

FINDINGS AND CONDITIONS OF APPROVAL – COUNTY FILE CDDP26-03002; HASSAN BAGHERZADEHAZAR (APPLICANT & OWNER)

FINDINGS

A. Small Lot Design Review Findings

1. Location: The project involves the construction of a new 288-square-foot detached garage accessory to an existing single-family residence within an established single-family residential neighborhood. The garage is located towards the rear of the parcel and is in conformance with all applicable development standards for the R-6 district in which the subject property is located. The detached garage is setback over 65 feet into the subject property, and therefore, qualifies for reduced side/rear yards (3-foot minimum side/rear) for this structure. The location of the detached garage is reasonable considering the dimensional constraints of the subject property and the location of existing improvements. The building is located downslope from the existing single-family residence on the subject property, and from those existing adjacent residences on either side, and upslope from existing residences to the rear of the subject property. Given the topographic conditions, and the fact that the garage does not include any windows oriented towards an adjacent residence, staff does not anticipate any adverse impacts on surrounding properties arising from the building location. Additionally, the location avoids any work within the dripline of trees that are located on other areas of the property, thus minimizing potential project related effects on the surrounding area. Further, other lots in the surrounding vicinity have been improved with detached accessory structures located in the side and rear yard areas. Therefore, the garage location is appropriate because it is consistent with minimum building setback requirements and is consistent and compatible with the existing residential development pattern in the area.
2. Size: The project involves a 288 square-foot accessory building, which is well below the 500 square-foot maximum permissible building area for projects of this type on a residential lot less than 20,000 square feet in area. The size of the detached accessory building is reasonable considering its intended use as a one-car garage. Given the minor scale of this building, and the numerous examples of existing detached accessory buildings in the area, the building size is determined to be compatible with the surrounding residential neighborhood.
3. Height: The project involves a prefabricated garage building 12-feet 2-inches in height, consistent with the 15-foot maximum permissible height for a detached accessory building. The building will not be directly adjacent to any existing neighboring residences, so the building height has minimal potential to adversely

affect the enjoyment of surrounding residences. The height of the accessory building is consistent and compatible with the height of similar detached structures existing in the project vicinity.

4. Design: The prefabricated garage building consists of a simple rectangular building with wooden siding and an open gable roof. The building façade includes outward swinging wooden barn-style doors providing vehicular access within the building. The building design is consistent with the existing residence on the project site, and those on either side, each of which feature open gable rooflines in their respective residential designs. Although the surrounding neighborhood includes homes having a variety of architectural styles, there are numerous examples of existing homes and/or accessory buildings having a similar aesthetic to the project. Therefore, the garage design is considered consistent and compatible with existing residential development in the vicinity.

B. California Environmental Quality Act (CEQA) Findings

The project is exempt under CEQA Guidelines Section 15303(e) – New Construction or Conversion of Small Structures, construction and location of limited numbers of new, small facilities or structures such as accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project is to construct a new 288-square-foot detached garage, which would be accessory to an existing single-family residence on the subject property. Therefore, the categorical exemption applies to the scope of work.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDDP26-03002

Project Approval

Development Plan

1. DEVELOPMENT PLAN for a SMALL LOT DESIGN REVIEW is GRANTED for the construction of a new 288-square-foot detached garage on a lot of substandard size and substandard average width is APPROVED, as generally based on the following:
 - The application and project plans received by the Department of Conservation and Development, Community Development Division (CDD) on January 15, 2026.

2. 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.

Building Permit

3. The applicant shall obtain the appropriate building permit(s) for the construction of a new detached accessory building.

Payment of Fees

4. This Development Plan Permit application is subject to an initial application deposit of \$3,000.00, which was paid with the application submittal, plus time and materials 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 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.

Construction Period Restrictions and Requirements

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

5. The applicant and their contractor shall make a good faith effort to park any construction related vehicles on the project driveway and existing asphalt parking area at the front of the parcel.
6. 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.
7. 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.

8. 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.
9. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
10. 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.
11. 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)
- 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 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: <https://www.sos.ca.gov/state-holidays>

COUNTY PUBLIC WORKS, ENGINEERING SERVICES CONDITIONS OF APPROVAL

Conditions of Approval are based on the site plan accepted by the Department of Conservation and Development, Community Development Division, on January 15, 2026.

THE APPLICANT SHALL COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT AND PRIOR TO INITIATION OF THE USE PROPOSED UNDER THIS PERMIT.

Encroachment Permit

12. The applicant must obtain an encroachment permit from the Application and Permit Center to remove the existing driveway depression along its frontage of Claremont Avenue near the southeast corner of the subject lot and for the installation of a new driveway depression near the northeast corner. The new driveway shall be designed in accordance with County Standard Plan CA72 or a modified/custom design that meets all ADA requirements. The existing flowline in the gutter fronting the property shall not be altered.

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. 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:

- Contra Costa County Building Inspection Division
- Contra Costa County Environmental Health Division
- West Contra Costa Wastewater District
- East Bay Municipal Utility District (EBMUD)
- Contra Costa County Fire Protection District