

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP25-03020:
ROXANNE DUCHENEY, DUCHENEY CONSTRUCTION (APPLICANT), THE LAKES AT
DISCOVERY BAY (OWNER)**

FINDINGS

A. Development Plan Findings:

In approving a Development Plan in the P-1 Planned Unit District, findings are required pursuant to County Code Section 84-66.1804(b) that the proposed project is consistent with the intent and purpose of the P-1 District and that it is compatible with other uses in the vicinity, both inside and outside the district.

Project Findings: The subject property is located within a Planned-Unit (P-1) District established by Rezone CDRZ-02963 and Subdivision CDSD91-07686. Development standards for this P-1 District were established by Final Development Plan CDDP91-03025. The project will modify CDDP91-03025 to allow the construction of a replacement guardhouse and drive isle canopy structure at The Lakes at Discovery Bay, Single Family Home Community.

The replacement guardhouse is consistent with the P-1 District as Rezone RZ-2963 established The Lakes as a private, gated Single-Family Residential community, and a security entrance building is not only consistent with this use, but required to keep the neighborhood secure. Therefore, staff finds the replacement guardhouse and drive isle canopy structure to be consistent with the intent and purpose of the Final Development Plan for this P-1 Planned Unit District.

The guardhouse is also compatible with other uses in the vicinity, both inside and outside of the district, as it is auxiliary to the nearby residential and parks Land Use designations. The project is consistent with adjacent Residential Low Medium and Residential Medium designations, which allow for residential densities at specific intervals, as a guardhouse to provide secure entrance to the community would be a use ancillary to the residential neighborhood. The project is consistent with the Parks and Recreation designation, which applies to parks and similar outdoor spaces, as the guardhouse would be an ancillary amenity that supports recreational uses by serving as an entrance to the open space on the property. Finally, although the project site is directly adjacent to Agricultural Core designated lands, which does not allow for residential uses outside of single-family farm-houses, the guardhouse serves as a gateway into the allowed residential uses of The Lakes community, and

delineates The Lakes neighborhood as separate from its agricultural neighbors. The guardhouse is also placed far back enough from the intersection of Balfour and Bixler to be consistent with both the scale of the adjacent agricultural properties and The Lakes neighborhood. Therefore, the guardhouse is consistent with other uses in the vicinity, both inside and outside of the district.

B. California Environmental Quality Act (CEQA) Review Finding:

The project is exempt under CEQA Guidelines Section 15302(b), Replacement or Reconstruction, which provides a Class 2 exemption for replacement of an existing commercial structure where the new structure will be located on the same site and will have substantially the same purpose and capacity of the structure replaced, including the construction of a new guardhouse and drive isle canopy in the same location as the previous guardhouse. 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 CDDP25-03020

Project Approval

1. Development Plan CDDP25-03020 to modify Final Development Plan CDDP91-03025 to construct a replacement guardhouse and drive isle canopy structure at The Lakes at Discovery Bay, Single Family Home Community, is APPROVED.
2. The Development Plan approval described above is generally based on the application materials and project plans accepted by the Department of Conservation and Development, Community Development Division (CDD) on August 1, 2025.
3. 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.

Security Bollards

4. The approved security bollard configuration shall remain the same as on the approved plans, and be present on the construction plan set for building permit(s). If the bollard configuration is to be changed after this approval, the applicant/property owner must first obtain approval from CDD. **Prior to final building inspection,**

color photographs shall be submitted to CDD to verify that the as-built condition of the property is consistent with this Condition of Approval.

Application Costs

5. This application is subject to an initial application deposit of \$3,500.00, 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 effective date or prior to use of the 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 from the date of approval, the application shall be charged interest at a rate of ten percent (10%). The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

Building Permits

6. No construction is approved with this permit. Any construction at the subject parcel will require issuance of building permits from the Department of Conservation and Development, Building Inspection Division, prior to commencement of work.

Construction Period Restrictions and Requirements

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

7. 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.
8. 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.
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 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 \(ca.gov\)](https://www.ca.gov)

12. 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 OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, 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 permits.

D. The applicant must comply with the requirements of the Contra Costa County Fire Protection District. The applicant is required to submit plans to the Fire Protection District for approval. The plans must be stamped by the District prior to submittal of the building permit application.

E. The applicant must comply with the requirements of the Town of Discovery Bay

Community Services District (DBCSD). The applicant is required to submit plans to the DBCSD for approval. The plans must be stamped by the DBCSD prior to submittal of the building permit application.