

FINDINGS AND CONDITIONS OF APPROVAL – COUNTY FILE #CDDP21-03007, CLIF SCHOFIELD (APPLICANT/OWNER)

FINDINGS

A. Development Plan Findings

Pursuant to County Ordinance Section 84-26.1806(b), the following are the findings authorizing development within the M-29 Zoning District.

1. The project is consistent with the intent of the M-29 Zoning District:

Project Finding: The intent and purpose of the M-29 district, as specified in section 84-26.204 of the County ordinance code, is to provide for the development of multi-family residential units designed to provide as much compatibility as possible with nearby lands within single-family residential districts. All adjoining lands south, west, and north of the project site are within the same M-29 zoning district as the project site. Permitted land uses within M-29 district include detached single-family residences (SFRs), duplexes, and multiple family residential buildings. In single-family residential districts, duplexes and SFRs are amongst the land uses permitted by right. Considering the lack of adjoining lands within a single-family residential district, the project has minimal potential to conflict with any nearby single-family residential district. Additionally, since the project design includes two buildings, each comprised of two units, the project is consistent in appearance with development types permissible in both single- and multiple-family districts. Therefore, considering the surroundings and the multi-family residential nature of the project, it is consistent with the stated intent and purpose for the M-29 district.

2. The project is consistent and compatible with other uses in the vicinity, both inside and outside the district.

Project Finding: Lands abutting the project site to the north, west and south are also located within the M-29 zoning district and have been previously improved with a mix of multi- and single-family residential dwellings at a residential density similar to that entailed by this project. Thus, the project involves a residential land use within an established residential neighborhood. Eastern adjoining lands consist of established commercial land uses within the jurisdictional area of the

City of Martinez. The nearby commercial area is separated from the project site by the Howe Road right-of-way ($\pm 80'$ in width) with mature vegetation providing visual screening along the eastern project boundary. Considering the spatial separation and visual buffers between the project and any nonresidential land use, the project would not expectedly conflict with the nearby commercial areas east of Howe Road. Therefore, the project is considered consistent and compatible with existing residential and nonresidential land uses in the vicinity.

B. Variance Findings

Pursuant to County Ordinance Section 26-2.2006, the following are the findings associated with the granted variances to the M-29 development standards.

1. *Any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located.*

Project Finding (Setbacks): The subject property consists of an approximately 9,634-square-foot parcel located at the eastern terminus of an existing private roadway (Almond Street) in the unincorporated Martinez area of the County. The parcel has a frontage width of about 52 feet, which widens to approximately 126' wide at southerly portions of the property. Although the property is not accessible from Howe Road, the eastern property line abuts the Howe Road right-of-way and is considered a secondary frontage. The M-29 district requires a 25-foot setback from both frontages, and a minimum of 20-feet from all other side/rear property lines. If the project were to strictly adhere to these development standards, then the buildable area for the parcel would essentially be limited to an 86' x 20' rectangular area, or roughly 18% of the lot. This rectangular area is barely large enough to accommodate four standard off street parking spaces, much less an entire multi-family residential building with associated parking improvements. Considering that the underlying Residential Medium High (RMH) General Plan designation requires a minimum of four units on this property to achieve the minimum density range permissible in RMH, any residential development of this site would expectedly involve at least some degree of setback encroachment.

The project consists of two separate two-unit apartment buildings, each having identical floor plans and attached garages providing one covered parking space for each unit. The two buildings are oriented in a way to provide as much separation as possible between the two buildings to maximize available interior

areas for off-street parking use. This building configuration is reasonable given the irregular shape of the parcel and the need to provide adequate clearance for vehicular ingress/egress. The off-street parking spaces provided with the project are either within or directly adjacent to the buildings and would consequently involve a similar degree of setback encroachment. Since neither the parking spaces nor the buildings could be relocated to fully comply with M-29 development standards, the granting of setback and yard variances for Building A, Building B, and each off-street parking space is not a grant of special privilege.

Project Finding (Open Area - Ordinance §84- 26.1402): The project is required to provide a minimum of 25% open area within the development, 75% of which is to be landscaped with growing plants. For the subject property, this would entail about 2,400 square feet of land which is not occupied by building structures or pavement, 1,800 square feet of which would need to be landscaped. The project plan does include at least 2,400 square feet of open area; however, the project does not include landscaped areas meeting the secondary 1,800 square-foot planting requirement. As discussed previously in the above setback findings the project is subject to substantial dimensional constraints arising from the size/shape of the parcel combined with the number of units the project needs to provide to establish general plan consistency in terms of minimum density. With these constraints in mind, the provision of landscaped areas has been excluded in favor of maximizing the area available for the residential buildings and associated off-street parking and vehicular ingress/egress improvements within the development. Since numerous existing mature trees and shrubs exist along the drainage channel existing along Howe Road immediately east of the project, the development would be substantially screened from public views from this direction. Similarly, views from the project frontage within the private roadway would also be screened by an existing mature tree row planted along the property boundaries separating the project site from the northern/western adjacent parcel (APN 375-257-002). Therefore, granting this variance is not a grant of special privilege considering the dimensional constraints of the property combined with the scale of development demanded within the RMH designation.

Project Finding (Parcel Area - Ordinance §84- 26.602): Development standards for the M-29 district require a minimum parcel size of 10,000 square feet for multiple-family residential development within this district. The subject property is deficient in this respect by 366 square feet. The M-29 district also includes reduced parcel sizes for a single-family residence or a duplex (6,000 and 8,000 s.f. respectively). Although the project meets these lower parcel area requirements, development of

a SFR or duplex on the site would not comply with the minimum density requirement for the RMH general plan land use designation in which the project is located. Thus, given the fixed nature of the parcel area the granting of this variance is not considered a grant of special privilege as it is necessary to achieve the applicable minimum residential density for general plan compliance.

2. *That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district.*

Project Finding: The special circumstance applicable to the project includes two distinct characteristics affecting development of the site. The first characteristic includes the project location within a RMH General Plan land use designation, which demands development at a density of 17-30 dwelling units per net acre. The second characteristic is the irregular shape/dual frontage configuration of the subject property. The shape of the parcel is such that conforming development is essentially precluded in the northernmost 40 feet ($\pm 2,000$ square feet in area) of the parcel near its frontage. The buildable area within the wider southerly portions of the lot would essentially be limited to a $\pm 1,720$ square foot rectangular area ($\pm 18\%$ of total parcel area) were the project to strictly adhere to all setback/yard development standards. These locational/dimensional characteristics are competing in the sense that the RMH designation demands higher residential density - whereas the M-29 development standards are seemingly encouraging a smaller scale project (i.e. fewer units) that may fit more easily within the site but would be inconsistent with the RMH density range. All setback, off-street parking, open space, landscaping, and parcel area variances included with this approval are directly attributable to these aforementioned conflicting characteristics. The project has been designed to give preference to general plan compliance in terms of minimum residential density as opposed to strict adherence to M-29 standards. The strict application of the M-29 development standards would effectively preclude residential development of the property at a density appropriate within the RMH designation, thereby depriving the property owner of the rights enjoyed by other properties in the vicinity and within the M-29 district in general.

3. *That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the subject property is located.*

Project Finding (Setbacks): Generally speaking, the intent and purpose of the M-29

district is to provide for the orderly development of multi-family residential units, while minimizing project related impacts on nearby lands within single-family residential districts. All adjoining lands south, west, and north of the project site are within the same M-29 zoning district as the project site. Adjoining lands east of the project site are within the City of Martinez and consist of established commercial land uses. Thus, the project has little to no potential to adversely affect nearby single-family residential zoned lands given its location. The project includes building encroachments from all property lines, including 15' front setback (Almond Street) and 4' 9.75" front setback (Howe Road) where the respective minima require 25 feet, an 8' 11.5" - to - 9' 1.875" southern side yard where 20 feet is required, a 9' 1.375" rear yard where 20 feet is required, and a 3' northern rear yard where 20' is required. The site plans also includes eight total off-street parking spaces on site which are subject to the same setbacks as the dwelling units. Since all parking is located either within or immediately adjacent to the residential buildings, each parking space will encroach within a setback or yard area to the same degree as the building encroachments (or less). The project encroachments within setback/yard areas for each property line are discussed individually below:

The greatest degree of setback encroachment occurs along the northwestern side property line (3' side yard provided where 20' is required). The northernmost one-story garage portion of "Unit B" comes within 3' for the side property line adjacent to APN 375-257-002. Although 20 feet is the minimum side yard required, the M-29 development standards do allow reduced side yards for detached garages or accessory structures. Such structures may be constructed as close as 3' to a side property line, provided they are 50 feet or further from the property frontage. In this case, the garage is located more than 50 feet distant from the property frontage but does not qualify for the reduced side yard since the garage is attached to the Unit B Building. Since the property line immediately north of this garage is planted with a dense row of trees obstructing views between parcels, this variance would expectedly have minimal effect on the privacy or enjoyment of the northern adjacent residence. Considering that the placement of a garage within 3' of a side property line is in some cases conforming to M-29 development standards, this encroachment does not necessarily conflict with the intent and purpose of the district. All living areas would be setback at least an additional 22 feet from the north property line which provides a degree of separation between habitable areas that is substantially consistent with the intent and purpose of the M-29 development standards.

A similarly high degree of setback encroachment occurs along the Howe Road

frontage where a 4' 9.75" setback is provided where 25 feet is the minimum required. The project's setback encroachment along this frontage is arguably the least impactful amongst all other setback variances entailed with this project due to the fact that the eastern property boundary is over 40 feet distant from the paved roadway within the adjacent 80-foot-wide Howe Road public right-of-way. Off-site areas between the eastern project boundary and the public roadway are occupied by a drainage ditch as well as numerous mature trees and shrubs. Thus, the Howe road setback encroachment will not cause the project to tower over the adjacent right of way, and the existing landscaping would screen public views of the site. Furthermore, orienting the project improvements towards the Howe Road right-of-way is necessitated by the need to provide adequate clearance for vehicular ingress/egress to the site from its Almond Street frontage. Given the need to provided vehicular access to the site and the minimal aesthetic effects resulting from this encroachment, the granting of the Howe Road setback variance is consistent with the intent and purpose of the M-29 district.

The project provides yard areas along western southern property lines averaging approximately 9' from each, where 20 feet is the minimum required. The adjoining western and southern parcels have each been improved with a detached single-family residence. In both cases, a detached accessory building exists between the project and the adjacent home, which would expectedly provide at least a partial visual buffer between adjoining residences. Additionally, there are very few second story windows facing the adjoining residences (1 western facing, 2 southern facing) as most second story windows face the interior of the project site. The limited instances of second story windows facing nearby homes reflects an effort by the developer to accommodate development on the site at an appropriate density while minimizing project related impacts on adjoining residences.

Development on adjacent parcels abutting the same access driveway predominantly consists of multi-family residential development constructed at or near the Almond Street property line. Thus, the Almond Street frontage setback of 15 feet, where 25 feet is the minimum required is consistent and compatible with development on neighboring parcels on this street. The granting of this variance results in the project providing a far greater setback from this property line than is typical of nearby development. Therefore, the granting of this variance is be compatible with the surrounding developed areas that are also zoned M-29, and substantially consistent with the intent and purpose of M-29 development standards.

Project Finding (Open Area - Ordinance §84- 26.1402): As mentioned previously, existing landscaping along the northern and eastern property lines presently provide substantial screening of the subject property from public vantage points along Howe Road, as well as the property frontage within a private roadway (Almond Street). For this reason, the installation of the minimum required landscaping on the project site would not have a significant aesthetic effect on offsite views of the project. Foregoing the M-29 landscaping requirements allows for the limited parcel area on site to be dedicated to other required improvements on a parcel with significant dimensional and area constraints. The granting of the variance will allow for a multi-family residential development at an appropriate density with minimal effect on existing residential development. Therefore, the project, including the granting of the landscaping variance, is consistent with the intent and purpose of the M-29 district.

Project Finding (Parcel Area - Ordinance §84- 26.602): Development standards for the M-29 district require a minimum parcel size of 10,000 square feet for multiple-family residential development within this district. Based on the 9,634 square-foot parcel area, the underlying RMH general plan land use designation requires a minimum of four dwelling units on the subject property. Thus, development on the parcel could not occur at a density consistent with the RMH designation without granting a variance to parcel area. Since the granting of the variance is necessary to achieve general plan consistency, the granting of this variance is clearly consistent with the intent and purpose of the M-29 district.

D. Tree Permit Findings

The Zoning Administrator is satisfied that the following factors as provided by County Code Section 816-6.8010 for granting a tree permit have been satisfied:

1. Reasonable use of the property will require the alteration or removal and/or work within the driplines of the subject trees, and this development could not be reasonably accommodated on another area of the lot.

CONDITIONS OF APPROVAL FOR COUNTY FILE # CDDP21-03007

Project Approval

Development Plan

1. Development Plan approval is granted for a four-unit multi-family residential development, consisting of two two-story apartment buildings.

Variance

2. Variance approvals from the development standards for M-29 Multiple Family Residential District are granted as follows:
 - Almond Street Front Setback 15 feet approved for Unit A, where 25 feet is the minimum required;
 - Howe Road Front Setback: 4' 9.75" feet approved for Unit A, where 25 feet is the minimum required;
 - Southern Side Yard: 8' 11.5" – to 9' 1.875" approved for Units A & B where 20 feet is the minimum required;
 - Western Rear Yard 9' 1.375" approved for Units B where 20 feet is the minimum required
 - Northern Side Yard: 3' approved for Unit B where 20 feet is the minimum required;
 - Off Street Parking Setbacks: All off-street parking within approved garages or adjacent to buildings may encroach within setback or yard areas of any property line to a degree not exceeding the approved building encroachments specified above;
 - Parcel Area: Variance permitting multi-family residential construction on a parcel 9,634 square feet in area, where 10,000 square feet is the minimum area required for such development within an M-29 zoning district;
 - Landscaped Open Space: Eliminate requirement to provide $\pm 1,800$ s.f. of landscaped open area (no landscaped areas provided).

Tree Permit

3. A Tree Permit is granted to authorize the prior removal of three code-protected trees on a vacant lot.

4. The Development Plan, Variance, and Tree Permit approvals described above are based on the following:
 - Development Plan application and related materials submitted to CDD on March 23, 2021;
 - Revised project plans submitted to CDD on December 19, 2025;
5. Any change from the approved plans may require additional review and approval by the CDD and may require the filing of an application to modify this Development Plan.

Off-Street Guest Parking

6. Prior to CDD-stamp approval of construction plans for the issuance of building permits, the site plan shall be revised to provide one (1) guest off-street parking space located along the parcel frontage along Almond Street. The parking space shall have minimum dimensions 9' x 19', and shall be oriented parallel with the northern property line within the private easement/driveway providing access to the site. The entire parking space shall be clear of the approved drainage facilities adjacent to the residential buildings.

Bicycle Parking

7. The project shall provide two short term bicycle parking spaces, as required by County Ordinance Section 82-16.412, located as close as possible to main entrances and exits of buildings, structures, or facilities without obstructing any door, entry way, path, or sidewalk. The bicycle parking must be located in an area that is visible from vehicle parking or circulation areas, or pedestrian circulation areas. The bicycle parking are to be depicted on construction drawings and shall be subject to review and approval of the CDD prior to the issuance of a building permit.

Compliance Report

8. At least 30 days prior to CDD stamp approval of plans for the issuance of a building permits, the applicant shall 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.

Child Care

9. Prior to the issuance of building permits, the applicant shall pay a per unit fee toward childcare facility needs in the area as established by the Board of Supervisors. The current childcare fee is \$100.00 per multi-family residential unit. However, the actual fee collected will be that which is applicable at the time of building permit issuance.

Park Impact Fee

10. Prior to the issuance of building permits, the applicant shall pay a park impact fee. The current park impact fee is \$7,053.00 per multi-family residential unit. However, the actual fee amount collected will be that which is applicable at the time of building permit issuance.

Park Dedication FEE

11. Prior to the issuance of building permits, the applicant shall pay a park dedication fee. The current park impact fee is \$3,233.00 per multi-family residential unit. However, the actual fee amount collected will be that which is applicable at the time of building permit issuance.

Archaeology

12. Should archaeological materials be uncovered during grading, trenching or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Register of Professional Archaeologists has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary.
13. If any significant cultural materials such as artifacts, human burials, or the like are

encountered during construction operations, such operations shall cease within 10 feet of the find, the Community Development Department shall be notified within 24-hours and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, shell, bone, and historic features such as privies or building foundations.

14. In the event of discovery or recognition of any human remains on the site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of Contra Costa County has been contacted, per Section 7050.5 of the California Health and Safety Code.

Construction Restrictions

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

15. 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.
16. 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.
17. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
18. Unless prior written authorization from the Zoning Administrator is obtained, 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 and Federal)
Farmworkers Day (State)
Memorial Day (State and Federal)
Juneteenth National Independence Day (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

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

Signs

19. This approval does not authorize the construction, placement or display of any signage for the multi-family residential development. In the event that signage is proposed in the future, such signage shall require the prior review and approval of the Community Development Division to ensure conformance with the design and location standards specified in Chapter 88-6 (Signs) of the County Ordinance Code.

Application Costs

20. The Development Plan application was subject to an initial deposit of \$5,162.00 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 2013/340, 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.

PUBLIC WORKS CONDITIONS OF APPROVAL FOR PERMIT CDDP21-03007

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.

General Requirements

21. This development shall conform to all applicable provisions of the Subdivision Ordinance (Title 9) and Public Works and Flood Control Ordinance (Title 10). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below require the review and approval of the Public Works Department and are based on the "Proposed Residential Dwellings" site plan dated December 8, 2025 and the "Preliminary Site Development Plan" prepared by APEX Civil Engineering dated November 4, 2025.
22. 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.

Access

23. 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.
24. The applicant shall provide a current title report (less than six months old) for the subject parcel which verifies its access rights via the dedicated right of way along the mapped Fourth Avenue on the "Martinez Center Tract No. 1" subdivision map

(14M294) in order to connect to Santa Fe Avenue (County Public Road Right of Way).

Utilities

25. The applicant shall underground all new utility distribution facilities to each apartment building. Applicant shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

Drainage

26. The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage system, to a 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.
27. Prior to the approval of the improvement plans and issuance of building permits, the applicant shall obtain an encroachment permit from the City of Martinez for the storm drain pipe outfall into the existing drainage ditch within the City's public right of way on Howe Road.

Stormwater Management and Discharge Control

28. The applicant shall submit a final Storm Water 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 issuance of a building permit. All time and materials costs for review and preparation of the SWCP and the O&M Plan shall be borne by the applicant.

29. Improvement plans and Landscape Plans shall be reviewed by the Public Works Department 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). These plans shall verify the placement of self-treating areas in landscaped areas and ensure the placement of impervious surfaces such as walkways, patios, and parking lots are consistent with the final SWCP.
30. 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.
31. 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.
32. Prior to the issuance of a building permit, 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.
33. Prior to the issuance of a building permit, the property owner(s) shall establish a funding mechanism to cover the ongoing financial impact the development will have for ongoing maintenance and operations of the stormwater treatment facility. Compliance with this requirement shall be to the satisfaction of the Public Works Director and may be met through the formation of a new Community Facilities District or annexation of the subject property into an existing 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.

National Pollutant Discharge Elimination System (NPDES)

34. 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).

- Minimize the amount of directly-connected impervious surface area.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- 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.

Drainage Area Fee Ordinance

35. The applicant shall comply with the drainage fee requirements for Drainage Area 40 (DA 40A) as adopted by the Board of Supervisors prior to issuing a building permit.

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 shall submit building plans to the Building Inspection Division and comply with Division requirements. It is advisable to check with the Division prior to requesting a building permit or proceeding with the project.
- C. The applicant is responsible for contacting the Health Services Department Environmental Health Division regarding its requirements and/or obtaining additional permits as required as part of the proposed project.
- D. The applicant must submit building plans to the Contra Costa County Fire Protection District and comply with its requirements.
- E. The applicant is advised that plans submitted for a building permit must receive prior approval and be stamped by the Mountain View Sanitary District.
- F. The applicant must comply with the requirements of the City of Martinez as it pertains to establishing water service to the project.
- G. The applicant shall be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Martinez Area of Benefit, as adopted by the Board of Supervisors. Payment is required prior to the issuance of building permits