

**FINDINGS AND CONDITIONS OF APPROVAL – COUNTY FILE CDDP25-03019,
CHRISTOPHER MILLS (APPLICANT & OWNER)**

FINDINGS

A. Small Lot Design Review Findings:

1. Location: The project involves the legalization of a 370-square-foot pergola accessory to an existing single-family residence within an established single-family residential neighborhood. The pergola is located towards the side of the parcel and is in conformance with all applicable development standards for the R-20 district in which the subject property is located. The pergola is setback over 65 feet into the subject property, and therefore, qualifies for reduced side/rear yards (3-foot minimum side/rear) for this structure. The location of the pergola is reasonable considering it avoids any work within the dripline of trees that are located on other areas of the property. Further, other lots in the surrounding vicinity have detached accessory structures located in the side yard. Therefore, the pergola is at an appropriate location on the subject property.
2. Size: The size of the pergola is reasonable considering that the maximum size for an accessory building for a lot more than 20,000 square feet is 600 square feet. The pergola is 370 square feet in size and the subject parcel is 20,966 square feet in size. The pergola is an accessory structure, which would not be subject to the accessory building size limitations. However, the pergola is consistent with other accessory structures within the neighborhood.
3. Height: The height of the pergola is reasonable considering that the maximum height for an accessory structure is 15 feet, with the proposed height of the pergola at 10 feet in height. Further, other lots in the surrounding vicinity have detached accessory structures that are 15 feet or less.
4. Design: Pergolas are auxiliary structures to existing single-family residences such as the project site and those in the vicinity. As such, the inclusion of a pergola as part of the approved residential design is consistent with the established development pattern throughout the existing neighborhood.

B. California Environmental Quality Act (CEQA) Findings

The proposed project is exempt under CEQA Guidelines Section 15303(e) – New Construction or Conversion of Small Structures, accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project is to allow

an as-built 370-square-foot pergola.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDDP25-03019

Project Approval

Development Plan

1. DEVELOPMENT PLAN for a SMALL LOT DESIGN REVIEW is GRANTED legalizing an as-built 370-square-foot pergola on a lot of substandard average width is APPROVED, as generally based on the following:
 - The application and project plans received by the Department of Conservation and Development, Community Development Division (CDD) on July 9, 2025.
2. 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.

Building Permit

3. This approval does not constitute a building permit, which is required prior to establishment of the accessory building. **Within 30 days of the approval date**, the applicant shall obtain a building permit to legalize the as-built structure.

Payment of Fees

4. This Development Plan Permit application is subject to an initial application deposit of \$3,000.00, which was paid with the application submittal, plus time and materials costs if the application review expenses exceed the initial deposit. **Any additional fee due must be paid prior to issuance of a building permit, or 60 days of the 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.

Construction Period Restrictions and Requirements

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

5. The applicant and their contractor shall make a good faith effort to park any construction related vehicles on the project driveway and existing asphalt parking area at the front of the parcel.
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 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 as far away from existing residences as possible.
8. 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 holidays.
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 day the State and Federal holidays occur, please visit the following websites:

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

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
- Contra Costa County Environmental Health Division
- Central Sanitary District
- East Bay Municipal Utility District
- Contra Costa Fire Protection District