

FINDINGS AND CONDITIONS OF APPROVAL – COUNTY FILE CDLP26-02007; AARON HAMILTON/PROMOTION PLUS SIGN COMPANY (APPLICANT) / HUMBURG INVESTMENTS, LLC (OWNER)

FINDINGS

A. Land Use Permit Findings

The following are required findings for approval of a Land Use Permit in the R-B zoning district.

1. *The proposed project shall not be detrimental to the health, safety, and general welfare of the County.*

Project Finding: The replacement signage will advertise the services and products of the existing Shell fueling station, convenience mart, and car wash. There are no new sign structures and the replacement signage will not expand beyond what exists. The LED pricing signage will replace the existing internally illuminated pricing information within the freestanding brick sign structures on Danville Boulevard and Stone Valley Road. The project will not change the existing use of the lot. Thus, the project will not be detrimental to the health, safety, and general welfare of the County.

2. *The proposed project shall not adversely affect the orderly development within the County or the community.*

Project Finding: The proposed signage will be located at an established Shell fueling station within a commercial area in the unincorporated community of Alamo. The subject lot has been developed with a Shell fueling station since at least 1968 and the project will not change that existing land use. The replacement signage will not impact development within the surrounding community or the county.

3. *The proposed project shall not adversely affect the preservation of property values and the protection of the tax base within the County.*

Project Finding: As stated above, the proposed replacement signage will advertise the services and products of the existing Shell fueling station on the subject lot and the project will not change this land use. The signage will not infringe on neighboring properties and supports an established retail business that serves the surrounding community. Thus, the project is compatible with the surrounding area and will protect property values in the local area and within the county.

4. *The proposed project as conditioned shall not adversely affect the policy and goals as set by the General Plan.*

Project Finding: The project is consistent with the applicable goals and policies of the General Plan Land Use, Transportation, and Health and Safety Elements. The project, as

conditioned, meets the intent and purpose of the General Plan, while providing updated signage for an established Shell fueling station in the community.

5. *The proposed project shall not create a nuisance and/or enforcement problem within the neighborhood or community.*

Project Finding: The proposed signage will replace existing approved signage and doesn't include any signs that are prohibited. The applicant will be required to maintain the signage and repair any signs on the lot as needed. Thus, the project, as conditioned, will not create a nuisance and/or enforcement problem within the surrounding neighborhood.

6. *The proposed project as conditioned shall not encourage marginal development within the neighborhood.*

Project Finding: The proposed replacement signage is located on a lot that has been developed for decades with a fueling station, convenience store, and car wash. In addition, the surrounding area along Danville Boulevard has been developed with retail businesses and the proposed signage will not impact these uses. Thus, as conditioned there is no possibility for marginal development in the neighborhood as a result of this project.

7. *That special conditions or unique characteristics of the project site and its location or surroundings are established.*

Project Finding: The subject lot is developed with a fueling station, which is a unique land use within the surrounding neighborhood that also has the R-B zoning designation. Fueling stations have specific characteristics that differ from most other retail businesses, such as their primary product (fuel) being offered for sale exclusively outside of an enclosed building, and State law requiring outdoor display of fuel prices. The design and operation of fueling stations justifies special considerations related to signage.

B. Environmental Findings

Land Use Permit / Development Plan CDLP26-02007 is categorically exempt under CEQA Guidelines Section 15301(g), which provides a Class 1 exemption for new copy on existing on and off-premises signs. None of the exceptions in CEQA guidelines section 15300.2 apply.

CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP26-02007

Project Approval

1. Land Use Permit CDLP26-02007 to modify Condition of Approval #4 of County File CDLP18-02016 to allow replacement signage including an illuminated logo on the existing fueling canopy, graphics on the double-side fueling pump valances, and refacing two freestanding pricing signs with LED illuminated text for an existing "Shell" fueling station, is APPROVED.

2. The Land Use Permit approval described above is based on:
 - Project application materials and plans accepted by the Department of Conservation and Development, Community Development Division (CDD) on March 6, 2026.
 - Additional plans and materials received on April 28, 2026.
3. 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 Land Use Permit.
4. The LED price signs shall not exceed a brightness of 2,000 nits during daylight hours unless greater brightness is expressly authorized by the Zoning Administrator, and shall be equipped with automatic brightness adjustment that reduces brightness to a maximum of 800 nits between sunset and sunrise.
5. All other conditions of approval of County File CDLP18-02016 shall remain in full effect.
6. No temporary signage shall be allowed on the subject property without prior approval of the CDD.

Application Costs

7. This application is subject to an initial application deposit of \$5,500.00, which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial deposit. **Any additional costs due must be paid within 60 days of the permit approval date or prior to use of the 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. If the applicant owes additional fees, a bill will be sent to the applicant shortly after permit issuance.

Building Permits

8. No construction is approved with this permit. Any construction at the project site will require issuance of building permits from the Department of Conservation and Development, Building Inspection Division, prior to commencement of work.

Construction Restrictions

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

9. 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.

10. 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.
11. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
12. 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.
13. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.
14. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 7:30 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)

President's Day (State)/Washington's Birthday (Federal)

Farmworkers 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 date the State and Federal holidays occur, please visit the following websites:

[Federal Holidays \(opm.gov\)](https://www.opm.gov/policy-data-oversight/holidays-leave/)

[State Holidays \(ca.gov\)](https://www.ca.gov/holidays/)

ADVISORY NOTES

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 90-day 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. 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:

- Department of Conservation and Development, Building Inspection Division
- Central Contra Costa Sanitary District
- East Bay Municipal Utility District
- San Ramon Valley Fire Protection District
- Contra Costa Mosquito and Vector Control District