



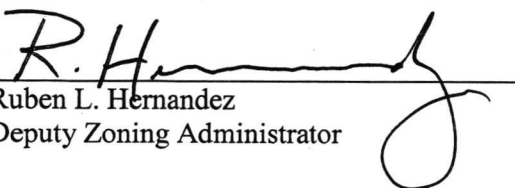
**CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION**

APPROVED PERMIT

APPLICANT	Ronald Greenwell 10 S. Lake Drive, #1 Antioch, CA 94507	APPLICATION NO.:	MS11-0001
		ASSESSOR'S PARCEL NO.:	020-200-027, -039
		PROJECT LOCATION:	Intersection of Sellers Avenue and Hidden Ranch Road Knightsen, CA
OWNER:	James and Barbara Fremery P.O. Box 102 Knightsen, CA 94548	ZONING DISTRICT:	A-2
		APPROVED DATE:	August 7, 2017
		EFFECTIVE DATE:	August 18, 2017
		VESTING DATE:	April 11, 2011

This matter having not been appealed within the period of time prescribed by law, a MINOR SUBDIVISION PERMIT to divide a 31.41-acre site into three parcels including **removal** of an existing Gooding's Willow tree, and request for approval of exceptions to applicable subdivision requirements pertaining to "collect and convey", roadway design, and the timing of required roadway improvements in the Knightsen area is hereby APPROVED, subject to the attached conditions of approval.

Aruna M. Bhat
County Zoning Administrator

By: 
Ruben L. Hernandez
Deputy Zoning Administrator

Unless otherwise provided, THIS PERMIT WILL EXPIRE THREE (3) YEARS from the effective date if the action allowed by this permit is not undertaken within that time.

PLEASE NOTE THE EFFECTIVE DATE, as no further notification will be sent by this office.

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #MS11-0001
AS APPROVED BY THE ZONING ADMINISTRATOR ON AUGUST 7, 2017**

I. Findings

A. Growth Management Element Standards

- 1) Traffic: The proposed project includes proposals to widen the Hidden Ranch Road right-of-way, and to construct a 60-foot Contra Costa County Fire Protection District turnaround. The intent of these improvements is to improve the quality of the roadway access to the proposed properties, and to provide a turnaround for emergency vehicles that may require access to the project site in the future. These proposed improvements will not adversely impact traffic flow in the area. Additionally, the proposed roadway improvements are not of the type or scale that would encourage further development in the area. In the event that the proposed parcels are developed at a later time, the type and scale of uses that would be permitted on the proposed parcels without further discretionary review by the Department of Conservation and Development would be limited to those specified in Section 84-38.402 (Permitted) of the County Ordinance. Any more intense land uses would require approval of a separate land use entitlement from the County. The residential dwelling units and agricultural structures that would be permitted on the proposed parcels without further discretionary review would not create 100 additional peak hour traffic trips to and from the site. Therefore, there is no requirement to conduct a traffic analysis and/or prepare a traffic report pursuant to the Measure-C 1998 requirements.
- 2) Water: The subject property is not located within the jurisdiction of any public water service provider that operates within the County. However, in compliance with the County's "Ranchette Policy" (Resolution No. 83/407), water availability and quality tests were conducted at the project site. The tests indicate that the areas in which the proposed wells will be located will meet the minimum yield requirement of at least 3 gallons per minute. Therefore, the minimum level of water needed to accommodate the site per the County's guidelines is available.
- 3) Sanitary Sewer: The subject property is not located within the jurisdiction of any public sanitary sewer service provider that operates within the County. However, in compliance with the County's "Ranchette Policy" (Resolution No. 83/407), agricultural lands proposed for minor subdivisions must be suitable for septic tank use. In compliance with this policy a percolation test was administered at the project site on November 10, 2011, by Henson Plumbing. The test results were forwarded on to the County Health Services Department, Environmental Health Division who has determined that the soils at the project site are suitable for septic tank use.

- 4) Fire Protection: The subject property is located within the service area of and currently receives fire protection services from the East Contra Costa and Contra Costa County Fire Protection Districts. In the event that any improvements are made on the proposed parcels in the future, those structures would also fall within the service area and be subject to the regulations of those Fire Districts. The closest fire station is located approximately 0.25 miles from the project site at the intersection of 2nd and A Streets in the Knightsen area. Therefore, the proposed project will not impact the County's ability to maintain the standard of having a fire station located within one and one-half miles of development in urban, suburban, and central business district areas.
- 5) Public Protection: The proposed project consists of subdividing the subject property into three separate parcels, which would allow for the construction of up to six (6) new residential dwelling units (3 single-family residences, 3 residential second units) at the project site without further discretionary review from the County. The construction of six additional single-family dwelling units at the project site would not induce a significant population increase within the County that would equal or exceed 1,000 people. Also, the scale and type of agricultural uses that could be established on the proposed parcels would not generate job opportunities for a workforce of 1,000 or more people. Therefore, the proposed project would not impact the County's ability to maintain the standard of having 155 square feet of Sheriff station area and support facilities per 1,000 members of the population.
- 6) Parks and Recreation: The proposed project consists of subdividing the subject property into three separate parcels, which would allow for the construction of up to six (6) new single-family residential units (3 single-family residences, 3 residential second units) at the project without further discretionary review from the County. The construction of six additional single-family dwelling units at the project site would not induce a significant population increase within the County that would equal or exceed 1,000 people. Also, the scale and type of agricultural uses that could be established on the proposed parcels would not generate job opportunities for a workforce of 1,000 or more people. Therefore, the proposed project would not impact the County's ability to maintain the standard of having three acres of neighborhood parks per 1,000 members of the population.
- 7) Flood Control and Drainage: No portion of the subject property is located within a 100-year flood area as determined by the Federal Emergency Management Agency (FEMA). Also, no element of the proposed project involves the removal or alteration of an existing dam or levee. In addition, the proposed project does not exceed the threshold of 10,000 square feet of new or redeveloped impervious surface area, so submittal of a Stormwater Control Plan is not required.

If granted, the proposed subdivision could potentially result in further development at the project site which may impact the amount of impervious surface and drainage patterns at the site. However, when a building permit is required for any physical/structural improvements, the County Building Inspection Division will review the proposal for compliance with drainage standards.

B. Findings for Approval of a Tentative Map

- 1) The advisory agency shall not approve a tentative map unless it shall find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general and specific plans required by law.

Project Finding: The project site is located in an area with an Agricultural Lands (AL) General Plan Land Use designation. This designation allows for up to 1 dwelling unit per 5 net acres (0.2 units per net acre). The project site has a net acreage of 29.21 acres, which would allow for up to six (6) dwelling units¹ (rounded up from a calculation of 5.84) under the AL General Plan Land Use designation. Therefore, in the event that the proposed parcels are developed at a later time and one single-family dwelling unit is constructed on each parcel (as can be done without further discretionary review); the density of the project area would be consistent with the limits of the General Plan.

The purpose of the Agricultural Lands General Plan Land Use designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials. The applicant proposes to continue use of the existing vineyard located at the project site. The operation of a grape vineyard is a land use that consists of producing food and/or plant materials, and thus would be consistent with the uses permitted within the AL designation. As stated throughout the Mitigated Negative Declaration, a total of six dwelling units (3 single-family residences and 3 residential second units) could potentially be established at the project site in the future without further discretionary review by the County². Due to the relatively large size of each of the proposed parcels, the establishment of one single-family residence and one residential second unit on each parcel would not prevent agriculture from remaining the primary land use on each lot. Therefore, despite the fact that dwelling units are not agricultural in nature, the establishment of them on each lot would also be consistent with the AL designation.

¹ Accessory Dwelling Units (ADU) would also be permitted at the site without further discretionary review, but would not exceed the allowable density for the lot/site pursuant to Section 65852.2(a)(1)(D) of the Government Code.

² Second residences are permitted within the zoning district, but would require approval of a land use permit pursuant to Section 84-38.404 of the County Code.

The project site is located within the County General Plan's East County specific geographical area. Generally speaking, the adopted policies for this area relate to preferred areas for residential and commercial growth, development of delta recreation areas, transportation, and the overall density of the area. The primary components of the proposed project consists of dividing the project site into three separate parcels, roadway improvements, and the maintenance of existing vineyards, which are all compatible with the adopted policies for the area. Any future development at the site would be subject to the regulations of the General Agriculture zoning district, which would ensure consistency with the preferred density and other growth element restrictions for the East County area.

- 2) The advisory agency shall make findings as required concerning the fulfillment of construction requirements.

Project Finding: The applicant has not proposed new structural improvements at the site as part of the proposed project. However, due to the need for water wells, roadway access, and drainage requirements that apply to the proposed project, certain construction activities have been included as part of the proposed project. The County Public Works Department has conducted a review of the proposed project, and has provided recommended conditions of approval pertaining to improvements that shall be conducted at the project site. The conditions require improvements such as the partial widening of Hidden Ranch Road to a 20-foot width and the installation of a Fire District turnaround. By conditioning the proposed subdivision to require that these improvements be completed, the County will ensure that all construction requirements are fulfilled prior to the Parcel Map being filed.

C. Exception Findings

Required Factors for Granting Exception. The Zoning Administrator is satisfied that the following findings exist for the granting of the requested exception to County "Collect and Convey" requirements.

- 1) *There are unusual circumstances or conditions affecting the property.*

Project Finding: The resultant large (10+ acres) parcels will be relatively flat and without any defined drainage conveyances on site or adjacent that can act as receiving waters.

- 2) *That the exception is necessary for the preservation and enjoyment of substantial property rights of the applicant.*

Project Finding: Similarly sized parcels in the area have been allowed such exceptions in the past. Requiring strict adherence to the Code for the subject subdivision would be an undue hardship for the property owner.

- 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 soil conditions and development restrictions outlined in the exception request, there should be no adverse impacts on adjacent properties.

D. Tree Permit Findings

Required Factors for Granting 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) Reasonable development of the property would require removal and/or work within the dripline of code-protected trees, and this development could not be reasonably accommodated on another area of the lot.

CONDITIONS OF APPROVAL

Administrative

1. **Tentative map approval** to subdivide the subject property into three (3) parcels is approved, generally as shown on the vesting tentative map of Ronald Greenwell and Associates dated "February 2011" and received by the Department of Conservation and Development, Community Development Division (CDD) on April 18, 2017. Development and improvements as part of the subdivision are approved as follows:

- Establishment of one (1) well and one (1) water pump each on Parcels-B & -C.
- Abandonment of a 60-foot wide roadway dedication initially offered to the County per Parcel Map "68 PM 29".
- Widening a portion of the existing Hidden Ranch Road right-of-way to a width of 20 feet.
- Installation of a 60-foot Fire District turnaround at the eastern end of the proposed roadway improvements within Hidden Ranch Road.

2. **Tree Permit Approval** is granted to allow the removal of one (1) 90-inch Goodding's Willow Tree.
3. **Exception approval** is granted to allow exception from the County requirements and standards pertaining to "collect and convey".
4. The tentative map and tree permit approvals detailed above are approved based on the following documents:
 - Vesting tentative map of Ronald Greenwell and Associates dated "February 2011" and received by the County on January 5, 2017.
 - Hidden Ranch Road Improvement Plans of Bellecci & Associates INC., received on April 18, 2017.
 - Arborist report of Atlas Tree Services Inc. dated October 25, 2011.
5. The maximum number of lots approved for this subdivision is three (3) parcels.

Approval Duration

6. The tentative map approval described above is granted for a period of three years. Map extensions may be granted for the project subject to proper request for extension and review and approval of the CDD.
7. This application is subject to an initial application deposit of \$4,800, which was paid with the application submittal, plus time and materials 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.

Indemnification

8. 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

9. **At least 45 days prior to filing of the Parcel Map or issuance of a grading or building permit, whichever occurs first**, the applicant shall provide a permit compliance report to the Department of Conservation and Development, Community Development Division (CDD) for review and approval. The report shall identify all conditions of approval that are administered by CDD. The report shall document the measures taken by the applicant to satisfy all relevant conditions. Copies of the permit conditions may be obtained from CDD.

The permit compliance review is subject to staff time and materials charges, with an initial deposit of \$1,000 which shall be paid at the time of submittal of the compliance report.

Grant of Development Rights

10. **Prior to filing of the Parcel Map**, the applicant shall grant deed development rights over the project site to the County. The intent of the grant deed shall be to ensure that the long-term preservation of agricultural uses is preserved on each parcel. The language of the Grant Deed of Development Rights shall be subject to the review and approval of the CDD, and shall at minimum include the following language pertaining to development restrictions:

Plans and Specifications; County Approval. Any and all improvements on the Property will be performed as approved by County or its successor public agency. Grantor shall cause plans and specifications for improvements to be prepared by competent persons legally qualified to do the work and to submit said improvement plans and specifications to County for approval prior to commencement of any work, and shall pay any County improvement plan review and inspection fee. The work shall be done in accordance with County standards in effect at the time improvement plans are submitted for approval or, upon annexation of the Property to any city, in accordance with the applicable city standards. Grantor agrees to commence and complete the work within the time specified by the County.

Development of Property. Development of the Property may occur only in the following manner, subject to Grantor first obtaining all necessary permits and approvals from the County:

- 1.1.1 Upon submittal of an application for a residential building permit on Parcel-A, -B, or -C, a one-acre "home site" envelope shall be designated for each parcel, subject to approval by the Contra Costa County Department of

Conservation & Development Director. The "home site" envelope in each parcel shall be located within a "development" envelope identified for the parcel. The "development" envelope in each parcel spans the full length of the Hidden Ranch Road frontage and is comprised of an area not more than 25 percent of the parcel's net acreage. Both the "home site" and "development" envelopes in each parcel shall abut, but not encroach beyond, the northern edge of the Hidden Ranch Road right-of-way. The approximate location and boundary of the "development" envelope identified for each parcel is depicted on Exhibit A attached hereto.

- 1.1.2 Subject to Paragraph 1.1.1, within the "home site" envelope for Parcel-A, -B, or -C, one residence and appurtenances, such as sheds, swimming pools, pool houses, garages, tennis courts, basketball courts, etc., may be constructed. Wires, lines, pipes, cables, or other facilities providing electrical, gas, water, sewer, communications, energy generation, or other utility services solely to serve the improvements permitted may be installed, maintained, repaired, removed, relocated, and replaced. A Residential Second Unit meeting the requirements of County Ordinance Code Chapter 82-24 may also be constructed within the designated "home site" envelope. A driveway may be located outside of the "home site" envelope, provided that it is located entirely within the identified "development" envelope. Driveways shall be of a design, size, and path of travel which limit the amount of disturbed area, but that also provide a reasonable amount of area needed to safely and efficiently access site improvements and areas of activity.
- 1.1.3 Subject to Paragraph 1.1.1, the remainder of the "development" envelope may be developed with buildings and structures related to agricultural uses as well as leach fields and wells. Buildings and structures related to agricultural uses are generally defined as those used solely for agricultural production on the property, including barns, equipment sheds, and one farmworker housing structure housing up to 6 farmworkers. "Farmworker" shall be defined as an individual, the majority of whose income is cumulatively derived from agricultural activities. The existing well and water pump located in the area of proposed Parcel-A is exempt from this requirement and need not be relocated.

- 1.1.4 The remaining 75 percent of each parcel shall be reserved exclusively for agriculture. Leach fields and wells may be developed in this area only if it is demonstrated that they cannot be established within the "development" envelope.

Trees

11. 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 filing of the Parcel Map or any authorized tree removal, 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 three (3) trees, minimum 24-inch box size, or a comparable planting as determined by the CDD. 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 filing of the Parcel Map or any authorized tree removal, 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.
- d) Duration of Security: **Prior to seeking finalization (final inspection) of permits for the proposed roadway widening**, 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

12. The applicant shall be responsible for all arborist expenses related to the work authorized by this permit.

Childcare Conditions

13. **At least 30 days prior to filing of the Parcel Map or CDD stamp approval of plans for issuance of a building or grading permit, whichever occurs first**, the applicant shall submit a proposed deed disclosure statement for the review and approval of the CDD. The disclosure statement shall advise prospective buyers of Parcels-A, -B, or -C that prior to issuance of a building permit on any parcel that is not occupied by a legal residence; they shall pay a per parcel fee toward childcare facility needs in the area as established by the Board of Supervisors. The current childcare fee is \$400 per parcel. However, the actual fee amount collected will be that which is applicable at the time of building permit issuance. The approved deed disclosure shall be recorded concurrently with the deed for Parcels-A, -B, and -C.

Park Impact

14. **At least 30 days prior to filing of the Parcel Map or CDD stamp approval of plans for issuance of a building or grading permit, whichever occurs first**, the applicant shall submit a proposed deed disclosure statement for the review and approval of the CDD. The disclosure statement shall advise prospective buyers of Parcels-A, -B, and -C that prior to issuance of building permits on any parcel that is not occupied by a legal residence; they shall pay a park impact fee. The current park impact fee is \$6,171.00 per residential unit. However, the actual fee amount collected will be that which is applicable at the time of building permit issuance. The approved deed disclosure shall be recorded concurrently with the deed for Parcels-A, -B, and -C.

Police Services

15. **The following requirements shall be met prior to filing of the Parcel Map or CDD stamp approval of plans for issuance of a building or grading permit, whichever occurs first**, as specified below:
 - A. The applicant shall submit a draft copy of a proposed deed disclosure statement for the review and approval of the CDD. The approved statement shall be used to notify prospective buyers of parcels which are not occupied by existing legally-established residences at the time of filing the Parcel Map, that prior to issuance of a building permit, they will be required to contribute \$1,000.00 to the County for police services mitigation. The fee may be paid to the Contra Costa County Application and Permit Center. The approved deed disclosure shall be recorded concurrently with the deed for Parcels-A, -B, and -C.

- B. **Prior to CDD stamp approval of plans for issuance of a building or grading permit on any parcel that is not occupied by a legal residence;** the applicant shall contribute \$1,000.00 to the County for police services mitigation. The fee shall be paid to the Contra Costa County Application and Permit Center.

Archaeology

16. 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 Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), if deemed necessary. **(CUL-1)**
17. 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 Division 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. **(CUL-2)**
18. 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. **(CUL-3)**
19. Appropriate mitigation of any discovered cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring or mitigation phases shall be properly conserved, catalogued, analyzed, evaluated and curated along with associated documentation in a professional manner consistent with current archaeological standards. **(CUL-4)**

Geology

20. **At least 30 days prior to filing the Parcel Map,** draft language for a proposed deed disclosure shall be submitted to the CDD for review and approval. The purpose of the deed disclosure is for informing future buyers for each parcel of the following:

“Prior to issuance of a building permit for residences or other structural improvements on this site, a design level geotechnical investigation report meeting the requirements of Subdivision Ordinance 94-4.420, shall be submitted for review by the County Peer Review Geologist, and review/approval of the Department of Conservation and Development,

Community Development Division. This report shall include, but not be limited to, deep borings (minimum 40-feet), evaluation of liquefaction potential, and evaluation for potential of expansive soils. Improvement, grading, and building plans shall carry out the recommendations of the approved report."

The approved deed disclosure shall be recorded concurrently with the deeds for Parcels-A, -B, and -C. **(GEO-1)**

Rural Residential Ranchette Criteria

21. **Prior to the filing of the Parcel Map**, the applicant must comply with the following:

- A. Each parcel must have an "on site" producing water well or install a "test well" having a minimum yield of three (3) gallons per minute with bacterial and chemical quality in compliance with the State standards for a pure, wholesome, and potable water supply (Title 22, Section 64433). If the chemical analysis exceeds the State standards for "maximum contaminant levels" for water potability, a statement must be attached and "run with the deed" advising of these levels; **or**
- B. Have verifiable water availability data from adjacent parcels presented by the applicant, or knowledge of the same, known by the Health Services Department concerning water quality and quantity per (A) above; and, have a statement that "attaches and runs with the deed" indicating that a water well shall be installed on the subject parcel complying with the general requirements stated above prior to obtaining a CDD permit for construction.

22. **Prior to the filing of the Parcel Map**, percolation tests must be passed on all lots. The land must be suitable for septic tank use according to the County Ordinance Code criteria and Health Services Department regulations.

23. The applicant shall indicate on the Tentative Subdivision Map the following information for each parcel:

- proposed driveways
- building site
- well site
- leach field site
- provisions for water storage for fire fighting

Homesites shall be designed with a minimum of grading. Where significant grading is needed an acceptable erosion control plan shall be provided. Home siting shall be

reviewed for energy conservation features (building site orientation and feasibility for solar facilities will be considered).

24. Adequate fencing shall be provided to contain domestic animals on the residential parcels with all gates to be closeable by a nearby rancher/farmer when necessary.
25. Exception to any of the above Rural Residential Ranchette Criteria may be considered by the hearing body upon showing, in writing, of unique or unusual circumstances relative to the subject property.

Construction Restriction

26. Contractor and/or developer shall comply with the following construction noise, dust and litter control requirements:
 - A. All construction activities shall be limited to the hours of 7:30 A.M. to 5:30 P.M., Monday through Friday, unless extended construction dates/times have been approved by the Zoning Administrator, and shall be 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/Presidents' Day (State and Federal)
- Lincoln's Birthday (State)
- 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 day the state and federal holidays occur, please visit the following websites:

Federal Holidays: <https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/holidays-work-schedules-and-pay>

California Holidays: <https://www.ftb.ca.gov/aboutFTB/holidays.shtml>

- B. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

- C. 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 and concrete pumps as far away from sensitive receptors as possible.
- D. The applicant shall make a good-faith effort to avoid interference with existing neighborhood traffic flows.
- E. Transporting of heavy equipment and trucks shall be limited to the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday, and is prohibited on state and federal holidays.
- F. Unnecessary idling of internal combustion engines is prohibited.

**PUBLICS WORKS
CONDITIONS OF APPROVAL FOR SUBDIVISION #MS11-0001**

Applicant shall comply with the requirements of Title 8, Title 9, and Title 10 of the Ordinance Code. Any exceptions(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the Vesting Tentative Map submitted to the Department of Conservation and Development, Community Development Division, on April 18, 2017.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE PARCEL MAP.

General Requirements

- 27. 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 there from 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 Community Development Division of the Department of Conservation and Development on February 7, 2011.
- 28. Improvement plans prepared by a registered Civil Engineer shall be submitted, as 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.

Roadway Improvements (Off-Site)

29. Applicant shall pave the first 25 feet of the off-site access road (Hidden Ranch Road), as measured from the existing edge of pavement of Sellers Avenue. The paved roadway entrance will allow vehicles to pull fully completely off of the roadway and still remain in paved surface, as well as prevent dust, gravel, and debris from spilling on to Sellers Avenue.

Private Road (Hidden Ranch Road)

30. Applicant shall construct the on-site roadway to current County private road standards with a minimum traveled width of 20 feet, in accordance with the Policy on Private Rural Road and Driveway Design Standards.
31. Applicant shall provide an adequate turnaround at the terminus of the on-site private road, in accordance with the requirements of the Fire District and the Public Works Department.

Access to Adjoining Property

32. Applicant shall furnish proof to Public Works 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. Applicant shall verify that access rights have been established across the intermediate properties that lie between the subject parcel and Sellers Avenue.

Annexation to Lighting District

33. Applicant shall annex to the Community Facilities District formed for Countywide Street Light Financing (CFD 2010-1).

Utilities/Undergrounding

34. All new utility distribution services shall be installed underground.

Drainage

35. 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 storm waters to an adequate natural watercourse, in accordance with Division 914 of the Ordinance Code.

Exception

The applicant shall be permitted an exception from the collect and convey requirements if the County Ordinance Code due to the large size of the proposed parcels, provided that there are no known drainage problems on-site currently, the existing drainage pattern is maintained, and additional concentrated stormwater runoff is not discharged onto adjacent properties.

Provision "C.3" of the NPDES Permit

36. In compliance with Provision C.3 of the NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance, it has been determined that this project does not require submittal of a Stormwater Control Plan (SWCP). New or redeveloped impervious surface area proposed in this application total less than 10,000 square feet, which is the threshold for submittal of a SWCP. However, this project is required to incorporate stormwater quality elements to the Maximum Extent Practicable (MEP), in accordance with all other provisions of the County Stormwater Management and Discharge Control Ordinance. This must include efforts to limit new impervious surface area, limit directly connected impervious areas, provide for self-retaining areas and include other Best Management Practices to the MEP.

National Pollutant Discharge Elimination System (NPDES)

37. Applicant shall 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, or Central Valley – Region IV).

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:

- Offer pavers for household driveways and/or walkways as an option to buyers.
- Minimize the amount of directly connected impervious surface area.
- Label all storm drains ("No Dumping, Drains to Creek/Bay") using approved 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.

- Trash bins shall be sealed to prevent leakage, or shall be located within a covered enclosure.
- Shallow roadside and on-site swales.
- Distribute public information items regarding the Clean Water Program to buyers.
- Other alternatives comparable to the above, as approved by Public Works.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED FOR THE PURPOSE OF ADVISING THE APPLICANT OF ADDITIONAL REQUIREMENTS TO WHICH THIS PROJECT IS OR MAY BE SUBJECT.

- A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to Government Code Section 66000, et. Seq., the applicant has the opportunity to protest fees, dedications, reservation, 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. The applicant/owner should be aware of the expiration dates and renewing requirements prior to filing the Parcel Map.
- C. The applicant must comply with the requirements of the Health Services Department.
- D. The applicant must comply with the requirements of the East Contra Costa Fire Protection District.
- E. The applicant must comply with the requirements of the Building Inspection Division. Building permits are required prior to the construction of most structures.
- G. Although the Stormwater Control Plan has been determined to be preliminarily complete, it remains subject to future revision, as necessary, during preparation of improvement plans in order to bring it into full compliance with C.3 stormwater requirements. Failure to update the SWCP to match any revisions made in the improvement plans may result in a substantial change to the County approval, and the project may be subject to additional public hearings. Revisions to California

Environmental Quality Act (CEQA) documents may also be required. This may significantly increase the time and applicant's costs associated with approval of the application.

- H. Stormwater management facilities shall be subject to inspection by Public Works Department staff; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.
- I. Applicant shall comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the East County and ECCRFFA/RTDIM Areas of Benefit, as adopted by the Board of Supervisors. These fees must be paid prior to issuance of building permits.