

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDMS24-00013,
ALEX MEHRAN (APPLICANT AND OWNER)**

FINDINGS

A. Growth Management Performance Standards

1. Traffic: Based on the Institute of Transportation Engineers peak period trip generation rate of 0.74 AM peak hour trip and 0.99 PM peak hour trip per dwelling unit for single-family residences, the existing single-family residence on Parcel B generates a total of 2 (1 AM and 1 PM) peak hour trips. The project is for a two-lot subdivision, with no development. As is, the project site will not affect the use or occupancy of the onsite residence. At some time in the future, Parcel A could be developed with a single-family residence. Similar to the existing residence on Parcel B, a future residence on Parcel A will generate a total of 2 (1 AM and 1 PM) peak hour trips. Accordingly, a project-specific traffic impact analysis is not required. Since the project will yield less than 100 AM or PM peak hour trips, the proposed project will not conflict with circulation along the Alameda Diablo and Calle Arroyo in the Diablo neighborhood.
2. Water: The project site is within the service boundaries of the East Bay Municipal Utility District (EBMUD). Since there is no new development that will require water service, the minor subdivision will not affect water supplies as there will not be an increase in water consumption. At some time in the future, a new single-family residence on Parcel A will be served by EBMUD. EBMUD submitted comments on the project application detailing requirements for water service connections. EBMUD did not indicate any issues related to the project causing an insufficient water supply.
3. Sanitary Sewer: The project site is within the service boundaries of the Central Contra Costa Sanitary District. The minor subdivision does not include any development. Thus, the subdivision will not produce any added demand on the wastewater system. At some time in the future, a new single-family residence on Parcel A will be served by the Sanitary District. The project sponsor is required to apply to the Sanitary District for a sanitary sewer connection. The Sanitary District has not indicated any issues related to inadequate wastewater treatment capacity.
4. Fire Protection: The project site is located within the service area of the San Ramon Valley Fire Protection District. No development is proposed with this project, but

any future development will be subject to the current Fire Code. Fire protection at the project site will be provided by Fire Station 33 located at 1051 Diablo Road, Danville, approximately 0.7 mile driving distance to the west. If necessary, additional fire protection support will be provided by Fire Station 32 located at 2100 Stone Valley Road, Alamo, approximately 3.6 mile driving distance to the northwest. The minor subdivision does not include any development, and therefore, it will not have an impact on fire protection services. At some time in the future, a single-family residence could be constructed on Parcel A. It is expected that compliance with District requirements and applicable fire and building regulations will ensure that the project will not represent a new fire hazard or result in a need for expanded fire protection services.

5. Public Protection: Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Office, which provides patrol service to the Diablo area. The minor subdivision into two lots and potential future development of one single-family residence on the project site will not significantly increase population in the existing single-family residential neighborhood, and therefore, will not increase the demand for police service facilities or personnel.

6. Parks and Recreation: The expected development of one future single-family residence will not significantly increase population in the area, and therefore, will not increase the demand for parks or recreational facilities. Payment of Park Dedication/Park Impact fees will be required prior to the issuance of building permits for a new residence. The fees will be used to purchase land and develop parks within this area of the County. Thus, the impacts of the minor subdivision on parks and recreation facilities will be less than significant.

7. Flood Control and Drainage: The project site is located on FEMA (Federal Emergency Management Agency) Flood Map 06013C0455G. Except for the portion of Parcel B within the banks of the East Branch of the Green Valley Creek, the project site is not within a 100-year flood hazard area. The portion of the site within the banks of the creek is within a 100-year flood hazard area and the creek is fenced off from the rest of Parcel B. As shown on the FEMA flood map, Parcel A and the developed portion of Parcel B is classified as being in Zone X, which is considered to be an area of minimal flood hazard. Development of Parcel A at some time in the future will occur within Zone X, and therefore, the future development will have a less than significant impact on flood flows. Storm runoff is expected to be the same as it is currently established and will not result in an increase of potential on- or off-site flooding. Future development will be subject

to the requirements of the County Code and the Public Works Department design standards, as well as the regulations of the National Pollutant Discharge Elimination System and Provision C.3 of the County Stormwater Management and Discharge Control Ordinance. Thus, there will not be any significant risk due to an increase in the volume of runoff that will result in onsite or off-site flooding.

B. Vesting Tentative Parcel Map Findings

The following are required findings for the approval of a vesting tentative parcel map.

1. *The proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans.*

Project Finding: The minor subdivision is consistent with the RL Residential Low Density General Plan land use designation. Uses in the RL designation typically include single-family residences on lots approximately 15,000 square feet to 1 acre in size. The RL designation also has residential densities of between 1 and 3 residential units per acre. The existing density of the project site is 1 unit per 5.89 acres. The project is proposed to subdivide the project site into two smaller parcels, a 2.59-acre Parcel A and a 3.29-acre Parcel B. Parcel B already sites an existing residence and does not propose any development. Currently, there is no proposed development for Parcel A; however, the future development of one potential new residence on Parcel A will result in a density of 1 unit per 2.95 acres for the project site, which will not exceed the maximum density allowed under the RL land use designation.

The Transportation Element of the General Plan shows designated arterials and expressways that are part of the County roadway network. The project site is located on Alameda Diablo, which intersects with Diablo Road, which, in turn, merges with Blackhawk Road. Both Diablo Road and Blackhawk Road are County-designated arterials. At some point in the future, residential development of Parcel A will create a new driveway accessing to Diablo Road and/or Calle Arroyo. As conditioned, a code-compliant access will be required from Parcel A. Thus, the new driveway will not create a substantial adverse effect on the County-designated arterials.

The Health and Safety Element of the General Plan includes acceptable and conditionally acceptable noise levels for residential land uses. The types and levels of noise generated from the future residential uses on the project site will be similar

to noise levels from existing surrounding residential development. Therefore, the future residential development of the site will meet the acceptable single-family residential noise level standards of the Health and Safety Element.

During grading and construction of a future single-family residence on Parcel A, there may be periods of time when there will be loud noise from construction equipment, vehicles, and tools. The construction period noise could disturb occupants of nearby residences. As conditioned, the project will include construction noise restrictions which will limit disruptions due to noise, in compliance with the policies and restrictions of the Health and Safety Element.

2. *The proposed subdivision fulfills construction requirements.*

Project Finding: The project site is in the R-20, Single-Family Residential Zoning District, which allows residential uses, including single-family residences. The minor subdivision maintains the residential character of the area and although there is no development proposed or contemplated on Parcel A, the new parcel could accommodate a new single-family residence at some time in the future. The future residence will have access from Calle Arroyo and/or Diablo Road. Development of Parcel A will be required to comply with all requirements for access and drainage improvements that have been provided by the Public Works Department as conditions of approval for the project. Additionally, the future new residence will need to comply with any construction/development requirements imposed by the San Ramon Valley Protection District, the Building Inspection Division, and applicable building and fire codes, at the time of building permit issuance.

C. Exceptions Findings:

The applicant has requested an exception to County Code Section 914-2.004 (Offsite Collect and Convey) that requires that runoff from any subdivision be conveyed without diversion to an adequate storm drainage facility. 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 Section 914-2.004. Accordingly, following are the findings for granting the requested exceptions.

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

Project Finding: Presently, based on County elevation data, surface runoff of the property flows westerly. The East Branch of Green Valley Creek intercepts the

runoff from the eastern portion of Parcel B. The remainder of the site gently slopes towards Calle Arroyo but since Parcel A is undeveloped, the stormwater falling on the property is generally retained. In the event that Parcel A is developed at some time in the future, the development may not comply with County Code Section 914-2.004 since there is no apparent infrastructure in the vicinity of Parcel A to collect the runoff and convey it to an adequate storm drainage facility.

The fact that there is no existing storm drain facilities in the vicinity of Parcel A is an unusual circumstance which warrants granting the requested exception. Given the cost and logistical constraints of designing and constructing off-site drainage infrastructure to accommodate development on Parcel A that is not proposed or contemplated, requiring drainage improvements now is not feasible.

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

Project Finding: Given the cost and logistical constraints of designing and constructing off-site drainage infrastructure to accommodate development that is not even envisioned on Parcel A, the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant to subdivide their property in a manner consistent with single-family residential development in the immediate vicinity. Additionally, there is no proposed development at this stage. Thus, the exception is necessary in order to allow reasonable development of the project site without the burden of unnecessary off-site storm drain improvements that are of limited public benefit.

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.*

Project Finding: Considering the current zoning and size of the property, future development of Parcel A will be subject to permitting by the Department of Conservation and by the Public Works Department. The Public Works Department has conditioned the project to require the property owner to record a deed disclosure stating that future development of Parcel A is subject to the drainage requirements of the County Ordinance Code, or to mitigate storm water runoff so as to not concentrate runoff or increase peak flow rates in excess of that for the current undeveloped condition of Parcel A. Accordingly, the granting of the exception will not be detrimental to the public welfare, or injurious to other

property in the project vicinity.

D. Environmental Findings

Following are the findings required pursuant to the California Environmental Quality Act (CEQA) to adopt a Mitigated Negative Declaration/Initial Study for the project, prior to the approval of a project.

1. A draft Mitigated Negative Declaration/Initial Study (MND), State Clearinghouse Number (SCH) 2025030612, was prepared for Minor Subdivision CDMS24-00013 on March 18, 2025. The public review period for the draft MND started on March 18, 2025, and ended on April 18, 2025. No comments were received during the public review period for the draft MND.
2. As there were no comments received on the draft MND, preparation of a final MND that includes written comments received, responses to the comments received, and staff-initiated text changes is not necessary.
3. On the basis of the whole record before it, including the draft MND, the Zoning Administrator finds that:
 - There is no substantial evidence that the project with the proposed mitigation measures will have a significant effect on the environment;
 - MND SCH 2025030612, consisting of the draft MND, reflects the County's independent judgement and analysis;
 - The MND is adequate and complete; and
 - The MND has been prepared in compliance with the California Environmental Quality Act and the State and County CEQA guidelines.
4. A Mitigation Monitoring and Reporting Program has been prepared, based on the identified significant environmental impacts and mitigation measures in MND SCH 2025030612. The mitigation measures in the Mitigation Monitoring and Reporting Program are included in the project Conditions of Approval.

CONDITIONS OF APPROVAL FOR COUNTY FILE CDMS24-00013

Project Approvals

1. The 1699 Alameda Diablo Two-Lot Minor Subdivision, including the Vesting Tentative Parcel Map, is APPROVED for the subdivision of the 5.89-acre residential parcel into two parcels, including a 2.59-acre Parcel A and a 3.29-acre Parcel B.
2. The project approval described above is granted based on, or as generally shown on the following documents.
 - Application and materials accepted by the Department of Conservation and Development, Community Development Division (CDD) on June 21, 2024.
 - Vesting Tentative Parcel Map, 1699 Alameda Diablo, Subdivision CDMS24-00013, prepared by CBG, Civil Engineers, received on August 27, 2024.
3. A copy of the recorded Parcel Map shall be submitted to the CDD upon recordation.
4. Any modification to the project approved under this permit that is not required by a Condition of Approval herein shall be subject to the review and approval of the CDD.
5. The Vesting Tentative Parcel Map approval described above is granted for a period of three years. Map time extensions may be granted subject to proper request for extension and review and approval of the CDD.

Application Costs

6. The Minor Subdivision application was subject to an initial deposit of \$7,500 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 2019/553, 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 in the event that additional fees are due.

Indemnification

7. Pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agent thereof) shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees, to attack, set aside, void, or annul, the Agency's approval concerning this subdivision map application, which action is brought within the time period provided in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate full in the defense.

Compliance Report

Parcel Map

8. At least 45 days prior to filing a Parcel Map, the applicant shall submit an application for COA Compliance Review and provide a report on compliance with the conditions of approval related to the Parcel Map for the review and approval by the CDD. The fee for this application shall be the fee listed on the current Land Development Fee Schedule that is an initial deposit subject to additional 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.

Development of Parcel A

9. Prior to filing an application for a grading or building permit for Parcel A, whichever occurs first, the applicant shall submit an application for COA Compliance Review and provide a report on compliance with the conditions of approval related to development of Parcel A for the review and approval by the CDD. The fee for this application shall be the fee listed on the current Land Development Fee Schedule that is an initial deposit subject to additional time and material costs. Should staff costs exceed the deposit, additional fees will be required.

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.

Grading and Building Permits

10. This approval does not constitute a grading or building permit for either Parcel A or Parcel B. Please contact the Department of Conservation and Development, Building Inspection Division for information on how to apply for a grading or building permit.

Child Care

11. Prior to CDD-stamp approval of construction plans for the issuance of a grading or building permit for Parcel A, whichever occurs first, the applicant is required to pay a fee toward childcare facility needs in the area as established by the Board of Supervisors. The current childcare fee is \$400.00 per parcel. However, the actual fee amount collected will be that which is applicable at the time of building permit issuance.

Park Impact / Park Dedication Fee

12. Concurrently with filing of the Parcel Map, the applicant shall submit a copy of a proposed deed disclosure statement for the review and approval of the CDD. The disclosure statement shall be used to notify prospective buyers of Parcel A that prior to the issuance of building permits for residential development on the parcel, the applicant shall pay a Park Impact / Park Dedication fee for park and recreation improvements in the area as established by the Board of Supervisors. The current park dedication / park impact fee is \$9,584.00, however, the actual fee amount collected will be that which is applicable at the time of the building permit issuance. Parcel B shall be exempt from this requirement due to the existing residence at this location.

Police Services

13. Concurrently with filing of the Parcel Map, the applicant shall submit a copy of a proposed deed disclosure statement for the review and approval of the CDD. The disclosure statement shall be used to notify prospective buyers of Parcel A, that prior to the issuance of building permits for residential development on the parcel, the applicant shall pay a fee of \$1,000.00 for police services mitigation in the area as established by the Board of Supervisors. Parcel B shall be exempt from this requirement due to the existing residence at this location.

MITIGATION MEASURES FROM THE MITIGATION MONITORING AND REPORTING PROGRAM APPLIED AS CONDITIONS OF APPROVAL FOR COUNTY FILE CDMS24-00013

Air Quality

14. *Mitigation Measure Air Quality 1:* The following Bay Area Air Quality Management District, Basic Best Management Practices for Construction-Related Fugitive Dust Emissions shall be implemented during project construction and shall be included on all construction plans.
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
 - g. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
 - h. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
 - i. Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air

Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

15. *Mitigation Measure Air Quality 2:* The following additional mitigation measures to reduce construction-related emissions shall be implemented during project construction and shall be included on all construction plans.
- a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

Biological Resources

16. *Mitigation Measure Biology 1:* If project grading or construction work is scheduled to take place between February 1 and August 31, a pre-construction nesting bird survey shall be conducted by a qualified biologist within 14 days of construction, covering a radius of 500 feet for non-listed raptors and 100 feet for non-listed passerines at all locations. Copies of the preconstruction survey shall be submitted to the Contra Costa County Department of Conservation and Development, Community Development Division (CDD) and the California Department of Fish and Wildlife (CDFW).

If an active bird nest is found within the survey radii, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. If an active nest is present, a minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a biological monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. All buffers shall be shown on all sets of construction drawings.

Cultural Resources

17. *Mitigation Measure Cultural Resources 1:* The CDD shall approve any modification to one of the listed contributing buildings or structures on Parcel B (single-family residence, carriage house, stable, hay barn, tack room, water tower, four Doric columns with a trellis, or bridge), and a Secretary of the Interior's Standards report prepared by a qualified architectural historian as defined in the Secretary of Interior's Standards (36 CFR 61), shall be submitted to CDD for the review and approval, if deemed necessary by CDD staff. If a building permit is required, prior to final building inspection, as-built photos shall be submitted to CDD for review and approval to verify the modification was constructed per approved plans.

18. *Mitigation Measure Cultural Resources 2:* Prior to submittal of a building permit application for Parcel A, the architectural plans for the new residence shall be submitted for the review and approval by CDD staff to verify its design will not deter from the character defining features of the contributor buildings of Parcel B. Prior to final building inspection, as-built photos shall be submitted to CDD for review and approval to verify the residence was constructed per approved plans.

19. *Mitigation Measure Cultural Resources 3:* The following Mitigation Measures shall be implemented during project construction.
 - a. A program of on-site education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.

 - b. If archaeological materials are uncovered during grading, trenching, or other on-site excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

20. *Mitigation Measure Cultural Resources 4:* Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and

disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may be those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Geology and Soils

21. *Mitigation Measure Geology 1:* At the time of submittal of a grading or building permit application for Parcel A, the project sponsor shall submit a comprehensive geotechnical report that (i) references proposed grading, drainage and any foundation plans for the project, and (ii) is based on adequate subsurface exploration, laboratory testing of samples and engineering evaluation of the data gathered. The scope of the geotechnical investigation shall address the full range of potential "Geology & Soils" hazards addressed by State CEQA Guidelines. Regarding soils conditions, the scope of the investigation shall evaluate the following potential hazards: (i) expansive soils, (ii) corrosive soils, and (iii) undocumented fill. Recommendations shall be provided to mitigate any hazards that are confirmed to be present on the project site. Additionally, the report shall include evaluation of (iv) siting and design of the proposed bioretention basin and the associated retaining walls, their effect on planned improvements, and to address the hazard posed by earthquake ground shaking, (v) provide prevailing California Building Code seismic parameters. The required report shall provide specific criteria and standards for site grading, drainage and foundation design based on adequate subsurface data.
22. *Mitigation Measure Geology 2:* The geotechnical report required in Geology 1 shall be subject to review by the County Peer Review Geologist, and review and approval by the CDD. Improvement, grading, and building plans shall carry out the recommendations of the approved report.
23. *Mitigation Measure Geology 3:* The geotechnical report required in Geology 1 routinely includes recommended geotechnical observation and testing services during construction. These services are essential to the success of the project. They allow the geotechnical engineer to (i) ensure geotechnical recommendations for the project are properly interpreted and implemented by contractors, (ii) allow the

geotechnical engineer to view exposed conditions during construction to ensure that field conditions match those that were the basis of the design recommendations in the approved report, and (iii) provide the opportunity for field modifications of geotechnical recommendations with Contra Costa County Department of Conservation and Development, Building Inspection Division (BID) approval, based on exposed conditions. The monitoring shall commence during clearing, and extend through grading, placement of engineered fill, installation of recommended drainage facilities, and foundation related work. A hard hold shall be placed by the CDD on the "final" grading inspection for each residence, pending submittal of a report from the project geotechnical engineer that documents their observation and testing services during grading and drainage related improvements. Similarly, a hard hold shall be placed on the final building inspection for each residence by the CDD, pending submittal of a letter-report from the geotechnical engineer documenting the monitoring services associated with implementation of foundation-related geotechnical recommendations. The geotechnical monitoring shall include any pier hole drilling/ foundation preparation work/ installation of drainage improvements.

24. *Mitigation Measure Geology 4:* All grading, excavation and filling shall be conducted during the dry season (April 15 through October 15) only, and all areas of exposed soils shall be revegetated to minimize erosion and subsequent sedimentation. After October 15, only erosion control work shall be allowed by the grading permit. Any modification to the above schedule shall be subject to review and approval by the BID Grading Section.

Noise

25. *Mitigation Measure Noise 1:* The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.
- a. The project sponsor 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.
 - b. 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.

- c. 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.

- d. 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)

- e. 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.

PUBLIC WORKS CONDITIONS OF APPROVAL FOR SUBDIVISION CDMS24-00013

The applicant shall comply with the following conditions of approval prior to filing of the Parcel Map.

General Requirements:

26. In accordance with Section 92-2.006 of the Ordinance Code, this subdivision 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 improvements outlined below shall require the review and approval of the Public Works Department and are based on the vesting tentative map received by the Department of Conservation and Development, Community Development Division, on August 27, 2024.
27. Improvement plans prepared by a registered civil engineer shall be submitted, if necessary, to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the Ordinance Code for the conditions of approval of this subdivision. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department.

Access to Adjoining Property:

Encroachment Permit

28. The applicant shall obtain an encroachment permit from the Town of Danville, if necessary, for construction of utility or other improvements within the right-of-way of Diablo Road.

Abutter's Rights:

29. The applicant shall relinquish abutter's rights of access along Diablo Road.

Road Intersection Design/Sight Distance:

30. The applicant shall provide sight distance at the intersection of the private driveways with the fronting roadways in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall trim vegetation, as

necessary, to provide sight distance at this intersection, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at this intersection shall be setback to ensure that the sight line is clear of any obstructions.

Countywide Street Light Financing:

31. Property owner(s) shall annex to the County Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Utilities/Undergrounding:

32. The applicant shall underground all new utility distribution facilities.

Drainage Improvements:

Collect and Convey

33. 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 an adequate 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.

Exception, Subject to granting thereof by the "Advisory Agency"

An exception from this requirement is hereby granted, provided the Owner records a deed disclosure over Parcel A stating that future development of said Parcel is subject to the drainage requirements of the County Ordinance Code, or successor regulations, or to mitigate storm water runoff so as not to concentrate runoff or increase peak flow rates for the Code's "design storm" in excess of the un-developed conditions that exist at the time of the document's recordation.

Miscellaneous Drainage Requirements:

34. The applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.

Creek Banks and Creek Structure Setbacks:

35. The property owner shall relinquish "development rights" over that portion of the site that is within the structure setback area of the East Branch of Green Valley Creek. The structure setback area shall be determined by using the criteria outlined in Chapter 914-14, "Rights of Way and Setbacks," of the Subdivision Ordinance. "Development rights" shall be conveyed to the County by grant deed.

National Pollutant Discharge Elimination System (NPDES):

36. 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.

Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of stormwater pollutants. The project design shall incorporate wherever feasible, the following long-term BMPs in accordance with the Contra Costa Clean Water Program for the site's stormwater drainage:

- Minimize the amount of directly connected impervious surface area.
- Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention area) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES Permit.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- Offer pavers for household driveways and/or walkways as an option to buyers.
- 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.

Stormwater Management and Discharge Control Ordinance:

37. Based on the vesting tentative map, this project does not require submittal of a Stormwater Control Plan. This project shall be subject to all other provisions of the County Stormwater Management and Discharge Control Ordinance (§1014, Ordinance No. 2005-01).

Future development applications or building permits on the subject parcels may be required to comply with Provision C.3 of the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit and the Stormwater Management and Discharge Control Ordinance. A deed disclosure shall be recorded on each parcel informing all future property owners of the requirement to comply with Provision C.3 as a condition of any building or development permit application. This compliance may require a Stormwater Control Plan, and an Operations and Maintenance Plan prepared in accordance with the latest edition of the *Stormwater C.3 Guidebook*. Compliance may also require annexation of the subject property into the Community Facilities District 2007-1 (Stormwater Management Facilities) and entering into a standard Stormwater Management Facilities Operation and Maintenance Agreement with Contra Costa County.

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 grading and building plans to the Building Inspection Division and comply with Division requirements. It is advisable to check with the Division prior to requesting a grading or building permit or otherwise proceeding with the project.
- C. The applicant must submit site access and building plans to the San Ramon Valley Fire Protection District and comply with its requirements. The applicant is advised that plans submitted for a building permit must receive prior approval and be stamped by the Fire Protection District.
- D. The applicant must submit building plans to the Central Contra Costa Sanitary District and comply with its requirements. The applicant is advised that plans submitted for a building permit must receive prior approval and be stamped by the Sanitary District.
- E. The applicant must comply with applicable requirements of the East Bay Municipal Utility District.
- F. The applicant is responsible for contacting the Contra Costa Mosquito & Vector Control District regarding its requirements and permits.
- G. The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the South County, Southern Contra Costa Regional, and Tri-Valley Transportation Areas of Benefit of Benefit as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.