

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

    - Contra Costa County Building Inspection Division
    - Contra Costa County Public Works Department
    - Contra Costa County Health Services Department, Environmental Health Division
    - Contra Costa County Fire Protection District
    - East Bay Municipal Utility District
    - West County Wastewater District

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

    Notification of an opportunity to request consultation was circulated. No comments of concern were returned.

Environmental Factors Potentially Affected		
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.		
☒ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☒ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities/Services Systems	☐ Wildfire	☐ Mandatory Findings of Significance

Environmental Determination

On the basis of this initial evaluation:

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

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

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

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

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

Everett Louie

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

11/7/2025

Date

ENVIRONMENTAL CHECKLIST

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

SUMMARY*:*

a) Would the project have a substantial adverse effect on a scenic vista? ***(Less than Significant Impact)***

Figure COS-12 (Scenic Resources) of the Contra Costa County 2045 General Plan – Conservation, Open Space, and Working Lands Element identifies scenic resources of Contra Costa County as scenic routes and scenic ridges. The intent of the scenic resource designations is to preserve and protect areas of identified high scenic value, where practical, and in accordance with the Conservation, Open Space and Working Lands Element. The subject property is located approximately 250 feet southeast of the Appian Way and Santa Rita road intersection in the El Sobrante area of Contra Costa County and is not located on a property designated as a scenic resource. The project is located more than 2 miles west of the nearest scenic ridge (Sobrante Ridge Botanic Regional Preserve). Because the project is located more than 2 miles from the scenic resource, views of the scenic resource are negligible. There are no scenic highways or scenic routes within a 2.5-mile radius of the project site. The closest is a section of Pinole Valley Road which is a County-Designated Scenic Routes more than 2.8 miles to the east. Therefore, there is a less than significant adverse effect on a scenic vista.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? ***(Less than Significant Impact)***

The Scenic Resources Map (Figure COS-12) of the County General Plan's Conservation, Open Space, and Working Lands Element identifies scenic routes in the County, including both State Scenic Highways and County designated Scenic Routes. The subject property is located

approximately 250 feet southeast of the Appian Way and Santa Rita Road intersection in the El Sobrante area of Contra Costa County. Neither road is considered a scenic route, nor is the property within the local vicinity of one. Although the project site is not located in the vicinity of a state scenic highway or County-designated scenic route as designed in the County's General Plan, a section of Highway 4 which is more than 4.31 miles northeast is identified as a State-designated scenic highway and a section of Pinole Valley Road which is 2.8 miles east is identified as a County-designated scenic route. However, because Highway 4 is 4.31 miles northeast and Pinole Valley Road is 2.8 miles east of the site, the project does not have potential for significant impacts to tree resources, rock outcroppings, or historic structures on the property within a scenic highway as a result of the proposed project.

c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?* ***(Less than Significant Impact)***

The subject property is located within the Mixed-Use Low Density (MUL) and Resource Conservation (RC) General Plan land use designation and within the Downtown El Sobrante Planned Unit Zoning District (P-1). The subject property is located in an urbanized area, primarily surrounded by mixed uses (area serving retail with single-family residential). The property is also within the Urban Limit Line. The project which is to create 8 new townhouse will comply with the zoning and therefore, would not conflict with the applicable zoning and other regulations governing scenic quality and would be less than significant.

d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* ***(Less than Significant Impact with Mitigation)***

The existing site has a single-family house and a garage. This existing use may have some light associated with daily use of the house. However, project will increase the potential sources of light associated with the project because the project would consist of typical sources of lighting associated with a residential development including lighting from the newly constructed residences, and vehicles traveling to and from the project site. The 8 new townhouses will have two exterior light fixtures on either side of the garage to provide lighting at the front. At the rear elevations of the townhouses, there will be one additional light fixture per unit. Two more light fixtures will be placed on the exterior wall per side on the right and left elevation. The development of the 8 new townhomes will increase lighting above existing levels. However, Mitigation Measure (MM) AES-1 would require exterior lighting to be directed downward and away from adjacent properties and public/private right-of-way to prevent excessive light spillover. With the implementation of MM AES-1, lighting impacts would be less than significant.

Impact AES-1: New exterior lighting from the project site could adversely affect nighttime views in the area.

Mitigation Measure AES-1: Proposed exterior lighting shall be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover. All exterior lighting shall be turned off during the daytime hours.

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

Sources of Information

- Project Application and Plans
- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County 2045 General Plan – Conservation, Open Space, and Working Lands Element

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

SUMMARY:

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

Pursuant to the California Important Farmland Finder, the subject property has been categorized as "urban and built-up land." Figure COS-1 (Agricultural Land) of the County General Plan does not identify the property as an important agricultural area. The property is zoned as the Downtown El Sobrante Planned Unit Development (P-1) and has a General Plan land use designation of Mixed-Use Low Density (MUL) and Resource Conservation (RC). The project is to develop 8 townhouse units and install improvements related to the development. The proposed residences are a use that is consistent with the zoning and general plan. Therefore, the potential for converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as categorized by the California Resources Agency, to a non-agricultural use is less than significant.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? ***(No Impact)***

The project site is located within a Planned Unit zoning district. The subject property is not currently in a Williamson Act contract. Therefore, there is no potential for the proposed project to conflict with existing zoning for agricultural uses, or with a Williamson Act contract.

c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?* ***(No Impact)***

The project site is not considered forest land as defined by California Public Resources Code Section 12220(g), timberland as defined by California Public Resources Code Section 4526, or zoned Timberland Production as defined by California Government Code section 51104(g). The project site is zoned for mixed-use development including multiple family within the Downtown El Sobrante Planned Unit Development. The project includes a development plan to allow for multiple family residential development. Thus, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland.

California Public Resources Code Section 12220, under the Forest Legacy Program Act, defines "forest land" as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Public Resources Code 4526, under the Forest Practice Act, defines "timberland" as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species are determined by the board on a district basis after consultation with the district committees and others.

California Government Code 51104, under the Timberland Productivity Act, defines "timberland" as privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre. "Timberland production zone" or "TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 of the Government Code and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in Public Resources Code 4526 or 12220. With respect to the general plans of cities and counties, "timberland preserve zone" means "timberland production zone." The Conservation, Open Space and Working Lands Element Figure COS-1 of the County General Plan does not designate any land within the County as timber harvesting land. Therefore, the project would have no impact on any existing timberland.

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

d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?* ***(No Impact)***

The project site is an approximately 0.71-acre (30,750-square-foot) residential property. The site does not contain any forest land. For the project, all vegetation and trees will be removed in order to constuct the townhouses and their associated improvements. The project site is in a developed area within El Sobrante and the project site is currently zoned for residential uses. Thus, the project would not result in the loss of forest land or conversion of forest land to non-forest use.

e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in the conversion of farmland to a non-agricultural use?* ***(No Impact)***

The project site is surrounded by primarily residential and mixed-use/retail business uses such as restaurants, grocery stores and churches. The project is to develop 8 townhouses and related improvements. Construction of a residence is allowed use within the Mixed-Use Low Density (MUL) General Plan designation. Moreover, Appian Way of El Sobrante does not have any farmland and thus, the proposed project would not result in the conversion of farmland to a non-agricultural use.

Sources of Information

- Government Code section 51104(g)
- California Public Resources Code Section 12220(g)
- California Public Resources Code Section 4526
- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County 2045 General Plan – Conservation, Open Space, and Working Lands Element
- California Department of Conservation. California Important Farmland Finder (Webpage)

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3. *AIR QUALITY – Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

SUMMARY:

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

The 2017 Clean Air Plan, prepared by the Bay Area Air Quality Management District (BAAQMD), is the most recent plan prepared to fulfill state and federal air pollution reduction requirements. The 2017 plan provides a regional strategy to protect public health and protect the climate, as well as describing how the air district will continue to progress toward attaining all state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To accomplish this, the 2017 plan describes a multi-pollutant strategy to simultaneously reduce emissions and ambient concentrations of ozone, fine particulate matter, toxic air contaminants, as well as greenhouse gases (GHG) that contribute to climate change. The development of eight townhouses and associated improvements, or any other aspects of the proposed project, does not conflict with or obstruct implementation of any air quality plans for the region; therefore, the project will have a less than significant impact on this analysis category.

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

In developing thresholds of significance for criteria air pollutants, the BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively significant. As such, if a project exceeds the identified thresholds of significance, its emissions would be significant in terms of both project- and cumulative-level impacts, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Thus, this impact analysis and discussion is related to the project- and cumulative-level effect of the project's regional criteria air pollutant emissions.

By its nature, air pollution is largely a cumulative impact resulting from emissions generated over a large geographic region. The non-attainment status of regional pollutants is a result of past and present development within the Air Basin, and this regional impact is a cumulative impact. In other

words, new development projects (such as the proposed project) within the Air Basin would contribute to this impact only on a cumulative basis. No single project would be sufficient in size, by itself, to result in non-attainment of regional air quality standards. Instead, a project's emissions may be individually limited, but cumulatively significant when taken in combination with past, present, and future development projects.

The cumulative analysis focuses on whether a specific project would result in cumulatively significant emissions. According to Section 15064(h)(4) of the CEQA Guidelines, the existence of significant cumulative impacts caused by other projects alone does not constitute substantial evidence that the project's incremental effects would be cumulatively significant. Rather, the determination of cumulative air quality impacts for construction and operational emissions is based on whether the proposed project would result in regional emissions that exceed the BAAQMD regional thresholds of significance for construction and operations on a project level. The thresholds of significance represent the allowable amount of emissions each project can generate without generating a cumulatively significant contribution to regional air quality impacts. Therefore, a project that would not exceed the BAAQMD thresholds of significance on the project level also would not be considered to result in a cumulatively significant impact with regard to regional air quality and would not be considered to result in a significant impact related to cumulative regional air quality.

Construction of the Project would result in emissions of criteria pollutants from the use of heavy-duty construction equipment, haul truck trips, and vehicle trips generated from construction workers traveling to and from the site. In addition, fugitive dust PM_{10} emissions would result from excavation, trenching, and other construction activities. Site preparation consists of tree removal and associated grading. Approximately 200 cubic yards of cut and 750 cubic yards of fill are proposed to be included for grading activities for the project.

Construction-related effects from fugitive dust from the proposed project would be greatest during the site preparation and grading phases due to the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions in the area of the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity (amount of equipment operating), local weather conditions (such as wind speed), and characteristics such as soil moisture and silt content of the soil. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site. For mitigation of fugitive dust emissions, the BAAQMD recommends implementing best management practices (BMPs), as a pragmatic and effective approach to controlling fugitive dust emissions (BAAQMD, 2017a). The BAAQMD notes that individual measures have been shown to reduce fugitive dust by anywhere from 30 percent to more than 90 percent. The BAAQMD considers any project's construction-related impacts to be less than significant if the required dust-control measures are implemented. Without these measures, the impact is generally considered to be significant, particularly if sensitive land uses are located in the project vicinity. There are a number of sensitive receptors located at the border of the project site (restaurant to the southwest, residences to the northwest and southeast and church to the north) that could be impacted by fugitive dust generated by construction activities. Therefore,

implementation of these BMPs would ensure the Project's fugitive dust emissions remain below a level of significance.

Impact AIR-1: Exhaust emissions and particulate matter produced by construction activities related to the project may cause exposure of the public or sensitive receptors to significant amounts of pollutants.

Mitigation Measure AIR-1: The following Bay Area Air Quality Management District, Basic Construction mitigation measures shall be implemented during project construction and shall be stated on the face of all construction plans:

A. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
B. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
C. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
D. All vehicle speeds on unpaved roads shall be limited to 15 mph.
E. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
F. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
G. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
H. The applicant shall post a publicly visible sign with the developer/project manager's name and telephone number regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?* ***(Less than Significant Impact)***

The project includes construction of eight townhouses and related improvements. The surrounding properties are a mix of residential and area serving retail/commercial uses. There are two schools in the nearby vicinity. Wildcat Canyon Community School is approximately 0.46 miles south of the project site and Sheldon Elementary School is approximately .49 miles east of the project site. It is anticipated that sensitive receptors would not be exposed to significant pollutant concentrations due to the scale of the proposed project. Residential uses typically do not generate substantial pollutant concentrations. Furthermore, the construction activities will be restricted to specific days of the week and to a limited number of work hours in order to lessen the amount of time during the week that sensitive receptors would be exposed to construction-related air quality impacts.

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

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

The project includes construction of 8 townhomes and related improvements. During construction activities, construction equipment exhaust and application of asphalt and architectural coating would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent. It is anticipated that by the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality or odor concern. Therefore, construction odors impacts would be less than significant.

The proposed 8 new townhomes would not likely generate objectionable odors. The types of uses that are considered to have objection odors include wastewater treatment plants, compost facilities, landfills, solid waste transfer station, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), or petroleum refineries. The proposed project is residential in nature, and it is not anticipated to generate objectionable odors which may affect a substantial number of people. Therefore, this impact would be less than significant.

Sources of Information

- Bay Area Air Quality Management District. 2017. *Bay Area 2017 Clean Air Plan.*
- Bay Area Air Quality Management District. 2017. *Air Quality Guidelines.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
4. *BIOLOGICAL RESOURCES – Would the project:*				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

SUMMARY:

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

The project site is located along Appian Way in the El Sobrante area and is not within the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan as shown in Figure COS-3 of the Contra Costa County 2045 General Plan. The project site is also not identified as a priority conservation area in Figure COS-4. Moreover, this area of El Sobrante is built up and urbanized with the majority of the area along Appian way being developed with residences, commercial and retail uses. The project site also has been developed with a single-

family residence and a detached garage. The project will remove all trees on site to make room for the 8 townhouses. The project applicant submitted a biological resources assessment prepared by BIOMAAS Inc, dated September 2, 2025. The biological resources assessment reviewed the site for any special-status wildlife species. As part of the biological assessment, reconnaissance level wildlife survey was conducted, and no special-status wildlife was observed. However, the biological assessment identified three species with low potential which are the Cooper's Hawk, White-tailed Kite Bird and the Pallid Bat. The applicant will be required to comply with the project biologist protection measures to ensure that impacts to special status species will be less than significant.

Impact BIO-1 – BIO-4: Grading and construction activities could have an adverse effect on protected species and habitat. Therefore, the developer/applicant is required to implement the following biological resource mitigation measures to reduce impacts to special status species to less than significant.

Mitigation Measure BIO-1: A protective buffer of 30 to 50 feet from Appian Creek shall be established by the project applicant. Silt fence or similar Best Management Practices (BMPS) shall be established to prevent construction related debris and runoff from entering the creek during construction.

Mitigation Measure BIO-2: At least 5 days prior to vegetation removal, tree removal during the nesting season, (February 1 through August 31) a pre-construction survey shall be conducted by a qualified biologist who is familiar with the nesting behavior of a variety of species and can establish protective buffers around the nest based upon the type of construction activity. Nest buffers should be adhered to by all construction related personnel and can only be removed by the biologist after the nest is no longer active.

Mitigation Measure BIO-3: At least 5 days prior to beginning ground disturbance and/or construction, a qualified wildlife Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area. If the Biologist determines bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization.

Mitigation Measure BIO-4: Vegetation removal, if necessary, shall be kept to a minimum. If riparian vegetation removal is required, a CDFW Streambed Alteration Agreement, and RWQCB 401 Water Quality Certification if required prior to removal.

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

The parcel is in an area of El Sobrante that has been urbanized with single-family residences and commercial/retail uses and because of the development, the project surroundings would not be considered undeveloped. The project site is currently developed with a single-family residence, a

detached garage and a driveway. The site contains a few trees spread throughout the site and at the rear, Appian Creek bisects the property which is considered riparian habitat. Because there is a creek on the property, the project is subject to County Code Section 914-14.012 – Structures setback lines for unimproved earth channels. With a height of top bank of less than 20', the setback distance for the project is 30'. The project plans show that the townhouses will comply with the 30' creek structure setback. The biological resources assessment prepared for the project site reviewed the potential impact to riparian habitat and concluded that should the project adhere to the required riparian setback, the project would not have an adverse effect on riparian habitat or other sensitive natural communities. Therefore, because the project complies with the creek structure setback line and because the project site is not within a sensitive natural community since the surrounding area is largely developed, the project would have a less than significant impact on any riparian habitat or other sensitive natural community.

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

The U.S. Army Corp of Engineers (Corps) and the U.S. Environmental Protection Agency (EPA) are two of the primary Federal agencies which enforce the Clean Water Act and administer the associated permitting program. As such, these agencies define wetland as areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The project biologist preformed a site reconnaissance survey and determined that there are no state or federally protected wetlands on the site. The project biologist concluded that the project site would not be categorized as a wetland as defined above nor does the subject site have a marsh, vernal pool or is located in a costal area. The surrounding area is largely developed and urbanized and does not exhibit wetland characteristics. Therefore, there is no potential for the proposed project having an adverse effect on a federally protected wetland.

d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites? **(Less than Significant Impact with Mitigation)***

As discussed in section a above, the proposed project would not result in potentially significant impacts to special-status species with incorporation of mitigation. As such, the project's potential to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites is considered less than significant with mitigation incorporated.

Impact BIO-5: Grading and construction could have an impact on the movement of any native resident or migratory fish or wildlife species.

Implementation of **Mitigation Measure BIO-1 -BIO-4** would reduce this impact to a less than significant level.

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

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

The Contra Costa County Tree Protection and Preservation Ordinance provides for the protection of certain trees by regulating tree removal and development within their drip lines while allowing for reasonable development of private property. On any property proposed for development approval, the Ordinance requires tree alteration or removal to be considered as part of the project application. The proposed project includes the removal of eight trees (five of which are code protected) and four dead tree stumps. The proposed tree removal has been evaluated by CDD staff pursuant to the Tree Protection and Preservation Ordinance as well as the project plans for construction of new townhomes, driveways, stormwater control, and other site improvements. As the project includes the removal of eight trees (five of which are code protected) and four dead tree stumps, a tree permit is required in order to remove the trees. The project will require findings for approval or denial, and, if approved, will receive standard conditions of approval for restitution in order to reasonably restore the natural resources on-site. With the standard review and conditions implemented, the project will have a less than significant impact.

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

The East Contra Costa County Habitat Conservancy oversees implementation of the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP), which provides regional conservation and development guidelines to protect natural resources while improving and streamlining the permit process for projects that will impact endangered species and sensitive habitat. The HCP/NCCP allows local agencies to authorize endangered species permitting for activities and projects in the region, while providing comprehensive species, wetlands, and ecosystem conservation and contributing to the recovery of endangered species in northern California. According to Figure COS-3 – East Contra Costa County Habitat Conservation Plan/natural Community Conservation Plan Area of the Conservation, Open Space and Working Lands General Plan Element, the subject property is not within the covered area for the HCP/NCCP. Therefore, the project will have a less than significant impact on the HCP/NCCP.

Sources of Information

- Contra Costa County 2045 General Plan, *Chapter 7: Conservation, Open Space, and Working Lands Element.*
- East Contra Costa County Habitat Conservation Plan / Natural Community Plan
- Biological Resources Assessment, prepared by BIOMAAS Inc, received September 15, 2025

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
5. *CULTURAL RESOURCES – Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

SUMMARY:

a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?* ***(Less than Significant with Mitigation)***

Setting:

The project area totals 0.71 acres and is approximately 100 feet above sea level. It slopes gently downward from Appian Way northwest toward Appian Creek. Site soils are alluvium laid down in the Holocene era, classified by the USDA as part of the Cropley Complex, a clayey bottomland soil (Witteret al. 2006; USDA 2023). The project area lies between San Pablo Creek, 360 feet (110 meters) to the southeast, and Appian Creek, which flows along the northwest edge of the project area. The parcel is currently developed with a single-family home built circa 1938.

In the early historic era, the environment of the project area was oak woodland, with grassland alternating with groves of coast live oak, buckeye, and bay laurel. Underneath and between the oak groves was low herbaceous vegetation characterized by native grasses and wildflowers. The dense woodlands were very beautiful, and settlers often compared their appearance to parks or orchards. This park-like environment was likely a reflection of Native American forest management practices, which often used fire to remove understory plants allowing space for trees and meadows to flourish.

Evidence gathered from the archaeological sites in the region indicates that this part of Contra Costa County is known to have been occupied by the Huchiun people. Huichun territory appears to have extended from Temescal Creek in present-day Oakland northward along the bay shore to San Pablo Bay. In prehistory, the San Francisco Bay region was densely populated compared to most hunter-gatherer societies.

The first direct Spanish contact with the Huchiun seems to have been during 1772 when a Spanish expedition came to a village on the southeast shore of San Pablo Bay. Mission Dolores was founded in San Francsico in 1776. With the establishment of the Mission, Mission Dolores established a cattle station on San Pablo Creek by 1820. In 1823, Mission Dolores agreed to give up the San Pablo cattle station, which was transferred to Francsico Maria Castro as part of the Rancho Cochiyumes or Rancho San Pablo land grant. Rancho San Pablo included four square leagues (almost 18,000 acres), including present-day Richmond, San Pablo, and Kensington. The project area is at the eastern edge of the grant. After Castro's death, the land was divided between his widow and 11 children. The Rancho San Pablo grant was confirmed to Castro's heirs by the Mexican government in 1834 and patented by the United States government in 1852.

When California joined the Union in 1850, the extended Castro family had to defend their land against American squatters who occupied large tracts of the rancho. Although rights to the rancho were collectively held, some Castro family members sold specific lots to American newcomers, creating uncertainty about land title in the area that culminated in the Emeric vs. Alvarado case, involving hundreds of claimants and settled by the California Supreme Court in 1889, with a final partition decision in 1894.

As noted above, members of the Castro family sold parts of the undivided rancho to American newcomers after 1852. In the 1880s, the project area was part of a 336-acre property owned by Linder and McGee. Reynold Linder was an agricultural products salesman in San Pablo (Contra Costa Assessor 1883, 1887; Martinez News-Gazette 1879). No information was available on McGee or on land use in the project area.

At the final partition of Rancho San Pablo in 1894, the project area was part of a 426-acre tract owned by Theodore Hittell. Hittell was a native of Ohio who arrived in California in 1855 and was a reporter, land use lawyer, state senator, author, and historian of California (Dickey et al. 1918). His residence was in San Francisco, and the El Sobrante parcel was one of many properties he owned; no evidence was found of his direct connection to the project area. Hittell owned the project area until at least 1908. By 1924, however, it was part of the Jack McMahon dairy ranch. McMahon was a rancher from Ireland who operated the Varsity Creamery Company (Richmond Independent 1914). He may have been in partnership with George Mulligin; a 1930 county map shows the project area as part of a 425-acre tract owned by Mulligin and McMahon.

Appian Way began to be subdivided in the 1930s and was part of the Santa Rita Acres subdivision by 1938 (Arnold 1938). The current house on the property was constructed circa 1939. Appian Way was paved in 1953, and was widened in the late 1980s.

Results of the Record Search

The project was referred to the California Historical Resources Information System, Northwest Information Center which concluded that the "proposed project area has the possibility of containing unrecorded archaeological sites". Therefore, the applicant submitted an Archaeological Survey Report prepared by Daniel Shoup of AHC-Heritage.

On behalf of Daniel Shoup, staff at the California Historical Resources Information System (CHRIS), Northwest Information Center (NWIC) at Sonoma State University, Rohnert Park, conducted a record search of the project vicinity on January 17, 2024 (File No. 23-0807). Information on previous cultural resource surveys, known historic or prehistoric sites, and listed or eligible National Register of Historic Places or California Register of Historic Resources properties within a ¼ mile radius of the project area was gathered to identify and evaluate the potential for the presence of cultural resources. The study included a review of archaeological, ethnographic, historical, and environmental literature as well as records and maps on file at the California Archaeological Inventory.

NWIC search results indicated there were no resources listed within the project area, five resources within the ¼-mile radius and multiple reports within ¼-mile of the project area.

Survey #	Author	Date	Report Title	Resources
S-007131	Banks	1985	An Archaeological Reconnaissance of the Appian Way Widening Project: Phase II, El	07-000097, 07-000276

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

			Sobrante, Contra Costa County, California.	
S-007131	Banks	1986	Subsurface Archaeological Investigations for the Appian Way Widening Project, El Sobrante, Contra Costa County, California	Approx. 800 feet N and NE of project area.
S-007131	Banks	1986	Historic Property Survey Report for Appian Way Road Widening and Improvement Project	Approx. 600 feet SE of project area.
S-007131	Banks	1986	Historic Structures Survey Report for Appian Way Road Widening and Improvement Project	
S-007131	Banks	1986	Subsurface Archaeological Investigations for the Appian Way Widening Project, El Sobrante, Contra Costa County, California (Revised)	
S-011534	Flynn	1988	Archaeological survey of property located at 4247 Appian Way, El Sobrante, Contra Costa County (letter report)	
S-001999	Baldrica	1980	An Archaeological Survey of the Kraus Property, Contra Costa County, California.	
S-006577	Baker	1984	Archaeological Reconnaissance of the El Sobrante Condominiums Development, Contra Costa County, California	
S-006592	Banks	1984	An Archaeological Reconnaissance of the Appian Way Widening Project, El Sobrante, Contra Costa County, California.	
S-007988	Orlins	1986	A Cultural Resource Investigation for the San Pablo Dam Road Widening Project, El Sobrante, Contra Costa County, California.	07-000068
S-008100	Baker	1986	Archaeological Reconnaissance of the Tyson Property, Parcel #425-170-025, El Sobrante, Contra Costa County.	
S-008852	Miller and Baker	1986	Archaeological Reconnaissance of the El Sobrante Partnership Property, El Sobrante, California	
S-009687	Flynn	1987	Archaeological survey of lot at 4221 San Pablo Dam Rd., El Sobrante, Contra Costa County (Co. File No. 3027-87, APN 425-160-008)	
S-010228	Wood	1988	The Archaeological Monitoring of Excavations for Three Electrical Vaults on Appian Way, El Sobrante, Contra Costa County, California	

S-011533	Flynn	1988	Archaeological evaluation of 4158 Santa Rita Road, El Sobrante, Contra Costa Co., Subdivision MS 7-88 (letter report)	
S-012297	Flynn	1991	Archaeological evaluation of 4201 Garden Lane, El Sobrante, Contra Costa Co., Project No. MS 192-90 (letter report)	
S-022273	Schneyder	1999	A Cultural Resources Study of 4439 Appian Way (APN# 425-110-021), El Sobrante, Contra Costa County, California	07-000839
S-027935	Holson	2004	Archaeological Survey and Record Search Results for 4150 Appian Way, El Sobrante (APN 425-170-030) (letter report)	
S-031545	Pastron	2006	Phase II - Cultural Resources Evaluation of an Approximately 1.2-acre Parcel Located at 4441 Appian Way, City of El Sobrante, Contra Costa County, California (letter report)	07-000276
S-044169	DeGeorgey and Snyder	2013	Cultural Resources Constraints Report: Santa Rita and Penny GPRP ED El Sobrante	
S-051734	Whitaker	2018	Historic Property Survey Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California, 4-CCO-HSIPL-5928(133)	07-000068
S-051734	Whitaker et al.	2018	Archaeological Survey Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California	
S-051734	Parker et al.	2018	Extended Phase I Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California	

Native American Heritage Commission

Daniel Shoup contacted the Native American Heritage Commission (NAHC) in Sacramento, California, by letter with a description of the proposed development in Contra Costa County, California. The letter included a request for a listing of local, interested Native American representatives and information on traditional or sacred lands within the project area and vicinity.

NAHC staff member Cody Campagne wrote in response a letter dated December 15, 2023 to Daniel Shoup that a "search of the NACH Sacred Lands File was completed and the results were positive." Included in the NAHC response was a list of interested Native American contacts. On May 29, 2025, the County mailed a *Notice of Opportunity to Request Consultation*, pursuant to section 21080.3.1 of the California Public Resources Code, to Wilton Rancheria and Confederated

Villages of Lisjan Nation for their review of the project proposal. County staff did not receive a request for consultation in response to these notices.

Results of the Survey

Alexi Atteberry of AHC-Heritage conducted a survey of the project area on December 28, 2020. The objective of the cultural resource survey was to locate and record all cultural resources within the project area and evaluate them for significance. The project area was surveyed in approximately 10-meter transects. The majority of ground surface within the project area was unpaved and soil exposure using a hand trowel was conducted throughout the transects. Ground visibility of was good, except for the southeast part of the property, where a single-family home and driveway are located. Most of the project area is covered with grass and small trees, with moderate obstruction of view near the creek due to a heavy growth of English ivy (Hedera helix). Due to significant rainfall prior to survey, observed soils fell within range of damp to wet, affecting the Munsell color reading. Throughout the project area, the soil type was observed as a loam with rock inclusions ranging from 10% in the majority of the survey area to approximately 20% in the west-northwest part of the property near the creek bank. In the northeast corner the soil color was a very dark grayish brown (Munsell 10YR 3/2) with low moisture, transitioning to a very dark brown (Munsell 10YR 2/2) loam with increased moisture in the northwest; and finally a black (Munsell 10YR 2/1) loam in the southwest area. Observed materials throughout the project area include brick fragments and other building debris such as nails and wood, as well as modern refuse near the creek. No cultural material from the historic or prehistoric periods was observed throughout the project area.

Native American Archeological Site Sensitivity

Archaeological sites are most often found in flat locations with access to a perennial source of fresh water. Soils deposited during the Holocene era (since 11,700 years ago), especially young alluvium from the last 2,000-3,000 years, are more likely to contain buried archaeological deposits. Native American sites are most often found within ½-mile of major and ¼-mile of minor watercourses, and within 500 feet of shorelines (Meyer and Kaijankoski 2017).

The project is mostly flat, located on Holocene-era alluvial soils, and is adjacent to two perennial watercourses. The vicinity is known to have had a dense pre-contact Native American population, and four Native American archaeological sites are located within ¼ mile of the project area. The project area thus appears to have a high sensitivity for buried Native American archaeological resources.

Historic-Period Archaeological Site Sensitivity

Several factors can be used to infer an area's sensitivity for buried historic-period archaeological resources. These include surface scatters of artifacts, documentary sources (historic maps, deeds, or photographs), standing buildings or structures that suggest patterns of land use (homes, barns, ponds, fences, industrial facilities), and ecological or landscape features (steep hills, bodies of water, wetlands).

Historical research did not identify any development on the project area prior to 1939. Before that, it was likely used intermittently for cattle grazing. While trash deposits associated with the current residence may be present on the project area, they are unlikely to have sufficient information

potential to make them eligible to the California Register of Historical Resources. The project area thus has a low sensitivity for buried historic-period archaeological deposits.

An assessment of the historical significance of the main house at 4301 Appian Way was made following CEQA Guidelines (Title 14.CCR Chapter 3. Sec 15064.5(3)) which state that, generally, a resource shall be considered to be historically significant if the resource meets criteria for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852). A historical resource must be significant at the local, state or national level under one or more of the following four criteria:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
(B) Is associated with the lives of persons important in our past;
(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
(D) Has yielded, or may be likely to yield, information important in prehistory or history.

The house does not appear to meet any of these criteria and, therefore, should not be considered historically significant. However, the project includes the demolition of the existing house and garage and may contain unrecorded archaeological resources.

Impact CUL-1: The project could cause a substantial adverse change in the significance of a historical resource as defined in California Environmental Quality Act Guidelines Section 15064.5. Subsurface construction activities have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact.

Mitigation Measure CUL-1: The project area has a high sensitivity for buried Native American archaeological deposits, and is located within 1000 feet of four shell midden sites (CA-CCO-126, CA-CCO-151, CA-CCO-155, and CA-CCO-505), three of which are known to contain burials. To ensure that the project does not cause substantial adverse impacts to historical resources as defined at 14 CCR §15064.5, the following shall be implemented prior to any ground disturbing activity:

1. Prior to any ground-disturbing activity, construction crews should receive a cultural resources training from a qualified archaeologist. The training should review the types of cultural resources that might be found, the legal obligations of the contractors, and steps to follow if archaeological materials or human remains are identified.

2. Prior to issuance of a building permit, a qualified archaeologist should design a subsurface testing program to assess the presence or absence of buried archaeological sites in the project area. Mechanical trenching of a representative sample of the project area to the level of potential ground disturbance or four feet, whichever is greater, should be completed in order to evaluate the presence and depth of possible cultural soils. Mechanical trenching

may be supplemented by hand augering or other sampling strategies as needed. All mechanical excavations should be monitored by a qualified archaeologist and representative of the Native American community. If cultural resources are identified, it may be necessary to collect additional data to evaluate the significance of the resource.

3. Should subsurface testing not prove feasible, ground-disturbing activity on the project area should be monitored by a qualified archaeologist and representative of the Native American community until sufficient information has been gathered to demonstrate the presence or absence of archaeological resources within the area that will be disturbed by the proposed project.

4. If human remains are found during monitoring, the monitor will stop all activity within a 100-foot radius, and the Contra Costa County Coroner will be informed. If the remains appear to be Native American, the Native American Heritage Commission will be notified and invited to identify a Most Likely Descendant, who will make recommendations regarding reburial of the human remains, per §15064.5(e) of the CEQA Guidelines.

Implementation of Mitigation Measure CUL-1 would reduce the impact to a less than significant level.

b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?* ***(Less than Significant with Mitigation)***

An archaeological survey report was prepared by Daniel Shoup of AHC-Heritage which surveyed the site for its sensitivity for buried historic-period archaeological resources. The report concluded that the "project area thus has a low sensitivity for buried historic-period archaeological deposits." However, during construction activities, sensitive resources may encounter previously undiscovered archaeological resources. Implementation of the following mitigation measure would reduce the impact to undiscovered archaeological resources.

Impact CUL-2: Subsurface construction activities may have a significant impact to previously undiscovered archaeological resources.

Implementation of **Mitigation Measure CUL-1** would reduce this impact to a less than significant level.

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

No human remains or cemeteries are known to exist within or near the project site. On May 29, 2025, the County mailed a *Notice of Opportunity to Request Consultation*, pursuant to section 21080.3.1 of the California Public Resources Code, to Wilton Rancheria and Confederated Villages of Lisjan Nation for their review of the project proposal. County staff did not receive a request for consultation in response to these notices. However, there is a possibility that human remains could be present and accidental discovery could occur. If during project construction, subsurface construction activities damaged previously human remains, there could be a potentially significant

impact. If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Contra Costa County Sheriff/Coroner must be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission, which will in turn appoint a Most Likely Descendent (MLD) to act as a tribal representative and confirm next steps. Implementation of Mitigation Measure CUL-1 would reduce the potentially significant impact to a less than significant level.

Impact CUL-3: Project activities could have the potential to significantly impact previously undiscovered human remains.

Implementation of **Mitigation Measure CUL-1** would reduce this impact to a less than significant level.

Sources of Information

- Archaeological Survey Report by Daniel Shoup dated January 2024.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
6. *ENERGY – Would the project:*				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

***SUMMARY**:*

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

Environmental effects related to energy include the project's energy requirements and its energy use efficiencies by amount and fuel type during construction and operation; the effects of the project on local and regional energy supplies; the effects of the project on peak and base period demands for electricity and other forms of energy; the degree to which the project complies with existing energy standards; the effects of the project on energy resources; and the project's projected transportation energy use requirements and its overall use of efficient transportation alternatives, if applicable. The following factors demonstrate a project's significance in relation to these effects: (1) Why certain measures were incorporated in the project and why other measures were dismissed; (2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid-waste; (3) The potential for reducing peak energy demand; (4) Alternate fuels (particularly renewable ones) or energy systems; and (5) Energy conservation which could result from recycling efforts.

Energy consumption includes energy required for the construction of the proposed project and the operational use of the 8 townhomes. The proposed project's energy demand would be typical for a development of this scope and nature and would be required to comply with current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Building Inspection Division. Therefore, the project would have a less than significant impact due to energy consumption.

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

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

recovery programs are among the strategies currently implemented by the County. The construction and operation of the eight new single-family residences would be subject to the measures promulgated by the 2024 Update and Title 24 of the California Code of Regulations. Thus, the project would be consistent with the strategies of the adopted Climate Action and Adaptation Plan 2024 Update, and would not impede any State or local initiatives for increasing renewable energy or efficiency.

Sources of Information

- Contra Costa County, 2024. *Climate Action and Adaptation Plan 2024 Update.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
7. *GEOLOGY AND SOILS – Would the project:*				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

SUMMARY:

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

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? ***(Less than Significant Impact)***

The California Geological Survey (CGS) has delineated Alquist-Priolo (A-P) zones along the known active faults in California. The nearest fault considered active by CGS is the Hayward

fault, which is mapped approximately 1.2 miles southwest of the project site. No faults are mapped within the subject project.

ii) *Strong seismic ground shaking?* ***(Less than Significant Impact With Mitigation Incorporated)***

According to the Health and Safety Element Figure HS-17: Earthquake Hazards, El Sobrante the site is in an area rated "violent shaking." Project design of the project will incorporate conservative design and quality construction which would keep ground shaking damage to a minimum, but cannot eliminate ground shaking completely in the event of an earthquake. The risk of damage from ground shaking is controlled both by use of sound engineering judgement and compliance with the latest provisions of the California Building Code (CBC), as a minimum. The seismic design provisions of the CBC prescribe minimum lateral forces applied statistically to the structure(s), combined with the gravity forces and dead-and-live loads. The code-prescribed lateral forces are generally considered to be substantially smaller than comparable forces that would be associated with a major earthquake. The intent of the code is to enable structures to *(i)* resist minor earthquakes without damage, *(ii)* resist moderate earthquakes without structural damage but with some non-structural damage, and *(iii)* resist major earthquakes without collapse but with some structural as well as non-structural damage. A geotechnical report prepared by Geotecnia on August 12, 2024, reviewed the potential for strong seismic ground shaking. In the report, it was determined that because the site is approximately 1.2 miles southwest from the Hayward fault (a major Type-A Fault), the site may be exposed to moderate to strong earthquake shaking during the life of the improvements. Therefore, to address the potential for strong seismic ground shaking, the project applicant will comply with the following mitigation measures.

Impact GEO-1: The project may be subject to strong seismic ground shaking which could potentially damage the structures.

Mitigation Measure GEO-1: Prior to issuance of building permits , the applicant shall prepare a geotechnical report to address liquefaction hazards. The evaluation of the liquefaction hazard shall be based on analysis of the Cone Penetration Test (CPT) data. The Seismic hazard zone report should include a) Project description, b) Review of published geologic mapping and seismicity of the El Sobrante area, c) Provide justification for all assumptions used as inputs to the computer analysis of liquefaction potential based on analysis of CPT date. The methodology used by the project geotechnical engineers to evaluate liquefaction shall be consistent with guidelines adopted by the California Geological Survey for liquefaction analysis. If the CPT analysis confirms the presence of potentially liquefiable sands in the subsurface, the amount of anticipated total settlement and differential settlement across a building site shall be provided.

Mitigation Measure GEO-2: Prior to issuance of building permits, the applicant shall evaluate the potential hazard posed by corrosive soils and provide mitigation for any substantial hazard posed by corrosive soils.

Mitigation Measure GEO-3: Prior to issuance of building permits the applicant shall submit a geotechnical update of the 2024 Geotecnia report. The purpose of the update is to provide

an opportunity for the geotechnical engineer to review and modify recommendations as warranted, based on the design level plans.

Mitigation Measure GEO-4: The applicant/contractor shall require adequate geotechnical monitoring to verify the design-level recommendations of Geotecnia are fully/correctly implemented in the field and documented in a final report from the geotechnical engineer. That report shall include monitoring dates on site, identify the location/nature of the features observed, provide any test results, and provide the engineer's professional opinion of compliance of the as-graded, as-built project with geotechnical recommendations.

Mitigation Measure GEO-5: All required reports shall be subject to peer review by the County Peer Review Geologist and shall be subject to review and approval by the Department of Conservation and Development.

iii) Seismic-related ground failure, including liquefaction? ***(Less than Significant Impact With Mitigation Incorporated)***

According to Figure HS-18A: Liquefaction Susceptibility, the project site is located within a medium liquefaction susceptibility zone. The General Plan contains policies related to properties in liquefaction zones including prohibiting constriction of buildings intended for human occupancy in areas where liquefaction cannot be adequately mitigated and to require a Geotechnical Report to provide recommendations for the site. The applicant provided a geotechnical report prepared by Luis Moura of Geotecnia. The report reviewed the site and determined that the surficial soils at the site have a expansion potential of high. Expansive soils tend to swell with increases in moisture content and shrink with decreases in moisture content. These moisture fluctuations typically occur in the upper 4 feet of the clay soils during annual and seasonal variations in precipitation. Moisture fluctuations can also occur from irrigation, changes in site drainage, or the presence or removal of trees. As the soil shrinks and swells, improvements supported on the expansive soils may fall and rise. These movements may cause cracking and vertical and horizontal deformations of the improvements.

When expansive soil behavior occurs on slopes, such as at the rear of the site, there is a component of movement parallel to the downslope direction within about 15 feet from any downslope. Slope creep is a slow process, typically involving a small fraction of an inch per year (about 0.1 inches or less per year); however, this movement accumulates over the years and can result in several inches of lateral movement over the life of a structure, in addition to the differential vertical movements.

The report concludes that the potential for liquefaction is low at the site because (a) no loose, saturated granular soils were encountered in the five borings drilled for this study, and (b) the site is underlain by predominantly stiff to very stiff clay soils. However, to address the potential for liquefaction on this site, the project applicant will comply with the following mitigation measures.

Impact GEO-2: The project may be subject to liquefaction.

Implementation of **Mitigation Measure GEO-1, GEO-2, GEO-3, GEO-4 and GEO-5** would reduce this impact to a less than significant level.

iv) Landslides? ***(Less than Significant Impact)***

The Heath and Safety Element of the General Plan Figure HS-18B: Landslide Hazards, maps out the location of landslide seismic hazard zones within the County. The project site is not mapped as a land slide zone. Since there are no landslides indicated on the site by mapping of the USGS, and because the official SHZ map indicates that site is not considered to be at risk of earthquake-triggered landslide displacement, the risks of landslide related ground failure are not substantial for this project. The geotechnical report prepared by Geotecnia also reviewed the potential for landslides and determined that the soils are very stiff clay soils which are not subject to landsliding and that during site reconnaissance, there was no observation of deep-seated, active instability and that groundwater surface is generally deeper than 18 feet which leads to a low potential for landsliding at the site. Therefore, there is a less than significant impact for landslides.

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

The project proposes grading of 200 cubic yards of cut and 750 cubic yards of fill. Prior to the issuance of a grading permit, the applicant will be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) and Erosion Control Plan which is a routine requirement of projects requiring grading permits. The SWPPP identifies the "best management practices" that are most appropriate for the site, and the "Erosion Control Plan," which is required for the grading permit, provides the details of the erosion control measures to be applied on the site and maintained throughout the winter rainy season. Therefore, because the applicant will be required to comply with all County grading permit requirements, the project will not result in substantial soil erosion or the loss of topsoil.

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

The geotechnical report prepared for the project indicates that the geologic data indicates that the proposed development is feasible with the implementation of the recommendations listed in the geotechnical report. The site is on very stiff clay soils and an 18-inch-thick layer of medium dense clayey sand. The Geotecnia report provides preliminary standards and criteria for site grading, drainage and foundation design. Therefore, there is a less than significant impact for the project.

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

The Geotecnia report reviewed the site for expansive soils. The results of the field exploration and laboratory testing indicated that the surficial soils at the site have a high expansion potential.

Expansive soils tend to swell with increases in moisture content and shrink with decreases in moisture content. These moisture fluctuations typically occur in the upper 4 feet of the clay soils during annual and seasonal variations in precipitation. Moisture fluctuations can also occur from irrigation, changes in site drainage, or the presence or removal of trees. As the soil shrinks and swells, improvements supported on the expansive soils may fall and rise. These movements may cause cracking and vertical and horizontal deformations of the improvements.

When expansive soil behavior occurs on slopes, such as at the rear of the site, there is a component of movement parallel to the downslope direction within about 15 feet from any downslope. Slope creep is a slow process, typically involving a small fraction of an inch per year (about 0.1 inches or less per year); however, this movement accumulates over the years and can result in several inches of lateral movement over the life of a structure, in addition to the differential vertical movements.

The Geotecnia report provides recommendations on building design including foundation support and the location of any retaining walls. This will be a requirement included in mitigation measure GEO-1, GEO-2, GEO-3, GEO-4 and GEO-5.

Impact GEO-3: The project site is located on expansive soil.

Implementation of **Mitigation Measure GEO-1, GEO-2, GEO-3, GEO-4** and **GEO-5** would reduce this impact to a less than significant level.

e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* ***(No Impact)***

The project is expected to be served by public sewers.

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

The possible opportunity for fossil material to be exposed would occur during trenching for utility lines (including storm drainage, sewers, domestic water, electrical and TV cable). Trenches would likely penetrate native soils. Standard CDD practice is to require that work shall stop if such materials are uncovered during grading, trenching, or other onsite earthwork until a certified paleontologist has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation as deemed necessary. The following mitigation measure will address any unexpected discovery or find which may occur during the construction phase of the project.

Impact GEO-4: Project activities could have the potential to significantly impact previously undiscovered paleontological resources or sites or unique geologic features.

Mitigation Measure GEO-6: Should any significant fossils (e.g., bones, teeth, or unusually abundant and well-preserved invertebrates or plants) be unearthed, the construction crew shall not attempt to remove them, as they could be extremely fragile and prone to crumbling, and to ensure their occurrence is properly recorded; instead, all work in the immediate vicinity of the

discovery shall be diverted at least 15 feet until a professional paleontologist assesses the find and, if deemed appropriate, salvages it in a timely manner. All recovered fossils shall be deposited in an appropriate repository, such as the University of California Museum of Paleontology (UCMP), where they would be properly curated and made accessible for future study.

Sources of Information

- *Geotechnical Study Proposed 8-Unit Residential Development by Geotechnia, dated August 12, 2024.*
- Geologic Peer Review and CEQA Section by Darwin Meyers Associates dated March 29, 2006.
- Contra Costa County 2045 General Plan – Health and Safety Element

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
8. *GREENHOUSE GAS EMISSIONS – Would the project:*				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

***SUMMARY**:*

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ***(Less than Significant Impact)***

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

Senate Bill 97 directed the Governor's Office of Planning and Research (OPR) to develop CEQA Guidelines for evaluation of GHG emissions impacts and recommend mitigation strategies. In response, OPR released the Technical Advisory: CEQA and Climate Change, and proposed revisions to the State CEQA guidelines for consideration of GHG emissions. The California Natural Resources Agency adopted the proposed State CEQA Guidelines as discussed below.

The bright-line numeric threshold of 1,100 MT CO2/yr is a numeric emissions level below which a project's contribution to global climate change would be less than "cumulatively considerable." This emissions rate is equivalent to a project size of an approximately 541,000-square-foot industrial use. Future construction of eight townhomes and related improvements would create some GHG emissions; however, the amount generated would be below the above-noted emission rate and not result in a significant adverse environmental impact. As the project does not exceed the screening criteria, the project would not result in the generation of GHG emissions that exceed the threshold of significance.

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

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

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

and Adaptation Plan 2024 Update on November 5, 2024, which includes a number of GHG emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Green building codes and debris recovery programs are among the strategies currently implemented by the County. The updated Climate Action and Adaptation Plan policies were included in the County General Plan and as such, any project that is consistent with the County General Plan is consistent with the updated CAP.

The project would create eight new townhomes within one lot and install frontage and drainage improvements which would generate some GHG emissions, but not at levels that would be in conflict with either the CAP or the 2024 update. Additionally, the project will be subject to implementing standards for energy-efficient buildings, green building codes and debris recovery programs. Therefore, because the project will not generate GHG emissions at levels that would result in a conflict with any policy, plan, or regulation adopted for the purpose of reducing GHG emissions and because the project is consistent with the General Plan, the project would have a less than significant impact.

Sources of Information

- CEQA Thresholds and Guidelines Update (baaqmd.gov), 2024. *CEQA Thresholds and Guidelines*
- *Update, 2022 CEQA Guidelines, Bay Area Air Quality Management District*.
- Contra Costa County. *Title 8: Zoning Ordinance*.
- Contra Costa County, 2024. *Climate Action and Adaptation Plan 2024 Update.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
9. *HAZARDS AND HAZARDOUS MATERIALS – Would the project:*				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

SUMMARY:

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? **(Less than Significant Impact)**

The project site is currently occupied by a single-family residence, a detached garage and various hardscape and landscape features. Therefore, the existing use has a low possibility of containing hazardous materials such as (e.g., underground storage tanks. etc.) However, during construction the proposed project would be expected to involve the transport, use, and disposal of hazardous materials, such as diesel fuels, aerosols, and paints. The proposed project would be subject to the Hazardous Materials Transportation Act, California Public Resources Code, and other State and local regulations that would reduce and limit the associated risks. Any handling, transporting, use,

or disposal would comply with applicable laws, policies, and programs set forth by various federal, State, and local agencies and regulations.

During project operations, small quantities of hazardous materials may be handled on the project site. Because of the nature of the project, hazardous materials used on-site may vary but would likely be limited to small quantities of fertilizers, herbicides, pesticides, solvents, cleaning agents, and similar materials used for daily residential operations and maintenance activities. These types of materials are common for residential developments such as the project and represent a low risk to people and the environment when used as intended. Further, compliance with applicable plans and regulations, would provide public protection from hazards associated with the use, transport, treatment, and disposal of hazardous substances. Therefore, operational impacts related to public hazard risk as a result of hazardous materials transport, use, or disposal would be less than significant.

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

Construction activity would be expected to involve the transport, use, and disposal of hazardous materials, such as diesel fuels, aerosols, and paints. The use of these materials would be subject to the Hazardous Materials Transportation Act, California Public Resources Code, and other State and local regulations that would limit the use of hazardous materials and reduce the associated risks of exposure. Any handling, transporting, use, or disposal would comply with applicable laws, policies, and programs set forth by various federal, State, and local agencies and regulations, including the Environmental Protection Agency, Resource Conservation and Recovery Act, Caltrans, the Hazardous Materials Transportation Act, and the Contra Costa County Hazardous Materials Program. Therefore, construction impacts related to hazardous materials upset risk would be less than significant.

The project proposes construction of eight (8) townhomes and related residential improvements including landscaping, and a creek at the rear. As such, the proposed project would not be expected to include industrial or retail development that involves hazardous materials such as gas stations, paint stores, or auto parts stores. Unlike industrial or retail facilities, residential development does not involve the type or quantity of hazardous materials that could pose a significant environmental accident.

c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* ***(No Impact)***

Wildcat Canyon Community School is approximately 0.46 miles south of the project site and Sheldon Elementary School is approximately 0.49 miles east of the project site. Because the project is not within one-quarter mile of an existing or proposed school, construction and operational impacts related to hazardous emissions proximate to a school would be less than significant.

d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* ***(No Impact)***

Pursuant to the Hazardous Waste and Substances Site List (Cortese) maintained by the California Department of Toxic Substances Control (DTSC), the project site is not identified as a hazardous materials site. Therefore, the project will have no impact in this respect.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?* ***(No Impact)***

The project site is located more than 13 miles west of the Buchanan Field Airport. There would be no safety hazard or excessive noise related to a public airport or public use airport.

f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* ***(Less than Significant Impact)***

The project site is primarily accessed from Appian Way in El Sobrante which is a County maintained road. There are many streets off of Appian Way that are perpendicular and would utilize this roadway in an emergency. However, no aspect of the project will impede or reduce access to Appian Way because of its construction or operation. The Contra Costa County Fire Protection District (CCCFPD) has reviewed the project plans and provided routine comments for the site. The applicant will be required to comply with all Fire District requirements including providing emergency access, providing no parking fire lanes, designing the buildings to have emergency escape and rescue openings, automatic fire sprinklers installed and submitting construction plans for the review and approval from the Fire District. The Fire Protection District would review the construction drawings for the project at the time of submittal of a building permit application. Additionally, the proposed project will not affect any existing communication/utility structures such as power poles or telecommunications towers, which may be necessary for an existing emergency response or evacuation plan. Thus, project impacts related to emergency response and evacuation would be less than significant.

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

The project site is located within a "Locally Adopted Moderate FHSZ" as indicated in the County's mapping system in Accela. The fire hazard severity zones reflect the degree of severity of fire hazard that is expected to prevail in the area. The construction of the new townhomes would be subject to building standards required for structures within "Locally Adopted Moderate" Fire Hazard Severity Zones. The building standard for the Fire Hazard Severity Zones would be enforced as the project is reviewed by the Building Inspection Division and the Contra Costa County Fire Protection District. As the project will comply with these standards, there would be a less than significant risk of loss, injury or death involving exposure of people or structures to wildland fires.

Sources of Information

- County's Mapping System in Accela.
- Hazardous Waste and Substances Site List – "Cortese List."
- Contra Costa County. 2000. *Contra Costa County Airport Land Use Compatibility Plan.*

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

- Contra Costa County General Plan. 2045. *Transportation Element*
- Contra Costa County Fire Protection District, *Agency Comment Letter*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
10. *HYDROLOGY AND WATER QUALITY – Would the project:*				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

SUMMARY:

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? ***(Less than Significant Impact)***

The proposed project would comply with applicable water quality and discharge requirements. Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, and 16 incorporated cities in the county have formed the Contra Costa Clean Water Program. In October 2009, the Regional Water Quality Control Board for the San Francisco Bay Region (RWQCB) adopted the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit for the Program, which regulates discharges from municipal storm drains.

Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. The County has the authority to enforce compliance with its Municipal Regional Permit through the County's adopted C.3 requirements. The C.3 requirements stipulate that projects creating and/or redeveloping at least 10,000 square feet of impervious surface shall treat stormwater runoff with permanent stormwater management facilities, along with measures to control runoff rates and volumes. Due to the potential impervious areas that would be created for the residential and access improvements on the site (approximately 15,180 square feet), this project triggers threshold requiring submittal of a Stormwater Control Plan (SWCP).

The applicant submitted a Stormwater Control Plan prepared by Humann Co. and was deemed to be "preliminarily complete" by the Contra Costa County Public Works Department. A final Stormwater Control Plan will be required to be submitted which will include any design level change prior to the issuance of a building permit and to ensure that the site is brought to full compliance with C.3 stormwater requirements. The applicant is requesting an exception from County Code Section 914 'collect and convey". The applicant submitted a Hydrology and Hydraulics report which demonstrated residual capacity available in the bioretention basins to mitigate the additional runoff volume resulting from the increased impervious surface. The Contra Costa County Public Works reviewed the exception request and had no objection. With implementation of the practicable stormwater controls, the project would be compliant with applicable water quality standards or waste discharge requirements, resulting in a less than significant impact.

b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?* ***(Less than Significant Impact)***

The proposed project would have new impervious surfaces of approximately 15,180 square feet. However, the proposed project would incorporate techniques as described in the SWCP. The proposed project would not interfere substantially with groundwater supply, recharge, or groundwater management. Furthermore, the project site will be serviced by East Bay Municipal Utility District (EBMUD) and was initially reviewed by the utility district. Since water service at the site is provided by EBMUD, no groundwater wells are required. Therefore, potential impacts related to the groundwater recharge and supply would be less than significant.

c) *Would the project substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i) *Result in substantial erosion or siltation on- or off-site?* ***(Less than Significant Impact)***

Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse. The site currently appears to slope slightly towards Appian Creek located in the northwest of the property. Two bio-retention basis are

proposed on this site, with storm drain lines to convey drainage towards Appian Creek in the back of the property. The applicant submitted a Hydrology and Hydraulics report that demonstrated residual capacity available in the existing bioretention basins which would capture any discharge from the proposed impervious surface created from the project. The drainage analysis show the treatment basins have sufficient capacity to meter the stormwater runoff and satisfy the drainage requirements cited above. As such, the proposed project would result in a less than significant impact regarding erosion or siltation on- or off-site.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? ***(Less than Significant Impact)***

The proposed project would comply with regulations of the National Pollutant Discharge Elimination System (NPDES) Permit consistent with Division 1014 of the Ordinance Code. The County's Public Works Department finds the Preliminary SWCP adequate to accommodate the rainwater runoff generated during storm events. Therefore, the project would have a less than significant impact on- or off-site flooding.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? ***(Less than Significant Impact)***

Two bioretention basins are proposed to capture and treat the stormwater runoff. The storm drain lines will be directed to convey and drain towards Appian Creek in the back of the property. The applicant's engineer submitted an exception request from the "collect and convey" requirements of Division 914 which was reviewed by the County Public Works Department. In the exception request, a Hydrology and Hydraulics report was submitted to demonstrate residual capacity available in the bioretention basins to address any additional runoff volume resulting from the increase impervious surface area being created by the project. The County Public Works Department in their conditions of approval does not object to the granting of the exception. Therefore, the project would have a less than significant impact on drainage.

iv) Impede or redirect flood flows? ***(Less than Significant Impact)***

The northwestern boundary of the property lies within the Special Flood Hazard Area (100-year flood boundary) Flood Plan B and AE due to the Appian Creek bisecting the northwest most property line. The County Public Works Department reviewed the applicant and determined that the buildings as proposed appear to meet the County Code Requirements. Additionally, Public Works determined that the project meets the creek structure setback requirements. Therefore, the project would have a less than significant impact on flood flows.

d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? ***(Less than Significant Impact)***

As discussed in Environmental Checklist Section 10.c.iv above, portions of the property lie within the Special Flood Hazard Area (100 year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map. The project will be required to comply with the requirements of the National Flood Insurance Program and the County Floodplain Management Ordinance as they pertain to development and construction of any structures on this property. The County Public Works Department reviewed the initial submittal and determined that the "proposed buildings appear to meet the Code requirements." However, the project will also be subject to standard Contra Costa County Public Works conditions of approval which require the submittal of a Letter of Map Amendment (LOMA) or Revision (LOMR) for building housing Units 6, 7 and 8 as they encroach into the Special Flood Hazard Area delineated by FEMA. Compliance with the Public Works Conditions of Approval would result in a less than significant impact.

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

As stated above, the proposed project would comply with applicable water quality and discharge requirements. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. The Stormwater Control Plan (SWCP) prepared for the proposed project includes stormwater controls as required by the Contra Costa Clean Water Program and Municipal Regional Permit. Thus, the project would not conflict with or obstruct implementation of a water quality control plan.

Sources of Information

- Contra Costa County Department of Public Works. 2025. *Staff Report and Conditions of Approval dated January 23, 2025.*
- Humann Company Inc, *Hydrology & Hydraulics Report*, prepared October 2024.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
11. *LAND USE AND PLANNING – Would the project:*				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

SUMMARY:

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

The physical division of an established community typically refers to the construction of a physical feature, such as an interstate highway or railroad tracks, or the removal of a means of access, such as a local road or bridge that would impair mobility within an existing community or between a community and outlying area. The proposed project does not proposed construction of such a feature. Moreover, the subject property is currently used for residential activities. The surrounding properties are mixed use including retail/commercial to the southwest, residential to the north and east. The project proposed 8 townhomes that would be accessed from Appian Way. Thus, the project would not physically divide any of the nearby communities, or adversely impact the manner in which people enter or exit those communities.

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

The project site has a General Plan land use designation Mixed-Use Low (MUL) and Resource Conservation (RC). The project will be located within the MUL portion of the parcel. The MUL General Plan Designation allows for various housing types including townhouses with a Density range of 10-30 and a FAR of 1.0. The project has 0.67 net acres which allows for a density range of 7 units to 20 residential units. The project is proposing 8 residential units which is within the density range for the MUL General Plan Designation.

The project site is zoned P-1 Downtown El Sobrante Planned Unit Development. Within this area of El Sobrante, multiple-family residential units is a permitted use with a development plan application. The proposed project will be a multiple-family residential use which is compatible with the El Sobrante P-1. There are no land use plans applicable to the subject site aimed at mitigating environmental impacts.

Sources of Information

- Contra Costa County General Plan. 2045 *Land Use Element.*
- Contra Costa County. *Title 8 – Zoning Ordinance.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
12. *MINERAL RESOURCES – Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SUMMARY:

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? **(No Impact)**

Known mineral resource areas in the County are shown on Figure COS-13 (Mineral Resource Areas) of the County General Plan's Conservation, Open Space, and Working Lands Element. No known mineral resources have been identified in the project vicinity, and therefore, the proposed project would not result in the loss of availability of any known mineral resource.

b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? **(No Impact)**

Pursuant to Figure COS-13 (Mineral Resource Areas) of the County General Plan, the project site is not located within any area of the County identified as a significant mineral resource area. Therefore, there is no potential for the proposed project resulting in the loss of availability of a locally-important mineral resource recovery site.

Sources of Information

- Contra Costa County General Plan, 2045, *Conservation, Open Space, and Working Lands Element.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
13. *NOISE – Would the project result in:*				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

SUMMARY:

a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ***(Less than Significant Impact with Mitigation)***

The Health and Safety Element of the County General Plan discusses the County's goal to improve the overall environment in the County by reducing annoying and physically harmful levels of noise for existing and future residents, and for all land uses. According to the Maximum Allowable Noise Exposure by Use (Tale HS-3) in the County General Plan, environments with ambient noise levels of up to 60 dB (decibels) are considered "normally acceptable" and noise levels between 55 dB to 70 dB are "conditionally acceptable" in residential areas. The project will result in the types and levels of noise generated from new residential uses that are consistent to noise levels from the existing residential development in the area. Therefore, the impact on ambient noise levels in the vicinity would be less than significant.

According to the County's GIS and the County's General Plan 2045 Roadway Noise Contours (Figure HS-21), the subject property is located within a noise level of 65 dBA due to the proximity to Appian Way which is a major noise contributor. Vehicular traffic generated by the eight proposed townhomes along with noise typically associated with residential uses (e.g., yard maintenance, recreation, etc.), would increase noise levels in the vicinity of the project site. However, the types and levels of noise generated from the eight proposed townhomes will be similar to noise levels from the existing residential and mixed-use developments in the area. Furthermore, this area of Appian Way consists of normally acceptable noise generating uses such as restaurants, retail uses and single-family residences, and therefore, the impact on ambient noise levels in the vicinity would be less than significant.

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

During project grading and construction activities, there may be periods of time where there would be loud noise from construction equipment, vehicles, and tools. Although grading and construction activities would be temporary, such activities could have a potentially significant adverse environmental impact during project construction. Consequently, the project proponent is required to implement the noise mitigation measure **NOI-1** to bring potential noise impacts to a less than significant level.

Impact NOI-1: Construction related activities could generate a temporary increase in ambient noise levels in the vicinity of the project.

Mitigation Measure NOI-1: The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.

1. Unless specifically approved via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

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

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

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

2. Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.

3. 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.

4. The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities

5. The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and shall maintain a log of complaints, which shall be available for review by County staff upon Request

6. Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.

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

Project construction includes grading of approximately 750 cubic yards of fill and 200 cubic yards of cut. Grading will occur temporarily at the site during construction, and implementation of NOI-1 requires mufflers on combustion engines and limits when heavy construction vehicles can be on the site. Therefore, the amount of ground borne vibration or noise generated by the project will be less than significant.

c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?* ***(No Impact)***

As discussed in Section 9.e, the project site is located more than 13 miles west of the Buchanan Field Airport and located more than 15 miles north of Oakland International Airport. Thus, the project would not expose people residing or working in the project area to excessive noise levels.

Sources of Information

- Contra Costa County General Plan. 2045. *Health and Safety Element.*

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

SUMMARY:

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

The proposed project would result in the construction of 8 townhomes that would potentially increase the housing stock in Contra Costa County. Given the Census 2020 estimates 2.89 people per household for El Sobrante, the population in the project area would be increased by approximately 23 people for this location. This amount is a non-substantial increase in the population. The subject property as currently zoned allows for residential uses and the surrounding area is mixed use including retail, commercial and residential which would be consistent with the project. The proposed use for this district would allow for residential uses and the project is consistent with the County's General Plan. Moreover, because the development is already zoned for residential use, the development of the proposed project would result in growth that was already envisioned and evaluated as part of the General Plan and would represent an increase of less than 1 percent of the County's anticipated total unincorporated population as of 2030. Therefore, the potential to induce a substantial unplanned population growth, either directly or indirectly, would be less than significant.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ***(Less than Significant Impact)***

The subject property is currently developed with one single-family residence which will be demolished for the proposed development. The proposed project consists of constructing 8 townhomes that will provide much-needed housing to the area. The project is also subject to the County's Inclusionary Housing Ordinance. Per the Inclusionary Housing Ordinance, the applicant is required to provide 1.2 inclusionary units. The applicant has indicated in their proposal that they will provide one inclusionary unit within the townhouses to be occupied by a very low-income household and the 0.2 factional unit will be paid for by the in-lieu fee. Therefore, the project would not displace a substantial number of existing people or housing and would provide more replacement housing.

Sources of Information

- California Department of Finance 2025 – Population and Housing Estimates.

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

- Contra Costa County. *Title 8 – Zoning Ordinance.*

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

SUMMARY:

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

a) *Fire Protection?* ***(Less than Significant Impact)***

The Public Facilities and Services Element of the County General Plan requires all discretionary projects to be reviewed by the Fire Protection District. The project is served by the Contra Costa County Fire Protection District and is 0.4 driving miles north from Contra costa County Fire Station #69. The project was referred out to the Fire District and in a returned agency comment letter dated June 1, 2022, the Fire District indicated that upon review of the application submittal, it was found that the project will need to comply with access requirements and to submit a land development permit for the review and approval from the Fire District. In addition, as detailed in the comment letter for the proposed project from the Fire District, the project is required to comply with the California Building Code, and applicable Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. Furthermore, prior to the issuance of building permits, the construction drawings would be reviewed and approved by the Fire District. All townhomes will be equipped with an automatic fire suppression sprinkler system. As a result, potential impacts of the proposed project relating to fire protection would be less than significant.

b) *Police Protection?* ***(Less than Significant Impact)***

Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Office, which provides patrol service to the El Sobrante area. The proposed project would increase the population of unincorporated Contra Costa County by approximately 23 persons, which is less than the facility standard and is a non-substantial increase. The project does not propose a subdivision of land which would have necessitated a per-parcel fee for police services. Thus, the addition of eight townhomes to the project area would not significantly affect the provision of police services to the area.

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

c) *Schools?* ***(Less than Significant Impact)***

The project will be subject to childcare fees for each unit which will go toward childcare facility needs in the area as established by the Board of Supervisors. Since the project would not significantly increase the population in the El Sobrante area, it would have a less than significant impact on enrollment at existing local schools.

d) *Parks?* ***(Less than Significant Impact)***

The average size of a household in the Contra Costa County area is approximately 2.85 persons per household. The proposed project would increase the population by approximately 23 people. The Contra Costa County Public Facilities and Services Element strives to provide at least 3 acres of local parkland per every 1,000 residents. Because the project will approximately increase the population by approximately 23 people, a new park would not be required. Thus, the project would not result in a significant increase in the use of existing recreational public resources in the area. A Park Impact Fee and Park Dedication fee is required to be paid by the applicant prior to issuance of a building permit. Given the project's negligible addition to the population, the impact of the proposed project on parks would be less than significant.

e) Other public facilities? ***(Less than Significant Impact)***

Libraries:

The Contra Costa Library operates 28 facilities in Contra Costa County. The Contra Costa Library system is primarily funded by local property taxes, with additional revenue from intergovernmental sources. A portion of the property taxes on the project site will contribute to the Contra Costa Library system. Accordingly, the impact of the use of the public libraries by the residents of the eight new townhouses created would be less than significant.

Health Facilities:

The Contra Costa County Health Services Department (CCCHSD) operates a regional medical center (hospital) and 11 health centers and clinics in the County. County health facilities generally serve low income and uninsured patients. CCCHSD is primarily funded by federal and state funding programs, with additional revenue from local taxes, including a portion of the taxes on the project site. Thus, the impact of the use of public health facilities by the residents of the eight multi-family units created would be less than significant.

Sources of Information

- California Department of Finance 2024.
- Contra Costa County Fire Protection District. *Agency Comment Letter dated June 1, 2022.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
16. *RECREATION*				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

SUMMARY:

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

Given the relatively minor scale of the project, resulting in the creation of eight town-homes within an established neighborhood, the project would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity of the project site. Building permit fees for the new townhomes will be subject to park impact and park dedication fees, which fund the acquisition and maintenance of parks and recreational facilities in Contra Costa County. Given the minor scale of the project and its contribution of the aforementioned park fees, it is not expected to result in substantial physical deterioration of nearby public facilities, nor would the project accelerate such deterioration. Therefore, less than significant impacts are expected in this regard

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?* ***(No Impact)***

The project does not proposed the construction of new recreational facilities, or the expansion of existing facilities. Therefore, the project will have no impacts in this respect.

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

SUMMARY:

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

Policy GM-P2.3 of the Growth Management Element of the County General Plan requires a traffic impact analysis of any project that is estimate to generate more than 100 peak-hour trips to determine their effects on the regional transportation system. The project was reviewed by the Transportation Planning Section of the Department of Conservation and Development and determined to generate 6 AM peak hour trips and 8 PM peak hour trips. Therefore, the project is not required to have a project-specific traffic impact analysis since the project would yield less than 100 peak hour AM or PM trips. The project would not conflict with the circulation system in the El Sobrante area.

The Contra Costa Transportation Authority (CCTA) is responsible for ensuring local government conformance with the Congestion Management Program (CMP), a program aimed at reducing regional traffic congestion. The CMP requires that each local jurisdiction identify existing and future transportation facilities that will operate below an acceptable service level and provide mitigation where future growth degrades that service level. The Contra Costa Transportation Authority has review responsibility for proposed development projects that are expected to generate 100 or more additional peak-hours trips. As the project would yield less than 100 additional peak hour AM or PM trips, the proposed project would not conflict with the CMP and would result in a less than significant impact.

The goal of the CCTA Countywide Bicycle and Pedestrian Plan (CBPP) is to encourage biking and walking through improvements to the countywide bicycle and pedestrian network. The CBPP identifies the existing and proposed bicycle and pedestrian facilities network throughout Contra Costa County. There is a Class II bike lane that currently exists on Appian Way. However, the project will prohibit parking along Appian Way to reduce impacts to the bike lane usage.

The County's Transportation Demand Management (TDM) Ordinance requires a residential project with 13 or more units to develop a TDM program. Since the project involves eight new

townhouses, a TDM program is not required. Overall, the project will not interfere with existing transit, bicycle and pedestrian facilities and therefore, would have a less-than-significant impact.

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

In analyzing land use projects under CEQA Guidelines Section 15064.3(b), vehicle miles traveled (VMT) exceeding an applicable threshold of significance may indicate a significant impact. On June 23, 2020, in compliance with SB 743 (2013), the Board of Supervisors adopted Transportation Analysis Guidelines (TAG)1, which defines the County's approach to analyzing VMT impacts from certain projects. As a result of SB 743, VMT is the metric used to define transportation impacts in a CEQA review. The VMT screening criteria for projects consisting of 20 residential or less will not require a VMT analysis as residential projects consisting of 20 units should be expected to cause a less than significant impact under CEQA. Since the project is well under 20 residential units, the project is assumed to have a less than significant impact on traffic. Therefore, the project does not conflict with CEQA guidelines section 15064.3(b).

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

The project involves the creation of eight townhomes on a single parcel within an established mixed-use neighborhood. The proposed land use is identical to the existing in that the parcel will remain residential in nature. The project is accessed via Appian Way which is a County maintained road. The project will relocate the existing driveway off Appian Way further north to serve the new residential units. The project was reviewed by the Public Works Department of Contra Costa County and is required to provide a 15-foot right of way dedication, pavement widening and to match the neighboring curb and sidewalk improvements. The new driveway and all right-of-way improvements will be subject to the requirements of County Department of Public Works design specifications in order to ensure it meets all applicable safety standards. Thus, no significant transportation impacts, whether due to a design feature or incompatible land uses, are expected to result from the project.

d) *Would the project result in inadequate emergency access?* ***(Less than Significant Impact)***

The project plans where referred to the Contra Costa County Fire Protection District and in a returned agency comment letter dated June 1, 2022, the Fire District stated that the project would need to comply with Fire District Access requirements and to submit a land development permit to the Fire District to allow review for access and water supply. Prior to occupancy for the any of the new townhouses, construction plans will be subject to the Contra Costa County Fire Protection District review for consistency with applicable Fire Codes that are in effect at the time when the application for a building permit is submitted. Therefore, the routine review of construction plans will ensure that final development plans for the resultant parcels will not result in a condition with inadequate emergency vehicle access.

Sources of Information

- Contra Costa County 2045 General Plan – *Transportation Element.*

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

- Contra Costa County Department of Public Works. *Staff Report and Conditions of Approval dated January 23, 2025.*
- Contra Costa County Fire Protection District. *Agency Comment Letter June 1, 2022*
- Contra Costa County Department of Conservation and Development, Transportation Planning Section*. Agency Comment Letter June 22, 2022*

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

SUMMARY:

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

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? ***(Less than Significant Impact with Mitigation)***

As discussed in the Cultural Resources section of this Initial Study, no cultural material from the historic or prehistoric periods was observed throughout the project area and the existing house does not appear to meet any of the CEQA Guidelines listed in Sec 15054.5(3)). Additionally, there is no evidence in the record at the time of completion of this study that indicates the presence of human remains at the project site. On May 29, 2025, the County mailed a *Notice of Opportunity to Request Consultation*, pursuant to section 21080.3.1 of the California Public Resources Code, to Wilton Rancheria and Confederated Villages of Lisjan Nation for their review of the project proposal. County staff did not receive a request for consultation in response to these notices.

Nevertheless, the possibility remains that buried archaeological resources and/or human remains could be present on the project site, and accidental discovery could occur during grading and other earthwork on the project site resulting in potentially significant impacts. However, with the implementation of mitigation measures CUL-1 (identified previously within the Cultural Resources section of this report), would reduce potential impacts from accidental discovery to less than significant levels.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? ***(Less than Significant Impact with Mitigation)***

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

While unlikely, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic resources such as wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse, if encountered. This would represent a potentially significant impact related to historic resources if not mitigated. Implementation of **Mitigation Measure CUL-1** would reduce the impact to undiscovered historical resources to a less than significant level.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
19. *UTILITIES AND SERVICE SYSTEMS – Would the project:*				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

SUMMARY:

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

The project does not involve the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage infatuation. The project parcel currently contains an existing single-family residence that is serviced by utilities. Therefore, the project is considered an in-fill project surrounded by similar residential and mixed uses. Water, gas, electrical, and sanitary sewer service would be extended from existing tie-in within Appian Way. All utility providers have been contacted and responded with confirmation that capacity exists within their respective systems to serve the project. Therefore, the project would not require construction of new off-site wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunication facilities.

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

The project has been referred to the East Bay Municipal Utility District (EBMUD) for comment. In a comment letter dated June 6, 2022, EBMUD staff advised that the project site is located within EBMUD's service district boundaries, and that service is available to the project site via an existing water main located within Appian Way and that the applicant will be required to install water meters for the townhomes. If the project is approved, an application to establish new water service to the subdivision is required and is subject to review/approval by EBMUD. It is the applicant's responsibility to contact EBMUD's New Business Office to establish new water service for the subdivision. Thus, the applicant's compliance with applicable EBMUD requirements for establishing new water service will ensure a sufficient supply of water is available to the project now and for the foreseeable future.

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

The project site is located within the West County Wastewater (WCW) service boundaries. In a comment letter dated May 13, 2022, WCW stated that wastewater service is available for the proposed project. If the project is approved, the applicant will submit construction documents to WCW for their review and approval. Therefore, the project would expectedly have a less than significant impact in this regard.

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

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

With respect to residential waste, Contra Costa County contracts with franchise haulers for solid waste, recycling, and organics collection service for about one half of the unincorporated County. The Department of Conservation and Development, Solid Waste and Recycling Section administers four franchise agreements with Allied Waste Systems, Crockett Sanitary Service, Garaventa Enterprises, and Richmond Sanitary Service. Republic Services collects residential waste under the Allied Waste, Crockett Sanitary, and Richmond Sanitary agreements. Mt. Diablo

Resource Recovery collects residential waste under the Garaventa Enterprises agreement. In the other half of unincorporated County, collection service is managed by three different sanitary districts, the Kensington Community Services District, the Central Contra Costa Solid Waste Authority (RecycleSmart, a joint powers authority), and the City of San Ramon, where unincorporated areas of San Ramon are served under the city's collection franchise. California Public Resource Code (PRC) Division 30, and Title 14, Natural Resources, of the California Code of Regulations requires the County to show it has a minimum of 15-years of disposal capacity. The capacity of Keller Canyon Landfill is approximately 40 years if the maximum daily capacity was brought to the landfill. As is the case with construction debris, a portion of the residential waste is expected to be recycled and would thereby reduce the residential waste headed to a landfill by a franchise hauler. Thus, residential waste from construction of eight new townhomes and the demolition of the existing single-family residence and accessory structures would incrementally add to the operational waste handled by a franchise hauler; however, the impact of the project-related residential waste is considered to be less than significant.

e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?* ***(Less than Significant Impact)***

The proposed project would comply with applicable federal, state, and local laws related to solid waste. The project includes residential land uses that would not result in the generation of unique types of solid waste that conflict with existing regulations applicable to solid waste. The project was reviewed by the Conservation Program of Contra Costa County and the Conservation Program determined that the project will be required to comply with County Cde 418-6 and 418-20 which requires adequate container enclosures to collect all three waste streams and organic waste disposal reduction enclosures to be installed on drains. Furthermore, compliance with CalGreen's solid waste requirements, such as the Construction and Demolition Debris Recovery Program, would result in compliance with all applicable federal, state, and local laws related to solid waste.

Sources of Information

- Contra Costa County 2045 General Plan. *Public Facilities and Services Element*.
- Agency Comment Letter, West County Wastewater, dated May 13, 2022
- Agency Comment Letter, EBMUD, dated June 6, 2022
- 2025. *Contra Costa County, Conservation and Development Department, CalGreen / Construction & Demolition (C&D) Debris Recovery Program.* https://www.contracosta.ca.gov/4746/CalGreen-Construction-Demolition-Debris-
- 2025. *Contra Costa County, Approved Construction & Demolition (C&D) Processing Facilities.* https://www.contracosta.ca.gov/DocumentCenter/View/44986/Approved-CD-Processing-Facilities?bidId=
- 2025. *Contra Costa County, Franchise Agreements.* https://cccrecycle.org/235/Franchise-Agreements
- 2025. *Contra Costa County, Waste Hauler Area Map.* https://cocogis.maps.arcgis.com/apps/webappviewer/index.html?id=2c5e6c6b1f7d419eac7005c84a76de90

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
20. ***WILDFIRE –*** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones,* ***would the project:***				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

SUMMARY*:*

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

a) Substantially impair an adopted emergency response plan or emergency evacuation plan? ***(Less than Significant Impact)***

The project site and surrounding vicinity are designated "Locally Adopted Moderate" according to Fire Hazard Severity Maps published by CAL Fire. The nearest "High" is approximately 113 feet south of the site. Because the project site is not located in a state responsibility area or lands classified as very high, the project would have a less than significant impact on any adopted emergency response plan or emergency evacuation plan.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? ***(Less than Significant Impact)***

As stated in the section a above, the project site is not within a high or very high fire hazard severity zone. The property has a very slight slope that will not exacerbate wildfire risks. Moreover, because

the site is not within a high or very high hazard severity zone, the risk of wildfire is less than significant.

c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?* ***(Less than Significant Impact)***

The project site is currently developed with residential uses. However, new electrical power and natural gas lines on site and connecting to the project site would be installed underground, minimizing potential ignition and related fire risk above ground, at the project site according to the California Building Code, Uniform Fire Code, and the Contra Costa County General Plan Health and Safety Element Goal HS-7. The project plans will be reviewed and approved by the Fire District prior to issuance of a building permit. Lastly, off-site improvements, including frontage sidewalks and driveway curbs would not exacerbate fire risk. Therefore, the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment is less than significant.

d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?* ***(Less than Significant Impact)***

A SWCP with C.3 compliant storm water controls including pervious areas, bio-retention basins, and storm drains that would collect storm water was prepared for the project. The C.3 measures would decrease the amount of surface runoff discharged from the site by metering the outflow. The County Public Works Department has reviewed the applicant's preliminary SWCP and determined that it is preliminary complete. Furthermore, the project site is located within a "Moderate" Fire Hazard Severity Zone (FHSZ) in a Local Responsibility Area as indicated in the County's mapping system in Accela. Therefore, any impacts would be less than significant.

Sources of Information

- California Department of Forestry and Fire Protection (Cal Fire). *Fire Hazard Severity Zones | OSFM*
- Contra Costa County Fire Protection District, *Agency Comment Letter dated June 1, 2022.*
- Contra Costa County Department of Public Works. *Staff Report and Conditions of Approval dated January 23, 2025.*
- Contra Costa County 2045 General Plan – Health and Safety Element

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
21. *MANDATORY FINDINGS OF SIGNIFICANCE*				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

SUMMARY:

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

The project to construct eight townhomes and associated improvements. The property is located in a developed area of the County and contains primarily residential land uses with retail and commercial uses mixed in within the surrounding area. Impacts to the quality of the environment related to Aesthetic, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Noise, and Tribal Cultural Resources are identified, but would be reduced to a less than significant level with the adoption of the mitigation measures that are specified in the respective sections of this initial study. Thus, the measures will be conditions of approval of the proposed project and the applicant will be responsible for implementation of the measures.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable

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

when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) ***(Less than Significant Impact)***

The proposed project to allow eight new townhomes would not create substantial cumulative impacts. County Staff reviewed the immediate area for other surrounding development applications and identified CDDP24-03037, a 3,500 square-foot, five residential unit apartment building proposed approximately 286 feet northeast. However, this project is has been deemed incomplete. Moreover, these multiple family projects will need to obtain property approval from the local agencies and service providers. The project site is located within the Urban Limit Line in an area that is surrounded primarily by single-family residential development. In addition, there will be no significant increase in the demand for public services such as water, sewage disposal, or solid waste disposal that would require new or significantly expanded infrastructure improvements that could impact the environment. The project is consistent with the Mixed-Use Low Density (MUL) General Plan land use designation. Furthermore, the proposed project would be consistent with the existing residential development at and surrounding the project site.

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

This Initial Study has disclosed impacts that would be less than significant with the implementation of Mitigation Measures. All identified Mitigation Measures will be included in the conditions of approval for the proposed project, and the applicant will be responsible for implementation of the measures. The project would also comply with all applicable General Plan policies, County Codes, and other applicable local and state regulations. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

REFERENCES

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

1. Project Application and Plans
2. California Environmental Quality Act Guidelines
3. Contra Costa County 2045 General Plan
4. California Important Farmland Finder (webpage)
   DLRP Important Farmland Finder
5. Contra Costa County Ordinance (Title 8)
6. Contra Costa County Accela
7. County Geographic Information System (GIS) Data Layers
8. CAL Fire Fire Hazard Severity Zones (webpage) Office of the State Fire Marshal | OSFM
9. Bay Area Air Quality Management District. 2017. *Bay Area 2017 Clean Air Plan.*
10. Bay Area Air Quality Management District. 2017. *Air Quality Guidelines.*
11. Hazardous Waste and Substances Site List - "Cortese List" (Website)
12. Contra Costa County, 2024. *Climate Action and Adaptation Plan*
13. California Department of Finance. 2024.
14. Contra Costa County Department of Public Works. January 23, 2025. *Staff Report and Conditions of Approval.*
15. Contra Costa County Fire Protection District. *Agency Comment Response dated June 1, 2022*.
16. Contra Costa County Transportation Planning Section. *Agency Comment Response dated June 22, 2022.*
17. East Bay Municipal Utility District. *Agency Comment Response dated June 6, 2022.*
18. California Historical Resources Information System, Northwest Information Center. *Agency comment letter dated June 6, 2022*.
19. Darwin Myers Associates, County Geologist. 2025. *Geologic Peer Review for County File #CDDP22-03021, dated July 14, 2025*.

20. AHC, Daniel Shoup. *Archaeological Survey Report, dated January 2024.*

21. BIOMAASINC, Sandra Etchell, *Biological Resources Assessment, dated September 2, 2025.*

22. GEOTECNIA, Luis Moura, *Geotechnical Study, dated August 12, 2024.*

23. Matthew Trujllo*, Arborist Report, dated June 6, 2025.*

ATTACHMENTS

1. Vicinity Map
2. Project Plans
3. Mitigation Monitoring Reporting Program

Numair Ali (Applicant) / Shakil and Anita Ali (Owner)

Mitigation Monitoring and Reporting Program
County File #CDDP22-03021

4301 Appian Way, El Sobrante, CA 94803
Martinez, CA 94553

November 2025

SECTION 1: AESTHETICS	
Impact AES-1: New exterior lighting from the project site could adversely affect nighttime views in the area.	
Mitigation Measure AES-1: Proposed exterior lighting shall be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover. All exterior lighting shall be turned off during the daytime hours.	
Implementing Action:	COA
Timing of Verification:	Prior to, during, and post construction.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	If proposed, include on construction plan set for CDD review.

SECTION 3: AIR QUALITY

Impact AIR-1: Exhaust emissions and particulate matter produced by construction activities related to the project may cause exposure of the public or sensitive receptors to significant amounts of pollutants.

Mitigation Measure AIR-1: The following Bay Area Air Quality Management District, Basic Construction mitigation measures shall be implemented during project construction and shall be stated on the face of all construction plans:

A. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
B. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
C. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
D. All vehicle speeds on unpaved roads shall be limited to 15 mph.
E. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
F. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
G. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

H. The applicant shall post a publicly visible sign with the developer/project manager's name and telephone number regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.	
Implementing Action:	COA
Timing of Verification:	Prior to and during construction.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on construction plan set for CDD review.
SECTION 4: BIOLOGICAL RESOURCES	
Impact BIO-1: Grading and construction activities could have an adverse effect on protected species and habitat. Therefore, the developer/applicant is required to implement the following biological resource mitigation measures to reduce impacts to special status species will be less than significant.	
Mitigation Measure BIO-1: A protective buffer of 30 to 50 feet from Appian Creek will be established by the project applicant. Silt fence or similar Best Management Practices (BMPS) shall be established to prevent construction related debris and runoff from entering the creek during construction.	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on construction plan set and submittal for CDD review.
Impact BIO-2: Grading and construction activities could have an adverse effect on protected species and habitat. Therefore, the developer/applicant is required to implement the following biological resource mitigation measures to reduce impacts to special status species will be less than significant.	
Mitigation Measure BIO-2: At least 5 days prior to vegetation removal, tree removal during the nesting season, (February 1 through August 31) a pre-construction survey shall be conducted by a qualified biologist who is familiar with the nesting behavior of a variety of species and can establish protective buffers around the nest based upon the type of construction activity. Nest buffers should be adhered to by all construction related personnel and can only be removed by the biologist after the nest is no longer active.	
Implementing Action:	COA

Timing of Verification:	Prior to issuance of a building/grading permit or prior to tree removal.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Biological survey to be submitted for CDD review.
Impact BIO-3 Grading and construction activities could have an adverse effect on protected species and habitat. Therefore, the developer/applicant is required to implement the following biological resource mitigation measures to reduce impacts to special status species will be less than significant.	
Mitigation Measure BIO-3: At least 5 days prior to beginning ground disturbance and/or construction, a qualified wildlife Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area. If the Biologist determines bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization.	
Implementing Action:	COA
Timing of Verification:	Prior to issuance of a building/grading permit or prior to tree removal.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Biological survey to be submitted for CDD review.
Impact BIO-4: Grading and construction activities could have an adverse effect on protected species and habitat. Therefore, the developer/applicant is required to implement the following biological resource mitigation measures to reduce impacts to special status species will be less than significant.	
Mitigation Measure BIO-4: Vegetation removal, if necessary, should be kept to a minimum. If riparian vegetation removal is required, a CDFW Streambed Alteration Agreement, and RWQCB 401 Water Quality Certification if required prior to removal.	
COA	COA
Implementing Action:	During initial review of construction plan sets and throughout project.
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.

Compliance Verification:	Include on construction plan set and submittal for CDD review.

Impact BIO-5: Grading and construction could have an impact on the movement of any native resident or migratory fish or wildlife species.

See **Mitigation Measure BIO-1 – BIO-4.**

SECTION 5: CULTURAL RESOURCES

Impact CUL-1: The project could cause a substantial adverse change in the significance of a historical resource as defined in California Environmental Quality Act Guidelines Section 15064.5. Subsurface construction activities have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact.

Mitigation Measure CUL-1: The project area has a high sensitivity for buried Native American archaeological deposits, and is located within 1000 feet of four shell midden sites (CA-CCO-126, CA-CCO-151, CA-CCO-155, and CA-CCO-505), three of which are known to contain burials. To ensure that the project does not cause substantial adverse impacts to historical resources as defined at 14 CCR §15064.5, the following shall be implemented prior to any ground disturbing activity:

1. Prior to any ground-disturbing activity, construction crews should receive a cultural resources training from a qualified archaeologist. The training should review the types of cultural resources that might be found, the legal obligations of the contractors, and steps to follow if archaeological materials or human remains are identified.

2. Prior to issuance of a building permit, a qualified archaeologist should design a subsurface testing program to assess the presence or absence of buried archaeological sites in the project area. Mechanical trenching of a representative sample of the project area to the level of potential ground disturbance or four feet, whichever is greater, should be completed in order to evaluate the presence and depth of possible cultural soils. Mechanical trenching may be supplemented by hand augering or other sampling strategies as needed. All mechanical excavations should be monitored by a qualified archaeologist and representative of the Native American community. If cultural resources are identified, it may be necessary to collect additional data to evaluate the significance of the resource.

3. Should subsurface testing not prove feasible, ground-disturbing activity on the project area should be monitored by a qualified archaeologist and representative of the Native American community until sufficient information has been gathered to demonstrate the presence or absence of archaeological resources within the area that will be disturbed by the proposed project.

4. If human remains are found during monitoring, the monitor will stop all activity within a 100-foot radius, and the Contra Costa County Coroner will be informed. If the remains appear to be Native American, the Native American Heritage Commission will be notified and invited to identify a Most Likely Descendant, who will make recommendations regarding reburial of the human remains, per §15064.5(e) of the CEQA Guidelines.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on construction plan set and submittal of archaeologist report in the event of a find, for CDD review.

Impact CUL-2: Subsurface construction activities may have a significant impact to previously undiscovered archaeological resources.

See **Mitigation Measure CUL-1.**

Impact CUL-3: Project activities could have the potential to significantly impact previously undiscovered human remains.

See **Mitigation Measure CUL-1.**

SECTION 7: GEOLOGY AND SOILS

Impact GEO-1 – GEO - 5: Project activities could have the potential to significantly impact previously undiscovered paleontological resources or sites or unique geologic features.

Mitigation Measure GEO-1: Prior to issuance of building permits, the applicant shall prepare a geotechnical report to address liquefaction hazards. The evaluation of the liquefaction hazard shall be based on analysis of the Cone Penetration Test (CPT) data. The SHZ report should include a) Project description, b) Review of published geologic mapping and seismicity of the El Sobrante area, c) Provide justification for all assumptions used as inputs to the computer analysis of liquefaction potential based on analysis of CPT date. The methodology used by the project geotechnical engineers to evaluate liquefaction shall be consistent with guidelines adopted by the California Geological Survey for liquefaction analysis. If the CPT analysis confirms the presence of potentially liquefiable sands in the subsurface, the amount of anticipated total settlement and differential settlement across a building site shall be provided.

Mitigation Measure GEO-2: Prior to issuance of construction permits, the applicant shall evaluate the potential hazard posed by corrosive soils and provide mitigation for any substantial hazard posed by corrosive soils.

Mitigation Measure GEO-3: Prior to issuance of construction permits the applicant shall submit a geotechnical update of the 2024 Geotecnia report. The purpose of the update is to provide an opportunity for the geotechnical engineer to review and modify recommendations as warranted, based on the design level plans.

Mitigation Measure GEO-4: The applicant/contractor shall require adequate geotechnical monitoring to verify the design-level recommendations of Geotecnia are fully/correctly implemented in the field and documented in a final report from the geotechnical engineer. That report shall include monitoring dates on site, identify the location/nature of the features observed, provide any test results, and provide the engineer's professional opinion of compliance of the as-graded, as-built project with geotechnical recommendations.

Mitigation Measure GEO-5: All required reports shall be subject to peer review by the County Peer Review Geologist and shall be subject to review and approval by the Department of Conservation and Development.

Implementing Action:	COA
Timing of Verification:	Throughout grading and project, review of information submitted.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Prior to issuance of construction permits, the applicant will submit a geotechnical report to CDD and the County Geologist.

SECTION 13: NOISE

Impact NOI-1: Construction related activities could generate a temporary increase in ambient noise levels in the vicinity of the project.

Mitigation Measure NOI-1: The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.

1. Unless specifically approved via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

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

Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

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

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

2. Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.

3. 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.

4. The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities

5. The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and shall maintain a log of complaints, which shall be available for review by County staff upon
   Request

6. Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.

Responsible Department, Agency, or Party:	Project Proponent and CDD.
Compliance Verification:	Include on construction plan set for CDD review.
SECTION 18: TRIBAL CULTURAL RESOURCES	
Impact TRIBAL-1: The project could potentially have a significant impact related to historic resources during construction related activities.	
See **Mitigation Measure CUL-1**. Implementation of Mitigation Measure CUL-1 would reduce the impact to undiscovered historical resources to a less than significant level.	
SECTION 21: MANDATORY FINDINGS OF SIGNIFICANCE	
Impact: The project to create eight new townhouses may impact the quality of the environment (Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geological Resources, Noise and Tribal Cultural Resources).	
The impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specific in the respective sections of the Initial Study.	

Numair Ali

November 4th, 2025

We approve the mitigations and the mitigation measures for the townhome project for County File #CDDP22-03021 for the address listed below:

4301 Appian Way, El Sobrante, CA, 94803

Sincerely,

Numair Ali



Numair Ali (Applicant) / Shakil and Anita Ali (Owner)

Mitigation Monitoring and Reporting Program
County File #CDDP22-03021

4301 Appian Way, El Sobrante, CA 94803
Martinez, CA 94553

November 2025

SECTION 1: AESTHETICS	
Impact AES-1: New exterior lighting from the project site could adversely affect nighttime views in the area.	
Mitigation Measure AES-1: Proposed exterior lighting shall be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover. All exterior lighting shall be turned off during the daytime hours.	
Implementing Action:	COA
Timing of Verification:	Prior to, during, and post construction.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	If proposed, include on construction plan set for CDD review.

SECTION 3: AIR QUALITY

Impact AIR-1: Exhaust emissions and particulate matter produced by construction activities related to the project may cause exposure of the public or sensitive receptors to significant amounts of pollutants.

Mitigation Measure AIR-1: The following Bay Area Air Quality Management District, Basic Construction mitigation measures shall be implemented during project construction and shall be stated on the face of all construction plans:

A. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
B. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
C. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
D. All vehicle speeds on unpaved roads shall be limited to 15 mph.
E. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
F. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
G. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

H. The applicant shall post a publicly visible sign with the developer/project manager's name and telephone number regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.	
Implementing Action:	COA
Timing of Verification:	Prior to and during construction.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on construction plan set for CDD review.
SECTION 4: BIOLOGICAL RESOURCES	
Impact BIO-1: Grading and construction activities could have an adverse effect on protected species and habitat. Therefore, the developer/applicant is required to implement the following biological resource mitigation measures to reduce impacts to special status species will be less than significant.	
Mitigation Measure BIO-1: A protective buffer of 30 to 50 feet from Appian Creek will be established by the project applicant. Silt fence or similar Best Management Practices (BMPS) shall be established to prevent construction related debris and runoff from entering the creek during construction.	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on construction plan set and submittal for CDD review.
Impact BIO-2: Grading and construction activities could have an adverse effect on protected species and habitat. Therefore, the developer/applicant is required to implement the following biological resource mitigation measures to reduce impacts to special status species will be less than significant.	
Mitigation Measure BIO-2: At least 5 days prior to vegetation removal, tree removal during the nesting season, (February 1 through August 31) a pre-construction survey shall be conducted by a qualified biologist who is familiar with the nesting behavior of a variety of species and can establish protective buffers around the nest based upon the type of construction activity. Nest buffers should be adhered to by all construction related personnel and can only be removed by the biologist after the nest is no longer active.	
Implementing Action:	COA

Timing of Verification:	Prior to issuance of a building/grading permit or prior to tree removal.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Biological survey to be submitted for CDD review.
Impact BIO-3 Grading and construction activities could have an adverse effect on protected species and habitat. Therefore, the developer/applicant is required to implement the following biological resource mitigation measures to reduce impacts to special status species will be less than significant.	
Mitigation Measure BIO-3: At least 5 days prior to beginning ground disturbance and/or construction, a qualified wildlife Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area. If the Biologist determines bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization.	
Implementing Action:	COA
Timing of Verification:	Prior to issuance of a building/grading permit or prior to tree removal.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Biological survey to be submitted for CDD review.
Impact BIO-4: Grading and construction activities could have an adverse effect on protected species and habitat. Therefore, the developer/applicant is required to implement the following biological resource mitigation measures to reduce impacts to special status species will be less than significant.	
Mitigation Measure BIO-4: Vegetation removal, if necessary, should be kept to a minimum. If riparian vegetation removal is required, a CDFW Streambed Alteration Agreement, and RWQCB 401 Water Quality Certification if required prior to removal.	
COA	COA
Implementing Action:	During initial review of construction plan sets and throughout project.
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.

Compliance Verification:	Include on construction plan set and submittal for CDD review.

Impact BIO-5: Grading and construction could have an impact on the movement of any native resident or migratory fish or wildlife species.

See **Mitigation Measure BIO-1 – BIO-4.**

SECTION 5: CULTURAL RESOURCES

Impact CUL-1: The project could cause a substantial adverse change in the significance of a historical resource as defined in California Environmental Quality Act Guidelines Section 15064.5. Subsurface construction activities have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact.

Mitigation Measure CUL-1: The project area has a high sensitivity for buried Native American archaeological deposits, and is located within 1000 feet of four shell midden sites (CA-CCO-126, CA-CCO-151, CA-CCO-155, and CA-CCO-505), three of which are known to contain burials. To ensure that the project does not cause substantial adverse impacts to historical resources as defined at 14 CCR §15064.5, the following shall be implemented prior to any ground disturbing activity:

1. Prior to any ground-disturbing activity, construction crews should receive a cultural resources training from a qualified archaeologist. The training should review the types of cultural resources that might be found, the legal obligations of the contractors, and steps to follow if archaeological materials or human remains are identified.

2. Prior to issuance of a building permit, a qualified archaeologist should design a subsurface testing program to assess the presence or absence of buried archaeological sites in the project area. Mechanical trenching of a representative sample of the project area to the level of potential ground disturbance or four feet, whichever is greater, should be completed in order to evaluate the presence and depth of possible cultural soils. Mechanical trenching may be supplemented by hand augering or other sampling strategies as needed. All mechanical excavations should be monitored by a qualified archaeologist and representative of the Native American community. If cultural resources are identified, it may be necessary to collect additional data to evaluate the significance of the resource.

3. Should subsurface testing not prove feasible, ground-disturbing activity on the project area should be monitored by a qualified archaeologist and representative of the Native American community until sufficient information has been gathered to demonstrate the presence or absence of archaeological resources within the area that will be disturbed by the proposed project.

4. If human remains are found during monitoring, the monitor will stop all activity within a 100-foot radius, and the Contra Costa County Coroner will be informed. If the remains appear to be Native American, the Native American Heritage Commission will be notified and invited to identify a Most Likely Descendant, who will make recommendations regarding reburial of the human remains, per §15064.5(e) of the CEQA Guidelines.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on construction plan set and submittal of archaeologist report in the event of a find, for CDD review.

Impact CUL-2: Subsurface construction activities may have a significant impact to previously undiscovered archaeological resources.

See **Mitigation Measure CUL-1.**

Impact CUL-3: Project activities could have the potential to significantly impact previously undiscovered human remains.

See **Mitigation Measure CUL-1.**

SECTION 7: GEOLOGY AND SOILS

Impact GEO-1 – GEO - 5: Project activities could have the potential to significantly impact previously undiscovered paleontological resources or sites or unique geologic features.

Mitigation Measure GEO-1: Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first, the applicant shall prepare a geotechnical report to address liquefaction hazards. The evaluation of the liquefaction hazard shall be based on analysis of the Cone Penetration Test (CPT) data. The SHZ report should include a) Project description, b) Review of published geologic mapping and seismicity of the El Sobrante area, c) Provide justification for all assumptions used as inputs to the computer analysis of liquefaction potential based on analysis of CPT date. The methodology used by the project geotechnical engineers to evaluate liquefaction shall be consistent with guidelines adopted by the California Geological Survey for liquefaction analysis. If the CPT analysis confirms the presence of potentially liquefiable sands in the subsurface, the amount of anticipated total settlement and differential settlement across a building site shall be provided.

Mitigation Measure GEO-2: Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first, the applicant shall evaluate the potential hazard posed by corrosive soils and provide mitigation for any substantial hazard posed by corrosive soils.

Mitigation Measure GEO-3: Prior to CDD-stamp approval of plans for the issuance of a building or grading permit, whichever occurs first, the applicant shall submit a geotechnical update of the 2024 Geotecnia report. The purpose of the update is to provide an opportunity for the geotechnical engineer to review and modify recommendations as warranted, based on the design level plans.

Mitigation Measure GEO-4: The applicant/contractor shall require adequate geotechnical monitoring to verify the design-level recommendations of Geotecnia are fully/correctly implemented in the field and documented in a final report from the geotechnical engineer. That report shall include monitoring dates on site, identify the location/nature of the features observed, provide any test results, and provide the engineer's professional opinion of compliance of the as-graded, as-built project with geotechnical recommendations.

Mitigation Measure GEO-5: All required reports shall be subject to peer review by the County Peer Review Geologist and shall be subject to review and approval by the Department of Conservation and Development.

Implementing Action:	COA
Timing of Verification:	Throughout grading and project, review of information submitted.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Prior to issuance of construction permits, the applicant will submit a geotechnical report to CDD and the County Geologist.

SECTION 13: NOISE

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Mitigation Measure NOI-1: The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.

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   Washington's Birthday (Federal)
   Lincoln's Birthday (State)
   President's Day (State)
   Cesar Chavez Day (State)
   Memorial Day (State and Federal)
   Juneteenth National Independence Holiday (Federal)

Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

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

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California Holidays: http://www.ftb.ca.gov/aboutftb/holidays.shtml

2. Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.

3. 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.

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6. Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project Proponent and CDD.

Compliance Verification:	Include on construction plan set for CDD review.
SECTION 18: TRIBAL CULTURAL RESOURCES	
Impact TRIBAL-1: The project could potentially have a significant impact related to historic resources during construction related activities.	
See **Mitigation Measure CUL-1**. Implementation of Mitigation Measure CUL-1 would reduce the impact to undiscovered historical resources to a less than significant level.	
SECTION 21: MANDATORY FINDINGS OF SIGNIFICANCE	
Impact: The project to create eight new townhouses may impact the quality of the environment (Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geological Resources, Noise and Tribal Cultural Resources).	
The impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specific in the respective sections of the Initial Study.	

A- SANTA RITA ACRES UNIT NO. 1 M.B. 22-645
POR. LOT 127 SAN PABLO RANCHO
1- RECORD OF SURVEY 37 L.S.M. 18 9-20-65
2- 79P.M.14 7-25-79
3- 139P.M. 38 & 39 5-9-89

1" = 100'

DP22-3021

SAN RITA RD.

WAY

LANE

GARDEN

APPIAN

RD.

ANAHID LANE (PRIV.ROAD)

SETBACK LINE STRUCK

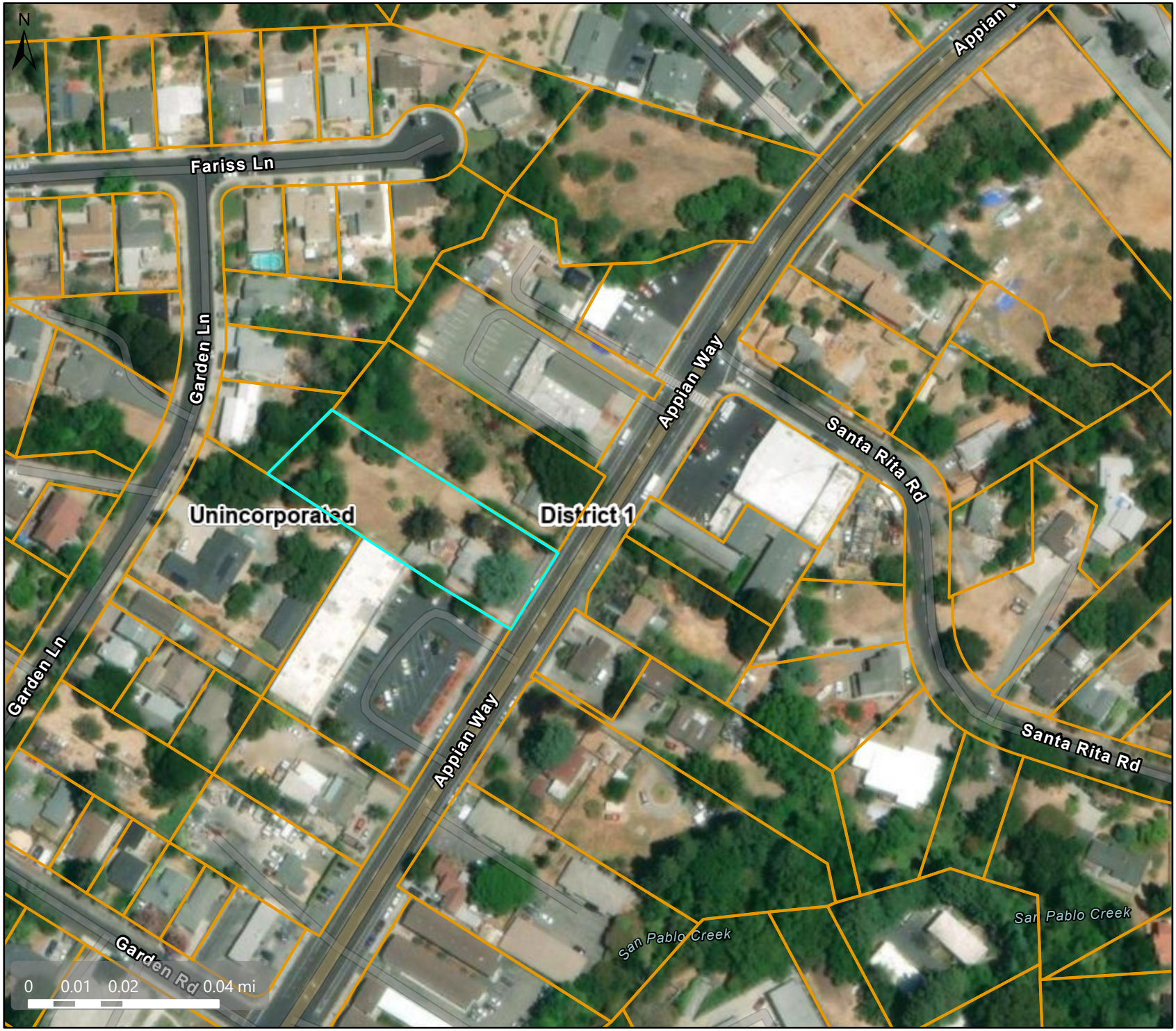
10' EASE.

141

142

ASSESSOR'S MAP
BOOK 425 PAGE 14
4/1/63 CONTRA COSTA COUNTY, C 147
8-27-90

Vicinity Map



Map Legend

- County Border
- Assessment Parcels

Planning Layers (DCD)

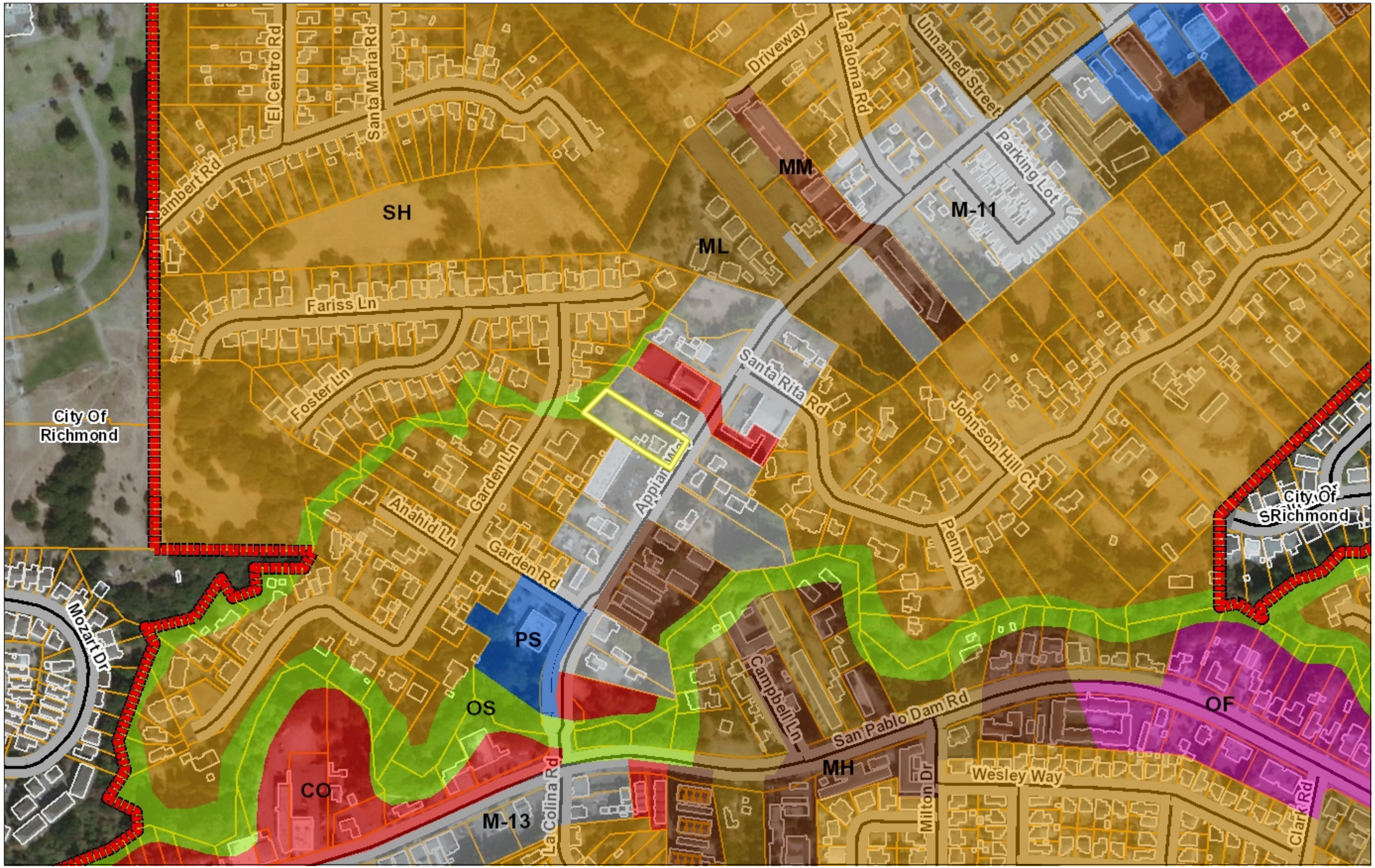
- Unincorporated
- Board of Supervisors' Districts

This map is a user generated, static output from an internet mapping application and is intended for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION.
CCMap is maintained by Contra Costa County Department of Information Technology, County GIS. Data layers contained within the CCMap application are provided by various Contra Costa County Departments. Please direct all data inquires to the appropriate department.

Spatial Reference
PCS: WGS 1984 Web Mercator Auxiliar
Datum: WGS 1984

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

General Plan: Appian Way General Mixed Use (M-11)



Legend

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

1: 4,514

0.1 0 0.07 0.1 Miles

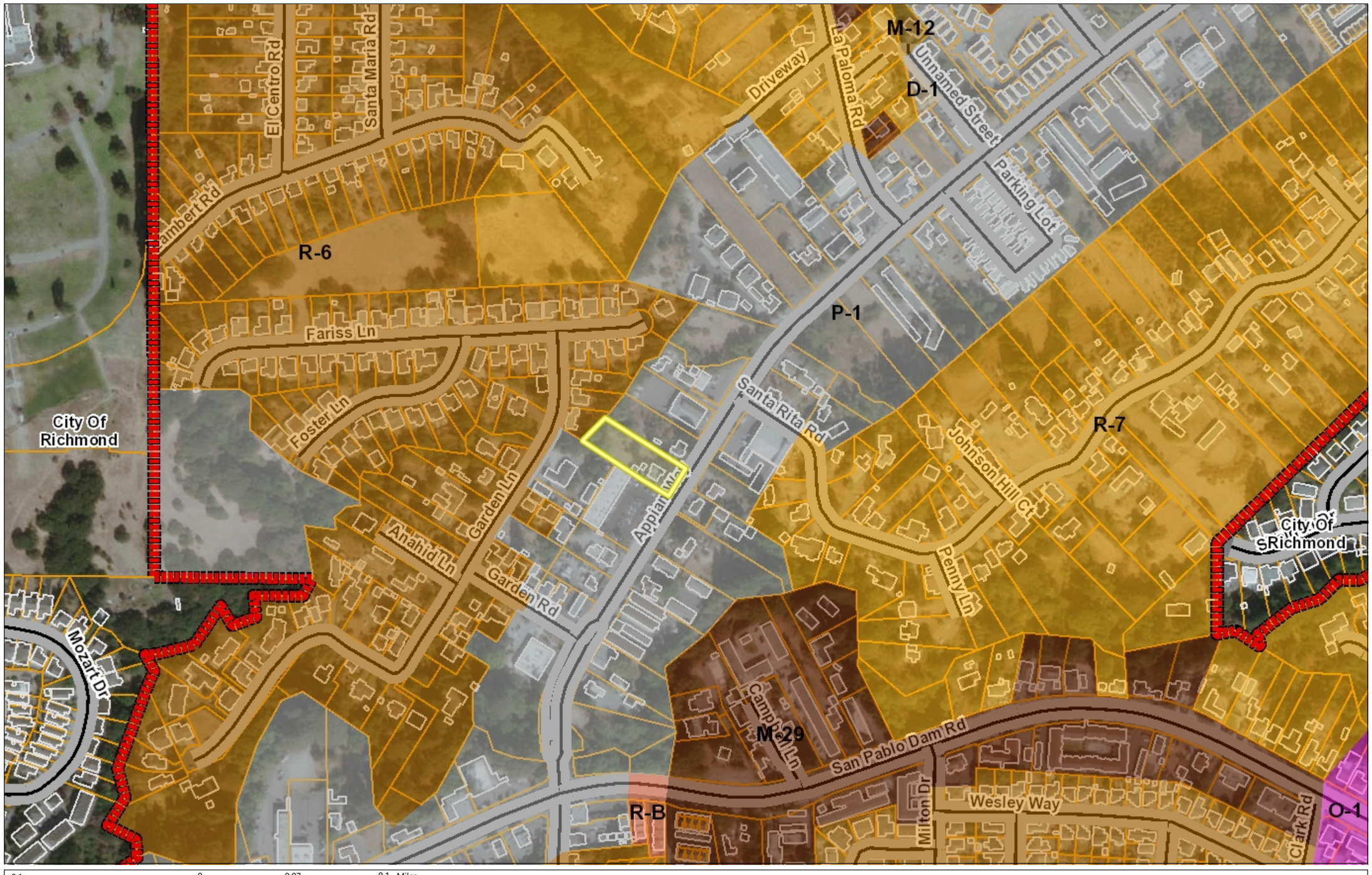
WGS_1984_Web_Mercator_Auxiliary_Sphere

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

Notes

CDDP22-03021

Zoning: El Sobrante Planned Unit District (P-1)



Legend

- City Limits
- Zoning
  - R-6 (Single Family Residential)
  - R-6, -FH -UE (Flood Hazard and A
  - R-6 -SD-1 (Slope Density Hillside D
  - R-6 -TOV -K (Tree Obstruction and
  - R-6, -UE (Urban Farm Animal Exclu
  - R-6 -X (Railroad Corridor Combinin
  - R-7 (Single Family Residential)
  - R-7 -X (Railroad Corridor Combinin
  - R-10 (Single Family Residential)
  - R-10, -UE (Urban Farm Animal Exc
  - R-12 (Single Family Residential)
  - R-15 (Single Family Residential)
  - R-20 (Single Family Residential)
  - R-20, -UE (Urban Farm Animal Exc
  - R-40 (Single Family Residential)
  - R-40, -FH -UE (Flood Hazard and A
  - R-40, -UE (Urban Farm Animal Exc
  - R-65 (Single Family Residential)
  - R-100 (Single Family Residential)
  - D-1 (Two Family Residential)
  - D-1 -T (Transitional Combining Dist
  - D-1, -UE (Urban Farm Animal Exclu
  - M-12 (Multiple Family Residential)
  - M-12 -FH (Flood Hazard Combining
  - M-17 (Multiple Family Residential)
  - M-29 (Multiple Family Residential)
  - F-R (Forestry Recreational)
  - F-R -FH (Flood Hazard Combining
  - F-1 (Water Recreational)
  - F-1 -FH (Flood Hazard Combining D
  - A-2 (General Agriculture)
  - A-2, -BS (Boat Storage Combining
  - A-2, -BS -SG (Boat Storage and So
  - A-2 -FH (Flood Hazard Combining D
  - A-2, -FH -SG (Flood Hazard and So
  - A-2 -SD-1 (Slope Density Hillside D
  - A-2, -SG (Solar Energy Generation

1: 4,514

0.1 0 0.07 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

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

Notes

CDDP22-03021

h. Sidewalk(s)
i. Street name(s)

2. Submit the plot plan directly to: permits@wcwd.org for WCW review and approval

3. A fee estimate will be prepared upon the submission of plans meeting the criteria in item #1 (above) and in the manner described in item #2 (above). Please see the attachment for a preview of the fees. It is important to note that the schedule of user fees is only valid from 07/01/2021 to 06/30/2022

   Note: Due to demolition work being required, 2 permits will be needed (1 for the demolition work and 1 for the plan check + new construction work).

   If you have any questions, please contact me at (510) 680-0913.

Sincerely,

Armondo Hodge

Armondo Hodge
Phone: (510) 680-0913
Email: ahodge@wcwd.org

Attachment(s):
1. WCW Schedule of Fees (07-01-21 to 06-30-22)
2. Map N-14
3. Map N-15

WEST COUNTY WASTEWATER DISTRICT
Schedule of User Fees (Effective July 1, 2021)

ENVIRONMENTAL QUALITY (SEWER USE) RATES

USER TYPE

A.	**SINGLE FAMILY RESIDENTIAL**	
1	Flat rate	674.00
2	Min Charge	n/a
3	Flow Charge	n/a
4	BOD Charge	n/a
5	SS Charge	n/a
B.	**MULTI- FAMILY RESIDENTIAL**	
1	Flat rate	588.00
2	Min Charge	n/a
3	Flow Charge	n/a
4	BOD Charge	n/a
5	SS Charge	n/a
C.	**MOBILE HOME RESIDENTIAL**	
1	Flat rate	588.00
2	Min Charge	n/a
3	Flow Charge	n/a
4	BOD Charge	n/a
5	SS Charge	n/a
D.	**COMM. DOMESTIC STRENGTH**	
1	Flat rate	n/a
2	Min Charge	674.00
3	Flow Charge	7.22
4	BOD Charge	n/a
5	SS Charge	n/a
E.	**COMM. HIGH STRENGTH**	
1	Flat rate	n/a
2	Min Charge	674.00
3	Flow Charge	12.15
4	BOD Charge	n/a
5	SS Charge	n/a
F.	**INDUSTRIAL**	
1	Flat rate	n/a
2	Min Charge	674.00
3	Flow Charge	4.64
4	BOD Charge	0.47
5	SS Charge	0.57

ANNEXATION FEES

	Annexation Fees	(per parcel)	2,691.00

PLAN APPROVAL AND SEWER PERMITS- BUILDING CONSTRUCTION

USER TYPE			
A.	SINGLE FAMILY		
1	Plan Approval	(per building)	205.00
2	Permit		410.00
B.	MULTIPLE FAMILY DWELLINGS, TRAILER COURTS, GUEST DWELLINGS OR CONDOMINIUMS		
1	Plan Approval	(per building)	238.00
2	Permit	(per building Sewer)	443.00
C.	SCHOOL BUILDINGS OR CHURCHES		
1	Plan Approval		238.00
2	Permit		443.00
D.	COMMERCIAL INSTALLATIONS		
1	Plan Approval		1,067.00
2	Permit		683.00
E.	INDUSTRIAL INSTALLATIONS		
1	Contributing Domestic Flow Only		
a	Plan Approval		827.00
b	Permit		344.00
2	Contributing Industrial Waste (Ordinance 1-12-71A, Sec. 5)		
a	Plan Approval		758.00
b	Permit		3,042.00
F.	MISCELLANEOUS INSTALLATIONS		
1	Plan Approval		103.00
2	Permit		435.00
G.	MINOR REPAIRS, ALTERATIONS AND DEMOLITION		
1	Plan Approval		170.00
2	Permit		307.00

WEST COUNTY WASTEWATER DISTRICT
Schedule of User Fees (Effective July 1, 2021)

TENTATIVE MAP REVIEW		
Number of Proposed Lots in Subdivision		
1	20 lots and Under	3,726.00
2	21 + lots	4,002.00
SEWER MAIN CONSTRUCTION PERMIT FEES		
1	Permit - District Maintained (per 1,500 l.f. or fraction thereof)	11,930.00
2	Permit - Privately Maintained (per 1,000 l.f. or fraction thereof)	7,470.00
3	Per Manhole (applies to all SME projects)	344.00
CONNECTION FEE		
USER TYPE		
1	Single Family	10,244.00
2	Multi Family	7,350.00
3	Commercial Domestic Strength	Varies by service unit
4	Commercial Non-Domestic Strength	Varies by service unit
FLOW ZONE CHARGE		
Zone		
1		463.00
2		1,148.00
3		1,610.00
4A		1,610.00
4B		1,384.00
5		3,681.00
6		463.00
7-13		
14		1,148.00
15		920.00
16		463.00
17		1,384.00
18A		463.00

18B	3,681.00

DENSITY CHARGES

Dwelling Units/Acre	
1-12	
13-20	128.00
21-30	257.00
31-40	385.00
41-50	514.00
51-60	643.00
61-70	771.00
71-80	900.00
81-90	1,030.00
91-100	1,158.00
101+	1,287.00

ENVIRONMENTAL COMPLIANCE INSPECTIONS

Business Type		
1	Food Service Establishment Inspection	328.00
2	Dental Facility Inspection	328.00
3	Permitted Industrial User - Inspection	649.00
4	Permitted Industrial User - Sampling	1,307.00
5	Auto Service Facility Sampling	485.00

The fee for construction re-inspection, non-compliance re-inspection or sampling shall be at the appropriate fee category listed above.

TEMPORARY DISCHARGE PERMIT

Temporary Discharge Permit	568.00

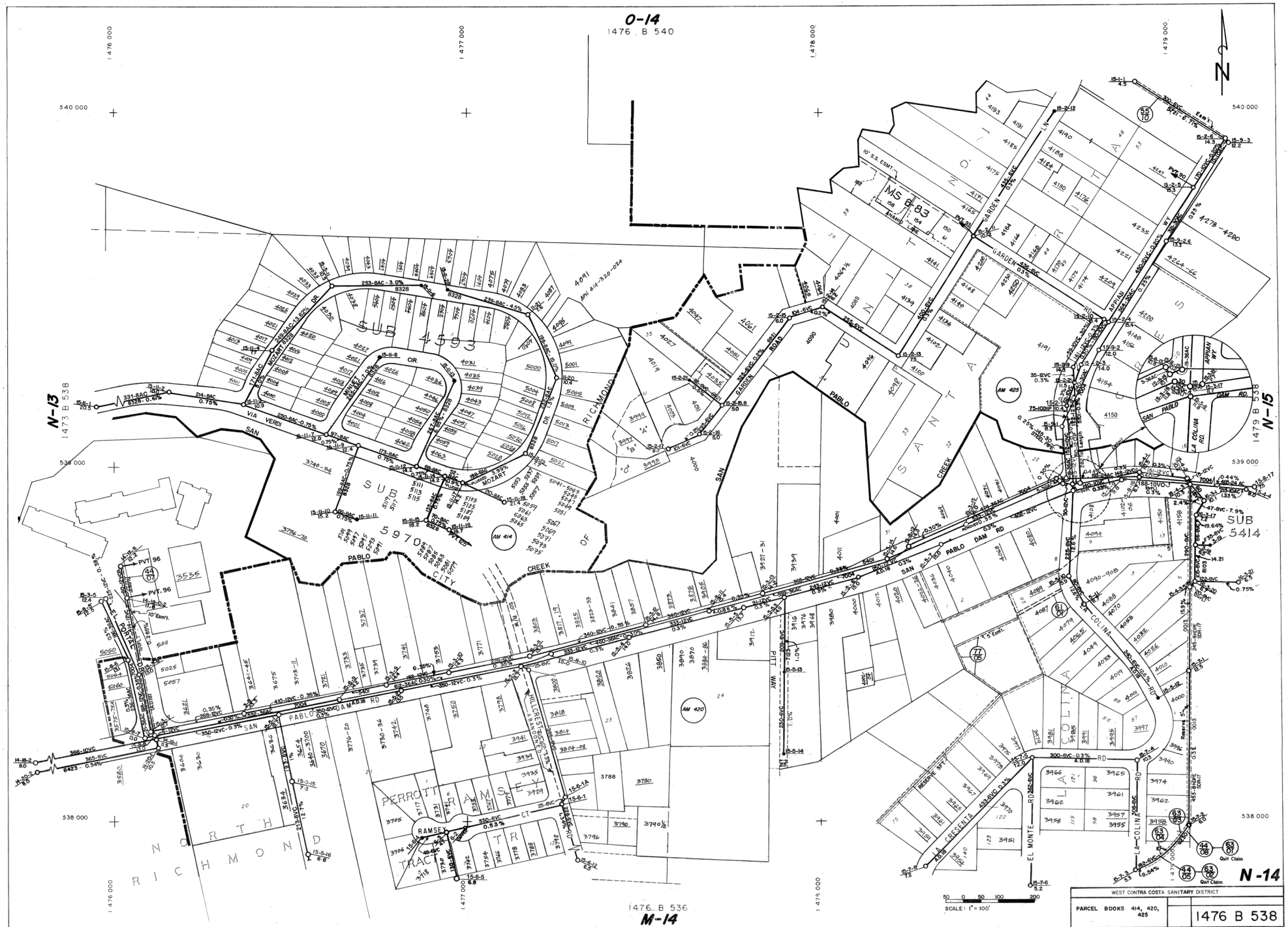
OTHER FEES

1	Dishonored Check Fee	10.00
2	Collection Fee	See Note

Note: The Collection Fee is the District's actual cost to collect delinquent charges. The fee may include collection agency fees, applicable County charges, legal fees, and court costs.

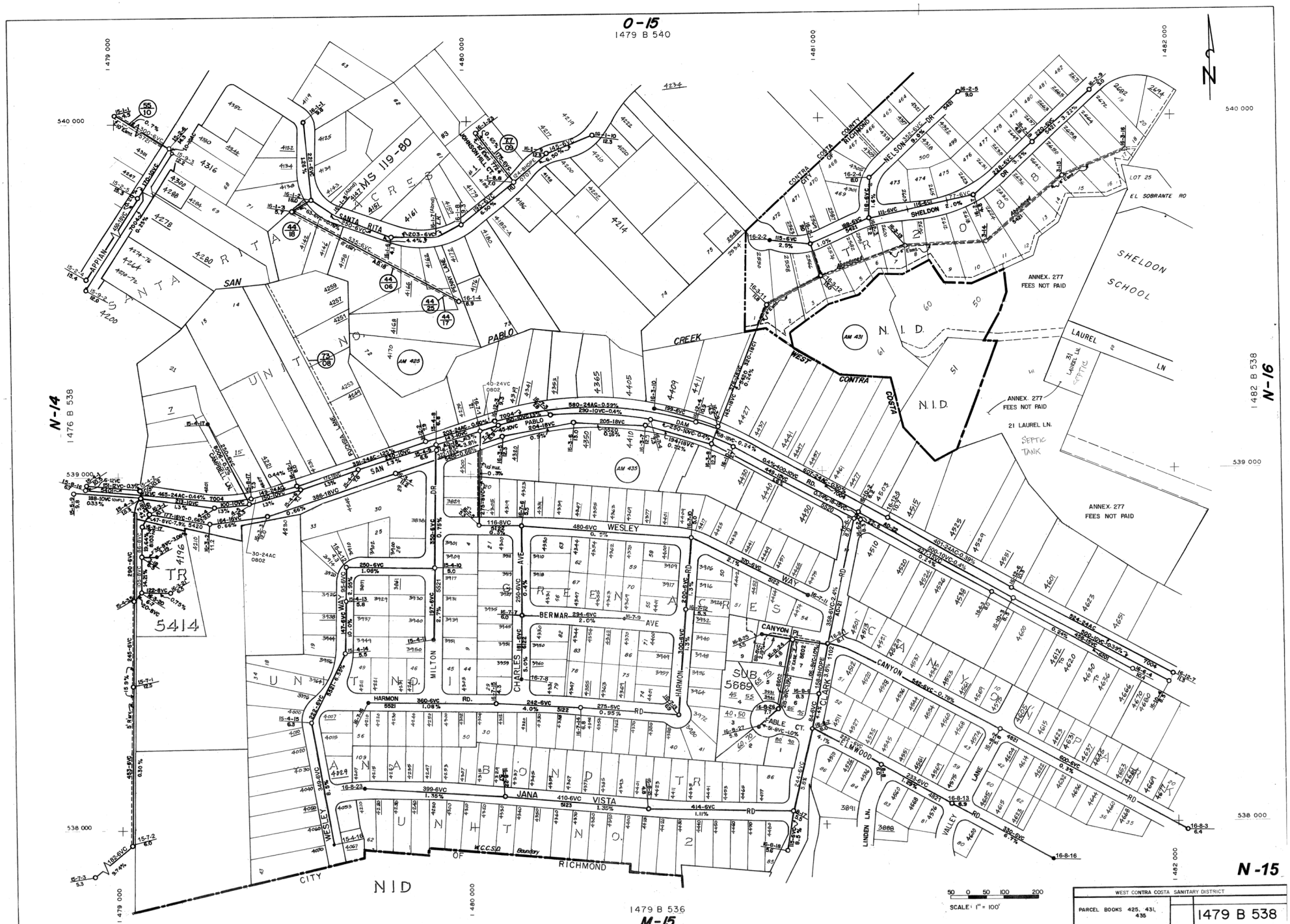
The District shall refund services fees to the person requesting the services only upon proof that the requested service was not performed. If any portion of the requested services is performed, then no portion of the fee shall be refunded. Connection fees shall be refunded to the owner of the property for which the connection was requested upon proof that the connection was not completed.

AUTHORITY: WEST COUNTY WASTEWATER DISTRICT CODE CHAPTER 8.20.030



157

2-4-04
2-15-08


O-15
1479 B 540
N-14
1476 B 538
N-16
1482 B 538
N-15
1479 B 536
M-15
1479 000
1480 000
1481 000
1482 000
540 000
539 000
538 000
SANTA RITA
UNIT NO. 4
SAN PABLO CREEK
SAN PABLO DAM RD.
APPIAN WAY
SANTA RITA DR
SANTA RITA CLOSE
DONOBAL LANE
CAMPBELL LN.
WEST CONTRA COSTA N.I.D.
CONTRA COSTA COUNTY
NELSON DR
SHELDON RD
EL SOBRANTE RD
LAUREL LN
SHELDON SCHOOL
ANNEX. 277
FEES NOT PAID
21 LAUREL LN.
SEPTIC TANK
WESLEY RD
BERMAR AVE
CHARLES AVE
MILTON WAY
HARMON RD.
HARMON WAY
CANYON PL
CANYON WAY
CLARK AVE
FABLE CT.
JANA VISTA RD
LINDEN LN.
VALLEY RD
LAKEWOOD LANE
TRACT 5414
TRACT 5669
TRACT 4196
TRACT 4200
AM 425
AM 431
AM 435
CITY OF RICHMOND
W.C.C.S.D. Boundary
CITY NID
SCALE: 1" = 100'
WEST CONTRA COSTA SANITARY DISTRICT
PARCEL BOOKS 425, 431, 435
1479 B 538
N-15
5-20-04
2-15-08
158

Everett Louie

From: Russ Leavitt <RLeavitt@centralsan.org>
Sent: Thursday, May 12, 2022 4:42 PM
To: Anne Nounou; Everett Louie
Cc: Melody LaBella
Subject: RE: Anne Nounou shared "ACR Packet_CDDP22-03021" with you.

This property is outside the Central Contra Costa Sanitary District service area. Thanks!

RUSSELL B. LEAVITT
Engineering Assistant III
v: (925) 229-7255 f: (925) 228-4624
RLEAVITT@centralsan.org

Central Contra Costa Sanitary District
5019 Imhoff Place, Martinez, California 94553-4392

From: Anne Nounou <Anne.Nounou@dcd.cccounty.us>
Sent: Thursday, May 12, 2022 3:55 PM
To: Bret Wickham <Bret.Wickham@dcd.cccounty.us>; Amalia Cunningham <Amalia.Cunningham@dcd.cccounty.us>; Will Nelson <Will.Nelson@dcd.cccounty.us>; Daniel Barrios <Daniel.Barrios@dcd.cccounty.us>; Robert Sarmiento <Robert.Sarmiento@dcd.cccounty.us>; Eric Fung <eric.fung@cchealth.org>; Takeya Foster <TAKEYA.FOSTER@CCHEALTH.ORG>; slava.gospodchikov <slava.gospodchikov@pw.cccounty.us>; Larry Gossett <Larry.Gossett@pw.cccounty.us>; Randolf.Sanders <Randolf.Sanders@pw.cccounty.us>; Russ Leavitt <RLeavitt@centralsan.org>; McGregor, Jennifer <jennifer.mcgregor@ebmud.com>; Planning.review <planning.review@ebmud.com>; Joson, Loriezel <ljoson@ebmud.com>; Everett Louie <Everett.Louie@dcd.cccounty.us>; bob.hendry@pw.cccounty.us; Angela.Pantera@cchealth.org; jocelyn.larocque@pw.cccounty.us; Simone.Saleh@pw.cccounty.us; mark.delao@pw.cccounty.us; jeff.valeros@pw.cccounty.us; monish.sen@pw.cccounty.us; Jorge Hernandez <jhern@pw.cccounty.us>; Catherine.windham@pw.cccounty.us; fire@cccfpd.org; david.rehnstrom@ebmud.com; ahodge@wcwd.org; nwic@sonoma.edu; jshannon@contracostamosquito.com; tlangesmac.cc@gmail.com
Subject: Anne Nounou shared "ACR Packet_CDDP22-03021" with you.

Anne Nounou shared a file with you

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

Date 5/12/22

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

DISTRIBUTION

INTERNAL

- ✓ Building Inspection
- Grading Inspection
- ✓ Advance Planning
- ✓ Housing Programs
- ✓ Trans. Planning
- Telecom Planner
- ALUC Staff
- HCP/NCCP Staff
- ✓ APC PW Staff
- County Geologist

HEALTH SERVICES DEPARTMENT

- ✓ Environmental Health
- Hazardous Materials

PUBLIC WORKS DEPARTMENT

- ✓ Engineering Services (1 Full-size + 3 email Contacts)
- ✓ Traffic
- ✓ Flood Control (Full-size)
- Special Districts

LOCAL

- ✓ Fire District Contra Costa
  - San Ramon Valley – (email) rwendel@srvfire.ca.gov
  - ✓ Consolidated – (email) fire@cccfpd.org
  - East CCC – (email) brodriguez@eccfpd.org
- ✓ Sanitary District West County Wastewater
- ✓ Water District EBMUD
- ✓ City of Richmond
- School District(s)_____
- LAFCO
- Reclamation District #_____
- East Bay Regional Park District
- Diablo/Discovery Bay/Crockett CSD
- ✓ MAC/TAC El Sobrante
- Improvement/Community Association
- ✓ CC Mosquito & Vector Control Dist (email)

OTHERS/NON-LOCAL

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

ADDITIONAL RECIPIENTS

_____

_____

Please submit your comments to:

Project Planner Everett Louie
Phone # 925-655-2873
E-mail everett.louie@dcd.cccounty.us
County File # CDDP22-03021

Prior to June 6, 2022

* * * * *

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

- Active Fault Zone (Alquist-Priolo)
- ✓ Flood Hazard Area, Panel #_____
- ✓ 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

Employ measures necessary to ensure no creation or maintenance of a public nuisance as defined by California Health and Safety Code §2002. Maintaining a nuisance may lead to abatement by the Contra Costa Mosquito & Vector Control District and civil penalties pursuant to California Health and Safety Code §2060 et seq. At no time should any aspect of the project or property produce, harbor, or maintain disease vectors or other nuisances. Water collection and conveyance structures, bioretention basins, etc. should not hold standing water in excess of 72 hours in order to prevent creating suitable mosquito habitat.

Print Name Jeremy Shannon

Jeremy Shannon 5/13/2022
Signature DATE

Agency phone # 925-685-9301

Contra Costa County **Fire Protection District**

June 1, 2022

Mr. Everett Louie
Contra Costa County- Community Development Division
30 Muir Rd.
Martinez, CA 94553

Subject: 8 Multi Family Units
4301 Appian Way, El Sobrante
Planning #: CDDP22-03021
CCCFPD Project No.: P-2022-017264

Dear Mr. Louie:

We have reviewed the development application to establish 8 multi-family units at the subject location. The following is required for Fire District approval in accordance with the 2019 California Fire Code (CFC), the 2019 California Building Code (CBC), the 2019 California Residential Code (CRC), and Local and County Ordinances and adopted standards:

1. Access as shown on plans does not comply with Fire District requirements.

   For buildings with roofline of greater than 30 feet in height, aerial fire apparatus access must be met. See below.

   Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. Access roadways shall not exceed 20% grade. Grades exceeding 16% shall be constructed of grooved concrete per the attached Fire District standard. (503) CFC

   Aerial Fire Apparatus Access is required where the vertical distance between grade plane and the highest roof surface exceeds 30 feet as measured in accordance with Appendix D, Section 105 of the 2019 CFC. Aerial access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof. At least one of the required routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and building.

2. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked. (22500.1) CVC, (503.3) CFC

Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have ***NO PARKING – FIRE LANE*** signs posted, allowing for parking on one side only or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked. (22500.1) CVC, (503.3) CFC

3. **Provide emergency escape and rescue openings in Group R occupancies of type V construction**. Basements and sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening. Such openings shall open directly into a public way or to a yard or court that opens to a public way.

   Landscaping, signage and other obstructions must not hinder the positioning of firefighting ground ladders from apparatus access to the rescue windows.

4. A land development permit is required for access and water supply review and approval prior to submitting building construction plans.

   The developer shall submit a minimum of two (2) copies of full size, scaled site improvement plans indicating:

   All existing or proposed hydrant locations,
   Fire apparatus access to include slope and road surface
   Aerial fire apparatus access,
   Elevations of building,
   Size of building and type of construction,
   Gates, fences, retaining walls, bio-retention basins, any obstructions to access.
   Detail showing the lowest level of fire department vehicle access and the floor level of the highest occupied floor,
   Striping and signage plan to include "NO PARKING-FIRE LANE" markings
   Provide drawings for paths from the public way to under emergency escape and rescue openings showing a proposed clear path and clear space under these openings that allow for the placement of ground ladders at a climbing angle of 70 to 75 degrees and a minimum of 18" clearance from the base of the ladder to any obstruction (see attached ground ladder access standard) for review and approval prior to obtaining a building permit.

   This is a separate submittal from the building construction plans. These plans shall be approved prior to submitting building plans for review. (501.3) CFC

5. ***Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.*** (501.4) CFC

   Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 22 / 37 tons.

6. The homes as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2016 edition of NFPA 13D or Section R313.3 of the 2019 California Residential Code. Submit a minimum of two (2) sets of plans to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CRC, Contra Costa County General Plan / Contra Costa County Ordinance 2019-37.

CONTACT THE FIRE DISTRICT (MINIMUM 2 WORKING DAYS IN ADVANCE) AT 925-941-3300 EXT 3902 TO SCHEDULE AN INSPECTION OF THE ACCESS AND HYDRANT INSTALLATION PRIOR TO CONSTRUCTION OR THE STORAGE OF COMBUSTIBLE MATERIALS ON THE JOB SITE.

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,

Michael Cameron
Fire Inspector

File: 4301 APPIAN WAY-PLN-P-2022-017264

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE
HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO
SAN MATEO
SANTA CLATA
SANTA CRUZ
SOLANO
SONOMA
YOLO

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

June 6, 2022 File No.: 21-1922

Everett Louie, Project Planner
Contra Costa County
Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553-4601

re: CDDP22-03021 / APN 425-142-030 at 4301 APPIAN WAY, EL SOBRANTE, CA 94803 / Numair Ali

Dear Everett Louie,

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

Project Description: Request approval of a Downtown El Sobrante Planned Unit Development Plan application to develop 8 multi-family units. The project requires demolition of a single-family residence and tree removal.

Previous Studies:
XX Study #7131 (Banks 1985) and Study #11534 (Flynn 1988), covering approximately 100% of the proposed project area, identified no cultural resources within those portions of the proposed project area *(see recommendation below)*.

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological sites. Due to the passage of time since the previous surveys listed above, combined with the archaeological sensitivity of the proposed project area and the changes in archaeological theory and method since that time, we recommend a qualified archaeologist conduct further archival and field study for the entire project area to identify any unrecorded archaeological resources, including a good faith effort to identify archaeological deposits that may show no indications on the surface.

XX We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.

____ The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended.

Built Environment Recommendations:

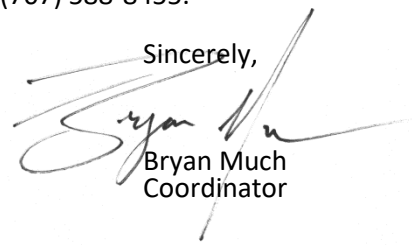
XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture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

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

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

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

Sincerely,



Bryan Much
Coordinator

REVIEW OF AGENCY PLANNING APPLICATION

THIS IS NOT A PROPOSAL TO PROVIDE WATER SERVICES

The technical data supplied herein is based on preliminary information, is subject to revision and is to be used for planning purpose ONLY

DATE: 06/06/2022	EBMUD MAP(S):	EBMUD FILE:S-11233
AGENCY: Department of Conservation and Development Attn: Evertt Louie 30 Muir Road MARTINEZ, CA 94553	AGENCY FILE: CDDP22-03021	FILE TYPE: Other
APPLICANT: Numair Ali 2021 Elderberry Drive San Ramon, CA 94582		OWNER: Shakil and Anita Ali 835 Alhambra Avenue Martinez, CA 94553

DEVELOPMENT DATA

ADDRESS/LOCATION: 4301 Appian Way City:EL SOBRANTE Zip Code: 94803

ZONING:P-1 PREVIOUS LAND USE: Residential

DESCRIPTION: Develop 8 multi-family units, demolition of a single family residence and tree removal	TOTAL ACREAGE:0.71 ac.

TYPE OF DEVELOPMENT:
Single Family Residential:8 Units

WATER SERVICES DATA

PROPERTY: in EBMUD	ELEVATION RANGES OF STREETS: 112-114	ELEVATION RANGE OF PROPERTY TO BE DEVELOPED: 112-112

All of development may be served from existing main(s)
Location of Main(s):Appian Way

PRESSURE ZONE	SERVICE ELEVATION RANGE
A1A	100-200

None from main extension(s)
Location of Existing Main(s):

PRESSURE ZONE	SERVICE ELEVATION RANGE

COMMENTS

Effective January 1, 2018, water service for new multiunit structures shall be individually metered or sub-metered in compliance with Section 537 of California's Water Code & Section 1954.201-219 of California's Civil Code, which encourages conservation of water in multifamily residential and mixed-use multi-family and commercial buildings by requiring metering infrastructure for each dwelling unit, including appropriate water billing safeguards for both tenants and landlords. EBMUD water services shall be conditioned for all development projects that are subject to these metering requirements and will be released only after the project sponsor has satisfied all requirements and provided evidence of conformance with Section 537 of California¿s Water Code & Section 1954.201-2019 of California's Civil Code. 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.

_____

Jennifer L Mcgregor,Senior Civil Engineer; DATE
WATER SERVICE PLANNING SECTION

Everett Louie

From: Jorge Hernandez <jorge.hernandez@pw.cccounty.us>
Sent: Thursday, June 9, 2022 9:22 AM
To: Everett Louie
Subject: FW: Anne Nounou shared "ACR Packet_CDDP22-03021" with you.--4301 Appian Way, El Sobrante area--who do you want it assigned to?
Attachments: DA 73 Fee Calc Form 6-6-22.pdf; San Pablo Ck Mit. Fee Calc Form 6-6-22.pdf; Improvement Plan - LP87-02078.pdf

Mr. Louie,

We reviewed the permit application and Preliminary Grading and Drainage plan for DP 22-3021, for the proposed 8-unit multi-family residential development, adjacent to Appian Creek, on a 30,750 square-foot parcel, located in the unincorporated area of El Sobrante at 4301 Appian Way, APN 425-142-030. **We recommend that the application be deemed incomplete until the applicant can demonstrate that the drainage impacts on Appian Creek, downstream of the project can be adequately mitigated.** We offer the following completeness issues and general comments:

COMPLETENESS ISSUES:

1. This development should be required to design and construct storm drain facilities to adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.

   The preliminary Grading and Drainage plans indicate that the this project's storm water runoff will drain into Appian Creek. Appian Creek has sections that have been known to be inadequate and experience significant erosion. Any additional runoff generated by this development will adversely impact Appian Creek. Prior to deeming the permit submittal complete, the applicant should submit hydrology and hydraulic calculations to the Engineering Services Division of the Public Works Department that prove the adequacy of the in-tract and downstream drainage systems. The hydraulic and hydrology calculations should demonstrate that the drainage impacts on Appian Creek can be adequately mitigated. Specifically, the adequacy of the existing culvert under Garden Lane should be evaluated as the channel up and down stream of the culvert, as well as the culvert itself, has historically tended to be obstructed with silt.

   We defer review of the local drainage to Engineering Services. However, the Flood Control and Water Conservation District (FC District) is available to provide technical review under our Fee-for-Service program.

2. The preliminary Grading and Drainage plans indicate that there is an existing 10-foot wide drainage easement along the southwestern property line, however no existing drainage facilities are shown on the plans. Prior the deeming the submittal complete, all existing drainage facilities should be illustrated and dimensioned on the site plan. Please see attached copy of the improvement plans for a 15-inch diameter drainage line and outfall structure on the project parcel and have applicant confirm that these improvements were built per plan. If hydraulically possible, we recommend utilizing the existing creek outfall for the project site's stormwater runoff, instead of installing a new one.

3. Appian Creek, which traverses the project parcel along the northwestern property line, is classified as a Federal Emergency Management Agency (FEMA) Floodway. The area adjacent to Appian Creek is within

a FEMA Flood Hazard Area Zone "AE", meaning that this area has a 1% chance of inundation in any given year. Prior to deeming the submittal complete, the FEMA Floodway, Flood Hazard Area Zone "AE" and base flood elevation should be illustrated and dimensioned on the site plan.

GENERAL COMMENTS:

1. This project is located within DA 73, for which a drainage fee is due in accordance with Flood Control Ordinance Number 88-68. By ordinance, all building permits or subdivision maps filed in this area are subject to the provisions of the drainage fee ordinance. Effective January 1, 2022, the current fee in this drainage area is $0.10 per square foot of newly created impervious surface. The drainage area fee for this lot should be collected prior to issuing a building permit for this project.

2. The Contra Costa County Flood Control and Water Conservation District (FC District) is not the approving local agency for this project as defined by the Subdivision Map Act. As a special district, the FC District has an independent authority to collect drainage fees that is not restricted by the Subdivision Map Act. The FC District regularly adjusts its drainage fees to reflect increasing construction costs. The drainage fee rate does not vest at the time of tentative map approval. The drainage fees due and payable will be based on the fee in effect at the time of fee collection.

3. The DA 73 fee for this project is estimated to be $1,760, based on the Ali Carriage Rental Homes Preliminary Grading and Drainage Plan, prepared by the Human Company Inc. and dated April 11, 2022. The development was charged the multifamily residential building permit rate. Please see attached spreadsheet for our drainage fee calculation.

4. This development may be eligible for credit against their drainage area fees for existing impervious surface area on the property. The Developer's engineer should submit a worksheet, which includes a scalable map, that calculates the deduction of fees for the existing impervious surface and the total amount of credit requested.

5. This development lies within the Appian Creek Watershed, which is tributary to the San Pablo Creek watershed. We recommend the applicant construct creek capacity improvements as called for in the "San Pablo Creek Watershed Study," as directed by the Public Works Department, Flood Control Division; or upon written request by the developer, the applicant should contribute $0.25 per square foot of impervious surface area to the San Pablo Creek Watershed Mitigation Fund, in addition to the DA 73 fee. The Mitigation Fund is used for creek capacity improvements within the San Pablo Creek Watershed. The applicant should submit calculations for the total area of all proposed impervious surfaces, so that this fee can be accurately calculated.

6. The San Pablo Creek Watershed Mitigation Fee for this project is estimated to be $4,400, based on Ali Carriage Rental Homes Preliminary Grading and Drainage Plan. This development is being charged the Building Permit rate for 8 Multi-family units between 3,000 to 3,999 sq-ft per unit. Please see the enclosed spreadsheet for our drainage fee calculation. Prior to issuance of the Building permit, the applicant's architect/engineer should submit a worksheet, which includes a scalable map that quantifies the project's total proposed square footage of impervious surface area, so that this fee can be more accurately calculated.

7. We recommend that this development be required to comply with the current National Pollutant Discharge Elimination System (NPDES) requirements under the County Stormwater Management and Discharge Control Ordinances and the C.3 Guidebook. We support the State's goal of providing best management practices to achieve the permanent reduction or elimination of stormwater pollutants and downstream erosion from new development. The FC District is available to provide technical assistance for meeting these requirements under our Fee-for-Service program.

8. Permits from the Department of Fish and Game, the Army Corps of Engineers, and the Regional Water Quality Control Board may be required, and the applicant should contact these agencies to determine their requirements. Any mitigation measures within the Appian Creek corridor should be reviewed and approved by the FC District.

9. The applicant should coordinate with the Engineering Services Division of the Public Works Department to determine if the creek structure setback illustrated on the preliminary grading and drainage plans adheres to the requirements of and is in accordance with Division 914 of the Ordinance Code.

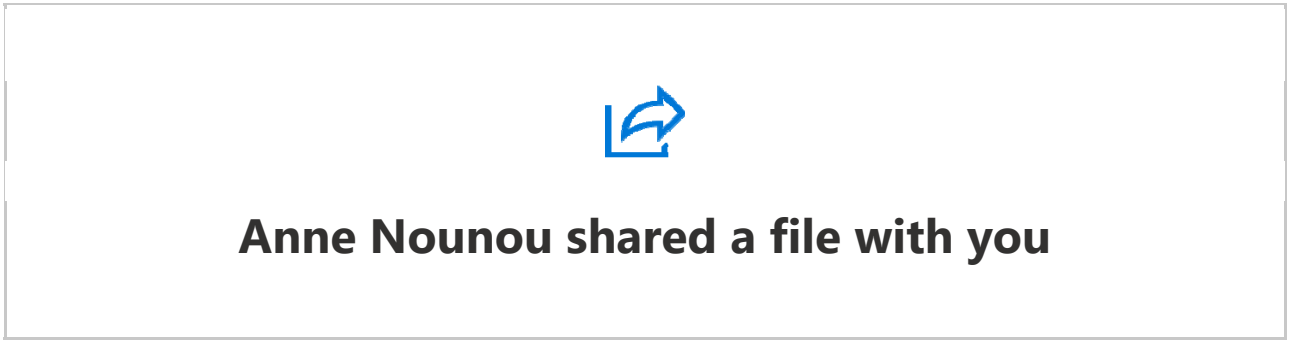
10. The 1010 Drainage Ordinance of Contra Costa County regulates work on watercourses and drainage facilities in the unincorporated County areas. Applicant should be aware that any work that involves man-made drainage facilities or natural watercourses may require a drainage permit from the FC District.

We appreciate the opportunity to review projects involving drainage matters and welcome continued coordination. Should you have any questions, please contact me by e-mail at jorge.hernadnez@pw.cccounty.us.

Best regards,

Jorge Hernandez
Flood Control Division, CCC PWD
(925) 313-2346

From: Anne Nounou <Anne.Nounou@dcd.cccounty.us>
Sent: Thursday, May 12, 2022 3:55 PM
To: Bret Wickham <Bret.Wickham@dcd.cccounty.us>; Amalia Cunningham <Amalia.Cunningham@dcd.cccounty.us>; Will Nelson <Will.Nelson@dcd.cccounty.us>; Daniel Barrios <Daniel.Barrios@dcd.cccounty.us>; Robert Sarmiento <Robert.Sarmiento@dcd.cccounty.us>; Eric Fung <eric.fung@cchealth.org>; Takeya Foster <TAKEYA.FOSTER@CCHEALTH.ORG>; Slava Gospodchikov <slava.gospodchikov@pw.cccounty.us>; Larry Gossett <Larry.Gossett@pw.cccounty.us>; Randolf Sanders <Randolf.Sanders@pw.cccounty.us>; Russ Leavitt <rleavitt@centralsan.org>; McGregor, Jennifer <jennifer.mcgregor@ebmud.com>; Planning.review <planning.review@ebmud.com>; Joson, Loriezel <ljoson@ebmud.com>; Everett Louie <Everett.Louie@dcd.cccounty.us>; Bob Hendry <bob.hendry@pw.cccounty.us>; Angela.Pantera@cchealth.org; Jocelyn LaRocque <jocelyn.larocque@pw.cccounty.us>; Simone Saleh <Simone.Saleh@pw.cccounty.us>; Mark De La O <mark.delao@pw.cccounty.us>; Jeff Valeros <Jeffrey.Valeros@pw.cccounty.us>; Monish Sen <monish.sen@pw.cccounty.us>; Jorge Hernandez <jorge.hernandez@pw.cccounty.us>; Catherine Windham <catherine.windham@pw.cccounty.us>; fire@cccfpd.org; david.rehnstrom@ebmud.com; ahodge@wcwd.org; nwic@sonoma.edu; jshannon@contracostamosquito.com; tlangesmac.cc@gmail.com
Subject: Anne Nounou shared "ACR Packet_CDDP22-03021" with you.



File No CDDP22-03021 Agency Comment Request



ACR Packet_CDDP22-03021



This link only works for the direct recipients of this message.

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Microsoft

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CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION & DEVELOPMENT
30 Muir Road
Martinez, CA 94553
Telephone: (925) 655-2709 **Fax:** (925) 655-2750

TO: Everett Louie, Project Planner

FROM: Robert Sarmiento, Transportation Planning Section RS

DATE: June 22, 2022

SUBJECT: **Ali Carriage Rental Homes (DP22-03021)**

The Transportation Planning Section has reviewed the subject project. Comments are below; in summary, the comments pertain to bicycle parking and electric vehicle (EV) charging infrastructure. Please let me know if you have any questions.

Background

The project is subject to the following policies:

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

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

Comments

1. The project will not require a VMT analysis, based on the following:

   Project Characteristics
   - Number of Residential Units: 8 units

   VMT Screening Criteria
   - Projects of 20 residential units or less

2. The project will not require an LOS review, based on the following:

[1] County Transportation Analysis Guidelines (TAG): link
[2] CCTA Technical Procedures:
https://ccta.net/wp-content/uploads/2018/12/Final_Technical_Procedures_Full_Jan2013-1.pdf

Estimated Trip Generation
New New Peak-Hour Trips (based on ITE Category: "Multifamily Housing (Low-Rise)" land use (Code 220)): 6/8 AM/PM Peak Hour Trips

Threshold for Review
From CCTA's Technical Procedures:
1.6 Traffic Impact Analysis: The analysis should be conducted for projects that exceed a trip generation threshold of 100 net new peak hour vehicle trips.
From the County's TAG:
Applicants may be required to prepare a LOS operational analysis if any of the following apply to a proposed project…Development project that adds 50 or more net new peak hour vehicle trips to an intersection.

3. Please have the applicant identify the number of short-term and long-term bicycle parking spaces that will be included as part of the project.[3]

4. In accordance with the County's EV Ordinance[4], the project will be required to include EV charging infrastructure. Ten (10) percent of the parking spaces shall be electric vehicle charging spaces ("EV spaces"). Half of the EV spaces, but not less than one, shall be equipped with fully operational electric vehicle supply equipment (EVSE). The remaining EV spaces shall be capable of supporting future EVSE.

   In addition, Transportation Planning staff recommends that the garage for each residential unit include a listed raceway to accommodate a dedicated 208/240-volt branch circuit.

cc: John Cunningham, DCD
Maureen Toms, DCD
Anna Battagello, DCD
Jerry Fahy, PWD
Jeff Valeros, PWD
Monish Sen, PWD

[3] Please refer to page 14 of the County Off-Street Parking Ordinance (link) for bicycle parking requirements.
[4] Section 4.106.4.2 – "New multifamily dwellings" (link)

Everett Louie

From: Thomas Lang <tlangesmac.cc@gmail.com>
Sent: Wednesday, July 13, 2022 9:11 PM
To: Everett Louie
Cc: Edgar J. Rosales
Subject: CDDP22-03021

The El Sobrante MAC voted to support this application at its July 13 meeting. Members commended the applicant for providing 24 parking spaces on site and encouraged more if possible to minimize impact on street parking.Members also encouraged the applicant to provide green disposal units to the residences for green household waste.

--

Thomas Lang
Chair, El Sobrante Municipal Advisory Council
Co-Chair, El Sobrante Stroll Committee, El Sobrante Chamber of Commerce
email: tlangesmac.cc@gmail.com
mobile: 510-364-5131

Everett Louie

From: Will Nelson
Sent: Thursday, October 27, 2022 2:34 PM
To: Everett Louie
Subject: RE: DP22-3021 Advance Planning Comments

Hi Everett,

The site's General Plan designation is M-11 Mixed Use, which allows up to 8 units per net acre. The site's net acreage is 29, 250 square feet (0.67 acre) according to the cover sheet of the plans. This results in a maximum yield is 5.37 units. If the net acreage is 0.546 acre, as you indicated below, then the max yield is 4.37 units. The densities related to these acreages are 11.9 units/net acre and 14.65 units/net acre, respectively. We would support the 8-unit project the applicant proposes, but it requires a General Plan amendment.

Let me know if you need additional information.

-Will

William R. Nelson
Principal Planner
Contra Costa County
Department of Conservation and Development
30 Muir Road, Martinez, CA 94553
Phone (925) 655-2898
Web www.contracosta.ca.gov

We're planning for the future of Contra Costa County.
Learn more and get involved at envisioncontracosta2040.org.



This message was sent from a public e-mail system and may be subject to disclosure under the California Public Records Act.

From: Everett Louie <Everett.Louie@dcd.cccounty.us>
Sent: Thursday, October 27, 2022 10:31 AM
To: Will Nelson <Will.Nelson@dcd.cccounty.us>
Subject: RE: DP22-3021 Advance Planning Comments

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

Date 5/12/22

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

DISTRIBUTION

INTERNAL

- ✔ Building Inspection
- ✔ Advance Planning
- ✔ Trans. Planning
- ALUC Staff
- ✔ APC PW Staff
- Grading Inspection
- ✔ Housing Programs
- Telecom Planner
- HCP/NCCP Staff
- County Geologist

HEALTH SERVICES DEPARTMENT

- ✔ Environmental Health
- Hazardous Materials

PUBLIC WORKS DEPARTMENT

- ✔ Engineering Services (1 Full-size + 3 email Contacts)
- ✔ Traffic
- ✔ Flood Control (Full-size)
- Special Districts

LOCAL

- ✔ Fire District Contra Costa
  - San Ramon Valley – (email) rwendel@srvfire.ca.gov
  - ✔ Consolidated – (email) fire@cccfpd.org
  - East CCC – (email) brodriguez@eccfpd.org
- ✔ Sanitary District West County Wastewater
- ✔ Water District EBMUD
- ✔ City of Richmond
- School District(s)
- LAFCO
- Reclamation District #
- East Bay Regional Park District
- Diablo/Discovery Bay/Crockett CSD
- ✔ MAC/TAC El Sobrante
- Improvement/Community Association
- ✔ CC Mosquito & Vector Control Dist (email)

OTHERS/NON-LOCAL

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

ADDITIONAL RECIPIENTS

Please submit your comments to:

Project Planner Everett Louie
Phone # 925-655-2873
E-mail everett.louie@dcd.cccounty.us
County File # CDDP22-03021

Prior to June 6, 2022

* * * * *

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

- Active Fault Zone (Alquist-Priolo)
- ✔ Flood Hazard Area, Panel #
- ✔ 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

It does not appear the project has accounted for the collection of garbage/recycling/organics for these units. The applicant needs to include adequate container (carts or bins) enclosures and accessibility for collection vehicles to collect all three waste streams pursuant to County Code Chapters 418-6 Mandatory Subscription and 418-20 Organic Waste Disposal Reduction. Enclosures should be covered and drains tied to sanitary/sewer (per C.3 reqs?).

Typical commercial bin (dumpster) sizes have been included with these comments.

Print Name David Brockbank

2/1/2023
Signature DATE

Agency phone # 5-2911

ANNA M. ROTH, RN, MS, MPH
HEALTH SERVICES DIRECTOR
RANDALL L. SAWYER
DEPUTY HEALTH DIRECTOR
JOCELYN STORTZ, MS, REHS
ENVIRONMENTAL HEALTH DIRECTOR

CONTRA COSTA
HEALTH SERVICES

CONTRA COSTA
ENVIRONMENTAL HEALTH
2120 Diamond Boulevard, Suite 100
Concord, California 94520
Ph (925) 608-5500
Fax (925) 608-5502
www.cchealth.org/eh/

May 16, 2022

Contra Costa Department of Conservation and Development
Community Development Division
Attn: Everett Louie
30 Muir Road
Martinez, CA 94553-4601

RE: CDDP22-03021 – Application For Development Plan For 8 Multi-Family Units
4301 Appian Way, El Sobrante, CA 94803
APN: 425-142-030
Service Request #: SR0019197

Dear Mr. Louie:

Contra Costa Environmental Health (CCEH) has received a request for agency comment regarding the above referenced project. The following are our comments [if the project is served by public sewer and public water]:

1. A permit from CCEH is required for any well or soil boring prior to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.

2. Any abandoned wells (water, environmental, or geotechnical) and septic tanks must be destroyed under permit from CCEH. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEH requirements.

3. It is recommended that the project be served by public sewer and public water.

4. Substantial construction and demolition (C & D) waste could result from this project. Hazardous construction and demolition materials should be separated from those that can be recycled or disposed.

5. Debris from construction or demolition activity must go to a solid waste or recycling facility that complies with the applicable requirements and can lawfully accept the material (e.g., solid waste permit, EA Notification, etc.). The debris must be transported by a hauler that can lawfully transport the material. Debris bins or boxes of one cubic

yard or more owned by the collection service operator shall be identified with the name and telephone number of the agent servicing the container.

6. Non-source-separated waste materials must not be brought back to the contractor's yard unless the facility has the appropriate solid waste permit or EA Notification.

These comments do not limit an applicant's obligation to comply with all applicable laws and regulations. If you should have any questions, please do not hesitate to call me at (925) 608-5538.

Sincerely,



W. Eric Fung, REHS
Environmental Health Specialist II

WEF:ap

Contra Costa County
Public Works
Department

Warren Lai, Director
Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Sara Price
Carrie Ricci
Joe Yee

Memo

January 23, 2025

TO: Everett Louie, Project Planner, Department of Conservation and Development

FROM: Larry Gossett, Senior Civil Engineer, Engineering Services Division

SUBJECT: **DEVELOPMENT PLAN PERMIT – DP22-3021**
STAFF REPORT & CONDITIONS OF APPROVAL
(Ali/Appian Way/El Sobrante/APN 425-142-030)

FILE: DP22-03021

MESSAGE:

We have reviewed the revised site plan and supporting documents for DP22-3021 received by your office on **November 19, 2024**, and submit the following comments:

Background

The applicant proposes demolishing a single-family residence to develop eight multi-family rental units on the site. The property is located on the west side of Appian Way 250 feet south of its intersection with Santa Rita Road in El Sobrante.

The site slopes towards Appian Creek along the northwest portion of the property. The eight multi-family rental units will be served by a new 24-foot-wide driveway connection with Appian Way. There is a proposed turnaround at the terminus of the proposed driveway, as well as eight parking spots for the rental units. Each rental unit is also proposed to have a two-car garage.

Traffic and Circulation

Appian Way is a County maintained road. It's half-width configuration along the project frontage is 22 feet of pavement within a 25-foot right of way and is planned to have 32 feet of pavement within a 40-foot right of way. A 15-foot right of way dedication, pavement widening, curb and sidewalk to match the improvements previously installed on neighboring parcels as shown on the applicant's site plan will be required.

Applicant proposes to relocate the existing driveway off Appian Way further north to serve the new residential units. The site plan proposes eight on-site parking spaces and a turnaround subject to approval by the Fire District.

Class II bike lanes currently exist on Appian Way. On-street parking along Appian Way will be prohibited to reduce adverse impacts to bike lane usage.

Countywide Street Light Financing

The subject property is already within Service Area L-100. No annexation to County Facilities District (CFD) 2010-1 for Countywide Street Light Financing is necessary.

Utility Undergrounding

Utility services in this area have already been placed underground. All new utilities are also required to be installed underground.

Drainage

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

The site currently appears to slope slightly towards Appian Creek located in the northwest of the property. Two bio-retention basins are proposed on this site, with storm drain lines to convey drainage towards Appian Creek in the back of the property. Unfortunately, Appian Creek, which abuts the subject property, is not adequate due to an inadequate culvert at Garden Lane that would be prohibitively expensive and have access and right of way constraints that would be prohibitive for a relatively small project such as this. The applicant's engineer submitted an exception request from the "collect and convey" requirements in response to our December 18, 2024, memo. He had previously provided a Hydrology and Hydraulics report with this resubmittal to demonstrate residual capacity available in the bioretention basins to mitigate the additional runoff volume resulting from the increased impervious surface area being created by the project. Public Works does not object to this approach taking into account the situation and we are not averse to the granting of the exception.

The site plan shows a creek structure setback line. No structures are planned to be constructed within the creek structure setback.

Stormwater Management and Discharge Control

A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 5,000 square feet in compliance with the County's Stormwater Management and Discharge Control Ordinance (§1014) and the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. A Stormwater Control Plan prepared by the Humann Co. received by your department on November 11, 2024, has been reviewed and determined to be "preliminarily complete". A final SWCP will be required, incorporating any design level changes prior to issuance of building permits.

Floodplain Management

Portions of the property lie within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map. The applicant shall be aware of the requirements of the National Flood Insurance Program and the County Floodplain Management Ordinance as they pertain to development and construction of any structures on this property. The buildings as proposed appear to meet our Code requirements, but a Letter of Map Amendment (LOMA) or Revision (LOMR) will be required for the building housing Units 6, 7 and 8 as they encroach into the Special Flood Hazard Area delineated by FEMA. Note that FEMA currently has a moratorium on LOMR-F applications. This could be an issue regarding the encroaching building if fill material is required to raise it above the base flood elevation

Area of Benefit Fee

The applicant will need to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the WCCTAC Transit/Pedestrian/Bridges/Roads, and El Sobrante Road Areas of Benefits, as adopted by the Board of Supervisors. The fee shall be paid prior to the issuance of building permits.

Drainage Area Fee and Creek Mitigation

The applicant will be required to comply with the drainage fee requirements for Drainage Area 73 as adopted by the Board of Supervisors. This fee shall be paid prior to issuance of a building permit.

LG:ss
G:\engsvc\Land Dev\DP\DP 22-3021\DP22-3021 Staff Report and COAs.docx

cc: J. LaRocque, Engineering Services
A, Vazquez, Engineering Services
Numair Ali *(Applicant)*
2021 Elderberry Drive
San Ramon, CA 94582
Izzat S. Nashashibi – The Humann Company *(Engineer)*
1021 Brown Avenue
Lafayette, CA 94549

PUBLIC WORKS RECOMMENDED
CONDITIONS OF APPROVAL FOR PERMIT DP22-3021

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exceptions(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan submitted to the Department of Conservation and Development on November 19, 2024.

UNLESS OTHERWISE NOTED, COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT.

General Requirements:

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

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

Roadway Improvements (Appian Way Frontage):

- Applicant shall construct curb, 8-foot sidewalk, necessary longitudinal and transverse drainage, street lighting, and pavement widening and transitions along the frontage of Appian Way. Applicant shall construct face of curb 8 feet from the ultimate right-of-way line.

Access to Adjoining Property:

Proof of Access

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

Encroachment Permit

- Applicant shall obtain an encroachment permit from the Public Works Department, if necessary, for construction of driveways or other improvements within the right-of-way of Appian Way.

Abutter's Rights:

- Applicant shall relinquish abutter's rights of access along Appian Way with the exception of the proposed private driveway intersection.

Road Alignment/Intersection Design/Sight Distance:

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

On-Site Vehicular Circulation:

- Applicant shall construct the on-site private drive to current County private road standards with a minimum traveled width of 20 feet.

- Applicant shall construct a paved turnaround at the end of the proposed private drive.

- Internal access and turnaround are subject to approval by the Fire District and Public Works.

Road Dedications:

- Property owner(s) shall convey to the County, by Offer of Dedication, the right-of-way necessary for the planned future half-width of 40 feet along the frontage of Appian Way.

Bicycle - Pedestrian Facilities:

Pedestrian Access

- Applicant shall design all public and private pedestrian facilities for accessibility in accordance with Title 24 and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps.

Parking:

- Parking shall be prohibited along the internal driveway and turnaround with the exception of designated parking stalls opposite Units 1, 2 and 3. "No Parking" signs and/or pavement markings shall be installed along these portions of the roads subject to the review and approval of the Fire District and Public Works Department.

- "No Parking" signs shall be installed along Appian Way subject to the review of the Public Works Department and the review and approval of the Board of Supervisors.

Utilities/Undergrounding:

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

Drainage Improvements:

Collect and Convey

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

Exception (Subject to Advisory Agency findings and approval)

Due to existing downstream drainage constraints that cannot be reasonably remedied, Applicant shall be permitted an exception from the collect and convey requirements of the County Ordinance Code provided that on-site detention measures are employed to mitigate the additional runoff rate from the site to pre-project conditions.

Miscellaneous Drainage Requirements:

- Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.

- Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

Floodplain Management:

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

- Prior to issuance of a building permit for the westerly building (Units 6, 7, and 8) , the applicant shall obtain a Letter of Map Amendment (LOMA) that removes the building footprint for that building area from the Special Flood Hazard Area. If the conditions are such that it does not qualify for a LOMA, a Conditional Letter of Map Revision based on Fill (CLOMR-F) will be required. In the latter case, a final Letter of Map Revision based on Fill will be required prior to occupancy.

Creek Banks and Creek Structure Setbacks:

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

  Hold Harmless

- The property owner shall be aware that the creek banks on the site are potentially unstable. The property owner shall execute a recordable agreement with the County which states that the developer and the property owner and the future property owner(s) will hold harmless Contra Costa County and the Contra Costa County Flood Control and Water Conservation District in the event of damage to the on-site and off-site improvements as a result of creek-bank failure or erosion.

National Pollutant Discharge Elimination System (NPDES):

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

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

  - Minimize the amount of directly connected impervious surface area.
  - Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention area) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES Permit.
  - Place advisory warnings on all catch basins and storm drains using current storm drain markers.
  - Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
  - Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance:

- The applicant shall submit a final Storm Water Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to issuance of a building permit. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant.

- Improvement plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).

- Stormwater management facilities shall be subject to inspection by the Public Works Department; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.

- Prior initiation of the proposed use, the property owner(s) shall enter into a Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for and related to the operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.

- Prior to issuance of a building permit, the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.

- Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

Area of Benefit Fee Ordinance:

- Applicant shall comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the WCCTAC Transit/Pedestrian/Bridges/Roads, and El Sobrante Road Areas of Benefits as adopted by the Board of Supervisors.

Drainage Area Fee and Creek Mitigation:

- The applicant will be required to comply with the drainage fee requirements for Drainage Area 73 as adopted by the Board of Supervisors. This fee shall be paid prior to issuance of a building permit.

- The applicant shall construct creek capacity improvements as called for in the "San Pablo Creek Watershed Study" and as directed by the Public Works Department or Flood Control and Water Conservation District.

  OR

  Applicant shall contribute $0.25 per square foot of additional impervious surface area to the San Pablo Creek watershed mitigation fund, to be used for creek capacity improvements within the San Pablo Creek Drainage Area.

ADVISORY NOTES

- This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.

- This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

DARWIN MYERS ASSOCIATES
ENVIRONMENTAL RESEARCH ■ ENGINEERING GEOLOGY

July 14, 2025

Everett Louie, Project Planner
Contra Costa County
Department of Conservation & Development
Community Development Division
30 Muir Road
Martinez, CA 94553

Subject: **Geologic Peer Review / CDDP22-03021**
4301 Appian Way / APN 425-142-030
Ali Family Trust (owner) / Shakil Ali (applicant)
Ali Carriage Rental Homes (8 proposed units)
El Sobrante Area, Contra Costa County
DMA Project #3025.25

Dear Everett,

Based on your authorization we have reviewed project plans for a proposed 8-unit residential development consisting of eight (8) three-story single-family residences that is proposed within the El Sobrante area. The application included architectural plans prepared by Arete, Inc., architecture.[1] The Humann Company, Inc. prepared the civil engineering plans;[2] and the application was accompanied by foundation investigation report prepared by Geotechnia.[3] The civil engineering plans provided for our review included: *(a)* topographic map & creek structure setback, *(b)* preliminary grading and drainage plans. Not included were utility plans, typical sections and plan details for road and drainage improvements, nor was a preliminary stormwater control plan included.

Purpose

The purpose of our review is to provide the professional opinion of an engineering geologist on the adequacy of published geologic and soils reports and maps issued by public agencies and professional organizations, in combination with the geotechnical report of Geotecnia, for the full processing of the application. It should be noted that for the purposes of CEQA, final geotechnical design-level recommendations are not required. Instead, CEQA requires at least a preliminary evaluation of a broad range of potential geologic hazards. Additionally, the CDDP22-03021 project site is located within a Seismic Hazard Zone, which imposes specific additional requirements as prescribed by the State Seismic Hazard Mapping Act, and associated guidelines issued by the California Geological Survey (CGS). It is the adequacy of the Geotecnia report for these purposes that must be evaluated.

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[1] Arete, Inc. Architecture, 2024, *Ali Carriage Rental Homes, 4301 Appian Way – El Sobrante, CA*, Arete Job #5154 (plans dated July 22, 2024).

[2] Humann Company, 2024, *DP22-3021, Topographic and Creek Structure Setback; & Preliminary Grading and Drainage, Lot 54 Sana Rita Acres, Unit No. 1 (22M645), 4301 Appian Way – APN 425-142-030, El Sobrante, California, (2 Sheets),* Humann Co. Job #22026 13-1060-12 (plans dated May 13, 2024).

[3] Geotechnia, 2024, *Geotechnical Study, Proposed 8-Unit Residential Development at 4301 Appian Way, El Sobrante, California,* Geotechnia Job #244073 (report dated August 12, 2024).

County Expectations

a) The County requires sufficient data on site geologic/ seismic conditions to allow: *(i)* delineation the potential geologic hazards based on adequate subsurface data, and *(ii)* the data must be sufficient to serve as the primary basis for preparation of the "Geology and Soils" chapter of the CEQA document. Appendix G of the CEQA Guidelines issued by the State of California identifies the potential geologic and seismic hazards that must be evaluated by the CEQA document (see Table 1), and the project must comply with requirements of the SHZ Mapping Act.

b) Geologic/geotechnical engineering studies which define and delineate potentially hazardous conditions must also be compliance with investigation standards for projects located in an SHZ.

c) The required report must recommend means of mitigation of any adverse conditions that were confirmed to be present on the project site (e.g. landslide hazards, but also including expansive and/or corrosive soils, ponding of water, etc.), and

d) Consultation by the project geotechnical engineer with the client and contractor in ensure the intent of the geo-recommendations are correctly interpreted and followed by geotechnical monitoring that shall extend throughout the construction period to verify (and document) all geo-recommendations were correctly interpreted and constructed by the contractor.

Table 1
Appendix G of State CEQA Guidelines

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

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☐

Regulatory Framework

1. County General Plan

In November 2024 the County adopted the updated County General Plan - 2045. Geologic hazard related policies are presented in the Health and Safety Element (see Table 2). Policy HS-P11.1 requires that for at-risk projects, the engineering geologic / geotechnical report shall including *(i)* a map showing the location of areas of the site where hazardous conditions have been confirmed to be present, *(ii)* recommended mitigation measures that would substantially reduce damage and/or injury potential, and *(iii)* provide detailed recommendations to assuring effective implementation of all geo-related mitigation measures during construction.

Table 2
Health & Safety Element Geologic Hazard Policies

HS-P11.1
For projects in Alquist -Priolo Earthquake Fault Zones or Seismic Hazard Zones (areas considered at-risk of earthquake triggered liquefaction or landslide displacement) delineated by the California Geological Survey, as well as any other areas of steep slopes or areas of suspected ground failure known to the County, require submittal of appropriately detailed engineering geologic or geotechnical investigations. The reports must be compliant with State Guidelines and include:

a) A map showing the outline of any geologic or potentially hazardous soil conditions and areas subject to inundation.
b) Recommended means of mitigation of any adverse condition representing a hazard to improvements.
c) Recommendations to assure proper implementation of mitigation measures during construction.

HS-P11.2
Prohibit construction of buildings intended for human occupancy in areas where seismic and other geologic hazards (e.g. landslides, liquefaction and fault lines) cannot be adequately mitigated.

HS-P11.3
Discourage construction of critical facilities and buildings intended for human occupancy in Alquist-Priolo Fault Zones and encourage earthquake retrofitting where such development already exists. If there is no feasible alternative to siting critical facilities and buildings intended for human occupancy in the Fault Zones, buildings must be sited, designed and constructed to withstand the anticipated seismic stresses.

HS-P11.4
Refer geotechnical and engineering geologic reports to the County Peer Review Geologist for evaluation of their adequacy, as required by State Law for projects in State-designated hazard zones. Reports deemed inadequate will require further engineering analysis and revision until the findings/ opinions of the Peer Revie Geologist have been addressed to the County`s satisfaction.

HS-P11.5
Discourage development on slopes exceeding 15 percent and prohibit development on slopes of 26 percent or greater to avoid slope instability, unnecessary grading and extensive land disturbance, and facilitate long-term control of erosion and sedimentation. Exceptions may be considered for infrastructure projects and development on existing legal lots where no other feasible building sites exist.

HS-P11.6
Require projects to form a Geologic Hazard Abatement District (GHAD) or join an existing GHAD whenever necessary to adequately mitigate anticipated or residual geologic hazards.

HS-P11.7
Do not accept public road dedications or allow construction of private roads on unstable hillsides or in landslide hazard areas unless potential hazards have been mitigated to the County`s satisfaction. All private roads constructed in such areas must be fully compliant with private road standards adopted by the County and fire protection district with jurisdiction.

Source: Contra Costa County 2045 General Plan – Health and Safety Element, pages 9-52 & -53

2. Seismic Hazard Zone Mapping Act

The project site is located in the Seismic Hazard (SHZ) for earthquake induced liquefaction. Specifically, the site is located within the Richmond Quadrangle.[4] Accompanying release of the SHZ map, the California Geological Survey (CGS) issued the SHZ report.[5] The proposed residential development is a project that is subject to the required rigorous geotechnical investigation mandated by the Seismic Hazard Mapping Act and the implementing policies and criteria of the Mining and Geology Board, and CGS guidelines (see Table 3).

Table 3
Seismic Hazard Zone Mapping Act

Legal Framework. The provisions of the Seismic Hazard Mapping Act can be found in the California Public Resources Code, Chapter 7.8, Sections 2690-2699.6. This law is similar in many respects to the Alquist-Priolo Earthquake Fault Zone Mapping Act, which has been implemented by DCD for the past 50 years. However, the official Seismic Hazard Zone (SHZ) maps issued by the CGS identify areas that are at risk of earthquake triggered landslides and earthquake triggered liquefaction. The official SHZ map of the Richmond 7.5-Minute Quadrangle was issued by the California Geological Survey (CGS) in 2024. The project site as well as nearly all parcels located on the floor of the valley floor area of El Sobrante is classified as potentially subject to earthquake induced liquefaction.

Relationship to CEQA. Regarding relationship of SHZ's to the CEQA process, the State of California CEQA Guidelines state that *nothing in these guidelines is intended to negate, supersede or duplicate any requirements of CEQA···At the discretion of the lead agency, some or all of the investigations required by the Seismic Hazard Mapping Act may occur either before, concurrent with, or after the CEQA process.* The Guidelines go on to indicate that if the investigation does not precede CEQA, it may be desirable for the CEQA document to describe the full range of mitigation measures that may be required to stabilize the land development project. However, if all or part of the investigation is performed prior to completion of the CEQA process, it may be possible to narrow the discussion of mitigation alternatives to only those that would provide reasonable protection of the public safety given site-specific knowledge of field conditions. In this case the report of Geotecnia. provides an evaluation of liquefaction potential, based on preliminary evaluation of on-site auger borings. which is intended to satisfy the requirements of the Seismic Hazard Mapping Act.

Scope of the Seismic Hazard Mapping Act. The SHZ Mapping Act requires investigations for a broad range of land development applications, including issuance planning-related approvals that would lead to future development of structures for human occupancy. Clearly, CDDP 22-03021 is a "project" that fall under the authority of state law. Note that the issuance of building permits for remodels/ expansions of existing non-single family residential buildings, where the proposed improvement would increase the estimated value of the structure by 50% (or more), fall under the authority of the state law. For the purposes of the law, the State Mining and Geology Board has determined that an occupancy factor of 2,000 person hours per year (or more) constitutes human occupancy. This human occupancy standard applies to any structure that is even partially within the SHZ. For projects that fall under the authority of the SHZ Mapping Act, the required investigations must be prepared by a certified engineering geologist and/or geotechnical engineer registered in the State of California. A copy of each consultant prepared report, along with evidence of peer review by the local jurisdiction, must be forwarded to the CGS within 30 days of County approval of the report. Exemptions from the SHZ Mapping Act are narrowly defined and limited chiefly to the construction of a single-family residence on a legally established parcel that was created prior to the issuance of the SHZ map, and the proposed dwelling must not exceed 2½ stories.

[4] California Geological Survey, 2024, *Earthquake Zones of Required Investigation, Richmond Quadrangle*, (official map released February 14, 2024).

[5] California Geological Survey, 2024, *Seismic Hazard Zone Report for the for the Richmond, Mare Island, and San Quentin 7.5-Minute Quadrangles, Contra Costa County, California,* SHZ Report #134.

Geologic and Seismic Setting

1. Active Faults

The site is located in the unincorporated El Sobrante area. Figure 1, Vicinity Map, which identifies the location of the site with respect to the local road network, Interstate Highway 80, and boundary of the unincorporated area with nearby cities. The site boundary is shaded in red and is centered within a red bullseye. For reference purposes, Figure 1 also shows the location of the Alquist-Priolo Earthquake Fault Zone (A-P zone) that encompasses recently active and potentially active traces of the Hayward fault. It is the northwest-trending zone (shaded yellow) the trends N30°W and passes approximately 1.2 mi. southwest of the site. The A-P Zone was delineated by the California Geological Survey (CGS). Its width varies depending on the quality of the geologic features available to delineate the fault. The criteria used by the CGS to identify active faults is clear evidence that surface fault rupture has occurred during Holocene time (i.e. during the last 11,000 years±). The Hayward fault is characterized by right-lateral, strike-slip displacement. Evidence of active faulting includes *(i)* evidence of shearing and offset of Holocene deposits in exploratory trenches logged by geologic consultants for land development projects, *(ii)* tectonic creep features, *(iii)* geomorphic features characteristic of active faulting, and *(iv)* a concentration of small magnitude earthquakes distributed along the mapped fault trace. The last major earthquake on the Hayward fault occurred on October 21, 1868. Previous scientifically oriented investigations of the United States Geological Survey (USGS) utilized absolute aging techniques to establish the recurrence interval and approximate dates the major seismic events on the Hayward fault during the last 700± years. A total of 5 major earthquakes are well documented (circa 1315, 1470, 1630, 1725 and 1868). This historic record indicates a recurrence interval of approximately 140 years±, and it has been nearly 157 years since the last major earthquake. Figure 1 also shows the location of faults that are delineated by a USGS bedrock geology map of Contra Costa County. That particular map does not classify faults by activity status, but it identified location where geologist's have confirmed evidence of faulting within bedrock in the El Sobrante area (bedrock faults are represented by broad green lines).

2. Geologic Mapping

Figure 2 presents a portion of a digitized geologic map of Contra Costa County that emphasized bedrock formations.[6] As shown, the project site fronts on the northwest site of Appian Way, with the channel of Appian Creek passing along the northwest property boundary. This map used existing published mapping as a point of departure for their study. A primary source for the El Sobrante area was the dissertation mapping of Wagner.[7] The project site is indicated to be on the valley floor and is mapped as Surficial Deposits, undivided (Qu). According to Figure 2 the upland hills in the immediate vicinity of the site are underlain by bedrock units classified as Orinda Formation (Tor). Also note the two bedrock faults (represented as green lines) pass approximately 2,000 ft. west and the other 1,300 ft. east of the site, respectively. Note that the eastern fault trace is shown to form a geologic contact between Tor and Tcgl.

Another USGS publication characterized the rock types and engineering properties of the formation that have been identified in the vicinity.[8] Tor formation, whose distribution is shown in Figure 2, is referred to as the *Contra Costa Group* by the authors of the USGS Professional Paper 1357. Ellen, et. al. describes the Contra Costa Group as interbedded (1) conglomerate, (2) medium-grained to very coarse-grained

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[6] Graymer, R., D.L. Jones & E.E. Brabb, 1994. *Preliminary Geologic Map Emphasizing Bedrock Formations in Contra Costa County, California.* U.S. Geological Survey Open File Report 94-622.

[7] Wagner, J.R., 1978, *Late Cenozoic History of the Coast Ranges East of San Francisco Bay,* Ph.D. Dissertation, U.C. Berkeley.

[8] Ellen, D.E. & Wentworth, C.M., 1995, *Hillside Materials and Slopes of the San Francisco Bay Region,* U.S. Geological Survey Professional Paper 1357.

sandstone, (3) siltstone and (4) mudstone; each of these four units contains some of each composition. Bedding is mostly distinct in conglomerate; internal bedding in dirty sandstones is indistinct, but some sandstone is laminated; much of the unit has irregular or lenticular bedding and crossbedding. Regarding the depth of weathering, conglomerate and the med-to-coarse grained sandstone is regarded as weathered to depths of 25 to 30 ft.; less permeable units (i.e., siltstone and mudstone) are fresh at 15 to 20 ft. below the ground surface. This formation is regarded as expansive and some severely expansive; the residual soils formed from weathering of this unit are considered by Ellen et. al. to be highly to severely expansive.

The Tcgl formation which is shown in Figure 2 is referred to by Ellen et. al. as the *Garrity Formation* of Wagner. As described by Ellen et. al., the composition of this unit is estimated to be about 35% clean (i.e., relatively clay free) sandstone; 35% dirty sandstone (i.e. sandstone that is saturated with clayey matrix material; 20% conglomerate and 10% mudstone. The weathering of this unit is known to extend to depths of 30+ ft. Regarding expansion potential, Ellen et. al. considers this formation to be largely unexpansive, except for the mudstone unit, which is considered to have some expansion potential.

3. Quaternary Geology

In 1997 the USGS issued a map that divided Quaternary deposits of Contra Costa County into nine (9) categories. The units identified varied in a) age, b) depositional environment and c) engineering properties. Figure 3 presents a portion of this map, showing the surficial deposits that were identified in the vicinity of the project site include the following (i) stream channel deposits of San Pablo Creek and its major tributaries (Qhsc, Holocene age), (ii) fan and fluvial deposits (Qhaf, Holocene age), and (iii) alluvial fan and fluvial deposits (Qpaf, Pleistocene age). Table 4 presents a brief summary of the properties of the units that occur in the vicinity of the Project Site. According to the USGS Map, the central and southeastern portion of the project site is shown to be within the area mapped as Pleistocene alluvium (Qpaf) and the northwest portion of the site is interpreted as bedrock (b) at/ near the ground surface

Table 4

Quaternary Deposits that Occur in the Site Vicinity

Stream channel deposits (Qhsc)
These are deposits of Holocene age (<11,700 years before present) and consist of stream channel deposits of San Pablo Creek and its major tributaries.
Alluvial fan and fluvial deposits (Qhaf)
These are alluvial fan and fluvial deposits of Holocene age. They tend to be brown to tan and medium dense (never reddish).
Alluvial fan and fluvial deposts (Qpaf)
These deposits are of inferred Pleistocene age and consist of brown, dense gravely and clayey sand or clayey gravel that fines upward to sandy clay. All Qpaf deposits are related to modern stream channels and are distinguished from the younger Qhaf deposits by higher topographic position, greater degree of dissection and stronger soil profile development.

4. Seismic Hazard Zone Map

The CGS has issued a *Seismic Hazard Zone* map of the project site and vicinity. The hazard map identifies areas deemed to be at-risk of earthquake-induced liquefaction as well as areas considered to be at-risk of earthquake-induced landslide displacement and other forms of ground failure. As shown in Figure 4, lands deemed to be potentially subject to liquefaction are shaded a yellow-ocher color and the area deemed to be potentially subject to earthquake triggered landsliding and ground failure are shaded a muted, reddish pink color. As shown the central and southeastern portions of the site are indicated to be at risk of liquefaction, which the northwestern portion of the project site is not shown to in a hazard zone. The nearest area of inferred earthquake induced landslide displacement is approximately 850 ft. southwest of the project site.

The provision of the Seismic Hazard Mapping Act is summarized on Table 3 (see pg. 3). The project proponent is required to submit a comprehensive investigation of liquefaction potential that is compliant with the provisions of the State Law and guidelines adopted by the CGS.

Geotecnia, Inc.

1. Purpose and Scope

The purpose of this investigation was to explore the existing soil and groundwater conditions on the project site and provide geotechnical engineering conclusions and recommendations for the design and construction of the proposed residential subdivision and associated improvements.

The scope of services included a) site reconnaissance, b) review of pertinent geologic references, c) perform subsurface exploration (excavation and logging of 5 boring to depths ranging from 19 to 21½ ft.)[9] d) collect representative bulk samples, e) laboratory testing of selected samples (8 sample tested to assess the expansion potential, e) engineering analysis of the data gathered, and f) preparation of a report presenting Geotecnia's findings, conclusions and recommendations, and g) statement of limitations.

2. Findings and Conclusions

The primary hazards were considered highly expansive soils and very strong earthquake ground shaking. The mitigation measures provided to mitigate expansive soils and earthquake ground shaking. The recommended measure includes the following:

- Providing positive drainage
- Use of concrete mat or drilled pier foundation systems (construction details would be provided in a subsequent report), and
- Mitigation for the ground shaking hazard relies on conservative design, quality construction and compliance with the latest provisions of the California Building Code as a minimum standard.

3. Recommendations

Limited data on the project was provided to Geotecnia, and consequently their recommendations are somewhat generalized, but nevertheless adequate for the purposes of CEQA. This section of the report commences on pg. 5 and is divided into sections titled a) general, b seismic design parameters c) site preparation and grading, d) potential foundation systems) and e) retaining wall lateral pressures, f) exterior concrete flatwork, g) flexible pavements, h) drainage improvements, i) supplemental services and j) limitations.

DMA Comment on Geotecnia Recommendations

We must consider these to be Preliminary Recommendations in the sense that they do not reference specific/ detailed development plans. Nevertheless, it is anticipated that Geotecnia's recommendations will assist their client in estimating costs and in evaluating the complexity of the geotechnical work that is recommended. We anticipate that a report update will be needed prior to issuance of construction permits.

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[9] With regard to groundwater, only boring B-2 encountered groundwater at the time of drilling. In that borehole, groundwater was present at 19 ft. below the ground surface.

DMA Evaluation

1. Introduction

The recommendations of Geotecnia for grading, foundation design, drainage design of will not be recited here because the primary objective of this review is to comment on the adequacy of Geotecnia's evaluation of potential geologic hazards and b) the adequacy of the recommended mitigation measures for the impacts that were confirmed to be present on the project site. It should be recognized that the project geotechnical engineer did not have a detailed Improvement Plans for the project. Based on relatively limited information the future housing project, Geotecnia provided *Preliminary Recommendations,* which address a) earthwork b) foundations c) drainage, d) pavements and e) retaining walls. However, the County does not need detailed geotechnical recommendations at this stage of the planning process. In our opinion when improvement plans are available for the project in the future, Geotecnia should be authorized by their client to review those plans and update the geotechnical recommendations in the 2024 report as warranted, based on plan review provided prior to issuance of construction permits.

2. Seismic Hazard Mapping Act

The Seismic Hazards Mapping Act (SHMA) requires a site-specific geotechnical investigation to evaluate the potential seismic hazard that is identified in a Seismic Hazard Zone (SHZ) map issued by the California Geological Survey (CGS), and there are adopted guidelines for the investigation In this case, the *Ali Carriage Rental Homes* project site is within an area identified as having potential for earthquake-induced liquefaction. SHMA also requires that the report provide adequate mitigation measures prior to permitting by the local jurisdiction. This requirement can be satisfied either prior to deeming the application complete; or some of the required investigation can be incorporated into a Condition of Approval. In this case the project proponent has submitted a geotechnical report that includes borings that ranged up to 21½ ft. in depth. The report does not provide SPT or normalized blow counts and the borings did not extend to penetrate the underlying bedrock. Nevertheless, it provides an adequate amount of subsurface data on the upper 20 thickness of alluvial deposits, but we note that Geotecnia provides only a reconnaissance level of analysis of that data gathered. Additionally, auger drilling involves sampling of what are selected intervals. The auger drilling method of exploration could inadvertently fail to sample a relatively thin sandy layer, which if saturated, could potentially be liquefiable. It should also be recognized that the CGS map considers all alluvial deposits on the valley floor area of El Sobrante floor to be potentially liquefiable.

The proposed project clearly falls into the SHZ for liquefaction induced ground failure. The required investigation must be compliant with the standards and guidelines for projects located in the SHZ. That said, the preliminary data provided by the Geotecnia report, while not adequate to meet the standards for a project in the SHZ, can be considered adequate basis to defer further evaluation of the liquefaction hazard to a Condition of Approval. That COA would need to be satisfied prior to the issuance of construction permits. The approach to the required supplemental investigation is the responsibility of the project geotechnical engineer to determine. Nevertheless, we offer the following guidance to an approach that would adequately comply SHZ requirements/ expectations: Provide a single Cone Penetration Test (CPT) that reaches a depth of 50 ft. (or to bedrock, whichever is less). Computer-based analysis of the CPT data shall be expected to provide detailed information on the engineering properties of the alluvial deposits penetrated. Liquefaction analysis must consider the location of the project with respect to the Hayward fault, as well as other known active faults in proximity to the site (i.e. provide justification for the peak ground acceleration used in the analysis). The computer analysis should also yield an estimate of the total settlement anticipated. The project geotechnical engineer shall provide an estimate of the amount of differential settlement across the footprint of the future residential buildings. Although the computer

analysis may use a deterministic PGA, we request that the geotechnical engineer include in their report a discussion that compares the earthquake acceleration used in the computer analysis of the CPT data with Probabilistic PGA used in SHZ Report 134.

3. State CEQA Guidelines

The County relies on the Geotechnical report submitted by the project proponent as the primary source when evaluating the broad range of potential hazards that must be evaluated in the *Geology & Soils Chapter* of the CEQA document. In our opinion the Geotecnia report adequately respond to the full range of hazards identified in CEQA Guidelines. The primary hazard confirmed on the site was highly expansive soils, and the report identifies appropriate foundation systems as the recommended mitigation measures. Additionally, they provide a recommendation to mitigate the seismic ground shaking hazard (i.e., reliance on the seismic parameters included in the California Building Code as a minimum standard, in combination with conservative design and quality construction. For that reason, it is our opinion that the application can be considered complete from the standpoint of potential geologic and geotechnical hazards.

DMA Recommendations

GEO-1 The evaluation of the liquefaction hazard shall be based on analysis of the CPT data. The SHZ report should include a) project description, b) review of published geologic mapping and seismicity of the El Sobrante area, c) provide justification for all assumptions used as inputs to the computer analysis of liquefaction potential based on analysis of CPT data. The methodology used by the project geotechnical engineers to evaluate liquefaction shall be consistent with guidelines adopted by the California Geological Survey for liquefaction analysis. If the CPT analysis confirms the presence of potentially liquefiable sands in the subsurface, the amount of anticipated total settlement and differential settlement across a building site shall be provided.

GEO-2 Require evaluation of the potential hazard posed by corrosive soils and provide mitigation for any substantial hazard posed by corrosive soils.

GEO-3 Prior to issuance of construction permits the applicant shall submit a geotechnical update of the 2024 Geotecnia report. The purpose of the update is to provide an opportunity for the geotechnical engineer to review and modify recommendations as warranted, based on the design level plans.

GEO-4 Require adequate geotechnical monitoring to verify the design-level recommendations of Geotecnia are fully/correctly implemented in the field and documented in a final report from the geotechnical engineer. That report shall include monitoring dates on site, identify the location/nature of the features observed, provide any test results, and provide the engineer's professional opinion of compliance of the as-graded, as-built project with geotechnical recommendations.

GEO-5 All required reports shall be subject to peer review by the County Peer Review Geologist and shall be subject to review and approval by the Zoning Administrator.

Limitations and Purpose

This review has been performed to provide technical advice to assist the Community Development Division with discretionary permit decisions. Our services have been limited to providing a review of the documents identified in this peer review letter. Our opinions and conclusions are made in accordance with generally accepted principles and practices of the engineering geology profession.

We trust this letter provides the evaluation and comments that you requested. Please call if you have any questions.

Sincerely,
DARWIN MYERS ASSOCIATES

Darwin Myers, CEG 946
Principal

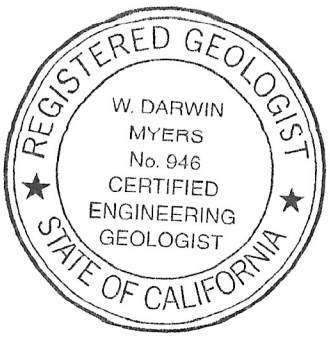
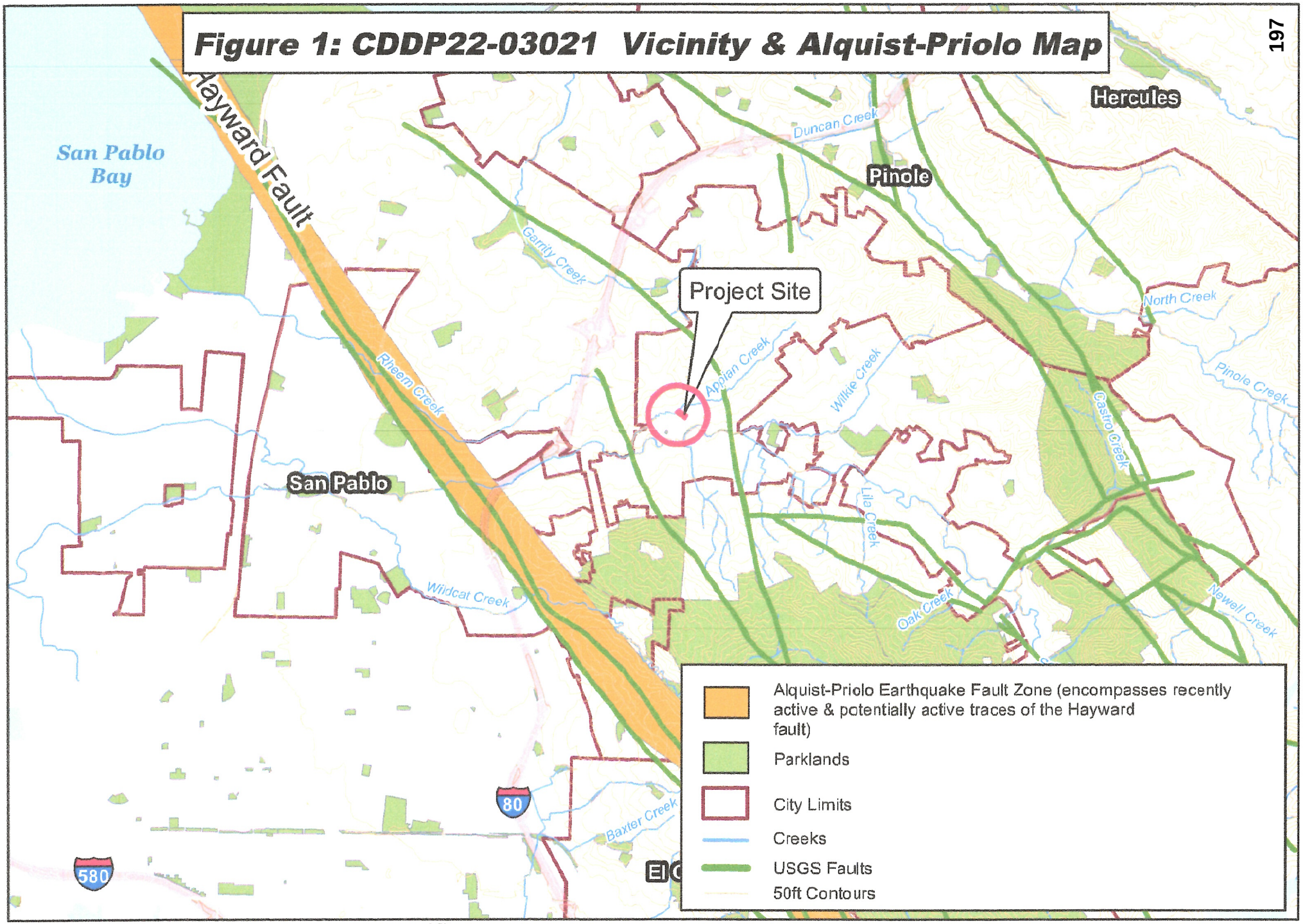


Figure 1: CDDP22-03021 Vicinity & Alquist-Priolo Map

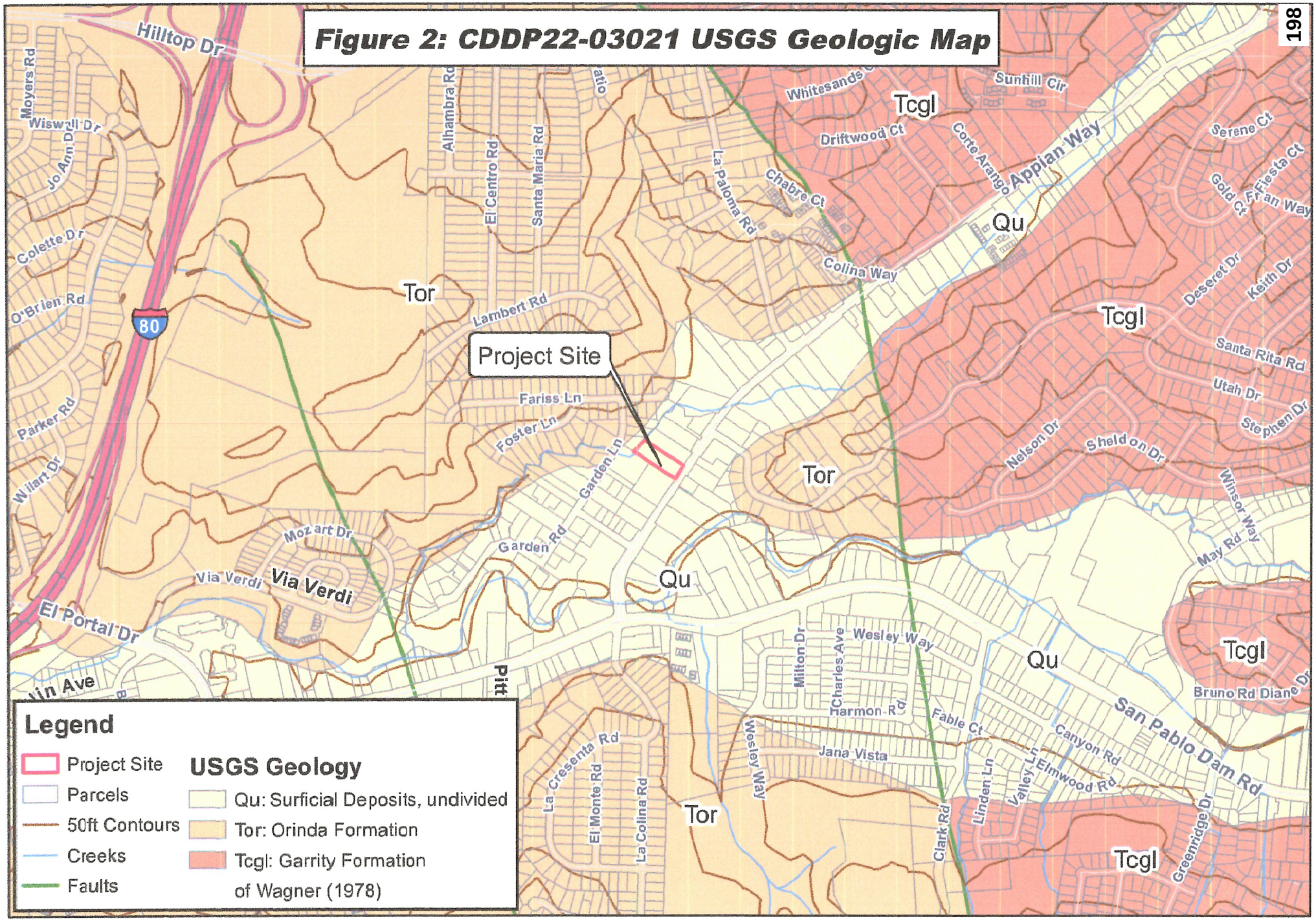


source CGS, Special Publication 42 (revised in 2018) & USGS Open File Report 94-622 (1994)

Map Created 7/8/2025
by Contra Costa County Department of Conservation and Development, GIS Group
30 Muir Road, Martinez, CA 94553
37:59:41.791N 122:07:03.756W

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Figure 2: CDDP22-03021 USGS Geologic Map



Legend

- Project Site
- Parcels
- 50ft Contours
- Creeks
- Faults

USGS Geology

- Qu: Surficial Deposits, undivided
- Tor: Orinda Formation
- Tcgl: Garrity Formation of Wagner (1978)

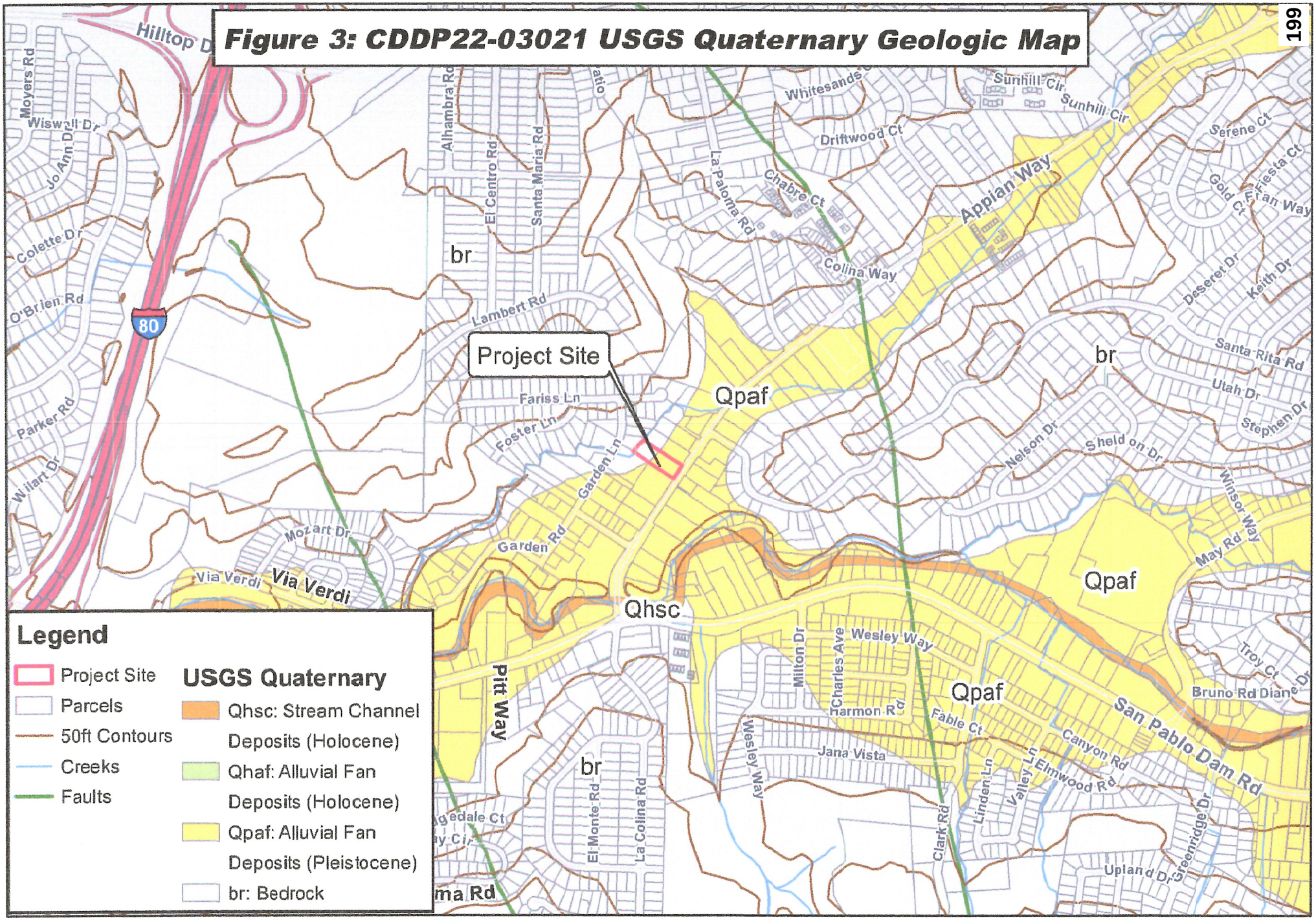
0 405 810 1,620 Feet

Source: USGS Open File Report 94-622

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Figure 3: CDDP22-03021 USGS Quaternary Geologic Map

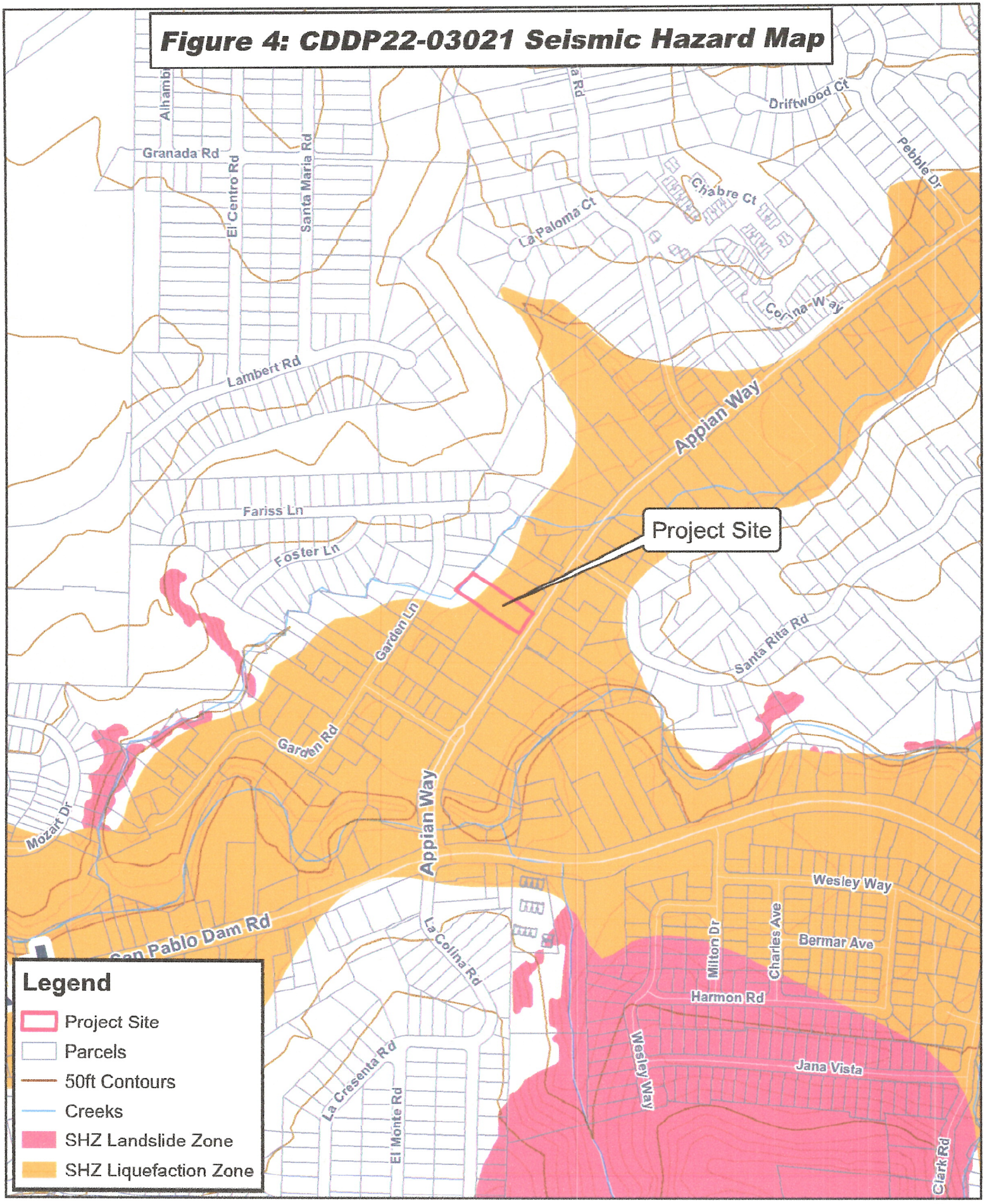


Source: USGS Open File Map 97-98

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Figure 4: CDDP22-03021 Seismic Hazard Map



Feet
0 125 250 500

Source: CGS Richmond SHZ Map 2024

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by Contra Costa County Department of Conservation and Development, GIS Group
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37.99 41,791N 122.07 03,756W

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4301 Appian Way, El Sobrante, CA 94803, County File CDDP22-03021

Inclusionary Housing Ordinance

1. A residential development of five or more rental units is subject to the County's Inclusionary Housing Ordinance. Pursuant to Section 822-4.402(a) of the County Ordinance Code, in a residential development of five through one hundred twenty-five rental units, at least fifteen percent of the rental units shall be developed and rented as inclusionary units under the terms and conditions of Section 822-4.410(a) of the County Ordinance Code. At least twenty percent of the inclusionary units shall be rented at an affordable rent to lower-income households. An in-lieu fee may be paid pursuant to Section 822-4.404 of the County Ordinance Code as an alternative to providing some or all of the required inclusionary units.

   Required Inclusionary Housing Unit Calculation:

   - 8 units x 15% = 1.2 inclusionary units required
   - 1.2 x 20% = 0.24 units shall be rented at an affordable rent to very low-income households
   - 1.2 – 0.2 = 0.96 units shall be rented at an affordable rent to lower-income households.

   The applicant, owner, and/or developer (Applicant) is required to construct 1.2 inclusionary units for the project. The Applicant has submitted an Inclusionary Housing Plan received on August 30, 2024, which proposed the construction of one inclusionary unit within the multi-family housing development. One unit shall be available to and occupied by a very low-income household (50% Area Median Income). The fractional unit of 0.2 would be satisfied with the payment of a partial in-lieu fee.

Inclusionary Housing Agreement

2. At least 90 days prior to the Community Development Division's (CDD) approval of a building, demolition, or grading permit application, whichever occurs first, and with the filing of a condition of approval compliance review, the Applicant shall initiate the County's preparation and execution of an Inclusionary Housing Agreement (Agreement), form to be provided by the County, with the County pursuant to County Ordinance Chapter 822-4 Inclusionary Housing, County Ordinance and Government Code 65915 to ensure that one (1) of the approved units is affordable to and occupied by a very low-income household. The Agreement shall be submitted to the Board of Supervisors for approval on behalf of the County. Following the execution of the Agreement, the completed Agreement will be filed and recorded on the subject property.

   The one on-site inclusionary unit identified will include:

   1 Two-bedroom unit for Very Low-Income (50% AMI)

   Maximum affordable rents shall be determined annually by the County and adjusted for family size appropriate for the unit.

The continued affordability of the very low-income rental units shall remain restricted and affordable to the designated income category for fifty-five (55) years or longer if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

Definitions

Terms and definitions used in these conditions of approval may be found in the above-referenced County Ordinance Codes and Government Code.

A. Affordable rent – means rent, including a reasonable utility allowance determined by the Department of Conservation and Development (DCD) Director or designee, that does not exceed the following calculations pursuant to Health & Safety Code Section 50053:

   For Lower-Income Households: the product of thirty percent times sixty percent of the area median income adjusted for family size appropriate for the unit.

   For Very Low-Income Households: the product of thirty percent times fifty percent of the area median income adjusted for family size appropriate for the unit.

B. Inclusionary Unit – means a rental unit that must be rented at an affordable rent to the households specified in Section 822-4.402.

C. Lower-Income Households – means a household whose income does not exceed the lower income limits applicable to Contra Costa County, adjusted for household size, as published, and periodically updated by the State Department of Housing and Community Development pursuant to Health and Safety Code Section 50079.5.

D. Very Low-Income Households – means a household whose income does not exceed the very low-income limits applicable to Contra Costa County adjusted for household size, as published and periodically updated by the State Department of Housing and Community Development pursuant to Health and Safety Code Section 50105.

Inclusionary Housing Partial In-Lieu Fee

3. Prior to CDD approval of a building, demolition, or grading permit for the housing development, whichever occurs first, the Applicant shall pay the County the partial in-lieu fee for the remaining fractional 0.2 inclusionary unit. The current in-lieu fee calculation, based on the 8 base units, is $32,267.40. However, the actual fee collected will be that which is applicable prior to CDD approval of the grading permit, building permit, or demolition permit, whichever occurs first.

   This in-lieu fee is non-refundable and non-transferable.

General

4. The following are general terms for the Inclusionary Housing Ordinance.

   A. The Applicant hereby represents, warrants, and covenants that it will cause the Agreement to be recorded in the real property records of Contra Costa County, California, and in such other places as the County may reasonably request. The Applicant shall pay all fees and charges incurred in connection with any such recording. The recording of the Agreement shall occur after the acceptance of the document by the County and prior to CDD's approval of a building permit or grading permit.

   B. The County will provide the Applicant a form for income certification to be completed by the renters. The income levels of all very low-income household and lower-income household applicants for units in the project shall be certified by DCD prior to initial occupancy and annually thereafter, and records shall be maintained by the Applicant over the entire term of the period of affordability.

   C. The one (1) inclusionary units in the project shall be available for rent on a continuous basis to members of the general public who are income-eligible. The Applicant shall not give preference to any particular class or group of persons in renting the units, except to the extent that the units are required to be rented to a very low-income household and lower-income households. There shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, sexual orientation, marital status, national origin, source of income (e.g., SSI), age (except for lawful senior housing), ancestry, or disability, in the rent of any unit in the Project nor shall the Applicant or any person claiming under or through the Applicant, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of renters of any unit or in connection with employment of persons for the construction of the project.

   D. In addition to any other marketing efforts, the lower-income units and very low-income units shall be marketed through local non-profits, social services, faith-based organizations, and other organizations with potential renters as clients or constituents. The Applicant shall translate marketing materials into Spanish and Chinese. A copy of the translated marketing materials, tenant selection plan, and marketing plan shall be submitted to DCD at least three months prior to the marketing of the inclusionary units for the review and approval of DCD and on an annual basis with the annual report.

      Marketing may also include publicity through local television and radio stations and local newspapers, including the Contra Costa Times, Classified Flea Market, El Mensajero, Thoi Bao Magazine, Berkeley/Richmond/San Francisco Posts, Korea Times, El Mundo, Hankook Il Bo, and the Sing Tao Daily.

   E. Upon violation of any of the provisions of the Agreement by the Applicant, the County may give written notice to the Applicant specifying the nature of the violation. If the violation is not corrected to the satisfaction of the County within a reasonable period of time, not longer than thirty (30) days after the date the notice is deemed received, or within such

further time as the County determines is necessary to correct the violation, the County may declare a default under this Agreement. Upon declaration of a default or if the County determines that the Applicant has made any misrepresentation in connection with receiving any benefits under this Agreement, the County may apply to a court of competent jurisdiction for such relief at law or in equity as may be appropriate.

Development Standards

5. The inclusionary units are subject to the standards of Section 822-4.412 of the County Ordinance.

6. All inclusionary units must be constructed and occupied prior to or concurrently with the market rate units within the same residential development.

Location

7. Inclusionary units must be dispersed throughout the residential development and have access to all on-site amenities available to market-rate units.

Annual Reporting and Compliance Review

8. Prior to the initial occupancy of each inclusionary unit, the Applicant shall submit to the Department of Conservation and Development a condition of approval compliance review application and fee along with the following information for review and approval of qualified tenants: forms and documentation that demonstrates the tenants of the inclusionary units have been certified as a qualified lower income household or very low-income households. A hold shall be placed on the final inspection of the building permit until all documentation has been deemed adequate by the Department of Conservation and Development.

9. After the initial occupancy of the inclusionary units, the Applicant shall submit to the Department of Conservation and Development a condition of approval compliance review application and fee along with an annual compliance review report for all inclusionary units and density bonus units. The report must include the name, unit number, household size, and income of each person occupying inclusionary units, identify the number of bedrooms and monthly rent or cost (including utility allowance) of each inclusionary unit, and the affordability restriction of the unit. Tenants in rental housing developments shall provide consent to the owners to allow these disclosures. **The annual compliance review report is due April 1**.

10. The Applicant is responsible for keeping the Department of Conservation and Development informed of the contact information of the owner or local designee who is responsible for maintenance and compliance with this permit and how they may be contacted (i.e., mailing and email addresses, and telephone number) at all times.

    A. Prior to CDD approval of a building or grading permit, whichever occurs first, and with the filing of a condition of approval compliance review application, the Applicant shall provide the name of the owner or local designee representing the owner of the property for permit

compliance and their contact information including phone number, e-mail address, and mailing address.

B. Should the contact subsequently change (e.g., new designee or owner), within 30 days of the change, the Applicant shall issue a letter to the Department of Conservation and Development with the project name, project address, name of the new party who has been assigned permit compliance responsibility and their contact information. Failure to satisfy this condition may result in the commencement of procedures to revoke the permit.

Arborist Report

Prepared For: Shakil Ali and Numair Ali
Property Address: 4301 Appian Way, El Sobrante, CA 94803
Date of Inspection: Friday, October 24th, 2025
Arborist: Aaron Sunshine, ISA Certified Arborist # WE-12959A
Purpose of Report: Tree inventory and map of property, including species, location, measurements, condition, and recommendations based on planned development of the site. This report is not a formal tree risk assessment.

Executive Summary:

This report details the inspection findings for 8 mature trees and 4 stumps located on the subject property: one deodar cedar (*Cedrus deodara*), three Douglas firs (*Pseudotsuga menziesii*), one citron (*Citrus medica*), one tree privet (*Ligustrum lucidum*), one common pear (*Pyrus communis*), one common fig (*Ficus carica*), two olives (*Olea europaea*), and two Northern California black walnut (*Juglans hindsii*). The two walnuts and two of the Douglas firs were previously felled due to hazardous conditions and were only stumps. Based on the site assessment and discussions with the client and project architect regarding planned development of the property, it is recommended that all eight remaining trees be removed. This recommendation is based on a combination of tree health, structural integrity, and proximity to planned structures.

Tree 1: Deodar Cedar (*Cedrus deodara*)

- **Location:** South corner of property in front of main building.
- **Coordinates:** 37.9689601, -122.3082426
- **Height:** Approx. 70 ft
- **DBH (Diameter at Breast Height):** 30 inches
- **Dripline Radius:** 30 ft
- **Condition:** Fair
- **Observations:** Main trunk splits into codominant stems at about 30 ft from the ground. Soil compaction is present around root flare and the root zone due to foot traffic and pavement. Limbs overhang roofline of current main building.
- **Recommendation:** Removal. The tree falls fully within the planned construction limits and the planned location of Unit 1 falls within the tree's dripline.

Tree 2: Douglas fir (*Pseudotsuga menziesii*)

- **Location:** Backyard behind main building, just north of garage.
- **Coordinates:** 37.9691206, -122.3085470
- **Height:** Approx. 80 ft
- **DBH (Diameter at Breast Height):** 32 inches
- **Dripline Radius:** 20 ft
- **Condition:** Fair
- **Observations:** Canopy shows some signs of dieback. Soil compaction is present around root flare and the root zone due to foot traffic and pavement.
- **Recommendation:** Removal. The tree falls fully within the planned construction limits and the planned locations of Units 4 and 5.

Tree 3: Citron (*Citrus medica*)

- **Location:** Backyard near chainlink fence.
- **Coordinates:** 37.9692041, -122.3085836
- **Height:** Approx. 18 ft
- **DBH (Diameter at Breast Height):** Numerous codominant stems converging well below breast height, average diameter 1.5 inches.
- **Dripline Radius:** 7 ft
- **Condition:** Fair
- **Observations:** Canopy shows some signs of dieback.
- **Recommendation:** Removal. The tree falls fully within the planned construction limits and planned hardscape for the fire department turnaround area.

Tree 4: Tree privet (*Ligustrum lucidum*)

- **Location:** Center of backyard.
- **Coordinates:** 37.9691917, -122.3086687
- **Height:** Approx. 20 ft
- **DBH (Diameter at Breast Height):** Numerous codominant stems converging well below breast height, average diameter 2 inches.
- **Dripline Radius:** 8 ft
- **Condition:** Good
- **Observations:** Tree 4 is growing up against Tree 5, with the stems almost fused.
- **Recommendation:** Removal. The tree falls fully within the planned construction limits and planned hardscape for the fire department turnaround area.

Tree 5: Common pear (*Pyrus communis*)

- **Location:** Center of backyard.
- **Coordinates:** 37.9691917, -122.3086687
- **Height:** Approx. 15 ft
- **DBH (Diameter at Breast Height):** 3x codominant stems, 4 inches, 5 inches, and 5 inches, respectively.
- **Dripline Radius:** 8 ft
- **Condition:** Fair
- **Observations:** Canopy shows some signs of dieback. Tree 5 is growing up against Tree 4, with the stems almost fused.
- **Recommendation:** Removal. The tree falls fully within the planned construction limits and planned hardscape for the fire department turnaround area.

Tree 6: Common fig (*Ficus carica*)

- **Location:** Center of backyard.
- **Coordinates:** 37.9692570, -122.3086734
- **Height:** Approx. 10 ft
- **DBH (Diameter at Breast Height):** Numerous codominant stems converging well below breast height, average diameter 1 inch.
- **Dripline Radius:** 6 ft
- **Condition:** Fair
- **Observations:** Canopy shows some signs of dieback.
- **Recommendation:** Removal. The tree falls fully within the planned construction limits and planned hardscape.

Tree 7: Olive (*Olea europaea*)

- **Location:** North corner of property.
- **Coordinates:** 37.9693423, -122.3086825
- **Height:** Approx. 40 ft
- **DBH (Diameter at Breast Height):** 4x codominant stems, 7 inches, 7 inches, 7 inches, and 11 inches, respectively.
- **Dripline Radius:** 20 ft
- **Condition:** Good
- **Observations:** None.
- **Recommendation:** Removal. The tree falls partially within the planned construction limits and its dripline partially overlaps the planned location of Unit 8. The tree is unlikely to survive grading and soil compaction even if tree protection

measures are implemented.

Tree 8: Olive (*Olea europaea*)

- **Location:** North corner of property.
- **Coordinates:** 37.9693767, -122.3087901
- **Height:** Approx. 40 ft
- **DBH (Diameter at Breast Height):** 5x codominant stems, 7 inches, 9 inches, 7 inches, 6 inches, and 10 inches, respectively.
- **Dripline Radius:** 20 ft
- **Condition:** Good
- **Observations:** None.
- **Recommendation:** Removal. The tree falls partially within the planned construction limits and its dripline partially overlaps the planned location of Unit 8. The tree is unlikely to survive grading and soil compaction even if tree protection measures are implemented.

Tree 9: Northern California black walnut (*Juglans hindsii*, but see Observations)

- **Location:** West edge of property.
- **Coordinates:** 37.9692554, -122.3089876
- **Height:** N/A
- **DBH (Diameter at Breast Height):** N/A, but stumps of 3x codominant stems measured 15 inches, 10 inches, and 17 inches, respectively.
- **Dripline Radius:** N/A
- **Condition:** Poor
- **Observations:** Only stump remains. Stump-sprouting shoots appear to be northern California black walnut (*Juglans hindsii*), but this species is frequently used as rootstock grafted to English walnut (*Juglans regia*).
- **Recommendation:** N/A, tree has already been removed.

Tree 10: Northern California black walnut (*Juglans hindsii*, but see Observations)

- **Location:** West edge of property.
- **Coordinates:** 37.9693339, -122.3089312
- **Height:** N/A
- **DBH (Diameter at Breast Height):** N/A, but stumps of codominant stems measured 13 inches and 8 inches, respectively.
- **Dripline Radius:** N/A

- **Condition:** Poor
- **Observations:** Only stump remains. Stump-sprouting shoots appear to be northern California black walnut (*Juglans hindsii*), but this species is frequently used as rootstock grafted to English walnut (*Juglans regia*).
- **Recommendation:** N/A, tree has already been removed.

Tree 11: Douglas fir (*Pseudotsuga menziesii*, but see Observations)

- **Location:** Northeast corner of main building.
- **Coordinates:** 37.9690867, -122.3082429
- **Height:** N/A
- **DBH (Diameter at Breast Height):** N/A, but stump measured 37 inches.
- **Dripline Radius:** N/A
- **Condition:** Dead
- **Observations:** Only stump remains and shows no sign of stump-sprouting. Cones scattered around stump are from Douglas fir (*Pseudotsuga menziesii*), so tree was most likely this species, but identification is tentative.
- **Recommendation:** N/A, tree has already been removed.

Tree 12: Douglas fir (*Pseudotsuga menziesii*, but see Observations)

- **Location:** Northwest corner of main building.
- **Coordinates:** 37.9691243, -122.3083489
- **Height:** N/A
- **DBH (Diameter at Breast Height):** N/A, but stump measured 34 inches.
- **Dripline Radius:** N/A
- **Condition:** Dead
- **Observations:** Only stump remains and shows no sign of stump-sprouting. Cones scattered around stump are from Douglas fir (*Pseudotsuga menziesii*), so tree was most likely this species, but identification is tentative.
- **Recommendation:** N/A, tree has already been removed.

Conclusion & Recommendation:

Based on the assessment, all eight remaining trees fall either partially or entirely within the construction limits and overlap with planned hardscape or structures. In alignment with the client's goals for long-term safety and property use, **the most appropriate action is the professional removal of all eight trees**. Removals should be conducted by a

licensed tree removal service following all applicable safety regulations and local laws.

If you have any questions or need further information, please feel free to contact me.

Best,

Aaron Sunshine
ISA Certified Arborist
WE-12959A
aaronsunshine@biomaas.com
310-467-9751

Photos:

Photo 1. Tree 1, Deodar Cedar (*Cedrus deodara*) at south corner of property in front of main building.



Photo 2. Tree 2, Douglas fir (*Pseudotsuga menziesii*), in backyard behind main building, just north of garage.



Photo 3. Trees 3 (left), 4 and 5 (center), and 6 (right) in backyard.



Photo 4. Trees 7 (right) and 8 (left), both olive (*Olea europaea*), at north corner of property.



GENERAL NOTES

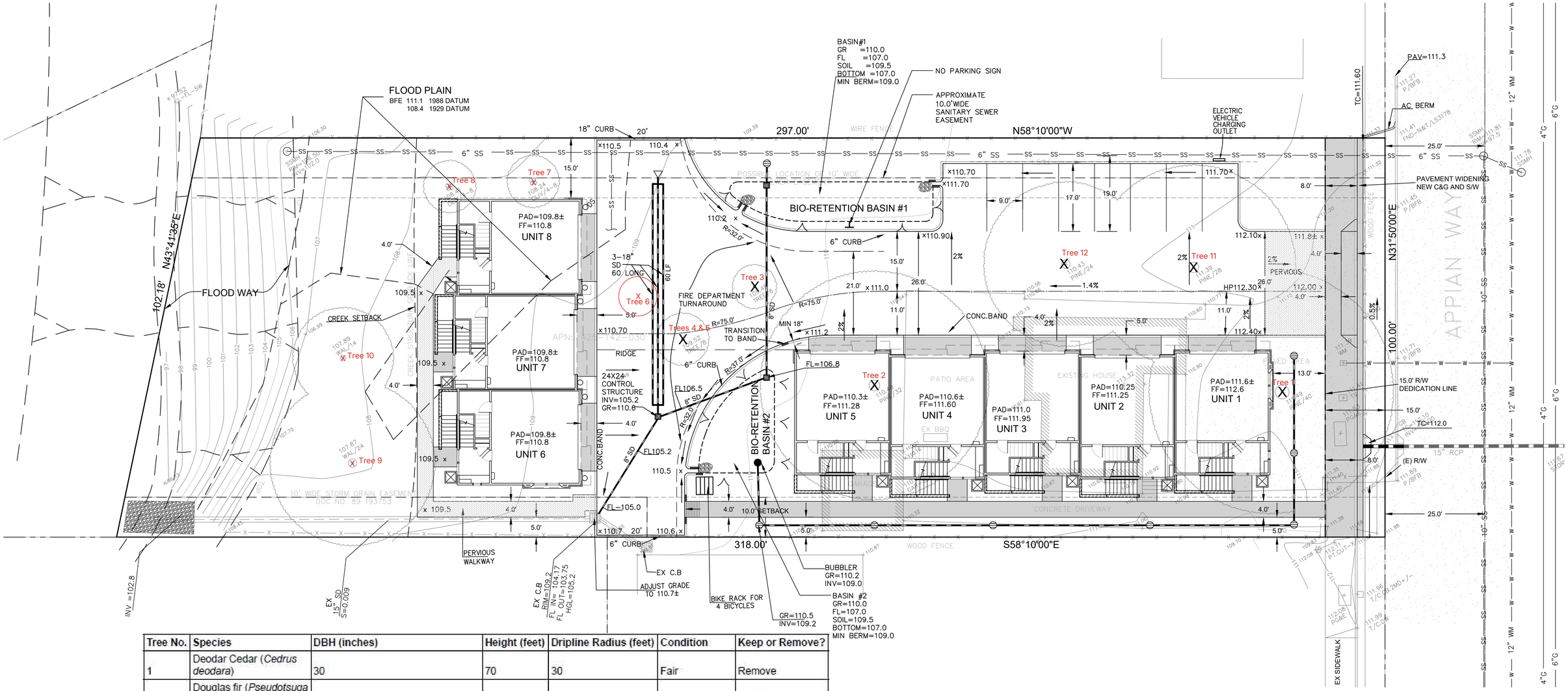
THE BOUNDARY AND TOPOGRAPHY SHOWN IS BASED UPON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY DEBOLT CIVIL ENGINEERING, DATED 11/08/2017, JOB NO. 17277. PROVIDED BY ARCHITECT, GARY WHEELER. ELEVATIONS HAVE BEEN ADJUSTED TO COUNTY DATUM USING BENCHMARK NO. 3197, BRASS TAG IN HEADWALL OF CONCREET BOX CULVERT ON APPIAN WAY APPROX. 200' NE OF SANTA RITA ROAD. BM ELEVATION = 110.58'.

EARTH QUANTITIES

APPROXIMATE EARTH QUANTITIES TO BE VERIFIED BY CONTRACTOR

CUT	200 ± CU. YDS.
FILL	750 ± CU. YDS.

NOTE: EARTH QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL COMPUTE QUANTITIES INDEPENDENTLY TO VERIFY. ENGINEER IS NOT RESPONSIBLE FOR DISCREPANCIES.



Tree No.	Species	DBH (inches)	Height (feet)	Dripline Radius (feet)	Condition	Keep or Remove?
1	Deodar Cedar (*Cedrus deodara*)	30	70	30	Fair	Remove
2	Douglas fir (*Pseudotsuga menziesii*)	32	80	20	Fair	Remove
3	Citron (*Citrus medica*)	Many codominant stems below breast height, average diameter 1.5	18	7	Fair	Remove
4	Tree privet (*Ligustrum lucidum*)	Many codominant stems below breast height, average diameter 2	20	8	Good	Remove
5	Common pear (*Pyrus communis*)	3x codominant stems, 4, 5, 5	15	8	Fair	Remove
6	Common fig (*Ficus carica*)	Many codominant stems below breast height, average diameter 1	10	6	Fair	Remove
7	Olive (*Olea europaea*)	4x codominant stems, 7, 7, 7, 11	40	20	Good	Remove
8	Olive (*Olea europaea*)	5x codominant stems, 7, 9, 7, 6, 10	40	20	Good	Remove
9	Northern California black walnut (*Juglans hindsii*)	N/A, codominant stem stumps 15, 10, 17	N/A	N/A	Poor	N/A (stump)
10	Northern California black walnut (*Juglans hindsii*)	N/A, codominant stem stumps 13, 8	N/A	N/A	Poor	N/A (stump)
11	Douglas fir (*Pseudotsuga menziesii*)	N/A, stump 37	N/A	N/A	Dead	N/A (stump)
12	Douglas fir (*Pseudotsuga menziesii*)	N/A, stump 34	N/A	N/A	Dead	N/A (stump)

LEGEND

WM	WATER METER
PG&E	PG&E UTILITY BOX
	STORM DRAIN LINE
SS	SANITARY SEWER LINE
W	WATER LINE
G	GAS LINE
X	FENCE
x742.6	EXISTING GRADE
	AREA DRAIN
	DRAIN INLET
	LIGHT
	RIP-RAP

0 10 20 30
(IN FEET)
1 inch = 10 ft.

BEFORE EXCAVATING CALL U.S.A.

OWNER AND/OR CONTRACTOR ARE RESPONSIBLE FOR LOCATION AND VERIFICATION OF ALL EXISTING UNDERGROUND UTILITIES. UNDERGROUND SERVICE ALERT (USA) SHOULD BE NOTIFIED FOR ASSISTANCE IN THIS MATTER AT (800) 227-2600, 48 HOURS PRIOR TO ANY CONSTRUCTION.
THE (USA) AUTHORIZATION NUMBER SHALL BE KEPT AT THE JOB SITE.
LOCATION AND CHARACTER OF ANY UTILITIES IF SHOWN HEREON ARE APPROXIMATE, AND TAKEN FROM A COMBINATION OF SURFACE STRUCTURE OBSERVATION AND/OR THE RECORDS OF THE CONTROLLING AGENCY. HUMANN COMPANY DOES NOT ASSUME RESPONSIBILITY FOR THE LOCATION OF ANY EXISTING UTILITIES OR OTHER UNDERGROUND FEATURES SUCH AS VAULTS, TANKS, BASEMENTS, BURIED OBJECTS, ...ETC.

DP 22-3021

NO.	DATE	BY	REVISIONS
1	10/29/24	KU	REVISION PER CCC MEMO

SCALE 1" = 10
DATE 11/19/2024
ENGINEER
JOB NO. 22026

REGISTERED PROFESSIONAL ENGINEER IZZAT S. NASHASHIBI No. 29528 CIVIL STATE OF CALIFORNIA

IZZAT S. NASHASHIBI R.C.E. 29528

PRELIMINARY GRADING AND DRAINAGE

LOT 54, "SANTA RITA ACRES, UNIT NO.1" (22M645)
4301 APPIAN WAY -- APN:425-142-030

EL SOBRANTE CALIFORNIA

HUMANN COMPANY INC.
ENGINEERING - SURVEYING
1021 BROWN AVE. LAFAYETTE, CA 94549
PH (925)283-5000 FAX (925)283-3578

SHEET 2
OF 2 SHEETS
JOB NO. 22026

J:\PROJ\22026\22026_GRAD-DR.DWG LAYOUT: GRAD-DR Tuesday, November 19, 2024 9:15:59 AM PLOT DATE: Tuesday, November 19, 2024 10:44:24 AM LAYOUT: GRAD-DR

ARCHAEOLOGICAL SURVEY REPORT

4301 APPIAN WAY, EL SOBRANTE



PREPARED BY:

DANIEL SHOUP, RPA

ARCHAEOLOGICAL/HISTORICAL CONSULTANTS

PREPARED FOR: NUMAIR ALI

313 SYCAMORE VALLEY ROAD W

DANVILLE, CA 94526

JANUARY 2024

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INTRODUCTION AND SUMMARY OF FINDINGS

The project at 4301 Appian Way in El Sobrante (APN 425-142-305) proposes to demolish the existing structures on the 0.71-acre parcel and construct new single-family homes. The parcel is currently developed with a single-family home built circa 1938.

To ensure that the project does not affect historical resources or unique archaeological resources as defined in the CEQA Guidelines, Archaeological/Historical Consultants reviewed archival sources and completed a pedestrian survey to assess the archaeological sensitivity of the project area.

The project area has a high sensitivity for buried Native American archaeological deposits. Archaeological testing and/or monitoring are recommended as mitigation measures in order to assure that the project does not cause a significant adverse effect to the integrity of a historical resource as defined at 14 CCR §15064.5.

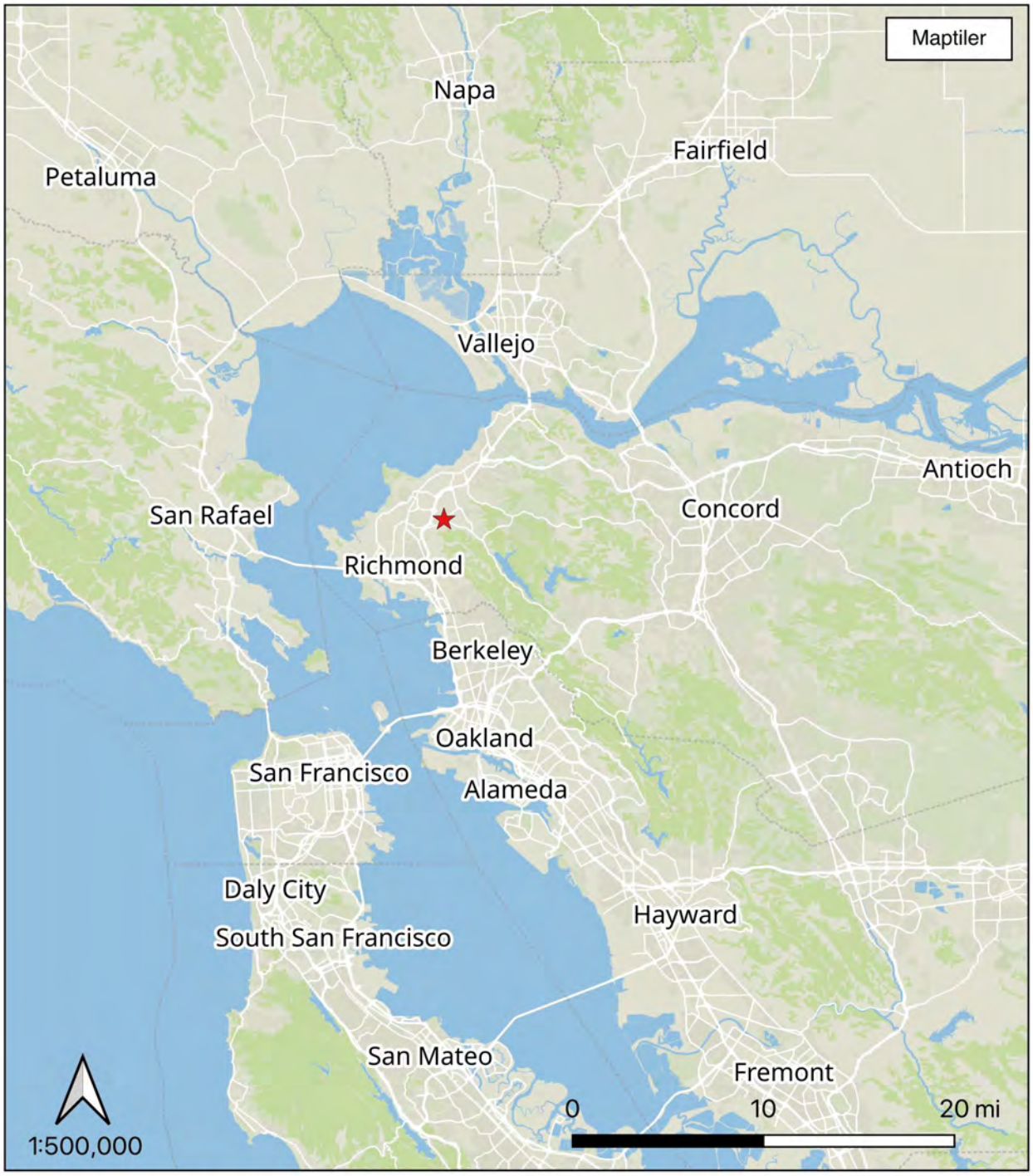


Figure 1: Project Location

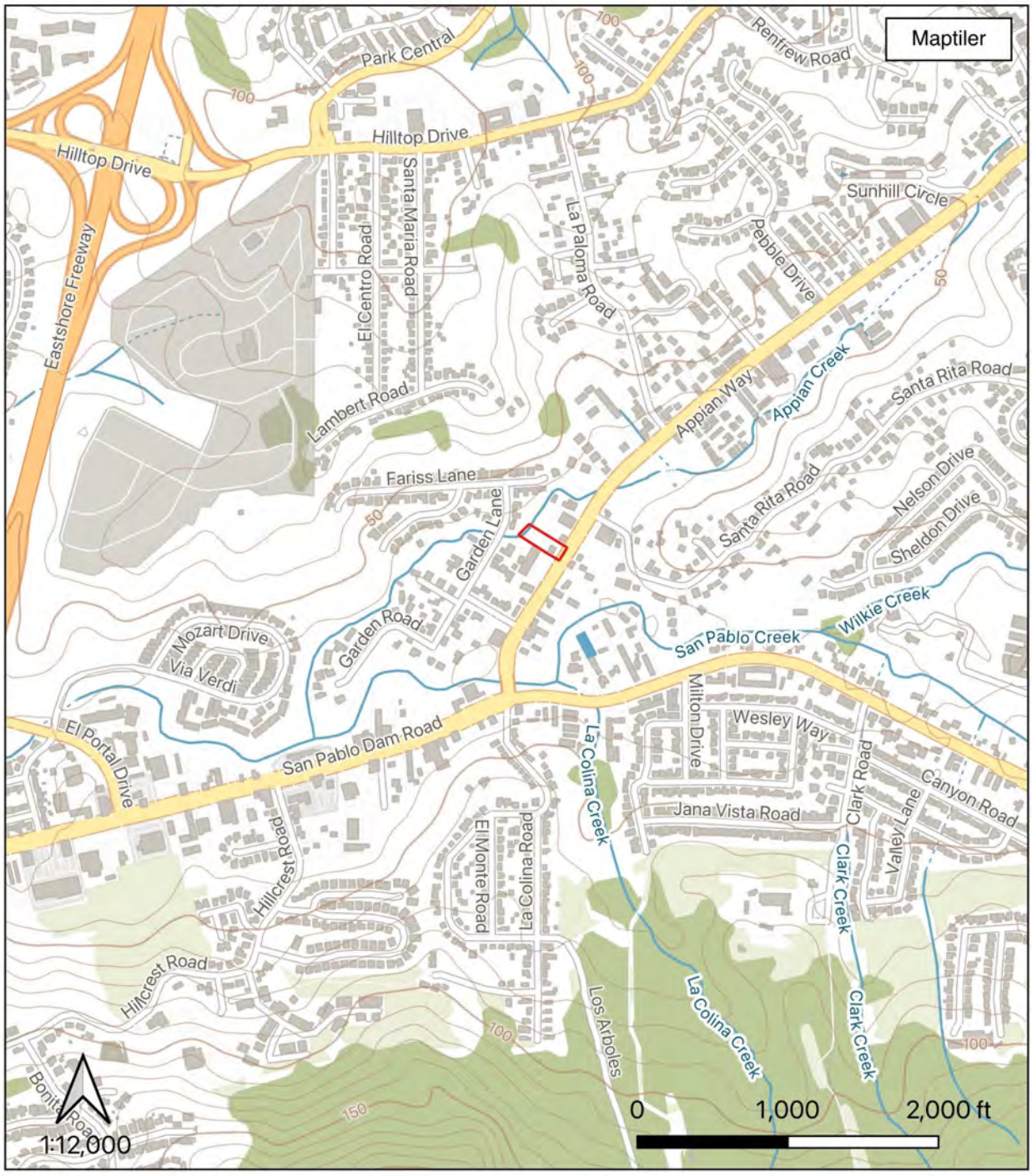


Figure 2: Project Vicinity



Figure 3: Project Area Limits Map

PREVIOUS STUDIES AND ARCHIVAL RESEARCH

RECORD SEARCH RESULTS

A record search for the project area and a ¼-mile radius around it was completed on January 17, 2024 (NWIC File No. 23-0807). No cultural resources were identified within the project area.

CULTURAL RESOURCES WITHIN ¼ MILE OF PROJECT AREA

Five cultural resources have been previously recorded within the search radius, including four Native American archaeological sites and one historic-period ranch property.

- P-07-000068 (CA-CCO-126) is located 1000 feet southeast of the project area on the south bank of San Pablo Creek. In 1950 Baumhoff recorded it as a Native American "occupation site" and neighbors noted the discovery of Native American artifacts. Far Western tested part of the recorded site area in 2018, leading to adjustments to the site boundary.
- P-07-000093 (CA-CCO-151) is a Native American shell midden site located on the north bank of San Pablo Creek, 800 feet southeast of the project area. Artifacts observed in 1949 included charmstones, projectile points, mica ornaments, pestles, and a mortar. A burial was also recorded in 1953.
- P-07-000097 (CA-CCO-155) is a 3-acre shell midden site 500 feet southwest of the project area. Artifacts observed in 1950 included chert and obsidian tools, bone tools, projectile points, and choppers; the site has never been excavated.
- P-07-000276 (CA-CCO-505) is a shell midden site located about 500 feet northeast of the project area. In 1950, burials and artifacts were recovered by the former owners, including a large mortar.
- P-07-000839, the Lu Farm Complex, is located at 4439 Appian Way. It consists of historic features associated with the former ranch on the property.

PREVIOUS STUDIES

The project area has not been previously surveyed in its entirety. In 1986, archaeological surveys for the Appian Way widening project examined part of the project area, but did not identify new resources (S-7131, Banks 1986a, 1986d). The property next door at 4247 Appian Way was surveyed in 1988 prior to development of the existing commercial building, but no resources were identified on the surface (Flynn 1988). Other nearby properties that have been previously surveyed include 4150 Appian Way (S-027935, Holson 2004), 4439 Appian Way (S-022273, Schneyder 1999), and 4441 Appian Way (S-031545, Pastron 2006). Please see Table 1 for a complete list of studies and resources identified.

Table 1: Reports within ¼ mile of the project area

S#	Reference	Title	Resources
S-007131	Banks 1985	An Archaeological Reconnaissance of the Appian Way Widening Project: Phase II, El Sobrante, Contra Costa County, California.	07-000097, 07-000276
S-007131	Banks 1986a	Subsurface Archaeological Investigations for the Appian Way Widening Project, El Sobrante, Contra Costa County, California	
S-007131	Banks 1986b	Historic Property Survey Report for Appian Way Road Widening and Improvement Project	
S-007131	Banks 1986c	Historic Structures Survey Report for Appian Way Road Widening and Improvement Project	
S-007131	Banks 1986d	Subsurface Archaeological Investigations for the Appian Way Widening Project, El Sobrante, Contra Costa County, California (Revised)	
S-011534	Flynn 1988	Archaeological survey of property located at 4247 Appian Way, El Sobrante, Contra Costa County (letter report)	
S-001999	Baldrica 1980	An Archaeological Survey of the Kraus Property, Contra Costa County, California.	
S-006577	Baker 1984	Archaeological Reconnaissance of the El Sobrante Condominiums Development, Contra Costa County, California	
S-006592	Banks 1984	An Archaeological Reconnaissance of the Appian Way Widening Project, El Sobrante, Contra Costa County, California.	
S-007988	Orlins 1986	A Cultural Resource Investigation for the San Pablo Dam Road Widening Project, El Sobrante, Contra Costa County, California.	07-000068
S-008100	Baker 1986	Archaeological Reconnaissance of the Tyson Property, Parcel #425-170-025, El Sobrante, Contra Costa County.	
S-008852	Miller and Baker 1986	Archaeological Reconnaissance of the El Sobrante Partnership Property, El Sobrante, California	
S-009687	Flynn 1987	Archaeological survey of lot at 4221 San Pablo Dam Rd., El Sobrante, Contra Costa County (Co. File No. 3027-87, APN 425-160-008)	
S-010228	Wood 1988	The Archaeological Monitoring of Excavations for Three Electrical Vaults on Appian Way, El Sobrante, Contra Costa County, California	
S-011533	Flynn 1988	Archaeological evaluation of 4158 Santa Rita Road, El Sobrante, Contra Costa Co., Subdivision MS 7-88 (letter report)	
S-012297	Flynn 1991	Archaeological evaluation of 4201 Garden Lane, El Sobrante, Contra Costa Co., Project No. MS 192-90 (letter report)	
S-022273	Schneyder 1999	A Cultural Resources Study of 4439 Appian Way (APN# 425-110-021), El Sobrante, Contra Costa County, California	07-000839
S-027935	Holson 2004	Archaeological Survey and Record Search Results for 4150 Appian Way, El Sobrante (APN 425-170-030) (letter report)	
S-031545	Pastron 2006	Phase II - Cultural Resources Evaluation of an Approximately 1.2-acre Parcel Located at 4441 Appian Way, City of El Sobrante, Contra Costa County, California (letter report)	07-000276
S-044169	DeGeorgey and Snyder 2013	Cultural Resources Constraints Report: Santa Rita and Penny GPRP ED El Sobrante	
S-051734	Whitaker 2018	Historic Property Survey Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California, 4-CCO-HSIPL-5928(133)	07-000068
S-051734	Whitaker et al. 2018	Archaeological Survey Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California	
S-051734	Parker et al. 2018	Extended Phase I Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California	

Please see Appendix 1 for complete record search results.

SACRED LANDS FILE SEARCH

On December 15, 2023, the Native American Heritage Commission (NAHC) completed a search of its Sacred Lands File for information about Native American sacred sites and tribal cultural resources in the project vicinity. The search was positive, and the NAHC recommended contacting tribes on their contact list for Contra Costa County for additional information.

Please see Appendix 2 for search results and contact list.

BACKGROUND

SETTING AND ENVIRONMENT

The project area totals 0.71 acres and is approximately 100 feet above sea level. It slopes gently downward from Appian Way northwest toward Appian Creek. Site soils are alluvium laid down in the Holocene era, classified by the USDA as part of the Cropley Complex, a clayey bottomland soil (Witter et al. 2006; USDA 2023). The project area lies between San Pablo Creek, 360 feet (110 meters) to the southeast, and Appian Creek, which flows along the northwest edge of the project area.

In the early historic era, the environment of the project area was oak woodland, with grassland alternating with groves of coast live oak, buckeye, and bay laurel. Underneath and between the oak groves was low herbaceous vegetation characterized by native grasses and wildflowers. The dense woodlands were very beautiful, and settlers often compared their appearance to parks or orchards. This park-like environment was likely a reflection of Native American forest management practices, which often used fire to remove understory plants allowing space for trees and meadows to flourish. (Golla 2007; Beller et al. 2010: 46, 52-53).

NATIVE AMERICAN SETTLEMENTS

At the time of Spanish contact, the Huchiun people inhabited the project area. They spoke the Chochenyo dialect of the Ohlone/Costanoan language, which was used along the eastern, western, and southern shores of San Francisco Bay prior to 1770. Though there were significant differences among Ohlone/Costanoan dialects, they were likely to have been mutually intelligible (Milliken et al. 2007:33). Ohlone, which is closely related to the Miwok languages, is a branch of the Yok-Utian subfamily of the Penutian languages that are spoken in Central California and along the Pacific Coast as far as southeast Alaska. Penutian speakers likely entered central California from the northern Great Basin around 4000-4500 years ago and arrived in the San Francisco Bay Area about 1500 years ago, displacing speakers of Hokan languages (Golla 2007:74).

Ohlone society was organized in independent local tribes of 200-400 people, living in several semi-permanent villages, that controlled fixed territories averaging 10 to 12 miles in diameter (Milliken *et al.* 2007). Shoup and Milliken (1999:8) note that local tribes: were clusters of unrelated family groups that formed cooperative communities for ceremonial festivals, for group harvesting efforts, and – most importantly – for interfamily conflict resolution." Hereditary village leaders, who could be male or female, played an important role in conflict resolution, receiving guests, directing ceremonies, organizing food-gathering expeditions, and leading war parties but did not otherwise exercise direct authority (Levy 1978:487). Despite their autonomy, intermarriage between local tribes appears to have been frequent (Milliken 1995:22-24).

Huichun territory appears to have extended from Temescal Creek in present-day Oakland northward along the bay shore to San Pablo Bay. In prehistory, the San Francisco Bay region was densely populated compared to most hunter-gatherer societies. Milliken et al. (2007:64-65) estimate a population density for the East Bay shore at 5-6 people per square mile and a Huichun population of

approximately 779 around the time of Spanish contact. Much of this population was concentrated along San Pablo and Wildcat Creeks.

THE HISTORIC ERA

FIRST CONTACT AND MISSIONIZATION

The first direct Spanish contact with the Huchiun seems to have been the expedition of 1792 led by Pedro Fages. In March 1772, the expedition came to a village on the southeast shore of San Pablo Bay, perhaps in the Wildcat Creek/San Pablo Creek vicinity, where they experienced a warm welcome with an exchange of gifts (Milliken 1995:36-37). Father Juan Crespí, a diarist with the expedition, noted:

> We found a good village of heathen, very fair and bearded, who did not know what to do, they were so happy to see us in their village. They gave us many cacomites, amoles, and two dead geese, dried and stuffed with grass…We returned the gift with beads, for which they were very grateful, and some of them went with us to another village near by (Crespí [1772] 1927:291, quoted in Milliken 1995:37).

When the Spanish ship *San Carlos* came to San Pablo Bay in 1775, a group of Huchiun men visited the boat and carried out an elaborate exchange of courtesies between the two groups (Milliken 1995:47-49). In April 1776 the Juan Bautista de Anza expedition passed through Huchiun territory, stopping at a large village somewhere north of San Pablo Creek, where they were welcomed with singing and dancing and an exchange of gifts (Milliken 1995:55). At this village they encountered 23 men and seven women, with the rest "in the woods hunting for tule, herbs, and roots they eat" (Font 1930:364, quoted in Holson *et al.* 2000:19).

Mission Dolores was founded in San Francisco in 1776. Sometime between 1776 and 1787 a few Huchiun people appear to have gone to the mission, but the first large groups came in the fall of 1794. Mission records indicate that there were approximately 384 Huchiun converts, as well as 95 from an apparently mixed group of Huchiun and Aguastos (Milliken 1995:243). However, dismal conditions at the Mission – including abusive treatment by the priests, hunger, disease, and overwork – led to extensive resistance followed by Spanish military reprisals. A massive flight of converts from the mission took place in 1795 and led to the end of voluntary conversions (Milliken 1995:142-146). In 1797 Spanish military actions against native villages in the east bay included attacks on three Huchiun villages near San Pablo Bay and the capture of numerous Huchiun resisters. Such resistance was quelled by 1801 (Milliken 1995:158-160,170). The last unmissionized Huchiun went to San Francisco between 1801 and 1805 (Milliken et al. 2007:107).

Missionization was a disaster for the native people of the San Francisco Bay area. European diseases ran rampant, with death tolls reaching 8% per year, higher among women and children, and Mission livestock grazing began to degrade the local environment, impacting the availability of traditional food resources for those Native Americans who remained outside the Mission system; by 1810 traditional cultures were collapsing throughout coastal and central California (Milliken 1995:221).

RANCHO SAN PABLO IN THE SPANISH AND MEXICAN PERIODS (1800-1848)

Mission Dolores established a cattle station on San Pablo Creek by 1820 (or perhaps earlier). The area, called "San Ysidro del los Juchiunes" saw at least nine births and five deaths of Mission Dolores Indian families between 1820 and 1823 (Milliken et al. 2007:123). Living quarters and a storehouse, probably made of adobe, were built sometime between 1817 and 1823 (Hendry and Bowman 1940:488). These structures were probably located about two miles west of the project area in present day San Pablo (Banks and Orlins 1979:5.2).

In 1823, Mission Dolores agreed to give up the San Pablo outstation, which was transferred to Francisco María Castro as part of the Rancho Cochiyumes or Rancho San Pablo land grant. Rancho San Pablo included four square leagues (almost 18,000 acres), including present-day Richmond, San Pablo, and Kensington. The project area is at the eastern edge of the grant. Francisco Castro (1775-1831) had arrived in California as a boy with the Anza expedition, served as an artillery corporal at the Presidio of San Francisco, and lived at the Pueblo de San José from 1796 to 1824, serving as alcalde and in other offices. Castro and his wife, María Gabriela Berryessa de Castro, lived at the ranch from 1826 and continued cattle operations there (Hendry and Bowman 1940:489; Hoover et al. 1966:54). It is unknown whether any of the Indian families who worked on the rancho prior to 1823 remained.

After Castro's death, the land was divided between his widow and 11 children. The Rancho San Pablo grant was confirmed to Castro's heirs by the Mexican government in 1834 and patented by the United States government in 1852 (Hoover *et al* 1966:54; Beck and Haase 1974:section 30). None of the adobe buildings constructed by the Castros were located near the project area (Hendry and Bowman 1940).

THE AMERICAN PERIOD (1849-1950)

When California joined the Union in 1850, the extended Castro family had to defend their land against American squatters who occupied large tracts of the rancho. Although rights to the rancho were collectively held, some Castro family members sold specific lots to American newcomers, creating uncertainty about land title in the area that culminated in the *Emeric vs. Alvarado* case, involving hundreds of claimants and settled by the California Supreme Court in 1889, with a final partition decision in 1894 (California Superior Court 1894).

Though Appian Way was established in its current alignment by 1894, the part of Rancho San Pablo that lies within today's El Sobrante remained largely undeveloped until 1916 (Sandow 1894; McMahon 1908). That year, the People's Water Company began constructing San Pablo Dam and the adjoining San Pablo Dam Road (Emanuels 1986). At that time there was only one house at the junction of Appian Way and San Pablo Dam Road, with no development along Appian Way (USGS 1915). The East Bay Municipal Utility District (EBMUD) took over San Pablo Dam in 1923. The advent of World War II saw a huge population boom in western Contra Costa County, as workers flocked from around the country to new jobs at the Kaiser Richmond shipyards. El Sobrante's population grew from 100 in 1937 to 1800 in 1944. A cluster of commercial buildings developed along Appian Way after the war, including a new fire station, movie theater, post office, and library. The area, however, retained its rural character: Appian Way remained unpaved in the 1950s (Emanuels 1986:153; El Sobrante Historical Society 2018). Suburban development in the late 20th century increased the population of El Sobrante to over 12,000 by 2000.

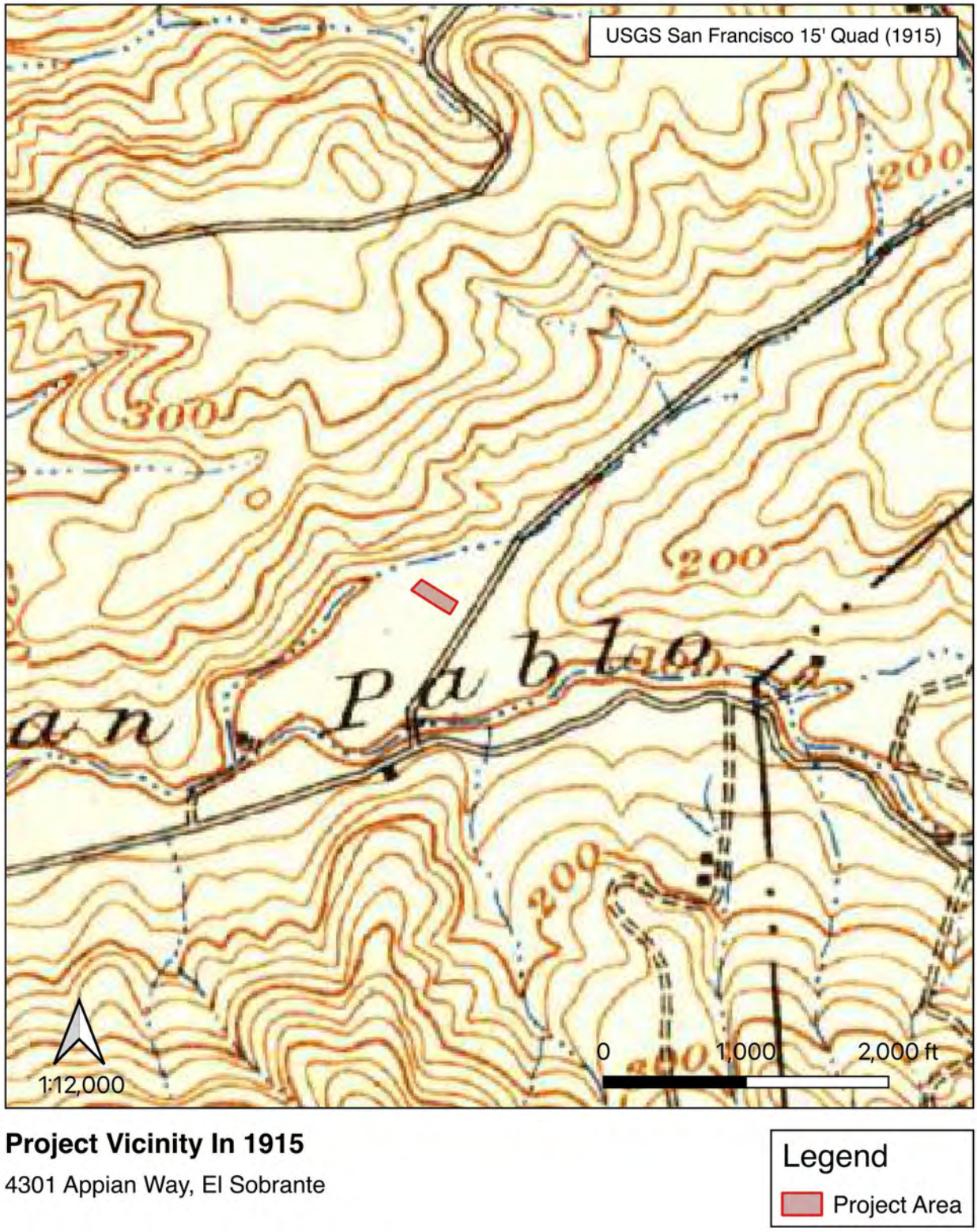


Figure 4: Project Vicinity in 1915

LAND USE IN THE PROJECT AREA

As noted above, members of the Castro family sold parts of the undivided rancho to American newcomers after 1852. In the 1880s, the project area was part of a 336-acre property owned by Linder and McGee. Reynold Linder was an agricultural products salesman in San Pablo (Contra Costa Assessor 1883, 1887; Martinez News-Gazette 1879). No information was available on McGee or on land use in the project area.

At the final partition of Rancho San Pablo in 1894, the project area was part of a 426-acre tract owned by Theodore Hittell (Sandow 1894). Hittell (1830-1917) was a native of Ohio who arrived in California in 1855 and was a reporter, land use lawyer, state senator, author, and historian of California (Dickey et al. 1918). His residence was in San Francisco, and the El Sobrante parcel was one of many properties he owned; no evidence was found of his direct connection to the project area. Hittell owned the project area until at least 1908. By 1924, however, it was part of the Jack McMahon dairy ranch. McMahon (1871-1924) was a rancher from Ireland who operated the Varsity Creamery Company (Richmond Independent 1914). He may have been in partnership with George Mulligin; a 1930 county map shows the project area as part of a 425-acre tract owned by Mulligin and McMahon (Martinez News Gazette 1924; Arnold 1930).

Appian Way began to be subdivided in the 1930s and was part of the Santa Rita Acres subdivision by 1938 (Arnold 1938). The current house on the property was constructed circa 1939. Appian Way was paved in 1953, and was widened in the late 1980s (Emanuels 1986:153).

ARCHAEOLOGICAL SURVEY

METHODS AND CONSTRAINTS

Alexi Atteberry surveyed the area of potential effect (APE) at 4301 Appian Way on December 28, 2023. Mr. Atteberry is a qualified archaeologist with nearly 10 years of experience in California archaeology. The project area was surveyed in approximately 10-meter transects. The majority of ground surface within the project area was unpaved and soil exposure using a hand trowel was conducted throughout the transects.



Figure 5: clockwise from left: overview from southeast corner of project area, looking northwest; soil exposure in the northeast corner; overview of western part of parcel, looking west; soil exposure in the northwest area.

RESULTS

Ground visibility of was good, except for the southeast part of the property, where a single-family home and driveway are located. Most of the project area is covered with grass and small trees, with moderate obstruction of view near the creek due to a heavy growth of English ivy *(Hedera helix)*. Due to significant rainfall prior to survey, observed soils fell within range of damp to wet, affecting the Munsell color reading. Throughout the project area, the soil type was observed as a loam with rock inclusions ranging from 10% in the majority of the survey area to approximately 20% in the west-northwest part of the property near the creek bank. In the northeast corner the soil color was a very dark grayish brown (Munsell 10YR 3/2) with low moisture, transitioning to a very dark brown (Munsell 10YR 2/2) loam with increased moisture in the northwest; and finally a black (Munsell 10YR 2/1) loam in the southwest area.



Figure 6: at left, overview from the northwest corner, looking southeast; at right, soil exposure in the center of the project area.

Observed materials throughout the project area include brick fragments and other building debris such as nails and wood, as well as modern refuse near the creek. No cultural material from the historic or prehistoric periods was observed throughout the project area.

ARCHAEOLOGICAL SENSITIVITY

NATIVE AMERICAN ARCHAEOLOGICAL SITE SENSITIVITY

Archaeological sites are most often found in flat locations with access to a perennial source of fresh water. Soils deposited during the Holocene era (since 11,700 years ago), especially young alluvium from the last 2,000-3,000 years, are more likely to contain buried archaeological deposits. Native American sites are most often found within ½-mile of major and ¼-mile of minor watercourses, and within 500 feet of shorelines (Meyer and Kaijankoski 2017).

The project is mostly flat, located on Holocene-era alluvial soils, and is adjacent to two perennial watercourses. The vicinity is known to have had a dense pre-contact Native American population, and four Native American archaeological sites are located within ¼ mile of the project area. The project area thus appears to have a high sensitivity for buried Native American archaeological resources.

HISTORIC-PERIOD ARCHAEOLOGICAL SITE SENSITIVITY

Several factors can be used to infer an area's sensitivity for buried historic-period archaeological resources (Caltrans 2007). These include surface scatters of artifacts, documentary sources (historic maps, deeds, or photographs), standing buildings or structures that suggest patterns of land use (homes, barns, ponds, fences, industrial facilities), and ecological or landscape features (steep hills, bodies of water, wetlands).

Historical research did not identify any development on the project area prior to 1939. Before that, it was likely used intermittently for cattle grazing. While trash deposits associated with the current residence may be present on the project area, they are unlikely to have sufficient information potential to make them eligible to the California Register of Historical Resources. The project area thus has a low sensitivity for buried historic-period archaeological deposits.

RECOMMENDATIONS

The project area has a high sensitivity for buried Native American archaeological deposits, and is located within 1000 feet of four shell midden sites (CA-CCO-126, CA-CCO-151, CA-CCO-155, and CA-CCO-505), three of which are known to contain burials. To ensure that the project does not cause substantial adverse impacts to historical resources as defined at 14 CCR §15064.5, we recommend the following mitigation measures:

1. Prior to any ground-disturbing activity, construction crews should receive a cultural resources training from a qualified archaeologist. The training should review the types of cultural resources that might be found, the legal obligations of the contractors, and steps to follow if archaeological materials or human remains are identified.
2. Prior to issuance of a building permit, a qualified archaeologist should design a subsurface testing program to assess the presence or absence of buried archaeological sites in the project area. Mechanical trenching of a representative sample of the project area to the level of potential ground disturbance or four feet, whichever is greater, should be completed in order to evaluate the presence and depth of possible cultural soils. Mechanical trenching may be supplemented by hand augering or other sampling strategies as needed. All mechanical excavations should be monitored by a qualified archaeologist and representative of the Native American community. If cultural resources are identified, it may be necessary to collect additional data to evaluate the significance of the resource.
3. Should subsurface testing not prove feasible, ground-disturbing activity on the project area should be monitored by a qualified archaeologist and representative of the Native American community until sufficient information has been gathered to demonstrate the presence or absence of archaeological resources within the area that will be disturbed by the proposed project.
4. If human remains are found during monitoring, the monitor will stop all activity within a 100-foot radius, and the Contra Costa County Coroner will be informed. If the remains appear to be Native American, the Native American Heritage Commission will be notified and invited to identify a Most Likely Descendant, who will make recommendations regarding reburial of the human remains, per §15064.5(e) of the CEQA Guidelines.

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APPENDIX 1: NWIC RECORD SEARCH

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

ALAMEDA, COLUSA, CONTRA COSTA, DEL NORTE, HUMBOLDT, LAKE, MARIN, MENDOCINO, MONTEREY, NAPA, SAN BENITO, SAN FRANCISCO, SAN MATEO, SANTA CLARA, SANTA CRUZ, SOLANO, SONOMA, YOLO

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

1/17/2024 NWIC File No.: 23-0807

Daniel Shoup
Archaeological/Historical Consultants
609 Aileen Street
Oakland, CA 94609

Re: 23-64 4301 Appian Way

The Northwest Information Center received your record search request for the project area referenced above, located on the Richmond USGS 7.5' quad(s). The following reflects the results of the records search for the project area and a ¼ mi. radius:

Resources within project area:	None listed
Resources within ¼ mi. radius:	P-07-000068, P-07-000093, P-07-000097, P-07-000276, P-07-000839
Reports within project area:	S-7131, 11534
Reports within ¼ mi. radius:	[15] Please see attached list, page 3

Resource Database Printout (list):	☐ enclosed	☒ not requested	☐ nothing listed
Resource Database Printout (details):	☒ enclosed	☐ not requested	☐ nothing listed
Resource Digital Database Records:	☐ enclosed	☒ not requested	☐ nothing listed
Report Database Printout (list):	☐ enclosed	☒ not requested	☐ nothing listed
Report Database Printout (details):	☒ enclosed	☐ not requested	☐ nothing listed
Report Digital Database Records:	☒ enclosed	☐ not requested	☐ nothing listed
Resource Record Copies:	☒ enclosed	☐ not requested	☐ nothing listed
Report Copies:	☐ enclosed	☒ not requested	☐ nothing listed
OHP Built Environment Resources Directory:	☐ enclosed	☒ not requested	☐ nothing listed
Archaeological Determinations of Eligibility:	☐ enclosed	☒ not requested	☐ nothing listed
CA Inventory of Historic Resources (1976):	☐ enclosed	☒ not requested	☐ nothing listed
GLO and/or Rancho Plat Maps:	☐ enclosed	☒ not requested	☐ nothing listed
Historical Maps:	☐ enclosed	☒ not requested	☐ nothing listed

Local Inventories:	☐ enclosed	☒ not requested	☐ nothing listed
Caltrans Bridge Survey:	☐ enclosed	☒ not requested	☐ nothing listed
Ethnographic Information:	☐ enclosed	☒ not requested	☐ nothing listed
Historical Literature:	☐ enclosed	☒ not requested	☐ nothing listed
Shipwreck Inventory:	☐ enclosed	☒ not requested	☐ nothing listed

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

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

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System (CHRIS).

Sincerely,

Annette Neal

Researcher

Reports In 1/4 mi. Buffer

DocCo	DocNo
S-	001999
S-	006577
S-	006592
S-	007988
S-	008100
S-	008852
S-	009687
S-	010228
S-	011533
S-	012297
S-	022273
S-	027935
S-	031545
S-	044169
S-	051734

Resource Detail: P-07-000068

Identifying information

Primary No.: P-07-000068
Trinomial: CA-CCO-000126
Name: [none]
Other IDs:

Type	*Name*
Resource Name	[none]

Cross-refs:

Attributes

Resource type: Site
Age: Prehistoric
Information base: Testing, Other
Attribute codes: AP15 (Habitation debris)
Disclosure: Not for publication
Collections: Yes
Accession no(s):
Facility: Nelson (a neighbor)

General notes

Recording events

	Date	*Recorder(s)*	*Affiliation*	*Notes*
a	2/4/1950	Baumhoff	University of California	
b	7/26/2018	John Berg	Far Western Anthropological Research Group	

Associated reports

Report No.	*Year*	*Title*	*Affiliation*
S-007988	1986	A Cultural Resource Investigation for the San Pablo Dam Road Widening Project, El Sobrante, Contra Costa County, California.	California Archaeological Consultants, Inc.
S-051734	2018	Historic Property Survey Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California, 4-CCO-HSIPL-5928(133)	Far Western Anthropological Research Group, Inc.
S-053807	1978	Phase I Study of Identified Cultural Resources Within the Impact Area of the East Bay Municipal Utilities District Subregional Water Reclamation Study Projects Area	Ann S. Peak & Associates

Location information

County: Contra Costa
USGS quad(s): Richmond
Address:
PLSS:
UTMs: Zone 10 561450mE 4202170mN NAD27

Management status

Database record metadata

	Date	*User*	
Entered:	4/1/2005	icrds	
Last modified:	2/4/2020	hagell	
IC actions:	*Date*	*User*	*Action taken*
	3/1/2019	murazzoj	Adjusted site boundary slightly. Location and general shape are consistent.
	4/1/2005	jay	Appended records from discontinued ICRDS.
	2/28/2019	akmenkalnsj	Verified

Record status: Verified

Resource Detail: P-07-000093

Identifying information

Primary No.: P-07-000093
Trinomial: CA-CCO-000151
Name: [none]

Other IDs:	*Type*	*Name*
	Resource Name	[none]

Cross-refs:

Attributes

Resource type: Site
Age: Prehistoric
Information base: Survey, Excavation, Other
Attribute codes: AP15 (Habitation debris)
Disclosure: Not for publication
Collections: Yes
Accession no(s): 44, 313
Facility: UCAS

General notes

Recording events

Date	*Recorder(s)*	*Affiliation*	*Notes*
10/28/1949	T. Meighan, B. Squire, A. Pilling	[none]	

Associated reports

Report No.	*Year*	*Title*	*Affiliation*
S-002458	1981	Overview of Prehistoric Archaeology for the Northwest Region, California Archaeological Sites Survey: Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa, Marin, Contra Costa, Alameda	Northwest Regional Office, California Archaeological Sites Survey, Anthropological Studies Center, Sonoma State University
S-049780	2017	San Francisco Bay-Delta Regional Context and Research Design for Native American Archaeological Resources, Caltrans District 4	California Department of Transportation, District 4
S-053807	1978	Phase I Study of Identified Cultural Resources Within the Impact Area of the East Bay Municipal Utilities District Subregional Water Reclamation Study Projects Area	Ann S. Peak & Associates

Location information

County: Contra Costa
USGS quad(s): Richmond
Address:
PLSS:
UTMs: Zone 10 561150mE 4202300mN NAD27

Management status

Database record metadata

	Date	*User*	
Entered:	4/1/2005	icrds	
Last modified:	2/4/2020	hagell	
IC actions:	*Date*	*User*	*Action taken*
	4/1/2005	jay	Appended records from discontinued ICRDS.

Record status: Verified

Resource Detail: P-07-000097

Identifying information

Primary No.: P-07-000097
Trinomial: CA-CCO-000155
Name: El Sobrante Library Site
Other IDs:

Type	*Name*
Resource Name	El Sobrante Library Site

Cross-refs:

Attributes

Resource type: Site
Age: Prehistoric
Information base: Survey
Attribute codes: AP15 (Habitation debris)
Disclosure: Not for publication
Collections: No
Accession no(s):
Facility:

General notes

Recording events

	Date	*Recorder(s)*	*Affiliation*	*Notes*
a	3/25/1950	T. Bolt	[none]	
b	2/21/1985	Peter Banks	[none]	

Associated reports

Report No.	*Year*	*Title*	*Affiliation*
S-007131	1985	An Archaeological Reconnaissance of the Appian Way Widening Project: Phase II, El Sobrante, Contra Costa County, California.	California Archaeological Consultants, Inc.
S-008186		VOIDED S# - additional citation 'a' of S-7131.	
S-053807	1978	Phase I Study of Identified Cultural Resources Within the Impact Area of the East Bay Municipal Utilities District Subregional Water Reclamation Study Projects Area	Ann S. Peak & Associates

Location information

County: Contra Costa
USGS quad(s): Richmond
Address:
PLSS:
UTMs: Zone 10 560700mE 4202220mN NAD27

Management status

Database record metadata

	Date	*User*	
Entered:	4/1/2005	icrds	
Last modified:	2/4/2020	hagell	
IC actions:	*Date*	*User*	*Action taken*
	2/17/2017	moored	Updated GIS, remapped into approximate
	4/1/2005	jay	Appended records from discontinued ICRDS.

Record status: Verified

Resource Detail: P-07-000276

Identifying information

Primary No.: P-07-000276
Trinomial: CA-CCO-000505
Name: The Pinella Site
Other IDs:

Type	*Name*
Resource Name	The Pinella Site

Cross-refs:

Attributes

Resource type: Site
Age: Prehistoric
Information base: Survey, Other
Attribute codes: AP15 (Habitation debris)
Disclosure: Not for publication
Collections: Unknown
Accession no(s):
Facility:

General notes

Recording events

Date	*Recorder(s)*	*Affiliation*	*Notes*
2/24/1985	Peter Banks	California Archaeological Consultants, Inc.	

Associated reports

Report No.	*Year*	*Title*	*Affiliation*
S-007131	1985	An Archaeological Reconnaissance of the Appian Way Widening Project: Phase II, El Sobrante, Contra Costa County, California.	California Archaeological Consultants, Inc.
S-008186		VOIDED S# - additional citation 'a' of S-7131.	
S-031545	2006	Phase II - Cultural Resources Evaluation of an Approximately 1.2-acre Parcel Located at 4441 Appian Way, City of El Sobrante, Contra Costa County, California (letter report)	Archeo-Tec

Location information

County: Contra Costa
USGS quad(s): Richmond
Address:
PLSS:
UTMs: Zone 10 556940mE 4202580mN NAD27

Management status

Database record metadata

	Date	*User*	
Entered:	4/1/2005	icrds	
Last modified:	7/6/2017	hagell	
IC actions:	*Date*	*User*	*Action taken*
	4/1/2005	jay	Appended records from discontinued ICRDS.
	7/6/2017	hagell	added affiliation
	1/11/2016	poskar	Shape moved to Res Approx because the site boundary is not defined.

Record status: Verified

Resource Detail: P-07-000839

Identifying information

Primary No.: P-07-000839
Trinomial:
Name: Lu Farm Complex
Other IDs:

Type	*Name*
Resource Name	Lu Farm Complex
Other	4439 Appian Way

Cross-refs:

Attributes

Resource type: Building, Structure
Age: Historic
Information base: Survey
Attribute codes: HP33 (Farm/ranch)
Disclosure: Not for publication
Collections: No
Accession no(s):
Facility:

General notes

Recording events

	Date	*Recorder(s)*	*Affiliation*	*Notes*
a	10/20/1999	Mike Newland, Stacy Schneyder, Noelle Storey	Anthropological Studies Center, Sonoma State University	

Associated reports

Report No.	*Year*	*Title*	*Affiliation*
S-022273	1999	A Cultural Resources Study of 4439 Appian Way (APN# 425-110-021), El Sobrante, Contra Costa County, California	Anthropological Studies Center, Sonoma State University

Location information

County: Contra Costa
USGS quad(s): Richmond
Address:

Address	*City*	*Assessor's parcel no.*	*Zip code*
4439 Appian Way	El Sobrante	425-110-021	94803

PLSS:
UTMs: Zone 10 561125mE 4202750mN NAD83

Management status

Database record metadata

	Date	*User*	
Entered:	4/1/2005	icrds	
Last modified:	1/12/2016	simsa	
IC actions:	*Date*	*User*	*Action taken*
	1/11/2016	poskar	Boundary changed 1-11-2016 based off parcel layer.
	7/10/2001	AOLPJ	Primary number 07-000839 assigned.
	4/1/2005	jay	Appended records from discontinued ICRDS.

Record status: Verified

Report Detail: S-007131

Identifiers

Report No.: S-007131
Other IDs:
Cross-refs: See also S-006592
See also S-008186

Citation information

Author(s): Peter Banks
Year: 1985 (Feb)
Title: An Archaeological Reconnaissance of the Appian Way Widening Project: Phase II, El Sobrante, Contra Costa County, California.
Affliliation: California Archaeological Consultants, Inc.
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c. 1 li. mi.
Disclosure: Not for publication
Collections: No

Sub-desig.: a
Author(s): Peter Banks
Year: 1986 (Apr)
Title: Subsurface Archaeological Investigations for the Appian Way Widening Project, El Sobrante, Contra Costa County, California
Affiliation: California Archaeological Consultants, Inc.
Report type(s): Archaeological, Excavation
Inventory size:
No. pages:
Disclosure: Not for publication
Collections: No
PDF Pages: 18-29

Sub-desig.: b
Author(s):
Year: 1986 (Jul)
Title: Historic Property Survey Report for Appian Way Road Widening and Improvement Project
Affiliation: Cole/Mills Associates
Report type(s): Architectural/historical, Field study
Inventory size:
No. pages:
Disclosure: Unrestricted
Collections: No
PDF Pages: 30-42

Report Detail: S-007131

Sub-desig.: c
Author(s):
Year: 1986 (Jul)
Title: Historic Structures Survey Report for Appian Way Road Widening and Improvement Project
Affiliation: Cole/Mills Associates
Report type(s): Architectural/historical, Field study
Inventory size:
No. pages:
Disclosure: Unrestricted
Collections: No
PDF Pages: 43-85

Sub-desig.: d
Author(s): Peter Banks
Year: 1986 (Nov)
Title: Subsurface Archaeological Investigations for the Appian Way Widening Project, El Sobrante, Contra Costa County, California (Revised)
Affiliation: California Archaeological Consultants, Inc.
Report type(s): Archaeological, Excavation
Inventory size:
No. pages:
Disclosure: Not for publication
Collections: No
PDF Pages: 86-101

General notes

A historic barn was within the project area. It was not determined to be historically significant. According to additional citations 'a' and 'd', CA-CCO-505 (P-07-000276) did not appear to extend into the project area.

Associated resources

Primary No.	*Trinomial*	*Name*
P-07-000097	CA-CCO-000155	El Sobrante Library Site
P-07-000276	CA-CCO-000505	The Pinella Site

No. resources: 2
Has informals: Yes

Location information

County(ies): Contra Costa
USGS quad(s): Richmond
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	3/19/2020	rinerg

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	2/3/2020	hagell	added additional citations 'a' - 'd' from Cole/Mills and CAC from 1986
	2/4/2020	mcgurlm	Updated citation "PDFpage" #s; Updated GIS feature for additional citation (subsumed and voided S-8186); Changed record status from "Verified";

Record status: Verified

Report Detail: S-011534

Identifiers

Report No.: S-011534

Other IDs:	*Type*	*Name*
	Submitter	ARS 88-65

Cross-refs:

Citation information

Author(s): Katherine Flynn
Year: 1988 (Aug)
Title: Archaeological survey of property located at 4247 Appian Way, El Sobrante, Contra Costa County (letter report)
Affliliation: Archaeological Resource Service
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 0.5 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	4247 Appian Way	El Sobrante		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	7/3/2017	moored

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-001999

Identifiers

Report No.: S-001999
Other IDs:
Cross-refs:

Citation information

Author(s): Michael J. Baldrica
Year: 1980 (Apr)
Title: An Archaeological Survey of the Kraus Property, Contra Costa County, California.
Affliliation: The Cultural Resources Facility, Sonoma State University
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 2 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address: Address	City	Assessor's parcel no.	Zip code
4350 San Pablo Dam Road	El Sobrante		

PLSS:

Database record metadata

	Date	User
Entered:	4/7/2005	nwic-main
Last modified:	7/6/2017	hagell

IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.
7/6/2017	hagell	added address

Record status: Verified

Report Detail: S-006577

Identifiers

Report No.: S-006577
Other IDs:
Cross-refs:

Citation information

Author(s): Suzanne Baker
Year: 1984 (Mar)
Title: Archaeological Reconnaissance of the El Sobrante Condominiums Development, Contra Costa County, California
Affliliation: Archaeological Consultants
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: 1.6 ac.
Disclosure: Not for publication
Collections: No

General notes

Concrete foundations, barn & shed remains, and metal pipes were noted on the property.

Associated resources

No. resources: 0
Has informals: Yes

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	1271 Appian Way	El Sobrante		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	7/6/2017	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	6/30/2017	neala	added informal resources & general note
	7/6/2017	hagell	added address.

Record status: Verified

Report Detail: S-006592

Identifiers

Report No.: S-006592
Other IDs:
Cross-refs: See also S-007131

Citation information

Author(s): Peter M. Banks
Year: 1984 (May)
Title: An Archaeological Reconnaissance of the Appian Way Widening Project, El Sobrante, Contra Costa County, California.
Affliliation: California Archaeological Consultants, Inc.
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c. 1 li. mi.
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	2/3/2020	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-007988

Identifiers

Report No.: S-007988
Other IDs:
Cross-refs:

Citation information

Author(s): Robert I. Orlins
Year: 1986 (Mar)
Title: A Cultural Resource Investigation for the San Pablo Dam Road Widening Project, El Sobrante, Contra Costa County, California.
Affliliation: California Archaeological Consultants, Inc.
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: 0.7 li mi
Disclosure: Not for publication
Collections: No

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-07-000068	CA-CCO-000126	[none]

No. resources: 1
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	6/30/2017	neala

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	6/30/2017	neala	added resource

Record status: Verified

Report Detail: S-008100

Identifiers

Report No.: S-008100
Other IDs:
Cross-refs:

Citation information

Author(s): Suzanne Baker
Year: 1986 (May)
Title: Archaeological Reconnaissance of the Tyson Property, Parcel #425-170-025, El Sobrante, Contra Costa County.
Affliliation: Archaeological Consultants
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 0.5 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
		El Sobrante	425-170-025	

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	7/6/2017	hagell

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	7/6/2017	hagell	added month, APN

Record status: Verified

Report Detail: S-008852

Identifiers

Report No.: S-008852
Other IDs:
Cross-refs:

Citation information

Author(s): Jack Miller and Suzanne Baker
Year: 1986 (Sep)
Title: Archaeological Reconnaissance of the El Sobrante Partnership Property, El Sobrante, California
Affliliation: Archaeological Consultants
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address: Address	City	Assessor's parcel no.	Zip code
4630 Appian Way	El Sobrante		

PLSS:

Database record metadata

	Date	User
Entered:	4/7/2005	nwic-main
Last modified:	7/3/2017	moored

IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-009687

Identifiers

Report No.: S-009687

Other IDs:	*Type*	*Name*
	Submitter	ARS 87-30

Cross-refs:

Citation information

Author(s): Katherine Flynn
Year: 1987 (Jul)
Title: Archaeological survey of lot at 4221 San Pablo Dam Rd., El Sobrante, Contra Costa County (Co. File No. 3027-87, APN 425-160-008) (letter report)
Affliliation: Archaeological Resource Service
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 1 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	4221 San Pablo Dam rd.	El Sobrante	425-160-008	

PLSS: T2N R4E

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	7/5/2017	rinerg

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.
	7/5/2017	rinerg	the parcel APN in the Contra Costa county assessor's data appears to be '425-160-009'

Record status: Verified

Report Detail: S-010228

Identifiers

Report No.: S-010228
Other IDs:
Cross-refs:

Citation information

Author(s): Alice F. Wood
Year: 1988 (Aug)
Title: The Archaeological Monitoring of Excavations for Three Electrical Vaults on Appian Way, El Sobrante, Contra Costa County, California
Affliliation: California Archaeological Consultants, Inc.
No. pages:
No. maps:
Attributes: Archaeological, Field study, Monitoring
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	Appian Way	El Sobrante		

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	7/5/2017	rinerg

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-011533

Identifiers

Report No.: S-011533

Other IDs:	*Type*	*Name*
	Submitter	ARS 88-68

Cross-refs:

Citation information

Author(s): Katherine Flynn
Year: 1988 (Sep)
Title: Archaeological evaluation of 4158 Santa Rita Road, El Sobrante, Contra Costa Co., Subdivision MS 7-88 (letter report)
Affliliation: Archaeological Resource Service
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 0.5 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	4158 Santa Rita Road	El Sobrante	425-170-018	

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	7/5/2017	rinerg

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-012297

Identifiers

Report No.: S-012297

Other IDs:	*Type*	*Name*
	Submitter	ARS 90-73

Cross-refs:

Citation information

Author(s): Katherine Flynn
Year: 1991 (Jan)
Title: Archaeological evaluation of 4201 Garden Lane, El Sobrante, Contra Costa Co., Project No. MS 192-90 (letter report)
Affliliation: Archaeological Resource Service
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 0.5 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	4201 Garden Lane	El Sobrante	425-122-007 425-122-012 425-122-011	

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	7/5/2017	rinerg

IC actions:	*Date*	*User*	*Action taken*
	4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-022273

Identifiers

Report No.: S-022273

Other IDs:

Type	*Name*
Submitter	Project 50001-109/99

Cross-refs:

Citation information

Author(s): Stacey Schneyder
Year: 1999 (Oct)
Title: A Cultural Resources Study of 4439 Appian Way (APN# 425-110-021), El Sobrante, Contra Costa County, California
Affliliation: Anthropological Studies Center, Sonoma State University
No. pages:
No. maps:
Attributes: Archaeological, Architectural/historical, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Associated resources

Primary No.	*Trinomial*	*Name*
P-07-000839		Lu Farm Complex

No. resources: 1
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address:

Address	*City*	*Assessor's parcel no.*	*Zip code*
4439 Appian Way	El Sobrante	425-110-021	

PLSS:

Database record metadata

	Date	*User*
Entered:	4/7/2005	nwic-main
Last modified:	7/7/2017	hagell

IC actions:

Date	*User*	*Action taken*
4/7/2005	jay	Appended records from NWICmain bibliographic database.
1/4/2016	castrom	update DB
1/11/2016	poskar	Report was mapped incorrectly based on the address, APN, and report content. Submitter's map was also incorrect.

Record status: Verified

Report Detail: S-027935

Identifiers

Report No.: S-027935
Other IDs:
Cross-refs:

Citation information

Author(s): John Holson
Year: 2004 (Jan)
Title: Archaeological Survey and Record Search Results for 4150 Appian Way, El Sobrante (APN 425-170-030) (letter report)
Affliliation: Pacific Legacy, Inc.
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size: c 3 ac
Disclosure: Not for publication
Collections: No

General notes

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address: Address	City	Assessor's parcel no.	Zip code
4150 Appian Way	El Sobrante	425-170-30	

PLSS: T1N R4W

Database record metadata

	Date	User
Entered:	4/7/2005	nwic-main
Last modified:	7/3/2017	moored

IC actions: Date	User	Action taken
4/7/2005	jay	Appended records from NWICmain bibliographic database.

Record status: Verified

Report Detail: S-031545

Identifiers

Report No.: S-031545
Other IDs:
Cross-refs:

Citation information

Author(s): Allen G. Pastron
Year: 2006 (Mar)
Title: Phase II - Cultural Resources Evaluation of an Approximately 1.2-acre Parcel Located at 4441 Appian Way, City of El Sobrante, Contra Costa County, California (letter report)
Affliliation: Archeo-Tec
No. pages:
No. maps:
Attributes: Archaeological, Architectural/historical, Excavation, Field study
Inventory size: c 1.2 ac
Disclosure: Not for publication
Collections: Yes

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-07-000276	CA-CCO-000505	The Pinella Site

No. resources: 1
Has informals: Yes

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Address:	*Address*	*City*	*Assessor's parcel no.*	*Zip code*
	4441 Appian Way	El Sobrante	425-110-022 425-110-023 425-110-024	

PLSS:

Database record metadata

	Date	*User*
Entered:	6/27/2006	lisa
Last modified:	7/6/2017	hagell

IC actions:	*Date*	*User*	*Action taken*
	1/11/2016	poskar	Changed shape based on parcel layer and report map.

Record status: Verified

Report Detail: S-044169

Identifiers

Report No.: S-044169

Other IDs:

Type	*Name*
Other	Santa Rita and Penny GPRP ED El Sobrante
Agency Nbr	PM Number: 30956567

Cross-refs:

Citation information

Author(s): Alex DeGeorgey and Devin Snyder
Year: 2013 (Jun)
Title: Cultural Resources Constraints Report: Santa Rita and Penny GPRP ED El Sobrante
Affliliation: Alta Archaeological Consulting
No. pages:
No. maps:
Attributes: Archaeological, Field study
Inventory size:
Disclosure: Not for publication
Collections: No

General notes

Report erroneously mentions Las Trampas, Diablo, and Cuttings Wharf quads, NWIC has verified that project was located in Richmond quad.

Associated resources

No. resources: 0
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond
Address:
PLSS:

Database record metadata

	Date	*User*
Entered:	6/18/2014	castrom
Last modified:	7/7/2015	mikulikc

IC actions:

Date	*User*	*Action taken*
6/25/2015	simsa	Corrected quad map.

Record status: Verified

Report Detail: S-051734

Identifiers

Report No.: S-051734

Other IDs:	*Type*	*Name*
	Agency Nbr	HSIPL-5928(133)

Cross-refs:

Citation information

Author(s): Adrian Whitaker
Year: 2018 (Nov)
Title: Historic Property Survey Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California, 4-CCO-HSIPL-5928(133)
Affliliation: Far Western Anthropological Research Group, Inc.
No. pages:
No. maps:
Attributes: Architectural/historical, Management/planning
Inventory size:
Disclosure: Not for publication
Collections: No

Sub-desig.: a
Author(s): Adrian Whitaker, Kaely Colligan, Naomi Scher, Jack Meyer, and Jeffrey Rosenthal
Year: 2018 (Jul)
Title: Archaeological Survey Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California
Affiliation: Far Western Anthropological Research Group, Inc.
Report type(s): Archaeological, Field study
Inventory size:
No. pages:
Disclosure: Not for publication
Collections: No
PDF Pages: 7-67

Sub-desig.: b
Author(s): Ashley Parker, Adrian Whitaker, and Naomi Acher
Year: 2018 (Aug)
Title: Extended Phase I Report for the San Pablo Dam Road Sidewalk Project, El Sobrante, Contra Costa County, California
Affiliation: Far Western Anthropological Research Group, Inc.
Report type(s): Archaeological, Excavation, Field study
Inventory size:
No. pages:
Disclosure: Not for publication
Collections: No
PDF Pages: 68-90

General notes

Associated resources

	Primary No.	*Trinomial*	*Name*
	P-07-000068	CA-CCO-000126	[none]

No. resources: 1
Has informals: No

Location information

County(ies): Contra Costa
USGS quad(s): Richmond

Report Detail: S-051734

	Address	City	Assessor's parcel no.	Zip code
Address:	San Pablo Dam Road	El Sobrante		
PLSS:				

Database record metadata

	Date	User
Entered:	1/23/2019	Vickeryn
Last modified:	11/27/2019	rinerg

IC actions:	*Date*	*User*	*Action taken*
	1/23/2019	Vickeryn	Added additional citations 'a' and 'b'. Unprocessed resources-1 update of P-07-000068 in additional citation 'b'. Shapefiles for additional citations 'a' and 'b'.
	2/15/2019	murazzoj	Updated resource, awaiting GIS.

Record status: Verified

APPENDIX 2: NAHC CORRESPONDENCE

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

SECRETARY
Sara Dutschke
Miwok

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Laurena Bolden
Serrano

COMMISSIONER
Reid Milanovich
Cahuilla

COMMISSIONER
Vacant

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

December 15, 2023

Daneil Shoup
Archaeological/Historical Consultants

Via Email to: daniel.shoup@ahc-heritage.com

Re: 23-64 4301 Appian Way Project, Contra Costa County

To Whom It May Concern:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information submitted for the above referenced project. The results were positive. Please contact the tribes on the attached list for information. Please note that tribes do not always record their sacred sites in the SLF, nor are they required to do so. A SLF search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with a project's geographic area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites, such as the appropriate regional California Historical Research Information System (CHRIS) archaeological Information Center for the presence of recorded archaeological sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. Please contact all of those listed; if they cannot supply information, they may recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
Contra Costa County
12/15/2023

Tribe Name	Contact Person	Contact Address	Cultural
Amah MutsunTribal Band of Mission San Juan Bautista	Irene Zwierlein, Chairperson	3030 Soda Bay Road Lakeport, CA, 95453	Costanoan
Confederated Villages of Lisjan Nation	Deja Gould, Language Program Manager	10926 Edes Ave Oakland, CA, 94603	Bay Miwok Ohlone
Confederated Villages of Lisjan Nation	Corrina Gould, Chairperson	10926 Edes Avenue Oakland, CA, 94603	Bay Miwok Ohlone
Confederated Villages of Lisjan Nation	Cheyenne Gould, Tribal Cultural Resource Manager	10926 Edes Ave Oakland, CA, 94603	Bay Miwok Ohlone
Guidiville Rancheria of California	Bunny Tarin, Tribal Administrator	PO Box 339 Talmage, CA, 95481	Pomo
Guidiville Rancheria of California	Michael Derry, Historian	PO Box 339 Talmage, CA, 95481	Pomo
Indian Canyon Mutsun Band of Costanoan	Ann Marie Sayers, Chairperson	P.O. Box 28 Hollister, CA, 95024	Costanoan
Indian Canyon Mutsun Band of Costanoan	Kanyon Sayers-Roods, MLD Contact	1615 Pearson Court San Jose, CA, 95122	Costanoan
Muwekma Ohlone Indian Tribe of the SF Bay Area	Monica Arellano, Vice Chairwoman	20885 Redwood Road, Suite 232 Castro Valley, CA, 94546	Costanoan
The Ohlone Indian Tribe	Vincent Medina, Cultural Leader	17365 Via Del Rey San Lorenzo, CA, 94580	Bay Miwok Ohlone
The Ohlone Indian Tribe	Andrew Galvan, Chairperson	P.O. Box 3388 Fremont, CA, 94539	Bay Miwok Ohlone
The Ohlone Indian Tribe	Desiree Vigil, THPO	259 Winwood Avenue Pacifica, CA, 94044	Bay Miwok Ohlone

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed 23-64 4301 Appian Way Project, Contra Costa County.

RECEIVED on 9/15/2025 CDDP22-03021
By Contra Costa County
Department of Conservation and Development

4301 Appian Way Development Project, El Sobrante, California
Biological Resources Assessment



Prepared for:

Numair Ali
Numair89@yahoo.com

Prepared by:

BIOMAAS INC
Environmental Consultants
Sandra Etchell, Senior Biologist
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707-396-2299

September 2, 2025

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Abbreviations

ACE	Terrestrial Habitat Connectivity Mapper
BIOS	Biological Information and Observation System
BSA	Biological Study Area
CDFW	California Department of Fish and Wildlife
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFGC	California Fish and Game Code
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CRPR	California Rare Plant Rank
CWA	Clean Water Act
CWB	California Water Board
DPS	Distinct Population Segment
EPA	Environmental Protection Agency
FESA	Federal Endangered Species Act
IPaC	Information for Planning and Consultation
MBTA	Migratory Bird Treaty Act
NMFS	National Marine Fisheries Service
NRCS	Natural Resources Conservation Services
NWI	National Wetlands Inventory
PAD	California Fish Passage Assessment Database
Project	4301 Appian Way Development Project
RWQCB	Regional Water Quality Control Board
SSC	Species of Special Concern
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service

1 Introduction and Project Description

1.1 Introduction

The purpose of this report is to provide the results of field surveys and desktop analyses performed to determine if sensitive habitats, special-status species and their habitat, and other biological resources could occur in the 4301 Appian Way Development Project, El Sobrante (Project) area. Regulations protecting relevant resources are outlined in this document in order to satisfy requirements imposed by the California Environmental Quality Act (CEQA) and the National Environmental Policy Act. The Project is located in Contra Costa County at latitude 37.969047 and longitude -122.308389. The Project location is shown in Appendix A, Figure 1.

This report contains descriptions of the environmental regulations relevant to the Project, as well as the methods and results of research and surveys performed and determinations made regarding the presence or absence of special-status plants and wildlife, as well as the presence, location, and extent of any sensitive natural communities and aquatic resources within or adjacent to the footprint of the Project.

1.2 Project Description

The purpose of the project is to demolish an existing house and build an apartment complex.

1.3 Biological Study Area

The Biological Study Area (BSA) was defined as the footprint of the proposed Project and surrounding area that may be subject to direct or indirect effects resulting from the construction of the Project. Figure 2 of Appendix A shows the extent of the Project area. The BSA included a 200 foot buffer.

The BSA is located in the southern portion of the unincorporated community of El Sobrante in a high density commercial/residential area. Appian Creek, a tributary to San Pablo Creek runs in a north south configuration along the western property boundary. There is one structure, a two-story single-family home on the property.

2 Regulatory Setting

This section describes the federal, state, local, and other regulations that may apply to biological resources that occur or have potential to occur within the project area.

2.1 Federal

2.1.1 Endangered Species Act, Section 7

The Federal Endangered Species Act (FESA) was established to protect imperiled fish, wildlife and plants and to take necessary measures to prevent them from going extinct. Based on scientific research, a species may be listed as threatened or endangered, and whether a species should be considered a candidate for listing until more information is evaluated. In addition, a species could be removed from listing if sufficient evidence exists that the species is no longer in danger of extinction. FESA requires not only the protection of listed species but also the conservation of species-specific habitat they rely on for survival. Section 7 of the FESA requires that federal agencies consult with the agencies responsible for enforcing FESA if a project under their review has any potential to affect federally listed species or critical habitat. The U.S. Fish and Wildlife Service (USFWS) oversees the protection of terrestrial and freshwater aquatic species. The National Marine Fisheries Service (NMFS) oversees the protection of oceanic species, anadromous fish, and marine mammals.

2.1.2 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 prohibits the take (killing, capturing, selling, trading, or transport) of protected migratory bird species, including their eggs, nests, and young, without prior authorization by the USFWS. The MBTA applies to migratory bird species that are native to the United States or U.S. territories and are present as a result of natural biological or ecological processes.

2.1.3 CWA Section 404

The Clean Water Act (CWA) serves as the primary federal law protecting the quality of the nation's wetlands and surface waters. Under Section 404 of the CWA, the U.S. Army Corps of Engineers (USACE) and the U.S. Environmental Protection Agency (USEPA) regulate the discharge of dredged and fill materials into the waters of the United States. The definition of waters of the United States, as amended by the USEPA and USACE on September 8, 2023, includes: 1) waters used for commerce and subject to tides; 2) interstate waters and wetlands; 3) other waters such as intrastate lakes, rivers, streams (including intermittent streams), and wetlands; 4) impoundments of waters; 5) tributaries of waters that are relatively permanent, standing or continuously flowing bodies of water; 6) territorial seas; and 7) wetlands adjacent to waters that have a continuous surface connection with navigable waters and tributaries with relatively permanent or continuous flows to navigable waters. Aquatic features no longer protected under the CWA Section 404 following September 8, 2023, amendment to the definition include 1) ephemeral drainages that are not sustained by a groundwater source, and 2) isolated wetlands that have no surface connectivity to navigable waters and/or tributaries with relatively continuous connectivity to navigable waters.

The CWA defines wetlands as a subset of waters of the United States that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas (33 CFR 328.3[b]; 40 CFR 230.3[t]).

2.2 State

2.2.1 California Endangered Species Act

The California Endangered Species Act (CESA) protects plant and wildlife species at risk of extinction. CESA-listed species may not be imported into the state, exported out of the state, taken, possessed, purchased, or sold without proper authorization via permitting through California Department of Fish and Wildlife (CDFW). Species may be designated as endangered or threatened after a formal listing process by the California Fish and Game Commission. Only the individuals are protected, not their habitat. CDFW must evaluate a proposed project for its potential impacts to species under their jurisdiction.

2.2.2 California Fish and Game Code

2.2.2.1 Fully Protected Species

Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code (CFGC) define the classification of Fully Protected, providing protection for animals that are rare or faced with possible extinction. Fully Protected species may not be taken or possessed except with an authorization from CDFW. Many fully protected species are also listed under CESA as threatened or endangered.

2.2.2.2 Lake and Streambed Alteration Agreements

Section 1602 of the CFGC requires an entity to notify the CDFW prior to commencing an activity that will substantially divert or obstruct the natural flow of or substantially change or use any material from the bed, channel, or bank of any river, stream or lake, or deposit or dispose of debris, waste or other material where it may pass into any river, stream or lake. Vegetation associated with the health of aquatic features such as riparian corridors, are also protected. Following the notification, the CDFW will determine whether or not a Lake or Streambed Alteration Agreement is necessary and if so, the agreement will include measures, often including mitigation necessary to protect the resource(s) with potential to be affected.

2.2.2.3 Bird/Raptor Protection in the Fish and Game Code

Section 3503 of the CFGC makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Additionally, Section 3503.5 of the CFGC makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey). CDFW is the state agency responsible for enforcing the protection of birds and places the responsibility of ensuring that a project has no take on the project proponent who must demonstrate in advance what measures will be taken to avoid take through the CEQA process and permitting process.

2.2.3 Clean Water Act Section 401/Porter-Cologne Water Quality Control Act

Waters of the State are regulated by the Regional Water Quality Control Board (RWQCB) under the State Water Quality Certification Program, which regulates discharges of dredged and fill material under Section 401 of the CWA and the Porter-Cologne Water Quality Control Act. The State Water Code defines "waters of the State" broadly to include "any surface water or groundwater, including saline waters, within the boundaries of the state." Waters of the State also includes all "waters of the U.S." (California Water Boards [CWB] 2021). Under this definition, isolated wetlands that may not be subject to regulations under federal law are considered waters of the State. Additionally, the California RWQCB adopted State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (CWB 2021) and uses the methods of delineation prescribed in the USACE wetlands delineation manuals (USACE 1987; USACE 2008).

The RWQCB protects all waters in its regulatory scope but has special responsibility for isolated wetlands and headwaters that may not be regulated by other programs (such as Section 404 of the CWA). Projects that require a Section 404 CWA permit or fall under other federal jurisdiction and have the potential to impact waters of the State are required to obtain a Section 401 Water Quality Certification.

The RWQCB defines an area as a wetland if, under normal circumstances, 1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; 2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and 3) the area's vegetation is dominated by hydrophytic vegetation or the area lacks vegetation (CWB 2021).

2.3 Local Plans and Policies

El Sobrante is an unincorporated community under the jurisdiction of Contra Costa County. Chapter 816-68002 of the Contra Costa County Ordinance Code requires that "any person proposing to trench, grade or fill within the dripline of any protected tree[1] or cut down, destroy, trim by topping or remove any protected tree shall apply to the Department for a tree permit, not

[1] A protected tree on all properties within the unincorporated areas of the county is defined as any one of the following:

A) Where the tree to be cut down, destroyed or trimmed by topping is adjacent to or part of a riparian, foothill woodland or oak savanna area, or part of a stand of four or more trees, measures twenty inches or larger in circumference (approximately 6.5 inches in diameter) as measured four and one-half feet from ground level, and is included in the following list of indigenous trees: bigleaf maple (*Acer macrophyllum*), box elder (*A. negundo*), California buckeye (*Aesculus californica*), white alder (*Alnus Rhombifolia*), madrone (*Arbutus menziesii*), toyon (*Heteromeles arbutifolia*), California black walnut (*Juglans Hindsii*), California juniper (*Juniperus californica*), tanoak or tanbark oak (*Lithocarpus densiflora*), knobcone pine (*Pinus attenuata*), digger pine (*Pinus sabiniana*), California sycamore (*Plantanus racemosa*), Fremont cottonwood (*Populus fremontii*), black cottonwood (*Populus trichocarpa*), California or coast live oak (*Quercus agrifolia*), canyon live oak (*Q. chrysolepis*), blue oak (*Q. douglasii*), California black oak (*Q. kelloggii*), valley oak (*Q. lobata*), interior live oak (*Q. wislizenii*), yellow willow (*Salix lasiandra*), red willow (*S. laevigata*), arroyo willow (*S. lasiolepis*), coast red elderberry (*Sambucus callicarpa*), coast redwood (*Sequoia sempervirens*), California bay or laurel) (*Umbellularia californica*).

less than ten days prior to the proposed tree removal or tree alterations" (Contra Costa County 2025).

Contra Costa County Ordinance Code, Chapter 9, Division 914 provides details on setbacks from creeks and drainages. The code generally states that, depending on the depth of the creek, structures or improvements along a natural or unimproved channel must be 30 to 50 feet away from the top of bank. A licensed civil engineer or geotechnical engineer must be engaged to provide calculations for submittal to the Building Inspection Department. (Contra Costa County 2025).

3 Methods

This section describes the methodology used to conduct research and field surveys.

3.1 Background Research

Desktop and other background research were conducted including aerial imagery, databases, lists and other peer-review literature. The databases and other primary sources included the following:

- California Natural Diversity Database (CNDDB). Using a 5-mile-radius buffer around the project site, a list of known plant occurrences, wildlife occurrences, and CDFW-designated sensitive natural communities was generated (CDFW 2025a) (Appendix B).
- California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants of California (CNPS 2025) (Appendix B).
- USFWS Information for Planning and Consultation (IPaC) database list (USFWS 2025a) (Appendix B).
- USFWS National Wetlands Inventory (USFWS 2025b).

3.1.1 Plants

For the purposes of this report, special-status plant species were defined as species with federal or state listing of threatened or endangered, and/or a California Rare Plant Rank (CRPR) of 1A, 1B, 2A, or 2B. A full list of plants that were evaluated are included in Table 1.

3.1.2 Wildlife

3.1.2.1 Special-Status Wildlife Species

For the purposes of this report, special-status wildlife species include:

- Species listed as endangered or threatened, or as candidate for listing under the FESA, and/or the California Endangered Species Act (CESA)
- CDFW Species of Special Concern (SCC) and Fully Protected species
- Birds protected under the Bald and Golden Eagle Protection Act or the MBTA.

3.1.2.2 Critical Habitat

Critical habitat is defined by the USFWS as the geographic areas that contain the physical or biological features that are essential to the conservation of an endangered or threatened species. The USFWS Critical Habitat for Threatened and Endangered Species Mapper (USFWS 2025c) and the National Oceanic and Atmospheric Administration Fisheries West Coast Region Species and Habitat Map (NOAA 2025) were reviewed for the boundaries of critical habitat in the vicinity of the Project. The BSA was compared with the online mapping data from these resources to determine whether any known critical habitat areas intersected the BSA.

3.1.2.3 Wildlife Movement and Migration Corridors

The CDFW Terrestrial Habitat Connectivity (ACE) (CDFW 2025b) online BIOS map was utilized to determine what type of wildlife movement corridors have been mapped for the Project region. ACE

connectivity ranks 1-5 are based upon the importance of connectivity which follows a set criterion. The CDFW California Fish Passage Assessment Database (PAD) (CDFW 2025c) online BIOS map was utilized to determine what fish passage barriers exist within the Project region that could influence fish migration.

3.1.3 Sensitive Natural Communities

Natural communities listed on the California Natural Community List with ranks of S1-S3 are considered Sensitive Natural Communities to be addressed in the CEQA environmental review process.

3.1.4 Wetlands and Waters

The following resources were reviewed prior to conducting field investigations to obtain information on wetlands and other water features that may occur in the BSA.

- United States Geological Survey 7.5-minute topographic quadrangle map, Richmond
- National Wetlands Inventory mapper (USFWS, 2025b)
- Google Earth Pro Aerial photographs from 1974 through 2025

3.2 Field Surveys

A reconnaissance level field survey was conducted on August 14, 2025 by BioMaAS senior biologist Sandra Etchell, who specializes in plant, wildlife, aquatic resource identification, and biological resource regulation.

3.2.1 Vegetation Communities

Vegetation communities were identified by determining which species of plant(s) were dominant in each of the herb, shrub, and tree strata. This information was then used to reference the CNPS Manual of California Vegetation to determine which alliance best represented the observed vegetation community. The boundaries of these vegetation communities were then mapped using a combination of field notes, GPS field data, and aerial imagery.

3.2.2 Floristic Surveys

Reconnaissance level floristic surveys were conducted by Sandra Etchell at the time of the August 14, 2025, site visit. Species observed within the project area were recorded.

3.2.3 Wildlife Surveys

Wildlife surveys were conducted during the reconnaissance level survey. All species observed within the project area were recorded.

3.2.4 Sensitive Natural Communities

During surveys of the BSA, all habitat types, natural or developed, were assessed for species composition. The information collected in the field, occurrence data for sensitive natural communities, and aerial imagery were used to generate a map of all habitat types within the BSA. Vegetation communities present within the BSA were then classified utilizing the CDFW California Wildlife Habitat Relationships System (CDFW 2025d). The Sensitive Natural Communities List

(CDFW 2025e) was referenced to determine if any of the natural communities present within the BSA are ranked as a Sensitive Natural Community.

3.2.5 Wetland Delineation

If potential jurisdictional aquatic features were observed in the BSA, they were assessed based on federal and state guidelines and regulations, including Sections 404 and 401 of the CWA, and the Porter-Cologne Water Quality Control Act. If potential wetlands were observed, delineations would be performed in accordance with the United States Army Corps of Engineers (USACE) guidelines and the September 8, 2023 final rule amendment to the definition of "waters of the United States" by the EPA and the USACE to conform with the Supreme Court Decision of Sacket v. EPA.

4 Results

4.1 Vegetation Communities

There were three vegetation communities found within the BSA; urban, riparian, and non-native grassland. These communities are described in the following section. Refer to Figure 2 of Appendix A for a map showing where these vegetation communities and where they occur within the BSA. The vegetation communities found within the BSA are described in the following sections.

4.1.1 Urban

Urban vegetation communities include tree grove, street strip, shade tree/lawn, lawn, and shrub vegetation primarily comprised of exotic landscape species. Urban landscapes are typically designed and structured around residential and recreational developments with manicured lawn being the most uniform vegetative unit of the California urban habitat. Urban development contains a high percentage of paved areas however biomass productivity is greater than most natural areas due to the application of irrigation and fertilizers. Wildlife species richness and diversity is low particularly in heavily developed areas however urban vegetation communities provide habitat for a variety of bird species, and wildlife adapted to living in close proximity to humans. Wildlife species that frequently occur in urban vegetation communities consistent with the BSA include house sparrow (*Passer domesticus*), Eurasian collared-dove (*Streptopelia decaocto*), raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*) and mule deer (*Odocoileus virginianus*) (McBride and Reid 1988).

4.1.2 Riparian

Riparian corridors often consist of a diversity of plants and provide a range of benefits to a variety of wildlife offering forage, water, thermal and escape cover, nesting/breeding, migration and dispersal corridors. Riparian plant communities are categorized by the dominant trees within the vegetation community. Riparian habitats are found in association with rivers, wetlands, and streams (Grenfell 1988). The riparian corridor within the BSA has a sparse overstory of native trees consisting of the dominant trees, arroyo willow (*Salix lasiolepis*), California buckeye (*Aesculus californica*), coast live oak (*Quercus agrifolia*), and California bay (*Umbellularia californica*), and black walnut (*Juglans nigra*), and several non-native trees including Lombardy poplar (*Populus nigra*), and cherry trees (*Prunus* ssp.). Understory vegetation is also sparse and consists of a few native species including Coyote brush (*Baccharis pilularis*), water parsley (*Oenanthe sarmentosa*), and poison oak (*Toxicodendron diversilobum*). Non-native species present in the understory include poison hemlock (*Conium maculatum*), sweet fennel (*Foeniculum vulgare*), English ivy (*Hedera helix*), wild radish (*Raphanus sativus*), curly dock (*Rumex crispus*), and Himalayan blackberry (*Rubus armeniacus*). Wildlife observed in the riparian corridor included chestnut-back chickadee (*Poecile rufescens*), California scrub-jay (*Apehlocoma californica*), and mule deer (*Odocoileus hemionus*).

4.1.3 Non-Native Grassland

Annual grasslands vegetation communities primarily consist of annual herbaceous plant species dominated by grasses initially intended for edible grains and livestock grazing that have

supplanted native perennial species and are generally associated with historical disturbance. This vegetation community is abundant within the BSA, generally located between areas of development as well as within the interface between development and the surrounding native vegetation communities (Kie 2005). In the BSA the open area between the residence and the riparian corridor is primarily grassland with a few fruit-baring and citrus trees including lemon (*Citrus limon*), fig (*Ficus ssp.*), olive (*Olea europaea*), and pear (*Pyrus* ssp.). Wildlife observed in the annual grassland in the BSA included turkey vulture (*Cathartes aura*), American crow (*Corvus brachyrhynchos*), and fox squirrel (*Sciurus niger*).

4.2 Floristic Surveys

4.2.1 Desktop Review

Database queries and review of other background resources determined that there are 60 special-status plant species documented within the Richmond 7.5-minute quadrangle where the BSA occurs and the six surrounding quadrangles which included Benicia, Mare Island, San Quentin, Oakland West, Oakland East and Briones Valley (quadrangles situated on the west side of the San Francisco Bay were not included in the database search). Table 1 below provides a complete evaluation for the potential to occur each for special-status plants listed in the database searches.

4.2.2 Plant Survey Results

Reconnaissance level plant surveys were conducted in the BSA; no protocol level botanical surveys were performed due to highly disturbed nature of the site. No special-status plant species, nor rare plant species, were identified within the BSA. The full list of observed plant species is provided in Appendix C.

TABLE 1. SPECIAL STATUS PLANT SPECIES FROM DATABASE LISTS AND POTENTIAL TO OCCUR WITHIN THE BSA

Scientific Name Common Name	Status*	Blooming Period	Habitat	Potential to Occur within the BSA
Napa false indigo *Amorpha californica* var. *napensis*	1B.2	Apr-Jul	Broadleafed upland forests in openings, chaparral, and cismontane woodland. Elev. 165-6,560 ft.	**None.** There are no forests, chaparral or woodland habitats in the BSA or the vicinity.
Bent-flowered fiddleneck *Amsinckia lunaris*	1B.2	Mar-Jun	Coastal bluff scrub, cismontaine woodland, valley and foothill grasslands. Elev. 10-1,640 ft.	**None.** There is no scrub or woodland habitat present in the BSA. The grassland present is highly disturbed and consists almost entirely of non-native, invasive species.
Pallid manzanita *Arctostaphylos pallida*	1B.1, FT, SE	Dec-Mar	Broadleafed upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, and coastal scrub. Elev. 605-1,525 ft.	**None.** There are no forests, chaparral, scrub or woodland habitats in the BSA or the vicinity.
Alkali milk-vetch *Astragalus tener* var. *tener*	1B.2	Mar-Jun	Playas, adobe clay in valley and foothill grassland, and vernal pools. Microhabitat: alkaline. Elev. 5-195 ft.	**None.** There are no alkaline conditions present in the BSA or the vicinity.
Big tarplant *Blepharizonia plumosa*	1B.1	Jul-Oct	Valley and foothill grassland, usually in clay soil. Elev. 100-1,655 ft.	**None.** This species was not observed during the August 14, 2025 site visit.
Mt. Diablo fairy-lantern *Calochortus pulchellus*	1B.2	Apr-Jun	Chaparral, cismontane woodland, riparian woodland, and valley and foothill grassland. Elev. 100-2,755 ft.	**None.** The riparian woodland and valley and foothill grassland habitat is the BSA is highly disturbed and dominated by invasive non-native species.
Tiburon mariposa-lily *Calochortus tiburonensis*	1B.1, FT, ST	Mar-Jun	Valley and foothill grassland in serpentinite soil. Elev. 165-490 ft.	**None.** There is no serpentine soil present in the BSA.
Coastal bluff morning-glory *Calystegia purpurata* ssp. *saxicola*	1B.2	Mar-Sep	Coastal bluff scrub, coastal dunes, coastal scrub, North Coast coniferous forest. Elev. 0-345 ft.	**None.** There is no scrub, dune, or forest habitat present in the BSA.

Scientific Name Common Name	Status*	Blooming Period	Habitat	Potential to Occur within the BSA
Bristly sedge *Carex comosa*	2B.1	May-Sep	Coastal prairie, margins of marshes and swamps, and valley and foothill grasslands. Elev. 0-2,050 ft.	**None.** There is no prairie, marsh or swamp habitat present in the BSA. The grassland present in the BSA is highly disturbed and dominated by invasive, non-native species.
Tiburon paintbrush *Castilleja affinis* var. *neglecta*	1B.2, FE, ST	Apr-Jun	Valley and foothill grassland in serpentine soil. Elev. 195-1,310 ft.	**None.** There is no serpentine soil present in the BSA.
Pappose tarplant *Centromadia parryi* ssp. *parryi*	1B.2	May-Nov	Chaparral, coastal prairie, meadows and seeps, coastal salt marshes and swamps, vernally mesic valley and foothill grasslands. Elev. 0-1,380 ft.	**None.** There is no chaparral, prairie, meadow, marsh/swamp, or vernally mesic grassland habitat present in the BSA.
Point Reyes salty bird's-beak *Chloropyron maritimum* ssp. *palustre*	1B.2	Jun-Oct	Coastal salt marshes and swamps. Elev. 0-35 ft.	**None.** There is no marsh or swamp habitat present in the BSA.
Salty bird's-beak *Chloropyron molle* ssp. *molle*	1B.2, FE, SR	Jun-Nov	Coastal salt marshes and swamps. Elev. 0-10 ft.	**None.** There are no salt marshes or swamps present in the BSA.
San Francisco Bay spineflower *Chorizanthe cuspidata* var. *cuspidata*	1B.2	Apr-Aug	Coastal bluff scrub, coastal dunes, coastal prairie, coastal scrub. Elev. 10-705 ft.	**None.** There is no scrub, dune, or prairie habitat present in the BSA.
Robust spineflower *Chorizanthe robusta* var. *robusta*	1B.1, FE	Apr-Sep	Maritime chaparral, openings in cismontane woodland, coastal dunes, coastal scrub. Elev. 10-985 ft.	**None.** There is no woodland, chaparral, dune or scrub habitat present in the BSA.
Bolander's water-hemlock *Cicuta maculata* var. *bolanderi*	2B.1	Jul-Sep	Brackish and freshwater marshes and swamps. Elev. 0-655 ft.	**None.** There is no marsh or swamp habitat present in the BSA.

Scientific Name Common Name	Status*	Blooming Period	Habitat	Potential to Occur within the BSA
Franciscan thistle *Cirsium andrewsii*	1B.2	Mar-Jul	Broadleafed upland forest, coastal bluff scrub, coastal prairie, coastal scrub. Elev. 0-490 ft.	**None.** There is no forest, scrub, or prairie habitat present in the BSA.
Presidio clarkia *Clarkia franciscana*	1B.1, FE,SE	May-Jul	Coastal scrub, valley and foothill grassland in serpentine soil. Elev. 80-1,100 ft.	**None.** There is no scrub habitat present in the BSA. The grassland present is highly disturbed and is dominated by invasive, non-native species.
Western leatherwood *Dirca occidentalis*	1B.2	Jan-Apr	Broadleafed upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, North Coast coniferous forest, riparian forest, riparian woodland. Elev. 80-1,395 ft.	**None.** The riparian corridor in the BSA is highly disturbed and is dominated by invasive, non-native species.
Tiburon buckwheat *Eriogonum luteolum* var. *caninum*	1B.2	May-Sep	Chaparral, cismontane woodland, coastal prairie, valley and foothill grassland. Elev. 0-2,295 ft.	**None.** The grassland in the BSA is highly disturbed and is dominated by invasive, non-native species.
Jepson's coyote-thistle *Eryngium jepsonii*	1B.2	Apr-Aug	Valley and foothill grassland, vernal pools. Elev.10-985 ft.	**None.** The grassland in the BSA is highly disturbed and is dominated by invasive, non-native species.
San Joaquin spearscale *Etriplex joaquinana*	1B.2	Apr-Oct	Chenopod scrub, meadows and seeps, playas, valley and foothill grassland. Elev. 5-2,740 ft.	**None.** The grassland in the BSA is highly disturbed and is dominated by invasive, non-native species.
Minute pocket moss *Fissidens pauperculus*	1B.2	Moss	North Coast coniferous forest in damp soil. Elev. 35-3,360 ft.	**None.** There is no coniferous forest habitat present in the BSA.
Hillsborough chocolate lily *Fritillaria biflora* var. *ineziana*	1B.1	Mar-Apr	Cismontane woodland, valley and foothill grassland. Elev. 490 ft.	**None.** The grassland in the BSA is highly disturbed and is dominated by invasive, non-native species.

Scientific Name Common Name	Status*	Blooming Period	Habitat	Potential to Occur within the BSA
Blue coast gilia *Gilia capitata* ssp. *chamissonis*	1B.1	Apr-Jul	Coastal dunes, coastal scrub. Elev. 5-655 ft.	**None.** There is no dune or scrub habitat present in the BSA.
Dark-eyed gilia *Gilia millefoliata*	1.B2	Apr-Jul	Coastal dunes. Elev. 5-100 ft.	**None.** There is are no coastal dunes present in the BSA.
Diablo helianthella *Helianthella castanea*	1B.2	Mar-Jun	Broadleafed upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland. Elev. 195-4,265 ft.	**None.** There is no forest, woodland or scrub habitat present in the BSA. The riparian and grassland habitat is dominated by invasive non-native species.
Congested-headed hayfield tarplant *Hemizonia congesta* ssp. *congesta*	1B.2	Apr-Nov	Valley and foothill grassland. Elev. 65-1,835 ft.	**None.** The grassland in the BSA is highly disturbed and is dominated by invasive, non-native species.
Marin western flax *Hesperolinon congestum*	1B.1 FT, ST	Apr-Jul	Chaparral, valley and foothill grassland. Elev. 15-1,215 ft.	**None.** There is no woodland or grassland habitat present in the BSA.
Water star-grass *Heteranthera dubia*	2B.2	Jul-Oct	Marshes and swamps (alkaline, still, slow-moving water). Elev. 100-4,905 ft.	**None.** There are no marshes or swamps present in the BSA.
Loma Prieta hoita *Hoita stobilina*	1B.1	May-Oct	Chaparral, cismontane woodland, riparian woodland. Elev. 100-2,820 ft.	**None.** There is no chaparral or woodland habitat present in the BSA. The riparian corridor in the BSA is dominated by invasive, non-native species.
Santa Cruz tarplant *Holocarpha macradenia*	1B.1, FT, SE	Jun-Oct	Coastal prairie, coastal scrub, valley and foothill grassland. Elev. 35-720 ft.	**None.** There is no prairie or scrub habitat present in the BSA. The grassland in the BSA is dominated by invasive, non-native species.

Scientific Name Common Name	Status*	Blooming Period	Habitat	Potential to Occur within the BSA
Kellog's horkelia *Horkelia cuneata var, sericea*	1B.1	Apr-Sep	Closed-cone coniferous forest, maritime chaparral, coastal dunes, coastal scrub. Elev. 35-655 ft.	**None.** There is no forest, chaparral, dune or scrub habitat present in the BSA.
Carquinez goldenbush *Isocoma arguta*	1B.1	Aug-Dec	Alkaline valley and foothill grassland. Elev. 5-65 ft.	**None.** The grassland in the BSA is highly disturbed and is dominated by invasive, non-native species.
Contra Costa goldfields *Lastenia conjugens*	1B.1, FE	Mar-Jun	Cismontane woodland, alkaline playas, valley and foothill grassland, vernal pools. Elev. 0-1,540 ft.	**None.** There is no woodland or playa habitat present in the BSA. The grassland in the BSA is dominated by invasive, non-native species.
Delta tule pea *Lathyrus jepsonii* var. *jepsonii*	1B.2	May-Sep	Brackish and freshwater marshes and swamps. Elev. 0-15 ft.	**None.** There are no marshes or swamps present in the BSA.
Beach layia *Layia carnosa*	1B.1, FT, SE	Mar-Jul	Coastal dunes, coastal scrub with sandy soil. Elev. 0-195 ft.	**None.** There is no dune or scrub habitat present in the BSA.
Rose leptoshiphon *Leptosiphon rosaceus*	1B.1	Apr-Jul	Coastal bluff scrub. Elev. 0-330 ft.	**None.** There is no scrub habitat present in the BSA.
Mason's lilaeopsis *Lilaeopsis masonii*	1B.1	Apr-Nov	Brackish and freshwater marshes and swamps, riparian scrub. Elev. 0-35 ft.	**None.** There are no marshes or swamps present in the BSA. The riparian corridor in the BSA is dominated by invasive, non-native species.
Oregon meconella *Meconella oregana*	1B.1	Mar-Apr	Coastal prairie and coastal scrub. Elev. 820-2,035 ft.	**None.** There is no prairie or scrub habitat present in the BSA.
Woodland woollythreads *Monolopia gracilens*	1B.2	Feb-Jul	Broadleafed upland forest (openings), chaparral (openings), cismontane woodland, North Coast coniferous forest (openings), valley and foothill grasslands. Elev.339-3,935 ft.	**None.** There is no forest or woodland habitat present in the BSA. The grassland in the BSA is dominated by invasive, non-native species.

Scientific Name Common Name	Status*	Blooming Period	Habitat	Potential to Occur within the BSA
White-rayed pentachaeta *Pentachaeta bellidiflora*	1B.1, FE, SE	Mar-May	Cistmontane woodland, valley and foothill grassland (often serpentinite). Elev. 115-2,035 ft.	**None.** There is woodland habitat present in the BSA. The grassland in the BSA is dominated by invasive, non-native species.
Choris' popcornflower *Plagiobothrys chorisianus* var. *chorisianus*	1B.2	Mar-Jun	Chaparral, coastal prairie, coastal scrub. Elev. 10-525 ft.	**None.** There is no chaparral, prairie, or scrub habitat present in the BSA.
San Francisco popcornflower *Plagiobothrys diffusus*	1B.1, SE	Mar-Jun	Coastal prairie, valley and foothill grassland. Elev. 195-1,180 ft.	**None.** There is prairie habitat present in the BSA. The grassland in the BSA is dominated by invasive, non-native species.
Hairless popcornflower *Plagiobothrys glaber*	1A	Mar-May	Alkaline meadows and seeps, coastal salt marshes and swamps. Elev. 50-590 ft.	**None.** There are no meadows, seeps, marshes, or swamps present in or near the BSA.
North Coast semaphore grass *Pleuropogon hooverianus*	1B.1, ST	Apr-Jun	Broadleafed upland forest, meadows and seeps, North Coast coniferous forest. Elev. 35-2,200 ft.	**None.** There is no forest habitat, nor any meadows and seeps present in the BSA.
Adobe sanicle *Sanicula martima*	1B.1, SR	Feb-May	Chaparral, coastal prairie, meadows and seeps, valley and foothill grassland. Elev. 100-785 ft.	**None.** There is no chaparral or prairie habitat present in the BSA, nor are there meadows or seeps. The grassland in the BSA is dominated by invasive, non-native species.
Chaparral ragwort *Senecio aphanactis*	1B.2	Jan-May	Chaparral, cismontane woodland, coastal scrub. Elev. 50-2,625 ft.	**None.** There is no chaparral or scrub habitat present in the BSA.
Long-styled sand-spurrey *Spergularia macrotheca* var. *longistyla*	1B.2	Feb-May	Meadows and seeps, marshes and swamps. Elev. 0-835 ft.	**None.** There are no meadows, seeps, marshes, or swamps present in or near the BSA.

Scientific Name Common Name	Status*	Blooming Period	Habitat	Potential to Occur within the BSA
Most beautiful jewelflower *Streptanthus albidus* ssp. *peramoenus*	1B.2	Mar-Oct	Chaparral, cismontane woodland, valley and foothill grassland. Found in serpentine soil. Elev. 310-3,280 ft.	**None.** There is no serpentine soil present in the BSA.
Tiburon jewelflower *Streptanthus glandulosus* ssp. *niger*	1B.1, FE, SE	May-Jun	Valley and foothill grassland in serpentine soil. Elev. 100-490 ft.	**None.** There is no serpentine soil present in the BSA.
Northern slender pondweed *Stuckenia filiformis* ssp. *alpina*	2B.2	May-Jul	Shallow freshwater marshes and swamps. Elev. 985-7,055 ft.	**None.** There are no marshes or swamps present in or near the BSA.
California seablite *Suaeda californica*	1B.1, FE	Jul-Oct	Coastal salt marshes and swamps. Elev. 0-50 ft.	**None.** There are no marshes or swamps present in or near the BSA.
Suisun Marsh aster *Symphyotrichum lentum*	1B.2	Apr-Nov	Brackish freshwater marshes and swamps. Elev. 0-10 ft.	**None.** There are no marshes or swamps present in or near the BSA.
Two-fork clover *Trifolium amoenum*	1B.1, FE	Apr-Jun	Coastal bluff scrub, valley and foothill grassland (sometimes serpentinite). Elev. 15-1,360 ft.	There is no scrub habitat present in the BSA. The grassland in the BSA is dominated by invasive, non-native species.
Saline clover *Trifolium hydrophilum*	1B.2	Apr-Jun	Marshes and swamps, valley and foothill grassland (mesic, alkaline), vernal pools. Elev. 0-985 ft.	**None.** There is no marsh or vernal pool habitat present in the BSA. The grassland in the BSA is dominated by invasive, non-native species.
Coast triquetrella *Triquetrella californica*	1B.2	moss	Coastal bluff scrub, coastal scrub. Elev. 35-330 ft.	**None.** There is no scrub habitat present in the BSA.
Oval-leaved viburnum *Viburnum ellipticum*	2B.3	May-Jun	Chaparral, cismontane woodland, lower montane coniferous forest. Elev. 705-4,595 ft.	**None.** There is no chaparral, woodland or forest habitat present in the BSA.

* Status:

FE: Federal Endangered
FT: Federal Threatened

California Rare Plant Rank (CRPR):
1A: Plants presumed extirpated in California and either rare or extinct elsewhere

SE: California State Endangered	1B: Plants rare, threatened, or endangered in California or elsewhere
ST: California State Threatened	2B: Plants rare, threatened, or endangered in California but more common elsewhere
SR: California State Rare	3: Plants about which more information is needed
	4: Plants of limited distribution
	0.1: Seriously threatened in California
	0.2: Moderately threatened in California
	0.3: Not very threatened in California

4.3 Special-Status Wildlife Species

For the purposes of this report, special-status wildlife species include those listed as endangered, threatened, proposed, or candidate for listing by the USFWS or the CDFW. Other wildlife species regarded as having special status by the State of California include species of special concern, as listed by the CDFW on the California Natural Diversity Database. Additional avian species receive special protection under the federal Bald and Golden Eagle Protection Act and the federal Migratory Bird Treaty Act. The California Fish & Game Code provides protection for "fully protected birds", "fully protected mammals", "fully protected reptiles and amphibians", and "fully protected fish."

4.3.1 Desktop Review

Database searches and review of other background resources found 67 special-status wildlife species documented within the Richmond 7.5-minute quadrangle where the BSA occurs and the six surrounding quadrangles. Of these species, three were determined to have a low potential to occur based upon the presence of suitable habitat. Table 2 below provides a complete evaluation of potential for the special-status wildlife listed on the database lists to occur. The three criteria most important in determining species presence include known range, presence of suitable habitat, and nearby known occurrences. The potential for each special-status species to occur in the project area was then determined according to the following criteria:

- None: suitable habitat is entirely absent and there is no documented records for the species being evaluated within a 10-mile radius.
- Unlikely: suitable habitat is present and project site is within the range of the species being evaluated, however there are no documented records within a 5-mile radius. Species was not observed during wildlife surveys.
- Low Potential: suitable or marginally suitable habitat for the species being evaluated is present, but few documented records occur within a 5-mile radius. Species was not observed during wildlife surveys.
- Moderate potential: suitable habitat for the species being evaluated is present and there are nearby documented records. Species was not observed during wildlife surveys.
- High potential: suitable habitat for the species being evaluated is present and there are recent documented records of the species occurring within or adjacent to the BSA. Species was not observed during wildlife surveys.
- Present: suitable habitat for the species being evaluated is present and the species has been documented on BSA. Species may or may not have been observed during wildlife surveys.

TABLE 2. SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR WITHIN THE BSA

Scientific Name Common Name	Status*	Habitat	Potential to Occur within the BSA
Invertebrates			
Bombus occidentalis Western bumble bee	SCE	Valley and foothill grasslands of Coastal California east to the Sierra Cascade crest and south into Mexico. Food plant genera include *Antirrhinum, Phacelia, Clarkia, Dendomecon, Eschscholzia, and Eriogonum.*	**Unlikely.** The only CNDDB records within the database search was for bees collected for museum specimens from 1910 to 1992 at several locations in the region. Vegetation removal, if required would be minimal and would not be likely to prevent bumble bees from foraging. None of the food plants were observed during the August 14, 2025 site visit.
Bombus crotchii Crotch's bumble bee	SCE	Coastal California east to the Sierra Cascade crest and south into Mexico. Food plant general include *Antirrhinum, Phacelia, Clarkia, Dendomecon, Eschscholzia, and Eriogonum.*	**Unlikely.** The only CNDDB records within the database search area was for one bee that was collected as a museum specimen in 1933 (Occurrence #308). The same record states that 1 was observed and photographed on November 6, 2015 however it is not apparent if it means a live bumble bee or the collected specimen was photographed. No other information is given. Vegetation removal, if required would be minimal and would not be likely to prevent bumble bees from foraging. None of the food plants were observed during the August 14, 2025 site visit.
Speyeria callippe callippe Callippe silverspot butterfly	FE	Restricted to the northern coastal scrub of the San Francisco Peninsula.	**None.** There is no coastal scrub habitat present in the BSA.

Scientific Name Common Name	Status*	Habitat	Potential to Occur within the BSA
Euphydryas Editha bayensis Bay checkerspot butterfly	FT	Restricted to native grasslands on outcrops of serpentine would in the vicinity of San Francisco Bay. *Plantago erecta* is the primary host plant; *Orthocarpus densiflorus* and *O. purpurescens* are the secondary host plants.	**None.** The small strip of grassland in the BSA is dominated by invasive, non-native species. There are no serpentine soils present.
Danaus Plexippus pop. 1 California overwintering population Monarch butterfly	FPT	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (*eucalyptus*, Monterey pine, cypress), with nectar and water sources nearby.	**None.** There are several CNDDB records for known monarch winter roost sites along the bay front. There are a few scattered eucalyptuses in the riparian corridor but no groves. The riparian vegetation is sparse in the BSA and is not suitable overwintering habitat.
Fish			
Acipenser medirostris pop. 1 Green sturgeon – southern DPS	FT, SSC	Spawns in the Sacramento, Feather and Yuba Rivers. Spawning occurs primarily in cold sections of mainstem rivers in deep pools with substrates containing small to medium sized sand.	**None.** Appian Creek in the BSA does not provide suitable foraging or breeding habitat.
Hypomesus transpacificus Delta smelt	FT, SE	Occur in the aquatic estuaries of the Sacramento-San Joaquin Delta. Seasonally found in Suisun Bay, Carquinez Strait and San Pablo Bay.	**None.** There are no estuaries in or near the BSA.
Thaleichthys pacificus Eulachon	FT, SSC	Found in Klamath River, Mad River, Redwood Creek, and in small numbers in Smith River and Humboldt Bay tributaries. Spawn in lower reaches of coastal rivers.	**None.** Appian Creek in the BSA is not within the range of this species.
Spirinchus thaleichthys pop. 2 Longfin smelt – San Francisco Bay DPS	FE, ST	Pelagic and anadromous within the Sacramento-San Joaquin River Delta, San Francisco Bay, and Gulf of the Farallones, Spawns in lower freshwater reaches of Sacramento and San Joaquin Rivers.	**None.** There is two partial and one significant fish barrier in San Pablo Creek that would prevent fish from swimming upstream into San Pablo Creek and its tributaries (CDFW 2025c).

Scientific Name Common Name	Status*	Habitat	Potential to Occur within the BSA
Pogonichthys macrolepidotus Sacramento splittail	SSC	Endemic to the lakes and rivers of the Central Valley, but now confined to the Delta, Suisun Bay and associated marshes.	**None.** Appian Creek in the BSA is not within the range of this species.
Archoplites interruptus Sacramento perch	SSC	Historically found in the sloughs, slow-moving rivers, and lakes of the Central Valley.	**None.** Appian Creek in the BSA is not within the range of this species.
Eucyclogobius newberryi Tidewater goby	FE, SSC	Found in brackish water habitats along the California coast from Agua Hedionda Lagoon in San Diego County to the mouth of the Smith River in Humbolt County.	**None.** Appian Creek in the BSA does not have brackish water.
Amphibians			
Ambystoma californiense pop. 1 California tiger salamander – central California DPS	FT, ST, WL	Lives in vacant or mammal-occupied burrows throughout most of the year, in grassland, savanna, or open woodland habitats.	**None.** There is no suitable habitat present in the BSA.
Rana draytonii California red-legged frog	FT, SSC	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	**None.** Appian Creek does not provide suitable breeding habitat for this species. The nearest CNDDB record (#1113) is for a frog found in 2008 below San Pablo Dam at a location approximately 2.9 miles southeast of the BSA. There are no other occurrences in the BSA vicinity therefore it is unlikely that the frog would traverse the creek in the BSA.

Scientific Name Common Name	Status*	Habitat	Potential to Occur within the BSA
Rana boylii pop. 4 Foothill yellow-legged frog – central Coast DPS	FT, SSC	San Francisco Peninsula and Diablo Range south of San Francisco Bay Estuary and south through the Santa Cruz and Gabilan Mountains east of the Salinas River in the southern inner Coast Ranges. Partly shaded shallow streams and riffles, with a rocky substrate in a variety of habitats. Needs at least some cobble-sized substrate for egg-laying and at least 15 weeks to attain metamorphosis.	**None.** Appian Creek does not provide suitable breeding habitat for this species.
Reptiles			
Actinemys marmorata Northwestern pond turtle	FPT SSC	Streams, ponds, lakes, and permanent and ephemeral wetlands. Nest in terrestrial habitat usually in dry soil with sparse vegetation.	**None.** Appian Creek in the BSA does not provide suitable breeding habitat. The is only one CNDDB record (#1480) for this species within a five-mile radius which is for turtles found in Pinole Creek at a location that is 4 miles east of the BSA. There is no connectivity between Appian Creek in the BSA and Pinole Creek.
Masticophis lateralis euryxanthus Alameda whipsnake	FT, ST	Typically found in chaparral and scrub habitats but also found in adjacent grassland, oak savanna and woodland habitats.	**None.** The BSA is in a highly developed area and does not provide suitable habitat for this species.
Birds			
Nannopterum auritum Double-crested cormorant	WL	Colonial nester on coastal cliffs, offshore islands, and along lake margins in the interior of the state.	**None.** No suitable nesting habitat is present in the BSA.

Scientific Name Common Name	Status*	Habitat	Potential to Occur within the BSA
Branta hutchinsii leucopareia Cackling goose (Aleutian Canada goose)	WL	Sacramento/San Joaquin standing waters, valley and foothill grasslands.	**None.** The BSA is devoid of suitable open and ponded habitat.
Circus hudsonius Northern harrier	SSC	Coastal salt and freshwater marsh. Nests and forages in grasslands. Nests on ground in shrubby vegetation, usually at marsh edge.	**None.** There are no marshes in or near the BSA.
Elanus leucurus White-tailed kite	FP	Nests in open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	**Low.** This species could nest in the tall trees in the riparian corridor in the BSA.
Accipiter cooperii Cooper's hawk	WL	Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains, also live oaks.	**Low.** This species could nest in the tall trees in the riparian corridor in the BSA.
Aquila chrysaetos Golden eagle	FP	Nests in cliff-walled canyons and large trees in open areas.	**None.** There is no suitable nesting habitat in or near the BSA.
Haliaeetus leucocephalus Bald eagle	FD, SE, FP	Nests in large, old-growth or dominant live trees with open branches in lower montane coniferous forests.	**None.** There is no suitable nesting habitat in or near the BSA.
Pandion haliaetus Osprey	WL	Nests along ocean shores, bays, freshwater lakes and larger streams.	**None.** There is no suitable nesting habitat in or near the BSA.
Falco peregrinus anatum American peregrine falcon	FD, SD	Nests near wetlands, rivers, or other water on cliffs, banks, dunes, mounds, and also on human made structures.	**None.** There is no suitable nesting habitat in or near the BSA.

Scientific Name Common Name	Status*	Habitat	Potential to Occur within the BSA
Rallus obsoletus obsoletus California Ridgway's rail	FE, SE, FP	Salt water and brackish marshes traversed by tidal sloughs in the vicinity of the San Francisco Bay.	**None.** There are no marshes in or near the BSA.
Coturnicops noveboracensis Yellow rail	SSC	Freshwater marshes	**None.** There are no marshes in or near the BSA. The BSA is outside of the range of this species.
Laterallus jamaicensis coturniculus California black rail	ST, FP	Inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays.	**None.** There are no marshes in or near the BSA.
Charadrius nivosus nivosus Western snowy plover	FT	Inhabit sandy beaches, salt pond levees, and shores of large alkali lakes.	**None.** There is no suitable nesting habitat in or near the BSA.
Sternula antillarum browni California least tern	FE, SE, FP	Nests along the coast from San Francisco Bay south to northern Baja California. Colonial breeders on bare or sparsely vegetated, flat substrates; sandy beaches, alkali flats, landfills, or paved areas.	**None.** There is no suitable nesting habitat in or near the BSA.
Coccyzus americanus Western yellow-billed cuckoo	FT, SE	Riparian forest nester, along the broad, lower flood-bottoms of larger river systems.	**None.** There is no suitable nesting habitat in or near the BSA.
Asio flammeus Short-eared owl	SSC	Found in swamp lands, both fresh and salt, lowland meadows, and irrigated alfalfa fields.	**None.** There is no suitable nesting habitat in or near the BSA.

Scientific Name Common Name	Status*	Habitat	Potential to Occur within the BSA
Athene cunicularia Burrowing owl	SCE	Nests in open dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation.	**None.** There is no suitable nesting habitat in or near the BSA.
Geothlypis trichas sinuosa Saltmarsh common yellowthroat	SSC	Resident of the San Francisco Bay region in fresh and saltwater marshes.	**None.** There are no marshes in or near the BSA.
Melospiza melodia maxillaris Suisun song sparrow	SSC	Resident of brackish-water marshes surrounding Suisun Bay.	**None.** There are no marshes in or near the BSA. The BSA is outside of the range of this species.
Melospiza melodia pusillula Alameda song sparrow	SSC	Resident of salt marshes bordering south arm of San Francisco Bay.	**None.** There are no marshes in or near the BSA. The BSA is outside of the range of this species.
Melospiza melodia samuelis *San Pablo song sparrow*	SSC	Resident of salt marshes along the north side of San Francisco and San Pablo Bays.	**None.** There are no marshes in or near the BSA.
Zanthocephalus xanthocephalus Yellow-headed blackbird	SSC	Nests in freshwater emergent wetlands with dense vegetation and deep water. Often along borders of lakes or ponds.	**None.** There are no wetlands or open waters in or near the BSA. The BSA is outside of the range of this species.
Agelaius tricolor Tricolored blackbird	FT, SSC	Highly colonial species, most numerous in the Central Valley and vicinity. Requires open water protected nesting substrate, and foraging area.	**None.** The BSA does not provide suitable nesting habitat for this species.

Scientific Name Common Name	Status*	Habitat	Potential to Occur within the BSA
Mammals			
Sorex vagrans halicoetes Salt-marsh wandering shrew	SSC	Salt marshes of the south arm of the San Francisco Bay.	**None.** There are no marshes in or near the BSA.
Sorex ornatus sinuosus Suisun shrew	SSC	Tidal marshes of the northern shores of San Pablo and Suisun Bays.	**None.** There are no marshes in or near the BSA.
Scapanus latimanus parvus Alameda Island mole	SSC	Only known from Alameda Island.	**None.** The BSA is outside of the range of this species.
Corynorhinus townsendii Townsend's big-eared bat	SSC	Broadleaved upland forest, chaparral, chenopod scrub, Great Basin Grassland; most common in mesic sites. Roosts in the open, hanging from walls and ceilings. Sensitive to human disturbance.	**None.** The residence in the BSA does not provide suitable roosting habitat.
Antrozous pallidus Pallid bat	SSC	Day roost in caves, crevices, mines, and occasionally in hollow trees and buildings. Night roost in more open sites, such as porches and open buildings.	**Low.** If the building or any trees are proposed for removal, a qualified biologist should assess the site for roosting bats.
Nyctinomops macrotis Big free-tailed bat	SSC	Low lying areas in Southern California. Need high cliffs or rocky outcrops for roosting sites.	**None.** The BSA is out of the range of this species.
Taxidea taxus American badger	SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats with friable soil.	**None.** The BSA is in a highly urbanized area.

Scientific Name Common Name	Status*	Habitat	Potential to Occur within the BSA
Reithrodonomys raviventris Salt marsh harvest mouse	FE, SE, FP	Occur only in the saline emergent wetlands of the San Francisco Bay and its tributaries. Pickleweed is primary habitat but may occur in other marsh vegetation types and adjacent upland areas.	**None.** There are no marshes or wetlands in or near the BSA.
Neotoma fuscipes annectens San Francisco dusky-footed woodrat	SSC	Forest habitats of moderate canopy and moderate to dense understory. Constructs nests of shredded grass, leaves and other material. May be limited by availability of nest-building materials.	**None.** No woodrat nests were observed during the August 14, 2025 site survey. The understory in the riparian corridor is sparse and does not provide much protection.
Microtis californicus sanpabloensis San Pablo vole	SSC	Saltmarshes of San Pablo Creek, on the south shore of San Pablo Bay.	**None.** There are no salt marshes in or near the BSA.

* Status:

FE: Federal Endangered
FPT: Federal Proposed Threatened
SE: California State Endangered
ST: California State Threatened
FP: Fully Protected
FT: Federal Threatened
FD: Federal Delisted
WL: CDFW Watch List
SSC: CDFW Species of Special Concern

4.3.2 Wildlife Survey Results

Reconnaissance level wildlife surveys were conducted by BioMaAS biologist, Sandra Etchell on August 14, 2025. During these surveys, no special-status wildlife species was observed. The species with low potential to occur are discussed in greater detail in the following sections.

Cooper's Hawk

Coopers hawk (*Accipiter cooperii*) is a CDFW Watch List[2] species with no federal special status listing. Cooper's hawks are a medium sized raptor with long yellow legs, a brownish gray, mottled back, a white chest with brown striations, a long, barred tail, and a brown head. Adult hawks develop a black cap on their head once they mature.

Cooper's hawks occur in wooded areas that range from 0 to 9,000 feet Mean Sea Level throughout the U.S. They prefer dense stands of live oak, riparian deciduous, or other forest habitats where they forage and nest. They are seldom found in areas with sparse vegetation. They nest in the crotches of deciduous trees usually from 20-50 feet above the ground (Polite 1988). The riparian trees provide marginally suitable nesting habitat for Cooper's hawk therefore there is a low potential for this species to occur, however it should be included in the pre-construction nesting bird survey (see Section 5 Recommendations below).

4.3.2.1 White-tailed Kite

White-tailed kite (*Elanus leucurus*) is a state listed fully protected species with no federal special status listing. white-tailed kites are a medium to large white hawk that has an all-white head, chest, belly and tail, black on its shoulders or mantle, and gray on its back and wings. It resides in a variety of open habitats such as coastal and valley lowlands and uses trees with dense canopies for cover and nesting. Kites build large stick nests near the top of dense trees. The riparian trees provide marginally suitable nesting habitat for white-tailed kite therefore there is a low potential for this species to occur however it should be included in the pre-construction nesting bird survey.

4.3.2.2 Pallid Bat

The pallid bat (*Antrozous palidus*) is a state SSC with no federal listing. Pallid bats occur in a variety of habitats throughout California in lower elevations. They can be found in grasslands, shrublands, woodlands, and forests from sea level up through mixed conifer forests. This large pale bat establishes maternity roosts in crevices in rocky outcrops and cliffs, caves, mines, hollowed trees, large tree cavities, and vacant buildings (Harris 2021). There is marginal suitable roosting habitat in the BSA, therefore a pre-construction habitat assessment for roosting bats is recommended.

4.4 Wildlife Movement and Migration Corridors

The ACE database mapped the BSA region as a Rank 1 Having Limiting Connectivity Movement in regards to the movement of terrestrial wildlife. This ranking is defined as consisting of areas where land use may limit options for providing connectivity (e.g., agriculture, urban) or no connectivity

[2] CDFW Watch List species is defined as taxa that were previously SSCs but do not currently meet SSC criteria, and for which there is concern and a need for additional information to clarify status.

importance has been identified in models. Some mammals that likely move through the area include gray fox (*Urocyon cinereoargenteus*), raccoon, mule deer, and Virginia opossum.

4.5 Sensitive Natural Community Surveys

There are no sensitive natural communities present within the BSA. The riparian corridor, while not ranked as a sensitive natural community, is protected by federal, state, and local regulations described above in Section 2.

4.6 Critical Habitat

The BSA is not within USFWS or NOAA designated critical habitat (USFWS 2025c, NOAA 2025).

4.7 Aquatic Resources

No potential jurisdictional wetlands were found within the BSA. Appian Creek is a jurisdictional water of the U.S. and State because it falls within the regulatory criteria described above in Section 2.

5 Conclusions, Recommendations, CEQA Findings

The following conclusions and recommendations are included to summarize the findings of this report and to provide measures to protect biological resources in the BSA and the Project footprint.

1. A protective buffer of 30 to 50 feet from Appian Creek will be established by Contra Costa County. Silt fence or similar Best Management Practices (BMPs) should be established to prevent construction related debris and runoff from entering the creek during construction.
2. A preconstruction nesting bird survey should be conducted during bird breeding season (February 1 through August 31) by a qualified biologist who is familiar with the nesting behavior of a variety of species and can establish protective buffers around the nest based upon the type of construction activity. Nest buffers should be adhered to by all construction related personnel and can only be removed by the biologist after the nest is no longer active.
3. A bat habitat assessment is recommended to evaluate the potential use of the residence and any trees proposed for removal.
4. Vegetation removal, if necessary, should be kept to a minimum. If riparian vegetation removal is required, a CDFW Streambed Alteration Agreement, and RWQCB 401 Water Quality Certification if required prior to removal.

Based upon the results of the Biological Resources Analysis, findings as they pertain to CEQA are as follows:

Will the project:

a) have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or

regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Sevice?

Response: Less than Significant with Mitigation. Three species, Cooper's hawk, white-tailed kite, and pallid bat have a low potential to occur in the BSA, if the recommendations above are followed, the project will not have an adverse effect on protected/listed species.

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

Response: No impact if riparian habitat is avoided. Contra Costa County requires a 30 to 50 foot setback from the riparian corridor. If the setback is adhered to and no vegetation removal or work in the creek occurs, there will be no adverse effect on the riparian habitat or other sensitive natural communities.

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

Response: No impact. No state or federally protected wetlands were found on the site. Appian Creek is protected by both federal and state regulations however the Project proposes to avoid the creek.

interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?

Response: Less than Significant with Mitigation. The Project will not interfere with the movement of fish, wildlife, or wildlife nursery sites. The building and trees in the BSA provide suitable roosting habitat for several species of bats therefore a bat habitat assessment is included in the recommendations.

d) conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Response: Less than Significant with Mitigation. Tree ordinance information is included in Section 4. It is the responsibility of the Project proponent to ensure compliance with the ordinance.

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

Response: No impact. The Project is not within an area covered by a Habitat Conservation Plan.

6 References

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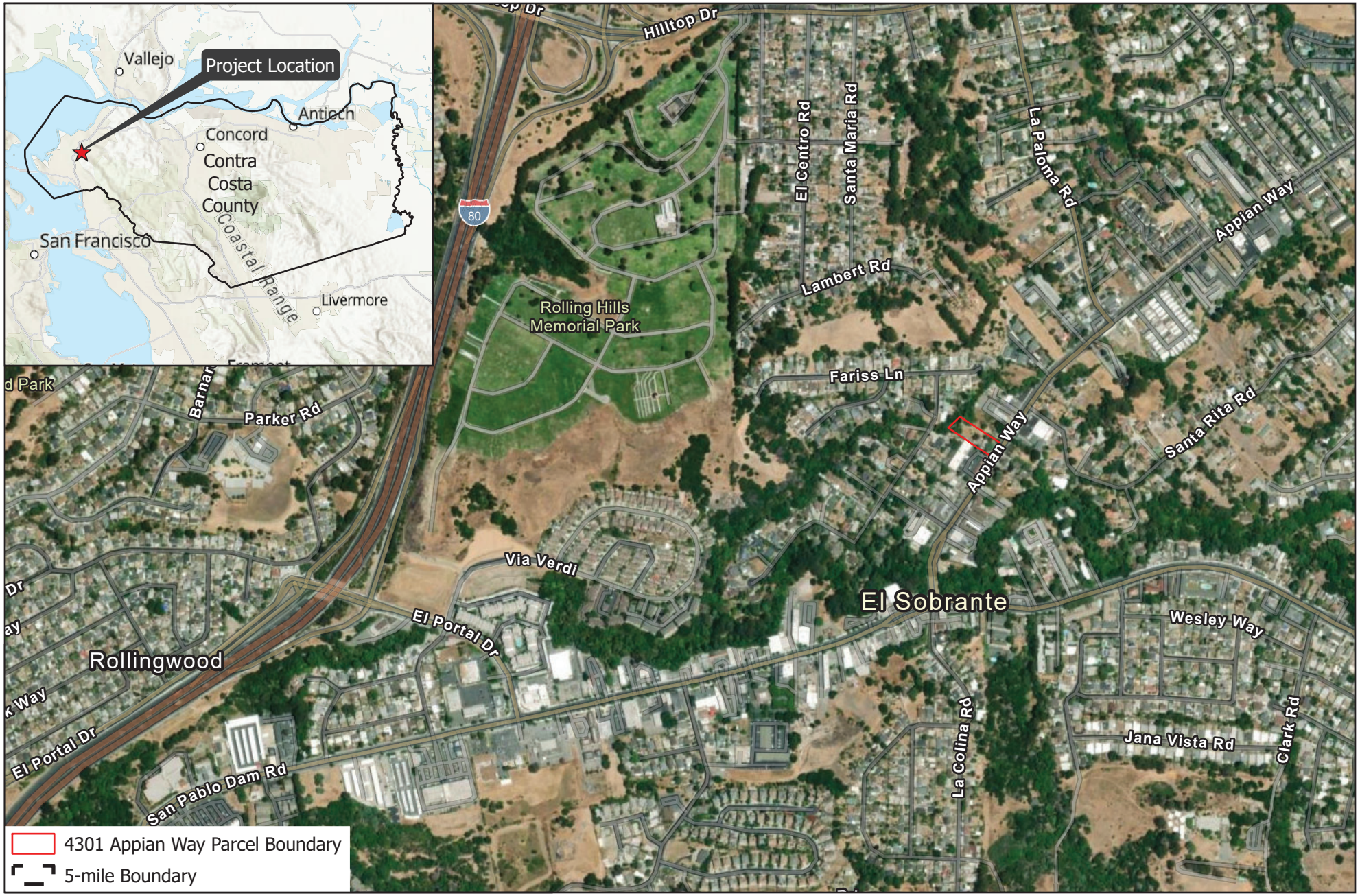
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Appendices

Appendix A
Figures



SOURCE: Esri, CGIAR, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Maxar

FIGURE 1

Project Location

4301 Appian Way, El Sobrante

BIOMAAS INC
Environmental Consultants

N

0 550 1,100 Feet



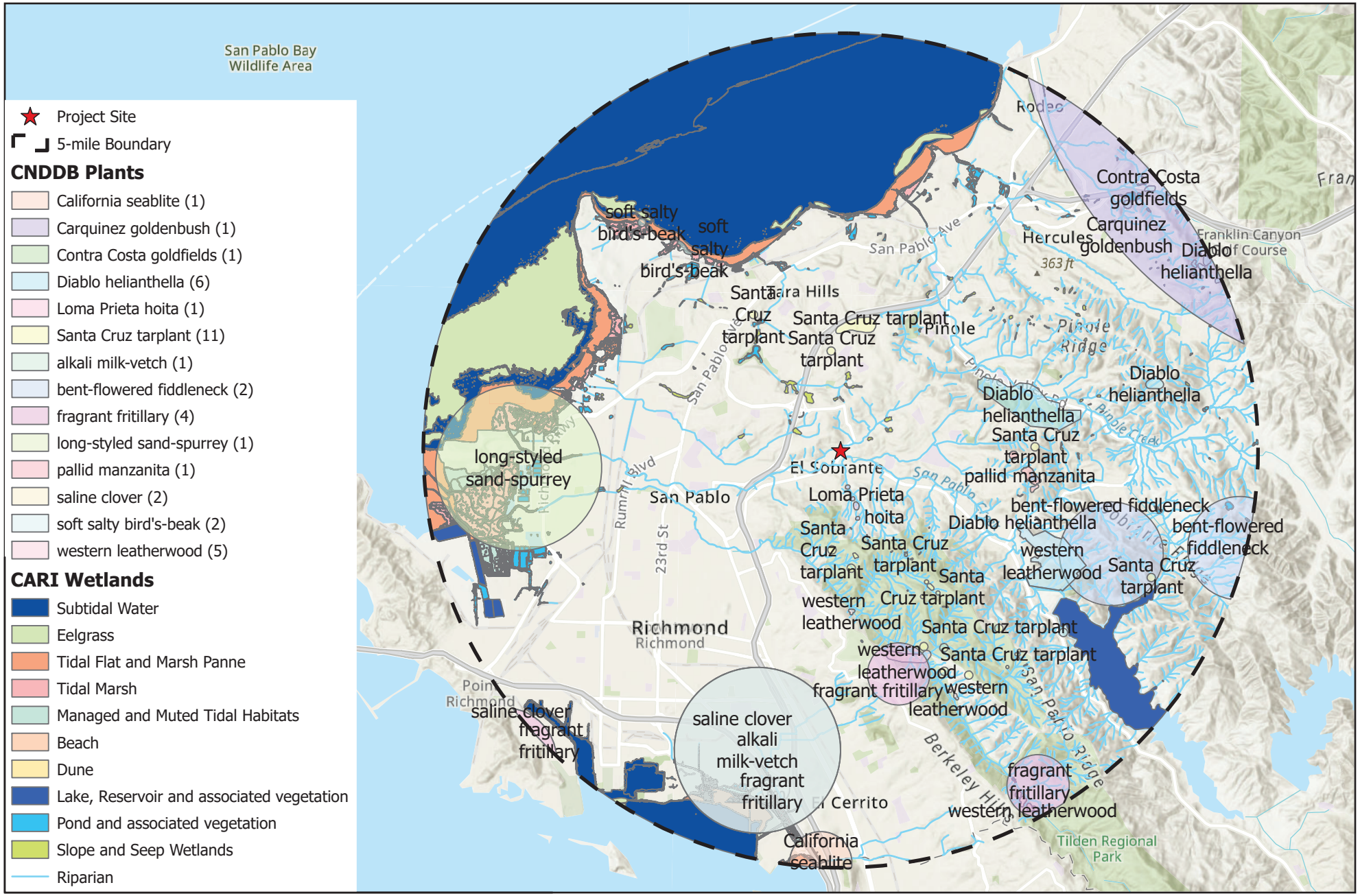
SOURCE: Maxar, Microsoft, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

FIGURE 2

BIOMAAS INC
Environmental Consultants

Vegetative Communities

4301 Appian Way, El Sobrante



SOURCE: Esri, NASA, NGA, USGS, FEMA, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

FIGURE 3

BIOMAAS INC
Environmental Consultants

N

0 5,500 11,000 Feet

CNDDB Plants and Sensitive Aquatic Resources

4301 Appian Way, El Sobrante



SOURCE: Esri, NASA, NGA, USGS, FEMA, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

FIGURE 4

BIOMAAS INC
Environmental Consultants

N

0 5,500 11,000 Feet

CNDDB Wildlife and Critical Habitat

4301 Appian Way, El Sobrante

Appendix B
Database Query Results

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Richmond (3712283) OR Briones Valley (3712282) OR Oakland East (3712272) OR Oakland West (3712273) OR San Quentin (3712284) OR Mare Island (3812213) OR Benicia (3812212))
 AND Taxonomic Group IS (Ferns OR Gymnosperms OR Monocots OR Dicots OR Lichens OR Bryophytes)

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Amorpha californica var. napensis Napa false indigo	PDFAB08012	None	None	G4T2	S2	1B.2
Amsinckia lunaris bent-flowered fiddleneck	PDBOR01070	None	None	G3	S3	1B.2
Arctostaphylos pallida pallid manzanita	PDERI04110	Threatened	Endangered	G1	S1	1B.1
Astragalus tener var. tener alkali milk-vetch	PDFAB0F8R1	None	None	G2T1	S1	1B.2
Blepharizonia plumosa big tarplant	PDAST1C011	None	None	G1G2	S1S2	1B.1
Calochortus pulchellus Mt. Diablo fairy-lantern	PMLIL0D160	None	None	G2	S2	1B.2
Calochortus tiburonensis Tiburon mariposa-lily	PMLIL0D1C0	Threatened	Threatened	G1	S1	1B.1
Calystegia purpurata ssp. saxicola coastal bluff morning-glory	PDCON040D2	None	None	G4T2T3	S2S3	1B.2
Carex comosa bristly sedge	PMCYP032Y0	None	None	G5	S2	2B.1
Castilleja affinis var. neglecta Tiburon paintbrush	PDSCR0D013	Endangered	Threatened	G4G5T1T2	S1S2	1B.2
Centromadia parryi ssp. congdonii Congdon's tarplant	PDAST4R0P1	None	None	G3T2	S2	1B.1
Chloropyron maritimum ssp. palustre Point Reyes salty bird's-beak	PDSCR0J0C3	None	None	G4?T2	S2	1B.2
Chloropyron molle ssp. molle soft salty bird's-beak	PDSCR0J0D2	Endangered	Rare	G2T1	S1	1B.2
Chorizanthe cuspidata var. cuspidata San Francisco Bay spineflower	PDPGN04081	None	None	G2T1	S1	1B.2
Chorizanthe robusta var. robusta robust spineflower	PDPGN040Q2	Endangered	None	G2T1	S1	1B.1
Cicuta maculata var. bolanderi Bolander's water-hemlock	PDAPI0M051	None	None	G5T4T5	S2?	2B.1
Cirsium andrewsii Franciscan thistle	PDAST2E050	None	None	G3	S3	1B.2
Clarkia concinna ssp. automixa Santa Clara red ribbons	PDONA050A1	None	None	G5?T3	S3	4.3

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Clarkia franciscana Presidio clarkia	PDONA050H0	Endangered	Endangered	G1	S1	1B.1
Dirca occidentalis western leatherwood	PDTHY03010	None	None	G2	S2	1B.2
Eriogonum luteolum var. caninum Tiburon buckwheat	PDPGN083S1	None	None	G5T2	S2	1B.2
Eryngium jepsonii Jepson's coyote-thistle	PDAPI0Z130	None	None	G2	S2	1B.2
Extriplex joaquinana San Joaquin spearscale	PDCHE041F3	None	None	G2	S2	1B.2
Fissidens pauperculus minute pocket moss	NBMUS2W0U0	None	None	G3?	S2	1B.2
Fritillaria liliacea fragrant fritillary	PMLIL0V0C0	None	None	G2	S2	1B.2
Gilia capitata ssp. chamissonis blue coast gilia	PDPLM040B3	None	None	G5T2	S2	1B.1
Gilia millefoliata dark-eyed gilia	PDPLM04130	None	None	G2	S2	1B.2
Helianthella castanea Diablo helianthella	PDAST4M020	None	None	G2	S2	1B.2
Hemizonia congesta ssp. congesta congested-headed hayfield tarplant	PDAST4R0W1	None	None	G5T2	S2	1B.2
Hesperolinon congestum Marin western flax	PDLIN01060	Threatened	Threatened	G1	S1	1B.1
Heteranthera dubia water star-grass	PMPON03010	None	None	G5	S2	2B.2
Hoita strobilina Loma Prieta hoita	PDFAB5Z030	None	None	G2?	S2?	1B.1
Holocarpha macradenia Santa Cruz tarplant	PDAST4X020	Threatened	Endangered	G1	S1	1B.1
Horkelia cuneata var. sericea Kellogg's horkelia	PDROS0W043	None	None	G4T1?	S1?	1B.1
Isocoma arguta Carquinez goldenbush	PDAST57050	None	None	G1	S1	1B.1
Lasthenia conjugens Contra Costa goldfields	PDAST5L040	Endangered	None	G1	S1	1B.1
Lathyrus jepsonii var. jepsonii Delta tule pea	PDFAB250D2	None	None	G5T2	S2	1B.2
Layia carnosa beach layia	PDAST5N010	Threatened	Endangered	G2	S2	1B.1
Leptosiphon rosaceus rose leptosiphon	PDPLM09180	None	None	G1	S1	1B.1

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Lilaeopsis masonii Mason's lilaeopsis	PDAPI19030	None	Rare	G2	S2	1B.1
Meconella oregana Oregon meconella	PDPAP0G030	None	None	G2	S2	1B.1
Monolopia gracilens woodland woollythreads	PDAST6G010	None	None	G3	S3	1B.2
Pentachaeta bellidiflora white-rayed pentachaeta	PDAST6X030	Endangered	Endangered	G1	S1	1B.1
Plagiobothrys chorisianus var. chorisianus Choris' popcornflower	PDBOR0V061	None	None	G3T1Q	S1	1B.2
Plagiobothrys diffusus San Francisco popcornflower	PDBOR0V080	None	Endangered	G1Q	S1	1B.1
Plagiobothrys glaber hairless popcornflower	PDBOR0V0B0	None	None	GX	SX	1A
Pleuropogon hooverianus North Coast semaphore grass	PMPOA4Y070	None	Threatened	G2	S2	1B.1
Polygonum marinense Marin knotweed	PDPGN0L1C0	None	None	G2Q	S2	3.1
Sanicula maritima adobe sanicle	PDAPI1Z0D0	None	Rare	G2	S2	1B.1
Senecio aphanactis chaparral ragwort	PDAST8H060	None	None	G3	S2	1B.2
Spergularia macrotheca var. longistyla long-styled sand-spurrey	PDCAR0W062	None	None	G5T2	S2	1B.2
Streptanthus albidus ssp. peramoenus most beautiful jewelflower	PDBRA2G012	None	None	G2T2	S2	1B.2
Streptanthus glandulosus ssp. niger Tiburon jewelflower	PDBRA2G0T0	Endangered	Endangered	G4T1	S1	1B.1
Stuckenia filiformis ssp. alpina northern slender pondweed	PMPOT03091	None	None	G5T5	S2S3	2B.2
Suaeda californica California seablite	PDCHE0P020	Endangered	None	G1	S1	1B.1
Symphyotrichum lentum Suisun Marsh aster	PDASTE8470	None	None	G2	S2	1B.2
Trifolium amoenum two-fork clover	PDFAB40040	Endangered	None	G1	S1	1B.1
Trifolium hydrophilum saline clover	PDFAB400R5	None	None	G2	S2	1B.2
Triquetrella californica coastal triquetrella	NBMUS7S010	None	None	G2	S2	1B.2
Viburnum ellipticum oval-leaved viburnum	PDCPR07080	None	None	G4G5	S3	2B.3

Record Count: 60

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Richmond (3712283) OR Briones Valley (3712282) OR Oakland East (3712272) OR Oakland West (3712273) OR San Quentin (3712284) OR Mare Island (3812213) OR Benicia (3812212))
 AND Taxonomic Group IS (Fish OR Amphibians OR Reptiles OR Birds OR Mammals OR Mollusks OR Arachnids OR Crustaceans OR Insects)

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Accipiter cooperii Cooper's hawk	ABNKC12040	None	None	G5	S4	WL
Acipenser medirostris pop. 1 green sturgeon - southern DPS	AFCAA01031	Threatened	None	G2T1	S1	SSC
Actinemys marmorata northwestern pond turtle	ARAAD02031	Proposed Threatened	None	G2	SNR	SSC
Adela oplerella Opler's longhorn moth	IILEE0G040	None	None	G2	S2	
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S2	SSC
Ambystoma californiense pop. 1 California tiger salamander - central California DPS	AAAAA01181	Threatened	Threatened	G2G3T3	S3	WL
Antrozous pallidus pallid bat	AMACC10010	None	None	G4	S3	SSC
Aquila chrysaetos golden eagle	ABNKC22010	None	None	G5	S3	FP
Archoplites interruptus Sacramento perch	AFCQB07010	None	None	G1	S1	SSC
Ardea alba great egret	ABNGA04040	None	None	G5	S4	
Ardea herodias great blue heron	ABNGA04010	None	None	G5	S4	
Asio flammeus short-eared owl	ABNSB13040	None	None	G5	S2	SSC
Athene cunicularia burrowing owl	ABNSB10010	None	Candidate Endangered	G4	S2	SSC
Bombus caliginosus obscure bumble bee	IIHYM24380	None	None	G2G3	S1S2	
Bombus crotchii Crotch's bumble bee	IIHYM24480	None	Candidate Endangered	G2	S2	
Bombus occidentalis western bumble bee	IIHYM24252	None	Candidate Endangered	G3	S1	
Bombus pensylvanicus American bumble bee	IIHYM24260	None	None	G3G4	S2	
Branta hutchinsii leucopareia cackling (=Aleutian Canada) goose	ABNJB05035	Delisted	None	G5T3	S3	WL

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Cicindela hirticollis gravida sandy beach tiger beetle	IICOL02101	None	None	G5T2	S2	
Circus hudsonius northern harrier	ABNKC11011	None	None	G5	S3	SSC
Corynorhinus townsendii Townsend's big-eared bat	AMACC08010	None	None	G4	S2	SSC
Coturnicops noveboracensis yellow rail	ABNME01010	None	None	G4	S2	SSC
Danaus plexippus plexippus pop. 1 monarch - California overwintering population	IILEPP2012	Proposed Threatened	None	G4T1T2Q	S2	
Dipodomys heermanni berkeleyensis Berkeley kangaroo rat	AMAFD03061	None	None	G4T1	S2	
Egretta thula snowy egret	ABNGA06030	None	None	G5	S4	
Elanus leucurus white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
Eucyclogobius newberryi tidewater goby	AFCQN04010	Endangered	None	G3	S3	SSC
Euphydryas editha bayensis Bay checkerspot butterfly	IILEPK4055	Threatened	None	G4G5T1	S3	
Falco peregrinus anatum American peregrine falcon	ABNKD06071	Delisted	Delisted	G4T4	S3S4	
Geothlypis trichas sinuosa saltmarsh common yellowthroat	ABPBX1201A	None	None	G5T3	S3	SSC
Haliaeetus leucocephalus bald eagle	ABNKC10010	Delisted	Endangered	G5	S3	FP
Helminthoglypta nickliniana bridgesi Bridges' coast range shoulderband	IMGASC2362	None	None	G3T1	S1S2	
Hydroprogne caspia Caspian tern	ABNNM08020	None	None	G5	S4	
Hypomesus transpacificus Delta smelt	AFCHB01040	Threatened	Endangered	G1	S1	
Lasionycteris noctivagans silver-haired bat	AMACC02010	None	None	G4	S3S4	
Lasiurus cinereus hoary bat	AMACC05032	None	None	G3G4	S4	
Laterallus jamaicensis coturniculus California black rail	ABNME03041	None	Threatened	G3T1	S2	FP
Masticophis lateralis euryxanthus Alameda whipsnake	ARADB21031	Threatened	Threatened	G4T2	S2	
Melospiza melodia maxillaris Suisun song sparrow	ABPBXA301K	None	None	G5T3	S2	SSC

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Melospiza melodia pusillula Alameda song sparrow	ABPBXA301S	None	None	G5T2T3	S2	SSC
Melospiza melodia samuelis San Pablo song sparrow	ABPBXA301W	None	None	G5T2	S2	SSC
Microcina leei Lee's micro-blind harvestman	ILARA47040	None	None	G1	S1	
Microcina tiburona Tiburon micro-blind harvestman	ILARA47060	None	None	G2	S2	
Microtus californicus sanpabloensis San Pablo vole	AMAFF11034	None	None	G5T1T2	S1S2	SSC
Nannopterum auritum double-crested cormorant	ABNFD01020	None	None	G5	S4	WL
Neotoma fuscipes annectens San Francisco dusky-footed woodrat	AMAFF08082	None	None	G5T2T3	S2S3	SSC
Nycticorax nycticorax black-crowned night heron	ABNGA11010	None	None	G5	S4	
Nyctinomops macrotis big free-tailed bat	AMACD04020	None	None	G5	S3	SSC
Pandion haliaetus osprey	ABNKC01010	None	None	G5	S4	WL
Pogonichthys macrolepidotus Sacramento splittail	AFCJB34020	None	None	G3	S3	SSC
Pomatiopsis californica Pacific walker	IMGASJ9020	None	None	G1	S1	
Rallus obsoletus obsoletus California Ridgway's rail	ABNME05011	Endangered	Endangered	G3T1	S2	FP
Rana boylii pop. 4 foothill yellow-legged frog - central coast DPS	AAABH01054	Threatened	Endangered	G3T2	S2	
Rana draytonii California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
Reithrodontomys raviventris salt-marsh harvest mouse	AMAFF02040	Endangered	Endangered	G1G2	S3	FP
Scapanus latimanus parvus Alameda Island mole	AMABB02031	None	None	G5T1Q	SH	SSC
Sorex ornatus sinuosus Suisun shrew	AMABA01103	None	None	G5T1T2Q	S1S2	SSC
Sorex vagrans halicoetes salt-marsh wandering shrew	AMABA01071	None	None	G5T1	S1	SSC
Speyeria callippe callippe callippe silverspot butterfly	IILEPJ6091	Endangered	None	G5T1	S1	
Spirinchus thaleichthys pop. 2 longfin smelt - San Francisco Bay-Delta DPS	AFCHB03040	Endangered	Threatened	G5TNRQ	S1	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Sternula antillarum browni California least tern	ABNNM08103	Endangered	Endangered	G4T2T3Q	S2	FP
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Thaleichthys pacificus eulachon	AFCHB04010	Threatened	None	G4	S1	SSC
Tryonia imitator mimic tryonia (=California brackishwater snail)	IMGASJ7040	None	None	G2	S2	
Xanthocephalus xanthocephalus yellow-headed blackbird	ABPBXB3010	None	None	G5	S3	SSC

Record Count: 65

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

NOT FOR CONSULTATION

Location

Contra Costa County, California



Local office

Sacramento Fish And Wildlife Office

(916) 414-6600
(916) 414-6713

Federal Building

2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., *placing a dam upstream of a fish population even if that fish does not occur at the dam site, may* indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

---

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

NOT FOR CONSULTATION

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Salt Marsh Harvest Mouse Reithrodontomys raviventris Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/613	Endangered

Birds

NAME	STATUS
California Least Tern Sternula antillarum browni Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8104	Endangered
California Ridgway's Rail Rallus obsoletus obsoletus Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/4240	Endangered
Western Snowy Plover Charadrius nivosus nivosus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8035	Threatened
Yellow-billed Cuckoo Coccyzus americanus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3911	Threatened

Reptiles

NAME	STATUS
Alameda Whipsnake (=striped Racer) Masticophis lateralis euryxanthus Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/5524	Threatened

NOT FOR CONSULTATION

Northwestern Pond Turtle Actinemys marmorata — Proposed Threatened

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/1111

Amphibians

NAME	STATUS

California Red-legged Frog Rana draytonii — Threatened

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/2891

Foothill Yellow-legged Frog Rana boylii — Threatened

There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/5133

Fishes

NAME	STATUS

Tidewater Goby Eucyclogobius newberryi — Endangered

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/57

Insects

NAME	STATUS

Monarch Butterfly Danaus plexippus — Proposed Threatened

Wherever found

There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/9743

Flowering Plants

NAME	STATUS

NOT FOR CONSULTATION

Pallid Manzanita	Arctostaphylos pallida	Threatened

Wherever found

No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/8292

Santa Cruz Tarplant	Holocarpha macradenia	Threatened

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/6832

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

NOT FOR CONSULTATION

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The data in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the Supplemental Information on Migratory Birds and Eagles document to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management

- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Bald and Golden Eagle information is not available at this time

Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle (Bald and Golden Eagle Protection Act requirements may apply).

Proper interpretation and use of your eagle report
On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your “IPaC PROBABILITY OF PRESENCE SUMMARY” at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

NOT FOR CONSULTATION

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:
The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

NOT FOR CONSULTATION

Migratory birds

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (FWS).

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds

- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Migratory bird information is not available at this time

Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Avoidance & Minimization Measures for Birds describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the Bald and Golden Eagle Protection Act and those species marked as "Vulnerable". See the FAQ "What are the levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle (Bald and Golden Eagle Protection Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the Rapid Avian Information Locator (RAIL) Tool.

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

NOT FOR CONSULTATION

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your “IPaC PROBABILITY OF PRESENCE SUMMARY” at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Bald and Golden Eagle Protection Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ “Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds”.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Proper interpretation and use of your migratory bird report

NOT FOR CONSULTATION

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs
Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

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Survey Timeframe
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NOT FOR CONSULTATION

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE
R4SBAx

A full description for each wetland code can be found at the National Wetlands Inventory website

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

NOT FOR CONSULTATION

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Appendix C
Observed Species

Reconnaissance Level Surveys conducted August 14, 2025

Plant Species Observed

Scientific Name	Common Name
Aesculus californica	California buckeye
Baccharis pilularis	Coyote brush
*Cedrus deodara**	Deodar cedar
Citrus limon	Lemon tree
*Conium maculatum**	Poison hemlock
*Ficus ssp**	Fig tree
*Foeniculum vulgare**	Sweet fennel
*Hedera helix**	English ivy
Juglans nigra	Black walnut
Oenanthe sarmentosa	Water parsley
*Olea europaea**	Olive tree
*Pyrus ssp.**	Pear tree
*Populus nigra**	Lombardy poplar
Quercus agrifolia	Coast live oak
*Raphanus sativus**	Wild radish
*Rubus armeniacus**	Himalayan blackberry
*Rumex crispus**	Curley dock
Salix lasiolepis	Arroyo willow
Toxicodendron diversilobum	Poison oak
Umbellularia californica	California bay

*Non-native

Wildlife Species Observed

Scientific Name	Common name
Birds	
Cathartes aura	Turkey vulture
Streptopelia decaocto	Eurasian collard-dove
Aphelocoma californica	California scrub jay
Corvus brachyrhynchos	American crow
Poecile rufescens	Chestnut-backed chickadee
Passer domesticus	House sparrow
Mammals	
Sciurus niger	Fox squirrel
Odocoileus hemionus	Mule deer

Appendix D
Representative Photos

4301 Appian Way, El Sobrante
Photos from 8/14/25 Site Visit



Photo 1. Residence.



Photo 2. Driveway adjacent to residence.



Photo 3. Grassland behind residence.



Photo 4. Appian Creek Riparian Corridor. Facing north.



Photo 5. Riparian Corridor. Facing south.

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RECEIVED on 4/22/2025 CDDP22-03021
By Contra Costa County
Department of Conservation and Development

August 12, 2024

Mr. Shakil Ali (via e-mail at shakilali@sbcglobal.net)
2021 Elderberry Drive
El Sobrante, California 94582

Subject: **Executive Summary of Geotechnical Study**
Proposed 8-Unit Residential Development at 4301 Appian Way
El Sobrante, California
Geotecnia Project No. 244073

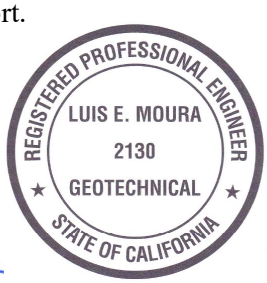
Hi Ali:

This letter presents an executive summary of my geotechnical study for the above-referenced project. The purpose of this executive summary is only to highlight some of the key findings and recommendations of the study. For additional details, please refer to the enclosed report dated August 12, 2024.

The main finding from my study was that the site is underlain by highly expansive soils. In my opinion, the proposed buildings should be supported on mat foundations and the rear portion of the rear building and any required retaining walls may need to be supported on drilled piers. It is also my opinion that the potential for liquefaction at the site is low. The enclosed report provides recommendations for seismic design criteria, grading, foundations, retaining wall lateral earth pressures, exterior concrete slabs on grade, flexible (asphalt) pavements, drainage, and other geotechnical criteria to assist your design team in preparing the plans for the proposed development.

Please call me on my cell phone (510-913-1067) if you have any questions about this executive summary or the enclosed report.

Sincerely,
GEOTECNIA



Luis E. Moura, Principal [08/12/2024]
C.E., G.E., F.ASCE

Enclosure: Geotechnical Report Dated August 12, 2024

REPORT
GEOTECHNICAL STUDY
Proposed 8-Unit Residential Development at 4301 Appian Way El Sobrante, California

August 12, 2024

Prepared for:

Mr. Shakil Ali
2021 Elderberry Drive
San Ramon, California 94582

Prepared by:

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Project Number 244073



Luis E. Moura, Principal [08/12/2024]
C.E., G.E., F.ASCE

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INTRODUCTION

Purpose

GEOTECNIA completed a geotechnical study for the proposed 8-unit residential development at 4301 Appian Way in El Sobrante, California. The purposes of this study have been to (1) evaluate the geologic and geotechnical conditions at the site, and (2) provide geotechnical criteria for design of the proposed development.

Scope

The scope of our services was outlined in our Professional Service Agreement dated June 28, 2024. Our work included performing a site reconnaissance visit; reviewing selected geotechnical and geologic data and published geologic, fault, and seismic hazard maps of the site vicinity; drilling and sampling five borings at the site to depths ranging from 19 to 21.5 feet below the ground surface; testing selected samples of the surficial soils recovered from the borings for Atterberg limits in the laboratory; conducting geotechnical interpretations and engineering analyses; and preparing this report.

This report contains the results of our study, including findings regarding surface and subsurface conditions; conclusions pertaining to site-specific geotechnical conditions and geologic hazards; and geotechnical recommendations for design of the proposed development.

The site location relative to existing streets is shown on Plate 1 – Site Location Map. The boring locations are depicted relative to the street, site boundaries, existing buildings, and proposed buildings on Plate 2 – Boring Location Map. The logs of the borings are displayed on Plates 3-7 – Logs of Borings B-1 through B-5. Explanations of the symbols and other codes used on the logs are presented on Plate 8 – Soil Classification Chart and Key to Test Data. Results of the 8 Atterberg limits tests are presented on Plate 9 – Plasticity Chart. Plates 1-9 are included in Appendix A.

References consulted during this study are listed in Appendix B. Details regarding the field exploration and laboratory testing programs appear in Appendix C. A distribution list of the report recipients is included in Appendix D.

Project Description

The proposed project consists of removing the existing house and detached garage at the site and building a new, 8-unit residential development with associated driveways and parking areas. The building closest to the street will have five units (Units 1-5) and the building at the rear will have three units (Units 6-8). Each building will be a 3-story structure with a garage at the lower levels; the rest of the lower levels will be built up to provide an architectural separation from the garages. No other project details were known at the time this report was submitted.

FINDINGS

Site Description

The project site consists of a mostly flat lot with an existing house and detached garage near the front of the property at 4301 Appian Way in El Sobrante, California, at the approximate location shown on Plate 1. The rear of the site slopes down to a creek that flows to the southwest.

Geologic Conditions

The site is within the Coast Ranges Geomorphic Province, which includes the San Francisco Bay and the northwest-trending mountains that parallel the coast of California. These features were formed by tectonic forces resulting in extensive folding and faulting of the area. The oldest rocks in the area include sedimentary, volcanic, and metamorphic rocks of the Franciscan Complex, and sandstone, shale, and conglomerate of the Great Valley Sequence. These units are Jurassic to Cretaceous in age and form the basement rocks in the region.

A published geologic map of the area (Dibblee, 1980) shows that the site vicinity is underlain by Quaternary alluvial soils. The nearest active fault is the Type-A Hayward Fault, located about 1.2 miles (2 kilometers) southwest of the site (CDMG, 1993).

Earth Materials

The five borings drilled for this study encountered predominantly clay soils, although minor lenses of clayey sand were encountered in some of the borings. The subsurface conditions encountered in the borings are summarized below, starting at the ground surface. Detailed descriptions of the materials encountered as well as the test results are shown on Plates 3-9 in Appendix A. The borings were backfilled with cement grout in accordance with the terms of our annual permit # PT0034479 with the Contra Costa County Environmental Health Division.

We encountered a 2.5- to 3-foot-thick surficial fill layer consisting of medium stiff to stiff lean clay in Borings B-3 and B-5. Samples of the surficial clay fill soils tested had Plasticity Indexes (PIs) ranging from 19 to 23 percent, a pocket penetrometer shear strength of 2,700 pounds per square foot (psf), and Standard Penetration Test (SPT) blow counts (N-values) ranging from about 8 to 12 blows per foot (bpf).

Underlying the surficial fill layer in Borings B-3 and B-5 and from the ground surface in the other borings, we encountered predominantly stiff to very stiff lean clay, sandy lean clay, fat clay, and sandy fat clay extending to the maximum depth explored (21.5). Samples of the native clay soils tested had PIs ranging from 22 to 33 percent, pocket penetrometer shear strengths ranging from about 2,000 to over 4,500 psf, and N-values ranging from about 11 to 32 bpf.

Groundwater

We measured the groundwater surface at a depth of 18 feet in Boring B-1 at the time of drilling; however, no free groundwater was encountered in the other four borings at the time of drilling. The groundwater level is anticipated to fluctuate with changes in annual and seasonal precipitation, irrigation, pumping, and other factors.

CONCLUSIONS

General

The primary geotechnical considerations associated with design and construction of the proposed development are (1) the presence of highly expansive soils; and (2) seismic shaking during earthquakes. These items are addressed in greater detail below.

Based on the results of our study, we recommend in a subsequent section of this report that the proposed buildings be supported on mat foundations, which means that the proposed garage concrete slab-on-grade floors will be part of the mat foundations. The rest of the living spaces at the lower levels of the units may be framed to create a living space higher than the garage floor.

If the rear of the proposed 3-unit building will be within 15 feet of the top of the downslope (creek bank), the rear of the mat foundation supporting that building should be supported on drilled piers to prevent lateral movement of the building due to long-term slope creep.

In our opinion, the proposed driveways and parking areas should consist of pavers instead of either Portland cement or asphalt concrete. Since the on-site clay soils are highly expansive (see subsequent section), cracking and differential vertical movements of the driveway and parking area surfaces are likely to occur and pavers would be easier to repair than either Portland cement or asphalt concrete pavements.

It is also our opinion that the Client should consider using pavers or other surfaces such as compacted decomposed granite for exterior walkways and patios to avoid the potential cracking and differential movements of concrete flatwork due to expansive soil behavior.

Presence of Expansive Soils

It is our opinion that the main geotechnical condition that could impact the design of the proposed development is the presence of expansive soils at the site. The results of our field exploration and laboratory testing program indicate that the surficial soils at the site are expansive. The potential for expansion is tabulated at the top of page 4 as a function of the PI. As shown in the table, the clay soils encountered in the borings drilled at the site (with a PI of 19-33 percent; see Plate 8) have a moderate to high potential for expansion. For purposes of this

report, we refer to the in-situ soils as highly expansive since the average of the 8 PIs was about 26 percent.

Approximate PI Range	Expansion Potential
<12	Nil
12-15	Low
15-25	Moderate
25-35	High
>35	Very High

Expansive soils tend to swell with increases in moisture content and shrink with decreases in moisture content. These moisture fluctuations typically occur in the upper 4 feet of the clay soils during annual and seasonal variations in precipitation. Moisture fluctuations can also occur from irrigation, changes in site drainage, or the presence or removal of trees. As the soil shrinks and swells, improvements supported on the expansive soils may fall and rise. These movements may cause cracking and vertical and horizontal deformations of the improvements.

When expansive soil behavior occurs on slopes, such as at the rear of the site, there is a component of movement parallel to the downslope direction within about 15 feet from any downslope. Slope creep is a slow process, typically involving a small fraction of an inch per year (about 0.1 inches or less per year); however, this movement accumulates over the years and can result in several inches of lateral movement over the life of a structure, in addition to the differential vertical movements.

Other Geologic Hazards

It is our opinion that the potentials for liquefaction, seismic compaction, and lateral spreading are low at the site because (a) no loose, saturated granular soils were encountered in the five borings drilled for this study, and (b) the site is underlain by predominantly stiff to very stiff clay soils. The potentials for landsliding, fault rupture and creep, and earthquake shaking are discussed below.

Landsliding

The gradient at the site is relatively gentle and the site is underlain predominantly by stiff to very stiff clay soils. In the sloping rear portion of the site near the creek, our closest two borings (B-1 and B-2) encountered predominantly very stiff clay soils and an 18-inch-thick layer of medium dense clayey sand, which are not subject to landsliding, in our opinion. Furthermore, during our site reconnaissance, we did not observe evidence of deep-seated, active instability and the groundwater surface is generally deeper than 18 feet (the groundwater depth measured in our Boring B-1). Based on the above discussion, it is our opinion that the potential for landsliding at the site is low.

Fault Rupture

The property does not lie within the Alquist-Priolo Earthquake (Special Study) Zone associated with any active fault. As discussed above, the nearest active fault is located about 1.2 miles southwest of the site. No active faults are shown crossing the site on reviewed published maps, nor did we observe evidence of surface fault rupture during our study. Therefore, we conclude that the potential risk for damage to the planned improvements at the site due to surface rupture from faults is low.

Earthquake Shaking

Earthquake shaking results from the sudden release of seismic energy during displacement along a fault. During an earthquake, the intensity of ground shaking at a particular location will depend on several factors including the earthquake magnitude, the distance to the zone of energy release, and local geologic conditions. We expect that the site may be exposed to moderate to strong earthquake shaking during the life of the improvements since the site is only 1.2 miles from a major Type-A Fault. The recommendations contained in the currently enforced version of the applicable building code should be followed for reducing potential damage to the structures from earthquake shaking.

RECOMMENDATIONS

General

As discussed above, the foundations for the proposed buildings should consist of mat foundations. If the rear of the proposed 3-unit building will be within 15 feet of the top of the creek bank, drilled piers should be used to support the rear portion of the mat foundation supporting that building. If any retaining walls will be built along the creek bank, they should also be supported on drilled piers. Recommendations for mat foundations and drilled piers are included in subsequent sections of the report.

We also recommend that any interior or exterior concrete flatwork be designed for expansive soil conditions to reduce the potential for cracking and differential vertical and horizontal deformations of those improvements. Recommendations and design guidelines are presented in subsequent sections of the report for concrete slabs on grade.

In addition, the design of the proposed improvements should consider the large lateral loads and inertia forces from the structures and retained earth during strong seismic shaking at the site in accordance with the latest applicable codes, as appropriate.

Seismic Design

The seismic design criteria to evaluate the earthquake lateral loads may be calculated using the procedures in the building code assuming a Class-D site. We used the online ground motion parameter calculator provided by the American Society of Civil Engineers (ASCE) to estimate some of the seismic design criteria using a Class-D site and the site's geographical coordinates, based on the ASCE/SEI 7-16 and 7-22 standards. On that basis, we tabulated below the values for the mapped spectral acceleration for short periods (S_S); the mapped spectral acceleration for a 1-second period (S_1); the design spectral acceleration for short periods (S_{DS}); and the design spectral acceleration for a 1-second period (S_{D1}). The structural engineer should use the appropriate values from the table below for the applicable ASCE/SEI standard.

ASCE/SEI Standard	S_S	S_1	S_{DS}	S_{D1}
7-16	2.433	0.927	1.622	N/A
7-22	2.590	1.050	1.600	1.440

Site Preparation and Grading

Clearing

Areas to be graded or excavated should be cleared of topsoil, debris, vegetation, wood, concrete, bricks, roots, stumps, and deleterious material, as applicable. The cleared materials should be removed from the site or stockpiled for use in landscaped areas, as appropriate.

Over-excavations and Subgrade Preparation

Portions of excavations for new mat foundations, exterior flatwork, or the proposed driveways and parking areas with loose or soft soils, or areas where large tree stumps or roots are removed and the soil is disturbed, should be over-excavated. The actual depth and extent of excavation should be approved in the field by a representative of GEOTECNIA prior to placement of fill, rebar, or other improvements. Difficulty in achieving the recommended minimum degree of compaction described below should be used as a field criterion by our representative to identify areas of weak soils that should be removed and replaced as engineered fill or with lean concrete.

Exposed soils designated to receive select fill or backfill should be cut to provide a level bench, scarified to a minimum depth of 6 inches, brought to at least 3 percent over the optimum moisture content, and compacted to at least 90 percent relative compaction, in accordance with the ASTM D1557 test method. Relative compaction refers to the in-place dry density of a soil expressed as a percentage of the maximum dry density of the same material, as determined by ASTM D1557. The subgrade soils should be kept moist until the fill or concrete is placed.

Fill and Backfill Materials

The in-situ clay soils are not suitable for reuse as select (non-expansive) fill or backfill, except for the upper 12 inches above backdrains as discussed later in this report. If additional import, select fill or backfill materials are required, they should have a PI of 12 or less, should have no particles or lumps greater than 3 inches in largest dimension, and should preferably be granular soils (sand, gravel, or sand/gravel mixtures such as AB). Import select fill materials should be approved by a representative of GEOTECNIA prior to use.

Fill and backfill materials should be placed in level lifts not exceeding 9 inches in loose thickness. Each lift should be brought to at least the optimum moisture content, and compacted to at least 90 percent relative compaction, in accordance with the ASTM D 1557 test method. The upper 3 feet of fill beneath slabs should be compacted to at least 95 percent relative compaction. Relative compaction refers to the in-place dry density of a soil expressed as a percentage of the maximum dry density of the same material, as determined by ASTM D1557.

Temporary Slopes, Shoring, and Underpinning

Temporary slopes higher than 4 feet should be constructed in accordance with applicable codes and regulations. The stability of temporary slopes and shoring design, if required, are the responsibility of the contractor. GEOTECNIA will continue to be available to assist the contractor or shoring designer as required.

Foundations

Mat Foundations

A representative of GEOTECNIA should check the bottoms of the mat foundation excavations—prior to the placement of any forms, AB or backfill, crushed rock/gravel, moisture barrier, or steel reinforcement—to evaluate the appropriate depth for the earth materials encountered and determine if some areas need over-excavation or re-compaction. If too dry, the subgrade soils should be thoroughly moistened to at least 3 percent over their optimum moisture content and maintained in that condition until the crushed rock/gravel layer is placed and compacted under the mat slab. If there is a time gap greater than two days between subgrade preparation and placement and compaction of the crushed rock/gravel layer, the contractor must keep the subgrade soils moist by sprinkling them, so they are not allowed to dry.

The mat foundations should be supported on a minimum of 12 inches of AB compacted to at least 95 percent relative compaction. A representative of GEOTECNIA should check and probe the top of the compacted AB layer—prior to the placement of any forms, crushed rock/gravel, moisture barrier, or steel reinforcement—to confirm that it was adequately compacted.

We recommend using the following allowable bearing pressures: 1,500 pounds per square foot (psf) for dead loads, 1,800 psf for dead plus sustained live loads, and 2,300 psf for total loads, including wind and seismic forces. We anticipate that a mat foundation designed and constructed in accordance with my recommendations will experience total static settlements less than 1 inch and differential settlements less than ½ inch over a 30-foot span. The modulus of subgrade reaction is estimated to be about 20 pounds per cubic inch.

We suggest that the mat slab should be at least 10 inches thick and reinforced with two grids of at least 0.625-inch-diameter (#5) reinforcing bars placed at a maximum of 16 inches on center or equivalent, each way, near the top and bottom of the slab; however, the actual slab thickness and amount of reinforcement should be determined by the project structural engineer. We also recommend assuming 5-foot edge cantilevers and 15-foot intermediate spans in the design of the mat slab reinforcement.

Portions of the mat slab without flooring, if applicable, should be provided with crack-control joints—constructed before the concrete hardens—at a spacing of not more than 10 feet in each direction, and the shapes of the slab sections between crack-control joints should be as close to squares as possible, to help reduce the potential for cracking of the slab outside of the crack-control joints.

If piping is installed beneath the mat foundation, flexibility should be provided to protect the pipes from differential movements of the soils beneath the relatively stiffer mat slab.

The mat should be adequately waterproofed to reduce the potential for moisture penetration through the slab. The waterproofing could also include special additives to the concrete mix (such as Xypex or equivalent) to help make the concrete self-sealing in case minor cracks develop. A minimum 15-mil-thick plastic membrane should be placed over at least 6 inches of crushed rock or gravel graded such that 100 percent will pass the 1-inch sieve and none will pass the No. 4 sieve beneath the mat slab, and the contractor should exercise extra caution to help protect the membrane from tears during construction. This crushed rock or gravel layer is in addition to the 12-inch-thick AB layer recommended above. If tears occur during rebar placement, the torn areas should be taped with adequate overlaps in accordance with the manufacturer's specifications. The crushed rock/gravel layer should be compacted with at least three passes of a vibratory plate compactor.

Resistance to lateral loads can be obtained using an allowable passive pressure equivalent to that provided by a fluid weighing 300 pounds per cubic foot (pcf) against the sides of the mat, and a base friction coefficient of 0.20 (between concrete and the plastic membrane) multiplied by the net vertical dead load. These values include a safety factor of 1.5 and may be used in combination without reduction. Additional lateral resistance may be provided by the drilled piers and passive resistance against any retaining walls along the perimeter of the mat foundation, as applicable.

Drilled Piers

Drilled piers should be at least 16 inches in diameter and extend to a depth of at least 14 feet below the ground surface or bottom of the grade beam, whichever is deeper. The actual pier depth should be determined in the field by a representative of GEOTECNIA during pier drilling. The foundation subcontractor should provide a unit cost for piers that extend deeper (additional charge) or are shallower (cost deduction) than the assumed depths. The planned improvements supported on drilled piers are anticipated to settle less than ¾ inch. Differential settlements are anticipated to be less than ½ inch over a 20-foot span.

The drilling subcontractor should anticipate that hard drilling conditions may be encountered if the piers extend below the maximum depths explored in the borings. The drilling subcontractor should review our boring logs (Plates 3-7) and make an independent assessment of the subsurface conditions for purposes of pier drilling. If refusal conditions are encountered above the design pier depth during drilling, both GEOTECNIA and the project structural engineer should be contacted to evaluate the reduced capacity of the shorter pier(s) and determine the need for additional piers.

The piers should be spaced at least three pier diameters center to center, and the above minimum recommended pier depth should be checked against the required depths to resist axial loads. The required pier depth should be the longest of the above-recommended minimum penetration or the depth required to resist axial loads as discussed below.

Piers should be designed for a maximum allowable skin friction value of 500 psf below a depth of 6 feet for combined dead plus sustained live load. This value, which may be used for both downward and uplift loads and includes a safety factor of 2.0, may be increased by one-third for total loads, including the effects of seismic or wind forces. Skin friction should be disregarded in the upper 6 feet of the piers, and end bearing should be neglected. The weight of the portions of the drilled piers extending below grade should be disregarded for downward loads, but may be added to the skin friction capacity for uplift loads.

The piers would help resist an anticipated uplift pressure of 1,000 psf on the grade beams (for an average PI of 26 percent). The width of the grade beams/footings should be as small as possible and the additional uplift load on the grade beams/footings should be resisted by the combination of the weight of the building, the weight of the grade beams and piers, and the uplift capacity of the piers. Alternately, a gap or some type of collapsible material (at least 3 inches thick) could be provided beneath the grade beams (between piers) to prevent the development of uplift pressures due to expansive soil behavior.

The piers within 15 feet from a downslope should be designed to resist lateral creep forces that can be calculated assuming an equivalent fluid weight of 120 pcf, applied over the upper portions of the piers within 3 feet from the ground surface, and against the underground portions of grade beams, as applicable. The creep pressure should be applied over two pier diameters.

Resistance to lateral loads will be provided by passive earth pressure against each pier and by the bending strength of the pier itself. The estimated lateral capacities and maximum moments in the piers are tabulated below as a function of the allowed deflection of the top of the pier assuming "free head" conditions, and that the piers are 16 inches in diameter and at least 14 feet long. The pier top lateral deflections for loads between the tabulated values may be interpolated from the values given. The tabulated data include a safety factor of 1.0 and depend on the allowable deflection at the top of the pier. For different pier diameters and depths, the lateral capacity as a function of lateral deflection will be different than the tabulated values.

Lateral Deflection (in.)	Lateral Load (kips)	Maximum Moment (ft-kips)
¼	9	29
½	16	51
¾	23	73
1	29	92

The estimated depths to the maximum moment and zero lateral deflection below the tops of the piers are 5.5 and 10 feet, respectively, assuming 16-inch-diameter piers at least 14 feet long.

If groundwater is encountered during pier shaft drilling, it should be removed by pumping, or the concrete must be placed by the tremie method. The tremie pipe should be extended to the bottom of the pier hole and kept below the top of the concrete in the hole as the hole is filled with concrete for the concrete to displace the water upward. If the pier holes are dry, the concrete should not be dropped more than 5 feet vertically to avoid segregation of the cement mix and the aggregate, which would weaken the concrete.

Finally, we recommend that the actual drilled pier depths be at least 6 inches deeper than required, to allow for some sloughing of soils from the upper portion of the pier holes after completion of drilling. If the time between pier drilling and concrete placement is relatively long, the extra pier depth should be on the order of one foot to allow for additional sloughing as a function of time.

Retaining Wall Lateral Pressures

General

Any retaining walls required along the top of the creek bank, if applicable, should be supported on drilled pier foundations designed in accordance with the recommendations presented above. Minimum factors of safety against overturning and sliding of 1.1 (seismic) and 1.5 (static) should be used in the design of retaining walls.

Static Loads

The lateral earth pressure criteria below assume that the backfill materials within the "active zone" consist of import, non-expansive granular fill material (select backfill) instead of the in-situ clays. The active zone includes the entire volume above an imaginary plane inclined at 60 degrees above horizontal from a point one foot behind the bottom of the back of the heel of the retaining wall footing. This may require excavations to replace any clay soils with select fill in the active zone. The long-term lateral earth pressures for the condition where the backfill within the active zone consists of the in-situ highly expansive clays would be higher than the values given below for select backfill due to the creeping nature of the clays. Some of the excavated clays may be re-used as backfill for the upper 12 inches (above the select backfill) to reduce the potential for infiltration of surface water where concrete flatwork or pavements are not provided on the surface behind (above) the walls.

Yielding retaining walls which are free to rotate at the top at least 0.1 percent of the wall height should be designed to resist static "active" lateral earth pressures equivalent to those exerted by a fluid weighing 40 pcf where the backfill is flatter than 4:1, and 50 pcf for backfill at a 2:1 slope. Retaining walls restrained from movement at the top should be designed to resist "at-rest" equivalent fluid pressures equivalent to those exerted by a fluid weighing 60 pcf where the backfill is flatter than 4:1, and 75 pcf for backfill at a 2:1 slope. For intermediate backfill slopes, the lateral equivalent fluid weights may be obtained by interpolating between the above values. Backfill slopes steeper than 2:1 are not recommended.

If the clay soils are not removed from the active zone and replaced with non-expansive backfill as discussed above, the lateral earth pressures above would not apply. Instead, we recommend that the walls should be designed to resist the higher long-term lateral earth pressures equivalent to those exerted by a fluid weighing 120 pcf where the backfill is flatter than 4:1, and 150 pcf for backfill at a 2:1 slope. These higher lateral earth pressures are due to the anticipated long-term creep of the clay soils towards the retaining wall.

The actual condition of the wall may range between active and at-rest. Where the wall is more rigid, such as at and near corners or buttresses, the wall may approach at-rest conditions. Elsewhere, the wall may approach active conditions. The designer should use the most appropriate condition for each section of the wall, or one single value between the values for active and at-rest depending on how much of the wall is closer to active or at-rest conditions.

In addition to lateral earth pressures, retaining walls must be designed to resist horizontal pressures that may be generated by surcharge loads applied at or near the ground surface. Where an imaginary 2H:1V (30-degree) plane projected downward from the outermost edge of a surcharge load or foundation intersects a retaining wall, that portion of the wall below the intersection should be designed for an additional horizontal thrust from a uniform pressure equivalent to one-third and one-half of the maximum anticipated surcharge load for active and at-rest conditions, respectively. For different types of surcharge loads, such as vehicular or other

concentrated loads, we can provide the appropriate lateral surcharge pressures on retaining walls once the geometry and loading conditions are defined.

Seismic Loads

The building code calls for a geotechnical investigation that shall include "*a determination of lateral pressures on basement and retaining walls due to earthquake motions*." Current methods being used, such as the Mononobe-Okabe or the Seed and Whitman methods, include either an inverted triangular distribution or a rectangular distribution for the seismic surcharge pressure. However, recent research indicates that there is no need to include a seismic surcharge pressure if (a) the walls are designed for the at-rest condition, and (b) the conventional factors of safety are applied to the wall design. Furthermore, extensive observations by international teams of seismic experts following recent large earthquakes have not resulted in any documented failures of retaining walls that could be attributed to seismic surcharge pressures.

Based on our current understanding of the state-of-the-art regarding seismic surcharge pressures (Sitar, Mikola, and Candia, 2012), we recommend that (a) no seismic surcharge pressure be used if the walls are designed for the higher at-rest earth pressures; and (b) if the walls are designed for the lower active earth pressures for static conditions, assume the higher at-rest earth pressures and use a factor of safety of 1.1 instead of 1.5 for the seismic-loading condition..

Exterior Concrete Flatwork

We recommend that exterior concrete flatwork be supported on at least 12 inches of AB compacted to at least 95 percent relative compaction under our observation. The AB layer and subgrade preparation should extend at least 12 inches beyond the edges of the exterior slabs in order to help control edge effects. If exterior slabs are not designed for expansive soil conditions, they are likely to experience cracking as well as differential vertical and horizontal movements.

Prior to placing the AB, the clay soils should be excavated as required to provide for the 12-inch layer of AB, and then the exposed subgrade soils should be moisture conditioned to at least 3 percent over the optimum moisture content and compacted to at least 90 percent relative compaction prior to placing the AB layer. If there is a time gap greater than one day between subgrade preparation and placement and compaction of the AB layer, the contractor must keep the subgrade soils moist, so they are not allowed to dry.

Exterior concrete slabs on grade should also be adequately reinforced and structurally separated from any adjacent structures to reduce offsets and cracking caused by differential movement between slab sections and between the structures and slabs. We estimate that differential movements on the order of 1 inch should be anticipated between exterior slabs-on-grade and surrounding structures. Slabs should be provided with crack-control joints at a spacing of not more than 10 feet in each direction, and the shapes of the slab sections between crack-control joints should be as close to squares as possible, to help reduce the potential for cracking of the

slabs outside of the crack-control joints. The reinforcing steel should pass through joints to tie slab sections together. The project structural engineer should use the above criteria as a guideline for design of exterior slabs on grade; however, we recommend using minimum 5-inch-thick slabs reinforced with #4 bars spaced at 16 inches on center, both ways, at the middle of the slabs.

If exterior slabs on grade are not adequately reinforced, they may crack excessively due to expansive soil movements. The Client should expect that the exterior slabs on grade may experience both vertical and lateral movements due to expansive soil behavior or tree-root action, as applicable.

Flexible Pavements

The flexible pavement section presented below is based on a Traffic Index (TI) of 5, which assumes that some truck traffic will be allowed on the pavements (such as garbage trucks and delivery trucks). We also assumed that the pavement subgrade would be prepared in accordance with the recommendations presented in previous sections of this report. Based on the above assumptions, we recommend a minimum of 3 inches of AC over 12 inches of AB, for a total pavement section thickness of 15 inches. The term AC refers to Asphalt Concrete, and the term AB refers to Caltrans Class 2 Aggregate Base, which should have a minimum R-value of 78 and be compacted to at least 95 percent relative compaction. In areas where frequent wheel turning by trucks is expected, reinforced concrete pavements should be considered. In these areas, we recommend using a minimum 6-inch-thick concrete slab reinforced with #5 bars spaced at 12 inches on center, both ways, near the middle of the slab, placed over 12 inches of AB.

Drainage Improvements

General

This section provides a discussion of the considerations associated with collecting and disposing of surface water at the site, both from a geotechnical viewpoint and to attempt to satisfy the requirements of the NPDES.

Gutters, downspouts, collector systems, and surface and subsurface drains should be checked periodically for breaks, leaks, or obstructions. The drainage facilities should be cleaned and maintained as necessary so that they continue to function properly.

Surface Drainage

The surface drainage at the site should include collecting and conveying surface runoff to appropriate outlets, and positive drainage should be provided away from all buildings. Roof downspouts and patio drain inlets should discharge into closed conduits that drain into a closed collector system. Collected runoff should be discharged into the creek at the rear of the site.

Since the soils at the site consist of clay, their permeability is relatively low compared to typical rainfall rates. Therefore, the designer should assume that the percolation rates of the clay soils are likely to prevent significant infiltration during the rainfall event after the soils become saturated.

Subsurface Drainage

Retaining walls should be fully backdrained. The backdrains should consist of a 4-inch-diameter, rigid perforated pipe surrounded by a drainage blanket. The pipe should be placed with the perforations pointing down, and should drain by gravity to a suitable outlet. The drainage blanket should consist of Caltrans Class 2 "Permeable Material." Alternately, the drainage blanket could consist of clean, free-draining crushed rock or gravel, wrapped in a filter fabric such as Mirafi 140N. For interior retaining walls, if applicable, the top of the drainpipe should be at least 6 inches below the lowest adjacent grade (which is typically the finished ground surface or any slabs in front of the wall). For exterior retaining walls, the collected runoff may be discharged through weep holes at the base of the wall, spaced at about 5 feet horizontally, provided that the moisture condition along the base of the wall is acceptable to the owner. The drainage blanket should be at least one foot wide and extend to within one foot of the surface. The uppermost one-foot should be backfilled with compacted in-situ clay soils to exclude surface water. Alternately, a prefabricated drainage structure may be used provided our firm is given the opportunity to review the manufacturer's details for the drain to check that it would perform similarly to a conventional backdrain as described above.

Water collected in retaining wall backdrains may be discharged by gravity through solid pipes or weep holes (as discussed above) to the ground surface along the rear of the site since the volume of water is likely to be fairly small and insignificant compared to surface runoff.

Supplemental Services

For the recommendations in this report to remain valid, GEOTECNIA must continue to be retained to review the geotechnical aspects of the project plans, specifications, and structural calculations to evaluate if they are in general conformance with the intent of our geotechnical recommendations. In addition, GEOTECNIA must continue to be retained to observe the geotechnical aspects of construction, particularly slab subgrade preparation and compaction (before placement of the AB), drilled pier construction (drilling of a few piers and measurement of the depths of all piers), backfill placement and compaction, placement of retaining wall backdrain and subsurface drainage components, as applicable, and to perform appropriate field and laboratory testing.

These services would be performed on an as-requested basis and would be in addition to this geotechnical study. We cannot accept responsibility for conditions, situations, or stages of construction that we are not notified and retained to observe.

If, during construction, subsurface conditions different from those encountered in our exploratory borings are observed, or appear to be present beneath excavations, we should be advised at once so that these conditions may be reviewed and our recommendations reconsidered. The recommendations made in this report are contingent upon our notification and review of the changed conditions.

If more than 18 months have elapsed between the submission of this report and the start of work at the site, or if conditions have changed because of natural causes or construction operations at or adjacent to the site, the recommendations of this report may no longer be valid or appropriate. In such case, we recommend that we review this report to determine the applicability of the conclusions and recommendations considering the time elapsed or changed conditions. The recommendations made in this report are contingent upon such a review.

LIMITATIONS

This report has been prepared for the exclusive use of the Client (Mr. Shakil Ali), as well as his agents and consultants, for the proposed project described in this report. The recommendations in this report should not be applied to structures or locations other than those described in this report. If the proposed construction differs from what has been assumed in this report, our firm should be contacted to evaluate the applicability of the recommendations included in this report to the new scheme. A copy of this report should be given by the current owner to future owners of the subject property, if or when applicable, so they are aware of the geotechnical conditions of the site.

Our services consist of professional opinions and conclusions developed in accordance with generally accepted geotechnical engineering principles and practices. We provide no other warranty, either expressed or implied. Our conclusions and recommendations are based on the information provided to us regarding the proposed construction, review of available data, the results of our field exploration and laboratory testing programs, and professional judgment. Verification of our conclusions and recommendations is subject to our review of the geotechnical aspects of the project plans, specifications, and structural calculations, and our observation of all the geotechnical aspects of construction.

The boring logs represent the subsurface conditions at the locations and on the date indicated. It is not warranted that it is representative of such conditions elsewhere or at other times. Site conditions and cultural features described in the text of this report are those existing at the time of our field exploration program, conducted on July 15, 2024, and may not necessarily be the same or comparable at other times. The locations of our borings were established in the field by reference to existing features at the site and should be considered approximate only.

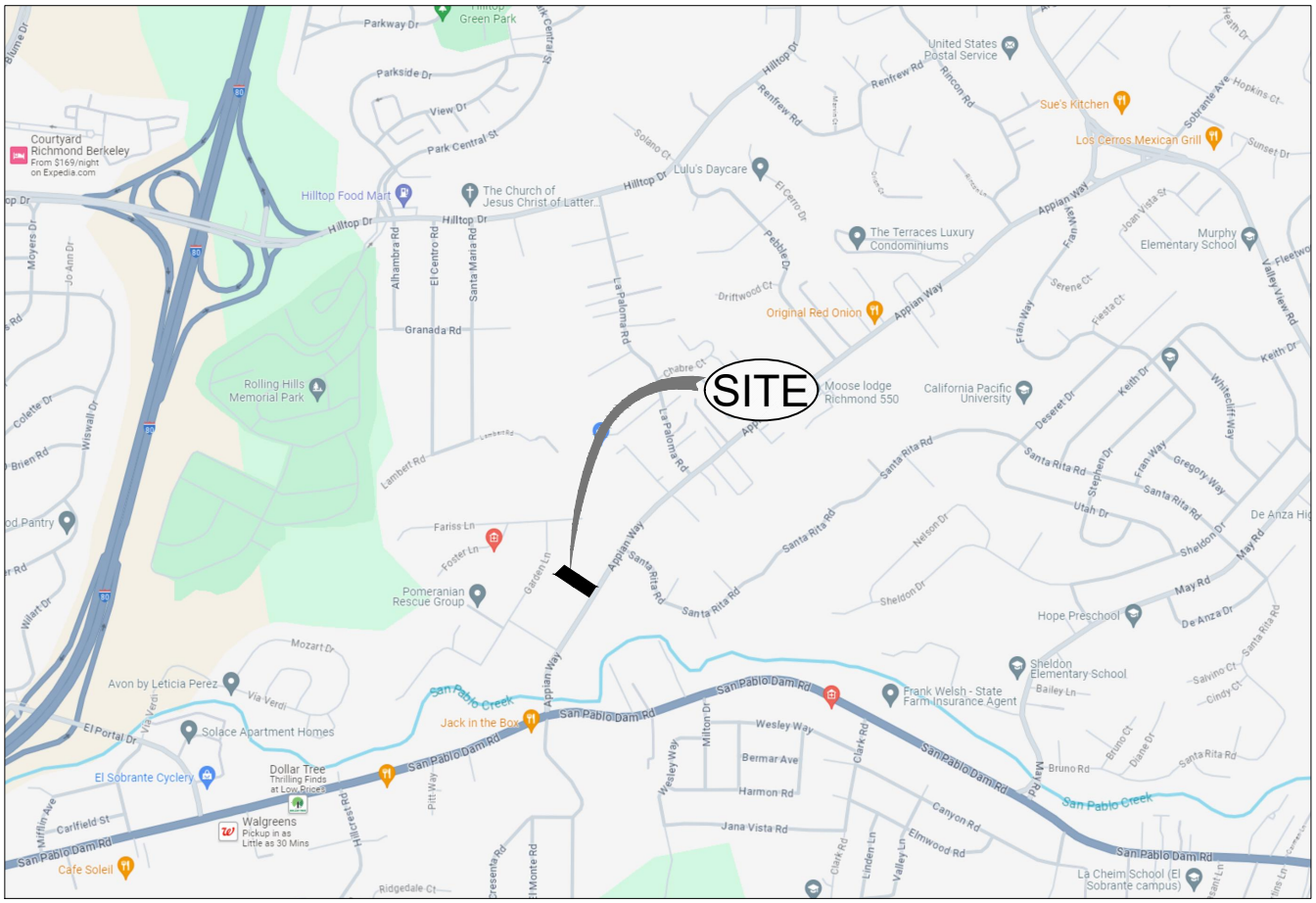
The scope of our services did not include an environmental assessment; an investigation of the presence or absence of hazardous or toxic materials in the soil, surface water, groundwater, or air, on or below, or around the site; nor did it include an evaluation or investigation of the

presence or absence of wetlands. Our services also did not include a corrosivity evaluation of the in-situ soils or an assessment of mold potential. A corrosion engineer may need to be consulted to evaluate the corrosivity of the in-situ soils and import select fill, as appropriate, with respect to concrete and any underground utility materials that may be used at the site. A mold consultant may need to be retained to provide recommendations for mitigating the potential for mold development in the proposed buildings.

APPENDIX A

List of Plates

Plate	1	-	Site Location Map
Plate	2	-	Boring Location Map
Plates	3-7	-	Logs of Borings B-1 through B-5
Plate	8	-	Soil Classification Chart and Key to Test Data
Plate	9	-	Plasticity Chart



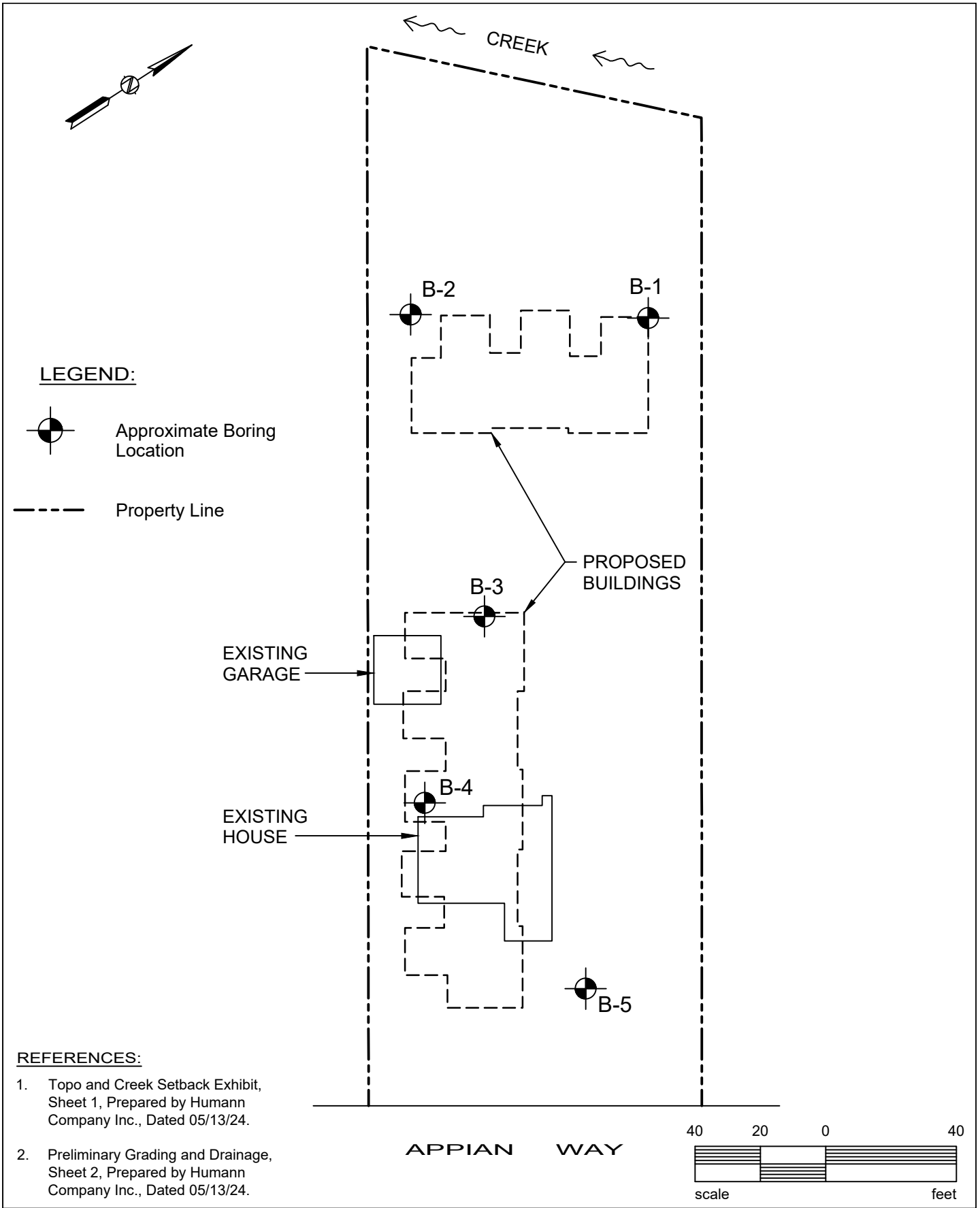


1500 750 0 1500

scale feet

Reference: Google Maps.

GEOTECNIA Consulting Geotechnical Engineers	Job. No: 244073 Appr: Drwn: LPDD Date: AUG 2024	SITE LOCATION MAP Proposed 8-Unit Residential Development at 4301 Appian Way El Sobrante, California	PLATE 1



REFERENCES:

1. Topo and Creek Setback Exhibit, Sheet 1, Prepared by Humann Company Inc., Dated 05/13/24.
2. Preliminary Grading and Drainage, Sheet 2, Prepared by Humann Company Inc., Dated 05/13/24.

GEOTECNIA
Consulting Geotechnical Engineers

Job. No: 244073
Appr:
Drwn: LPDD
Date: AUG 2024

BORING LOCATION MAP

Proposed 8-Unit Residential Development at
4301 Appian Way
El Sobrante, California

PLATE
2

EQUIPMENT: **3.5-inch-diameter solid flight augers**
LOGGED BY: **LEM**
ELEVATION: **
START DATE: **7-15-24**
FINISH DATE: **7-15-24**

Other Laboratory Tests	Pocket Penetrometer (ksf)	Moisture Content (%)	Dry Density (pcf)	% Passing #200 sieve	Blows/Foot *	Sample	DEPTH (FEET)	
							0	FAT CLAY (CH), brown, very stiff, moist, with roots
	>4.5				22		1	
LL = 54, PI = 29; see Plate 9							2	
	4.2				15		3	LEAN CLAY (CL), light brown, very stiff, moist, with roots
LL = 43, PI = 25; see Plate 9							4	
							5	
					14		6	CLAYEY SAND (SC), brown, medium dense, moist, with roots
					15		7	SANDY LEAN CLAY (CL), brown, stiff, moist
	2.0						8	
							9	
							10	FAT CLAY (CH), dark brown, very stiff, moist
	2.7				23		11	
							12	
							13	
							14	
							15	SANDY LEAN CLAY (CL), mottled brown, very stiff, moist
	3.0				23		16	
							17	
							18	▽
							19	
							20	with rock fragments
	3.5				26		21	

Bottom of Boring B-1 at a depth of 21.5 feet.
Groundwater surface measured at a depth of 18 feet at time of drilling.
Backfilled with cement grout.

* Converted to equivalent standard penetration blow counts.
** Existing ground surface at time of investigation.

GEOTECNIA
Consulting Geotechnical Engineers

Job No: 244073
Appr:
Drwn: LPDD
Date: AUG 2024

LOG OF BORING B-1

Proposed 8-Unit Residential Development at
4301 Appian Way
El Sobrante, California

PLATE 3

EQUIPMENT: **3.5-inch-diameter solid flight augers**
LOGGED BY: **LEM**
ELEVATION: **
START DATE: **7-15-24**
FINISH DATE: **7-15-24**

Other Laboratory Tests	Pocket Penetrometer (ksf)	Moisture Content (%)	Dry Density (pcf)	% Passing #200 sieve	Blows/Foot *	Sample	DEPTH (FEET)	
							0	SANDY FAT CLAY (CH), dark brown, very stiff, damp
LL = 50, PI = 29; see Plate 9	>4.5				25		1	
							2	
							3	
							4	SANDY LEAN CLAY (CL), mottled brown, very stiff, moist, with roots
	>4.5				20		5	
							6	
							7	
							8	SANDY FAT CLAY (CH), dark brown, very stiff, moist
	4.2				21		9	
							10	
							11	
							12	
							13	SANDY LEAN CLAY (CL), mottled brown, very stiff, moist
	4.2				32		14	
							15	
							16	
							17	
	3.0				23		18	
							19	Bottom of Boring B-2 at a depth of 19 feet. No free groundwater encountered at time of drilling. Backfilled with cement grout.

* Converted to equivalent standard penetration blow counts.

** Existing ground surface at time of investigation.

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Consulting Geotechnical Engineers

Job No: 244073
Appr:
Drwn: LPDD
Date: AUG 2024

LOG OF BORING B-2

Proposed 8-Unit Residential Development at
4301 Appian Way
El Sobrante, California

PLATE 4

EQUIPMENT: **3.5-inch-diameter solid flight augers**
LOGGED BY: **LEM**
ELEVATION: **
START DATE: **7-15-24**
FINISH DATE: **7-15-24**

Other Laboratory Tests	Pocket Penetrometer (ksf)	Moisture Content (%)	Dry Density (pcf)	% Passing #200 sieve	Blows/Foot *	Sample	DEPTH (FEET)	
					8		0–2	LEAN CLAY (CL), mottled dark brown, medium stiff, damp, with rock fragments and brick fragments
LL = 39, PI = 19; see Plate 9					27		3	FILL
LL = 56, PI = 33; see Plate 9	>4.5						4	SANDY FAT CLAY (CH), mottled brown, very stiff, moist
	3.0				12		5–6	grading to damp, with roots
	>4.5				19		7–9	
	4.2				28		10–13	FAT CLAY (CH), dark brown, very stiff, moist
	3.2				22		14–17	LEAN CLAY (CL), mottled brown, very stiff, moist
	2.0				16		18–21	with CLAYEY SAND (SC) lenses

Bottom of Boring B-3 at a depth of 21.5 feet.
No free groundwater encountered at time of drilling.
Backfilled with cement grout.

* Converted to equivalent standard penetration blow counts.
** Existing ground surface at time of investigation.

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Consulting Geotechnical Engineers

Job No: 244073
Appr:
Drwn: LPDD
Date: AUG 2024

LOG OF BORING B-3

Proposed 8-Unit Residential Development at
4301 Appian Way
El Sobrante, California

PLATE 5

EQUIPMENT: **3.5-inch-diameter solid flight augers**
LOGGED BY: **LEM**
ELEVATION: **
START DATE: **7-15-24**
FINISH DATE: **7-15-24**

Other Laboratory Tests	Pocket Penetrometer (ksf)	Moisture Content (%)	Dry Density (pcf)	% Passing #200 sieve	Blows/Foot *	Sample	DEPTH (FEET)	
							0	LEAN CLAY (CL), dark brown, very stiff, damp
LL = 42, PI = 22; see Plate 9	>4.5				23		1	
							2	
							3	
							4	SANDY LEAN CLAY (CL), brown, stiff, moist
	2.0				13		5	
							6	
							7	
							8	
					17		9	
							10	
							11	FAT CLAY (CH), brown, very stiff, moist
							12	
	3.5				27		13	
							14	
							15	
							16	
							17	
	3.0				20		18	
							19	Bottom of Boring B-4 at a depth of 19 feet. No free groundwater encountered at time of drilling. Backfilled with cement grout.

* Converted to equivalent standard penetration blow counts.

** Existing ground surface at time of investigation.

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Consulting Geotechnical Engineers

Job No: 244073
Appr:
Drwn: LPDD
Date: AUG 2024

LOG OF BORING B-4

Proposed 8-Unit Residential Development at
4301 Appian Way
El Sobrante, California

PLATE 6

EQUIPMENT: **3.5-inch-diameter solid flight augers**
LOGGED BY: **LEM**
ELEVATION: **
START DATE: **7-15-24**
FINISH DATE: **7-15-24**

Other Laboratory Tests	Pocket Penetrometer (ksf)	Moisture Content (%)	Dry Density (pcf)	% Passing #200 sieve	Blows/Foot * Sample	DEPTH (FEET)	
						0	LEAN CLAY (CL), dark brown, stiff, damp, with roots
	2.7				12	1	
LL = 44, PI = 23; see Plate 9						2	FILL
	>4.5				20	3	FAT CLAY (CH), dark brown, very stiff, damp
LL = 50, PI = 29; see Plate 9						4	
	2.7				12	5	SANDY LEAN CLAY (CL), mottled brown, stiff, moist, with CLAYEY SAND (SC) lenses
						6	
	2.5				11	7	
						8	
						9	FAT CLAY (CH), dark brown, very stiff, moist
	3.5				27	10	
						11	
						12	
						13	
						14	
	4.0				29	15	
						16	
						17	
						18	FAT CLAY (CH), brown, very stiff, moist
						19	
	3.0				21	20	
						21	

Bottom of Boring B-5 at a depth of 21.5 feet.
No free groundwater encountered at time of drilling.
Backfilled with cement grout.

* Converted to equivalent standard penetration blow counts.
** Existing ground surface at time of investigation.

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Appr:
Drwn: LPDD
Date: AUG 2024

LOG OF BORING B-5

Proposed 8-Unit Residential Development at
4301 Appian Way
El Sobrante, California

PLATE 7

MAJOR DIVISIONS				TYPICAL NAMES
COARSE GRAINED SOILS More than Half > #200 sieve	GRAVELS MORE THAN HALF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE	CLEAN GRAVELS WITH LITTLE OR NO FINES	GW	WELL GRADED GRAVELS, GRAVEL-SAND
			GP	POORLY GRADED GRAVELS, GRAVEL-SAND MIXTURES
		GRAVELS WITH OVER 12% FINES	GM	SILTY GRAVELS, POORLY GRADED GRAVEL-SAND-SILT MIXTURES
			GC	CLAYEY GRAVELS, POORLY GRADED GRAVEL-SAND-CLAY MIXTURES
	SANDS MORE THAN HALF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE	CLEAN SANDS WITH LITTLE OR NO FINES	SW	WELL GRADED SANDS, GRAVELLY SANDS
			SP	POORLY GRADED SANDS, GRAVELLY SANDS
		SANDS WITH OVER 12% FINES	SM	SILTY SANDS, POOORLY GRADED SAND-SILT MIXTURES
			SC	CLAYEY SANDS, POORLY GRADED SAND-CLAY MIXTURES
FINE GRAINED SOILS More than Half < #200 sieve	SILTS AND CLAYS LIQUID LIMIT LESS THAN 50		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS, OR CLAYEY SILTS WITH SLIGHT PLASTICITY
			CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
			OL	ORGANIC CLAYS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
	SILTS AND CLAYS LIQUID LIMIT GREATER THAN 50		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACIOUS FINE SANDY OR SILTY SOILS, ELASTIC SILTS
			CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS
			OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
HIGHLY ORGANIC SOILS			Pt	PEAT AND OTHER HIGHLY ORGANIC SOILS

UNIFIED SOIL CLASSIFICATION SYSTEM

			Shear Strength, psf / Confining Pressure, psf	
Consol	Consolidation	Tx	2630 (240)	Unconsolidated Undrained Triaxial
LL	Liquid Limit (in %)	Tx sat	2100 (575)	Unconsolidated Undrained Triaxial, saturated prior to test
PL	Plastic Limit (in %)	DS	3740 (960)	Unconsolidated Undrained Direct Shear
PI	Plasticity Index	TV	1320	Torvane Shear
Gs	Specific Gravity	UC	4200	Unconfined Compression
SA	Sieve Analysis	LVS	500	Laboratory Vane Shear
■	Undisturbed Sample (2.5-inch ID)	FS	Free Swell	
◪	2-inch-ID Sample	EI	Expansion Index	
◧	Standard Penetration Test	Perm	Permeability	
⊠	Bulk Sample	SE	Sand Equivalent	

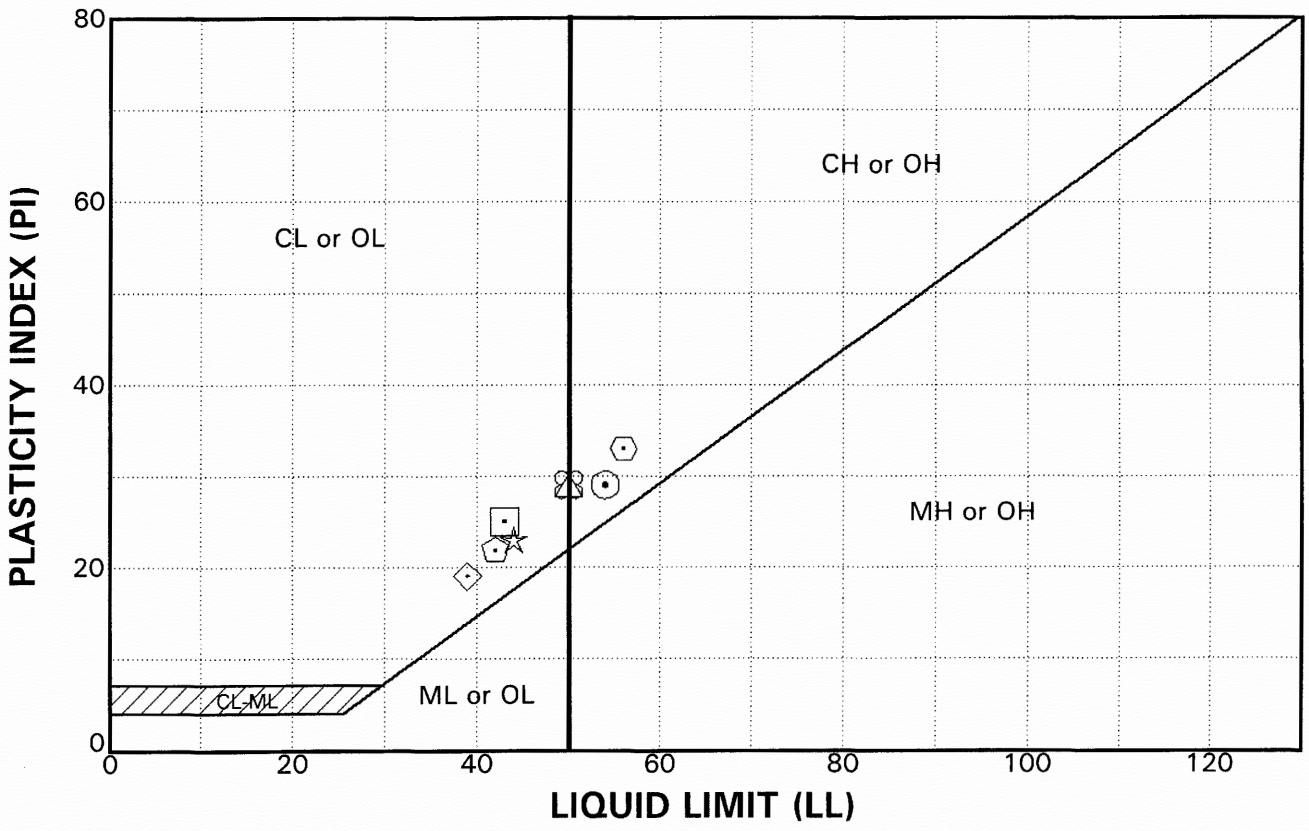
KEY TO TEST DATA

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SOIL CLASSIFICATION CHART AND KEY TO TEST DATA
Proposed 8-Unit Residential Development at 4301 Appian Way
El Sobrante, California

PLATE 8



SAMPLE SOURCE	CLASSIFICATION	LIQUID LIMIT (%)	PLASTIC LIMIT (%)	PLASTICITY INDEX (%)	% PASSING #200 SIEVE
⊙ Bor. B-1 @ 1.5'	Fat Clay (CH)	54	25	29	
⊡ Bor. B-1 @ 3.0'	Lean Clay (CL)	43	18	25	
△ Bor. B-2 @ 1.5'	Sandy Fat Clay (CH)	50	21	29	
◇ Bor. B-3 @ 1.5'	Lean Clay (CL)	39	20	19	
⊙ Bor. B-3 @ 3.5'	Sandy Fat Clay (CH)	56	23	33	
⊙ Bor. B-4 @ 1.5'	Lean Clay (CL)	42	20	22	
☆ Bor. B-5 @ 1.5'	Lean Clay (CL)	44	21	23	
⊠ Bor. B-5 @ 3.0'	Fat Clay (CH)	50	21	29	

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Date: AUG 2024

PLASTICITY CHART

Proposed 8-Unit Residential Development at
4301 Appian Way
El Sobrante, California

PLATE
9

APPENDIX B

List of References

1. American Society of Civil Engineers (ASCE), 2024, *ASCE 7 Hazards Report,* ASCE 7 Hazard Tool.

2. California Division of Mines and Geology (CDMG), 1997, *Active Fault Near-Source Zones,* Department of Conservation, Sheet E-17, Scale ¼ inch = 1 kilometer.

3. CDMG, 1982, *State of California Special Studies Zones, Richmond Quadrangle,* Department of Conservation, Scale 1:24,000, dated January 1.

4. California Geological Survey, 2003, *State of California Seismic Hazard Zones, Richmond Quadrangle, Official Map*, Department of Conservation, Scale 1:24,000, Dated February 14.

5. Dibblee, T.W., Jr., 1980, *Preliminary Geologic Map of the Richmond Quadrangle, Alameda and Contra Costa Counties, California,* United States Geological Survey Open-File Report 80-1100, Scale 1:24,000.

6. Jennings, C.W., 1996, *Preliminary Fault and Geologic Map, State of California,* CDMG) Scale 1:750,000.

7. Sitar, N., Mikola, R. G., and Candia, G., 2012, *Seismically Induced Lateral Earth Pressures and Basement Walls,* ASCE, Geotechnical Engineering State of the Art and Practice, Geotechnical Special Publication No. 226.

APPENDIX C

Field Exploration

Our field exploration consisted of a geologic reconnaissance and subsurface exploration by means of drilling and sampling five borings on July 15, 2024. The borings were drilled and sampled with portable hydraulic equipment at the approximate locations shown on Plate 2.

The logs of the borings are displayed on Plates 3-7. Representative disturbed or relatively undisturbed samples of the earth materials were obtained from the borings at selected or continuous intervals with a 3-inch-diameter, modified California sampler; and a 2-inch-diameter, split-barrel Standard Penetration Test (SPT) sampler. Where two samples were obtained continuously, the larger sampler was used first, and then the smaller sampler was telescoped through the hole left by the larger sampler above.

Penetration resistance blow counts were obtained by dropping a 140-pound hammer through a 30-inch free fall. The sampler was driven up to 24 inches and the number of blows was recorded for each 6 inches of penetration. These blow counts were then correlated to SPT blow counts. The blows per foot recorded on the Boring Logs represent the accumulated number of blows (correlated to SPT blow counts) that were required to drive the sampler the last 12 inches or fraction thereof. A correction factor of 0.66 was used to correct the field blow counts for the modified California sampler.

The shear strength of some of the cohesive soils was estimated in the field using a pocket penetrometer and the results are shown on the Boring Logs. The soil classifications are shown on the Boring Logs and referenced on Plate 8.

Laboratory Testing

We performed Atterberg limits laboratory tests on selected soil samples recovered from the borings. The data from these tests are recorded at the appropriate sample depths on the appropriate Boring Logs (Plates 3-7) and on Plate 9.

APPENDIX D

Distribution

Mr. Shakil Ali (via e-mail at shakilali@sbcglobal.net)
2021 Elderberry Drive
San Ramon, California 94582

ALI CARRIAGE RENTAL HOMES



4301 APPIAN WAY - EL SOBRANTE, CA

NOTES:

1. GENERAL: THESE PLANS ARE A "BUILDER'S SET". ARETE, INC. HAS BEEN CONTRACTED TO PROVIDE A "BUILDER'S SET" WITH THE AGREEMENT THAT AN EXPERIENCED & KNOWLEDGEABLE CONTRACTOR SHALL CONSTRUCT THIS PROJECT. THESE PLANS CONTAIN INFORMATION FOR GENERAL CONSTRUCTION & BUILDING PERMIT PURPOSES ONLY. THEY ARE NOT EXTENSIVELY DETAILED NOR ARE SPECIFICATIONS PROVIDED. FOR ITEMS, METHODS AND/OR MATERIALS NOT SHOWN, MINIMUM REQUIREMENT OF CURRENTLY ADOPTED C.B.C. SHALL GOVERN. THESE PLANS HAVE BEEN PRODUCED SOLELY FOR THE USE OF A KNOWLEDGEABLE & EXPERIENCED CONTRACTOR. ANY OR PART OF ALL SYSTEMS, MATERIALS, CONNECTIONS & DETAILS NOT SPECIFICALLY PROVIDED IN THESE PLANS ARE THE SOLE & COMPLETE RESPONSIBILITY OF CONTRACTOR TO PROPERLY VERIFY & INSTALL. ARCHITECT DOES NOT PROVIDE CONTINUOUS OBSERVATION UNLESS IT HAS BEEN SPECIFICALLY CONTRACTED FOR. CONTRACTOR IS SOLELY RESPONSIBLE FOR QUALITY & CONSTRUCTION STANDARDS FOR THIS PROJECT. ARCHITECT PROVIDES NO WARRANTY OR GUARANTEE ON FINAL PROJECT, NOR A DUTY TO ANY PERSON OR ENTITY BEYOND THE AFOREMENTIONED LIMITED INFORMATION OF THESE CONSTRUCTION DOCUMENTS. THE CLIENT IS DIRECTLY RESPONSIBLE FOR ANY MODIFICATIONS THAT MAY BE ASSOCIATED WITH REVISIONS RESULTING FROM BUILDING CODE CHANGES THAT MAY OCCUR SUBSEQUENT TO THE GENERATION OF THESE CONSTRUCTION DOCUMENTS.
2. CONTRACTOR & SUBCONTRACTORS ARE TO REFER TO ALL SHEETS (DRAWINGS) PRIOR TO COMMENCEMENT OF WORK TO ELIMINATE POSSIBLE FUTURE ERRORS AND OMISSIONS. IF, IN THE OPINION OF CONTRACTOR OR ANY SUBCONTRACTOR, INSTRUCTIONS, DETAILS OR INFORMATION CONTAINED IN THESE DRAWINGS OR SPECIFICATIONS IS AT VARIANCE WITH OR DOES NOT COMPLY WITH ANY OF THE REQUIREMENTS ABOVE, HE SHALL REPORT SAME TO ARCHITECT BEFORE PROCEEDING WITH THAT PHASE OF WORK.
3. JOB SAFETY: ARCHITECT IS NOT RESPONSIBLE FOR FABRICATION, ERECTION AND/OR JOB SAFETY. CONTRACTOR SHALL COMPLY WITH ALL SAFETY REGULATIONS. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DESIGN AND INSTALLATION OF ALL SHORING, BRACING, FORM WORK, ETC. AS REQUIRED FOR PROTECTION OF LIFE AND PROPERTY DURING CONSTRUCTION OF PROJECT.
4. ON-SITE FIELD VERIFICATION OF ALL DIMENSIONS & CONDITIONS SHALL BE RESPONSIBILITY OF CONTRACTOR. NOTED DIMENSIONS TAKE PRECEDENCE OVER SCALE. CONTRACTOR/OWNER SHALL VERIFY CONTOURS, SITE CONFIGURATIONS, PROPERTY LINES, SETBACKS, EASEMENTS, EXTENT OF BUILDING PAD, & ACCURACY OF TOPOGRAPHY PRIOR TO APPROVAL, ACCEPTANCE, & CONSTRUCTION.
5. SITE CONFIGURATION, SETBACK & EASEMENT INFORMATION, & TOPOGRAPHY SHALL BE PROVIDED BY OWNER. OWNER SHALL VERIFY ALL PROPERTY LINES, EASEMENTS, EXTENT OF BUILDING PAD, & ACCURACY OF TOPOGRAPHY PRIOR TO APPROVAL AND/OR ACCEPTANCE.
6. OMISSIONS: IN THE EVENT CERTAIN FEATURES OF THE CONSTRUCTION ARE NOT FULLY SHOWN ON DRAWINGS, THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS FOR SIMILAR CONDITIONS THAT ARE SHOWN ON DRAWINGS.
7. SOILS ENGINEER SHALL INSPECT AND CERTIFY FOUNDATION EXCAVATIONS PRIOR TO FOOTING INSPECTION BY THE COUNTY.
8. SOILS ENGINEER SHALL BE RETAINED TO PROVIDE OBSERVATION & TESTING SERVICES DURING EARTHWORK, FOUNDATION CONSTRUCTION, & DRAINAGE PHASES OF WORK.
9. UNDER NO CIRCUMSTANCES SHALL ANY SHEETS (DRAWINGS, PRINTS, PLANS, ETC.) MARKED "BID DOCUMENTS" BE USED FOR ACTUAL CONSTRUCTION.

DOOR SECURITY FEATURES:

10. EXTERIOR DOORS SHALL BE SOLID CORE CONSTRUCTION, WITH A MIN.THICKNESS OF 1-3/4" AND SHALL BE SECURED BY A DEADBOLT LOCK WITH A MIN. THROW OF 1"
11. DOOR STRIKE PLATES SHOULD BE AUGMENTED WITH 3" SCREWS TO GUARD AGAINST FORCED ENTRY.
12. OUTSIDE HINGES ON ALL EXTERIOR DOORS SHALL BE PROVIDED WITH NON-REMOVABLE PINS, WHEN PIN TYPE HINGES ARE USED, OR SHOULD BE PROVIDED WITH HINGE STUDS TO PREVENT REMOVAL OF DOOR.
13. ALL EXTERIOR DOORS SHALL BE EQUIPPED WITH VIEWING DEVICE (PEEPHOLE), WHICH PROVIDES A VIEWING AREA OF AT LEAST 180 DEGREES.

WINDOW SECURITY FEATURES:

14. WINDOWS, CAPABLE OF BEING OPENED SHALL BE SECURED ON THE INSIDE BY A LOCKING DEVICE CAPABLE OF WITHSTANDING A FORCE OF 300# IN ANY DIRECTION.
15. ALL WINDOWS CAPABLE OF BEING OPENED SHALL BE EQUIPPED WITH SECONDARY LOCKING MECHANISMS.

LIGHTING SECURITY FEATURES:

16. PARKING AREAS, DRIVEWAYS, CIRCULATION AREAS, PASSAGEWAYS, RECESSES, & GROUNDS CONTIGUOUS TO BUILDINGS SHALL BE PROVIDED WITH LIGHTING SUFFICIENT TO MAKE CLEARLY VISIBLE THE PRESENCE OF ANY PERSON ON OR ABOUT PREMISES.
17. ALL EXTERIOR DOORS SHALL BE EQUIPPED WITH THEIR OWN DEDICATED LIGHT SOURCE.
18. ALL EXTERIOR FIXTURES SHALL BE EQUIPPED WITH VANDAL RESISTANT GRATING & BE INSTALLED AT SUFFICIENT HEIGHT TO DISCOURAGING TAMPERING.
19. ALL EXTERIOR GENERAL SECURITY LIGHTS SHALL BE CONTROLLED BY PHOTOCELL SYSTEM, DESIGNED TO OPERATE DURING ALL PERIODS OF DIMINISHED LIGHT, REGARDLESS OF TIME OF DAY.

LANDSCAPING SECURITY FEATURES:

20. ENSURE THAT LANDSCAPING, WHEN MATURE, WILL NOT INTERFERE WITH SECURITY LIGHTING.
21. LANDSCAPING SHALL BE OF THE TYPE & SITUATED IN LOCATIONS TO MAXIMIZE OBSERVATION WHILE PROVIDING DESIRED DEGREE OF AESTHETICS. SHRUBS SHALL BE NO HIGHER THAN 42" TALL FROM GROUND & TREE CANOPY SHALL NOT FALL BELOW A LEVEL OF 7' ABOVE GROUND WHEN MATURE. DEFENSIBLE (THORNY) LANDSCAPING IS ENCOURAGED ALONG FENCE & PROPERTY LINES, UNDER VULNERABLE WINDOWS, & ANY OTHER LOCATIONS WHERE IT IS DESIRED TO RESTRICT PEOPLE'S ABILITY TO SIT, LOITER, OR CLIMB.

ADDRESS SIGNAGE:

22. PROVIDE INDIVIDUAL UNIT ADDRESS SIGNS WITH MIN. 4" HEIGHT LETTER IN HEIGHT & A CONTRASTING COLOR TO THEIR BACKGROUND, ILLUMINATED DURING PERIODS OF DARKNESS, & POSITIONED ON DRIVEWAY FRONT OF BUILDING & IN SUCH A WAY AS TO BE EASILY VISIBLE TO EMERGENCY VEHICLES, SEE EXTERIOR ELEVATIONS.

ABBREVIATIONS:

A.B.	ANCHOR BOLT	LVL	LAMINATED VENEER LUMBER
ABV.	ABOVE	MATL.	MATERIAL
ADD'L	ADDITIONAL	MAX.	MAXIMUM
A.S.T.M.	AMERICAN SOCIETY OF TESTING MATERIALS	MFR.	MANUFACTURER
BD.	BOARD	MIN.	MINIMUM
BLDG.	BUILDING	MTL.	METAL
BM.	BEAM	(N)	NEW
C/CPT.	CARPET	N.E.C.	NATIONAL ELECTRICAL CODE
CLG.	CEILING	N.I.C.	NOT IN CONTRACT
COMP.	COMPOSITE/COMPOSITION	O.C.	ON CENTER
CONC.	CONCRETE	OPT.	OPTIONAL
CONT.	CONTINUOUS	PD.	PATIO DOOR
CS/CSMT.	CASEMENT	PKT.	POCKET
DBL.	DOUBLE	PLYWD.	PLYWOOD
DH.	DOUBLE HUNG	P.O.C.	POINT OF CONNECTION
DIA.	DIAMETER	PR	PAIR
DIM.	DIMENSION	P.T.	PRESSURE TREATED
DR.	DOOR	RAD.	RADIUS
DTL.	DETAIL	RF.	ROOF
DWGS.	DRAWINGS	RM.	ROOM
(E)	EXISTING	RS.	ROUGH SAWN/RESAWN
EA.	EACH	S.A.D.	SEE ARCHITECTURAL DRAWINGS
ELEV.	ELEVATION	S.F.	SUBFLOOR
EXT.	EXTERIOR	SGD.	SLIDING GLASS DOOR
FIN.	FINISH	SGL.	SINGLE
FLR.	FLOOR	SH.	SINGLE HUNG
FR.	FRENCH	SHTG.	SHEATHING
FT.	FOOT	SIM.	SIMILAR
FX.	FIXED	SL/SLDR.	SLIDER
GAL.	GALLON	SQ.	SQUARE
GALV.	GALVANIZED	S.S.D.	SEE STRUCTURAL DRAWINGS
G.F.I.	GROUND FAULT INTERRUPTER	STRL.	STRUCTURAL
GSM	GALVANIZED SHEET METAL	T	TILE
GSMV	GALVANIZED SHEET METAL VALLEY	THK	THICK
GYP.	GYPSUM	TYP.	TYPICAL
H/HDWD.	HARDWOOD	U.B.C.	UNIFORM BUILDING CODE
HDR.	HEADER	U.M.C.	UNIFORM MECHANICAL CODE
HORIZ.	HORIZONTAL	U.P.C.	UNIFORM PLUMBING CODE
HGT./HT.	HEIGHT	U.O.N.	UNLESS OTHERWISE NOTED
INT.	INTERIOR	V	VINYL
JST.	JOIST	VERT.	VERTICAL
		V.I.F.	VERIFY IN FIELD
		V.P.	VAPOR PROOF
		WD.	WOOD
		WDW.	WINDOW
		W.I.	WROUGHT IRON

BUILDING SUMMARY

BUILDING OCCUPANCY GROUPS:	F-2/S-2/U
BUILDING CONSTRUCTION TYPE:	IV
BASIC ALLOWABLE BUILDING AREA:	18,000
INCREASE FOR SEPARATION:	N.A.
STORIES:	3

1. ALL WORK PERFORMED SHALL COMPLY IN ALL ASPECTS WITH BUT NOT NECESSARILY LIMITED TO ALL APPLICABLE LOCAL AND STATE ORDINANCES, CODES, AND REGULATIONS AND WITH THE FOLLOWING CODE EDITION:

2022 CALIFORNIA BUILDING CODE,	2022 INTERNATIONAL BUILDING CODE
2022 CALIFORNIA MECHANICAL CODE,	2022 UNIFORM MECHANICAL CODE
2022 CALIFORNIA PLUMBING CODE,	2022 UNIFORM PLUMBING CODE
2022 CALIFORNIA ELECTRICAL CODE	2022 NATIONAL ELECTRICAL CODE
2022 CALIFORNIA ENERGY CODE	2022 INTERNATIONAL FIRE CODE
2022 CALIFORNIA GREEN BLDG.STANDARDS CODE	2022 CALIFORNIA FIRE CODE

2. IN THE EVENT OF CONFLICTS IN THE CODE REQUIREMENTS, THE MOST STRINGENT REQUIREMENTS SHALL APPLY. ANY CONFLICTS BETWEEN THE CONSTRUCTION DOCUMENTS AND THE ABOVE CODES AND ORDINANCES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT, GENERAL CONTRACTOR AND THE OWNER'S REPRESENTATIVE FOR RESOLUTION BEFORE PROCEEDING WITH THE WORK.

SHEET INDEX:

#	CODESCRIPTION
COV	COVERSHEET
1	TOPO AND CREEK SETBACK EXHIBIT
2	PRELIMINARY GRADING AND DRAINAGE PLAN
A1	PRELIMINARY TYP. UNIT FLOOR PLANS
A2	PRELIMINARY BUILDING FLOOR PLANS
A3	PRELIMINARY TYP. UNIT EXTERIOR ELEVATIONS
A4	PRELIMINARY BUILDING ELEVATIONS
A5	PRELIMINARY BLDG. ELEVATIONS/SECTION
A6	PRELIMINARY TYP. UNIT ROOF PLAN

PROJECT AREAS

TYPICAL UNIT FLOOR AREAS:		
LOWER LEVEL	-	128 S.F.
MAIN LEVEL	-	744 S.F.
UPPER LEVEL	-	744 S.F.
TOTAL UNIT S.F.	-	1556 S.F.
GARAGE	-	616 S.F.
DECK	-	30 S.F.
TYP. BLDG. FLOOR AREAS:		
BLDG. 1 FOOTPRINT	-	3665 S.F.
BLDG. 2 FOOTPRINT	-	2205 S.F.
TOTAL FOOTPRINT (BLDG 1 & 2)	-	5870 S.F.
BLDG. 1 TOTAL S.F.	-	10,995 S.F.
BLDG. 2 TOTAL S.F.	-	6615 S.F.
SITE AREAS:		
EXISTING IMPERVIOUS:		
BUILDINGS	-	1857 S.F.
PAVED SURFACES	-	5905 S.F.
TOTAL (E) IMPERVIOUS	-	7762 S.F.
PROPOSED IMPERVIOUS:		
BUILDINGS	-	5870 S.F.
PAVED SURFACES	-	8021 S.F.
WALKWAY SURFACES	-	1289 S.F.
TOTAL PROPOSED IMPERVIOUS	-	15180 S.F.
TOTAL AREA OF LANDSC.	-	13721 S.F.
TOTAL LOT AREA (GROSS)	-	30,750 S.F.
RIGHT OF WAY DEDICATION	-	1500 S.F.
TOTAL LOT AREA (NET)	-	29,250 S.F.
LOT COVERAGE		
BUILDING FOOTPRINT / TOTAL AREA X 100 5870 S.F./30750 S.F. x 100	-	19.09%
FAR:		
LOWER LEVEL	-	744 S.F.
MAIN LEVEL	-	744 S.F.
UNIT AREA (LOWER & MAIN LEVELS)	-	1488 S.F.
BLDG. 1 AREA (5 UNITS)	-	7440 S.F.
BLDG. 2 AREA (3 UNITS)	-	4464 S.F.
TOTAL BUILDINGS AREA (8 UNITS)	-	11904 S.F.
TOTAL LOT AREA (GROSS)	-	30,750 S.F.
FAR	-	0.39
PARKING:		
TOTAL UNITS	-	8 UNITS
REQUIRED TOTAL PARKING (8 x 2.25)	-	20 SPACES
PROPOSED TOTAL PARKING PROVIDED	-	24 SPACES
REQUIRED COVERED PARKING	-	12 SPACES
PROPOSED COVERED PARKING	-	16 SPACES

PROJECT TEAM:

OWNER:
ALI FAMILY TRUST
4247 APPIAN WAY
EL SOBRANTE, CA 94803
925.789.0564
numair89@yahoo.com

ARCHITECT:
ARETE, INC. ARCHITECTURE - GARY L. WHEELER
P.O. BOX 2211
CONCORD, CA 94520
925.692.5888
gary.areteinc@gmail.com

SOILS ENGINEER:
GEOTECHNICA, CONSULTING GEOTECHNICAL ENGINEER
1624 ARMSTRONG COURT
CONCORD, CA 94521
925.686.6556
..

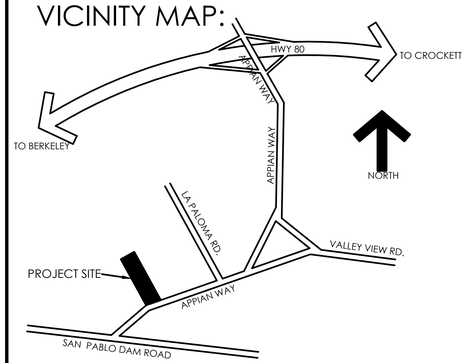
CIVIL ENGINEER:
THE HUMANN COMPANY
1021 BROWN AVENUE
LAFAYETTE, CA 94549
925.283.5000
izzat@humannco.com

STRUCTURAL ENGINEER:
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.
.
.

TITLE 24 CONSULTANT:
WEST COAST ENERGY DESIGN - LANNY DANA
1075 VICTORINE ROAD
LIVERMORE, CA 94551
925.243.1767
mytitle24guy@gmail.com

LANDSCAPE ARCHITECT:
..
..
..
..
..

VICINITY MAP:



RECEIVED on 4/22/2025 CDDP22-03021
By Contra Costa County
Department of Conservation and Development

drawn KAS sheet
check . COV
date 07/22/24
job 5154 of 12

COVER SHEET

NUMAIR
RENTAL HOMES
4301 APPIAN WAY
EL SOBRANTE, CA

arete, inc.
architecture
MA. G. (Bob) architect, gary l. wheeler, architect
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concord, california 94522
925 692-5888

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GENERAL NOTES

THE BOUNDARY AND TOPOGRAPHY SHOWN IS BASED UPON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY DEBOLT CIVIL ENGINEERING, DATED 11/08/2017, JOB NO. 17277. PROVIDED BY ARCHITECT, GARY WHEELER. ELEVATIONS HAVE BEEN ADJUSTED TO COUNTY DATUM USING BENCHMARK NO. 3197, BRASS TAG IN HEADWALL OF CONCREET BOX CULVERT ON APPIAN WAY APPROX. 200' NE OF SANTA RITA ROAD. BM ELEVATION = 110.498'. USE OF THIS SURVEY IS LIMITED TO THE PROPERTY OWNER AS REFERENCED IN THE TITLE BLOCK AND CONSULTANTS FOR THE SPECIFIC PROJECT. OTHERS MAY NOT USE THIS MAP WITHOUT THE PERMISSION OF THE CLIENT AND HUMANN COMPANY. BOUNDARY AND BASIS OF BEARINGS ARE PER THE UNDERLYING RECORD MAP AS REFERENCED IN THE TITLE BLOCK HEREON.

PRELIMINARY TITLE REPORT FOR THIS SURVEY WAS PREPARED BY OLD REPUBLIC TITLE CO., DATED 09/13/2010, ORDER NO. 0190009220-BM.

THE ELECTRONIC FILE IF SUPPLIED, IS BEING DONE SO AS A COURTESY AND CONVENIENCE, AND IS SUBORDINATE TO THE PROVIDED SIGNED HARD COPY MAP WITH RESPECT TO CONTENT, ACCURACY AND QUALITY. HUMANN COMPANY MAKES NO WARRANTEE OR GUARANTEE, EXPRESSED OR IMPLIED FOR ANY COPIES OF THE DRAWINGS OR WORK ASSOCIATED WITH THE ELECTRONIC FILE BY OTHERS.

BUILDING(S) SHOWN HEREON CONTAINS DECORATIVE ARCHITECTURAL ELEMENTS ALONG ITS WALLS AND CORNERS WHICH ARE NOT NECESSARILY ACCOUNTED FOR IN THE BUILDING FOOTPRINT AS SURVEYED AND MAPPED. PRIOR TO THE PREPARATION OF WORKING DRAWINGS, THE ARCHITECT/DESIGNER SHOULD FIELD INSPECT ANY AREAS ON THE BUILDING WHERE AN ADDITION OR OTHER IMPROVEMENT IS EXPECTED TO OCCUR (IF SETBACKS OR OTHER CONSTRAINTS ARE AN ISSUE), AND CONSULT WITH THE SURVEYOR OR ENGINEER AS NEEDED.

TREES AND DRIP LINES AS SHOWN ARE LOCATED SUFFICIENTLY FOR GENERAL ARCHITECTURAL SITE PLANNING. ANY CONSTRUCTION ACTIVITY PLANNED IMMEDIATELY ADJACENT TO THE TREES OR DRIP LINES SHOULD BE REVIEWED WITH THE APPROPRIATE CONSULTANT. IF IT IS DETERMINED THAT DETAILED TREE AND/OR BRANCH MEASUREMENTS ARE NEEDED, FURTHER SURVEYING MAY BE NECESSARY AND SHOULD BE ARRANGED BY THE OWNER AND/OR CONSULTANT. SPECIES AS REFERENCED ON THE SURVEY SHOULD BE CONFIRMED BY A LICENSED ARBORIST OR LANDSCAPE ARCHITECT IF THE SPECIFIC TREE(S) IS SUSPECTED OF BEING A PROTECTED OR CRITICAL ONE(S).

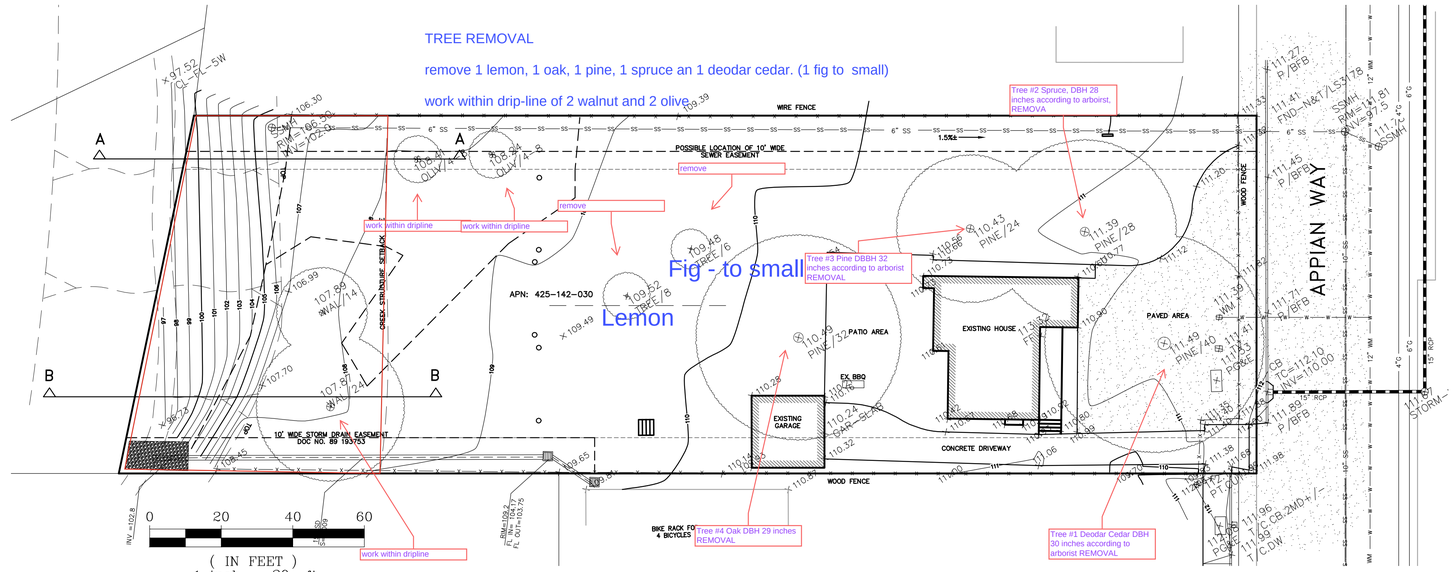
THIS PROPERTY IS IN THE VICINITY OF A CREEK, SWALE, OR DRAINAGE COURSE AND THE SURVEY MAY OR MAY NOT SHOW OR DEFINE THIS FEATURE AND IT'S ASSOCIATED SETBACKS OR RESTRICTIONS AS MANDATED BY LOCAL ORDINANCE. IF SITE IMPROVEMENTS ARE PLANNED, THE OWNER OR ARCHITECT SHOULD CONTACT THE APPLICABLE JURISDICTION, LOCAL OR OTHERWISE TO CONFIRM AND DETERMINE WHAT, IF ANY REQUIREMENTS AND RESTRICTIONS APPLY WITH RESPECT TO THE CREEK FEATURE AND THE POTENTIAL IMPACT DEVELOPMENT MAY HAVE ON IT.

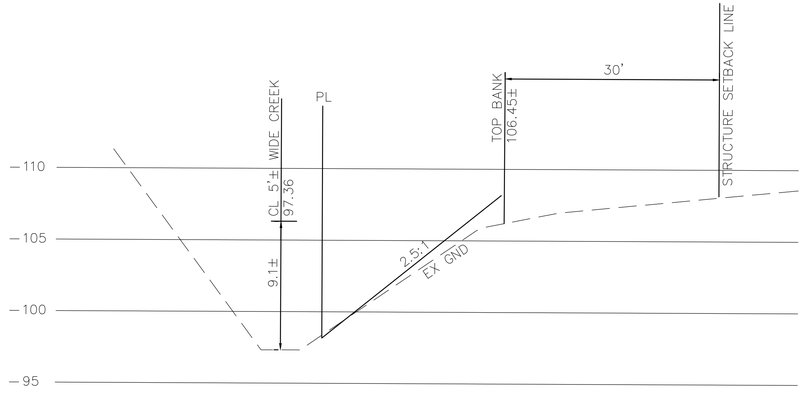
DATUM: ELEVATIONS SHOWN HEREON ARE BASED UPON COUNTY DATUM, BENCHMARK NO. 3197, ELEVATION = 110.498'

CONTOUR INTERVAL: 1 FEET

LEGEND

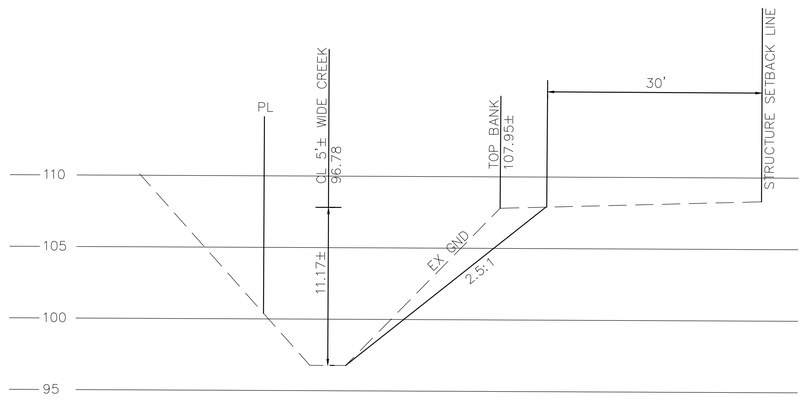
WM	WATER METER
PG&E	PG&E UTILITY BOX
	STORM DRAIN LINE
SS	SANITARY SEWER LINE
W	WATER LINE
G	GAS LINE
X	FENCE
+742.6	EXISTING GRADE
	AREA DRAIN
	DRAIN INLET
	LIGHT
	RIP-RAP





SECTION A–A

1":5'V 1":10'H



SECTION B–B

1":5'V 1":10'H

DP 22–3021

BEFORE EXCAVATING CALL U.S.A.

OWNER AND/OR CONTRACTOR ARE RESPONSIBLE FOR LOCATION AND VERIFICATION OF ALL EXISTING UNDERGROUND UTILITIES. UNDERGROUND SERVICE ALERT (USA) SHOULD BE NOTIFIED FOR ASSISTANCE IN THIS MATTER AT (800) 227-2600, 48 HOURS PRIOR TO ANY CONSTRUCTION.
THE (USA) AUTHORIZATION NUMBER SHALL BE KEPT AT THE JOB SITE.
LOCATION AND CHARACTER OF ANY UTILITIES IF SHOWN HEREON ARE APPROXIMATE, AND TAKEN FROM A COMBINATION OF SURFACE STRUCTURE OBSERVATION AND/OR THE RECORDS OF THE CONTROLLING AGENCY. HUMANN COMPANY DOES NOT ASSUME RESPONSIBILITY FOR THE LOCATION OF ANY EXISTING UTILITIES OR OTHER UNDERGROUND FEATURES SUCH AS VAULTS, TANKS, BASEMENTS, BURIED OBJECTS, ...ETC.

NO.	DATE	BY	REVISIONS

SCALE	1" = 20'
DATE	05/13/2024
DRAWN	KM
CHECKED	IN
JOB NO.	22026

REGISTERED PROFESSIONAL ENGINEER IZZAT S. NASHASHIBI No. 29528 CIVIL STATE OF CALIFORNIA

IZZAT S. NASHASHIBI R.C.E. 29528

TOPO AND CREEK SETBACK EXHIBIT

LOT 54, "SANTA RITA ACRES, UNIT NO.1" (22M645)

4301 APPIAN WAY -- APN:425-142-030

EL SOBRANTE CALIFORNIA

HUMANN COMPANY INC.
ENGINEERING – SURVEYING
1021 BROWN AVE. LAFAYETTE, CA 94549
PH (925)283-5000 FAX (925)283-3578

SHEET 1
OF 2 SHEET
JOB NO. 22026

G:\PROJECTS\2022\22026_2PAD_DR.DWG - SAVED: Wednesday, July 17, 2024 1:26:45 PM PLOT DATE: Thursday, July 18, 2024 9:51:10 AM LAYOUT: TOPO 2SSC-CREEK SB.dwg

GENERAL NOTES

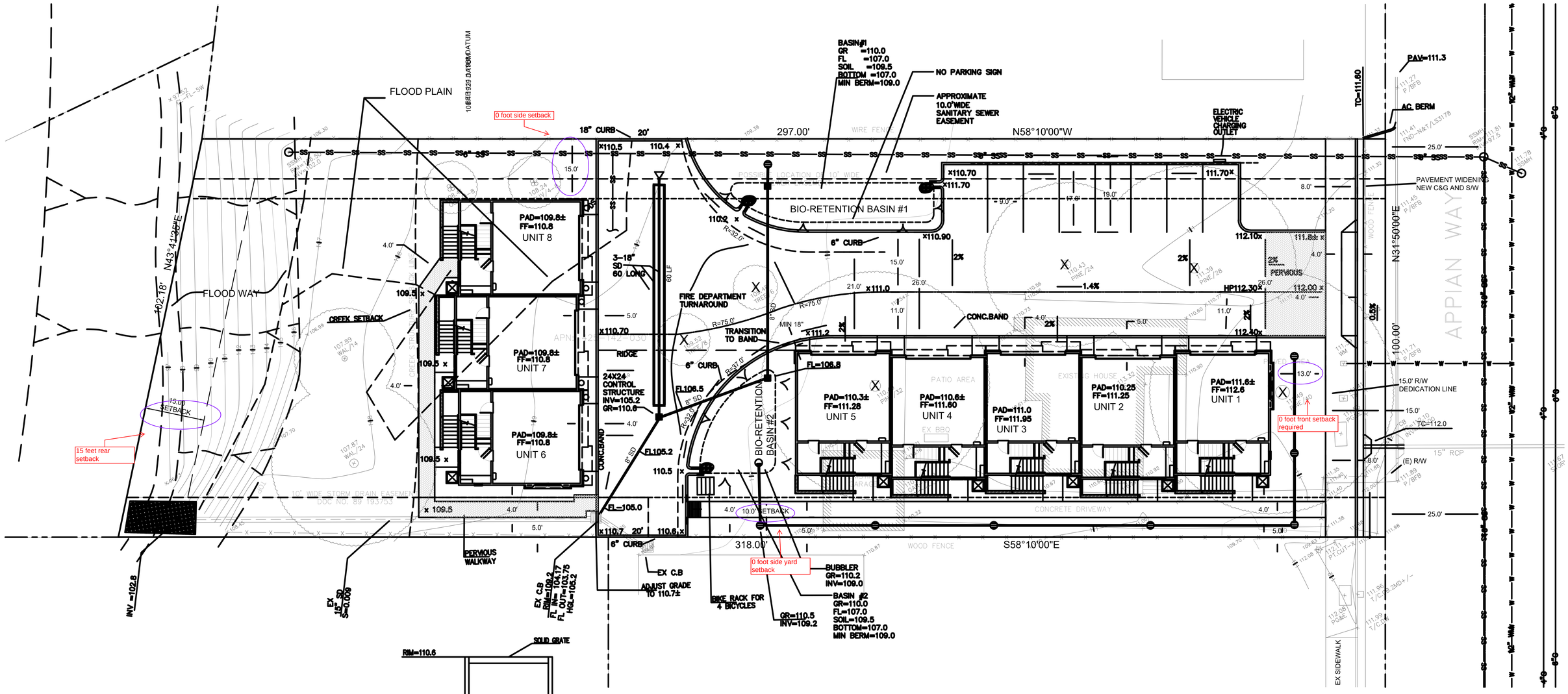
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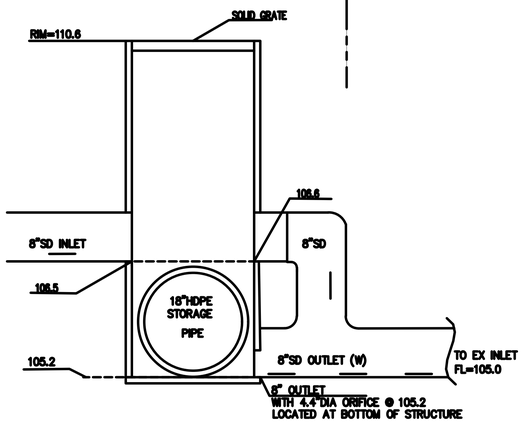
EARTH QUANTITIES

APPROXIMATE EARTH QUANTITIES TO BE VERIFIED BY CONTRACTOR

CUT	200 ± CU. YDS.
FILL	750 ± CU. YDS.

NOTE: EARTH QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL COMPUTE QUANTITIES INDEPENDENTLY TO VERIFY. ENGINEER IS NOT RESPONSIBLE FOR DISCREPANCIES.





24"x24" JUNCTION BOX/CONTROL STRUCTURE
SECTION B-B
N. T. S.

LEGEND

WM	WATER METER
PG&E	PG&E UTILITY BOX
	STORM DRAIN LINE
SS	SANITARY SEWER LINE
W	WATER LINE
G	GAS LINE
X	FENCE
+105.5	EXISTING GRADE
	AREA DRAIN
	DRAIN INLET
	LIGHT
	RIP-RAP

0 10 20 30
(IN FEET)
1 inch = 10 ft.

OWNER AND/OR CONTRACTOR ARE RESPONSIBLE FOR LOCATION AND VERIFICATION OF ALL EXISTING UNDERGROUND UTILITIES. UNDERGROUND SERVICE ALERT (USA) SHOULD BE NOTIFIED FOR ASSISTANCE IN THIS MATTER AT (800) 227-2600, 48 HOURS PRIOR TO ANY CONSTRUCTION. THE (USA) AUTHORIZATION NUMBER SHALL BE KEPT AT THE JOB SITE. LOCATION AND CHARACTER OF ANY UTILITIES IF SHOWN HEREON ARE APPROXIMATE, AND TAKEN FROM A COMBINATION OF SURFACE STRUCTURE OBSERVATION AND/OR THE RECORDS OF THE CONTROLLING AGENCY. HUMANN COMPANY DOES NOT ASSUME RESPONSIBILITY FOR THE LOCATION OF ANY EXISTING UTILITIES OR OTHER UNDERGROUND FEATURES SUCH AS VAULTS, TANKS, BASEMENTS, BURIED OBJECTS, ...ETC.

DP 22-3021

NO.	DATE	BY	REVISIONS
1	10/28/24	KU	REVISION PER CCC MEMO

SCALE	1" = 10
DATE	11/19/2024
ENGINEER	
JOB NO.	22026

REGISTERED PROFESSIONAL ENGINEER IZZAT S. NASSEREDDIN No. 29528 CIVIL STATE OF CALIFORNIA
R.C.E. 29528

PRELIMINARY GRADING AND DRAINAGE

LOT 54, "SANTA RITA ACRES, UNIT NO.1" (22M645)

4301 APPIAN WAY -- APN:425-142-030

EL SOBRANTE CALIFORNIA

HUMANN COMPANY INC.
ENGINEERING - SURVEYING
1021 BROWN AVE, LAFAYETTE, CA 94549
PH (925)283-5000 FAX (925)283-3578

D:\PROJECTS\2022\22026-4301 APPIAN WAY\DWG\22026-4301 APPIAN WAY.dwg, Tuesday, December 10, 2024 9:29:03 AM, PLOT BY: Tuesday, December 10, 2024 9:29:03 AM, LAYERS: ON

GENERAL NOTES

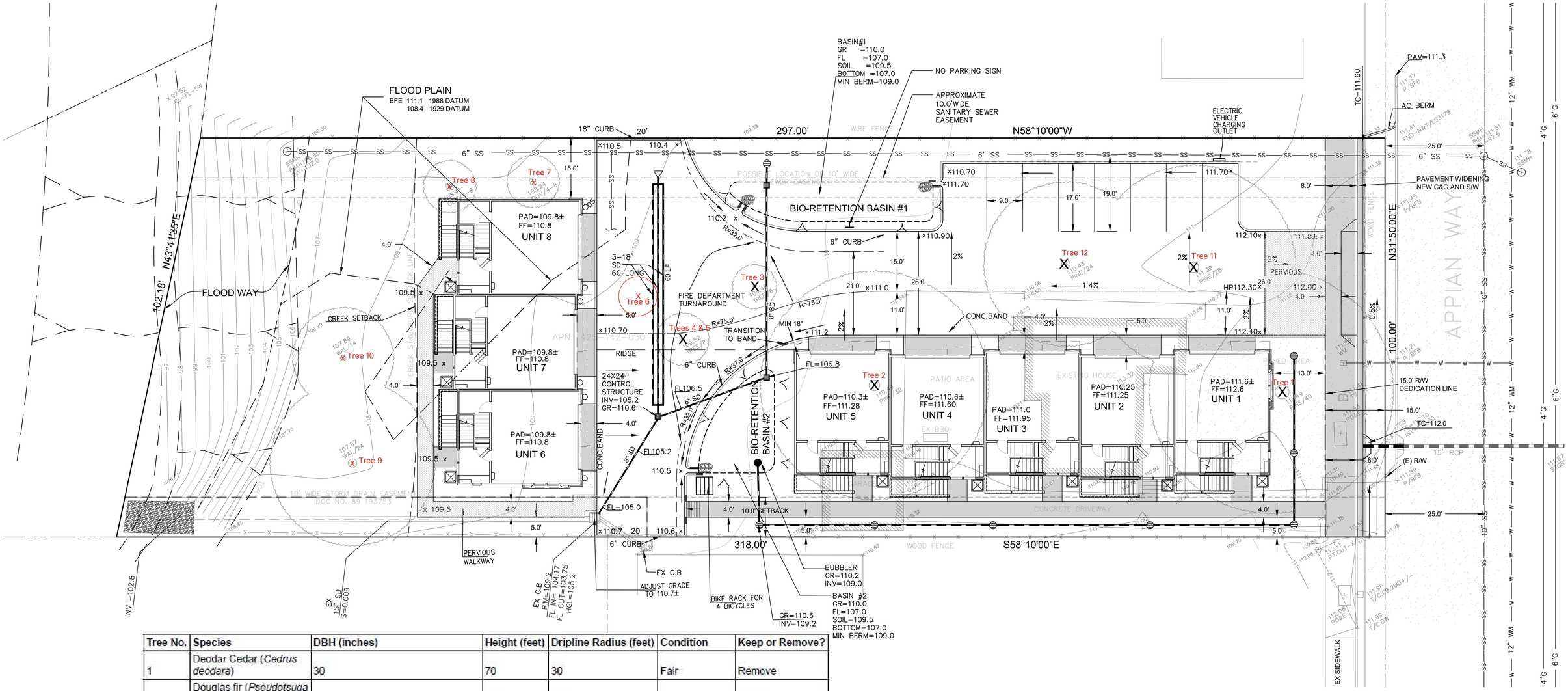
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EARTH QUANTITIES

APPROXIMATE EARTH QUANTITIES TO BE VERIFIED BY CONTRACTOR

CUT	200 ± CU. YDS.
FILL	750 ± CU. YDS.

NOTE: EARTH QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL COMPUTE QUANTITIES INDEPENDENTLY TO VERIFY. ENGINEER IS NOT RESPONSIBLE FOR DISCREPANCIES.



Tree No.	Species	DBH (inches)	Height (feet)	Dripline Radius (feet)	Condition	Keep or Remove?
1	Deodar Cedar (*Cedrus deodara*)	30	70	30	Fair	Remove
2	Douglas fir (*Pseudotsuga menziesii*)	32	80	20	Fair	Remove
3	Citron (*Citrus medica*)	Many codominant stems below breast height, average diameter 1.5	18	7	Fair	Remove
4	Tree privet (*Ligustrum lucidum*)	Many codominant stems below breast height, average diameter 2	20	8	Good	Remove
5	Common pear (*Pyrus communis*)	3x codominant stems, 4, 5, 5	15	8	Fair	Remove
6	Common fig (*Ficus carica*)	Many codominant stems below breast height, average diameter 1	10	6	Fair	Remove
7	Olive (*Olea europaea*)	4x codominant stems, 7, 7, 7, 11	40	20	Good	Remove
8	Olive (*Olea europaea*)	5x codominant stems, 7, 9, 7, 6, 10	40	20	Good	Remove
9	Northern California black walnut (*Juglans hindsii*)	N/A, codominant stem stumps 15, 10, 17	N/A	N/A	Poor	N/A (stump)
10	Northern California black walnut (*Juglans hindsii*)	N/A, codominant stem stumps 13, 8	N/A	N/A	Poor	N/A (stump)
11	Douglas fir (*Pseudotsuga menziesii*)	N/A, stump 37	N/A	N/A	Dead	N/A (stump)
12	Douglas fir (*Pseudotsuga menziesii*)	N/A, stump 34	N/A	N/A	Dead	N/A (stump)

LEGEND

WM	WATER METER
PG&E	PG&E UTILITY BOX
	STORM DRAIN LINE
SS	SANITARY SEWER LINE
W	WATER LINE
G	GAS LINE
X	FENCE
x742.6	EXISTING GRADE
	AREA DRAIN
	DRAIN INLET
	LIGHT
	RIP-RAP

(IN FEET)
1 inch = 10 ft.

BEFORE EXCAVATING CALL U.S.A.

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DP 22-3021

NO.	DATE	BY	REVISIONS
1	10/29/24	KU	REVISION PER CCC MEMO

SCALE 1" = 10
DATE 11/19/2024
ENGINEER
JOB NO. 22026

REGISTERED PROFESSIONAL ENGINEER IZZAT S. NASHASHIBI No. 29528 CIVIL STATE OF CALIFORNIA

IZZAT S. NASHASHIBI R.C.E. 29528

PRELIMINARY GRADING AND DRAINAGE

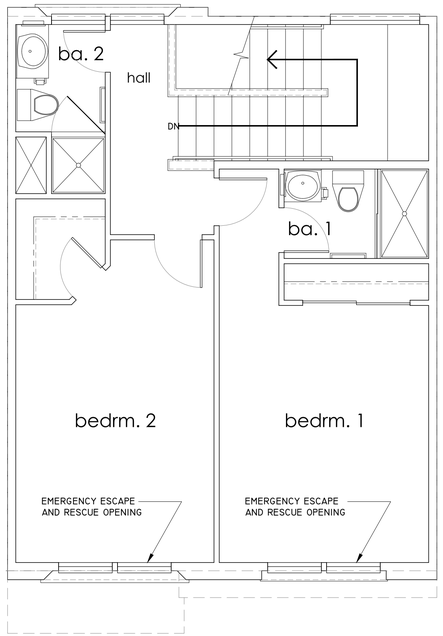
LOT 54, "SANTA RITA ACRES, UNIT NO.1" (22M645)
4301 APPIAN WAY -- APN:425-142-030

EL SOBRANTE CALIFORNIA

HUMANN COMPANY INC.
ENGINEERING - SURVEYING
1021 BROWN AVE. LAFAYETTE, CA 94549
PH (925)283-5000 FAX (925)283-3578

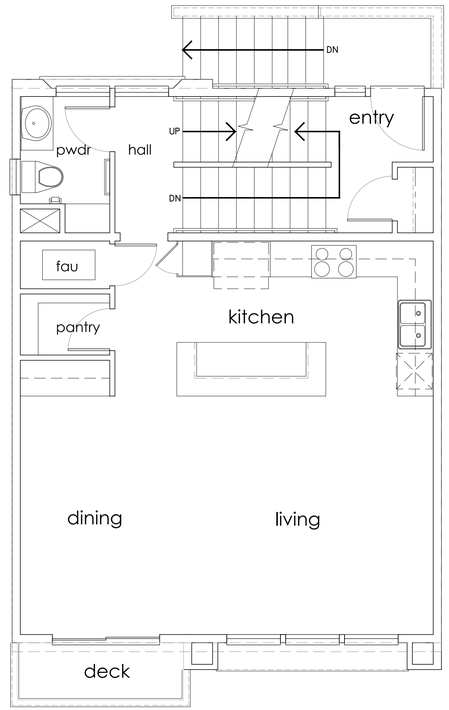
SHEET 2
OF 2 SHEETS
JOB NO. 22026

J:\PROJ\22026\22026_GRAD-DR.DWG LAYOUT: GRAD-DR Tuesday, November 19, 2024 9:15:59 AM PLOT DATE: Tuesday, November 19, 2024 10:44:24 AM LAYOUT: GRAD-DR



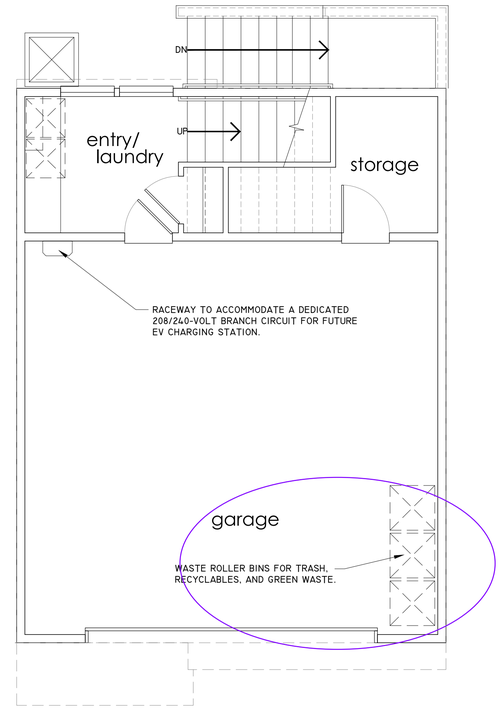
UPPER LEVEL

RESIDENCE - 744 S.F.



MAIN LEVEL

RESIDENCE	744 S.F.
DECK	30 S.F.



ENTRY LEVEL

GARAGE (UNCONDITION3ED)	- 616 S.F.
RESIDENCE (CONDITIONED)	- 128 S.F.
ENTRY LEVEL TOTAL	- 744 S.F.
TOTAL CONDITIONED	- 1556 S.F.
TOTAL RESIDENCE	- 2232 S.F.

drawn KAS sheet A1
check .
date 07/22/24
job 5154 of 12

PRELIMINARY
UNIT FLOOR PLANS
SCALE: 1/4"=1'-0"

NUMAIR
RENTAL HOMES
4301 APPIAN WAY
EL SOBRANTE, CA

anetê, inc.
architecture
kirk s. lindley, architect gary k. wheeler, architect
p.o. box 1211
concord, california 94522
925 692-5888

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ENTRY LEVEL - BUILDING 1

- 3665 S.F.

ENTRY LEVEL - BUILDING 2

- 2205 S.F.

MAIN LEVEL - BUILDING 1

MAIN LEVEL - BUILDING 2

UPPER LEVEL - BUILDING 1

UPPER LEVEL - BUILDING 2

NUMAIR
RENTAL HOMES

4301 APPIAN WAY
EL SOBRANTE, CA

PRELIMINARY
BLDG. FLOOR PLANS

SCALE: 1/8"=1'-0"

drawn KAS sheet A2
check .
date 07/22/24
job 5154 of 12

aretê, inc.
architecture
kirk s. lawley, aia/nckct john k. whitelaw, aia/nckct

p.o. box 1211
concord, california 94522
925 692-5888

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TYP. UNIT EXTERIOR ELEVATIONS

drawn KAS sheet A3
check .
date 07/22/24
job 5154 of 12

PRELIMINARY
UNIT EXT. ELEVATIONS

SCALE: 1/4"=1'-0"

NUMAIR
RENTAL HOMES

4301 APPIAN WAY

EL SOBRANTE, CA

aretê, inc.
architecture
p.o. box 1211
concord, california 94522
925 692-5888

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BUILDING 2 - FRONT EXTERIOR ELEVATION



BUILDING 1 - FRONT EXTERIOR ELEVATION



BUILDING 2 - REAR EXTERIOR ELEVATION



BUILDING 1 - REAR EXTERIOR ELEVATION

PRELIMINARY
BLDG. EXT. ELEVATIONS

SCALE: 1/8"=1'-0"

drawn KAS sheet A4
check .
date 07/22/24
job 5154 of 12

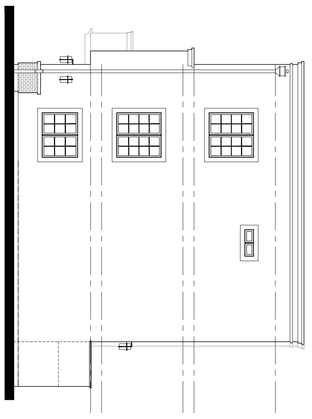
NUMAIR
RENTAL HOMES

4301 APPIAN WAY
EL SOBRANTE, CA

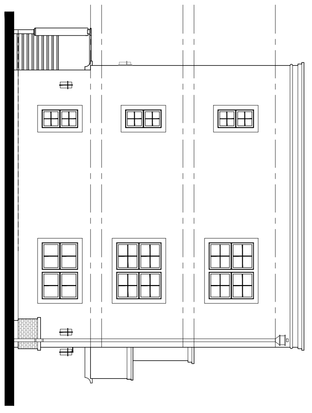
aretê, inc.
architecture
kirk a. elliston, architect, aia | k.e.elliston, architect
p.o. box 1211
concord, california 94522
925 692-5888

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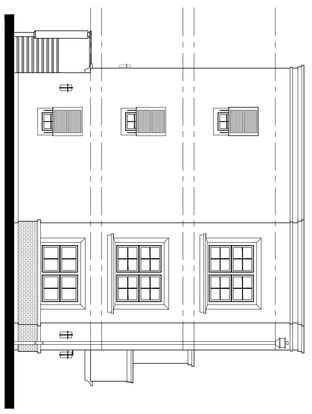
TYP. BUILDING RIGHT SIDE EXTERIOR ELEVATION



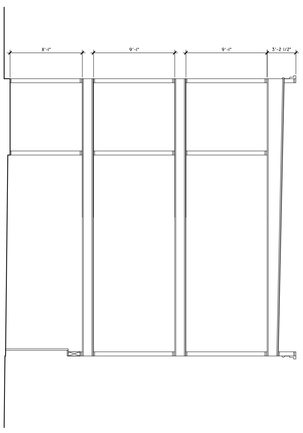
BUILDING 2 - LEFT SIDE EXTERIOR ELEVATION



BUILDING 1 - LEFT SIDE EXTERIOR ELEVATION



SECTION THRU TYP. UNIT



aretê, inc.
architecture
kirk a. shelby, architect gary l. wheeler, architect

p.o. box 1211
concord, california 94522
925 692-5888

NUMAIR
RENTAL HOMES

4301 APPIAN WAY
EL SOBRANTE, CA

PRELIMINARY
BLDG. EXT. ELEVATIONS
AND TYP. SECTION

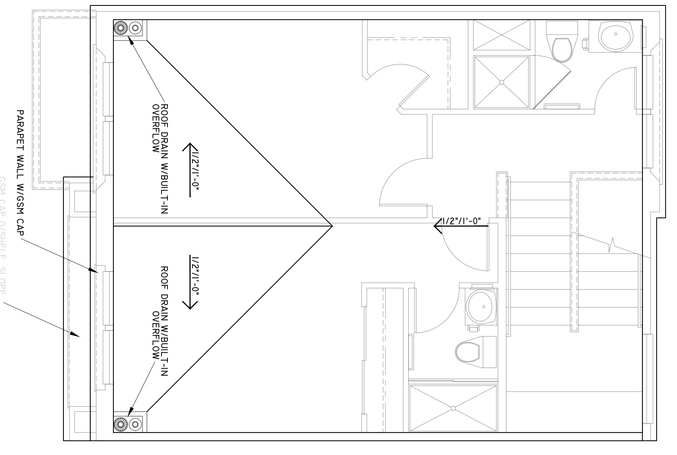
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job 5154 of 12

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TYP. UNIT ROOF PLAN



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architecture
kirk a. shelby, architect gary l. wheeler, architect

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NUMAIR
RENTAL HOMES

4301 APPIAN WAY
EL SOBRANTE, CA

PRELIMINARY
TYP. UNIT ROOF PLAN

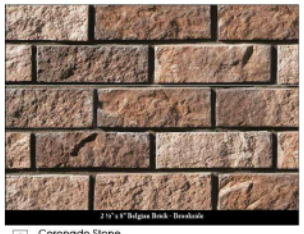
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job 5154 of 12

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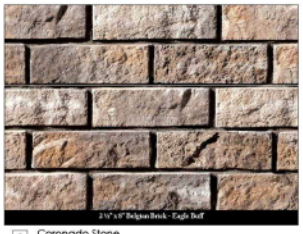


BRICK VENEER



1 Coronado Stone
BELGIAN BRICK - BROOKSIDE

BRICK VENEER



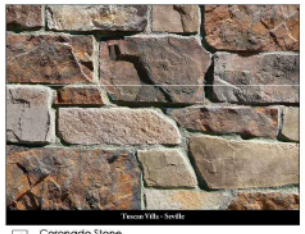
2 Coronado Stone
BELGIAN BRICK - EAGLE BUFF

BRICK VENEER



3 Coronado Stone

STONE VENEER



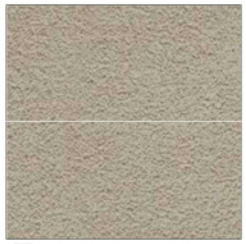
4 Coronado Stone
TUSCAN VILLA - SEVILLE

STONE VENEER

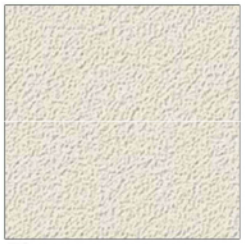


5 Coronado Stone
TUSCAN VILLA - FLORENTINE

OMEGA PRODUCTS' COLORTEK STUCCO COLORS



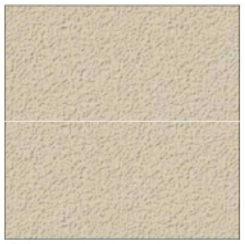
6 404 - BARN SWALLOW



7 251- LACE



8 246 - ROYAL TAUPE



9 437 - ROUGH KHAKI



10 18 - COCONUT

Color Scheme 1

1	Stone Veneer	CORONADO STONE	BELGIAN BRICK - BROOKSIDE
2	Stucco Body 1	OMEGA PRODUCTS	404 - BARN SWALLOW
3	Stucco Body 2	OMEGA PRODUCTS	251-LACE
4	Trim	OMEGA PRODUCTS	18 - COCONUT
5			

Color Scheme 2

1	Stone Veneer	CORONADO STONE	TUSCAN VILLA - FLORENTINE
2	Stucco Body 1	OMEGA PRODUCTS	246 - ROYAL TAUPE
3	Stucco Body 2	OMEGA PRODUCTS	437 - ROUGH KHAKI
4	Trim	OMEGA PRODUCTS	18 - COCONUT
5			

Color Scheme 3

1	Stone Veneer	CORONADO STONE	BELGIAN BRICK - BEAR CREEK
2	Stucco Body 1	OMEGA PRODUCTS	251-LACE
3	Stucco Body 2	OMEGA PRODUCTS	404 - BARN SWALLOW
4	Trim	OMEGA PRODUCTS	18 - COCONUT
5			

Color Scheme 4

1	Stone Veneer	CORONADO STONE	TUSCAN VILLA - SEVILLE
2	Stucco Body 1	OMEGA PRODUCTS	437 - ROUGH KHAKI
3	Stucco Body 2	OMEGA PRODUCTS	246 - ROYAL TAUPE
4	Trim	OMEGA PRODUCTS	18 - COCONUT
5			

Color Scheme 5

1	Stone Veneer	CORONADO STONE	BELGIAN BRICK - EAGLE BUFF
2	Stucco Body 1	OMEGA PRODUCTS	404 - BARN SWALLOW
3	Stucco Body 2	OMEGA PRODUCTS	251-LACE
4	Trim	OMEGA PRODUCTS	18 - COCONUT
5			



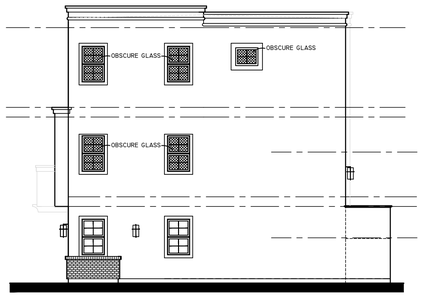
BUILDING 2 - FRONT EXTERIOR ELEVATION

BUILDING 1 - FRONT EXTERIOR ELEVATION

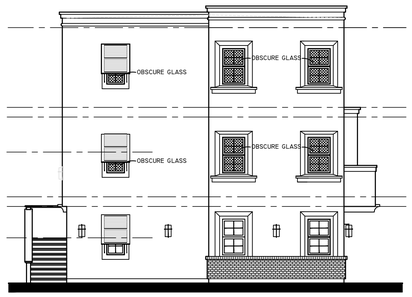


BUILDING 2 - REAR EXTERIOR ELEVATION

BUILDING 1 - REAR EXTERIOR ELEVATION



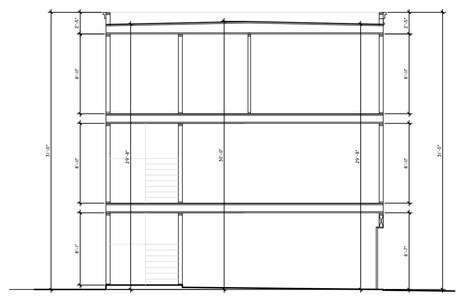
TYP. BUILDING RIGHT SIDE EXTERIOR ELEVATION



BUILDING 2 - LEFT SIDE EXTERIOR ELEVATION



BUILDING 1 - LEFT SIDE EXTERIOR ELEVATION



SECTION THRU TYP. UNIT

NUMAIR
RENTAL HOMES

4301 APPIAN WAY
EL SOBRANTE, CA

REVISED
BLDG. EXT. ELEVATIONS

SCALE: 1/8"=1'-0"

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architecture
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File #: 26-201 **Agenda Date:** 1/21/2026 **Agenda #:** 3a.

Project Title:	Land Use Permit for T-Mobile Wireless Facility
County File:	#CDLP25-02025
Applicant: Owner:	T-Mobile Wireless Arthur Road Associates
Zoning/General Plan:	Light Industrial District (L-I) / Light Industrial (LI)
Site Location:	183 Arthur Road, Martinez, CA 94553 (APN: 380-041-008)
California Environmental Quality Act (CEQA) Status:	Categorical Exemption: Class I, CEQA Guidelines Section 15301 (b).
Project Planner:	Chloe Partain, Project Planner (925) 655-2857 chloe.partain@dcd.cccounty.us
Staff Recommendation:	Approve (See Section II for Full Recommendation)

I. PROJECT SUMMARY

The applicant requests approval of a Land Use permit to allow for the continued operation of an existing T-Mobile wireless telecommunications facility, with no proposed modifications to the equipment or the lease area. The facility was originally established under Land Use Permit CDLP96-02011, which expired on July 22, 2016, and renewed under County File #CDLP15-02050, which expires on March 7, 2026.

II. RECOMMENDATION

Staff recommends that the Zoning Administrator:

A. OPEN the public hearing on the proposed project, RECEIVE testimony, and CLOSE the public hearing.

B. DETERMINE that the proposed project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301(b).

C. APPROVE the proposed Land Use Permit CDLP25-02025.

D. APPROVE the attached findings in support of the project.

E.APPROVE the attached conditions of approval.

F. DIRECT staff to file a CEQA Notice of Exemption with the County Clerk.

III. BACKGROUND

The subject T-Mobile telecommunications facility was originally entitled under Land Use Permit #CDLP96-02011, which was approved by the County Zoning Administrator on July 22, 1996. The most recent renewal occurred under County File #CDLP15-02050, which was approved by the Zoning Administrator on March 7, 2016 for a ten-year period expiring March 7, 2026. On August 13, 2025, the subject Land Use Permit application (County File #CDLP25-02025) was submitted to the Community Development Division (CDD).

IV. GENERAL INFORMATION

A. General Plan: Light Industry (LI)

B. Zoning: L-I, Light Industrial District

C. California Environmental Quality Act (CEQA) Compliance: Categorical Exemption - Class 1: CEQA Guidelines Section 15301(b), the continued operation of existing facilities of both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services, are exempt from review.

D. Previous Applications of Relevance:

1) CDWM21-00041: A wireless minor alteration permit authorizing a non-substantial change of the existing T-Mobile wireless facility to allow the establishment of Dish Wireless. The Wireless Minor Alteration Permit was approved by the Zoning Administrator on June 9, 2021.

2) CDWM21-00003: A wireless minor alteration permit authorizing a non-substantial change of the existing T-Mobile wireless facility. The Wireless Minor Alteration Permit was approved by the Zoning Administrator on April 12, 2021.

3) CDLL15-00032: An approved lot line adjustment resulting in APNs 380-041-008 and 380 -041-009 as they are presently configured. The lot line adjustment was approved by staff on December 7, 2015.

4) CDLP15-02050: A land use permit authorizing the modification of the existing T-Mobile wireless facility. The Land Use Permit was approved by the County Zoning Administrator on March 7, 2016, and will expire on March 7, 2026.

5) CDCV13-00002: An administrative application seeking a compliance review for a cell site upgrade on the existing facility. The compliance review was approved by staff on January 17, 2013.

6) CDLP09-02008: A land use permit authorizing the intensification of the existing T-Mobile wireless facility. The Land Use Permit was approved by the County Zoning Administrator on October 5, 2009, and subsequently expired on October 5, 2019.

7) CDLP96-02011: A land use permit authorizing the establishment of a wireless telecommunications facility. The Land Use Permit was approved by the County Zoning Administrator on July 22, 1996, and subsequently expired on July 22, 2016.

V. SITE/ AREA DESCRIPTION

The subject wireless telecommunications facility is located on the rooftop at 183 Arthur Road in unincorporated Martinez. The facility consists of 9 existing antennas, 6 RRU units, 2 equipment cabinets, and other ancillary equipment. It has a height of 41-feet 10-inches above ground level. Multiple wireless carriers, including AT&T and Dish Wireless also have facilities located on the same rooftop. Both the telecommunications land use as well as the established commercial land use are consistent with the parcel's Light Industrial (LI) zoning designation and its' Light Industry (L-I) General Plan land use designation. Continued operation of the facility will not adversely affect the operation of the established business.

The subject site is 134,470 square feet in size. The grade remains consistent through the parcel, with no dramatic increases in elevation. There are numerous mature trees located to the east of the facility to screen it from Highway 680.

The surrounding area is similar to the subject site, which consists of flat parcels located within a Light Industrial (L-I) zoning district. Highway 680 is located directly to the east of the project site. Lands in the immediate vicinity have General Plan Land Use designations such as Light Industry (LI) or Public and Semi-Public (PS), consistent with their industrial zoning. Many properties along Arthur Road have been developed with industrial facilities.

VI. PROJECT DESCRIPTION

The applicant requests approval of a Land Use permit to allow for the continued operation of an existing T-Mobile wireless telecommunications facility, with no proposed modifications to the equipment or the lease area. The facility was originally established under Land Use Permit #CDLP96-02011, which expired on July 22, 2016. The most recent renewal for the facility occurred under Land Use Permit #CDLP15-02050, which expires on March 7, 2026.

VII. AGENCY COMMENTS

An Agency Comment Request packet was sent on August 13, 2025 to a number of public agencies, including Building Inspection Division, Telecom Planning staff, Environmental Health Division of the Health Services Department, Contra Costa County Fire Protection District, Mountain View Sanitary District, Contra Costa Water District, the City of Martinez, and the Contra Costa Mosquito and Vector Control District. Agency comments received by staff are included in Attachment 3. The following are summaries of the agency comments received.

A. Mountain View Sanitary District (MVSD): In a returned Agency Comment Request form dated August 13, 2025, MVSD staff indicated no comment on the proposed project.

IX. STAFF ANALYSIS AND DISCUSSION

A. General Plan: The subject property is located within a Light Industry (LI) General Plan Land Use designation. Generally, parcels within this designation are rural lands that may support low- to moderate-intensity industrial uses. The project does not conflict with industrial land uses on private property as it is located on the rooftop of an existing building. Additionally, the provision of cellular coverage provides a vital service to the area that would also be of benefit to nearby businesses, workers, and/or commuters in the area. Therefore, the land use is considered consistent and harmonious with land uses allowed within the LI designation.

B. Zoning: The project site is located within a Light Industrial (L-I) zoning district. Generally, the purpose of the L-I district is to provide for orderly development and land uses on lands suitable for low- to moderate-intensity industrial uses. Telecommunications facilities are conditionally permitted within the L-I zoning district as per section 84-58.404(1) of the County Ordinance code. Thus, the project is consistent and compatible with the allowed uses within the L-I district.

C. Wireless Telecommunications Facilities Ordinance (Chapter 88-24): The project proposes to continue the operation of a wireless telecom facility pursuant to section 88-24.620(b) of the County Ordinance Code. The project would continue the operation of the T-Mobile facility that has been operating at this same location since 1996. The project is considered a "low visibility facility," as defined in section 88-24.204(p)(4) of the County Ordinance code and would not affect any scenic ridges or peaks. Thus, the project meets all applicable location requirements for wireless facilities specified in sections 88-44.402 and 88-44.406 of the County Ordinance Code.

The County Wireless Ordinance (section 88-24.408) also includes design criteria for telecommunications facilities intended to limit aesthetic impacts. The project minimizes aesthetic impacts because it is a "low visibility facility," and all existing equipment has been painted to blend in with the color of the façade on which it is mounted as shown on photo

simulations submitted with this application. All antennas are at least 8 feet above ground level and are mounted directly on the exterior lateral face of the building. No façade mounted antenna extends more than 24 inches from the face of the building on which it is mounted, nor does it extend beyond the corner or the edge of the wall on which it is mounted.

The project is conditioned to prohibit advertisements, signal lights or other illumination, graffiti, and litter. The photos submitted with this application demonstrate that the project is currently in compliance with these conditions and with applicable FCC regulations for radio emissions emitted from the site. Continued compliance with these conditions and regulations shall be verified via administrative compliance review five-years thereafter. The project's adherence to all applicable project conditions ensures that the proposed facility will operate in accord with the provisions of the County Wireless Ordinance.

In the event that the wireless telecommunications use is discontinued, the project is conditioned to require the removal of all equipment and restoration of the site to pre project conditions within 60 days. The permittee has previously provided a security for this purpose in connection with previously approved entitlement CDLP15-02050. Based on an updated cost estimate provided by the current applicant, staff has determined that the bond presently retained by the County is of a sufficient amount to provide for the removal or modification of the facility.

In cumulative consideration of the above, the project, as provided, is compliant with all applicable provisions of the County Wireless Ordinance.

D. Appropriateness of Use: Wireless telecommunications facilities are conditionally permitted in the Light Industrial (L-I) District in which the subject property is located. The existing facility is located on private property but has been established at this location since 1996 with multiple other wireless carriers using the same rooftop for their facilities. The continued operation of this facility would not be to the detriment of established or future industrial land-use activities on or near the project site. Additionally, the provision of wireless telecommunications coverage provides a vital service to the area that benefits businesses, workers, and/or commuters in the area. Therefore, the project is an appropriate use of the subject property.

E. Federal Communications Commission (FCC) Compliance: The applicant has provided a report on theoretical modeling of Radio Frequency (RF) emissions originating from the facility, to predict the cumulative exposure from existing antennas at ground level. The RF report, prepared by a licensed electrical engineer, included field measurements of RF exposure emanating from the existing facility. The field measurement results indicate that the maximum level of RF emissions measured at ground level is 2.51% of the FCC General Population limits. Therefore, the project is compliant with federal regulations pertaining to RF emissions.

X. CONCLUSION

The project would establish a land use permit for the purpose of continuing the operation of an existing wireless telecommunications facility. The project does not involve a substantial modification to the established facility, as defined in Title 47, Code of Federal Regulations, Section 1.40001. As discussed throughout this report, the long-established land use is consistent with the County's Wireless Ordinance, the Light Industry (LI) General Plan Land Use Designation, the L-I zoning district, as well as FCC radio frequency emissions standards. Therefore, staff recommends that the Zoning Administrator approve County File #CDLP25-02025 based on the attached findings and subject to the attached conditions of approval.

Attachments:

1. Findings and Conditions of Approval
2. Maps And Plans
3. Agency Comments
4. CDLP15-02050

FINDINGS AND CONDITIONS OF APPROVAL – COUNTY FILE CDLP25-02025, ISABEL CHAVEZ, NETWORK CONNEX ON BEHALF OF T-MOBILE WIRELESS (APPLICANT) – ARTHUR ROAD ASSOCIATES (OWNER)

FINDINGS

A. Land Use Permit Findings

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

   Project Finding: The existing wireless telecommunication facility is located on developed private property belonging to Arthur Road Associates at 183 Arthur Road in the Martinez area of unincorporated Contra Costa County. The Federal Communications Commission (FCC) has adopted radio frequency protection standards which establish safety levels with respect to human exposure to radio frequency (RF) emissions as well as occupational exposure to electro-magnetic fields. Compliance with these standards is considered to be evidence that the project does not present health and safety risks. The *Radio Frequency Emission Survey* by Global Technology Associates (*Site Number BA01246A; Site Name: PL246 Pacheco - A; Location: 187 Arthur Road, Martinez, CA 94553; Tenants: T-Mobile; Sprint; November 4, 2025*), indicates that with the signage mitigations implemented, the site will be in compliance with the current FCC MPW limits as described in FCC Occupational Exposure Limit-65. Thus, the existing facility does not generate unsafe levels of RF emissions, as determined by the FCC, and will be adequately secured to prevent public access to the equipment area. The Conditions of Approval include project compliance with current FCC standards. These Conditions will ensure that RF emissions and EMF strength at ground levels falls within the FCC limit for public exposure.

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

   Project Finding: Staff is unaware of any evidence which suggests that the existing site adversely affects development within the County. The wireless telecommunications services provided at this site benefit a wide range of the County's population (e.g., daily commuters, local employees, residents, and 911 service providers), and therefore, the wireless telecommunication facility is a beneficial use at this location. As conditioned, the project is consistent with applicable policies and regulations of the County's Wireless Telecommunications Facilities Ordinance (County Code Chapter 88-24). Thus, the granting of a land use permit to allow the continuing operation of the existing wireless

telecommunications facility with non-substantial modifications to the facility will not adversely affect the orderly development of property within the County.

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

   Project Finding: The continuing operation of the wireless telecommunication facility with no proposed modifications, does not change the physical characteristics of the site, and therefore, will not affect the range of potential uses on the site or on adjacent properties. The facility will continue to be unmanned and is not expected to impact development activity in the area or result in an adverse impact on the value of properties within the area. This determination is due to the site's previous establishment as a wireless telecommunication facility and the continued consistency of that established use. Given that the facility and surrounding land uses have remained consistent, there is no indication that the project will adversely affect the preservation of property values and the protection of the tax base within the County.

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

   Project Finding: The project site is located within a LI Light Industry General Plan land use designation. The LI designation allows for a range of low- to moderate-intensity industrial uses that when properly designed and operated may be established in proximity to residences and other sensitive receptors without sacrificing human health and safety or resulting in significant environmental impacts. Typically uses in this designation include light manufacturing, fabrication/assembly, processing, machinery repair, warehousing and storage, distribution, research and development, laboratories, incubators, workforce training centers, and ancillary or supportive retail and office uses. Pursuant to the Wireless Telecommunications Facilities Ordinance (Ordinance No. 2016-11), a wireless telecommunications facility may also be located in the LI designation, since the facility provides telecommunications service that would be compatible and consistent with other land uses in the Vine Hill area. The General Plan also identifies specific policies for the Vine Hill area under the Stronger Communities Element. Allowing the continuing operation of the existing wireless telecommunications facility, will not detract from the purpose and intent of the LI General Plan designation nor from the Policies noted for the Vine Hill area.

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

   Project Finding: The project, as conditioned, will not create a nuisance and/or enforcement problem within the neighborhood or community. There has been no record of code compliance issues with the existing wireless telecommunications facility, and there is no evidence to suggest that the wireless facility creates a nuisance or enforcement problem within the area. The Conditions of Approval require that the site be maintained in an orderly manner, and that the facility be removed upon cessation of the use. Further, if approved, T-Mobile will be required to submit five-year condition of approval compliance reviews in order for County staff to evaluate the on-going compliance of the wireless facility.

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

   Project Finding: In general, wireless telecommunications facilities do not encourage development, which is subject to the applicable sections of the General Plan and the Zoning Code, as well as physical constraints on the parcel and adjacent properties. Where there is a sizeable population, major road, or need for telecommunications services, the public demands wireless telecommunications services. The establishment and continuing operation of the unmanned T-Mobile wireless facility is in response to maintaining wireless telecommunications service to the area. As conditioned, allowing the continuation of this service will not encourage marginal development within the area.

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

   Project Finding: The wireless facility was established on the project site in 1996, under Land Use Permit CDLP96-02011 and has been in operation since. The most recent renewal for the facility occurred under Land Use Permit CDLP15-02050, which expires on March 7, 2026. This facility provides telecommunication services to the surrounding vicinity in the unincorporated Martinez area. Continuing operation of the wireless facility does not include any new development or expansion beyond the existing lease area. Thus, as conditioned, the wireless facility will be consistent with the LI Light Industrial General Plan land use designation, the L-I Light Indutry District, the Wireless Telecommunications Facilities Ordinance, and applicable FCC regulations.

B. Wireless Telecommunications Facility Land Use Permit Findings (County Code Section 88-24.614(b))

1. *The application is complete.*

   Project Finding: County staff deemed the application complete and acceptable on November 13, 2025.

2. *The facility or substantial change will meet the requirements of this chapter.*

   Project Finding: This CDLP25-02025 Land Use Permit will allow the continuing operation of the existing T-Mobile wireless telecommunications facility installed and established under Land Use Permit CDLP96-02011, with no modifications to the equipment or the lease area. The most recent renewal for the facility occurred under Land Use Permit CDLP15-02050, which expires on March 7, 2026. Continuing operation of the wireless facility is consistent with all applicable requirements of Chapter 88-24 of the County Ordinance Code, including the location requirements of County Code Section 88-24.406, design requirements of Section 88-24.408, safety and security requirements of Section 88-24.412 and building standards, maintenance, and operational requirements of Section 88-24.414. As conditioned, County staff will conduct at least one condition of approval compliance reviews throughout the term of this permit to ensure continued compliance with the permit.

3. *The facility or substantial change has been reviewed pursuant to all appropriate environmental laws and regulations, including the California Environmental Quality Act (CEQA).*

   Project Finding: The wireless telecommunication facility was established on the project site in 1996 pursuant to the approved CDLP96-02011 Permit. The most recent renewal for the facility occurred under Land Use Permit CDLP15-02050, which expires on March 7, 2026. Continuing operation of this wireless telecommunications facility with no modifications to the equipment is categorically exempt under CEQA Guidelines Section 15301(b), which allows for a Class 1 exemption for the continued operation of investor and publicly owned utilities, involving negligible or no expansion of the existing use.

4. *If an environmental impact report or mitigated negative declaration was prepared for the facility or substantial change, the facility or substantial change will*

incorporate all mitigation measures identified in either of those documents. Each mitigation measure will be included as a term of the permit.

Project Finding: Continuing operation of the existing T-Mobile wireless telecommunications facility is categorically exempt under CEQA Guidelines Section 15301(b), and did not require preparation of either an environmental impact report or a mitigated negative declaration.

5. *If the Contra Costa County Airport Land Use Commission reviewed and commented on the application, the facility or substantial change will incorporate each mitigation measure recommended by the commission and deemed by the Zoning Administrator to be necessary to protect public safety, health, and welfare. Each mitigation measure will be included as a term of the permit.*

   Project Finding: The subject property is not within or proximate to any zones identified by the Airport Land Use Commission as an area of planning interest. Thus, the CDLP25-02025 application is not subject to review by the Airport Land Use Commission and this finding is not applicable to the project.

6. *The applicant has provided the financial assurance required by this chapter.*

   Project Finding: A facility removal bond is currently on file for this facility in the event the facility is abandoned, revoked, or the use permit expires. The County remains in retention of this bond. Condition of Approval #11 requires the permittee (wireless carrier) to verify that the bond amount is sufficient in the event the facility is abandoned, revoked, or the use permit expires.

7. *The applicant has paid all required fees and costs, including but not limited to the application fee, any required environmental review fee, and any required peer review fee.*

   Project Finding: The applicant has paid the initial deposit of $5,500 for this Land Use Permit application, and time and material costs have exceeded the initial deposit. Pursuant to COA #6, the applicant is responsible for any additional fees that exceed the initial deposit.

C. California Environmental Quality Act (CEQA) Findings

Continuing operation of the T-Mobile wireless telecommunications facility is

categorically exempt from CEQA pursuant to CEQA Guidelines section 15301(b), Existing Facilities, which provides a Class 1 exemption for the continued operation of an existing telecommunications facility. There is no substantial evidence that the continuing operation of the telecommunications facility involves unusual circumstances, resulting in, or which might reasonably result in, a significant impact on the environment. None of the exceptions in CEQA Guidelines Section 15300.2 apply to this wireless telecommunications facility.

CONDITIONS OF APPROVAL FOR LAND USE PERMIT CDLP25-02025

Project Approval

1. This application for a Land Use Permit to allow continuing operation of the T-Mobile wireless telecommunications facility with no proposed modifications, is APPROVED.

   The existing roof-mounted wireless telecommunications facility includes:

   - (9) antennas and ancillary equipment
   - (2) equipment cabinets
   - (6) RRU units

2. The Land Use Permit approval described above is based on:

   - Land Use Permit application accepted by the Department of Conservation and Development, Community Development Division (CDD) on August 13, 2025.
   - Radio Frequency Emission Survey by Global Technology Associates (*Site Number BA01246A; Site Name: PL246 Pacheco - A; Location: 187 Arthur Road, Martinez, CA 94553; Tenants: T-Mobile; Sprint; November 4, 2025*), received on November 13, 2025

3. Unless otherwise noted, all conditions of approval for CDLP15-02050, remain in full force and effect and apply to this proposal.

4. Pursuant to County Ordinance Code Sections 26-2.2020 through 2030, this Land Use Permit is subject to revocation after notice if confirmed violations occur of any of the Conditions of Approval herein.

5. No construction is approved with this permit. Any construction at this wireless telecommunications facility shall require the filing of an application for a Wireless

Minor Alteration Permit or a new Land Use Permit prior to application for a building permit.

Application Costs

6. The land use permit application was subject to an initial deposit of $5,500.00. Applications are subject to time and material costs if the application review expenses exceed the initial deposit. **Any additional fee due must be paid within 60 days of the approval date of this permit.** 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 in the event that additional fees are due.

Compliance Report

7. **At the time of application for a building permit**, the applicant shall submit an application for COA Compliance Review and provide a report on compliance with the conditions of approval for the review and approval by the CDD. The report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. Unless otherwise indicated, the applicant will be required to demonstrate compliance with the conditions of this report prior to issuance of building permits. The report may be rejected if it is not comprehensive with respect to applicable requirements for the requested permit. The fee for this application is a deposit of $1,500.00 that is subject to time and material costs. Should staff costs exceed the deposit, additional fees will be required.

Permit Duration and Permit Review

8. This land use permit is granted for a period of ten (10) years and shall be administratively reviewed at five-year intervals. The applicant shall initiate the first review by submitting a statement as to the current status of the project to the CDD **no later than five years following the approval date of the project approval**. This review by the CDD will be for the purpose of ensuring continued compliance with the conditions of permit approval. **Non-compliance with the approved conditions and/or the ordinance code provisions after written notice thereof shall be cause for**

revocation proceedings.

This land use permit is granted for a period of ten (10) years and shall be administratively reviewed at five-year intervals. The permittee (wireless carrier) shall initiate the first review by submitting a statement as to the current status of the project to the CDD no later than five years following the approval date of the project approval. This review by the CDD will be for the purpose of ensuring continued compliance with the conditions of permit approval.

For the review of existing commercial wireless communications facilities, submittal shall include photo documentation of existing conditions and equipment for comparison with the applicable approved conditions. The documentation shall include, but shall not be limited to, color photographs to verify compliance with Condition of Approval #21, Paint Color.

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

A review fee in the amount set by the Land Development Fee Schedule will be filed through a Compliance Verification application to allow for review of the approved conditions.

Responsible Party

9. The permittee (Wireless Facilities Operator) is responsible for keeping the CDD informed of who is responsible for maintenance of compliance with this permit and how they may be contracted (mailing and email addresses as well as telephone number) at all times. **Within 30 days of the approval date of this permit or prior to CDD stamp approval of plans for a building permit, whichever is first,** the Permitee shall provide the name of the party (carrier) responsible for permit compliance and their contact information.

   Should the responsible party subsequently change (e.g.: facility is acquired by a new carrier), within 30 days of the date of the change, the Permittee shall issue a letter to CDD with the name of the new party wo has been assigned permit compliance responsibility and their contact information. Failure to satisfy this condition may result in the commencement of procedure to revoke the permit.

Removal of Facility/Site Restoration

10. All structures and equipment associated with a commercial wireless communications facility shall be removed within 60 days of the discontinuance of the use, and the site shall be restored by the permittee to its original predevelopment condition. In addition, the permittee shall provide the CDD with a notice of intent to vacate the site a minimum of 30 days prior to vacation.

Security to Provide for Removal of Equipment

11. **Prior to CDD stamp approval of plans for a building permit,** the applicant or permittee previously confirmed that the security provided remains valid for the wireless telecommunications facility and has not lapsed or has otherwise been terminated. The prior security was valid for the removal of the facility in the event that the use is abandoned, or the use permit expires, or is revoked, or is otherwise terminated. If the permittee does not remove any obsolete or unused facilities as described above, the financial guarantee shall be used by the County to remove any obsolete or unused facilities and to return the site to its pre-development condition.

    The financial assurance has been submitted which is irrevocable and not cancelable, except by the County. Each form of financial assurance remains valid for the duration of the permit and for six months following termination, cancellation, or revocation permit.

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

General Provisions

12. Any change from the approved project plans and any proposed modification of the existing wireless telecommunications facility shall require review and approval by the CDD and may require the filing of an application for a Wireless Minor Alteration Permit or a new Land Use Permit.

13. A minor alteration to this land use permit (or collocation if CEQA environmental review of collocation for the land use permit has been completed) may be issued if the proposed modification(s) are not considered a substantial modification as stated under

federal law (Title 47, Section 1.40001).

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

a. 10 years: or,

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

14. The conditions contained herein shall be accepted by the applicant, their agents, lessees, survivors, or successors for continuing obligation.

15. At all times the facility shall comply with applicable rules, regulations and standards of the FCC and other agencies having jurisdiction, and any other applicable Federal, State, and County laws and regulations.

16. Facilities shall be operated in such a manner as not to contribute to ambient RF/EMF emissions in excess of then-current FCC adopted RF/EMF emission standards.

    Within 15 days of new antennas being installed, the applicant shall take RF power density measurements with the operating antennas to verify the level reported in the RF report and to ensure that the FCC public exposure level is not exceeded in any public accessible area. This measurement shall be taken again if any equipment is replaced or added. Verification of all RF power density measurements under this condition shall be submitted to CDD for review.

    The recommendations within the approved RF Report shall be noted on the plans for a building permit and are required to be implemented on site prior to final building inspection.

17. The equipment shall be maintained in good condition over the term of the permit. This shall include keeping the structures graffiti-free.

18. The antennas, equipment cabinets, and fence enclosure shall not be used for advertising.

19. The equipment cabinets and fence enclosure shall be kept locked and external accessory equipment secured, except when personnel are present, in order to restrict access to the equipment.

20. No lights or beacons may be installed on any antenna or antenna support structure, unless lights or beacons are required by a state or federal agency having jurisdiction over the antenna or antenna support structure, such as the California Public Utilities Commission, Federal Communications Commission, or Federal Aviation Administration, or if lights or beacons are recommended by the County Airport Land Use Commission.

Exterior Noise

21. In the event that a modification to this facility involving new noise-generating equipment is proposed, the permittee shall submit evidence for review and approval of the CDD that the wireless telecommunications facility meets acceptable exterior noise level standards as established in the Noise and Land Use Compatibility Guidelines contained in the Noise Element of the County General Plan. The evidence can either be theoretical calculations for identical equipment or noise monitoring data recorded on the site.

Frequency Interference

22. The wireless telecommunications facility shall not be operated at a frequency that will interfere with an emergency communication system or 911 system, including any regional emergency communication system.

Paint Color

23. The roof-mounted antennas shall be painted a color that matches or blends with the color of the primary background against which the roof-mounted antenna is viewed from ground level. The color shall also include a reflectivity less than 55 percent. Color samples should be provided for the review and approval of the Zoning Administrator prior to obtaining a building permit approval.

    a. All equipment cabinets, RRU units, and ancillary equipment shall have similar color as the surface on which they are mounted and be painted with a reflectivity less than 55 percent.

    b. Color photographs showing the project as-built condition shall be submitted for review of the Zoning Administrator prior to obtaining the building final inspection.

    In the event that a minor alteration to this facility is proposed, color photographs

showing the as-built condition shall be submitted for review of CDD staff to verify compliance with this Condition of Approval prior to final inspection.

Indemnity Requirement

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

Construction Restrictions

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

25. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.

26. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

27. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

28. 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.

29. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 7:00 A.M. to 6:00

P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal)

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

Washington's Birthday (Federal)

Lincoln's Birthday (State)

President's Day (State)

Cesar Chavez Day (State)

Memorial Day (State and Federal)

Juneteenth National Independence Holiday (Federal)

Independence Day (State and Federal)

Labor Day (State and Federal)

Columbus Day (Federal)

Veterans Day (State and Federal)

Thanksgiving Day (State and Federal)

Day after Thanksgiving (State)

Christmas Day (State and Federal)

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

Federal Holidays: Federal Holidays (opm.gov)

California Holidays: https://www.sos.ca.gov/state-holidays

30. 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 NINETY (90) DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.**

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

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

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

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

RANCHO LAS JUNTAS
1- 43PM17 2-11-76

1" = 200'

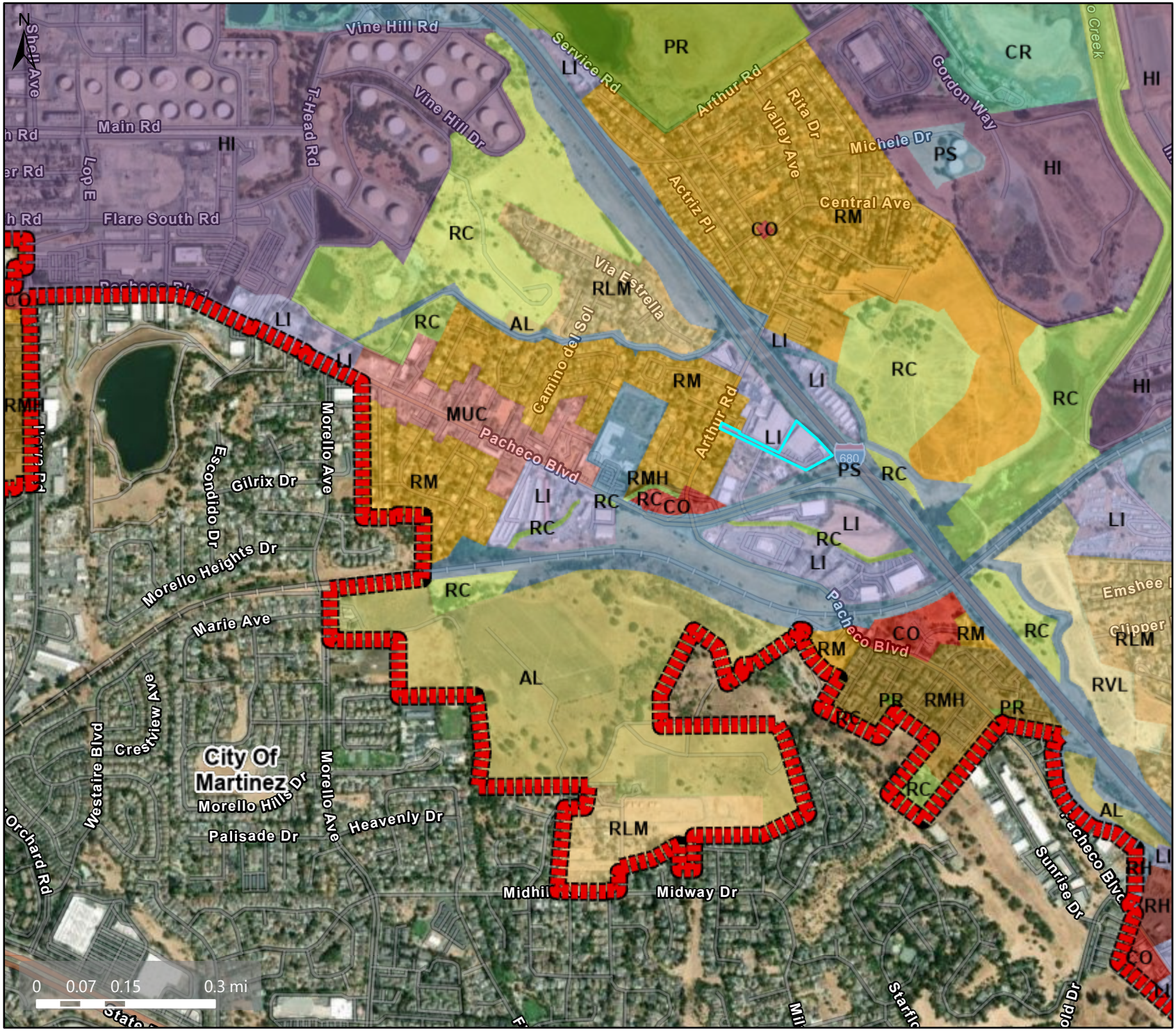
NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION DELINEATED HEREON. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

041	07-09 10/18/16
042	16 12/16/08
043	

FM 109-25

ASSESSOR'S MAP
BOOK 380 PAGE 4
CONTRA COSTA COUNTY, C 408

General Plan: Light Industry (LI)



Map Legend

- County Border

Planning Layers (DCD)

General Plan

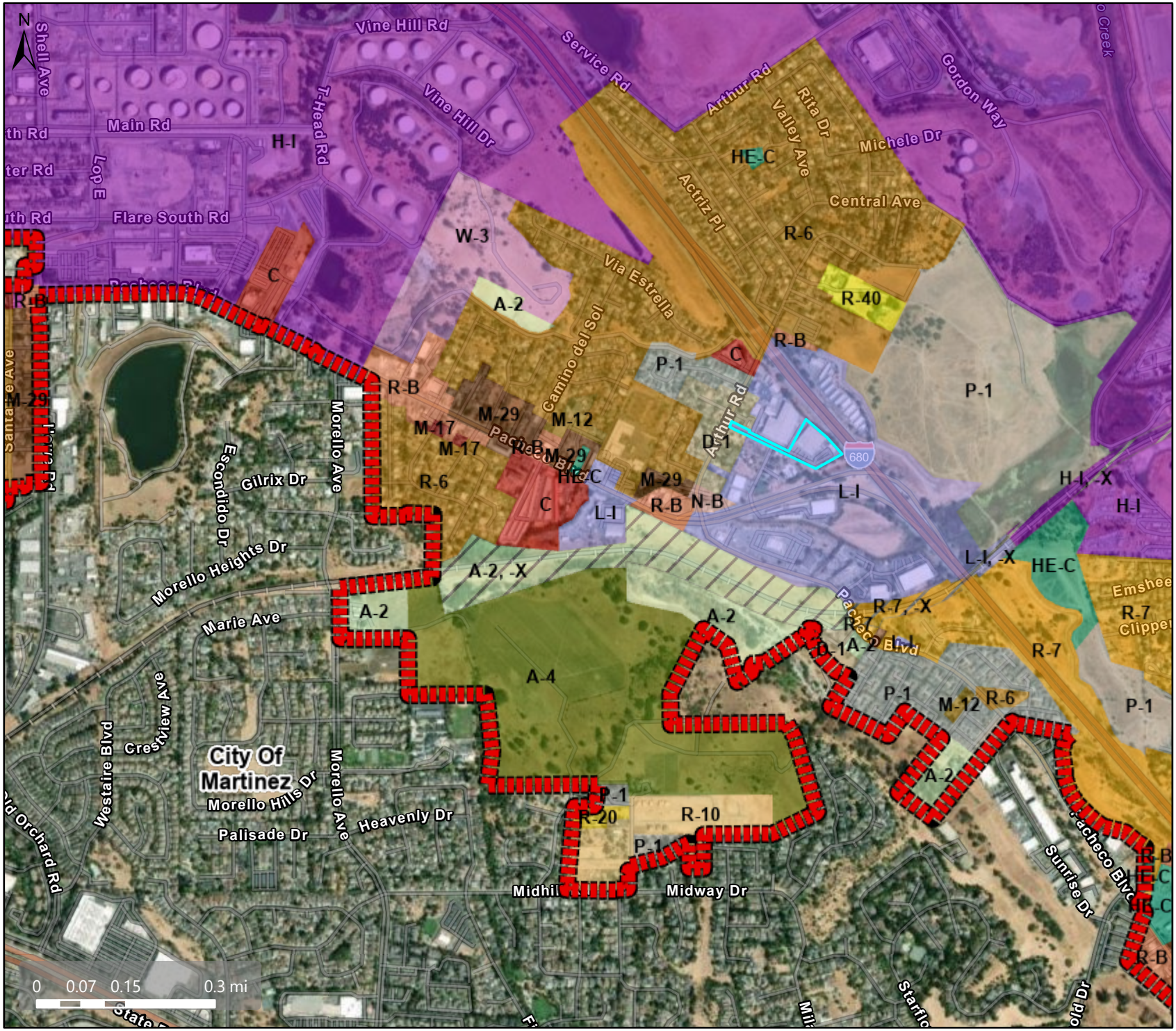
- RVL (Residential Very-Low Density) (≤1 du/na)
- RLM (Residential Low-Medium Density) (3-7 du/na)
- RM (Residential Medium Density) (7-17 du/na)
- RMH (Residential Medium-High Density) (17-30 du/na)
- RH (Residential High Density) (30-60 du/na)
- MUC (Mixed-Use Community-Specific) (Variable)
- CO (Commercial and Office) (C: 1.0 FAR O: 2.75 FAR)
- LI (Light Industry) (1.5 FAR)
- HI (Heavy Industry) (HI: 0.67 FAR LI: 1.5 FAR)
- PS (Public and Semi-Public)
- CR (Commercial Recreation)
- PR (Park and Recreation)
- RC (Resource Conservation)
- AL (Agricultural Lands) (1 du/10 ac) (1 du/20 ac in DPZ)

This map is a user generated, static output from an internet mapping application and is intended for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION.
CCMap is maintained by Contra Costa County Department of Information Technology, County GIS. Data layers contained within the CCMap application are provided by various Contra Costa County Departments. Please direct all data inquires to the appropriate department.

Spatial Reference
PCS: WGS 1984 Web Mercator Auxiliar
Datum: WGS 1984

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

Zoning: Light Industrial District (LI)



Map Legend

- County Border
- Planning Layers (DCD)
- Zoning
- ZONE_OVER
- R-6 (Single Family Residential)
- R-7 (Single Family Residential)
- R-7 -X (Railroad Corridor Combining District)
- R-10 (Single Family Residential)
- R-20 (Single Family Residential)
- R-40 (Single Family Residential)
- D-1 (Two Family Residential)
- M-12 (Multiple Family Residential)
- M-17 (Multiple Family Residential)
- M-29 (Multiple Family Residential)
- A-2 (General Agriculture)
- A-2 -X (Railroad Corridor Combining District)
- A-4 (Agricultural Preserve)
- O-1 (Limited Office)
- N-B (Neighborhood Business)
- R-B (Retail Business)

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Aerial



Map Legend

- County Border
- Assessment Parcels

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CUP RENEWAL

RECEIVED on 08/13/2025 CDLP25-02025
By Contra Costa County
Department of Conservation and Development

T··Mobile·®

SITE NUMBER:	**BA01246A**	**CITY:**	**MARTINEZ**
SITE NAME:	**PL246 PACHECO-A**	**COUNTY:**	**CONTRA COSTA**
SITE TYPE:	**ROOFTOP**	**JURISDICTION:**	**COUNTY OF CONTRA COSTA**

PROJECT SUMMARY

SITE ADDRESS:
187 ARTHUR ROAD
MARTINEZ, CA 94553

SITE COORDINATES & ELEVATION:
LAT: 38.0095650000°
LONG: −122.0878650000°
GROUND ELEVATION: 24'± AMSL

PROPERTY OWNER CONTACT:
ARTHUR RD ASSOC.
1200 SNYDER LANE
WALNUT CREEK, CA 94598

APPLICANT:
T−MOBILE WEST LLC
1200 CONCORD AVENUE 5TH FLOOR
CONCORD, CA 94520
T−MOBILE PROJECT MANAGER: BRANDON GEPHART
PROJECT MANAGER: ANGELINA BOURDAGE

PROJECT DESCRIPTION

THE PROJECT ENTAILS:
T−MOBILE IS REQUESTING A RENEWAL OF THE CONDITIONAL USE PERMIT FOR THE CONTINUED USE AND OPERATION OF THEIR EXISTING WIRELESS TELECOMMUNICATIONS FACILITY:

ANTENNA AND RADIOS:
1. (9) (E) ANTENNAS
2. (6) (E) RADIOS/RRUs

EQUIPMENT CABINETS:
1. (2) (E) EQUIPMENT CABINETS
2. (1) (E) TRANSFORMER
3. (1) (E) PPC W/ GENERATOR RECEPTACLE
4. (1) (E) TELCO PANEL
5. (1) (E) CIENA ENCLOSURE

CONSULTING TEAM

SAC/ZONING/PERMITTING:
NETWORK CONNEX
655 N. CENTRAL AVE., #1520
GLENDALE, CA 91203
CONTACT: CRYSTAL SHEA
PHONE: (312) 758−7915
E−MAIL: cshea@networkconnex.com

SITE SUMMARY

OCCUPANCY CLASSIFICATION: F−2 (LIGHT INDUSTRIAL)
ZONE CLASSIFICATION : L−I
APN: 380−041−006

APPROVAL

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL CONSTRUCTION DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND ANY CHANGES AND MODIFICATIONS THEY MAY IMPOSE.

	PRINT NAME	SIGNATURE	DATE
LANDLORD:			
ZONING MGR:			
DEVELOP. MGR:			
CONST. MGR:			
PROJECT MGR:			
SR. RF ENGINEER:			
RF ENGINEER:			
OPERATIONS:			
SAC REP.:			
UTILITIES:			
REAL ESTATE MGR:			

DRAWING INDEX

SHEET	DESCRIPTION
T-1	TITLE SHEET
A-1	EXISTING OVERALL SITE PLAN
A-2	EXISTING EQUIPMENT AND ANTENNA LAYOUT PLANS
A-3	ELEVATION

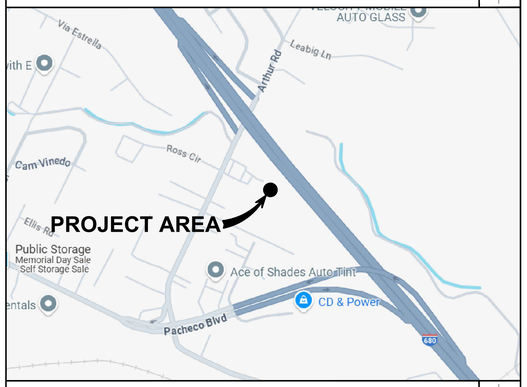
ACCESSIBILITY REQUIREMENTS

THE FACILITY IS UNMANNED AND NOT FOR CONTINUOUS HUMAN HABITATION.
HANDICAPPED ACCESS IS NOT REQUIRED PER CBC 2022,
SECTION 11B−203.4 (LIMITED ACCESS SPACES)
SECTION 11B−203.5 (MACHINERY SPACES)

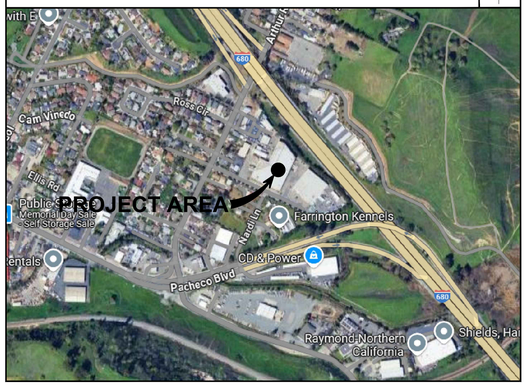
CODE COMPLIANCE

1. CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25) 2022
2. CALIFORNIA BUILDING CODE 2022
3. CALIFORNIA ELECTRICAL CODE 2022
4. CALIFORNIA MECHANICAL CODE 2022
5. CALIFORNIA PLUMBING CODE 2022
6. ANSI / TIA−222−H−2017
7. LOCAL BUILDING CODE
8. CITY / COUNTY ORDINANCES
9. CALIFORNIA FIRE CODE 2022 EDITION
10. ASCE 7−16
11. ACI 318−19
12. AISC STEEL CONSTRUCTION MANUAL, 15TH EDITION

GENERAL LOCATION MAP



VICINITY MAP



DRIVING DIRECTION

FROM T−MOBILE OFFICE: 1200 CONCORD AVE, CONCORD, CA 94520

HEAD NORTH ON NEW DRIVE, TURN LEFT ONTO CONCORD AVE, TURN RIGHT TO MERGE WITH I−680 N, MERGE WITH I−680 N, TAKE EXIT 54 TOWARD PACHECO BLVD, CONTINUE ONTO PACHECO BLVD, TURN RIGHT ONTO ARTHUR RD, TURN RIGHT, TURN LEFT, DESTINATION WILL BE ON THE LEFT.

T··Mobile·
Stick Together ®

1200 CONCORD AVENUE 5TH FLOOR
CONCORD, CA 94520

PROJECT INFORMATION:
(CUP RENEWAL)
BA01246A
PL246 PACHECO-A
187 ARTHUR ROAD
MARTINEZ, CA 94553
CONTRA COSTA COUNTY

CURRENT ISSUE DATE:
07/21/25

ISSUED FOR:
ZONING

REV.:	DATE:	DESCRIPTION:	BY:
A	07/18/25	90% ZD	VMW
0	07/21/25	100% ZD	VMW

PLANS PREPARED BY:
NETWORK CONNEX
655 N. CENTRAL AVE., #1520
GLENDALE, CA 91203
OFFICE: (818) 840-0808 FAX: (818) 840-0708

CONSULTANT:
NETWORK CONNEX
655 N. CENTRAL AVE., #1520
GLENDALE, CA 91203
OFFICE: (818) 840-0808 FAX: (818) 840-0708

DRAWN BY:	CHK.:	APV.:
RAR	SJ	SJ

LICENSURE:

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:	REVISION:
T-1	0
	BA01246A

412

(E) T-MOBILE TELECOMMUNICATION FACILITY LOCATED AT ROOF LEVEL: 1 A-1.1

(E) BUILDING, TYP.

ARTHUR ROAD

SECTOR 'A' 0°

SECTOR 'B' 120°

SECTOR 'C' 260°

SENATOR DANIEL EAST BOATWRIGHT HIGHWAY

NARDI LANE

(E) GRASS AREA

(E) TREE, TYP.

N

OVERALL SITE PLAN

SCALE: 1/64"=1'-0" 0 10' 50' 100'

1

T-Mobile
Stick Together ®
1200 CONCORD AVENUE 5TH FLOOR
CONCORD, CA 94520

PROJECT INFORMATION:

(CUP RENEWAL)
BA01246A
PL246 PACHECO-A
187 ARTHUR ROAD
MARTINEZ, CA 94553
CONTRA COSTA COUNTY

CURRENT ISSUE DATE:

07/21/25

ISSUED FOR:

ZONING

REV.:	DATE:	DESCRIPTION:	BY:
A	07/18/25	90% ZD	VMW
0	07/21/25	100% ZD	VMW

PLANS PREPARED BY:

NETWORK CONNEX
655 N. CENTRAL AVE., #1520
GLENDALE, CA 91203
OFFICE: (818) 840-0808 FAX: (818) 840-0708

CONSULTANT:

NETWORK CONNEX
655 N. CENTRAL AVE., #1520
GLENDALE, CA 91203
OFFICE: (818) 840-0808 FAX: (818) 840-0708

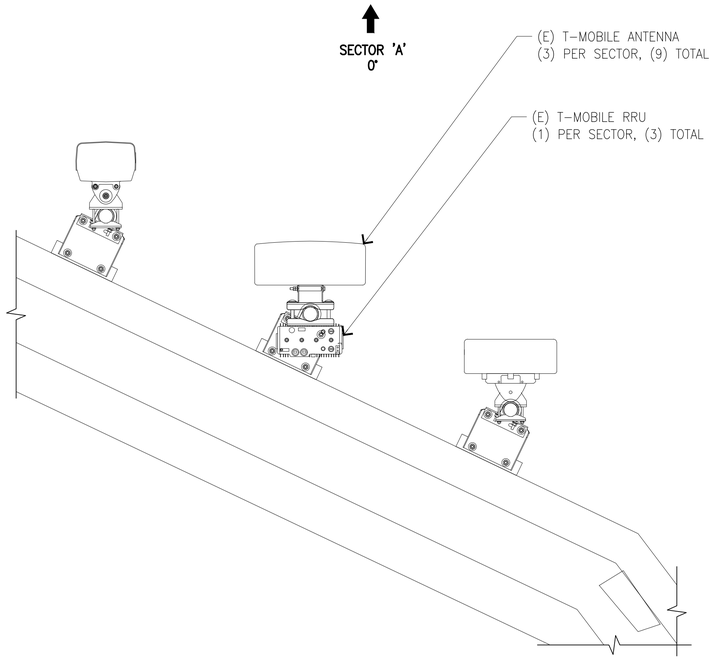
DRAWN BY:	CHK.:	APV.:
RAR	SJ	SJ

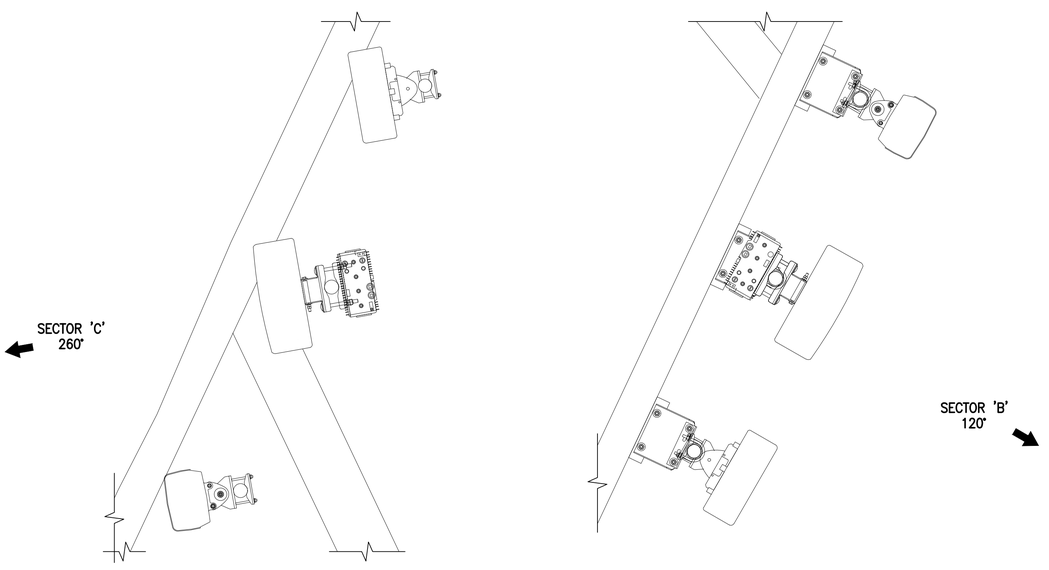
LICENSURE:

SHEET TITLE:

OVERALL SITE PLAN

SHEET NUMBER:	REVISION:
A-1	0
	BA01246A

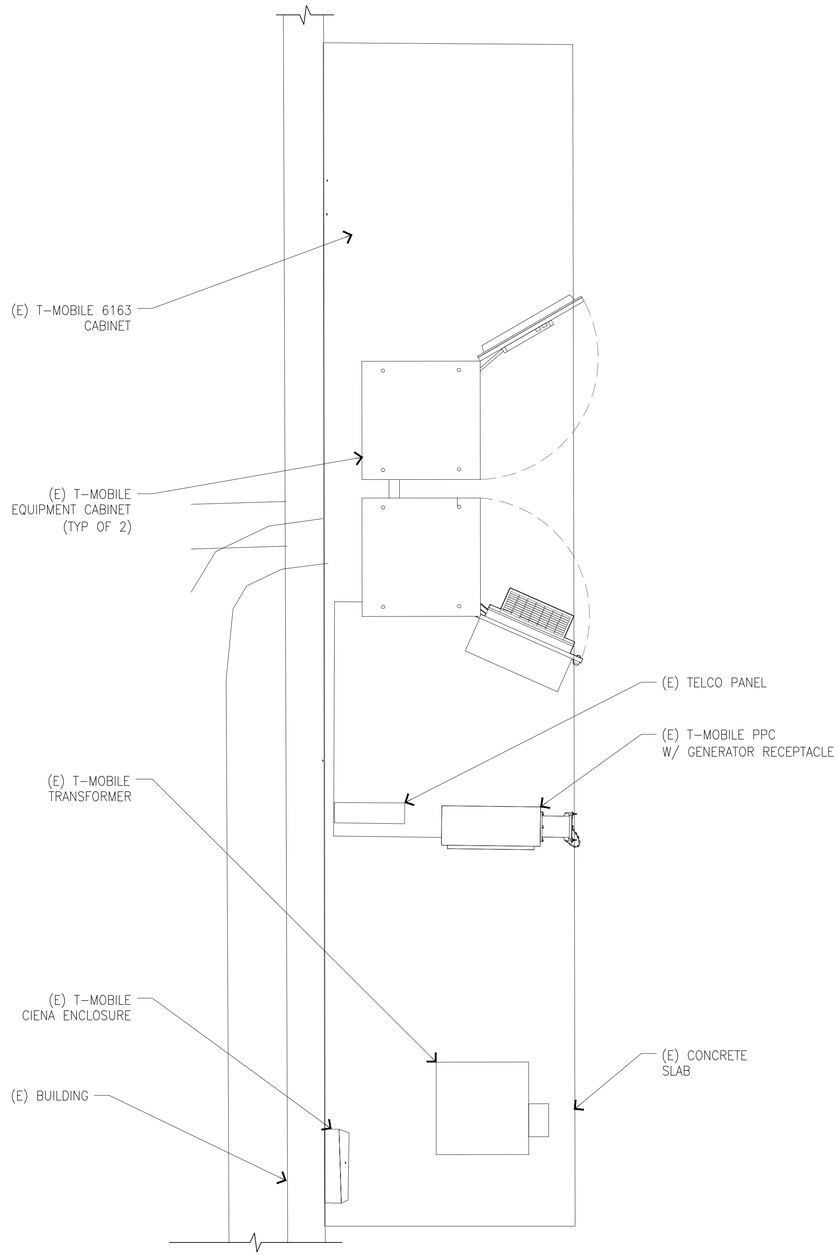




EXISTING RADIO LAYOUT PLAN AT 37'-8" AND 34'-6"

SCALE: 3/4"=1'-0" (0, 1', 2', 3')

1



EXISTING EQUIPMENT LAYOUT PLAN

SCALE: 3/4"=1'-0" (0, 1', 2', 3')

2

T-Mobile
Stick Together ®
1200 CONCORD AVENUE 5TH FLOOR
CONCORD, CA 94520

PROJECT INFORMATION:

(CUP RENEWAL)
BA01246A
PL246 PACHECO-A
187 ARTHUR ROAD
MARTINEZ, CA 94553
CONTRA COSTA COUNTY

CURRENT ISSUE DATE:

07/21/25

ISSUED FOR:

ZONING

REV.:	DATE:	DESCRIPTION:	BY:
A	07/18/25	90% ZD	VMW
0	07/21/25	100% ZD	VMW

PLANS PREPARED BY:

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OFFICE: (818) 840-0808 FAX: (818) 840-0708

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OFFICE: (818) 840-0808 FAX: (818) 840-0708

DRAWN BY:	CHK.:	APV.:
RAR	SJ	SJ

LICENSURE:

SHEET TITLE:

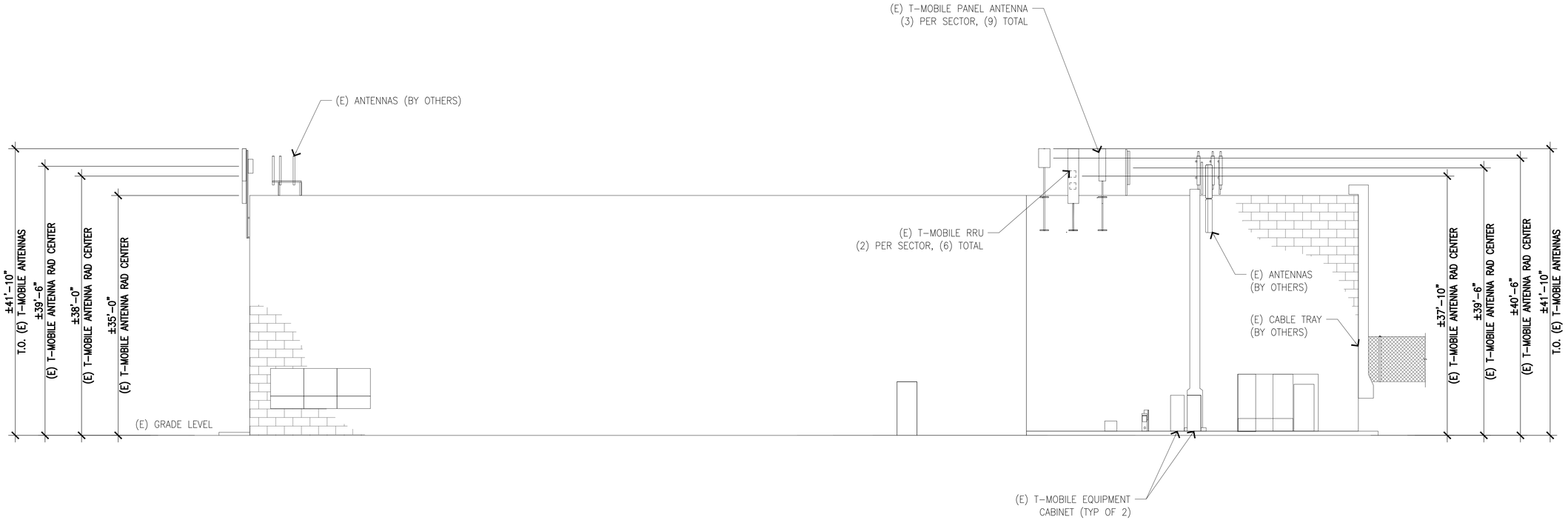
EXISTING ANTENNA
LAYOUT PLAN

SHEET NUMBER: A-2

REVISION: 0

BA01246A

414



(E) EAST ELEVATION

SCALE: 1/4"=1'-0" (0 1' 2' 4' 8')

T-Mobile
Stick Together ®
1200 CONCORD AVENUE 5TH FLOOR
CONCORD, CA 94520

PROJECT INFORMATION:

(CUP RENEWAL)
BA01246A
PL246 PACHECO-A
187 ARTHUR ROAD
MARTINEZ, CA 94553
CONTRA COSTA COUNTY

CURRENT ISSUE DATE:

07/21/25

ISSUED FOR:

ZONING

REV.:	DATE:	DESCRIPTION:	BY:
A	07/18/25	90% ZD	VMW
0	07/21/25	100% ZD	VMW

PLANS PREPARED BY:

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GLENDALE, CA 91203
OFFICE: (818) 840-0808 FAX: (818) 840-0708

DRAWN BY:	CHK.:	APV.:
RAR	SJ	SJ

LICENSURE:

SHEET TITLE:

ELEVATION

SHEET NUMBER:	REVISION:
A-3	0
	BA01246A



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FINAL ACTION

CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION

APPROVED PERMIT

APPLICANT:	T-Mobile 1855 Gateway Blvd., #900 Concord, CA 94520	APPLICATION NO.:	LP15-2050
		ASSESSOR'S PARCEL NO.:	380-041-006
		PROJECT LOCATION:	187 Arthur Road Martinez, CA 94553
OWNER:	Arthur Road Associates 187 Arthur Rd. Martinez, CA 94553	ZONING DISTRICT:	L-I
		APPROVED DATE:	March 7, 2016
		EFFECTIVE DATE:	March 18, 2016

This matter having not been appealed within the period of time prescribed by law, a LAND USE PERMIT to modify County File #LP09-2008, to allow modification of an existing T-Mobile wireless telecommunications facility in the Martinez area is hereby APPROVED, subject to the attached conditions of approval.

Aruna M. Bhat
County Zoning Administrator

By: _____
Telma B. Moreira
Deputy Zoning Administrator

Unless otherwise provided, THIS PERMIT WILL EXPIRE ONE (1) YEAR from the effective date if the action allowed by this permit is not undertaken within that time.

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

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #LP15-2050; T-MOBILE C/O CORTEL (APPLICANT), ARTHUR ROAD ASSOCIATES (OWNER) AS APPROVED BY THE COUNTY ZONING ADMINISTRATOR ON MARCH 7, 2016.

FINDINGS

A. Growth Management Performance Standards

1. **Traffic:** The proposed project consists of a modification to County File #LP09-2008 to allow minor modifications to an existing wireless telecommunications facility. The existing facility is unmanned, and does not require regular staff for daily operation. In addition, there is no proposal to modify the existing telecommunications facility or alter the existing light industrial land use in a manner that will increase traffic levels. Therefore, the proposed project will not create 100 or more peak hour trips, and thus the preparation of a traffic report pursuant to Measure C 1998 requirements is not required.

2. **Water:** The existing wireless telecommunications facility is unmanned and used strictly for communication activities. Therefore, no water services are required for the daily operation of the facility. The applicant seeks approval to install minor alterations to the facility which will increase the capacity and speed of T-Mobile's network, and there will be no demand for water services at the site.

3. **Sanitary Sewer:** The existing wireless telecommunications facility is unmanned, and does not produce waste or other by-products as a result of the facility's daily operation. If approved, the proposed project will not consist of modification of the facility in a manner that will create a need for on-site personnel, nor will it alter the facility in a manner that will generate waste or other by-products. Therefore, the proposed project will not create an increased demand for sewer services at the site.

4. **Fire Protection:** The subject property is located within the service area of the Contra Costa County Fire Protection District. If granted, the proposed project will allow the replacement of four antennas, minor equipment and electrical upgrades to be made to an existing facility. There is no proposal for a change in land use, nor a proposal for structural improvements that would increase the demand for fire protection at the project site. Therefore, the proposed project will not

impact the County's ability to maintain the standard of having a fire station located within one and one-half miles of development in urban, suburban, or central business district areas. The closest fire station is located approximately 1.8 miles west of the subject property at 1240 Shell Ave.

5. **Public Protection:** The proposed facility modifications will not create new housing, provide previously unavailable services, or new business opportunities within the County which could result in a significant population increase. Therefore, the proposed project will not impact the County's ability to maintain the standard of having 155 square feet of Sheriff's facility per 1,000 members of the population.

6. **Parks and Recreation**: There is no element of the proposed wireless telecommunications facility modification that will induce a significant population increase within the County. Therefore the proposed project will not impact the County's ability to maintain the standard of having three acres of neighborhood parks per 1,000 members of the population.

7. **Flood Control and Drainage**: The site is not located within a flood hazard area as determined by the Federal Emergency Management Agency (FEMA). The proposed improvements are limited to the existing elements of the facility and will not impact or alter any existing dam or levee within the County. Therefore, no flood management plan or risk assessment is required as part of the proposed project.

   Neither the proposed new antennas, minor equipment additions, nor electrical component upgrades will increase the amount of impervious surface area at the site or significantly impact existing drainage patterns. Therefore, the proposed project will not create a demand for additional, expanded, or upgraded storm drainage facilities in the area.

B. Land Use Permit Findings

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

   Project Finding: If the proposed project is approved as proposed, the facility will be operated in the same manner, and aside from new antennas, minor equipment and electrical upgrades, will look

substantially similar to the design which was initially approved. Therefore, the proposed project will not modify the existing facility in a manner that will be detrimental to the health, safety, and general welfare of the County.

Lastly, a November 24, 2015 report prepared by Comtech Communication Technologies Ltd. concluded that the electromagnetic fields exposure for the proposed facility modifications would be in compliance with the prevailing standards for public exposure limits as allowed by the Federal Communication Commission (FCC).

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

Project Findings: The proposed project consists of making minor modifications to an existing T-Mobile wireless telecommunications facility. The proposed project will not alter the primary use for the property, which is light industrial in nature. In addition, the proposed project does not consist of changing the General Plan Land Use designation or the zoning district for the subject property. The impacts of the proposed project will be limited to increasing the capacity and performance of the existing wireless telecommunications facility, and will not impact resources related to development such as water, the County's roadway network, or the availability of housing. Due to the fact that the proposed modifications are minor in scale and focused on altering only the existing facility, there is no evidence in the record to suggest that the proposed project will adversely affect the orderly development of the County.

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

Project Findings: The proposed project will not impact the existing buildings located on the subject property, and there will be no new structures or land uses established at the site that have the potential for conflicting with other uses in the area. In addition, the existing wireless telecommunications facility will remain substantially the same aside from the addition of the three antennas, minor equipment additions, and electrical upgrades. Therefore, there will be no changes in land use, loss of land use capacity, nor any significant aesthetic changes at the project site that would have the potential for adversely

affecting the property value or tax base of the subject property or any surrounding properties in the area.

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

Project Findings: The proposed facility modifications will improve the capacity and speed of the T-Mobile network, but will not substantially alter the appearance or manner in which the facility is operated. Therefore, the facility's consistency with the policies and goals of the County General Plan will be maintained.

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

Project Findings: The existing wireless telecommunications facility is unmanned and does not require constant staff for daily operation. The proposed facility does not provide a service that would induce groups of people to gather or loiter at the project site. In addition, wireless telecommunication facilities are not generally associated with substantial levels of noise, odors, or other common neighborhood nuisances as a result of their daily operation. Therefore, there is no evidence in the record to suggest that allowing the minor modification or continued operation of the facility would create a nuisance or enforcement problem.

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

Project Findings: Generally speaking, wireless telecommunication facilities are established as a result of an existing demand for communication services, and are not the type of service that would induce development or a population increase in the surrounding area. The proposed facility modification is intended to improve the capacity and speed of the T-Mobile network within the County. In addition, the proposed project would not induce a significant population increase within the County. Since the proposed project will not induce population growth, employment opportunities, or business opportunities; there is no evidence to suggest that the proposed project would encourage marginal development within the area.

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

Project Findings: The existing facility was established under County File #LP09-2008. At the time the facility was approved, staff analyzed the project to ensure that all necessary entitlements and conditions were included to initiate the land use in a manner that is consistent with the applicable codes and conditions of the surrounding neighborhood. Staff is unaware of any significant changes to the subject property, surrounding neighborhood, or applicable code since that time which would require additional review or entitlements beyond that which have been included as part of this permit review process.

Zoning Administrator Review

1. ___ ___ **Land Use Permit approval** is granted for the approval of a modification of County File #LP09-2008 to allow the following elements to the existing T-Mobile wireless telecommunications facility.

    - Addition and installation of three (3) new 8-foot panel antennas mounted onto new metal mounts
    - Addition and installation of three (3) new RRUs mounted behind the new antennas
    - Upgrade of an existing breaker from 60 Amps to 100 Amps

2. ___ ___ The Land Use Permit approval described above is granted based on the following information and documentation:

    - Land Use Permit Application submitted to the Department of Conservation and Development, Community Development Division (CDD) on November 30, 2015;
    - Plans prepared by Cortel received on November 30, 2015;
    - Photo simulations by Cortel Photosims received on November 30, 2015; and
    - Electromagnetic Fields Exposure Report prepared by Comtech Communications Technologies, Ltd. dated November 24, 2015.

Administrative Review

3. ___ ___ **This land use permit is granted for a period of ten (10) years and shall be administratively reviewed at three-year intervals.** The applicant shall initiate the first review by submitting a statement as to the current status of the project to the CDD **no later than three years following the effective date of the project approval**. This review by the CDD will be for the purpose of ensuring continued compliance with the conditions of permit approval. **Non-compliance with the approved conditions and/or the ordinance code provisions after written notice thereof shall be cause for revocation proceedings**.

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

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

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

Permittee is Responsible for Keeping CDD Informed of Party Responsible for Permit Compliance at all Times

4. ___ ___ The Permittee (wireless operator) is responsible for keeping the Department of Conservation and Development, Community Development Division (CDD) informed of who is responsible for maintenance of compliance with this permit and how they may be contacted (i.e., mailing and email addresses, and telephone number) at all times.

A. **At least 30 days prior to obtaining CDD approval of plans for issuance of a building permit**, the Permittee shall

provide the name of the party (carrier) responsible for permit compliance and their contact information.

B. Should the responsible party subsequently change (e.g. facility is acquired by a new carrier), within 30 days of the change, the Permittee shall issue a letter to the CDD on the name of the new party who has been assigned permit compliance responsibility and their contact information. Failure to satisfy this condition may result in the commencement of procedures to revoke the permit.

Replacement of Equipment

5. ___ ___ The replacement of existing equipment may be done administratively (without submittal of a land use permit) after review and approval by the CDD. To be permitted administratively, the replacement equipment shall conform to the following:

- The proposed replacement equipment will not create greater visual effects on the surrounding area and will not increase the risk to public health or safety; and

- Will not otherwise conflict with the permit conditions

An additional review fee in the amount of $500.00 (subject to time and materials) will be filed through a Compliance Review Application to allow for review of the equipment to be replaced. This condition shall not require prior approval to replace malfunctioning equipment where necessary to restore or maintain service. Nothing in this condition shall excuse the applicant from obtaining a building or electrical permit where otherwise required under the applicable code.

Submittal of Compliance Report

6. ___ ___ **At least 30 days prior to obtaining CDD approval of plans for issuance of a building permit,** the applicant shall submit a report addressing compliance with the conditions of approval, for review and approval of the CDD. The report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. Unless otherwise

indicated, the applicant will be required to demonstrate compliance with the conditions of this permit prior to issuance of construction permits. The CDD may reject the report if it is not comprehensive with respect to applicable requirements for the requested permit. The deposit for review of the Compliance Report is $500.00; the actual fee shall be time and materials.

Prior to final inspection for building permits relative to this approval, color photographs showing the as-built condition of the facility shall be submitted for the review and approval of the CDD to verify compliance with these Conditions of Approval. Photographs shall be taken following completion of construction and **shall be submitted within 30 days of completing construction**.

Aesthetics

7. ___ ___ The use of highly reflective materials, including but not limited to glass and unfinished metals, shall be prohibited from use.

8. ___ ___ All exterior components of the proposed facility shall utilize materials that are naturally non-reflective, or shall be finished with paints or other finishes with a reflectivity less than 55 percent.

9. ___ ___ **Prior to a final inspection** of the facility by the County Building Inspection Division, photos of all exterior elements of the as-built facility shall be submitted for review and approval by the CDD.

Removal of Facility/Site Restoration

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

Security to Provide for Removal of Equipment

11. ___ ___ **At least 30 days prior to obtaining CDD approval of plans for issuance of a building permit or prior to renewing a permit for**

an existing facility, the applicant or permittee shall provide a bond, cash, or other surety, which shall be indexed annually for inflation, satisfactory to the hearing body, for the removal of the facility in the event that the use is abandoned or the use permit expires, or is revoked, or otherwise terminated. If the owner or lessee does not remove any obsolete or unused facilities as described above, the financial guarantee shall be used by the County to remove any obsolete or unused facilities and to return the site to its pre-development condition. Any unused financial guarantee shall be returned to the applicant upon termination of the use and removal of the facility, or transfer of the lease accompanied by a financial guarantee by the new lessee or owner.

At least 30 days prior to CDD approval of plans for issuance of building permits, the applicant shall provide an estimate for the cost of removal of all equipment associated with this request. In the event that modifications are made to the facility at a future time, the applicant shall provide evidence that the existing bond will be sufficient to cover the removal of the existing and new equipment; or provide additional bond funds to cover the difference.

General Provisions

12. ___ ___ Any deviation from or expansion beyond the limits of the use approved under this permit may require the filing and approval of a request for modification of the land use permit.

13. ___ ___ The conditions contained herein shall be accepted by the applicant, their agents, lessees, survivors or successors for continuing obligation.

14. ___ ___ At all times the facility shall comply with applicable rules, regulations and standards of the FCC and other agencies having jurisdiction, and any other applicable Federal, State, and County laws and regulations.

15. ___ ___ Facilities shall be operated in such a manner as not to contribute to ambient RF/EMF emissions in excess of then current FCC adopted RF/EMF emission standards.

16. ___ ___ The equipment shall be maintained in good condition over the term of the permit. This shall include keeping the structures graffiti-free.

17. ___ ___ Antennas, towers, cabinets, and mountings shall not be used for advertising.

18. ___ ___ No new signage or exterior lighting shall be allowed without specific written authorization from the Zoning Administrator.

Exterior Noise

19. ___ ___ **No more than 30 days after the final building permit inspection**, the applicant shall submit evidence for review and approval of the CDD that the wireless telecommunications facility meets acceptable exterior noise level standards as established in the Noise and Land Use Compatibility Guidelines contained in the Noise Element of the County General Plan. The evidence can either be theoretical calculations for identical equipment or noise monitoring data recorded on the site.

Frequency Interference

20. ___ ___ **Prior to CDD approval of plans for issuance of a building permit**, the applicant shall submit a letter agreeing to participate in any county-wide program to resolve frequency interference problems.

Work Restrictions

21. ___ ___ The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to other uses on the site. This shall be communicated to project-related contractors.

22. ___ ___ The project sponsor shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors and concrete pumps as far away from existing residences as possible.

23. ___ ___ Transportation of heavy equipment and trucks shall be limited to week days between the hours of 9:00 A.M. and 4:00 P.M. and prohibited on Federal and State holidays.

24. ___ ___ The site shall be maintained in an orderly fashion. Following the cessation of construction activity; all construction debris shall be removed from the site.

25. ___ ___ Non-emergency maintenance, construction and other activities on the site related to this use are restricted to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

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

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

Federal: https://www.opm.gov/policy-data-oversight/snow-dismissal-procedures/federal-holidays/#url=2016

California: https://www.ftb.ca.gov/aboutFTB/holidays.shtml

25. ___ ___ This application is subject to an initial application deposit of ($2,700.00), which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial deposit. **Any additional costs due must be paid within 60 days of the permit effective date or prior to use of**

the permit, whichever occurs first. The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

PUBLIC WORKS
CONDITIONS OF APPROVAL FOR PERMIT LP15-2050

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the County Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan submitted to the Department of Conservation and Development, Community Development Division, on November 30, 2015.

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

Access to Adjoining Property:

- Applicant shall furnish proof to the Public Works Department that legal access to the project site is available from Arthur Road.

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, ASSESSEMTS, 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 ninety (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 may wish 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 Building Inspection Division
- Contra Costa Environmental Health Division
- Contra Costa County Public Works Department
- San Ramon Valley Fire Protection District
- Federal Communications Division

ZA: T. MOREIRA
PW: J. LAROCQUE
STAFF: D. VOGELPOHL

CONTRA COSTA COUNTY ZONING ADMINISTRATOR

MONDAY, MARCH 7, 2016

30 MUIR ROAD
MARTINEZ, CA 94553

*****1:30 P.M.*****

NOTICE: The Zoning Administrator may alter the order of agenda items at the meeting.

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) 674-7792.

NONE

1. PUBLIC COMMENTS:

2. LAND USE PERMIT: PUBLIC HEARING

APPROVED WITH REVISED LANGUAGE TO FINDINGS AND COA #1

2a. T-MOBILE c/o CORTEL (Applicant) - ARTHUR ROAD ASSOCIATES (Owner), County File #LP15-2050: The applicant requests approval of a land use permit to modify County File #LP09-2008, to allow modification of an existing T-Mobile wireless telecommunications facility. The subject property is located at 187 Arthur Road in the unincorporated Martinez area. (Zoning: Light Industrial, L-I) (Parcel Number: 380-051-042, 380-041-006, 380-062-017, and 380-062-021) JDT Staff Report

APPROVED WITH REVISED LANGUAGE

2b. RANGANATH MADHABHUSHI (Applicant) - DONAHUE SCHRIBER (Owner), County File #LP15-2051: The applicant requests approval of a Land Use Permit / Development Plan to establish a 5 Guys Burgers and Fries restaurant in two adjoining vacant commercial spaces in the Alamo Plaza Shopping Center. 5 Guys would include 58 seats inside the restaurant and 22 outdoor seats. The project site includes Suites 190B and 190C located at Alamo Plaza in the Alamo area in unincorporated Contra Costa County. (Zoning: R-B Retail Business, S2 Sign Control Combining District) (Assessor's Parcel Number: 191-180-008) SM Staff Report

3. DEVELOPMENT PLAN: PUBLIC HEARING

APPROVED AS RECOMMENDED BY STAFF

3a. JIM MATTISON FOR T-MOBILE (Applicant) - BEHRING GLOBAL EDUCATION FOUNDATION (Owner); County File #DP15-3042: The applicant is requesting approval of a Development Plan permit to renew and modify County File #DP96-3014 for the continued operation and modification of an existing T-Mobile telecommunications facility. The proposed modifications include adding three new panel antennas, adding three new RRUS, and upgrading the existing equipment cabinet. The subject site is located at 3700 Blackhawk Plaza Circle in the unincorporated Blackhawk area. (Zoning: Planned Unit District (P-1); APN: 203-780-070) DCB Staff Report

APPROVED WITH ADDED COA #5

3b. TONY VENTOSA (Applicant) - SANTOS F. HERNANDEZ (Owner), County File #DP15-3031. The applicant requests design review approval for a 926 square-foot two-story addition to the rear of an existing single-family residence on a substandard lot. The addition consists of two levels; the upstairs contains two bedrooms and a bathroom while a family room and powder room occupy the lower level. The project is located at 2995 Greenwood Drive in unincorporated San Pablo. (Zoning: R-6 Single-Family Residential (R-6)) (Assessor's Parcel Number: 416-021-022) AV Staff Report

CONTINUED HEARING TO DATE UNDETERMINED

3c. JAKE TARTER (Applicant and Owner), County File #DP15-3037: The applicant requests approval of an Amended Final Development Plan increasing the number of units in the Arbor Springs subdivision from 16 town homes under Amended Final Development Plan DP00-3020 to 19 town homes, to allow development of a 3-unit townhouse building. DP00-3020 reduced the number of units in the original 22-unit subdivision that was approved under Final Development Plan DP91-3008. The application includes deviations from the M-12 Multiple Family Residential District standards for lot coverage, building height, side yard width, and rear yard width. The application also includes a request for a Tree Permit to remove five protected trees to accommodate future development of the townhouse building. The project site is located at 111 Flame Drive in the Pacheco area in unincorporated Contra Costa County. (Zoning: P-1 Planned Unit District) (Assessor's Parcel Number: 125-080-012) SM Staff Report

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, MARCH 21, 2016. **PLEASE BE AWARE OF THE MEETING LOCATION, 30 MUIR ROAD, MARTINEZ, CA.**

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 674-7792 or by visiting our office at 30 Muir Road, Martinez, California. Environmental Impact Reports have been prepared for each of the agenda items indicated by an asterisk (*).

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Community Development Division to the Zoning Administrator less than 96 hours prior to that meeting are available for public inspection at the Community Development Division of the Department of Conservation and Development, 30 Muir Road, Martinez, California during normal business hours.

Recordings of this hearing are available for reviewing or copying purposes at the Community Development Division of the Department of Conservation and Development, 30 Muir Road, Martinez, California during normal business hours. We are open continuously from 7:30 a.m. to 5:00 p.m. Monday through Thursday and 7:30 a.m. to 4:00 p.m. on Friday. Advance arrangements may be made by calling (925) 674-7205.

PERMIT DISTRIBUTION

Date: 03-21-16
By: Octavius Blocker
Project: LP15-2050

- [x] APPLICANT – T-Mobile
- [x] OWNER – Arthur Road Associates
- [x] Permit Binder
- [x] Dominique – *CELL SITES ONLY*
- [x] *Computer (permit only)*
- [x] *Karin Baker (permit only)*
- [ ] *Keith Denison – APC (permit only PRIOR TO 2015)*
- [ ] Assessor (send only when permit is adding livable space such as new SFR or addition)
- [ ] Environmental Health

Fire Protection District

- [ ] Contra Costa Fire (email to: fire@cccfpd.org if requested by planner)
- [ ] East County Fire (send only if requested by planner)
- [ ] San Ramon Fire (if permit is for San Ramon, Alamo, Danville, Diablo)

SCAN AND EMAIL TO PW GROUP

- [x] Public Works/Engineering Services
- [x] Public Works/Flood Control
- [x] Public Works/Special Districts

- [ ] Knightsen Services District - for permits in the Knightsen area
(P.O. Box 763; Knightsen CA 94548)

Copies to Agencies listed on Agency Comment Request Distribution Form
(*Send only to agencies checked off list if requested by planner)*

File #: 26-202 **Agenda Date:** 1/21/2026 **Agenda #:** 4a.

Project Title:	The Lakes at Discovery Bay Development Plan
County File:	CDDP25-03020
Applicant/Owner:	Roxanne DuCheney, DuCheney Construction (Applicant) / The Lakes at Discovery Bay HOA (Owner)
Zoning/General Plan:	P-1 Planned-Unit District, -UE Urban Farm Animal Exclusion Combining District / RLM Residential Low Medium Density, RM Residential Medium Density, PR Parks and Recreation
Site Address/Location:	The start of Fallman Boulevard off Bixler Road in the Discovery Bay area of unincorporated Contra Costa County (Assessor's Parcel Number: 011-241-012)
California Environmental Quality Act (CEQA) Status:	Categorical Exemption, CEQA Guidelines Section 15302(b)
Project Planner:	Allison Seoane, Project Planner (925) 655-2871 Allison.Seoane@dcd.cccounty.us
Staff Recommendation:	Approve (See Section II for Full Recommendation)

I. PROJECT SUMMARY

The applicant requests approval of a Development Plan to modify Final Development Plan CDDP91-03025 to construct a replacement guardhouse and drive isle canopy structure at The Lakes at Discovery Bay, Single Family Home Community.

II. RECOMMENDATION

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 15302(b) of the CEQA Guidelines.

B. APPROVE Development Plan CDDP25-03020 to modify Final Development Plan CDDP91-03025 to construct a replacement guardhouse and drive isle canopy structure at The Lakes at Discovery Bay, Single Family Home Community.

C. DIRECT staff to file a Notice of Exemption with the County Clerk.

III. GENERAL INFORMATION

A. General Plan: RLM Residential Low Medium Density, RM Residential Medium Density, PR Parks and Recreation.

B. Zoning: P-1 Planned-Unit District, -UE Urban Farm Animal Exclusion Combining District.

C. California Environmental Quality Act (CEQA) Compliance: Categorical Exemption - CEQA Guidelines, Section 15302, Replacement or Reconstruction, Class 2 exemption for replacement of an existing commercial structure where the new structure will be located on the same site and will have substantially the same purpose and capacity of the structure replaced, including the construction of a new guardhouse and drive isle canopy in the same location as the previous guardhouse that was damaged in a car accident.

D. Previous Applications:

1. GPA #4-93-EC: A General Plan Amendment to designate land in the Discovery Bay West area from Agricultural Lands to Single Family Residential-Medium Density, Single Family Residential-High Density, Parks and Recreation, Public/Semi Public, and Delta Recreation was approved by the Board of Supervisors on December 20, 1994.

2. CDSD91-07686: A Major Subdivision of the P-1 area was approved by the Board of Supervisors on August 7, 1995, for Village I of the subdivision. This included the approval of the Preliminary Development Plan for the Discovery Bay area. A revised permit was issued to revise Condition of Approval #42 on May 3, 2001.
3. CDDP91-03025: A Final Development Plan for the SD91-7686 Subdivision was originally approved by the Board of Supervisors on July 25, 1995, and an amendment to relocate the intersection of Newport Drive and Bixler Road farther to the north was approved by the East County Regional Planning Commission on December 5, 1997.

4. CDRZ91-02963: A Rezone of Villages II, III, and IV of Subdivision SD91-7686 from A-2 General Agriculture District to P-1 Planned Unit District was approved by the Board of Supervisors on July 9, 1996. A Rezone of Village I of Subdivision SD91-7686 from A-2 General Agriculture District to P-1 Planned Unit District was approved by the Board of Supervisors on July 25, 1996, under this same file.

5. CDSD96-08023: A Major Subdivision for Phases II, III, and IV of the Discovery Bay West Project was approved by the East County Regional Planning Commission on August 5, 1996.

6. CDDP02-03064: A modification to the Final Development Plan to change the timing of required improvements for phases II, III, and IV of the Discovery Bay West Project was approved by the Zoning Administrator on December 9, 2002.

7. CDDP03-03003: A modification to the Final Development Plan to change the dimensions of a bridge between Villages II and III of the Discovery Bay West Project was approved by the Zoning Administrator on March 24, 2003.

8. CDDP03-03018: A Development Plan application to modify Final Development Plan was withdrawn on July 27, 2005.

9. CDGP03-00007: A General Plan Amendment to reflect a redesigned Village V under Major Subdivision #CDSD04-08828 was approved by the Board of Supervisors on July 26, 2005, alongside County Files #CDRZ04-03142 and #CDDP04-03019.

10. CDRZ04-03142: A Rezoning from a Planned-Unit District (P-1) to a Revised Planned-Unit District for the Discovery Bay West Project was approved by the Board of Supervisors on July 26, 2005, alongside County Files #CDGP03-00007 and #CDDP04-03019.

11. CDSD04-08828: A Major Subdivision for Phase V of the Discovery Bay West project was approved by the Board of Supervisors on July 26, 2005. This included the approval of a modification to the Final Development Plan under County File #CDDP04-03019.

12. CDDP04-03019: An amendment to and modification of the Final Development Plan to reconfigure lot and street layouts was approved by the Board of Supervisors on July 26, 2005 with the approval of Major Subdivision #CDSD04-08828.

13. CDSD05-08992: A Major Subdivision for the Discovery Bay West Project was approved by the Board of Supervisors on September 19, 2006.

14. CDSD06-08993: A Major Subdivision for the Discovery Bay West Project was approved by the Board of Supervisors on December 19, 2006.

15. CDSD06-09067: A Major Subdivision for the Discovery Bay West Project was approved by the Board of Supervisors on July 8, 2008.

IV. SITE/AREA DESCRIPTION

The subject property is a 4-acre parcel off of Bixler Road and serves as the main entrance to The Lakes at Discovery Bay Single Family Home Community. The property mostly consists of Fallman Boulevard, which continues onto the adjacent parcel to the right. The parcel is in a residential area located inside of the urban limit line, bounded by Bixler Road to the west and surrounded by single-family residences to the north and south, as shown in the aerial imagery in Attachment B. The proposed replacement guardhouse and drive isle canopy would be located in the center of the parcel, in line with the grassy, concrete median strips on either side, at the same location where the previous guardhouse was located.

V. PROJECT DESCRIPTION

The applicant requests approval of a Development Plan to modify Final Development Plan CDDP91-03025 to construct an approximately 360 square-foot replacement guardhouse and approximately 1,652 square-foot replacement drive isle canopy structure located on Fallman Boulevard, to serve as a secured entrance into The Lakes at Discovery Bay, Single Family Home Community.

VI. AGENCY COMMENTS

An Agency Comment Request packet was sent on August 6, 2025 to a number of public agencies, including Building Inspection Division, Habitat Conservation Plan (HCP) and Natural Community Conservation Plan (NCCP) Staff, Environmental Health Division of the Health Services Department, Public Works Engineering Services and Traffic Division, Contra Costa County Fire Protection District, Town of Discovery Bay Community Services District, and Contra Costa Mosquito and Vector Control District. Agency comments received by staff are included in Attachment E. Following are summaries of the comments received.

A. Town of Discovery Bay Community Services District (CSD): On September 23, 2025, the CSD submitted an email stating that it had no comments on the project.

B. Contra Costa County Public Works Department: On August 8, 2025, the Public Works Department submitted an Agency Comment Request form stating that it had no comments on the project.

C. Habitat Conservation Plan (HCP) and Natural Community Conservation Plan (NCCP) Staff: On August 11, 2025, HCP/NCCP Staff submitted an email stating that the project is not subject to the County's HCP/NCCP Ordinance, and as such, there are no HCP/NCCP conditions required.

D. Contra Costa Environmental Health Division (CCEHD): On August 15, 2025, the CCEHD submitted a letter containing standard requirements for projects that involve wells or septic tanks, neither of which this project requires.

E. Contra Costa County Fire Protection District: On September 8, 2025, the Fire Protection District submitted a letter stating that District approval is required prior to construction.

VII. REQUEST FOR HEARING

A Notice of Intent to Render an Administrative Decision was mailed on October 3, 2025, that included an October 13, 2025, deadline to request a public hearing. Three requests for public hearing were received during the comment period. Two requests for public hearing were withdrawn after clarifying information was provided that addressed the concerns of their respective requests for hearing. Please note, one neighbor who withdrew her request for public hearing provided further comments for consideration of the Zoning Administrator on December 15, 2025.

On October 7, 2025, a request for public hearing was received from Anita Thorn of 8051 Westport Circle, owner of a parcel in the upper Northwest quadrant of The Lakes at Discovery Bay Community. Following the review of supplementary documents provided by the HOA, included in Attachment H, Anita withdrew her request for public hearing on October 28, 2025. The withdrawal for request of a Public Hearing is included in Attachment F.

On October 9, 2025, a request for public hearing was received from Ronald Cole of 9884 Key West Way, owner of a parcel on the Northeast end of The Lakes at Discovery Bay Community. Following his review of a presentation prepared by the HOA at a meeting open to residents of The Lakes, included in Attachment H, Ronald withdrew his request for public hearing on October 22, 2025. The withdrawal for request of a Public Hearing is included in Attachment F.

On October 6, 2025, a request for public hearing was received from Angela Mahoney of 9007 Tradewinds Circle, owner of a parcel south of Fallman Boulevard on the east side of The Lakes at Discovery Bay Community. The hearing request is included in Attachment F. The following is a summary of the request for hearing comments along with staff responses:

Request for Hearing Comment 1: This neighbor expressed concerns that the proposed bollards are not sufficient to prevent a vehicle that is traveling at a very high rate of speed from striking the building.

Staff Response: The plans show a total of fourteen bollards placed around the guardhouse. Seven of these bollards are Tomahawk M50 bollards, which, per the HOA presentation included in Attachment H, are rated M50-P1, and are designed to stop 15,000-pound vehicles traveling at 50 miles-per-hour, or 3,500 pound vehicles - the average weight of a compact sports utility vehicle (SUV) - traveling at over 90 miles-per-hour. Specifically, five of these Tomahawk M50 bollards are proposed to go in front of the building on the side facing Balfour Road, where the building was previously struck by a vehicle. The other seven bollards are Hercules M30 bollards, which are rated

M30-P1, and are designed to stop 15,000-pound vehicles traveling at 30-miles per hour, or 3,500 pound vehicles - the average weight of a compact sports utility vehicle (SUV) - traveling at 60 miles-per-hour. Four of these Hercules M30 bollards are proposed to go in front of the building on the side that faces The Lakes community. The side of the guardhouse that faces the community is further shielded by a median containing a line of large, mature palm trees, reducing the chances of a high-speed collision with the building on this side. Due to the quantity, sturdiness, and location of the proposed bollards, the project contains elements to shield the building from, and mitigate the effects of, potential accidents.

VIII. PUBLIC COMMENTS

On December 15, 2025, Angela Thorn provided further comments for the consideration of the Zoning Administrator. Her comments are included in Attachment I. The following is a summary of the comments with staff's response.

Comment 1: The neighbor expressed concerns with the cost of the project and consequently expressed her opposition to the project.

Staff Response: Staff has reviewed this application for consistency with Final Development Plan CDDP91-03025, and has provided findings included in Attachment A in support of the project. While public comments may be provided for the review of the Zoning Administrator, these comments are civil in matter and do not call out concerns with the project as it relates to being consistent with Planning requirements. Therefore, Staff recommends approval of the project as it is consistent with Final Development Plan CDDP91-03025.

IX. STAFF ANALYSIS

A. General Plan Consistency: The subject property is a Home-Owner-Association owned lot that serves as the entryway to the community. This specific lot has three General Plan land use designations in order to be consistent with the designations of the multiple parcels directly adjacent. The designations include RM Residential Medium, PR Parks and Recreation, and RLM Residential Low Medium General Plan land use designation. The RM and RLM designations allow for residential densities at specific intervals, while the PR designation applies to parks and similar outdoor spaces. As such, a guardhouse to provide secure entrance to the community would be a use ancillary to the residential neighborhood, making it consistent with the RM and RLM land use designations. The guardhouse would also be consistent with the PR land use designation as an ancillary amenity that supports recreational uses by serving as an entrance to the open space on the property.

B. Zoning Compliance: The subject property is located in the P-1 Planned-Unit District

established by Final Development Plan CDDP91-03025, Subdivision SD91-7686, and Rezone CDRZ-02963, which allowed for a gated Single-Family Residential community. As such, the guardhouse and drive isle canopy are consistent with the Final Development Plan by providing secure access into The Lakes Community. Therefore, a replacement guardhouse and drive isle canopy is consistent with the intent and purpose of the P-1 District, and is compatible with other uses in the vicinity, both inside and outside the district.

C. Sacramento-San Joaquin Delta: The subject property is located within the Secondary Zone of the Delta, and therefore, not subject to the Delta Stewardship Council's (DSC) Delta Plan.

X. CONCLUSION

The proposed modification of Final Development Plan CDDP91-03025 to construct a replacement guardhouse and drive isle canopy structure at The Lakes at Discovery Bay, Single Family Home Community is consistent with the RLM Residential Low-Medium, RM Residential Medium, and PR Parks and Recreation General Plan land use designations and complies with the intent and purpose of the P-1 District established by SD91-7686 and RZ-2963. Staff recommends that the Zoning Administrator approve Development Plan CDDP25-03020 to modify Final Development Plan CDDP91-03020 to construct a replacement guardhouse and drive isle canopy structure at The Lakes at Discovery Bay, Single Family Home Community, based on the attached findings and subject to the attached conditions of approval.

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP25-03020: ROXANNE DUCHENEY, DUCHENEY CONSTRUCTION (APPLICANT), THE LAKES AT DISCOVERY BAY (OWNER)

FINDINGS

A. Development Plan Findings:

In approving a Development Plan in the P-1 Planned Unit District, findings are required pursuant to County Code Section 84-66.1804(b) that the proposed project is consistent with the intent and purpose of the P-1 District and that it is compatible with other uses in the vicinity, both inside and outside the district.

Project Findings. The subject property is located within a Planned-Unit (P-1) District established by Rezone CDRZ-02963 and Subdivision CDSD91-07686. Development standards for this P-1 District were established by Final Development Plan CDDP91-03025. The project will modify CDDP91-03025 to allow the construction of a replacement guardhouse and drive isle canopy structure at The Lakes at Discovery Bay, Single Family Home Community.

The replacement guardhouse is consistent with the P-1 District as Rezone RZ-2963 established The Lakes as a private, gated Single-Family Residential community, and a security entrance building is not only consistent with this use, but required to keep the neighborhood secure. Therefore, staff finds the replacement guardhouse and drive isle canopy structure to be consistent with the intent and purpose of the Final Development Plan for this P-1 Planned Unit District.

The guardhouse is also compatible with other uses in the vicinity, both inside and outside of the district, as it is auxiliary to the nearby residential and parks Land Use designations. The project is consistent with adjacent Residential Low Medium and Residential Medium designations, which allow for residential densities at specific intervals, as a guardhouse to provide secure entrance to the community would be a use ancillary to the residential neighborhood. The project is consistent with the Parks and Recreation designation, which applies to parks and similar outdoor spaces, as the guardhouse would be an ancillary amenity that supports recreational uses by serving as an entrance to the open space on the property. Finally, although the project site is directly adjacent to Agricultural Core designated lands, which does not allow for residential uses outside of single-family farm-houses, the guardhouse serves as a gateway into the allowed residential uses of The Lakes community, and

delineates The Lakes neighborhood as separate from its agricultural neighbors. The guardhouse is also placed far back enough from the intersection of Balfour and Bixler to be consistent with both the scale of the adjacent agricultural properties and The Lakes neighborhood. Therefore, the guardhouse is consistent with other uses in the vicinity, both inside and outside of the district.

B. California Environmental Quality Act (CEQA) Review Finding:

The project is exempt under CEQA Guidelines Section 15302(b), Replacement or Reconstruction, which provides a Class 2 exemption for replacement of an existing commercial structure where the new structure will be located on the same site and will have substantially the same purpose and capacity of the structure replaced, including the construction of a new guardhouse and drive isle canopy in the same location as the previous guardhouse. 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 CDDP25-03020

Project Approval

1. Development Plan CDDP25-03020 to modify Final Development Plan CDDP91-03025 to construct a replacement guardhouse and drive isle canopy structure at The Lakes at Discovery Bay, Single Family Home Community, is APPROVED.

2. The Development Plan approval described above is generally based on the application materials and project plans accepted by the Department of Conservation and Development, Community Development Division (CDD) on August 1, 2025.

3. Any change from the approved plans shall require review and approval by the CDD and may require the filing of an application to modify this Development Plan.

Security Bollards

4. The approved security bollard configuration shall remain the same as on the approved plans, and be present on the construction plan set for building permit(s). If the bollard configuration is to be changed after this approval, the applicant/property owner must first obtain approval from CDD. **Prior to final building inspection**,

color photographs shall be submitted to CDD to verify that the as-built condition of the property is consistent with this Condition of Approval.

Application Costs

5. This application is subject to an initial application deposit of $3,500.00, which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial deposit. Any additional costs due must be paid within 60 days of the permit effective date or prior to use of the permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due from the date of approval, the application shall be charged interest at a rate of ten percent (10%). The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

Building Permits

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

Construction Period Restrictions and Requirements

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

7. 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.

8. 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.

9. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

10. 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.

11. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

    New Year's Day (State and Federal)

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

    Washington's Birthday (Federal)

    Lincoln's Birthday (State)

    President's Day (State)

    Cesar Chavez Day (State)

    Memorial Day (State and Federal)

    Juneteenth National Independence Holiday (Federal)

    Independence Day (State and Federal)

    Labor Day (State and Federal)

    Columbus Day (Federal)

    Veterans Day (State and Federal)

    Thanksgiving Day (State and Federal)

    Day after Thanksgiving (State)

    Christmas Day (State and Federal)

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

    Federal Holidays: Federal Holidays (opm.gov)

    California Holidays: State Holidays (ca.gov)

12. 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. The applicant shall submit building plans to the Building Inspection Division and comply with Division requirements. It is advisable to check with the Division prior to requesting a building permit or proceeding with the project.

C. The applicant is responsible for contacting the Health Services Department Environmental Health Division regarding its requirements and permits.

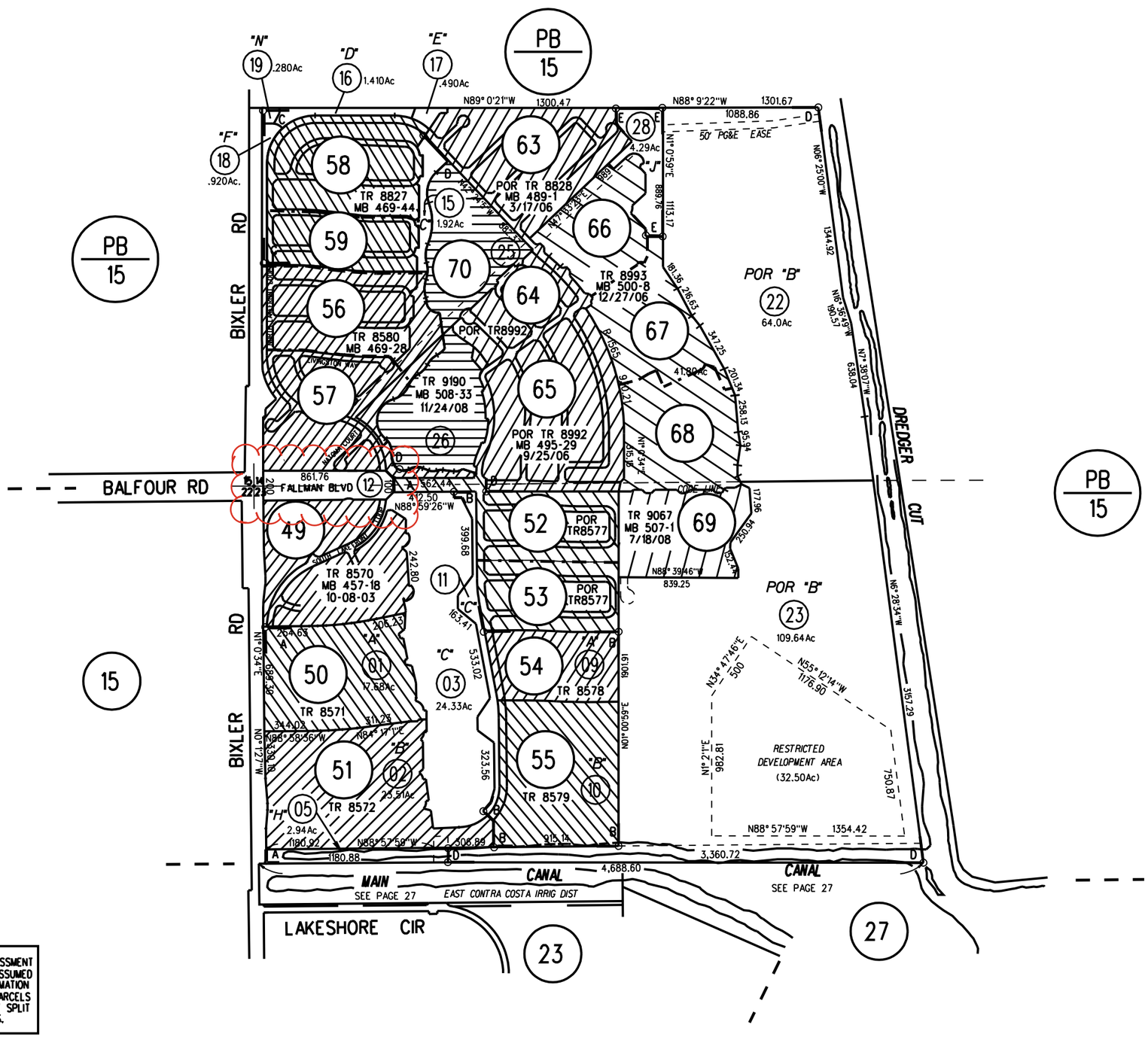
D. The applicant must comply with the requirements of the Contra Costa County Fire Protection District. The applicant is required to submit plans to the Fire Protection District for approval. The plans must be stamped by the District prior to submittal of the building permit application.

E. The applicant must comply with the requirements of the Town of Discovery Bay

Community Services District (DBCSD). The applicant is required to submit plans to the DBCSD for approval. The plans must be stamped by the DBCSD prior to submittal of the building permit application.

POR N 1/2 SEC 23 T1N R3E MDB&M

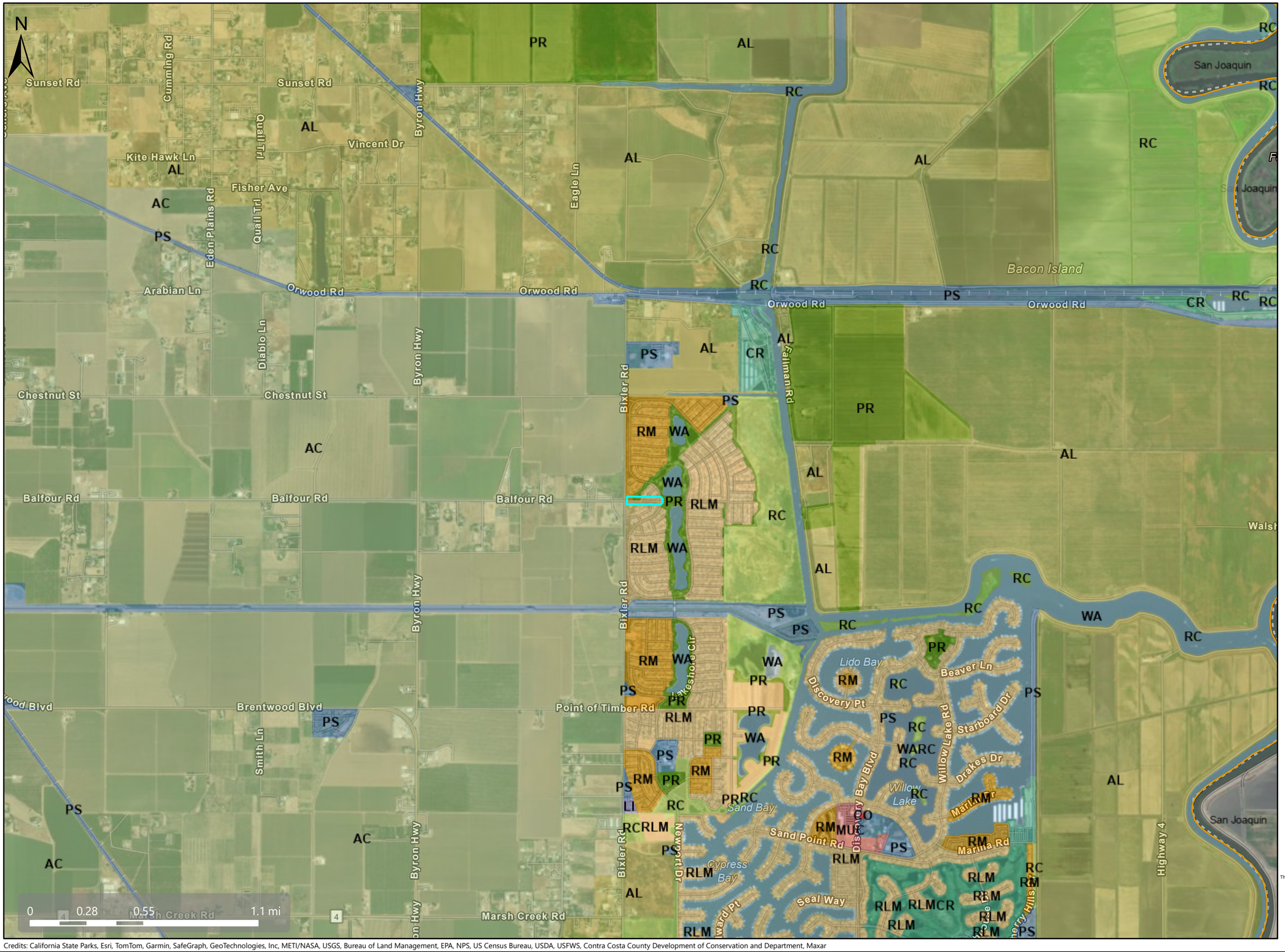
A- 2004 ROLL POR TRACT 8570 MB 457-18 (THE LAKES AT DISCOVERY BAY - LAKES 1) 10/08/03
B- 2005 ROLL PCLS A,B&C TRACT 8577 MB 460-42 (THE LAKES AT DISCOVERY BAY - LAKES 4) 01/23/04
C- 2005 ROLL POR TRACT 8580 MB 469-28 (THE LAKES AT DISCOVERY BAY - LAKES 7) 10/28/04
D- 2007 ROLL POR TRACT 8828 MB 489-1 (THE LAKES AT DISCOVERY BAY - LAKES 10) 3/17/06
E- 2007 ROLL PCL "J" TRACT 8993 MB 500-8 (THE LAKES AT DISCOVERY BAY - LAKES 11) 12/27/06



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

FM 11-24 & 15-16
FM 115/20
ASSESSOR'S MAP
BOOK 11 PAGE 24
CONTRA COSTA COUNTY, C 448

General Plan: Residential Low Medium Density (RLM), Residential Medium Density (RM), Parks & Recreation (PR)



Map Legend

- County Border

General Plan

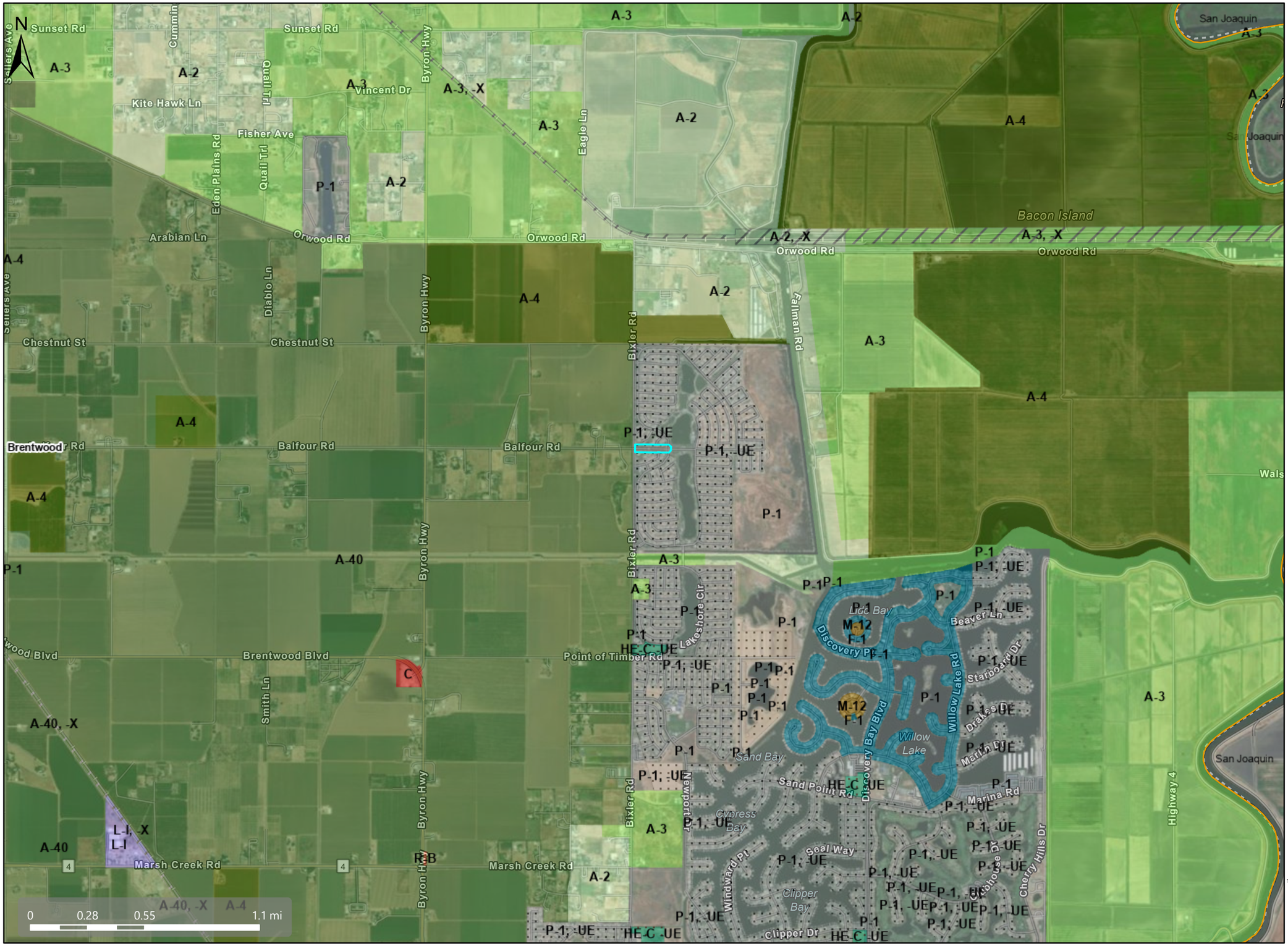
- RL (Residential Low Density) (1-3 du/na)
- RLM (Residential Low-Medium Density) (3-7 du/na)
- RM (Residential Medium Density) (7-17 du/na)
- MUC (Mixed-Use Community-Specific) (Variable)
- CO (Commercial and Office) (C: 1.0 FAR O: 2.75 FAR)
- LI (Light Industry) (1.5 FAR)
- PS (Public and Semi-Public)
- CR (Commercial Recreation)
- PR (Park and Recreation)
- RC (Resource Conservation)
- AC (Agricultural Core) (1 du/40 ac)
- AL (Agricultural Lands) (1 du/10 ac) (1 du/20 ac in DPZ)
- WA (Water)
- City Boundary
- Bay Area Counties

This map is a user generated, static output from an internet mapping application and is intended for reference use only.
Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
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CCMap is maintained by Contra Costa County Department of Information Technology, County GIS.
Data layers contained within the CCMap application are provided by various Contra Costa County Departments.
Please direct all data inquires to the appropriate department.

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

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

Zoning: Planned-Unit District (P-1)



Map Legend

- County Border

Zoning

ZONE_OVER

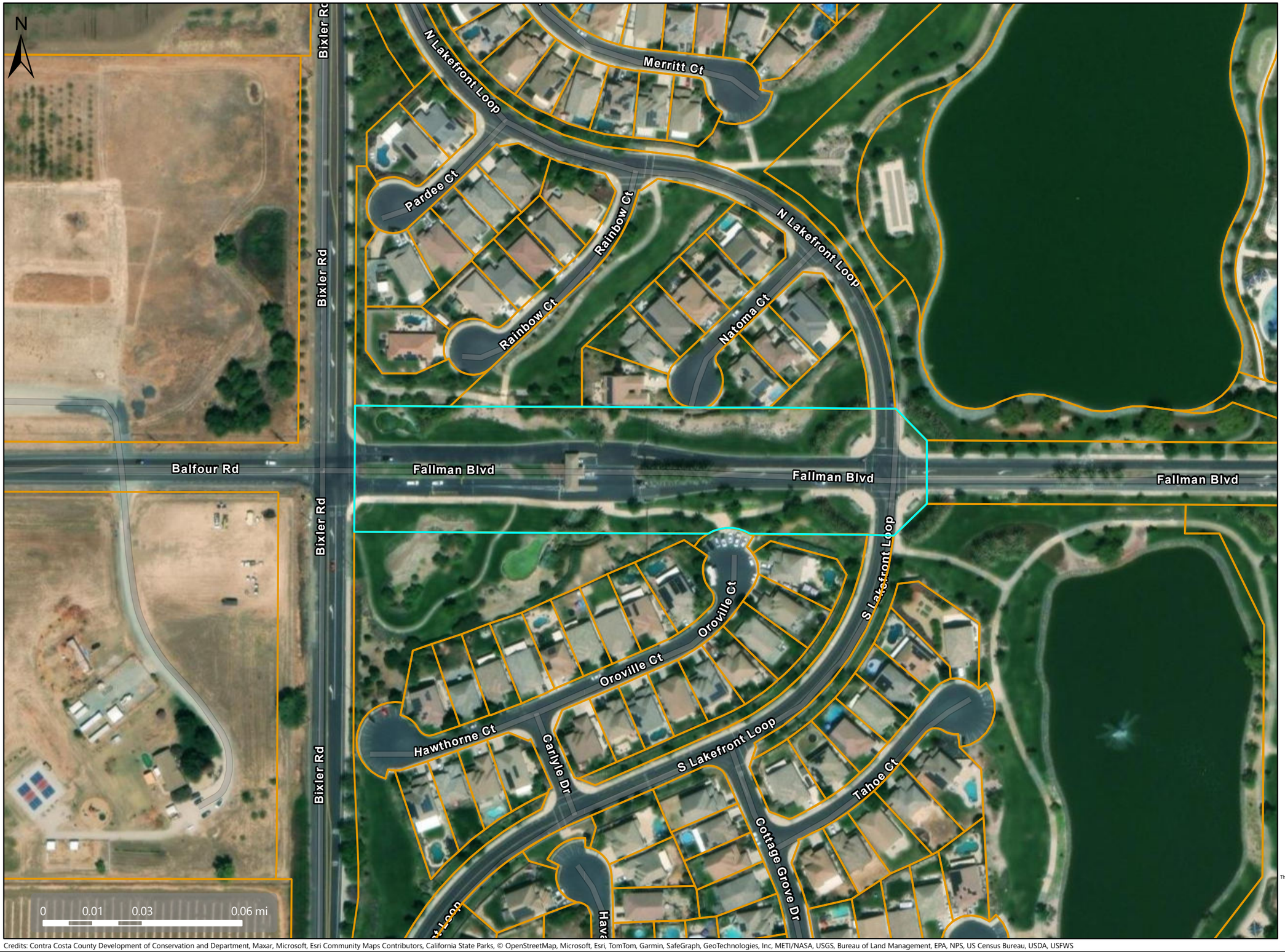
- M-12 (Multiple Family Residential)
- F-1 (Water Recreational)
- A-2 (General Agriculture)
- A-2 -X (Railroad Corridor Combining District)
- A-3 (Heavy Agriculture)
- A-3 -X (Railroad Corridor Combining District)
- A-4 (Agricultural Preserve)
- A-4 -X (Railroad Corridor Combining District)
- A-40 (Exclusive Agriculture)
- A-40 -X (Railroad Corridor Combining District)
- R-B (Retail Business)
- C (General Commercial)
- L-I (Light Industrial)
- L-I -X (Railroad Corridor Combining District)
- P-1 (Planned Unit)
- P-1 -UE (Urban Farm Animal Exclusion)
- HE-C -UE (Urban Farm Animal Exclusion)
- City Boundary
- Bay Area Counties

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

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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.
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Please direct all data inquires to the appropriate department.

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

Aerial



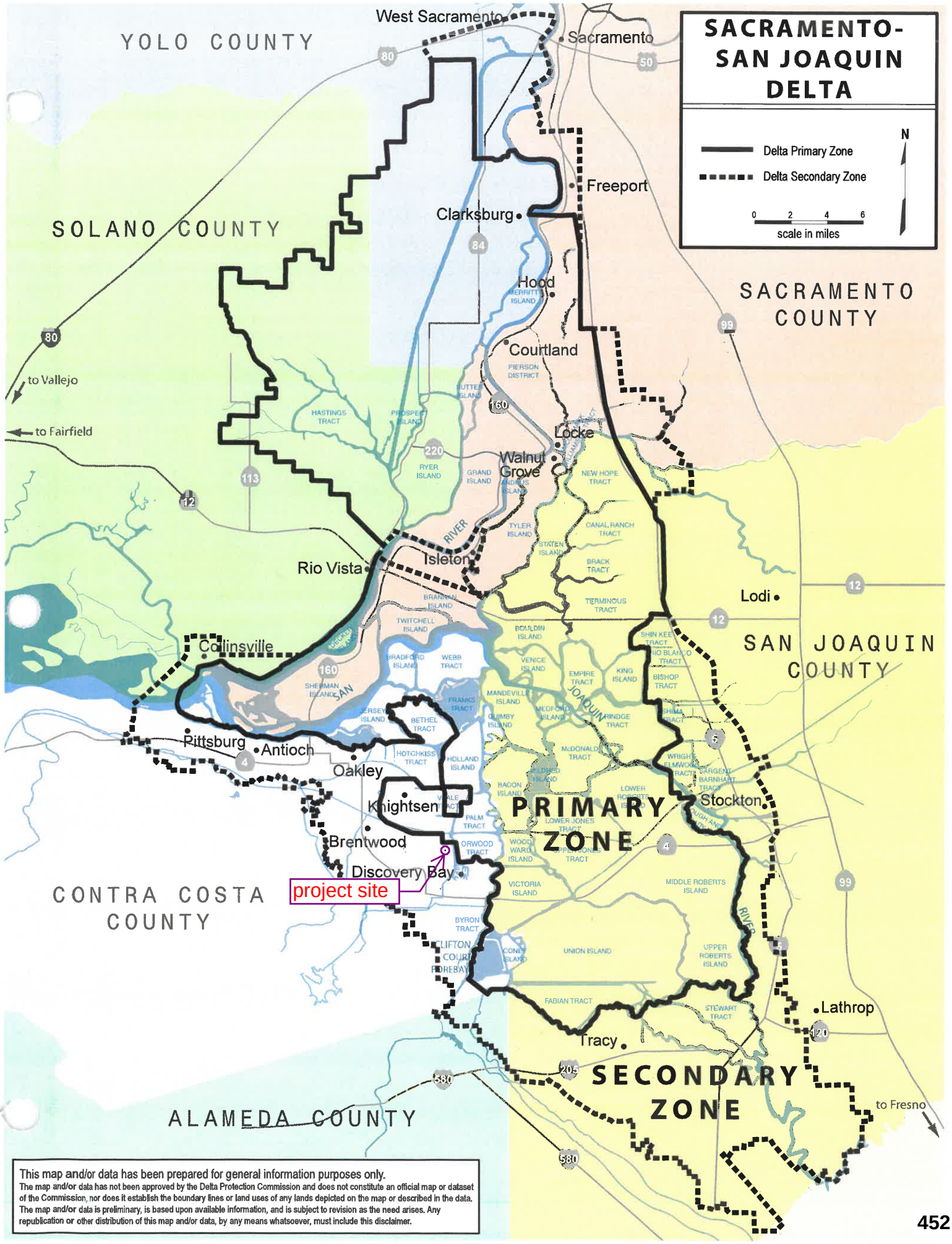
Map Legend

- County Border
- Assessment Parcels

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

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



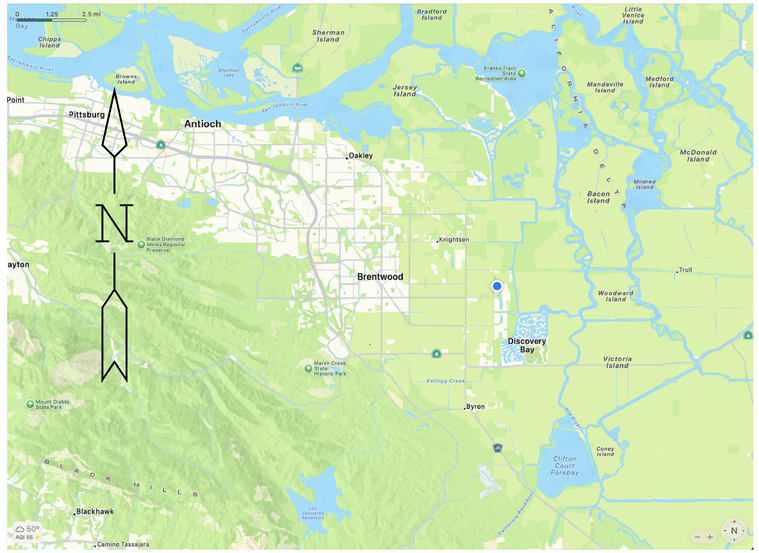
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The map and/or data has not been approved by the Delta Protection Commission and does not constitute an official map or dataset of the Commission, nor does it establish the boundary lines or land uses of any lands depicted on the map or described in the data. The map and/or data is preliminary, is based upon available information, and is subject to revision as the need arises. Any republication or other distribution of this map and/or data, by any means whatsoever, must include this disclaimer.

Outdated Google Street-View Perspective of the Entrance into The Lakes Community from the Intersection of Balfour and Fallman Boulevard, Oriented Towards the Project Site at Fallman Boulevard. Photo Taken Before Original Guardhouse and Drive Isle Canopy Were Demolished.

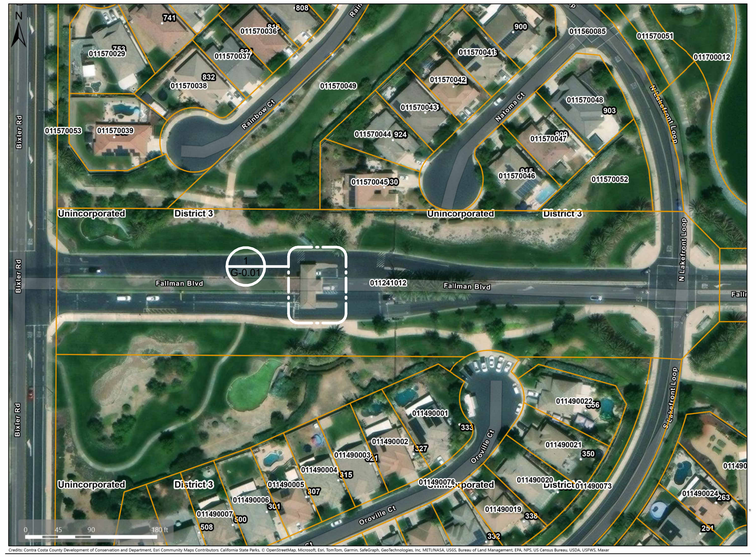


THE LAKES NEW GUARDHOUSE

BIXLER RD & FALLMAN BLVD, DISCOVERY BAY, CA 94505



LOCATION MAP



PARCEL MAP

PROJECT INFORMATION:

LOCATION:
UNINCORPORATED CONTRA COSTA COUNTY
FALLMAN BLVD, DISCOVERY BAY, CA 94505

PARCEL: 011-241-012-1

SITE STATISTICS:
COMMON AREA PARCELS IN PUDs (OPEN SPACE, RECREATION FACILITIES)

PROJECT DESCRIPTION:
CONSTRUCT NEW GUARDHOUSE AND DRIVE ISLE CANOPY STRUCTURE AT THE LAKES AT DISCOVERY BAY, SINGLE FAMILY HOME COMMUNITY.

PARCEL AREA CALCULATIONS:

GUARDHOUSE - 312 SF

DRIVE ISLE CANOPY ROOF AREA - 1652 SF

CODES:
CALIFORNIA RESIDENTIAL CODE, 2022 EDITION, TITLE 24, PART 2.5;
NATIONAL DESIGN SPECIFICATION (NDS) FOR WOOD CONSTRUCTION 2024
AMERICAN CONCRETE INSTITUTE ACI-318
AMERICAN INSTITUTE OF STEEL CONSTRUCTION AISC-350

RECEIVED on 08/01/2025 CDDP25-03020
By Contra Costa County
Department of Conservation and Development

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03 ARCHITECTURAL	
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A-2.0	FLOOR PLAN
A-2.1	ROOF PLAN
A-3.0	EXTERIOR ELEVATIONS
A-3.1	BUILDING SECTIONS
A-5.0	WALL ASSEMBLY DETAILS
A-6.0	WINDOW AND DOOR SCHEDULES
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JOB DESCRIPTION: THE LAKES GUARDHOUSE
LOCATION: BIXLER & FALLMAN, DISCOVERY BAY, CA 94505

CLIENT: THE LAKES @ DISCOVERY BAY

MCW Engineering & Design

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REGISTERED PROFESSIONAL ENGINEER
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6-25-2022
CIVIL
STATE OF CALIFORNIA

Revisions		
No.	Revision Date	Revision Description

SHEET TITLE: PROJECT INFO NEW CONSTRUCTION

SCALE	DATE	DRAWING NO.	REVISION NO.
AS SHOWN	06-02-2025	G-0.0	

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4

I. GENERAL

1. THESE NOTES SHALL APPLY TO ALL DRAWINGS IN THIS PROJECT, UNLESS OTHERWISE NOTED.
2. VERIFY EXISTING SITE CONDITIONS BEFORE STARTING ANY CONSTRUCTION WORK. CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY IF THERE IS ANY DISCREPANCY. DO NOT PROCEED WITH THE AFFECTED WORK UNTIL THE DISCREPANCY IS RESOLVED.
3. PLAN AND DETAIL NOTES PROVIDED IN INDIVIDUAL PLANS AND DETAIL DRAWINGS SUPPLEMENTS INFORMATION IN THE GENERAL NOTES.
4. CONTRACTOR IS HEREBY SPECIFICALLY DIRECTED AS A CONDITION OF THE CONTRACT TO ACQUAINT HIMSELF/HERSELF WITH THE ARTICLES CONTAINED IN THE GENERAL NOTES AND TO NOTIFY AND APPRISE ALL SUBCONTRACTORS AND ALL OTHER PARTIES OF THE CONTRACT OF, AND BIND THEM TO, ITS CONDITIONS.
5. DRAWINGS OF BASE BUILDING CONDITIONS ARE GENERATED FROM AS-BUILT DRAWINGS AND LIMITED FIELD OBSERVATION BY THE ARCHITECT. ACTUAL CONDITIONS MAY DIFFER FROM THOSE SHOWN.
6. CONTRACTOR SHALL FILE, OBTAIN AND PAY FEES FOR BUILDING DEPARTMENT AND ALL OTHER AGENCY APPROVALS AND PERMITS, CONTROLLED INSPECTIONS, AND FINAL SIGN-OFFS FOR PROJECT COMPLETION. COPIES OF TRANSACTIONS SHALL BE FORWARDED TO THE OWNER PRIOR TO COMMENCING WORK.
7. CONTRACTOR SHALL VERIFY THAT DRAWINGS ARE THE LATEST ISSUANCE PRIOR TO BEGINNING OF CONSTRUCTION.
8. CONTRACTOR SHALL COORDINATE AND SCHEDULE WORK BY OUTSIDE VENDORS INCLUDING, BUT NOT LIMITED TO, TELEPHONE, DATA AND "OWNER'S FORCES". CONTRACTOR SHALL COORDINATE EXACT LOCATIONS AND SHALL DO THE CUTTING, FITTING AND PATCHING REQUIRED TO RECEIVE THE WORK OF OTHERS AS SHOWN OR REASONABLY IMPLIED BY THE DRAWINGS AND SPECIFICATIONS.
9. ALL IDENTIFIED SCOPE OF WORK SHALL BE PROVIDED NEW, UNLESS OTHERWISE NOTED.
10. WORK NOT SPECIFICALLY DETAILED, NOTED OR SPECIFIED, SHALL BE THE SAME AS SIMILAR PARTS THAT ARE DETAILED, NOTED OR SPECIFIED.
11. IN THE EVENT OF INCONSISTENCIES AMONG THE CONTRACT DOCUMENTS, THE ARCHITECT SHALL INTERPRET THEM WHEN ASKED TO DO SO BY THE OWNER OR CONTRACTOR. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE RESULTS OF SUCH INTERPRETATIONS MADE BY OTHERS.
12. THE GENERAL CHARACTER OF DETAIL WORK IS SHOWN ON THE CONTRACT DOCUMENTS. SUBSEQUENT CLARIFICATIONS MAY BE MADE BY ADDITIONAL LAYOUTS OR LARGE SCALE OR FULL SIZE DETAILS.
13. VERIFY ALL EQUIPMENT SIZES BEFORE BEGINNING WORK
14. "TYPICAL" OR "TYP." SHALL MEAN THAT THE CONDITION IS REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT, UNLESS OTHERWISE NOTED. DETAILS OR DIMENSIONS ARE USUALLY KEYED, AND NOTED "TYP" ONLY WHEN THEY FIRST OCCUR.
15. "SIMILAR" OR "SIM." MEANS COMPARABLE CHARACTERISTICS FOR THE CONDITIONS NOTED. VERIFY DIMENSIONS, ORIENTATION, AND CONDITIONS ON PLANS AND ELEVATIONS
16. ARCHITECT SHALL HAVE THE AUTHORITY TO REJECT ANY WORK THAT IS NOT IN CONFORMANCE WITH THE CONSTRUCTION DOCUMENTS

II. DEMOLITION AND SHORING

1. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS SHOWN ON THE DRAWINGS PRIOR TO WORK BEGINNING. WORK THAT IS NOT SHOWN MAY BE REQUIRED TO COMPLETE THE INTENDED WORK. THE CONTRACTOR IS RESPONSIBLE FOR INFORMING THE OWNERS REPRESENTATIVE OF ANY CONDITIONS THAT DIFFER FROM THE INFORMATION INDICATED IN THE DRAWINGS.
2. PRIOR TO EXECUTION OF DEMOLITION WORK, SCHEDULE A WALK-THROUGH WITH OWNER OR OWNERS REPRESENTATIVE TO CONFIRM SCOPE OF WORK AND TO REVIEW EXISTING CONDITIONS.
3. CLAIMS FOR ADDITIONAL COST OR TIME DUE TO EXISTING CONDITIONS THAT COULD HAVE BEEN REASONABLY ANTICIPATED DURING A SITE VISIT BY THE CONTRACTOR PRIOR TO BIDDING WILL NOT BE APPROVED.
4. PROTECT ALL EXISTING BUILDING COMPONENTS WHICH ARE TO REMAIN. REPAIR ANY DAMAGED AREAS AS REQUIRED TO RETURN THEM TO THEIR ORIGINAL CONDITION.
5. PROVIDE SHORING OF EXISTING STRUCTURE AS REQUIRED TO CONTAIN DEMOLITION WITHIN WORK AREA AND PREVENT DAMAGE TO OUTSIDE AREAS.
6. DEMOLITION ACTIVITIES SHALL BE PERFORMED AS TO PRODUCE MINIMAL DISTURBANCE TO EXISTING FACILITY OCCUPANTS. (I.E: MINIMIZE EXCESSIVE AND PROLONGED NOISE LEVELS AND DUST). ENSURE ALL CARS ENTERING THE COMMUNITY CAN ENTER AND EXIT THE MAIN GATE AT ALL TIMES DURING DEMOLITION.
7. ALL WORK SHALL COMPLY WITH REQUIRED LOCAL CODES. CONTRACTOR IS RESPONSIBLE FOR OBTAINING REQUIRED PERMITS AND INSPECTIONS FOR ALL WORK ASSOCIATED WITH THIS CONTRACT.
8. CONTRACTOR SHALL REPAIR ALL DISTURBED AREAS AS REQUIRED TO MATCH SURROUNDING EXISTING FINISHES NOT DISTURBED.
9. IN EXISTING AREAS, RENOVATION AND DEMOLITION WORK SHALL BE ACCOMPLISHED WITH MINIMAL DISRUPTION TO SECURITY AND GATE ENTRY OPERATIONS. IF REQUIRED, THE OWNER RESERVES THE RIGHT TO TEMPORARILY STOP WORK OF SPECIFIC CONSTRUCTION OPERATIONS SHOULD THE OWNER IDENTIFY AN EMERGENCY OR DANGER EXISTS TO THE WELFARE OF THE OCCUPANTS ON ACCOUNT OF SUCH WORK OR OPERATIONS.
10. CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL MATERIAL IN A LEGAL MANNER NOT SCHEDULED FOR REUSE UNDER THIS PROJECT.
11. CONTRACTOR IS RESPONSIBLE FOR ENSURING ALL DUMPSTERS ARE MIN. 30 FEET AWAY FROM COMBUSTIBLES, REF. NFPA 241 & DIVISION 1.

IIi. STANDARDS AND CODES

1. REFER TO TITLE SHEET FOR APPLICABLE CODES
2. GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, CODES, RULES AND REGULATIONS BEARING ON THE CONDUCT OF THE WORK. IF THE CONTRACTOR OBSERVES THAT THE DRAWINGS AND SPECIFICATIONS ARE AT VARIANCE THEREWITH, PROMPTLY NOTIFY THE PROJECT MANAGER AND/OR ARCHITECT. NECESSARY CHANGES SHALL BE MADE IN ACCORDANCE WITH THE GENERAL CONDITIONS.
3. IF CONTRACTOR KNOWINGLY PERFORMS ANY WORK WHICH IS CONTRARY TO SUCH LAWS, ORDINANCES, CODES, RULES AND REGULATIONS, HE/SHE SHALL PROMPTLY MAKE ALL CHANGES AS REQUIRED TO COMPLY THEREWITH AND BEAR ALL COSTS ARISING THEREFROM.
4. CONFLICTS: IN CASE OF CONFLICTS IN THE REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION, THE MOST RESTRICTIVE REQUIREMENTS SHALL GOVERN.
5. WHERE CODES OR REGULATIONS, OTHER THAN THOSE LISTED IN THIS SECTION, ARE REFERRED TO IN VARIOUS SECTIONS OF THE SPECIFICATIONS. IT SHALL BE UNDERSTOOD THAT THEY APPLY TO THIS WORK AS FULLY AS IF CITED HEREIN.
6. ALL COMBUSTIBLE MATERIALS SHALL MEET APPLICABLE CODES. WOOD SHALL BE FIRE RETARDANT TREATED WHERE REQUIRED BY LOCAL BUILDING CODES AND BUILDING OWNER'S REQUIREMENT'S.
7. FOR MAXIMUM FLOW RATES FOR PLUMBING FIXTURES, REFER TO STANDARDS FOR PLUMBING FIXTURES AND FITTINGS OF 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE SEE SHEET CG-1.

IV. CONSTRUCTION STANDARDS

1. CONTRACTOR TO ENSURE THAT SURFACE TO RECEIVE FINISHES ARE CLEAN, TRUE AND FREE OF IRREGULARITIES. DO NOT PROCEED WITH WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. COMMENCEMENT OF WORK SHALL INDICATE INSTALLER'S ACCEPTANCE OF SUBSTRATE.
2. CONTRACTOR TO REPAIR AND PREPARE EXISTING SURFACES SCHEDULED TO REMAIN AS NECESSARY FOR APPLICATION OF NEW FINISHES.
3. CONTRACTOR SHALL PATCH SURFACES TO MATCH ADJACENT IN A MANNER SUITABLE TO RECEIVE FINISHES.
4. GYPSUM BOARD CONSTRUCTION SHALL ALIGN WITH EXISTING, ADJACENT, OR ADJOINING SURFACES, JOINTS SHALL BE TAPED AND SANDED SMOOTH WITH NO VISIBLE JOINTS, UNLESS OTHERWISE NOTED.
5. CONTRACTOR TO INSURE DELIVERY AND INSTALLATION OF CASEWORK AND FINISH CARPENTRY WILL NOT BE DAMAGED BY OTHER CONSTRUCTION WORK.
6. ALL CODE-REQUIRED LABELS SUCH AS "UL", FACTORY MUTUAL OR ANY EQUIPMENT IDENTIFICATION, PERFORMANCE RATING, NAME OR NOMENCLATURE PLATES SHALL REMAIN READABLE AND NOT PAINTED.
7. COORDINATE WITH OWNER FOR DELIVERY AND PLACEMENT OF ALL FURNITURE AND WALL-HUNG EQUIPMENT.
8. REFER TO FINISH SCHEDULE FOR SPECIFIED FINISHES. REFER TO INTERIOR ELEVATIONS FOR MOUNTING HEIGHT REQUIREMENTS.
9. FOR BUILT-IN WORK SURROUNDED BY PARTITIONS, INCLUDING BUT NOT LIMITED TO APPLIANCES AND MILLWORK, CONTRACTOR SHALL CONFIRM THAT FINISHED FLOOR, WALL AND/OR SOFFIT SURFACES DO NOT VARY BY MORE THAN 1/4" IN 20'-0"(NON-CUMULATIVE).
10. CONTRACTOR SHALL, IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS, APPLY, INSTALL, CONNECT, ERECT, CLEAN, AND/OR CONDITION MANUFACTURED ARTICLES, MATERIALS AND/OR EQUIPMENT.
11. UNLESS OTHERWISE NOTED, IT IS THE INTENTION OF THE DRAWINGS AND SPECIFICATIONS FOR ALL WORK, EQUIPMENT, CASEWORK, MECHANICAL, ELECTRICAL AND SIMILAR DEVICES OF WHATEVER NATURE, BE COMPLETELY INSTALLED, CONNECTED, MADE OPERATIONAL AND FUNCTIONAL FOR THE PURPOSE INTENDED, AND THAT ALL COSTS FOR THIS BE INCLUDED IN THE CONTRACTOR'S PROPOSAL.
12. COORDINATE LOCATION AND PROVIDE BLOCKING, BACKING, AND/OR REINFORCEMENTS IN PARTITIONS FOR ALL CABINETS, COUNTERTOPS AND ANY WALL-MOUNTED ITEMS. REFER TO ELEVATIONS AND DETAILS FOR LOCATIONS OF WALL STANDARDS AND OTHER SUPPORTS.
13. CONTRACTOR SHALL BE RESPONSIBLE FOR ADEQUATELY FRAMING, BRACING, AND STRUCTURING ALL WALL, BULKHEAD, AND OTHER DRYWALL CONSTRUCTION IN ACCORDANCE WITH APPLICABLE TYPICAL DETAILS CONTAINED IN THE DRAWINGS WHETHER OR NOT SPECIFICALLY REFERENCED IN THE PLANS OR DETAILS. PROVIDE BLOCKING / BACKING AND REINFORCEMENT ABOVE AS REQUIRED FOR SUPPORT OF LIGHT FIXTURES, EQUIPMENT, OR ANY OTHER CEILING-MOUNTED ITEMS.
14. REPAIR AND PATCH ANY/ALL PENETRATIONS THROUGH RATED ASSEMBLIES TO MAINTAIN REQUIRED RATING.
15. UNLESS OTHERWISE NOTED IN DRAWINGS, FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS, INSTALLATION INSTRUCTIONS, AND BEST PRACTICES FOR INSTALLING EQUIPMENT, FURNISHINGS, FITTINGS, ETC. BRING CONFLICTS BETWEEN DRAWINGS AND MANUFACTURER'S RECOMMENDATIONS TO THE ATTENTION OF THE ARCHITECT.

JOB DESCRIPTION
THE LAKES GUARDHOUSE

LOCATION
BIXLER & FALLMAN,
DISCOVERY BAY, CA 94505

CLIENT
THE LAKES @
DISCOVERY BAY

MCW Engineering & Design

MCW ENGINEERING & DESIGN
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MARCEL.WILLIAMS@MCWENGINEERINGDESIGN.COM
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RIVERBANK, CA 94367

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REGISTERED PROFESSIONAL ENGINEER
MARCEL C. WILLIAMS III
C 85807
06-16-2025
CIVIL
STATE OF CALIFORNIA

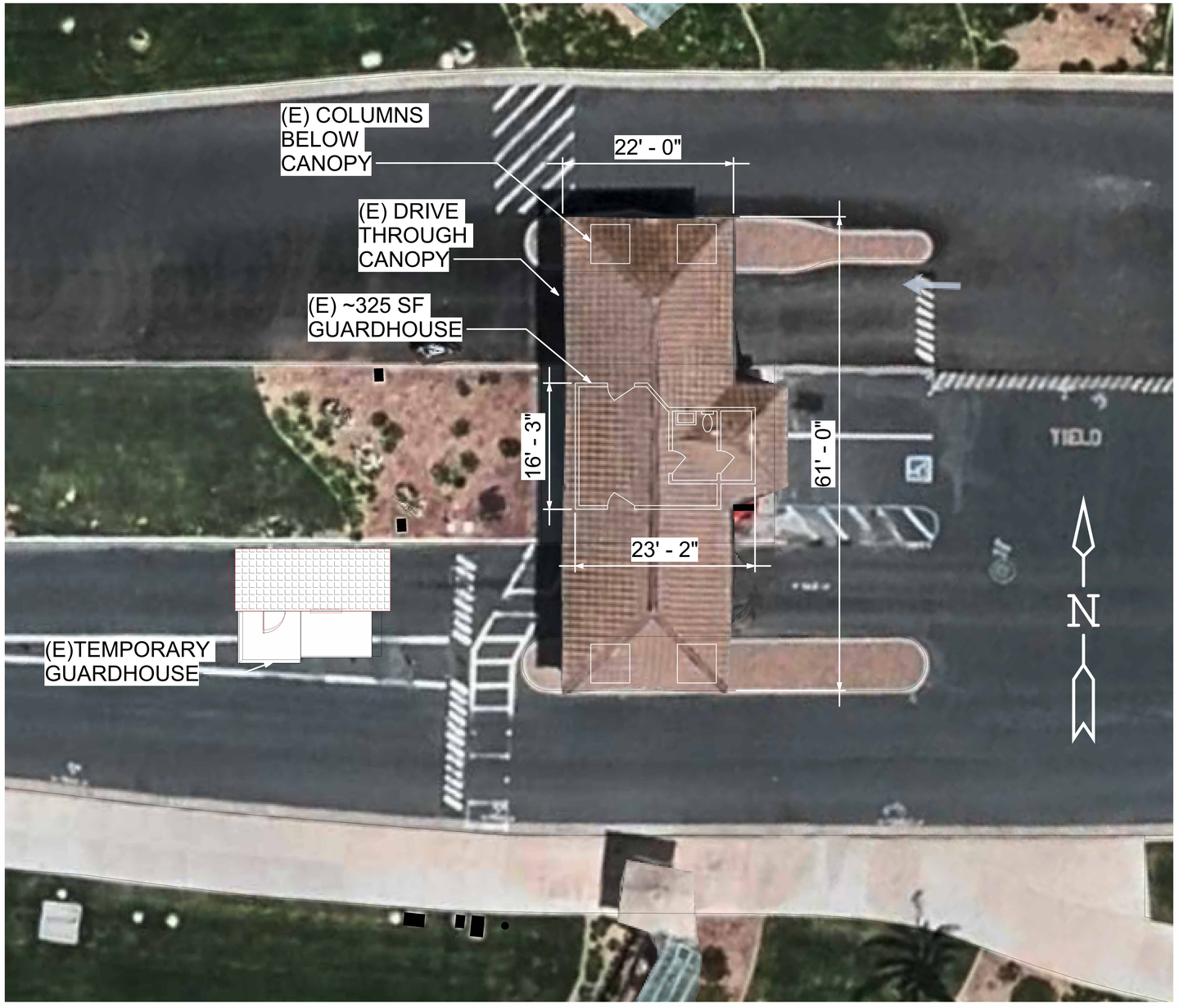
Revisions

No.	Revision Date	Revision Description

SHEET TITLE
GENERAL NOTES

SCALE	DATE	DRAWING NO.	REVISION NO.
AS SHOWN	06-02-2025	G-0.1	

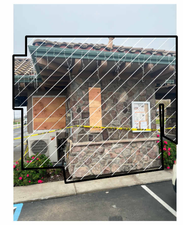
FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4

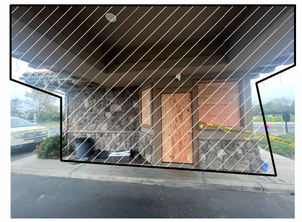


EXISTING PRE DEMOLITION PERMIT SITE PLAN

SCALE: 1/8" = 1'-0"











EXISTING STRUCTURE TO BE DEMOLISHED

NOTES:

1. EXISTING STRUCTURE SHOWN WILL BE DEMOLISHED UNDER SEPARATE PERMIT.
2. INFORMATION SHOWN HERE IS FOR REFERENCE TO EXISTING AS BUILT CONDITION PRIOR TO CAR ACCIDENT. CURRENT STRUCTURE CAN NOT BE REPAIRED IN PLACE AND REQURIES A COMPLETE REBUILD.
3. TEMPORARY GUARDHOUSE TO REMAIN IN PLACE DURING CONSTRUCITON OF NEW STRUCTURE.

JOB DESCRIPTION
THE LAKES GUARDHOUSE

LOCATION
BIXLER & FALLMAN,
DISCOVERY BAY, CA 94505

CLIENT
THE LAKES @
DISCOVERY BAY

MCW Engineering & Design

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RIVERBANK, CA 94367

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STATE OF CALIFORNIA

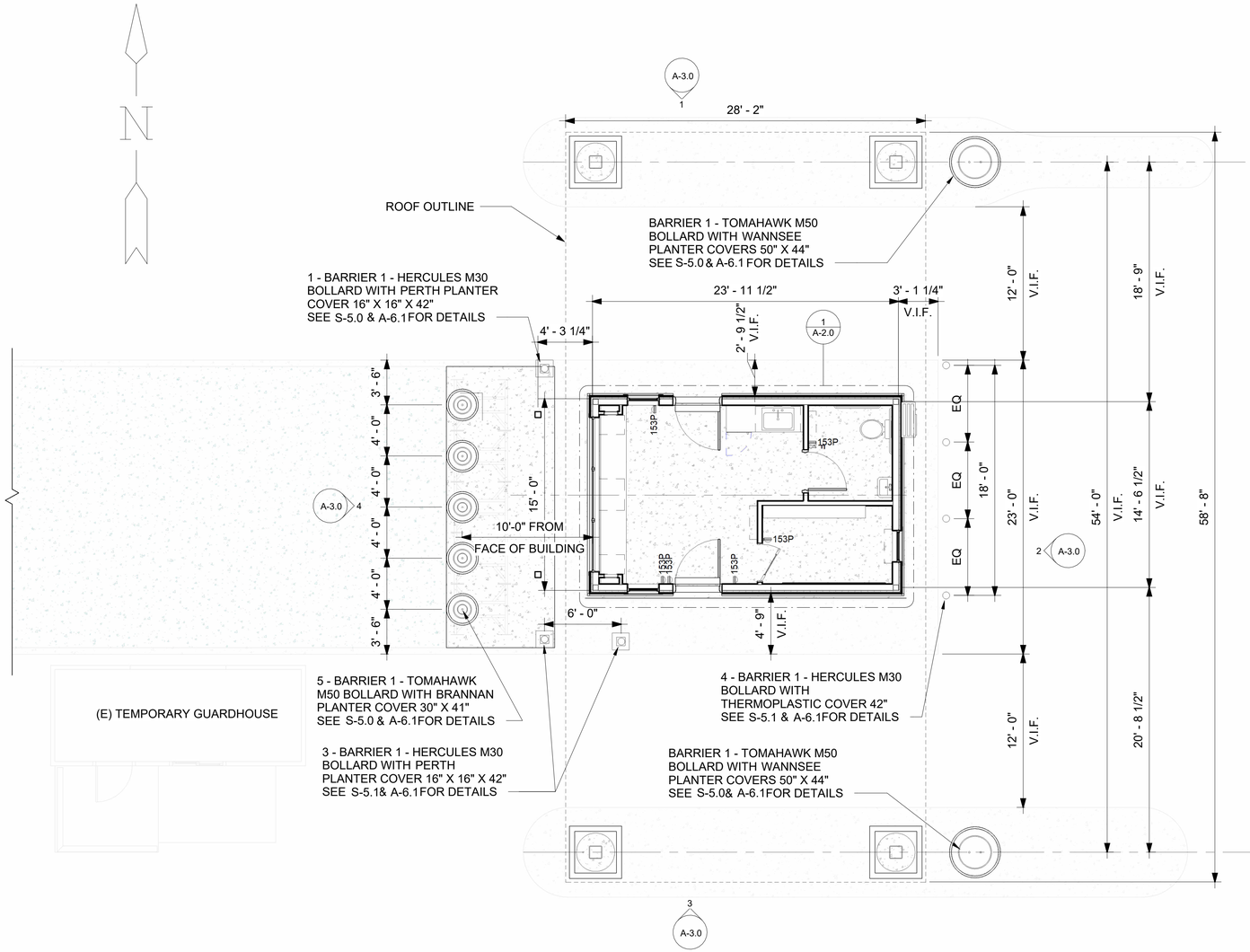
Revisions

No.	Revision Date	Revision Description

SHEET TITLE
PRE DEMOLITION SITE PLAN

SCALE	DATE	DRAWING NO.	REVISION NO.
AS SHOWN	06-02-2025	G-1.1	

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 1"



NEW SITE PLAN

SCALE: 3/16" = 1'-0"



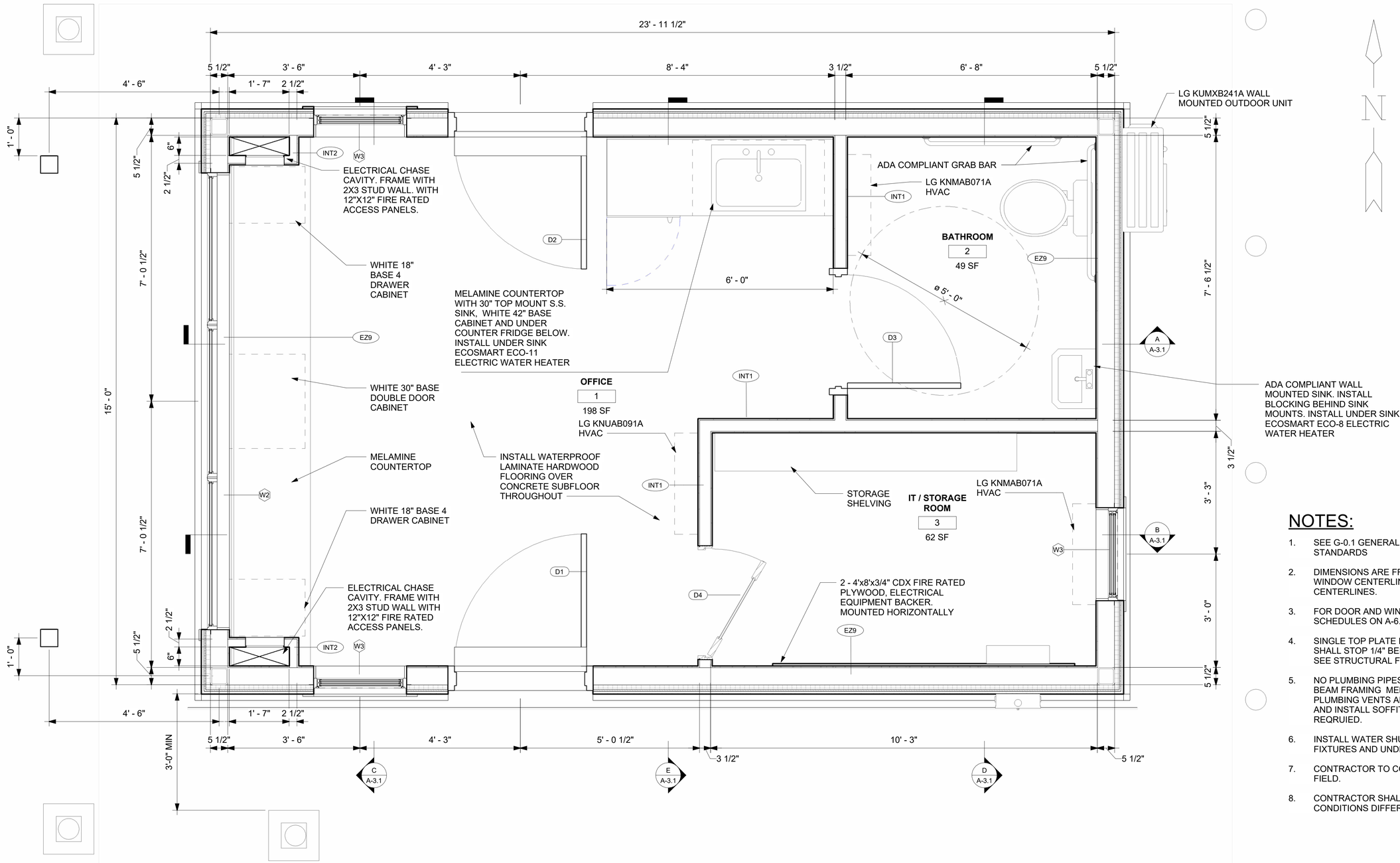
PERSPECTIVE SITE PLAN

NOTES:

1. FOR GENERAL NOTES & DESIGN CRITERIA SEE G-0.1
2. CONTRACTOR TO CONFIRM DIMENSION IN FIELD.
3. CONTRACTOR SHALL NOTIFY EOR IF EXISTING CONDITIONS DIFFER FROM DRAWINGS.

JOB DESCRIPTION: THE LAKES GUARDHOUSE LOCATION: BIXLER & FALLMAN, DISCOVERY BAY, CA 94505	CLIENT: THE LAKES @ DISCOVERY BAY	MCW Engineering & Design	MCW ENGINEERING & DESIGN 510-239-3055 MARCEL.WILLIAMS@MCWENGINEERINGDESIGN.COM 5450 CLAIMSTAKE CT, RIVERBANK, CA 94367	FOR THE SOLE USE OF THE DOCUMENT RECIPIENT - DO NOT CITE, COPY, OR CIRCULATE WITHOUT THE EXPRESSED PERMISSION OF MCW ENGINEERING & DESIGN.	REGISTERED PROFESSIONAL ENGINEER MARCEL C. WILLIAMS C 85807 06-16-2025 CIVIL STATE OF CALIFORNIA	Revisions No. | Revision Date | Revision Description	SHEET TITLE: NEW SITE PLAN SCALE: AS SHOWN DATE: 06-02-2025 DRAWING NO.: A-1.0 REVISION NO.

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4



NOTES:

1. SEE G-0.1 GENERAL NOTES FOR DESIGN STANDARDS
2. DIMENSIONS ARE FROM 2X WOOD FRAMING, WINDOW CENTERLINE, AND DOOR CENTERLINES.
3. FOR DOOR AND WINDOW HEADER SIZES SEE SCHEDULES ON A-6.0
4. SINGLE TOP PLATE HEADER for EZ9 WALL TYPE SHALL STOP 1/4" BELOW BOTTOM OF W BEAM. SEE STRUCTURAL FOR DETAILS
5. NO PLUMBING PIPES SHAL PENETRATE STEL BEAM FRAMING MEMBERS. ROUT ALL PLUMBING VENTS AROUND STEEL FRAMING AND INSTALL SOFFIT TO COVER VENTS AS REQRUIED.
6. INSTALL WATER SHUT OFF VALVES AT ALL FIXTURES AND UNDER SINK WATER HEATERS
7. CONTRACTOR TO CONFIRM DIMENSION IN FIELD.
8. CONTRACTOR SHALL NOTIFY EOR IF EXISTING CONDITIONS DIFFER FROM DRAWINGS.

GUARDHOUSE FLOOR PLAN

SCALE: 3/4" = 1'-0"

JOB DESCRIPTION
THE LAKES GUARDHOUSE

LOCATION
BIXLER & FALLMAN,
DISCOVERY BAY, CA 94505

CLIENT
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DISCOVERY BAY

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5450 CLAIMSTAKE CT,
RIVERBANK, CA 94367

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REGISTERED PROFESSIONAL ENGINEER
MARCEL C. WILLIAMS
C 85807
06-16-2025
CIVIL
STATE OF CALIFORNIA

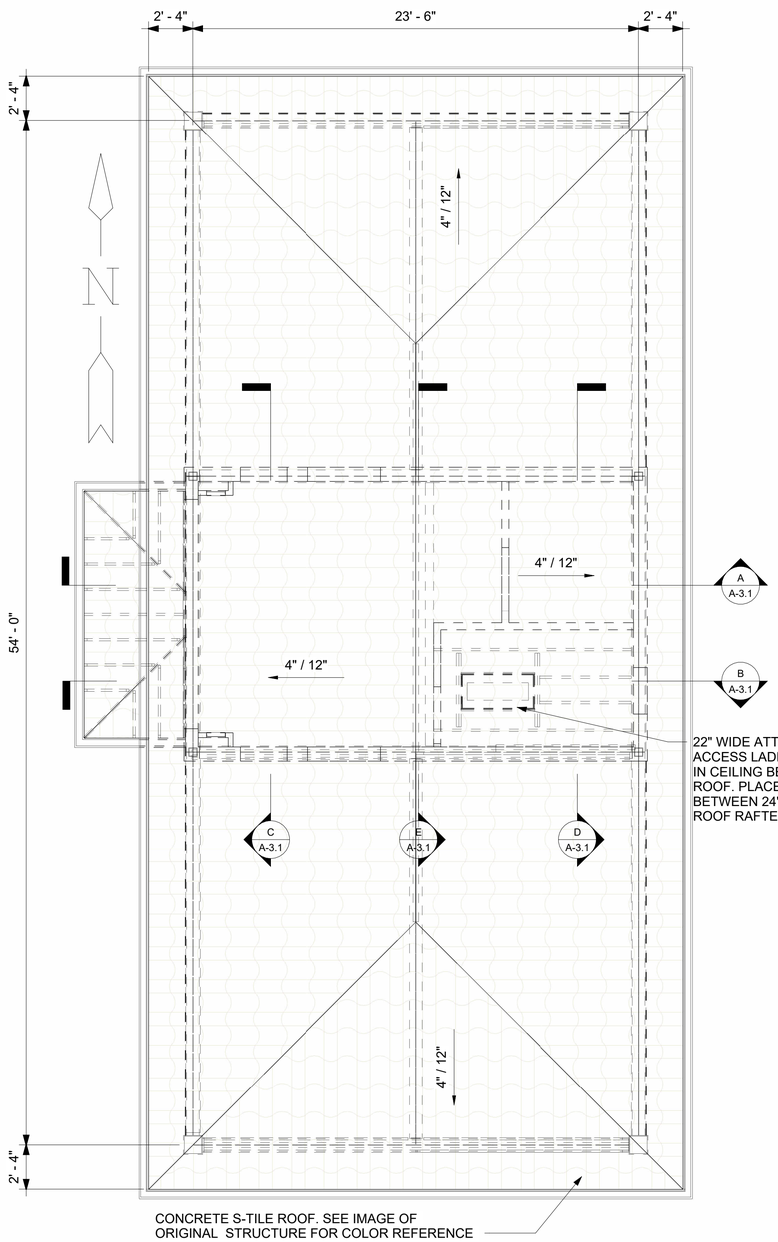
Revisions

No.	Revision Date	Revision Description

SHEET TITLE
FLOOR PLAN

SCALE	DATE	DRAWING NO.	REVISION NO.
AS SHOWN	06-02-2025	A-2.0	

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4



GUARDHOUSE ROOF PLAN

SCALE: 1/4" = 1'-0"

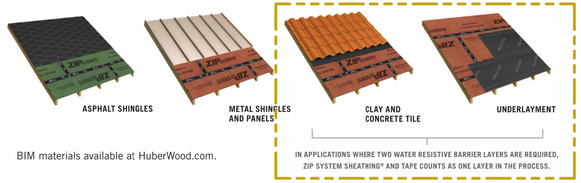


ORIGINAL ROOF REFERENCE IMAGE

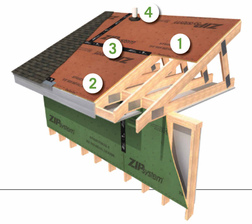
13

COMPATIBLE WITH ANY ROOF COVERING & UNDERLAYMENT

ZIP System® sheathing and tape provides an excellent roof underlayment to receive many finished roof coverings including metal, tile and asphalt shingles, fiberglass shingles or cedar shingles. The panels lie flat and stay flat, ensuring a finished roof that looks as good as it performs.



BIM materials available at HuberWood.com.



MOISTURE PROTECTION

1. Integrated water-resistive barrier
2. Continuous rigid air barrier
3. Seam sealing with ZIP System™ flashing tape
4. Roof penetration flashing solutions



7/16", 1/2" AND 5/8" ZIP SYSTEM® SHEATHING

PERFORMANCE CATEGORY	PANEL SIZE	PANEL COUNT	PS-2 SPAN RATING	VAPOR TRANSMISSION OF WRB LAYER	AIR BARRIER
7/16	4' x 8'	80	24/16 Structural 1[2]	12-16 perm ASTM E 96 Procedure B	ASTM E 2178 <0.02 L/(s-m²) @ 75 Pa ASTM E 2357 <0.2 L/(s-m²) @ 75 Pa
1/2	4' x 8'	70	32/16 Structural 1		
5/8	4' x 8'	55	40/20 Structural 1		

ESR-1473
ESR-1474

ER-424

Code documents available at HuberWood.com

NOTES:

1. SEE G-0.1 GENERAL NOTES FOR DESIGN STANDARDS
2. FOR EXAMPLE CONCRETE ROOF DETAILS SEE A-6.1 TO A-6.3. SPECIFIC PRODUCT MANUFACTURER DETAILS SHALL OVERIDE THE EXAMPLE DETAILS SHOWN.
3. CONTRACTOR TO CONFIRM DIMENSION IN FIELD.
4. CONTRACTOR SHALL NOTIFY EOR IF EXISTING CONDITIONS DIFFER FROM DRAWINGS.

459

JOB DESCRIPTION: THE LAKES GUARDHOUSE

LOCATION: BIXLER & FALLMAN, DISCOVERY BAY, CA 94505

CLIENT: THE LAKES @ DISCOVERY BAY

MCW Engineering & Design

MCW ENGINEERING & DESIGN
510-239-3055
MARCEL.WILLIAMS@MCWENGINEERINGDESIGN.COM
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RIVERBANK, CA 94367

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REGISTERED PROFESSIONAL ENGINEER MARCEL C. WILLIAMS C 85807 CIVIL STATE OF CALIFORNIA 06-16-2025

Revisions

No.	Revision Date	Revision Description

SHEET TITLE: ROOF PLAN

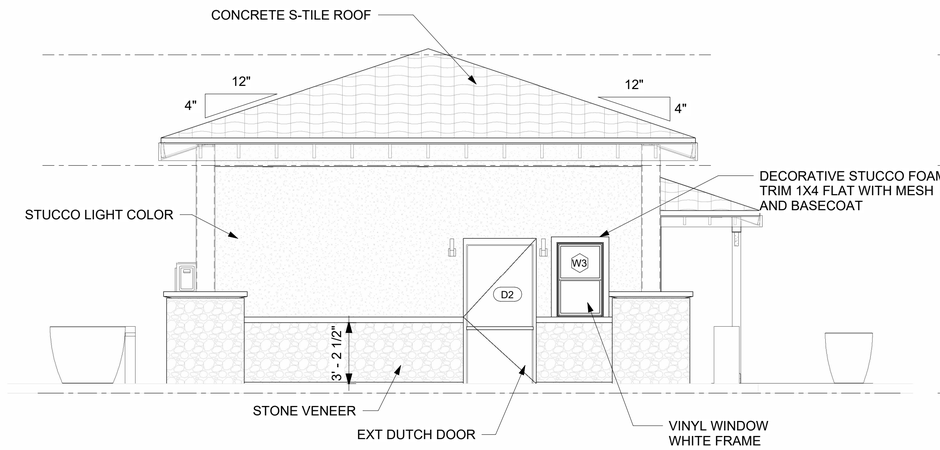
SCALE: AS SHOWN

DATE: 06-02-2025

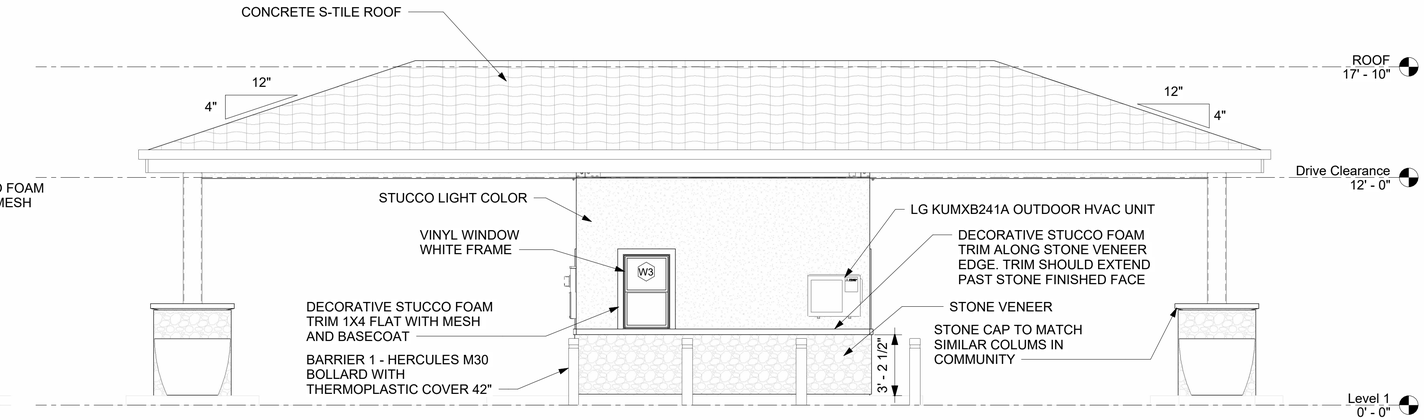
DRAWING NO.: A-2.1

REVISION NO.:

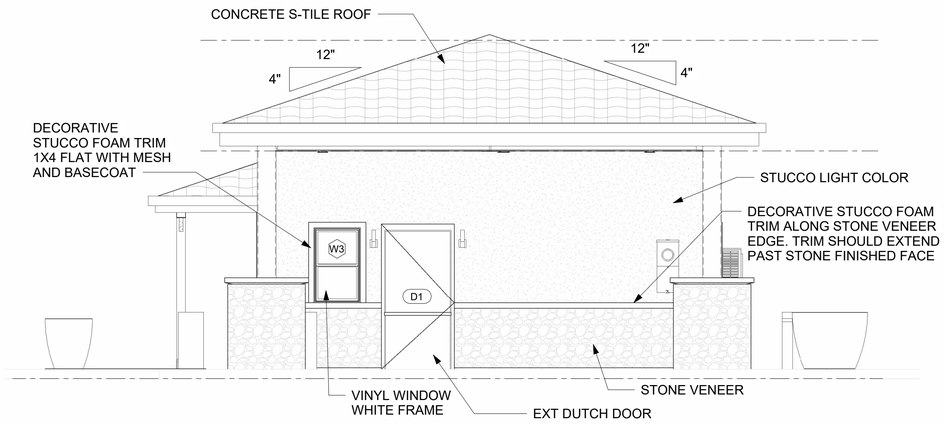
FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4



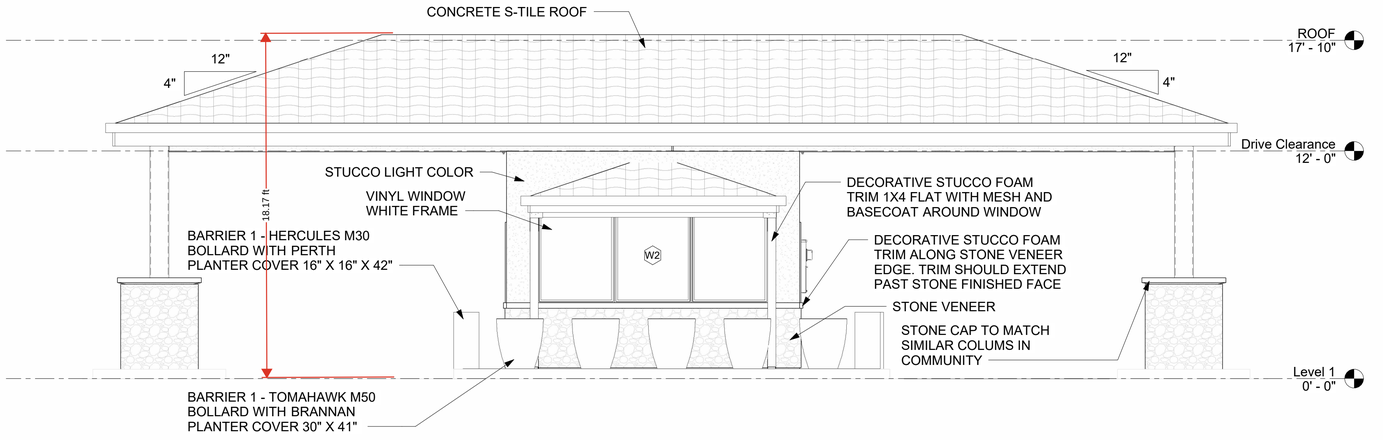
1 A-1.0 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2 A-1.0 EAST ELEVATION
SCALE: 1/4" = 1'-0"



3 A-1.0 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



4 A-1.0 WEST ELEVATION
SCALE: 1/4" = 1'-0"

460

JOB DESCRIPTION
THE LAKES GUARDHOUSE

LOCATION
BIXLER & FALLMAN,
DISCOVERY BAY, CA 94505

CLIENT
THE LAKES @
DISCOVERY BAY

MCW Engineering & Design

MCW ENGINEERING & DESIGN
510-239-3055
MARCEL.WILLIAMS@MCWENGINEERINGDESIGN.COM
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REGISTERED PROFESSIONAL ENGINEER
MARCEL C. WILLIAMS
C 85807
06-16-2025
CIVIL
STATE OF CALIFORNIA

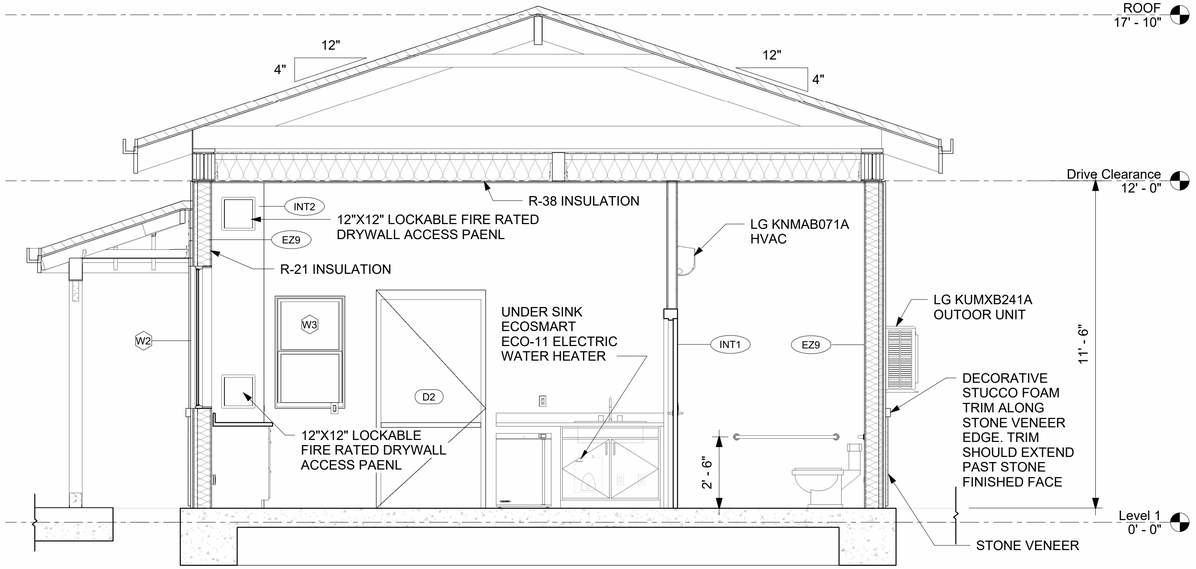
Revisions

No.	Revision Date	Revision Description

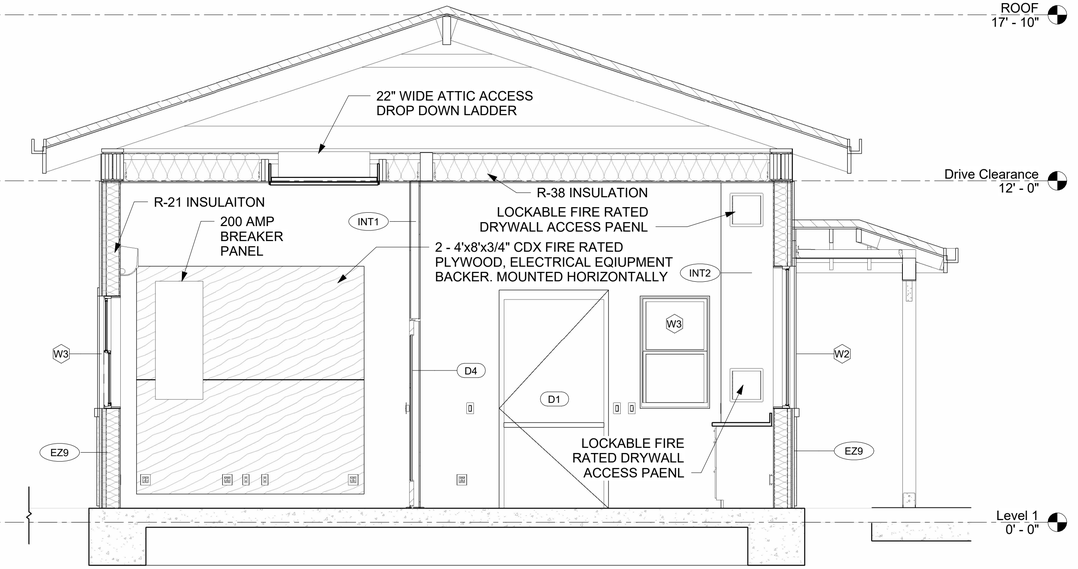
SHEET TITLE
EXTERIOR ELEVATIONS

SCALE	DATE	DRAWING NO.	REVISION NO.
AS SHOWN	06-02-2025	A-3.0	

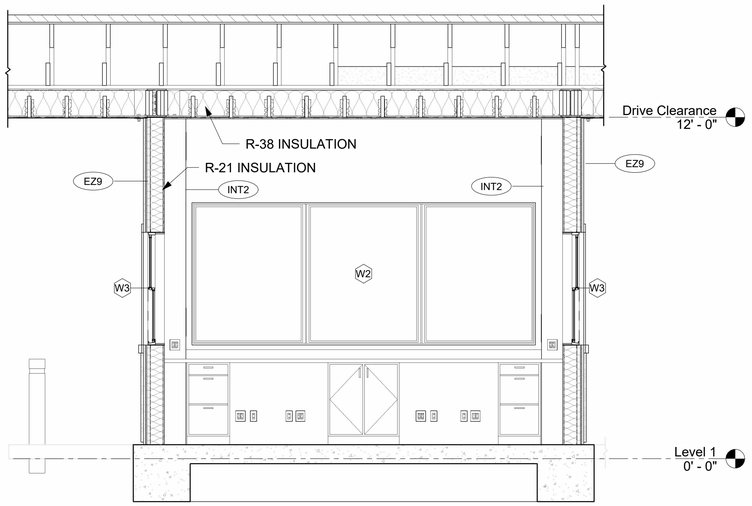
FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4



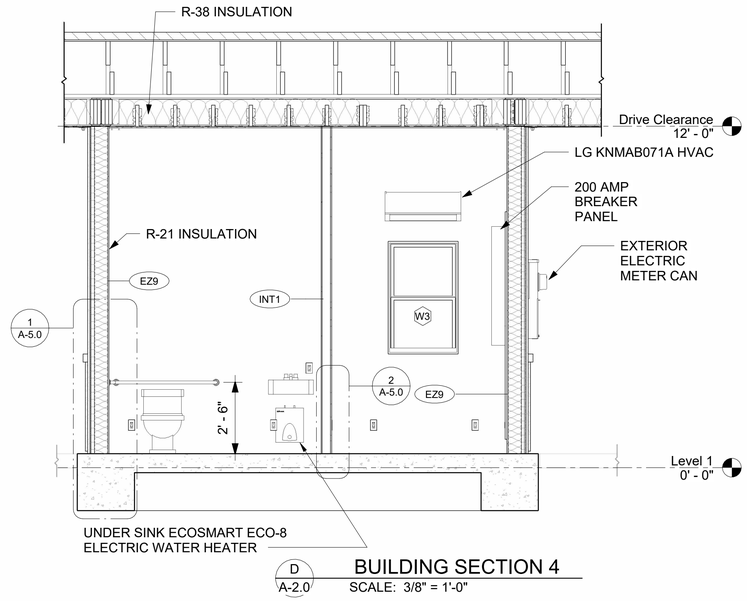
A A-2.0 **BUILDING SECTION 1**
SCALE: 3/8" = 1'-0"



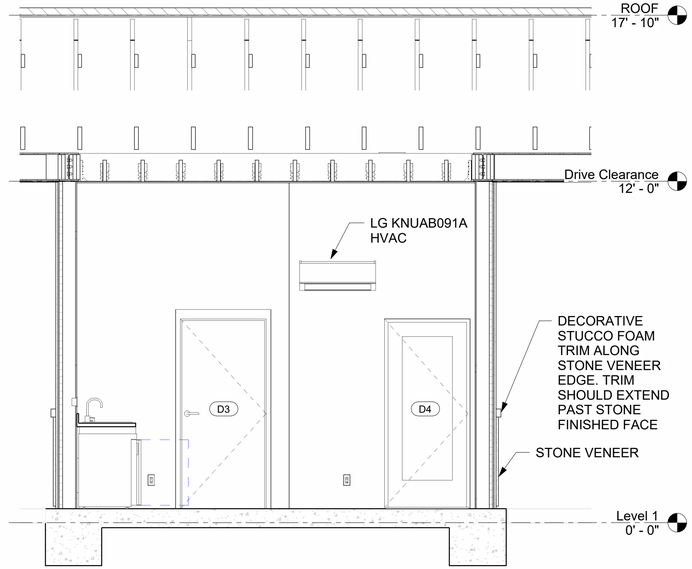
B A-2.0 **BUILDING SECTION 2**
SCALE: 3/8" = 1'-0"



C A-2.0 **BUILDING SECTION 3**
SCALE: 3/8" = 1'-0"



D A-2.0 **BUILDING SECTION 4**
SCALE: 3/8" = 1'-0"

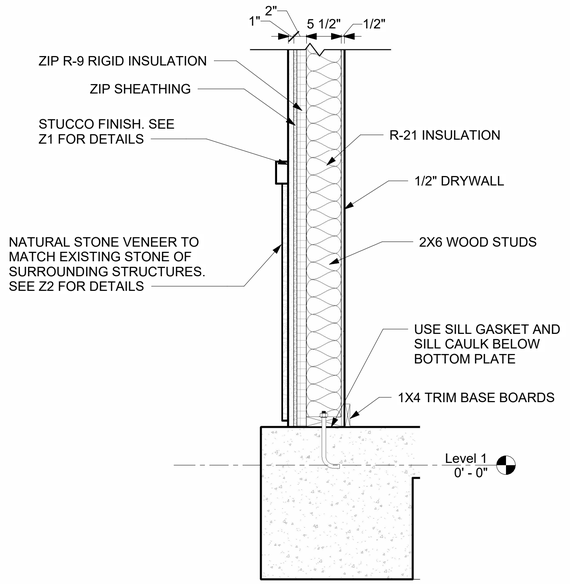


E A-2.0 **BUILDING SECTION 5**
SCALE: 3/8" = 1'-0"

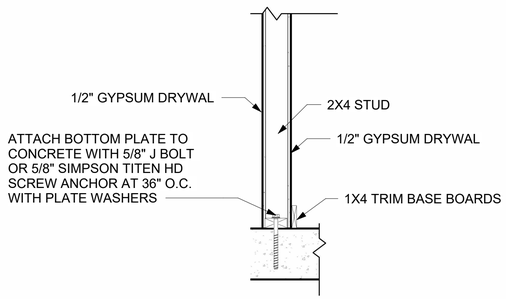
461

JOB DESCRIPTION: THE LAKES GUARDHOUSE LOCATION: BIXLER & FALLMAN, DISCOVERY BAY, CA 94505	CLIENT: THE LAKES @ DISCOVERY BAY	MCW Engineering & Design	MCW ENGINEERING & DESIGN 510-239-3055 MARCEL.WILLIAMS@MCWENGINEERINGDESIGN.COM 5450 CLAIMSTAKE CT, RIVERBANK, CA 94367	FOR THE SOLE USE OF THE DOCUMENT RECIPIENT - DO NOT CITE, COPY, OR CIRCULATE WITHOUT THE EXPRESSED PERMISSION OF MCW ENGINEERING & DESIGN.	REGISTERED PROFESSIONAL ENGINEER MARCEL C. WILLIAMS C - 85807 06-16-2025 CIVIL STATE OF CALIFORNIA	Revisions No. | Revision Date | Revision Description	SHEET TITLE: BUILDING SECTIONS SCALE: AS SHOWN DATE: 06-02-2025 DRAWING NO.: A-3.1 REVISION NO.

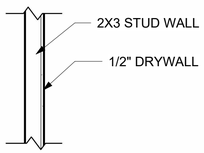
FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4



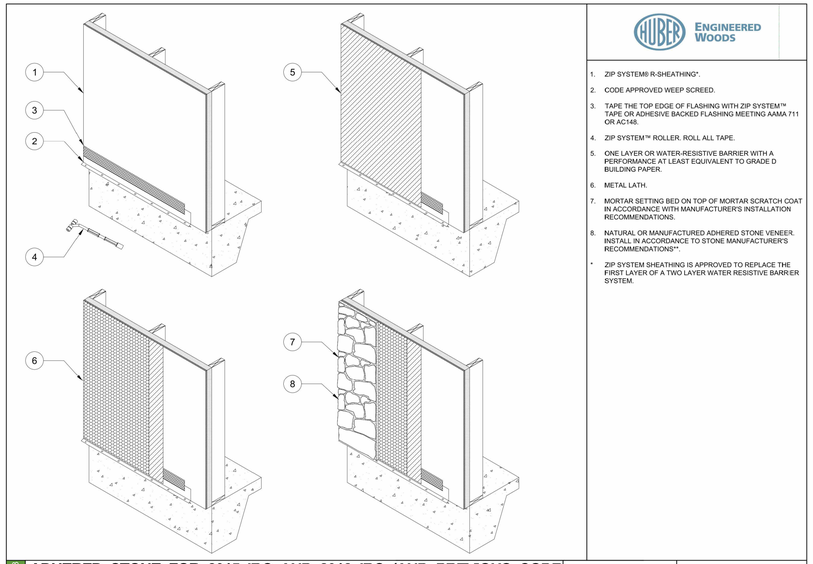
1 A-3.1 EZ9 WALL TYPE
SCALE: 1" = 1'-0"



2 A-3.1 INT1 WALL TYPE
SCALE: 1" = 1'-0"



3 INT2 WALL TYPE
SCALE: 1" = 1'-0"



ENGINEERED WOODS

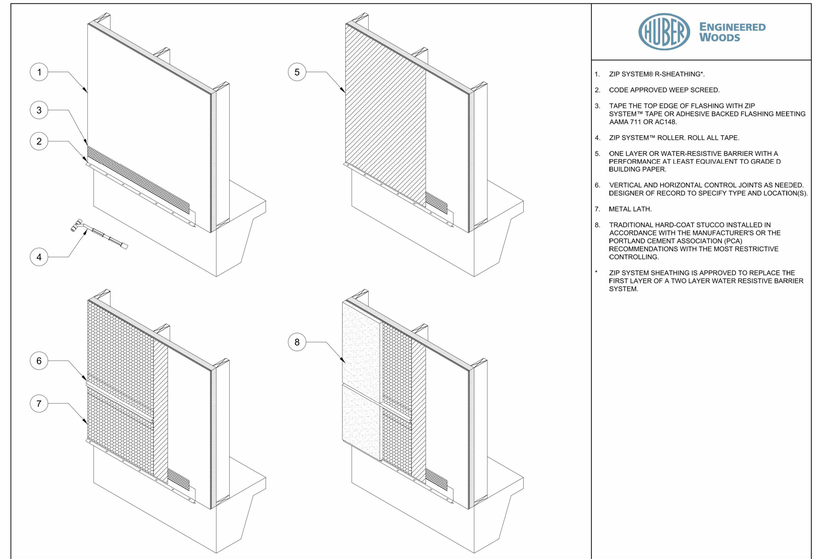
1. ZIP SYSTEM® R-SHEATHING*.
2. CODE APPROVED WEEP SCREED.
3. TAPE THE TOP EDGE OF FLASHING WITH ZIP SYSTEM™ TAPE OR ADHESIVE BACKED FLASHING MEETING AAMA 711 OR AC148.
4. ZIP SYSTEM™ ROLLER. ROLL ALL TAPE.
5. ONE LAYER OR WATER-RESISTIVE BARRIER WITH A PERFORMANCE AT LEAST EQUIVALENT TO GRADE D BUILDING PAPER.
6. METAL LATH.
7. MORTAR SETTING BED ON TOP OF MORTAR SCRATCH COAT IN ACCORDANCE WITH MANUFACTURER'S INSTALLATION RECOMMENDATIONS.
8. NATURAL OR MANUFACTURED ADHERED STONE VENEER. INSTALL IN ACCORDANCE TO STONE MANUFACTURER'S RECOMMENDATIONS**.

* ZIP SYSTEM SHEATHING IS APPROVED TO REPLACE THE FIRST LAYER OF A TWO LAYER WATER RESISTIVE BARRIER SYSTEM.

12-12-2023 **ADHERED STONE FOR 2015 IBC AND 2018 IRC (AND PREVIOUS CODE CYCLES) & 2021IRC/IBC STUCCO REQUIREMENTS IN DRY CLIMATES** RS-1.1 ZIP System™ SHEATHING & TAPE

These construction details are provided to assist in the installation of ZIP System® product(s) and may not apply to every situation. Manufacturer accepts no responsibility or liability for the use of these or other construction details.

Z1 ADHERED STONE VENEER OVER ZIP SYSTEM R SHEATHING DETAIL



ENGINEERED WOODS

1. ZIP SYSTEM® R-SHEATHING*.
2. CODE APPROVED WEEP SCREED.
3. TAPE THE TOP EDGE OF FLASHING WITH ZIP SYSTEM™ TAPE OR ADHESIVE BACKED FLASHING MEETING AAMA 711 OR AC148.
4. ZIP SYSTEM™ ROLLER. ROLL ALL TAPE.
5. ONE LAYER OR WATER-RESISTIVE BARRIER WITH A PERFORMANCE AT LEAST EQUIVALENT TO GRADE D BUILDING PAPER.
6. VERTICAL AND HORIZONTAL CONTROL JOINTS AS NEEDED. DESIGNER OF RECORD TO SPECIFY TYPE AND LOCATION(S).
7. METAL LATH.
8. TRADITIONAL HARD-COAT STUCCO INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S OR THE PORTLAND CEMENT ASSOCIATION (PCA) RECOMMENDATIONS WITH THE MOST RESTRICTIVE CONTROLLING.

* ZIP SYSTEM SHEATHING IS APPROVED TO REPLACE THE FIRST LAYER OF A TWO LAYER WATER RESISTIVE BARRIER SYSTEM.

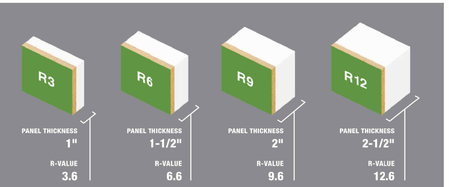
12-12-2023 **STUCCO FOR 2015 IBC AND 2018 IRC (AND PREVIOUS CODE CYCLES) & 2021IRC/IBC STUCCO REQUIREMENTS IN DRY CLIMATES** RH-1.1 ZIP System™ SHEATHING & TAPE

These construction details are provided to assist in the installation of ZIP System® product(s) and may not apply to every situation. Manufacturer accepts no responsibility or liability for the use of these or other construction details.

Z2 STUCCO OVER ZIP SYSTEM R SHEATHING DETAIL

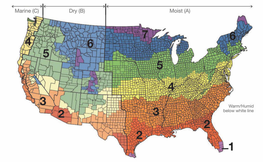
CHOOSE FROM FOUR THICKNESSES AND THREE SIZES – 8FT, 9FT AND 10FT – TO FIND THE RIGHT PANEL FOR YOUR JOB.

Whether you're building to meet new energy codes or higher thermal performance, ZIP System® R-sheathing has the continuous insulation solution for your project, no matter the region.



	PANEL THICKNESS	R-VALUE
R3	1"	3.6
R6	1-1/2"	6.6
R9	2"	9.6
R12	2-1/2"	12.6

INTERNATIONAL ENERGY CONSERVATION CODE (IECC) CLIMATE



Climate Zone 1 · Climate Zone 2 · Climate Zone 3 · Climate Zone 4 · Climate Zone 5 · Climate Zone 6 · Climate Zone 7

WOOD FRAMED WALLS R-VALUE REQUIREMENTS

CLIMATE ZONE	2012, 2015, 2018 IECC	2021 IECC
1	13	13 or 0+10
2	13	13 or 0+10
3	20 or 13+5	20 or 13+5 or 0+15
4 (MARINE)	20 or 13+5	30 or 20+5 or 13+10 or 0+20
5	20 or 13+5	30 or 20+5 or 13+10 or 0+20
6	20+5 or 13+10	30 or 20+5 or 13+10 or 0+20
7, 8	20+5 or 13+10	30 or 20+5 or 13+10 or 0+20

Source: International Code Council® (ICC®)

Learn how ZIP System insulated R-sheathing can streamline your next project at **InsulateYourBuild.com**

ZIP SYSTEM® R-SHEATHING FASTENING REQUIREMENTS FOR PRESCRIPTIVE BRACING[1,2] AND ENGINEERED SHEAR WALL DESIGN[3]

	FRAMING		FASTENERS			SHEAR VALUES*	
ZIP System® R-sheathing Type	Nominal Stud Spacing (min.)	Maximum Stud Spacing (in.)	Fastener Specifications[4]	Edge/Field Spacing (in.)	Minimum Penetration into Framing (in.)	Allowable Seismic Controlled Shear Values[5,6] (plf)	Allowable Wind Controlled Shear Values[6] (plf)
R-3	2-by-4	24	0.131" shank nails	4/12	1.5	245	343
R-3	2-by-4	24	0.131" shank nails	3/12	1.5	280	392
R-3	2-by-4	16	16ga staples, 7/16" crown, 2" length	3/6	1.0	210	294
R-6	2-by-4	24	0.131" shank nails	4/12	1.5	230	322
R-6	2-by-4	24	15ga staples, 7/16" crown, 2.5" length	3/6	1.0	NA[7]	NA
R-6	2-by-4	24	0.131" shank nails	3/12	1.5	255	357
R-9	2-by-4	24	0.131" shank nails	3/12	1.5	240	336
R-12	2-by-4	24	0.131" shank nails	3/12	1.5	215	301

* Limitations and restrictions apply. View the ZIP System Wall Residential Warranty at huberwood.com/residential-warrantiesl/zip-system-wall, and/or Commercial Warranty for ZIP System Wall at huberwood.com/commercial-warranties/zip-system-wall for more details.

For SI: Inch = 25.4mm; 1 pound per foot (psf) = 14.59 N/m.
1. Prescriptive bracing requirements under the 2018, 2015, 2012, and 2009 IRC. **2.** Not approved for use as prescriptive wall bracing where wind design is required by R301.2.1.1. **3.** Engineered shear wall requirements with Douglas Fir-Larch Framing under the 2015, 2012, and 2009 IBC. **4.** For framing with other than Douglas Fir-Larch, the shear value must be multiplied by the Specific Gravity Adjustment Factor = [1 - (0.50 - SG)], where SG=Specific Gravity of the framing lumber in accordance with the ANSI/AWC NDS. This adjustment factor must not be greater than 1. **5.** Fasteners must be common nails or equivalent, or staples, of a type generally used to attach wood sheathing. **6.** The shearwalls must have a maximum height-to-width aspect ratio of 2:1. **7.** This panel and fastening configuration is only applicable to the prescriptive bracing requirements under the 2015 IRC. **8.** ZIP System R-sheathing used as the lateral resistance system in seismic zones D_0, D_1, D_2 and E should be designed in accordance to ER-482. © 2018-2023 Huber Engineered Woods LLC. ZIP System®, logo and design are trademarks of Huber Engineered Woods LLC. Huber is a registered trademark of J.M. Huber Corporation. HUB 19107-001 REV 3/21/2023

ZIP System™ R-SHEATHING

JOB DESCRIPTION: THE LAKES GUARDHOUSE LOCATION: BIXLER & FALLMAN, DISCOVERY BAY, CA 94505	CLIENT: THE LAKES @ DISCOVERY BAY	MCW Engineering & Design	MCW ENGINEERING & DESIGN 510-239-3055 MARCEL.WILLIAMS@MCWENGINEERINGDESIGN.COM 5450 CLAIMSTAKE CT, RIVERBANK, CA 94367	FOR THE SOLE USE OF THE DOCUMENT RECIPIENT - DO NOT CITE, COPY, OR CIRCULATE WITHOUT THE EXPRESSED PERMISSION OF MCW ENGINEERING & DESIGN.	REGISTERED PROFESSIONAL ENGINEER MARCEL C. WILLIAMS C 85807 CIVIL STATE OF CALIFORNIA 06-16-2025	Revisions No. | Revision Date | Revision Description
SHEET TITLE: WALL ASSEMBLY DETAILS SCALE: AS SHOWN DATE: 06-02-2025 DRAWING NO.: A-5.0 REVISION NO.						

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4

Fiberglass Planters Guide



SAINT TROPEZ

Available Dimensions:
- 20" x 43"
- 24" x 50"
- 28" x 60"



BRANNAN

Available Dimensions:
- 30" x 41"



WANNSEE

Available Dimensions:
- 50" x 44"





SAN JOSE

Available Dimensions:
- 22" x 40"



TOULAN

Available Dimensions:
- 20" x 20" x 42"
- 23" x 23" x 48"



MONTROY CUBE

Available Dimensions:
- 40" x 40" x 40"
- 48" x 48" x 48"



PERTH

Available Dimensions:
- 16" x 16" x 42"
- 24" x 16" x 42"
- 36" x 16" x 42"
- 48" x 16" x 42"
- 60" x 16" x 42"
- 72" x 16" x 42"

THERMOPLASTIC BOLLARD COVERS

Protect and enhance your bollards with our Thermoplastic Bollard Covers. Available in both Standard and Decorative styles, including 9 decorative options with 2 lighted designs (UV and hardwired), these covers provide a sleek, durable solution for any setting. Choose from 15 color options to complement your aesthetic, brand, or school colors. Custom colors available upon request.



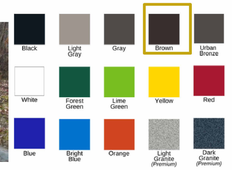
CINCO

Fits Over Pipe Diameters:
6" – up to 52" Tall
10" – up to 60" Tall

THERMOPLASTIC COLOR OPTIONS

Custom colors available upon request.



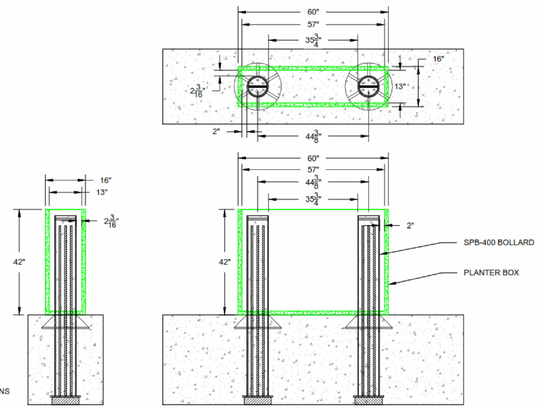




B1 HERCULES M30

SET & POUR BOLLARD - MODEL SPB-400
ENGINEERED BASED OFF ASTM F2656-07 - M30/P1 RATED - STOPS 15,000 LB. VEHICLE AT 30 MPH IMPACT

TYPICAL BOLLARD ARRAY INSTALLATION

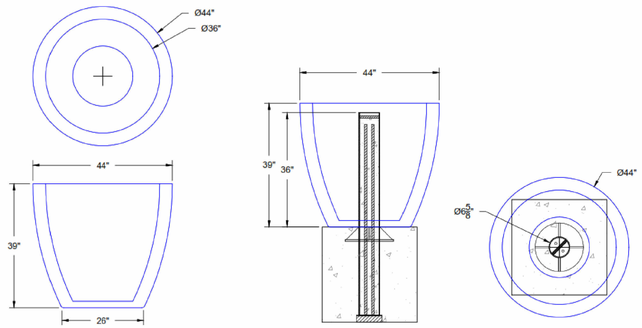


NOTE:
1. MODIFIED SPACING FOR SITE SPECIFIC CONDITIONS AVAILABLE.

B1 TOMCAT

TRAFFIC IMPACT BOLLARD - MODEL TIB-67-SA
UNOFFICIAL CRASH TEST STOPPED 2,430 LB. VEHICLE AT 40 MPH IMPACT WITHIN 3.3FT

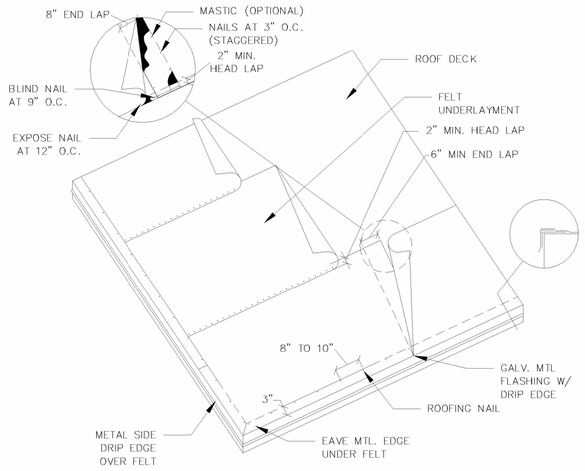
TYPICAL BOLLARD ARRAY INSTALLATION



BARRIER1 SYSTEMS, LLC 5335 US HWY 220 SUMMERFIELD, NC. 27358 (336) 617-8478 www.barrier1.com sales@barrier1.com	PATENT PROTECTED THE DRAWINGS AND INFORMATION CONTAINED HEREIN ARE PROPRIETARY AND CONFIDENTIAL, AND ARE AUTHORIZED ONLY FOR USE FOR WORK ASSOCIATED WITH BARRIER1 SYSTEMS, LLC ALL RIGHTS RESERVED.	TREE PLANTER DETAIL	TIB-67-SA SUBMITTAL DRAWING	SHEET: 7 OF 7 20241008-10-S SCALE: N.T.S.

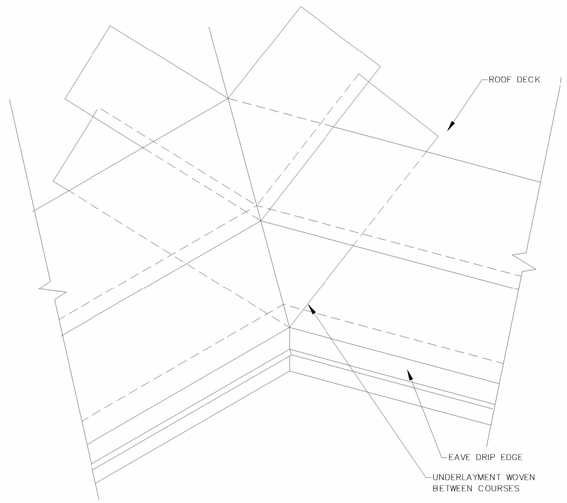
JOB DESCRIPTION THE LAKES GUARDHOUSE LOCATION BIXLER & FALLMAN, DISCOVERY BAY, CA 94505	CLIENT THE LAKES @ DISCOVERY BAY	MCW Engineering & Design	MCW ENGINEERING & DESIGN 510-239-3055 MARCEL.WILLIAMS@MCWENGINEERINGDESIGN.COM 5450 CLAIMSTAKE CT, RIVERBANK, CA 94367	FOR THE SOLE USE OF THE DOCUMENT RECIPIENT - DO NOT CITE, COPY, OR CIRCULATE WITHOUT THE EXPRESSED PERMISSION OF MCW ENGINEERING & DESIGN.	REGISTERED PROFESSIONAL ENGINEER MARCEL C. WILLIAMS C 85807 CIVIL STATE OF CALIFORNIA 06-16-2025	Revisions No. | Revision Date | Revision Description	SHEET TITLE BOLLARD COVER DETAILS SCALE: AS SHOWN DATE: 06-02-2025 DRAWING NO.: A-6.1 REVISION NO.

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4



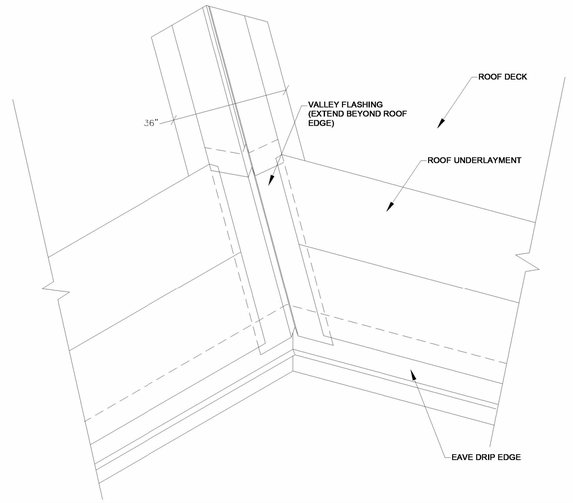
FELT UNDERLAYMENT

MCA – PLY – LAYOUT2
3" = 1'-0"



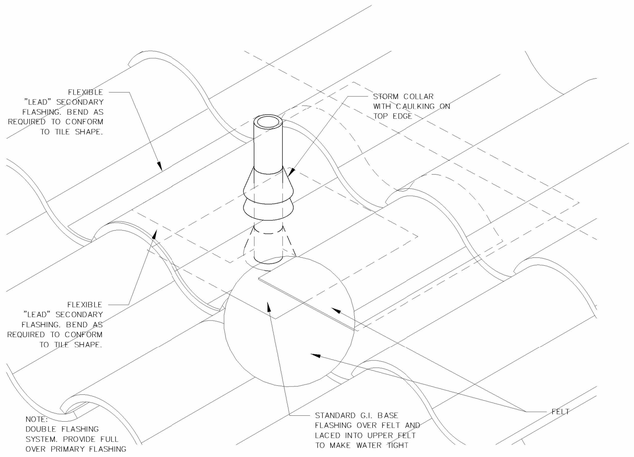
VALLEY UNDERLAYMENT

MCA – VALLEY – UNDERLAYMENT
3"=1'-0"



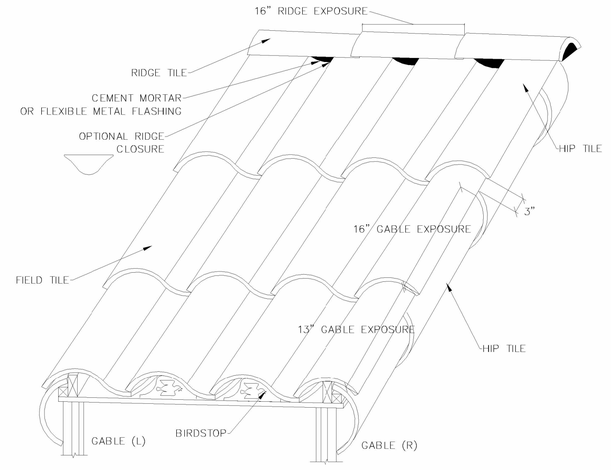
VALLEY UNDERLAYMENT

MCA – VALLEY – UNDERLAYMENT2
3"=1'-0"



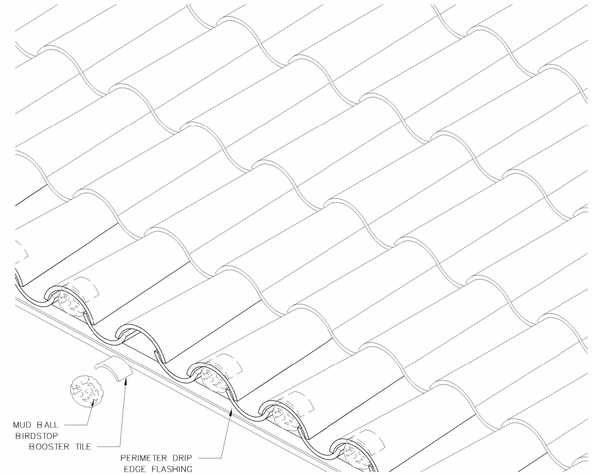
PLUMBING VENT FLASHING

MCA – FLASH – PIPE1
3"=1'-0"



FIELD DETAIL

MCA – CLASSIC "S" – OVERALL
N.T.S.



CLASSIC S MISSION (TWO PIECE EAVE) MUD BALL BIRDSTOP

MCA – CLASSIC S – MUD
N.T.S.

JOB DESCRIPTION
THE LAKES GUARDHOUSE

LOCATION
BIXLER & FALLMAN,
DISCOVERY BAY, CA 94505

CLIENT
THE LAKES @
DISCOVERY BAY

MCW Engineering & Design

MCW ENGINEERING & DESIGN
510-239-3055
MARCEL.WILLIAMS@MCWENGINEERINGDESIGN.COM
5450 CLAIMSTAKE CT,
RIVERBANK, CA 94367

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REGISTERED PROFESSIONAL ENGINEER
MARCEL C. WILLIAMS
C 85807
06-16-2025
CIVIL
STATE OF CALIFORNIA

Revisions

No.	Revision Date	Revision Description

SHEET TITLE
ROOF DETAILS 1

SCALE	DATE	DRAWING NO.	REVISION NO.
AS SHOWN	06-02-2025	A-6.2	

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 4

From: Stephen Griswold
To: Allison Seoane
Subject: ACR CDDP25-03020
Date: Tuesday, September 23, 2025 8:39:39 AM
Attachments: Outlook-fplep0z5.png

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

Good morning Allison,

The Town of Discovery Bay MAC reviewed CDDP25-03020 at our September 3rd Board of Directors meeting at the board unanimously agreed that they had no comments on this application.

Please let me know if you need anything else!

Regards,

Stephen Griswold III, MPA
Assistant General Manager
Town of Discovery Bay CSD
1800 Willow Lake Road, Discovery Bay, CA 94505
Office: (925) 634-1131
Email: sgriswold@todb.ca.gov

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

CONTRA COSTA
CONSERVATION & DEVELOPMENT

AGENCY COMMENT REQUEST

Date 08/06/2025

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

DISTRIBUTION

INTERNAL

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

HEALTH SERVICES DEPARTMENT

- ✔ Environmental Health
- Hazardous Materials

PUBLIC WORKS DEPARTMENT

- ✔ Engineering Services
- Special Districts
- ✔ Traffic
- Flood Control (Full-size)

LOCAL

- ✔ Fire District CONTRA COSTA
  - San Ramon Valley – (email) rwendel@srvfire.ca.gov
  - ✔ Consolidated – (email) fire@cccfpd.org
- ✔ Sanitary District TOWN OF DISCOVERY BAY CSD
- ✔ Water District TOWN OF DISCOVERY BAY CSD
- City of
- School District(s)
- LAFCO
- Reclamation District #
- East Bay Regional Park District
- ✔ Diablo/Discovery Bay/Crockett CSD
- MAC/TAC
- Improvement/Community Association
- ✔ CC Mosquito & Vector Control Dist (email)

OTHERS/NON-LOCAL

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

ADDITIONAL RECIPIENTS

Please submit your comments to:

Project Planner Allison Seoane
Phone # 925-655-2871
E-mail allison.seoane@dcd.cccounty.us
County File # CDDP25-03020

Prior to 09/05/2025

* * * * *

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

No comments from Public Works

Print Name Larry Theis

8-8-25

Signature DATE

Agency phone # 925-890-9732

From: Joanne Chiu
To: Allison Seoane
Subject: RE: Cherie Adriano shared the folder "CDDP25-03020" with you
Date: Monday, August 11, 2025 1:57:51 PM
Attachments: image001.png
image002.png
image003.png
image006.png
image007.png

Hi Allison,

I've reviewed and want to let you know that the project is not subject to the County's HCP/NCCP Ordinance. Therefore, no HCP/NCCP conditions are required.

Joanne

Joanne Chiu *(she/her)*
Principal Planner
East Contra Costa County Habitat Conservancy
Contra Costa County, Department of Conservation and Development
(925) 655-2906 | www.cocohcp.org

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

8/15/2025

CC DCD
Attn: SEOANE, ALLISON
30 MUIR RD
MARTINEZ, CA94553

RE: CDDP2503020
0 FALLMAN BLVD
APN: 011 241 012
Service Request #: SR0024943

Dear SEOANE, ALLISON :

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

- If an onsite water supply well is used for this project, it must meet current standards, including construction, yield, water quality, and setbacks. A hydrogeological study may be required to ensure adequate water supply.

- A permit from CCEH is required for any well or soil boring prior to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.

- Any abandoned wells (water, environmental, or geotechnical) and septic tanks must be destroyed under permit from CCEH. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEH requirements.

- If this project is not served by sanitary sewer and an onsite wastewater disposal system (septic system) is needed for this project, a permit from CCEH is required prior to installation. The new septic system, including disposal field replacement area must comply with current standards. Holding tanks for sewage disposal are prohibited unless these are owned and maintained by a public entity.

- For proposed subdivisions/minor subdivisions served by onsite wastewater disposal systems (septic systems). It must be demonstrated that each lot can accommodate a septic system meeting current standards, including disposal field replacement area.

- For proposed subdivisions/minor subdivisions served by onsite private water wells. It must be demonstrated that each lot has a water supply well meeting current standards, including construction, yield, water quality, and setbacks. A hydrogeological study may be required to ensure adequate wat

supply.

- If the project will require a small public water system, these systems must operate under permit from CCEH. The water supply (e.g. well) must meet current standards, including construction, yield, water quality, and setbacks. A hydrogeological study may be required to ensure adequate water supply.

- If the proposed lot line adjustment involves properties served by an onsite waster disposal system (septic system). The new lot configurations must accommodate the septic system(s), including the disposal field replacement area(s), without conflicting with current standards (e.g., setbacks to property lines).

- If the proposed lot line adjustment involves properties served by an onsite water well. The new lot configurations must not conflict with current standards (e.g., setbacks to property lines).

- Horse boarding facilities are subject to the requirements of the Contra Costa County Cleanwater Program, including routine inspections. The applicant can contact CCEH for details.

- It is recommended that the project be served by public sewer and public water wherever possible.

- CCEH is designated by the California Department of Resources Recycling and Recovery (CalRecycle) as the Local Enforcement Agency (LEA) for solid waste facilities, including but not limited to landfills, transfer/processing stations, composting facilities, chipping and grinding facilities, and waste tire generators and haulers. The prospective operators of such facilities should be directed to contact CCEH for information regarding requirements.

- If any recycling facilities are proposed, please include the LEA in the review process to ensure that all solid waste regulations are met. For example, if the recycling facility does not meet the definition described in the California Code of Regulations, Title 14, Section 17402.5(d), "Recycling Center," then the facility is required to obtain a solid waste facility permit as a transfer station/operation from the LEA. This may require a California Environmental Quality Act (CEQA) review prior to the issuance of a solid waste facility permit, . Recycling facilities are subject to periodic inspection by the LEA to ensure they meet the criteria described above.

- Substantial construction and demolition (C & D) waste could result from this project. Hazardous construction and demolition materials should be separated from those that can be recycled or disposed.

- If the proposed project is on or adjacent to an active/former landfill, CCEH must approve post-closure uses on or near a landfill. Please note that landfills are monitored for the migration of leachate and landfill gasses (e.g., methane), which may pose a health or safety risk to neighboring properties.

- Debris from construction or demolition activity must go to a solid waste or recycling facility that complies with the applicable requirements and can lawfully accept the material (e.g., solid waste permit, EA Notification, etc.). The debris must be transported by a hauler that can lawfully transport the material. Debris bins or boxes of one cubic yard or more owned by the collection service operator shall be identified with the name and telephone number of the agent servicing the container.

- Non-source-separated waste materials must not be brought back to the contractor's yard unless the facility has the appropriate solid waste permit or EA Notification.

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

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
4005 Port Chicago Hwy, Ste 250, Concord, CA 94520 • (925) 941-3300 • cccfpd.org

September 8, 2025

Contra Costa County
Department of Conservation and Development
Attn: Allison Seoane
30 Muir Rd
Martinez, CA 94553
(925) 655-2871
allison.seoane@dcd.cccounty.us

Subject: The Lakes New Guardhouse
0 Fallman Rd, Discovery Bay, CA 94505
CDDP25-03020
CCCFPD #P-2025-002795PLN

We have reviewed the **preliminary Development Plan Minor Modification** application to establish the **construction of a replacement guardhouse and drive isle canopy structure**, at the subject location. The following is required for Fire District approval in accordance with the current, adopted edition of the California Fire Code (CFC), as amended, California Building Code (CBC), as amended, Local Ordinances, and adopted standards.

1. ***The existing emergency apparatus access shall be maintained throughout demolition and construction of the proposed structure.***

2. Land Development Permit Required. A land development permit is required for access and water supply review and approval prior to submitting building construction plans. Plans submittal instructions are located at the end of this letter.
   The developer shall submit scaled site improvement plans indicating:
   - Fire apparatus access road to include width and road surface
   - Elevations of the structure
   - Size of structure and type of construction
   - Gates, fences, retaining walls, bio-retention basins, any obstructions to access
   - Striping and signage plan to include “NO PARKING-FIRE LANE” markings

   This is a separate submittal from the building construction plans. These plans shall be approved prior to submitting building plans for review. (501.3) CFC

3. Fire Apparatus Access Roads. Apparatus access roads shall comply with the following Fire District requirements:
   1. All-weather (paved) driving surfaces

2. Not less than **20-feet** unobstructed width, and not less than **13 feet 6 inches of vertical clearance**.
    - **Exception**: Properties with a combination vehicle entrance and exit that is divided by a median shall have an unobstructed roadway width of no less than **14 feet** on each side of the entrance/exit median (CCCFPD Standard)
3. Access shall have a minimum inside turning radius of **25 feet** and a minimum outside turning radius of **45 feet**, and must be capable of supporting the imposed fire apparatus loading of **37 tons**. Access roadways shall not exceed 20% grade, nor shall the cross slope exceed 8%. Grades exceeding 16% shall be constructed of grooved concrete per the attached Fire District standard. (503) CFC

4. Fire Lane Identification. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words: ***NO PARKING – FIRE LANE*** clearly marked. (22500.1) CVC, (503.3) CFC

Fire Safety and Site Maintenance during Construction

5. FCL Requirements. Flammable or combustible liquid storage tanks shall ***not*** be located on the site without obtaining approval and necessary permits from the Fire District. (3401.4) CFC

6. Portable Generators. Portable generators used at construction sites shall comply with Section 1204. (3309) CFC

7. Abatement Maintenance. The owner shall cut down and remove all weeds, grass, vines, or other growth that is capable of being ignited and endangering property. (304.1.2) CFC

8. Portable Fire Extinguishers Required. All homes under construction shall be provided with not less than one approved portable fire extinguisher at each stairway on all floor levels, every storage shed, and next to any portable generator or energy system on site.

9. Fire Access during Construction. Fire apparatus access to the site shall be maintained at all times of grading and construction.
    1. Vehicles shall not block fire apparatus access.
    2. Trash/Rubbish shall no accumulate within the homes and shall be removed from buildings at the end of each shift of work. (3305.2.1-3305.2.2).
    3. Trash/Rubbish containers shall not be placed in a location that blocks fire apparatus access roads.
    4. **Smoking shall be prohibited** except in approved areas. **Signs shall be posted** in accordance with Section 310. In approved areas where smoking is permitted, approved ashtrays shall be provided in accordance with Section 310. (3305.1) CFC
    5. Site Safety Director. In accordance with Chapter 33 the owner or on-site general contractor project manager, shall establish a fire prevention program that is applicable throughout all phases of construction. The developer shall provide the following information on the site safety director:
        - Name and contact information of the project manager/site safety director.

- Procedures for reporting emergencies.
- Smoking and cooking policies, designated areas to be used where approved, and signage locations in accordance with Section 3305.8.
- Location and safety considerations for temporary heating equipment.
- Hot work permit plans (if applicable).
- Plans for control of combustible waste material.
- Locations and methods for storage and use of flammable and combustible liquids.
- Location of the building material during the phases of subdivision construction.
- Provisions for site security.

6. Failure to comply with Chapter 33 of the California Fire Code will result in violations and possible fees.

10. New Construction Permit. The developer proposes to demolish the existing structure and building a new structure. The developer shall submit building construction plans and specifications for the subject project to the Fire District for review and approval. Plan submittal instructions are located at the end of this letter.

    All projects shall be submitted to the Fire District for review and approval ***prior*** *to* construction of the building or installation of the systems to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

FIRE DISTRICT PLAN SUBMITTAL INSTRUCTIONS

ALL plan submittals and applications shall be submitted to the Fire District, by one of the following ways:

1) In person, with a minimum of two (2) sets of to-scale plans
2) Electronically, through the Fire District Citizen Portal Website: https://confire.vision33cloud.com/citizenportal/app/landing

All submittals shall be accompanied by the correct application (found on our website: www.cccfpd.org).

For questions about submitting plans, Fire District standards, or general information, contact the Fire District Permit Technicians by emailing permittech@cccfpd.org or call the main office at (925) 941-3300.

09/08/2025

Reviewed By: Danielle Thomas, Fire Inspector Date

From: [redacted]
To: Allison Seoane
Subject: Permit CDDP25-03020
Date: Monday, October 6, 2025 5:09:51 PM

Hello Allison,

This letter is in reference to the notice that I received on 10/6/2025 re: The approval of the building permit for The Lakes in Discovery Bay, CA. As a homeowner in the community I want to make sure that every step is taken to make sure that the new building will be able to protect any and all life working in the new building.

In the past, the old structure did not have any type of bollards in the front of the building and according to the plans that I have seen, it doesn't look like the bollards that are being submitted are sufficient to prevent a vehicle traveling at a very high rate of speed like the one who took the guards life and caused serious injuries to the other guard on duty.

This whole incident has been a horrific experience for all of the people who live in this community. I would like for the Contra Costa County Building Department to take a very close look at what has been submitted and make certain that this is the best that can be done to prevent such a tragedy in the future.

Also. I was under the impression that all new builds need to be solar after the year 2020? Is that not correct? I don't see any solar being submitted with these plans?

I would like to request a public hearing on this matter before any approvals are granted.

Kind regards.
Angela Lee Mahoney
The Lakes Community

From: [redacted]
To: Allison Seoane
Subject: Re: Request for Safety Review of Gatehouse Rebuild and Bollards -The Lakes of Discovery Bay - Permit#: CDDP25-03020
Date: Wednesday, October 22, 2025 9:34:27 PM

Hello Allison,

There was a good explanation from our HOA board tonight, re the bollards which are part of the existing plans on this project.

I feel the explanation was sufficient enough, so I do not think a hearing is needed, at this point.

Our community is anxious to get the guard house built, as it's been nearly one year, since, it was destroyed.

Please withdraw my request for any such hearing at this point.

Regards,

Ronald Cole

From: [redacted]
To: Allison Seoane
Subject: Re: commentary on County file #CDDP25-03020
Date: Tuesday, October 28, 2025 10:05:04 AM
Attachments: image001.png
image001.png

Yes, please withdraw my request for a hearing.

Regards,

Anita K. Thorn

On Tue, Oct 28, 2025, 10:02 AM Allison Seoane <allison.seoane@dcd.cccounty.us> wrote:

> Hello Anita,
>
> From your original correspondences, you stated that you would like to see strong, heavy, tested bollards that are capable of preventing another accident. Please let me know if the presentation and annotated site plan adequately address your concerns and if you would like to withdraw your request for public hearing.
>
> Alternatively, if the presentation does not address your concerns, please let me know what specifically you are concerned about so I can inform the applicants so they may provide further explanation and/or remedies, or you can let me know if you would prefer to move forward with going to hearing.
>
> Regards,
>
> Allison Seoane, Project Planner
>
> Department of Conservation and Development

Final Development Plan CDDP91-03025

CONTRA COSTA COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
APPROVED PERMIT

APPLICANT: Hofmann Construction Co.
P. O. Box 907
Concord, CA 94522

APPLICATION NO. DP913025

ASSESSOR'S PARCEL NO. 011-220-023, -024, -026 & -027

OWNER:

ZONING DISTRICT: P-1

APPROVED DATE: 12/5/97

EFFECTIVE DATE: 12/26/97

This matter not having been appealed within the time prescribed by law, a permit

TO MODIFY THE FINAL DEVELOPMENT PLAN AND VESTING TENTATIVE MAP TO RELOCATE THE INTERSECTION OF NEWPORT DRIVE AND BIXLER ROAD FARTHER TO THE NORTH

is hereby GRANTED, subject to the attached conditions.

DENNIS M. BARRY, AICP
Interim Community Development Director

By: Debbie Chamberlain
DEBBIE CHAMBERLAIN
Acting Zoning Administrator

Unless otherwise provided, THIS PERMIT WILL EXPIRE ONE (1) YEAR from the effective date if the use allowed by this permit is not established within that time.

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

P-1 FINDINGS FOR FINAL DEVELOPMENT PLAN 3025-91 AND SUBDIVISION 7686 (DISCOVERY BAY WEST DEVELOPMENT)

Findings

A. With the imposition of the Conditions of Approval this proposed development is in conformance with the General Plan and the General Plan Amendment recently approved for the site and surrounding area.

B. With proper conditioning the Hofmann property development will constitute a residential environment of sustained desirability and stability, and will be in harmony with the character of the nearby community.

C. In accordance with required findings of the P-1 district, the County finds that the development is of a harmonious, innovative plan and justifies exceptions from the normal application of the code, including variances and parcel configuration and design to provide a better conformity with existing terrain features and land use limitations in the area.

D. The applicant has indicated that they intend to commence construction within two and one-half years of the effective date of the final project approval.

CONDITIONS OF APPROVAL FOR FINAL DEVELOPMENT PLAN 3025-91 AND SUB 7686 (DISCOVERY BAY WEST DEVELOPMENT) (As approved by the East County Regional Planning Commission on August 7, 1995 and as modified by the Zoning Administrator on December 15, 1997)

1. The development shall be based upon the following submitted exhibits except as modified by the conditions below. These Conditions of Approval incorporate and are in addition to all approved mitigation measures.

   A. Revised Final Development Plan and Vesting Tentative Map, Discovery Bay West dated received March 20, 1995, as modified by the October 8, 1997 Amended Tentative Map and Development Plan for Subdivision 7686, Discovery Bay West Village I.

   B. Streetscape - Bixler Road dated received January 11, 1995.

   C. Cross-section - Bixler Road dated received January 11, 1995.

   D. Geotechnical Investigation Report by Kleinfelder Associates dated February 1, 1990.

   E. Preliminary landscaping plan for Point of Timber Road dated received March 23, 1995.

   F. Exhibit "C" to the tentative map dated received March 23, 1995.

   G. Mitigation Monitoring Program as approved by the Board of Supervisors on December 20, 1994 (this could change if the Board revised the Mitigation Monitoring Plan when they approve RZ912963).

2. The length of approval for the Final Development Plan 913025 and SUB 917686 for three years shall expire on August 7, 1998. One 3-year extension may be granted for the project subject to proper request and approval. This approval is contingent upon the Board's adoption of 2963-RZ.

3. The maximum number of primary residences allowed for this project is 277.

Project Phasing and Staff Costs:

4. The general phasing program for the development shall be acceptable to the Zoning Administrator and shall be submitted prior to any site development. A detailed phasing plan for Village I shall be submitted prior to any development in the village subject to Zoning Administrator review and approval. The applicant shall pay for all reasonable staff time

involved in administering the Mitigation Program after any leftover application fees have been exhausted. This may include payment of funds required for peer review of required reports review, field visits, and response comments or reports as determined by the Zoning Administrator.

5. The following actions shall take place during development of the project.

   A. The park area in Village I shall be landscaped and provided with suitable amenities. The cost of construction of the park shall be applied toward required park dedication fees. The developer shall submit an acceptable landscaping/irrigation and phasing program for the park development before issuance of building permits for the 100th unit in Village I. The park improvement shall be complete with the completion of the school, the 250th unit in Village I or prior to issuance of building permits for Village II, which ever occurs first.

   B. Dedicate development rights to the 13.4 acres of wetland at the southeast corner of the site to Contra Costa County prior to recording the Final Map for any portion of Village I.

Street Addressing

6. At least 30 days prior to filing the Final Map for any portion of this development, plans shall be submitted for review by the Community Development Department, Graphics Section, to obtain addresses and for street name approval (public and private). Alternate street names should be submitted in the event of duplication and to avoid similarity with existing street names. The Final Map cannot be certified by the Community Development Department without the approved street names and the assignment of street addresses. Consideration of historical local areas and pioneers in East Contra Costa County shall be used for as many street names as possible.

Police Services Funding

7. The owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by future subdivision approval. The tax shall be the per parcel annual amount (with appropriate future CPI adjustment) established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to the filing of the Final Map. The property owner shall be responsible for paying the cost of holding the election, payable at the time that the election is requested by the owner. (MM 8.7 and MM 9.3) The police service district shall be established over the entire site under one election or if acceptable to the Zoning Administrator on a village by village basis.

Such provision shall include an additional initial level of police tax district funding of $25.00 per non-open space parcel in the project area, over and above the standard initial level of $200 per parcel normally applied to the vesting tentative map approval for residential subdivisions. The added level of funding is intended to be used for augmented marine patrol services, especially the enforcement of boat speed limits. In the event that the State determines to subvent the costs of marine patrol prior to the filing of a final map, this requirement for the additional $25.00 shall be null and void.

EMF Notification

8. Where a lot/parcel is located within 300 feet of a high voltage electric transmission line, the applicant shall record the following notice or other appropriate notice as approved by the Zoning Administrator:

> "The subject property is located near a high voltage electric transmission line. Purchasers should be aware that there is ongoing research on possible potential adverse health effects caused by the exposure to a magnetic field generated by high voltage lines. Although much more research is needed before the question of whether magnetic fields actually cause adverse health effects can be resolved, the basis for such an hypothesis is established. At this time no risk assessment has been made."

When a Final Subdivision Public Report issued by the California Department of Real Estate is required, the applicant shall also request that the Department of Real Estate insert the above note in the report.

Farm Operation Notice

9. The following statement shall be recorded at the County Recorder's Office for each parcel to notify future owners of the parcels that they own property in an agricultural area (MM 4.5 and MM 7.2):

> "This document shall serve as notification that you have purchased land near an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment and aerial crop dusting and certain animals and flies may exist on surrounding properties. This statement is, again, notification that this is part of the agricultural way of life near the open space areas of Contra Costa County and you should be fully aware of this at the time of purchase."

Archaeological Concerns

10. Should archaeological materials be uncovered during grading, trenching or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary and subject to Zoning Administrator review and approval. (MM 11.1)

    A. If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 30 yards of the find, the Community Development Department shall be notified within 24-hours and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, shell, bone, and historic features such as privies or building foundations. (MM 11.1)

    B. In the event of discovery or recognition of any human remains on the site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of Contra Costa County has been contacted, per Section 7050.5 of the California Health and Safety Code. (MM 11.1)

    C. Appropriate mitigation of the cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring or mitigation phases shall be properly conserved, catalogued, analyzed, evaluated and curated along with associated documentation in a professional manner consistent with current archaeological standards. (11.1)

Grading and Dust Control

11. Comply with the following construction, noise, dust and litter control requirements (MM 4.1 and 6.2.1.1):

    A. Noise generating construction activities, including such things as power generators, shall be generally limited to the hours of 7:30 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on State and Federal holidays. The restrictions on allowed working days and times may be modified by prior written approval by the Zoning Administrator.

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 pumpers as far away from existing residences as possible.

C. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the subject village notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity.

A copy of the notice shall be concurrently transmitted to the community Development Department. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

D. A dust and litter control program shall be submitted for the review and approval of the Zoning Administrator. Any violation of the approved program or applicable ordinances may require an immediate work stoppage. Construction work shall not be allowed to resume until, if necessary, an appropriate construction bond has been posted.

E. The applicant shall make a good-faith effort to avoid interference with existing neighborhood traffic flows. Prior to issuance of building permits, all-weather access shall be provided to each lot. This shall include provision for an on-site area in which to park earth moving equipment.

TDM Plan

12. Prior to the issuance of building permits for future development of the site, the applicant shall submit a detailed TDM Plan for review and approval by the Zoning Administrator (unless otherwise required by a TDM Ordinance). The TDM plan shall include measures to encourage commuting such as park and ride lots, and fiber optic wiring of residences. The approved TDM Plan shall be operative prior to final inspection of the first residence by the Building Inspection Department. A
telecommuting facility is encouraged and may be designed as part of the recreation center or other appropriate location subject to Zoning Administrator review and approval. (MM 6.2.2 and MM 6.2.4)

Child Care

13. Provision of a Child Care Facility or program is required for this development as required by the County's Child Care Ordinance. The program shall be submitted for the review and approval of the Zoning Administrator prior to the filing of the first Final Map. A suitable child care center should be developed in Village I in conjunction with the school site subject to review and approval of the Zoning Administrator and an agreement by the school district. The child care center location can be modified subject to Zoning Administrator approval. The child care center shall be in operation prior to occupancy of residences (other than senior housing) in Village II or when the school is operational. (MM 8.2)

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 Contra Costa County Planning Agency and 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 for in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.

Project Construction

15. The project applicant will be required to comply with all necessary permits, including but not limited to, the NPDES permit for Storm Water Discharges Associated with Construction Activity as well as applying for inclusion in the General Stormwater Permit issued by the State of California. The project applicant must also comply with all requirements of construction permits for Contra Costa County. The applicant must obtain C.W.A. Section 404 and Section 10 permits from the Army Corps of Engineers for construction in wetlands and navigable waterways for the marina as required by law. (MM 1.1.8)

Ground Water Hydrology

16. The developer shall participate in the establishment, prior to development of the site, of a long term water quality management program, comparable to a program recommended by Luhdorff & Scalmanini of the degradation of ground water quality. The appropriate monitoring program will be one that identifies changes in quantity and quality of water and provides for responses to these changes in a timely fashion. This can best be accomplished by establishing a multi-aquifer monitoring network in cooperation with local agencies such as the BBID, Delta Diablo Sanitation District (Sanitation District #19) and ECCID. Means acceptable to Sanitation District #19 to finance the long term monitoring program shall be

developed prior to site development. The long-term monitoring program shall include measures outlined in the Adopted Mitigation Monitoring Program acceptable to Sanitation District #19. (MM 1.2.1.)

17. As recommended in Condition #16, above in the mitigation of the degradation of groundwater quality and in the Luhdorff & Scalmanini reports, the developer shall participate in the establishment, prior to development of the site, of a long-term monitoring plan for the aquifer (regular monitoring of water supply wells currently in Discovery Bay, water supply wells outside of the developments, and monitoring wells capable of monitoring multiple aquifers) would identify changes in the quantity of water. Aquifer capacity and renewable resources should be documented and properly managed to prevent overdraft. If recoverable storage capacity of the aquifer is insufficient, an additional water supply source shall be investigated and developed. Means acceptable to Sanitation District #19 to finance the long term monitoring program shall be developed prior to site development. The long term monitoring plan shall include measures outlined in the mitigation monitoring program acceptable to Sanitation District #19. (MM 1.2.2)

Vegetation and Wetlands

18. The following measures are required for impacts to vegetation and wetlands. (MM 2.1.1)

    A. Jurisdictional wetlands lost as a result of direct impacts of the project shall be compensated by the restoration or creation of wetlands at a minimum ratio of 1:1. Loss of significant natural wetland communities should be compensated for at a higher ratio to be determined by parties involved and the Corps of Engineers as part of the Section 404 permit process.

    B. Compensation should be of the same habitat type as affected wetlands (i.e., in-kind replacement) whenever feasible, or with the approval of Corps of Engineers, shall be of habitats of higher botanical and wildlife value. Mitigation areas should be on-site, if practicable, or located off-site within reasonable proximity to the project site. County policy requires that the mitigation site be located within Contra Costa County.

    C. Mitigation wetlands should be located in a large contiguous parcel with transitional zone and adjacent upland habitat to maximize the likelihood of success in creating habitat capable of maintaining viable populations of native plant and animal species. A buffer zone (preferably 50 ft. or greater in width) should be established and maintained around the edges of all wetland and terrestrial habitat used as mitigation for project impacts.

19. The following requirements are required for the mitigation of the damage to special status plant species. (MM 2.1.2)

A. The first choice in mitigation would be to alter the project plan to avoid direct impacts on both individuals and habitats of these species. If such action is to be taken, steps must also be taken to ensure that indirect impacts associated with the project throughout its life do not significantly impact these special-status plants and their habitat.

Alternatively, subject to measures outlined in the Mitigation Monitoring Program the project applicant shall establish replacement special status plant communities located either on-site or off-site within reasonable proximity of the project.

Advice on the mitigation project shall be sought from the California Department of Fish & Game.

A means to fund over-site, long term shall be developed for this condition prior to development of a site containing or causing such an impact.

Mosquito Abatement

20. Work with the Contra Costa Mosquito and Vector Abatement District staff to develop a mosquito source reduction and management plan. The developer shall cooperate with District staff in the development of a mosquito monitoring and source management plan. Applicant shall fund the development of the plan.

Impacts to Special Animals

21. Impacts to Delta Smelt. (MM 2.2.5)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to Delta Smelt shall be taken.

22. Impacts to Southwestern Pond Turtle. (MM 2.2.6)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to Southwestern Pond Turtle shall be taken.

23. Impacts to Swainson's Hawk. (MM 2.2.8)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to the Swainson's Hawk shall be taken.

24. Impacts to Burrowing Owls. (MM 2.2.9)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to the Burrowing Owls shall be taken.

25. Impacts to San Joaquin Kit Fox. (MM 2.2.10)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to the San Joaquin Kit Fox shall be taken.

Noise Impacts

26. Noise impacts to wildlife. (MM 4.2)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to wildlife shall be taken.

27. Noise conflicts between proposed uses. (MM 4.8)

New residences must be constructed so that interior DNL is 45 dBA or less and so that indoor noise levels due to single noise events shall not exceed a maximum of 50 dBA in the bedroom and 55 dBA in other habitable rooms.

Geology, Soils and Seismic Hazards

28. The excavation of soil around the marina and lakes must be rigorously observed by trained professionals to identify any loose, clean sand and silt and peat in cut slopes; these should be excavated and replaced with compacted fill that includes a buttress that has been properly keyed into native soils and sediments and that has been properly constructed with engineered fill. A soils/Geotechnical professional site acceptable to the Zoning Administrator shall be employed to monitor this measure as needed. (MM 3.1)

A. The proposed mitigation for preventing groundwater flow from the brackish aquifer into surface water is to actively monitor excavation of the lakes. When flow from sands is identified, the sand should be excavated and replaced with buttress fills, keyed into less permeable clay-rich formations below the sand and constructed of compacted clay-rich soils to discourage active flow from the aquifer. (MM 1.2.4)

B. The proposed mitigation for the flow of loose soil into the lakes is the same as for mixing of groundwater and surface water. Excavation should be actively monitored, and sands from which groundwater flows, which may erode the loose (heaving) sands, should be excavated and replaced with buttress fills, keyed into less permeable clay-rich layers below and constructed of less permeable material to discourage flow. (MM 1.2.5)

C. At least 45 days prior to recording a Final Map, issuance of a grading permit, or installation of improvements or utilities, submit a preliminary geology, soil, and foundation report meeting the requirements of Subdivision Ordinance Section 94-4.420 for review and approval of the Zoning Administrator. Improvement, grading, and building plans shall carry out the recommendations of the approved report.

D. The report required above shall include evaluation of the potential for liquefaction and seismic settlement.

E. Record a statement to run with deeds to the property acknowledging the approved report by title, author (firm), and date, calling attention to approved recommendations, and noting that the report is available from the seller and/or the County.

F. At least 45 days prior to issuance of permits to grade and create the lakes on the site, a suitable Geotechnical report shall be submitted for the review and approval of the Zoning Administrator detailing means to stabilize the lake bank in case of earthquake and reduced possible liquefaction dangers in this area.

Impacts on Agricultural Lands

29. Suitable fencing shall be developed around projects perimeters to separate residential uses from surrounding agricultural lands and activities. (MM 7.3)

Equitable sharing of the cost of the initial (and any subsequent) fence constructed to deter trespassing, etc., is to be arranged between the primary developer and any other developer who is active in the project area and benefits from the fencing if possible to do so.

Impacts on School Districts

30. A. Prior to recording any final map for any phase of this project, written proof shall be submitted that compliance with the executed school mitigation agreement with the Liberty Union High School District has been achieved.

B. Prior to obtaining any building permit for this project, the applicant and the Byron Union School District shall execute a new schools facility agreement to timely proivde for new school needs generated by this project.

Increased Demand for Water and Sewer Systems

31. The site for Discovery Bay West shall be annexed into Contra Costa Sanitation District #19 prior to recording the final map on any portion of the development. (MM 8.3)

    A. Completion of a water supply study and a water system master plan acceptable to CCCSD 19 for the area within the Urban Limit Line is required as a condition of project approval. The study must define a funding mechanism that ensures new development pays for improvements to serve it exclusively.

    B. In the study of water supply, include consideration of how to reclaim water and reuse it. Reclaiming water and using reclaimed water are encouraged by the County General Plan.

32. Annexation of the proposed project area into Sanitation District 19, predicated on agreement by the district and The Hofmann Company on condition for annexation and fulfillment of such conditions within an agreed-on schedule. Conditions would include determination of technical standards and design of the expansion of the existing sanitary sewer system. (MM 8.4)

Police Protection

33. Measures to reduce or prevent crime incidents should be coordinated and include both physical design measures (including lighting for streets, parking areas, and entries; clear address signs; door and window security design and locks), social measures (including neighborhood crime watches, anti-violence support groups, and education programs), and legal measures (control in selected areas for selected types of water activities, e.g., swimming, jet skis, etc.).

    Plans to accomplish the above shall be submitted to the Contra Costa County Sheriff's Department for comment prior to development of the site. (MM 8.7)

Fire Protection

34. Before recording any Final Map negotiate to design, construct, and equip a fire station for service to the project area as required by the East Diablo Fire Protection District or its representatives. The construction of the fire station can either fully or partially satisfy fire fees. Later nearby developments may be required to reimburse the developer on a pro-rata basis.

    The primary developer must also design streets and other features in the project area to accommodate fire and other emergency vehicles. (MM 8.8)

Park and Recreation Facilities/Recreation Uses

35. General Plan standards for neighborhood park acreage and facilities are to be met by the proposed project through arrangements acceptable to the Community Development Department can be made by The Hofmann Company, such as the provision of "common area" acreage for recreational use. Suitable improvement of the public park may be used to partially meet park requirements.

Right of Farming Ordinance

36. If the County's right to farming ordinance has been adopted prior to the issuance of building permits on this site, the developer shall inform future owners of that ordinance informing them of the right to farm within the Contra Costa County area.

Removal of Existing Water Wells/Hazardous Chemicals on Site

37. Any hazardous chemical stored on the site shall be properly removed and disposed of under County Health Services Department regulations. Any existing water wells on the site shall be properly capped under County Health Services Department regulations. A Level I hazardous waste assessment shall be conducted on the site prior to filing of any Final Map that verifies that the site does not contain any hazardous waste.

Irrigation Districts

38. Prior to recording the final map for phases on this site, confirmation shall be received from the Byron-Bethany Irrigation District and East Contra Costa Irrigation District that any facilities they have on the site have been properly moved or removed as the case may be, or as an alternative a letter from the District may be submitted indicating that they have no facilities on the site that will be disturbed as a result of this development.

East Bay Municipal Utility District Chlorine Facility

39. At present the East Bay Municipal Utility District stores gaseous chlorine one-half mile north of the north end of the Discovery Bay West site. There may be plans to remove the gaseous chlorine from the facility in the future. However, this has not been decided yet. If, when development starts on this site, the gaseous chlorine facility is still in place then the developer shall accomplish the following prior to the issuance of the first final building permit for this project:

    A. Give all residents, homeowners, and renters full disclosure regarding the presence of chlorine at the EBMUD Bixler site.

B. The development shall support a proportionate share of the cost of the Community Alert Network System (CAN), the emergency notification system being installed throughout the County (which will include the installation of a siren system). The system is designed to warn the residents of the development if a large scale accidental release of hazardous materials occurs.

C. The development shall ensure that the homes are as air tight as feasible by providing superior window seals, door seals, positive closure for fireplace dampers, etc. A periodic replacement program should be established as seals have a finite life. (To reduce indoor air pollution, the homes should be thoroughly ventilated prior to occupancy.)

D. All homeowners shall be provided with sufficient information regarding shelter-in-place and the actions that should be taken in the event of an accidental chemical release.

E. These instructional materials shall be written in plain language, and will be developed in consultation with the Hazardous Materials Division of the County Health Services Department, subject to the review and approval of the Zoning Administrator.

If the facility is removed or the process is changed then this requirement can be deleted subject to Zoning Administrator approval after review by the Hazardous Materials Division of the County Health Department.

If, upon further review by the Hazardous Materials Division of the County Health Services Department, it is determined by the Health Department that the chlorine facility could not have a significant effect on Village I, then the above condition can be modified subject to Zoning Administrator review and approval.

Design Revisions and Concerns

40. Guide for development and use provisions for this site shall be as follows:

A. Public Road Areas (Village I). Setback of residential units shall be varied between 15 and 20 feet. All garages shall have a setback of at least 17.5 feet provided automatic vertically opening garage doors are used otherwise a 20 foot garage setback is required. Frontyard setbacks may be reduced to 15 feet for covered porches. Sideyard minimum shall be 5 feet with an aggregate sideyard of 10 feet. Zero lot line residences or duets are acceptable. The R-6 zoning district shall be used as a guide for the residences height, lot use or lot coverage of the site as well as the location of any detached sheds or outbuildings except that sheds and outbuildings

shall be limited to a height of 12 feet. As an alternative, one sideyard may be reduced to 0 feet for a residence, as long as the aggregate sideyard remains 10 feet subject to the review and approval of the Zoning Administrator. Corner lots shall have a secondary setback of 7 feet minimum.

B. Prior to the issuance of building permits, the applicant shall submit samples of color and exterior materials for the review and approval of the Zoning Administrator. The fences between lots shall be of solid wood and shall be at least 5-feet high. The residences of this development shall be finished in suitable color and shall be complimentary. Houses along Bixler Road shall have appropriate sound reduction measures built in acceptable to the Zoning Administrator. Residences along Bixler Road, Newport Drive and Point of Timber Road shall have architectural enhancement measures at the back of the unit and rearyard setbacks shall be varied.

C. At least 15 days prior to issuance of building permits for any phase of project a residential fit plan showing the location of planned homes shall be submitted for the Zoning Administrator's review and approval. The plan shall include information on the number of stories planned for the residence for each lot and the proposed setbacks.

D. Prior to issuance of building permits for any phase of the project, at least three significantly different plot plans and residential design for Village I shall be submitted for review and approval of the Zoning Administrator.

E. Details of the design of the walls and landscaping proposed along Bixler Road, Point of timber Road, and Newport Drive shall be submitted for the review of the Zoning Administrator after review and approval of the Public Works Department. The walls may be built in phases. The plan shall be acceptable prior to issuance of building permits in any phase of the project. There shall be no exclusive project identification sign at the corner of Bixler and Point of Timber Roads.

The landscaping strip along the south side of Point of Timber Road and west of "D" Street shall be widened to the same width as that proposed on the vesting tentative/final development plan for the area east of "D" Street.

41. A community center shall be provided as part of the Discovery Bay West project. The location and size of the community center shall be determined prior to the filing of the Final Map for this development or any phase of this development. The Hofmann Company shall dedicate the site and pay 50% of the building construction cost, including landscaping and parking lot costs. The community center shall be constructed within 12 months of the issuance of the first building permit provided Discovery Bay community secures its 50% share of the building construction costs. If the Discovery Bay community has not secured their 50% share of the building construction costs prior to the issuance of the first building permit, the community center shall be constructed within one year of the community

securing said funds. The community center shall generally be located at the northwesterly corner of the intersection of "D" Street and Newport Drive as shown on the staff sketch dated March 24, 1995, located in the project file unless an alternative site is agreed upon prior to recording the final map for this area of Village I.

A site shall be designated in Village I. If a site is agreed upon in another area of Discovery Bay then the site may be developed subject to Zoning Administrator review and approval. The site upon which the Discovery Bay Community Center is to be built will be jointly determined by the Hofmann Company, Discovery Bay M.A.C. and Contra Costa County.

42. Prior to issuance of building permits for any phase in Village I, submit a landscape plan/irrigation, lighting plan, and a parking plan for the park and ride lot and recreational vehicle storage area at the southwest corner of Village I for the review and approval of the Zoning Administrator. The developer shall submit a copy of the easement document for Zoning Administrator review. If the recreational vehicle storage area and the park and ride lot cannot be located under the power lines the recreational lot can be eliminated but the park and ride lot shall be located elsewhere in Village I. The park and ride lot shall be installed prior to the issuance of the 200th building permit for residences in Village I.

43. The potential exists for increased risk of flooding over time due to the possible rise in sea level and/or site subsidence. The project property owners shall be informed by disclosure statement of the potential for future requirements for levees around this site and the potential associated costs if those levees should be needed as a result of sea level rise and/or site subsidence.

44. The garage area of each residence shall be wired for electric car recharging subject to the review and approval of the Zoning Administrator, and subject to the adoption of final Board policy mandating this.

Homeowners Association Formation

45. Covenants, Conditions and Restrictions or other appropriate vehicle as may be approved by the Zoning Administrator shall be submitted by the developer for review with the Final Subdivision Map, and shall be subject to review and approval of the Zoning Administrator as they pertain to the conditions of approval.

The Covenants, Conditions and Restrictions (CC & Rs), or other appropriate vehicle developed for this project shall include the following restrictions:

A. (Example) No recreational vehicle, boat, boat trailer or mobile home shall be stored in frontyard driveways on the street overnight. Exterior materials and colors shall not vary from the palette approved for the original homes.

B. If the home occupation meets County ordinance requirements, then the Zoning Administrator may administratively approve the request.

Road and Drainage

46. The following requirements pertaining to drainage, road, and utility improvements will require the review and approval of the Public Works Department.

A. **ORDINANCE REQUIREMENTS:**

The applicant shall be required to comply with the requirements of Title 9 of the County Ordinance Code which include, but are not limited to the following requirements:

1) In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in these conditions of approval. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are Vesting Tentative Map, Final Development Plan dated March, 1995, submitted to Public Works.

An exception to allow a 0.75% minimum grade is allowed subject to Public Works approval providing:

a. The soil engineer recommends reduced grades and signs the improvement plans; and

b. The applicant warrants the curb flow from ponding for five years following completion. The curb shall be inspected and repaired annually.

2) Division 914 of the Ordinance Code requires that all storm waters entering or originating within the subject property shall be conveyed, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate storm drainage
facility which conveys the storm waters to a natural watercourse. This project necessarily involves some diversions of watershed. However, since these diversions generally discharge to tidal bodies of water with adequate cross section and capacity, these diversions may be considered appropriate, subject to review and approval of Public Works.

3) Conveying storm waters in an adequate storm drain system to a: duly organized Homeowner Association; Municipal Improvement District; or Reclamation District drainage facility serving the area, is acceptable, provided the applicant obtains a letter from that entity accepting the drainage. Provide appropriate drainage releases where public waters enter private facilities.

4) Diversions resulting in discharge of storm waters into the Contra Costa Canal or any other water conveyance or impounding facility for domestic water consumption is prohibited by the Ordinance Code. It is acknowledged that Agricultural lands presently drain to the ECCID facility.

Landscaped areas, so long as they do not create diversions, may follow pre-existing drainage patterns, subject to review and approval of Public Works.

5) For anything in these conditions of approval, which is subject to the approval of Public Works, such approval shall not be unreasonably withheld.

B. TRAFFIC MITIGATION FEES:

The project traffic mitigation fees will be collected at the time of the Building Permit for each residential unit of this development. No mitigation fees will be collected from non-residential construction. The project traffic mitigation fee shall consist of:

* The Eastern Contra Costa Subregional Transportation Mitigation Fee (ECCSRTMF). This fee is for construction of the State Highway 4 Bypass.

* The East County Regional Area of Benefit fee (ECRAOB). This fee is to improve local roads identified on the Circulation Element of the County General Plan.

* The Project Traffic Mitigation Fee. This fee is $6,500 (revised annually, starting from August 7, 1995, to reflect inflation, using the State of California Construction Cost Index as published annually by Caltrans, as a reference) less the East County Regional Area of Benefit fee and is used to mitigate project impacts not covered by the above fees.

The difference between the adjusted $6,500 Project Traffic Mitigation Fee and the ECRAOB fee shall be put into an interest earning Road Improvement Trust (Fund No. 819200-0800 or other project specific fund) to be used to mitigate off-site local road and intersection improvements as reasonably determined and approved by the Public Works Department, which are identified in the EIR or the Flexible Mitigation Monitoring Program, and are not included in an established area of benefit. These funds will not be used for on-site improvements; frontage improvements; the off-site

improvement of Bixler Road from the project to State Highway 4; improvement of Point of Timber Road from Bixler Road to Byron Highway; the project's 50% share of the signal at the Bixler Road-State Highway 4 intersection; signalization of the State Highway 4-Discovery Bay Boulevard intersection; or any necessary construction traffic mitigation along the specified project construction haul routes.

C. PUBLIC IMPROVEMENTS:

1) Construction Truck Traffic Mitigation:

a. Prior to issuance of the first residential Building Permit, the applicant shall widen Bixler Road off-site to a minimum width of 28-feet from the limit of Permit 3031-91 and Subdivisions 7679 and 7881 obligations to the Phase 1 project entry. At the applicant's option, these widening improvements may be either an interim improvement or a portion of the ultimate improvements discussed in 3)c. below. If a 28-foot width has not been constructed from the southerly limit of the applicant's responsibility to State Highway 4, the applicant shall widen Bixler to a 28-foot minimum width all the way to Highway 4. Any permanent or "ultimate" improvement constructed by the applicant which is the obligation of the properties involved in the above noted developments shall be subject to reimbursement through reimbursement agreements administered by the County. The applicant shall direct construction related truck traffic to the site via Bixler Road from State Highway 4, restricting construction related damage essentially to only Bixler Road. (FINDING FOR IMPACT #68, MMB.c.) At the developers option, construction truck traffic may also use Point of Timber Road after it has been widened to 28 feet. Applicant shall submit improvement plans, pay inspection and plan review fees for these road improvements.

The applicant may use Newport Drive for no more than one month as a construction detour while Bixler Road is under construction. In no case will Newport Drive be used as a construction haul route.

In order to determine the pre-project road conditions the applicant shall, prior to project grading, provide a video road survey for the following roads: Balfour Road from Bixler Road to Byron Highway; Bixler Road north to Orwood Road; and Marsh Creek Road from Bixler Road to State Highway 4.

b. Construction Road Maintenance Agreement

The applicant shall execute a bonded construction road maintenance agreement, assuring the County that the specified project haul route(s) will be maintained in a convenient, passable condition throughout the construction period. The bond shall consist of a cash bond of $15,000 together with additional security totaling the cost of upgrading of the specified project haul route(s). The bond shall be provided prior to the approval of the first phase subdivision improvement plan and shall remain in effect until the haul routes are improved to handle the traffic, or until upgraded construction is completed.

c. Construction truck traffic monitoring: If the applicant uses non-designated streets for construction truck traffic, he shall repair the roads to the pre-project condition prior to filing the next Final Map, subject to the review and approval of Public Works. If the maintenance is not completed in a timely manner, the County will activate the Construction Road Maintenance Agreement for funds to perform the maintenance.

d. Provide sufficient parking on-site for construction crews and associated personnel. The applicant shall not permit construction crews and equipment to park along currently existing public roads or interfere with neighborhood agricultural operations.

e. Applicant shall indicate on all subcontracts, bulk and custom lot sales contracts, homeowners association documents, et al, that construction truck traffic shall use State Highway 4 and Bixler Road as construction access to this development, unless other routes have been specifically designated by Applicant as outlined in 2)a. above.

2) Bixler Road Frontage Improvements:

a. Applicant shall construct Bixler Road pavement widening with the easterly curb face established by first assuring a minimum 5-foot clear distance from any ditches on the westerly side to the edge of any required paved shoulder and thereafter providing the required lane and shoulder widths, but not less than 32-feet from existing centerline.

b. Existing Bixler Road shall be reconstructed, or overlayed if studies warrant. The pavement shall be striped to provide one 12-foot northbound lane with a 6-foot shoulder and one 12-foot wide southbound lane with a 6-foot shoulder plus necessary channelization at intersections from the southerly boundary of Village I to Balfour Road.

c. Construct curb, 5-foot 6-inch sidewalk (width measured from curb face), street lighting, landscaping and irrigation (EIR Mitigation RMCir-22). (FINDING FOR IMPACT #51, MMC.c.)

d. Pads for the proposed bus shelters, bicycle racks and/or lockers shall be clear of the sidewalk area at potential bus stops.

e. Provide necessary longitudinal and transverse drainage along the east side only.

f. The applicant may need to remove and replace the roadway if required by the grade, alignment analysis and determination of structural adequacy, subject to the review and approval of Public works.

g. The applicant shall submit improvement plans and pay inspection and plan review fees prior to filing of the Final Map.

3) Bixler Road, Off-Site Improvements:

a. State Highway 4 Signal at Bixler Road and at Discovery Bay Boulevard

1. Arrange for Signalization of the State Highway 4 intersection at Bixler Road prior to issuance of 200 Building Permits in this development if not already assured or completed by others at that time. Fifty percent of the signalization cost of the Bixler Road signal is reimbursable from the property owners at the northwest and northeast quadrants of this intersection. One hundred percent of any widening costs for Bixler Road is reimbursable from the same parties.

Submit improvement plans, pay inspection and plan review fees, and apply for a Caltrans encroachment permit prior to improving the intersection.

2. If the Bixler Road traffic signal has been installed, the applicant shall contribute 50% of the cost of the traffic signal, prior to issuance of the 200th Building Permit, to a Road Improvement Fee Trust (Fund No. 819200-0800) designated for reimbursement for its installation.

3. If the Bixler Road traffic signal is not warranted prior to issuance of the 200th Building Permit, the need for the traffic signal at the State Highway 4 - Bixler Road intersection shall be analyzed by the Public Works Department prior to filing each Final Map, up until the 1800th lot when the applicant shall contribute a cash deposit, equal to 50% of the signal construction cost as determined by Public Works, to a County Road Improvement Trust (Fund No. 819200-0800).

4. The applicant shall bond for the State Highway 4-Discovery Bay Boulevard traffic signal prior to filing of the first Final Map. The traffic signal shall be installed and operational one year following the issuance of the first building permit, exclusive of model homes. If the traffic signal is not operational within the one year period, no further building permits will be issued.

4) Point of Timber Road, On-Site (Bixler Road to the east):

a. Bixler Road to "D" Street:

1. Applicant shall reconstruct Point of Timber Road to at least a 60-foot curb to curb pavement width within an 80-foot right of way from Bixler Road to "D" Street with Village I.

2. Construct curb, 5-foot 6-inch sidewalks (width measured from curb face), necessary longitudinal and transverse drainage, street lighting, landscaping and irrigation.

3. The right of way line shall be located at least 10-feet behind the curb face.

4. Provide necessary longitudinal and transverse drainage.

5. The applicant shall submit improvement plans and pay inspection and plan review fees prior to filing of the Final Map for this portion of Point of Timber with the improvement plans for the subdivision creating the 250th lot.

b. "D" Street to the Easterly Boundary of Village I:

1. Applicant shall install (on the south side) curb, 5-foot 6-inch sidewalk (width measured from curb face), necessary longitudinal and transverse drainage, street lighting, landscaping and irrigation and grade the ultimate roadway with construction of Village I improvements abutting this segment. The location of the frontage improvements shall provide for: ultimate widening of the roadway to a 40-foot pavement width; widening to at least a 56-foot width at the D Street intersections; and necessary conforms.

2. The right of way line shall be located at least 10-feet behind the curb face (30' from centerline).

3. Provide necessary longitudinal and transverse drainage.

5) Point of Timber Road, Off-Site (west of Bixler Road):

a. Point of Timber Road from Bixler Road to Byron Highway:

1. Submit improvement plans, pay inspection and plan review fees prior to 200th Building Permit.

2. Prior to issuance of the 300th Building Permit, widen and reconstruct, if necessary, Point of Timber Road to a 28-foot pavement width (two 14-foot lanes with 2-foot compacted shoulder backing and maintain ditch capacities. This work is intended to divert project traffic away from Balfour Road (EIR Mitigation Measure RMCir-21) (FINDING FOR IMPACT #50, MM.B.c.)

3. The applicant with the cooperation and assistance of Public Works shall provide additional right of way, if necessary, for the roadway and the ditch system, subject to the review and approval of Public Works.

6) Project Improvements (Village I Public Improvements):

a. Prior to issuance of the first Building Permit, approval of the first set of improvement plans or first Final Map, install signage along: Balfour Road, Point of Timber Road, and Marsh Creek Road westerly to State Highway 4; and along Bixler Road north of State

Highway 4, to warn project traffic of farm vehicles and provide farm vehicle crossings (EIR Mitigation Measure RMCir-23) (FINDING FOR IMPACT #52, MMD.c.)

7) Road Dedications and Reservations (for Public Roads):

a. Bixler Road: Applicant shall convey to the County, by Offer of Dedication, the right of way necessary for at least the east half of the planned 84-foot right of way width along the frontage of Bixler Road. The eastern side of the right of way shall be increased at the project access points along Bixler Road to provide for channelization for turning movements to and from this development. The right of way line shall be located at least 10-feet from the curb face.

Off-site, the applicant shall provide for adequate rights of way or easements for the proposed road improvements including the ditch systems, however, the County will conduct the acquisitions of applicant's costs if applicant requests.

b. Point of Timber Road: Applicant shall convey to the County, by Offer of Dedication, an 80-foot right of way between Bixler Road and "D" Street. East of "D" Street, the applicant shall convey to the County, by Offer of Dedication, a 60-foot right of way, plus additional right of way for left turn channelization and conforms along the project frontage, where this development fronts on both sides of the road. Where this development only fronts on one side of Point of Timber Road, the applicant shall dedicate at least a 30-foot right of way (measured from the centerline of the existing right of way) (EIR Mitigation Measure RMCir-32). The right of way line shall be located at least 10-feet from the curb face.

Off-site, the applicant shall provide for adequate right of way or easement for the proposed road improvements including the ditch systems, however, the County will conduct the acquisitions at applicant's cost if applicant requests.

c. Access along the southeast side of the Fire Station/Park Property: Provide an offer of dedication for a 60-foot right of way between Newport Drive and the eastern boundary of this property along the southeast side of the "Fire Station/Park" property. The alignment shall be rough graded to approximate finish grades with Village I

grading, but no road improvements need be constructed with this project. Prior to the road being approved, the adjacent property owner shall expand the park site to compensate for the road right of way take.

d. The applicant shall provide right of way for future bus turnouts on the Bixler Road, Newport Drive and Point of Timber Road frontage of this property at appropriate locations in consultation with the responsible transit authority. Adequate right of way shall be provided for the bus turnouts, and the future bus shelters, bicycle racks and/or bicycle lockers.

8) Abutter's Rights of Access (Public Roads):

a. Relinquish abutter's rights of access along Bixler Road, Point of Timber Road and Newport Drive, including curb returns. Access shall be permitted at the access points specifically approved with this project. Access points shown on the Preliminary Development Plan and the following additional points shall be permitted:

b. Prohibit all single family residential driveway access onto major collector or arterial roads that provide project-wide circulation (EIR Mitigation Measure RMCir-29) (FINDING FOR IMPACT #58, MMJ.c.).

9) Sight Distance (Public Roads):

a. In accordance with Caltrans standards provide for adequate corner sight distance at:

* The project entrances to Bixler Road for a design speed of 55 miles per hour.

* Other intersections with Newport Drive for a design speed of 40 miles per hour.

* Other intersections with Point of Timber Road for a design speed of 40 miles per hour.

b. Provide adequate corner sight distance, in accordance with County standards, for the following intersections:

* Village I: Newport Drive at "DDDD" Street, and at One Street; Two Street at One Street and at Three Street; Three Street at One Court; Four Street at Thirteen Court and at Nine Court; and at Six Street at Seven Street.

10) Street Lights (Public Roads):

a. Street lights shall be install on the public roads, within this subdivision and fronting this property, and the entire property annexed to County Service Area L-100 for maintenance of the street lighting. The final number and location of the lights shall be determined by Public Works. Application for annexation to CSA L-100 Lighting District shall be submitted prior to filing of the Final Map.

11) Bicycle/Pedestrian Facilities (Public Roads):

a. The applicant shall construct 5-foot 6-inch sidewalks on Newport Drive from the southerly boundary of this property to Bixler Road.

b. The applicant shall construct 6-foot 6-inch sidewalks on "D" Street from Newport Drive to Point of Timber Road.

c. Construct a 6-foot meandering asphalt concrete sidewalk along the east side of Bixler Road from the project site to the sidewalk proposed in Permit 3031-91 (the Ujdur property) (FINDING FOR IMPACT #51, MMC.c.). Where the sidewalk is adjacent to a roadside ditch, it shall be located a minimum of 2-feet from the top of the roadside ditch.

OR, construct a new 5-foot 6-inch concrete sidewalk (width measured from back of curb, if adjacent to curb) along the west side of Newport Drive to Kellogg Creek, connecting with the proposed pathway location in Permit 3031-91. This improvement (either alternative) shall be constructed within six (6) months of the completion of the first commercial use in Permit 3031-91 or at request of Public Works.

d. Provide bike lanes with a minimum width of 5-feet on the following streets: Bixler Road; Point of Timber Road from Bixler Road to the east; Newport Drive; "F" Street and "D" Street.

Prohibit parking (EIR Mitigation Measure RMCir-36a) (FINDING FOR IMPACT #65, MMA.c.), or provide adequate additional pavement width.

12) Utilities/Undergrounding (Public Roads):

a. All utility distribution facilities shall be installed underground, including the existing overhead distribution facilities along the frontage of Point of Timber Road and the easterly frontage of Bixler Road.

b. Relocate and/or adjust utility distribution facilities, where necessary, for all other off-site improvements.

13) Parking (Public Roads):

a. "No Parking" signs shall be installed along roads with inadequate width for parking, subject to the review and approval of the Public Works Department. For lots with less than a 50-foot wide frontage a parking study shall be provided for all roadways where less than 1 on-street parking spaces will be provided for each residence. On street parking requirements may be satisfied by providing parking bays, supplemental on-site parking, or other reasonable alternatives subject to the review of Public Works and the review and approval of the Zoning Administrator. Adequate parking shall be provided within an acceptable distance of each residence, subject to the approval of Public works.

b. Prohibit parking on all project major collector or arterial roads including "D" Street and Newport Drive, except where the road is widened to accommodate parking. On the remaining roadways, provide adequate paved width for necessary parking (EIR Mitigation Measure RMCir-26) (FINDING FOR IMPACT #55, MMG.c.)

c. "No Parking" signs shall be posted along the north side of "F" Street, unless the roadway is widened to at least a 40-foot curb to curb width within a 60-foot right of way.

14) Landscaping (Public Facilities):

a. Prior to filing the final map, the applicant shall apply to the Public Works Department for annexation to the County Landscaping District AD 1979-3 (LL-2) for the future maintenance of public landscaping and irrigation facilities in median islands, parkways, and other public project areas .

b. Prior to filing the final map, two sets of landscape and irrigation plans and cost estimates, prepared by a licensed landscape architect, shall be submitted to the Special District Section of the Public Works Department for review and recommendation and forwarded to the Zoning Administrator for review and approval. Plan submittal shall include plan review and inspection fees. Types and size of plant and irrigation materials within the public right of way shall be designed using reasonable standards provided by the Grounds Service Manager of the General Services Department. All landscaping and irrigation facilities shall be maintained by the applicant until funds become available for their maintenance by the County after final inspection is cleared.

c. Permanent landscaping and automatic irrigation facilities shall be installed within the public road parkway and median areas, and interim landscaping features shall be installed within the future road areas, if any. All work shall be done in accordance with the guidelines and standards of the County. Funding of, and maintenance of, the new plantings shall be guaranteed by the developer until the plants have been established and until funds are available through a landscaping district. The plants shall be maintained for 90 days after installation.

d. The County Landscaping District Administrator shall coordinate the landscaping program in Discovery Bay West with the Discovery Bay MAC by annually reviewing the district's program budget and providing budget information to the MAC on a regular basis.

15) Transit:

a. Certain bus turnouts, bus shelters, bicycle racks and/or bicycle lockers shall be constructed by the applicant if transit service is established prior to recording of the last Final Map for this development. The location of these facilities shall be determined in cooperation with the responsible transit authority. Preliminary locations along the east side of Bixler Road are: south of Newport Drive and

south of Point of Timber Road. The installation of these facilities shall be assured prior to recording of the next Final Map after transit service is established to the project. The obligation to install these facilities shall terminate if public transit to the project is not assured at the time the last Final Map is recorded. Pads for the bus shelters, bicycle racks and/or lockers shall be clear of the sidewalk areas.

b. Provide pedestrian connections from the transit stops to the internal project sidewalk system. Provide for installation of bus shelters at each pullout if transit service begins (EIR Mitigation Measure RMCir-34a) (FINDINGS FOR IMPACT #63, MM A.c.)

16) School Access:

a. Coordinate with the school district on the design of the school site to accommodate a one-way circulation pattern with a large student loading/unloading area separated from the main collector streets (EIR Mitigation Measure RMCir-20) (FINDING FOR IMPACT #49, MM A.c.) The applicant shall coordinate with the school district to allow for a bus loading/unloading area separated from the automobile loading/unloading area.

b. Extend Seven Street southerly to the school site if requested by the school district to provide better school access. Access to the school from "D" Street shall be designed to minimize traffic conflicts on "D" Street.

D. PRIVATE IMPROVEMENTS:

1) Pedestrian/Bicycle Improvements

a. The design of community facilities, such as "park and ride" lots, clubhouses or community parks, shall provide for and encourage the use of bicycles. At a minimum this shall include bicycle racks and/or bicycle lockers at the primary gathering points in the project. The number of bicycle racks and/or lockers shall be subject to the review and approval of the Zoning Administrator.

E. GENERAL REQUIREMENTS:

1) Roads:

a. Submit a preliminary sketch plan and profile and alignment analysis to Public Works for the following roads, showing the horizontal alignment and analyzing the roadway structural sections to determine the feasibility of salvaging the existing pavement. The analysis of the roadway structural section shall include appropriate cores, deflection tests, R-Value tests, and estimates of anticipated traffic with construction and ultimate development under the County General Plan.

* Bixler Road from the project to State Highway 4.

* Point of Timber Road from the project to State Highway 4.

The sketch plan shall extend a minimum of 150-feet beyond the limits of the proposed work. If the grade at the project's frontage is unacceptable, the applicant shall level, or remove and replace the pavement, as necessary. The sketch plan shall also show that adequate sight distance will be provided. An exception to allow a 0.75% minimum grade may be allowed subject to the review and approval of Public Works.

b. Applicant shall provide deed notification to those parcels that abut roads that are to be extended in the future. The applicant shall install signage at the end of the roads to inform prospective property owners that the roads may be extended in the future.

c. Applicant shall furnish proof that legal access to the property is available from Newport Drive in Discovery Bay to the south boundary of this property.

d. Submit improvement plans and pay inspection fees and plan review fees prior to filing of the appropriate Final Map.

2) Drainage:

a. Storm drainage facilities required by the Ordinance Code shall be designed and constructed in compliance with design standards of the Public Works Department.

b. The applicant shall install within a dedicated drainage easement any portion of the drainage system which conveys run-off from public streets to a natural watercourse or an adequate man-made drainage facility.

c. All storm water arriving at the outside of the levee system around Villages II, III and IV and the stormwater arriving at, and originating on Village I shall be collected, conveyed and directed in a storm drainage system dedicated to the County. The drainage facilities shall be designed to convey stormwater from the west in accordance with the Ordinance Code (FINDING FOR IMPACT #84, MM c). The applicant shall provide additional drainage facilities (per figure 4.1-4 of the EIR) to direct all existing drainage and irrigation west of Bixler Road through and/or around the project to compensate for the obstruction of flow to surface drainage created by the project and ensure that the area west of Bixler Road is not adversely impacted (FINDING FOR IMPACT #1, MM1.C.2.).

Prior to submitting the first Final Map, the applicant shall submit the proposed drainage plan to convey off-site drainage and irrigation west of Bixler Road through or around the project site along with supporting hydrology data subject to the approval of Public Works (EIR Mitigation Measure 4.1-7) (FINDING FOR IMPACT #1).

d. Conveying storm waters in an adequate storm drain to an irrigation district facility is acceptable provided: the developer obtains a letter from the irrigation district accepting the storm waters; the irrigation district owns fee title to the drainage facility from the point of discharge to the natural watercourse; and, the drainage facility is shown to be adequate to handle the design storm, plus the district irrigation flows. The analysis shall consider the presence of low spots in the irrigation district canal which may affect the system's capacity.

The applicant shall provide substantiation that reasonable backup measures such as a diesel or gas fueled back up pumping system, are in place in case of pump failure and/or power failure. The back up pumps are only required if pumping is necessary to drain the canal flows.

The applicant shall submit written confirmation that the irrigation district will accept the additional stormwater flows from this property based on ultimate development of the watershed.

e. Storm drainage originating on the property and conveyed in a concentrated manner shall be prevented from draining across the sidewalks and driveways.

f. Utilize NPDES passive best management practices such as labeling the storm drains for no dumping. (EIR Mitigation Measure 4.1-10)

3) Floodplain Management:

a. Finished floors in Village I shall be elevated to at least 10.90 ft. mean sea level. Homeowners shall be advised through a deed notification of the potential sea level rise. (FINDING FOR IMPACT #4, MM4.C.1.).

4) Creek Structure Setback:

a. Applicant shall create "structure setback lines" over that portion of the site that is within the structure setback area of the watercourses traversing the northerly property line, Dredger Cut along the easterly property line, and any existing natural watercourses through this development. The structure setback area shall be determined by using the criteria outlined in Chapter 914-14, "Rights of Way and Setbacks", of the Subdivision Ordinance. "Development rights" shall be conveyed to the County by grant deed.

b. If sections of roadways fall within the structure setback area as defined by the Ordinance Code, then the applicant shall submit a soils and geotechnical report verifying the stability of the creek bank in the vicinity of the public or private access roads.

5) Sanitation District 19 Requirements:

a. Applicant shall complete and have fully operational the replacement for well #4 prior to issuance of the first Building Permit.

b. Annex the project into Sanitation District No. 19 and execute a master service agreement calling for the applicant to provide or pay for its fair share of the expansion of facilities necessary for the additional wastewater and water facilities. (FINDING FOR IMPACT #83, MM.c.). Applicant shall comply with the requirements of Sanitation District No. 19 Ordinance and the Central Contra Costa Sanitary acceptable to the Public Works Department, which includes provisions for perpetual maintenance prior to filing a Final Map in Villages II, III or IV (EIR Mitigation Measure 4.1-7).

c. Levees shall be elevated to at least elevation 11.9 feet mean sea level with provision for the ability to elevate the levees to at least 12.9 feet mean sea level around Villages II, III and IV and in accordance with FEMA regulations (assuming anticipated subsidence and sea level rise).

d. The proposed levee system around Villages II, III & IV shall be constructed to FEMA, U.S. Army Corps of Engineers, Zoning Administrator and County standards. The levee system shall be maintained by the homeowner association.

e. Landscaping of the levees shall be subject to the review of FEMA and the entity which will accept the levee for maintenance, and the review and approval of the Zoning Administrator.

f. Provide deed notification and CC & Rs for elevation restrictions on applicable lots to prevent degradation or work which may adversely impact the levee system, and provide for raising levees.

g. The developer shall be aware that the levees protecting a portion of this development are subject to failure if not properly maintained. The developer shall execute a mutually agreeable recordable document with the County which states that the developer (and the owner and District specifications prior to filing the Final Map.

h. Sewage treatment and disposal for the project shall be provided by Contra Costa County Sanitation District No. 19. All sanitary sewer facilities serving the project shall be connected to the District's collection system. The applicant will be required to obtain a Sanitation District permit to discharge sewage into the sewage system. The applicant shall be required to pay for the fair share of any studies required to accommodate this project.

i. Domestic water supply shall be provided by Contra Costa County Sanitation District 19. All domestic water facilities serving the property shall be connected to the District's distribution system. The applicant will be required to obtain a Contra Costa County Sanitation District 19 permit to connect to their existing well water system and comply with any District requirements relative to its fair share obligation to provide increased water supply.

j. The applicant shall participate in Contra Costa County's Sanitation District #19 adoption and implementation of a water supply monitoring and management program (FINDING FOR CUMULATIVE IMPACTS ON WATER SUPPLY AND QUALITY, MM.c.).

6) Reimbursement:

a. Certain required road improvements may be eligible for credit or reimbursement against Area of Benefit fees. The developer shall contact the Public Works Department, Transportation Engineering Division, to verify the extent of any credit or reimbursement for which the applicant might be eligible. Prior to constructing any public improvements, or filing of any Final Map, the applicant shall execute a credit/reimbursement agreement with the County. No credit or reimbursement will be available for any improvements installed prior to execution of the credit/reimbursement agreement. Credit will only be given for monies that are programmed within the next three fiscal years. Any credit or reimbursement shall be based on the cost estimates included in the Area of Benefit Development Program Report only in proportion to each specific Area of Benefit improvement which the applicant is installing.

b. The applicant is also eligible for reimbursement from adjacent and nearby future developments as outlined in E.7)c. below. If the applicant requests reimbursement from the County from future development, the applicant shall be required to pay the County for administrative costs associated with these reimbursement agreements. The applicant shall pay the Public Works Department, Engineering Services Division, at least $1,000 or as necessary to cover expenses as they are incurred, whichever is greater, for administration costs for each reimbursement agreement.

c. The applicant shall be eligible for the following reimbursement agreements:

* Should applicant install the State Highway 4/Bixler Road signalization and channelization improvements. The costs, above the applicant's 50% obligation towards the traffic signal, are subject to reimbursement. These funds may be deposited by property owners at the intersection.

* Installation of any frontage improvements along properties fronting on public roads.

* Installation of off-site road improvements not covered by an area of benefit, but covered by the Project Traffic Mitigation Fee paid by the applicant and collected by the County, may be credited toward the applicant's Project Traffic Mitigation Fee, subject to the approval of Public Works.

d. The County will also cooperate with the applicant to "call" certain Deferred Improvement Agreements (DIAs) which may exist on surrounding properties to facilitate and expedite the construction of facilities whose installation is now justified.

7) Miscellaneous:

a. Prior to issuance of Building Permits, with the exception of model homes, file the Final Map for Subdivision 7686.

b. Improvement plans prepared by a registered civil engineer shall be submitted to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the Ordinance Code for the conditions of approval of this subdivision. These plans shall include any necessary traffic signage and striping plans for review by the Transportation Engineering Division.

c. An encroachment permit for construction within the State right of way shall be obtained from Caltrans through the Public Works Department, Engineering Services Division.

d. Obtain an encroachment permit from the Application and Permit Center for construction of driveways, or other improvements within the right of way of public roads which are to be improved with minor improvements not requiring an improvement plan.

e. Applicant shall comply with the County TDM Ordinance and the Growth Management Program regulations regarding transportation. TDM measures that could be used by the project applicant include the provision of maps showing available transit routes, and providing information to prospective home buyers on ride sharing and vanpool services.

f. All public and private pedestrian facilities and access ways shall be designed in accordance with Title 24 (Handicap access) and the Americans with Disabilities Act. This shall include all sidewalks, paths, trails, driveway depressions, as well as handicap ramps.

Provide a minimum clear width of 3.5 feet for all sidewalks. If a pole, utility facility, street sign or any other obstruction is located in a walkway, such that there is not a 3.5 foot clear width, then the walkway shall be widened as necessary. A note reflecting this condition shall appear on the typical section on the improvement plan.

g. Applicant shall furnish proof of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of all temporary or permanent, road, drainage and marina improvements.

h. Prior to filing of the first Final Map, the applicant shall pay the County for all Public Works and Community Development staff time for work reviewing and commenting on this project through the planning and approval process which has not been covered by the application fees previously paid by the developer for this purpose.

i. The County Public Works Department is requiring that all first check submittals and accompanying calculations including subdivision grading plans, improvement plans, hydrology and hydraulic maps, final maps, right-of-way maps and descriptions shall be in metric units. Exceptions may be permitted, based on substantial reason, subject to the review and approval of the Public Works Department - Engineering Services Division.

8) The road widths in this project have not been reviewed separately except for those roads explicitly designated as to road and right of way width in these conditions of approval. The applicant shall be required to construct the roads in Village I as public roads with the following width requirements: roads serving less than 24 homes shall be constructed as 32-foot roads within 52-foot rights of way; roads serving 24 or more homes and less than 240 homes shall be constructed as 36-foot roads within 56-foot rights of way; Newport Drive shall be constructed as a 36-foot road within a 61-foot right of way. Analyze turning movements at the following locations, and if necessary subject to Public Works review and approval, widen the roads to a 46-foot road width to provide three 12-foot lanes and 5-foot bicycle lanes at Newport Drive at Bixler Road; "D" Street at Point of Timber and Newport Drive; and "F" Street at "D" Street. The street designated as One Street shall be widened to a 40-foot road width within a 60-foot right of way.

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 REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. The project lies within the 100-year flood boundary as designated on the Federal Emergency Flood Rate Maps. The applicant shall be aware of the requirements of the Federal Flood Insurance Program and the County Flood Plain Management Ordinance (Ordinance No. 90-118) as they pertain to future construction of any structures on this property.

B. The applicant shall be required to comply with all rules, regulations, and procedures of the National Pollutant Discharge Elimination Systems (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay - Region II or Central Valley - Region V). Prior to issuance of a grading permit, submit the Storm Water Pollution Prevention Plan (SWPPP) for the site to Public Works for review. Adequate/effective post construction BMP's must be implemented into the development.

C. Applicant shall comply with the requirements of Sanitation District No. 19 and Delta-Diablo Sanitary District specifications and requirements.

D. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.

E. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

F. The applicant is advised that the tax for the police services district is currently set by the Board of Supervisors at $200 per parcel annually (with appropriate future Consumer Price Index [CPI] adjustments). The annual fee is subject to modification by the Board of Supervisors in the future. The current fee for holding the election is $800 and is also subject to modification in the future. The applicable tax and fee amounts will be those established by the Board at the time of voting. The applicant is advised that the election process takes from 3 to 4 months and must be completed prior to recording the Final or Parcel Map. An additional tax may be required for marine patrol.

G. Comply with the requirements of the Building Inspection Department. Building permits are required prior to the construction of most structures.

H. Comply with the ordinance requirements of the Health Services Department, Environmental Health Division and Hazardous Materials Division.

I. Comply with the ordinance requirements of the East Diablo Fire Protection District.

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8/7/95 - EC (df)
12/15/97 - ZA (a)

CONTRA COSTA COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
REVISED APPROVED PERMIT

APPLICANT:	Hofmann Construction P.O. Box 907 Concord, Ca 94522	APPLICATION NO.	DP913025 SD917686
		ASSESSOR'S PARCEL NO.	011-240-001
		ZONING DISTRICT:	P-1
OWNER:	same as applicant	APPROVED DATE:	08/07/1995
		EFFECTIVE DATE:	08/07/1995

This matter not having been appealed within the time prescribed by law, the subdivision and development plan are hereby granted, subject to the attached conditions FOR VILLAGE 1 ONLY On 4/23/2001 a revision to condition of approval number 42 was approved and became effective on 5/3/2001.

DENNIS M. BARRY, AICP
Community Development Director

By: _____
CATHERINE KUTSURIS
Deputy Zoning Administrator

PLEASE NOTE THE APPROVAL DATE, as no further notification will be sent by this office. Unless otherwise provided, you have 36 months from the approval date to file the FINAL MAP.

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P-1 FINDINGS FOR FINAL DEVELOPMENT PLAN 3025-91 AND SUBDIVISION 7686 (DISCOVERY BAY WEST DEVELOPMENT)

Findings

A. With the imposition of the Conditions of Approval this proposed development is in conformance with the General Plan and the General Plan Amendment recently approved for the site and surrounding area.

B. With proper conditioning the Hofmann property development will constitute a residential environment of sustained desirability and stability, and will be in harmony with the character of the nearby community.

C. In accordance with required findings of the P-1 district, the County finds that the development is of a harmonious, innovative plan and justifies exceptions from the normal application of the code, including variances and parcel configuration and design to provide a better conformity with existing terrain features and land use limitations in the area.

D. The applicant has indicated that they intend to commence construction within two and one-half years of the effective date of the final project approval.

CONDITIONS OF APPROVAL FOR FINAL DEVELOPMENT PLAN 3025-91 AND SUB 7686 (DISCOVERY BAY WEST DEVELOPMENT) (As approved by the East County Regional Planning Commission on August 7, 1995 and as modified by the Zoning Administrator on December 15, 1997)

1. The development shall be based upon the following submitted exhibits except as modified by the conditions below. These Conditions of Approval incorporate and are in addition to all approved mitigation measures.

   A. Revised Final Development Plan and Vesting Tentative Map, Discovery Bay West dated received March 20, 1995, as modified by the October 8, 1997 Amended Tentative Map and Development Plan for Subdivision 7686, Discovery Bay West Village I.

   B. Streetscape - Bixler Road dated received January 11, 1995.

   C. Cross-section - Bixler Road dated received January 11, 1995.

   D. Geotechnical Investigation Report by Kleinfelder Associates dated February 1, 1990.

   E. Preliminary landscaping plan for Point of Timber Road dated received March 23, 1995.

   F. Exhibit "C" to the tentative map dated received March 23, 1995.

   G. Mitigation Monitoring Program as approved by the Board of Supervisors on December 20, 1994 (this could change if the Board revised the Mitigation Monitoring Plan when they approve RZ912963).

2. The length of approval for the Final Development Plan 913025 and SUB 917686 for three years shall expire on August 7, 1998. One 3-year extension may be granted for the project subject to proper request and approval. This approval is contingent upon the Board's adoption of 2963-RZ.

3. The maximum number of primary residences allowed for this project is 277.

Project Phasing and Staff Costs:

4. The general phasing program for the development shall be acceptable to the Zoning Administrator and shall be submitted prior to any site development. A detailed phasing plan for Village I shall be submitted prior to any development in the village subject to Zoning Administrator review and approval. The applicant shall pay for all reasonable staff time

involved in administering the Mitigation Program after any leftover application fees have been exhausted. This may include payment of funds required for peer review of required reports review, field visits, and response comments or reports as determined by the Zoning Administrator.

5. The following actions shall take place during development of the project.

   A. The park area in Village I shall be landscaped and provided with suitable amenities. The cost of construction of the park shall be applied toward required park dedication fees. The developer shall submit an acceptable landscaping/irrigation and phasing program for the park development before issuance of building permits for the 100th unit in Village I. The park improvement shall be complete with the completion of the school, the 250th unit in Village I or prior to issuance of building permits for Village II, which ever occurs first.

   B. Dedicate development rights to the 13.4 acres of wetland at the southeast corner of the site to Contra Costa County prior to recording the Final Map for any portion of Village I.

Street Addressing

6. At least 30 days prior to filing the Final Map for any portion of this development, plans shall be submitted for review by the Community Development Department, Graphics Section, to obtain addresses and for street name approval (public and private). Alternate street names should be submitted in the event of duplication and to avoid similarity with existing street names. The Final Map cannot be certified by the Community Development Department without the approved street names and the assignment of street addresses. Consideration of historical local areas and pioneers in East Contra Costa County shall be used for as many street names as possible.

Police Services Funding

7. The owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by future subdivision approval. The tax shall be the per parcel annual amount (with appropriate future CPI adjustment) established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to the filing of the Final Map. The property owner shall be responsible for paying the cost of holding the election, payable at the time that the election is requested by the owner. (MM 8.7 and MM 9.3) The police service district shall be established over the entire site under one election or if acceptable to the Zoning Administrator on a village by village basis.

Such provision shall include an additional initial level of police tax district funding of $25.00 per non-open space parcel in the project area, over and above the standard initial level of $200 per parcel normally applied to the vesting tentative map approval for residential subdivisions. The added level of funding is intended to be used for augmented marine patrol services, especially the enforcement of boat speed limits. In the event that the State determines to subvent the costs of marine patrol prior to the filing of a final map, this requirement for the additional $25.00 shall be null and void.

EMF Notification

8. Where a lot/parcel is located within 300 feet of a high voltage electric transmission line, the applicant shall record the following notice or other appropriate notice as approved by the Zoning Administrator:

> "The subject property is located near a high voltage electric transmission line. Purchasers should be aware that there is ongoing research on possible potential adverse health effects caused by the exposure to a magnetic field generated by high voltage lines. Although much more research is needed before the question of whether magnetic fields actually cause adverse health effects can be resolved, the basis for such an hypothesis is established. At this time no risk assessment has been made."

When a Final Subdivision Public Report issued by the California Department of Real Estate is required, the applicant shall also request that the Department of Real Estate insert the above note in the report.

Farm Operation Notice

9. The following statement shall be recorded at the County Recorder's Office for each parcel to notify future owners of the parcels that they own property in an agricultural area (MM 4.5 and MM 7.2):

> "This document shall serve as notification that you have purchased land near an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment and aerial crop dusting and certain animals and flies may exist on surrounding properties. This statement is, again, notification that this is part of the agricultural way of life near the open space areas of Contra Costa County and you should be fully aware of this at the time of purchase."

Archaeological Concerns

10. Should archaeological materials be uncovered during grading, trenching or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary and subject to Zoning Administrator review and approval. (MM 11.1)

    A. If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 30 yards of the find, the Community Development Department shall be notified within 24-hours and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, shell, bone, and historic features such as privies or building foundations. (MM 11.1)

    B. In the event of discovery or recognition of any human remains on the site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of Contra Costa County has been contacted, per Section 7050.5 of the California Health and Safety Code. (MM 11.1)

    C. Appropriate mitigation of the cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring or mitigation phases shall be properly conserved, catalogued, analyzed, evaluated and curated along with associated documentation in a professional manner consistent with current archaeological standards. (11.1)

Grading and Dust Control

11. Comply with the following construction, noise, dust and litter control requirements (MM 4.1 and 6.2.1.1):

    A. Noise generating construction activities, including such things as power generators, shall be generally limited to the hours of 7:30 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on State and Federal holidays. The restrictions on allowed working days and times may be modified by prior written approval by the Zoning Administrator.

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 pumpers as far away from existing residences as possible.

C. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the subject village notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity.

A copy of the notice shall be concurrently transmitted to the community Development Department. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

D. A dust and litter control program shall be submitted for the review and approval of the Zoning Administrator. Any violation of the approved program or applicable ordinances may require an immediate work stoppage. Construction work shall not be allowed to resume until, if necessary, an appropriate construction bond has been posted.

E. The applicant shall make a good-faith effort to avoid interference with existing neighborhood traffic flows. Prior to issuance of building permits, all-weather access shall be provided to each lot. This shall include provision for an on-site area in which to park earth moving equipment.

TDM Plan

12. Prior to the issuance of building permits for future development of the site, the applicant shall submit a detailed TDM Plan for review and approval by the Zoning Administrator (unless otherwise required by a TDM Ordinance). The TDM plan shall include measures to encourage commuting such as park and ride lots, and fiber optic wiring of residences. The approved TDM Plan shall be operative prior to final inspection of the first residence by the Building Inspection Department. A telecommuting facility is encouraged and may be designed as part of the recreation center or other appropriate location subject to Zoning Administrator review and approval. (MM 6.2.2 and MM 6.2.4)

Child Care

13. Provision of a Child Care Facility or program is required for this development as required by the County's Child Care Ordinance. The program shall be submitted for the review and approval of the Zoning Administrator prior to the filing of the first Final Map. A suitable child care center should be developed in Village I in conjunction with the school site subject to review and approval of the Zoning Administrator and an agreement by the school district. The child care center location can be modified subject to Zoning Administrator approval. The child care center shall be in operation prior to occupancy of residences (other than senior housing) in Village II or when the school is operational. (MM 8.2)

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 Contra Costa County Planning Agency and 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 for in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.

Project Construction

15. The project applicant will be required to comply with all necessary permits, including but not limited to, the NPDES permit for Storm Water Discharges Associated with Construction Activity as well as applying for inclusion in the General Stormwater Permit issued by the State of California. The project applicant must also comply with all requirements of construction permits for Contra Costa County. The applicant must obtain C.W.A. Section 404 and Section 10 permits from the Army Corps of Engineers for construction in wetlands and navigable waterways for the marina as required by law. (MM 1.1.8)

Ground Water Hydrology

16. The developer shall participate in the establishment, prior to development of the site, of a long term water quality management program, comparable to a program recommended by Luhdorff & Scalmanini of the degradation of ground water quality. The appropriate monitoring program will be one that identifies changes in quantity and quality of water and provides for responses to these changes in a timely fashion. This can best be accomplished by establishing a multi-aquifer monitoring network in cooperation with local agencies such as the BBID, Delta Diablo Sanitation District (Sanitation District #19) and ECCID. Means acceptable to Sanitation District #19 to finance the long term monitoring program shall be

developed prior to site development. The long-term monitoring program shall include measures outlined in the Adopted Mitigation Monitoring Program acceptable to Sanitation District #19. (MM 1.2.1.)

17. As recommended in Condition #16, above in the mitigation of the degradation of groundwater quality and in the Luhdorff & Scalmanini reports, the developer shall participate in the establishment, prior to development of the site, of a long-term monitoring plan for the aquifer (regular monitoring of water supply wells currently in Discovery Bay, water supply wells outside of the developments, and monitoring wells capable of monitoring multiple aquifers) would identify changes in the quantity of water. Aquifer capacity and renewable resources should be documented and properly managed to prevent overdraft. If recoverable storage capacity of the aquifer is insufficient, an additional water supply source shall be investigated and developed. Means acceptable to Sanitation District #19 to finance the long term monitoring program shall be developed prior to site development. The long term monitoring plan shall include measures outlined in the mitigation monitoring program acceptable to Sanitation District #19. (MM 1.2.2)

Vegetation and Wetlands

18. The following measures are required for impacts to vegetation and wetlands. (MM 2.1.1)

    A. Jurisdictional wetlands lost as a result of direct impacts of the project shall be compensated by the restoration or creation of wetlands at a minimum ratio of 1:1. Loss of significant natural wetland communities should be compensated for at a higher ratio to be determined by parties involved and the Corps of Engineers as part of the Section 404 permit process.

    B. Compensation should be of the same habitat type as affected wetlands (i.e., in-kind replacement) whenever feasible, or with the approval of Corps of Engineers, shall be of habitats of higher botanical and wildlife value. Mitigation areas should be on-site, if practicable, or located off-site within reasonable proximity to the project site. County policy requires that the mitigation site be located within Contra Costa County.

    C. Mitigation wetlands should be located in a large contiguous parcel with transitional zone and adjacent upland habitat to maximize the likelihood of success in creating habitat capable of maintaining viable populations of native plant and animal species. A buffer zone (preferably 50 ft. or greater in width) should be established and maintained around the edges of all wetland and terrestrial habitat used as mitigation for project impacts.

19. The following requirements are required for the mitigation of the damage to special status plant species. (MM 2.1.2)

A. The first choice in mitigation would be to alter the project plan to avoid direct impacts on both individuals and habitats of these species. If such action is to be taken, steps must also be taken to ensure that indirect impacts associated with the project throughout its life do not significantly impact these special-status plants and their habitat.

Alternatively, subject to measures outlined in the Mitigation Monitoring Program the project applicant shall establish replacement special status plant communities located either on-site or off-site within reasonable proximity of the project.

Advice on the mitigation project shall be sought from the California Department of Fish & Game.

A means to fund over-site, long term shall be developed for this condition prior to development of a site containing or causing such an impact.

Mosquito Abatement

20. Work with the Contra Costa Mosquito and Vector Abatement District staff to develop a mosquito source reduction and management plan. The developer shall cooperate with District staff in the development of a mosquito monitoring and source management plan. Applicant shall fund the development of the plan.

Impacts to Special Animals

21. Impacts to Delta Smelt. (MM 2.2.5)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to Delta Smelt shall be taken.

22. Impacts to Southwestern Pond Turtle. (MM 2.2.6)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to Southwestern Pond Turtle shall be taken.

23. Impacts to Swainson's Hawk. (MM 2.2.8)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to the Swainson's Hawk shall be taken.

24. Impacts to Burrowing Owls. (MM 2.2.9)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to the Burrowing Owls shall be taken.

25. Impacts to San Joaquin Kit Fox. (MM 2.2.10)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to the San Joaquin Kit Fox shall be taken.

Noise Impacts

26. Noise impacts to wildlife. (MM 4.2)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to wildlife shall be taken.

27. Noise conflicts between proposed uses. (MM 4.8)

New residences must be constructed so that interior DNL is 45 dBA or less and so that indoor noise levels due to single noise events shall not exceed a maximum of 50 dBA in the bedroom and 55 dBA in other habitable rooms.

Geology, Soils and Seismic Hazards

28. The excavation of soil around the marina and lakes must be rigorously observed by trained professionals to identify any loose, clean sand and silt and peat in cut slopes; these should be excavated and replaced with compacted fill that includes a buttress that has been properly keyed into native soils and sediments and that has been properly constructed with engineered fill. A soils/Geotechnical professional site acceptable to the Zoning Administrator shall be employed to monitor this measure as needed. (MM 3.1)

A. The proposed mitigation for preventing groundwater flow from the brackish aquifer into surface water is to actively monitor excavation of the lakes. When flow from sands is identified, the sand should be excavated and replaced with buttress fills, keyed into less permeable clay-rich formations below the sand and constructed of compacted clay-rich soils to discourage active flow from the aquifer. (MM 1.2.4)

B. The proposed mitigation for the flow of loose soil into the lakes is the same as for mixing of groundwater and surface water. Excavation should be actively monitored,

and sands from which groundwater flows, which may erode the loose (heaving) sands, should be excavated and replaced with buttress fills, keyed into less permeable clay-rich layers below and constructed of less permeable material to discourage flow. (MM 1.2.5)

C. At least 45 days prior to recording a Final Map, issuance of a grading permit, or installation of improvements or utilities, submit a preliminary geology, soil, and foundation report meeting the requirements of Subdivision Ordinance Section 94-4.420 for review and approval of the Zoning Administrator. Improvement, grading, and building plans shall carry out the recommendations of the approved report.

D. The report required above shall include evaluation of the potential for liquefaction and seismic settlement.

E. Record a statement to run with deeds to the property acknowledging the approved report by title, author (firm), and date, calling attention to approved recommendations, and noting that the report is available from the seller and/or the County.

F. At least 45 days prior to issuance of permits to grade and create the lakes on the site, a suitable Geotechnical report shall be submitted for the review and approval of the Zoning Administrator detailing means to stabilize the lake bank in case of earthquake and reduced possible liquefaction dangers in this area.

Impacts on Agricultural Lands

29. Suitable fencing shall be developed around projects perimeters to separate residential uses from surrounding agricultural lands and activities. (MM 7.3)

Equitable sharing of the cost of the initial (and any subsequent) fence constructed to deter trespassing, etc., is to be arranged between the primary developer and any other developer who is active in the project area and benefits from the fencing if possible to do so.

Impacts on School Districts

30. A. Prior to recording any final map for any phase of this project, written proof shall be submitted that compliance with the executed school mitigation agreement with the Liberty Union High School District has been achieved.

B. Prior to obtaining any building permit for this project, the applicant and the Byron Union School District shall execute a new schools facility agreement to timely proivde for new school needs generated by this project.

Increased Demand for Water and Sewer Systems

31. The site for Discovery Bay West shall be annexed into Contra Costa Sanitation District #19 prior to recording the final map on any portion of the development. (MM 8.3)

    A. Completion of a water supply study and a water system master plan acceptable to CCCSD 19 for the area within the Urban Limit Line is required as a condition of project approval. The study must define a funding mechanism that ensures new development pays for improvements to serve it exclusively.

    B. In the study of water supply, include consideration of how to reclaim water and reuse it. Reclaiming water and using reclaimed water are encouraged by the County General Plan.

32. Annexation of the proposed project area into Sanitation District 19, predicated on agreement by the district and The Hofmann Company on condition for annexation and fulfillment of such conditions within an agreed-on schedule. Conditions would include determination of technical standards and design of the expansion of the existing sanitary sewer system. (MM 8.4)

Police Protection

33. Measures to reduce or prevent crime incidents should be coordinated and include both physical design measures (including lighting for streets, parking areas, and entries; clear address signs; door and window security design and locks), social measures (including neighborhood crime watches, anti-violence support groups, and education programs), and legal measures (control in selected areas for selected types of water activities, e.g., swimming, jet skis, etc.).

    Plans to accomplish the above shall be submitted to the Contra Costa County Sheriff's Department for comment prior to development of the site. (MM 8.7)

Fire Protection

34. Before recording any Final Map negotiate to design, construct, and equip a fire station for service to the project area as required by the East Diablo Fire Protection District or its representatives. The construction of the fire station can either fully or partially satisfy fire fees. Later nearby developments may be required to reimburse the developer on a pro-rata basis.

    The primary developer must also design streets and other features in the project area to accommodate fire and other emergency vehicles. (MM 8.8)

Park and Recreation Facilities/Recreation Uses

35. General Plan standards for neighborhood park acreage and facilities are to be met by the proposed project through arrangements acceptable to the Community Development Department can be made by The Hofmann Company, such as the provision of "common area" acreage for recreational use. Suitable improvement of the public park may be used to partially meet park requirements.

Right of Farming Ordinance

36. If the County's right to farming ordinance has been adopted prior to the issuance of building permits on this site, the developer shall inform future owners of that ordinance informing them of the right to farm within the Contra Costa County area.

Removal of Existing Water Wells/Hazardous Chemicals on Site

37. Any hazardous chemical stored on the site shall be properly removed and disposed of under County Health Services Department regulations. Any existing water wells on the site shall be properly capped under County Health Services Department regulations. A Level I hazardous waste assessment shall be conducted on the site prior to filing of any Final Map that verifies that the site does not contain any hazardous waste.

Irrigation Districts

38. Prior to recording the final map for phases on this site, confirmation shall be received from the Byron-Bethany Irrigation District and East Contra Costa Irrigation District that any facilities they have on the site have been properly moved or removed as the case may be, or as an alternative a letter from the District may be submitted indicating that they have no facilities on the site that will be disturbed as a result of this development.

East Bay Municipal Utility District Chlorine Facility

39. At present the East Bay Municipal Utility District stores gaseous chlorine one-half mile north of the north end of the Discovery Bay West site. There may be plans to remove the gaseous chlorine from the facility in the future. However, this has not been decided yet. If, when development starts on this site, the gaseous chlorine facility is still in place then the developer shall accomplish the following prior to the issuance of the first final building permit for this project:

    A. Give all residents, homeowners, and renters full disclosure regarding the presence of chlorine at the EBMUD Bixler site.

    B. The development shall support a proportionate share of the cost of the Community Alert Network System (CAN), the emergency notification system being installed throughout the County (which will include the installation of a siren system). The

system is designed to warn the residents of the development if a large scale accidental release of hazardous materials occurs.

C. The development shall ensure that the homes are as air tight as feasible by providing superior window seals, door seals, positive closure for fireplace dampers, etc. A periodic replacement program should be established as seals have a finite life. (To reduce indoor air pollution, the homes should be thoroughly ventilated prior to occupancy.)

D. All homeowners shall be provided with sufficient information regarding shelter-in-place and the actions that should be taken in the event of an accidental chemical release.

E. These instructional materials shall be written in plain language, and will be developed in consultation with the Hazardous Materials Division of the County Health Services Department, subject to the review and approval of the Zoning Administrator.

If the facility is removed or the process is changed then this requirement can be deleted subject to Zoning Administrator approval after review by the Hazardous Materials Division of the County Health Department.

If, upon further review by the Hazardous Materials Division of the County Health Services Department, it is determined by the Health Department that the chlorine facility could not have a significant effect on Village I, then the above condition can be modified subject to Zoning Administrator review and approval.

Design Revisions and Concerns

40. Guide for development and use provisions for this site shall be as follows:

A. Public Road Areas (Village I). Setback of residential units shall be varied between 15 and 20 feet. All garages shall have a setback of at least 17.5 feet provided automatic vertically opening garage doors are used otherwise a 20 foot garage setback is required. Frontyard setbacks may be reduced to 15 feet for covered porches. Sideyard minimum shall be 5 feet with an aggregate sideyard of 10 feet. Zero lot line residences or duets are acceptable. The R-6 zoning district shall be used as a guide for the residences height, lot use or lot coverage of the site as well as the location of any detached sheds or outbuildings except that sheds and outbuildings

shall be limited to a height of 12 feet. As an alternative, one sideyard may be reduced to 0 feet for a residence, as long as the aggregate sideyard remains 10 feet subject to the review and approval of the Zoning Administrator. Corner lots shall have a secondary setback of 7 feet minimum.

B. Prior to the issuance of building permits, the applicant shall submit samples of color and exterior materials for the review and approval of the Zoning Administrator. The fences between lots shall be of solid wood and shall be at least 5-feet high. The residences of this development shall be finished in suitable color and shall be complimentary. Houses along Bixler Road shall have appropriate sound reduction measures built in acceptable to the Zoning Administrator. Residences along Bixler Road, Newport Drive and Point of Timber Road shall have architectural enhancement measures at the back of the unit and rearyard setbacks shall be varied.

C. At least 15 days prior to issuance of building permits for any phase of project a residential fit plan showing the location of planned homes shall be submitted for the Zoning Administrator's review and approval. The plan shall include information on the number of stories planned for the residence for each lot and the proposed setbacks.

D. Prior to issuance of building permits for any phase of the project, at least three significantly different plot plans and residential design for Village I shall be submitted for review and approval of the Zoning Administrator.

E. Details of the design of the walls and landscaping proposed along Bixler Road, Point of timber Road, and Newport Drive shall be submitted for the review of the Zoning Administrator after review and approval of the Public Works Department. The walls may be built in phases. The plan shall be acceptable prior to issuance of building permits in any phase of the project. There shall be no exclusive project identification sign at the corner of Bixler and Point of Timber Roads.

The landscaping strip along the south side of Point of Timber Road and west of "D" Street shall be widened to the same width as that proposed on the vesting tentative/final development plan for the area east of "D" Street.

41. A community center shall be provided as part of the Discovery Bay West project. The location and size of the community center shall be determined prior to the filing of the Final Map for this development or any phase of this development. The Hofmann Company shall dedicate the site and pay 50% of the building construction cost, including landscaping and parking lot costs. The community center shall be constructed within 12 months of the issuance of the first building permit provided Discovery Bay community secures its 50% share of the building construction costs. If the Discovery Bay community has not secured their 50% share of the building construction costs prior to the issuance of the first building permit, the community center shall be constructed within one year of the community securing said funds. The community center shall generally be located at the northwesterly corner of the intersection of "D" Street and Newport Drive as shown on the staff sketch dated March 24, 1995, located in the project file unless an alternative site is agreed upon prior to recording the final map for this area of Village I.

A site shall be designated in Village I. If a site is agreed upon in another area of Discovery Bay then the site may be developed subject to Zoning Administrator review and approval. The site upon which the Discovery Bay Community Center is to be built will be jointly determined by the Hofmann Company, Discovery Bay M.A.C. and Contra Costa County.

42. Prior to issuance of building permits for any phase in Village I, submit a landscape plan/irrigation, lighting plan, and a parking plan for the park and ride lot and recreational vehicle storage area at the southwest corner of Village I for the review and approval of the Zoning Administrator. The developer shall submit a copy of the easement document for Zoning Administrator review. If the recreational vehicle storage area and the park and ride lot cannot be located under the power lines the recreational lot can be eliminated but the park and ride lot shall be located elsewhere in Village I. The park and ride lot shall be installed prior to the issuance of the 263rd building permit for residences in Village I.

43. The potential exists for increased risk of flooding over time due to the possible rise in sea level and/or site subsidence. The project property owners shall be informed by disclosure statement of the potential for future requirements for levees around this site and the potential associated costs if those levees should be needed as a result of sea level rise and/or site subsidence.

44. The garage area of each residence shall be wired for electric car recharging subject to the review and approval of the Zoning Administrator, and subject to the adoption of final Board policy mandating this.

Homeowners Association Formation

45. Covenants, Conditions and Restrictions or other appropriate vehicle as may be approved by the Zoning Administrator shall be submitted by the developer for review with the Final Subdivision Map, and shall be subject to review and approval of the Zoning Administrator as they pertain to the conditions of approval.

The Covenants, Conditions and Restrictions (CC & Rs), or other appropriate vehicle developed for this project shall include the following restrictions:

A. (Example) No recreational vehicle, boat, boat trailer or mobile home shall be stored in frontyard driveways on the street overnight. Exterior materials and colors shall not vary from the palette approved for the original homes.

B. If the home occupation meets County ordinance requirements, then the Zoning Administrator may administratively approve the request.

Road and Drainage

46. The following requirements pertaining to drainage, road, and utility improvements will require the review and approval of the Public Works Department.

A. **ORDINANCE REQUIREMENTS:**

The applicant shall be required to comply with the requirements of Title 9 of the County Ordinance Code which include, but are not limited to the following requirements:

1) In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in these conditions of approval. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are Vesting Tentative Map, Final Development Plan dated March, 1995, submitted to Public Works.

An exception to allow a 0.75% minimum grade is allowed subject to Public Works approval providing:

a. The soil engineer recommends reduced grades and signs the improvement plans; and

b. The applicant warrants the curb flow from ponding for five years following completion. The curb shall be inspected and repaired annually.

2) Division 914 of the Ordinance Code requires that all storm waters entering or originating within the subject property shall be conveyed, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate storm drainage facility which conveys the storm waters to a natural watercourse. This project necessarily involves some diversions of watershed. However, since these diversions generally discharge to tidal bodies of water with adequate cross section and capacity, these diversions may be considered appropriate, subject to review and approval of Public Works.

3) Conveying storm waters in an adequate storm drain system to a: duly organized Homeowner Association; Municipal Improvement District; or Reclamation District drainage facility serving the area, is acceptable, provided the applicant obtains a letter from that entity accepting the drainage. Provide appropriate drainage releases where public waters enter private facilities.

4) Diversions resulting in discharge of storm waters into the Contra Costa Canal or any other water conveyance or impounding facility for domestic water consumption is prohibited by the Ordinance Code. It is acknowledged that Agricultural lands presently drain to the ECCID facility.

Landscaped areas, so long as they do not create diversions, may follow pre-existing drainage patterns, subject to review and approval of Public Works.

5) For anything in these conditions of approval, which is subject to the approval of Public Works, such approval shall not be unreasonably withheld.

B. TRAFFIC MITIGATION FEES:

The project traffic mitigation fees will be collected at the time of the Building Permit for each residential unit of this development. No mitigation fees will be collected from non-residential construction. The project traffic mitigation fee shall consist of:

* The Eastern Contra Costa Subregional Transportation Mitigation Fee (ECCSRTMF). This fee is for construction of the State Highway 4 Bypass.

* The East County Regional Area of Benefit fee (ECRAOB). This fee is to improve local roads identified on the Circulation Element of the County General Plan.

* The Project Traffic Mitigation Fee. This fee is $6,500 (revised annually, starting from August 7, 1995, to reflect inflation, using the State of California Construction Cost Index as published annually by Caltrans, as a reference) less the East County Regional Area of Benefit fee and is used to mitigate project impacts not covered by the above fees.

The difference between the adjusted $6,500 Project Traffic Mitigation Fee and the ECRAOB fee shall be put into an interest earning Road Improvement Trust (Fund No. 819200-0800 or other project specific fund) to be used to mitigate off-site local road and intersection improvements as reasonably determined and approved by the Public Works Department, which are identified in the EIR or the Flexible Mitigation Monitoring Program, and are not included in an established area of benefit. These funds will not be used for on-site improvements; frontage improvements; the off-site improvement of Bixler Road from the project to State Highway 4; improvement of Point of Timber Road from Bixler Road to Byron Highway; the project's 50% share of the signal at the Bixler Road-State Highway 4 intersection; signalization of the State Highway 4-Discovery Bay Boulevard intersection; or any necessary construction traffic mitigation along the specified project construction haul routes.

C. PUBLIC IMPROVEMENTS:

1) Construction Truck Traffic Mitigation:

a. Prior to issuance of the first residential Building Permit, the applicant shall widen Bixler Road off-site to a minimum width of 28-feet from the limit of Permit 3031-91 and Subdivisions 7679 and 7881 obligations to the Phase 1 project entry. At the applicant's option, these widening improvements may be either an interim improvement or a portion of the ultimate improvements discussed in 3)c. below. If a 28-foot width has not been constructed from the southerly limit of the applicant's responsibility to State Highway 4, the applicant shall widen Bixler to a 28-foot minimum width all the way to Highway 4. Any permanent or "ultimate" improvement constructed by the applicant which is the obligation of the properties involved in the above noted developments shall be subject to reimbursement through reimbursement agreements administered by the County. The applicant shall direct construction related truck traffic to the site via Bixler Road from State Highway 4, restricting construction related damage essentially to only Bixler Road. (FINDING FOR IMPACT #68, MMB.c.) At the developers option, construction truck traffic may also use Point of Timber Road after it has been widened to 28 feet. Applicant shall submit improvement plans, pay inspection and plan review fees for these road improvements.

The applicant may use Newport Drive for no more than one month as a construction detour while Bixler Road is under construction. In no case will Newport Drive be used as a construction haul route.

In order to determine the pre-project road conditions the applicant shall, prior to project grading, provide a video road survey for the following roads: Balfour Road from Bixler Road to Byron Highway; Bixler Road north to Orwood Road; and Marsh Creek Road from Bixler Road to State Highway 4.

b. Construction Road Maintenance Agreement

The applicant shall execute a bonded construction road maintenance agreement, assuring the County that the specified project haul route(s) will be maintained in a convenient, passable condition throughout the construction period. The bond shall consist of a cash bond of $15,000 together with additional security totaling the cost of

upgrading of the specified project haul route(s). The bond shall be provided prior to the approval of the first phase subdivision improvement plan and shall remain in effect until the haul routes are improved to handle the traffic, or until upgraded construction is completed.

c. Construction truck traffic monitoring: If the applicant uses non-designated streets for construction truck traffic, he shall repair the roads to the pre-project condition prior to filing the next Final Map, subject to the review and approval of Public Works. If the maintenance is not completed in a timely manner, the County will activate the Construction Road Maintenance Agreement for funds to perform the maintenance.

d. Provide sufficient parking on-site for construction crews and associated personnel. The applicant shall not permit construction crews and equipment to park along currently existing public roads or interfere with neighborhood agricultural operations.

e. Applicant shall indicate on all subcontracts, bulk and custom lot sales contracts, homeowners association documents, et al, that construction truck traffic shall use State Highway 4 and Bixler Road as construction access to this development, unless other routes have been specifically designated by Applicant as outlined in 2)a. above.

2) Bixler Road Frontage Improvements:

a. Applicant shall construct Bixler Road pavement widening with the easterly curb face established by first assuring a minimum 5-foot clear distance from any ditches on the westerly side to the edge of any required paved shoulder and thereafter providing the required lane and shoulder widths, but not less than 32-feet from existing centerline.

b. Existing Bixler Road shall be reconstructed, or overlayed if studies warrant. The pavement shall be striped to provide one 12-foot northbound lane with a 6-foot shoulder and one 12-foot wide southbound lane with a 6-foot shoulder plus necessary channelization at intersections from the southerly boundary of Village I to Balfour Road.

c. Construct curb, 5-foot 6-inch sidewalk (width measured from curb face), street lighting, landscaping and irrigation (EIR Mitigation RMCir-22). (FINDING FOR IMPACT #51, MMC.c.)

d. Pads for the proposed bus shelters, bicycle racks and/or lockers shall be clear of the sidewalk area at potential bus stops.

e. Provide necessary longitudinal and transverse drainage along the east side only.

f. The applicant may need to remove and replace the roadway if required by the grade, alignment analysis and determination of structural adequacy, subject to the review and approval of Public works.

g. The applicant shall submit improvement plans and pay inspection and plan review fees prior to filing of the Final Map.

3) Bixler Road, Off-Site Improvements:

a. State Highway 4 Signal at Bixler Road and at Discovery Bay Boulevard

1. Arrange for Signalization of the State Highway 4 intersection at Bixler Road prior to issuance of 200 Building Permits in this development if not already assured or completed by others at that time. Fifty percent of the signalization cost of the Bixler Road signal is reimbursable from the property owners at the northwest and northeast quadrants of this intersection. One hundred percent of any widening costs for Bixler Road is reimbursable from the same parties.

   Submit improvement plans, pay inspection and plan review fees, and apply for a Caltrans encroachment permit prior to improving the intersection.

2. If the Bixler Road traffic signal has been installed, the applicant shall contribute 50% of the cost of the traffic signal, prior to issuance of the 200th Building Permit, to a Road Improvement Fee Trust (Fund No. 819200-0800) designated for reimbursement for its installation.

3. If the Bixler Road traffic signal is not warranted prior to issuance of the 200th Building Permit, the need for the traffic

signal at the State Highway 4 - Bixler Road intersection shall be analyzed by the Public Works Department prior to filing each Final Map, up until the 1800th lot when the applicant shall contribute a cash deposit, equal to 50% of the signal construction cost as determined by Public Works, to a County Road Improvement Trust (Fund No. 819200-0800).

4. The applicant shall bond for the State Highway 4-Discovery Bay Boulevard traffic signal prior to filing of the first Final Map. The traffic signal shall be installed and operational one year following the issuance of the first building permit, exclusive of model homes. If the traffic signal is not operational within the one year period, no further building permits will be issued.

4) Point of Timber Road, On-Site (Bixler Road to the east):

a. Bixler Road to "D" Street:

1. Applicant shall reconstruct Point of Timber Road to at least a 60-foot curb to curb pavement width within an 80-foot right of way from Bixler Road to "D" Street with Village I.

2. Construct curb, 5-foot 6-inch sidewalks (width measured from curb face), necessary longitudinal and transverse drainage, street lighting, landscaping and irrigation.

3. The right of way line shall be located at least 10-feet behind the curb face.

4. Provide necessary longitudinal and transverse drainage.

5. The applicant shall submit improvement plans and pay inspection and plan review fees prior to filing of the Final Map for this portion of Point of Timber with the improvement plans for the subdivision creating the 250th lot.

b. "D" Street to the Easterly Boundary of Village I:

1. Applicant shall install (on the south side) curb, 5-foot 6-inch sidewalk (width measured from curb face), necessary longitudinal and transverse drainage, street lighting, landscaping and irrigation and grade the ultimate roadway with construction of Village I improvements abutting this segment. The location of the frontage improvements shall provide for:

ultimate widening of the roadway to a 40-foot pavement width; widening to at least a 56-foot width at the D Street intersections; and necessary conforms.

2. The right of way line shall be located at least 10-feet behind the curb face (30' from centerline).

3. Provide necessary longitudinal and transverse drainage.

5) Point of Timber Road, Off-Site (west of Bixler Road):

a. Point of Timber Road from Bixler Road to Byron Highway:

1. Submit improvement plans, pay inspection and plan review fees prior to 200th Building Permit.

2. Prior to issuance of the 300th Building Permit, widen and reconstruct, if necessary, Point of Timber Road to a 28-foot pavement width (two 14-foot lanes with 2-foot compacted shoulder backing and maintain ditch capacities. This work is intended to divert project traffic away from Balfour Road (EIR Mitigation Measure RMCir-21) (FINDING FOR IMPACT #50, MM.B.c.)

3. The applicant with the cooperation and assistance of Public Works shall provide additional right of way, if necessary, for the roadway and the ditch system, subject to the review and approval of Public Works.

6) Project Improvements (Village I Public Improvements):

a. Prior to issuance of the first Building Permit, approval of the first set of improvement plans or first Final Map, install signage along: Balfour Road, Point of Timber Road, and Marsh Creek Road westerly to State Highway 4; and along Bixler Road north of State Highway 4, to warn project traffic of farm vehicles and provide farm vehicle crossings (EIR Mitigation Measure RMCir-23) (FINDING FOR IMPACT #52, MMD.c.)

7) Road Dedications and Reservations (for Public Roads):

a. Bixler Road: Applicant shall convey to the County, by Offer of Dedication, the right of way necessary for at least the east half of the planned 84-foot right of way width along the frontage of Bixler Road.

The eastern side of the right of way shall be increased at the project access points along Bixler Road to provide for channelization for turning movements to and from this development. The right of way line shall be located at least 10-feet from the curb face.

Off-site, the applicant shall provide for adequate rights of way or easements for the proposed road improvements including the ditch systems, however, the County will conduct the acquisitions of applicant's costs if applicant requests.

b. Point of Timber Road: Applicant shall convey to the County, by Offer of Dedication, an 80-foot right of way between Bixler Road and "D" Street. East of "D" Street, the applicant shall convey to the County, by Offer of Dedication, a 60-foot right of way, plus additional right of way for left turn channelization and conforms along the project frontage, where this development fronts on both sides of the road. Where this development only fronts on one side of Point of Timber Road, the applicant shall dedicate at least a 30-foot right of way (measured from the centerline of the existing right of way) (EIR Mitigation Measure RMCir-32). The right of way line shall be located at least 10-feet from the curb face.

Off-site, the applicant shall provide for adequate right of way or easement for the proposed road improvements including the ditch systems, however, the County will conduct the acquisitions at applicant's cost if applicant requests.

c. Access along the southeast side of the Fire Station/Park Property: Provide an offer of dedication for a 60-foot right of way between Newport Drive and the eastern boundary of this property along the southeast side of the "Fire Station/Park" property. The alignment shall be rough graded to approximate finish grades with Village I

grading, but no road improvements need be constructed with this project. Prior to the road being approved, the adjacent property owner shall expand the park site to compensate for the road right of way take.

d. The applicant shall provide right of way for future bus turnouts on the Bixler Road, Newport Drive and Point of Timber Road frontage of this property at appropriate locations in consultation with the responsible transit authority. Adequate right of way shall be provided

for the bus turnouts, and the future bus shelters, bicycle racks and/or bicycle lockers.

8) Abutter's Rights of Access (Public Roads):

a. Relinquish abutter's rights of access along Bixler Road, Point of Timber Road and Newport Drive, including curb returns. Access shall be permitted at the access points specifically approved with this project. Access points shown on the Preliminary Development Plan and the following additional points shall be permitted:

b. Prohibit all single family residential driveway access onto major collector or arterial roads that provide project-wide circulation (EIR Mitigation Measure RMCir-29) (FINDING FOR IMPACT #58, MMJ.c.).

9) Sight Distance (Public Roads):

a. In accordance with Caltrans standards provide for adequate corner sight distance at:

* The project entrances to Bixler Road for a design speed of 55 miles per hour.

* Other intersections with Newport Drive for a design speed of 40 miles per hour.

* Other intersections with Point of Timber Road for a design speed of 40 miles per hour.

b. Provide adequate corner sight distance, in accordance with County standards, for the following intersections:

* Village I: Newport Drive at "DDDD" Street, and at One Street; Two Street at One Street and at Three Street; Three Street at One Court; Four Street at Thirteen Court and at Nine Court; and at Six Street at Seven Street.

10) Street Lights (Public Roads):

a. Street lights shall be install on the public roads, within this subdivision and fronting this property, and the entire property

annexed to County Service Area L-100 for maintenance of the street lighting. The final number and location of the lights shall be determined by Public Works. Application for annexation to CSA L-100 Lighting District shall be submitted prior to filing of the Final Map.

11) Bicycle/Pedestrian Facilities (Public Roads):

a. The applicant shall construct 5-foot 6-inch sidewalks on Newport Drive from the southerly boundary of this property to Bixler Road.

b. The applicant shall construct 6-foot 6-inch sidewalks on "D" Street from Newport Drive to Point of Timber Road.

c. Construct a 6-foot meandering asphalt concrete sidewalk along the east side of Bixler Road from the project site to the sidewalk proposed in Permit 3031-91 (the Ujdur property) (FINDING FOR IMPACT #51, MMC.c.). Where the sidewalk is adjacent to a roadside ditch, it shall be located a minimum of 2-feet from the top of the roadside ditch.

OR, construct a new 5-foot 6-inch concrete sidewalk (width measured from back of curb, if adjacent to curb) along the west side of Newport Drive to Kellogg Creek, connecting with the proposed pathway location in Permit 3031-91. This improvement (either alternative) shall be constructed within six (6) months of the completion of the first commercial use in Permit 3031-91 or at request of Public Works.

d. Provide bike lanes with a minimum width of 5-feet on the following streets: Bixler Road; Point of Timber Road from Bixler Road to the east; Newport Drive; "F" Street and "D" Street.

Prohibit parking (EIR Mitigation Measure RMCir-36a) (FINDING FOR IMPACT #65, MMA.c.), or provide adequate additional pavement width.

12) Utilities/Undergrounding (Public Roads):

a. All utility distribution facilities shall be installed underground, including the existing overhead distribution facilities along the frontage of Point of Timber Road and the easterly frontage of Bixler Road.

b. Relocate and/or adjust utility distribution facilities, where necessary, for all other off-site improvements.

13) Parking (Public Roads):

a. "No Parking" signs shall be installed along roads with inadequate width for parking, subject to the review and approval of the Public Works Department. For lots with less than a 50-foot wide frontage a parking study shall be provided for all roadways where less than 1 on-street parking spaces will be provided for each residence. On street parking requirements may be satisfied by providing parking bays, supplemental on-site parking, or other reasonable alternatives subject to the review of Public Works and the review and approval of the Zoning Administrator. Adequate parking shall be provided within an acceptable distance of each residence, subject to the approval of Public works.

b. Prohibit parking on all project major collector or arterial roads including "D" Street and Newport Drive, except where the road is widened to accommodate parking. On the remaining roadways, provide adequate paved width for necessary parking (EIR Mitigation Measure RMCir-26) (FINDING FOR IMPACT #55, MMG.c.)

c. "No Parking" signs shall be posted along the north side of "F" Street, unless the roadway is widened to at least a 40-foot curb to curb width within a 60-foot right of way.

14) Landscaping (Public Facilities):

a. Prior to filing the final map, the applicant shall apply to the Public Works Department for annexation to the County Landscaping District AD 1979-3 (LL-2) for the future maintenance of public landscaping and irrigation facilities in median islands, parkways, and other public project areas .

b. Prior to filing the final map, two sets of landscape and irrigation plans and cost estimates, prepared by a licensed landscape architect, shall be submitted to the Special District Section of the Public Works

Department for review and recommendation and forwarded to the Zoning Administrator for review and approval. Plan submittal shall include plan review and inspection fees. Types and size of plant and irrigation materials within the public right of way shall be designed using reasonable standards provided by the Grounds Service Manager of the General Services Department. All landscaping and irrigation facilities shall be maintained by the applicant until funds become available for their maintenance by the County after final inspection is cleared.

c. Permanent landscaping and automatic irrigation facilities shall be installed within the public road parkway and median areas, and interim landscaping features shall be installed within the future road areas, if any. All work shall be done in accordance with the guidelines and standards of the County. Funding of, and maintenance of, the new plantings shall be guaranteed by the developer until the plants have been established and until funds are available through a landscaping district. The plants shall be maintained for 90 days after installation.

d. The County Landscaping District Administrator shall coordinate the landscaping program in Discovery Bay West with the Discovery Bay MAC by annually reviewing the district's program budget and providing budget information to the MAC on a regular basis.

15) Transit:

a. Certain bus turnouts, bus shelters, bicycle racks and/or bicycle lockers shall be constructed by the applicant if transit service is established prior to recording of the last Final Map for this development. The location of these facilities shall be determined in cooperation with the responsible transit authority. Preliminary locations along the east side of Bixler Road are: south of Newport Drive and south of Point of Timber Road. The installation of these facilities shall be assured prior to recording of the next Final Map after transit service is established to the project. The obligation to install these facilities shall terminate if public transit to the project is not assured at the time the last Final Map is recorded. Pads for the bus shelters, bicycle racks and/or lockers shall be clear of the sidewalk areas.

b. Provide pedestrian connections from the transit stops to the internal project sidewalk system. Provide for installation of bus shelters at each pullout if transit service begins (EIR Mitigation Measure RMCir-34a) (FINDINGS FOR IMPACT #63, MM A.c.)

16) School Access:

a. Coordinate with the school district on the design of the school site to accommodate a one-way circulation pattern with a large student loading/unloading area separated from the main collector streets (EIR Mitigation Measure RMCir-20) (FINDING FOR IMPACT #49, MM A.c.) The applicant shall coordinate with the school district to allow for a bus loading/unloading area separated from the automobile loading/unloading area.

b. Extend Seven Street southerly to the school site if requested by the school district to provide better school access. Access to the school from "D" Street shall be designed to minimize traffic conflicts on "D" Street.

D. PRIVATE IMPROVEMENTS:

1) Pedestrian/Bicycle Improvements

a. The design of community facilities, such as "park and ride" lots, clubhouses or community parks, shall provide for and encourage the use of bicycles. At a minimum this shall include bicycle racks and/or bicycle lockers at the primary gathering points in the project. The number of bicycle racks and/or lockers shall be subject to the review and approval of the Zoning Administrator.

E. GENERAL REQUIREMENTS:

1) Roads:

a. Submit a preliminary sketch plan and profile and alignment analysis to Public Works for the following roads, showing the horizontal alignment and analyzing the roadway structural sections to determine the feasibility of salvaging the existing pavement. The analysis of the roadway structural section shall include appropriate cores, deflection tests, R-Value tests, and estimates of anticipated traffic with

construction and ultimate development under the County General Plan.

* Bixler Road from the project to State Highway 4.

* Point of Timber Road from the project to State Highway 4.

The sketch plan shall extend a minimum of 150-feet beyond the limits of the proposed work. If the grade at the project's frontage is unacceptable, the applicant shall level, or remove and replace the pavement, as necessary. The sketch plan shall also show that adequate sight distance will be provided. An exception to allow a 0.75% minimum grade may be allowed subject to the review and approval of Public Works.

b. Applicant shall provide deed notification to those parcels that abut roads that are to be extended in the future. The applicant shall install signage at the end of the roads to inform prospective property owners that the roads may be extended in the future.

c. Applicant shall furnish proof that legal access to the property is available from Newport Drive in Discovery Bay to the south boundary of this property.

d. Submit improvement plans and pay inspection fees and plan review fees prior to filing of the appropriate Final Map.

2) Drainage:

a. Storm drainage facilities required by the Ordinance Code shall be designed and constructed in compliance with design standards of the Public Works Department.

b. The applicant shall install within a dedicated drainage easement any portion of the drainage system which conveys run-off from public streets to a natural watercourse or an adequate man-made drainage facility.

c. All storm water arriving at the outside of the levee system around Villages II, III and IV and the stormwater arriving at, and originating on Village I shall be collected, conveyed and directed in a storm drainage system dedicated to the County. The drainage facilities shall be designed to convey stormwater from the west in accordance with the Ordinance Code (FINDING FOR IMPACT #84, MM c). The

applicant shall provide additional drainage facilities (per figure 4.1-4 of the EIR) to direct all existing drainage and irrigation west of Bixler Road through and/or around the project to compensate for the obstruction of flow to surface drainage created by the project and ensure that the area west of Bixler Road is not adversely impacted (FINDING FOR IMPACT #1, MM1.C.2.).

Prior to submitting the first Final Map, the applicant shall submit the proposed drainage plan to convey off-site drainage and irrigation west of Bixler Road through or around the project site along with supporting hydrology data subject to the approval of Public Works (EIR Mitigation Measure 4.1-7) (FINDING FOR IMPACT #1).

d. Conveying storm waters in an adequate storm drain to an irrigation district facility is acceptable provided: the developer obtains a letter from the irrigation district accepting the storm waters; the irrigation district owns fee title to the drainage facility from the point of discharge to the natural watercourse; and, the drainage facility is shown to be adequate to handle the design storm, plus the district irrigation flows. The analysis shall consider the presence of low spots in the irrigation district canal which may affect the system's capacity.

The applicant shall provide substantiation that reasonable backup measures such as a diesel or gas fueled back up pumping system, are in place in case of pump failure and/or power failure. The back up pumps are only required if pumping is necessary to drain the canal flows.

The applicant shall submit written confirmation that the irrigation district will accept the additional stormwater flows from this property based on ultimate development of the watershed.

e. Storm drainage originating on the property and conveyed in a concentrated manner shall be prevented from draining across the sidewalks and driveways.

f. Utilize NPDES passive best management practices such as labeling the storm drains for no dumping. (EIR Mitigation Measure 4.1-10)

3) Floodplain Management:

a. Finished floors in Village I shall be elevated to at least 10.90 ft. mean sea level. Homeowners shall be advised through a deed notification

of the potential sea level rise. (FINDING FOR IMPACT #4, MM4.C.1.).

4) Creek Structure Setback:

a. Applicant shall create "structure setback lines" over that portion of the site that is within the structure setback area of the watercourses traversing the northerly property line, Dredger Cut along the easterly property line, and any existing natural watercourses through this development. The structure setback area shall be determined by using the criteria outlined in Chapter 914-14, "Rights of Way and Setbacks", of the Subdivision Ordinance. "Development rights" shall be conveyed to the County by grant deed.

b. If sections of roadways fall within the structure setback area as defined by the Ordinance Code, then the applicant shall submit a soils and geotechnical report verifying the stability of the creek bank in the vicinity of the public or private access roads.

5) Sanitation District 19 Requirements:

a. Applicant shall complete and have fully operational the replacement for well #4 prior to issuance of the first Building Permit.

b. Annex the project into Sanitation District No. 19 and execute a master service agreement calling for the applicant to provide or pay for its fair share of the expansion of facilities necessary for the additional wastewater and water facilities. (FINDING FOR IMPACT #83, MM.c.). Applicant shall comply with the requirements of Sanitation District No. 19 Ordinance and the Central Contra Costa Sanitary acceptable to the Public Works Department, which includes provisions for perpetual maintenance prior to filing a Final Map in Villages II, III or IV (EIR Mitigation Measure 4.1-7).

c. Levees shall be elevated to at least elevation 11.9 feet mean sea level with provision for the ability to elevate the levees to at least 12.9 feet mean sea level around Villages II, III and IV and in accordance with FEMA regulations (assuming anticipated subsidence and sea level rise).

d. The proposed levee system around Villages II, III & IV shall be constructed to FEMA, U.S. Army Corps of Engineers, Zoning Administrator and County standards. The levee system shall be maintained by the homeowner association.

e. Landscaping of the levees shall be subject to the review of FEMA and the entity which will accept the levee for maintenance, and the review and approval of the Zoning Administrator.

f. Provide deed notification and CC & Rs for elevation restrictions on applicable lots to prevent degradation or work which may adversely impact the levee system, and provide for raising levees.

g. The developer shall be aware that the levees protecting a portion of this development are subject to failure if not properly maintained. The developer shall execute a mutually agreeable recordable document with the County which states that the developer (and the owner and District specifications prior to filing the Final Map.

h. Sewage treatment and disposal for the project shall be provided by Contra Costa County Sanitation District No. 19. All sanitary sewer facilities serving the project shall be connected to the District's collection system. The applicant will be required to obtain a Sanitation District permit to discharge sewage into the sewage system. The applicant shall be required to pay for the fair share of any studies required to accommodate this project.

i. Domestic water supply shall be provided by Contra Costa County Sanitation District 19. All domestic water facilities serving the property shall be connected to the District's distribution system. The applicant will be required to obtain a Contra Costa County Sanitation District 19 permit to connect to their existing well water system and comply with any District requirements relative to its fair share obligation to provide increased water supply.

j. The applicant shall participate in Contra Costa County's Sanitation District #19 adoption and implementation of a water supply monitoring and management program (FINDING FOR CUMULATIVE IMPACTS ON WATER SUPPLY AND QUALITY, MM.c.).

6) Reimbursement:

a. Certain required road improvements may be eligible for credit or reimbursement against Area of Benefit fees. The developer shall contact the Public Works Department, Transportation Engineering Division, to verify the extent of any credit or reimbursement for which the applicant might be eligible. Prior to constructing any

public improvements, or filing of any Final Map, the applicant shall execute a credit/reimbursement agreement with the County. No credit or reimbursement will be available for any improvements installed prior to execution of the credit/reimbursement agreement. Credit will only be given for monies that are programmed within the next three fiscal years. Any credit or reimbursement shall be based on the cost estimates included in the Area of Benefit Development Program Report only in proportion to each specific Area of Benefit improvement which the applicant is installing.

b. The applicant is also eligible for reimbursement from adjacent and nearby future developments as outlined in E.7)c. below. If the applicant requests reimbursement from the County from future development, the applicant shall be required to pay the County for administrative costs associated with these reimbursement agreements. The applicant shall pay the Public Works Department, Engineering Services Division, at least $1,000 or as necessary to cover expenses as they are incurred, whichever is greater, for administration costs for each reimbursement agreement.

c. The applicant shall be eligible for the following reimbursement agreements:

* Should applicant install the State Highway 4/Bixler Road signalization and channelization improvements. The costs, above the applicant's 50% obligation towards the traffic signal, are subject to reimbursement. These funds may be deposited by property owners at the intersection.

* Installation of any frontage improvements along properties fronting on public roads.

* Installation of off-site road improvements not covered by an area of benefit, but covered by the Project Traffic Mitigation Fee paid by the applicant and collected by the County, may be credited toward the applicant's Project Traffic Mitigation Fee, subject to the approval of Public Works.

d. The County will also cooperate with the applicant to "call" certain Deferred Improvement Agreements (DIAs) which may exist on surrounding properties to facilitate and expedite the construction of facilities whose installation is now justified.

7) Miscellaneous:

a. Prior to issuance of Building Permits, with the exception of model homes, file the Final Map for Subdivision 7686.

b. Improvement plans prepared by a registered civil engineer shall be submitted to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the Ordinance Code for the conditions of approval of this subdivision. These plans shall include any necessary traffic signage and striping plans for review by the Transportation Engineering Division.

c. An encroachment permit for construction within the State right of way shall be obtained from Caltrans through the Public Works Department, Engineering Services Division.

d. Obtain an encroachment permit from the Application and Permit Center for construction of driveways, or other improvements within the right of way of public roads which are to be improved with minor improvements not requiring an improvement plan.

e. Applicant shall comply with the County TDM Ordinance and the Growth Management Program regulations regarding transportation. TDM measures that could be used by the project applicant include the provision of maps showing available transit routes, and providing information to prospective home buyers on ride sharing and vanpool services.

f. All public and private pedestrian facilities and access ways shall be designed in accordance with Title 24 (Handicap access) and the Americans with Disabilities Act. This shall include all sidewalks, paths, trails, driveway depressions, as well as handicap ramps. Provide a minimum clear width of 3.5 feet for all sidewalks. If a pole, utility facility, street sign or any other obstruction is located in a walkway, such that there is not a 3.5 foot clear width, then the walkway shall be widened as necessary. A note reflecting this condition shall appear on the typical section on the improvement plan.

g. Applicant shall furnish proof of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of all temporary or permanent, road, drainage and marina improvements.

h. Prior to filing of the first Final Map, the applicant shall pay the County for all Public Works and Community Development staff time for work reviewing and commenting on this project through the planning and approval process which has not been covered by the application fees previously paid by the developer for this purpose.

i. The County Public Works Department is requiring that all first check submittals and accompanying calculations including subdivision grading plans, improvement plans, hydrology and hydraulic maps, final maps, right-of-way maps and descriptions shall be in metric units. Exceptions may be permitted, based on substantial reason, subject to the review and approval of the Public Works Department - Engineering Services Division.

8) The road widths in this project have not been reviewed separately except for those roads explicitly designated as to road and right of way width in these conditions of approval. The applicant shall be required to construct the roads in Village I as public roads with the following width requirements: roads serving less than 24 homes shall be constructed as 32-foot roads within 52-foot rights of way; roads serving 24 or more homes and less than 240 homes shall be constructed as 36-foot roads within 56-foot rights of way; Newport Drive shall be constructed as a 36-foot road within a 61-foot right of way. Analyze turning movements at the following locations, and if necessary subject to Public Works review and approval, widen the roads to a 46-foot road width to provide three 12-foot lanes and 5-foot bicycle lanes at Newport Drive at Bixler Road; "D" Street at Point of Timber and Newport Drive; and "F" Street at "D" Street. The street designated as One Street shall be widened to a 40-foot road width within a 60-foot right of way.

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 REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. The project lies within the 100-year flood boundary as designated on the Federal Emergency Flood Rate Maps. The applicant shall be aware of the requirements of the Federal Flood Insurance Program and the County Flood Plain Management Ordinance (Ordinance No. 90-118) as they pertain to future construction of any structures on this property.

B. The applicant shall be required to comply with all rules, regulations, and procedures of the National Pollutant Discharge Elimination Systems (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay - Region II or Central Valley - Region V). Prior to issuance of a grading permit, submit the Storm Water Pollution Prevention Plan (SWPPP) for the site to Public Works for review. Adequate/effective post construction BMP's must be implemented into the development.

C. Applicant shall comply with the requirements of Sanitation District No. 19 and Delta-Diablo Sanitary District specifications and requirements.

D. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.

E. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

F. The applicant is advised that the tax for the police services district is currently set by the Board of Supervisors at $200 per parcel annually (with appropriate future Consumer Price Index [CPI] adjustments). The annual fee is subject to modification by the Board of Supervisors in the future. The current fee for holding the election is $800 and is also subject to modification in the future. The applicable tax and fee amounts will be those established by the Board at the time of voting. The applicant is advised that the election process takes from 3 to 4 months and must be completed prior to recording the Final or Parcel Map. An additional tax may be required for marine patrol.

G. Comply with the requirements of the Building Inspection Department. Building permits are required prior to the construction of most structures.

H. Comply with the ordinance requirements of the Health Services Department, Environmental Health Division and Hazardous Materials Division.

I. Comply with the ordinance requirements of the East Diablo Fire Protection District.

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P-1 FINDINGS FOR FINAL DEVELOPMENT PLAN 3025-91 AND SUBDIVISION 7686 (DISCOVERY BAY WEST DEVELOPMENT)

Findings

A. With the imposition of the Conditions of Approval this proposed development is in conformance with the General Plan and the General Plan Amendment recently approved for the site and surrounding area.

B. With proper conditioning the Hofmann property development will constitute a residential environment of sustained desirability and stability, and will be in harmony with the character of the nearby community.

C. In accordance with required findings of the P-1 district, the County finds that the development is of a harmonious, innovative plan and justifies exceptions from the normal application of the code, including variances and parcel configuration and design to provide a better conformity with existing terrain features and land use limitations in the area.

D. The applicant has indicated that they intend to commence construction within two and one-half years of the effective date of the final project approval.

CONDITIONS OF APPROVAL FOR FINAL DEVELOPMENT PLAN 3025-91 AND SUB 7686 (DISCOVERY BAY WEST DEVELOPMENT)

1. The development shall be based upon the following submitted exhibits except as modified by the conditions below. These Conditions of Approval incorporate and are in addition to all approved mitigation measures.

   A. Revised Final Development Plan and Vesting Tentative Map, Discovery Bay West dated received May 31, 1995.

   B. Streetscape - Bixler Road dated received January 11, 1995.

   C. Cross-section - Bixler Road dated received January 11, 1995.

   D. Typical play activity and soccer field area Discovery Bay West dated received January 11, 1995.

   E. Preliminary development plan for proposed marina in Discovery Bay West - Villages III and IV dated received January 11, 1995.

   F. Geotechnical Investigation Report by Kleinfelder Associates dated February 1, 1990.

   G. Preliminary landscaping plan for Point of Timber Road dated received March 23, 1995.

   H. Exhibit "C" to the tentative map dated received March 23, 1995.

   I. Mitigation Monitoring Program as approved by the Board of Supervisors on December 20, 1994 (this could change if the Board revised the Mitigation Monitoring Plan when they approve RZ912963).

2. The length of approval for the Final Development Plan 913025 and SUB 917686 for three years. One 3-year extension may be granted for the project subject to proper request and approval. This approval is contingent upon the Board's adoption of 2963-RZ.

3. The maximum number of primary residences allowed for this project is 2,000. Second residences may be approved subject to land use permit approval.

4. Further final development plan approvals will be required for the senior housing area, the recreation center, the marina, and if requested, an equestrian center. The final development plan for the recreation center shall be filed before development of Village II. The final development plan for the senior housing area shall be filed before issuance of the 300th building permit in Village II. The final development plan for the marina shall be filed before recording the final map for any part of Villages III or IV.

Project Phasing and Staff Costs:

5. The general phasing program for the development shall be acceptable to the Zoning Administrator and shall be submitted prior to any site development. A detailed phasing plan for each village shall be submitted prior to any development in a village subject to Zoning Administrator review and approval. The applicant shall pay for all reasonable staff time involved in administering the Mitigation Program after any leftover application fees have been exhausted. This may include payment of funds required for peer review of required reports review, field visits, and response comments or reports as determined by the Zoning Administrator.

6. The following actions shall take place before various phases of the project are developed or completely developed.

   A. The park area in Village I shall be landscaped and provided with suitable amenities. The cost of construction of the park ~~may~~ shall be applied toward required park dedication fees. The developer shall submit an acceptable landscaping/irrigation and phasing program for the park development before issuance of building permits for the 100th unit in Village I. The park improvement shall be complete with the completion of the school, the 300th unit in Village I or prior to issuance of building permits for Village II, which ever occurs first. If private facilities meet ordinance requirements credit may be applied to park dedication fees subject to Zoning Administrator approval.

   B. The recreation center may be phased subject to review and approval of the Zoning Administrator. The first phase of the center shall be constructed prior to the issuance of the 400th building permit in Village II.

   C. ~~The segment of the park-trail area and recreational areas around the lakes adjacent to Villages II, III and IV shall be landscaped and recreational amenities installed prior to occupancy of the residences in the vicinity of the nearby neighborhood cluster. Other recreational amenities such as trails, greenways paths shall be constructed in conjunction with the residential development in the neighborhood clusters subject to Zoning Administrator review and approval.~~

   Within Villages II, III & IV, adjacent segments of the park-trail areas and amenities shall be installed or bonded prior to occupancy of the adjacent residential units.

   D. Prior to recording the Final Map for any phase in Village III allow for a trail acceptable to the East Bay Regional Park District or other suitable public agency, subject to final Zoning Administrator review and approval, along the alignment of the East Contra Costa Irrigation District Canal to the Delta (Dredger Cut - Indian Slough) area.

E. Dedicate development rights to the 200 acre Fallman Ranch east of Villages III and IV to Contra Costa County or another acceptable agency prior to recording the Final Map for any phase of Villages III or IV. Dedicate the development rights to the 13.4 acres of wetlands at the southeast corner of the site to Contra Costa County prior to recording the Final Map for any portion of Village I.

~~F. The road reservation at the southeast corner of the site shall be located outside of the park area.~~

Street Addressing

7. At least 30 days prior to filing the Final Map for any portion of this development, plans shall be submitted for review by the Community Development Department, Graphics Section, to obtain addresses and for street name approval (public and private). Alternate street names should be submitted in the event of duplication and to avoid similarity with existing street names. The Final Map cannot be certified by the Community Development Department without the approved street names and the assignment of street addresses. Consideration of historical local areas and pioneers in East Contra Costa County shall be used for as many street names as possible.

Police Services Funding

8. The owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by future subdivision approval. The tax shall be the per parcel annual amount (with appropriate future CPI adjustment) established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to the filing of the Final Map. The property owner shall be responsible for paying the cost of holding the election, payable at the time that the election is requested by the owner. (MM 8.7 and MM 9.3) The police service district shall be established over the entire site under one election or if acceptable to the Zoning Administrator on a village by village basis.

Such provision shall include an additional initial level of police tax district funding of $25.00 per non-open space parcel in the project area, over and above the standard initial level of $200 per parcel normally applied to the vesting tentative map approval for residential subdivisions. The added level of funding is intended to be used for augmented marine patrol services, especially the enforcement of boat speed limits. In the event that the State determines to subvent the costs of marine patrol prior to the filing of a final map, this requirement for the additional $25.00 shall be null and void.

EMF Notification

9. Where a lot/parcel is located within 300 feet of a high voltage electric transmission line, the applicant shall record the following notice or other appropriate notice as approved by the Zoning Administrator:

"The subject property is located near a high voltage electric transmission line. Purchasers should be aware that there is ongoing research on possible potential adverse health effects caused by the exposure to a magnetic field generated by high voltage lines. Although much more research is needed before the question of whether magnetic fields actually cause adverse health effects can be resolved, the basis for such an hypothesis is established. At this time no risk assessment has been made."

When a Final Subdivision Public Report issued by the California Department of Real Estate is required, the applicant shall also request that the Department of Real Estate insert the above note in the report.

Farm Operation Notice

10. The following statement shall be recorded at the County Recorder's Office for each parcel to notify future owners of the parcels that they own property in an agricultural area (MM 4.5 and MM 7.2):

"This document shall serve as notification that you have purchased land near an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment and aerial crop dusting and certain animals and flies may exist on surrounding properties. This statement is, again, notification that this is part of the agricultural way of life near the open space areas of Contra Costa County and you should be fully aware of this at the time of purchase."

Archaeological Concerns

11. Should archaeological materials be uncovered during grading, trenching or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary and subject to Zoning Administrator review and approval. (MM 11.1)

A. If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 30 yards of the find, the Community Development Department shall be notified within 24-hours and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, shell, bone, and historic features such as privies or building foundations. (MM 11.1)

B. In the event of discovery or recognition of any human remains on the site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of Contra Costa County has been contacted, per Section 7050.5 of the California Health and Safety Code. (MM 11.1)

C. Appropriate mitigation of the cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring or mitigation phases shall be properly conserved, catalogued, analyzed, evaluated and curated along with associated documentation in a professional manner consistent with current archaeological standards. (11.1)

Grading and Dust Control

13. Comply with the following construction, noise, dust and litter control requirements (MM 4.1 and 6.2.1.1):

A. Noise generating construction activities, including such things as power generators, shall be generally limited to the hours of 7:30 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on State and Federal holidays. The restrictions on allowed working days and times may be modified by prior written approval by the Zoning Administrator.

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 pumpers as far away from existing residences as possible.

C. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the subject village notice that construction work will commence. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of the individual responsible for noise and litter control shall be expressly identified in the notice. The notice shall be reissued with each phase of major grading activity.

A copy of the notice shall be concurrently transmitted to the community Development Department. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

D. A dust and litter control program shall be submitted for the review and approval of the Zoning Administrator. Any violation of the approved program or applicable ordinances may require an immediate work stoppage. Construction work shall not be allowed to resume until, if necessary, an appropriate construction bond has been posted.

E. The applicant shall make a good-faith effort to avoid interference with existing neighborhood traffic flows. Prior to issuance of building permits, all-weather access shall be provided to each lot. This shall include provision for an on-site area in which to park earth moving equipment.

TDM Plan

14. Prior to the issuance of building permits for future development of the site, the applicant shall submit a detailed TDM Plan for review and approval by the Zoning Administrator (unless otherwise required by a TDM Ordinance). The TDM plan shall include measures to encourage commuting such as park and ride lots, and fiber optic wiring of residences. The approved TDM Plan shall be operative prior to final inspection of the first residence by the Building Inspection Department. A telecommuting facility is encouraged and may be designed as part of the recreation center or other appropriate location subject to Zoning Administrator review and approval. (MM 6.2.2 and MM 6.2.4)

Child Care

15. Provision of a Child Care Facility or program is required for this development as required by the County's Child Care Ordinance. The program shall be submitted for the review and approval of the Zoning Administrator prior to the filing of the first Final Map. A suitable child care center should be developed in Village I in conjunction with the school site subject to review and approval of the Zoning Administrator and an

agreement by the school district. The child care center location can be modified subject to Zoning Administrator approval. The child care center shall be in operation prior to occupancy of residences (other than senior housing) in Village II or when the school is operational. (MM 8.2)

Indemnification

16. Pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agent thereof) shall defend, indemnify, and hold harmless the Contra Costa County Planning Agency and 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 for in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.

Wave Action from Boating and Bank Erosion

17. Prior to development of the marina the requirements regarding wave impacts from increased boating must be properly mitigated per the adopted Mitigation Monitoring Program. MM 1.1.7.

Project Construction

18. The project applicant will be required to comply with all necessary permits, including but not limited to, the NPDES permit for Storm Water Discharges Associated with Construction Activity as well as applying for inclusion in the General Stormwater Permit issued by the State of California. The project applicant must also comply with all requirements of construction permits for Contra Costa County. The applicant must obtain C.W.A. Section 404 and Section 10 permits from the Army Corps of Engineers for construction in wetlands and navigable waterways for the marina as required by law. (MM 1.1.8)

Ground Water Hydrology

19. The developer shall participate in the establishment, prior to development of the site, of a long term water quality management program, comparable to a program recommended by Luhdorff & Scalmanini of the degradation of ground water quality. The appropriate monitoring program will be one that identifies changes in quantity and quality of water and provides for responses to these changes in a timely fashion. This can best be accomplished by establishing a multi-aquifer monitoring network ~~and a cooperative~~ in cooperation with local agencies such as the BBID, Delta Diablo Sanitation District (Sanitation District #19) and ECCID. Means acceptable to Sanitation District #19 to finance the long term monitoring program shall be developed prior to site development. The long-term monitoring program shall include measures outlined in the Adopted Mitigation Monitoring Program acceptable to Sanitation District #19. (MM 1.2.1.)

20. As recommended in Condition #~~20~~ 19, above in the mitigation of the degradation of groundwater quality and in the Luhdorff & Scalmanini reports, the developer shall participate in the establishment, prior to development of the site, of a long-term monitoring plan for the aquifer (regular monitoring of water supply wells currently in Discovery Bay, water supply wells outside of the developments, and monitoring wells capable of monitoring multiple aquifers) would identify changes in the quantity of water. Aquifer capacity and renewable resources should be documented and properly managed to prevent overdraft. If recoverable storage capacity of the aquifer is insufficient, an additional water supply source shall be investigated and developed. Means acceptable to Sanitation District #19 to finance the long term monitoring program shall be developed prior to site development. The long term monitoring plan shall include measures outlined in the mitigation monitoring program acceptable to Sanitation District #19. (MM 1.2.2)

Vegetation and Wetlands

21. The following measures are required for impacts to vegetation and wetlands. (MM 2.1.1)

    A. Jurisdictional wetlands lost as a result of direct impacts of the project shall be compensated by the restoration or creation of wetlands at a minimum ratio of 1:1. Loss of significant natural wetland communities should be compensated for at a higher ratio to be determined by parties involved and the Corps of Engineers as part of the Section 404 permit process.

    B. Compensation should be of the same habitat type as affected wetlands (i.e., in-kind replacement) whenever feasible, or with the approval of Corps of Engineers, shall be of habitats of higher botanical and wildlife value. Mitigation areas should be on-site, if practicable, or located off-site within reasonable proximity to the project site. County policy requires that the mitigation site be located within Contra Costa County.

    C. Mitigation wetlands should be located in a large contiguous parcel with transitional zone and adjacent upland habitat to maximize the likelihood of success in creating habitat capable of maintaining viable populations of native plant and animal species. A buffer zone (preferably 50 ft. or greater in width) should be established and maintained around the edges of all wetland and terrestrial habitat used as mitigation for project impacts.

22. The following requirements are required for the mitigation of the damage to special status plant species. (MM 2.1.2)

    A. The first choice in mitigation would be to alter the project plan to avoid direct impacts on both individuals and habitats of these species. If such action is to be taken, steps must also be taken to ensure that indirect impacts associated with the project throughout its life do not significantly impact these special-status plants and their habitat.

    Alternatively, subject to measures outlined in the Mitigation Monitoring Program the project applicant shall establish replacement special status plant communities located either on-site or off-site within reasonable proximity of the project.

    Advice on the mitigation project shall be sought from the California Department of Fish & Game. ~~and the California Native Plant Society.~~

    A means to fund over-site, long term shall be developed for this condition prior to development of a site containing or causing such an impact.

Mosquito Abatement

23. Work with the Contra Costa Mosquito and Vector Abatement District staff to develop a mosquito source reduction and management plan. The developer shall cooperate with District staff in the development of a mosquito monitoring and source management plan. Applicant shall fund the development of the plan. ~~and pay his fair share of the ongoing costs.~~

Impacts to Special Animals

24. Impacts to Delta Smelt. (MM 2.2.5)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to Delta Smelt shall be taken.

25. Impacts to Southwestern Pond Turtle. (MM 2.2.6)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to Southwestern Pond Turtle shall be taken.

26. Impacts to Swainson's Hawk. (MM 2.2.8)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to the Swainson's Hawk shall be taken.

27. Impacts to Burrowing Owls. (MM 2.2.9)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to the Burrowing Owls shall be taken.

28. Impacts to San Joaquin Kit Fox. (MM 2.2.10)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to the San Joaquin Kit Fox shall be taken.

Noise Impacts

29. Noise impacts to wildlife. (MM 4.2)

Prior to site development in any phase of project proper steps to implement the provisions of the adopted Mitigation Monitoring Program in regards to wildlife shall be taken.

30. Noise conflicts between proposed uses. (MM 4.8)

New residences must be constructed so that interior DNL is 45 dBA or less and so that indoor noise levels due to single noise events shall not exceed a maximum of 50 dBA in the bedroom and 55 dBA in other habitable rooms.

Geology, Soils and Seismic Hazards

31. The excavation of soil around the marina and lakes must be rigorously observed by trained professionals to identify any loose, clean sand and silt and peat in cut slopes; these should be excavated and replaced with compacted fill that includes a buttress that has been properly keyed into native soils and sediments and that has been properly constructed with engineered fill. A soils/geotechnical professional site acceptable to the Zoning Administrator shall be employed to monitor this measure as needed. (MM 3.1)

A. The proposed mitigation for preventing groundwater flow from the brackish aquifer into surface water is to actively monitor excavation of the lakes. When flow from sands is identified, the sand should be excavated and replaced with buttress fills, keyed into less permeable clay-rich formations below the sand and constructed of compacted clay-rich soils to discourage active flow from the aquifer. (MM 1.2.4)

B. The proposed mitigation for the flow of loose soil into the lakes is the same as for mixing of groundwater and surface water. Excavation should be actively monitored, and sands from which groundwater flows, which may erode the loose (heaving) sands, should be excavated and replaced with buttress fills, keyed into less permeable clay-rich layers below and constructed of less permeable material to discourage flow. (MM 1.2.5)

C. At least 45 days prior to recording a Final Map, issuance of a grading permit, or installation of improvements or utilities, submit a preliminary geology, soil, and foundation report meeting the requirements of Subdivision Ordinance Section 94-4.420 for review and approval of the Zoning Administrator. Improvement, grading, and building plans shall carry out the recommendations of the approved report.

D. The report required above shall include evaluation of the potential for liquefaction and seismic settlement.

E. Record a statement to run with deeds to the property acknowledging the approved report by title, author (firm), and date, calling attention to approved recommendations, and noting that the report is available from the seller and/or the County.

F. At least 45 days prior to issuance of permits to grade and create the lakes on the site, a suitable geotechnical report shall be submitted for the review and approval of the Zoning Administrator detailing means to stabilize the lake bank in case of earthquake and reduced possible liquefaction dangers in this area.

Impacts on Agricultural Lands

32. Suitable fencing shall be developed around projects perimeters to separate residential uses from surrounding agricultural lands and activities. (MM 7.3)

Equitable sharing of the cost of the initial (and any subsequent) fence constructed to deter trespassing, etc., is to be arranged between the primary developer and any other developer who is active in the project area and benefits from the fencing if possible to do so.

Impacts on School Districts

33. Prior to recording the final map for any phase of this project, written proof shall be submitted that compliance with the school mitigation measures has been achieved.

Increased Demand for Water and Sewer Systems

34. The site for Discovery Bay West shall be annexed into Contra Costa Sanitation District #19 prior to recording the final map on any portion of the development. (MM 8.3)

A. Completion of a water supply study and a water system master plan acceptable to CCCSD 19 for the area within the Urban Limit Line is required as a condition of project approval. The study must define a funding mechanism that ensures new development pays for improvements to serve it exclusively.

B. In the study of water supply, include consideration of how to reclaim water and reuse it. Reclaiming water and using reclaimed water are encouraged by the County General Plan.

35. Annexation of the proposed project area into Sanitation District 19, predicated on agreement by the district and The Hofmann Company on condition for annexation and fulfillment of such conditions within an agreed-on schedule. Conditions would include determination of technical standards and design of the expansion of the existing sanitary sewer system. (MM 8.4)

Police Protection

36. Measures to reduce or prevent crime incidents should be coordinated and include both physical design measures (including lighting for streets, parking areas, and entries; clear address signs; door and window security design and locks), social measures (including neighborhood crime watches, anti-violence support groups, and education programs), and legal measures (control in selected areas for selected types of water activities, e.g., swimming, jet skis, etc.).

Plans to accomplish the above shall be submitted to the Contra Costa County Sheriff's Department for comment prior to development of the site. (MM 8.7)

Fire Protection

37. Before recording any Final Map negotiate to design, construct, and equip a fire station for service to the project area as required by the East Diablo Fire Protection District or its representatives. The construction of the fire station can either fully or partially satisfy fire fees. Later nearby developments may be required to reimburse the developer on a pro-rata basis.

The primary developer must also design streets and other features in the project area to accommodate fire and other emergency vehicles. (MM 8.8)

Park and Recreation Facilities/Recreation Uses

38. General Plan standards for neighborhood park acreage and facilities are to be met by the proposed project through arrangements acceptable to the Community Development Department can be made by The Hofmann Company, such as the provision of "common area" acreage for recreational use. Suitable improvement of the public park may be used to partially meet park requirements as can up to 50% of the private outdoor recreational area if large enough and high quality enough private outdoor recreational areas are provided within the gated community.

39. Transfer of responsibility for security and management of the ECCID canal from the Irrigation District to another entity such as the East Bay Regional Park District, which has expressed an interest in the canal easement for development as a regional trail shall be pursued. If an agreement cannot be made, The Hofmann Company may need to make other arrangements with the Irrigation District, such as the addition of a suitable security fence.

Removal of Any Rented Houses

40. The household of each existing residence, renting or living in the residences at the time of development, if not electing to purchase a unit when offered for sale, shall be provided with moving expense allowances equal to 150% of one month's rent for that unit and shall be provided with 60 days notice of the actual moving date. If no occupied residences exist this condition is moot.

Right of Farming Ordinance

41. If the County's right to farming ordinance has been adopted prior to the issuance of building permits on this site, the developer shall inform future owners of that ordinance informing them of the right to farm within the Contra Costa County area.

Removal of Existing Water Wells/Hazardous Chemicals on Site

42. Any hazardous chemical stored on the site shall be properly removed and disposed of under County Health Services Department regulations. Any existing water wells on the site shall be properly capped under County Health Services Department regulations. A Level I hazardous waste assessment shall be conducted on the site prior to filing of any Final Map that verifies that the site does not contain any hazardous waste.

Irrigation Districts

43. Prior to recording the final map for phases on this site, confirmation shall be received from the Byron-Bethany Irrigation District and East Contra Costa Irrigation District that any facilities they have on the site have been properly moved or removed as the case may be, or as an alternative a letter from the District may be submitted indicating that they have no facilities on the site that will be disturbed as a result of this development.

East Bay Municipal Utility District Chlorine Facility

44. At present the East Bay Municipal Utility District stores gaseous chlorine one-half mile north of the north end of the Discovery Bay West site. There may be plans to remove the gaseous chlorine from the facility in the future. However, this has not been decided yet. If, when development starts on this site, the gaseous chlorine facility is still in place then the developer shall accomplish the following prior to the issuance of the first final building permit for this project:

    A. Give all residents, homeowners, and renters full disclosure regarding the presence of chlorine at the EBMUD Bixler site.

    B. The development shall support a proportionate share of the cost of the Community Alert Network System (CAN), the emergency notification system being installed throughout the County (which will include the installation of a siren system). The system is designed to warn the residents of the development if a large scale accidental release of hazardous materials occurs.

    C. The development ~~should~~ shall ensure that the homes are as air tight as feasible by providing superior window seals, door seals, positive closure for fireplace dampers, etc. A periodic replacement program should be established as seals have a finite life. (To reduce indoor air pollution, the homes should be thoroughly ventilated prior to occupancy.)

    D. All homeowners ~~should~~ shall be provided with sufficient information regarding shelter-in-place and the actions that should be taken in the event of an accidental chemical release.

    E. These instructional materials shall be written in plain language, and will be developed in consultation with the Hazardous Materials Division of the County Health Services Department, subject to the review and approval of the Zoning Administrator.

If the facility is removed or the process is changed then this requirement can be deleted subject to Zoning Administrator approval after review by the Hazardous Materials Division of the County Health Department.

If, upon further review by the Hazardous Materials Division of the County Health Services Department, it is determined by the Health Department that the chlorine facility could not ohave a significant effect on Village I, then the above condition can be modified subject to Zoning Administrator review and approval.

Design Revisions and Concerns

45. Guide for development and use provisions for this site shall be as follows:

A. Public Road Areas (Village I). Setback of residential units shall be varied between 15 and 20 feet. All garages shall have a setback of at least 17.5 feet provided vertically opening garage doors are used otherwise a 20 foot garage setback is required. Frontyard setbacks may be reduced to 15 feet for covered porches. Sideyard minimum shall be 5 feet with an aggregate sideyard of 10 feet. Zero lot line residences or duets are acceptable. The R-6 zoning district shall be used as a guide for the residences height, lot use or lot coverage of the site as well as the location of any detached sheds or outbuildings except that sheds and outbuildings shall be limited to a height of 12 feet. As an alternative, one sideyard may be reduced to 0 feet for a residence, as long as the aggregate sideyard remains 10 feet subject to the review and approval of the Zoning Administrator. Corner lots shall have a secondary setback of 7 feet minimum.

B. Private Road Area. Setback of residential units may be varied from 10 feet minimum except that garages shall have a setback of at least 17.5 feet provided vertically opening garage doors are used otherwise a 20 foot garage setback is required. The R-6 zoning district shall be used as a guide for the residences height, lot use or lot coverage of the site. Detached sheds or outbuildings shall be limited to a height of 12 feet. Zero lot line or duet lots, including 0 ft. side or rearyard garage are acceptable. Minimum aggregate sideyard is to be 10 feet. Corner lots shall have a secondary setback of at least 5 feet.

C. Prior to the issuance of building permits, the applicant shall submit samples of color and exterior materials for the review and approval of the Zoning Administrator. The fences between lots shall be of solid wood and shall be at least 5-feet high. The residences of this development shall be finished in suitable color and shall be complimentary. Houses along Bixler Road shall have appropriate sound reduction measures built in acceptable to the Zoning Administrator. Residences along Bixler Road, Newport Drive and Point of Timber Road shall have architectural enhancement measures at the back of the unit and rearyard setbacks shall be varied.

D. At least 15 days prior to issuance of building permits for any phase of project a residential fit plan showing the location of planned homes shall be submitted for the Zoning Administrator's review and approval. The plan shall include information on the number of stories planned for the residence for each lot and the proposed setbacks.

E. Prior to issuance of building permits for any phase of the project, at least three significantly different plot plans and residential design for Village I and at least four widely different plot plans for Villages II, III and IV shall be submitted for review and approval of the Zoning Administrator.

F. Details of the design of the walls and landscaping proposed along Bixler Road, Point of timber Road, and Newport Drive shall be submitted for the review of the Zoning Administrator after review and approval of the Public Works Department. The walls may be built in phases. The plan shall be acceptable prior to issuance of building permits if any phase of the project. There shall be no exclusive project identification sign at the corner of Bixler and Point of Timber Roads.

The landscaping strip along the south side of Point of Timber Road and west of "D" Street shall be widened to the same width as that proposed on the vesting tentative/final development plan for the area east of "D" Street.

46. The community center shall be located on the northwesterly corner of the intersection of "D" Street and Newport Drive as shown on the staff sketch dated March 24, 1995, located in the project file unless an alternative site is agreed upon prior to recording the final map for this area of Village I. The developer shall dedicate the site and pay for 50% of all construction costs including landscaping and parking lots. The site shall contain at least 2.5 acres in area. If another site is found for the community center then the area can be developed as proposed on the vesting tentative map/final development plan dated received March 20, 1995. The size of the community center shall be determined before recording the Final Map for any phase of the development.

The community center shall be constructed within 12 months of the issuance of the first building permit or from the time the Discovery Bay community secures its 50% share of the building construction costs whichever occurs first.

47. Prior to recording final maps for any phase of Villages II, III and IV on a village by village basis, the developer shall submit detailed landscape plans and facilities plans for the recreation centers and other landscaped areas for the review and approval of the Zoning Administrator, and if maintained by a public agency, that public agency. Each recreational area shall include suitable and adequate active recreational facilities. Provide an additional recreational area west of proposed "OO" Street in Village IV and at least one recreational areaon the island one near the marina. Suitable parking bays or lots shall be provided near the recreational centers.

48. At least one bridge connecting the island in Village IV to the main land shall be high enough above the normal water surface in the lake so that a small boat with seated operator or passengers can pass under the bridge with adequate and safe clearance for the occupants as long as if this does not adversely affect the maintenance or water quality of the lake.

49. Lots within the loop roads in the western portions of Villages II, III and IV shall be oriented toward the lake as shown on the staff plan dated March 24, 1994 detailing that plan located in the file.

50. Prior to issuance of building permits for any phase in Village I, submit a landscape plan/irrigation, lighting plan, and a parking plan for the park and ride lot and recreational vehicle storage area at the southwest corner of Village I for the review and approval of the Zoning Administrator. The developer shall submit a copy of the easement document for Zoning Administrator review. If the recreational vehicle storage area and the park and ride lot cannot be located under the power lines the recreational lot can be eliminated but the park and ride lot shall be located elsewhere in Village I. The park and ride lot shall be installed prior to the issuance of the 200th building permit for residences in Village I.

51. The potential exists for increased risk of flooding over time due to the possible rise in sea level and/or site subsidence. The project property owners shall be informed by disclosure statement of the potential for future requirements for levees around this site and the potential associated costs if those levees should be needed as a result of sea level rise and/or site subsidence.

52. The garage area of each residence shall be wired for electric car recharging subject to the review and approval of the Zoning Administrator, and subject to the adoption of final Board policy mandating this.

Homeowners Association Formation

53. Prior to filing the map, the applicant shall create a homeowners association or similar mechanism to provide for the continued maintenance of all private permanent open space, lakes, recreation centers, marina, trails and other landscaped areas.

54. Covenants, Conditions and Restrictions shall be submitted for review with the Final Subdivision Map, and shall be subject to review and approval of the Zoning Administrator as they pertain to the conditions of approval. This document shall provide for establishment, ownership and maintenance of the private common open space and parks, and parking area, fire protection, fencing, private streets and drainage maintenance, keeping of pets and establishment of signs.

The Covenants, Conditions and Restrictions (CC & Rs) developed for this project shall include the following deed restrictions:

A. (Example) No recreational vehicle, boat, boat trailer or mobilehome shall be stored ~~on the site overnight~~ in frontyard driveways on the street overnight. Exterior materials and colors shall not vary from the palette approved for the original homes.

B. ~~The homeowners may review requests for home occupations.~~ If the home occupation meets County ordinance requirements, then the Zoning Administrator may administratively approve the request.

Road and Drainage

55. The following requirements pertaining to drainage, road, and utility improvements will require the review and approval of the Public Works Department.

A. **ORDINANCE REQUIREMENTS:**

The applicant shall be required to comply with the requirements of Title 9 of the County Ordinance Code which include, but are not limited to the following requirements:

1) In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in these conditions of approval. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the Vesting Tentative Map, Final Development Plan dated March, 1995, submitted to Public Works.

An exception to allow a 0.75% minimum grade is allowed subject to Public Works approval providing:

a. The soil engineer recommends reduced grades and signs the improvement plans; and

b. The applicant warrants the curb flow from ponding for five years following completion.

2) Division 914 of the Ordinance Code requires that all storm waters entering or originating within the subject property shall be conveyed, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate storm drainage facility which conveys the storm waters to a natural watercourse. This project necessarily involves some diversions of watershed. However, since these diversions generally discharge to

tidal bodies of water with adequate cross section and capacity, these diversions may be considered appropriate, subject to review and approval of Public Works.

3) Conveying storm waters in an adequate storm drain system to a: duly organized Homeowner Association; Municipal Improvement District; or Reclamation District drainage facility serving the area, is acceptable, provided the applicant obtains a letter from that entity accepting the drainage. Provide appropriate drainage releases where public waters enter private facilities.

4) Diversions resulting in discharge of storm waters into the Contra Costa Canal or any other water conveyance or impounding facility for domestic water consumption is prohibited by the Ordinance Code. It is acknowledged that Agricultural lands presently drain to the ECCID facility.

Landscaped areas, so long as they do not create diversions, may follow pre-existing drainage patterns, subject to review and approval of Public Works.

5) For anything in these conditions of approval, which is subject to the approval of Public Works, such approval shall not be unreasonably withheld.

B. TRAFFIC MITIGATION FEES:

The project traffic mitigation fees will be collected at the time of the Building Permit for each residential unit of this development. No mitigation fees will be collected from non-residential construction. The project traffic mitigation fee shall consist of:

* The Eastern Contra Costa Subregional Transportation Mitigation Fee (ECCSRTMF). This fee is for construction of the State Highway 4 Bypass.

* The East County Regional Area of Benefit fee (ECRAOB). This fee is to improve local roads identified on the Circulation Element of the County General Plan.

* The Project Traffic Mitigation Fee. This fee is $6,500 (revised annually to reflect inflation, using the State of California Construction Cost Index as published annually by Caltrans, as a reference) less the East County Regional Area of Benefit fee and is used to mitigate project impacts not covered by the above fees.

The difference between the adjusted $6,500 Project Traffic Mitigation Fee and the ECRAOB fee shall be put into an interest earning Road Improvement Trust (Fund No. 819200-0800 or other project specific fund) to be used to mitigate off-site local road and intersection improvements as reasonably determined and approved by the Public Works Department, which are identified in the EIR or the Flexible Mitigation Monitoring Program, and are not included in an established area of benefit. These funds will not be used for on-site improvements; frontage improvements; the off-site improvement of Bixler Road from the project to State Highway 4; improvement of Point of Timber Road from Bixler Road to Byron Highway; the project's 50% share of the signal at the Bixler Road-State Highway 4 intersection; signalization of the State Highway 4-Discovery Bay Boulevard intersection; or any necessary construction traffic mitigation along the specified project construction haul routes.

If, after the 500th Building Permit, the Flexible Mitigation Monitoring Program determines that traffic assumptions have changed significantly and a modification to the mitigation is necessary, the adjusted $6,500 traffic mitigation contribution shall be modified at the 501st Building Permit and/or the 1201st Building Permit to reflect the additional mitigation not identified in the ECCSRT-MF or the ECRAOB.

C. PUBLIC IMPROVEMENTS:

1) Flexible Mitigation Monitoring Program:

The applicant shall work with Public Works to set up a Flexible Mitigation Monitoring Program. The program shall allow the development of up to 500 units based on these conditions of approval, plus additional units subject to review of the traffic assumptions in the EIR.

a. The traffic assumption review shall take the form of a letter report summarizing the observed project development trip generation/distribution and the most current roadway improvement assumptions in East County. This new information will be compared with the EIR assumptions and a reasonable conclusion made as to whether or not traffic assumptions have changed which could result in new, or additional, significant project impacts to the surrounding road network not already identified in the EIR.

b. The Flexible Mitigation Monitoring Program will review the traffic assumptions no sooner than at the 400th unit and the 1100th unit, and shall be completed respectively by the 500th unit and the 1200th unit to determine if the traffic assumptions in the Environmental Impact Report are still valid (scheduling of implementation of the State Route 4 Bypass shall be considered).

1. If the initial assumptions made are still valid, the mitigation measure will remain unchanged, and the applicant will be required to comply with the conditions of approval as stated, and continue to contribute $6,500 per unit (revised annually to reflect inflation, using the State of California Construction Cost Index as published annually by Caltrans, as a reference) for additional off-site road improvements, after the first 500 units and the first 1200 units, respectively.

2. If the traffic assumptions have significantly changed for the worse and there could be new, or additional, significant project impacts not identified in the EIR, the applicant shall perform a more detailed traffic study to determine traffic impacts of the next phase of development (e.g., 501 to 1,200 or 1,200 to buildout) and recommend mitigation measures based on the new traffic assumptions. The traffic study, and the proposed traffic mitigation measures shall be subject to the review and approval of Public Works. The traffic mitigation measures, if different from those identified in the EIR, may be subject to review at a public hearing. Any significant project related traffic impact which cannot qualify for the ECR-AOB or other fee area will be the responsibility of the project applicant to mitigate on a fair share basis. Newly identified significant traffic impacts shall require mitigation only if the level of service does not meet the adopted traffic level of service standard. The project applicant shall arrange for mitigation of such newly identified significant and warranted traffic impacts prior to issuance of the 650th Building Permit, and again prior to issuance of the 1350th Building Permit, if necessary.

3. Impacts which were identified in the initial EIR project list will be considered satisfied for that increment of time if the initial or subsequent traffic assumption review shows impacts are insignificant (subject to the review at a public hearing if required by law), and the approval of the Zoning Administrator. (FINDINGS FOR IMPACT #36, MMA.C.)

c. The applicant shall submit a biannual Flexible Mitigation Monitoring Program update to review road intersections and the overall road system and to recommend potential expenditure of this project's mitigation funds commencing at the 650th Building Permit and continuing biannually with the last report issued at the 1900th Building Permit.

d. The applicant shall pay for all reasonable and verifiable staff time involved in preparation of the traffic study, the Flexible Mitigation Monitoring Program, the proposed traffic mitigation measures, and monitoring of the project and review of these studies, program and monitoring.

e. The project applicant shall pay its share of the costs of the future environmental review documentation required for: any necessary modification of the project EIR; new project traffic mitigation not identified with these project approvals; modification of the area of benefit to reflect additional projects as a result of Discovery Bay West; and modification of the County General Plan to accommodate the same purpose. The applicant shall only be required to pay a fair share of the cost of modification of the area of benefit program if projects are being added throughout the program areas. However, if the area of benefit is modified solely at the applicant's request to add mitigation measures from this project, then the applicant shall bear all costs.

2) Construction Truck Traffic Mitigation:

a. Prior to issuance of the first residential Building Permit, the applicant shall widen Bixler Road off-site to a minimum width of 28-feet from the limit of Permit 3031-91 and Subdivisions 7679 and 7881 obligations to the Phase 1 project entry. At the applicant's option, these widening improvements may be either an interim improvement or a portion of the ultimate improvements discussed in 3)c. below. If a 28-foot width has not been constructed from the southerly limit of the applicant's responsibility to State Highway 4, the applicant shall widen Bixler to a 28-foot minimum width all the way to Highway 4. Any permanent or "ultimate" improvement constructed by the applicant which is the obligation of the properties involved in the above noted developments shall be subject to reimbursement through reimbursement agreements administered by the County. The applicant shall direct construction related truck traffic to the site via Bixler Road from State Highway 4, restricting construction related damage essentially to only Bixler Road. (FINDING FOR IMPACT #68, MMB.c.) At the developers option, construction truck traffic may also use Point of Timber Road after it has been widened to 28 feet. Applicant shall submit improvement plans, pay inspection and plan review fees for these road improvements.

The applicant may use Newport Drive for no more than one month as a construction detour while Bixler Road is under construction. In no case will Newport Drive be used as a construction haul route.

In order to determine the pre-project road conditions the applicant shall, prior to project grading, provide a video road survey for the following roads: Balfour Road from Bixler Road to Byron Highway; Bixler Road north to Orwood Road; and Marsh Creek Road from Bixler Road to State Highway 4.

b. Construction Road Maintenance Agreement

The applicant shall execute a bonded construction road maintenance agreement, assuring the County that the specified project haul route(s) will be maintained in a convenient, passable condition throughout the construction period. The bond shall consist of a cash bond of $15,000 together with additional security totaling the cost of upgrading of the specified project haul route(s). The bond shall be provided prior to the approval of the first phase subdivision improvement plan and shall remain in effect until the haul routes are improved to handle the traffic, or until upgraded construction is completed.

c. Construction truck traffic monitoring: If the applicant uses non-designated streets for construction truck traffic, he shall repair the roads to the pre-project condition prior to filing the next Final Map, subject to the review and approval of Public Works. If the maintenance is not completed in a timely manner, the County will activate the Construction Road Maintenance Agreement for funds to perform the maintenance.

d. Provide sufficient parking on-site for construction crews and associated personnel. The applicant shall not permit construction crews and equipment to park along currently existing public roads or interfere with neighborhood agricultural operations.

e. Applicant shall indicate on all subcontracts, bulk and custom lot sales contracts, homeowners association documents, et al, that construction truck traffic shall use State Highway 4 and Bixler Road as construction access to this development, unless other routes have been specifically designated by Applicant as outlined in 2)a. above.

3. Bixler Road Frontage Improvements:

a. Applicant shall construct Bixler Road pavement widening with the easterly curb face established by first assuring a minimum 5-foot clear distance from any ditches on the westerly side to the edge of any required paved shoulder and thereafter providing the required lane and shoulder widths, but not less than 32-feet from existing centerline.

b. Existing Bixler Road shall be reconstructed, or overlayed if studies warrant. The pavement shall be striped to provide one 12-foot northbound lane with a 6-foot shoulder and one 12-foot wide southbound lane with a 6-foot shoulder plus necessary channelization at intersections from the southerly boundary of Village I to Balfour Road.

c. Bixler Road shall be a 36-foot road width (2 - 12-foot lanes and 2 - 6-foot shoulders) from Balfour Road to the northerly boundary of Village IV. The easterly curb line shall be 32-feet from the existing centerline. The westerly portion of the existing roadway may be used as a separated southbound bike path/equestrian trail. However, delineation should not allow vehicle traffic to use this portion of the old roadway.

d. Construct curb, 5-foot 6-inch sidewalk (width measured from curb face), street lighting, landscaping and irrigation (EIR Mitigation RMCir-22). (FINDING FOR IMPACT #51, MMC.c.)

e. The applicant shall be required to construct safety improvements along the frontage of the Evan's property.

f. Pads for the proposed bus shelters, bicycle racks and/or lockers shall be clear of the sidewalk area at potential bus stops.

g. Provide necessary longitudinal and transverse drainage along the east side only.

h. The applicant may need to remove and replace the roadway if required by the grade, alignment analysis and determination of structural adequacy, subject to the review and approval of Public works.

i. The applicant shall submit improvement plans and pay inspection and plan review fees prior to filing of the Final Map.

4) Bixler Road, Off-Site Improvements:

a. Bixler Road:

1. The applicant shall widen and overlay Bixler Road from the project site to the northerly limit of the proposed Subdivision 7679, Subdivision 7881 and Permit 3031-91 obligations to a 34-foot pavement width (FINDING FOR IMPACT #51, MM.C.c.), and construct required modifications to the ditch system to maintain existing capacity if necessary. The applicant shall bond for these off-site improvements prior to issuance of the 400th Building

Permit or issuance of Building Permits in Villages III or IV and shall complete the improvements within one year thereafter. The applicant shall remove, replace and widen the roadway if required by the alignment analysis and/or determination of structural adequacy. If replacement of the pavement is not required, the applicant may be required to level, overlay and transition, subject to the approval of Public Works. If the developers of Subdivision 7679, Subdivision 7881 and/or Permit 3031-91 have not bonded and/or constructed Bixler Road to a 34-foot width all the way to State Highway 4 prior to issuance of the 400th Building Permit, the applicant will be responsible for bonding and constructing the additional pavement to provide a 34-foot width over any deficient segment of Bixler Road.

2. If Bixler Road is reconstructed the minimum road grades will be adhered to.

3. The off-site Bixler Road improvements shall be designed, prior to filing of the Final Map for Village II. The applicant shall submit improvement plans and pay inspection fees and plan review fees prior to filing of said Final Map.

4. The applicant shall provide additional right of way, if necessary for the roadway and portions of the ditch system conveying project storm waters, subject to the review and approval of Public Works. At applicant's request and expense, Public Works will obtain the necessary easements and rights of way.

5. It is understood and acknowledged that certain portions of these off-site Bixler improvements may be impossible or impractical to construct due to wetland regulation or policy requirements. If Public Works determines that such occasion should arise, the applicant may be permitted to reduce the shoulder requirements, but in no case shall less than 28 feet of pavement be provided.

b. State Highway 4 Signal at Bixler Road and at Discovery Bay Boulevard

1. Arrange for Signalization of the State Highway 4 intersection at Bixler Road prior to issuance of 200 Building Permits in this development if not already assured or completed by others at that time. Fifty percent of the signalization cost of the Bixler Road signal is reimbursable from the property owners at the northwest and northeast

quadrants of this intersection. One hundred percent of any widening costs for Bixler Road is reimbursable from the same parties.

Submit improvement plans, pay inspection and plan review fees, and apply for a Caltrans encroachment permit prior to improving the intersection.

2. If the Bixler Road traffic signal has been installed, the applicant shall contribute 50% of the cost of the traffic signal, prior to issuance of the 200th Building Permit, to a Road Improvement Fee Trust (Fund No. 819200-0800) designated for reimbursement for its installation.

3. If the Bixler Road traffic signal is not warranted prior to issuance of the 200th Building Permit, the need for the traffic signal at the State Highway 4 - Bixler Road intersection shall be analyzed by the Public Works Department prior to filing each Final Map, up until the 1800th lot when the applicant shall contribute a cash deposit, equal to 50% of the signal construction cost as determined by Public Works, to a County Road Improvement Trust (Fund No. 819200-0800).

4. The applicant shall bond for the State Highway 4-Discovery Bay Boulevard traffic signal prior to filing of the first Final Map. The traffic signal shall be installed and operational one year following the issuance of the first building permit, exclusive of model homes. If the traffic signal is not operational within the one year period, no further building permits will be issued.

5) Point of Timber Road, On-Site (Bixler Road to the east):

a. Bixler Road to "D" Street:

1. Applicant shall reconstruct Point of Timber Road to at least a 60-foot curb to curb pavement width within an 80-foot right of way from Bixler Road to "D" Street with Village I.

2. Construct curb, 5-foot 6-inch sidewalks (width measured from curb face), necessary longitudinal and transverse drainage, street lighting, landscaping and irrigation.

3. The right of way line shall be located at least 10-feet behind the curb face.

4. Provide necessary longitudinal and transverse drainage.

5. The applicant shall submit improvement plans and pay inspection and plan review fees prior to filing of the Final Map for this portion of Point of Timber with the improvement plans for the subdivision creating the 250th lot.

b. "D" Street to the Easterly Boundary of Village I:

1. Applicant shall install (on the south side) curb, 5-foot 6-inch sidewalk (width measured from curb face), necessary longitudinal and transverse drainage, street lighting, landscaping and irrigation and grade the ultimate roadway with construction of Village I improvements abutting this segment. The location of the frontage improvements shall provide for: ultimate widening of the roadway to a 40-foot pavement width; widening to at least a 56-foot width at the D Street intersections; and necessary conforms.

2. Construct curb, 5-foot 6-inch sidewalks (width measured from curb face), necessary longitudinal and transverse drainage, street lighting, landscaping and irrigation along the north side of the roadway, with construction of Village II improvements.

3. Construct road with Village II improvements.

4. The right of way line shall be located at least 10-feet behind the curb face (30' from centerline).

5. Provide necessary longitudinal and transverse drainage.

c. From the Easterly Boundary of Village I to the Easterly Boundary of Village II:

1. Applicant shall widen Point of Timber Road: to at least a 28-foot pavement width; and provide necessary conforms at the easterly boundary of Village I and the easterly boundary of Village II as part of the improvements in Village II. The curb face shall be located 20-feet north of the existing road centerline (east of Village I, the southerly widening, beyond 28-feet total width, shall be the responsibility of others).

2. Construct (on the north side) curb, 5-foot 6-inch sidewalks (width measured from curb face), necessary longitudinal and transverse drainage, street lighting, landscaping and irrigation with construction of the abutting portion of Village II.

3. The right of way line shall be located at least 10-feet behind the curb face (30' from centerline).

4. Provide necessary longitudinal and transverse drainage.

6) Point of Timber Road, Off-Site (west of Bixler Road):

a. Point of Timber Road from Bixler Road to Byron Highway:

1. Submit improvement plans, pay inspection and plan review fees prior to 200th Building Permit.

2. Prior to issuance of the 300th Building Permit, widen and reconstruct, if necessary, Point of Timber Road to a 28-foot pavement width (two 14-foot lanes with 2-foot compacted shoulder backing and maintain ditch capacities. This work is intended to divert project traffic away from Balfour Road (EIR Mitigation Measure RMCir-21) (FINDING FOR IMPACT #50, MM.B.c.)

3. The applicant with the cooperation and assistance of Public Works shall provide additional right of way, if necessary, for the roadway and the ditch system, subject to the review and approval of Public Works.

b. Point of Timber Road/Byron Highway/State Highway 4 Intersection Modifications:

1. Submit improvement plans, pay inspection and plan review fees and apply for a Caltrans encroachment permit prior to issuance of the 400th Building Permit.

2. Prior to the filing of the first final map for Village III, the applicant shall realign the Point of Timber Road - Byron Highway intersection and the Byron Highway - State Highway 4 intersection and install a traffic signal, subject to the review of Caltrans and the review and approval of Public Works (the Byron Highway improvements shall include 5-foot shoulders and channelization).

3. The County at applicant's request shall acquire all additional right of way, if necessary for the roadway and the ditch system at applicant's expense.

4. One hundred percent of these intersection improvements and right of way acquisitions shall be eligible for reimbursement from the ECRAOB.

7) Project Improvements (Village I Public Improvements):

a. Prior to issuance of the first Building Permit, approval of the first set of improvement plans or first Final Map, install signage along: Balfour Road, Point of Timber Road, and Marsh Creek Road westerly to State Highway 4; and along Bixler Road north of State Highway 4, to warn project traffic of farm vehicles and provide farm vehicle crossings (EIR Mitigation Measure RMCir-23) (FINDING FOR IMPACT #52, MMD.c.)

8) Road Dedications and Reservations (for Public Roads):

a. Bixler Road: Applicant shall convey to the County, by Offer of Dedication, the right of way necessary for at least the east half of the planned 84-foot right of way width along the frontage of Bixler Road. The eastern side of the right of way shall be increased at the project access points along Bixler Road to provide for channelization for turning movements to and from this development. The right of way line shall be located at least 10-feet from the curb face.

Off-site, the applicant shall provide for adequate rights of way or easements for the proposed road improvements including the ditch systems, however, the County will conduct the acquisitions of applicant's costs if applicant requests.

b. Point of Timber Road: Applicant shall convey to the County, by Offer of Dedication, an 80-foot right of way between Bixler Road and "D" Street. East of "D" Street, the applicant shall convey to the County, by Offer of Dedication, a 60-foot right of way, plus additional right of way for left turn channelization and conforms along the project frontage, where this development fronts on both sides of the road. Where this development only fronts on one side of Point of Timber Road, the applicant shall dedicate at least a 30-foot right of way (measured from the centerline of the existing right of way) (EIR Mitigation Measure RMCir-32). The right of way line shall be located at least 10-feet from the curb face.

Off-site, the applicant shall provide for adequate right of way or easement for the proposed road improvements including the ditch systems, however, the County will conduct the acquisitions at applicant's cost if applicant requests.

c. Pantages access along west side of the lake: Applicant shall provide a 56' maximum revocable reservation for a public roadway for a possible future road along the westerly edge of the lake on the Pantages property (FINDING FOR IMPACT #61, MM.M.c.), if the owner/developer of the Pantages property can demonstrate that this road cannot feasibly be located on the Pantages property outside wetland and riparian areas within two years of applicant's filing first Final Map for Village II. Just prior to filing the first final map for Village II, the applicant shall mail to the owner of the Pantages property, by return receipt certified mail, a notice that they have two years to determine how much,if any, of the reservation is needed for their access. The notice shall be reviewed by Public Works prior to being mailed out and a copyof the mailed notice and return receipt shall be submitted to Public Works prior to filing the final map. The revocable reservation shall be for the purpose of allowing a future extension to the north to serve the northerly portion of the Pantages property, if this area can be proven to be feasibly developed, and all other portions of the roadway are located on the Pantages property.

d. Access along the southeast side of the Fire Station/Park Property: Provide an offer of dedication for a 60-foot right of way between Newport Drive and the eastern boundary of this property along the southeast side of the "Fire Station/Park" property. The alignment shall be rough graded to approximate finish grades with Village I grading, but no road improvements need be constructed with this project. Prior to the road being approved, the adjacent property owner shall expand the park site to compensate for the road right of way take.

e. The applicant shall provide right of way for future bus turnouts on the Bixler Road, Newport Drive and Point of Timber Road frontage of this property at appropriate locations in consultation with the responsible transit authority. Adequate right of way shall be provided for the bus turnouts, and the future bus shelters, bicycle racks and/or bicycle lockers.

9) Abutter's Rights of Access (Public Roads):

a. Relinquish abutter's rights of access along Bixler Road, Point of Timber Road and Newport Drive, including curb returns. Access shall be permitted at the access points specifically approved with this project. Access points shown on the Preliminary Development Plan and the following additional points shall be permitted:

* Another Bixler Road access point either north or south of the ECCID Canal at least 800-feet from the other project access points.

* One or two Point of Timber Road access points each at the community center and multiple family areas.

* Emergency vehicular access locations, park and ride lots, pedestrian access points, and at the proposed RV storage area.

b. Prohibit all single family residential driveway access onto major collector or arterial roads that provide project-wide circulation (EIR Mitigation Measure RMCir-29) (FINDING FOR IMPACT #58, MMJ.c.).

10) Sight Distance (Public Roads):

a. In accordance with Caltrans standards provide for adequate corner sight distance at:

* The project entrances to Bixler Road for a design speed of 55 miles per hour.

* Other intersections with Newport Drive for a design speed of 40 miles per hour.

* Other intersections with Point of Timber Road for a design speed of 40 miles per hour.

b. Provide adequate corner sight distance, in accordance with County standards, for the following intersections:

* Village I: Newport Drive at "DDDD" Street, and at "ZZZ" Street; "AAAA Street at "BBBB" Street; "UUU" Street at "RRR" Street; and "VVV" Street at "RRR" Street.

11) Street Lights (Public Roads):

a. Street lights shall be install on the public roads, within this subdivision and fronting this property, and the entire property annexed to County Service Area L-100 for maintenance of the street lighting. The final number and location of the lights shall be determined by Public Works. Application for annexation to CSA L-100 Lighting District shall be submitted prior to filing of the Final Map.

12) Bicycle/Pedestrian Facilities (Public Roads):

a. The applicant shall construct 5-foot 6-inch sidewalks on Newport Drive from the southerly boundary of this property to Bixler Road.

b. The applicant shall construct 6-foot 6-inch sidewalks on "D" Street from Newport Drive to Point of Timber Road.

c. Construct a 6-foot meandering asphalt concrete sidewalk along the east side of Bixler Road from the project site to the sidewalk proposed in Permit 3031-91 (the Ujdur property) (FINDING FOR IMPACT #51, MMC.c.). Where the sidewalk is adjacent to a roadside ditch, it shall be located a minimum of 2-feet from the top of the roadside ditch.

OR, construct a new 5-foot 6-inch concrete sidewalk (width measured from back of curb, if adjacent to curb) along the west side of Newport Drive to Kellogg Creek, connecting with the proposed pathway location in Permit 3031-91. This improvement (either alternative) shall be constructed within six (6) months of the completion of the first commercial use in Permit 3031-91 or at request of Public Works.

d. Provide bike lanes with a minimum width of 5-feet on the following streets: Bixler Road; Point of Timber Road from Bixler Road to the east; Newport Drive; "F" Street and "D" Street.

Prohibit parking (EIR Mitigation Measure RMCir-36a) (FINDING FOR IMPACT #65, MMA.c.), or provide adequate additional pavement width.

13) Utilities/Undergrounding (Public Roads):

a. All utility distribution facilities shall be installed underground, including the existing overhead distribution facilities along the frontage of Point of Timber Road and the easterly frontage of Bixler Road.

b. Relocate and/or adjust utility distribution facilities, where necessary, for all other off-site improvements.

14) Parking (Public Roads):

a. "No Parking" signs shall be installed along roads with inadequate width for parking, subject to the review and approval of the Public Works Department. For lots with less than a 50-foot wide frontage a parking study shall be provided for all roadways where less than 1 on-street parking spaces will be provided for each residence. On street parking requirements may be satisfied by providing parking bays, supplemental on-site parking, or other reasonable alternatives subject to the review of Public Works and the review and approval of the Zoning Administrator. Adequate parking shall be provided within an acceptable distance of each residence, subject to the approval of Public works.

b. Prohibit parking on all project major collector or arterial roads including "D" Street and Newport Drive, except where the road is widened to accommodate parking. On the remaining roadways, provide adequate paved width for necessary parking (EIR Mitigation Measure RMCir-26) (FINDING FOR IMPACT #55, MMG.c.)

c. "No Parking" signs shall be posted along the north side of "F" Street, unless the roadway is widened to at least a 40-foot curb to curb width within a 60-foot right of way.

15. Landscaping (Public Facilities):

a. Prior to filing each final map, the applicant shall apply to the Public Works Department for annexation to the County Landscaping District AD 1979-3 (LL-2) for the future maintenance of public landscaping and irrigation facilities in median islands, parkways, and other public project areas not within the gated areas of Villages II, III and IV. ~~("open space" is specifically excluded).~~

b. Prior to filing each final map, two sets of landscape and irrigation plans and cost estimates, prepared by a licensed landscape architect, shall be submitted to the Special District Section of the Public Works Department for review and recommendation and forwarded to the Zoning Administrator for review and approval. Plan submittal shall include plan review and inspection fees. Types and size of plant and irrigation materials within the public right of way shall be designed using reasonable standards provided by the Grounds Service Manager of the General Services Department. All landscaping and irrigation facilities

shall be maintained by the applicant until funds become available for their maintenance by the County after final inspection is cleared.

c. Permanent landscaping and automatic irrigation facilities shall be installed within the public road parkway and median areas, and interim landscaping features shall be installed within the future road areas, if any. All work shall be done in accordance with the guidelines and standards of the County. Funding of, and maintenance of, the new plantings shall be guaranteed by the developer until the plants have been established and until funds are available through a landscaping district. The plants shall be maintained for 90 days after installation.

d. The County Landscaping District Administrator shall coordinate the landscaping program in Discovery Bay West with the Discovery Bay MAC by annually reviewing the district's program budget and providing budget information to the MAC on a regular basis.

16. Transit:

a. Certain bus turnouts, bus shelters, bicycle racks and/or bicycle lockers shall be constructed by the applicant if transit service is established prior to recording of the last Final Map for this development. The location of these facilities shall be determined in cooperation with the responsible transit authority. Preliminary locations along the east side of Bixler Road are: south of Newport Drive; south of Fallman Boulevard; north of Point of Timber Road; and north of the access at the boundary of Villages II and III. The installation of these facilities shall be assured prior to recording of the next Final Map after transit service is established to the project. The obligation to install these facilities shall terminate if public transit to the project is not assured at the time the last Final Map is recorded. Pads for the bus shelters, bicycle racks and/or lockers shall be clear of the sidewalk areas.

b. Provide pedestrian connections from the transit stops to the internal project sidewalk system. Provide for installation of bus shelters at each pullout if transit service begins (EIR Mitigation Measure RMCir-34a) (FINDINGS FOR IMPACT #63, MM A.c.)

17. School Access:

a. Coordinate with the school district on the design of the school site to accommodate a one-way circulation pattern with a large student loading/unloading area separated from the main collector

streets (EIR Mitigation Measure RMCir-20) (FINDING FOR IMPACT #49, MM A.c.) The applicant shall coordinate with the school district to allow for a bus loading/unloading area separated from the ~~automatic~~ automobile loading/unloading area.

b. Extend "MMM" Street easterly to the school site if requested by the school district to provide better school access. Access to the school from "D" Street shall be designed to minimize traffic conflicts on "D" Street.

D. PRIVATE IMPROVEMENTS:

1) Private Road Improvements (Villages II, III & IV):

Applicant shall construct the private roads within this development to County private road standards in accordance with the typical sections on the Tentative Map, to serve all parcels in this proposed subdivision, except as noted as follows:

a. There shall be no 28-foot wide private roadways (EIR Mitigation Measure RMCir-25 and 26), unless the road serves less than 14 residences, adequate parking has been assured and the street has roll curb.

b. 32-foot private roadways within 37-foot private road easements with a 5-foot public utilities easement, and with roll curb, shall serve no more than 50 units. Additional off-street parking may be required where lot frontages less than 50 feet result in less than one on-street and two off-street parking spaces for each residence subject to the approval of Public Works.

c. 32-foot private roadways within 37-foot private road easements with a 5-foot public utilities easement, which have a standard vertical curb, shall serve no more than 24 units. Additional off-street parking may be required where lot frontages less than 50 feet result in less than one on-street and two off-street parking spaces for each residence subject to the approval of Public Works. The use of standard vertical curb may be desirable where the greater stormwater capacity is needed.

d. "B" Street shall be at least a 36-foot roadway within at least a 41-foot access easement with at least a 5-foot public utilities easement. Additional public utilities easements and easement width shall be provided for required sidewalk areas. This width can be decreased at bridges.

e. "A" Street and "C" Street shall not be less than 36-foot roadways within 41-foot access easements with at least 5-foot public utility easements, and without on-street parking, subject to the approval of Public Works. The roadway may be reduced to a 34-foot roadway within a 39-foot access easement provided there is a convenient, two way bicycle path which minimizes the need for a bicycle path on one side of the roadway.

Parking shall be allowed on "A" Street and "C" Street where the road is widened to allow parking.

f. Divided portion of Fallman Boulevard and "I" Street shall be designed with at least 18-foot lanes in each direction. The applicant may widen all or a portion of these roadways to 30-foot roadways in each direction to provide for two lanes in each direction.

g. The corner setback requirement for the "U" shaped roads, except for "JJ" Street, shall be designed with the area where no obstructions are allowed (see exhibit) based on the extrapolated distance of 10 feet from curb face instead of the right of way line. The "JJ" Street "U" shaped roadway shall be designed with at least 30-foot minimum curb return radii. The other "U" shaped streets shall be designed with at least 25-foot minimum curb return radii.

h. The applicant shall eliminate the "S" Street - "A" Street intersection because of its close proximity to "H" Street and it's location on the inside of the "A" Street curve. The applicant may relocate the access to these lots opposite "R" Street, or another intersection subject to the approval of Public Works. The cul-de-sac must be limited to a maximum length of 700-feet. (The attached study by the applicant satisfies this requirement.)

i. The applicant shall eliminate the northerly "T" Street - "A" Street intersection because of its close proximity to "H" Street and it's location on the inside of the "A" Street curve. The applicant may: relocate the access to those lots opposite "AA" Street, or another intersection; or cul-de-sac "T" Street at "A" Street with an emergency vehicle access through "T" Street to "A" Street. The cul-de-sac must be limited to a maximum length of 700-feet unless emergency access is provided at the east end of "T" Street. (The attached study by the applicant satisfies this requirement.)

j. The applicant shall provide adequate vehicle storage at entry gates and design provisions into the site plan to expand ingress capacity, by installing a third entry gate north or south of the ECCID Canal (FINDING FOR IMPACT #53, MM E.c.)

The present design of "C" Street access to Bixler Road shown in the vicinity of Lot K is unacceptable. This intersection must be redesigned to provide adequate stacking length and enable vehicles mistakenly entering this access to turnaround. The redesign shall be subject to the approval of Public Works, OR, AS AN ALTERNATE,

The applicant shall relocate this Bixler Road access to the north side of the ECCID Canal off of "A" Street near Lot "S". The design shall be subject to the review of Public works and the review and approval of the Zoning Administrator.

However, a temporary secondary access may be allowed at "C" Street based on redesign, subject to the review and approval of Public Works.

k. Provide traffic control signage at the easterly "A" Street - "G" Street intersection (EIR Mitigation Measure RMCir-27) (FINDING FOR IMPACT #56, MM H.c.)

l. Prohibit all single family residential driveway access onto collector or arterial roads that provide project-wide circulation, subject to the approval of Public Works (Mitigation Measure RMCir-29) (FINDING FOR IMPACT #58, MMJ.c.). Single family residential driveway access will be permitted along the south side of "F" Street, provided that the north side is signed for "No Parking".

m. Provide additional detail on the Fallman Boulevard entry feature, subject to Public Works review and approval.

n. Vertical rise garage doors with automatic garage door openers shall be installed where garages are 20-feet or less from the road easement.

o. The applicant shall construct the "B" Street bridge to accommodate potential trail uses within the ECCID Canal.

2) Sight Distance (Private Streets):

a. In accordance with Caltrans standards provide for adequate stopping sight distance at:

* Village II: "C" Street at "I" Street and at "KKK" Street.

* Village III: "A" Street at "QQ" Street, at the relocated "T" Street, at "BB" Street, and at "FF" Street; "BB" Street at "DD" Street; and "U" Street at "T" Street.

* Village IV: "A" Street at the relocated "S" Street, at "O" Street, at "M" Street, at "J" Street, and at "NN" Street.

b. In accordance with Caltrans standards provide for adequate stopping sight distance along "A" Street and "C" Street for a design speed of 45 miles per hour where feasible, and not less than a 35 mile per hour design speed, subject to the review and approval of Public Works. The CC & Rs shall include specific provisions to maintain the area outside of the road easement, needed to provide this design speed, so that sight distance will not be obstructed.

3) Pedestrian/Bicycle Improvements

a. The design of community facilities, such as "park and ride" lots, clubhouses or community parks, shall provide for and encourage the use of bicycles. At a minimum this shall include bicycle racks and/or bicycle lockers at the primary gathering points in the project. The number of bicycle racks and/or lockers shall be subject to the review and approval of the Zoning Administrator.

b. Provide bike paths or lanes with a minimum width of 5-feet on "A" Street, "B" Street, "C" Street, "G" Street, Fallman Boulevard and "I" Street throughout the project. Prohibit parking on these streets to ensure adequate bike lane widths, or provide adequate additional width for on-street parking.

c. Construct a 10-foot pedestrian/bicycle path within sidewalk easements adjacent to "B" Street from "C" Street to "A" Street; and along "I" Street to provide for adequate bicycle and pedestrian access. Where a 10-foot pedestrian/bicycle path is provided adjacent to "A" Street or "C" Street which are proposed to have a bicycle path or lane, the roadway width may be reduced from a 36-foot road width to a 34-foot road width.

d. The applicant shall construct 6-foot 6-inch sidewalks on: Fallman Boulevard from Bixler Road to the easterly portion of "A" Street; and "G" Street from the easterly portion of "A" Street to the marina.

e. Two way bike/pedestrian paths shall have at least a 10-foot paved width with two foot clear zones on each side (FINDING FOR IMPACT #65, MM a.c.).

f. All sidewalk shall match County standard widths in effect at the time of filing the Final Map.

4) Storm Water (Private Drainage Facilities):

a. All storm waters entering or originating within the subject property (including the outside slopes of the levee) shall be conveyed, within an adequate storm drainage facility, to an adequate man-made drainage system or to a natural water-course. The pump station location and design shall be subject to the review of the Public Works Department, and the proposed maintenance entity, such as a homeowners association, subject to the review and approval of the Zoning Administrator.

b. Stormwater from the lake system in Villages II, III and IV shall be collected and conveyed in a private storm drainage system. Where pumping is required at high tide to discharge stormwater from the leveed area to Dredger Cut or from the outside of the levee to Dredger Cut, the pump system shall have an emergency pumping system subject to the review and approval of the Zoning Administrator, OR, the storm drainage system shall be designed as a passive weir system for gravity flow drainage which will not result in flooding of homes based on the 100-year storm. If a pump system is utilized to discharge stormwater into Dredger Cut, it shall be designed to operate considering anticipated sedimentation of the lake system and an emergency pumping system.

5) Agriculture Access (From Private Roads):

a. Provide at least a 12-foot private road in a 20' minimum access easement to Lot GG and Lot HH from the southerly portion of Village III and the northerly portion of Village IV (EIR Mitigation Measure RMCir-32). The access shall be improved as a 12-foot graveled roadway (FINDING FOR IMPACT #61, MMM M.c.). The applicant shall grant rights to the property owner to the east to allow access from Bixler Road for at least a 12-foot minimum width access road through the project site, subject to the approval of Public Works. The access shall be along feasible alignments, outside of wetland areas (e.g., along subdivision streets).

6) Lake Management (Private Facility):

a. Submit a Lake Management Program prepared by a professional in the field which clearly specifies the following: the design parameters for the lake system; anticipated problems and proposed methods of maintenance. The anticipated problems shall include, but not be limited to, control of undesirable algae and plants; control of high nutrient levels; maintenance of adequate oxygen levels; need for periodic dredging; and potential need for cleaning up roadway contaminants and household contaminants which may drain into the Lake prior to discharging the stormwater into Dredger Cut. Provide a maintenance entity, such as a homeowners association, which includes provisions to assure perpetual maintenance (EIR Mitigation 4.1-7).

b. The lakes shall incorporate a water circulation system capable of pumping the quantity of flow necessary to sustain water quality and accommodate the 100-year storm based on the proposed lake configuration (FINDING FOR IMPACT #1, MM c.).

c. Downstream drainage facilities shall be designed to collect and convey the stormwater flow based on the design storm. If the lakes are to function as detention basins with this development, they must be sized in accordance with Title 9 of the Ordinance Code (FINDING FOR IMPACT #84, Mmc.). The lake/detention basin will be maintained by a homeowners association and will not be publicly maintained.

d. Provide screens on the lake circulation system and provide catch basins for run-off into the marina to screen floating trash from entering the lakes and the Delta, and implement passive "best management practices" such as the labeling of storm drains to reduce dumping (EIR Mitigation Measure 4.1 - 10) (FINDING FOR IMPACT #5, MM5.c.).

e. Prior to recording Final Maps for each of the Villages II, III and IV, the applicant shall complete a bank scouring and erosion study of impacted segments of Dredger Cut and Kellogg Creek analyzing project impacts resulting from marine traffic and lake circulation. The study will be subject to the review and approval of Public Works. The applicant shall implement ~~mitigation~~ corrective measures before approving the second Final Map for each of the Villages II, III and IV if any significant impacts are identified.

f. The applicant shall submit the final groundwater monitoring plan for review by a Reclamation District and the review and approval of the Zoning Administrator prior to beginning any construction that require dewatering to commence.

7) Marina (Private Facility):

Provide catch basins for run-off to the marina to screen out floating trash (EIR Mitigation Measure 4.1-10).

8) Emergency Access (Private Roads):

Provide emergency access points at or near the following points in coordination with the fire district, subject to the review and approval of Public Works. The emergency access points shall be gated and locked unless they are combined with a regular project access. The emergency access roads shall be at least 20-feet wide, capable of supporting loads of at least 20 tons in all weather conditions, and, if gated and locked, the fire district shall be provided a master key (EIR Mitigation Measure RMCir-33).

a. From Bixler Road to "C" Street near the northwest corner of Village II (EIR Mitigation Measure RMCir-33) (FINDING FOR IMPACT #62, MM O.c), and also near the southwest corner of Village II.

b. From Bixler Road to "A" Street at:

* The southwest corner of Village III (EIR Mitigation Measure RMCir-33) (FINDING FOR IMPACT #62, MM O.c.).

* The northwest corner of Village IV (EIR Mitigation Measure RMCir-33) (FINDING FOR IMPACT #62, MM O.c.).

9) Maintenance (Private Facilities):

a. Applicant shall establish covenants, conditions and restrictions for the development that clarifies the management of all lake improvements, private road, private storm drainage, levees, certain lighting, landscaping and marina facilities within the private portion of the development will be maintained, through a maintenance agreement, by the homeowners within the development via the homeowners association, or another entity, subject to the review of the Zoning Administrator.

b. Prior to filing the first final map, the applicant shall provide a list of facilities proposed to be maintained by either a public or private entity. This list shall be subject to the review of Public Works.

E. GENERAL REQUIREMENTS:

1) Roads:

a. Submit a preliminary sketch plan and profile and alignment analysis to Public Works for the following roads, showing the horizontal alignment and analyzing the roadway structural sections to determine the feasibility of salvaging the existing pavement. The analysis of the roadway structural section shall include appropriate cores, deflection tests, R-Value tests, and estimates of anticipated traffic with construction and ultimate development under the County General Plan.

* Bixler Road from the project to State Highway 4.

* Point of Timber Road from the project to State Highway 4.

The sketch plan shall extend a minimum of 150-feet beyond the limits of the proposed work. If the grade at the project's frontage is unacceptable, the applicant shall level, or remove and replace the pavement, as necessary. The sketch plan shall also show that adequate sight distance will be provided. An exception to allow a 0.75% minimum grade may be allowed subject to the review and approval of Public Works.

b. Applicant shall provide deed notification to those parcels that abut roads that are to be extended in the future. The applicant shall install signage at the end of the roads to inform prospective property owners that the roads may be extended in the future.

c. Applicant shall furnish proof that legal access to the property is available from Newport Drive in Discovery Bay to the south boundary of this property.

d. Submit improvement plans and pay inspection fees and plan review fees prior to filing of the appropriate Final Map.

2) Drainage:

a. Storm drainage facilities required by the Ordinance Code shall be designed and constructed in compliance with design standards of the Public Works Department.

b. The applicant shall install within a dedicated drainage easement any portion of the drainage system which conveys run-off from public streets to a natural watercourse or an adequate man-made drainage facility.

c. All storm water arriving at the outside of the levee system around Villages II, III and IV and the stormwater arriving at, and originating on Village I shall be collected, conveyed and directed in a storm drainage system dedicated to the County. The drainage facilities shall be designed to convey stormwater from the west in accordance with the Ordinance Code (FINDING FOR IMPACT #84, MM c). The applicant shall provide additional drainage facilities (per figure 4.1-4 of the EIR) to direct all existing drainage and irrigation west of Bixler Road through and/or around the project to compensate for the obstruction of flow to surface drainage created by the project and ensure that the area west of Bixler Road is not adversely impacted (FINDING FOR IMPACT #1, MM1.C.2.).

Prior to submitting the first Final Map, the applicant shall submit the proposed drainage plan to convey off-site drainage and irrigation west of Bixler Road through or around the project site along with supporting hydrology data subject to the approval of Public Works (EIR Mitigation Measure 4.1-7) (FINDING FOR IMPACT #1).

d. Conveying storm waters in an adequate storm drain to an irrigation district facility is acceptable provided: the developer obtains a letter from the irrigation district accepting the storm waters; the irrigation district owns fee title to the drainage facility from the point of discharge to the natural watercourse; and, the drainage facility is shown to be adequate to handle the design storm, plus the district irrigation flows. The analysis shall consider the presence of low spots in the irrigation district canal which may affect the system's capacity. The applicant shall provide substantiation that reasonable backup measures such as a diesel or gas fueled back up pumping system, are in place in case of pump failure and/or power failure. The back up pumps are only required if pumping is necessary to drain the canal flows.

The applicant shall submit written confirmation that the irrigation district will accept the additional stormwater flows from this property based on ultimate development of the watershed.

e. Storm drainage originating on the property and conveyed in a concentrated manner shall be prevented from draining across the sidewalks and driveways.

f. Utilize NPDES passive best management practices such as labeling the storm drains for no dumping. (EIR Mitigation Measure 4.1-10)

3) Project Levees (Private Facilities):

a. The applicant shall provide a plan for maintenance of the levees and identify a maintenance entity, such as a homeowners association, acceptable to the Public Works Department, which includes provisions for perpetual maintenance prior to filing a Final Map in Villages II, III or IV (EIR Mitigation Measure 4.1-7).

b. Levees shall be elevated to at least elevation 11.9 feet mean sea level with provision for the ability to elevate the levees to at least 12.9 feet mean sea level around Villages II, III and IV and in accordance with FEMA regulations (assuming anticipated subsidence and sea level rise).

c. The proposed levee system around Villages II, III & IV shall be constructed to FEMA, U.S. Army Corps of Engineers, Zoning Administrator and County standards. The levee system shall be maintained by the homeowner association.

d. Landscaping of the levees shall be subject to the review of FEMA and the entity which will accept the levee for maintenance, and the review and approval of the Zoning Administrator.

e. Provide deed notification and CC & Rs for elevation restrictions on applicable lots to prevent degradation or work which may adversely impact the levee system, and provide for raising levees.

f. The developer shall be aware that the levees protecting a portion of this development are subject to failure if not properly maintained. The developer shall execute a mutually agreeable recordable document with the County which states that the developer (and the owner and the future owners of the property) will hold harmless Contra Costa County and the Contra Costa County Flood Control and Water Conservation District in the event of damage to the on-site improvements as a result of levee failure.

4) Floodplain Management:

a. Finished floors in Village I shall be elevated to at least 10.90 ft. mean sea level. Villages II, III and IV shall be protected by a levee constructed to at least elevation 11.9 ft. mean sea level with the ability to elevate to 12.9 feet mean sea level and

elevated further in accordance with the County Floodplain Management Ordinance. Homeowners shall be advised through a deed notification of the potential sea level rise. (FINDING FOR IMPACT #4, MM4.C.1.).

5) Creek Structure Setback:

a. Applicant shall create "structure setback lines" over that portion of the site that is within the structure setback area of the watercourses traversing the northerly property line, Dredger Cut along the easterly property line, and any existing natural watercourses through this development. The structure setback area shall be determined by using the criteria outlined in Chapter 914-14, "Rights of Way and Setbacks", of the Subdivision Ordinance. "Development rights" shall be conveyed to the County by grant deed.

b. If sections of roadways fall within the structure setback area as defined by the Ordinance Code, then the applicant shall submit a soils and geotechnical report verifying the stability of the creek bank in the vicinity of the public or private access roads.

6) Sanitation District 19 Requirements:

a. Applicant shall complete and have fully operational the replacement for well #4 prior to issuance of the first Building Permit.

b. Annex the project into Sanitation District No. 19 and execute a master service agreement calling for the applicant to provide or pay for its fair share of the expansion of facilities necessary for the additional wastewater and water facilities. (FINDING FOR IMPACT #83, MM.c.). Applicant shall comply with the requirements of Sanitation District No. 19 Ordinance and the Central Contra Costa Sanitary District specifications prior to filing the Final Map.

c. Sewage treatment and disposal for the project shall be provided by Contra Costa County Sanitation District No. 19. All sanitary sewer facilities serving the project shall be connected to the District's collection system. The applicant will be required to obtain a Sanitation District permit to discharge sewage into the sewage system. The applicant shall be required to pay for the fair share of any studies required to accommodate this project.

d. Domestic water supply shall be provided by Contra Costa County Sanitation District 19. All domestic water facilities serving the property shall be connected to the District's distribution system. The applicant will be required to obtain a Contra Costa County

Sanitation District 19 permit to connect to their existing well water system and comply with any District requirements relative to its fair share obligation to provide increased water supply.

e. The applicant shall participate in Contra Costa County's Sanitation District #19 adoption and implementation of a water supply monitoring and management program (FINDING FOR CUMULATIVE IMPACTS ON WATER SUPPLY AND QUALITY, MM.c.).

7) Reimbursement:

a. Certain required road improvements may be eligible for credit or reimbursement against Area of Benefit fees. The developer shall contact the Public Works Department, Transportation Engineering Division, to verify the extent of any credit or reimbursement for which the applicant might be eligible. Prior to constructing any public improvements, or filing of any Final Map, the applicant shall execute a credit/reimbursement agreement with the County. No credit or reimbursement will be available for any improvements installed prior to execution of the credit/reimbursement agreement. Credit will only be given for monies that are programmed within the next three fiscal years. Any credit or reimbursement shall be based on the cost estimates included in the Area of Benefit Development Program Report only in proportion to each specific Area of Benefit improvement which the applicant is installing.

b. The applicant is also eligible for reimbursement from adjacent and nearby future developments as outlined in E.7)c. below. If the applicant requests reimbursement from the County from future development, the applicant shall be required to pay the County for administrative costs associated with these reimbursement agreements. The applicant shall pay the Public Works Department, Engineering Services Division, at least $1,000 or as necessary to cover expenses as they are incurred, whichever is greater, for administration costs for each reimbursement agreement.

c. The applicant shall be eligible for the following reimbursement agreements:

* Should applicant install the State Highway 4/Bixler Road signalization and channelization improvements. The costs, above the applicant's 50% obligation towards the traffic signal, are subject to reimbursement. These funds may be deposited by property owners at the intersection.

* Installation of any frontage improvements along the frontage of the Evan's or other properties fronting on public roads.

* Installation of off-site road improvements not covered by an area of benefit, but covered by the Project Traffic Mitigation Fee paid by the applicant and collected by the County, may be credited toward the applicant's Project Traffic Mitigation Fee, subject to the approval of Public Works.

d. The County will also cooperate with the applicant to "call" certain Deferred Improvement Agreements (DIAs) which may exist on surrounding properties to facilitate and expedite the construction of facilities whose installation is now justified.

8) Miscellaneous:

a. Prior to issuance of Building Permits, with the exception of model homes, file the Final Map for Subdivision 7686.

b. Improvement plans prepared by a registered civil engineer shall be submitted to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the Ordinance Code for the conditions of approval of this subdivision. These plans shall include any necessary traffic signage and striping plans for review by the Transportation Engineering Division.

c. An encroachment permit for construction within the State right of way shall be obtained from Caltrans through the Public Works Department, Engineering Services Division.

d. Obtain an encroachment permit from the Applicant and Permit Center for construction of driveways, or other improvements within the right of way of public roads which are to be improved with minor improvements not requiring an improvement plan.

e. Applicant shall comply with the County TDM Ordinance and the Growth Management Program regulations regarding transportation. TDM measures that could be used by the project applicant include the provision of maps showing available transit routes, and providing information to prospective home buyers on ride sharing and vanpool services.

f. All public and private pedestrian facilities and access ways shall be designed in accordance with Title 24 (Handicap access) and the Americans with Disabilities Act. This shall include all sidewalks, paths, trails, driveway depressions, as well as handicap ramps. Provide a minimum clear width of 3.5 feet for all sidewalks. If a pole, utility facility, street sign or any other obstruction is located in a walkway, such that there is not a 3.5 foot clear width, then the walkway shall be widened as necessary. A note reflecting this condition shall appear on the typical section on the improvement plan.

g. Applicant shall furnish proof of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of all temporary or permanent, road, drainage and marina improvements.

h. Prior to filing of the first Final Map, the applicant shall pay the County for all Public Works and Community Development staff time for work reviewing and commenting on this project through the planning and approval process which has not been covered by the application fees previously paid by the developer for this purpose.

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 REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. The project lies within the 100-year flood boundary as designated on the Federal Emergency Flood Rate Maps. The applicant shall be aware of the requirements of the Federal Flood Insurance Program and the County Flood Plain Management Ordinance (Ordinance No. 90-118) as they pertain to future construction of any structures on this property.

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

C. Applicant shall comply with the requirements of Sanitation District No. 19 and Delta-Diablo Sanitary District specifications and requirements.

D. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.

E. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

F. The applicant is advised that the tax for the police services district is currently set by the Board of Supervisors at $200 per parcel annually (with appropriate future Consumer Price Index [CPI] adjustments). The annual fee is subject to modification by the Board of Supervisors in the future. The current fee for holding the election is $800 and is also subject to modification in the future. The applicable tax and fee amounts will be those established by the Board at the time of voting. The applicant is advised that the election process takes from 3 to 4 months and must be completed prior to recording the Final or Parcel Map. An additional tax may be required for marine patrol.

G. Comply with the requirements of the Building Inspection Department. Building permits are required prior to the construction of most structures.

H. Comply with the ordinance requirements of the Health Services Department, Environmental Health Division and Hazardous Materials Division.

I. Comply with the ordinance requirements of the East Diablo Fire Protection District.

AB/aa
DPXVI/3025-91C.AB
3/29/95
4/25/95
5/31/95

RECEIVED on 10/22/2025 CDDP25-03020
By Contra Costa County
Department of Conservation and Development

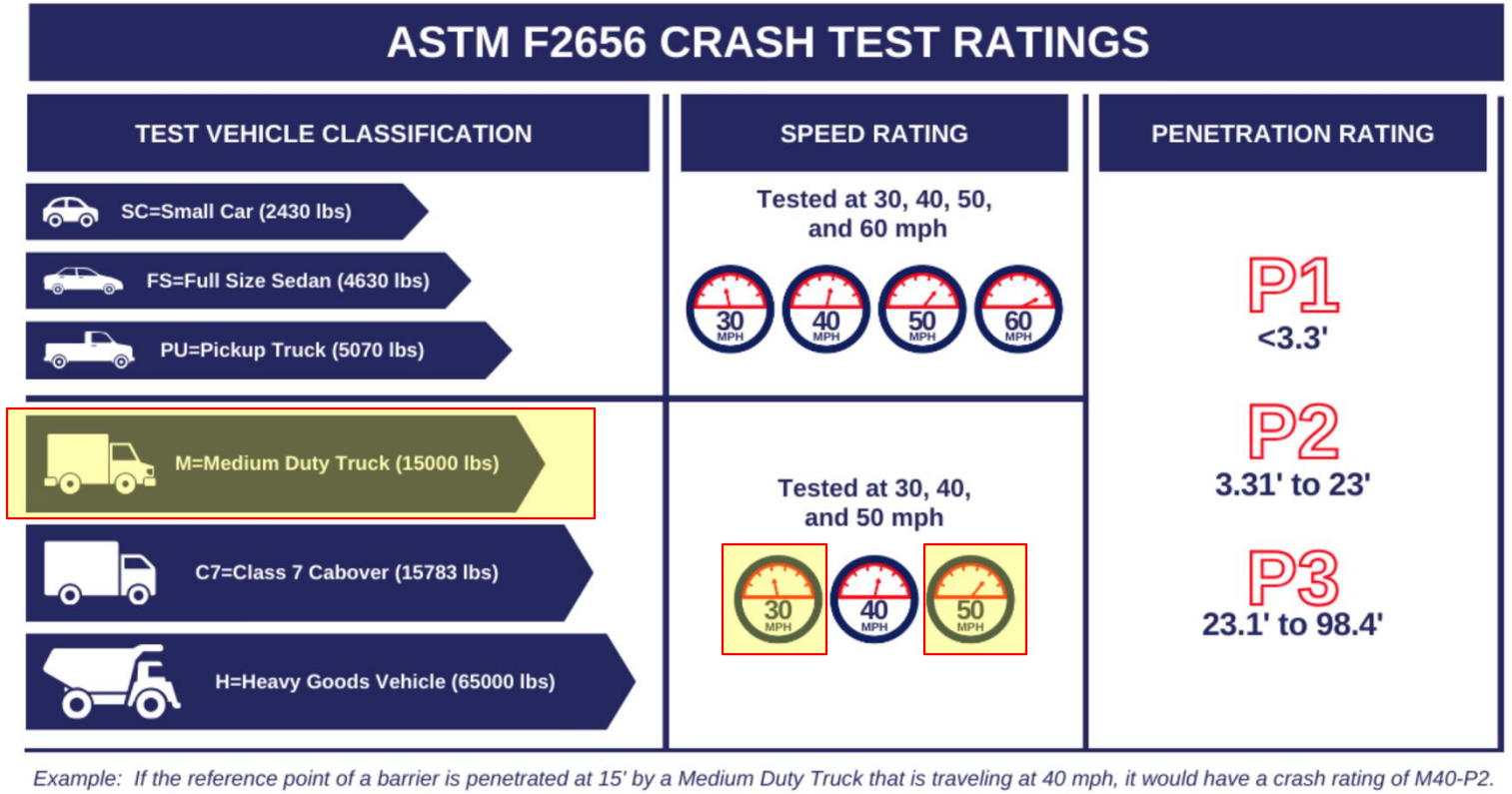
The Lakes Guardhouse Protection

MCW
Engineering & Design

MCW
Engineering & Design

Bollard Crash Ratings

The Lakes New Guardhouse Plan uses M rated bollards rated for 50mph along the front and 30mph along the drive isle.



Example: If the reference point of a barrier is penetrated at 15' by a Medium Duty Truck that is traveling at 40 mph, it would have a crash rating of M40-P2.

Low Profile Bollards

BARRIER 1 SYSTEMS

TOMAHAWK M50 SA SHALLOW MOUNT BOLLARDS









FEATURES

- Certified to stop a 15,000 lb vehicle at 50 mph (ASTM F2656-M50-P1)
- Industry-leading, high-security, single stand-alone shallow-mount bollard
- Department of Defense (DoD) approved and listed on the Anti-Ram Vehicle Barrier List
- Double-wall steel construction with an Ø 8-5/8" Schedule 80 inner pipe and 10-3/4" Schedule 120 outer pipe
- 14" shallow foundation avoids interference with underground utilities
- Prefabricated bollard unit allows for field adjustments during installation
- Offered with a variety of decorative cover options

PRODUCT DETAILS

- Model #: SMB-1200-SA
- Diameter: 10 3/4" OD Steel Pipe
- Weight: 1,965 lbs. each (with rebar)
- Foundation Depth: 14"
- Bollard Cover Diameter: 12"



Scan for more information.

BARRIER1.COM

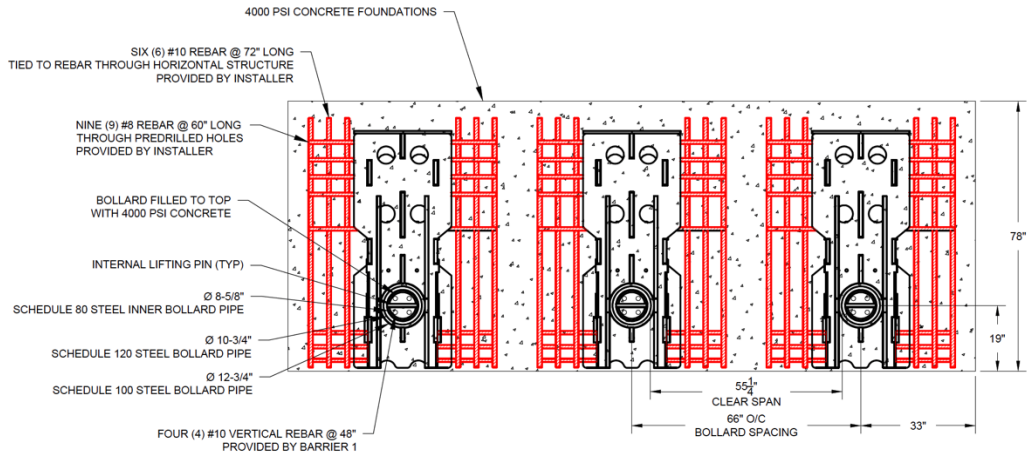
3300 Battleground Ave, Suite 320, Greensboro, NC 27410
info@barrier1.com | 336-617-8478

The Lakes New Guardhouse Plan uses low profile bollards in front of the building to avoid any conflicts with the utility electrical conduit.

B1 TOMAHAWK M50

SHALLOW MOUNT BOLLARD - MODEL SMB-1200-SA
CRASH TESTED TO ASTM F2656-07 - M50/P1 RATED - STOPS 15,000 LB. VEHICLE AT 50 MPH IMPACT

TYPICAL BOLLARD ARRAY INSTALLATION



https://barrier1.com/products/high-security-bollards

Bollard Cover Planters

FIBERGLASS PLANTER COVERS

Elevate the appearance of your high-security bollards with our fiberglass Planter Bollard Covers. Designed to fit over any of our crash-rated bollards, these covers enhance streetscapes, plazas, churches, and business districts with stylish designs. Available in 7 fiberglass styles and 20 color options, they provide an easy way to blend high-level security with aesthetic appeal.



SAINT TROPEZ
Available Dimensions:
20″ x 43″
24″ x 50″
28″ x 60″



BRANNAN
Available Dimensions:
30″ x 41″



WANNSEE
Available Dimensions:
50″ x 44″



SAN JOSE
Available Dimensions:
22″ x 40″



TOULAN
Available Dimensions:
20″ x 20″ x 42″
23″ x 23″ x 48″
28″ x 28″ x 60″



MONTROY CUBE
Available Dimensions:
40″ x 40″ x 40″
48″ x 48″ x 48″



PERTH
Available Dimensions:
16″ x 16″ x 42″
24″ x 16″ x 42″
36″ x 16″ x 42″
48″ x 16″ x 42″
60″ x 16″ x 42″
72″ x 16″ x 42″



FIBERGLASS PLANTER COLOR OPTIONS





The Lakes New Guardhouse Plan bollards along the front and drive isles will be covered with fiberglass planter covers for aesthetic purposes. The structure of the bollard will be hidden inside the planter

https://barrier1.com/products/bollard-covers/

MCW
Engineering & Design

Bollard Cover Single



THERMOPLASTIC BOLLARD COVERS

Protect and enhance your bollards with our Thermoplastic Bollard Covers. Available in both Standard and Decorative styles, including 9 decorative options with 2 lighted designs (UV and hardwired), these covers provide a sleek, durable solution for any setting. Choose from 15 color options to complement your aesthetic, brand, or school colors. Custom colors available upon request.

STANDARD
Fits Over Pipe Diameters:
3"-12" – up to 84" Tall

PARAMOUNT
Fits Over Pipe Diameters:
4" – up to 48" Tall

ARCHITECTURAL
Fits Over Pipe Diameters:
6" – up to 52" Tall
(can fit 4" pipe with insert)

METRO
Fits Over Pipe Diameters:
6", 8" – up to 50" Tall

SKYLINE
Fits Over Pipe Diameters:
6" – up to 60" Tall
8" – up to 52" Tall
10" – up to 51" Tall

RIBBED
Fits Over Pipe Diameters:
10" – up to 48" Tall
(can fit 4", 6", 8" pipe with insert)

CINCO
Fits Over Pipe Diameters:
6" – up to 52" Tall
10" – up to 60" Tall

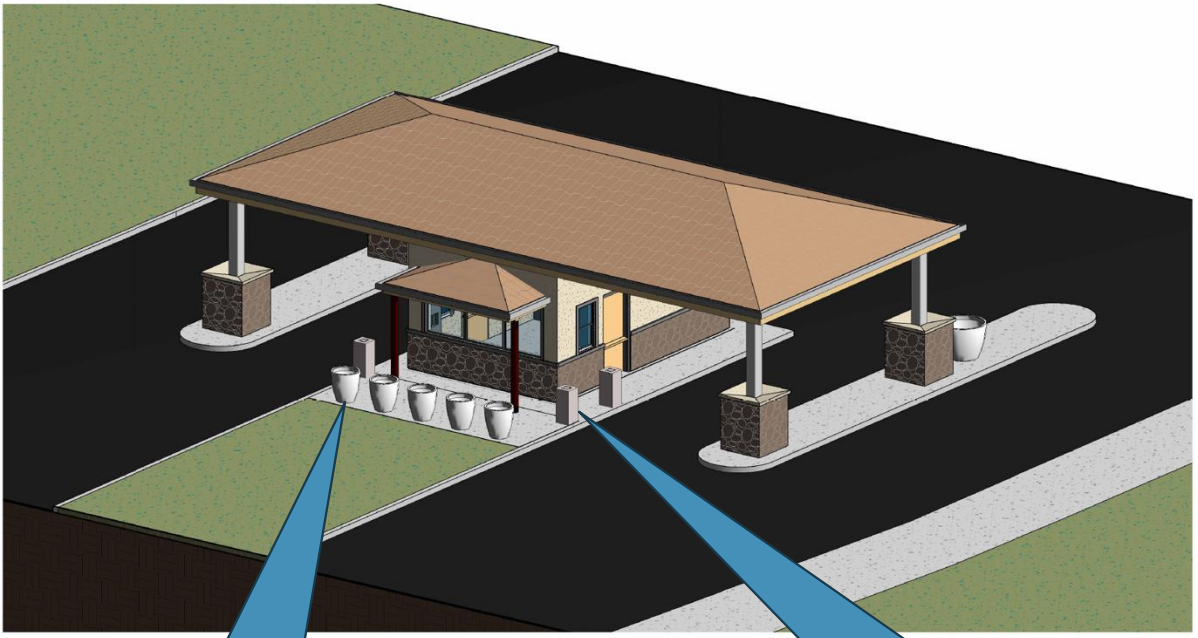
PAWN
Fits Over Pipe Diameters:
10" – up to 41" Tall
(can fit 4", 6", 8" pipe with insert;
8" pipe fits max 41" Tall;
4" & 6" pipe fits max 48" Tall)

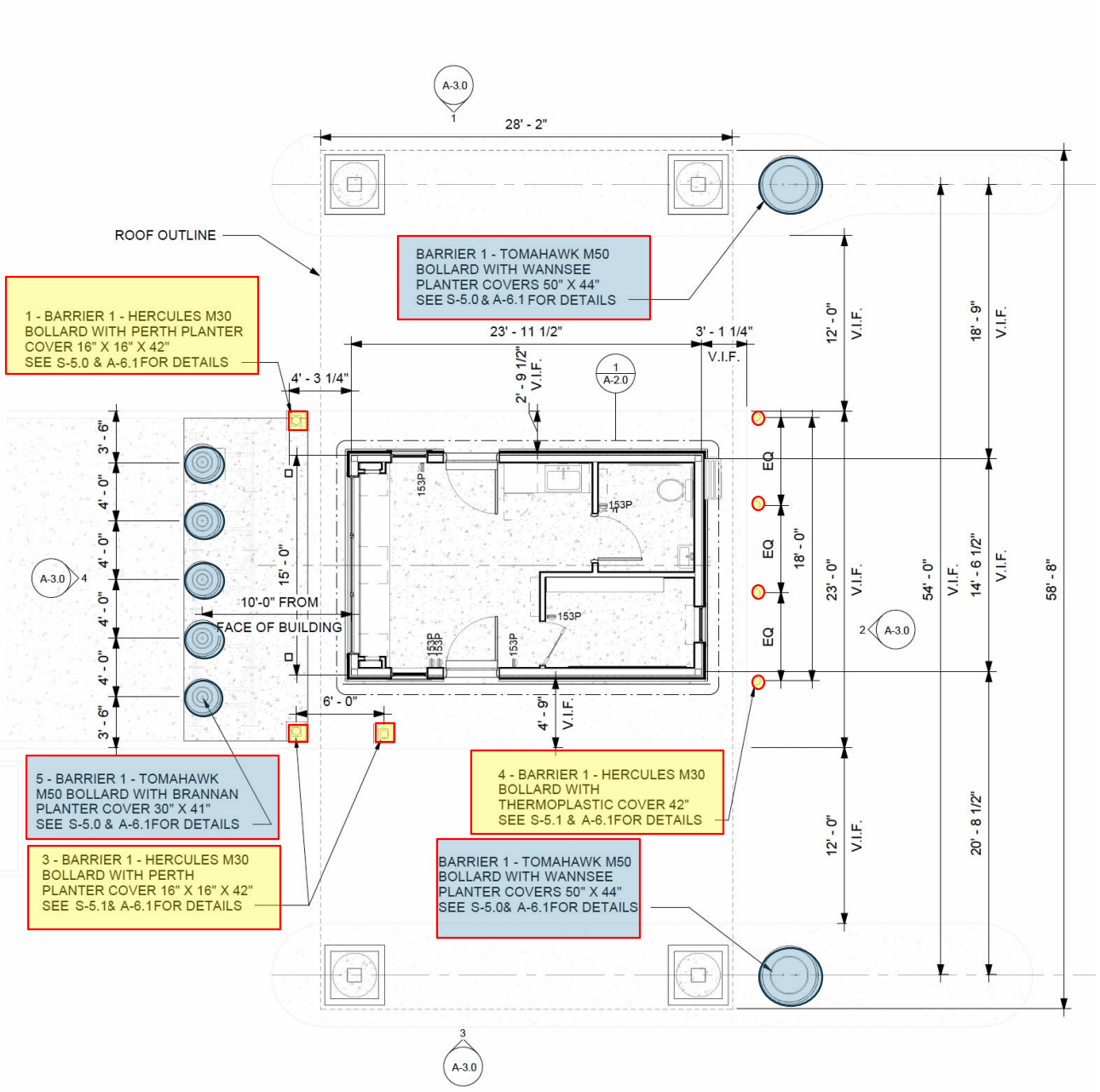
LIGHTED UV/LIGHTED HARDWIRED
Fits Over Pipe Diameters:
6" – up to 50" Tall
(can fit 4" pipe with insert)

The Lakes New Guardhouse Plan bollards along the back parking spaces will be covered with thermoplastic covers for aesthetic purposes. The structure of the bollard will be hidden inside the planter. These are rated

https://barrier1.com/products/bollard-cove

MCW
Engineering & Design





(E) TEMPORARY GUARDHOUSE

Bollard Layout

NEW SITE PLAN
SCALE: 3/16" = 1'-0"

4455 Genesee Street, Buffalo, New York 14225 | *Phone:* 716.632.7500 | *Fax:* 716.631.6969 | www.calspan.com

Calspan Test No.:	BR0011
Test Standard:	ASTM F2656-15
Impact Condition Designation:	M30
Client:	Barrier 1
Model:	Shallow Mount Bollard SMB-400-SA
Product Rating:	M30 – P1

July 7, 2020

To whom it may concern:

This letter is to certify that the subject barrier, the Shallow Mount Bollard SMB-400-SA provided by Barrier 1, was tested to the requirements of the ASTM standard F2656-15, with M30 impact condition designation. This was the standardized Test Method for Vehicle Crash Testing of Perimeter Barriers, at the time the barrier test was performed.

The test was performed at Calspan Corporation, on June 24, 2020, for Barrier 1. The Barrier 1, Shallow Mount Bollard SMB-400-SA was impacted by *a* medium duty truck, weighing 6,688 kg (14,745 lbs.) travelling at 47.6 kph (29.6 mph). Post-test measurements of the dynamic movement of the test vehicle's payload (truck bed) show that the left and right, leading edge of the truck bed, were stopped at 1.604 meters and 1.306 meters respectively, before the trailing edge (reference line) of the impacted bollard. As such, based on the test vehicle mass, impact velocity and penetration into the protected zone, the barrier rating per the ASTM standard F2656-15, is M30 – P1.

Calspan is accredited to ISO 17025 to perform ASTM F2656-15 testing by Perry Johnson Laboratories Accreditation, Inc. (PJLA) under Certificate Number L13-137 and Accreditation Number 76654.

Respectfully,

David Casey

David Casey

Test Director

Safer Highways…Safer Skies

4455 Genesee Street, Buffalo, New York 14225 | *Phone:* 716.632.7500 | *Fax:* 716.631.6969 | www.calspan.com

September 24, 2018

To whom it may concern:

This letter is to certify that the subject barrier, the Shallow Mount Bollard, Single Stand-Alone (model SMB-1200-SA) provided by Barrier1 Systems, Inc., was tested to the requirements of the ASTM standard F-2656-07, Standard Test Method for Vehicle Crash Testing of Perimeter Barriers, in place when the test was performed.

The test was performed at Calspan Corporation on September 22, 2018. The Single Shallow Mount Bollard was impacted by a truck weighing 6872 kg (15,150 lbs.) travelling at 78.20kph (48.60 mph). Post-test measurements of the dynamic movement of the test vehicle's payload (truck bed) show that the left and right leading edge of the truck bed was stopped at 772mm and 841mm respectively before the trailing edge of the impacted bollard. There was effectively "0" penetration of the vehicle payload. As such, based on the truck mass, impact velocity and penetration into the protected zone, the barrier rating per the ASTM standard F-2656-07 is M50–P1.

Calspan is accredited to ISO 17025 to perform ASTM F2656-07 testing by Perry Johnson Laboratories Accreditation, Inc. (PJLA) under Certificate Number L13-137 and Accreditation Number 76654.

Respectfully,

Edward Dutton

Edward Dutton
Test Director

Subject: Guardhouse at The Lakes in Discovery Bay
Date: Monday, December 15, 2025 12:24:28 PM

Hello,

I was one of the Lakes residents who initially had some concerns about the new guardhouse being proposed for our community. I withdrew my concern because those questions (about the bollards) were answered to my satisfaction.

However, since that time, I have learned that the proposed guardhouse is going to cost over $600,000 with some parts of the awarded contract still labeled as "TBD." To Be Determined. This sounds like a very nice way to inflate an already outrageous price for a building that is going to be under 400 square feet. When full 2-story, 4-bedroom houses in our community are selling for $725,000, I am convinced that some shady dealings and kickbacks are at play here.

Is there any way that I can re-establish myself as a resident with a MAJOR objection to this proposal?

Thank you.
--
Regards,

Anita K. Thorn

File #: 26-203 **Agenda Date:** 1/21/2026 **Agenda #:** 5a.

Project Title:	Variance and Kensington Design Review for Deck
County File:	CDVR25-01041
Applicant: Owner:	Jamie Groetsch, The Architects Office Stephen C Lowry Tre
Zoning:	R-6 Single-Family Residential District (R-6), Tree Obstruction of Views Combining District (-TOV), Kensington Combining District (-K)
General Plan:	Residential Medium Density (RM)
Site Address/Location	242 Yale Avenue, Kensington, CA 94708 / APN: 570-071-005
California Environmental Quality Act (CEQA) Status:	Categorical Exemption, CEQA Guidelines Section 15301(e)
Project Planner:	Chloe Partain, Planner I - phone: (925) 655-2857 and email: chloe.partain@dcd.cccounty.us
Staff Recommendation:	Approve (See section II for full recommendation)

I. PROJECT SUMMARY

The applicant requests approval of (1) a Development Plan with a Kensington Design Review to allow the construction of a new, approximately 135-square-foot uncovered deck extending from the rear of the second floor of an existing single-family residence with a gross floor area of 2,693 square feet, where the maximum gross floor area is 2,000 square feet and (2) a Variance Permit to allow a 9'-11" secondary frontage setback (where 15' is the minimum) for the construction of a new, uncovered deck that meets the requirements of Section 26-2.2006 of the County Ordinance Code.

II. RECOMMENDATION

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

1. OPEN the public hearing for the Variance and Kensington Design Review (County File #CDVR25-01041), ACCEPT public testimony, and CLOSE the public hearing;

2. DETERMINE that the project is categorically exempt from CEQA;

3. APPROVE County File #CDVR25-01041 based on the attached Findings and Conditions of

Approval; and

4. DIRECT staff to file a Notice of Exemption.

III. BACKGROUND

The application was submitted as a Variance application on August 26, 2025. The development results in a gross floor area that exceeds the threshold standard set forth in Section 84-74.802 of the County Zoning Ordinance. Therefore, a public hearing is required in accordance with Section 84-74.1006 of the County Zoning Ordinance.

IV. GENERAL INFORMATION

A. General Plan - The subject property is located within a Residential Medium Density (RM) General Plan land Use designation.

B. Zoning District - The subject property is located within the R-6 Single-Family Residential District (R-6), the Tree Obstruction of Views Combining District (-TOV), and the Kensington Combining District (-K).

C. California Environmental Quality Act (CEQA) - The proposed project is exempt under CEQA Guidelines Section 15301(e) - Existing Facilities, additions to existing structures provided that the addition will not result in an increase of more than "50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less." The project is to construct a new, approximately 135-square-foot uncovered deck extending from the rear of the second story of the existing single-family residence.

D. Lot Creation: The subject property was created as Lot 16 of Yale Avenue of Berkeley Highlands, which was approved on April 19, 1912.

V. SITE/AREA DESCRIPTION

The subject site is a 4,000-square-foot parcel located within a single-family residential neighborhood in the Kensington area, at an elevation of approximately 580 feet. The subject property is on the western side of Yale Avenue. Properties along the western side of Yale Avenue are at a lower elevation compared to residences on the opposite side of the street. Based on County records, the existing single-family residence was built in 1936. The total existing gross floor area is 2,693 square feet.

Parcels in the area are typically around 4,000 square feet and have minimum side yards between residences on adjoining parcels. Views exist to the west and homes in the vicinity take advantage of the elevation and hilly terrain in constructing western-facing improvements offering expansive

views.

Generally, the surrounding area consists of one-story, two-story, and some three-story houses. These homes range from 1,000 square feet to 2,800 square feet in total living area. Architectural styles in the neighborhood are diverse, including Craftsman, Minimal Traditional, and Shingle.

VI. PROJECT DESCRIPTION

The applicant requests approval of (1) a Development Plan with a Kensington Design Review to allow the construction of a new, approximately 135-square-foot uncovered deck extending from the rear of the second floor of an existing single-family residence with a gross floor area of 2,693 square feet, where the maximum gross floor area is 2,000 square feet and (2) a Variance Permit to allow a 9'-11" secondary frontage setback (where 15' is the minimum) for the construction of a new, uncovered deck that meets the requirements of Section 26-2.2006 of the County Ordinance Code.

The existing residence is 2,693 square feet and the proposed project will increase the gross floor area by 135 feet for the covered area underneath the proposed deck. The total gross floor area will be 2,828 square feet, which is over the maximum threshold of 2,000 square feet.

VII. AGENCY COMMENTS

A. Kensington Municipal Advisory Council (KMAC): The KMAC voted 6-0 to recommend approval of the project at their September 24, 2025, meeting.

B. East Bay Municipal Utility District (EBMUD): In an email received on August 27, 2025, EBMUD staff stated that EBMUD has no comments on the proposed development.

No comments were received from the following agencies: Conservation and Development Building Inspection Division, Kensington Fire Protection District, Stege Sanitary District, City of El Cerrito, and Contra Costa Mosquito and Vector Control District.

VIII. STAFF ANALYSIS AND DISCUSSION

A. Consistency with General Plan: The subject property is located within a Residential Medium Density General Plan Land Use designation. The RM designation allows for a residential density between 7 to 17 dwelling units per acre. The subject property is a 4,000-square-foot legal lot with an existing residence built in 1936.
The project includes the construction of a deck to the existing single-family residence, which is consistent with the land use designation.

The "Stronger Communities" Element of the 2045 Contra Costa General Plan includes 14 policies specifically for the Kensington community. Many of these policies deal with development of vacant lots, larger-scale development projects, infrastructure, or commercial development. Three in particular are relevant for this project.

Policy #3: 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.

Analysis: This policy aligns closely with the requirements of the Kensington Combining District ordinance, which requires findings regarding views, design compatibility, adequate parking, privacy, and access to sunlight to be made for projects that exceed thresholds for gross floor area as specified in the ordinance. The existing residence has 2,693 square feet in gross floor area, and the project will add 135 square feet in gross floor area, resulting in a total of 2,828 square feet in gross floor area. Therefore, this project exceeds the threshold of 2,000 square feet in gross floor area for lots that are 4,000 square feet in size.

Finding #3 of the Kensington Combining District Findings for this project addresses the minimization of impacts upon surrounding neighbors.

- Views: The new deck at the rear of the existing residence on the subject property is minimal in size and height as it is only 135-square-feet in size and 11-feet 5-inches in height. Due to its location, it does not obstruct the existing view from adjacent neighbor properties.
- Design Compatibility: The uncovered deck is at a lower height than that of the existing roof line. Numerous properties in the area have western facing decks that take advantage of the views provided by the hilly terrain. Therefore, the project is compatible with the neighborhood with regard to bulk and scale.

- Adequate Parking: The existing two-car garage provides the minimum required off-street parking spaces serving this existing residence. This project does not displace the existing parking nor does it necessitate the addition or inclusion or additional off-street parking spaces. Therefore, there is no impact on parking in the area.

- Privacy: The project is also not expected to have any significant impact on privacy as the uncovered deck is at a lower height than existing conditioned space within the existing residence.

- Access to Sunlight: The project will have minimal impact on light and solar access because the new, approximately 135-square-foot deck is uncovered and relatively small in size. Furthermore, the deck does not increase or exceed the height of the existing

residence. Therefore, the deck is not expected to block light and solar access to adjacent properties.

Policy #4: 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.

Analysis: This policy aligns closely with the requirements of the Kensington Combining District ordinance, which requires findings regarding views to be made for projects that exceed thresholds for gross floor area as specified in the ordinance. The existing residence has 2,693 square feet in gross floor area, and the project will add 135 square feet in gross floor area, resulting in a total of 2,828 square feet in gross floor area. Therefore, this project exceeds the threshold of 2,000 square feet in gross floor area for lots that are 4,000 square feet in size.

Finding #3 and #4 of the Kensington Combining District Findings for this project addresses the minimization of impacts upon surrounding neighbors.

- The existing views from the properties adjacent to the north and west are of houses on Amherst Avenue and of the San Francisco Bay. The new deck at the rear of the existing residence on the subject property is minimal in size and height. Due to its location, it does not obstruct the existing view from adjacent neighbor properties.

Finding #4 of the Kensington Combining District Findings for this project addresses protection of the value and enjoyment of the neighbors' property.

- The project does not obstruct any views, predominantly of the San Francisco Bay, from surrounding vantage points. Additionally, it does not substantially decrease access to sunlight for any surrounding properties, due to its siting and being located 8'-0" above ground level. Therefore, the project is expected to preserve the value and enjoyment of neighboring properties.

Policy #5: For new developments, encourage building scale, massing, architectural style, and materials to provide harmonious scale transitions and blend with the surrounding existing residential neighborhood.

Analysis: This policy aligns closely with the requirements of the Kensington Combining District ordinance, which requires findings regarding views to be made for projects that exceed thresholds for gross floor area as specified in the ordinance. This project exceeds the threshold of 2,000 square feet in gross floor area for lots that are 4,000 square feet in size.

Finding #3 of the Kensington Combining District Findings for this project addresses the minimization of impacts upon surrounding neighbors.

- The enjoyment of outdoor decks is consistent and compatible with the surrounding area and with residential development in general.

- The uncovered deck is at a lower height than that of the existing roof line. Numerous properties in the area have western facing decks that take advantage of the views provided by the hilly terrain. Therefore, the project is compatible with the neighborhood with regard to bulk and scale.

The purpose of this chapter is to provide specific regulations to fairly and efficiently implement Contra Costa General Plan policies for the Kensington area so that future development recognizes the rights of property owners to improve the value and enjoyment of their property while minimizing impacts on surrounding properties.

B. Consistency with Zoning: The subject property is located within the R-6 Single-Family Residential District (R-6), the -TOV Tree Obstruction of Views Combining District (-TOV), and the -K Kensington Combining District (-K).

The R-6 District allows a single-family dwelling unit and the accessory structures and uses normally auxiliary to it. The project consists of exterior improvements to an existing residence and would remain consistent with the R-6 standards. The proposed deck has a height of 11-feet 5-inches. The entirety of the proposed structure, including the safety railing, will be at a lower elevation relative to the existing roof peak. Therefore, the project does not increase the existing building height of 22-feet 9-inches, where 35 feet is the maximum. All portions of the proposed deck meet the minimum 5-foot side yard setbacks and the 20-foot minimum front yard setback. Therefore, the proposed project will substantially conform to the R-6 Single-Family Residential District standards.

The Tree Obstruction of Views Combining District (-TOV) Ordinance is not applicable to this project as the development does not include alteration, addition, or removal of any trees.

The Kensington Combining District (-K) Ordinance, which regulates development standards in the Kensington area, triggers a hearing requirement if proposed development exceeds the threshold standard of 2,000 square of gross floor area for a lot of 4,000 square feet in area. The gross floor area (GFA) for the existing development on site is 2,693 square feet. The proposed uncovered deck does not count towards the "gross floor area", as defined by County Ordinance Section 84-74.404(h). However, the 135-square-foot area below the deck is counted based on the aforementioned ordinance, thus increasing the GFA to 2,828 square feet. The intent of the hearing requirement is to ensure that development in the Kensington area will promote the community's values of preservation of views, light, and solar access, privacy, parking, residential noise levels, and compatibility with the neighborhood in regard to height, bulk and size. As discussed further in the attached "Findings and Conditions of Approval," the

project is consistent with these community values and satisfies all standards of consideration as found in the Kensington Combining District (-K) Ordinance.

Since improvements are typically oriented to the west, the introduction of a new structure into the built environment could potentially affect the views of properties to the east of the subject property. Numerous adjacent neighbors enjoy existing views across the subject property towards the San Francisco Bay and beyond. Due to the low elevation of the proposed deck relative to those higher properties on the eastern side of Yale Avenue, the project would not introduce a new substantial building mass within the line of the sight of any existing view. Given the change in elevation, the proposed deck is more likely to obstruct views of the surrounding built environment which are not considered a "view" as defined in County Ordinance Section 84-74.404(r). The existing building mass would also screen the uncovered deck when viewed from easterly vantage points.

The proposed deck is oriented towards the secondary frontage and not directly adjacent to an adjoining residence or to improvements on adjoining parcels. Although routine development can result in adverse effects on light, solar access, and privacy in neighborhoods with narrow lots and minimal side yards, this will not be the case here because the entirety of the deck is lower in elevation relative to the living space on adjoining parcels and is proposed at a height below that of the existing residence. The deck is not expected to have a significant impact on privacy due to the fact that it is not adjacent to existing living space on an adjoining parcel and the topography and landscaping obstruct direct line of sight of the project.

C. Appropriateness of Use: The project is to construct improvements for an existing residence. The proposed deck does not change the established residential use of the existing single-family residence on the property. Since this portion of the County has been developed with residential uses since 1942, the addition of a deck is appropriate at this location.

VIII. CONCLUSION

The proposed development is consistent with the RM General Plan Land Use designation and substantially complies with the intent and purpose of the R-6 Zoning District, the -TOV Tree Obstruction of Views Combining District, and the -K Kensington Combining District. Therefore, as proposed, the subject improvements to an existing residence are an appropriate use for the subject site and its characteristics. Staff recommends that the Zoning Administrator approve County File #CDVR25-01041 based on the attached findings and conditions of approval.

Attachments:

1. Findings and Conditions of Approval
2. Maps - Parcel Maps, Aerial Map, Zoning Map, General Plan Map
3. Agency Comments
4. Project Plans

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDVR25-01041; JAMIE GROETSCH, THE ARCHITECTS OFFICE (APPLICANT), STEPHEN C LOWRY TRE (OWNER):

I. Variance Findings

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

   Project Finding: The Variance is to allow a 9'-11" secondary frontage setback (where 15' is the minimum required) for a 135-square-foot uncovered deck extending from the rear of the second floor of the existing residence. A substantial portion of the residence exists within the secondary front setback area. Based on the minimum required setbacks in the ordinance, full compliance with applicable development standards would render approximately 64% of the subject property unbuildable. Given the physical characteristics of the subject property, routine development would expectedly encounter challenges to fully comply with R-6 development standards. Considering that the deck otherwise conforms to all applicable development standards, the granting of the secondary front setback variance will not be a grant of special privilege inconsistent with the limitations of other properties in the vicinity and the respective land use district.

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

   Project Finding: The subject property is located in an area of the County which is quite steep and developed in the early 1900's. Since most properties were developed prior to adoption of the current R-6 zoning for the Kensington area, setback encroachments are typical for this area. Additionally, at 4,000 square feet in area, the subject property is substandard with respect to the minimum parcel size for the R-6 district (6,000 square feet). Further, the subject property is a corner lot, which entails more stringent setback requirements and further constrains conforming building locations on this property. Considering the dimension constraints and surrounding topography, the deck is located in the most reasonable area of the property as it is sited in a location that provides the property owners with views while not intruding on the privacy of neighboring properties. Strict application of the R-6 standards would prevent the applicant

from being able to construct an uncovered deck at the rear of the residence and would deprive the subject property of the rights enjoyed by other properties in the vicinity and within the identical land use district.

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

   Project Finding: The intent and purpose of a R-6 zoning district is to facilitate orderly development and maintenance of medium-density single-family residential neighborhoods. The existing single-family residence located on the parcel is consistent with the desired development mentioned above. The improvement is directly associated with and ancillary to the residential use of the subject property.

   Additionally, there is no element of the project that will inhibit future residential uses or development on the subject property or those in the surrounding neighborhood. Therefore, a variance authorized for the reduced setback will substantially meet the intent and purpose of the R-6 zoning district in which the property is located.

   In addition, the project is consistent with the applicable Findings for the -K Kensington Combining District and only expands the gross floor area on the property by 135 square feet. The development does not include alteration, addition, or removal of any trees, therefore, the -TOV ordinance does not apply to the proposed project. Therefore, the variance requests will meet the intent and purpose of the current zoning district.

II. Kensington Combining District Findings

Kensington Combining District (-K) requires the project to satisfy seven criteria to be approved:

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

   Project Finding: The project involves the construction of a new, approximately 135-square-foot uncovered deck extending from the rear of the second floor of an existing single-family residence. The deck is designed with a 9'-11" secondary frontage setback (where 15 feet is required), however, the required finding for a variance to the R-6 zoning standards have been established. The deck conforms to standards for primary frontage and side yard setbacks and does not exceed

the maximum height limitation of the R-6 district. Approval of this Variance will provide the property owner with an opportunity to enhance the outdoor living areas—including the second-story deck and the lower-level covered patio—while also improving the property's visual appeal, which in turn contributes to its overall value and enjoyment.

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 subject property is not a vacant lot, so this criterion does not apply.

3. *Minimizing impacts upon surrounding neighbors.*

   Project Finding: The Kensington Combining District Ordinance requires staff to consider the project's impact on neighbors' views, light and solar access, privacy, parking, residential noise levels, and compatibility with the neighborhood with regard to bulk and scale.

   Nearby homes having existing "views", as defined in County Ordinance Section 84-74.404(r), predominantly consist of properties located east of the subject property. Since the height and location of the deck are such that it will not be visible when viewed from the east, the project will have a negligible impact on "views".

   The subject residence's proximity to the adjacent properties on the same side of the street determines whether there would be any significant impact on light and solar access, and privacy. No such impacts are expected for easterly or southerly parcels due to the separation between these properties provided by the adjoining public rights-of-way. For northerly and westerly adjacent parcels, the project will have minimal impact on light and solar access. This determination is based on the relatively small scale of the project, the deck's lower elevation relative to nearby existing improvements, and visual screening provided by the surrounding built environment. Furthermore, the deck does not increase or exceed the height of the existing residence. Therefore, the deck could not block light and solar access to adjacent properties. The project is also not expected to have any significant impact on privacy as the uncovered deck is at a lower height than existing conditioned space within the existing residence. Additionally, rising topography makes the deck appear lower than it is because the street level is slightly higher than the backyard level.

The existing two-car garage provides the minimum required off-street parking spaces serving this existing residence. This project does not displace the existing parking nor does it necessitate the addition or inclusion or additional off-street parking spaces. Therefore, there is no impact on parking in the area.

The enjoyment of outdoor decks is consistent and compatible with the surrounding area and with residential development in general. Therefore, any new noise impacts resulting from use of this deck would expectedly be minimal.

The uncovered deck is at a lower height than that of the existing roof line. Numerous properties in the area have western facing decks that take advantage of the views provided by the hilly terrain. Therefore, the project is compatible with the neighborhood with regard to bulk and scale.

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

Project Finding: Staff has not received any comments or correspondence from neighbors expressing concerns with project-related impacts, nor were any concerns communicated at the Kensington Municipal Advisory Council (KMAC) meeting held on September 24, 2025. Based on the above, the project to construct a new deck will have a minimal impact on surrounding neighbors.

The project does not obstruct any views, predominantly of the San Francisco Bay, from surrounding vantage points. Additionally, it does not substantially decrease access to sunlight for any surrounding properties, due to its siting and being located 8'-0" above ground level. Therefore, the project is expected to preserve the value and enjoyment of neighboring properties.

5. *Maintaining the community's property values.*

Project Finding: The project has an insignificant impact on views, light and solar access, and privacy of nearby residences. Development of this type would generally be considered an improvement to the property and therefore may increase the value of the subject property. There is no evidence in the record suggesting that the project may have an adverse effect on property values, either for this property or for those in the surrounding area.

6. *Maximizing the use of existing interior space.*

Project Finding: The new deck is an extension of the living area to outdoor space. No portion of the existing residence could be used for the same purpose and no portion of the existing house is at a suitable location to serve the intended

purpose of outdoor living space providing western facing views. The project is intended to complement the interior by maximizing the functionality of the existing great room by providing more floor area while preserving the views that are available from that area of the home, thereby improving the overall use and functionality of space.

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

Project Finding: The improvements to a single-family residence do not change the land use of the subject property and have a miniscule adverse effect on surrounding properties. The project does not involve the use, transportation, storage, or handling of hazardous substances beyond what is typical for residential construction activities. The project is required to comply with all applicable building and fire codes. Based on the foregoing reasons, the project will maintain the general welfare, public health, and safety of the Kensington community.

III. California Environmental Quality Act (CEQA) Findings

The proposed project is exempt under CEQA Guidelines Section 15301(e)(1) – Existing Facilities, additions to existing structures provided that the addition will not result in an increase of more than "50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less." The project is to allow a 9'-11" secondary frontage setback (where 15' is the minimum) for the construction of a new, approximately 135-square-foot uncovered deck extending from the rear of the second floor of an existing single-family residence where the existing residence exceeds the threshold of 2,000 square feet in gross floor area.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDVR25-01041:

Project Approval

1. A Development Plan with a Kensington Design Review to allow the construction of a new, approximately 135-square-foot uncovered deck extending from the rear of the second floor of an existing single-family residence with a gross floor area of 2,693 square feet, where the maximum gross floor area is 2,000 square feet is APPROVED.

2. A Variance Permit to allow a 9'-11" secondary frontage setback (where 15' is the minimum) for the construction of a new, uncovered deck that meets the requirements of Section 26-2.2006 of the County Ordinance Code and is APPROVED.

3. The project approval described above is granted based on, or as generally shown on the following documents.

- Application materials submitted to the Department of Conservation and Development, Community Development Division (CDD) on August 26, 2025.
- Revised project plans received on September 26, 2025.

General Provisions

4. 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 Variance permit or Kensington Design Review.

Payment of Fees

5. The application was subject to an initial deposit of $3,250.00. The application is subject to time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the approval 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 in the event that additional fees are due.

Construction Period Restrictions and Requirements

All construction activity shall comply with the following conditions and shall be included on the construction drawings.

6. 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.

7. 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.

8. Construction equipment and materials shall be stored onsite.

9. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

10. Large trucks and heavy equipment shall be 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.

11. A good faith effort shall be made to avoid interference with existing neighborhood traffic flows.

12. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 7:30 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

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

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

    Federal Holidays: Federal Holidays (opm.gov)
    California Holidays: https://www.sos.ca.gov/state-holidays

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 Building Inspection Division
- Stege Sanitary District
- East Bay Municipal Utility District
- Kensington Fire Protection District

BLOCK E & PORTION BLOCK F, BERKELEY HIGHLANDS M.B. 6-150

TAX CODE AREA

1" = 50'

08

04

05

06

10

YALE

AVE.

PRINCETON

AVE

AMHERST

AVE

071

072

E

F

12 13 14 15 16

01 02 03 04 05

21 20 19 18 17

10 09 08 07 06

1 2 3 4 5 6 7

08 09 10 11 12 13 14

14 13 12 11 10 9 8

07 06 05 04 03 02 01

N24° 15"W 43 6.26 50.05 R=703.68 50.34 40.70 33.42 R=10 15.84

N65° 45'E 100 100 100.38 101.35 102.61 96.92

43.75 6.26 50 13.75 36.26 F 50.08 50.28 50.44 R=805.08 40.94 50.90 41.62 51.89

N65° 45'E 100 100 100.22 101.25 103.20 91.74

S24° 15'W 50 13.75 36.29 50.40 R=503.68 51.28 38.44 19.21 R=10

R=5 1.96 N23° 00'W 44.40 50.01 50.01 50.01 50.01 50.01 34.36 12.28

N65° 45'E 98.89 108.78 112.56 116.84 121.12 125.40 129.68 133.82

50.29 45.26 50.29 45.26 50.29 45.26 50.29 N18° 07'W 50.29 50.58 50.29 50.58 50.29 50.58 36.07

99.09 107.02 110.82 114.62 118.83 122.48 126.10 130

R=5 6.92 41.69 45.82 45.82 50.91 N13° 24'W 47.88 47.88 47.87

N70° 05'30"E

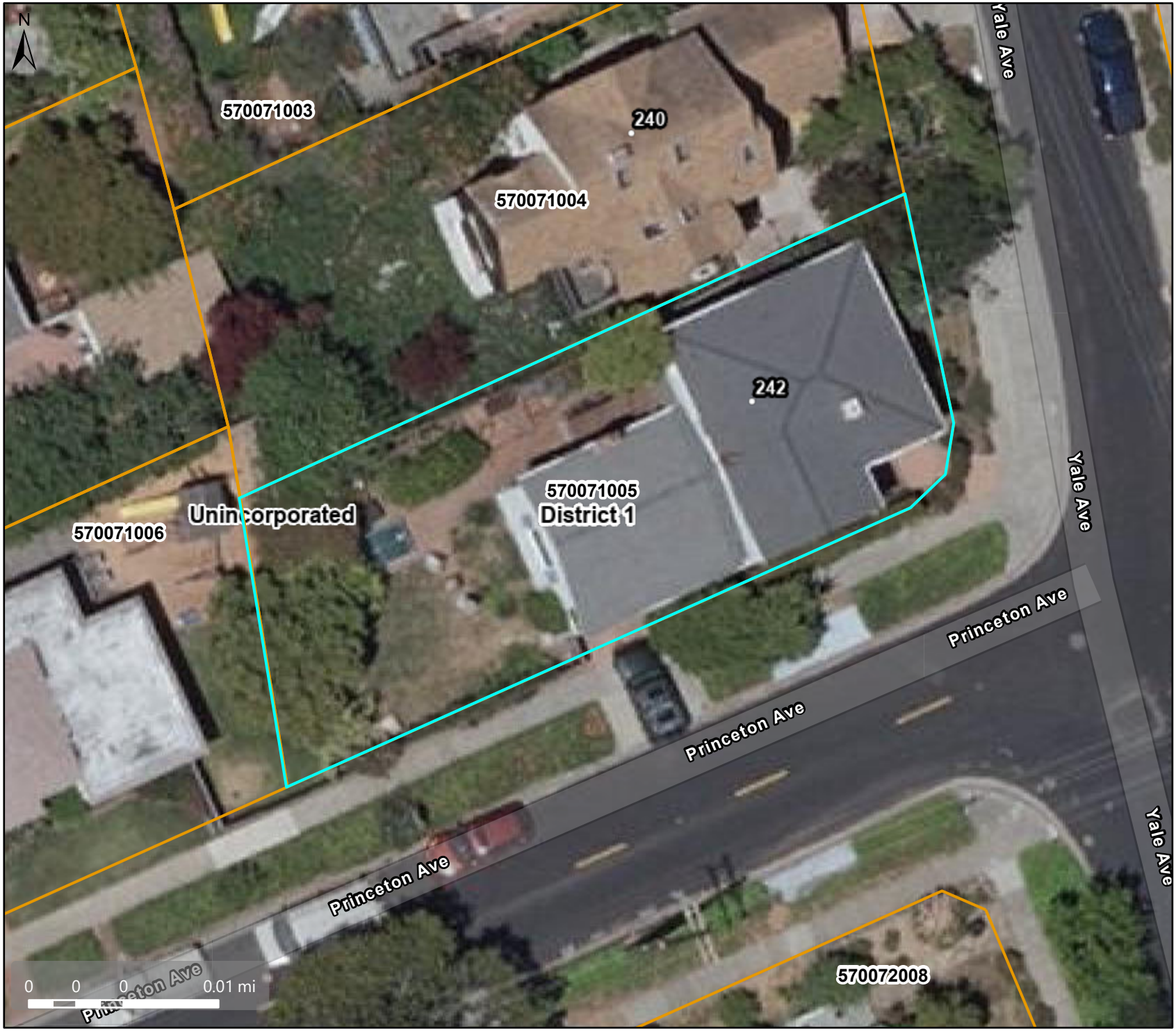
FM. 72/5 1962 ROLL

ASSESSOR'S MAP

BOOK 570 PAGE 07

4-4-61 G.C.C. CONTRA COSTA COUNTY, C **629**

Aerial



Map Legend

- County Border
- Assessment Parcels

Planning Layers (DCD)

- Unincorporated
- Board of Supervisors' Districts

Base Data

- Address Points

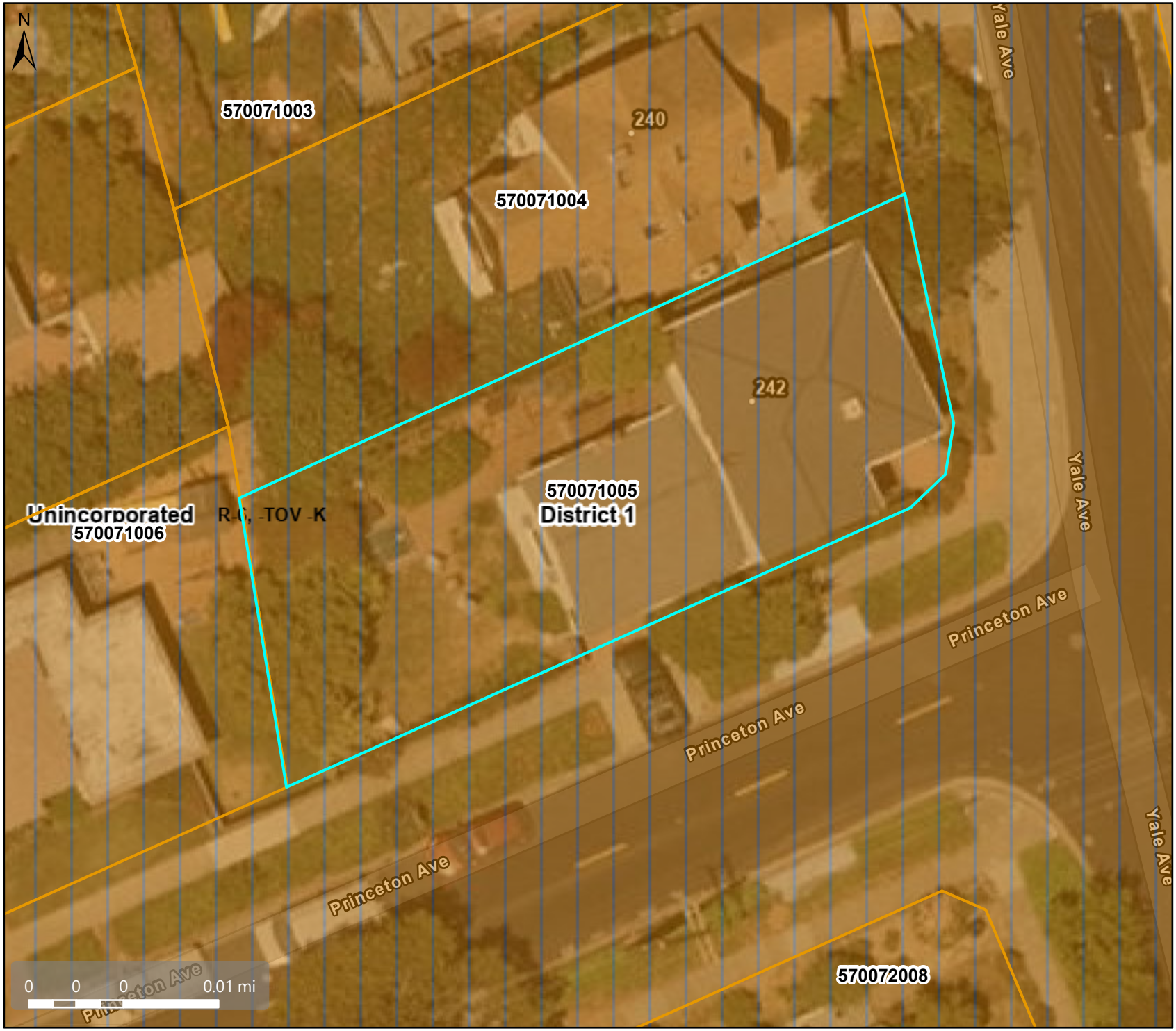
This map is a user generated, static output from an internet mapping application and is intended for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION.
CCMap is maintained by Contra Costa County Department of Information Technology, County GIS. Data layers contained within the CCMap application are provided by various Contra Costa County Departments. Please direct all data inquires to the appropriate department.

Spatial Reference
PCS: WGS 1984 Web Mercator Auxiliar
Datum: WGS 1984

630

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

Zoning - R-6, -TOV, -K



Map Legend

- County Border
- Assessment Parcels

Planning Layers (DCD)

Zoning

ZONE_OVER

- R-6 -TOV -K (Tree Obstruction and Kensington)
- Unincorporated
- Board of Supervisors' Districts

Base Data

- Address Points

This map is a user generated, static output from an internet mapping application and is intended for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
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Credits: Contra Costa County Development of Conservation and Department, Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, U

GP -RM



Map Legend

- County Border
- Assessment Parcels

Planning Layers (DCD)

General Plan

- RM (Residential Medium Density) (7-17 du/na)
- Unincorporated

Board of Supervisors' Districts

Base Data

- Address Points

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From: Planning.review
To: Chloe Partain
Cc: Planning.review; Khanlai Chanthavee
Subject: CDVR25-01041 - 242 YALE AVE, KENSINGTON
Date: Wednesday, August 27, 2025 02:49:45 PM
Attachments: image001.png

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

Dear Chloe,

EBMUD has no comment on the subject agency request.

Best Regards,
Amy

Amy Wen | Sr Administrative Clerk
Water Distribution Planning Division

From:	Robert Rogers
To:	dahlia frydman; Adam Novickas; Chris Brydon; Ben B; david peterson
Cc:	John Gioia; Anne Nounou; Dulce Reckmeyer-Walton; Grant Farrington; Sean Tully; Maria Lara-Lemus; Adrian Veliz; Jenny Rockwell; Jocelyn LaRocque; Nai Saephan; Brian Williams; Everett Louie; Sonia Bustamante; Cherie Adriano; Chloe Partain; Diana Lecca
Subject:	Re: KMAC Meeting report for March 26
Date:	Friday, September 26, 2025 09:29:56 AM

Good morning KMAC leaders,

Thanks for a great meeting on September 24.

Members in attendance: Barry, Novickas, Peterson
Member remote: Frydman

Business completed:

1. KMAC approved March 26 meeting minutes
2. KMAC **UNANIMOUSLY approved CDVR25-01041 242 Yale Ave.** The applicant requests approval of a variance to allow a 9'-11"
   secondary frontage setback (where 15' is the minimum) for the construction of a elevated deck at
   the read of an existing SFR. This also includes a Kensington Design Review for the elevated deck.
   Project Location: (Address: 242 YALE AVE, KENSINGTON, CA 94708 101), (APN: 570071005)

Video Here: https://youtu.be/rPN7_VbNwFg?si=ygnQ5kAcYoteGIHE

As of today, we have no pending items for the October 29 meeting.

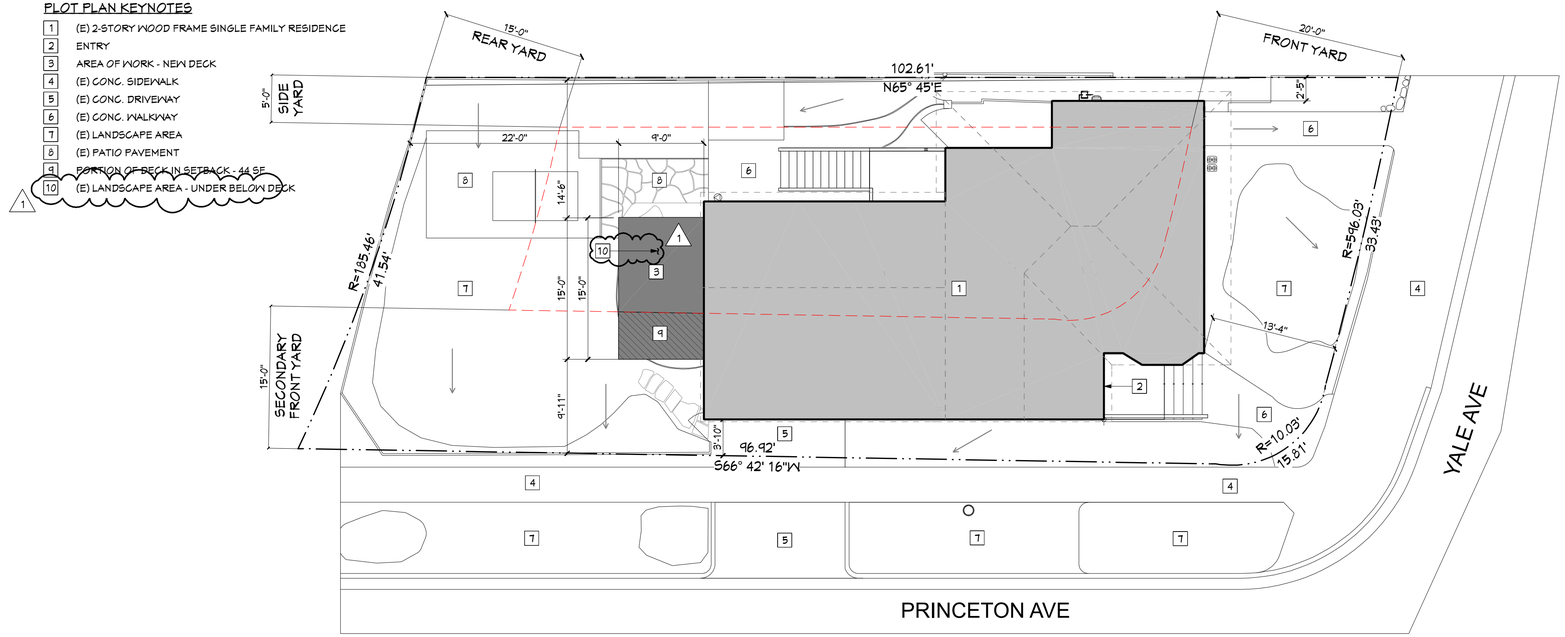
Best,
Robert

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

THIS DRAWING AND DESIGN LAYOUT IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF THE ARCHITECTS OFFICE. THIS DRAWING AND DESIGN LAYOUT MAY NOT BE REPRODUCED OR REPRODUCTIONS HEREOF USED WITHOUT WRITTEN PERMISSION

PLOT PLAN KEYNOTES

1. (E) 2-STORY WOOD FRAME SINGLE FAMILY RESIDENCE
2. ENTRY
3. AREA OF WORK - NEW DECK
4. (E) CONC. SIDEWALK
5. (E) CONC. DRIVEWAY
6. (E) CONC. WALKWAY
7. (E) LANDSCAPE AREA
8. (E) PATIO PAVEMENT
9. PORTION OF DECK IN SETBACK - 44 SF
10. (E) LANDSCAPE AREA - UNDER BELOW DECK



SITE PLAN NOTES

1. DIMENSIONS TO F.O. FINISH, U.O.N.
2. (E) STORM WATER DISCHARGE TO REMAIN AS IS.
3. STORM WATER DISCHARGE FROM (N) CONSTRUCTION SHALL BE DIRECTED TO FLOW AWAY FROM BUILDING AND ADJOINING PROPERTIES THROUGH THE USE OF SWALES, TRENCH DRAINS, SUMP PUMP, ETC.

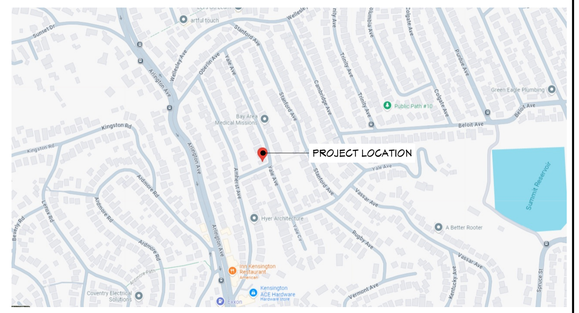
14 PLOT PLAN
SCALE: 1/8"=1'-0"

RECEIVED on 09/26/2025 CDVR25-01041
By Contra Costa County
Department of Conservation and Development

ALTERATIONS FOR THE : REVISED PLANS

LOWRY / ALTSCHUL RESIDENCE

242 YALE AVE.
KENSINGTON, CA 94708



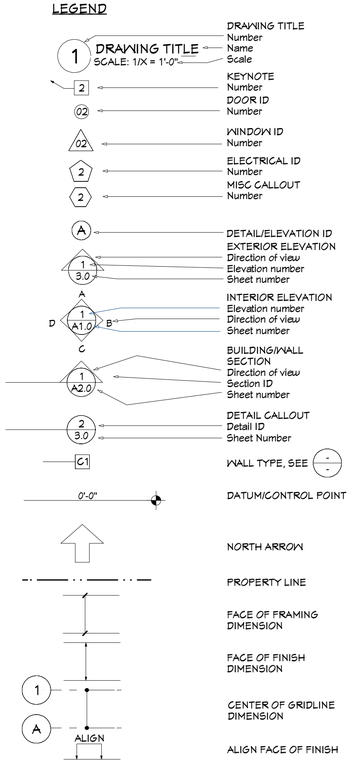
2 VICINITY MAP
N.T.S.

ABBREVIATIONS

@	At
#	Pound or Number
A.B.	Anchor Bolt
A.F.F.	Above Finished Floor
A.F.G.	Above Finished Grade
BLKG.	Blocking
BM.	Beam
B.O.	Bottom Of
C.I.	Contractor Installed
C.F.	Contractor Furnished
CLR.	Clear
C.L.	Center Line
CLNG.	Ceiling
CONT.	Continuous
COL.	Column
DIA.	Diameter
DET.	Detail
D.F.	Douglas Fir
DBL.	Double
(E)	Existing
EA.	Each
EQ.	Equal
E.W.	Each Way
FIN.	Finish
F.O.	Face Of
FT.	Foot or Feet
HDR.	Header
HT.	Height
JST.	Joist
MAX.	Maximum
M.B.	Machine Bolt
MIN.	Minimum
MTD.	Mounted
N.I.C.	Not In Contract
(N)	New
NOM.	Nominal
N.T.S.	Not To Scale
O/	Over
O/A	Overall
O.F.	Outside Face, Owner Furnished
O.C.(E.W.)	On Center (Each Way)
O.I.	Owner Installed
OPP.	Opposite
PL.	Plate or Property Line
PLY.	Plywood
PTD.	Painted
P.T.	Pressure Treated
REINF.	Reinforced
RET.	Retaining
R.O.	Rough Opening
RWD.	Redwood
S.F.	Square Feet
S.S.D.	See Structural Drawings
SHTG.	Sheathing
SHT.	Sheet
SIM.	Similar
SQ.	Square
STD.	Standard
STR.	Structural
T.B.D.	To be determined
T.O.	Top Of
TYP.	Typical
V.I.F.	Verify In Field
W/	With
W.O.	Where Occurs
W/O	Without
U.O.N.	Unless Otherwise Noted

NOTE: NOT ALL ABBREVIATIONS AND SYMBOLS SHOWN HERE ARE USED

LEGEND



GENERAL NOTES:

1. CONSTRUCTION WORKMANSHIP AND MATERIALS SHALL CONFORM TO: NOTES IN THIS SET OF CONSTRUCTION DOCUMENTS, ALL APPLICABLE LOCAL CODES AND ORDINANCES AS NOTED ELSEWHERE IN THESE DRAWINGS.
2. IN THE EVENT OF CONFLICT BETWEEN PERTINENT CODES AND REGULATIONS AND REFERENCED STANDARDS OF THESE SPECIFICATIONS, THE MORE STRINGENT PROVISIONS SHALL GOVERN.
3. THE CONTRACTOR SHALL OBTAIN ALL APPROVALS AND PERMITS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL PREPARE A SCHEDULE FOR CONSTRUCTION AND SHALL SUBMIT TO OWNER FOR REVIEW.
4. DIMENSIONS: UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE SHOWN AS FOLLOWS: FACE OF WALL AT MASONRY, INDICATED FACE OF STUD, CENTER LINE, GRID LINE, TOP OF CONCRETE SLAB OR FOUNDATION, TOP OF PLYWOOD, ETC. DRAWINGS SHALL NOT BE SCALED TO DETERMINE ANY DIMENSIONS, REFER ONLY TO WRITTEN INFORMATION AND DETAIL DRAWINGS, OR USE FIGURED DIMENSIONS. DIMENSIONAL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE DESIGNER PRIOR TO CONSTRUCTION.
5. APPROVALS BY BUILDING INSPECTORS SHALL NOT CONSTITUTE AUTHORITY TO DEVIATE FROM THESE PLANS AND SPECIFICATIONS (CONSTRUCTION DOCUMENTS).
6. OMISSIONS: IN THE EVENT CERTAIN FEATURES OF THE CONSTRUCTION ARE NOT FULLY SHOWN ON THE DRAWINGS, THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS FOR SIMILAR CONDITIONS THAT ARE SHOWN. IF FEATURES ARE STILL UNCLEAR, CONTACT THE ARCHITECT FOR CLARIFICATION.
7. THE CONTRACTOR OR HIS REPRESENTATIVE SHALL BE AT THE SITE TO SUPERVISE AND COORDINATE CONSTRUCTION AT ALL TIMES WHILE WORK IS IN PROGRESS.
8. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING CONSTRUCTION OF THIS PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY CONTINUOUSLY AND NOT LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR SHALL DEFEND, INDEMNIFY, AND HOLD THE OWNER AND THE ARCHITECT HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PROJECT, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ARCHITECT. THE OWNER AND THE ARCHITECT SHALL BE NAMED AS ADDITIONAL INSURED'S ON THE CONTRACTOR'S LIABILITY INSURANCE COVERAGE.
9. UNLESS SPECIFICALLY NOTED IN CONTRACT, THE ARCHITECTS OFFICE WILL NOT BE OBSERVING THE CONSTRUCTION OF THIS PROJECT. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR FINAL DIMENSIONS, QUANTITIES, COORDINATION OF THE WORK OF ALL TRADES, QUALITY CONTROL, AND CONSTRUCTION STANDARDS FOR THIS PROJECT.
10. SUBCONTRACTORS SHALL DISPOSE OF RUBBISH CAUSED BY THEIR WORK, AND KEEP PREMISES JOB SITE CLEAN OF SUCH RUBBISH. CONTRACTOR SHALL KEEP PREMISES "BROOM CLEAN" AT ALL TIMES.
11. PLANS STAMPED BY ARCHITECT OR ENGINEER CANNOT BE MODIFIED IN ANY WAY EXCEPT BY THE ARCHITECT OR ENGINEER. PLANS MODIFIED BY OTHERS WILL NOT BE ACCEPTED.
12. HEATING AND AIR CONDITIONING, PLUMBING AND ELECTRICAL DRAWINGS OR NOTES INCLUDED HEREIN ARE FOR REFERENCE ONLY. THE CONTRACTOR SHALL PROVIDE DESIGN/BUILD DOCUMENTATION FOR THESE ITEMS IN ACCORDANCE WITH THESE DRAWINGS AND CRITERIA IN CONFORMANCE WITH ALL CODES AND ORDINANCES, AND SHALL OBTAIN PERMITS FOR THIS WORK.
13. SITE INFORMATION FOR THESE DRAWINGS WAS TAKEN FROM A SURVEY BY OTHERS, PROVIDED BY THE OWNER. REFERENCE IS HEREBY MADE TO THAT SOURCE AND TO THAT DRAWING FOR ADDITIONAL INFORMATION.

SUMMARY OF WORK:

A NEW 9'-0" X 15'-0", WOOD DECK AT THE REAR OF EXISTING S.F.R.. THRESHOLD STANDARD DOES NOT TRIGGER KMAC HEARING, NEW DECK TRIGGERS APPLICATION FOR A VARIANCE FOR REDUCTION OF SECONDARY FRONT YARD SETBACK FROM 15'-0" TO 9'-11".

ALL PROPOSED WORK TO CONFORM WITH CURRENT APPLICABLE CODES AND BUILDING STANDARDS.

PROJECT DATA:

APN:	570-071-005-5
CLIMATE ZONE:	3
ZONING DISTRICT:	R-6-TOV-K
OCCUPANCY:	R-3
CONSTRUCTION TYPE:	V-B
SPRINKLERS:	NO

AREA SUMMARY:

LOT AREA:	4,000 SQFT.
BUILDING AREA:	2,066 SQFT.
EXISTING LANDSCAPE AREA:	1,805 SQFT.

PROPOSED NEW DECK AREA: 135 SQFT.

CODES APPLICABLE:

ALL CONSTRUCTION TO COMPLY WITH LOCAL CODES AND ORDINANCES AND THE FOLLOWING:
2022 CALIFORNIA BUILDING STANDARDS CODE (CBC)
2022 CALIFORNIA RESIDENTIAL CODE (CRC)
2022 CALIFORNIA GREEN BUILDING STANDARD CODE (CGBSC)
2022 CALIFORNIA MECHANICAL CODE (CMC)
2022 CALIFORNIA PLUMBING CODE (CPC)
2022 CALIFORNIA ELECTRICAL CODE (CEC), BASED ON THE 2008 NEC
2022 CALIFORNIA ENERGY CODE (CEC PART 6)
2022 CALIFORNIA FIRE CODE (CFC)

NOTE:
SPECIAL INSPECTIONS NOT REQUIRED FOR THIS SCOPE OF WORK

DEFERRED APPROVALS:

NONE.

PROJECT DIRECTORY:

OWNER:
LOWRY / ALTSCHUL RESIDENCE

ARCHITECT:
the ARCHITECTS OFFICE
6008 CHELTON DRIVE
OAKLAND, CA 94611
(510) 410-7311

SHEET INDEX

PAGE	PAGE TITLE
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A0.1	IMPERVIOUS SURFACES PLAN DIAGRAM & LIVING AREAS DIAGRAM 1
A2.0	DEMO PLAN - LOWER LEVEL & FLOOR PLAN - LOWER LEVEL
A2.1	DEMO PLAN - MIDDLE LEVEL & FLOOR PLAN - MIDDLE LEVEL
A2.2	FLOOR PLAN - UPPER LEVEL
A2.3	M.E.P. PLAN & R.C.P.
A3.0	REAR ELEVATION - EXISTING & REAR ELEVATION - PROPOSED
A3.1	RIGHT ELEVATION - EXISTING & RIGHT ELEVATION - PROPOSED
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A4.0	DETAILS AND SCHEDULES
A5.0	CONSTRUCTION NOTES

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Renewal
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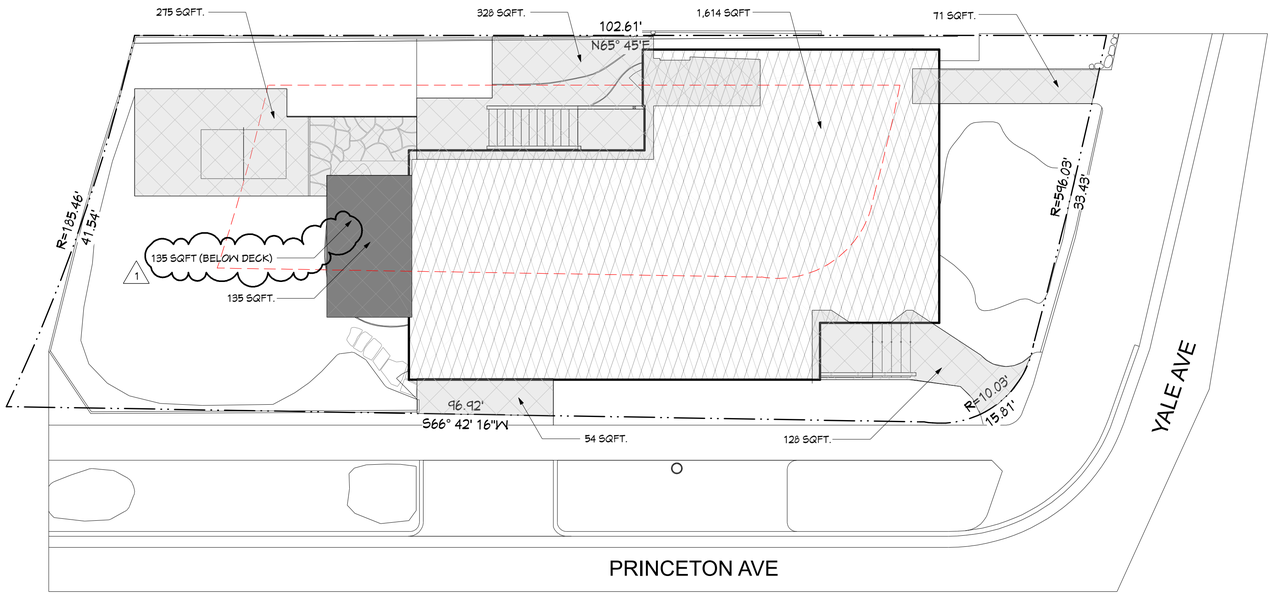
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KENSINGTON, CA 94708

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SHEET TITLE:
COVER SHEET & PLOT PLAN

DRAWN:
SCALE: AS NOTED
SHEET:
OF: A0.0



14 IMPERVIOUS SURFACES DIAGRAM
SCALE: 1/8"=1'-0"

PERMEABLE SURFACE AREA

SURFACE	MATERIAL	I.S./P.S.	EXISTING	/	PROPOSED	/	COMBINED
(E) ROOFS:	-(E) COMP. SHINGLE	I.S.	1,614 SQFT	/	N/A	/	1,614 SQFT
(E) HARDSCAPE:	-(E) PATIOS	I.S.	603 SQFT	/	N/A	/	603 SQFT
	-(E) WALKWAY	I.S.	199 SQFT	/	N/A	/	199 SQFT
	-(E) DRIVEWAY	I.S.	54 SQFT	/	N/A	/	54 SQFT
	-(E) LANDSCAPE	P.S.	1078 SQFT	/	N/A	/	135 SQFT
(N) HARDSCAPE:	-(N) DECK	I.S.	N/A	/	135 SQFT	/	135 SQFT
		SITE AREA	4,000 SQFT	/	N/A	/	4,000 SQFT
		I.S.	2,470 SQFT	/	135 SQFT	/	2,605 SQFT
		P.S.	1078 SQFT	/	0 SQFT	/	1078 SQFT
		TOTAL	I.S=61% P.S=26%	/	I.S.= 3 %	/	I.S=65% P.S=26%

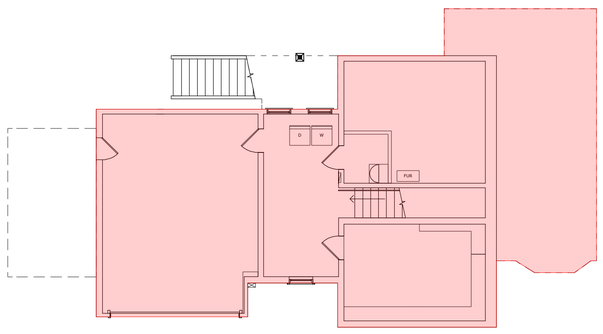
NOTES:
1. (E) LANDSCAPE INCLUDES AREA BELOW DECK.

1

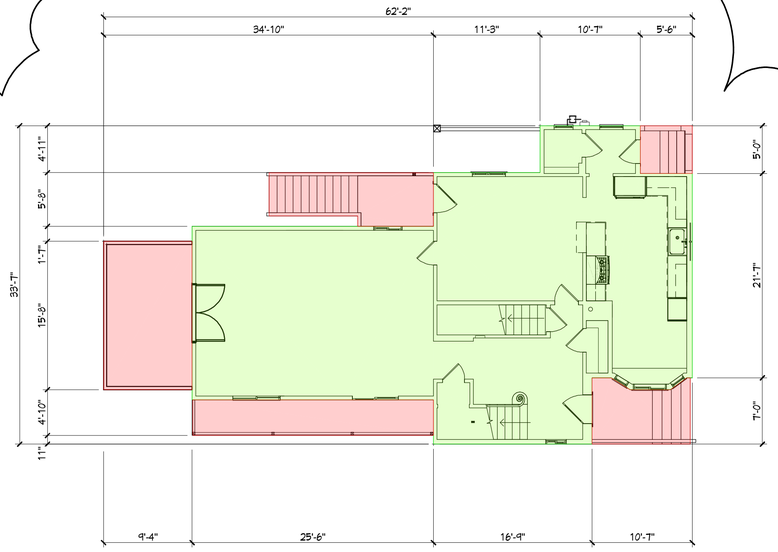
TOTAL LIVING AREA

LOWER LEVEL	0 SF
MIDDLE LEVEL	1,241 SF
UPPER LEVEL	825 SF
TOTAL EXISTING	2,066 SF

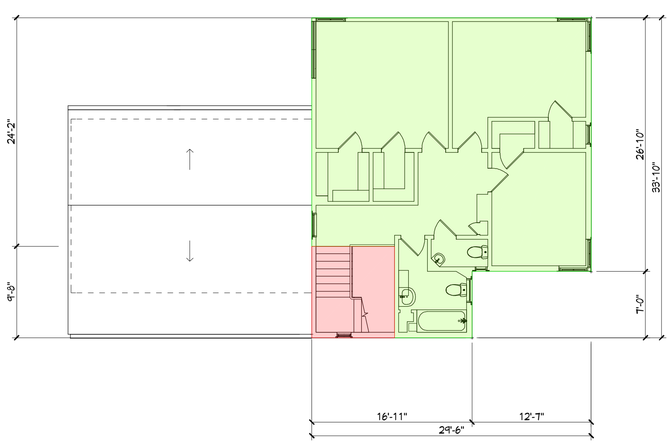
LIVING AREA | NON LIVING AREA



16 PROPOSED LOWER LEVEL FLOOR AREA DIAGRAM
SCALE: 1/8"=1'-0"



12 PROPOSED MIDDLE LEVEL FLOOR AREA DIAGRAM
SCALE: 1/8"=1'-0"



4 PROPOSED UPPER LEVEL FLOOR AREA DIAGRAM
SCALE: 1/8"=1'-0"

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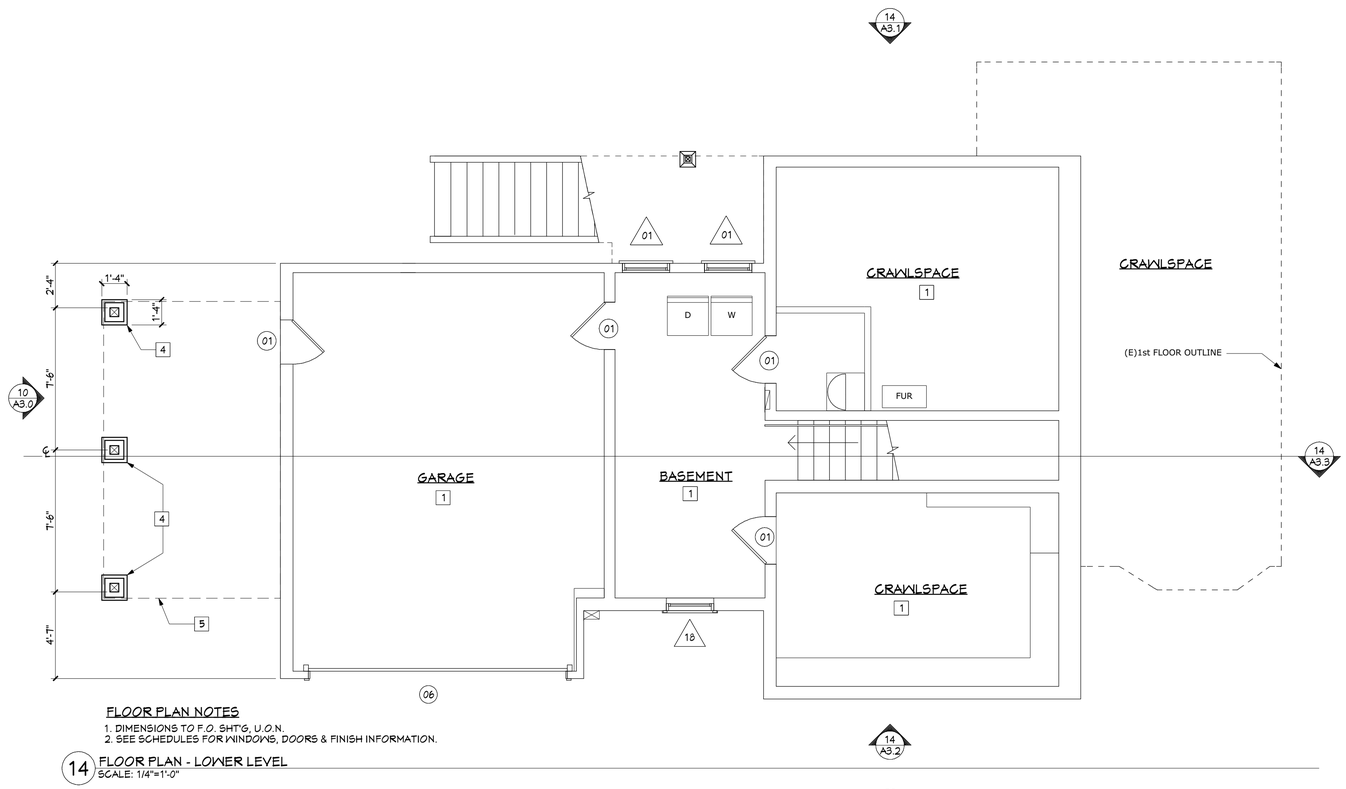
SHEET TITLE:
IMPERVIOUS SURFACES PLAN
DIAGRAM & LIVING AREAS
DIAGRAM

DRAWN:
SCALE: AS NOTED
SHEET:

OF: A0.1

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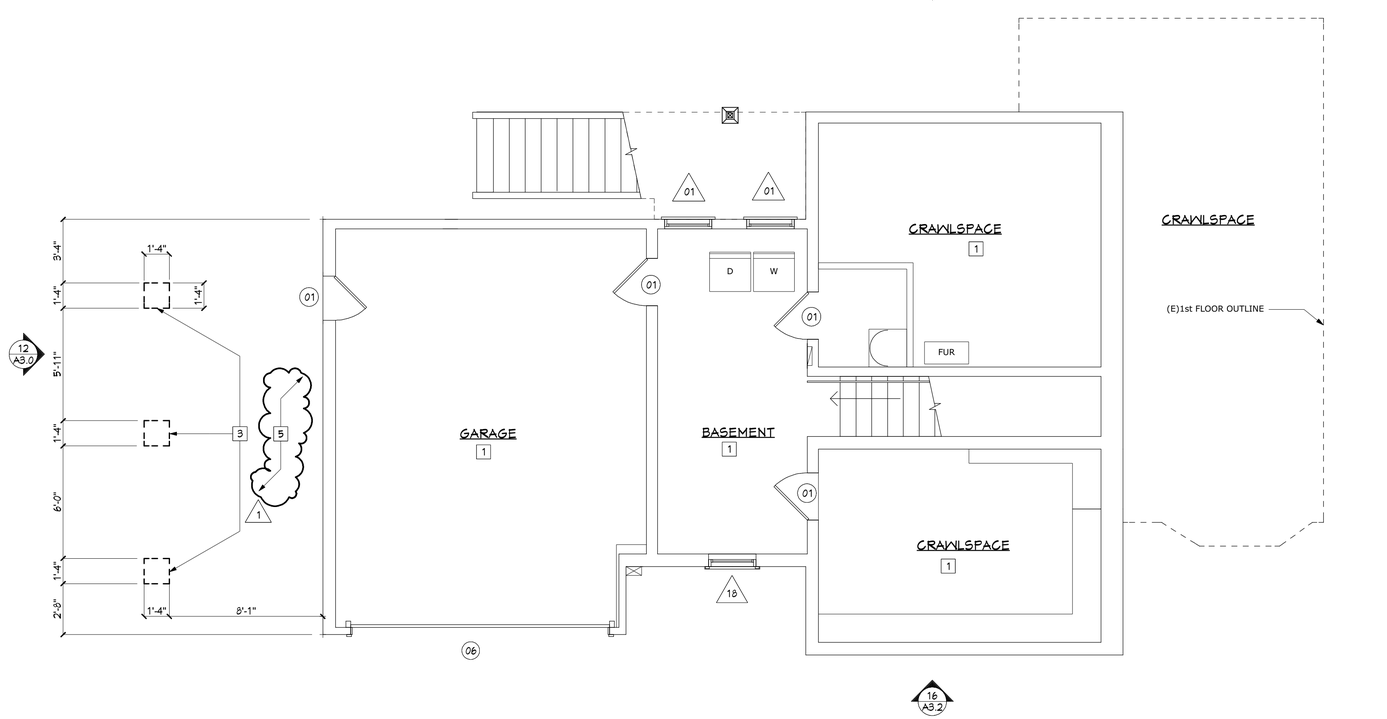
FLOOR PLAN NOTES

1. DIMENSIONS TO F.O. SHT'G, U.O.N.
2. SEE SCHEDULES FOR WINDOWS, DOORS & FINISH INFORMATION.

14 FLOOR PLAN - LOWER LEVEL
SCALE: 1/4"=1'-0"

FLOOR PLAN KEYNOTES

1	(E) TO REMAIN - NO WORK
2	AREA OF WORK - (N) DECK
3	(N) DOOR/WINDOW IN (E) OPENING
4	(N) DECK FOOTING & 6X6 P.T. POST
5	LINE OF DECK ABOVE
6	4X6 P.T. LEDGER - SEE DETAIL FOR ANCHOR NOTES
7	6X6 P.T. POST
8	6X P.T. BEAM
9	4X P.T. RIM
10	4X P.T. JOIST @ 16" O.C.
11	4X2 REDWOOD DECKING
12	TYP. THREADED ROD TIEBACK - 3 TOTAL
13	REDWOOD RAIL - FROM 4X6
14	4X REDWOOD RAIL POST @60" O.C. ,TIP.



DEMO PLAN KEYNOTES

1	(E) TO REMAIN NO WORK
2	LINE OF BUILDING BELOW
3	EXCAVATE FOR (N) CONC. FTG. - SEE PLAN
4	WINDOW / DOOR TO BE REMOVED
5	(E) LANDSCAPE AREA - TO REMAIN

16 DEMO PLAN - LOWER LEVEL
SCALE: 1/4"=1'-0"

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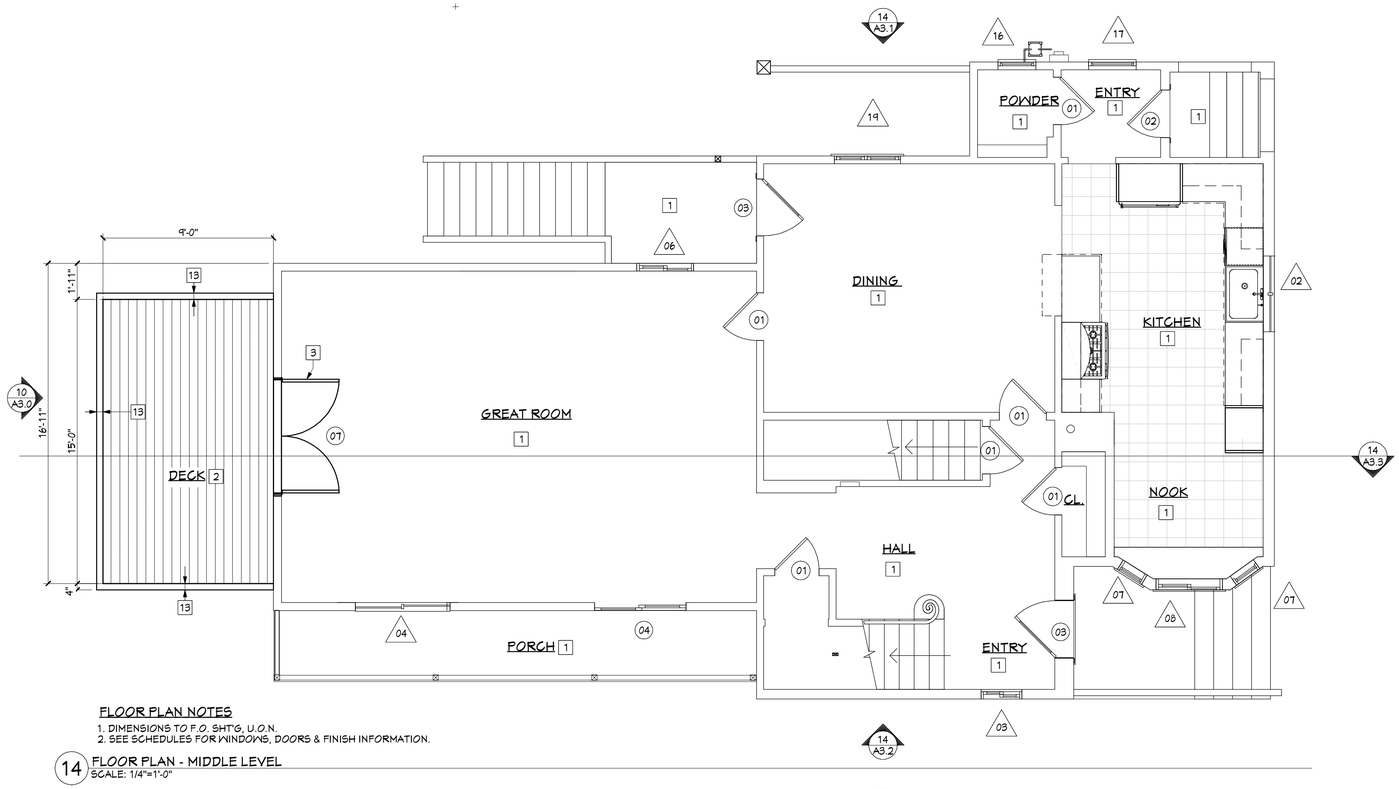
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FLOOR PLAN - LOWER LEVEL

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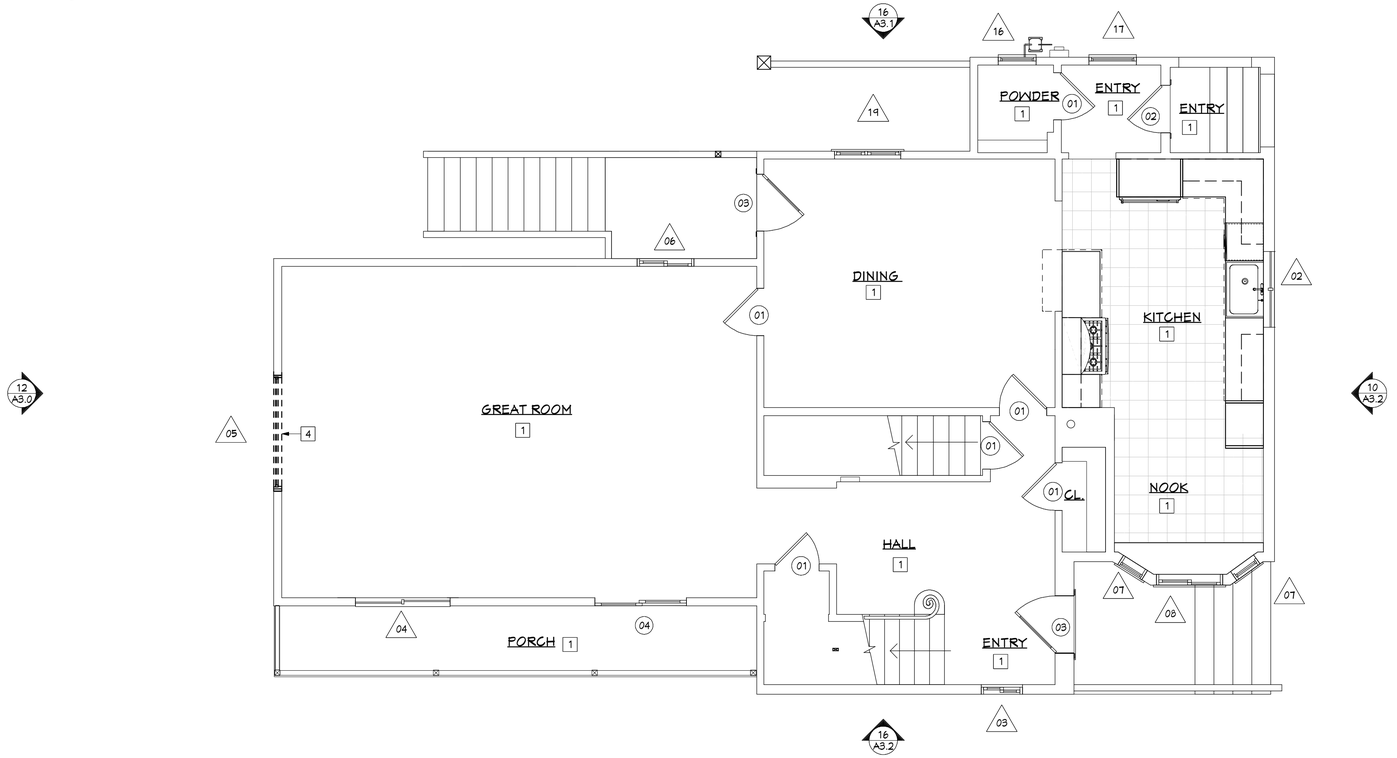
FLOOR PLAN KEYNOTES

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2	AREA OF WORK - (N) DECK
3	(N) DOOR/WINDOW IN (E) OPENING
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FLOOR PLAN NOTES

1. DIMENSIONS TO F.O. SHT'G, U.O.N.
2. SEE SCHEDULES FOR WINDOWS, DOORS & FINISH INFORMATION.

14 FLOOR PLAN - MIDDLE LEVEL
SCALE: 1/4"=1'-0"



DEMO PLAN KEYNOTES

1	(E) TO REMAIN NO WORK
2	LINE OF BUILDING BELOW
3	EXCAVATE FOR (N) CONC. FTG. - SEE PLAN
4	WINDOW / DOOR TO BE REMOVED
5	(E) LANDSCAPE AREA - TO REMAIN

16 DEMO PLAN - MIDDLE LEVEL
SCALE: 1/4"=1'-0"

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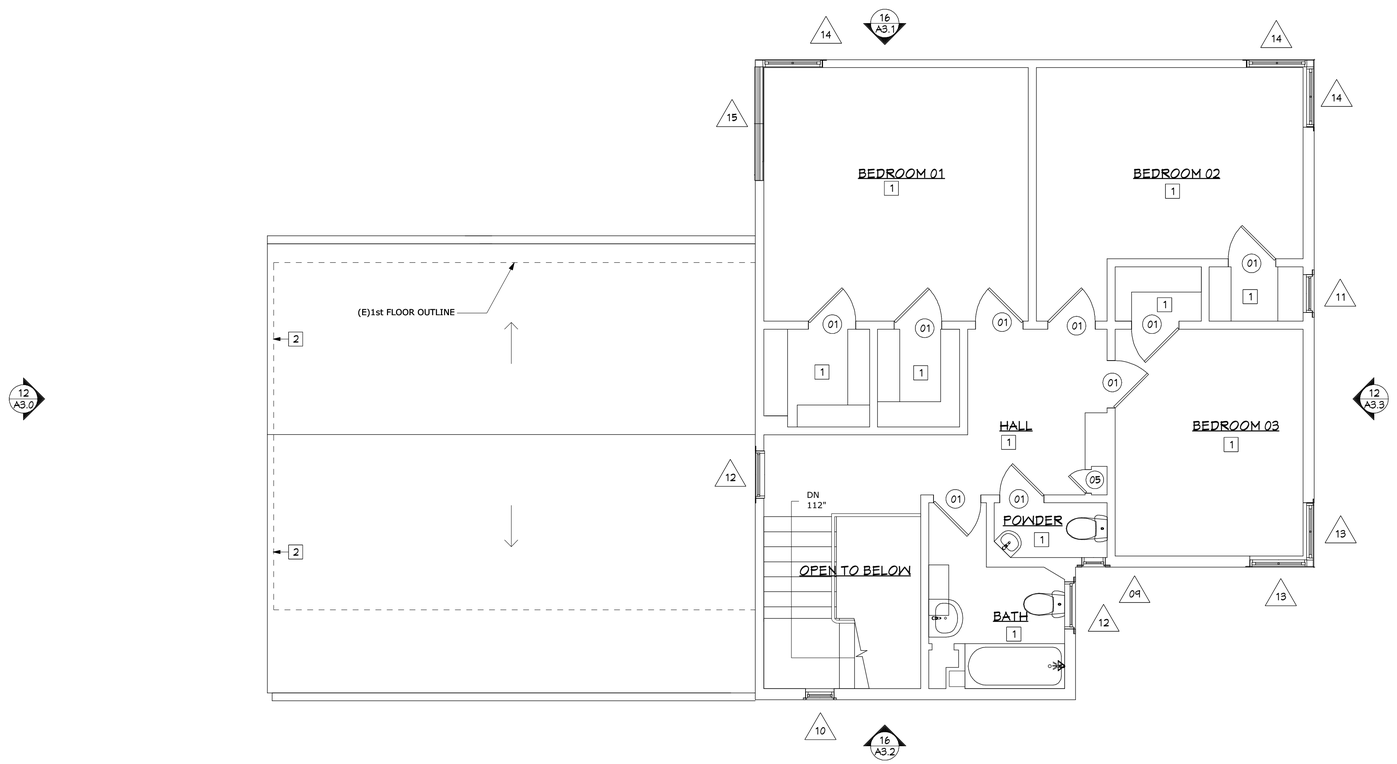
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FLOOR PLAN - MIDDLE LEVEL

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SCALE: AS NOTED
SHEET:
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16 FLOOR PLAN UPPER LEVEL NO WORK, REFERENCE ONLY
SCALE: 1/4"=1'-0"

DEMO PLAN KEYNOTES

1. (E) TO REMAIN NO WORK
2. LINE OF BUILDING BELOW
3. EXCAVATE FOR (N) CONC. FTG. - SEE PLAN
4. WINDOW / DOOR TO BE REMOVED
5. (E) LANDSCAPE AREA - TO REMAIN

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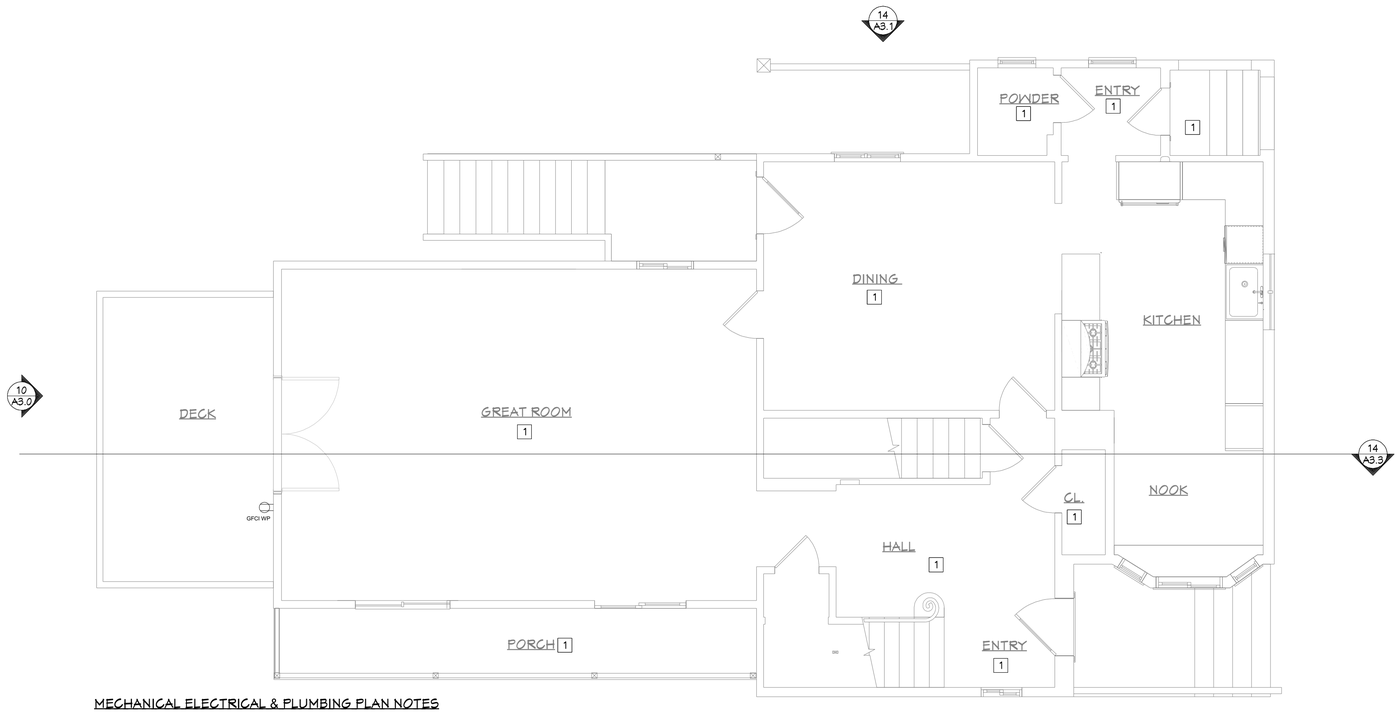
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FLOOR PLAN - UPPER LEVEL

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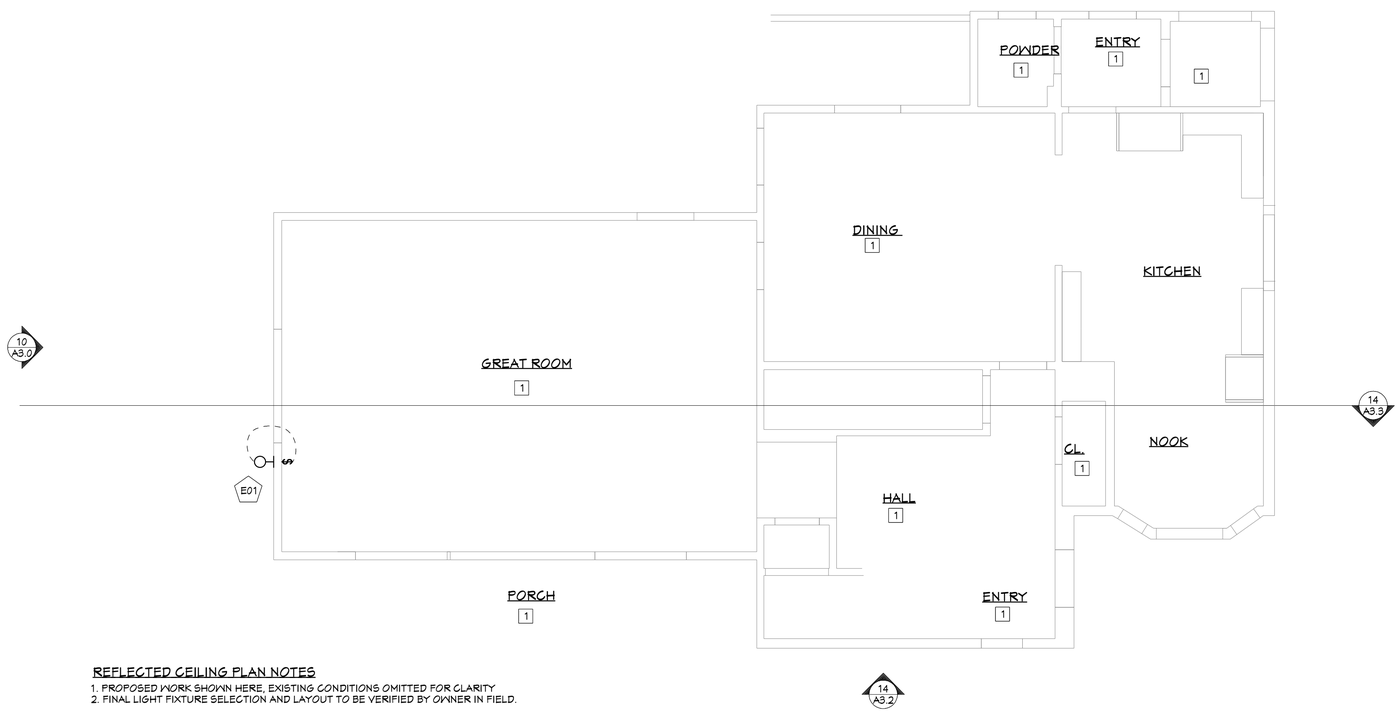
MEP PLAN KEYNOTES

1 NO WORK

MECHANICAL ELECTRICAL & PLUMBING PLAN NOTES

1. PROPOSED WORK SHOWN HERE, EXISTING CONDITIONS OMITTED FOR CLARITY

14 MAIN LEVEL- MECHANICAL, ELECTRICAL, PLUMBING PLAN
SCALE: 1/4"=1'-0"



REFLECTED CEILING PLAN KEYNOTES

1 NO WORK

REFLECTED CEILING PLAN NOTES

1. PROPOSED WORK SHOWN HERE, EXISTING CONDITIONS OMITTED FOR CLARITY
2. FINAL LIGHT FIXTURE SELECTION AND LAYOUT TO BE VERIFIED BY OWNER IN FIELD.

16 MAIN LEVEL - REFLECTED CEILING PLAN
SCALE: 1/4"=1'-0"

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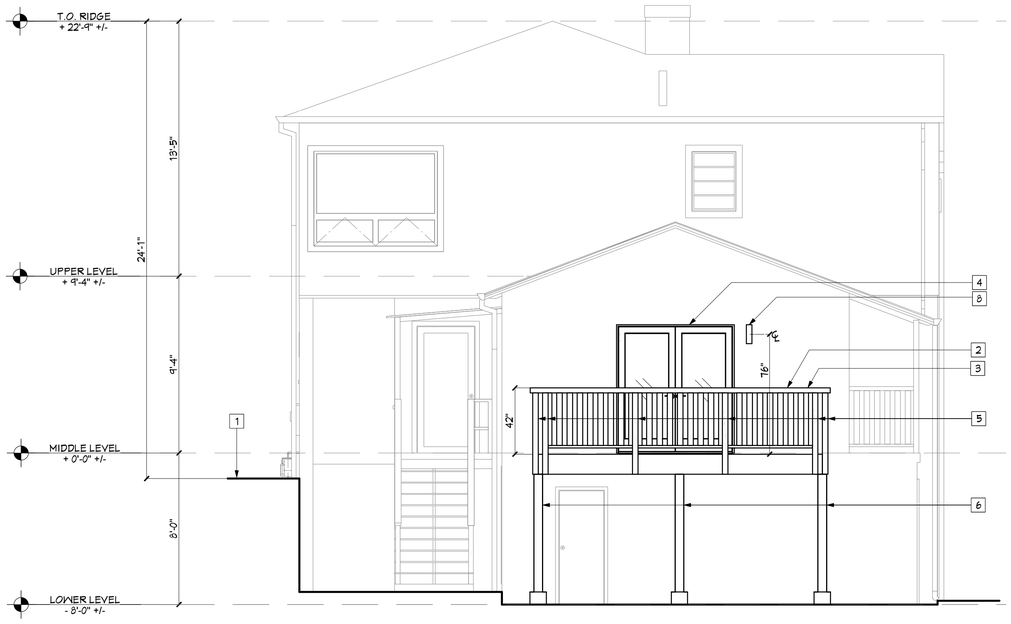
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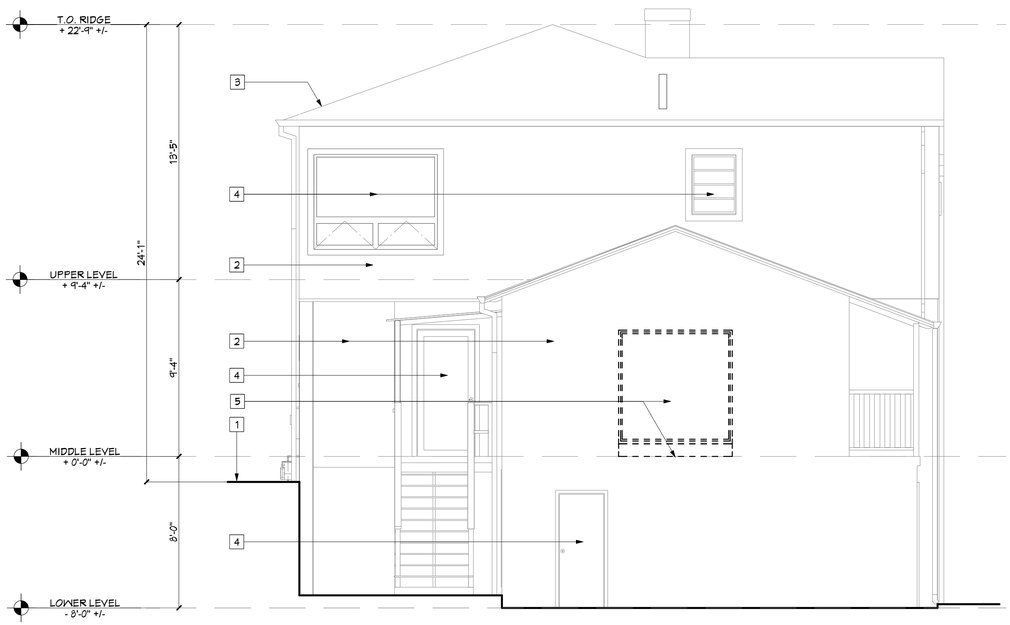
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10 REAR ELEVATION - PROPOSED
SCALE: 1/4"=1'-0"

ELEVATION & SECTION KEYNOTES

1. FINISH GRADE
2. WOOD RAIL
3. GUARD INFILL - WOOD PLANES
4. (N) WINDOWDOOR IN (E) OPENING - NO CHANGE IN ROUGH OPENING
5. 4X REDWOOD RAIL POST
6. 6X P.T. DECK POST
7. CONC. FTG. - SEE DETAILS
8. OUTDOOR LIGHT FIXTURE



12 REAR ELEVATION - EXISTING
SCALE: 1/4"=1'-0"

EXISTING ELEVATION KEYNOTES

1. FINISH GRADE
2. (E) CEMENT PLASTER SIDING - TO REMAIN
3. (E) COMPOSITION ROOF - NO WORK
4. (E) WINDOWDOOR TO REMAIN - SEE SCHEDULE
5. (E) WINDOW TO BE REMOVED FOR NEW DOOR - SEE SCHEDULE

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REAR ELEVATION - PROPOSED

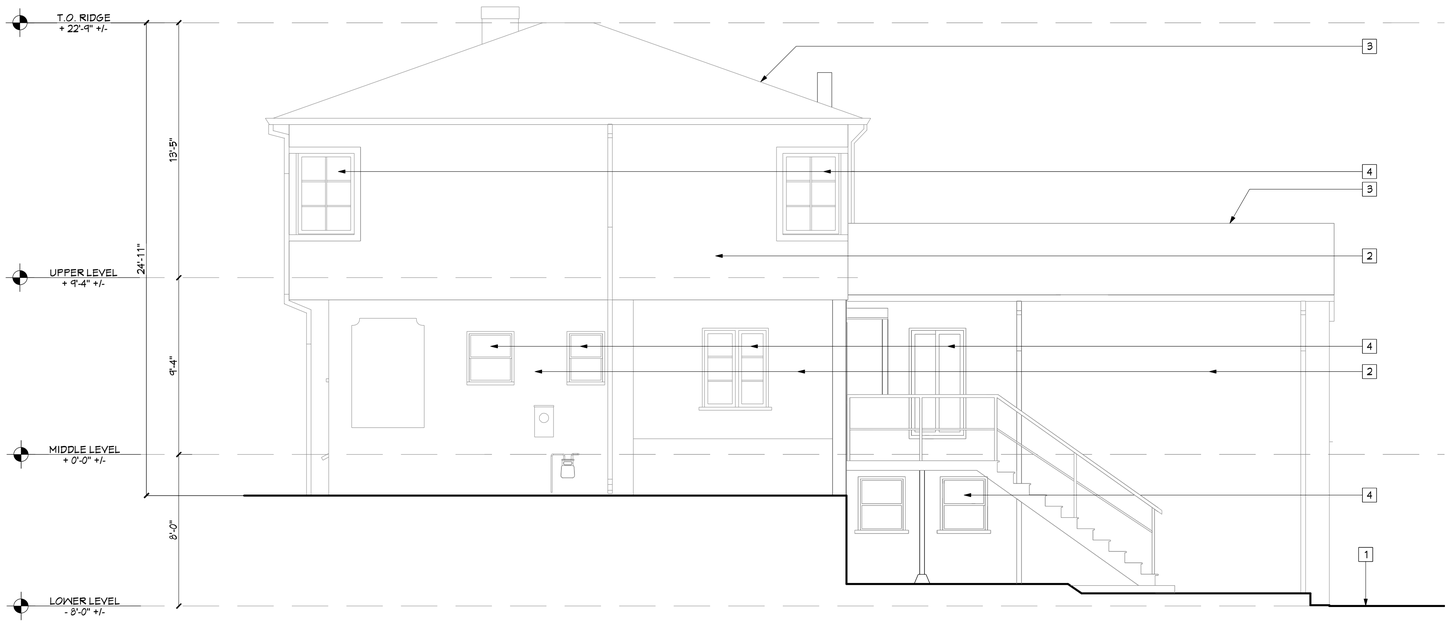
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OF: A3.0



14 RIGHT ELEVATION - PROPOSED
SCALE: 1/4"=1'-0"

ELEVATION & SECTION KEYNOTES

1. FINISH GRADE
2. WOOD RAIL
3. GUARD INFILL - WOOD PLANES
4. (N) WINDOW/DOOR IN (E) OPENING - NO CHANGE IN ROUGH OPENING
5. 4X REDWOOD RAIL POST
6. 6X P.T. DECK POST
7. CONC. FTG. - SEE DETAILS
8. OUTDOOR LIGHT FIXTURE



16 RIGHT ELEVATION - EXISTING
SCALE: 1/4"=1'-0"

EXISTING ELEVATION KEYNOTES

1. FINISH GRADE
2. (E) CEMENT PLASTER SIDING - TO REMAIN
3. (E) COMPOSITION ROOF - NO WORK
4. (E) WINDOW/DOOR TO REMAIN - SEE PLAN

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RIGHT ELEVATION - PROPOSED

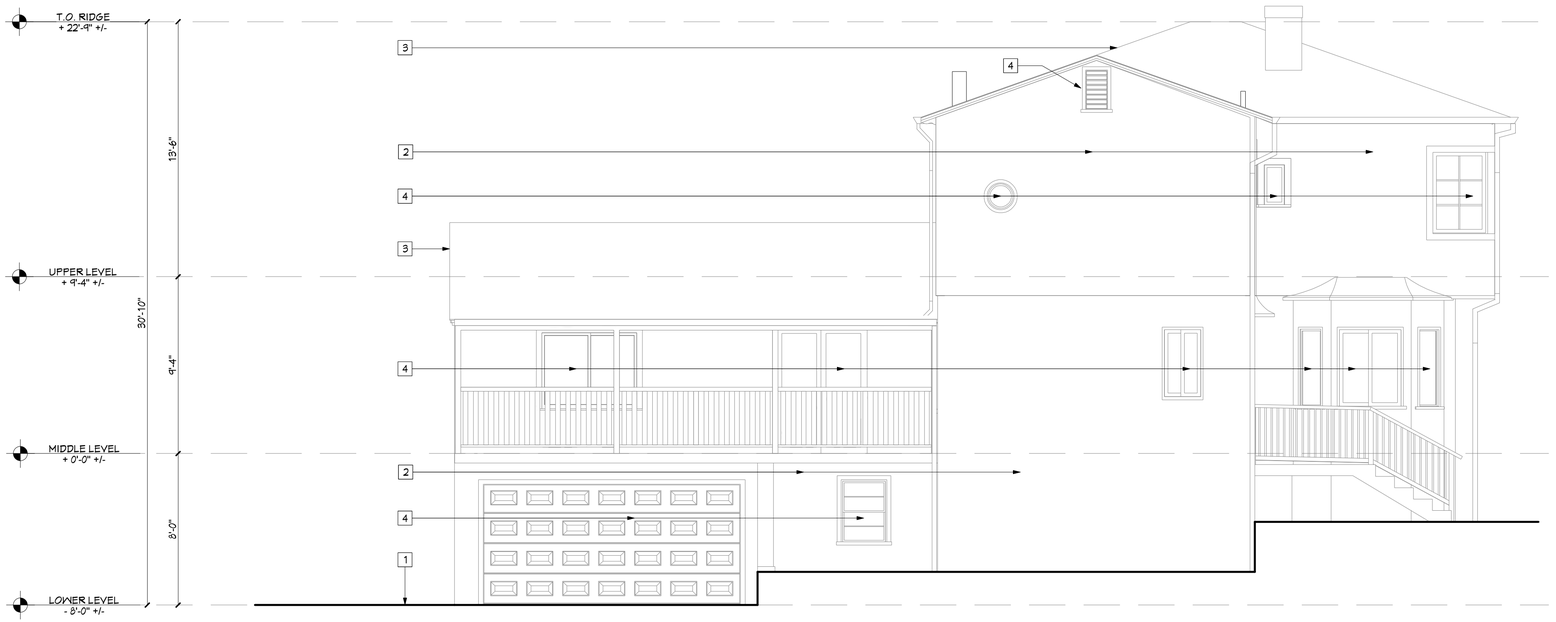
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SHEET:
OF: A3.1



14 LEFT ELEVATION - PROPOSED
SCALE: 1/4"=1'-0"

ELEVATION & SECTION KEYNOTES

1. FINISH GRADE
2. WOOD RAIL
3. GUARD INFILL - WOOD PLANES
4. (N) WINDOW/DOOR IN (E) OPENING - NO CHANGE IN ROUGH OPENING
5. 4X REDWOOD RAIL POST
6. 6X P.T. DECK POST
7. CONC. FTG. - SEE DETAILS
8. OUTDOOR LIGHT FIXTURE



16 LEFT ELEVATION - EXISTING
SCALE: 1/4"=1'-0"

EXISTING ELEVATION KEYNOTES

1. FINISH GRADE
2. (E) CEMENT PLASTER SIDING - TO REMAIN
3. (E) COMPOSITION ROOF - NO WORK
4. (E) WINDOW/DOOR TO REMAIN - SEE PLAN

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ISSUED:
PLANNING APPLICATION 08/01/2025
1 BACK CHECK 09/26/2025

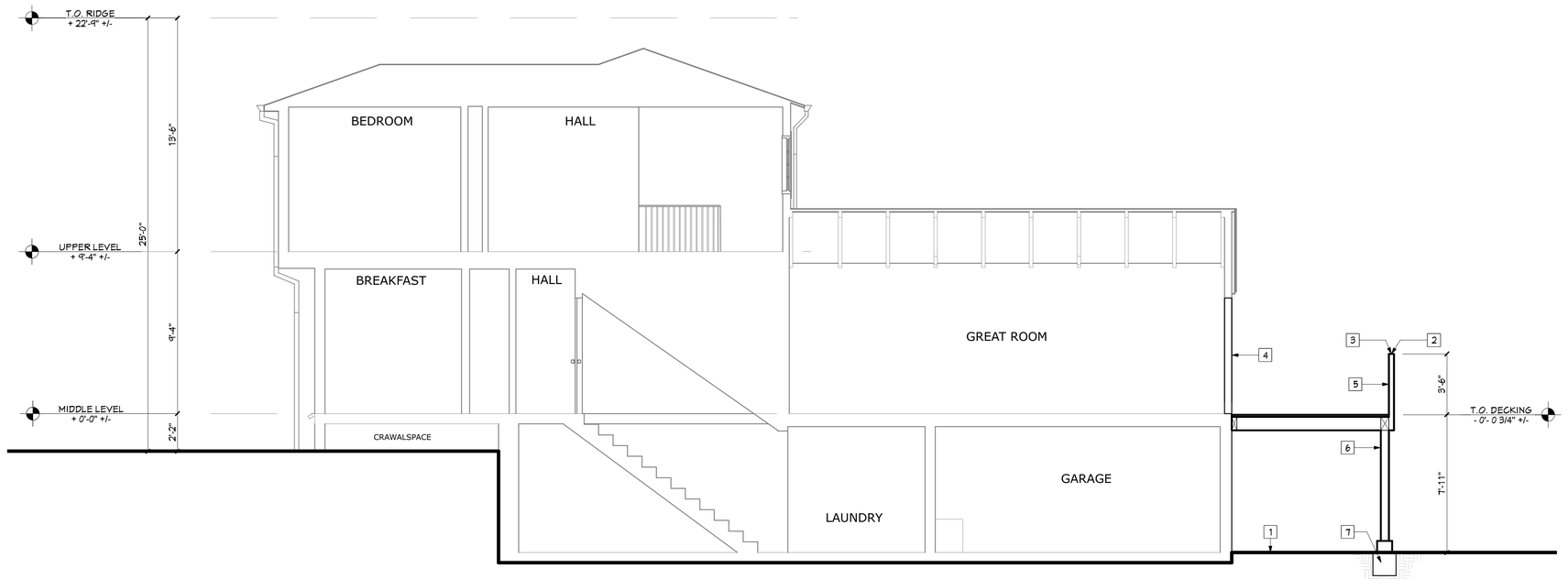
ISSUED: BACK CHECK 09/26/2025

PROJECT:
ALTERATIONS for the
LOWRY / ALTSCHUL RESIDENCE
242 YALE AVE.
KENSINGTON, CA 94708

SHEET TITLE:
LEFT ELEVATION - EXISTING &
LEFT ELEVATION - PROPOSED

DRAWN:
SCALE: AS NOTED
SHEET:
OF: A3.2

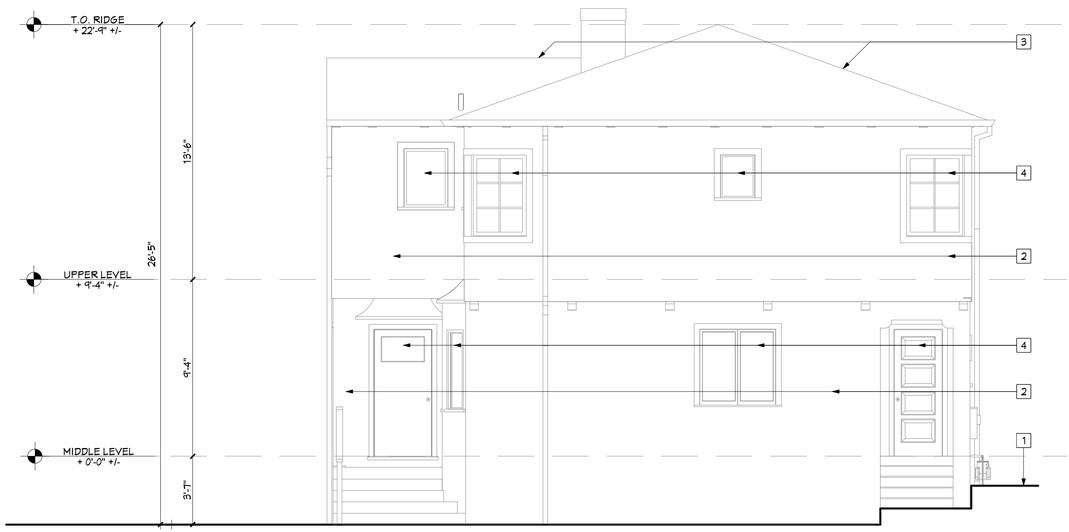
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14 LONGITUDINAL SECTION
SCALE: 1/4"=1'-0"

ELEVATION & SECTION KEYNOTES

1. FINISH GRADE
2. WOOD RAIL
3. GUARD INFILL - WOOD PLANES
4. (N) WINDOW/DOOR IN (E) OPENING - NO CHANGE IN ROUGH OPENING
5. 4X REDWOOD RAIL POST
6. 6X P.T. DECK POST
7. CONC. FTG. - SEE DETAILS
8. OUTDOOR LIGHT FIXTURE



12 FRONT ELEVATION - EXISTING - REFERENCE ONLY - NO WORK
SCALE: 1/4"=1'-0"

EXISTING ELEVATION KEYNOTES

1. FINISH GRADE
2. (E) CEMENT PLASTER SIDING - TO REMAIN
3. (E) COMPOSITION ROOF - NO WORK
4. (E) WINDOW/DOOR TO REMAIN - SEE PLAN

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LICENSED ARCHITECT
STEPHEN SWEARENGEN
C - 28397
Renewal
31 May 2027
STATE OF CALIFORNIA

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SHEET TITLE:
FRONT ELEVATION - EXISTING &
SECTION - PROPOSED

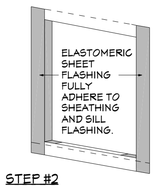
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SHEET:
OF: A3.3

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INSTALL SILL ELASTOMERIC SHEET FLASHING FIRST. ADHERE A 2 INCH WIDE STRIP TO THE SHEATHING AT THE SILL. LEAVE THE REMAINING LOWER PORTION OF FLASHING COVERED WITH BACKING COVER SO THAT BUILDING PAPER CAN BE INSERTED UNDER THE FLASHING LATER.



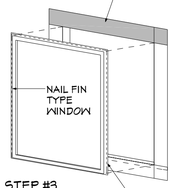
STEP #1



STEP #2

PRIOR TO SETTING THE WINDOW INSTALL A FULLY ADHERED HEAD ELASTOMERIC FLASHING STRIP.

INSTALL WINDOW AS PER MANUFACTURER'S DIRECTIONS.



STEP #3

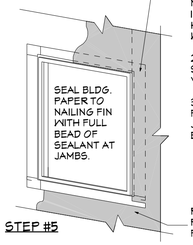
APPLY A FULL CONT. BEAD OF SEALANT TO BACK OF FIN AROUND ENTIRE PERIMETER AT NAILING LINE

INSTALL HEAD ELASTOMERIC SHEET FLASHING OVER THE FULL HEIGHT OF THE HEAD NAILING FIN.



STEP #4

LAP BUILDING PAPER OVER HEAD FLASHING



STEP #5

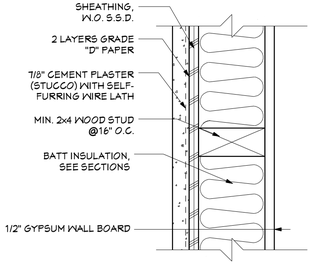
WINDOWDOOR FLASHING GENERAL NOTES:

1. ELASTOMETRIC SHEET FLASHING SHALL BE "VYCOR PLUS" BY W. R. GRACE.- MINIMUM WIDTH SHALL BE 6 INCHES. ALL FLASHING SHALL HAVE SELF ADHESIVE FACE WITH SEPARABLE LINER.

2. SEALANTS SHALL BE SONNEBORN SONALASTIC 150 VLM.

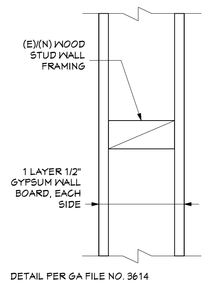
3. BUILDING PAPER SHALL BE FORTIFIBER "TWO FLY SUPER JUMBO TEX 60 MINUTE" WATER BARRIER, OR EQ.

14 WINDOWDOOR FLASHING GENERAL NOTES
SCALE: 1" = 1'-0"



A EXT. WALL CONSTRUCTION - CEMENT PLASTER SIDING
SCALE: 3" = 1'-0"

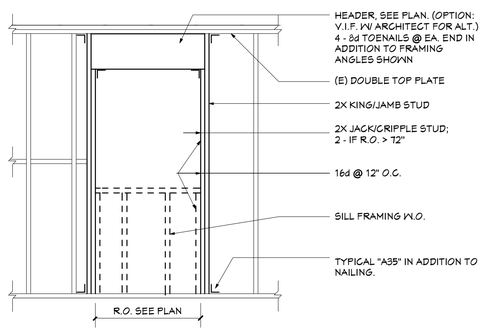
HORIZ. SECTION



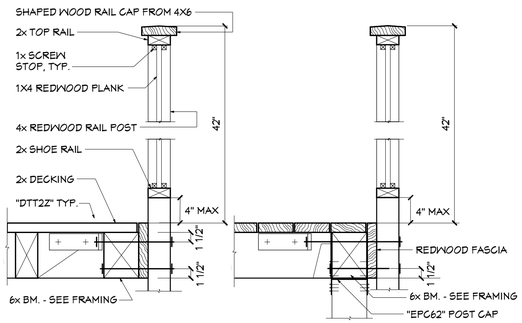
DETAIL PER GA FILE NO. 3614

B TYP. NON-RATED INTERIOR WALL CONSTRUCTION
SCALE: 3" = 1'-0"

15

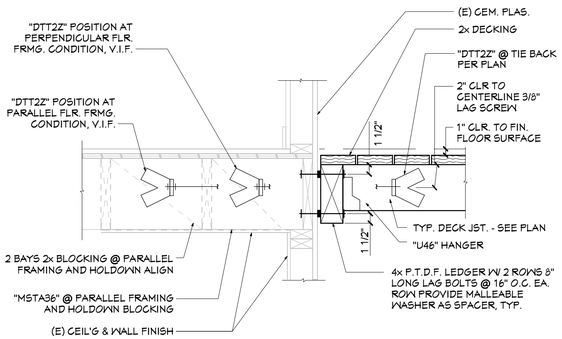


16 (N) OPENING IN (E) STUD WALL
SCALE: 1/2" = 1'-0"

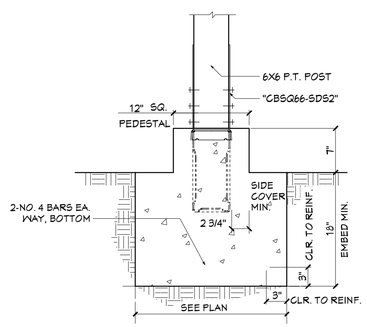


SEE ALT. CONDITION FOR ITEMS NOT CALLED OUT

10 STAIR GUARD/RAIL POST
SCALE: 1" = 1'-0"



11 TYP. LEDGER & TIE BACK
SCALE: 1" = 1'-0"



12 POST BASE
SCALE: 1" = 1'-0"

EXISTING WINDOW SCHEDULE

NUMBER	QTY	SIZE	TYPE	EGRESS	TEMPERED	COMMENTS
01	2	2630	SINGLE HUNG			EXISTING TO REMAIN
02	1	4040	DOUBLE CASEMENT			EXISTING TO REMAIN
03	1	22310	RIGHT SLIDING			EXISTING TO REMAIN
04	1	5040	LEFT SLIDING			EXISTING TO REMAIN
05	1	6060	FIXED GLASS			EXISTING - TO BE REMOVED
06	1	30510	RIGHT SLIDING			EXISTING TO REMAIN
07	2	1644	FIXED GLASS			EXISTING TO REMAIN
08	1	3644	RIGHT SLIDING			EXISTING TO REMAIN
09	1	1324	SINGLE HUNG			EXISTING TO REMAIN
10	1	1616	SINGLE HUNG		YES	EXISTING TO REMAIN
11	1	2026	SINGLE HUNG			EXISTING TO REMAIN
12	2	2634	SINGLE HUNG		YES	EXISTING TO REMAIN
13	2	3046	SINGLE CASEMENT	YES		EXISTING TO REMAIN
14	3	3246	SINGLE CASEMENT	YES		EXISTING TO REMAIN
15	1	7050	MULLED UNIT	YES		EXISTING TO REMAIN
16	1	20210	SINGLE HUNG			EXISTING TO REMAIN
17	1	26210	SINGLE HUNG			EXISTING TO REMAIN
18	1	2636	SINGLE HUNG			EXISTING TO REMAIN
19	1	3644	DOUBLE CASEMENT			EXISTING TO REMAIN

EXISTING WINDOW SCHEDULE NOTES

1. FRAME SIZE CALLED OUT. FIRST TWO NUMBERS WIDTH, FOOT-INCH; SECOND TWO NUMBERS HEIGHT, FOOT-INCH; E.G. 3050 = 3'-0" W X 5'-0" H.
2. SEE ELEVATIONS FOR OPERATION.
3. SEE CONSTRUCTION NOTES FOR ADDITIONAL INFORMATION.

PROPOSED WINDOW SCHEDULE

NUMBER	QTY	SIZE	TYPE	EGRESS	TEMPERED	COMMENTS
01	2	2630	SINGLE HUNG			EXISTING TO REMAIN
02	1	4040	DOUBLE CASEMENT			EXISTING TO REMAIN
03	1	22310	RIGHT SLIDING			EXISTING TO REMAIN
04	1	5040	LEFT SLIDING			EXISTING TO REMAIN
06	1	30510	RIGHT SLIDING			EXISTING TO REMAIN
07	2	1644	FIXED GLASS			EXISTING TO REMAIN
08	1	3644	RIGHT SLIDING			EXISTING TO REMAIN
09	1	1324	SINGLE HUNG			EXISTING TO REMAIN
10	1	1616	SINGLE HUNG		YES	EXISTING TO REMAIN
11	1	2026	SINGLE HUNG			EXISTING TO REMAIN
12	2	2634	SINGLE HUNG		YES	EXISTING TO REMAIN
13	2	3046	SINGLE CASEMENT	YES		EXISTING TO REMAIN
14	3	3246	SINGLE CASEMENT	YES		EXISTING TO REMAIN
15	1	7050	MULLED UNIT	YES		EXISTING TO REMAIN
16	1	20210	SINGLE HUNG			EXISTING TO REMAIN
17	1	26210	SINGLE HUNG			EXISTING TO REMAIN
18	1	2636	SINGLE HUNG			EXISTING TO REMAIN
19	1	3644	DOUBLE CASEMENT			EXISTING TO REMAIN

PROPOSED WINDOW SCHEDULE NOTES

1. FRAME SIZE CALLED OUT. FIRST TWO NUMBERS WIDTH, FOOT-INCH; SECOND TWO NUMBERS HEIGHT, FOOT-INCH; E.G. 3050 = 3'-0" W X 5'-0" H.

EXISTING DOOR SCHEDULE

NUMBER	QTY	SIZE	THICKNESS	STYLE	TYPE	FUNCTION	COMMENTS
01	19	2668	1 3/4"	PANEL	HINGED		EXISTING TO REMAIN
02	1	2668	1 3/4"	SLAB	HINGED		EXISTING TO REMAIN
03	2	3068	1 3/4"	PANEL	HINGED		EXISTING TO REMAIN
04	1	4968	1 3/4"	GLASS PANEL	SLIDER		EXISTING TO REMAIN
05	1	1368	1 3/4"	PANEL	HINGED		EXISTING TO REMAIN
06	1	13880	1 3/4"	GARAGE DOOR GHD05	GARAGE		EXISTING TO REMAIN

EXISTING DOOR SCHEDULE NOTES

1. FRAME SIZE CALLED OUT. FIRST TWO NUMBERS WIDTH, FOOT-INCH; SECOND TWO NUMBERS HEIGHT, FOOT-INCH; E.G. 3050 = 3'-0" W X 5'-0" H.
2. SEE PLANS FOR HANDING.
3. SEE CONSTRUCTION NOTES FOR ADDITIONAL INFORMATION.

PROPOSED DOOR SCHEDULE

NUMBER	QTY	SIZE	THICKNESS	STYLE	TYPE	FUNCTION	COMMENTS
01	19	2668	1 3/4"	PANEL	HINGED		EXISTING TO REMAIN
02	1	2668	1 3/4"	SLAB	HINGED		EXISTING TO REMAIN
03	2	3068	1 3/4"	PANEL	HINGED		EXISTING TO REMAIN
04	1	4968	1 3/4"	GLASS PANEL	SLIDER		EXISTING TO REMAIN
05	1	1368	1 3/4"	PANEL	HINGED		EXISTING TO REMAIN
06	1	13880	1 3/4"	GARAGE DOOR GHD05	GARAGE		EXISTING TO REMAIN
07	1	6068	1 3/4"	GLASS PANEL	DOUBLE HINGED		NEW DOOR IN EXISTING OPENING

PROPOSED DOOR SCHEDULE NOTES

1. FRAME SIZE CALLED OUT. FIRST TWO NUMBERS WIDTH, FOOT-INCH; SECOND TWO NUMBERS HEIGHT, FOOT-INCH; E.G. 3050 = 3'-0" W X 5'-0" H.
2. SEE PLANS FOR HANDING.
3. SEE CONSTRUCTION NOTES FOR ADDITIONAL INFORMATION.

ELECTRICAL FIXTURE SCHEDULE

2D	NUMBER	QTY	DESCRIPTION	COMMENTS
	E01	1	WALL MOUNTED TYPE 01	WEATHERPROOF

ELECTRICAL FIXTURE NOTES:

1. SEE CONSTRUCTION NOTES FOR ADDITIONAL INFORMATION

POWER AND SIGNAL SCHEDULE

2D	NUMBER	QTY	DESCRIPTION	COMMENTS
GFCI	PS01	1	GFCI WP TYPE 01	WEATHERPROOF
	PS02	1	SWITCH TYPE 01	SINGLE POLE

POWER AND SIGNAL NOTES:

1. SEE CONSTRUCTION NOTES FOR ADDITIONAL INFORMATION+

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DETAILS AND SCHEDULES

DRAWN:
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SHEET:

OF: A4.0

CONSTRUCTION NOTES

GENERAL PROJECT NOTES

BUILDING LOCATION BASIS

1. BUILDING LOCATION AS NOTED ON PARCEL PLANS BASED ON INFORMATION FURNISHED BY OTHERS AND PHYSICAL MEASUREMENTS SUCH AS FENCES

GENERAL DIMENSIONING

1. DIMENSIONS TO FACE OF FINISH CONCRETE, FACE OF STUD, AND FACE OF INTERIOR FINISH (WHERE NOTED)
2. FINISHED FLOOR ELEVATION 0'-0" – MATCH (E) FLOOR ELEVATION

GENERAL REFERENCES

1. ALL BUILDING ELEVATIONS REFERENCES FROM STREET VIEW. FRONT OF BUILDING SHALL BE "FRONT ELEVATION", U.O.N.

GENERAL CONDITIONS

1. PRIOR TO THE START OF WORK, THE CONTRACTOR SHALL COMPARE AND COORDINATE STRUCTURAL AND DESIGN DRAWINGS WITH EXISTING FIELD CONDITIONS. THE PROJECT ENGINEER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES. EVEN THOUGH UNANTICIPATED CONDITIONS MAY BE ENCOUNTERED DURING THE PERFORMANCE OF THE WORK, WHICH MAY RESULT IN THE NEED FOR SIGNIFICANT CHANGES TO BE MADE TO THESE PLANS, NO DEVIATION FROM THESE PLANS SHALL BE MADE EXCEPT UPON WRITTEN APPROVAL FROM THE ARCHITECT.
2. ALL WORK SHALL BE EXECUTED IN ACCORDANCE WITH THE 2022 CALIFORNIA BUILDING CODE (CBC); AND OTHER APPLICABLE CODES. THE CONTRACTOR SHALL BE THOROUGHLY RESPONSIBLE FOR THE SATISFACTORY COMPLETION OF THE WORK IN ACCORDANCE WITH THESE PROJECT PLANS AND SPECIFICATIONS. THE CONTRACTOR SHALL PROVIDE TERMITE AND MOISTURE PROTECTION AS REQUIRED BY CODE.
3. UNOFFICIAL DOCUMENT(S) REFERENCING BUILDING, OWNER/CLIENT, PRODUCT, MATERIAL AND FINISH SCHEDULES ARE AVAILABLE FROM ARCHITECT.

GENERAL FIRE SAFETY NOTES

1. COMBUSTIBLE DEBRIS SHALL NOT BE ACCUMULATED WITHIN BUILDING.
2. COMBUSTIBLE DEBRIS, RUBBISH AND WASTE MATERIAL SHALL BE REMOVED FROM BUILDING AT THE END OF EACH SHIFT OF WORK.
3. MATERIALS SUSCEPTIBLE TO SPONTANEOUS IGNITION, SUCH AS OILY RAGS, SHALL BE STORED IN A LISTED DISPOSAL CONTAINERS.
4. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER CFG §3304.6.
5. DURING CONSTRUCTION, THE CONSTRUCTION SITE OR AREA MUST BE CLEANED UP AT THE END OF THE DAY IN ORDER TO PROVIDE FIREFIGHTER ACCESS IN THE BUILDING IN AN EVENT OF A FIRE.
6. STRUCTURES UNDER CONSTRUCTION, ALTERATION OR DEMOLITION SHALL BE PROVIDED WITH APPROVED PORTABLE FIRE EXTINGUISHERS IN ACCORDANCE WITH CFG §906 AND SIZED FOR NOT LESS THAN ORDINARY HAZARD PER CFG §3301.1.
7. ADDITIONAL PORTABLE FIRE EXTINGUISHERS SHALL BE PROVIDED WHERE SPECIAL HAZARD EXIST, SUCH AS THE STORAGE AND USE OF FLAMMABLE AND COMBUSTIBLE LIQUIDS.
8. FIRE EXTINGUISHERS (2-A:10-B:C RATING) SHALL BE PROVIDED THROUGHOUT THE BUILDING UNDER CONSTRUCTION, ALTERATION, OR DEMOLITION WITH A MAXIMUM TRAVEL DISTANCE OF 75-FEET.

SITE

GENERAL / SITE WORK

1. PRIOR TO THE START OF WORK, THE CONTRACTOR SHALL COMPARE AND COORDINATE STRUCTURAL AND DESIGN DRAWINGS WITH EXISTING FIELD CONDITIONS. THE PROJECT ENGINEER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES. EVEN THOUGH UNANTICIPATED CONDITIONS MAY BE ENCOUNTERED DURING THE PERFORMANCE OF THE WORK, WHICH MAY RESULT IN THE NEED FOR SIGNIFICANT CHANGES TO BE MADE TO THESE PLANS, NO DEVIATION FROM THESE PLANS SHALL BE MADE EXCEPT UPON WRITTEN APPROVAL FROM THE ARCHITECT.
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3. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR WORKING CONDITIONS AT THE JOB SITE, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK.

SITE PREPARATION

1. TAKE NECESSARY PRECAUTIONS TO MINIMIZE DISTURBANCE OF EXISTING VEGETATION TO REMAIN.
2. SOIL DISTURBANCE SHALL BE LIMITED TO THAT WHICH IS NECESSARY FOR FOOTING AND SITE PREPARATION AS DESCRIBED ABOVE. PREVENT WATER FROM RUNNING INTO EXCAVATED AREA.
3. BACKFILL MATERIAL SHALL BE FREE OF ORGANIC MATTER AND ROCKS OR LUMPS OVER 6 INCHES (2 INCHES AT UTILITY TRENCHES). COMPACT BACKFILL TO AT LEAST 90 PERCENT RELATIVE COMPACTION PER ASTM D-1557; IN LIFTS NOT EXCEEDING 8 INCHES UNCOMPACTED.
4. DEPRESSION FROM REMOVAL OF OBSTRUCTIONS SHALL BE OPENED TO WORKING SIZE; REMOVE DEBRIS AND SOFT MATERIAL; BACKFILL AND COMPACT AS NECESSARY.
5. SURFACE DRAINAGE SHALL SLOPE 3% FROM BUILDING FOUNDATIONS FOR A MINIMUM OF 5 FEET AND AT LEAST 1% TO SUITABLE COLLECTION POINTS.
6. TRENCHING SHALL BE TRUE TO GRADES INDICATED. EXTEND UTILITY TRENCHES TO BE SUFFICIENT DEPTH STANDARDS AND LOCAL CODES. PROPERLY SUPPORT TRENCHES.
7. UNUSUAL CONDITIONS NOT COVERED BY CONTRACT. IF ENCOUNTERED, SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF DESIGNER.
8. HAZARDOUS WASTE TESTING SHALL BE PROVIDED INCLUDING ASBESTOS TESTING & REMEDIATION.
9. STORM WATER DRAINAGE AND RETENTION SHALL BE FURNISHED DURING CONSTRUCTION. MEANS OF DRAINAGE AND RETENTION AS FOLLOWS:
10. STORM WATER CONVEYED TO A PUBLIC DRAINAGE SYSTEM SHALL BE FILTERED BY BARRIER SYSTEM, MATTLES OR OTHER APPROVED METHOD.
11. IMPLEMENT STORM WATER MANAGEMENT ORDINANCE REQUIREMENTS PER CITY OF OAKLAND MUNICIPAL CODE.
12. GRADING AND PAVING SHALL BE CONDUCTED TO MANAGE SURFACE WATER INCLUDE SWALES, WATER COLLECTION AND DISPOSAL SYSTEMS, FRENCH DRAINS, WATER RETENTION GARDENS OR OTHER MEASURES AS INDICATED OR NECESSARY TO KEEP SURFACE WATER AWAY FROM BUILDINGS AND AID IN GROUNDWATER RECHARGE.

SITE UTILITIES

1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ASCERTAIN THE EXISTENCE OF ANY AND ALL UNDERGROUND UTILITIES AND FACILITIES WHICH MAY BE SUBJECT TO DAMAGE OR INTERRUPTION AS A RESULT OF ITS OPERATIONS. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO PROTECT THESE UNDERGROUND UTILITIES / FACILITIES, AND TO MAINTAIN SERVICE TO THE PROPERTY, AND SHALL BE RESPONSIBLE FOR REPAIR TO SAME IF DAMAGED DURING CONSTRUCTION.

GENERAL UTILITY PLAN NOTES

1. THE UTILITIES SHOWN ON THIS PLAN ARE DERIVED FROM RECORD DATA AND/OR SURFACE OBSERVATION AND ARE APPROXIMATE ONLY. ACTUAL LOCATION AND SIZE, TOGETHER WITH THE PRESENCE OF ANY ADDITIONAL UTILITY LINES NOT SHOWN ON THIS PLAN SHALL BE VERIFIED BY THE CONTRACTOR IN THE FIELD PRIOR TO CONSTRUCTION.
2. ALL EXISTING UNDERGROUND IN THE PUBLIC RIGHT OF WAY SHALL BE PROTECTED UNLESS OTHERWISE NOTED.
3. ALL EXISTING UTILITY BOXES, STRUCTURES, MANHOLES AND VALVES WITHIN THE LIMIT OF WORK SHALL BE ADJUSTED TO FINAL GRADE UNLESS OTHERWISE NOTED.
4. GRADING OPERATIONS WILL OCCUR OVER EXISTING UTILITIES. CONTRACTOR SHALL EXERCISE THE NECESSARY CARE TO ENSURE EXISTING UTILITIES ARE NOT DAMAGED OR EXPERIENCE ANY INTERRUPTION IN SERVICE. ANY UTILITIES DAMAGED DUE TO THE CONTRACTOR'S ACTIVITIES SHALL BE REPAIRED TO ORIGINAL CONDITION AT THE EXPENSE OF THE CONTRACTOR.
5. CONTRACTOR SHALL VERIFY EXACT LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCEMENT OF WORK.
6. CONTRACTOR TO CONTACT U.S.A. AT (800)247-2600 AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION, UTILITY REMOVAL OR EXCAVATION.

CARPENTRY

ROUGH FRAMING

1. ALL SAWN LUMBER SHALL BE NO. 2 GRADE (OR BETTER) DOUGLAS FIR-LARCH. STRUCTURAL LUMBER IN PERMANENT CONTACT WITH CONCRETE, OR WHERE EXPOSED TO WEATHER, SHALL BE NO. 2 GRADE PRESSURE-TREATED DOUGLAS FIR-LARCH.
2. "MICROLLAM" LVL JOISTS SHALL BE COMPRISED OF 1-3/4 INCH WIDE 2.0E MICROLLAM LVL MATERIAL, AND SHALL BE STORED AND INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS. (FB=2600 PSI, FV=285 PSI, E=2.0X106 PSI).
3. "PARALLAM" PSL BEAMS SHALL BE COMPRISED OF 3-1/2 INCH WIDE 2.1E PARALLAM PSL MATERIAL, AND SHALL BE STORED AND INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS. (FB=2900 PSI, FV=290 PSI, E=2.1X106 PSI).
4. MOISTURE CONTENT OF LUMBER AT THE TIME OF INSTALLATION SHALL NOT EXCEED 19 PERCENT.
5. PLYWOOD ROOF DIAPHRAGM SHALL BE COMPRISED OF 1/2-INCH THICK CD-X, APA-RATED PLYWOOD SHEATHING WITH 8D NAILS @ 4-INCHES ON CENTER ALONG DIAPHRAGM BOUNDARY, @ 8-INCHES ON CENTER ALONG PLYWOOD EDGES, AND @ 12-INCHES ON CENTER IN THE FIELD. INSTALL PLY-CLIPS MID-SPAN ALONG ALL UNSUPPORTED PLYWOOD EDGES. STAGGER SHEETS BY ONE-HALF PANEL ALONG ABUTTING PANEL RONS. LAY UP PLYWOOD SHEETS LENGTHWISE PERPENDICULAR TO DIRECTION OF ROOF RAFTERS.
6. ALL HARDWARE SHALL BE MANUFACTURED BY SIMPSON STRONG-TIE COMPANY, UNLESS OTHERWISE NOTED. IT SHALL REMAIN THE CONTRACTOR'S RESPONSIBILITY TO ASSURE THAT THE HARDWARE PROCURED AND INSTALLED MEETS OR EXCEEDS THE REQUIREMENTS OF THE HARDWARE SPECIFIED WITHIN THESE DESIGN DOCUMENTS. THE CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF THE MANUFACTURER, AND SHALL FILL ALL HOLES WITH THE MANUFACTURER'S SPECIFIED NAILING REQUIREMENTS.
7. NAILING (WHERE NOT SHOWN ON THE PLANS) SHALL BE EXECUTED IN ACCORDANCE WITH TABLE 2304.10.1 OF THE CALIFORNIA BUILDING CODE.

WALL NOTES

ANCHOR BOLTS

1. ALL NEW ANCHOR BOLTS SHALL BE ASTM A-307, AND SHALL BE EMBEDDED INTO SOUND CONCRETE A MINIMUM OF SEVEN (7) INCHES, UNLESS OTHERWISE SPECIFIED. MINIMUM BOLT DIAMETER SHALL BE 5/8-INCH. WHERE ANCHOR BOLTS ARE EPOXIED IN PLACE, AN I.C.B.O. - APPROVED EPOXY SYSTEM SHALL BE USED. THE CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF THE EPOXY SYSTEM MANUFACTURER. MECHANICAL ANCHOR BOLTS WILL NOT BE ACCEPTED.

ANCHOR BOLT SPACING AND LOCATION

1 AT WOOD-FRAMED WALLS WITHIN NON-SHEAR WALL ZONES, INSTALL NEW 5/8-INCH DIAMETER ANCHOR BOLTS AT 4'-0" ON CENTER SEE SECTION ABOVE FOR ADDITIONAL ANCHOR BOLT SPACING, POSITIONING, AND LOCATION REQUIREMENTS.
2 ANCHOR BOLT: 5/8-INCH DIAMETER A307 ALL-TREAD ANCHOR BOLT (FOR EPOXIED-IN-PLACE CONDITION), OR 5/8-INCH DIAMETER A307 J-BOLT (FOR STANDARD WET-CAST CONDITION) SPACED 4'-0" ON CENTER.
3 AT EPOXIED-IN-PLACE AND WET-CAST CONDITIONS, EMBED ANCHOR BOLT AT LEAST 7-INCHES MIN. INTO NEW CONCRETE FOUNDATION. EXTEND ANCHOR BOLT UPWARD THROUGH NEW 3X P.T.D.F. MUDSILL. PROVIDE 1.25-INCH SQUARE X 0.313-INCH THICK STEEL WASHERS.

PLYWOOD

1 NEW PLYWOOD SHALL BE 1/2" THICK "CD-X" APA-RATED PLYWOOD SHEATHING, OR 1/2" THICK OSB.
2 ATTACH PLYWOOD / OSB TO STUDS, PLATES AND BLOCKING WITH 8D COMMON (0.131" SHANK SIZE) NAILS @ 6-INCHES ON CENTER ALONG PANEL EDGES, AND @ 12-INCHES IN THE FIELD.
3 FULLY BLOCK ALL PANEL EDGES USIONG 2X FRAMING WERHE ABUTTING PANEL JOINTS OCCUR ON A COMMON STUD OR FRAMING MEMBER.
4 SPACING: ALL PLYWOOD SHALL BE NAILED AS SPECIFIED. EDGE NAILS SHALL APPROACH NO CLOSER THAN 3/8-INCH TO THE EDGE OF THE INDIVIDUAL PLYWOOD PIECES. SPECIAL CARE SHALL BE TAKEN AT ALL PLYWOOD BOUNDARY CONDITIONS WHERE ADJACENT PLYWOOD PANELS ABUT ONE ANOTHER AT A COMMON CRIPPLED STUD. ALL NAILS THAT PENETRATE PLYWOOD SHALL BE NAILED FLUSH WITH PLYWOOD SURFACE. DO NOT OVERDRIVE NAILS!
5 PLATE NAILING: SIMPSON "A35" AT 16-INCHES ON CENTER OR
SDS1/4 X 6 SCREW @ 6-INCHES ON CENTER OR
16D COMMON (0.162" SHANK SIZE) NAIL @ 6-INCHES ON CENTER.

NAIL SCHEDULE

1 ALL NAILS SHALL MEET THE FOLLOWING MINIMUM REQUIREMENTS:

LOCATION FOR USE	NOMINAL NAIL SIZE	SPECIAL COATING OR MATERIAL (a)	MINIMUM EMBEDMENT (b)	REQ'D SHANK DIAMETER
PLYWOOD EDGE NAIL	8d *	SEE (a) below	1-1/2"	.131"
	10d *		1-5/8"	.148"
MISC. CONN.	10d *	NONE	1-5/8"	.148"
	8d *	NONE	1-1/2"	.131"
	8d (short)*	NONE	1-1/2"	.131" Simpson N8
PLATE NAILING	16d *	SEE (a) below	1-3/4"	.162"

*8D, 10D, AND 16D NAIL SIZES, AS SPECIFIED ABOVE, ARE BASED ON "COMMON" TYPE NAILS. OTHER MANUFACTURED NOMINAL SIZES ARE ACCEPTABLE PROVIDING THEY MATCH THE REQUIRED SHANK DIAMETERS, AND MEET OR EXCEED THE MINIMUM EMBEDMENT LENGTHS AS SHOWN ABOVE.
(a) IMPORTANT! WHERE NAILS ENGAGE PRESSURE-TREATED MATERIAL, NAILS SHALL BE STAINLESS STEEL.
(b) MINIMUM EMBEDMENT LENGTH REQUIRED INTO UNDERLYING WOOD MEMBER.

THERMAL & MOISTURE PROTECTION

INSULATION

GENERAL
1 U.O.N. ALL EXTERIOR WALL/FLOOR/ROOF FRAMING SPACES OPENED UP DURING THE COURSE OF REMODEL SHALL BE INSULATED WITH A MINIMUM OF:
- R-13 (WALL)
- R-14 (FLOOR)
- R-30 (ROOF)

2 ALL INSULATION AND INSULATION SHALL SATISFY QUALITY INSULATION INSTALLATION (QII) GUIDELINES.

INSULATION MATERIALS
1 MATERIALS SHALL COMPLY WITH, AND BE INSTALLED IN CONFORMANCE WITH, ALL APPLICABLE BUILDING CODES FOR BUILDING. CALIFORNIA BUILDING CODE (INCLUDING, BUT NOT LIMITED TO, CALIFORNIA ELECTRIC CODE SECTION 1191) AND INSTALLED TO MEET ALL APPLICABLE FIRE CODES. REFER TO THE CERTIFICATE OF COMPLIANCE IN ENERGY COMPLIANCE DOCUMENTS.
2 MATERIALS SHALL MEET CALIFORNIA QUALITY STANDARDS FOR INSULATING MATERIAL, TITLE 24, PART 12, CHAPTER 4, ARTICLE 3, LISTED IN THE CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS CONSUMER GUIDE AND DIRECTORY FOR CERTIFIED INSULATING MATERIALS.
3 MATERIALS SHALL COMPLY WITH FLAME SPREAD RATING AND SMOKE DENSITY REQUIREMENTS OF CHAPTER 26 AND SECTION 708 OF TITLE 24, PART 2: ALL INSTALLATIONS WITH EXPOSED FACINGS MUST USE FIRE RETARDANT FACINGS WHICH HAVE BEEN TESTED AND CERTIFIED NOT TO EXCEED A FLAME SPREAD OF 25 AND A SMOKE DEVELOPMENT RATING OF 450. INSULATION FACINGS THAT DO NOT TOUCH A CEILING, WALL, OR FLOOR SURFACE, AND FACED BATTS ON THE UNDERSIDE OF ROOFS WITH AN AIR SPACE BETWEEN THE CEILING AND FACING ARE CONSIDERED EXPOSED AFFLICATIONS.
4 MATERIALS SHALL BE INSTALLED ACCORDING TO MANUFACTURER SPECIFICATIONS AND INSTRUCTIONS.

INSULATION PRODUCTS

1 U.O.N., INSULATION SHALL BE FIBERGLASS BATT., RIGID FOLY-BASED MATERIAL, OR BLOWN FOLY-BASED MATERIAL.

FLASHING

1 GUTTERS AND DOWNSPOUTS SHALL MATCH (E).
2 SHEET METAL
3 FLEXIBLE FLASHING
4 SEALANTS – FOAM
5 SEALANTS - OTHER
6 CAULKING – SHALL COMPLY WITH CALGREEN.

FINISHES

GENERAL

1. REPLACE ALL DAMAGED FINISH MATERIALS WITH NEW MATERIALS OF EQUIVALENT QUALITY AND KIND. SUBMIT SAMPLES AND/OR PRESENT SAMPLE INSTALLATION TO ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.
2. CONSULT OWNER FOR TYPE, SPECIES, AND FINISH OF HARDWOOD FLOORS. TOP OF CARPET TO BE FLUSH WITH TOP OF HARDWOOD FLOORING.
3. QUARRY, CERAMIC OR MARBLE TILE FLOORING SHALL BE SET IN SUITABLE SUBSTRATE APPROPRIATE FOR PROPOSED FINISH. CONSULT WITH OWNER FOR TYPE, SIZE, COLOR AND FINISH OF TILE.
4. CERAMIC TILE, GRANITE OR CORIAN COUNTER-TOPS AND SPLASH SHALL BE COLOR AND FINISH AS SELECTED BY OWNER.
5. USE ½" GYPSUM BOARD THROUGHOUT WHERE STUD SPACING IS 16" O.C. AND 5/8" WHERE STUD SPACING IS GREATER THAN 16" O.C., U.O.N.
6. CONSULT OWNER FOR ALL INTERIOR TRIM INCLUDING BUT NOT LIMITED TO CEILING MOLDINGS, WOOD BASES AND DOOR AND WINDOW CASINGS.
7. WHERE THE NEW GYPSUM BOARD MEETS AND ALIGNS AN EXISTING PARTITION, REMOVE THE EXISTING
8. ALIGN NEW PARTITION SURFACES WITH THE EXISTING ADJACENT OR ADJOINING SURFACES WHERE INDICATED. TAPE AND SAND THE JOINTS SMOOTH WITHOUT ANY VISIBLE JOINTS. PATCH AND REPAIR
9. SURFACES TO MATCH ADJACENT OR ADJOINING SURFACES.

GYPSUM BOARD

GENERAL
1. GYP. BD. IS THE INTERIOR FINISH MOST COMMONLY USED IN RESIDENTIAL CONSTRUCTION. THE FOLLOWING GUIDELINES PERTAIN TO ITS APPLICATION.
2. GYPSUM WALLBOARD SHALL NOT BE INSTALLED UNTIL WEATHER PROTECTION FOR THE INSTALLATION IS PROVIDED.
3. WHEN PRACTICAL, WALLBOARD SHOULD BE APPLIED FIRST TO THE CEILINGS, AND THEN TO WALLS. SHEETS SHOULD BE BROUGHT INTO CONTACT BUT NOT FORCED INTO PLACE. SPACES BETWEEN SHEETS SHOULD NOT EXCEED 1/4" AND TAPERED EDGES SHOULD BE PLACED NEXT TO EACH OTHER WHEN POSSIBLE.
4. CUTOUTS FOR ELECTRICAL OUTLETS, PIPES, FIXTURES OR OTHER SMALL OPENINGS SHOULD BE CUT OUT NEATLY WITH A MAXIMUM CLEARANCE OF 1/4". IF THERE ARE ANY GAPS EXCEEDING 1/4", THEY MUST BE FILLED WITH TAPING COMPOUND AND DRYWALL TAPE.

NAILING
1. NAILS SHOULD BE DRIVEN SO THAT THE HEAD IS IN A SMALL DIMPLE FORMED BY THE LAST BLOW OF THE HAMMER. TAKE CARE NOT TO FRACTURE THE BOARD WHEN NAILING. FRACTURES OF THE WALLBOARD CAUSED BY OVER DRIVING MUST BE CORRECTED BY ADDITIONAL NAILING. NAILS MUST BE BETWEEN 3/8" AND 1" FROM THE EDGES, AND NAILS ON ADJACENT EDGES SHOULD BE OFFSOITE EACH OTHER. IF YOU ARE USING THE SINGLE NAILING SYSTEM, THE NAILS SHOULD BE SPACED 7" ON CENTER ON THE CEILINGS AND 8" ON CENTER ON THE WALLS. THE DOUBLE NAILING SYSTEM IS ALSO PERMITTED. GROUPS OF TWO NAILS 2 - 2 1/2" APART ARE SPACED 12" ON CENTER IN THIS SYSTEM. APPROVED SCREWS MAY ALSO BE USED TO AFFLY WALLBOARD.
2. SCREWS MUST BE PLACED 3/8" FROM THE END OR EDGES OF THE BOARD AND SPACED 12" ON CENTER. SCREWS MUST BE USED FOR FASTENING WALLBOARD AT POCKET DOORS.
3. FASTENERS AT THE TOP AND BOTTOM PLATES OF VERTICAL ASSEMBLIES, OR THE EDGES AND ENDS OF HORIZONTAL ASSEMBLIES PERFENDICULAR TO SUPPORTS, AND AT THE WALL LINE MAY BE OMITTED EXCEPT ON SHEAR-RESISTING ELEMENTS OR FIRE RESISTIVE ASSEMBLIES. ALL EDGES OF BRACED WALL PANELS AND FIREWALL MUST BE NAILED TO FRAMING.

CORNERS
1. ALL METAL REINFORCED CORNERS MUST FIT SNUGLY AGAINST WALLBOARD AND SHOULD BE NAILED APPROXIMATELY 12" ON CENTER.
2. ALL "L" EDGE METAL TRIM SHOULD BE NAILED EVERY 6". PAPERBACK CORNER BEAD IS ACCEPTABLE IF INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

DRYWALL FASTENERS
1. 5/8" THICK DRYWALL: 6D CEMENT-COATED BOX NAIL, OR1 7/8" DRYWALL NAIL
2. SCREWS SHALL BE LONG ENOUGH FOR THE FULL-DIAMETER PORTION TO PENETRATE INTO WOOD FRAMING NOT LESS THAN 5/8 INCH AND THROUGH METAL FRAMING NOT LESS THAN 1/4 INCH.

COUNTERTOPS
1. COUNTERTOPS: SELECTED BY OWNER

BACKSPLASH
1. SPLASH: SELECTED BY OWNER

OPENINGS

REPLACEMENT WINDOWS

1. SEE WINDOW SCHEDULE FOR ADDITIONAL NOTES AND COMMENTS.
2. ALL (N) WINDOWS SHALL BE DUAL GLAZED, LOW E, (WOOD, NON-METAL) FRAME; SELECTED BY OWNER.
3. U-FACTOR: 0.41.
4. SHGC: 0.28 MAX.
5. EXTERIOR WINDOWS SHALL BE WEATHER - STRIPPED, ALL JOINTS AND PENETRATIONS CAULKED AND SEALED.
6. SEE WINDOW SCHEDULE FOR WINDOWS LOCATED AT SLEEPING ROOMS REQUIRED TO MEET EGRESS. SUCH WINDOWS SHALL HAVE MIN. CLEAR OPENING: 20"W X 41"H AND 5.7 SF. MAX SILL HT: 44" ABOVE FLOOR.
7. SEE WINDOW SCHEDULE FOR TEMPERING REQUIREMENTS.
8. FIELD VERIFY JAMB SIZE.
9. FIELD VERIFY ROUGH OPENING SIZE.
10. ALIGN WINDOW HEADS W/ THE TOP OF DOORS TYPICAL. [+80 1/2"] NOMINAL U.N.O. ON MAIN LEVEL. VERIFY ACTUAL FRAMING HEIGHTS W/ SELECTED DOOR AND WINDOW MFR'S. R.O. SPECIFICATIONS.
11. EXTERIOR CASING, SILL, AND OTHER TRIM SELECTED BY OWNER.
12. INTERIOR CASING, SILL, AND OTHER TRIM SELECTED BY OWNER.
13. SEE EXTERIOR ELEVATIONS FOR MULLING PATTERNS, OPERABLE SECTIONS, ETC., WHERE OCC.

ENERGY COMPLIANCE

SEE ENERGY COMPLIANCE SHEETS ("TITTLE-24")

HELPFUL NOTES FOR ENERGY STANDARDS

1. ALL LUMINARES INSTALLED IN RESIDENTIAL CONSTRUCTION MUST QUALIFY AS "HIGH EFFICACY LUMINAIRES."
2. "HIGH EFFICACY LUMINAIRES" INCLUDES LIGHT SOURCES IDENTIFIED AS ANY LUMINAIRE THAT CONTAINS A JA8-COMPLIANT LAMP OR OTHER LIGHT SOURCE THAT IS APFROPRIATELY MARKED AND THE FOLLOWING FIXTURE TYPES: LINEAR FLOURESCENT; PIN-BASED COMPACT FLOURESCENT; GU-24 BASE; CFL; HID; INDUCTION LIGHTING.
3. ALL PERMANENTLY INSTALLED LUMINAIRES WITH INTERCHANGABLE LAMPS MUST CONTAIN LAMPS THAT COMPLY WITH THE REQUIREMENTS OF JOINT APPENDIX 8 (JA8) AND BE APFROPRIATELY MARKED TO BE CONSIDERED "HIGH EFFICACY LUMINAIRES".
4. RECESSED DOWNLIGHT LUMINAIRES WITH SCREW BASED SOCKETS ARE NOT PERMITTED TO BE INSTALLED.
5. ALL LUMINAIRES THAT ARE INSTALLED WITH JA8-CERTIFIED LIGHT SOURCES ARE REQUIRED TO BE CONTROLLED BY EITHER A DIMMER OR VACANCY SENSOR.
6. BLANK ELECTRICAL BOXES MORE THAN FIVE FEET ABOVE AFF MUST BE CONTROLLED BY A DIMMER, VACANCY SENSOR, OR FAN WALL CONTROL.
7. DIMMERS OR VACANCY SENSORS ARE NOT REQUIRED ON ANY LUMINAIRES LOCATED IN CLOSETS LESS THAN 70 SQUARE FEET, OR IN HALLWAYS.
8. VACANCY SENSORS ARE REQUIRED FOR AT LEAST ONE LUMINAIRE IN: BATHROOMS, UTILITY ROOMS, LAUNDRIES, GARAGES.
9. DIMMER SELECTION: IT IS IMPORTANT TO CORRECTLY MATCH THE DIMMER WITH THE TYPE OF LIGHTING LOAD THAT IS BEING DIMMED. FAILURE TO DO SO MAY RESULT IN EARLY EQUIPMENT FAILURE, INCLUDING THE DIMMER, TRANSFORMER, BALLAST, OR LAMP. THIS IS TOTAL WATTAGE OF LIGHTING IT CONTROLS. ALL FORWARD PHASE CUT DIMMERS MUST COMPLY WITH NEMA SSL 7A FOR USAGE WITH LED LIGHT SOURCE, TO ENSURE COMPATIBILITY BETWEEN FORWARD PHASE CUT DIMMERS AND LED LIGHT SOURCES.
10. OUTDOOR LIGHTING: ALL LIGHTING ATTAGHED TO THE RESIDENCE AND TO OTHER BUILDINGS ON THE SAME LOT MUST BE HIGH EFFICACY AND MUST BE CONTROLLED BY A MANUAL ON AND OFF SWITCH AND ONE OF THE FOLLOWING AUTOMATIC CONTROL TYPES:
a. PHOTO CONTROL AND MOTION SENSOR.
b. PHOTO CONTROL AND AUTOMATIC TIME SWITCH CONTROL.
c. ASTRONOMICAL TIME CLOCK WHICH AUTOMATICALLY TURNS OUTDOOR LIGHTING OFF DURING DAYLIGHT HOURS.
d. EMCS THAT PROVIDES THE FUNCTIONALITY OF AN ASTRONOMICAL TIME CLOCK, DOES NOT HAVE AN OVERRIDE OR BYPASS SWITCH THAT ALLOWS THE LUMINAIRE TO ALWAYS BE ON, AND IS PROGRAMMED TO AUTOMATICALLY TURN THE OUTDOOR LIGHTING OFF DURING DAYLIGHT HOURS.

MECHANICAL

DUCT PROTECTION

1. COVERING OF NEW OR EXISTING DUCT OPENINGS AND PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION. AT THE TIME OF ROUGH INSTALLATION, DURING STORAGE ON THE CONSTRUCTION SITE AND UNTIL FINAL STARTUP OF THE HEATING, COOLING AND VENTILATING TOUIPMENT, ALL DUCT AND OTHER RELATED AIR DISTRIBUTION COMPONENT OPENINGS SHALL BE COVERED WITH TAPE, PLASTIC, SHEETMETAL OR OTHER METHODS ACCEPTABLE BY THE CITY OF BERKELY TO REDUCE THE AMOUNT OF WATER, DUST & DEBRIS, WHICH MAY ENTER THE NEW OR EXISTING SYSTEM. (CGBSC4.504.1)
2. ALL DUCTS IN CONDITIONED SPACES SHALL INCLUDE R-4 INSULATION

KITCHEN VENTILATION

1. KITCHEN EXHAUST FANS ARE REQUIRED TO HAVE A MINIMUM INTERMITTENT VENTILATION AIRFLOW RATE OF 100 CFM

ELECTRICAL

GENERAL

1. ELECTRICAL DRAWINGS OR NOTES INCLUDED HEREIN ARE FOR REFERENCE ONLY. THE CONTRACTOR SHALL PROVIDE DESIGN/BUILD DOCUMENTATION FOR THESE ITEMS IN ACCORDANCE WITH THESE DRAWINGS AND CRITERIA IN CONFORMANCE WITH ALL CODES AND ORDINANCES, AND SHALL OBTAIN PERMITS FOR THIS WORK.

SERVICE

1. EXISTING SERVICE TO REMAIN.

ROUGH ELECTRICAL

MAIN DISTRIBUTION
1. UPGRADE EXISTING SYSTEM PER CEC AND NEC STANDARDS.

BRANCH CIRCUITS & PROTECTION

1. PROVIDE 2 OR MORE 20-AMPERE SMALL-APPLIANCE BRANCH CIRCUITS SERVING KITCHEN, PANTRY, NOOK,
2. RECEPTACLES IN KITCHENS, BATHS, GARAGE, AND EXTERIOR LOCATIONS SHALL BE GFCI PROTECTED.
3. ALL 125-VOLT, SINGLE-PHASE 15- & 20- RECEPTICAL INSTALLED IN BATHROOMS AND IN KITCHEN TO SERVE COUNTERTOP AND KITCHEN DISHWASHER OUTSLET SHALL BE GFCI-PROTECTED RECEPTACLES.
4. ALL BRANCH CIRCUITS W/ OUTLETS IN FAMILY ROOM, DINING ROOM, LIVING ROOM, BEDROOMS, CLOSETS, HALLWAYS SHALL BE A.F.C.I. PROTECTED.
5. NEW 125V 15- AND 20-AMPERE RECEPTACLES SHALL BE LISTED TAMPER RESISTANT.
6. OUTLETS AT HOUSE FRONT AND REAR EXTERIOR WALLS SHALL BE GFCI PROTECTED GASKET-COVER TYPE FOR USE IN WET LOCATIONS.

CONTROLS

GENERAL
1. ALL FIXTURES SHALL BE SINGLE POLE SWITCHED U.O.N.; SEE PLAN FOR ADDITIONAL CONTROL INFO.
2. HIGH-EFFICACY AND LOW-EFFICACY FIXTURES SHALL BE SWITCHED SEPARATELY.
3. LIGHTING ASSOCIATED W/ EXHAUST FANS: SEPARATELY SWITCHED OR, CAPABLE OF MANUAL SHUT OFF INDEPENDENT OF FAN.
4. VACANCY SENSORS: AUTO SHUT-OFF WIN 30 MIN OF VACANCY; MANUAL OFF; VISIBLE STATUS SIGNAL; NO AUTO-ON; NO DISABLE OVERRIDE; NO AUTO-ON OVERRIDE.
5. DIMMERS: 65% POWER REDUCTION; UL-COMPLIANT; MULTI-WAY SWITCHES MUST NOT OVERRIDE DIMMER LEVEL; STEPPED DIMMER SHALL HAVE OFF POSITION; ELECTRICAL OUTPUT TO LAMPS.
6. OUTDOOR LIGHTING: HIGH EFFICACY AND MOTION SENSOR AND ANY OF THE FOLLOWING: INTEGRAL PHOTO CONTROL, OR ASTRONOMICAL TIME CLOCK, OR EMS.