

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDMS24-00015, OWEN POOLE, SDC DELTA COVES LLC (APPLICANT) & ANDREW COON (OWNER)

A. Growth Management Performance Standards

1. Traffic: The project is to subdivide an approximately 22,529-square-foot vacant lot into three lots (no net increase as the project is to re-establish the approved configuration under SD80-06013). While there is no development proposed with this Minor Subdivision, future residential development will allow at least one-single family residence on each lot Based on *Institute of Transportation Engineers Trip Generation Rates*, each dwelling unit is expected to generate 1.0 peak vehicle trip. Accordingly, residential development of the two parcels will generate 3.0 peak hour vehicle trips and will not have a substantial impact on Halcyon Place. Moreover, the original Major Subdivision SD80-06013 established these three lots and evaluated traffic during the original entitlement review. This minor subdivision will re-establish Lots 263, 264 and 265 which were already approved. Therefore, there is a net 0 increase in traffic.
2. Water: The project site is served by the Contra Costa Water District and Diabo Water District. Due to the site being created under SD80-06013, all infrastructure (drainage, utilities) was already installed under the prior subdivision to service the three proposed lots. Therefore, no additional water improvements are necessary. During the building permit process for any new single-family residences on each lot, the applicant will be required to contact the respective water district to request a water service estimate to determine the costs and conditions of providing additional water services. Moreover, the proposed development of three single-family residences will not exacerbate existing water conditions. Therefore, the project will not impact on the existing water service to the surrounding area.
3. Sanitary Sewer: The project site is served by the Ironhouse Sanitary District. Due to the site being created under SD80-06013, all infrastructure (drainage, utilities) was already installed under the prior subdivision to service the three proposed lots. Therefore, no additional sanitary improvements are necessary. During the building permit process for any new single-family residences on each lot, the applicant will be required to comply with the Sanitary Districts requirements. Moreover, the proposed development of three new single-family residences will not exacerbate existing sanitary conditions. Therefore, the project will not impact the existing sanitary sewer service to the surrounding area.
4. Fire Protection: The subject property is an area classified as a Local Responsibility Area – Urban Unzoned fire hazard designation. Projects with the potential for

development are generally referred to the Fire District for review and comment to ensure that the proposal does not conflict with applicable fire codes. In a returned agency comment letter dated October 15, 2024 the Fire Protection District provided comments stating that the “proposed parcels are part of a subdivision and meet Fire Code and Fire District Requirements and to submit fire sprinkler plans for any future proposed development.” Any future development will be required to comply with CCCFPD requirements and with current building codes, including those requiring installation of automatic fire sprinklers in new single-family residences. Compliance with the regulations of the Fire District and applicable building codes will not exacerbate any fire protection for this area. Moreover, because the parcels are part of an existing Major Subdivision, the area already has fire protection service and improvements readily available. Therefore, the project will not exacerbate existing fire protection conditions.

5. Public Protection: Police protection services in the project vicinity are provided by the Contra Costa County Sheriff’s Office. The entire Delta Coves area was created under SD80-06013 and Final Development Plan CDDP82-03024 which required the developer at the time to create a Police Services District for the area. Because the project is to re-establish the original configuration of the parcels, there is no net increase in parcels and thus, the project does not increase the demand for police protection facilities or services.
6. Parks & Recreation: Although no residential development is proposed as part of the three-lot minor subdivision, there is the potential to construct one new single-family residence on each parcel, which will marginally increase the population in the Delta Coves area. New residential development is required to comply with the Park Dedication and Park Impact fees which are fees collected to fund the acquisition and development of parks in Contra Costa County. The applicant would be required to pay a Park Dedication Fee and a Park Impact Fee for each new single-family residence, which is used to acquire parkland and develop parks and recreation facilities to serve new residential development in the unincorporated areas of the County. Thus, there would be a less than significant impact from this project on the use of local public parks and recreational facilities by residents of the Delta Coves area.
7. Flood Control & Drainage: The property does not lie within the Special Flood Hazard area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map. During the building permit process, if the new single-family residences and associated development create

and/or redevelop impervious surface area exceeding 5,000 square feet, the applicant will be required to submit a Stormwater Control Plan. Finally, as mentioned before, all infrastructure (roads, drainage, utilities, etc) was installed under the prior subdivision and therefore, no additional drainage improvements are necessary.

B. Tentative Parcel Map Findings

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

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

Project Finding: The project is consistent with the General Plan designation of Single-Family Residential-Low Density (SL). The SL primary land uses included single-family homes and residential uses associated with them. The project is a three-lot minor subdivision to create three residential lots to accommodate a single-family residence. Therefore, the project is consistent with the primary land use of the SL General Plan Designation. The site was originally approved for 3 lots under SD80-06013 which included Lot 263, Lot 264 and Lot 265. These three lots were merged under CDLL20-00015. Therefore, this application will revert the merged parcels into its originally approved configuration. Therefore, there is no increase in residential density as the three lots that were originally reviewed under the Major Subdivision are back in their approved configuration.

The site is located within Bethel Island Area which has policies in the Land Use Element of the County General Plan. The project is consistent with Policy 3-21 in that the project proposes residential use in an area where single-family residences are dominant in character and is consistent with Policy 3-56 which limits new residential development to one dwelling unit per parcel. Since the minor subdivision will be compatible with the predominantly single-family residential character of the Delta Coves neighborhood, future residential development on the three subdivision parcels will not have a substantial effect on the surrounding area. The project will be compatible as single-family parcels are common uses in this area of the County.

2. *The proposed subdivision fulfills construction requirements.*

Project Finding: The project was reviewed by the County Public Works Department

and in their memo dated December 24, 2025, Public Works Staff determined that all infrastructure (roads, drainage, utilities, etc) was installed under the prior subdivision and that no additional improvements are necessary. Under the prior subdivision, Halcyon Place was created and is now privately maintained by the Homeowner's Association of Delta Coves. There are existing frontage improvements at this location including curb, gutter, sidewalk and foliage and no frontage improvements are required as part of this project. All existing runoff from the site drains west into an existing drainage inlet along Halcyon Place and therefore, no drainage improvements are required for this site. As required by the conditions of approval, the project does not pose any significant traffic impacts and must comply with the "collect and convey" requirements and design standards for construction of private roads. The project is also conditioned to require the applicant/project sponsor to pay any fees including park and recreation, school district, child care and police services prior to the issuance of any building permits for a single-family residence on each of the three proposed lots. Payment of these fees along with compliance with the applicable California Building Code will fulfill all obligations related to construction of the project. Therefore, based on the proposal, no physical circumstances would restrict the developer from completing the project.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDMS24-00015

Project Approval

1. The Tentative Map for a minor subdivision is APPROVED to subdivide an approximately 22,529-square-foot vacant lot into three lots. Parcel A will be approximately 8,016 square feet, Parcel B will be approximately 6,798 square feet and Parcel C will be approximately 7,715 square feet.
2. The project approval described above is granted based on, or as generally shown on, the following documents.
 - Application and materials received by the Department of Conservation and Development, Community Development Division (CDD) on August 1, 2024.
 - Revised Tentative Parcel map received by the Department of Conservation and Development, Community Development Division (CDD) on October 30, 2024.
3. Any modification to the project approved under this permit that is not required by a

Condition of Approval herein shall be subject to the review and approval of the CDD.

Application Costs

4. The Minor Subdivision application was subject to an initial deposit of \$7,500 that was paid with the application submittal, plus time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to issuance of a building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance in the event that additional fees are due.

Indemnification

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

Compliance Report

6. At least 45 days prior to filing a Parcel Map, 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 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.

Except for those conditions administered by the Public Works Department, the report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. A copy of the permit conditions of approval may be obtained from the CDD.

Child Care

7. **Prior to the CDD-Stamp approval of construction plans for the issuance of a building permit**, the developer shall comply with the requirements of the Child Care Ordinance, and pay \$400.00 per lot, as adopted by the Board of Supervisors. However, the actual fee amount collected will be that which is applicable at the time of building permit issuance.

Park Impact

8. **Prior to the CDD-Stamp approval of construction plans for the issuance of a building permit**, the applicant shall pay the applicable park impact fee as established by the Board of Supervisors.

Park Dedication Fee

9. **Prior to the CDD-Stamp approval of construction plans for the issuance of a building permit**, the applicant shall pay the applicable park dedication fee as established by the Board of Supervisors.

Deed Disclosure Regarding Fees

10. **Prior to filing the Parcel Map**, the applicant shall submit a draft deed disclosure statement for the review and approval by the CDD. The draft document shall notify prospective buyers of Parcel A, Parcel B and Parcel C of the requirement to pay Child Care Fees (COA #8), the requirement to pay Park Impact Fees (COA #9), and the requirement to pay Park Dedication Fees (COA #10), prior to CDD-stamp approval of construction plans for the issuance of a building permit.

The approved deed disclosure shall be recorded concurrently with the deed for each approved parcel. A copy of the recorded deed disclosure shall be submitted to the CDD upon recordation.

Geology

11. **Prior to the CDD-stamp of approval of construction plans for the issuance of a building permit**, the applicant shall submit a design level geotechnical report that shall be subject to the review and approval of the County's peer review geologist,

and the review/approval of the Zoning Administrator. Improvements, grading and building plans shall carry out the recommendations of the approved report.

Future Residential Development

12. **Prior to the CDD-stamp of approval of construction plans for the issuance of a building permit** for future single-family residences, all proposed residences must comply with the established Delta Coves Design Guidelines for building setbacks.

Construction Restrictions

13. 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.
14. 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.
15. Transportation of heavy equipment and trucks shall be limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M. and prohibited on Federal and State holiday.
16. The site shall be maintained in an orderly fashion. Following the cessation of construction activity; all construction debris shall be removed from the site.
17. 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.
18. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal)

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

Washington’s Birthday (Federal)
Lincoln’s Birthday (State)
President’s Day (State)
Cesar Chavez Day (State)
Memorial Day (State and Federal)
Juneteenth National Independence Holiday (Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

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

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

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

PUBLIC WORKS

CONDITIONS OF APPROVAL FOR MINOR SUBDIVISION CDMS24-00015

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

General Requirements

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

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

Roadway Improvements (Frontage)

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

Bicycle – Pedestrian Facilities:

Pedestrian Access

22. Curb ramps and driveways should be designed and constructed in accordance with current County standards. A detectable warning surface (e.g. truncated domes) shall be installed on all curb ramps. Adequate right-of-way shall be dedicated at the curb returns to accommodate the returns and curb ramps; accommodate a minimum 4-foot landing on top of any curb ramp proposed.

23. 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.

Drainage Improvements

Collect and Convey

24. The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, 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.

Miscellaneous Drainage Requirements

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

National Pollutant Discharge Elimination System (NPDES)

27. 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 (Central - Region V).

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.
- Offer pavers for household driveways and/or walkways as an option to buyers.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Other alternatives comparable to the above as approved by the Public Works Department.

ADVISORY NOTES

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

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

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

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

- B. The applicant shall submit grading and building plans to the Building Inspection Division and comply with Division requirements. It is advisable to check with the Division prior to requesting a grading or building permit or otherwise proceeding with the project.
- C. The Project shall comply with the requirements for construction debris disposal/recycling of the Health Services Department, Environmental Health Division. The applicant is responsible for contacting the Environmental Health Division regarding applicable requirements and permits.
- D. The applicant must submit site access and building plans to the Contra Costa County Fire Protection District and comply with its requirements. The applicant is advised that

plans submitted for a building permit must receive prior approval and be stamped by the Fire Protection District.

- G. The applicant is responsible for contacting the Contra Costa Mosquito & Vector Control District regarding its requirements and permits.
- H. The Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the ECCRFFA/RTDM and Bethel Island Area of Benefit as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.
- I. The Applicant shall 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 (Central Valley - Region V).
- J. 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 Wildlife Code.
- K. 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.