

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP24-02007; U-HAUL (APPLICANT) & AMERCO REAL ESTATE COMPANY & U-HAUL TAX DEPARTMENT (OWNERS)

FINDINGS

A. Land Use Permit Findings

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

Project Finding: The retail business use will occupy 5,709 square feet within the existing 98,430 square-foot U-Haul warehouse near the southeastern corner of the building, which will be approximately 6% of the gross floor area of the building. The project will not alter the existing building footprint of the warehouse and will not change the nature of the neighborhood. Thus, the project is not expected to negatively affect the general welfare of the County. Potentially affected agencies (sewer, water, fire, etc.) have not submitted any concerns indicating that the project would be detrimental to the health or safety of the community. Additionally, the applicant is required to adhere to all applicable building and other agency codes and regulations.

2. *The project shall not adversely affect the orderly development of property within the County.*

Project Finding: The project consists of modifying existing space within the U-Haul warehouse for a U-Haul retail business operation to complement the warehouse use. The project will not alter the existing building footprint of the warehouse. In addition, the project is consistent with the applicable General Plan policies and zoning district development standards. Accordingly, the project will not impede future development within the immediate neighborhood or elsewhere in the County.

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

Project Finding: Establishment of the U-Haul retail business operation within the existing U-Haul warehouse is expected to increase the property value of the site. Adding a compatible retail business operation within the warehouse will enhance

existing and future developments in the neighborhood. Therefore, the U-Haul retail business operation will be compatible with nearby businesses at the Willow Pass Business Park and other properties in the vicinity.

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

Project Finding: The U-Haul retail business will complement the U-Haul warehouse operation that is located adjacent to the major state highway linking the northern portion of the East Bay with Northern Waterfront area of Contra Costa County. The retail business will be compatible with the Light Industry land use designation policies and the goals of the General Plan. The site is located in the Bay Point area of unincorporated County and is surrounded by existing, similar office and commercial development. Therefore, the vital infrastructure and services needed for the site already exist. The project will add jobs to the U-Haul operations on the site to staff the customer service office. This is consistent with Guiding Principle #3 of the Bay Point Community Profile in the General Plan Stronger Communities Element, which states that "Bay Point residents need more local, high-quality jobs from a more diverse business base."

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

Project Finding: The project, as conditioned, will not create a nuisance and/or enforcement problem. The Conditions of Approval for the existing U-Haul warehouse require the site and its security lighting to be maintained in an orderly manner, and that landscape plantings around the warehouse building be maintained for the life of the project. The establishment of a retail business operation within the existing U-Haul warehouse will not alter those requirements.

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

Project Finding: Approval of the land use permit will not change the established uses in the vicinity. The project involves establishing a retail business for U-Haul within an existing U-Haul warehouse that is served by Delta Diablo Sanitary District. Further, the project site is included in an agreement between the Contra Costa Water District and the Willow Pass Business Park, whereby potable water is provided to the site. Other developable light industrial parcels exist within the adjacent Willow Pass Business Park; however, development of these parcels have

been anticipated in the approvals for the Business Park. Other nearby developable land is within the Concord Naval Weapons Station which was decommissioned in 2005 and is currently a major reuse project of the City of Concord.

7. *Special conditions or unique characteristics of the subject property and its location or surroundings are established.*

Project Finding: The project site is currently developed with an existing U-Haul warehouse. Establishing the U-Haul retail business operation within the warehouse will not create any demand for off-street parking beyond that already provided for the warehouse. The project does not alter project the existing building footprint of the warehouse and will not change the nature of the neighborhood. The project with the attached Conditions of Approval will be consistent with the intended use of the site and will enhance the nearby Willow Pass Business Park.

B. California Environmental Quality Act (CEQA) Findings

Establishing a new U-Haul retail business within the existing U-Haul warehouse is categorically exempt from CEQA pursuant to CEQA Guidelines section 15301(a), Existing Facilities, which provides a Class 1 exemption for interior and exterior alterations to an existing facility. There is no substantial evidence that the project involves unusual circumstances, including future activities, resulting in, or which might reasonably result in, a significant impact to the environment. None of the exceptions in CEQA Guidelines Section 15300.2 apply.

CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP24-02007

Project Approvals

1. This Land Use Permit application is APPROVED for establishing a new 5,709 square-foot U-Haul retail business within the existing U-Haul warehouse on the project site.
2. The approval described above is granted based on, and as generally shown on, the following documents:
 - Project application submitted to the Department of Conservation and Development, Community Development Division (CDD) on February 14, 2024.
 - Revised Project Plans received by the CDD on July 17, 2024.

3. Any modification to the project approved under this land use permit that is not required by a Condition of Approval herein shall be subject to the review and approval of the CDD and may require the filing of an application for a Land Use Permit, if deemed necessary.
4. Except as modified herein, the Conditions of Approval of Land Use Permit CDLP16-02031 shall remain in full force and effect.

Application Costs

5. The Land Use Permit application was subject to an initial deposit of \$2,000.00. Applications are subject to time and material costs if the application review expenses exceed the initial deposit. **Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the approval 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 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. A bill will be mailed to the applicant shortly after permit issuance in the event that additional fees are due.

Building Permits

6. 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.

Signage

7. No signs are approved with this permit. Any signs installed at the project site will require approval of Sign Review from the CDD and issuance of a building permit from the Building Inspection Division.

Bicycle Stalls

8. A total of 9 long term bicycle stalls and 7 short-term bicycle stalls shall be maintained for the life of the project. The locations and number of bicycle stalls shall be shown on the construction drawings. Color photographs documenting installation of the bicycle stalls, including the number of stalls and the locations, shall be provided to the CDD prior to the final building inspection.

Business License

9. The business owner/applicant shall apply for and obtain a Property Use Verification (PUV) from the Department of Conservation and Development, Application and Permit Center, prior to applying for any business license associated with this approval. A copy of this permit shall accompany the PUV application.

Construction Restrictions and Requirements

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

10. 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.
11. 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.
12. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
13. 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.
14. 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 date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: [Federal Holidays \(opm.gov\)](https://www.opm.gov)

California Holidays: [State Holidays \(sos.ca.gov\)](https://sos.ca.gov)

15. 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.

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. It is unlawful to engage in business in the unincorporated area of the county without first procuring a business license from the County Tax Collector following CDD approval of this application.
- C. Prior to applying for a building permit, the applicant may wish 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
 - Contra Costa Health, Environmental Health Division
 - Contra Costa County Fire Protection District
 - Delta Diablo Sanitary District
 - Contra Costa Water District
 - Contra Costa Mosquito and Vector Control District