

Byron Municipal Advisory Council



Linda Thuman, Chair

Office of Supervisor Diane Burgis
Contact: Stephen Griswold III
3361 Walnut Blvd., Suite 140
Brentwood, CA 94513

Respectfully submitted by:
District Representative, Stephen Griswold III

*The Byron Municipal Advisory Committee serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

Draft Record of Actions

6:00 p.m.

January 23, 2024

1. MEMBERS PRESENT:

Chair Linda Thuman, Vice Chair Nisen, Councilmember Lopez, and Councilmember Schmit.

2. MEMBERS ABSENT:

Councilmember Wherity

3. APPROVAL OF AGENDA:

Motion to approve the agenda with amendments made by Vice Chair Nisen. Second made by Chair Thuman. Motion carried 4-0. AYES: Thuman, Nisen, Lopez and Schmit.

Amendments as follows:

4. PUBLIC COMMENT:

- a. Anna Smith expressed concern over flooding on her property and asked to for assistance with connecting with Public Works.
- b. Patty Bristow expressed that applicant Richard Hogan has experienced an extremely long process with to get his restaurant permitted and opened and would like to place this item on the March agenda.
- c. Martha M. expressed concerns with flooding on her property as the drainage ditches are too shallow or weed-filled, and a neighbor has built up their property in such a way that leads to flooding on hers. Requests this to be on the agenda.

5. AGENCY REPORTS:

- a. **Office of the Sheriff:** Lt. Charlene Jacquez provided an activity report for the month of December including calls for service, provided information on upcoming events, and answered questions.
- b. **California Highway Patrol:** No Report
- c. **Contra Costa Fire Protection District:** Michelle Rinehart, Wildfire Mitigation and Grants, introduced herself and offered information about services for wildfire mitigation and possible assistance with flood control.
- d. **Office of Supervisor Diane Burgis:** Shared information regarding upcoming community events/news.

6. CONSENT ITEMS:

- a. **Approval of the Record of Actions for November 28th, 2023:** Motion to approve as presented made by Vice Chair Nisen. Second made by Chair Thuman. Motion carried 4-0. AYES: Thuman, Nisen, Lopez, and Schmit.
- b. Chair Thuman requested the record show that under Public Comment b. Ms. Martha Minasian asked that MAC discuss requesting the sign *be moved* to the front of St. Anne's Church on Camino Diablo.

7. PRESENTATION

None.

8. ITEMS FOR DISCUSSION AND/OR ACTION:

- a. **CONSIDER Agency Comment Request CDLP23-02053 – The applicant requests approval of a land use permit application to obtain zoning approval of an existing landscaping business “Candy’s Landscape” that has been in operations since 2007, and a variance to allow a 26-foot setback (where 50-fett is the minimum) for the**

This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2.205(d) of the Contra Costa County Ordinance Code.

existing locations of the four buildings being used specifically for this business. In addition, the application includes request for approval of a variance application to allow a lot merger of neighboring properties 14101 and 14121 Byron Hwy that results in an approximately 15-acre parcel (where 40 acres is the minimum lot size for the area's zoning district A-40).

- Motion was made to recommend approval from Councilmember Lopez. Second made by Vice Chair Nisen. Motion carried 4-0. AYES: Thuman, Nisen, Lopez and Schmit.
- b. **CONSIDER Agency Comment Request CDVR23-01063 – The applicant requests approval of a variance for an as-built prefabricated 560 SF accessory structure where 500 SF is the maximum allowed.**
- Applicant has withdrawn the project to redesign and will no longer require a variance or planning application approval.

9. CORRESPONDANCE/ANNOUNCEMENTS

- a. R-11/29/2023 County Zoning Administrator for December 4, 2023
- b. R-12/11/2023 County Zoning Administrator for December 18, 2023
- c. R-12/26/2023 County Zoning Administrator for January 8, 2024
- d. R-12/27/2023 Revised County Zoning Administrator for January 8, 2024
- e. R-01/11/2024 Revised County Zoning Administrator for January 22, 2024
- f. R-01/04/2024 County Planning Commission for January 10, 2024
- g. R-12/18/2023 County Zoning Administrator Notice of a Public Hearing

10. FUTURE AGENDA ITEMS

- a. Request for update by Public Works Flood Control Division
- b. Request for update by CCCFPD on Wildlife Mitigation and Grants
- c. Request for update on Agrotourism
- d. Request for discussion about Byron Roadhouse project, if issues not resolved before the February meeting

11. ADJOURMENT

There being no further business before the Byron Municipal Advisory Council, Chair Thuman adjourned the meeting at 6:48 pm. The next regularly scheduled Byron Municipal Advisory Council meeting on February 27th, 2024, at 6:00p.m. located at St. Anne's Church, 2800 Camino Diablo, Byron, CA 94514.

From: [Joanne Chiu](#)
To: [Dominique Vogelpohl](#)
Subject: RE: Anne Nounou shared "Agency Comment Request packet_CDLP23-02053" with you
Date: Wednesday, December 6, 2023 2:14:34 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image005.png](#)
[image006.png](#)

Hi Dominique,

I've reviewed and this parcel/project does not require compliance with the HCP/NCCP.

Joanne

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

2023-001479



AGENCY COMMENT REQUEST

Date 12/04/23

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 _____

San Ramon Valley – (email) rwendel@srvfire.ca.gov

☒ Consolidated – (email) fire@cccfd.org

East CCC – (email) brodriguez@cccfd.org

Sanitary District _____

☒ Water District Byron Bethany Irrigation District

City of _____

School District(s) _____

LAFCO

Reclamation District # _____

East Bay Regional Park District

Diablo/Discovery Bay/Crockett CSD

☒ MAC/TAC Byron MAC

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

District III

Ryan Hernandez

Please submit your comments to:

Project Planner Dominique Vogelpohl

Phone # 925-655-2880

E-mail dominique.vogelpohl@dcd.cccounty.ca.gov

County File # CDLP23-02053

Prior to December 15, 2023

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

Print Name M. CAMERON

Signature [Signature] DATE 12/6/23

Agency phone # 925 941 3300