

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE# CDDP25-03021;  
SABINO URRUTIA, ELEVATION DESIGN + CONSULTING (APPLICANT), KULWANT &  
MAJOR GILL (OWNERS)**

**I. FINDINGS**

**A. Small Lot Design Review Findings:**

The project is compatible with the surrounding neighborhood in terms of its (a) location, (b) size, (c) height, and (d) design.

1. Location. The project involves the construction of a new two-story single-family residence meeting all development standards for the A-2 district in which the project is located. The building pad is oriented toward a rear (northwestern) corner of the subject property. Similarly, existing homes on parcels in the immediate vicinity tend to be oriented towards the rear of their respective lots, typically providing much more than the minimum 25-foot front setback required in A-2. The project site is abutted to the rear by a large parcel consisting of roughly 250 acres of unimproved rolling hillsides within an exclusive agricultural (A-80) zoning district. The project site and adjoining parcels west of Camino Tassajara are essentially surrounded to the north, west, and south by the open space hillsides consisting of nearby hilltops having elevations ranging between one to two hundred feet higher than that of the building pad.

The immediate project vicinity consists of agricultural-zoned land within a rural-residential area within the Tassajara Valley Agricultural Preservation and Enhancement Area (TVAPEA), as identified by the Contra Costa County 2045 General Plan. Existing residences on adjoining parcels include single-story ranch homes on

the northern and southern adjacent parcels. The southerly adjacent residence, addressed 5890 Camino Tassajara, is located at least 200 feet south of the project and overlooks the project site from land situated approximately 15 to 20 feet higher in elevation than that of the building pad. Thus, given the degree of separation, the project location would not affect the privacy or enjoyment of the southerly neighboring residence. The northern façade of the residence would be 20 feet away from the northern side property line, consistent with the 20-foot minimum side yard requirement for the A-2 district. The existing residence on the northern adjacent parcel is located approximately 40 feet beyond the common property boundary, providing a typical separation of at least 60 feet between residences on adjoining parcels. The building separation is consistent with A-2 minimum development standards and far exceeds the building separation that are typical within residential zoning districts. Additionally, the project includes landscape screening around the entirety of the project, which will preserve privacy between adjoining residences by substantially obstructing views of the project from neighboring properties. Furthermore, views of the project from the west, north, and south are substantially screened by topographical features, existing homes, and mature trees, such that distant views of the project site from Camino Tassajara would not exist even absent the perimeter landscape screening. Thus, the surrounding natural and built environment, combined with the project landscaping will prevent the project from having a substantial adverse aesthetic effect on the rural character established within this area of the TVAPEA.

Considering that the project complies with all development standards applicable to residential development within the A-2 district, and the fact that the project is surrounded by dense landscape screening consistent with nearby large estate development within the TVAPEA, the project is at an appropriate location upon the subject property that is consistent with the surrounding development pattern.

2. Size. The project includes a two-story, seven-bedroom residence consisting of 11,354 square feet of conditioned living area split about evenly between two-stories. Additionally, the residence includes an attached six-car garage and a 932-square-foot rear covered patio, resulting in a gross floor area of 13,832 square feet within an 8,264-square-foot building footprint. The Contra Costa County Ordinance does not place an upper limit on lot coverage, floor area ratio, or area for single-family residences in A-2 (or within residential zoning districts), and large custom-built estates are prevalent in the project vicinity, including A-2 zoned lands within the TVAPEA located along Camino Tassajara between Finey Road and Highland Road. County Assessor's data indicates that within one mile of the project site, there are at least 10 properties improved with existing two-story custom homes within A-2/TVAPEA featuring between 6,021 to 8,690 square feet in living area. In many cases, the aforementioned 10 properties are also improved with large, attached garages and/or detached accessory buildings, which combine with the living area to result in building bulk that is comparable to this project.

For example, on a nearby property addressed 1046 Country Lane (APN 204-070-032), located approximately 0.85 miles north of the project, County Assessor's data indicates that the existing residence on this 2.25-acre (substandard) parcel consists of 7,971 square feet of living area. At face value, the Assessor's data would suggest that this home is considerably smaller than the subject residence. However, when including approximately 2,381 square feet of attached first-floor garage and storage areas, this home actually has a building footprint<sup>1</sup> of 8,529 square feet, exceeding that of the current project. At 34'9" in height, this existing residence appears to exceed the current project in terms of height and building bulk despite having less conditioned living area. There are multiple examples of additional two-story homes

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<sup>1</sup> Building footprint per data from County Building Permit BI339889

on Bruce Drive having apparently similar bulk/height as the Major residence. One additional example of a large-scale residence in the area is the residence addressed 8650 Camino Tassajara, which is outside of the immediate project vicinity but within the TVAPEA and consists of 29,291 square feet in living area. Thus, although the project results in a home larger than those on adjoining parcels and many others in the area, the project is of a bulk and scale consistent with existing development in the project vicinity, including lands within the identical zoning district and within the TVAPEA.

3. *Height.* Pursuant to County Ordinance section 84-38.802, building height within the A-2 district is limited to a maximum of 2.5 stories and 35 feet. The residence consists of a two-story home with a building height of 32 feet - 6 inches, in conformance with the maximum permissible building height for the A-2 district. There are numerous examples of homes having both one-story and two-story designs in rural residential areas of the TVAPEA. Within a quarter-mile of the project, there is about an even ratio of single-story ranch style homes to multi-story homes. There are also two additional nearby single-story homes that differ architecturally than the nearby ranches, incorporating high ceilings, steeply pitched hip roofs, and/or cupolas, resulting in comparatively taller homes than the other nearby single-story ranch homes. These “taller” single story homes are identified with green squares and have building heights of 22 to 27 feet. Further north of the project site on Bruce Drive, large two-story residences are even more prevalent, if not predominant on similarly zoned parcels. Furthermore, there are several instances of multi-story homes on parcels adjacent to and visible from Camino Tassajara right-of-way in the project vicinity, including multiple such homes at the intersections of Camino Tassajara and Johnston Road, and at Bruce Drive. Therefore, the introduction of a multi-story home at the project site would not be unusual in the context of the Camino Tassajara viewing corridor or within the adjacent rural residential areas located within identical

zoning district. The provision of landscape buffering around the project will reduce aesthetic impacts by limiting distance views of the project site from other areas within the TVAPEA. This type of visual buffer via landscaping is typical for the area.

4. Design. The residence is a custom design featuring a grand entry foyer with high ceilings, flanked on either side by two-story northern and southern wings extending towards the property frontage. The northern and southern wings converge with the entry to form a large “U” shaped interior courtyard at the front of the home and garage. The exterior of the home would incorporate a combination of stucco, wood paneling, and decorative stonework. The project includes an open-faced gable over the front entryway, meant to resemble the character of the surrounding rural area, with a pitched hip roof covering most of the two-story residence. The two-story design of the home is substantially compatible with other larger estate-style homes in the vicinity, including existing two-story and three-story homes exceeding 30 feet in height prominently visible along the Camino Tassajara right-of-way north of the project.

The project vicinity consists of agricultural lands which are host to a variety of established agricultural, public, commercial, and residential land uses. Development on the nearby properties includes a San Ramon Valley Fire District training facility, a residence/dog training facility addressed 5990 Camino Tassajara, a detached single-family residence addressed 5890 Camino Tassajara, and a residence/swimming school addressed 5800 Camino Tassajara. Nearby development along the eastern side of Camino Tassajara is essentially limited to two equestrian facilities (addressed 5901 and 5959 Camino Tassajara), each of which includes an existing residence on the premises.

Aesthetically, development along Camino Tassajara adjacent to the site reflects an

area where land uses are visibly transitioning from primarily agricultural to rural residential in nature. Existing buildings in the area include single-story ranch-style residences, multi-story residences, warehouse-type buildings with roll-up doors, barns, horse arenas, clubhouse, paddocks, stables, etc. The residence would differ in appearance from those existing on adjoining parcels, however, that is generally already the case in viewing existing improvements on nearby properties. Additionally, since surrounding topography essentially isolates views of the project site to those available from adjacent properties, the homes design will not significantly detract from the existing visual character for the greater Tassajara Valley area. Further, with the implementation of landscape screening surrounding the entirety of the development, the project would have minimal potential for the design to conflict with the surrounding rural character. Since the surrounding area is not a residential neighborhood, but rather an agricultural area utilized for varying nonresidential and residential land uses, the effect of varying architecture is considered minimal in this circumstance, especially considering the large parcel sizes involved and the high degree of separation between buildings on adjoining lands. In cumulative consideration of the above, the design of the residence is determined to be appropriate for the subject property, and substantially compatible with the surrounding agricultural area.

**Exception Findings:**

The applicant has requested an exception to the collect and convey requirements specified in Division 914 of the County Ordinance Code in order to allow on site treatment of stormwaters originating on or traversing the project site, where collection and conveyance to an adequate natural watercourse within an adequate storm drain system is required. Pursuant to Chapter 92-6 of the County Code, the Advisory Agency (Zoning Administrator) may authorize exceptions to the requirements and regulations of

County Code Division 914. Accordingly, following are the findings for granting the requested exceptions.

1. That there are unusual circumstances or conditions affecting the property.

The subject parcel is nearly 2 acres in area and is surrounded by agricultural or open space land. The nearest watercourse, Tassajara creek, is located nearly a quarter mile east of the property. There are no known drainage issues at the property and after development will have ample surrounding open space area of onsite runoff to infiltrate prior to existing the property.

2. That the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Collecting and conveying stormwater runoff to an adequate public storm drain system would be impactful to the property and potentially add more roadside runoff within the Camino Tassajara public right of way - and more so to the offsite areas to reach the nearest adequate watercourse located over a quarter-mile distant from the project. Given the lack of existing storm drainage infrastructure, and the distance to the nearest adequate watercourse, full compliance with the Collect and Convey requirements of Division 914 of the County Ordinance would involve extensive off-site improvements which would be incongruous with a project of this nature and scale. The granting of the exception will allow the property owner to develop their land in a manner consistent with permitted land uses within the A-2 zoning district, and consistent with stormwater management practices in rural areas of Contra Costa County.

3. That the granting of the exception will not be materially detrimental to the public welfare or injurious to other property in the territory in which the property is situated.

Granting this exception would not be materially detrimental to the public welfare or injurious to other properties. The proposed development will convert approximately 11.3% of the total open space lot to impervious surface. The remaining open space area will infiltrate the new runoff from the home and patios. There is a low likelihood of additional impacts to the neighboring properties or the general public.

#### **B. California Environmental Quality Act (CEQA) Findings:**

1. Small Lot Design Review Development Plan #CDDP25-03021 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(a), which pertains to the construction of a new single-family residence. The project involves the construction of a new single-family residence on a vacant legal lot within unincorporated Contra Costa County. There is no substantial evidence that the project involves unusual circumstances, including future activities, resulting in, or which might reasonably result in, significant impacts which threaten the environment. None of the exceptions in CEQA guidelines section 15300.2 apply.

#### **CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP25-03021**

##### **Project Approval**

##### **Small Lot Design Review Approval**

1. This application for a Small Lot Design Review Development Plan is APPROVED for the construction of a two-story, 13,832-square-foot single-family residence on a parcel of

substandard area and improvements associated with providing vehicular access and utilities thereto.

2. The Development Plan approval described above includes an exception to Division 914 (Collect and Convey) of the County Ordinance Code
3. The Design Review approval described above is granted based upon:
  - The application and project plans received by the Department of Conservation and Development, Community Development Division (CDD) on August 12, 2025;
  - Revised Plans, stamped received by CDD on April 8, 2026;
4. 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 Development Plan.

### **Landscaping**

5. Prior to CDD stamp approval of plans for the issuance of building or grading permits, the applicant shall provide landscaping and irrigations plans for all landscaped areas of the project which demonstrate compliance with the County Water Efficient Landscapes Ordinance. The landscaping and irrigation plans shall be subject to review and approval by CDD staff.
6. **Prior to CDD stamp approval of plans for the issuance of building or grading permits**, the applicant shall demonstrate to CDD staff that the project landscaping adequately screens offsite views of the project. The landscaping plan shall include a visual buffer consistent with that depicted on Sheet A6.0 of the approved plan set, **except**, the visual buffer shall be concentrated around the area of residential development as opposed to the entire parcel perimeter. The visual buffer may consist of trees, vines, shrubs, or a combination thereof, provided that they are of a species having a mature height exceeding 20 feet and providing adequate lateral coverage between plantings. All trees depicted on the approved landscaping plan shall be considered code protected pursuant to Chapter 816-6 of the County Ordinance Code. The tree species and width between adjacent plantings shall be designed such that, when mature, the trees will substantially screen the approved development from offsite views.

### **Payment of Fees**

7. This application is subject to an initial application deposit of \$3000.00, 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 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.

### **Construction Period Restrictions and Requirements**

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

8. 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.
9. The project sponsor 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.
10. 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 holidays.
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. Unless specifically approved otherwise via prior written 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)

Washington's Birthday (Federal)

Lincoln's Birthday (State)  
President's Day (State)  
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 details on the actual date the state and federal holidays occur, please visit the following websites:

Federal Holidays: [www.federalreserve.gov/aboutthefed/k8.htm](http://www.federalreserve.gov/aboutthefed/k8.htm)

California Holidays: [State Holidays :: California Secretary of State](#)

## **PUBLIC WORKS CONDITIONS OF APPROVAL FOR SUBDIVISION CDDP25-03021**

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF BUILDING PERMITS.

### **General Requirements**

14. In accordance with Section 92-2.006 of the Ordinance Code, this development plan 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 improvement outlined below shall require the review and approval of the Public Works Department and are based on the site plan prepared by Elevated Design + Consulting Dated November 14, 2025.
15. 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 conditions of

approval below are subject to the review and approval of the Public Works Department.

### **Frontage – Setback**

16. The applicant shall not place or install driveway gates, water tanks and pumps, or any solar equipment within the 50-foot setback from the public works right of way for Camino Tassajara.
17. The applicant shall obtain encroachment permit from County Public Works Department for all work within the public right of way for Camino Tassajara, including the construction of driveway connections, utility lateral line connections, or other improvements.

### **Street Lights**

18. The property owner(s) shall annex their property into the County Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. The applicant will be assessed the annual rate for the general benefit of having street lights throughout the County. The annexation shall occur prior to issuance of a building permit.

### **Drainage Exception**

19. The applicant shall be permitted an exception from the collect and convey requirements of the County Ordinance Code due to the large size of the existing parcel, provided that there are no known drainage problems on-site currently, the existing drainage pattern is maintained, and additional concentrated stormwater runoff is not discharged onto adjacent properties.

### **Stormwater Management and Discharge Control**

20. 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.
21. The applicant shall submit final site improvement plans which provide a breakdown of the total proposed impervious surface areas (roof tops, patios, porch, pool area) and verify that this total does not exceed 10,000 square feet.

22. The applicant shall construct the entire driveway with porous pavers or crushed porous aggregate (aggregate base (AB) is not acceptable) in accordance with Appendix C of Revised 9<sup>th</sup> Edition of Contra Costa Clean Water Program Stormwater C.3 Guidebook – June, 2025.

## ADVISORY NOTES

**ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.**

- A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

- B. The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the South County Area of Benefit as adopted by the Board of Supervisor. Payment is required prior to issuance of a building permit.
- C. The applicant will be required to comply with the drainage fee requirements for Drainage Area 102 as adopted by the Board of Supervisors. Fee shall be paid prior to issuance of building permits.
- D. 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 project:
- Contra Costa County Building Inspection Division
  - Contra Costa County Environmental Health Division
  - East Bay Municipal Utility District
  - Central Contra Costa Sanitary District
  - San Ramon Valley Fire Protection District