

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDMS21-00012,
SONJA BACHUS – INMAN LAW GROUP (APPLICANT) & RON ELVIDGE (OWNER)**

A. Growth Management Performance Standards

1. Traffic: The project was reviewed by the Transportation Planning Section and in an email dated October 28, 2025, the Transportation Planning Section stated that the project does not require a Vehicle Miles Traveled (VMT) analysis or Level of Service (LOS) review because the existing building's occupancy limit should not be expanding. The project already complies with the County Code Chapter 82-16 – Off-Street Parking Ordinance as it pertains to parking requirements. The project will not add any occupancy capacity to the project site as the condominium conversion will follow the existing business separation and therefore, will not generate additional traffic.
2. Water: The project site is served by the Contra Costa Water District. Due to the site being created under CDDP76-03016, all infrastructure (drainage, utilities) was already installed under the prior subdivision to service the existing commercial building. Therefore, no additional water improvements are necessary. If any expansion or change in use were to occur in the future, 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. 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 Central Contra Costa Sanitary District. The sanitary district reviewed the project and submitted an email dated November 1, 2021 stating that the proposed conversion to commercial condominiums would not have an impact on the existing wastewater system, Therefore, the project will not impact the existing sanitary sewer service to the surrounding area.
4. Fire Protection: The subject property is not in an area classified as a State Responsibility Area – High Fire Hazard Severity Zone. The project site is served by the Contra Costa County Fire District (CCCFPD). The project was reviewed by the fire district and in a letter dated November 8, 2021, the fire district stated that future any development of the property will require fire district approval. Compliance with the regulations of the Fire District and applicable building codes will not exacerbate any fire protection for this area.

5. Public Protection: Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Office. The project site is already developed, and its current employee capacity is not anticipated to induce major population increases to the area. Therefore, the project is not anticipated to increase the demand for police protection facilities or services.
6. Parks & Recreation: Nonresidential development is not subject to the County Park Dedications Ordinance. The project site is already developed, and its current employee capacity is not anticipated to induce major population increases to the area. Therefore, the project is not anticipated to increase the demand for parks and recreational facilities or services.
7. Flood Control & Drainage: A portion of the property lies within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate map. The County Public Works Department stated that the requirements of the National Flood Insurance Program (Federal) and the County Floodplain Management Ordinance as they pertain to development will apply to future construction of any structures on this property.

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 site has a General Plan designation of Mixed-Use Community-Specific Density (MUC), which has a 1.75 floor area ratio (FAR). According to the Land Use Element of the County General Plan the MUC designation allows for a range of uses including condominiums and a wide range of neighborhood and community serving retail uses. The building onsite has a gross floor area of approximately 20,086 square feet on a 1.29-acre parcel (56,192 square feet) which contributes to a 0.357 FAR. This FAR is below the maximum allowed FAR of 1.75. The existing commercial building's interior comprises of two units. Unit 1 is proposed to be approximately 14,903 square feet and is currently being used by STIIZY which is a commercial cannabis use and Unit 2 is proposed to be approximately 4,728 square feet which is currently being used by RT Tire which is an automotive tire shop. These uses are conducive to the type of

businesses that are permitted in the MUC general plan designation. The project is not proposing any housing units, therefore, the dwelling unit/net acre requirement does not apply here.

2. *The proposed subdivision fulfills construction requirements.*

Project Finding: The project was reviewed by the County Public Works Department and in their memo dated July 20, 2023, the Public Works Department determined that the applicant will not be required to further widen the roads or construct frontage improvements with this application nor is there any drainage improvements required as the construction requirements were met when the property was first established circa 1977 under CDLP73-01040 and CDDP76-03016. Additionally, because there is no new impervious surface, there is no new stormwater control plan requirements for this project. Therefore, the project fulfills the construction requirements for subdivisions.

C. Condominium Conversion Evaluation Findings 926-18.204

1. *The proposed conversion will not be detrimental to the general health, safety and welfare of the county:*

Project Finding: The project is a commercial condominium conversion that will partition an existing commercial building. There is no expansion to the existing building or changes to the project site. The conversion is for commercial purposes only and will not be detrimental to the general health, safety and welfare of the county.

2. *Any involved structure is physically suited to conversion based on information provided for advisory body evaluation and appears to meet all condominium standards of this division for which exceptions have been granted;*

Project Finding: The existing commercial building was evaluated by the Building Inspection Division and was determined that the building does not have any visual life health or safety violations. Therefore, the structure is physically suited for conversion as the structure meets all condominium standards.

3. *The conversion and its cumulative impacts will not cause significant hardships for current residents;*

Project Finding: The project is a commercial condominium conversion and does not have any residents. Therefore, the project will not cause significant hardships for current residents.

4. *The rental increase limitations and prehearing noticing requirements contained in this division have been, or will be complied with;*

Project Finding: The project is a commercial condominium conversion and does not have any residents. Therefore, the project will not cause significant hardships for current residents.

5. *Vacancies in the proposed project have not been intentionally increased for conversion;*

Project Finding: The project is a commercial condominium conversion with no changes to the building or existing businesses within the building. No vacancies have been intentionally increased for conversion.

6. *Sufficient steps have, or will be taken by the subdivider to mitigate any adverse impacts of the conversion on the ability of any displaced mobile home park residents to find adequate space in a mobile home park.*

Project Finding: The project is a commercial condominium conversion and does not have any residents nor is the project located within a mobile home park. Therefore, the project will not cause significant hardships for mobile home park residents.

D. California Environmental Quality Act (CEQA) Findings

The project is categorically exempt pursuant to CEQA Guidelines Section 15301(k), regarding "Existing Facilities", which exempts the subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt. The project is a two-unit condominium conversion with rights reserved for a total of four commercial condominiums, which is a subdivision, of an existing building and maintaining the existing parking and common areas on Parcel A. There are no modifications or changes proposed to the building.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDMS21-00012

Project Approval

1. The Tentative Map for a minor subdivision is APPROVED for a one lot subdivision for condominium conversion to allow for the creation of two commercial condominium units and a remainder for common areas of approximately 37,870 square feet (Parcel A). Condominium Unit 1 will be approximately 14,903 square feet and Condominium Unit 2 will be approximately 4,728 square feet. Rights are reserved for a total of four commercial condominiums.
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 October 27, 2021.
 - Revised Tentative Parcel map received by the Department of Conservation and Development, Community Development Division (CDD) on October 10, 2025.
 - Building Inspection Report dated September 19, 2025.
 - Pacheco Commercial Condominium documents received on May 13, 2025.
3. Any change from this approval will require review and approval by CDD and may require the filing of an application to modify this Minor Subdivision.

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. Prior to recording the 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.

Commercial Condominiums

7. The project reserves the rights for four commercial condominiums. The maximum amount of commodious allowed is four.
8. Prior to recording the Parcel Map for four commercial condominiums, the applicant shall submit a revised condominium plan showing the dimensions and locations of condominium three and four.

Business Operations

9. Outdoor storage shall be prohibited.
10. Prior to any new business operations and prior to applying for a business license from the County Treasurer-Tax Collector, the permittee shall obtain a Property Use

Verification form from CDD.

Signage

11. In the event that any signage is proposed, a signage plan shall be submitted to CDD for review and approval and shall comply with the County's Signs Ordinance.

Lighting

12. In the event that any new outdoor lighting is proposed, a lighting plan shall be submitted to CDD for review and approval. The lighting shall be deflected down so that light shines only onto the project site and not toward adjacent properties.

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 7:00 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: <http://www.ftb.ca.gov/aboutftb/holidays.shtml>

PUBLIC WORKS

CONDITIONS OF APPROVAL FOR MINOR SUBDIVISION CDMS21-00012

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 shall require the review and approval of the Public Works Department and are based on the vesting tentative

map received by the Department of Conservation and Development, Community Development Division, on March 28, 2023.

20. For Public Works review for compliance relative to this 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 relative to review 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.
21. 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 (Pacheco Boulevard & 1st Avenue North Frontages)

22. Any cracked and displaced curb, gutter, and sidewalk shall be removed and replaced along the project frontages of Pacheco Boulevard and 1st Avenue North. 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.

Abutter's Rights

23. The Applicant shall relinquish abutter's rights of access along Pacheco Boulevard and 1st Avenue North except for the existing driveway locations.

Access to Adjoining Property

Encroachment Permit

24. The Applicant shall obtain an encroachment permit from the Application and Permit Center, if necessary, for construction of driveways or other improvements within the right-of-way of Pacheco Boulevard and 1st Avenue North.

25. The Applicant shall only be permitted access at the locations shown on the approved site/development plan.

Road Alignment / Sight Distance

26. The Applicant shall provide sight distance at the on-site driveway and Pacheco Boulevard for a design speed of 40 miles per hour. The applicant shall trim vegetation, as necessary, to provide sight distance at this driveway. Any new landscaping, signs, fencing, retaining walls, or other obstructions proposed at the driveway shall be setback to ensure that the sight lines are clear.
27. The Applicant shall provide sight distance at the intersection of the private driveway with 1st Avenue North 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.

Bicycle – Pedestrian Facilities

Pedestrian Access

28. 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.

Maintenance of Facilities

29. The maintenance obligation of all common and open space areas, private roadways, any private streetlights, public and private landscaped areas, perimeter walls/fences, and on-site drainage facilities shall be included in the covenants, conditions, and restrictions (CC&Rs). The language shall be submitted for the review and approval of the Zoning Administrator and Public Works Department at least 60 days prior to filing of the Parcel Map for the first phase.

National Pollutant Discharge Elimination System (NPDES)

30. 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.
- Other alternatives comparable to the above as approved by the Public Works Department.

Flood Plain Management

31. The applicant shall revise the tentative map to include the base flood elevation(s) over the property.

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 Pacheco Area of Benefit as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.
- I. Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and

Maintenance Plan prepared in accordance with the latest edition of the Stormwater C.3 Guidebook. Compliance may also require annexation of the subject property into the Community Facilities District 2007-1 (Stormwater Management Facilities) and entering into a standard Stormwater Management Facilities Operation and Maintenance Agreement with Contra Costa County.