

TREE PERMIT  
201 CASTLE HILL RANCH ROAD  
ADU & ADDITION

COUNTY FILE #CDTP22-00045

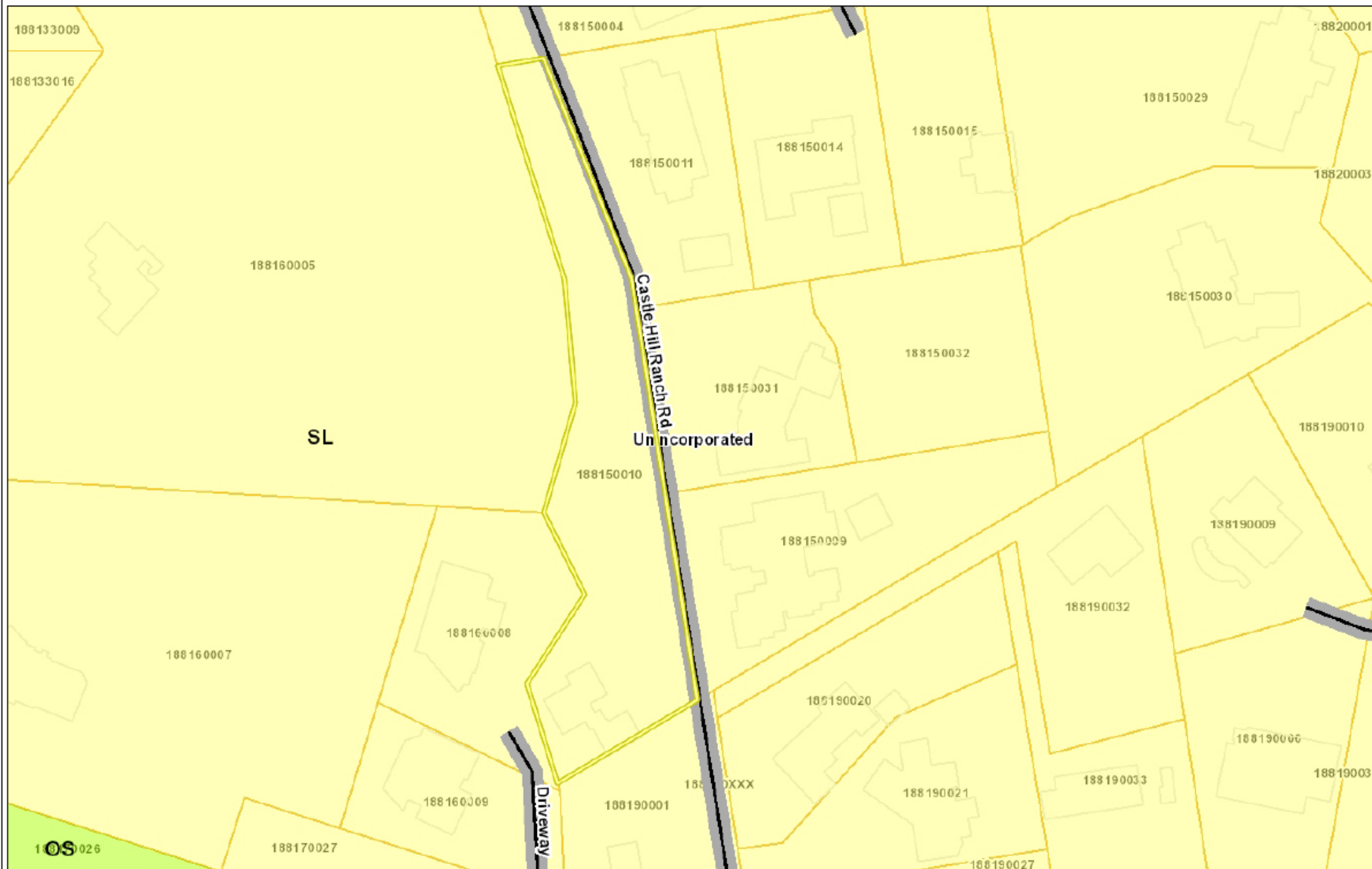
County Planning Commission  
December 11, 2024



## PROJECT DESCRIPTION

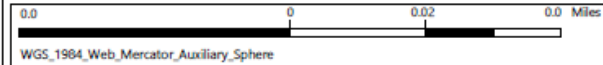
- Tree Permit to allow the removal of one California laurel (#153), one black walnut (#156), and one California buckeye (#157) for the construction of a 1,103 sq. ft. detached ADU and demolition of an existing shed.
- Tree Permit to allow work within the driplines of six valley oaks (#147, 148, 149, 155, 161, & 162), two California buckeyes (#152 & 154), and one black walnut (#150) for the construction of the ADU, demolition of the shed, and construction of a 2,180 sq. ft. addition to the existing primary residence.
- Exception to Title 9 “Rights of Way and Setbacks” requirements of County code section 914-14 to allow a 10-foot creek structure setback for the addition and the ADU

General Plan: SL, Single-Family Residential - Low Density



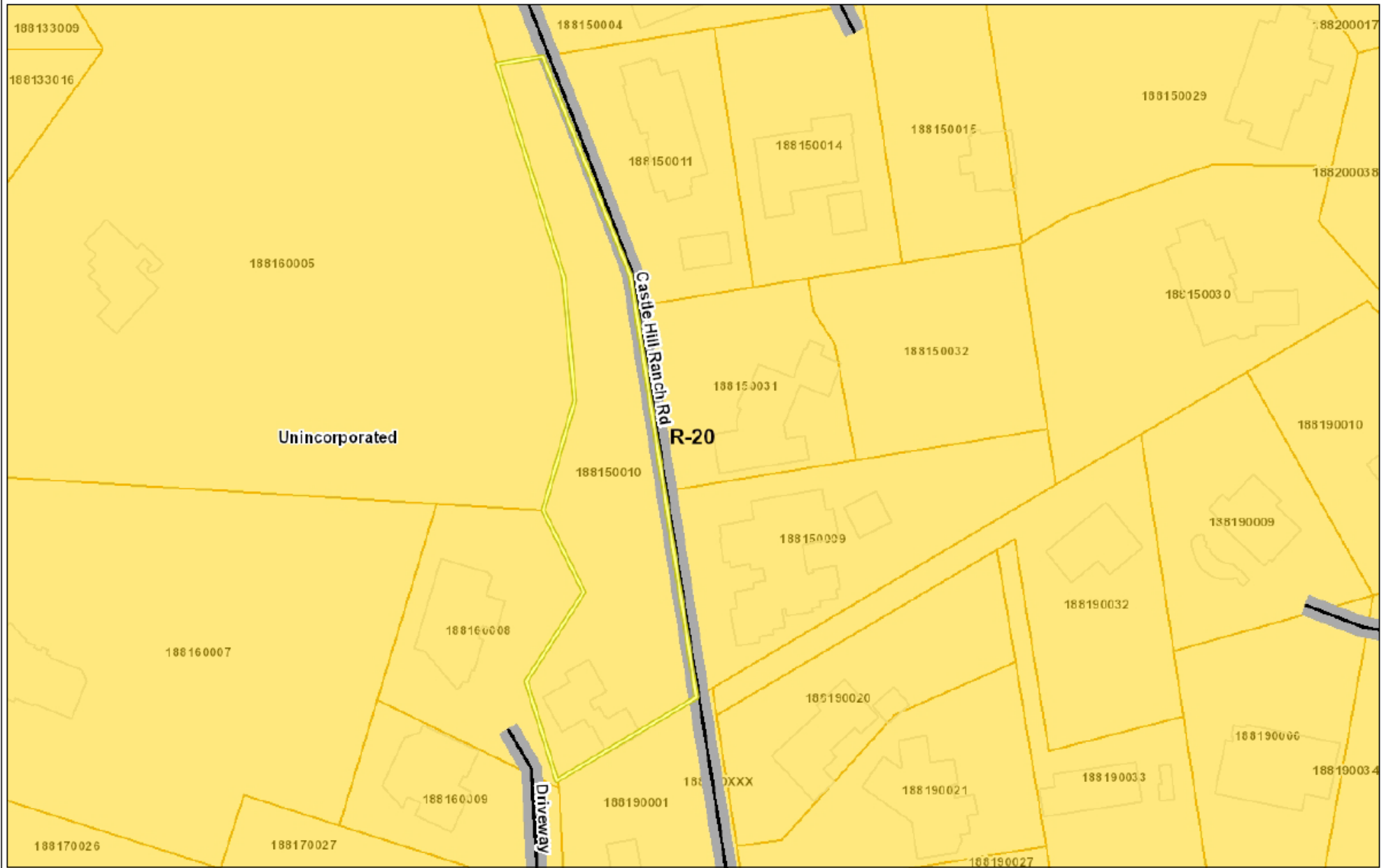
- Legend**
- Maintained Roads
  - City Limits
  - Unincorporated
  - Highways
  - Highways Bay Area
  - Streets
  - General Plan**
  - SV (Single Family Residential - Ver
  - SL (Single Family Residential - Low
  - SM (Single Family Residential - Me
  - SH (Single Family Residential - Hig
  - ML (Multiple Family Residential - Lc
  - MM (Multiple Family Residential - U
  - MH (Multiple Family Residential - H
  - MV (Multiple Family Residential - V
  - MS (Multiple Family Residential - V
  - CC (Congregate Care/Senior Hous
  - 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 I
  - M-11 (Applan 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)

1: 1,128



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

**Notes**  
Contra Costa County -DOIT GIS



Legend

- Maintained Roads
- City Limits
- Unincorporated
- Highways
- Highways Bay Area
- Streets
- Zoning
- R-6 (Single Family Residential)
- R-6, -FH -UE (Flood Hazard and A
- R-6 -SD-1 (Slope Density Hillside T
- R-6 -TOV -K (Tree Obstruction and
- R-6, -UE (Urban Farm Animal Excl
- R-6 -X (Railroad Corridor Combin
- R-7 (Single Family Residential)
- R-7 -X (Railroad Corridor Combin
- 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 Excl
- 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 t
- A-2 (General Agriculture)
- A-2, -BS (Boat Storage Combining

1: 1,128



0.0 0 0.02 0.0 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

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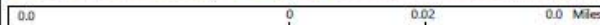
Notes

Contra Costa County - DOIT GIS

Aerial View



- Legend**
- Maintained Roads
  - City Limits
  - Unincorporated
  - Highways
  - Highways Bay Area
  - Streets
  - Maintained Roads
  - Water Bodies
  - County Boundary
  - Bay Area Counties
  - Building Outlines
  - Assessor Parcels
  - Aerials 2019**
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3
  - World Imagery**
  - Low Resolution 15m Imagery
  - High Resolution 60cm Imagery
  - High Resolution 30cm Imagery
  - Citations



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

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1: 1,128

**Notes**  
 Contra Costa County -DOIT GIS

## BACKGROUND

- A Tree Permit application (County File #CDTP22-00045) was submitted on June 6, 2022.
- The Zoning Administrator tentatively approved the tree permit based on the draft findings and conditions of approval and a *Notice of Tentative Approval of a Tree Permit* was mailed on June 28, 2022.
- Staff received one letter from Robert and Tia Gardner on July 5, 2022, appealing the Zoning Administrator's tentative decision.
- Staff visited the project site on July 21, 2022, and observed a creek traversing through the property. Based on this previously undisclosed information, staff requested revised plans to move forward with the Tree Permit.
- The applicant revised the project plans and ADU design in response to the appellants' concerns and comments received from the County Public Works Department. Revisions include showing the creek on the site plans, redesigning the ADU structure from a one-story structure with an approximately 1,200-square-foot building footprint to a two-story, 1,103-square-foot structure with an approximately 725-square-foot footprint, and changing the list of code-protected trees to be removed or altered due to the project.

## GENERAL PLAN & ZONING CONSISTENCY

- County General Plan, Envision 2045 as of November 5, 2024: RL, Residential Low Density Land Use Designation
- Applicable Land Use Designation, General Plan 2005 – 2020: SL, Single-Family Residential – Low Density (SL)
  - CDD Deemed Complete for processing on June 6, 2022, and PW accepted request for Exception to Title 9 requirements on October 2, 2024.
  - Primary land uses allowed include single-family residences and the buildings and structures accessory to residential uses. Secondary uses that are incidental to the primary use (e.g., ADUs) are compatible with low density homes.
  - Proposed residential improvements on the 38,916-square-foot lot are consistent with the residential uses allowed within the SL land use designation and will not change the allowed density of residential development for this site.
- The proposed addition is consistent with the R-20 zoning district standards for minimum setbacks, side and rear yards, and height.
- The proposed ADU is consistent with the R-20 standards for minimum front setback, and the County's ADU ordinance development standards for minimum side and rear yards and maximum height.
- The factors exist for granting the requested tree permit; thus, the project is consistent with the County's Tree Protection & Preservation Ordinance.

# PHOTOS: CREEK



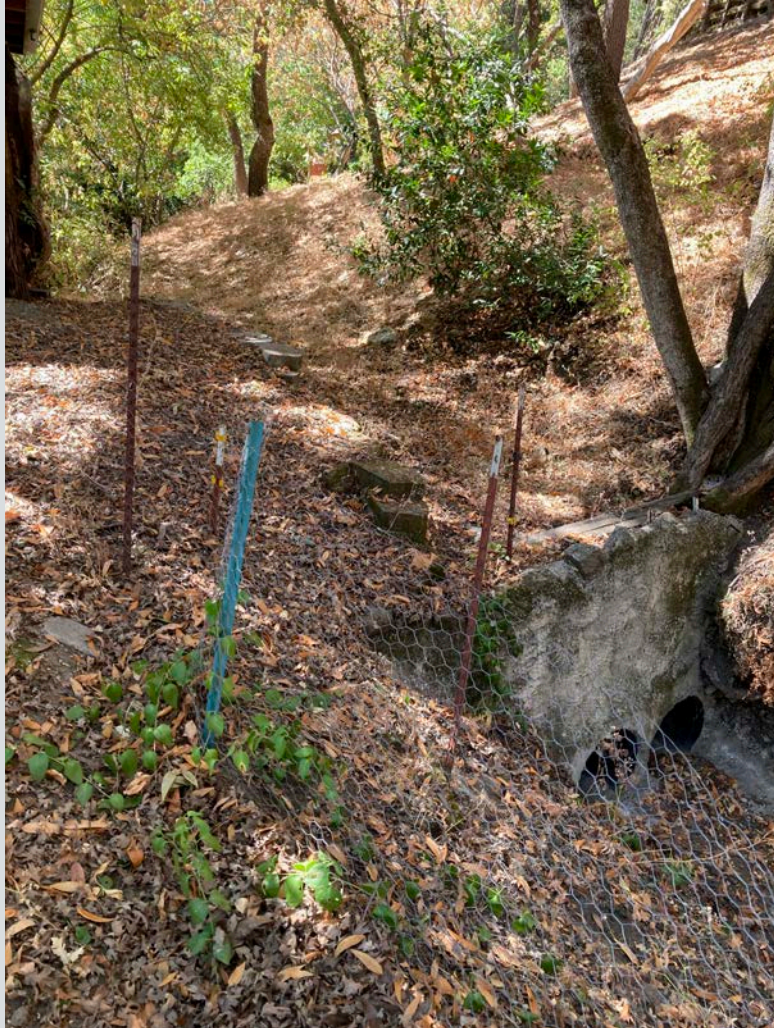
- Existing home above creek/drainage channel.



- Proposed location of ADU adjacent to creek.



# PHOTOS: CREEK



- Underground channel/pipes
- Area on property where creek is underground

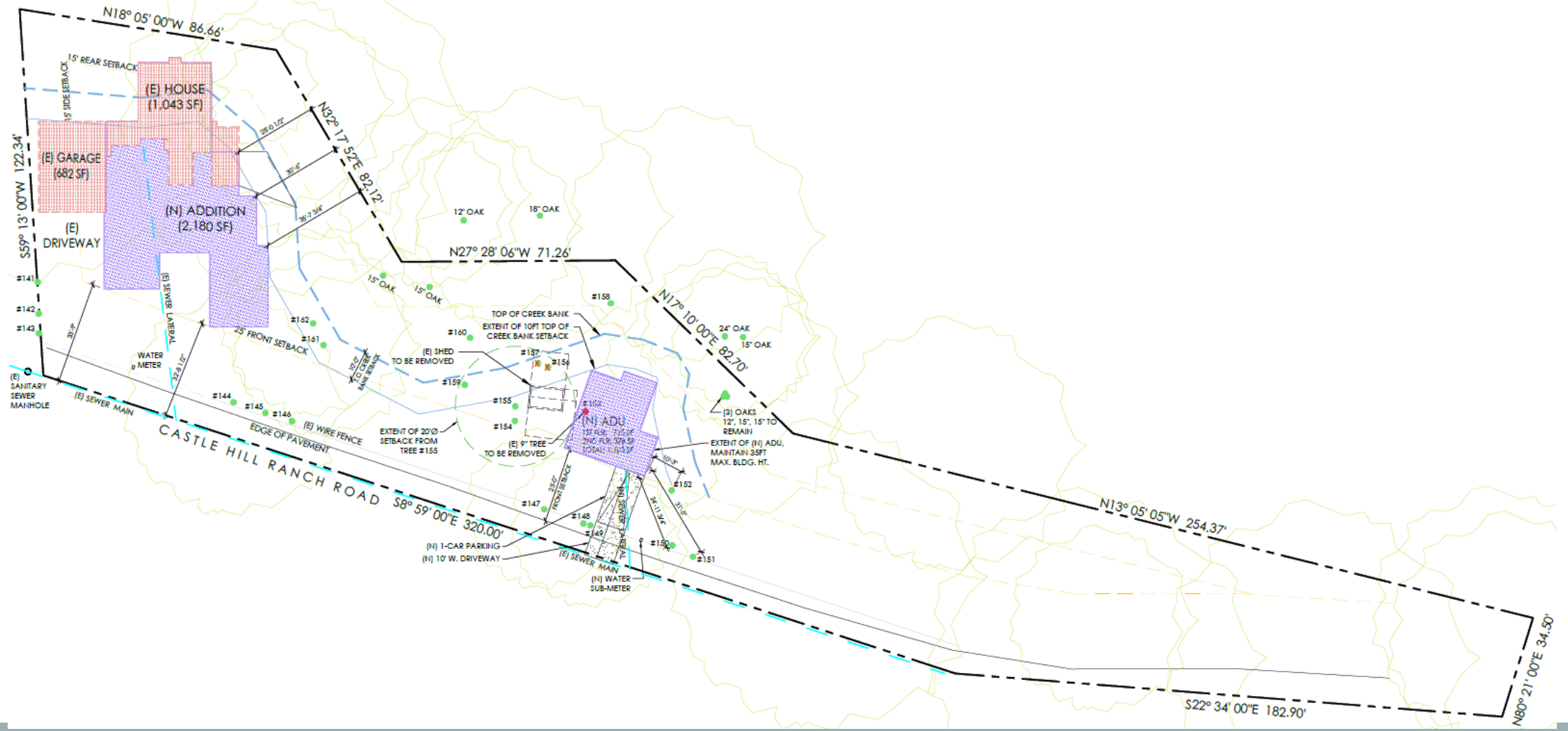
# PHOTOS: PROPERTY PERSPECTIVE



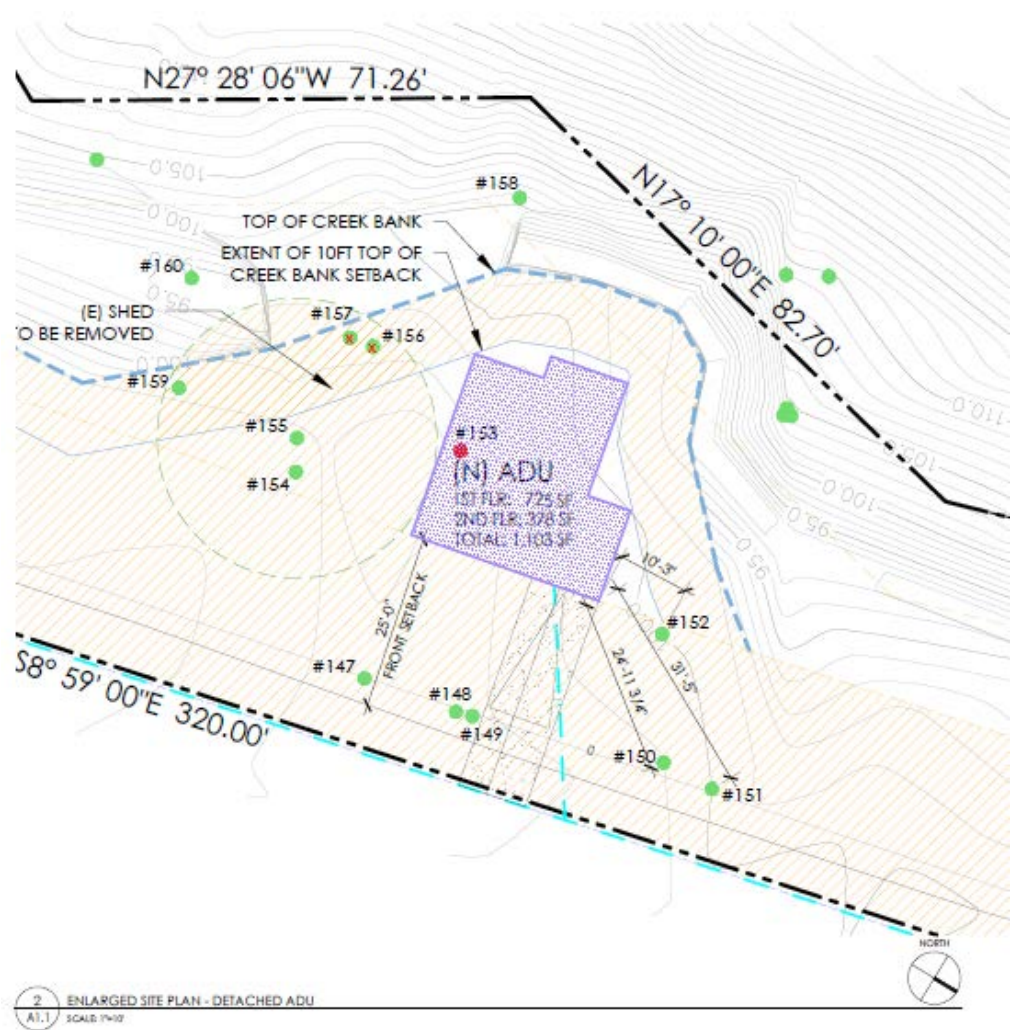
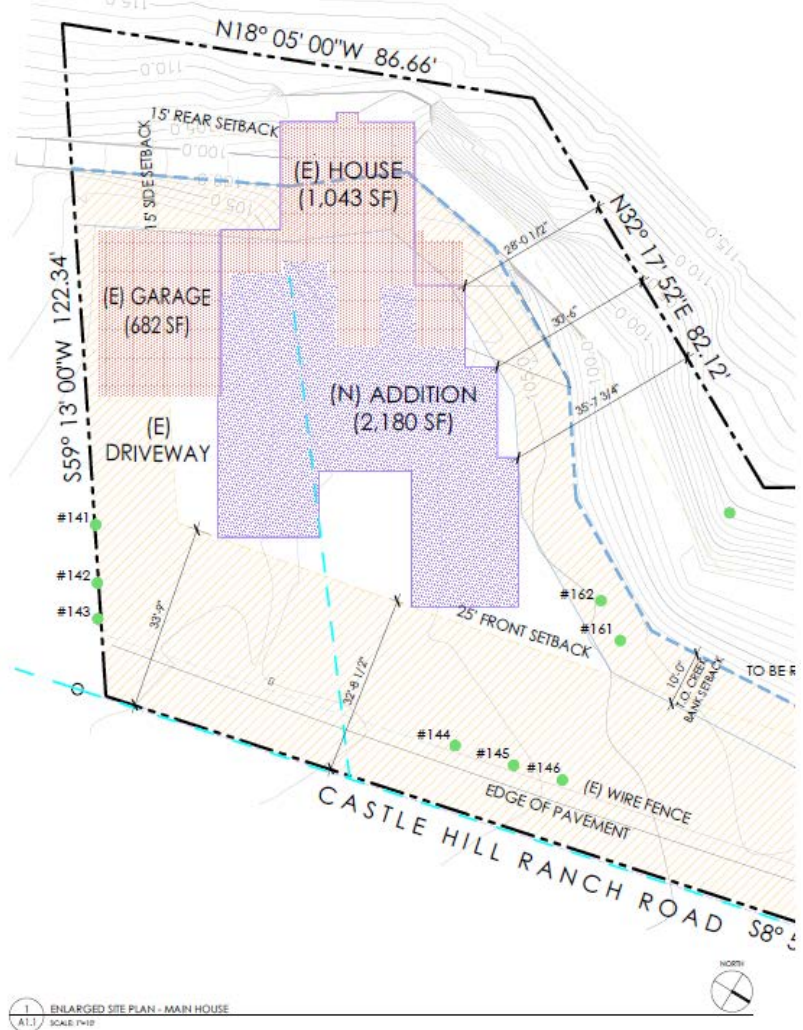
■ View north



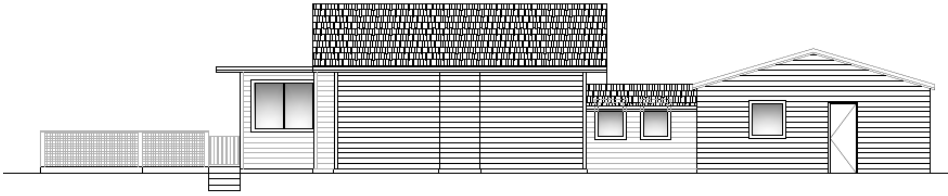
■ View south



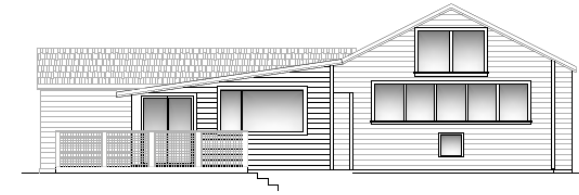
# OVERALL SITE PLAN



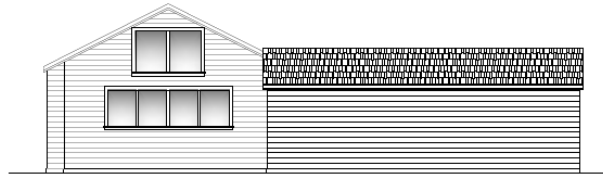
# ENLARGED SITE PLAN



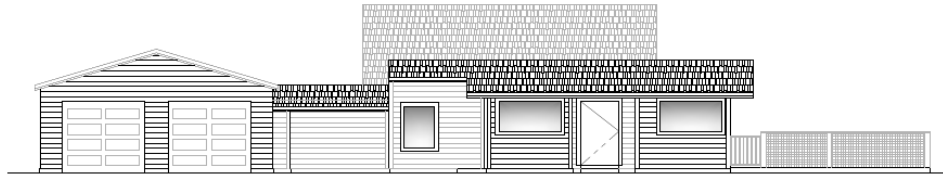
4 EXISTING EXTERIOR ELEVATION (MAIN HOUSE) - REAR VIEW  
SCALE 1/4" = 1'-0"



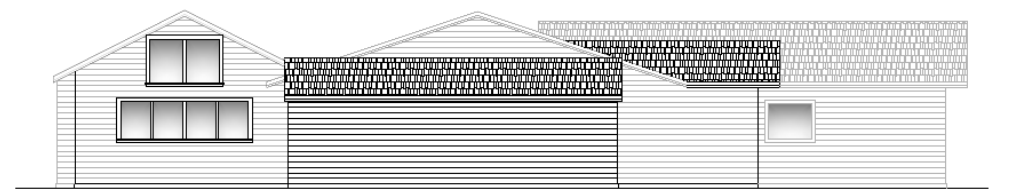
2 EXISTING EXTERIOR ELEVATION (MAIN HOUSE) - RIGHT VIEW  
SCALE 1/4" = 1'-0"



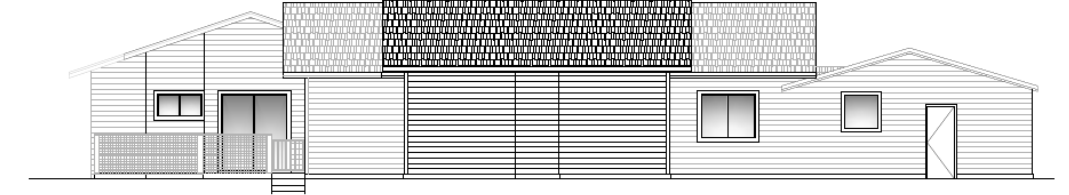
3 EXISTING EXTERIOR ELEVATION (MAIN HOUSE) - LEFT VIEW  
SCALE 1/4" = 1'-0"



1 EXISTING EXTERIOR ELEVATION (MAIN HOUSE) - FRONT VIEW  
SCALE 1/4" = 1'-0"



4 PROPOSED EXTERIOR ELEVATION (MAIN HOUSE) - LEFT VIEW  
SCALE 1/4" = 1'-0"



3 PROPOSED EXTERIOR ELEVATION (MAIN HOUSE) - REAR VIEW  
SCALE 1/4" = 1'-0"



2 PROPOSED EXTERIOR ELEVATION (MAIN HOUSE) - RIGHT VIEW  
SCALE 1/4" = 1'-0"

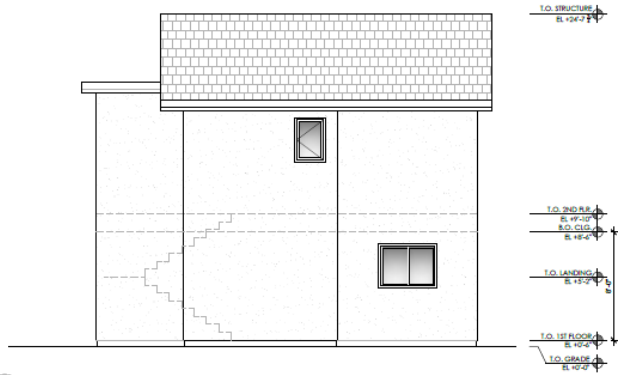


1 PROPOSED EXTERIOR ELEVATION (MAIN HOUSE) - FRONT VIEW  
SCALE 1/4" = 1'-0"

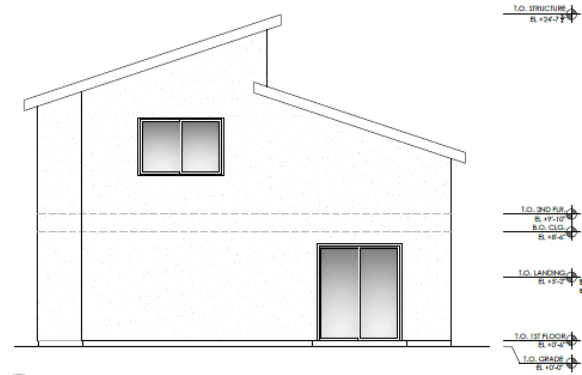
Existing

Proposed

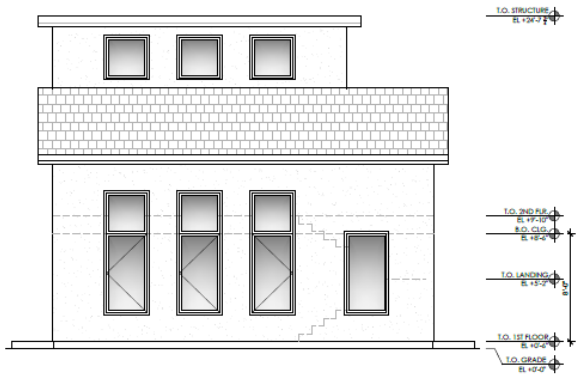
# ELEVATIONS: MAIN HOUSE



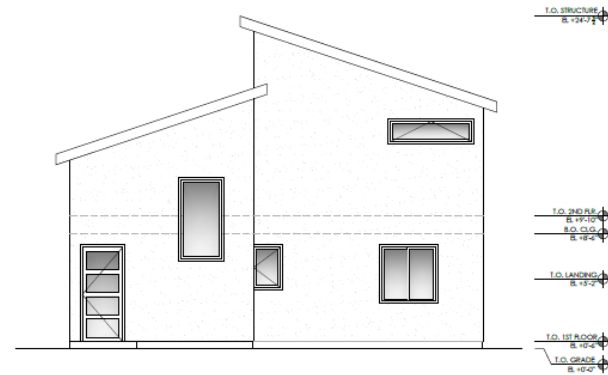
4 PROPOSED EXTERIOR ELEVATION (ADU) - RIGHT VIEW  
A3.2 SCALE: 1/4" = 1'-0"



3 PROPOSED EXTERIOR ELEVATION (ADU) - REAR VIEW  
A3.2 SCALE: 1/4" = 1'-0"



1 PROPOSED EXTERIOR ELEVATION (ADU) - LEFT VIEW  
A3.2 SCALE: 1/4" = 1'-0"



2 PROPOSED EXTERIOR ELEVATION (ADU) - FRONT VIEW  
A3.2 SCALE: 1/4" = 1'-0"

# ELEVATIONS: ADU

## SUMMARY OF APPEAL POINTS

- Incorrect Tree Information: The applicant did not provide the correct information about the number and size (height and diameter) of each tree to be removed and hid the fact that one of the trees involved is a 60-foot tall, 37-inch diameter oak tree.
- Insufficient Information: The plot plan submitted by the applicants to the CDD for tentative approval did not show the creek running through the property.
- Soil Stability & Erosion: Information regarding soil stability and erosion due to trees being removed from the creek bank or near the creek bank was not provided to the CDD for the tentative approval.
- Project Feasibility, Permit Approval, & Tree Removal: The project would not be allowed to be built in violation of the creek structure setback requirements and would not feasibly be granted a building permit or other permits for construction. The removal of trees with no hope of obtaining any permit from other departments would result in unnecessary erosion and soil stability problems. Therefore, the application should not be seen as reasonable, and factors exist to deny the tree permit.
- Illegal Fill: A section of the creek on the subject property in the location of the proposed ADU was illegally filled in without permits by the previous owner and was not built to any reasonable standard.

## STAFF RECOMMENDATION

- Staff recommends that the County Planning Commission:
  - DENY the appeal and UPHOLD the Zoning Administrator’s decision to approve County File #CDTP22-00045;
  - APPROVE the revised tree permit to remove one (1) California laurel tree (#153), one (1) black walnut tree (#156), and one (1) California buckeye (#157), and to work within the driplines of six (6) valley oak trees (#147, 148, 149, 155, 161, & 162), two (2) California buckeyes (#152 & 154), and one (1) black walnut tree (#150), all code-protected, for construction of an addition to the single-family residence, a new, detached accessory dwelling unit (ADU), and to perform site improvement activities including grading of a new driveway for the ADU and demolition of an existing shed;
  - APPROVE the exception to the requirements of Chapter 914-14 “Rights of Ways and Setbacks” and allow the construction of a building addition and an accessory dwelling unit (ADU) within the creek structure setback area as identified in the attached plans;
  - APPROVE the findings in support of the project and the project conditions of approval; and,
  - DIRECT the Department of Conservation and Development to file a CEQA Notice of Exemption with the County Clerk.



QUESTIONS?