

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDMS24-00009,
GLORIA KNOLL, LLC – GRANT CARONE (APPLICANT & OWNER)**

A. Growth Management Performance Standards

1. Traffic: The project is to subdivide an approximately 45,520-square-foot vacant lot into two lots. While there is no development with this Minor Subdivision, future residential development will lead to at least one-single family residence on each lot Based on *Institute of Transportation Engineers Trip Generation Rates*, each dwelling unit is expected to generate 1.0 peak vehicle trip. Accordingly, residential development of the two parcels will generate 2.0 peak hour vehicle trips and will not have a substantial impact on Gloria Terrace.
2. Water: The project site is served by East Bay Municipal District. Future development would require two new water lines to be created to serve the two new lots. The plan show future development of water lines connecting to a East Bay Municipal District water meter. Moreover, the water district reviewed the project and is requiring the project sponsor to contact EBMUD new business office and request a water service estimate to determine the costs and conditions of providing additional water services. Therefore, the project will not impact the existing water service to the surrounding area.
3. Sanitary Sewer: The project site is served by the Central Contra Costa County Sanitary District. Future development would require sanitary sewer lines to service the two new lots. The plans show future development of a sanitary sewer line that will connect to an existing 8" sanitary sewer material line. The applicant will be required to contact the sanitary district to see if any additional requirements will be needed prior to providing sanitary services. Moreover, the proposed development of two new single-family residences will not exacerbate existing sanitary conditions. Therefore, the project will not impact the existing sanitary sewer service to the surrounding area.
4. Fire Protection: The subject property is an area classified as a State Responsibility Area – High Fire Hazard Severity Zone. Projects with the potential floor development are generally referred to the Contra Costa County Fire District (CCCFPD) for review and comment to ensure that the proposal does not conflict with applicable fire codes. In a returned agency comment letter dated June 5, 2024, CCCFPD provided comments which apply to any future proposal to build a single-family residence and noted that the proposed access of 20' meets the 20' feet emergency apparatus access roadway requirement. Any future development will be required to comply with Fire District requirements and with current building

codes, including those requiring installation of automatic fire sprinklers in new single-family residences. 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. Future development of one net additional parcel will not induce major population increases to the area. Therefore, the project will not increase the demand for police protection facilities or services. Furthermore, prior to the issuance of building permits for each parcel, the applicant shall pay a fee of \$1,000.00 for residential construction on each parcel for police services mitigation in the area as established by the Board of Supervisors.
6. Parks & Recreation. Although no residential development is proposed as part of the two-lot minor subdivision, there is the potential to construct one new single-family residence on each parcel, which will marginally increase the population in the Lafayette area. New residential development is required to comply with the Park Dedication and Park Impact fees which are collected to fund the acquisition and development of parks in Contra Costa County. The applicant would be required to pay a Park Dedication Fee and a Park Impact Fee for each new single-family residence, which is used to acquire parkland and develop parks and recreation facilities to serve new residential development in the unincorporated areas of the County. Thus, there would be a less than significant impact from this project on the use of local public parks and recreational facilities by residents of the Lafayette area.
7. Flood Control & Drainage. The property does not lie within the Special Flood Hazard area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map. The project will comply with Division 914 of the County Ordinance in that the project is proposing to build two new bio-retention areas to convey stormwater into an existing catch basin and 24" stormwater pipe within an onsite private storm drain easement. This stormwater infrastructure then outfalls into existing rock rip rap located onsite that was installed under CDMS15-00008. The riprap then connects to an overland ditch that flows in a southward direction into stormwater infrastructure along Gloria Terrace. Therefore, all runoff will be directed to the appropriate infrastructure. The applicant will be required to comply with the drainage fee requirements for Drainage Area 62 as adopted by the Board of Supervisors prior to filing a parcel map.

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 has been found to be consistent with the General Plan designation of Single-Family Residential-Low Density (SL). Per the SL designation, the allowable density range is 1.0 to 2.9 units per net acre. As the site consists of 0.91 net acres (1.04 gross acres – 0.13 acres of easement), 3 units are allowable for this site (where 2 are proposed) and the project is within the allowable density range (1.9 units/acre proposed which is within the density range of 1.0 to 2.9 units per net acre). Given that the project proposes only 2 units which is within the density range, the project is consistent with the General Plan residential density. In addition, the project is consistent with Policy 3-21 of the Land Use Element in that the project proposes a residential use in an area where single-family residences are dominant in character. The Minor Subdivision is consistent with Safety Element Goals 10-as, 10-at, 10-au in that the project will be required to comply with all building code, fire code and any other requirements applicable to fire safety, Therefore, the Minor Subdivision will not adversely affect the orderly development of property within the County.

Since the minor subdivision will be compatible with the predominantly single-family residential character of the Gloria Terrace neighborhood, future residential development on the two subdivision parcels will not have a substantial effect on the surrounding area. The project will be compatible as single-family parcels are common uses in this area of the County.

2. *The proposed subdivision fulfills construction requirements.*

Project Finding. As required by the conditions of approval, the project does not pose any significant traffic impacts and must comply with the “collect and convey” requirements and design standards for construction of private roads. The project is also conditioned to require the applicant/project sponsor to pay any fees including park and recreation, school district, child care and police services prior to the issuance of any building permits for the two proposed lots. Payment of these fees along with compliance with the applicable California Building Code will fulfill all obligations related to construction of the project. Therefore, based on the

proposal, no physical circumstances would restrict the developer from completing the project.

C. California Environmental Quality Act (CEQA) Findings:

The proposed project is exempt under CEQA Guidelines Section 15315 – Minor Land Divisions, “which consists of the division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and Zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 29 percent.” The project proposes a minor subdivision of two lots in a residential zoned district (R-20) and is in an urbanized area. The project does not exceed the four maximum allowed parcels under this exception and is zoned for residential use. There are no variances or exceptions and is in conformance with the General Plan and Zoning. The parcel was not subject to a division of land within the previous two years and is serviced by both a water district and a sanitary district. Lastly, the parcel does not have an average slope greater than 20 percent.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDMS24-00009

Project Approval

1. The Tentative Map for a minor subdivision is APPROVED to subdivide an approximately 45,520-square-foot vacant lot into two lots. Parcel A will be 21,054 square feet and Parcel B will be 24,449 square feet.
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 May 8, 2024.
 - Resubmittal of application materials on September 26, 2024.
 - Arborist Updated Memo prepared by Maija Wigoda-Mikkila, Certified Arborist #WE-12986A, received on September 26, 2024.
 - Revised tentative map received on October 9, 2024.

3. Any modification to the project approved under this permit that is not required by a Condition of Approval herein shall be subject to the review and approval of the CDD.

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. At least 45 days prior to filing a 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.

Landscaping

7. Construction plans submitted for the purpose of obtaining building permits for the development of a single-family residence on Parcels A or B shall include a landscaping plan. The plan shall comply with the County's Water Efficient Landscapes Ordinance, and verification of such shall accompany the plan.

Child Care

8. **Prior to the CDD stamp-approval of construction plans for the issuance of a building permit**, the developer shall comply with the requirements of the Child Care Ordinance, and pay \$400.00 per lot, as adopted by the Board of Supervisors.

Park Impact

9. **Prior to the CDD stamp-approval of construction plans for the issuance of a building permit**, the applicant shall pay the applicable park impact fee as established by the Board of Supervisors.

Park Dedication Fee

10. **Prior to the CDD stamp-approval of construction plans for the issuance of a building permit**, the applicant shall pay the applicable park dedication fee as established by the Board of Supervisors.

Police Services

11. **Prior to the CDD stamp-approval of construction plans for the issuance of a building permit**, the applicant shall pay a fee of \$1,000.00 for police services mitigation in the area as established by the Board of Supervisors. The fee shall be paid to the Contra Costa County Application and Permit Center.

Deed Disclosure for Fees

12. **Prior to filing the Parcel Map**, the applicant shall submit a draft deed disclosure statement for the review and approval by the CDD. The draft document shall notify prospective buyers of Parcel A and Parcel B of the requirement to pay Child Care

Fees (COA #8), the requirement to pay Park Impact Fees (COA #9), the requirement to pay Park Dedication Fees (COA #10), and the requirement to pay Police Services Fee (COA #11) prior to CDD stamp-approval of construction plans for the issuance of a building permit.

The approved deed disclosure shall be recorded concurrently with the deed for each approved parcel. A copy of the recorded deed disclosure shall be submitted to the CDD upon recordation.

Future Residential Development

13. **Prior to filing the Parcel map**, the applicant shall submit for the review and approval of CDD staff, a draft deed restriction with the following design standards below. The approved deed restriction shall be recorded concurrently with the final map.
 - In accordance with CDMS15-00008, residential buildings on Parcel A and B of CDMS24-00009 shall be limited to 25 feet tall and shall conform to the R-20 Single-Family Residential District.
 - Terracing of buildings and retaining walls shall be parallel with slopes.
 - Large expanses of any material in a single plane shall be avoided. On downhill elevations, building mass shall be broken up with horizontal and vertical elements.
 - Cantilevering of buildings or decks on downhill slopes shall be avoided.
 - Open or enclosed crawl spaces exceeding 6 feet in height at exterior walls of buildings are not allowed.
 - Exposed retaining walls over 5 feet in height in a uniform plane shall be avoided. Terraced retaining walls shall be utilized whenever feasible.
 - Building and roof colors shall be muted earth tone colors to blend in with the environment. A variety of colors shall be used to the extent feasible to break up any monolithic facades.
14. **Prior to the CDD stamp-approval of construction plans for the issuance of a building permit**, CDD shall verify the following residential development conforms with COA #13.
15. To the extent feasible, new residential lighting shall be low-lying and exterior lights on buildings shall be deflected so that lights shine onto the building site and not toward adjacent properties or offsite locations. The use of overly bright lighting shall

be avoided.

16. The tree protection plan and tree protection recommendations submitted by John Traverso, Board Certified Master Arborist #0206-B, submitted with CDMS15-00008 shall apply to CDMS24-00009.

Construction Restrictions

17. 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.
18. 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.
19. 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.
20. The site shall be maintained in an orderly fashion. Following the cessation of construction activity; all construction debris shall be removed from the site.
21. 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.
22. 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)

California Holidays: <http://www.ftb.ca.gov/aboutftb/holidays.shtml>

**PUBLIC WORKS
CONDITIONS OF APPROVAL FOR MINOR SUBDIVISION CDMS24-00009**

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE PARCEL MAP.

General Requirements

23. 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 tentative map received by the Department of Conservation and Development, Community Development Division, on September 26, 2024.
24. The Applicant shall submit improvement plans prepared by a registered civil engineer to the Public Works Department and pay appropriate fees in accordance with the County Ordinance and these conditions of approval. The below conditions of approval are subject to the review and approval of the Public Works Department.

Access to Adjoining Property

Proof of Access

25. The Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary, or permanent, public, and private road and drainage improvements.
26. The applicant shall furnish proof to the Public Works Department that legal access to the property is available from Gloria Terrace,

Encroachment Permit

27. The Applicant shall obtain an encroachment permit from the Public Works Department, if necessary, for construction of driveways or other improvements within the right-of-way of Gloria Terrace

Road Alignment/Intersection Design/Sight Distance:

28. The Applicant shall provide sight distance at the intersection of the private driveway with private road 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.

Private Roads:

29. The Applicant shall construct a paved turnaround at the end of the proposed private road subject to the approval of Public Works and the Fire Marshal.
30. The Applicant shall construct an on-site roadway system to current County private road standards with a minimum traveled width of 16 feet, with 2 feet shoulders, within a minimum 25-foot access easement.
31. Any proposed roadway over 15.9% in grade shall be surfaced with grooved concrete or open-graded asphalt.
32. The Applicant shall construct the on-site private roadway (serving the residential development) to current County private road standards, subject to the review of the Fire District.

Parking:

29. Parking shall be prohibited on one side of on-site roadways where the curb-to-curb width is less than 36 feet and on both sides of on-site roadways where the curb-to-curb width is less than 28 feet. "No Parking" signs shall be installed along these portions of the roads subject to the review and approval of the Public Works Department.
30. "No Parking" markers shall be installed along the private road subject to the review of the Public Works Department and the review and approval of the Board of Supervisors.

Drainage Improvements

Collect and Convey

33. The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to *an adequate* natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the stormwater to *an adequate* natural watercourse, in accordance with Division 914 of the Ordinance Code.

Miscellaneous Drainage Requirements

34. The applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.

35. The Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

36. A private storm drain easement, conforming to the width specified in Section 914-14.004 of the County Ordinance Code, shall be dedicated over any proposed storm drain line traversing both parcels.

National Pollutant Discharge Elimination System (NPDES)

37. 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.
- Offer pavers for household driveways and/or walkways as an option to buyers.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance

38. The applicant shall submit a final Stormwater Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to filing of the Parcel Map. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant. Many of the requirements of this Ordinance may have been satisfied by the prior subdivision that created the subject parcel, in which case the SWCP and O+M Plan may only need to be revised.
39. Improvement plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014)
40. Stormwater management facilities shall be subject to inspection by the Public Works Department; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.
41. Prior to filing of the Parcel Map, the property owner(s) shall enter into a Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for and related to the operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.

42. Prior to filing of the Parcel Map the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.
43. Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

Drainage Area Fee Ordinance :

44. The Applicant shall comply with the drainage fee requirements for Drainage Area 62 as adopted by the Board of Supervisors prior to initiation of the use requested with this application. This fee shall be paid prior to filing of the Parcel Map.

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 will need to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central County Area of Benefit, as adopted by the Board of Supervisors. The fee shall be paid prior to issuance of building permits.

C. Additional requirements may be imposed by the following agencies and departments:

- Public Works Department
- Building Inspection Division
- Contra Costa Consolidated Fire Protection District
- Health Services Department
- East Bay Municipal District
- Central Sanitary District

The applicant is strongly encouraged to review these agencies requirements prior to continuing the project.