

**REVISED
FINDINGS AND
CONDITION OF
APPROVALS**

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #DP16-3002; FRANK SADIGHPOUR (APPLICANT), SHAHIN SHARIFI (OWNER) AND TAMI WELCOME (APPELLANT)

I. FINDINGS

A. SMALL LOT DESIGN REVIEW

Prior to issuance of a building permit on a substandard lot, the Zoning Administrator must review the dwelling's compatibility with and impact on the surrounding neighborhood in terms of the following:

Location: Lots in the neighborhood range from 6,000 – 14,450 square feet with homes on High Street concentrated near the front property line. The new single-family residence will be located 25 feet from the front property line, 11 feet from the north and south side property lines, and approximately 64 feet away from the rear property line and will meet all dimensional requirements for the R-10 zoning district, with no variances required for the project. Therefore, as proposed, the location of the proposed residence is consistent with the development in the neighborhood.

Size: The existing residence to be demolished is approximately 989 square feet. The new residence will have approximately 2,220 square feet of livable space, a 494 square-foot garage, a 139 square-foot front yard covered porch, and a 155 square-foot rear yard covered deck. Residences within the neighborhood range in size from 954 – 2,114 square feet. The size of the residence is consistent with the neighborhood's total livable square-footages. The residence is a single-story residence and is a four bedroom, three bathroom home, which is typical for new home construction.

Height: The existing residence is a two-story residence, measuring approximately 23 feet tall. The new residence is one-story measuring approximately 17 feet tall and is 6 feet less than the existing residence. Residences within the neighborhood are one and two-story residences ranging in various heights; therefore, the residence is compatible with the surrounding neighborhood.

Design: The new residence will have a craftsman style design and will be finished with a combination of stucco and vertical wood siding with a combination of composition and asphalt shingled roof, and vinyl clad windows. The neighborhood consists of various lot configurations and residences that were constructed between the 1940s and 1960s. The neighborhood consists of a diverse mix of architectural designs consisting of wood panel siding, stucco siding, brick veneer accents, flat and pitched roofs, tile and asphalt shingled roofs. Therefore, the design of the new residence will be compatible with the eclectic designs found in the area.

B. TREE PERMIT

Require Factors for Granting Tree Permit. 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. Project Finding: Reasonable development of the property would require the removal of ~~two~~ one code-protected multi-stemmed pine tree and this development could not be reasonably accommodated on another area of the lot.

II. CONDITIONS OF APPROVAL

Development Plan Approval

1. A Development Plan to demolish the existing residence and construct a new single-family residence is APPROVED, as generally shown and based on the following:

A. Revised plans received on February 16, 2016,

Tree Removal

2. This permit is to allow the removal of ~~one~~ two (~~1~~ 2) multi-stemmed pine trees only (16", 16", and 24" in diameter).

General Provisions

3. Any deviation from this approval shall require review and approval by the CDD and may require the filing of an application to modify this Development Plan permit. In such case, a public hearing will be necessary.
4. The 576 square-foot workshop shall not be used as a second unit. Any expansion of the building or use shall require the owner to obtain necessary permits from CDD and Building Inspection.

Application Costs

5. This application is subject to an initial deposit of \$1,000.00, 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 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.

Restitution for Tree Removal

6. Required Restitution for Approved Tree Removal – The following measures are intended to provide restitution for the trees that have been approved for removal.
 - A. Tree Restitution Planting/Irrigation Plan – **Prior to issuance of a grading permit or building permit**, whichever occurs first, the applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of the CDD. The plan shall provide for the planting of at least two (2) trees, minimum 15-gallon in size. The plan shall be accompanied by an estimate prepared by a licensed landscape architect or arborist of the materials and labor costs to complete the improvements on the plan.
 - B. Required Security to Assure the Completion of Plan Improvements – **Prior to CDD approval of plans for issuance of a grading permit or building permit**, whichever occurs first, the applicant shall submit a security (e.g., bond, cash

deposit) that is acceptable to the CDD. The bond shall include the amount of the approved cost estimate, **plus** a 20% inflation surcharge.

- C. Initial Fee Deposit for Processing a Security – The County ordinance requires that the applicant pay fees for all time and material costs of staff for processing a landscape improvement security. At time of submittal of the security, the applicant shall pay an initial deposit of \$100.00.
- D. Duration of Security: **Prior to seeking finalization of the building permit or grading permit**, the consulting arborist shall verify that the replacement trees have been properly planted and when verified, notify the CDD in writing. The security shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the written verification of installation. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the replacement trees and to prepare a report on the trees' health. In the event that the CDD determines that the replanted tree(s) have been damaged or have died, and determines that the applicant has not been diligent in providing a replacement, then the CDD may require that all or part of the security be used to provide for replacement of the dead or damaged tree(s).

Arborist Recommendations

7. The applicant shall implement all recommended measures in the Recommendations for Tree Preservation section of the consulting arborist's report, which are intended to mitigate the impacts of construction activities.

Construction Restrictions and Requirements

68. The applicant shall comply with the following restrictions and requirements, which shall be stated on the face of the construction drawings:

- A. Except as otherwise stated below, construction activities are limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on the calendar dates that the following State and Federal holidays are observed:

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)
Cesar Chavez Day (State)
Memorial Day (State and Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (State and 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: <http://www.opm.gov/fedhol>

California Holidays: http://www.edd.ca.gov/payroll_taxes/State_Holidays.htm

- B. Transport of heavy equipment and trucks is limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M., and is prohibited on weekends and the aforementioned State and Federal holidays.
- C. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties. This shall be communicated to project-related contractors.
- D. Construction equipment and materials shall be stored onsite to the maximum extent practicable.
- E. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

- F. Any debris found outside the site shall immediately be collected and deposited in appropriate receptacles.

- G. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers that are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

PUBLIC WORKS CONDITIONS OF APPROVAL FOR PERMIT DP16-3002

COMPLY WITH THE FOLLOWING CONDITION OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT OR PROPOSED USE.

- ~~79.~~ Prior to issuance of a building permit, the property owner shall convey to the County, by Offer of Dedication, the right-of-way necessary for the planned future width of 60 feet along the frontage of High Street Road.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCES AND OTHER REGULATIONS THAT MAY BE APPLICABLE TO THE PROJECT.

- A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, 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. This project may be subject to the requirements of the following agencies:

- Department of Conservation and Development, Building Inspections Division
- Contra Costa Central Sanitary District
- Contra Costa Water District
- Contra Costa Fire Protection District

The applicant is strongly encouraged to review these agencies' requirement prior to continuing with the project.

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