Department of Conservation and Development

County Planning Commission

Wednesday, February 10, 2021 – 6:30 P.M.

STAFF REPORT **Agenda Item #_____**

Project Title:	Appeal of Zoning Administrator's Approval for a Two-Lot Minor Subdivision
County File(s):	#MS19-0007
Applicant:	Campos Development, LLC
Owner:	Same as Applicant
Appellants:	Barbara Spruck and Ryan Kish
Zoning/General Plan:	Single-Family Residential (R-20) Zoning District Single-Family Residential, Low-Density (SL) General Plan
Site Address/Location:	2216 Blackwood Drive, Walnut Creek, CA 94596 APN: 183-172-001
California Environmental Quality Act (CEQA) Status:	A Mitigated Negative Declaration (MND) was prepared for the project indicating no significant environmental impacts.
Project Planner:	Margaret Mitchell, Planner II (925) 674-7804
Staff Recommendation:	Approve (See Section II for Full Recommendation)

I. PROJECT SUMMARY

This is an appeal of the Zoning Administrator's decision to approve a two-lot minor subdivision to subdivide a 42,350-square-foot lot into two parcels (Parcel A: 20,536 square-feet; Parcel B: 22,772 square-feet), including the approval to remove 13 code-protected trees on Parcel A and within the Blackwood Drive public right-of-way and approval of a variance to allow an average width of 110.8 feet for each lot (where 120 feet is required). The project also includes an exception to the Title 9

sidewalk requirements for the subdivision and the requirement for existing overhead utility lines to be relocated underground for Parcel A. The development of a residence is not proposed as a part of this project.

II. RECOMMENDATION

Staff recommends that the County Planning Commission:

A. DENY the appeal and UPHOLD the Zoning Administrator's decision for MS19-0007.

B. FIND that on the basis of the whole record before the County, including the Initial Study and the comments received, that there is no substantial evidence that the project with the proposed mitigation measures will have a significant effect on the environment and that the October 1, 2020, Mitigated Negative Declaration reflects the County's independent judgment and analysis.

C. ADOPT the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan (MMRP) dated October 2020, finding it to be adequate and complete, finding that it has been prepared in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, and finding that it reflects the County's independent judgment and analysis, and specify that the Department of Conservation and Development (located at 30 Muir Road, Martinez, CA) is the custodian of the documents and other material which constitute the record of proceedings upon which this decision is based.

D. APPROVE the proposed Tentative Map (County File #MS19-0007) by ADOPTING the attached findings and conditions of approval.

E. APPROVE the exception to the sidewalk requirements for the subdivision and the underground utility requirements for Parcel A by ADOPTING the attached findings and conditions of approval.

F. APPROVE the tree permit to allow the removal of 13 code-protected trees from Parcel A and the Blackwood Drive public right of way by ADOPTING the attached findings and conditions of approval.

G. APPROVE the variance to allow an average width of 110.8 feet (where 120 feet is required) by ADOPTING the attached findings and conditions of approval.

H. DIRECT staff to file a Notice of Determination with the County Clerk.

III. BACKGROUND

An application for a two-lot subdivision filed on the subject property was submitted on August 2, 2019. On October 1, 2020, a mitigated negative declaration was prepared for the project. During the comment period, 15 letters were received providing concerns regarding trees proposed for removal, impacts to Norris Road (a private road), and understanding the process of the minor subdivision application. The project was scheduled at the December 7, 2020 Zoning Administrator hearing, however, the project description in the notice did not include the requested exception to the underground utility requirement from Title 9 for Parcel A. The project was then re-noticed and continued to the December 21, 2020 Zoning Administrator hearing. The Zoning Administrator opened the public hearing, public comments were heard, and the Zoning Administrator approved the project with modifications to the Conditions of Approval (COA). The language of COA #5 was changed slightly for clarification and the requirement of a tree permit for tree removal on Parcel B was added to COA #12 (formerly #11 on page 9). In order to address privacy concerns from the neighbor at 2244 Blackwood Drive, the Zoning Administrator increased the size of the trees to be planted to 25-gallon size trees in COA #13A and B (formerly #12A and B) and added that the neighbor at 2244 Blackwood Drive shall be allowed to review and comment on the required tree planting plan. Lastly, COA #40 was added to include compliance with the CALGreen debris recovery program.

Staff received one letter on December 30, 2020, appealing the Zoning Administrator's decision to the County Planning Commission.

IV. PROJECT DESCRIPTION

This is an appeal of the Zoning Administrator's decision to approve a two-lot minor subdivision to subdivide a 42,350-square-foot lot into two parcels (Parcel A: 20,536 square-feet; Parcel B: 22,772 square-feet), including the approval to remove 13 code-protected trees on Parcel A and within the Blackwood Drive public right-of-way and approval of a variance to allow an average width of 110.8 feet for each lot (where 120 feet is required). The project also includes an exception to the Title 9

sidewalk requirements for the subdivision and the requirement for existing overhead utility lines to be relocated underground for Parcel A. The development of a residence is not proposed as a part of this project.

Future development of one new single-family residence on Parcel B would be the result of approval of this subdivision, and the new residence would be able to meet all required setbacks. The pavement of Blackwood Drive will be widened to 36 feet within the existing 50-foot right of way. Frontage improvements that will be required include pavement widening, curb and sidewalk to be constructed along the frontage, with the face of the curb to be located 18 feet from the centerline of the right of way, however, the project includes an exception to the sidewalk requirement of Title 9 of the County Code as there are no other sidewalks in this neighborhood. The existing driveway will be redesigned, due to the widening of Blackwood Drive and the steepness of the existing driveway. The Norris Road easement and pavement will be widened to match other portions of Norris Road, and a curb will be constructed at the frontage. A paved turnaround will be added at the termination of the paved portion of Norris Road, which will also provide access to Parcel B. The project also includes an exception to the requirement that overhead utilities shall be relocated underground for Parcel A.

V. APPEAL OF THE ZONING ADMINISTRATOR'S DECISION

On December 30, 2020, Barbara Spruck and Ryan Kish (neighbors at 2154 Norris Road, Walnut Creek) filed an appeal with the Department of Conservation and Development, Community Development Division against the decision of the Zoning Administrator to approve the proposed project. The appeal points have been summarized and addressed below.

A. Summary of Appeal Point #1: There are no zoning maps showing an address at this location and this is not available on any public record.

   Staff Response: The subject property is located within the R-20 zoning district as can be seen in the attached zoning map. The address of the existing residence is 2216 Blackwood Drive. Upon approval of the subdivision, the address for Parcel A will remain the same (2216 Blackwood Drive) and Parcel B will have a Norris Road address since it fronts on Norris Road and will be accessed from Norris Road, which is a private road.

B. Summary of Appeal Point #2: The appellants indicated that they needed a

better understanding of the proposed road access situation and of the variances given this is a privately maintained road.

Staff Response: For the discussion regarding roadway access, see staff's response to appeal point #1 above.

In terms of the variance issue, the existing average width of the subject parcel is 110.8 feet which is less than the required average width of 120 feet required for the R-20 zoning district in which the property is located in. Upon subdividing the property, the average width of the resulting parcels will remain the same at 110.8-feet therefore necessitating the need for a variance to allow the creation of two new parcels (Parcel A and Parcel B) with an average width of 110.8-feet where an average width of 120-feet is required. Since both new parcels will exceed the minimum lot size for the R-20 zoning district, staff has determined that the findings for granting the variance to the average lot width can be made and recommended that the variance be approved, which was approved by the Zoning Administrator. The variance findings are attached.

C. Summary of Appeal Point #3: They would also like clarity on the property owner's responsibility for future maintenance (in conjunction with the existing neighbors).

Staff Response: Norris Road is a private road and has no formal entity or agreement in place to maintain it. In general, the property owners of the parcels fronting Norris Road are responsible for maintenance of private roads. As such, the owner of Parcel B can coordinate with the other property owners along Norris Road regarding the maintenance.

IV. CONCLUSION

The proposed two-lot minor subdivision is consistent with the Single-Family, Low-Density (SL) General Plan land use designation and the Single-Family Residential (R-20) Zoning District. The Zoning Administrator modified COA #12 to address privacy concerns related to tree removal and added COA #40 which requires compliance with the CALGreen debris recovery program. No compelling evidence has been provided by the appellant to overturn the decision of the Zoning Administrator to approve the project. Therefore, staff recommends that the County Planning Commission deny the appeal and approve County File #MS19-0007, based on the attached findings and subject to the attached conditions of approval.

Attachments:

1. Findings and Conditions of Approval
2. Appeal Letter
3. Maps (Parcel Map, General Plan, Zoning, Aerial Photograph)
4. Legal Description of Property
5. ZA Staff Reports
6. Tentative Map
7. PowerPoint Presentation

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #MS19-0007, CAMPOS DEVELOPMENT, LLC (APPLICANT & OWNER)

FINDINGS

A. Growth Management Performance Standards

1. Traffic: Policy 4-c under the Growth Management Program (GMP) requires a traffic impact analysis be conducted for any project that is estimated to generate 100 or more AM or PM peak-hour trips. This minor subdivision will create two new parcels that will result in the future development of a single-family residence for Parcel B. The project will not generate more than 100 peak-hour traffic trips to and from the subject property. Therefore, a traffic impact analysis is not required.

2. Water: The GMP requires new development to demonstrate that adequate water quantity and quality can be provided. The subject property is served by the East Bay Municipal Utility District (EBMUD). In a letter dated August 16, 2019 EBMUD stated that subdivision of the subject property will require a main extension to service the new lot. Separate meters will be required for each lot.

   In another letter dated October 26, 2020, EBMUD provided comments during the comment period of the Mitigated Negative Declaration (MND) in relation to water service, geology, and water conservation. In addition to the water service comments stated above, a minimum 20-foot right-of-way is required for installation of the new water mains.

   An Advisory Note is included in the Conditions of Approval and Advisory Notes whereby the applicant is responsible for contacting EBMUD regarding its requirements and permits.

3. Sanitary Sewer: The GMP requires new development to demonstrate that adequate sanitary sewer quantity and quality can be provided. The subject property is served by the Central Contra Costa Sanitary District. In a letter dated August 12, 2019 the Central Sanitary District stated the project resulting in the construction of one new residence is not expected to produce an unmanageable added capacity demand on the wastewater system. This work will be reviewed by the sanitary district and will be approved prior to issuance of a building permit from the County Building Department.

   An Advisory Note is included in the Conditions of Approval and Advisory Notes

whereby the building plans must receive prior approval and be stamped by the Sanitary District.

4. Fire Protection: The GMP requires that a fire station be within one and one-half miles of development in urban, suburban and central business district area, or requires that automatic fire sprinkler systems be installed to satisfy this standard. The subject property is in the service area of the Contra Costa County Fire Protection District. The applicant will be required to meet applicable Fire District requirements. Further, fire sprinklers will need to be installed in the new single-family residence as required by the Fire District. The District will inspect the roadway improvements, and the plans for the future single-family residence for compliance with its requirements for residential buildings. The future construction of one additional residence will not substantially increase the demand for fire services.

5. Public Protection: The GMP requires that a Sheriff Facility standard of 155 square-feet of station area and support facilities per 1,000 in population shall be maintained within the unincorporated area of the County. The one new single-family residence will not significantly increase population in the area, and therefore, will not significantly increase the demand for police service facilities or personnel. Further, prior to the issuance of building permits, the applicant shall pay a fee of $1,000.00 for residential construction on Parcel B for police services mitigation in the area as established by the Board of Supervisors.

6. Parks and Recreation: The GMP requires three-acres of neighborhood park per 1,000 in population. The one new single-family residence will not significantly increase population in the area, and therefore, will not significantly increase the demand for parks or recreational facilities. Further, prior to the issuance of building permits, the applicant shall pay Park Impact and Park Dedications fees for residential construction on Parcel B. The fees will be used to fund park and recreation improvements in the area as established by the Board of Supervisors.

7. Flood Control and Drainage: The subject property is not within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance Rate Maps.

The project Stormwater Control Plan (SWCP) and drainage improvements 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. Accordingly, no flood control or risk assessment is required.

B. Tentative Parcel Map

The following are required findings for the approval of a tentative map:

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

Project Finding: The subject property is within the Single-Family, Low-Density (SL) General Plan land use designation. The SL designation allows for a residential density between 1.0 and 2.9 single family units per net acre. The 0.9-acre site allows for a development density of 2.7 units per net acre. With approval of the Tentative Map, the project site would have a development density that would be consistent with the SL designation.

The subject property is located in a Single-Family Residential (R-20) Zoning District. The two lots that will be created by the February 25, 2020 Tentative Map are consistent with the lot area (minimum 20,000 square-feet), and lot depth (minimum 120 feet) requirements for the R-20 District, but the lot width for both lots is 110.8 feet (where 120 feet is required) and requires approval of a variance. The attached Tentative Map shows the tentative footprint of one single-family residence for Parcel B. The proposed single-family residence on Parcel B would meet all setback requirements of the R-20 Zoning District.

2. The proposed subdivision fulfills construction requirements.

Project Finding: The minor subdivision will accommodate one new single-family residence with access onto the private street Norris Road. The new residence will not create any significant traffic or circulation impacts. Development on the project site will be required to comply with County storm water requirements, as well as other conditions included in the Conditions of Approval and Advisory Notes. Prior to the issuance of building permits for Parcel B, the applicant will be required to contribute fees for parks and recreation, school districts, and police services.

C. 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 as follows:

1. Reasonable development of the property would require alteration or removal of a code-protected tree, and this development could not be reasonably accommodated on another area of the lot.

2. The arborist report indicates that some of the subject trees are in poor health and cannot be saved.

D. <u>Variance</u>

The following are required findings for the approval of a variance:

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

   <u>Project Finding:</u> The granting of a variance to allow a lot width of 110.8 feet (where 120 feet is required) for both parcels will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located. The configuration of the existing lot is already 110.8 feet in width and will not change with the subdivision of the property. The subject property cannot be subdivided in any other way to allow for the minimum required average width to be met without compromising other requirements. The surrounding lots have all been developed and are typically smaller than the subject property and the two proposed lots. Many of the properties adjacent to and within the vicinity of the subject property are also within the R-20 Zoning District and are substandard in width.

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

   <u>Project Finding:</u> The subject property has an existing width of 110.8. In order to subdivide the lot and meet the minimum requirements of lot size and lot depth, the property must be subdivided in the proposed configuration. As the subject property is surrounded by other developed lots, it is not possible to widen the existing property to meet the required minimum lot width without approval of a lot line adjustment, which would cause the adjacent properties to be substandard in size or width. As mentioned above, many of the surrounding properties within

the R-20 Zoning District are also substandard in width. Thus, strict application of the minimum lot width would deprive the subject property of the rights enjoyed by other properties in the immediate vicinity and within the identical land use district.

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

Project Finding: The intent and purpose of the Single-Family Residential (R-20) land use district is to facilitate orderly development and maintenance of single-family residential neighborhoods. Single-family dwellings are an allowed use on each lot within the R-20 land use district. With the reduced lot width, a single-family residence can be constructed on Parcel B and still meet the required minimum setbacks. Therefore, approval of a reduced lot width meets the intent and purpose of the R-20 land use district.

E. Exceptions

The following are required findings for the approval of exceptions to the requirements of Title 9, Chapter 92-6 and Chapter 96-10:

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

Project Finding: An exception request from the sidewalk requirement was submitted for consideration in conformance with the requirements of Chapter 92-6 of the County Ordinance Code. Improvements have not been required of recent neighboring subdivisions, are not characteristic of the area, and there is no expectation to connect to other sidewalks via the land development process.

Chapter 96-10 of the County Ordinance Code requires all overhead utilities serving the subdivision, as well as existing facilities along the public street frontage, to be relocated underground. The applicant submitted an exception request from this Code requirement citing similar reasoning as with the sidewalk exception discussed above. Underground utilities are not characteristic of the area, and there is no expectation that any other utility lines in the neighborhood will be undergrounded via the land development process. The service lines to the new house on Parcel B will still be required to be installed underground.

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

Project Finding: As mentioned above, there are no other sidewalks in the neighborhood, and other properties also have overhead utility lines. Therefore, not relocating existing overhead utility lines for Parcel A underground, and not requiring sidewalks when they will not connect to any other sidewalks in the neighborhood is necessary for the preservation and enjoyment of a substantial property right of the applicant.

3. *That the granting of the exception will not be materially detrimental to the public welfare or injurious to other people in the territory in which the property is situated.*

Project Finding: The utility lines for the existing residence on Parcel A are currently overhead, and there are not currently any sidewalks in the neighborhood. Therefore, allowing the utility lines for Parcel A to remain overhead, and not requiring sidewalks for the subdivision will not be materially detrimental to the public welfare or injurious to other people in the territory in which the property is situated.

F. Environmental Review

A Mitigated Negative Declaration (MND) identified several potential environmental impacts in the areas of: Air Quality, Tribal/Cultural Resources, Biological Resources, and Mandatory Findings of Significance. The MND was prepared indicating that no significant environmental impacts will be created by the proposed project, with the enforcement of the stated mitigation measures. The MND and corresponding documents were posted for public review on October 9, 2020. The public comment period for accepting comments on the adequacy of the environmental documents extended to October 29, 2020, during which 15 public comment letters were received.

A Mitigation Monitoring and Reporting Program has been prepared, based on the identified significant environmental impacts and mitigation measures in the MND. The mitigation measures in the Mitigation Monitoring and Reporting Program are included in the Conditions of Approval.

CONDITIONS OF APPROVAL FOR COUNTY FILE #MS19-0007:

Project Approval

1. Minor Subdivision and Tentative Parcel Map: The Two-Lot Minor Subdivision is APPROVED, as generally shown and based on the following documents:

- Application and materials submitted to the Department of Conservation and Development, Community Development Division (CDD) on August 2, 2019;

- Revised Tentative Parcel Map for Minor Subdivision MS19-0007 prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020 and received by CDD on March 5, 2020;

- Arborist Report dated September 23, 2019 (and revised December 18, 2019) prepared by Jennifer Tso, Certified Arborist (#WE-10270A), of Traverso Tree Service.

2. Tree Permit: A Tree Permit to allow the removal of 13 code-protected trees (eight (8) from Parcel A and five (5) from within the Blackwood Drive public right of way), is APPROVED, subject to the conditions below.

3. Variance: A variance to allow a lot width of 110.8 feet for both Parcel A and Parcel B (where 120 feet is required) is APPROVED, subject to the conditions below.

4. Exceptions: Exceptions from Title 9 to the sidewalk requirements for both parcels and the underground utility line requirement for Parcel A is APPROVED, subject to the conditions below.

5. Any modifications to the project approved under this permit's Conditions of Approval shall be subject to the review and approval of the CDD.

Application Costs

6. The Minor Subdivision application was subject to an initial deposit of $5,400.00. The application is subject to time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2013/340, where a fee payment is over 60 days past due, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance 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

8. Prior to filing a Parcel Map or at the time of application for a grading or building permit, whichever occurs first, the applicant shall submit an application for a COA Compliance Review and provide a report on compliance with the conditions of approval for the review and approval by the CDD. The fee for this application is a deposit of $1,500.00 that is subject to time and material costs. Should staff costs exceed the deposit, additional fees will be required.

Except for those conditions administered by the Public Works Department, the report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. A copy of the permit conditions of approval may be obtained from the CDD.

Child Care Fee

9. Prior to the issuance of building or grading permits for construction of a single-family residence on Parcel B, the applicant shall pay a fee toward childcare facility needs in the area as established by the Board of Supervisors.

Park Impact and Park Dedication Fees

10. Prior to the issuance of building or grading permits for construction of a single-family residence on Parcel B, the applicant shall pay park impact and park dedication fees as established by the Board of Supervisors.

Police Services Fee

11. Prior to the submittal of building or grading permits for the construction of a single-

family residence on Parcel B, the applicant shall contribute $1,000.00 to the County for police services mitigation as established by the Board of Supervisors.

Tree Removal

12. The 13 trees approved for removal (eight (8) from Parcel A and five (5) from the Blackwood Drive public right of way) shall remain on the property until a building or grading permit for development of the subdivision has been obtained. All future development on both Parcel A and Parcel B shall be subject to the provisions of the County's Tree Protection and Preservation Ordinance. A tree permit will be required for tree removal on Parcel B.

Required Restitution for Approved Tree Removal

13. The following measures are intended to provide restitution for the 13 code-protected trees (eight (8) from Parcel A and five (5) from the Blackwood Drive public right of way) that have been approved for removal:

A. Tree Restitution Planting/Irrigation Plan: Prior to removal of any tree or obtaining a building permit, the applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of CDD. The plan shall provide for the planting of at least **eight (8) 25-gallon size** drought tolerant trees within Parcel A. 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.

   Due to privacy concerns, Staff shall allow the neighbor at 2244 Blackwood Drive to review and comment on the tree planting plan.

B. The tree restitution planting plan shall comply with the requirements of the State Model Water Efficient Landscape Ordinance or County Model Water Efficiency Landscape Ordinance, whichever ordinance applies. Information relating to this ordinance is available at the Application and Permit Center.

   Required Security to Assure the Completion of Plan Improvements: Prior to removal of the trees, the applicant shall submit a security (e.g., bond, cash deposit) that is acceptable to CDD to ensure that the restitution plan is implemented.

   Determination of Security Amount: The security shall provide for a breakdown of all of the following costs:

- A labor and materials estimate for planting the **eight (8) 25-gallon size** draught tolerant trees and related irrigation improvements that may be required, prepared by a licensed landscape architect or landscape contractor.

- An additional 20% of the total of the above amounts to address inflation costs.

C. Initial Fee Deposit for Processing a Security: The County ordinance requires that the applicant pay fees for all staff time and material costs associated with processing a landscape improvement security. At the time of submittal of the security, the applicant shall pay an initial deposit of $200.

D. Duration of Security: The security shall be retained by the County for a minimum of 12 months and up to 24 months following the completion of replanting and construction or grading activity to ensure that the restitution plan is successfully implemented. 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 trees and prepare a report on the planted trees' health and successful implementation of the plan. If CDD determines that the applicant has not been diligent in implementing the plan, then CDD may require that part or all of the security be used to implement the plan.

Arborist Expense

14. The expenses associated with all required arborist services shall be borne by the applicant and/or property owner.

State Model Water Efficient Landscaping Ordinance (WELO)

15. If any landscaping is proposed to be installed during development for Parcel B that equals 500 square-feet or more, prior to issuance of a building permit a Compliance Review application shall be submitted and approved that shows compliancy with the State's Model Water Efficient Landscape Ordinance (WELO).

Construction Period Restrictions and Requirements

16. The applicant shall comply with the following restrictions and requirements:

A. 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 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 information on the calendar dates that these holidays occur, please visit the following websites:

Federal Holidays:
http://www.opm.gov/Operating_Status_Schedules/fedhol

California Holidays:
http://www.sos.ca.gov/holidays.htm

B. Transportation of large trucks and heavy equipment is 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.

C. A good faith effort shall be made to avoid interference with existing neighborhood traffic flows.

D. All internal combustion engines shall be fitted with mufflers that are in good condition and stationary noise-generating equipment such as air compressors shall be located as far away from existing residences as possible.

E. Construction equipment and materials shall be stored onsite.

F. The construction site shall be maintained in an orderly fashion. Litter and debris

shall be contained in appropriate receptacles and shall be disposed of as necessary.

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

MITIGATION MEASURES APPLIED AS ADDITIONAL CONDITIONS OF APPROVAL FOR COUNTY FILE MS19-0007:

The applicant shall implement and complete the Mitigation Measures identified in the Mitigated Negative Declaration and included in the Mitigation Monitoring and Reporting Program, as additional Conditions of Approval for County File MS19-0007:

Air Quality

17. Mitigation Measure AIR-1: The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures 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. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five 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;

G. 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;

H. Post a publicly visible sign with the telephone number and 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 phone number shall also be visible to ensure compliance with applicable regulations.

Biological Resources

18. Mitigation Measure BIO-1: Prior to any earth-moving activity or construction that would occur on-site during the nesting season (February 1 through August 31), the applicant shall have a preconstruction nesting survey conducted by a qualified ornithologist. Nesting surveys must be completed during springtime of the year during which construction will occur in order to avoid potential impacts to nesting birds.

An established buffer shall be fenced with orange construction fencing. A qualified biologist shall periodically monitor the nest site(s) to determine if grading activities occurring outside the buffer zone disturbs the birds, and if the buffer zone should be increased to prevent nest abandonment. No disturbance shall occur within the minimum 300-foot buffer zone for raptors and 50-foot zone for common passerines until a qualified biologist has determined that the young have fledged (left the nest), and are flying well enough to avoid project construction zones, typically by July 15th, but sometimes not until into August.

Any qualified biologist hired to conduct nesting surveys or that monitors any active nests shall have the authority to shut the job down if this is necessary to protect the nesting birds. At the time the ornithologist determines that the young have fledged the nest and that the young are no longer dependent upon the nesting tree, the project may resume without any restrictions for nesting birds. Once the young fledge and the nest is no longer in use, as determined by the ornithologist, any tree that must be removed to accommodate the project may be removed without further requirements for nesting birds. Until such nesting surveys are conducted that confirm or negate this species' presence, impacts to this hawk from reasonably anticipated future development on the remainder parcel are considered potentially significant pursuant to CEQA.

Tribal and Cultural Resources

19. Mitigation Measure CUL-1: The following mitigation measures shall be implemented during project-related ground disturbance and shall be included on all construction plans:

A. If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery should be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations. It is recommended that such deposits be avoided by further ground disturbance activities. If such deposits cannot be avoided, they should be evaluated for their significance in accordance with the California Register of Historical resources;

   If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

B. If human remains are encountered, work within 50 feet of the discovery should be redirected and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to assess the situation. If the human remains are of a Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the property and provide recommendations for the proper treatment of the remains and associated grave goods.

   Upon completion of the assessment, the archaeologist should prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the Northwest Information Center and appropriate Contra Costa agencies.

PUBLIC WORKS CONDITIONS OF APPROVAL FOR COUNTY FILE #MS19-0007:

The applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the

Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the tentative map submitted to the Department of Conservation and Development on March 5, 2020.

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

General Requirements

20. 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 March 5, 2020.

21. The applicant shall submit improvement plans prepared by a registered civil engineer to the Public Works Department and pay appropriate fees in accordance with the County Ordinance and these conditions of approval. The below conditions of approval are subject to the review and approval of the Public Works Department.

Roadway Improvements - Public (Blackwood Drive Frontage)

22. The applicant shall construct curb, 5-foot sidewalk, necessary longitudinal and transverse drainage, pavement widening and transitions along the frontage of Blackwood Drive. Applicant shall construct face of curb 18 feet from the right of way centerline.

<u>Exception (Subject to Advisory Agency findings and approval):</u>

The applicant is granted an exception from installation of sidewalk along the subdivision frontage in that such improvements have not been required of recent neighboring subdivisions, are not characteristic of the area, and there is no expectation to connect to other sidewalks via the land development process.

Any cracked and displaced curb or gutter shall be removed and replaced along the project frontage of Blackwood Drive. Concrete shall be saw cut prior to removal. Existing lines and grade shall be maintained. New curb and gutter shall be doweled into existing improvements.

Roadway Improvements - Private (Norris Road Frontage)

23. The applicant shall construct curb, necessary longitudinal and transverse drainage, pavement widening and transitions along the frontage of Norris Road. Applicant shall construct face of curb 16 feet from the centerline of the existing 30-foot right of way.

24. The applicant shall construct a paved turnaround along the project frontage per County and Fire District standards.

Road Dedications

25. The applicant shall convey to the County, by Offer of Dedication, 25 feet of right of way along the north property line to provide for an ultimate 50-foot-wide right of way for Norris Road. The north property line coincides with the centerline of the existing 30-foot-wide private easement for Norris Road. Additional right of way shall be dedicated to encumber the turnaround area with one foot of additional clearance.

26. The applicant shall convey to all holders of private access and/or utility easement rights over Norris Road between the subject property and Mountain View Boulevard an additional easement to encumber the right of way dedication described above.

27. Dedicate a 6-foot wide Public Access and Utility Easement adjacent to the length of the dedicated right of way along Mountain View Boulevard.

Access to Adjoining Property

<u>Proof of Access</u>

28. Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

<u>Encroachment Permit</u>

29. Applicant shall obtain an encroachment permit from the Application and Permit Center, if necessary, for construction of driveways or other improvements within the right-of-way of Blackwood Drive.

Road Alignment/Intersection Design/Sight Distance

Sight Distance

30. Applicant shall provide sight distance at the intersection of the private driveways with Blackwood Drive and Norris Road 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 these intersections, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at these intersections shall be setback to ensure that the sight line is clear of any obstructions.

Street Lights

31. Applicant shall annex to the Community 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 and existing utility distribution facilities, including those along the frontage of Blackwood Drive. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

Exception (Subject to Advisory Agency findings and approval):

Applicant shall be granted an exception from the undergrounding requirements of the Ordinance Code in that underground utilities are not characteristic of the area, and there is no expectation that any other utility lines in the neighborhood will be undergrounded via the land development process. The service lines to the new house on Parcel B will still be required to be installed underground.

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.

34. The nearest public drainage facility is the existing 24-inch storm drain located along the south side of Blackwood Drive. Applicant shall verify its adequacy prior to discharging run-off to it.

Miscellaneous Drainage Requirements

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

36. The applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

37. A private storm drain easement, conforming to the width specified in Section 914-14.004 of the County Ordinance Code, shall be reserved over the proposed storm drain line traversing Parcel A in favor of Parcel B.

National Pollutant Discharge Elimination System (NPDES)

38. 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 basins) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES permits.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance

39. The applicant will not be subject to the requirements of Provision C.3 of the County Stormwater Management and Discharge Control Ordinance, since the proposed project will not create or replace at least 10,000 square feet of impervious surface. However, this project is subject to all other provisions of the County Stormwater Management and Discharge Control Ordinance (§1014, Ordinance No. 2005-01) and future development applications on the subject parcel may be required to comply with Provision C.3.

Debris Recovery

40. Prior to final inspection, the developer shall demonstrate compliance with the CALGreen debris recovery program, which requires at least 65 percent of the jobsite debris generated by construction to be recycles, or otherwise diverted from landfill disposal.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL, BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90-days of the approval date of this permit.

B. The applicant shall submit building plans to the Building Inspection Division and comply with Division requirements, which include grading and drainage compliance. It is advisable to check with the Division prior to requesting a building permit or proceeding with the project.

C. The applicant is responsible for contacting the Health Services Department Environmental Health Division regarding its requirements and permits.

D. The applicant must submit building plans to the Contra Costa County 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 District.

E. 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.

F. The applicant is responsible for contacting the East Bay Municipal Utility District regarding its requirements and permits.

G. The applicant is responsible for contacting the Contra Costa Mosquito & Vector Control District regarding its requirements and permits.

H. The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central County Area of Benefit as adopted by the Board of Supervisors.

I. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, Bay Delta Region (Region 3), 2825 Cordelia Road, Suite 100, Fairfield, CA 94534, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.

J. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

K. Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and Maintenance Plan prepared in accordance with the latest edition of the S*tormwater 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.

RECEIVED on 12/30/2020 MS19-0007
By Contra Costa County
Department of Conservation and Development

Barbara Spruck / Ryan Kish
415-845-9992; barbspruck@gmail.com

December 30, 2020

Margaret Mitchell, Planner
Contra Costa County Zoning Administrator
30 Muir Road
Martinez, CA 94553

Dear Margaret Mitchell, Planner:

This letter is to officially appeal the approval of the Blackwood Lane Subdivision project / County file # CDMS19-00007 approved at the December 21, 2020 hearing.

The neighbors expressed concerns during this meeting and via writing. Several neighbors will be adversely affected by the additional property entrance on Norris Road – as this is a privately maintained road, as outlined by the additional information / unanswered questions below:

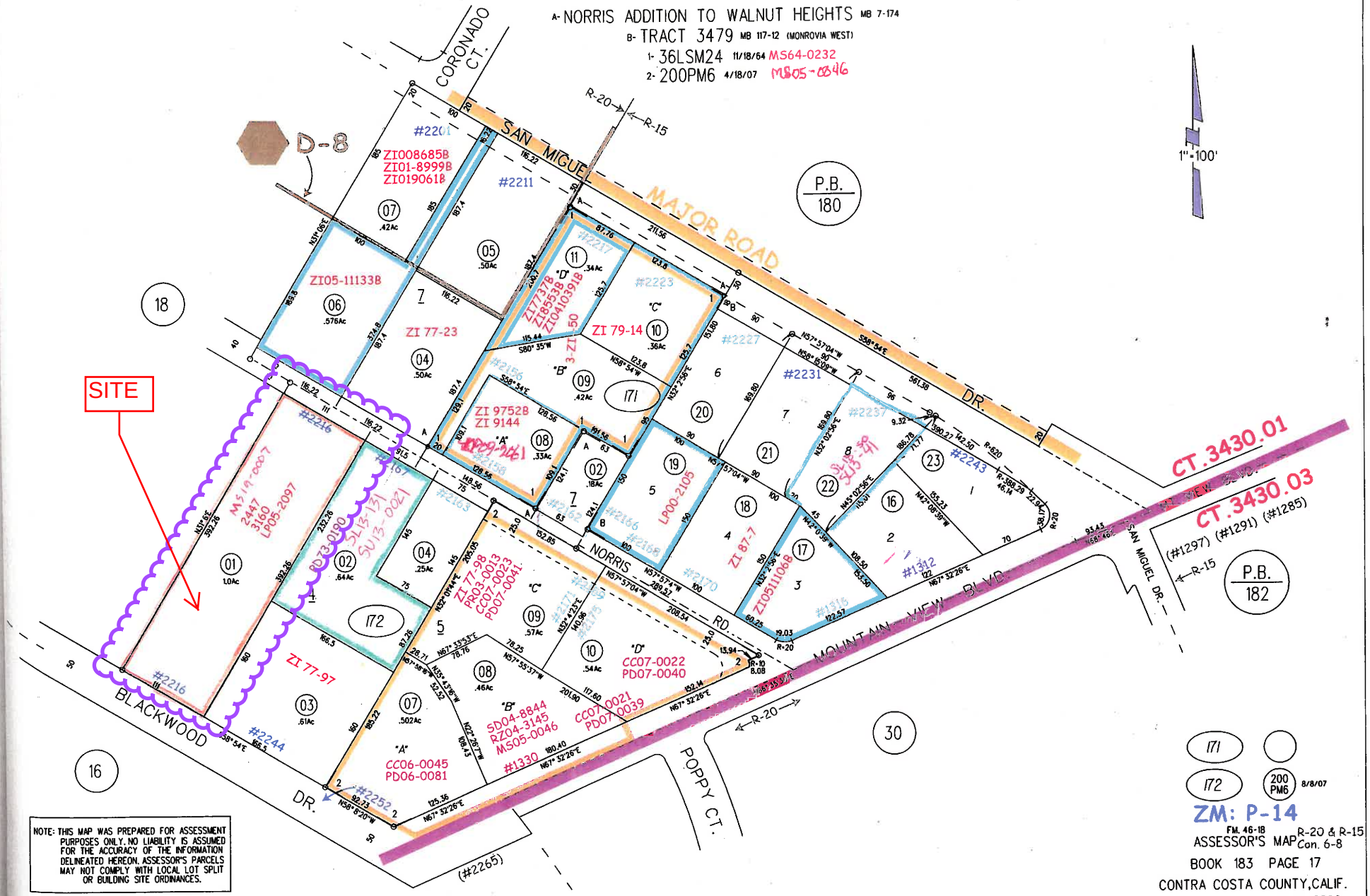
- Lack of a zoning map that shows an address / entry via Norris Road (a private road) – for the Blackwood Lane property. This is not available on any public record at this time.
- Comprehensive understanding of road access / variances given this is a privately maintained road.
- Clarity on the additional Blackwood Lane property's responsibility for future maintenance (in conjunction with the existing neighbors).

We look forward to working towards a more mutually agreeable solution.

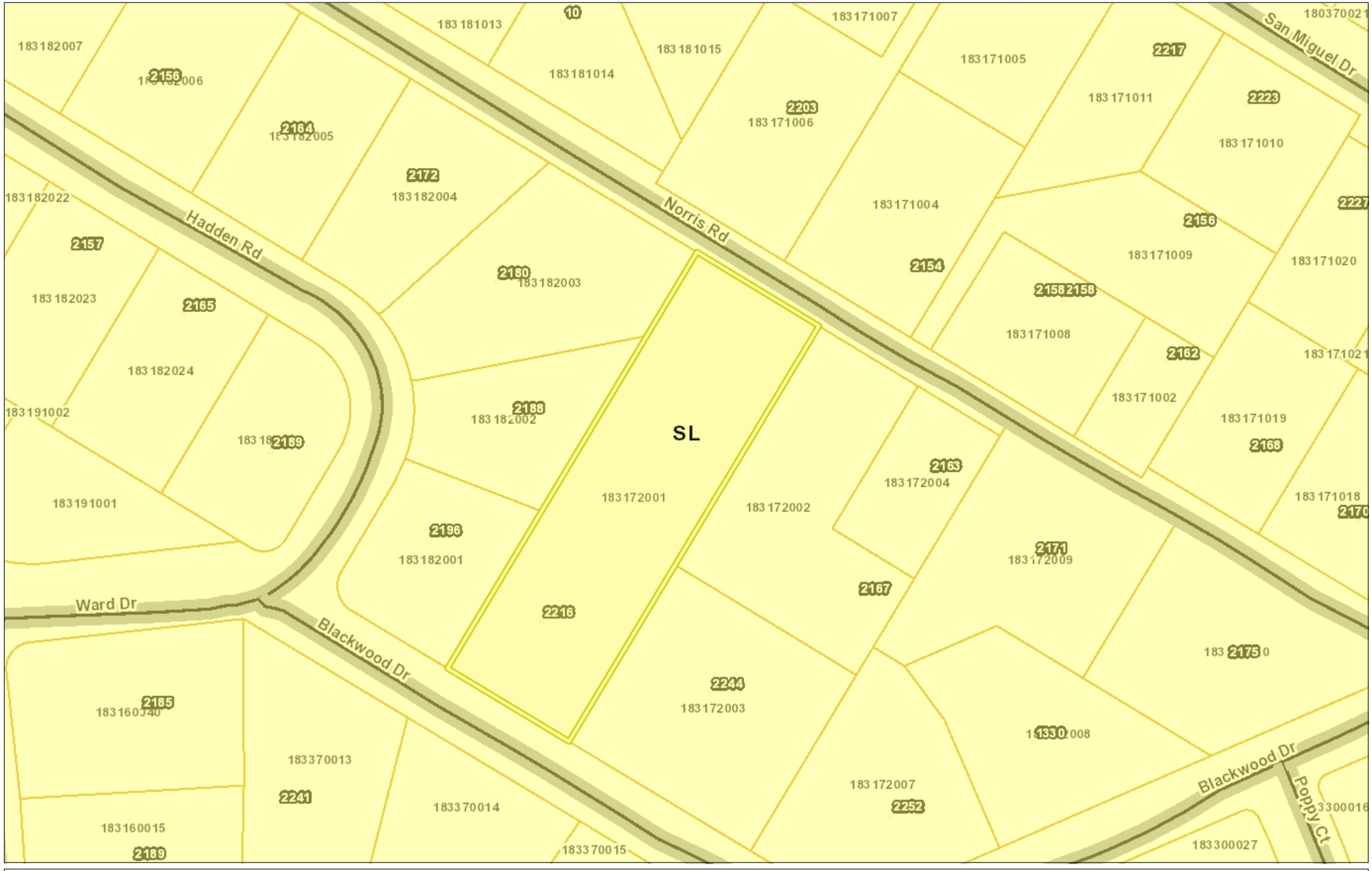
Regards,

Barbara Spruck, Ryan Kish
(and additional Norris Road neighbors outlined on the hearing notes)

A- NORRIS ADDITION TO WALNUT HEIGHTS MB 7-174
B- TRACT 3479 MB 117-12 (MONROVIA WEST)
1- 36LSM24 11/18/64 MS64-0232
2- 200PM6 4/18/07 MS05-0046



General Plan: Single-Family Residential, Low-Density (SL)



Legend

General Plan

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- MV (Multiple Family Residential - V
- MS (Multiple Family Residential - V
- CC (Congregate Care/Senior Housi
- MO (Mobile Home)
- M-1 (Parker Avenue Mixed Use)
- M-2 (Downtown/Waterfront Rodeo I
- M-3 (Pleasant Hill BART Mixed Use
- M-4 (Willow Pass Road Mixed Use)
- M-5 (Willow Pass Road Commercia
- M-6 (Bay Point Residential Mixed U
- M-7 (Pittsburg/Bay Point BART Sta
- M-8 (Dougherty Valley Village Cent
- M-9 (Montalvin Manor Mixed Use)
- M-10 (Willow Pass Business Park M
- M-11 (Appian Way Mixed Use)
- M-12 (Triangle Area Mixed Use)
- M-13 (San Pablo Dam Road Mixed
- M-14 (Heritage Mixed Use)
- CO (Commercial)
- OF (Office)
- BP (Business Park)
- LI (Light Industry)
- HI (Heavy Industry)
- AL, OIBA (Agricultural Lands & Off
- CR (Commercial Recreation)
- ACO (Airport Commercial)
- LF (Landfill)
- PS (Public/Semi-Public)
- PR (Parks and Recreation)
- OS (Open Space)
- AL (Agricultural Lands)

1: 1,128

0.0 0 0.02 0.0 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

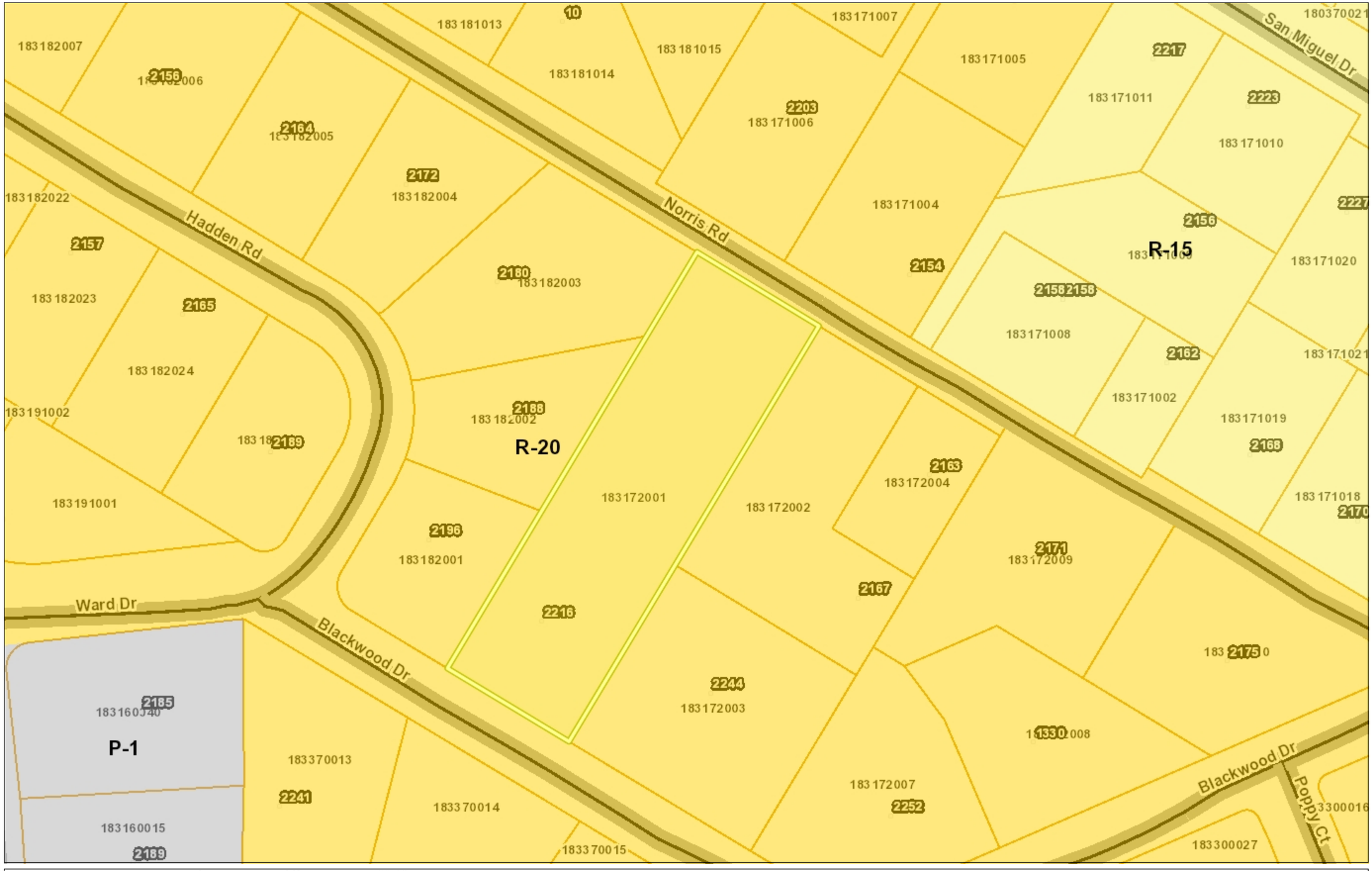
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

Zoning: Single-Family Residential (R-20)



Legend

Zoning

- R-6 (Single Family Residential)
- R-6, -FH -UE (Single Family Resid Urban Farm Animal Exclusion Com
- R-6 -SD-1 (Single Family Resident Hillside Development Combining Di
- R-6 -TOV -K (Single Family Reside View Ordinance and Kensington Co
- R-6, -UE (Single Family Residential Exclusion Combining District)
- R-6 -X (Single Family Residential - Combining District)
- R-7 (Single Family Residential)
- R-7 -X (Single Family Residential - Combining District)
- R-10 (Single Family Residential)
- R-10, -UE (Single Family Residenti Exclusion Combining District)
- R-12 (Single Family Residential)
- R-15 (Single Family Residential)
- R-20 (Single Family Residential)
- R-20, -UE (Single Family Residenti Exclusion Combining District)
- R-40 (Single Family Residential)
- R-40, -FH -UE (Single Family Resic Urban Farm Animal Exclusion Com
- R-40, -UE (Single Family Residenti Exclusion Combining District)
- R-65 (Single Family Residential)
- R-100 (Single Family Residential)
- D-1 (Two Family Residential)
- D-1 -T (Two Family Residential - Tr District)
- D-1, -UE (Planned Unit - Urban Far Combining District)
- M-12 (Multiple Family Residential)
- M-12 -FH (Multiple Family Resident Combining District)
- M-17 (Multiple Family Residential)
- M-29 (Multiple Family Residential)
- F-R (Forestry Recreational)
- F-R -FH (Forestry Recreational - Fl District)
- F-1 (Water Recreational)
- F-1 -FH (Water Recreational - Floo District)
- A-2 (General Agriculture)
- A-2, -BS (General Agriculture - Boa District)

1: 1,128

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WGS_1984_Web_Mercator_Auxiliary_Sphere

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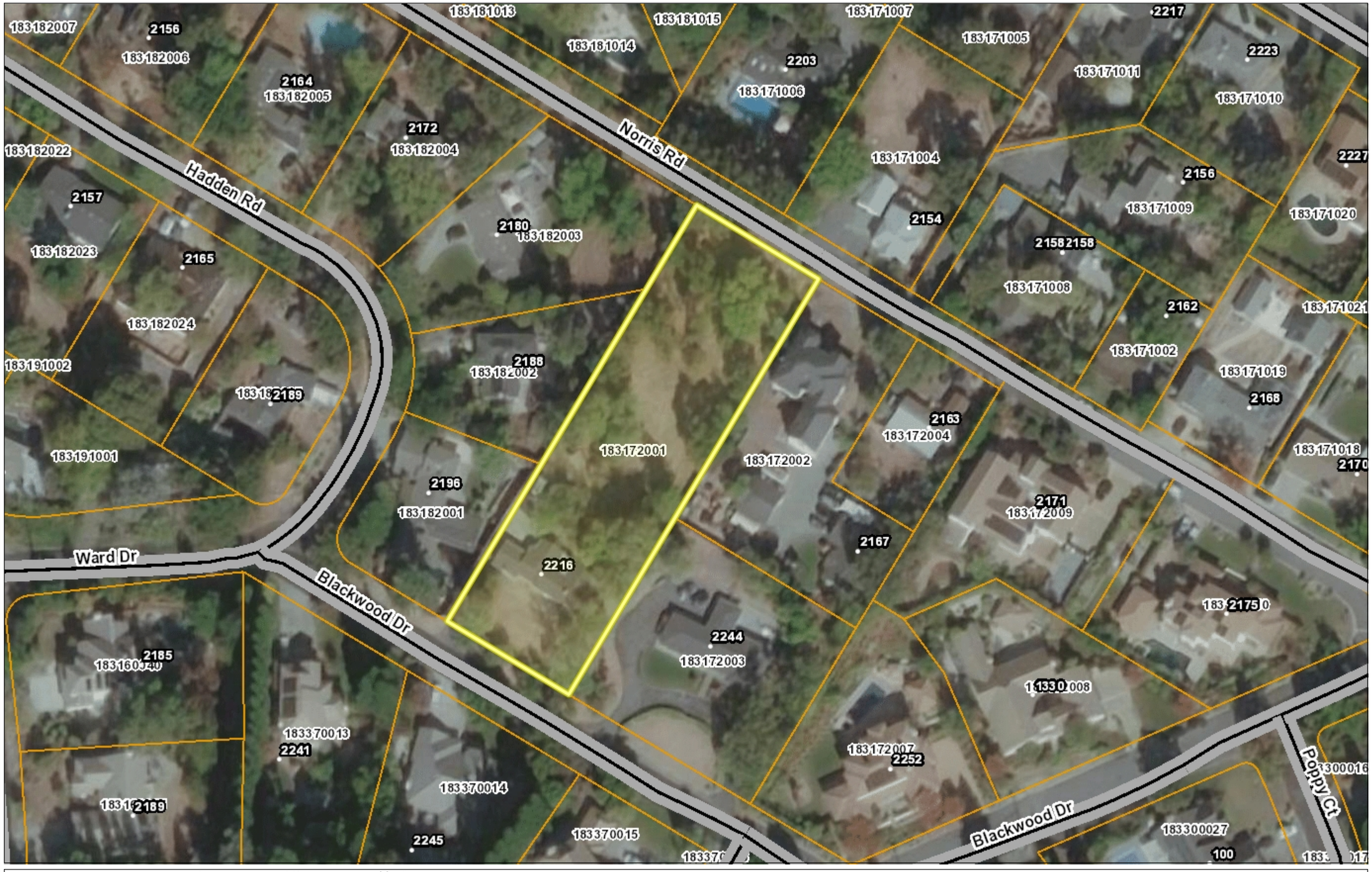
Notes

Contra Costa County -DOIT GIS

MS19-0007 Aerial Photograph



Legend

- Address Points
- Streets
- Assessment Parcels
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 1,128

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WGS_1984_Web_Mercator_Auxiliary_Sphere

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Notes

Contra Costa County -DOIT GIS

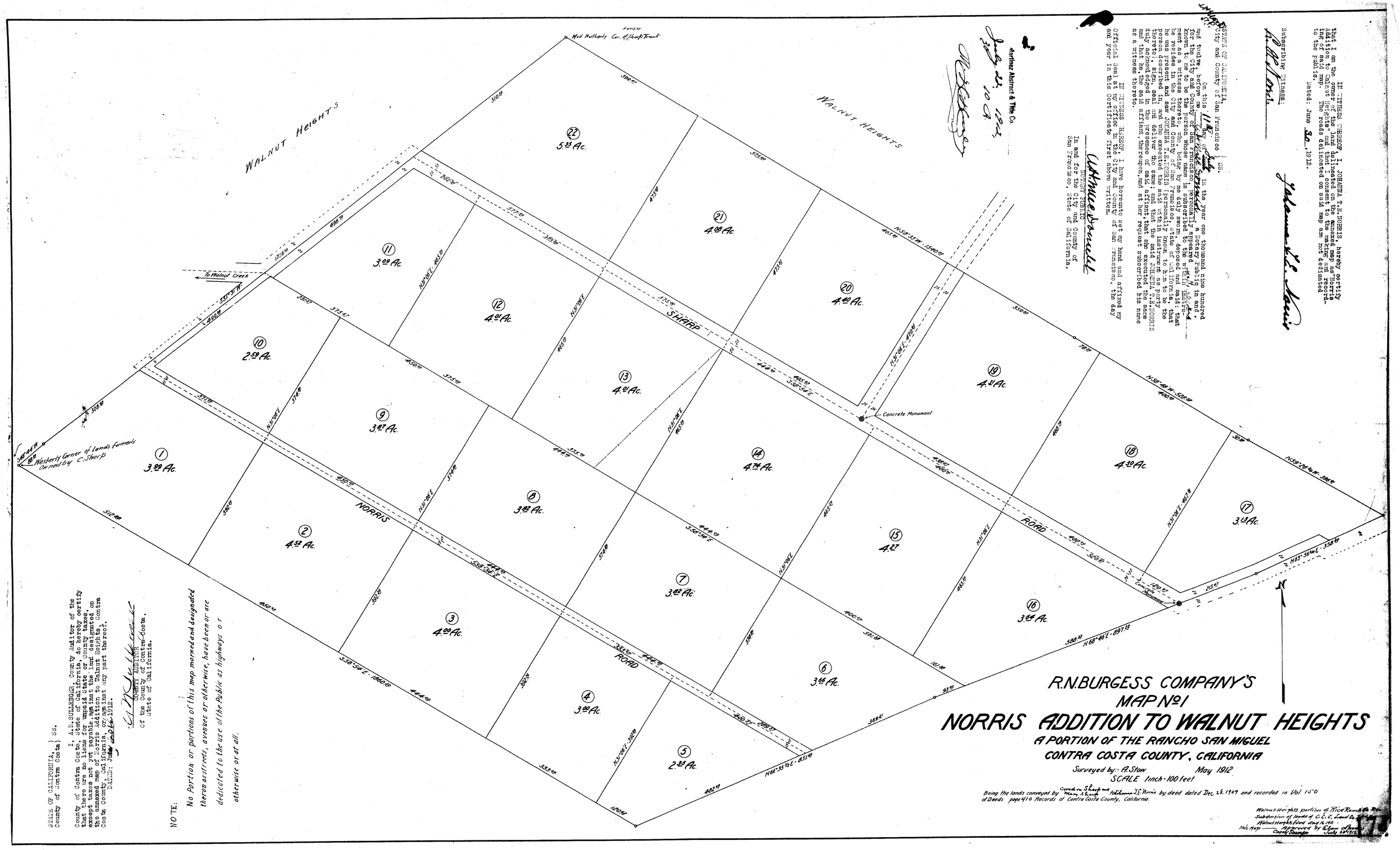
EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 183-172-001

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PORTION OF LOT 4, AS DESIGNATED ON THE MAP ENTITLED "R N BURGESS COMPANY'S MAP NO 1, NORRIS ADDITION TO WALNUT HEIGHTS, A PORTION OF THE RANCHO SAN MIGUEL, CONTRA COSTA COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, CALIFORNIA, ON JULY 22, 1912 IN VOLUME 7 OF MAPS, AT PAGE 174, CONTAINING ONE ACRE, MORE OR LESS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING IN THE CENTER LINE OF NORRIS ROAD, DISTANT THEREON NORTH 58° 54' WEST 166.5 FEET FROM THE LINE BETWEEN LOTS 4 AND 5, SAID POINT BEING THE MOST NORTHERLY CORNER OF THE 1.5 ACRE PARCEL OF LAND DESCRIBED IN DEED FROM OAKLAND AND ANTIOCH LAND CO. TO WILLIAM F. WHITEMAN DATED JANUARY 20, 1917 AND RECORDED IN VOLUME 287 OF DEEDS AT PAGE 396, THENCE FROM SAID POINT OF BEGINNING NORTH 58° 54' WEST ALONG SAID CENTER LINE 111 FEET TO THE SOUTHEAST LINE OF THE 0.50 OF AN ACRE PORTION OF LOT 4, DESCRIBED IN DEED FROM WESTERN GROUP SECURITIES COMPANY TO GUY L. PUTNAM, ET AL, DATED MARCH 27, 1925 AND RECORDED APRIL 2, 1925 IN VOLUME 484 OF DEEDS, AT PAGE 370, THENCE SOUTH 31° 06' WEST ALONG SAID LINE 392.28 FEET TO THE SOUTHWEST LINE OF LOT 4, THENCE SOUTH 58° 54' EAST ALONG SAID LINE 111 FEET TO THE NORTHWEST LINE OF THE SAID WHITMAN PARCEL (287 D 396) THENCE NORTH 31° 06' EAST ALONG SAID LINE 392.26 FEET TO THE POINT OF BEGINNING.



STATE OF CALIFORNIA, } SS.
City and County of San Francisco

On this 11th day of July in the year one thousand nine hundred and twelve before me, Jessie M. Ehrenfried, a Notary Public in and for the City and County of San Francisco, State of California, duly commissioned and sworn, known to me to be the person whose name is subscribed to the within instrument as a witness thereto, who, being by me duly sworn, deposed and said: that he resides in the City and County of San Francisco, State of California; that he was present and saw Jahanna L. Morris, personally known to him to be the person described in and who executed the within instrument as a party thereto, sign, seal and deliver the same; and that the said Johanna L. Morris duly acknowledged in the presence of said affiant, that she executed the same and that he, the said affiant, thereupon, and at her request subscribed his name as a witness thereto.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year in this certificate first above written.

Jessie M. Ehrenfried
NOTARY PUBLIC
In and for the City and County of San Francisco, State of California.

Martinez Abstract & Title Co.
July 22, 1912
10 A.

STATE OF CALIFORNIA, } SS.
County of Contra Costa

I, A.H. SULLENGER, County Auditor of the County of Contra Costa, State of California, do hereby certify that there are no liens for unpaid State or County taxes, except taxes not yet payable against the land designated on the amended map of Norris Addition to Walnut Heights, the amended map of which is filed in the office of the County Clerk, Contra Costa County, California, or any part thereof.
DATED: July 22nd 1912.

A. H. Sullenger
County Auditor
Of the County of Contra Costa,
State of California.

NOTE:

No portion or portions of this map marked and designated thereon as streets, avenues or otherwise, have been or are dedicated to the use of the Public as highways or otherwise or at all.

7M174

Department of Conservation and Development

County Zoning Administrator

Monday, December 7, 2020 – 1:30 P.M.

STAFF REPORT **Agenda Item #_____**

Project Title:	Two-Lot Minor Subdivision
County File(s):	#MS19-0007
Applicant:	Campos Development, LLC
Owner:	Same as Applicant
Zoning/General Plan:	Single-Family Residential (R-20) Zoning District Single-Family Residential, Low-Density (SL) General Plan
Site Address/Location:	2216 Blackwood Drive, Walnut Creek, CA 94596 APN: 183-172-001
California Environmental Quality Act (CEQA) Status:	A Mitigated Negative Declaration (MND) was prepared for the project indicating no significant environmental impacts.
Project Planner:	Margaret Mitchell, Planner I (925) 674-7804
Staff Recommendation:	Continue to December 21, 2020

I. PROJECT SUMMARY

The applicant requests approval of a two-lot minor subdivision to subdivide a 42,350-square-foot lot into two parcels (Parcel A: 20,536 square-feet; Parcel B: 22,772 square-feet). This subdivision includes a request for approval of a tree permit to remove 25 code-protected trees and requests approval of a variance to allow an average width of 110.8 feet for each lot (where 120 feet is required). The project also includes an exception from Title 9 to the sidewalk requirements and to the underground utility line requirement for Parcel A.

II. BACKGROUND

A public notice was sent to properties within 300 feet of the subject property for the December 7, 2020 Zoning Administrator hearing. The project description in the notice did not include the requested exception to the underground utility requirement from Title 9 for Parcel A; therefore, Staff recommends that the project be re-noticed and continued to the December 21, 2020 Zoning Administrator hearing.

Department of Conservation and Development

County Zoning Administrator

Monday, December 21, 2020 – 1:30 P.M.

STAFF REPORT **Agenda Item #_____**

Project Title:	Two-Lot Minor Subdivision
County File(s):	#MS19-0007
Applicant:	Campos Development, LLC
Owner:	Same as Applicant
Zoning/General Plan:	Single-Family Residential (R-20) Zoning District Single-Family Residential, Low-Density (SL) General Plan
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Project Planner:	Margaret Mitchell, Planner II (925) 674-7804
Staff Recommendation:	Approve (See Section II for Full Recommendation)

I. PROJECT SUMMARY

The applicant requests approval of a two-lot minor subdivision to subdivide a 42,350-square-foot lot into two parcels (Parcel A: 20,536 square-feet; Parcel B: 22,772 square-feet). This subdivision includes a request for approval to remove 25 code-protected trees and requests approval of a variance to allow an average width of 110.8 feet for each lot (where 120 feet is required). The project also includes an exception to the Title 9 sidewalk requirements for the subdivision and the requirement for existing overhead utility lines to be relocated underground for Parcel A. The development of a residence is not proposed as a part of this project.

II. RECOMMENDATION

Staff recommends that the Zoning Administrator:

A. FIND that on the basis of the whole record before the County, including the Initial Study and the comments received, that there is no substantial evidence that the project with the proposed mitigation measures will have a significant effect on the environment and that the October 1, 2020, Mitigated Negative Declaration reflects the County's independent judgment and analysis.

B. ADOPT the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan (MMRP) dated October 2020, finding it to be adequate and complete, finding that it has been prepared in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, and finding that it reflects the County's independent judgment and analysis, and specify that the Department of Conservation and Development (located at 30 Muir Road, Martinez, CA) is the custodian of the documents and other material which constitute the record of proceedings upon which this decision is based.

C. APPROVE the proposed Tentative Map (County File #MS19-0007) by ADOPTING the attached findings and conditions of approval.

D. APPROVE the exception to the sidewalk requirements for the subdivision and the underground utility requirements for Parcel A by ADOPTING the attached findings and conditions of approval.

E. APPROVE the tree permit to allow the removal of 13 code-protected trees from Parcel A and the Blackwood Drive public right of way by ADOPTING the attached findings and conditions of approval.

F. APPROVE the variance to allow an average width of 110.8 feet (where 120 feet is required) by ADOPTING the attached findings and conditions of approval.

G. DIRECT staff to file a Notice of Determination with the County Clerk.

III. GENERAL INFORMATION

A. General Plan: The subject property is located within the Single-Family Residential, Low-Density (SL) General Plan Land Use designation.

B. Zoning: The subject property is located within a Single-Family Residential (R-20) Zoning District.

C. California Environmental Quality Act (CEQA): A Mitigated Negative Declaration (MND) identified several potential environmental impacts in the areas of: Air Quality, Biological Resources, Tribal/Cultural Resources, and Mandatory Findings of Significance. The MND was prepared indicating that no significant environmental impacts will be created by the proposed project, with the enforcement of the stated mitigation measures. The MND and corresponding documents were posted for public review on October 9, 2020. The public comment period for accepting comments on the adequacy of the environmental documents extended to October 29, 2020, during which 15 public comment letters were received. These comments are expanded on in the Public Comments section of this Staff Report. A Mitigation Monitoring Reporting Program (MMRP) is available for the project and the applicant has agreed to all of the mitigations. All of the mitigations are herein incorporated as conditions of approval.

D. Previous Applications:

a. LP05-2097: A Land Use Permit for a home occupation to allow administrative work for a nurse recruiting business.

IV. SITE/AREA DESCRIPTION

The subject property is within an established neighborhood that is primarily within the R-20 Residential Zoning District, with a small portion of properties in an R-15 Zoning District to the east and a small portion of properties within a P-1 Zoning District to the southwest. Interstate 680 is located approximately 0.6 miles to the west, and the City of Walnut Creek is approximately 570 feet to the northeast and 1,700 feet to the southwest of the subject property.

The subject property is a gently sloped lot located between Blackwood Drive and Norris Road in the unincorporated area of Walnut Creek, with Parcel A fronting

Blackwood Drive, a public road, and Parcel B fronting Norris Road, a private road. The property slopes more steeply from the existing residence located on Parcel A down to Blackwood Drive. Blackwood Drive has a pavement width of approximately 23 feet within a 50-foot right of way. Norris Road provides access to Mountain View Boulevard to the southeast and has a right of way of approximately 30 feet. The pavement ends at the subject property where the easement is chained off. The pavement resumes 800 feet to the northwest, where Norris Road provides access to San Miguel Drive. Portions of the Norris Road private road easement were widened as part of MS05-0046, where the pavement was also widened and curbs were constructed along the frontage. An existing residence is located on Parcel A and is to remain with no proposed modifications.

VI. PROJECT DESCRIPTION

The applicant requests approval of a tentative map for a minor subdivision that proposes to subdivide a 42,350-square-foot lot into two parcels (Parcel A: 20,536 square-feet; Parcel B: 22,772 square-feet). Parcel A will have a depth of 180.98 feet and an average width of 110.8 feet, and Parcel B will have a depth of 184.85 feet and an average width of 110.8 feet. This subdivision includes a request for approval of a Tree Permit to remove 25 code-protected trees to allow for the future construction of a new residence on Parcel B, for the widening of Blackwood Drive, and due to the poor health of some of the trees. The subdivision also requests approval of a variance to allow an average width of 110.8 feet for each lot (where 120 feet is required).

Future development of one new single-family residence on Parcel B would be the result of approval of this subdivision, and the new residence would be able to meet all required setbacks. The pavement of Blackwood Drive will be widened to 36 feet within the existing 50-foot right of way. Frontage improvements that will be required include pavement widening, curb and sidewalk to be constructed along the frontage, with the face of the curb to be located 18 feet from the centerline of the right of way, however, the project includes an exception to the sidewalk requirement as there are no other sidewalks in this neighborhood. The existing driveway will be redesigned, due to the widening of Blackwood Drive and the steepness of the existing driveway. The Norris Road easement and pavement will be widened to match other portions of Norris Road, and a curb will be constructed at the frontage. A paved turnaround will be added at the termination of the paved portion of Norris Road, which will also provide access to Parcel B. The project also includes an exception to the requirement that overhead utilities shall be relocated underground for Parcel A.

VII. AGENCY COMMENTS

A. Department of Conservation and Development, Building Inspection Division: In a returned Agency Comment Request form dated July 23, 2019, Building Inspection staff did not have any comments.

B. Department of Conservation and Development, Advanced Planning Division: In a returned Agency Comment Request form dated August 6, 2019, Advanced Planning staff had no comments.

C. Department of Conservation and Development, Housing Programs: In a returned Agency Comment Request form dated August 13, 2019, Housing staff stated that the project is not subject to the County's Inclusionary Housing Ordinance and that the site is not listed in the County's Housing Element Sites Inventory.

D. Public Works Department, Engineering Services Division (PWD): In a memo dated March 31, 2020, PWD staff provided their analysis of the project and conditions of approval. All PWD recommended conditions of approval have been incorporated into this project. See the attached memo for details on PWD staff comments.

E. Public Works Department, Traffic Division: In a returned Agency Comment Request form dated September 8, 2019, Traffic staff commented that as Parcel B will gain access from Norris Road and Norris Road is a private road at this location and not a through road, have right of access of private Norris Road been established.

F. Public Work Department, Flood Control District: In an email dated August 26, 2019, Flood Control staff commented that the subject property is located in the unformed Drainage Area 49, so no drainage fees are due, and that Flood Control staff do not have any comments at this time.

G. Contra Costa Health Services Department, Environmental Health Division: In a letter dated August 29, 2019, Environmental Health staff advised that prior issuance of Environmental Health permits are required for any well or soil boring activity, and for the removal of abandoned wells or septic tanks. It is recommended that the parcels be served by public sewer and public water.

Construction debris and hazardous materials must be disposed of at an appropriate facility meeting applicable requirements. See the attached letter for additional details on these comments.

H. Contra Costa County Fire Protection District (CCCFPD): In a letter dated August 28, 2019, Fire District staff stated that access shall comply with Fire District requirements, the project may require the installation of an approved Fire District turnaround, the developer shall provide an adequate and reliable water supply for fire protection, and any development shall be subject to the review and approval of the fire district. Please refer to the attached letter for the details of their comments and additional requirements.

I. Central Contra Costa Sanitary District (Central San): In an email dated August 12, 2019, Central San staff advised that the subject property is within their service boundary and is currently receiving sanitary sewer service. The new proposed unit would not be expected to produce an unmanageable added capacity demand on the wastewater system, nor interfere with existing facilities. See the attached email for details on Central San staff comments.

J. East Bay Municipal Utility District (EBMUD): In a letter dated August 16, 2019, EBMUD staff stated that once the property is subdivided, separate meters for each lot will be required. A main extension at the project sponsor's expense will be required to serve the proposed development. The project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine the costs and conditions of providing water service to the development. See the attached letter for additional EBMUD staff comments.

In another letter dated October 26, 2020, EBMUD provided comments during the public comment period of the Mitigated Negative Declaration (MND) in relation to water service, geology, and water conservation. In addition to the water service comments stated above, a minimum 20-foot right-of-way is required for installation of the new water mains. EBMUD's New Business Office can provide a water service estimate to determine the costs and conditions of providing additional water service. Engineering and installation of water mains and services require substantial lead time and should be considered in the overall development schedule of the future residences.

K. Contra Costa Mosquito & Vector Control District: In a returned agency comment request form dated August 8, 2019, Vector Control District staff

stated that at no time should any aspect of the project or property produce, harbor, or maintain vectors or other nuisances.

VIII. ENVIRONMENTAL REVIEW

A CEQA Initial Study was prepared for the project. The Initial Study identified potentially significant impacts in the areas of air quality, biological resources, cultural resources, and tribal cultural resources, and it includes mitigation measures to reduce the impacts to a less-than-significant level. The public review comment period for the Initial Study extended from October 9, 2020 until October 29, 2020, during which 15 letters were received from neighbors within the vicinity of the subject property in opposition to the project. Two additional letters were received after the conclusion of the public comment period. Following are the staff responses to the comments received.

A. Daniel Speir – 2180 Hadden Road, Walnut Creek

Comment: Mr. Speir will be sharing a fence with the new property designated as Parcel B. The elevation of the parcel is higher than their property and the new residence will look down into their backyard. In order to maintain as much privacy as possible, Mr. Speir requests that trees #31 and #33 not be removed. They also request that the developer replace the fence separating the properties with a new taller fence.

Staff Response: Trees #31 and #33 are proposed for removal by the arborist due to their close proximity to the tentative storm drain location on Parcel B, however, the removal of these trees is not recommended for approval at this time. A separate tree permit will be required when the construction of a single-family residence on Parcel B is proposed. Installation of a privacy fence is not a requirement of the minor-subdivision.

B. Barbara Spruck and Ryan Kish – 2154 Norris Road, Walnut Creek

Comment: Ms. Spruck and Mr. Kish are in strong opposition to the project. They asked the following questions:

- Clearly outline the process for reviewing this proposal. Is it reviewed at only one meeting and a final decision will be made?
- Who makes the final decision on approval or revisions to this plan?
- Will the concerned neighbors have future/additional opportunity to

express their concerns and have the broader committee address them?

- Who approves the authorization to allow one home (on a different road) to access/create a front entry to this new home on an existing private road?
- As a private road, who manages the maintenance in the future once the extensions are complete? Will the county then manage future repairs/maintenance? Will it then no longer be considered a private road?

Staff Response: An email response was sent to Ms. Spruck and Mr. Kish in response to their questions. The project is subject to a public hearing before the Zoning Administrator, during which public testimony will be heard. The Zoning Administrator will render a decision regarding the approval of the minor subdivision, followed by a ten-day appeal period. If the decision is appealed, the project will be subject to a public hearing before the County Planning Commission. The County Planning Commission will render a decision, followed by a 10-day appeal period. If the County Planning Commission decision is appealed, the project will be subject to a public hearing before the Board of Supervisors. The Board of Supervisors renders the final decision.

The subject property currently fronts both Blackwood Drive and Norris Road, although Blackwood Drive functions as the primary front to the existing residence on proposed Parcel A. With approval of the minor-subdivision, Blackwood Drive would front Parcel A only, and Norris Road would front Parcel B only. Although approval of the minor subdivision would require improvements to Norris Road on the subject property and within the private road easement in front of the subject property, Norris Road would remain a private road.

C. Dan and Kelly Schoenberg – 2158 Norris Road, Walnut Creek

Comment: Although Mr. and Mrs. Schoenberg live across the street, they did not receive notice of the proposed project. They would like to understand their rights as a Norris Road property owner. The project will disrupt them in a major way and they strongly oppose the project.

Staff Response: An email response was sent to Mr. and Mrs. Schoenberg regarding their questions. A Notice of Public Review for the Initial Study was mailed to the adjacent property owners and occupants. The public hearing

notice for the Zoning Administrator hearing was mailed to properties within a 300-foot radius of the subject property. The hearing before the Zoning Administrator is a public hearing during which testimony may be heard and considered in the rendering of a decision.

D. Daniel Sanom – 2175 Norris Road, Walnut Creek
Kimberly J. Rotticci – 2154 Norris Road, Walnut Creek
Jon Jones and Allison Kenney – 2244 Blackwood Drive, Walnut Creek
Darcy Wallace – 2167 Norris Road, Walnut Creek
Ryan Kish – 2154 Norris Road, Walnut Creek
Allison Kenney – 2244 Blackwood Drive, Walnut Creek
Sharon Heath Dauer – 2167 Norris Road, Walnut Creek
Valentina and Yevgeny German – 2171 Norris Road, Walnut Creek

Comment: The neighbors listed above would like to understand their rights as a property owners/long term property tenants. The project will disrupt the neighborhood in many ways and they strongly oppose the project. They would like to know how the process will work since many of the neighbors are concerned; they want to make sure there will be an opportunity to make their voices heard and they have many more questions that need to be answered before this is approved.

Staff Response: An email response was sent to each neighbor listed above regarding their questions. Please see the response to comments B and C above regarding the project review process and opportunity to provide testimony.

E. Jon Jones and Allison Kenney – 2244 Blackwood Drive, Walnut Creek

Comment: Mr. Jones and Ms. Kenney state that the removal of Siberian elm trees #58 and #59 will negatively impact their property in two ways: the trees provide privacy from the street and will damage the aesthetics of their property; and they will lose natural shading and will be in direct line of site for the setting sun causing their energy expense to drastically increase during the summer months. (Please see the attached letter for more information and photographs.)

Staff Response: The removal of trees #58 and 59 is recommended for approval due to the grading required on Parcel A. As restitution for this removal, the planting of new trees on Parcel A will be a Condition of Approval (please see COA #12 for details). These trees may be located such that they continue to

provide privacy and shading in the future.

F. Gary Wallace – 2167 Norris Road, Walnut Creek

Comment: Mr. Wallace would like to understand his rights as a property owner in the neighborhood. His concerns include but are not limited to:

- The widening and disruption of Norris Road which is privately maintained
- The expansion of pavement/road into existing property yards
- The ability for this property to create a front entrance to a new home on a private road
- The widening/disturbance of Blackwood Drive
- The removal of 25 trees that are not unhealthy
- The disturbance of wildlife
- Increased traffic to a quiet neighborhood

Mr. Wallace would like the following questions answered:

- Clearly outline the process for reviewing this proposal. Is it reviewed at only one meeting and a final decision will be made?
- Who makes the final decision on approval or revisions to this plan?
- Will the concerned neighbors have future/additional opportunity to express their concerns and have the broader committee address them?
- Who approves the authorization to allow one home (on a different road) to access/create a front entry to this new home on an existing private road?
- As a private road, who manages the maintenance in the future once the extensions are complete? Will the county then manage future repairs/maintenance? Will it then no longer be considered a private road?
- Given the proposal will affect several existing property landscaping/yards/trees how is this managed? Will new landscaping, trees, and costs be provided if such is approved?

Given the fact that some of the homes and yards of those homes being affected have been in their existing configuration since at least the early 1930s, disruption of these properties should not be allowed. There are many factors that might impact Norris Road which is currently maintained by five current property owners such as increased traffic, damage to the private road during construction, parking during construction, and changing the look of the current

Norris Road layout by adding curbs.

Staff Response: Please see the staff response to comment B above regarding the questions that are the same, and the above staff responses related to tree removal. The proposed project will not impact the landscaping, yards, and trees of the surrounding properties – required road improvements are as shown on the attached Tentative Map and are only for the sections of Blackwood Drive and Norris Road that front the subject property. These are not requirements for all properties located on Norris Road and Blackwood Drive, and the road improvements will not change the configuration of other properties located on Norris Road and Blackwood Drive. There will be some disruption to the neighborhood during construction; however, the project is subject to the attached Conditions of Approval and the construction will be temporary.

G. Charles Wickman – 2188 Hadden Road, Walnut Creek

Comment: Mr. Wickman has concerns regarding the negative environmental impact that the project will have on the surrounding area including:

- The reduction in trees would increase surface temperature of adjacent property during the dry summer months.
- Many of the trees have a much wider trunk than reported in the reference document.
- There are many birds that have spent significant time on the property.
- Deer/coyotes/etc have been using the property as a highway and use it to access other parts of the neighborhood.

Staff Response: Please see the attached arborist report for more details regarding the size of trees proposed for removal. The arborist has recommended removal of trees based on the proposed improvements related to the subdivision as well as for the tentative location of a single-family residence on Parcel B. The arborist states that the thinning of the trees on Parcel B will allow the remaining trees to grow to their mature size, which have been previously stunted due to competition of the existing trees. At this time, staff is recommending that tree removal be approved only for trees on Parcel A. Tree removal on Parcel B will require a separate tree permit when construction of a single-family residence on Parcel B is proposed. The biological mitigation measures are designed to reduce impacts to birds that may be nesting within the trees proposed for removal (see the attached Mitigation Monitoring and Reporting Program for details related to the required mitigation measures).

H. T. Eric Sun – 2203 San Miguel Drive, Walnut Creek

Comment: Mr. Sun has concerns that the tree removal might include approximately 10 trees that are located on the unpaved section of Norris Road within their property lines and subject to the Norris Road public easement. These trees line his backyard fence and if they are to be removed, Mr. Sun objects to their removal and requests mitigation. See the attached letter and photographs for more detailed comments.

Staff Response: The trees indicated on Mr. Sun's photos are not proposed for removal. Only trees within the subject property or just in front of the subject property within the Blackwood Drive public right of way are proposed for removal; no trees within the Norris Road private road easement are proposed for removal as part of this project. Trees approved for removal on the subject property will require restitution for their removal, which includes the planting of replacement trees on the property. At this time, staff is recommending that tree removal be approved only for trees on Parcel A. Tree removal on Parcel B will require a separate tree permit when construction of a single-family residence on Parcel B is proposed.

I. James Attencio – 2196 Hadden Road, Walnut Creek

Comment: Mr. Attencio states that the MND does not provide an adequate analysis regarding the effect of tree removal on the property, specifically loss of shade and the subsequent use of air conditioners, etc. The applicant has not demonstrated undue hardship that allows them to receive the setback variance requested on the property for the new dwelling. Mr. Attencio also has concerns regarding the impact the changes to the driveway and widening of Blackwood would have on surrounding properties.

Staff Response: Per the attached arborist report, the removal of some trees will allow the remaining trees to grow to full maturity, and there will be replacement trees required to be planted as restitution for trees to be removed. As mentioned above, it is recommended that tree removal be approved only for trees on Parcel A. Tree removal on Parcel B will require a separate tree permit when construction of a single-family residence on Parcel B is proposed. Please also see the staff response to the comments above and the attached Conditions of Approval regarding tree removal.

There are no setback variances proposed for the construction of a new residence on Parcel B. The existing 12.1-foot minimum side yard of the existing residence on Parcel A is at variance (where a minimum side yard of 15 feet is required), however, the side and front property lines are to remain as is and the existing residence will not be modified as part of this project, and therefore approval of a variance for the existing side yard is not required.

Surrounding properties are not subject to the required road improvements to Blackwood Drive and the re-grading of the existing driveway on Parcel A. Although construction for these improvements may cause a disturbance in the neighborhood, the disturbance will be temporary and limited to the construction hours in the attached Conditions of Approval.

J. Pam Kessler – 2245 Blackwood Drive, Walnut Creek

Comment: The plans call for an excessive amount of tree removal that will impact their natural environment, and Ms. Kessler is in agreement with Allison and Jon Jones.

Staff Response: Per the attached arborist report, the removal of some trees will allow the remaining trees to grow to full maturity, and there will be replacement trees required to be planted as restitution for trees to be removed. As mentioned above, it is recommended that tree removal be approved only for trees on Parcel A. Tree removal on Parcel B will require a separate tree permit when construction of a single-family residence on Parcel B is proposed. Please also see the staff response to the comments above and the attached Conditions of Approval regarding tree removal.

IX. STAFF ANALYSIS AND DISCUSSION

A. Appropriateness of Use: The attached February 25, 2020 Tentative Map prepared by APEX Civil Engineering & Land Surveying would create two residential parcels, one fronting Blackwood Drive, a public road, and one fronting Norris Road, a private road. The Tentative Map includes the tentative footprint of one future single-family residence on Parcel B, which shows future development of the property would result in a comparably sized residence for the area. The single-family residential use is allowed by right in the R-20 Zoning District and would be consistent with existing land uses in the vicinity.

B. General Plan Consistency: The subject property is within the Single-Family, Low-Density (SL) General Plan land use designation. The SL designation allows for a residential density between 1.0 and 2.9 single family units per net acre. The 0.9-acre site allows for a development density of 2.7 units per net acre. With approval of the Tentative Map, the project site would have a development density that would be consistent with the SL designation.

C. Zoning Compliance: The subject property is located in a Single-Family Residential (R-20) Zoning District. The two lots that would be created by the Tentative Map would be consistent with the lot area (minimum 20,000 square-feet), and lot depth (minimum 120 feet) requirements for the R-20 District, but the lot width for both lots is 110.8 feet (where 120 feet is required) and requires approval of a variance. The attached Tentative Map shows the tentative footprint of one single-family residence for Parcel B. The proposed single-family residence on the project site would meet all setback requirements of the R-20 Zoning District. The existing 12.1-foot minimum side yard of the existing residence on Parcel A is at variance (where a minimum side yard of 15 feet is required), however, the side and front property lines are to remain as is and the existing residence will not be modified as part of this project, and therefore approval of a variance for the existing side yard is not required.

   Although the project requests approval to remove 25 trees from the subject property and within the Blackwood Drive public right of way, the residence footprint, driveway, and 4-inch storm drain on Parcel B are tentative locations and will not be constructed at this time. Therefore, tree removal of 13 code-protected trees on Parcel A and within the Blackwood Drive public right of way are recommended for approval to allow for the required grading, and roadway and storm drain improvements, but approval will not be recommended for removal of trees on Parcel B at this time. Any tree removal proposed for Parcel B will require a separate tree permit when construction of a single-family residence is proposed.

D. Traffic and Circulation: The subject property is located between Blackwood Drive and Norris Road in the unincorporated area of Walnut Creek. Blackwood Drive is a public street. It has a pavement width of approximately 23 feet within a 50-foot right of way. It is planned to be widened to a 36-foot pavement width, but no additional right of way is required.

The County Ordinance Code requires frontage improvements including pavement widening, curb and sidewalk be constructed along the project frontage, the face of curb to be located 18 feet from the centerline of the right of way. Curb and streetlights have been installed along the opposite side of the street. The pavement widening requires re-design of the existing driveway serving the residence due to its existing steep gradient. It should be noted that there are no other sidewalks in this neighborhood. An exception request from the sidewalk requirement was submitted for consideration in conformance with the requirements of Chapter 92-6 of the County Ordinance Code. There is little opportunity that any additional sidewalks will be constructed in this area via the land development process, and therefore, the Public Works Department is not averse to the granting of this exception.

Norris Road is a private road providing access to Mountain View Boulevard to the southeast. It has a basic easement width of 30 feet. The pavement terminates at the subject property and the easement is chained off at that point. The pavement resumes 800 feet to the northwest, providing access for those fronting residences to San Miguel Drive. Portions of the right of way have been dedicated to the public or otherwise widened as a private easement over the years, but at the present it remains a private road. The most recent subdivision in the area, MS05-0046 filed in 2007, widened the private easement an additional 10-feet and dedicated an additional 6-foot public utility easement contiguous to the widened right of way. That subdivision also widened the pavement and constructed curb along their frontage. Similar curb and pavement should be constructed along the subject frontage. The face of curb should be located 16 feet from the north property line.

Based on the property configurations and existing residences along the 800-foot pavement gap adjacent to the Norris Road easement, it is unlikely it will ever be extended under the development process. Since this will most likely be the termination of the paved roadway from the Mountain View Boulevard side, the County Ordinance Code requires construction of a paved turnaround. Appurtenant right of way for this turnaround should be reserved for the easement holders of Norris Road.

E. <u>Underground Utilities:</u> Chapter 96-10 of the County Ordinance Code requires all overhead utilities serving the subdivision, as well as existing facilities along the public street frontage to be relocated underground. This will apply to the existing utilities along Blackwood Drive.

The applicant submitted an exception request from this Code requirement citing similar reasoning as with the sidewalk exception discussed above. There is little opportunity that any additional utility undergrounding that will occur in this area via the land development process, and therefore, the Public Works Department is not averse to the granting of this exception for Parcel A. However, the future residence on Parcel B will be required to comply with the underground utility requirement.

F. Drainage: Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse. The applicant intends to collect stormwater runoff from the site and convey it to the storm drain system along the south side of Blackwood Drive. Adequacy of this system will need to be verified before it can be deemed acceptable in terms of County Code requirements.

G. Stormwater Management and Discharge Control Ordinance: A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 10,000 square feet in compliance with the County's Stormwater Management and Discharge Control Ordinance (§1014) and the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This minor subdivision estimates approximately 8,235 square feet of new impervious surface (assuming 5,180 square feet of impervious area for a new residence on Parcel B), which is below the threshold for requiring submittal of a SWCP.

The estimated square footage of impervious surface for the future residence is based on the Flood Control District's worksheet relative to drainage fee calculations for various lot sizes. In the event the new house and appurtenant improvements exceed the 10,000 square foot threshold, a SWCP shall be prepared using the latest edition of the Stormwater C.3 Guidebook and template (available at www.cccleanwater.org) and meet requirements of the Regional Water Quality Control Board. The design, location, and installation of the clean water facilities cannot be deferred to a later date linked to the acquisition of building permits for each lot proposed with this subdivision

request.

Provision C.10, Trash Load Reduction, of the County's NPDES Permit requires control of trash in local waterways. To prevent or remove trash loads from municipal storm drain systems, trash capture devices shall be installed in catch basins (excludes those located within a bioretention/stormwater treatment facility). Devices must meet the County's NPDES Permit and approved by Public Works Department. The location must be approved by the Public Works Department.

H. Floodplain Management: The subject property is not within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance Rate Maps.

I. Annexation to Lighting District: The subject property is not annexed into the lighting district. The applicant will be required, as a condition of approval, to annex into the Community Facilities District (CFD) 2010-1 formed for the Countywide Street Light Financing.

J. Area of Benefit Fee: The applicant will need to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the South County Traffic Fee, Tri-Valley Transportation Fee, Southern Contra Costa (SCC) Sub Regional Fee, and SCC Regional Fee, as adopted by the Board of Supervisors. These fees shall be paid prior to issuance of building permits.

K. Drainage Area Fee and Creek Mitigation: The subject property is located within unformed Drainage Area 49. There is currently no fee ordinance adopted by Board of Supervisors for this area.

IV. CONCLUSION

The proposed two-lot minor subdivision is consistent with the Single-Family, Low-Density (SL) General Plan land use designation and the Single-Family Residential (R-20) Zoning District. Staff recommends (1) adoption of the Mitigated Negative Declaration prepared for this application and the respective Mitigation Monitoring and Reporting Program, based on the attached findings; (2) direct staff to file a Notice of Determination; (3) approval of County File MS19-0007 two-lot minor subdivision, including the Tentative Parcel Map, Tree Permit, and Variance and (4) grant approval of the exception requests to County Code Section 92-6 requiring

sidewalks and Section 96-10 requiring all overhead utilities to be relocated underground, based on the attached findings and subject to the attached conditions of approval.

Attachments:

1. Findings and Conditions of Approval
2. Maps (Parcel Map, General Plan, Zoning, Aerial Photograph)
3. Public Comments
4. Acceptance of Mitigation Measures
5. CEQA Initial Study (IS) & Mitigation Monitoring and Reporting Program (MMRP)
6. Arborist Report
7. Agency Comments
8. Tentative Map

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #MS19-0007, CAMPOS DEVELOPMENT, LLC (APPLICANT & OWNER)

FINDINGS

A. Growth Management Performance Standards

1. Traffic: Policy 4-c under the Growth Management Program (GMP) requires a traffic impact analysis be conducted for any project that is estimated to generate 100 or more AM or PM peak-hour trips. This minor subdivision will create two new parcels that will result in the future development of a single-family residence for Parcel B. The project will not generate more than 100 peak-hour traffic trips to and from the subject property. Therefore, a traffic impact analysis is not required.

2. Water: The GMP requires new development to demonstrate that adequate water quantity and quality can be provided. The subject property is served by the East Bay Municipal Utility District (EBMUD). In a letter dated August 16, 2019 EBMUD stated that subdivision of the subject property will require a main extension to service the new lot. Separate meters will be required for each lot.

   In another letter dated October 26, 2020, EBMUD provided comments during the comment period of the Mitigated Negative Declaration (MND) in relation to water service, geology, and water conservation. In addition to the water service comments stated above, a minimum 20-foot right-of-way is required for installation of the new water mains.

   An Advisory Note is included in the Conditions of Approval and Advisory Notes whereby the applicant is responsible for contacting EBMUD regarding its requirements and permits.

3. Sanitary Sewer: The GMP requires new development to demonstrate that adequate sanitary sewer quantity and quality can be provided. The subject property is served by the Central Contra Costa Sanitary District. In a letter dated August 12, 2019 the Central Sanitary District stated the project resulting in the construction of one new residence is not expected to produce an unmanageable added capacity demand on the wastewater system. This work will be reviewed by the sanitary district and will be approved prior to issuance of a building permit from the County Building Department.

   An Advisory Note is included in the Conditions of Approval and Advisory Notes

whereby the building plans must receive prior approval and be stamped by the Sanitary District.

4. Fire Protection: The GMP requires that a fire station be within one and one-half miles of development in urban, suburban and central business district area, or requires that automatic fire sprinkler systems be installed to satisfy this standard. The subject property is in the service area of the Contra Costa County Fire Protection District. The applicant will be required to meet applicable Fire District requirements. Further, fire sprinklers will need to be installed in the new single-family residence as required by the Fire District. The District will inspect the roadway improvements, and the plans for the future single-family residence for compliance with its requirements for residential buildings. The future construction of one additional residence will not substantially increase the demand for fire services.

5. Public Protection: The GMP requires that a Sheriff Facility standard of 155 square-feet of station area and support facilities per 1,000 in population shall be maintained within the unincorporated area of the County. The one new single-family residence will not significantly increase population in the area, and therefore, will not significantly increase the demand for police service facilities or personnel. Further, prior to the issuance of building permits, the applicant shall pay a fee of $1,000.00 for residential construction on Parcel B for police services mitigation in the area as established by the Board of Supervisors.

6. Parks and Recreation: The GMP requires three-acres of neighborhood park per 1,000 in population. The one new single-family residence will not significantly increase population in the area, and therefore, will not significantly increase the demand for parks or recreational facilities. Further, prior to the issuance of building permits, the applicant shall pay Park Impact and Park Dedications fees for residential construction on Parcel B. The fees will be used to fund park and recreation improvements in the area as established by the Board of Supervisors.

7. Flood Control and Drainage: The subject property is not within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance Rate Maps.

The project Stormwater Control Plan (SWCP) and drainage improvements 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. Accordingly, no flood control or risk assessment is required.

B. Tentative Parcel Map

The following are required findings for the approval of a tentative map:

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

Project Finding: The subject property is within the Single-Family, Low-Density (SL) General Plan land use designation. The SL designation allows for a residential density between 1.0 and 2.9 single family units per net acre. The 0.9-acre site allows for a development density of 2.7 units per net acre. With approval of the Tentative Map, the project site would have a development density that would be consistent with the SL designation.

The subject property is located in a Single-Family Residential (R-20) Zoning District. The two lots that will be created by the February 25, 2020 Tentative Map are consistent with the lot area (minimum 20,000 square-feet), and lot depth (minimum 120 feet) requirements for the R-20 District, but the lot width for both lots is 110.8 feet (where 120 feet is required) and requires approval of a variance. The attached Tentative Map shows the tentative footprint of one single-family residence for Parcel B. The proposed single-family residence on Parcel B would meet all setback requirements of the R-20 Zoning District.

2. The proposed subdivision fulfills construction requirements.

Project Finding: The minor subdivision will accommodate one new single-family residence with access onto the private street Norris Road. The new residence will not create any significant traffic or circulation impacts. Development on the project site will be required to comply with County storm water requirements, as well as other conditions included in the Conditions of Approval and Advisory Notes. Prior to the issuance of building permits for Parcel B, the applicant will be required to contribute fees for parks and recreation, school districts, and police services.

C. 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 as follows:

1. Reasonable development of the property would require alteration or removal of a code-protected tree, and this development could not be reasonably accommodated on another area of the lot.

2. The arborist report indicates that some of the subject trees are in poor health and cannot be saved.

D. <u>Variance</u>

The following are required findings for the approval of a variance:

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

   <u>Project Finding:</u> The granting of a variance to allow a lot width of 110.8 feet (where 120 feet is required) for both parcels will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located. The configuration of the existing lot is already 110.8 feet in width and will not change with the subdivision of the property. The subject property cannot be subdivided in any other way to allow for the minimum required average width to be met without compromising other requirements. The surrounding lots have all been developed and are typically smaller than the subject property and the two proposed lots. Many of the properties adjacent to and within the vicinity of the subject property are also within the R-20 Zoning District and are substandard in width.

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

   <u>Project Finding:</u> The subject property has an existing width of 110.8. In order to subdivide the lot and meet the minimum requirements of lot size and lot depth, the property must be subdivided in the proposed configuration. As the subject property is surrounded by other developed lots, it is not possible to widen the existing property to meet the required minimum lot width without approval of a lot line adjustment, which would cause the adjacent properties to be substandard in size or width. As mentioned above, many of the surrounding properties within

the R-20 Zoning District are also substandard in width. Thus, strict application of the minimum lot width would deprive the subject property of the rights enjoyed by other properties in the immediate vicinity and within the identical land use district.

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

Project Finding: The intent and purpose of the Single-Family Residential (R-20) land use district is to facilitate orderly development and maintenance of single-family residential neighborhoods. Single-family dwellings are an allowed use on each lot within the R-20 land use district. With the reduced lot width, a single-family residence can be constructed on Parcel B and still meet the required minimum setbacks. Therefore, approval of a reduced lot width meets the intent and purpose of the R-20 land use district.

E. Exceptions

The following are required findings for the approval of exceptions to the requirements of Title 9, Chapter 92-6 and Chapter 96-10:

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

Project Finding: An exception request from the sidewalk requirement was submitted for consideration in conformance with the requirements of Chapter 92-6 of the County Ordinance Code. Improvements have not been required of recent neighboring subdivisions, are not characteristic of the area, and there is no expectation to connect to other sidewalks via the land development process.

Chapter 96-10 of the County Ordinance Code requires all overhead utilities serving the subdivision, as well as existing facilities along the public street frontage, to be relocated underground. The applicant submitted an exception request from this Code requirement citing similar reasoning as with the sidewalk exception discussed above. Underground utilities are not characteristic of the area, and there is no expectation that any other utility lines in the neighborhood will be undergrounded via the land development process. The service lines to the new house on Parcel B will still be required to be installed underground.

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

Project Finding: As mentioned above, there are no other sidewalks in the neighborhood, and other properties also have overhead utility lines. Therefore, not relocating existing overhead utility lines for Parcel A underground, and not requiring sidewalks when they will not connect to any other sidewalks in the neighborhood is necessary for the preservation and enjoyment of a substantial property right of the applicant.

3. *That the granting of the exception will not be materially detrimental to the public welfare or injurious to other people in the territory in which the property is situated.*

Project Finding: The utility lines for the existing residence on Parcel A are currently overhead, and there are not currently any sidewalks in the neighborhood. Therefore, allowing the utility lines for Parcel A to remain overhead, and not requiring sidewalks for the subdivision will not be materially detrimental to the public welfare or injurious to other people in the territory in which the property is situated.

F. Environmental Review

A Mitigated Negative Declaration (MND) identified several potential environmental impacts in the areas of: Air Quality, Tribal/Cultural Resources, Biological Resources, and Mandatory Findings of Significance. The MND was prepared indicating that no significant environmental impacts will be created by the proposed project, with the enforcement of the stated mitigation measures. The MND and corresponding documents were posted for public review on October 9, 2020. The public comment period for accepting comments on the adequacy of the environmental documents extended to October 29, 2020, during which 15 public comment letters were received.

A Mitigation Monitoring and Reporting Program has been prepared, based on the identified significant environmental impacts and mitigation measures in the MND. The mitigation measures in the Mitigation Monitoring and Reporting Program are included in the Conditions of Approval.

CONDITIONS OF APPROVAL FOR COUNTY FILE #MS19-0007:

Project Approval

1. Minor Subdivision and Tentative Parcel Map: The Two-Lot Minor Subdivision is APPROVED, as generally shown and based on the following documents:

- Application and materials submitted to the Department of Conservation and Development, Community Development Division (CDD) on August 2, 2019;

- Revised Tentative Parcel Map for Minor Subdivision MS19-0007 prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020 and received by CDD on March 5, 2020;

- Arborist Report dated September 23, 2019 (and revised December 18, 2019) prepared by Jennifer Tso, Certified Arborist (#WE-10270A), of Traverso Tree Service.

2. Tree Permit: A Tree Permit to allow the removal of 13 code-protected trees (eight (8) from Parcel A and five (5) from within the Blackwood Drive public right of way), is APPROVED, subject to the conditions below.

3. Variance: A variance to allow a lot width of 110.8 feet for both Parcel A and Parcel B (where 120 feet is required) is APPROVED, subject to the conditions below.

4. Exceptions: Exceptions from Title 9 to the sidewalk requirements for both parcels and the underground utility line requirement for Parcel A is APPROVED, subject to the conditions below.

5. Any modifications 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.

Application Costs

6. The Minor Subdivision application was subject to an initial deposit of $5,400.00. The application is subject to time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2013/340, where a fee payment is over 60 days past due, the application shall be charged interest at a rate of ten percent (10%) from the date of approval. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance 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

8. Prior to filing a Parcel Map or at the time of application for a grading or building permit, whichever occurs first, the applicant shall submit an application for a COA Compliance Review and provide a report on compliance with the conditions of approval for the review and approval by the CDD. The fee for this application is a deposit of $1,500.00 that is subject to time and material costs. Should staff costs exceed the deposit, additional fees will be required.

Except for those conditions administered by the Public Works Department, the report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. A copy of the permit conditions of approval may be obtained from the CDD.

Child Care Fee

9. Prior to the issuance of building or grading permits for construction of a single-family residence on Parcel B, the applicant shall pay a fee toward childcare facility needs in the area as established by the Board of Supervisors.

Park Impact and Park Dedication Fees

10. Prior to the issuance of building or grading permits for construction of a single-family residence on Parcel B, the applicant shall pay park impact and park dedication fees as established by the Board of Supervisors.

Police Services Fee

11. Prior to the submittal of building or grading permits for the construction of a single-

family residence on Parcel B, the applicant shall contribute $1,000.00 to the County for police services mitigation as established by the Board of Supervisors.

Tree Removal

11. The 13 trees approved for removal (eight (8) from Parcel A and five (5) from the Blackwood Drive public right of way) shall remain on the property until a building or grading permit for development of the subdivision has been obtained. All future development on both Parcel A and Parcel B shall be subject to the provisions of the County's Tree Protection and Preservation Ordinance.

Required Restitution for Approved Tree Removal

12. The following measures are intended to provide restitution for the 13 code-protected trees (eight (8) from Parcel A and five (5) from the Blackwood Drive public right of way) that have been approved for removal:

A. Tree Restitution Planting/Irrigation Plan: Prior to removal of any tree or obtaining a building permit, the applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of CDD. The plan shall provide for the planting of at least **eight (8) 15-gallon size** drought tolerant trees within Parcel A. 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. The tree restitution planting plan shall comply with the requirements of the State Model Water Efficient Landscape Ordinance or County Model Water Efficiency Landscape Ordinance, whichever ordinance applies. Information relating to this ordinance is available at the Application and Permit Center.

Required Security to Assure the Completion of Plan Improvements: Prior to removal of the trees, the applicant shall submit a security (e.g., bond, cash deposit) that is acceptable to CDD to ensure that the restitution plan is implemented.

Determination of Security Amount: The security shall provide for a breakdown of all of the following costs:

- A labor and materials estimate for planting the **eight (8) 15-gallon size** draught tolerant trees and related irrigation improvements that may be required, prepared by a licensed landscape architect or landscape contractor.

- An additional 20% of the total of the above amounts to address inflation costs.

C. Initial Fee Deposit for Processing a Security: The County ordinance requires that the applicant pay fees for all staff time and material costs associated with processing a landscape improvement security. At the time of submittal of the security, the applicant shall pay an initial deposit of $200.

D. Duration of Security: The security shall be retained by the County for a minimum of 12 months and up to 24 months following the completion of replanting and construction or grading activity to ensure that the restitution plan is successfully implemented. 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 trees and prepare a report on the planted trees' health and successful implementation of the plan. If CDD determines that the applicant has not been diligent in implementing the plan, then CDD may require that part or all of the security be used to implement the plan.

Arborist Expense

13. The expenses associated with all required arborist services shall be borne by the applicant and/or property owner.

State Model Water Efficient Landscaping Ordinance (WELO)

14. If any landscaping is proposed to be installed during development for Parcel B that equals 500 square-feet or more, prior to issuance of a building permit a Compliance Review application shall be submitted and approved that shows compliancy with the State's Model Water Efficient Landscape Ordinance (WELO).

Construction Period Restrictions and Requirements

15. The applicant shall comply with the following restrictions and requirements:

A. 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 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 information on the calendar dates that these holidays occur, please visit the following websites:

Federal Holidays:

http://www.opm.gov/Operating_Status_Schedules/fedhol

California Holidays:

http://www.sos.ca.gov/holidays.htm

B. Transportation of large trucks and heavy equipment is 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.

C. A good faith effort shall be made to avoid interference with existing neighborhood traffic flows.

D. All internal combustion engines shall be fitted with mufflers that are in good condition and stationary noise-generating equipment such as air compressors shall be located as far away from existing residences as possible.

E. Construction equipment and materials shall be stored onsite.

F. The construction site shall be maintained in an orderly fashion. Litter and debris shall be contained in appropriate receptacles and shall be disposed of as necessary.

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

MITIGATION MONITORING AND REPORTING PROGRAM MEASURES APPLIED AS ADDITIONAL CONDITIONS OF APPROVAL FOR COUNTY FILE MS19-0007:

The applicant shall implement and complete the Mitigation Measures identified in the Mitigated Negative Declaration and included in the Mitigation Monitoring and Reporting Program, as additional Conditions of Approval for County File MS19-0007:

Air Quality

16. Mitigation Measure AIR-1: The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures 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. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five 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;

G. 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;

H. Post a publicly visible sign with the telephone number and 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 phone number shall also be visible to ensure compliance with applicable regulations.

Biological Resources

17. Mitigation Measure BIO-1: Prior to any earth-moving activity or construction that would occur on-site during the nesting season (February 1 through August 31), the applicant shall have a preconstruction nesting survey conducted by a qualified ornithologist. Nesting surveys must be completed during springtime of the year during which construction will occur in order to avoid potential impacts to nesting birds.

An established buffer shall be fenced with orange construction fencing. A qualified biologist shall periodically monitor the nest site(s) to determine if grading activities occurring outside the buffer zone disturbs the birds, and if the buffer zone should be increased to prevent nest abandonment. No disturbance shall occur within the minimum 300-foot buffer zone for raptors and 50-foot zone for common passerines until a qualified biologist has determined that the young have fledged (left the nest), and are flying well enough to avoid project construction zones, typically by July 15th, but sometimes not until into August.

Any qualified biologist hired to conduct nesting surveys or that monitors any active nests shall have the authority to shut the job down if this is necessary to protect the nesting birds. At the time the ornithologist determines that the young have fledged the nest and that the young are no longer dependent upon the nesting tree, the project may resume without any restrictions for nesting birds. Once the young fledge and the nest is no longer in use, as determined by the ornithologist, any tree that must be removed to accommodate the project may be removed without further requirements for nesting birds. Until such nesting surveys are conducted that confirm or negate this species' presence, impacts to this hawk from reasonably anticipated future development on the remainder parcel are considered potentially significant pursuant to CEQA.

Tribal and Cultural Resources

18. Mitigation Measure CUL-1: The following mitigation measures shall be implemented during project-related ground disturbance and shall be included on all construction plans:

A. If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery should be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations. It is recommended that such deposits be avoided by further ground disturbance activities. If such deposits cannot be avoided, they should be evaluated for their significance in accordance with the California Register of Historical resources;

   If the deposits are not eligible, avoidance is not necessary. If eligible, desposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

B. If human remains are encountered, work within 50 feet of the discovery should be redirected and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to assess the situation. If the human remains are of a Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the property and provide recommendations for the proper treatment of the remains and associated grave goods.

   Upon completion of the assessment, the archaeologist should prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the Northwest Information Center and appropriate Contra Costa agencies.

PUBLIC WORKS CONDITIONS OF APPROVAL FOR COUNTY FILE #MS19-0007:

The applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the tentative map submitted to the Department of Conservation and Development on March 5, 2020.

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

Parcel Map.

General Requirements

19. 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 March 5, 2020.

20. The applicant shall submit improvement plans prepared by a registered civil engineer to the Public Works Department and pay appropriate fees in accordance with the County Ordinance and these conditions of approval. The below conditions of approval are subject to the review and approval of the Public Works Department.

Roadway Improvements - Public (Blackwood Drive Frontage)

21. The applicant shall construct curb, 5-foot sidewalk, necessary longitudinal and transverse drainage, pavement widening and transitions along the frontage of Blackwood Drive. Applicant shall construct face of curb 18 feet from the right of way centerline.

<u>Exception (Subject to Advisory Agency findings and approval):</u>

The applicant is granted an exception from installation of sidewalk along the subdivision frontage in that such improvements have not been required of recent neighboring subdivisions, are not characteristic of the area, and there is no expectation to connect to other sidewalks via the land development process.

Any cracked and displaced curb or gutter shall be removed and replaced along the project frontage of Blackwood Drive. Concrete shall be saw cut prior to removal. Existing lines and grade shall be maintained. New curb and gutter shall be doweled into existing improvements.

Roadway Improvements - Private (Norris Road Frontage)

22. The applicant shall construct curb, necessary longitudinal and transverse drainage, pavement widening and transitions along the frontage of Norris Road. Applicant shall construct face of curb 16 feet from the centerline of the existing 30-foot right of way.

23. The applicant shall construct a paved turnaround along the project frontage per County and Fire District standards.

Road Dedications

24. The applicant shall convey to the County, by Offer of Dedication, 25 feet of right of way along the north property line to provide for an ultimate 50-foot-wide right of way for Norris Road. The north property line coincides with the centerline of the existing 30-foot-wide private easement for Norris Road. Additional right of way shall be dedicated to encumber the turnaround area with one foot of additional clearance.

25. The applicant shall convey to all holders of private access and/or utility easement rights over Norris Road between the subject property and Mountain View Boulevard an additional easement to encumber the right of way dedication described above.

26. Dedicate a 6-foot wide Public Access and Utility Easement adjacent to the length of the dedicated right of way along Mountain View Boulevard.

Access to Adjoining Property

<u>Proof of Access</u>

27. Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

<u>Encroachment Permit</u>

28. Applicant shall obtain an encroachment permit from the Application and Permit Center, if necessary, for construction of driveways or other improvements within the right-of-way of Blackwood Drive.

Road Alignment/Intersection Design/Sight Distance

Sight Distance

29. Applicant shall provide sight distance at the intersection of the private driveways with Blackwood Drive and Norris Road 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 these intersections, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at these intersections shall be setback to ensure that the sight line is clear of any obstructions.

Street Lights

30. Applicant shall annex to the Community 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

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

Exception (Subject to Advisory Agency findings and approval):

Applicant shall be granted an exception from the undergrounding requirements of the Ordinance Code in that underground utilities are not characteristic of the area, and there is no expectation that any other utility lines in the neighborhood will be undergrounded via the land development process. The service lines to the new house on Parcel B will still be required to be installed underground.

Drainage Improvements

Collect and Convey

32. 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.

33. The nearest public drainage facility is the existing 24-inch storm drain located along the south side of Blackwood Drive. Applicant shall verify its adequacy prior to discharging run-off to it.

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.

35. The applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

36. A private storm drain easement, conforming to the width specified in Section 914-14.004 of the County Ordinance Code, shall be reserved over the proposed storm drain line traversing Parcel A in favor of Parcel B.

National Pollutant Discharge Elimination System (NPDES)

37. 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 basins) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES permits.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance

38. The applicant will not be subject to the requirements of Provision C.3 of the County Stormwater Management and Discharge Control Ordinance, since the proposed project will not create or replace at least 10,000 square feet of impervious surface. However, this project is subject to all other provisions of the County Stormwater Management and Discharge Control Ordinance (§1014, Ordinance No. 2005-01) and future development applications on the subject parcel may be required to comply with Provision C.3.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL, BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The

opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90-days of the approval date of this permit.

B. The applicant shall submit building plans to the Building Inspection Division and comply with Division requirements, which include grading and drainage compliance. It is advisable to check with the Division prior to requesting a building permit or proceeding with the project.

C. The applicant is responsible for contacting the Health Services Department Environmental Health Division regarding its requirements and permits.

D. The applicant must submit building plans to the Contra Costa County 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 District.

E. 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.

F. The applicant is responsible for contacting the East Bay Municipal Utility District regarding its requirements and permits.

G. The applicant is responsible for contacting the Contra Costa Mosquito & Vector Control District regarding its requirements and permits.

H. The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central County Area of Benefit as adopted by the Board of Supervisors.

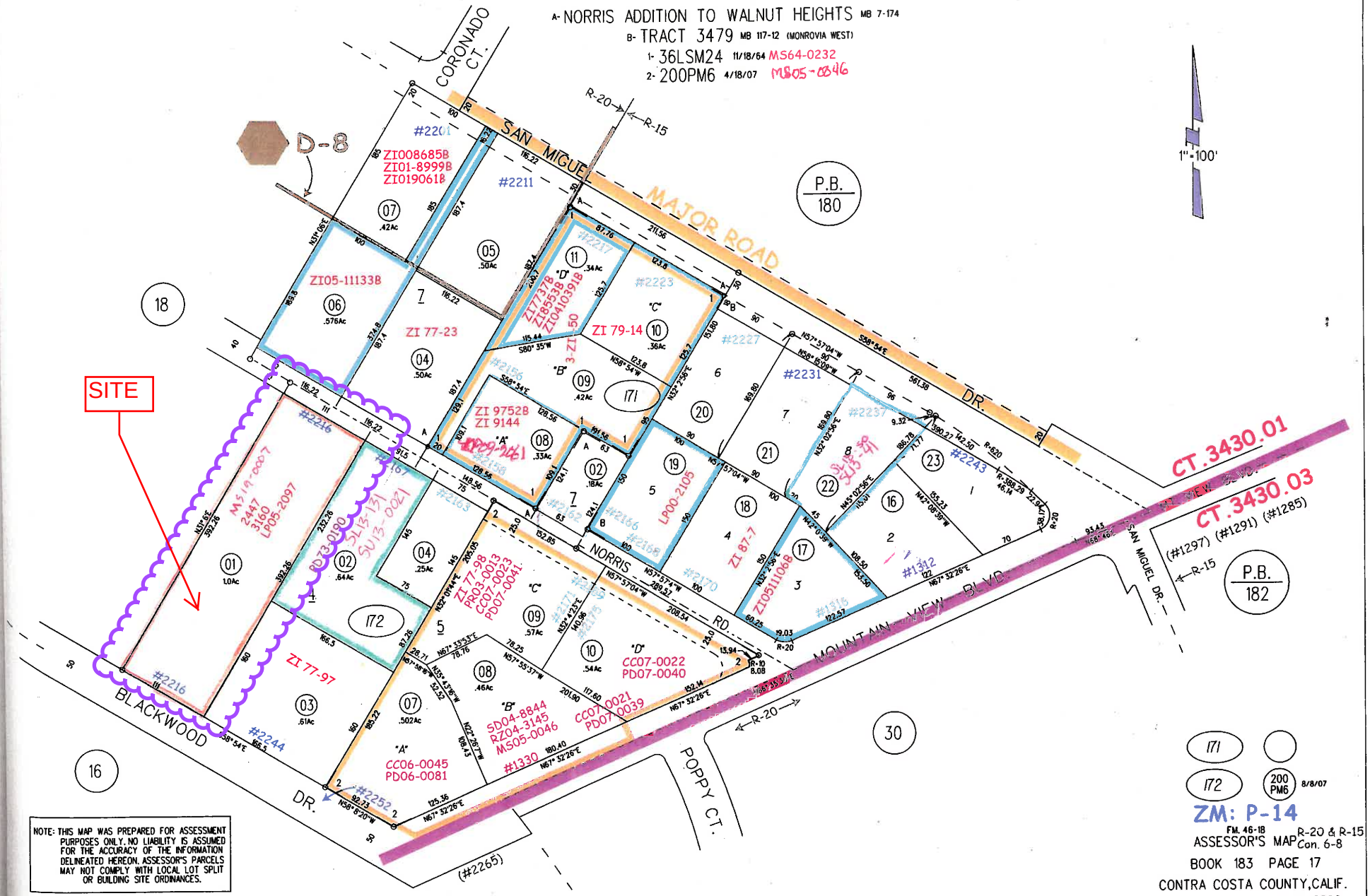
I. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, Bay Delta Region (Region 3), 2825 Cordelia Road, Suite 100, Fairfield, CA 94534, of any

proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.

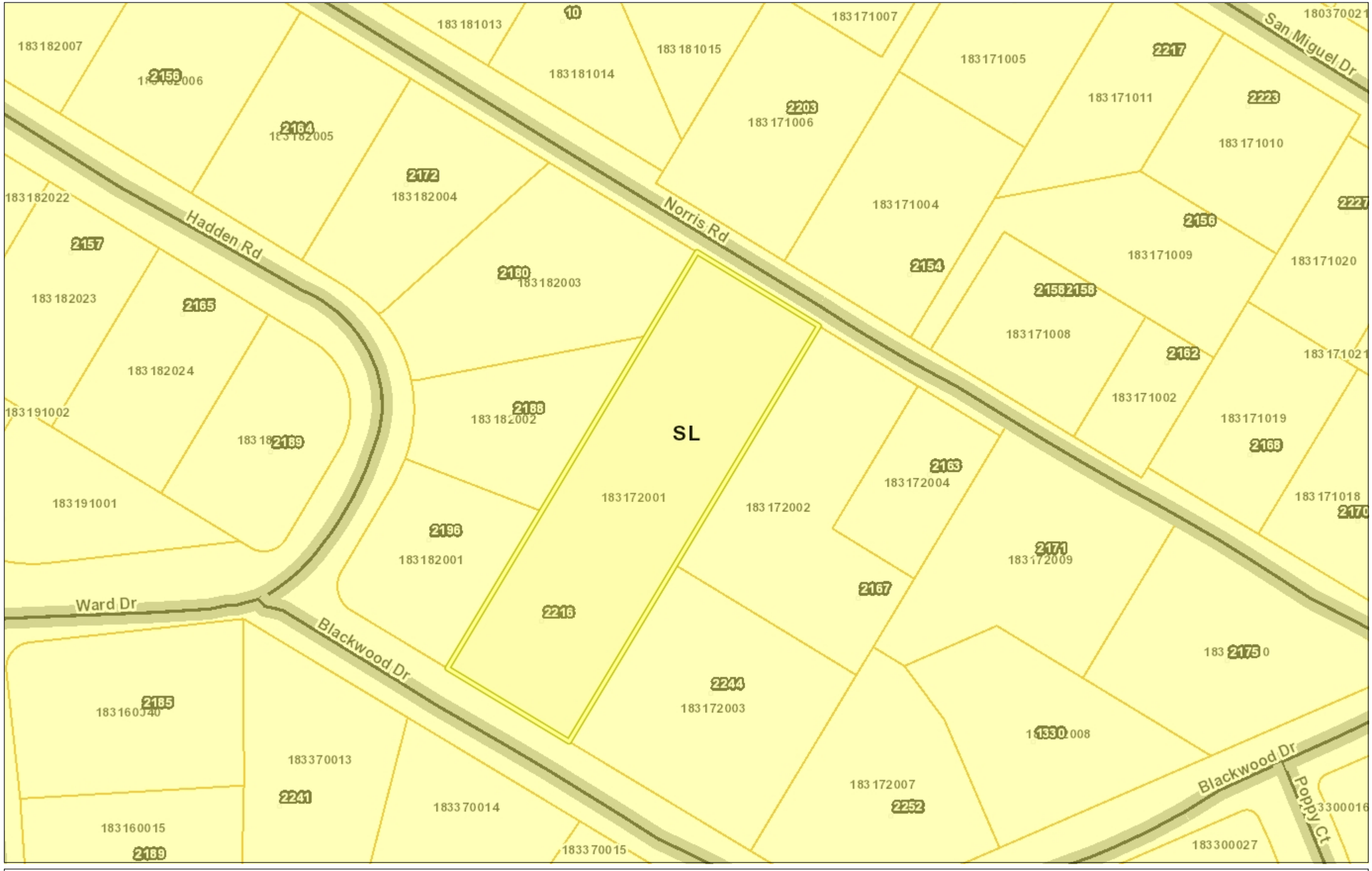
J. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

K. Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and Maintenance Plan prepared in accordance with the latest edition of the S*tormwater 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.

A- NORRIS ADDITION TO WALNUT HEIGHTS MB 7-174
B- TRACT 3479 MB 117-12 (MONROVIA WEST)
1- 36LSM24 11/18/64 MS64-0232
2- 200PM6 4/18/07 MS05-0046



General Plan: Single-Family Residential, Low-Density (SL)



Legend

General Plan

- SV (Single Family Residential - Ver
- SL (Single Family Residential - Low
- SM (Single Family Residential - Me
- SH (Single Family Residential - Hig
- ML (Multiple Family Residential - Lo
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- MV (Multiple Family Residential - V
- MS (Multiple Family Residential - V
- CC (Congregate Care/Senior Housi
- MO (Mobile Home)
- M-1 (Parker Avenue Mixed Use)
- M-2 (Downtown/Waterfront Rodeo I
- M-3 (Pleasant Hill BART Mixed Use
- M-4 (Willow Pass Road Mixed Use)
- M-5 (Willow Pass Road Commercia
- M-6 (Bay Point Residential Mixed U
- M-7 (Pittsburg/Bay Point BART Sta
- M-8 (Dougherty Valley Village Cent
- M-9 (Montalvin Manor Mixed Use)
- M-10 (Willow Pass Business Park M
- M-11 (Appian Way Mixed Use)
- M-12 (Triangle Area Mixed Use)
- M-13 (San Pablo Dam Road Mixed
- M-14 (Heritage Mixed Use)
- CO (Commercial)
- OF (Office)
- BP (Business Park)
- LI (Light Industry)
- HI (Heavy Industry)
- AL, OIBA (Agricultural Lands & Off
- CR (Commercial Recreation)
- ACO (Airport Commercial)
- LF (Landfill)
- PS (Public/Semi-Public)
- PR (Parks and Recreation)
- OS (Open Space)
- AL (Agricultural Lands)

1: 1,128

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WGS_1984_Web_Mercator_Auxiliary_Sphere

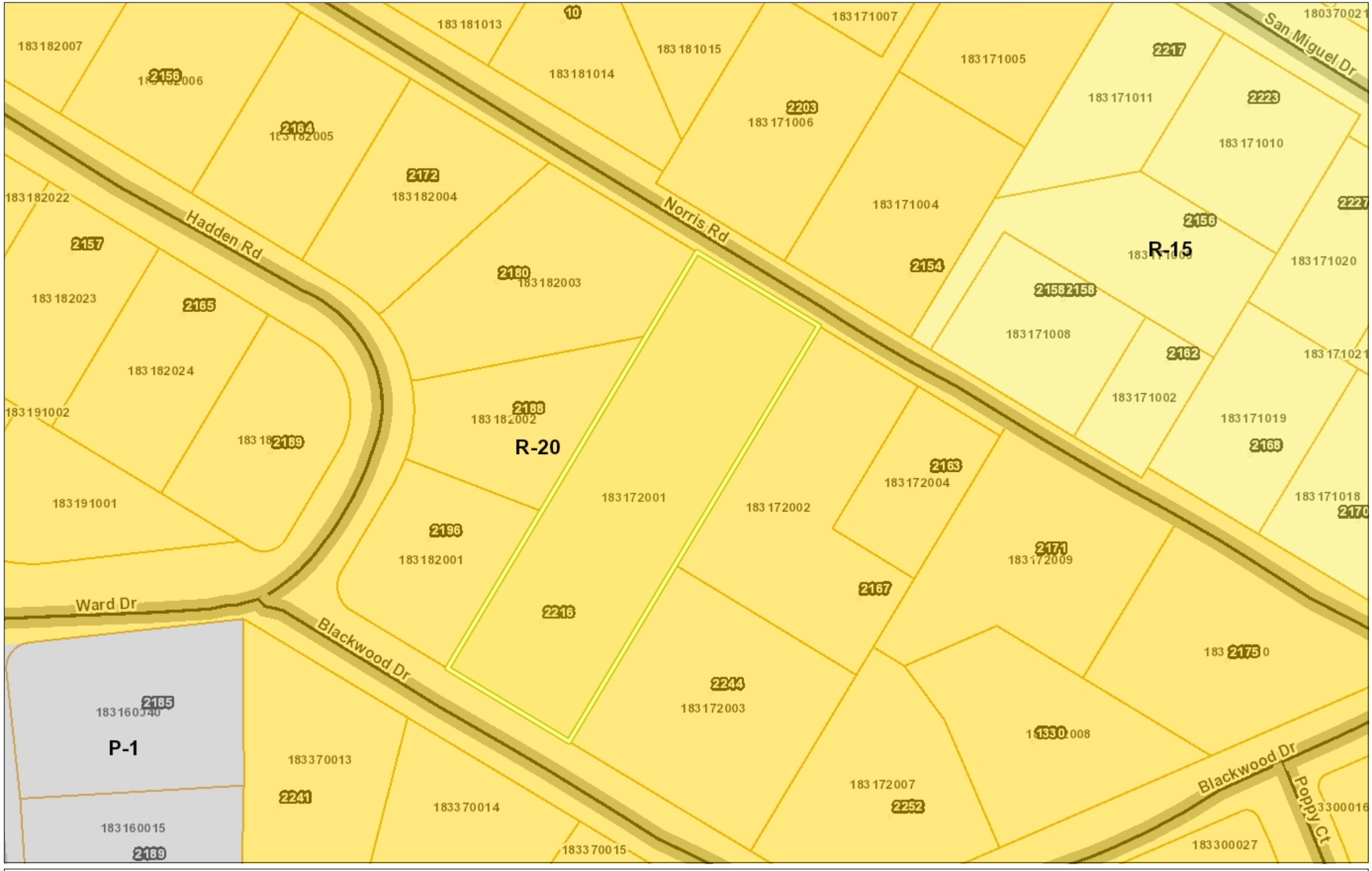
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

Zoning: Single-Family Residential (R-20)



Legend

Zoning

- R-6 (Single Family Residential)
- R-6, -FH -UE (Single Family Resid Urban Farm Animal Exclusion Com
- R-6 -SD-1 (Single Family Resident Hillside Development Combining Di
- R-6 -TOV -K (Single Family Reside View Ordinance and Kensington Co
- R-6, -UE (Single Family Residential Exclusion Combining District)
- R-6 -X (Single Family Residential - Combining District)
- R-7 (Single Family Residential)
- R-7 -X (Single Family Residential - Combining District)
- R-10 (Single Family Residential)
- R-10, -UE (Single Family Residenti Exclusion Combining District)
- R-12 (Single Family Residential)
- R-15 (Single Family Residential)
- R-20 (Single Family Residential)
- R-20, -UE (Single Family Residenti Exclusion Combining District)
- R-40 (Single Family Residential)
- R-40, -FH -UE (Single Family Resic Urban Farm Animal Exclusion Com
- R-40, -UE (Single Family Residenti Exclusion Combining District)
- R-65 (Single Family Residential)
- R-100 (Single Family Residential)
- D-1 (Two Family Residential)
- D-1 -T (Two Family Residential - Tr District)
- D-1, -UE (Planned Unit - Urban Far Combining District)
- M-12 (Multiple Family Residential)
- M-12 -FH (Multiple Family Resident Combining District)
- M-17 (Multiple Family Residential)
- M-29 (Multiple Family Residential)
- F-R (Forestry Recreational)
- F-R -FH (Forestry Recreational - Fl District)
- F-1 (Water Recreational)
- F-1 -FH (Water Recreational - Floo District)
- A-2 (General Agriculture)
- A-2, -BS (General Agriculture - Boa District)

1: 1,128

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WGS_1984_Web_Mercator_Auxiliary_Sphere

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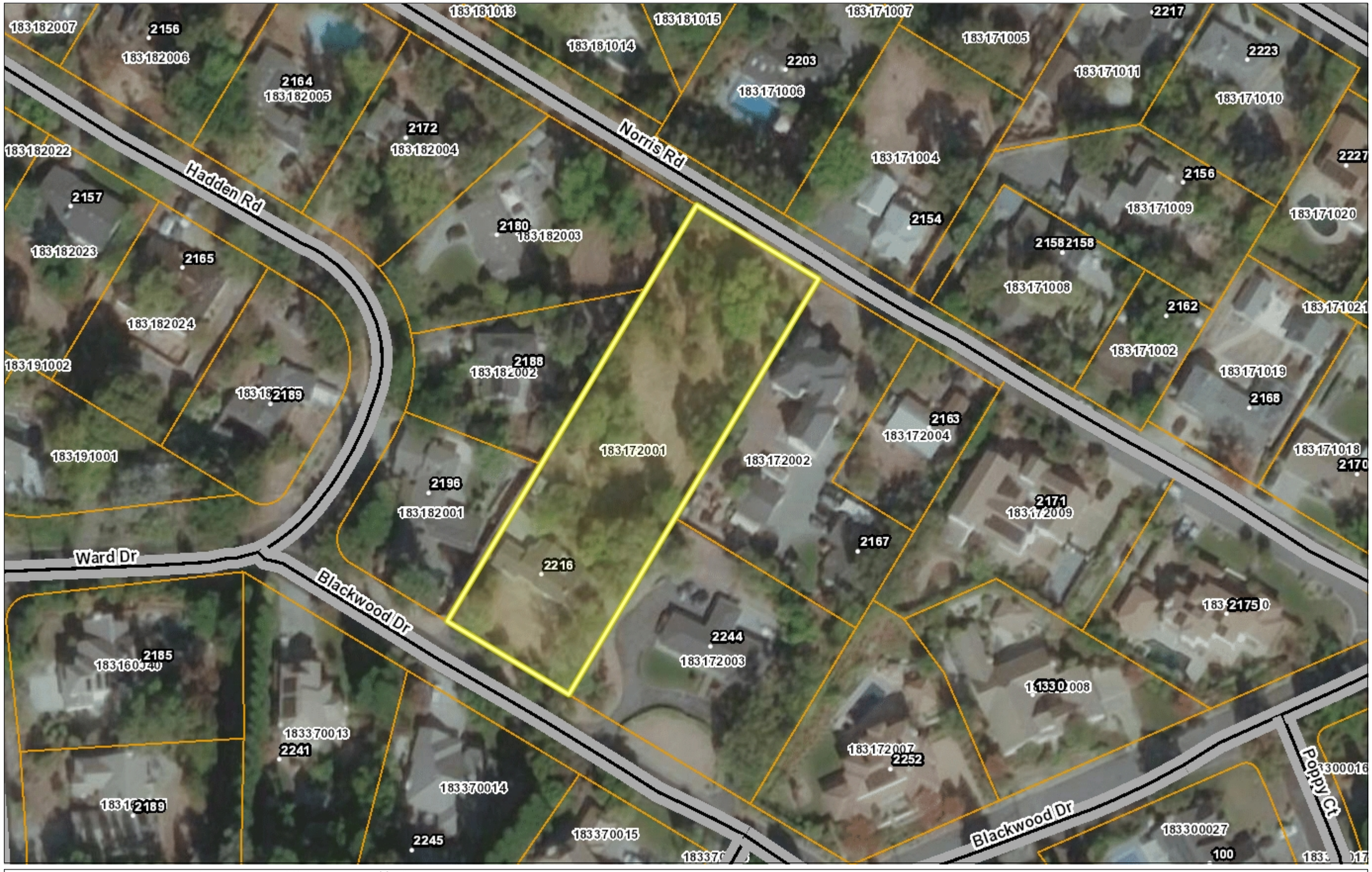
Notes

Contra Costa County -DOIT GIS

MS19-0007 Aerial Photograph



Legend

- Address Points
- Streets
- Assessment Parcels
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 1,128

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WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

From:	DanBethany Speir
To:	Margaret Mitchell
Subject:	Public comment - 2216 Blackwood Drive. 2-Lot Subdivision
Date:	Tuesday, October 20, 2020 3:26:16 PM

Hi Ms. Mitchell,
I'd like to offer public comment on the proposed 2-Lot subdivision of 2216 Blackwood Drive in unincorporated Walnut Creek.

My family lives at 2180 Hadden Road, and we would be sharing a fence with the new property designated as parcel "B". The elevation of parcel "B" is higher than our property, and the new residence will look down into our backyard. We would like to maintain as much privacy as possible, and to that end, I would like to request the following...

- trees #31 and #33, which are slated for removal, not be removed

These trees are Valley Oaks of modest size and are very close to the fence line. Neither tree 31 nor 33 is close to the proposed building footprint or driveway. Keeping these trees would help us maintain some privacy in our backyard. We would like the developer to replace the short, dilapidated fence, separating the properties, which presents almost no visible barrier, with a new taller fence.

Thank you very much. That concludes my comment.
Daniel Speir
2180 Hadden Rd.
Walnut Creek, CA 94596

From:	Barb Spruck
To:	Margaret Mitchell
Cc:	Darcywallace5@gmail.com; Ryan Kish
Subject:	Opposition letter: 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007)
Date:	Friday, October 23, 2020 9:00:30 PM

Hi Margaret / County Planning Office,
We are writing to express our concerns with the 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007). After reviewing the proposed Mitigated Negative Declaration, we would also like to understand our rights as property owners in the neighborhood.

This project is to add one home to an existing property - and significantly disrupts no fewer than 3 areas of the neighborhood. This letter is to officially let you and the planning board know that we are in strong opposition to the proposed plan - as are many neighbors in the area.

As follow up to this letter, can you please:

- Clearly outline the process for reviewing this proposal? Is it reviewed at only one meeting and a final decision will be made?
- Who makes the final decision on approval or revisions to this plan?
- Will the concerned neighbors have future / additional opportunity to express their concerns and have the broader committee address them?
- Who approves the authorization to allow one home (on a different road) to access / create a front entry to this new home - on an existing private road?
- As a private road, who manages the maintenance in the future once the extensions are complete? Will the county then manage future repairs / maintenance? WIll it then no longer be considered a private road?

As property owners, there are many more questions and concerns that need to be addressed. Given the tight time frame, please advise as soon as possible.
Thank you.

Barbara Spruck / Ryan Kish, Norris Rd homeowners
barbspruck@gmail.com
415-845-9992

From: Daniel Schoenberg
To: Margaret Mitchell
Subject: Concerns Regarding Address :2216 Blackwood Drive 2- Lot Subdivision (County File #MS19-0007)
Date: Saturday, October 24, 2020 8:16:21 AM

Hi Margaret / County Planning Office,

My wife Kelly and I have just become aware of the 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007). Although we live across the street from the proposed project, We did not receive any notice regarding it's proposal. After reviewing the Mitigated Negative Declaration shown to us via our neighbors, I would also like to understand my rights as a Norris Rd .property owner .

This project would disrupt myself along with the other Norris Rd. neighbors in a major way. The purpose of this letter is to make sure you and the planning board know that I strongly oppose the project as outlined.

Can you please put me on the group email/mailing list so that I can receive all info on the proposal so that I can legally respond and protect my rights as a highly affected property owner

Regards,

Dan and Kelly Schoenberg
dan@sewingmachineshop.com
2158 Norris Rd
Walnut Creek, CA 94596
Dan 925-899-4110
Kelly 925-899-4111

From:	Daniel Sanom
To:	Margaret Mitchell
Cc:	Kori Sanom; Barb Spruck; darcywallace5@gmail.com
Subject:	2216 Blackwood Drive Subdivision
Date:	Saturday, October 24, 2020 10:08:46 AM

Hi Margaret / County Planning Office,
I am writing to express my concerns with the 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007). After reviewing the proposed Mitigated Negative Declaration, I would also like to understand my rights as a property owner (2175 Norris Rd) in the neighborhood.

This project disrupts the neighborhood in many ways. This is to make sure you and the planning board know that I strongly oppose the project as outlined.

Can you please let me know how the process will work since many of our neighbors are concerned? We need to make sure there will be opportunity to make our voices heard - and have many more questions that we need answered before this plan is approved.

Thank you.

Daniel Sanom
dgsanom@yahoo.com
510-858-6676

From:	Kimberly Rotticci
To:	Margaret Mitchell
Cc:	Barb Spruck; Darcy Wallace
Subject:	2216 Blackwood Drive, Walnut Creek, CA Mitigated Negative Declaration
Date:	Saturday, October 24, 2020 11:37:33 AM

Hi Margaret / County Planning Office,

I am writing to express my concerns and opposition with and to the 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007). After reviewing the proposed Mitigated Negative Declaration, I would also like to understand my rights as a long term property tennant/occupant at 2154 Norris Road, Walnut Creek, CA (in the neighborhood).

This project disrupts the neighborhood in many ways. This is to make sure you and the planning board know that I strongly oppose the project as outlined.

Can you please let me know how the process will work since many of our neighbors are concerned? We need to make sure there will be opportunity to make our voices heard - and have many more questions that we need answered before this plan is approved.

Thank you.

Kimberly J Rotticci
2154 Norris Road
Walnut Creek, CA 94596
415-307-5108
krotticci@yahoo.com

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From:	Jon A. Jones
To:	Margaret Mitchell
Cc:	darcywallace5@gmail.com; barbspruck@gmail.com; JJ
Subject:	2216 Blackwood Drive 2-Lot Subdivision Project - County File Number #MS19-0007
Date:	Sunday, October 25, 2020 11:22:49 AM

To: Margaret Mitchell

Email: Margaret.Mitchell@dcd.cccounty.us

Hello Margaret / CCC Dept. of Conservation Development:

I am writing to express my concerns with the 2216 Blackwood Drive 2-Lot Subdivision Project - County File Number #MS19-0007.

After reviewing the Proposed Mitigated Negative Declaration, I am sending this email to make you and the Planning Board / County Zoning Administrator aware that I strongly oppose the project as outlined. This project disrupts the neighborhood in many ways, and my property in particular, and should be scrutinized at all levels.

I would like to understand my rights as a property owner in the neighborhood, can you please advise how the process will work and what you need from me. I have many more questions that will need to be answered before this plan and/or subsequent plan requests are allowed to move forward.

Please confirm receipt of this email, I want to make sure I have the opportunity to make my voice heard before the Public Comment Period expires on 10/29/20 before 5:00pm.

Thank you.

Jon A. Jones

jjonespsiw@yahoo.com
(510) 575-5769
2244 Blackwood Drive
Walnut Creek CA 94596

From:	Jon A. Jones
To:	Margaret Mitchell
Cc:	Allison Kenney; JJ
Subject:	Re: 2216 Blackwood Drive 2-Lot Subdivision Project - County File Number #MS19-0007
Date:	Thursday, October 29, 2020 7:29:49 AM
Attachments:	2244 Blackwood Dr Response to 2216 Blackwood Dr 2-Lot Subdivision CF MS19-0007 28Oct2020.pdf

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Good morning Margaret,

We appreciate very much you getting back to us and for providing the information on how the process will work.

In the attached .pdf file, please find our initial Environmental Concerns response to MS19-0007:

This project proposes the removal of Siberian Elms #58 and #59 which will negatively impact our property in two ways. This component of the project should be denied and taken out of the development plan.

I have included photos which I hope will assist you and the Planning Board / County Zoning Administrator understand why these (2) trees specifically are very important to our property, and should not be destroyed.

Please let us know if you have any questions or need additional information, and please do advise when the next public hearing will take place.

If you would also please confirm receipt of the attached, that would be great.

Thank you Margaret,

Jon Jones and Allison Kenney
2244 Blackwood Dr
Walnut Creek CA 94596

On Monday, October 26, 2020, 11:35:10 AM PDT, Margaret Mitchell <margaret.mitchell@dcd.cccounty.us> wrote:

Hello Jon,

This is to acknowledge receipt of your comments sent via email on October 24, 2020 regarding MS19-0007.

In response to your question below, there will be a public hearing for this project before the Zoning Administrator, conducted via Zoom. Comments may be submitted prior to or during the hearing, and there will be opportunity to provide testimony at the hearing. A hearing notice will be sent to a 300-foot radius around the subject property at least 10 days prior to the hearing date, which will include the link for the Zoom meeting and instructions on how to submit comments.

You may also submit additional comments and questions to me via email during this comment period, which will then be addressed in the staff report prepared for the Zoning Administrator hearing.

Thank you,

Margaret

From: Jon A. Jones <jjonespsiw@yahoo.com>
Sent: Sunday, October 25, 2020 11:23 AM
To: Margaret Mitchell <Margaret.Mitchell@dcd.cccounty.us>
Cc: darcywallace5@gmail.com; barbspruck@gmail.com; JJ <jjonespsiw@yahoo.com>
Subject: 2216 Blackwood Drive 2-Lot Subdivision Project - County File Number #MS19-0007

To: Margaret Mitchell

Email: Margaret.Mitchell@dcd.cccounty.us

Hello Margaret / CCC Dept. of Conservation Development:

I am writing to express my concerns with the 2216 Blackwood Drive 2-Lot Subdivision Project - County File Number #MS19-0007.

After reviewing the Proposed Mitigated Negative Declaration, I am sending this email to make you and the Planning Board / County Zoning Administrator aware that I strongly oppose the project as outlined. This project disrupts the neighborhood in many ways, and my property in particular, and should be scrutinized at all levels.

I would like to understand my rights as a property owner in the neighborhood, can you please advise how the process will work and what you need from me. I have many more questions that will need to be answered before this plan and/or subsequent plan requests are allowed to move forward.

Please confirm receipt of this email, I want to make sure I have the opportunity to make my voice heard before the Public Comment Period expires on 10/29/20 before 5:00pm.

Thank you.

Jon A. Jones

jjonespsiw@yahoo.com

(510) 575-5769

2244 Blackwood Drive

Walnut Creek CA 94596

To: **Margaret Mitchell, CCC Dept. of Conservation Development**
Fr: **Jon A. Jones and Allison J. Kenney, 2244 Blackwood Dr, Walnut Creek CA 94596**
Re: **Proposed 2216 Blackwood Drive 2-Lot Subdivision Project (County File #MS19-0007)**
Dt: **10/28/2020**

Hello Margaret / CCC Dept. of Conservation Development:

We are writing to express our concerns with the 2216 Blackwood Drive 2-Lot Subdivision Project - County File Number #MS19-0007.

After reviewing the Proposed Mitigated Negative Declaration, we are sending our response to make you and the Planning Board / County Zoning Administrator aware that <u>we strongly oppose the project as outlined</u>.

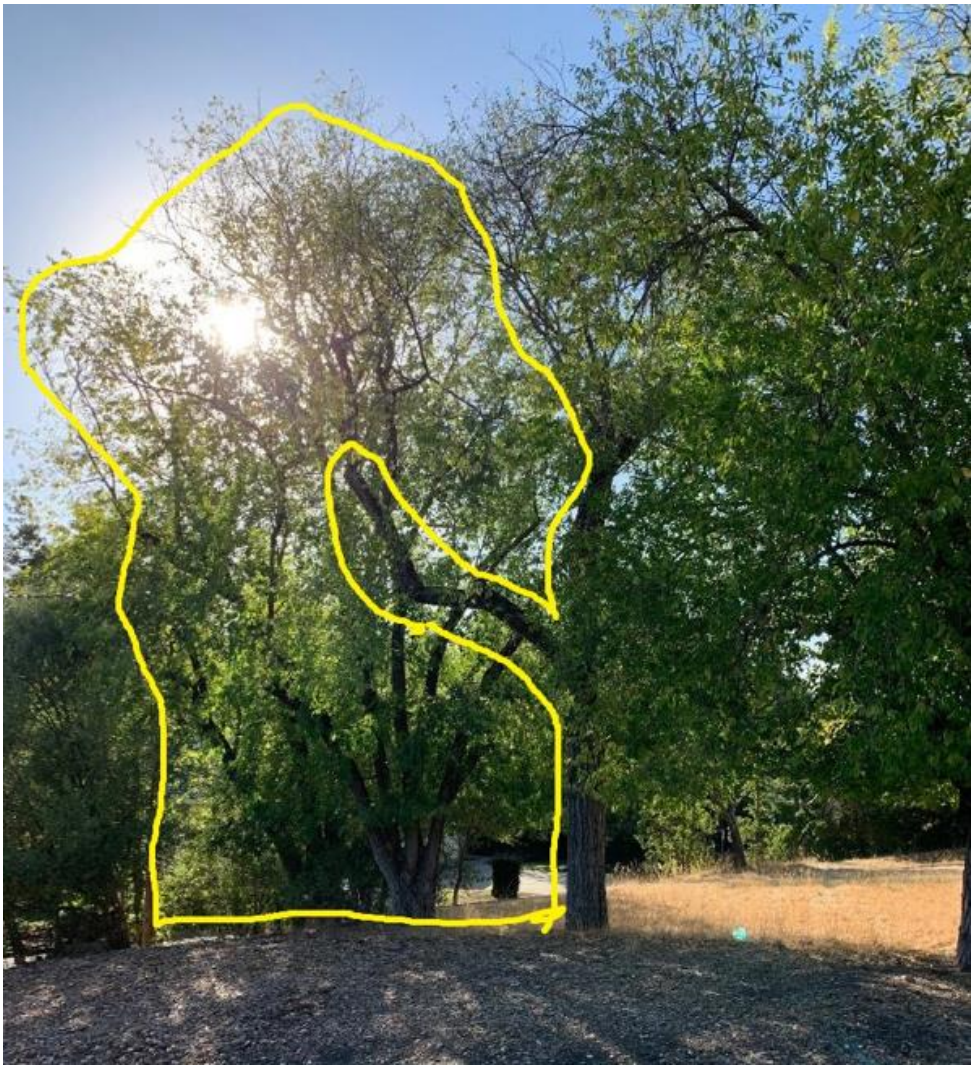
The proposed removal of Siberian Elms #58 and #59 negatively impacts our property in two ways. We feel the following Environmental Factors support this opposition:

<u>Section 1: AESTHETICS</u>

C. Degradation of existing visual character – these trees provide exceptional privacy from the street and if removed will damage the esthetics of our property.

D. Light – Although this section seems to refer to man-made light, Siberian Elm #58 and #59 sit due west from the middle of our property. If removed, we will lose the current natural shading that develops in the afternoon and we will be in the direct line of sight for the setting sun. During the summer months, our energy expense will increase drastically due to <u>the additional (5) hours of glaring sunlight</u> and this will be unacceptable.

Please see the below photos where I have clearly outlined the trees that are planned to be removed:



Please confirm receipt of this letter and advise us of when the next Public Hearing will take place regarding this project.

Thank you very much,

Jon A. Jones
jjonespsiw@yahoo.com

Allison J. Kenney
Ajkenney80@gmail.com

2244 Blackwood Dr.
Walnut Creek CA 94596

From:	Darcy Wallace
To:	Margaret Mitchell
Cc:	Barb Spruck
Subject:	Neighborhood Development Project
Date:	Sunday, October 25, 2020 7:30:49 PM

Hi Margaret / County Planning Office,

I am writing to express my concerns with the 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007). After reviewing the proposed Mitigated Negative Declaration, I would also like to understand my rights as a property owner in the neighborhood.

This project disrupts the neighborhood in many ways. This is to make sure you and the planning board know that I strongly oppose the project as outlined.

Can you please let me know how the process will work since many of our neighbors are concerned? We need to make sure there will be opportunity to make our voices heard - and have many more questions that we need answered before this plan is approved.

Thank you,

Darcy Wallace
darcywallace5@gmail.com
(510) 375-4500
2167 Norris Rd, Walnut Creek, CA 94596

Please confirm receipt of this email.

From:	Ryan Kish
To:	Margaret Mitchell
Cc:	Barb Spruck; darcywallace5@gmail.com
Subject:	Re: 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007)
Date:	Sunday, October 25, 2020 8:20:03 PM

Hi Margaret / County Planning Office,
I am writing to express my concerns with the 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007). After reviewing the proposed Mitigated Negative Declaration, I would also like to understand my rights as a property owner in the neighborhood.

This project disrupts the neighborhood in many ways. This is to make sure you and the planning board know that I strongly oppose the project as outlined.

Can you please let me know how the process will work since many of our neighbors are concerned? We need to make sure there will be opportunity to make our voices heard - and have many more questions that we need answered before this plan is approved.

Thank you.
Ryan Kish

Norris Road homeowner
EcoRemodeler@gmail.com
480-206-5057

From: Allison Kenney
To: Margaret Mitchell
Subject: 2216 Blackwood Drive 2 -Lot Subdivision project -County File # MS19-0007
Date: Sunday, October 25, 2020 9:08:57 PM

Hello Margaret / CCC Dept. of Conservation Development:

I am writing to express my concerns with the 2216 Blackwood Drive 2-Lot Subdivision Project - County File Number #MS19-0007.

After reviewing the Proposed Mitigated Negative Declaration, I am sending this email to make you and the Planning Board / County Zoning Administrator aware that I strongly oppose the project as outlined. This project disrupts the neighborhood in many ways, and my property in particular, and should be scrutinized at all levels.

I would like to understand my rights as a property owner in the neighborhood, can you please advise how the process will work and what you need from me. I have many more questions that will need to be answered before this plan and/or subsequent plan requests are allowed to move forward.

Please confirm receipt of this email, I want to make sure I have the opportunity to make my voice heard before the Public Comment Period expires on 10/29/20 before 5:00pm.

Thank you,

Allison Kenney
ajkenney80@gmail.com
(925) 817-8875
2244 Blackwood Dr, Walnut Creek, CA

From:	Gary Wallace
To:	Margaret Mitchell
Cc:	BarbSpruck@gmail.com
Subject:	Neighborhood Development Project - 2216 Blackwood Drive 2 Lot Subdivision
Date:	Sunday, October 25, 2020 9:21:11 PM

Dear Margaret,

I am writing to confirm our upcoming phone conversation on Monday 10/26/2020 AM (before 10:00) per the previous email on 10/23/2020, to express my concerns with the 2216 Blackwood Drive 2 - Lot Subdivision project (county file #MS19-0007). After reviewing the proposed Mitigated Negative Declaration, I would also like to understand my rights as a property owner in the neighborhood. I will be attaching photos representing the disruption to yards and trees that will be lost in a subsequent email, for your reference.

This project is to add one home to an existing property - and significantly disrupts no fewer than 3 areas of the neighborhood. At a minimum, my concerns include (but ar not limited to):

* The disturbance of 3 areas of the neighborhood:
    -The widening / disruption of a privately maintained road (Norris Road)
    -The expansion of pavement / road into existing property yards
    -The ability for this home - located on Blackwood Drive - to create a front entrance to the new home which would be located on a PRIVATE road (ie., Norris Road)
    -The widening / disturbance of Blackwood Lane
    -The removal of a minimum of 25 trees (which are NOT unhealthy)

*The disturbance of wildlife (as outlined)
*Increased traffic to the quiet neighborhood

As follow-up to this letter, can you please address and clarify some other concerns associated with this project:
    -Please clearly outline the process for reviewing this proposal? Is it reviewed at only one meeting and a final decision will be made?
    -Will the concerned neighbors have future / additional opportunity to express their concerns and have the broader committee address them?
    -Who approves the authorization to allow one home (on a different road) to access / create a front entry to this new home - on an existing private road? As a private road, who manages the maintenance in the future if extensions are approved and completed?
    Will the county then manage future repairs / maintenance? Will it then no longer be considered a private road?
    -Given the proposal will affect several existing property landscaping / yards/ trees / how is this managed? Will new landscaping / trees / and costs be provided if such is approved?
    -Given the fact that some of the homes and yards of those homes being affected have been in their existing configuration since at least the early 1930's, disruption of these properties should not be allowed.
    - There are many factors that impact Norris Rd (a private road) which is currently maintained by the 5 current property owners.(ie., Increased traffic, damage to the private road during construction, parking during construction (which would be on private property, ie., the current owners property which extends to the centerline of the private road), changing the look of the current Norris Rd layout by adding curbs.

Given the expansive impact to our property and the property of our neighbors on the private road portion of Norris Rd, we strongly oppose the approval of this project.

Looking forward to our conversation on Monday, 10/26/2020, before 10:00AM.

Thank you,

Gary Wallace
gwallaceelectric@gmail.com
(510) 375-4400
2167 Norris Rd, Walnut Creek, CA 94596

Please confirm receipt of this email.

From:	Gary Wallace
To:	Margaret Mitchell
Subject:	Re: 2216 Blackwood drive 2 lot subdivision
Date:	Thursday, October 29, 2020 10:56:52 PM
Attachments:	2020-10-29_ Norris rd letter.pdf

Hi Margaret
Attached is a personal letter opposing the proposed lot split. I have also attached a petition signed by the neighbors surrounding the project.
Thank You
Gary Wallace

10/29/2020

To: Margaret Mitchell

Re: 2216 Blackwood Dr 2-Lot Subdivision

Dear Margaret,

We are writing this letter to voice our opposition to this proposed planned subdivision of the lot at 2216 Blackwood Drive that will personally affect our property at 2167 Norris Rd. As stated in the Proposed Mitigated Negative Declaration, the plan is to widen the private road portion of Norris road to 30 ft with a turnaround at the end. If this were to be approved, it would invite increased traffic to an already impacted private dead- end road.

To widen Norris Rd and install a curb that would impede our property will take away from the country appeal we so desired when we purchased the property. We also purchased this property knowing that we were the last house on the left side of the road with no other buildings or lots with a possible Norris Rd address. We believe that making concessions to adjust the county standard of minimum lot size from 120ft wide to 110.8ft wide to build 1 single family dwelling and disrupt the property of 5 existing properties would be devastating.

The removal of up to 25 trees in our area would take away from the country appeal of our neighborhood and environmental transformation will disrupt wildlife habitat in the area.

Thank you for your time and attention to our strong opposition to this proposal, as it has an expansive negative impact to our property, my family and our neighborhood. We will await notification to provide further testimony at the public hearing.

Thank you,

Gary Wallace

gwallaceelectric@gmail.com / 510-375-4400

Darcy Wallace

Darcywallace5@gmail.com / 510-375-4500

PETITION SUMMARY

Action Petitioned for:	*We the undersigned are concerned citizens who oppose the proposed development plan of 2216 Blackwood Drive, Walnut Creek, CA (2-lot subdivision, County File Number #MS19-0007)*

Printed Name	Signature	Address	Date
Daniel Sanom		2175 Norris Rd	10/24/2020
Pete McGoff		1330 Mt-View Blvd	10/24/2020
Don A. Jones		2244 BLACKWOOD DR	10/24/2020
Allison Kenney		2244 Blackwood Dr	10/24/2020
Erin Borges		11 Blackwood Ct	10/25/2020
Kim Colón		115 Poppy Ct	10/26/20
Mike Colon		115 Poppy CT	10/26/20
Betsy Rosenlund		2154 Norris Rd	10/26/2020
Kimberly Rotticci		2154 NORRIS RD	10/26/2020
Kelly Schoenberg		2158 Norris Rd	10/26/2021

PETITION SUMMARY

Action Petitioned for:	*We the undersigned are concerned citizens who oppose the proposed development plan of 2216 Blackwood Drive, Walnut Creek, CA (2-lot subdivision, County File Number #MS19-0007)*

Printed Name	Signature	Address	Date
Daniel Schoenberg		2158 Norris Rd. Walnut Creek 94596	10/26/20
SHARON DALIER		2167 NORRIS RD WALNUT CREEK 94596	10/26/20
YEVGENY German		2171 Norris Rd. Walnut Creek. 94596	10/26/2020
Valentina German		2171 Norris Rd Walnut Creek 94596	10/26/20
D.arcy Wallace		2167 Norris RD WC 94596	10/26/2020
Gary Wallace		2167 Norris RD WC 94596	10/26/2020
Robert Hagler		2170 Norris Rd. W.C. 94596	10/29/20
Marilyn Hagler		2170 Norris Rd W.C. 94596	10/29/20
Chris Hagler		2170 Norris Rd W.C. 94596	10/29/20
ADRIENNE KANYUK		1316 MT. VIEW W.C 94596	10-29-20

PETITION SUMMARY

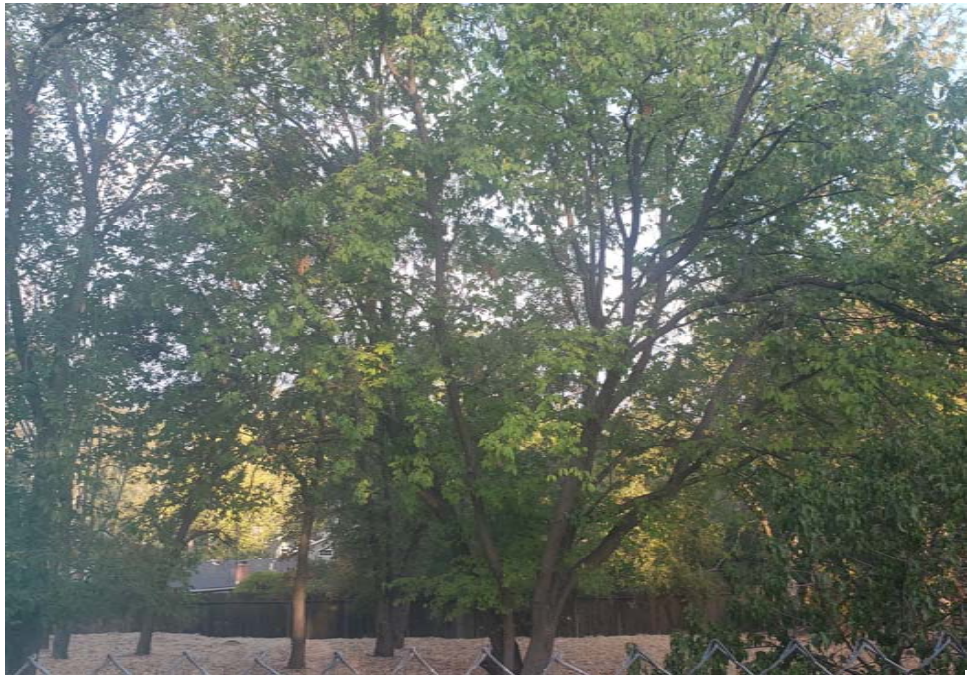
Action Petitioned for:	*We the undersigned are concerned citizens who oppose the proposed development plan of 2216 Blackwood Drive, Walnut Creek, CA (2-lot subdivision, County File Number #MS19-0007)*

Printed Name	Signature	Address	Date
Don Elium		2168 NORRIS Rd	10-29-2020
Matthew Elium		2168 NORRIS Rd	10-29-2020
		WALNUT	
		Creek	
		CA 94596	

PETITION SUMMARY

Action Petitioned for:	*We the undersigned are concerned citizens who oppose the proposed development plan of 2216 Blackwood Drive, Walnut Creek, CA (2-lot subdivision, County File Number #MS19-0007)*

Printed Name	Signature	Address	Date
LES KANYA	Les Kanya	1316 MT VIE BLVD	10-29-



From:	Daniel Schoenberg
To:	Margaret Mitchell
Subject:	Concerns re; #MS19-0007
Date:	Monday, October 26, 2020 7:59:26 AM

Hi Margaret / County Planning Office,

My husband Dan and I have just become aware of the 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007). Although we live across the street from the proposed project, We did not receive any notice regarding it's proposal. After reviewing the Mitigated Negative Declaration shown to us via our neighbors, I would also like to understand my rights as a Norris Rd .property owner .

This project would disrupt myself along with the other Norris Rd. neighbors in a major way. The purpose of this letter is to make sure you and the planning board know that I strongly oppose the project as outlined.

Can you please put me on the group email/mailing list so that I can receive all info on the proposal so that I can legally respond and protect my rights as a highly affected property owner.

Regards,

Kelly Schoenberg
2158 Norris Road
Walnut Creek

Sent from my iPad

From: sheath100@comcast.net
To: Margaret Mitchell
Cc: barbspruck@gmail.com
Subject: Neighborhood Development Project
Date: Monday, October 26, 2020 11:30:43 AM

Hi Margaret / County Planning Office,

I am writing to express my concerns with the 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007). After reviewing the proposed Mitigated Negative Declaration, I would also like to understand my rights as a property owner in the neighborhood.

This project disrupts the neighborhood in many ways. This is to make sure you and the planning board know that I strongly oppose the project as outlined.

Can you please let me know how the process will work since many of our neighbors are concerned? We need to make sure there will be opportunity to make our voices heard - and have many more questions that we need answered before this plan is approved.

Thank you,

Sharon Heath Dauer
(510) 375-1827
2167 Norris Road Walnut Creek, CA 94596

Please confirm receipt of this email.

From:	Yevgeny German
To:	Margaret Mitchell
Cc:	Valentina German
Subject:	2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007)
Date:	Monday, October 26, 2020 4:19:55 PM

Hi Margaret / County Planning Office,

We are writing to express our concerns with the 2216 Blackwood Drive 2-Lot Subdivision project (county file #MS19-0007).

This project disrupts the neighborhood in many ways. This is to make sure you and the planning board know that I strongly oppose the project as outlined.

Can you please let me know how the process will work since many of our neighbors are concerned? We need to make sure there will be opportunity to make our voices heard - and have many more questions that we need answered before this plan is approved.

Thank you.

Valentina and Yevgeny German @ 2171 Norris Rd, Walnut Creek
yevgeny.german@gmail.com

--
Sincerely,

Yevgeny German

(847) 877-8058 cell
yevgeny.german@gmail.com

CONFIDENTIALITY NOTICE: The message below and any attachments may contain **privileged** and/or **confidential** information intended solely for the use of the addressee. Any disclosure, distribution, copying or use of the information by others is strictly prohibited.

From:	Charles Wickman
To:	Margaret Mitchell
Subject:	#MS19-0007 (2216 Blackwood Dr. 2-Lot Subdivision)
Date:	Tuesday, October 27, 2020 4:11:27 PM

Hi Margaret,

I am writing to you regarding #MS19-0007 (project title: 2216 Blackwood Dr. 2-Lot Subdivision).

I have reviewed the "NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A PROPOSED MITIGATED NEGATIVE DECLARATION" document and have some concerns regarding the negative environmental impact that the project will have on the surrounding area.

Since this is not something I commonly do I am not sure how to exactly express my concerns I will bullet them below:

- Tree Removal
  - Sunlight/Exposure: The reduction in trees on the property would increase the surface temperature of adjacent property during dry summer months.
  - Recorded trunk diameter size reported: Many of the trees on the property look to have a MUCH wider trunk than reported in the reference document. Note: The impact to heat/exposure would be greater than anticipated.
  - Wildlife: We have had many birds (especially raptors/hawks) that have spent significant time on the property.
- Generic
  - Wildlife: Deer/Coyotes/etc have been using this property as a 'highway' and use it to access other parts of the neighborhood.

While I am very concerned about this development and have many other opinions I would like to express. Would I have an opportunity to work with the county/developer to find a suitable plan that works well for them and the neighborhood?

Thanks,
Charles

From: T. Eric Sun
To: Margaret Mitchell
Subject: COMMENT on Notice of Public Review and Intent to Adopt Proposed Mitigated Negative Declaration for 2216 Blackwood Dr. Subdivision - Cty File#MS19-0007
Date: Wednesday, October 28, 2020 6:35:38 PM
Attachments: image54614.PNG
Importance: High

Dear Ms. Mitchell:

Please consider this my written comment on the proposed subdivision referenced above.

I am the owner of the property located at 2203 San Miguel Dr., Walnut Creek, CA 94596. The back of my property is directly across from Lot B of the proposed subdivision, separated by an unpaved section of Norris Road. (See annotated image of partial Vicinity Map (Attachment 1 to your 57-page CEQA Environmental Checklist Form, dated 10/1/2020, downloaded from your website.)

I am concerned that the proposed tree removal might include approximately 10 trees (mostly oaks, I believe) that are located on the unpaved section of Norris Road, within our property lines and subject to the Norris Road public easement. As you can see from the 2nd annotated image, showing a view toward the unpaved Norris Rd, bearing northwest, these trees (on the left) line our backyard fence, beyond the chain that restricts access to Norris. Having read the entire document, including maps and tables, I am still unable to definitively determine whether said trees are part of the proposed tree removal.

If these trees are subject of removal under the Proposed Subdivision, please let this be written notice of my objection and request for mitigation. The last 3 attached pictures show how these trees constitute the entirety of our backyard view and shading from the sun. The same trees also provide nesting ground for turkey vultures and owls. The removal of the trees implicates, among other criteria, Environmental Checklist #1 Aesthetics, sub-parts (a), (b), and (d); #4 Biological Resources sub-parts (a), (d), and (e).

If these trees are NOT affected by the Proposed Subdivision, please provide written clarification with an explanation /illustration of how these trees are outside the scope of the Proposed Subdivision, for my record and future reference.

Thank you for your kind attention to this matter.

Very truly yours,
T. Eric Sun

FOLEY & MANSFIELD

T. Eric Sun | Partner | T: 510-590-9500 | F: 510-590-9595
2185 N. California Blvd, Suite 575 | Walnut Creek, CA 94596 | foleymansfield.com

Chicago | Denver | Detroit | Edwardsville | Indianapolis | Kansas City | Los Angeles | Miami
Minneapolis | New Orleans | New York | Portland | St. Louis | Seattle | Tampa Bay | **Walnut Creek**

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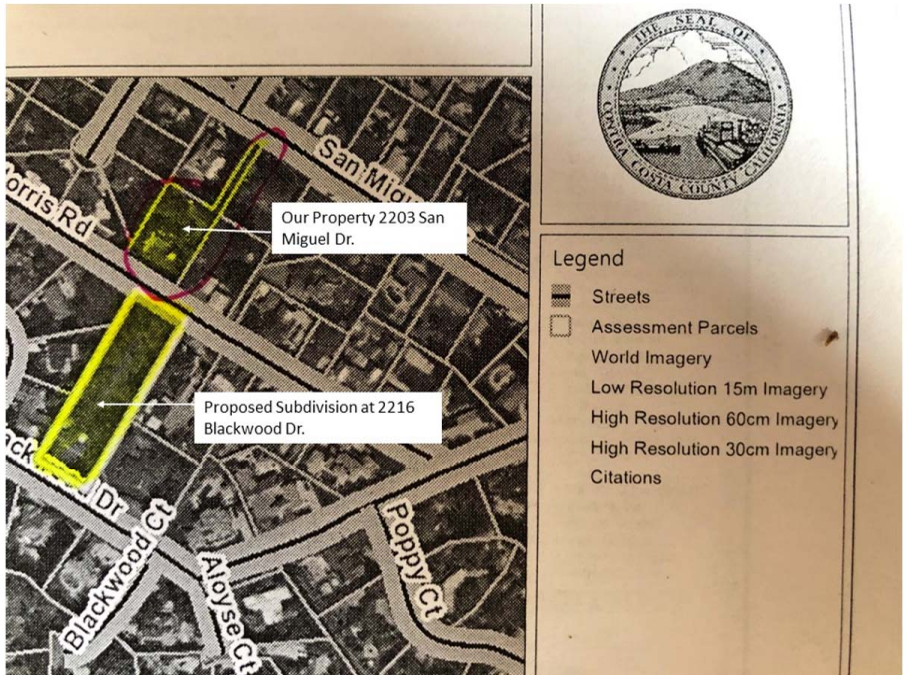

Our Property 2203 San Miguel Dr.
Proposed Subdivision at 2216 Blackwood Dr.
Blackwood Ct
Aloyse Ct
Poppy Ct
Legend
Streets
Assessment Parcels
World Imagery
Low Resolution 15m Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations

Back of Lot B in proposed subdivision
Our Property 2203 San Miguel Dr.
Trees of concern
Unpaved Norris Road chained off from here

From: James Atencio
To: Margaret Mitchell
Subject: Fw: 2216 Blackwood Drive project
Date: Monday, November 2, 2020 1:18:27 PM

Here are my comments - please let me know if you get this one. Thanks!

Thank you for taking the time to speak with my yesterday regarding the project. I am writing to express my concern with respect to the following aspects of the project:

1. The MND does not provide an adequate analysis regarding the effect of the tree removal on the property, specifically the loss of shade and the subsequent need for increase use of air conditioner, etc.

2. The applicant has not demonstrated an undue hardship that allows them to receive the setback variance requested on the property for the new dwelling.

3. The effect that the changes to the driveway and widening of Blackwood would have on surrounding properties.

Finally, it seems the applicant would be best served to reach out to the surrounding property owners to discuss the issue raised prior to moving forward with the ZA hearing, in order to address the numerous issues raised with their proposal.

Thank you for your time and consideration.

James Atencio
2196 Hadden Rd.

From:	Pam Kessler
To:	Margaret Mitchell
Subject:	comments on Blackwood Drive project in Walnut Creek
Date:	Friday, October 30, 2020 7:53:50 PM

Hi Margaret
I missed the public comments. My husband has been in the hospital for over a month. Is it possible to submit comments about tree removal on the Blackwood Drive property? The plan calls for an excessive amount of tree removal that will impact our natural environment. The beauty that surrounds us is the reason we live here. I have photographs to submit if possible, let me know.

I am in agreement with the comments submitted by my neighbors Alison & Jon Jones.

Thank you
Pam Kessler
2245 Blackwood Drive
Walnut Creek CA 94596
(925) 212-5146

photo

Pam Kessler
Publisher, Walnut Creek Magazine

O (925) 212-5146 **W** walnutcreekmagazine.com

From:	James Campos
To:	Margaret Mitchell
Cc:	Valerie Miranda; Jenna Fujitsubo; Jon Vizcay; Jennifer Cruz
Subject:	Re: MS19-0007 Draft Initial Study
Date:	Thursday, October 1, 2020 5:27:23 AM

Margret, I accept mitigation measures. Please confirm receipt.

James M. Campos
Campos Development
1555 Botelho Dr. Suite, 421
Walnut Creek, CA 94596
925.997.4529 Cell
www.CamposDevelopment.com

On Sep 21, 2020, at 2:07 PM, Margaret Mitchell <Margaret.Mitchell@dcd.cccounty.us> wrote:

Hi James,

Please find attached the draft Initial Study and Mitigation Monitoring and Reporting Program for MS19-0007. Please review the documents and then submit to me in writing your acceptance of the Mitigation Measures. Once you accept the Mitigation Measures, I will then be able to post the document for public comment.

Thank you,

Margaret Mitchell, Planner II
Contra Costa County
Dept. of Conservation and Development
Community Development Division

<MS19-0007_InitialStudy_draft.pdf>
<MS19-0007_MMRP_draft.pdf>

CEQA ENVIRONMENTAL CHECKLIST FORM

Project Title:	Two-Lot Minor Subdivision County File #MS19-0007
Lead Agency Name and Address:	Contra Costa County Department of Conservation and Development 30 Muir Rd. Martinez, CA 94553
Contact Person and Phone Number:	Margaret Mitchell, Project Planner (925) 674-7804
Project Location:	2216 Blackwood Drive Walnut Creek, CA 94596 Assessor's Parcel Number: 183-172-001
Project Sponsor's Name and Address:	Campos Development, LLC (Applicant and Property Owner) 1555 Bothelho Drive #421 Walnut Creek, CA 94596
General Plan Designation:	The subject property is located within a Single-Family Residential, Low-Density (SL) General Plan land use designation.
Zoning:	The subject property is located within a Single-Family Residential (R-20) Zoning District.

Description of Project: The applicant requests approval of a tentative map for a minor subdivision that proposes to subdivide a 42,350-square-foot lot into two parcels (Parcel A: 20,536 square-feet; Parcel B: 22,772 square-feet). Parcel A will have a depth of 180.98 feet and an average width of 110.8 feet, and Parcel B will have a depth of 184.85 feet and an average width of 110.8 feet. This subdivision includes a request for approval of a Tree Permit to remove 25 code-protected trees to allow for the construction of a new residence on Parcel B, for the widening of Blackwood Drive, and due to the poor health of some of the trees. The subdivision also requests approval of a variance to allow an average width of 110.8 feet for each lot (where 120 feet is required). The existing residence on Parcel A is to remain, with no proposed modifications. The existing 12.1-foot minimum side yard of the existing residence is at variance, as a minimum side yard of 15 feet is required. Future development of one new single-family residence on Parcel B would be the result of approval of this subdivision, and the new residence would be able to meet all required setbacks. The pavement of Blackwood Drive will be widened to 36 feet within the existing 50-foot right of way. Frontage improvements that will be required include pavement widening, curb and sidewalk to be constructed along the frontage, with the face of the curb to be located 18 feet from the centerline of the right of way. The project includes an exception to the sidewalk requirement as there are no other sidewalks in this neighborhood. The existing driveway will be redesigned, due to the widening of Blackwood Drive and the steepness of the existing driveway. The Norris Road easement and pavement will be widened to match other portions of Norris Road, and a curb will be constructed at the frontage. A paved turnaround will be added at the termination of the paved portion of Norris Road, which will also provide access to Parcel B. The project also

includes an exception to the requirement that overhead utilities shall be relocated underground for Parcel A.

Surrounding Land Uses and Setting: The subject property is within an established neighborhood that is primarily within the R-20 Residential Zoning District, with a small portion of the properties in an R-15 Zoning District to the east and a small portion of properties within a P-1 Zoning District to the southwest. Interstate 680 is located approximately 0.6 miles to the west, the City of Walnut Creek is approximately 570 feet to the northeast and 1,700 feet to the southwest.

The subject property is a gently sloped lot located between Blackwood Drive and Norris Road in the unincorporated area of Walnut Creek, with Parcel A fronting Blackwood Drive, a public road, and Parcel B fronting Norris Road, a private road. The property slopes more steeply from the existing residence located on Parcel A down to Blackwood Drive. Blackwood Drive has a pavement width of approximately 23 feet within a 50-foot right of way. Norris Road provides access to Mountain View Boulevard to the southeast and has a right of way of approximately 30 feet. The pavement ends at the subject property where the easement is chained off. The pavement resumes 800 feet to the northwest, where Norris Road provides access to San Miguel Drive. Portions of the Norris Road private road easement were widened as part of MS05-0046, where the pavement was also widened and curbs were constructed along the frontage.

Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement:

- Contra Costa County Public Works Department
- Contra Costa County Building Inspection Division
- Contra Costa Fire Protection District
- Central Contra Costa Sanitary District
- East Bay Municipal Utility District

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In accordance with Section 21080.3.1 of the California Public Resources Code, a Notice of Opportunity to Request Consultation was sent on April 9, 2020 to the Wilton Rancheria, the one California Native American tribe that has requested notification of proposed projects. Pursuant to Section 21080.3.1(d), there is a 30-day time period for the Wilton Rancheria to either request or decline consultation in writing for this project. Staff has not received a request for consultation to date.

Environmental Factors Potentially Affected		
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.		
☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Services Systems	☐ Wildfire	☐ Mandatory Findings of Significance

Environmental Determination

On the basis of this initial evaluation:

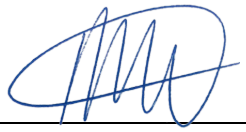
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



10/1/2020

Margaret Mitchell
Planner II
Contra Costa County
Department of Conservation & Development

Date

ENVIRONMENTAL CHECKLIST

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. *AESTHETICS –* *Except as provided in Public Resources Code Section 21099,* ***would the project*:**				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

SUMMARY:

a) Would the project have a substantial adverse effect on a scenic vista? ***(No Impact)***

The Open Space Element (Figure 9-1) of the County General Plan identifies scenic ridges and waterways in the County. According to this map, there are no scenic ridges or waterways in the area of the project site. Thus, as the proposed project is not visible from, and will not substantially change the visual character of the neighborhood in relation to scenic vistas, it is not expected to result in any substantial adverse effect on a scenic vista.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? ***(No Impact)***

The Transportation and Circulation Element (Figure 5-4) of the County General Plan identifies scenic routes in the County, including both State Scenic Highways and County designated Scenic Routes. According to the map, Interstate 680 is classified as a scenic route in the project vicinity. However, given that the anticipated new residence would be over a half mile away from 680, and multiple existing structures would obscure the view, no impact on a scenic resource is expected.

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? ***(Less than Significant Impact)***

The project site is located within an urbanized area. The Tentative Map prepared by APEX Civil Engineering and Land Surveying dated February 25, 2020 shows the proposed location for the one new residence on Parcel B to meet all required setbacks for the R-20 Zoning District. The proposed parcels are in the same configuration as the existing subject property. Parcel A has an existing residence that fronts Blackwood Drive, a public road, and Parcel B is oriented to have the front yard setback measured from the Norris Road private road easement. Although Parcel A has an existing minimum side yard of 12.1 feet (where 15 feet is required), Parcel B would have a minimum side yard of 15-feet when measured from either the East or the West property line. The opposite side yard is required to meet an aggregate of 35-feet. Both parcels would also have their rear yards measured off the center property line that divides the two properties. Parcel A will maintain the orientation and distance of the existing subject property's setbacks. Thus, the setbacks when measured off shared property lines with adjacent properties is not changed. The existing visual character of the project site would change with the additional residential development, but not significantly altered. This type of visual change is consistent with the R-20 Zoning District, as a single-family residence is permitted by-right for each new lot. Therefore, the subdivision of the subject property resulting in the development of one new residence is considered a less than significant impact on the visual character to the project site and surrounding area.

d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* ***(Less than Significant Impact)***

The project site is located within an urbanized area. Expected daytime views after construction of the new residence is completed would be similar to views of other development in the neighborhood. The façade of the expected residence (with texture, color, and quality of building materials consistent with surrounding residences) would not create substantial glare. The change in ambient nighttime light levels on the project site, and the extent to which project lighting would spill off the project site and affect adjacent light-sensitive areas, would determine whether the project could adversely affect nighttime views in the area. After construction, lighting of the expected new single-family residence and associated improvements would introduce more light and glare in the area than the existing lot. However, the project site is in an urbanized area surrounded by other residences that also produce ambient light, and the project site is screened by existing trees. Therefore, the project would have a less that significant impact on day or nighttime views in the area due to glare or light.

<u>Sources of Information</u>

- Site visit conducted by CDD staff, August 15, 2019.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

- Tentative Map MS19-0007 prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020.
- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. *Land Use Element.*
- Contra Costa County General Plan, 2005-2020. *Open Space Element.*
- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
2. *AGRICULTURAL AND FOREST RESOURCES – Would the project:*				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	☐	☐	☐	☒

SUMMARY:

a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* ***(No Impact)***

The project site is listed as being Urban and Built-Up Land by the 2016 Contra Costa County Important Farmland Map. No prime, unique or farmland of statewide importance will be affected due to this project.

b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?* ***(No Impact)***

According to County records, the subject property is not in a Williamson Act contract. The project site is zoned Single-Family Residential. The subdivision of the subject property resulting in the development of one new residence is consistent with the R-20 Zoning District. Therefore, the project will not conflict with existing zoning for agricultural use, or a Williamson Act contract.

c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)? ***(No Impact)***

The project site is zoned Single-Family Residential. The subdivision of the subject property resulting in the development of one new residence is consistent with the R-20 Zoning District. Each of the contiguous parcels is developed with other single-family residences. Therefore, no forest land or timberland as defined by the California Public Resources code will be affected by the future residential development as a result of the subdivision of the subject property.

d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?* ***(No Impact)***

The project site is listed as being Urban and Built-Up Land by the 2016 Contra Costa County Important Farmland Map. The subject property is not in a Williamson Act contract. The project site is zoned Single-Family Residential. The subdivision of the subject property resulting in the development of one new residence is consistent with the R-20 Zoning District. Therefore, the project will not involve or result in the loss of forest land to non-forest use.

e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?* ***(No Impact)***

The project site is listed as being Urban and Built-Up Land by the 2016 Contra Costa County Important Farmland Map. No prime, unique or farmland of statewide importance will be affected due to this project. According to County records, the subject property is not in a Williamson Act contract. The project site is zoned Single-Family Residential. The subdivision of the subject property resulting in the development of one new residence is consistent with the R-20 Zoning District. Each of the contiguous parcels is developed with other single-family residences. Therefore, the project will not involve changes in the existing environment that could result in the conversion of farmland to non-agricultural use.

Sources of Information

- Contra Costa County 2016 Important Farmland Map.
- Contra Costa County Code, Title 8, Zoning Ordinance.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3. *AIR QUALITY – Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☒	☐	☐

SUMMARY:

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?* ***(Less than Significant Impact)***

Contra Costa County is within the San Francisco Bay air basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the Bay Area 2017 Clean Air Plan. The purpose of the Clean Air Plan is to bring the air basin into compliance with the requirements of Federal and State air quality standards. BAAQMD has prepared CEQA Guidelines to assist lead agencies in air quality analysis, as well as to promote sustainable development in the region. The CEQA Guidelines support lead agencies in analyzing air quality impacts.

If, after proper analysis, the proposed project's air quality impacts are found to be below the significance thresholds, then the air quality impacts may be considered less than significant. The Air District developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions.

The proposed project would result in the future construction of one single-family residence and associated development on the project site. This would be well below the BAAQMD screening criteria threshold of 56 dwelling units. Therefore, the proposed project would not be in conflict with the Clean Air Plan or obstruct its implementation.

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? ***(Less than Significant Impact)***

The region is in nonattainment for the federal and state ozone standards, the state PM^{10} standards, and the federal and state $PM^{2.5}$ standards. As discussed above, the proposed project would not result in significant emissions of criteria air pollutants during the construction period or during project operation. Although the proposed project would contribute small increments to the level of criteria air pollutants in the atmosphere, the project would have a less than significant adverse environmental impact on the level of any criteria pollutant, because it is below the screening threshold.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?* ***(Less than Significant Impact with Mitigation)***

Subdivision of the subject property, and future occupancy of the expected one additional single-family residence would not be expected to cause any localized emissions that could expose sensitive receptors (e.g., nearby residences, schools) to unhealthy long-term air pollutant levels. Construction activities, however, would result in localized emissions of dust and diesel exhaust that could result in temporary impacts to nearby single-family residences.

Construction and grading activities would produce combustion emissions from various sources, including heavy equipment engines, paving, and motor vehicles used by the construction workers. Dust would be generated during site clearing, grading, and construction activities, with the most dust occurring during grading activities. The amount of dust generated would be highly variable and would be dependent on the size of the area disturbed, amount of activity, soil conditions, and meteorological conditions. Although grading and construction activities would be temporary, such activities could have a potentially significant adverse impact during construction. Consequently, the applicant is required to implement the following mitigation measures, which the BAAQMD recommends to reduce construction dust and exhaust impacts.

Impact AIR-1: *During grading and construction activities, the project could temporarily expose sensitive receptors to substantial pollutant concentrations, and diesel-powered vehicles and equipment used on the site during grading and construction could temporarily create localized objectionable odors.*

Mitigation Measure AIR-1: *The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during project construction and shall be included on all construction plans.*

1. *All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.*

2. *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

3. *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.*

4. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*

5. *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.*

6. *Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five 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.*

7. *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.*

8. *Post a publicly visible sign with the telephone number and 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 phone number shall also be visible to ensure compliance with applicable regulations.*

Implementation of this mitigation measure would reduce the impact on the sensitive receptors during construction to a less than significant level.

d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?* ***(Less than Significant Impact with Mitigation)***

The project would not produce any major sources of odor and is not located in an area with existing issues (e.g. landfills, treatment plants). Therefore, the development that would be the result of the proposed subdivision would have a less than significant impact in terms of odors.

During construction and grading, diesel powered vehicles and equipment used on the site could create localized odors. These odors would be temporary; however, there could be a potentially significant adverse environmental impact during project construction due to the creation of objectionable odors. Consequently, the applicant is required to implement ***Mitigation Measure AIR-1*** above. Implementation of this mitigation would reduce the impact from the creation of objectionable odors to a less than significant level.

Sources of Information

- Bay Area Air Quality Management District. 2017. *Bay Area 2017 Clean Air Plan.*
- Bay Area Air Quality Management District. 2017. *Air Quality Guidelines.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
4. *BIOLOGICAL RESOURCES – Would the project:*				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

SUMMARY:

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ***(Less than Significant Impact)***

According to the California Department of Fish and Wildlife (CDFW) Public Access Lands map, the project site is not located in or adjacent to an area identified as a wildlife or ecological reserve by the CDFW. According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas map (Figure 8-1) within the Conservation Element of the County General

Plan, the project site is not located in or adjacent to a significant ecological area. The site is already partially disturbed due to an existing single-family residence on Parcel A and some prior grading of the site, but there will be further grading and future construction of a single-family residence on Parcel B. Thus, the project having an adverse effect, either directly or through habitat modifications, of any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service is less than significant.

b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?* ***(Less than Significant Impact)***

According to the California Department of Fish and Wildlife (CDFW) Public Access Lands map, the project site is not located in or adjacent to an area identified as a wildlife or ecological reserve by the CDFW. According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas map (Figure 8-1) within the Conservation Element of the County General Plan, the project site is not located in or adjacent to, a significant ecological area. The project site is partially disturbed through the development of a single-family residence on Parcel A and some prior grading of the site, but there will be further grading and future construction of a single-family residence on Parcel B. Thus, the proposed project having a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service is less than significant.

c) *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* ***(No Impact)***

Section 404 of the Clean Water Act uses the Army Corps of Engineers definition of wetlands, which are defined as, "areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." There are no isolated wetlands on the project site. Therefore, no substantial adverse effects on federally protected wetlands are expected.

d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?* ***(Less than Significant with Mitigation)***

The proposed project is not expected to interfere with migratory fish, as the project site does not contain any wetlands or navigable waterways. The project site is not located on or near a wildlife

nursery site. The project does include the removal of 25 code-protected trees which may result in temporary or permanent disruption to movement of wildlife species. The Migratory Bird Treaty Act protects nesting raptors and their eggs. There are no known occurrences of sensitive or special status bird species occurring on the subject property; however, the project site provides suitable habitat for raptor species. Any construction activity within 300 feet of nesting birds, including the removal of trees, has the potential to disturb nesting raptors. With the implementation of Mitigation Measure BIO-1, the project interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites is reduced to less than significant.

Impact BIO-1: *Removal of trees, grading, and construction on the project site has the potential to impact nesting birds. If grading or construction would occur during the nesting season, February 1 through August 31, nesting birds could be disturbed.*

Mitigation Measure BIO-1: *Prior to any earth-moving activity or construction that would occur on-site during the nesting season (February 1 through August 31), the applicant shall have a preconstruction nesting survey conducted by a qualified ornithologist. Nesting surveys must be completed during springtime of the year during which construction will occur in order to avoid potential impacts to nesting birds.*

An established buffer shall be fenced with orange construction fencing. A qualified biologist shall periodically monitor the nest site(s) to determine if grading activities occurring outside the buffer zone disturbs the birds, and if the buffer zone should be increased to prevent nest abandonment. No disturbance shall occur within the minimum 300-foot buffer zone for raptors and 50-foot zone for common passerines until a qualified biologist has determined that the young have fledged (left the nest), and are flying well enough to avoid project construction zones, typically by July 15th, but sometimes not until into August.

Any qualified biologist hired to conduct nesting surveys or that monitors any active nests shall have the authority to shut the job down if this is necessary to protect the nesting birds. At the time the ornithologist determines that the young have fledged the nest and that the young are no longer dependent upon the nesting tree, the project may resume without any restrictions for nesting birds. Once the young fledge and the nest is no longer in use, as determined by the ornithologist, any tree that must be removed to accommodate the project may be removed without further requirements for nesting birds. Until such nesting surveys are conducted that confirm or negate this species' presence, impacts to this hawk from reasonably anticipated future development on the remainder parcel are considered potentially significant pursuant to CEQA.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ***(Less than Significant Impact)***

The proposed minor subdivision includes a request of approval of a Tree Permit to remove 25 code-protected trees (13 valley oak, one apricot, six Siberian elm, one California black walnut, one magnolia, two honey locusts, and one black locust). The majority of the trees are to be removed for the future construction of the new single-family residence, some are to be removed due to the required widening of Blackwood Drive, and some are to be removed due to the poor health of the trees. An arborist report prepared by certified arborist Jennifer Tso (#WE-10270A) of Traverso Tree Service dated September 23, 2019 and revised December 23, 2019, assessed the current condition of the trees within the project site. The arborist recommends removal of 25 trees due to proposed future construction as well as the poor health of some of the trees. Removal of these trees is already part of the scope of this subdivision. Although there is no proposed grading or trenching within the dripline of code-protected trees, the tree permit will require protective fencing around code-protected trees located near areas of grading and trenching per the arborist's recommendations.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ***(No Impact)***

There is one adopted habitat conservation plan in Contra Costa County, the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP). The plan was approved in May 2007 by the East Contra Costa County Habitat Conservancy, comprised of the cities of Brentwood, Clayton, Oakley, and Pittsburg, and Contra Costa County. The HCP/NCCP establishes a coordinated process for permitting and mitigating the incidental take of endangered species in East Contra Costa County. The plan lists Covered activities that fall into three distinct categories: (1) all activities and projects associated with urban growth within the urban development area (UDA); (2) activities and projects that occur inside the HCP/NCCP preserves; and (3) specific projects and activities outside the UDA. As the proposed project does not fall into any of these categories and is not located within the HCP boundaries, the project is not covered by, or in conflict with the adopted HCP.

Sources of Information

- Contra Costa County General Plan 2005-2020. *Conservation Element*.
- *http://www.co.contra-costa.ca.us/depart/cd/water/HCP/.* Accessed May 14, 2020. East Contra Costa County Habitat Conservancy homepage.
- *https://www.epa.gov/cwa-404/section-404-clean-water-act-how-wetlands-are-defined-and-identified.* Accessed May 14, 2020. United Stated Environmental Protection Agency – Section 404 of the Clean Water Act.
- *http://www.fws.gov/sacramento/es/Habitat-Conservation-Plans/es_hcp.htm.* Accessed May 14, 2020. U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office - Habitat Conservation Plans.
- Contra Costa County Code, Title 8, Chapter 816-6 – Tree Protection and Preservation, Zoning Ordinance.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

- Arborist Report prepared by certified arborist Jennifer Tso (#WE-10270A) of Traverso Tree Service dated September 23, 2019 and revised December 18, 2019.
- Tentative Map MS19-0007 prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
5. *CULTURAL RESOURCES – Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

SUMMARY:

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? ***(No Impact)***

Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as a resource that:

- Is listed in the National Register of Historic Places or the California Register of Historical Resources, or has been determined to be eligible for listing by the State Historic Resources Commission;
- Is included in a local register of historic resources, and identified as significant in a historical resource survey that has been or will be included in the State Historic Resources Inventory; or
- Has been determined to be historically or culturally significant by a lead agency.

The subject property, nor the existing buildings or structures are listed in the National or Register of Historic Places, the California Register of Historical Resources, or the County's Historic resources Inventory. The existing residence does not meet the criteria to be eligible for listing to one of these historical resources inventories. The building is not associated with events that have made a significant contribution to the broad patterns of California's, or the County's, history and cultural heritage. They are not associated with the lives of persons important in our past. Not the architecture nor the construction method embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values. Lastly, the buildings/structures have not yielded, or may be likely to yield, information important in prehistory or history. The existing residence is proposed to remain and will be undisturbed by this project. Therefore, the subdivision of this property would not cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? ***(Less than Significant Impact with Mitigation)***

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Figure 9-2 of the Open Space Element of the County General Plan identifies archaeologically sensitive areas in the County. According to this map, the project site is located within a largely urbanized area. However, the construction activities that will result from the subdivision of the subject property will create ground disturbance. This future ground disturbance has the possibility for disturbing underground cultural resources that may not have been identified to date.

Impact CUL-1: *The project has the potential for disturbing underground cultural resources or human remains that may not have been identified to date.*

Mitigation Measure CUL-1*: The following Best Management Practices shall be implemented during project construction and shall be included on all construction plans:*

1. *If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery should be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations. It is recommended that such deposits be avoided by further ground disturbance activities. If such deposits cannot be avoided, they should be evaluated for their significance in accordance with the California Register of Historical resources.*

   If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

2. *If human remains are encountered, work within 50 feet of the discovery should be redirected and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to assess the situation. If the human remains are of a Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the property and provide recommendations for the proper treatment of the remains and associated grave goods.*

   Upon completion of the assessment by an archaeologist, the archaeologist should prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the Northwest Information Center and appropriate Contra Costa agencies.

As a result, there would be a less than significant adverse environmental impact on an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

c) *Would the project disturb any human remains, including those interred outside of formal cemeteries?* ***(Less than Significant Impact with Mitigation)***

There is a possibility that human remains could be present and accidental discovery could occur. If during project construction, subsurface construction activities damaged previously unidentified human remains, there could be a potentially significant impact. Implementation of ***Mitigation Measure CUL-1*** above would reduce the reduce the potentially significant impact to a less than significant level.

Sources of Information

- *https://npgallery.nps.gov/NRHP/SearchResults/9bce7d9c2f90474c9d8f3512e55da64d?page=1&view=list.* Accessed May 14, 2020. National Park Service – National Register of Historic Places.
- *http://ohp.park.s.ca.gov/ListedResources/?view=county&criteria=7.* Accessed May 14, 2020. Office of Historic Preservation – Listed California Historical Resources.
- Contra Costa County Historic Resources Inventory (October 2016 Draft).
- California Environmental Quality Act Guidelines Section 15064.5 Determining the Significance of Impacts to Archaeological and Historical Resources.
- Contra Costa County General Plan 2005-2020. *Open Space Element*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
6. *ENERGY – Would the project:*				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

SUMMARY:

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? ***(Less than Significant Impact)***

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ***(Less than Significant Impact)***

In response to subsections a-b of *Section 6 Energy*, the project is to subdivide the subject property into two new lots which will allow for one new residential living unit. Construction of new residential development is subject to the 2019 California Green Building Standards Code. According to the California Green Building Code, residential buildings must be designed to include the green building measures specified as mandatory in the application checklists contained in this code. Therefore, this project is not expected to result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, and is not expected to conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Sources of Information

- 2019 California Green Building Standards Code.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
7. *GEOLOGY AND SOILS – Would the project:*				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

SUMMARY:

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? ***(Less than Significant Impact)***

The California Geological Survey (CGS) has delineated Alquist-Priolo (A-P) Earthquake Fault Zones along the known active faults in California. The nearest fault considered active by CGS

is the Concord fault, which is mapped approximately 2 ½ miles northeast of the project site. Additionally, a northwest-trending thrust fault is mapped just northeast of the site. This fault in the flanks of Mt. Diablo are associated with regional folding and on-going uplift of the Mount Diablo region. They are not considered active, but geologic studies suggest the Mount Diablo thrust fault could be capable of producing an earthquake with a moment magnitude of 6.7 Surface rupture is considered unlikely, as this fault is considered a "blind" thrust fault in which displacement do not reach the surface. Nevertheless, the blind thrust faults on the flanks of Mount Diablo are a potential source of strong ground shaking in the site vicinity. Because the site is not within the A-P zone, the risk of fault rupture is generally regarded as very low. Therefore, the potential impact form surface fault rupture would be considered less than significant.

ii) Strong seismic ground shaking? ***(Less than Significant Impact)***

The Safety Element (Figure 10-4 Estimated Seismic Ground Response) of the County General Plan identifies the project site to be in an area rated "moderately low" damage susceptibility. This designation is applied relatively weak bedrock that is chiefly of Pliocene age. The legend of this General Plan map states that sound structures sited on bedrock typically perform satisfactorily if foundation materials and critical slopes are stable. The risk of structural damage from ground shaking is regulated by the California Building Code and the County grading Ordinance. The building code requires use of seismic parameters which allow the structural engineer to design buildings to be based on soil profile types and proximity of faults deemed capable of generating strong/violent earthquake shaking. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally acceptable limits. For these reasons, the environmental impact from seismic ground shaking would be considered to be less than significant.

iii) Seismic-related ground failure, including liquefaction? ***(Less than Significant Impact)***

The Safety Element (Figure 10-5 Estimated Liquefaction Potential) of the County General Plan divides lands within the County into three liquefaction potential categories: generally high, generally moderate to low, and generally low. It is used as a "screening criteria" during the processing of land development applications, on a project-by-project basis. By intent, the map is conservative on the side of safety. The project site is entirely or chiefly in an area of classified as generally low liquefaction potential. Therefore, the potential impact of liquefaction would be considered less than significant.

iv) Landslides? ***(Less than Significant Impact)***

In 1975 the US Geological Survey (USGS) issued photo interpretive maps of Contra Costa County showing the distribution landslide and other surficial deposits. The USGS mapping is

presented in Figure 10-6 of the Safety Element of the County General Plan. This map indicates no evidence of landslide deposits on or near the project site. Therefore, the potential impact of landslides would be considered less than significant.

b) *Would the project result in substantial soil erosion or the loss of topsoil?* ***(Less than Significant Impact)***

According to the Soil Survey of Contra Costa County, the soil mapped on the project site is Diablo clay (DdD and DdE). Diablo clay is a well-drained soil underlain by bedrock. According to the Tentative Map prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020, there is minimal grading necessary for the future development of the two new lots. Parcel A would require grading for the expansion of Blackwood Drive and the reconfiguration of the driveway, and Parcel B would require minimal grading for the foundation of the future residence, for a total of 83 cubic yards of grading combined. Therefore, the erosion hazard can be considered to be less than significant.

c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?* ***(Less than Significant Impact)***

As discussed in section a(iii) and a(iv) above, the risk of ground failure is considered to be a less than significant impact.

d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?* ***(Less than Significant Impact)***

With regard to its engineering properties, the underlying Diablo clay soil is moderately expansive. The expansion and contraction of soils could cause cracking, tilting, and eventual collapse of structures. However, building and grading regulations can be expected to keep risks within generally accepted limits. Thus, the environmental impact from a moderately expansive soil would be considered to be less than significant.

e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* ***(No Impact)***

The subject property is within an area served by the Central Contra Costa Sanitary District. There will not be installation of a septic system as a result of this project.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

f) *Would the project directly or indirectly destroy a unique paleontological resource on site or unique geologic feature?* ***(No Impact)***

The subject property as a whole is relatively flat, with a slope that increases down towards Blackwood Drive. According to the Tentative Map prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020, there is minimal grading necessary for the future development of the two new lots. Parcel A would require grading for the expansion of Blackwood Drive and the reconfiguration of the driveway, and Parcel B would require minimal grading for the foundation of the future residence, for a total of 83 cubic yards of grading combined. There are no unique paleontological resources or unique geologic features that will be flattened for the future development of the project site, only minimal grading.

Sources of Information

- *https://maps.conservation.ca.gov/geologichazards/* accessed July 2, 2020. Geologic Hazards, California Department of Conservation, Geospatial Data and Web Maps.
- Contra Costa County General Plan, 2005-2020. *Safety Element.*
- 2016 California Building Code.
- Contra Costa County Grading Ordinance.
- *https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx* accessed July 2, 2020. USDA Soil Conservation Service, Web Soil Survey Map.
- Tentative Map MS19-0007 prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
8. *GREENHOUSE GAS EMISSIONS – Would the project:*				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

SUMMARY:

a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?* ***(Less than Significant Impact)***

The Bay Area Air Quality Management District (BAAQMD) is the agency responsible for maintaining federal and state air quality standards within the San Francisco Bay Area Air Basin. BAAQMD California Environmental Quality Act (CEQA) guidelines (Updated, 2017) provide screening criteria with which agencies can derive a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If the screening criteria are met by the proposed project, then the project will not exceed greenhouse gas emissions (GHG) thresholds of significance, and the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions. According to BAAQMD guidelines, the screening level size for operational GHG for a single-family land use is 56 dwelling units. The project proposes to subdivide the property into two residential lots. Thus, the future development of a residence would produce operational emissions that are well below a significant level. The screening level size for the construction-related criteria pollutant, reactive organic gases (ROG), is 114 dwelling units. Here too, the project resulting in one new residence would produce construction-related emissions that are well below a significant level.

b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?* ***(Less than Significant Impact)***

BAAQMD guidelines also considers a project less than significant if it is consistent with an adopted qualified GHG Reduction Strategy. The County Climate Action Plan (CAP), adopted in December 2015, contains a GHG Reduction Strategy to achieve the state-recommended reduction target of 15% below baseline levels by 2020. The project does not conflict with any of the land use and planning policies in the CAP.

Sources of Information

- Bay Area Air Quality Management District, 2017. *Bay Area 2017 Clean Air Plan.*
- Bay Area Air Quality Management District, 2017. *Air Quality Guidelines.*
- Contra Costa County Code, *Title 8. Zoning Ordinance*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

- Contra Costa County, 2008. *Municipal Climate Action Plan*. Contra Costa County, 2015. *Climate Action Plan.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
9. HAZARDS AND HAZARDOUS MATERIALS – *Would the project:*				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

SUMMARY:

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ***(Less than Significant Impact)***

Subsequent to approval of the tentative map, it is expected that one single-family residence will be constructed (the existing residence to remain), along with the widening of Blackwood Drive and Norris Road, and overall road improvements. There would be associated use of fuels and lubricants, paints, and other construction materials during the construction period. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA)

requirements. With compliance with existing regulations, the project would have a less than significant impact from construction.

Project operation would involve the routine transport, use, and disposal of hazardous materials in very small quantities as they relate to household use. Contra Costa County regulates household hazard disposal, and the home's occupants would be responsible for proper handling and disposal of household materials. Because any hazardous materials used for household operations would be in small quantities, long-term impacts associated with handling, storing, and dispensing of hazardous materials from project operation would be considered less than significant.

b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?* ***(Less than Significant Impact)***

The residential use of the project site would not involve handling, use, or storage of substances that are acutely hazardous. The subject property historically has been used for residential purposes. No evidence reviewed by staff suggests that the project would include foreseeable conditions involving the likely release of hazardous materials into the environment. With compliance with existing regulations, the project would have a less than significant impact.

c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* ***(Less than Significant Impact)***

Murwood Elementary School is located within one-third mile west of the subject property. Due to the nature of the development that will result from this project, impacts on the school due to hazardous substances at the project site during project operation would be less than significant. The use of construction-related fuels and lubricants, paints, and other construction materials during the construction period would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA) requirements. Therefore, the project potentially emitting any hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of the school is considered to be less than significant.

d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* ***(No Impact)***

The subject property is not identified as hazardous materials site, according to Hazardous Waste and Substances Site List (Cortese List) maintained by the California Department of Toxic Substances Control.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? ***(No Impact)***

The subject property is not located within an area covered by the Contra Costa Airport Land Use Compatibility Plan, nor is it located within two miles of a public airport - Buchanan Airport is approximately seven miles north of the property, public use airport, or private airstrip.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ***(Less than Significant Impact)***

The subject property is located between the private road Norris Road and the public road Blackwood Drive. Norris Road connects to Mountain View Boulevard, which then connects to San Miguel Drive and Blackwood Drive connects directly to San Miguel Drive. Either Rudgear Road or South Main Street would then connect to Interstate 680. These roads would be used in the event of an emergency requiring evacuation of the area. The project would only add one new residence to the area, not significantly increasing vehicular trips for the area, and therefore not significantly interfering with emergency evacuation.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? ***(Less than Significant Impact)***

Residential construction is required to follow the California Building Code Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure), California Fire Code Chapter 47 (Requirements for Wildland-Urban Nterface Fire Areas), and Title 24 of the California Building Code. As a result, the potential fire-related risks of the project would be considered less than significant.

<u>Sources of Information</u>

- California Occupational Health and Safety Administration (Cal/OSHA).
- *http://www.recyclemore.com/content/local-hazardous-waste-collection-facility.* Accessed May 14, 2020. Hazardous Waste Disposal.
- *http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm.* Accessed May 14, 2020. Hazardous Waste and Substances sites.
- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan.*
- California Building Code Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure).

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

- California Fire Code Chapter 47 (Requirements for Wildland-Urban Nterface Fire Areas).
- 2019 California Building Code - Title 24.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
10. *HYDROLOGY AND WATER QUALITY – Would the project:*				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

SUMMARY:

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? ***(Less than Significant Impact)***

The project must comply with applicable Contra Costa County C.3 requirements. Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, and 16 incorporated cities in the county have formed the Contra Costa Clean Water Program. In October 2009, the Regional Water Quality Control Board for the San Francisco Bay Region (RWQCB) adopted the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit for the Program, which regulates discharges from municipal storm drains. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious

surfaces and control stormwater runoff. The County has the authority to enforce compliance with its Municipal Regional Permit through the County's adopted C.3 requirements. The C.3 requirements stipulate that projects creating and/or redeveloping at least 10,000 square feet of impervious surface shall treat stormwater runoff with permanent stormwater management facilities, along with measures to control runoff rates and volumes. The project estimates 8,235 square feet of new impervious surface area will result from the subdivision of the subject property. Therefore, the project violating any water quality standards or waste discharge requirements or otherwise substantially degrading surface or ground water quality is less than significant.

b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?* ***(Less than Significant Impact)***

The subject property currently receives water service from the East Bay Municipal Utility District (EBMUD). Since any future water service will be provided by EBMUD, no groundwater wells will be required. The project would therefore have no effect on groundwater supplies. The Tentative Map prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020 shows a catch basin is feasible for both new lots, which would facilitate groundwater recharge. The catch basin's design will be reviewed prior to permission of construction to ensure compliancy with the County's adopted C.3 requirements.

c) *Would the project substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i) *Result in substantial erosion or siltation on- or off-site?* ***(Less than Significant Impact)***

The drainage for the new residence and existing residence will continue to drain into the storm drain that traverses the east property line of this subdivision. The vast majority of the project site will discharge to this facility. Some minor runoff will be intercepted by the ditch and culvert system along the Blackwood Drive. In summary, the project would be required to construct C.3-compliant stormwater control facilities, as a condition of approval. The stormwater facilities would be installed concurrent or prior to residential construction. Therefore, the project would not substantially alter the drainage pattern of the site or area or result in substantial erosion or siltation or increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?* ***(Less than Significant Impact)***

The drainage for the new residence and existing residence will continue to drain into the storm drain that traverses the east property line of this subdivision. The vast majority of the project site will discharge to this facility. Some minor runoff will be intercepted by the ditch and culvert system along the Blackwood Drive. In summary, the project would be required to construct C.3-compliant stormwater control facilities, as a condition of approval. The stormwater facilities would be installed concurrent or prior to residential construction. There, the project substantially increasing the rate or amount of surface runoff in a manner which would result in flooding on- or off-site is less than significant.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? ***(Less than Significant Impact)***

The drainage for the new residence and existing residence will continue to drain into the storm drain that traverses the east property line of this subdivision. The vast majority of the project site will discharge to this facility. Some minor runoff will be intercepted by the ditch and culvert system along the Blackwood Drive. In summary, the project would be required to construct C.3-compliant stormwater control facilities, as a condition of approval. The stormwater facilities would be installed concurrent or prior to residential construction. The bioretention basins would filter stormwater and reduce the level of pollutants in the runoff, and the potential for redirection of flood flows. Therefore, the project creating or contributing runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial addition sources of polluted runoff is less than significant.

iv) Impede or redirect flood flows? ***(Less than Significant Impact)***

The drainage for the new residence and existing residence will continue to drain into the storm drain that traverses the east property line of this subdivision. The vast majority of the project site will discharge to this facility. Some minor runoff will be intercepted by the ditch and culvert system along the Blackwood Drive. In summary, the project would be required to construct C.3-compliant stormwater control facilities, as a condition of approval. The stormwater facilities would be installed concurrent or prior to residential construction. The bioretention basins would filter stormwater and reduce the level of pollutants in the runoff, and the potential for redirection of flood flows. Therefore, the project impeding or redirecting flood flows is less than significant.

d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? ***(Less than Significant Impact)***

The project would be required to construct C.3-compliant stormwater control facilities, as a condition of approval. The stormwater facilities would be installed concurrent or prior to residential

construction. The bioretention basins would filter stormwater and reduce the level of pollutants in the runoff, and the potential for redirection of flood flows. The project site is not located within a flood hazard area. Therefore, the project releasing pollutants due to project inundation in flood hazard, tsunami, or seiche zones is less than significant.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? ***(Less than Significant Impact)***

A Stormwater Control Plan (SWCP) is required for applications to subdivide land where the resulting project may result in a total amount of impervious surface area exceeding 10,000 square feet. If at least 10,000 square feet of area can be identified for development, a SWCP will be prepared and submitted for the review and approval of the Public Works Department, in compliance with the Stormwater Management and Discharge Control Ordinance (§1014), and the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. With implementation of the County's adopted C.3 requirements, the project would have a less than significant impact on water quality.

Sources of Information

- *Minor Subdivision MS19-0007 Staff Report & Conditions of Approval* prepared by the Contra Costa County Public Works Department dated March 31, 2020.
- Tentative Map prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
11. *LAND USE AND PLANNING – Would the project:*				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

SUMMARY:

a) Would the project physically divide an established community? ***(No Impact)***

The subject property is surrounded by single-family residences to the north, east, south, and west. Thus, the project would not divide an established community.

b) Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? ***(Less than Significant Impact)***

The subject property is located within the R-20 Single-Family Residential Zoning District and the Single-Family Low-Density General Plan Land Use Designation. Parcel A will be 20,536 square-feet in area and Parcel B will be 22,772 square-feet in area. Parcel A will have a depth of 180.98 feet and an average width of 110.8 feet, and Parcel B will have a depth of 184.85 feet and an average width of 110.8 feet. The subdivision requests approval of a variance to allow an average width of 110.8 feet for each lot (where 120 feet is required). The use of the two new parcels will remain residential. The existing residence is to remain on Parcel A with no modifications, and a future residence may be constructed on Parcel B. The Tentative Map prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020 shows that a residence constructed on Parcel B would meet the setback requirements of the R-20 Zoning District. The existing residence on Parcel A is a single-story residence that meets the required setbacks with the exception of the minimum side yard setback which is 12.1 feet (where 15 feet is required). This subdivision also includes a request for approval of a Tree Permit to remove 25 code-protected trees to allow for the construction of a new residence on Parcel B, for the widening of Blackwood Drive, and due to the poor health of some of the trees. Thus, the project causing a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect is less than significant.

Sources of Information

- Contra Costa County, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. *Conservation Element*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

- Tentative Map prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
12. *MINERAL RESOURCES – Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SUMMARY:

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ***(No Impact)***

The *Mineral Resource Areas* map (Figure 8-4) of the County General Plan Conservation Element does not identify the subject property being located within County-designated mineral resource area. There is no indication that known mineral resources would be affected by the proposal.

b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ***(No Impact)***

The *Mineral Resource Areas* map (Figure 8-4) of the County General Plan Conservation Element does not identify the subject property being located within County-designated mineral resource area. There is no indication that known mineral resources would be affected by the proposal.

Sources of Information

- Contra Costa County General Plan 2005-2020. *Conservation Element*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
13. *NOISE – Would the project result in:*				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

SUMMARY:

a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* ***(Less than Significant)***

Activities at the future two-lot subdivision are not expected to expose persons to, or generate, noise levels in excess of the Community Noise Exposure Levels shown on Figure 11-6 of the General Plan Noise Element. Figure 11-6 shows that levels of 60 dB or less are normally acceptable and noise levels between 60 dB to 70 dB are conditionally acceptable in residential areas. Types and levels of noise generated from the residential uses associated with the future residence would be similar to noise levels from the existing residential developments in the area. The project would result in the construction of one residence, and the widening of two roads, and overall frontage improvements. The construction is temporary and will be limited to hours of construction. Thus, project noise impacts to the existing surrounding land uses would be less than significant.

b) *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?* ***(Less than Significant Impact)***

The project would result in the construction of one residence, and the widening of two roads, and overall frontage improvements. The construction is temporary and will be limited to hours of construction. Overall, the project will not result in substantial exposure of persons to or generate excessive ground borne vibration or ground borne noise levels.

c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

the project expose people residing or working in the project area to excessive noise levels? ***(No Impact)***

The subject property is not located within an area covered by the Contra Costa Airport Land Use Compatibility Plan, nor is it located within two miles of a public airport - Buchanan Airport is approximately seven miles north of the property, public use airport, or private airstrip.

Sources of Information

- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
14. *POPULATION AND HOUSING – Would the project:*				
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SUMMARY:

a) Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? ***(Less than Significant Impact)***

The project is to subdivide the subject property into two developable properties, creating one additional residence. One new single-family residence is not considered a substantial population growth in the area that would create a substantial environmental impact.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ***(No Impact)***

The project is to subdivide the subject property into two developable properties, creating one additional residential living unit. The project will provide opportunity to increase the housing stock for the area, not decrease it. Therefore, the project will not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
15. *PUBLIC SERVICES – Would the project* *result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

SUMMARY:

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) *Fire Protection?* ***(Less than Significant Impact)***

The subject property is located within the service area of the Contra Costa County Fire Protection District. The Fire District conducted a preliminary review of the project and has detailed design elements that shall be incorporated as part of the project (i.e. roadway widths, water supply tanks) in order to meet minimum fire and safety standards. The applicant has included those elements in the project, and this study finds that they will not cause a significant impact to the environment. The Fire District has also advised that the future development of the new properties will be subject to further review from their staff. There has been no indication from the Fire District that the project would require physical alteration or the construction of new fire protection facilities. Based on the Fire District's ability to accommodate the project as proposed and the requirement for their review prior to any future development on any of the lot, the potential for substantial adverse impacts associated with fire protection is less than significant.

b) *Police Protection?* ***(Less than Significant Impact)***

As discussed in *Section 14 Population and Housing* of this Initial Study, the project will not result in a significant population increase in the County. If there is no significant population increase, the proposed project will not impact the County's ability to maintain the standard of having 155 square feet of sheriff facility station area per one thousand members of the population. Additionally, the applicant for the future residence would be required to pay the County-mandated police services fee, compensating for impacts on police protection services. Therefore, the minimal population increase that may be caused by the project is not enough to cause a need for construction of new or expanded police protection facilities as a result of the project.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

c) *Schools?* ***(Less than Significant Impact)***

The applicant will be required to pay the state-mandated school impact fees for the new residential dwelling unit prior to issuance of building permits. Payment of the fees pursuant to State regulations for school services would reduce school impacts to less than significant levels.

d) *Parks?* ***(Less than Significant Impact)***

The new residents of the new dwelling unit would be expected to increase use of the parks; however, one additional residence would result in minimal impact on the park facilities. Additionally, the applicant for the future residence would be required to pay the County-mandated park dedication and impact fee, compensating for impacts on park facilities.

e) *Other public facilities?* ***(Less than Significant Impact)***

Impacts to other public facilities, such as hospitals and libraries are usually caused by substantial increases in population. Implementation of the project is not anticipated to induce population growth since only one new residence would result from the project approval. The project is not anticipated to create substantial additional service demands besides those which have been preliminarily reviewed by various agencies of Contra Costa County or result in adverse physical impacts associated with the delivery of fire, police, schools, parks, or other public services. Therefore, the impact to hospitals, libraries or other public facilities is less than significant.

Sources of Information

- Letter prepared by the Contra Costa County Fire Protection District dated August 28, 2019.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
16. *RECREATION*				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

SUMMARY:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ***(Less than Significant Impact)***

The deterioration, daily use, and demand for neighborhood parks are largely dependent on the number of people that reside in the surrounding area. Pursuant to the Growth Management Element of the County General Plan, the standard is to have a minimum of 3 acres of neighborhood parks for every 1,000 members of the population. If the proposed subdivision is granted, one new dwelling unit could be constructed. The potential increase in population as a result of the new dwelling unit would not be significant enough to warrant the need for a new park, or substantially accelerate the deterioration of any existing parks.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? ***(Less than Significant Impact)***

Pursuant to Chapter 920-4 (Requirements) of the County ordinance, the subdivision would require that land be dedicated for parks or recreational purposes, or that a park dedication fee be paid when a tentative map is approved. Seeing as no land has been dedicated for park or recreational purposes as part of the proposed project, submittal of a park dedication and park impact fee would be required prior to issuance of a building permit for a dwelling on any of the new properties. The combination of the fact that the project does not require the construction of new recreational facilities/parks due to the lack of a significant population increase, and the existence of an option to pay an in lieu fee for dedicating lands ensures that the potential for the environment to be impacted by a new or expanded recreational facility is less than significant.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Sources of Information

- Contra Costa County General Plan 2005-2020. *Growth Management Element*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
17. *TRANSPORTATION – Would the project:*				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

SUMMARY:

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? ***(Less than Significant Impact)***

The Transportation and Circulation Element of the County General Plan contains several policies that support the provision and use of alternate modes of transportation. The portions of Norris Road and Blackwood Drive that the subject property is located do not have sidewalks or bicycles lanes; however, these portions of the local residential streets do not have a significant impact on pedestrian and bicycle activity in the vicinity. Residents of the future residences may incrementally increase the number of pedestrians and bicyclists in the vicinity, but impacts resulting from the incremental increase would be less than significant. Lastly, the nearest public transit route is on Creekside Drive, approximately 0.5 miles away. Given the distance between the subject property and Creekside, the project would not significantly affect this public transit route.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)? ***(Less than Significant Impact)***

The applicable CEQA Guidelines provide guidelines for analyzing transportation impacts relating to vehicle miles travelled (VMT) resulting from the project. The Governor's Office of Planning and Research has provided the following guidance on evaluating such impacts for small projects: "Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact". According to ITE trip generation rates for detached single family residential development, the project would result in 1.75 peak trips per day (0.75 daily AM trips, 1 daily PM trip) when a residence is constructed on Parcel B. Since there is no reasonable expectation that a project of this scale could exceed 110 daily trips, the project is assumed to have a less than

significant impact on traffic. Therefore, the project does not conflict with CEQA guidelines section 15064.3(b).

c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* ***(Less than Significant Impact)***

The portions of Norris Road and Blackwood Drive that front the subject property will be widened and improved upon per the standards of the County Public Works Department. There will be one new driveway to provide access to Parcel B, which will also contain a new turnaround where the pavement of Norris Road ends. Sight distance at the intersection of the private driveways and Norris Road and Blackwood Drive are required to be in accordance with County Code Chapter 82-18 Sight Obstructions at Intersections. There are no proposed structures that would be in conflict with this ordinance. The development is widening of both roads and residential development of one new residence. The residential development is compatible with the area. Therefore, the project substantially increasing hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) is less than significant.

d) *Would the project result in inadequate emergency access?* ***(Less than Significant Impact)***

The project has been reviewed by the Contra Costa County Fire Protection District, and recommendations were made for the project to ensure adequate emergency access. The District's approval will be required prior to the issuance of building permits.

Sources of Information

- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element*.
- *Minor Subdivision MS19-0007 Staff Report & Conditions of Approval* prepared by the Contra Costa County Public Works Department dated March 31, 2020.
- County Code Chapter 82-18 Sight Obstructions at Intersections.
- Letter prepared by the Contra Costa County Fire Protection District dated August 28, 2019.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
18. *TRIBAL CULTURAL RESOURCES – Would the project* *cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	☐	☒	☐	☐

SUMMARY:

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? ***(Less than Significant Impact with Mitigation)***

Pertaining to the significance of tribal cultural resources, there are no onsite historical resources, pursuant to Public Resources Code section 5020.1(k) that are included in a local register of historic resources.

Nevertheless, the expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. Implementation of ***Mitigation Measure CUL-1*** would reduce the impact on archeological resources during project related work to a level that would be considered less than significant.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? ***(Less than Significant Impact with Mitigation)***

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

It is not likely that the project would cause a substantial adverse change in the significance of a tribal cultural resource that meets the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

Nevertheless, the expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. Implementation of ***Mitigation Measure CUL-1*** would reduce the impact on archeological resources during project related work to a less than significant level.

Sources of Information

- *https://npgallery.nps.gov/NRHP/SearchResults/9bce7d9c2f90474c9d8f3512e55da64d?page=1&view=list.* Accessed January 14, 2019. National Park Service – National Register of Historic Places.
- *http://ohp.park.s.ca.gov/ListedResources/?view=county&criteria=7.* Accessed January 14, 2019. Office of Historic Preservation – Listed California Historical Resources.
- Contra Costa County Historic Resources Inventory (October 2016 Draft).
- California Environmental Quality Act Guidelines Section 15064.5 Determining the Significance of Impacts to Archaeological and Historical Resources.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
19. *UTILITIES AND SERVICE SYSTEMS – Would the project:*				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

SUMMARY:

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? ***(Less than Significant Impact)***

There is currently water, wastewater treatment, storm water drainage, electric power, and other commonly utilized residential utilities available as there is a residence on the subject property and it is an established residential neighborhood. The area is serviced by the Central Contra Costa Sanitary District. The sanitary district provided a letter dated August 12, 2019, stating the project is not expected to produce an unmanageable added capacity demand on the wastewater system. The project will be reviewed by the sanitary district and will be approved prior to issuance of a building permit from the County Building Inspection Division.

The area receives water services from East Bay Municipal Utility District (EBMUD). EBMUD provided a letter dated August 16, 2019 stating that separate meters for each lot will be required and an extension of the water main will be required to the proposed development.

b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?* ***(Less than Significant Impact)***

The subject property currently receives water supplies from EBMUD. EBMUD requires all applicable water efficiency measures described under Section 31 of EBMUD's Water Service Regulations installed prior to providing water service. Therefore, one additional residence for the area is expected to have sufficient water supply.

c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* ***(Less than Significant Impact)***

As discussed in Section A, the area is serviced by the Central Contra Costa Sanitary District. The sanitary district provided a letter dated August 12, 2019 stating the project is not expected to produce an unmanageable added capacity demand on the wastewater system.

d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?* ***(Less than Significant Impact)***

The existing residence and the addition of one new residence is not expected to significantly increase the amount of solid waste over what is currently generated by the residential neighborhood in the vicinity. The project is not expected to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?* ***(Less than Significant Impact)***

The 2019 California Green Building Standards Code (CalGreen), as amended in Contra Costa County Code, requires that at least 65% by weight of job site debris generated by most types of building project types be recycled, reused, or otherwise diverted from landfill disposal. This requirement applies to demolition projects and most new construction, as well as the majority of building additions or alterations. CalGreen requires submission of plans and reports with verifiable post-project documentation to demonstrate that at least 65% of the nonhazardous construction and demolition debris generated on the job site are salvaged for reuse, recycled or otherwise diverted. The

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

construction of one new residence and overall development of the project site will also be subject to these requirements and will be enforced at time of building permits. Therefore, the project is expected to conform with the same federal, state or local solid waste regulations which apply to the entire residential neighborhood.

Sources of Information

- Letter prepared by the Central Contra Costa Sanitary District dated August 12, 2019.
- Letter prepared by the East Bay Municipal Utility District (EBMUD) dated August 16, 2019.
- 2019 California Green Building Standards Code (CalGreen).

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
20. *WILDFIRE –* *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones,* ***would the project:***				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

SUMMARY:

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan? ***(Less than Significant Impact)***

The subject property is located between the private road Norris Road and the public road Blackwood Drive. Norris Road connects to Mountain View Boulevard, which then connects to San Miguel Drive and Blackwood Drive connects directly to San Miguel Drive. Either Rudgear Road or South Main Street would then connect to Interstate 680. These roads would be used in the event of an emergency requiring evacuation of the area. The project would only add one new residence to the area, not significantly increasing vehicular trips for the area, and therefore not significantly interfering with emergency evacuation.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? ***(Less than Significant Impact)***

The subject property as a whole is gently sloped until it slopes more steeply from the existing residence down to Blackwood Drive. According to the Tentative Map prepared by APEX Civil

Engineering & Land Surveying dated February 25, 2020, the existing residence on Parcel A is to remain and there is minimal grading necessary for the future development of Parcel B. Due to very little slope being present on most of the site, prevailing winds, and other factors, exacerbate wildfire risks, is not expected to significantly expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?* ***(Less than Significant Impact)***

The subject property is located within an established residential neighborhood. As such, no additional infrastructure is required to be installed. The project is also required to have all new utility distribution facility services installed underground, however the project is requesting an exception to this requirement to allow the existing utility lines for the existing residence on Parcel A to remain above ground. Therefore, exacerbation of fire risk or that may result in temporary or ongoing impacts to the environment is at a less than significant level.

d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?* ***(Less than Significant Impact)***

As discussed in *Section 10 Hydrology and Water Quality* of this Initial Study, the project would not substantially alter the drainage pattern of the site or area or result in substantial erosion or siltation, or increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

The drainage for the one new residence will drain into the existing storm drain that traverses the west side of Parcel A down to Blackwood Drive. The vast majority of the project site will discharge to this facility. Some minor runoff will be intercepted by the ditch and culvert system along Blackwood Drive. In summary, the project would be required to construct C.3-compliant stormwater control facilities, as a condition of approval. The stormwater facilities would be installed concurrent or prior to residential construction. The bioretention basins would filter stormwater and reduce the level of runoff, minimizing flooding. Therefore, people or structures being exposed to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes, is considered to be at a less than significant level with compliancy with the County's adopted C.3 requirements.

Sources of Information

- Tentative Map prepared by APEX Civil Engineering & Land Surveying dated February 25, 2020.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

- *Minor Subdivision MS19-0007 Staff Report & Conditions of Approval* prepared by the Contra Costa County Public Works Department dated March 31, 2020.

21. *MANDATORY FINDINGS OF SIGNIFICANCE*				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

SUMMARY:

a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?* ***(Less than Significant Impact with Mitigation)***

As discussed in individual sections of this Initial Study, the project to create two parcels from the site may impact the quality of the environment (Air Quality, Biological Resources, Cultural Resources, and Tribal Cultural Resources) but the impact would be reduced to a less than significant level with the adoption of the mitigation measures that are specified in the respective sections of this Initial Study. The project is not expected to threaten any wildlife population, impact endangered plants or animals, or affect state cultural resources with the already identified mitigation measures.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)* ***(Less than Significant Impact)***

The project would not create substantial cumulative impacts. The project is consistent with its Single-Family Residential (R-20) zoning district, and single-family residential, low-density (SL) general plan land use designation. The project would also be considered consistent with the existing surrounding single-family residential development.

c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?* ***(Less than Significant Impact)***

This Initial Study has disclosed impacts that would be less than significant with the implementation of mitigation measures. All identified mitigation measures will be included in the conditions of approval for this minor subdivision project, and the applicant will be responsible for implementation of the measures. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

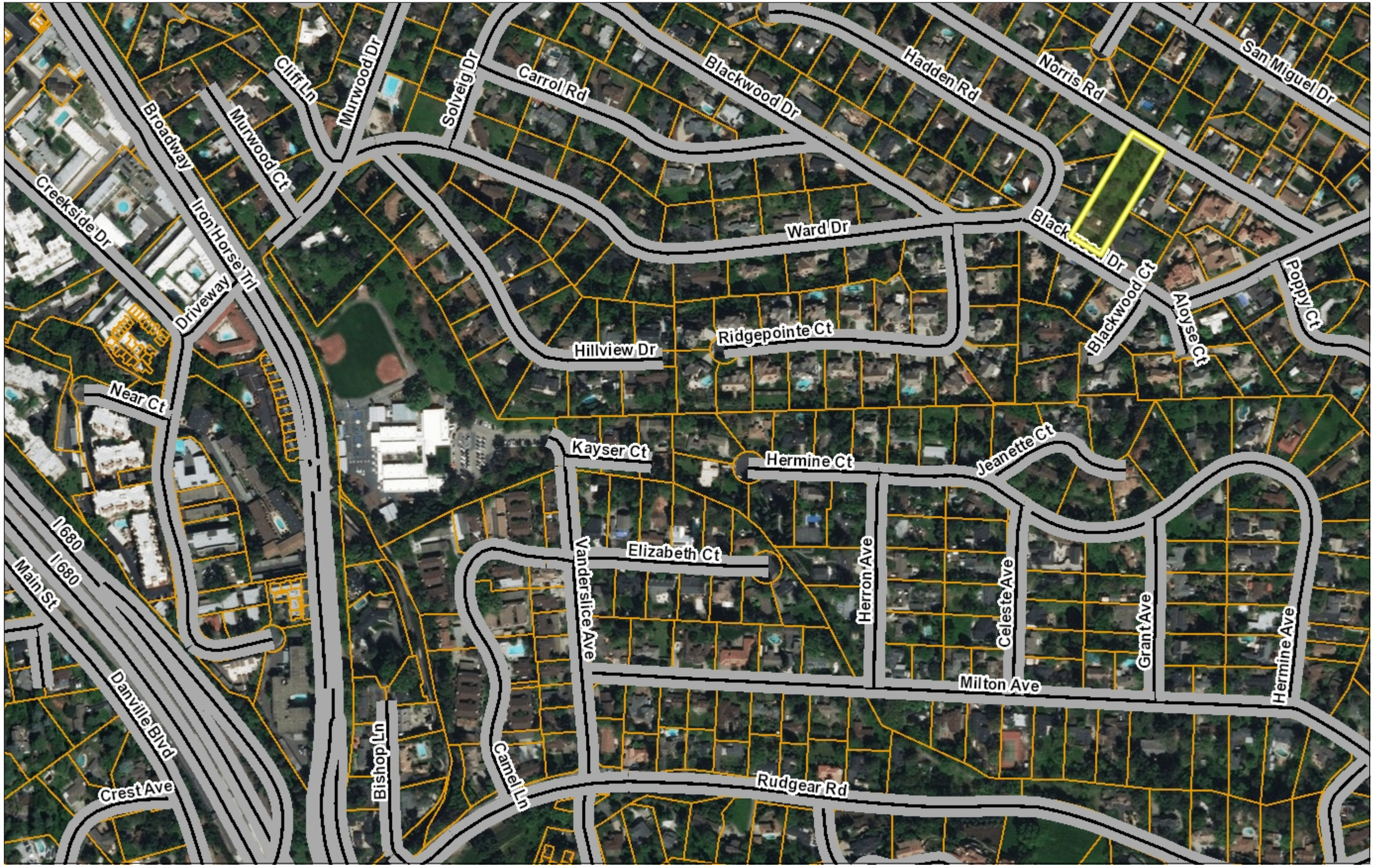
REFERENCES

In the process of preparing the Initial Study Checklist and conduction of the evaluation, the various references (which are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553) are listed after each respective section.

ATTACHMENTS

1. **Vicinity Map**
2. **Tentative Parcel Map for County File #MS19-0007**

Vicinity Map



Legend

- Streets
- Assessment Parcels
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 4,514

0.1 0 0.07 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

TENTATIVE MAP
2216 BLACKWOOD DRIVE

MS 19-0007

CITY OF WALNUT CREEK
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

MS19-0007
CONTRA COSTA COUNTY
2020 MAR -5 P 3:08
DEPARTMENT OF COUNTY

BENCHMARK

CCCO BM #1578 DISC IN TOP OF CURB AT INTERSECTION OF SAN MIGUEL DRIVE AND MOUNTAIN VIEW BLVD EL=265.95 (NGVD 29) ELEVATION WAS ADJUSTED TO NAVD 88 USING CORPSCON 6.1 ELEVATION DIFFERENTIAL=+2.7'. ELEV=268.65

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE CENTERLINE OF NORRIS ROAD AS SHOWN ON THE MAP OF NORRIS ADDITION (7 M 174)

GRAPHIC SCALE
20 10 0 20
(IN FEET)
1 inch = 20 feet

EXISTING LOT:

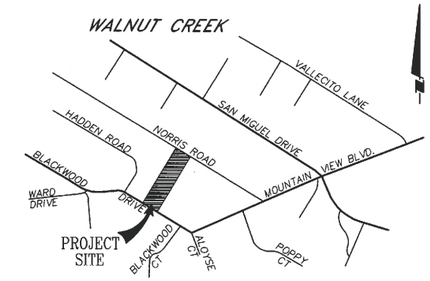
2216 BLACKWOOD DRIVE
WALNUT CREEK, CA 94596
APN 183-172-001
42,350 SF±

OWNER

CAMPOS DEVELOPMENT
1555 BOTELHO DRIVE
WALNUT CREEK, CA 94596
925-626-3311

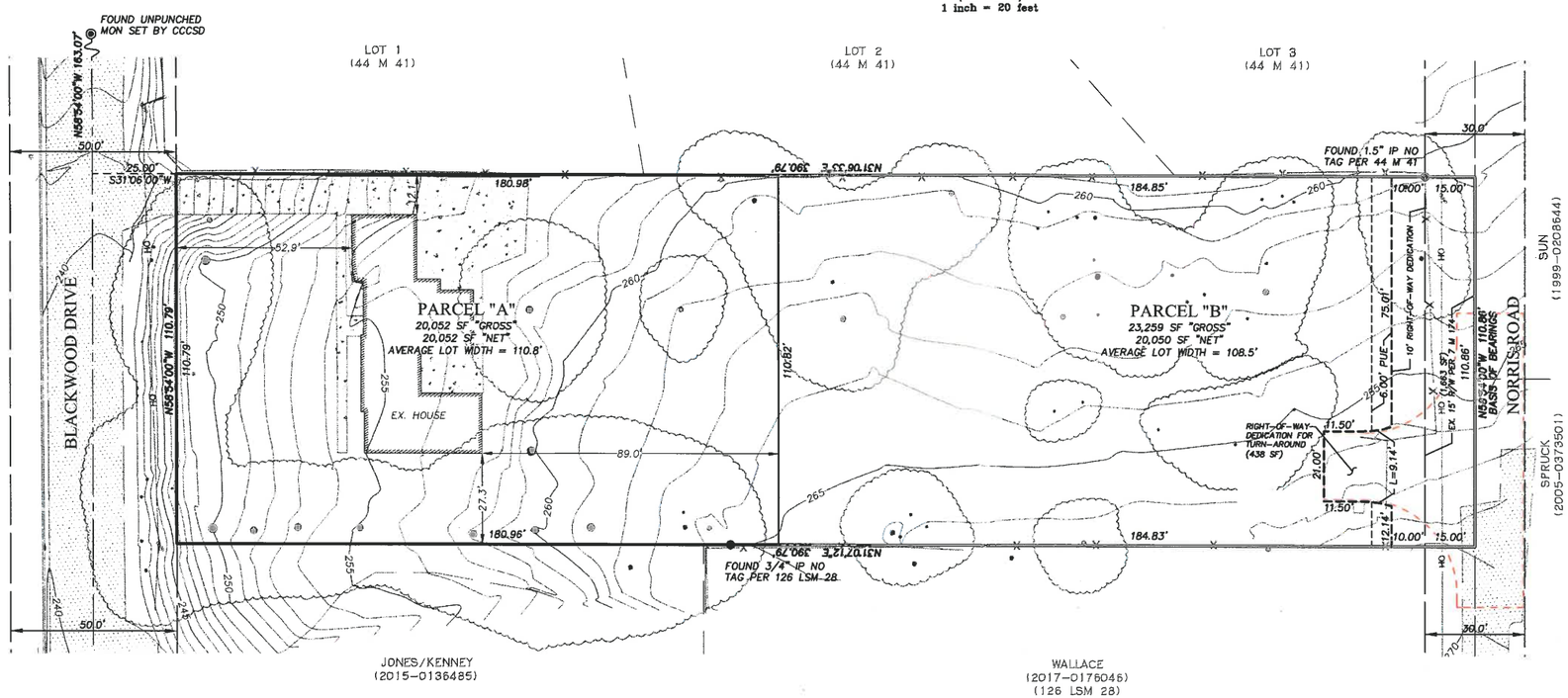
CIVIL ENGINEER

APEX CIVIL ENGINEERING & LAND SURVEYING
817 ARNOLD DRIVE, SUITE 50
MARTINEZ, CA 94553
925-476-8499



VICINITY MAP

NOT TO SCALE



SHEET INDEX

SHEET No.	DESCRIPTION
1	TITLE SHEET
2	PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN

GENERAL

ASSESSORS PARCEL NO(s):	183-172-001
PROJECT ADDRESS:	2216 BLACKWOOD DRIVE, WALNUT CREEK, CA
TOTAL AREA:	43,311 SF±
EXISTING USE:	SINGLE FAMILY RESIDENCE
EXISTING ZONING:	R-20 (SINGLE FAMILY RESIDENTIAL)
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING:	R-20 (SINGLE FAMILY RESIDENTIAL)
NUMBER OF UNITS:	2 LOTS
LOT COVERAGE:	13.5%
GROSS FLOOR AREA RATIO:	0.097
DENSITY:	2.17 UNITS/AC
FEMA FLOOD DESIGNATION:	ZONE "X" (FIRM PANEL 0293G, DATED 03-21-2017)

FACILITIES

WATER:	EASTBAY MUNICIPAL UTILITY DISTRICT
SEWER:	CENTRAL CONTRA COSTA SANITARY
STORM DRAIN:	CONTRA COSTA COUNTY
FIRE:	CCCFPD
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T
CABLE:	COMCAST

LEGEND

- LOT BOUNDARY
- RIGHT-OF-WAY
- ADJACENT PROPERTY LINE
- PROPOSED HOUSE
- EXISTING HOUSE
- EXISTING ASPHALT
- NEW ASPHALT
- NEW CONCRETE
- 5% FINISHED GRADE SLOPE
- DIRECTION OF DRAINAGE FLOW
- EX. TREE
- 8" SS SEWER LINE
- 12" SD STORM LINE
- 8" W WATER LINE
- OHE OVERHEAD PGE LINE
- DENOTES 4:1 SLOPE

ABBREVIATIONS

AB	– AGGREGATE BASE
AC	– ASPHALT CONCRETE
BOC	– BACK OF CURB
BW	– BOTTOM OF WALL
CB	– CATCH BASIN
CCCo	– CONTRA COSTA COUNTY
CL	– CLASS
℄	– CENTERLINE
COWC	– CITY OF WALNUT CREEK
DET	– DETAIL
EX	– EXISTING
FG	– FINISH GRADE
FH	– FIRE HYDRANT
GB	– GRADE BREAK
GF	– GUTTER FLOWLINE
HP	– HIGH POINT
P	– PAD ELEVATION
PI	– POINT OF INTERSECTION
PUE	– PUBLIC UTILITY EASEMENT
R/W	– RIGHT OF WAY
SD	– STORM DRAIN
SF	– SQUARE FEET
SS	– SANITARY SEWER
STD	– STANDARD
TW	– TOP OF WALL
TYP	– TYPICAL
W	– WATER

REVISIONS	NO.	BY	DATE

DESIGN: JV
DRAWN: STAFF
CHECKED: JV
PROJECT #: 19038

REGISTERED PROFESSIONAL ENGINEER JOHN VERAY NO. 2820 CIVIL STATE OF CALIFORNIA

APEX CIVIL ENGINEERING & LAND SURVEYING
817 Arnold Drive, Ste 50
Martinez, CA 94553
Ph: (925) 476-8499
www.apexce.net

TENTATIVE MAP
TITLE SHEET
2216 BLACKWOOD DRIVE — MS 19-0007 — WALNUT CREEK, CA

SHEET 1 OF 2
DATE 02-25-2020

MS 19-0007 - TENTATIVE MAP - 02-25-2020

DIAL TOLL FREE
811
AT LEAST TWO DAYS BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF NORTHERN CALIFORNIA

NOTE:
THE LOCATION OF ALL EXISTING UTILITIES SHOWN ON THE PLANS HAVE BEEN DETERMINED FROM THE BEST INFORMATION AVAILABLE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE VARIOUS UTILITIES AND EXERCISE EXTREME CAUTION IN AREAS OF BURIED UTILITIES DURING CONSTRUCTION.
CALL USA – 811 AT LEAST 48 HOURS BEFORE DIGGING.
HAND DIG NEAR UNDERGROUND UTILITIES.

TENTATIVE MAP
2216 BLACKWOOD DRIVE
MS 19-0007
CITY OF WALNUT CREEK
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

NOTES
1. FINISHED FLOOR ELEVATION TO FINISHED GRADE ELEVATION AT THE BUILDING FOOTPRINT SHALL BE A MINIMUM OF 8".
2. DISSIPATER PIPE SHALL BE DESIGNED LEVEL TO DRAIN TO ROCK RIP RAP AREA THUS DISCHARGING RUNOFF EVENLY ACROSS SLOPE.
3. FENCING AROUND EXISTING TREES TO REMAIN SHALL BE PER THE DIRECTION OF AN ARBORIST.
4. FINAL HOUSE FOOTPRINT ON PARCEL "B" TO BE DETERMINED AT A LATER DATE.
5. DRIVEWAY DESIGN SHALL SATISFY CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT (CCCFPD) STANDARDS.
6. ROOF DOWNSPOUTS SHALL DISCHARGE TO SPLASH BLOCKS (TYP) AND SHALL BE DIRECTED TO DRAIN AWAY FROM THE FOUNDATION.
7. SEE TREE INVENTORY REPORT BY TRAVERSO TREE SERVICE, DATED JUNE 19, 2019, FOR INFORMATION ON TREE PROTECTION AND FENCING.

AREA SUMMARY

TOTAL LOT AREA:	43,311 SF
EXISTING IMPERVIOUS AREA:	4,233 SF
EXISTING PERVIOUS AREA:	37,287 SF
NEW IMPERVIOUS AREA:	8,235 SF
POST-PROJECT IMPERVIOUS AREA:	12,427 SF
POST-PROJECT PERVIOUS AREA:	30,884 SF
TOTAL DISTURBED AREA:	17,191 SF

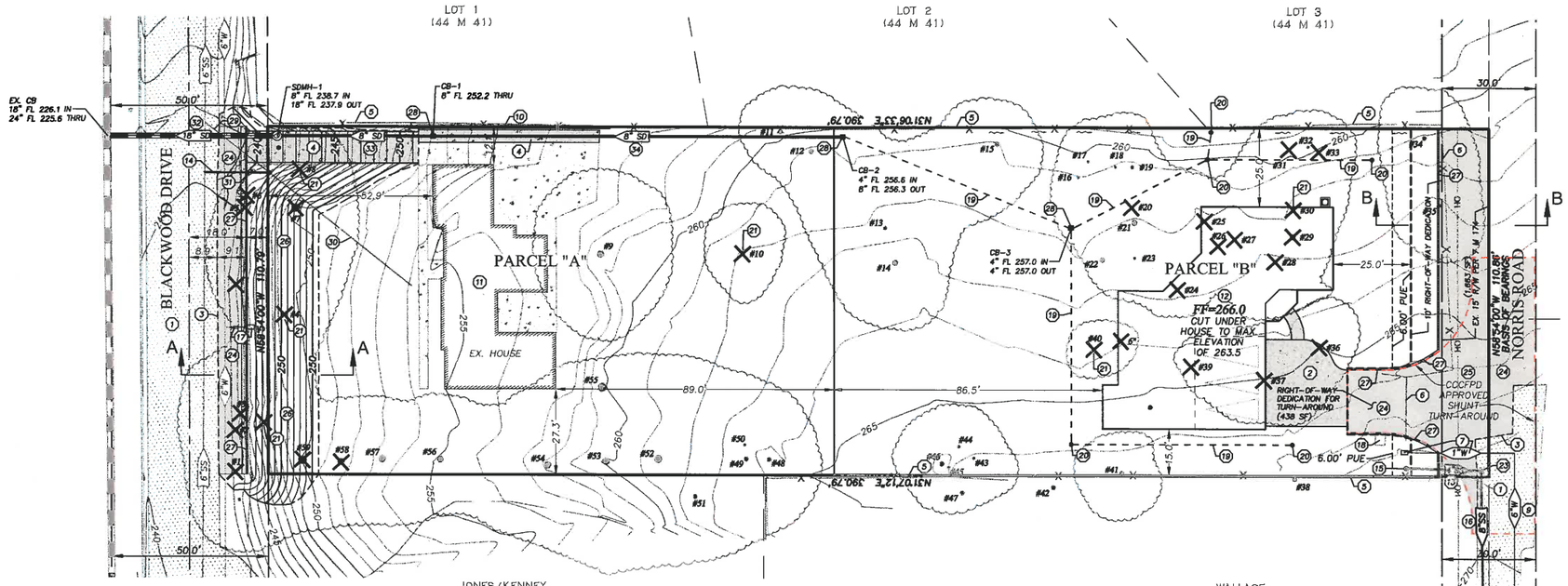
GRAPHIC SCALE
20 10 0 20
(IN FEET)
1 inch = 20 feet

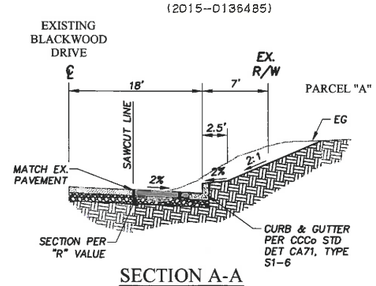
GRADING QUANTITIES

CUT	83 CU. YDS.
FILL	83 CU. YDS.

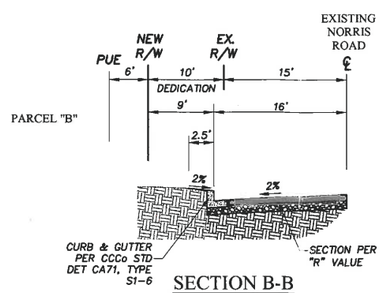
BALANCED SITE

KEY LEGEND
1. EXISTING PAVEMENT TO REMAIN
2. NEW CONCRETE DRIVEWAY (SECTION PER SOILS ENGINEER'S RECOMMENDATIONS)
3. SAWCUT LINE (TYP). MATCH EX. ASPHALT WITH CLEAN ABUTMENT
4. REMOVE AND REPLACE PORTION OF EXISTING DRIVEWAY
5. EXISTING FENCE TO REMAIN
6. EXISTING FENCE TO BE REMOVED
7. 1" WATER SERVICE AND METER
8. CONNECT TO EXISTING WATER MAIN
9. INSTALL APPROX. 65' OF 6" WATER MAIN EXTENSION
10. EXISTING CONCRETE RETAINING WALL TO REMAIN
11. EXISTING HOUSE TO REMAIN
12. PROPOSED HOUSE LOCATION. SIZE/SHAPE MAY VARY
13. 4" PVC SEWER LATERAL AT 2% MIN.
14. INSTALL NEW SEWER LATERAL (2% MIN) & CLEANOUT. CONNECT TO EX. SS LATERAL.
15. 4" PVC SS CLEANOUT (TYP)
16. INSTALL APPROX. 45' OF 8" SEWER MAIN EXTENSION @ 1% MIN
17. EX. WATER METER TO BE RELOCATED TO BEHIND PROPOSED CURB
18. EX. WELL TO BE ABANDONED PER CCCo HEALTH DEPARTMENT STANDARDS
19. 4" PVC (SDR-35) SD @ S=0.5% MIN. (TYP)
20. 4" NDS AREA DRAIN (TYP)
21. TREE TO BE REMOVED (TYP)
22. REMOVE EX. RODDING INLET
23. INSTALL NEW RODDING INLET
24. NEW ASPHALT PAVEMENT
25. INSTALL CCCo FIRE DISTRICT APPROVED TURN-AROUND
26. 2:1 CUT SLOPE
27. CURB & GUTTER PER CCCo STD DET CA71, TYPE S1-6
28. CATCH BASIN (CHRISTY V12 OR EQUAL)
29. PORTION OF EXISTING SEWER LATERAL TO BE REMOVED
30. PORTION OF EXISTING SEWER LATERAL TO REMAIN
31. RELOCATE EXISTING MAILBOX
32. 18" HDPE STORM DRAIN @ S=21.7%
33. 8" HDPE STORM DRAIN @ S=21.7%
34. 8" HDPE STORM DRAIN @ S=5.7%





SECTION A-A
NOT TO SCALE



SECTION B-B
NOT TO SCALE

TREE REMOVAL SUMMARY (25)

TAG #	SPECIES	TRUNK DIA.	STATUS
1	VALLEY OAK	9", 4"	TO BE REMOVED
2	VALLEY OAK	7.5"	TO BE REMOVED
3	VALLEY OAK	7", 8"	TO BE REMOVED
4	APRICOT	8.5"	TO BE REMOVED
5	VALLEY OAK	6.5"	TO BE REMOVED
6	VALLEY OAK	6.5"	TO BE REMOVED
7	SIBERIAN ELM	26.5"	TO BE REMOVED
8	SIBERIAN ELM	8", 3", 2"	TO BE REMOVED
10	CA BLACK WALNUT	15.5"	TO BE REMOVED
20	VALLEY OAK	6.5"	TO BE REMOVED
24	MAGNOLIA	10", 8"	TO BE REMOVED
25	HONEY LOCUST	8"	TO BE REMOVED
26	HONEY LOCUST	6.5", 5.5", 5"	TO BE REMOVED
27	VALLEY OAK	9"	TO BE REMOVED
28	VALLEY OAK	9"	TO BE REMOVED
29	VALLEY OAK	7", 13.5"	TO BE REMOVED
30	VALLEY OAK	10"	TO BE REMOVED
31	VALLEY OAK	6.5"	TO BE REMOVED
33	VALLEY OAK	8", 5"	TO BE REMOVED
36	SIBERIAN ELM	9.5", 11", 7", 6"	TO BE REMOVED
37	SIBERIAN ELM	15", 9"	TO BE REMOVED
39	VALLEY OAK	7"	TO BE REMOVED
40	BLACK LOCUST	5", 4", 5"	TO BE REMOVED
58	SIBERIAN ELM	25"	TO BE REMOVED
59	SIBERIAN ELM	30.5"	TO BE REMOVED

SEE TREE INVENTORY REPORT BY TRAVERSO TREE SERVICE, DATED JUNE 19, 2019, FOR ADDITIONAL INFORMATION.

REVISIONS	NO.	BY	DATE

DESIGN: JV
DRAWN: STAFF
CHECKED: JV
PROJECT #: 19038

REGISTERED PROFESSIONAL ENGINEER JOHN VICENT NO. 78820 CIVIL STATE OF CALIFORNIA

APEX
CIVIL ENGINEERING & LAND SURVEYING
817 Arnold Drive, Ste 50
Martinez, CA 94553
Ph: (925) 476-8499
www.apexce.net

TENTATIVE MAP
PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN
2216 BLACKWOOD DRIVE MS 19-0007 WALNUT CREEK, CA

SHEET 2 OF 2
DATE 02-25-2020

Campos Development, LLC (Applicant and Owner)

Mitigation Monitoring and Reporting Program
County File #MS19-0007

2216 Blackwood Drive
Walnut Creek, CA 94596

October 2020

SECTION 3: AIR QUALITY

Impact AIR-1: Grading and construction activities could have a potentially significant adverse environmental impact by exposing sensitive receptors to substantial pollutant concentrations and diesel-powered vehicles and equipment used on the site during grading and construction could temporarily create localized objectionable odors.

Mitigation Measure AIR-1: The following Bay Area Air Quality Management District, Basic Construction Mitigation Measures shall be implemented during project construction and shall be included on all construction plans.

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

3. 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.

4. All vehicle speeds on unpaved roads shall be limited to 15 mph.

5. 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.

6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five 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.

7. 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.

8. Post a publicly visible sign with the telephone number and 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 phone number shall also be visible to ensure compliance with applicable regulations.

Implementing Action:	COA
Timing Verification:	Prior to CDD issuance of a grading or building permit, all construction plan sets shall include Basic Construction measures.
Responsible Department or Agency:	Project proponent and CDD.
Compliance Verification:	CDD Plan Check review of plans prior to issuance of building or grading permit, and field verification by the Building Inspection Division.

SECTION 4: BIOLOGICAL RESOURCES	
Impact BIO-1: Removal of trees, grading, and construction on the project site has the potential to impact nesting birds. If grading or construction would occur during the nesting season, February 1 through August 31, nesting birds could be disturbed.	
Mitigation Measure BIO-1: Prior to any earth-moving activity or construction that would occur on-site during the nesting season (February 1 through August 31), the applicant shall have a preconstruction nesting survey conducted by a qualified ornithologist. Nesting surveys must be completed during springtime of the year during which construction will occur in order to avoid potential impacts to nesting birds. An established buffer shall be fenced with orange construction fencing. A qualified biologist shall periodically monitor the nest site(s) to determine if grading activities occurring outside the buffer zone disturbs the birds, and if the buffer zone should be increased to prevent nest abandonment. No disturbance shall occur within the minimum 300-foot buffer zone for raptors and 50-foot zone for common passerines until a qualified biologist has determined that the young have fledged (left the nest), and are flying well enough to avoid project construction zones, typically by July 15th, but sometimes not until into August. Any qualified biologist hired to conduct nesting surveys or that monitors any active nests shall have the authority to shut the job down if this is necessary to protect the nesting birds. At the time the ornithologist determines that the young have fledged the nest and that the young are no longer dependent upon the nesting tree, the project may resume without any restrictions for nesting birds. Once the young fledge and the nest is no longer in use, as determined by the ornithologist, any tree that must be removed to accommodate the project may be removed without further requirements for nesting birds. Until such nesting surveys are conducted that confirm or negate this species' presence, impacts to this hawk from reasonably anticipated future development on the remainder parcel are considered potentially significant pursuant to CEQA.	
Implementing Action:	COA
Timing of Verification:	Prior to any earth-moving activity or construction
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on plan sets during plan check and submittal of nesting bird survey report in the event of a find, for CDD review.
SECTION 5: CULTURAL RESOURCES	
Impact CUL-1: The project has the potential for disturbing underground cultural resources or human remains that may not have been identified to date.	
Mitigation Measure CUL-1: The following mitigation measures shall be implemented during project-related ground disturbance, and shall be included on all construction plans: 1. If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery should be redirected and a qualified	

archaeologist contacted to evaluate the finds and make recommendations. It is recommended that such deposits be avoided by further ground disturbance activities. If such deposits cannot be avoided, they should be evaluated for their significance in accordance with the California Register of Historical resources.

If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

2. If human remains are encountered, work within 50 feet of the discovery should be redirected and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to assess the situation. If the human remains are of a Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the property and provide recommendations for the proper treatment of the remains and associated grave goods.

   Upon completion of the assessment by an archaeologist, the archaeologist should prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the Northwest Information Center and appropriate Contra Costa agencies.

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on plan sets during plan check and submittal of archaeologist report in the event of a find, for CDD review.

SECTION 9: TRIBAL CULTURAL RESOURCES

See **Impact CUL-1.**

Implementation of **Mitigation Measure CUL-1** would reduce the impact on tribal cultural resources during project related work.

SECTION 10: MANDATORY FINDINGS OF SIGNIFICANCE

Potential Impact: As discussed in individual sections of the Initial Study, the project to create two parcels from the site may impact the quality of the environment (Air Quality, Cultural Resources, and Tribal Cultural Resources).

Mitigation Measures: The impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specified in the respective sections of the Initial Study.

TRAVERSO TREE SERVICE
WHEN IT HAS TO BE DONE RIGHT

RECEIVED on 12/19/2019 MS19-0007
By Contra Costa County
Department of Conservation and Development

September 23, 2019 (*revised 12/18/19)*

James Campos
Campos Development
1555 Botelho Drive. Suite 421
Walnut Creek, CA 94596
925.997.4529 | james@ironoakdevelopment.com

Re: Revised Arborist Report for 2216 Blackwood Drive, Walnut Creek

Dear James,

This revised arborist report addresses the proposed project at 2216 Blackwood Drive. Per the Contra Costa County Tree Protection and Preservation Ordinance Chapter 816-6 for developed property, the scope of work includes:

- Tag, identify and measure all trees with diameters 6.5" or larger within 50' of proposed improvements.
- Note protected trees, defined as:
    - Any tree that is adjacent to or part of a riparian, foothill woodland or oak savanna area, or part of a stand of 4 or more trees, and measures 6.5" in diameter or more, and is of one of the following species: Bigleaf maple (*Acer macrophyllum*), Box elder (*Acer negundo*), California buckeye (*Aesculus californica)*, White alder (*Alnus rhombifolia*), Madrone (*Arbutus menziesii*), Toyon (*Heteromeles arbutifolia*), California Black Walnut (*Juglans hindsii)*, California juniper (*Juniperus californica*), Tanoak (*Lithocarpus densiflora*), Knobcone pine (*Pinus attentuata*), Digger pine (*Pinus sabiniana*), California sycamore (*Platanus racemosa*), Fremont cottonwood (*Populus fremontii*), Black cottonwood (*Populus trichocarpa*), Coast live oak (*Quercus agrifolia)*, Blue oak (*Q. douglasii*), California black oak (*Q. kellogii*), Valley oak (*Q. lobata*), Interior live oak (*Q. wislizenii*), Yellow willow (*Salix lasiandra*), Red willow (*Salix laevigata*), Arroyo willow (*Salix lasiolepis*), Coast red elderberry (*Sambucus callicarpa*), Coast redwood (*Sequoia sempervirens*), California bay (*Umbellularia californica*).
    - Any tree shown to be preserved on an approved tentative map, development or site plan or required to be retained as a condition of approval.
    - Any tree required to be planted as a replacement for an unlawfully removed tree.
    - Identify dripline locations and tree numbers on site plan.
- Assess individual tree health and structural condition.
- Assess proposed improvements for potential encroachment.
- Based on proposed encroachment, tree health, structure, and species susceptibility, make recommendations for preservation.

Project Summary
The south half of the property is currently developed with a single-family home and an aging driveway. The north half of the property is still undeveloped, though it appears to have been graded many years ago. The proposed project will subdivide the property and construct a new home on the north parcel ("B"), served by a driveway off Norris Road. Proposed work on the south parcel ("A") includes driveway repair, a new curb & gutter, and grading of the slope above the curb.

I included fifty-nine (59) trees in my tree inventory, thirty-five (35) of which are California natives. Nineteen (19) valley oaks meet the County criteria for protected trees. Many young oaks have repopulated the graded building pad and will need to be removed for the proposed home (Figure 1). The proposed tree removals will either be directly impacted by proposed construction or are in poor condition and not worthy of retention.

Figure 1. Many volunteer oaks have grown within the graded building pad, and will need to be removed to construct the proposed home.

It is my opinion that twenty-five (25) trees will need to be removed to accommodate the proposed project; seven are considered protected trees. The remaining thirty-four (34) trees can be retained given that the protection measures within this report are followed. The remaining trees maintain a high level of screening between the two parcels and a moderate level of screening from the properties to the north and west.

The complete tree inventory table is included at the end of this report.

Assumptions & Limitations
This report is based on my site visit on 6/19/19. I reviewed the survey and preliminary grading, drainage & utility plans by APEX Civil Engineering & Land Surveying (dated 12/13/19). It was assumed that the proposed improvements and trees were accurately surveyed.

The health and structure of the trees were assessed visually from ground level. No drilling, root excavation, or aerial inspections were performed. Internal or non-detectable defects may exist and could lead to part or whole tree failures. Due to the dynamic nature of trees and their environment, it is not possible for arborists to guarantee that trees will not fail in the future.

Discussion

The proposed tree removals cannot be avoided, since many volunteer oaks are growing within the graded building pad and utility easement. Additionally, all trees in the front yard of Parcel A will be directly affected by proposed grading, and will also need to be removed.

Currently, the existing trees are in serious competition with one another, with resulting asymmetrical canopies and reduced growth. The proposed removals will effectively thin the groves such that the remaining trees can reach their mature size. Several sets of trees (walnuts, Siberian elms, oaks) will maintain screening between the two parcels.

The remaining trees can be protected with temporary fencing. 6' chain-link fencing is ideal, but I am comfortable with the use of wire or heavy-duty plastic fencing as long as the fencing is firmly attached to stakes no more than 4' apart. (When posts are further apart, fencing tends to sag and is rarely fixed.) Threading wire or rope through the top of the fencing will also help to maintain its integrity.

Recommendations (to be printed on site plans)

Pre-construction

- Remove trees #1-8, 10, 20, 24-31, 33, 36, 37, 39, 40, 58 & 59 (25 trees).
- Mulch from tree removals may be spread out under the driplines of trees that will be retained, keeping at least 12" away from the trunks.
- Prior to construction or grading, contractor shall install fencing to construct a temporary Tree Protection Zone (TPZ) around each tree or grove of trees as indicated on the tree protection plan. 6' chain-link fencing is ideal; however wire or heavy-duty orange poly fencing may be used if it is securely attached to metal stakes, spaced no further than 4' apart. Wire or rope shall be threaded through the mesh at the top of the fence to prevent sagging.
- TPZ fencing shall remain in an upright sturdy manner from the start of grading until the completion of construction. Fencing shall not be adjusted or removed without consulting the project arborist.

Figure 2. Temporary protection fencing around tree #35 can be moved for demolition of the existing fence.

Demolition Phase

- Tree Protection Zone (TPZ) fencing may be adjusted to provide access to demolish the existing fence by trees #34 & 35. Existing fence shall be demolished by hand. (Figure 2)

Foundation, Grading, and Construction Phase

- If roots $\geq$ 2" diameter are encountered during drainage excavation by tree #41, they shall be cleanly pruned, immediately covered, and kept moist till backfilled.
- If needed, pruning shall be performed by personnel certified by the International Society of Arboriculture (ISA). All pruning shall adhere to ISA and American National Standards Institute (ANSI) Standards and Best Management Practices.

- Should TPZ encroachment be necessary, the contractor shall contact the project arborist for consultation and recommendations.
- Contractor shall keep TPZs free of all construction-related materials, debris, fill soil, equipment, etc. The only acceptable material is mulch spread out beneath the trees.
- Should any damage to the trees occur, the contractor shall promptly notify the project arborist to appropriately mitigate the damage.

Landscaping Phase (if applicable)

- Contractor shall avoid trenching and grade changes within oak driplines.
- All planting and irrigation shall be kept a minimum of 10' away from native oaks. All irrigation within the driplines shall be targeted at specific plants, such as drip emitters or bubblers. No overhead irrigation shall occur within the driplines of native oaks.
- All planting within oak driplines shall be compatible with oaks, consisting of plant material that requires little to no water after two years' establishment. A list of oak-compatible plants can be found in a publication from the California Oak Foundation, available at: http://californiaoaks.org/wp-content/uploads/2016/04/CompatiblePlantsUnderAroundOaks.pdf

Thank you for the opportunity to provide this report, and please do not hesitate to contact me if there are any questions or concerns.

Please see attached tree protection plan.

Sincerely,

Jennifer Tso
Certified Arborist #WE-10270A
Tree Risk Assessor Qualified

Tree Inventory & Assessment Table
#s: Each tree was given a numerical tag from #1-59. Their locations are given in the tree protection plan.
DBH (Diameter at Breast Height): Trunk diameters in inches were calculated from the circumference measured at 4.5' above average grade.

Health & Structural Condition Rating
Dead: Dead or declining past chance of recovery.
Poor (P): Stunted or declining canopy, poor foliar color, possible disease or insect issues. Severe structural defects that may or may not be correctable. Usually not a reliable specimen for preservation.
Fair (F): Fair to moderate vigor. Minor structural defects that can be corrected. More susceptible to construction impacts than a tree in good condition.
Good (G): Good vigor and color, with no obvious problems or defects. Generally more resilient to impacts.
Very Good (VG): Exceptional specimen with excellent vigor and structure. Unusually nice.

Dripline: Canopy radius was visually estimated in each cardinal direction.

Age
Young (Y): Within the first 20% of expected life span. High resiliency to encroachment.
Mature (M): Between 20% - 80% of expected life span. Moderate resiliency to encroachment.
Overmature (OM): In >80% of expected life span. Low resiliency to encroachment.

DE: Dripline Encroachment (X indicates encroachment)
CI: Anticipated Construction Impact (L = Low, M = Moderate, H = High)

Tree impact summary
- Trees that will need to be removed due to encroachment: 1-8, 10, 20, 24-31, 33, 36, 37, 39, 40, 58, 59 (25 trees)
    - 7 trees are considered protected (#20, 27-31, 33) and are highlighted in the inventory table with **bold typeface.**
    - Tree #10 is proposed for removal based on poor condition.
- Trees to be saved that will be subjected to dripline encroachment: 19, 21-23, 32, 34, 35, 41, 42 (9 trees)
- Trees to be saved that will not be encroached: 9, 11-18, 38, 43-57 (25 trees)

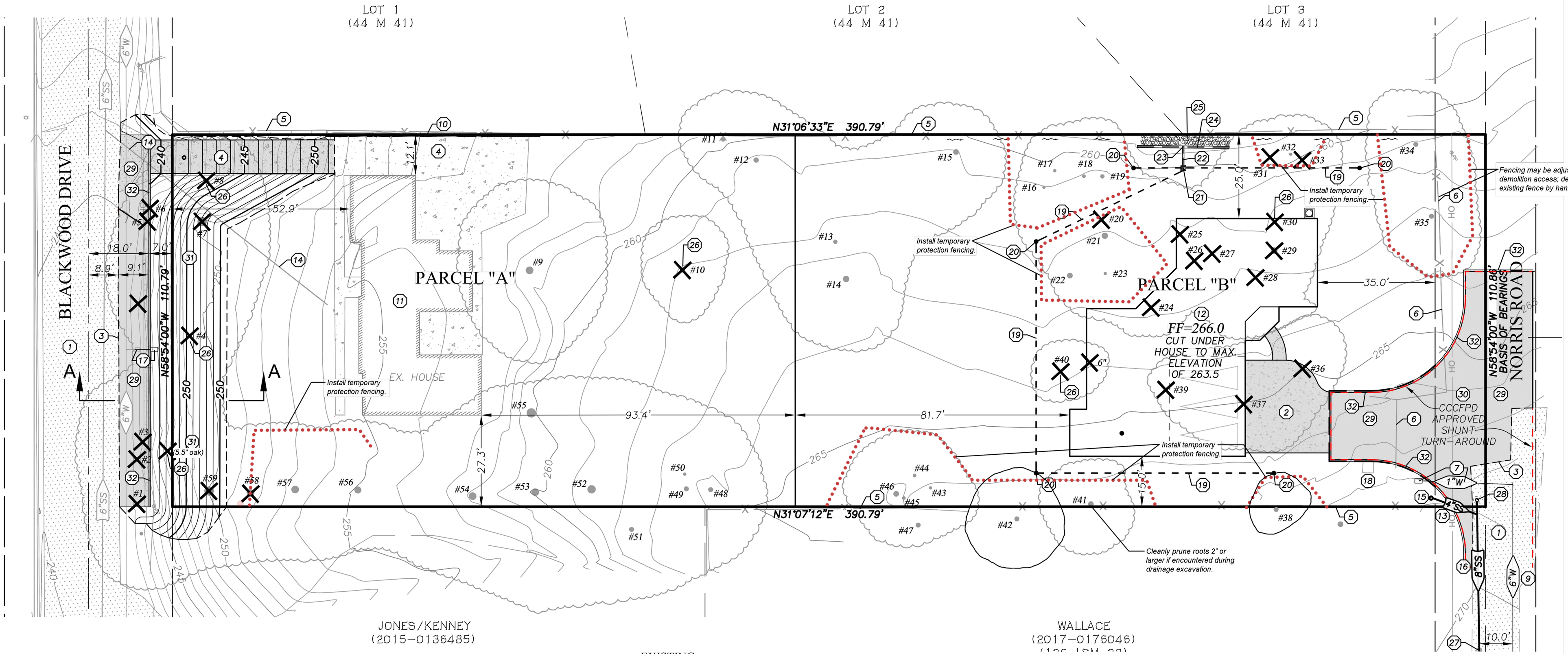
#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
1	Valley oak (*Quercus lobata*)	9, 4	G-F	F	6	0	10	10	Y	X	H	Growing under power lines, canopy over street. Small secondary trunk. Sprouting from wood. In proposed parking.	Remove.
2	Valley oak	7.5	G-F	F	0	0	6	8	Y	X	H	Growing away from power lines; epicormic sprouting. In proposed parking.	Remove.
3	Valley oak	7, 8	G	F	10	0	12	15	M	X	H	Co-dominant stems at 2' above grade. Growing away from lines over street. In proposed parking.	Remove.
4	Apricot (*Prunus* sp.)	8.5	G	P	15NW-W				M	X	H	Other stems and trunks failed; top heavy canopy growing through lower lines. More top heavy. Base on trunk on N side with decay cavity (stem failure). In proposed grading.	Remove.
5	Valley oak	6.5	G	G	0	0	8	8	Y	X	H	Under power lines. Likely to be topped in future. In proposed parking.	Remove.
6	Valley oak	6.5	G	G-F	8	0	0	8	Y	X	H	Under power lines. Likely to be topped in the future. In proposed curb.	Remove.
7	Siberian elm (*Ulmus pumila*)	26.5	F-P	F-P	12	12	12	12	M	X	H	Minor chlorosis in upper crown. Large diameter dieback with epicormic sprouting. Co-dominant stems at 6', poor structure above. In proposed grading.	Remove.
8	Siberian elm	8, 3, 2	P	P	6	6	6	6	M	X	H	Top of main stem dead, epicormic sprouts. 10" trunk or root fractured next to driveway (old wound). 6' from proposed sewer lateral; encroachment may be lower but condition is poor. In proposed grading.	Remove.
9	English walnut (*Juglans regia*)	27.5	G-F	G-F	20	20	20	20	M		L	Co-dominant stems at 4.5, pruning wounds in scaffold branches with decay. Minor dieback in inner crown but otherwise very healthy. Nice specimen. Clear of construction.	None.
10	California black walnut (*Juglans hindsii*)	15.5	VP	P	6	6	6	6	OM	X	H	Nearly dead with some sprouts. Mistletoe.	Remove based on condition.
11	Valley oak	9, 4	G	G-F	8	0	8	10	Y		L	Second trunk suppressed. Clear of construction.	None

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
12	Valley oak	14.5	G	G	15	15	15	15	M		L	Clear of construction.	None.
13	Siberian elm	12	G-F	F	20	15	0	15	M		L	Board screwed to trunk, DBH estimated Phototropic lean to N. Clear of construction.	None.
14	Siberian elm	20.5	F	F-P	15	18	15	20	M		L	Previous limb failure. Co-dominant stems at 6'. Dieback in top. Elongated scaffold branches. Clear of construction.	None.
15	Valley oak	13.5, 15	G	G-F	20	20	20	20	M		L	Co-dominant stems at 2', 5' & 10'. Clear of construction.	None.
16	Valley oak	8	G	G	8	8	8	8	Y		L	Protected tree. 13' from proposed drainage.	Install temporary protection fencing.
17	Valley oak	7	G	G-F	0	0	8	8	Y		L	Protected tree. Minor phototropic lean to S. 16' from proposed drainage.	Install temporary protection fencing.
18	Valley oak	10.5	G	F	10	0	8	15	M		L	Protected tree. 11' from proposed drainage.	Install temporary protection fencing.
19	Valley oak	11	G-F	G	15	12	12	0	M	X	L	Protected tree. Minor branch dieback. 9' from proposed drainage; 8' from proposed area drain.	Install temporary protection fencing.
20	**Valley oak**	**6.5**	**G**	**G**	**3**	**3**	**3**	**10**	**Y**	**X**	**H**	**Protected tree. 3' from proposed drainage.**	**Remove.**
21	Valley oak	8.5, 9	G-F	F	8	15	10	8	M	X	L	Protected tree. Co-dominant stems at 3' with included bark. Stunted sprouts from wood throughout tree. 6' from proposed drainage.	Install temporary protection fencing.
22	Valley oak	9, 6.5	F	F	0	6	10	15	M	X	L	Protected tree. Co-dominant stems at 4'. Stunted growth with branch dieback. Unknown bark / wounding / sap on lower trunk. 9' from proposed drainage.	Install temporary protection fencing.
23	Valley oak	7	G	G	0	3	12	3	Y	X	L	Protected tree. Sprouting along trunk. 10' from proposed house.	Install temporary protection fencing.
24	Valley oak	10, 8	G-F	F	6	15	15	8	M	X	H	Co-dominant stems at 1'. Sprouting on lower trunk. In proposed house.	Remove.
25	Honey locust (*Gleditsia triacanthos*)	8	P	F-P	15	6	3	12	OM	X	H	Co-dominant stem removed. Narrow attachment at 8'. Major dieback. In proposed house.	Remove.

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
26	Honey locust	6.5, 5.5, 5	VP	P	6	6	6	6	OM	X	H	Co-dominant stems at 2'. Major branch dieback. Not likely to recover. In proposed house.	Remove.
27	**Valley oak**	**9**	**G**	**G-F**	**10**	**10**	**15**	**0**	**Y**	**X**	**H**	**Protected tree. Co-dominant stems at 9'. In proposed house.**	**Remove.**
28	**Valley oak**	**9**	**G-F**	**F**	**0**	**0**	**18**	**12**	**Y**	**X**	**H**	**Protected tree. Multiple trunk cankers. Epicormic sprouting from wood. In proposed house.**	**Remove.**
29	**Valley oak**	**7, 13.5**	**G-F**	**F**	**15**	**18**	**10**	**8**	**M**	**X**	**H**	**Protected tree. Co-dominant stems at 3'. Sprouting from lower stems. In proposed house.**	**Remove.**
30	**Valley oak**	**10**	**F**	**G**	**10**	**18**	**0**	**8**	**Y**	**X**	**H**	**Protected tree. Sparse canopy but good growth. Multiple closed trunk cankers. Sprouting from wood. In proposed house.**	**Remove.**
31	**Valley oak**	**6.5**	**G**	**G**	**8**	**0**	**0**	**8**	**Y**	**X**	**M-H**	**Protected tree. 3' from proposed drainage.**	**Remove.**
32	Valley oak	9	G	G	12	0	12	10	Y	X	M-H	Protected tree. 4' from proposed drainage.	Install temporary protection fencing.
33	**Valley oak**	**8, 5**	**G**	**G-F**	**8**	**10**	**10**	**0**	**Y**	**X**	**H**	**Protected tree. 2' from proposed drainage.**	**Remove.**
34	Valley oak	13	G-F	F	15	15	0	15	M	X	L	Co-dominant stems at 7'. Stunted sprouts in lower scaffolds. 18' from proposed area drain; existing fence to be demolished within dripline.	Install temporary protection fencing.
35	Valley oak	12	G	F	10	10	15	15	M	X	L	Multiple stems at 9'. Epicormic sprouts. No high voltage line on adjacent pole. >25' from proposed house and driveway; existing fence to be demolished within dripline.	Install temporary protection fencing; OK to adjust for demo access. Demo existing fence by hand.
36	Siberian elm	9.5, 11, 7, 6	G-F	F-P	10	20	20	20	M	X	H	Multiple trunks, some old sprouts. Moderate twig dieback. Major sapsucker damage on all stems. In proposed driveway.	Remove.
37	Siberian elm	15, 9	G-F	P	15	15	18	18	M	X	H	Co-dominant trunks at 1.5' with narrow attachment; splits again at greater height. In proposed house.	Remove.

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
38	Gray pine (*Pinus sabiniana*)	11	G	F-P	8	0	10	12	M		L	Off-site tree, DBH estimated. Within 6” of (E) fence. 15° lean to W with poor taper, lean corrects at 20' above grade. Co-dominant stems at top. 10’ from proposed area drain.	Install temporary protection fencing.
39	Valley oak	7	G	G-F	0	6	10	8	Y	X	H	Lopsided canopy due to removed stem. In proposed house.	Remove.
40	Black locust (*Robinia pseudoacacia*)	5, 4, 5	F	F-P	8	8	8	8	M	X	H	Multiple stems, base of trunk on E side damaged. 4’ from proposed house.	Remove.
41	Valley oak	13.5	G	G	15	15	15	15	M	X	L-M	Pushing out base of chain link fence. 8’ from proposed drainage & 14’ from proposed house. .	Install temporary protection fencing. Cleanly prune roots ≥ 2” diameter if encountered.
42	Mulberry (*Morus alba*)	12	F	F	15	15	15	15	M	X	L	Off site, no tag, DBH estimated. Sparse, drought stressed stunted canopy. Formerly pollarded. 3’ of other side of fence. 13’ from proposed drainage.	Install temporary protection fencing.
43	Valley oak	7.5	G	F	0	18	0	0	Y		L	Protected tree. Phototropic lean to E. Clear of construction; could be encroached by staging.	Install temporary protection fencing.
44	Valley oak	8.5	G	F	18	0	0	8	Y		L	Protected tree. Phototropic lean to N. Clear of construction; could be encroached by staging.	Install temporary protection fencing.
45	Valley oak	10.5	G	G-F	0	10	15	10	M		L	Protected tree. Crowded by adjacent oak but otherwise healthy.	None.
46	Valley oak	10. 5, 12.5	G	G-F	15	15	15	15	M		L	Protected tree. Co-dominant stems at 1’ with large inclusion / reaction wood. Crossing branches in upper canopy.	None.
47	Catalina cherry (*Prunus ilicifolia ssp. lyonii*)	6, 6, 6, 6	G	F	10	10	10	10	M		L	Off-site tree; DBH estimated; no tag. 4' from (E) fence. Multiple trunks.	None.
48	Ponderosa pine (*Pinus ponderosa*)	14	G	F	10	10	10	10	M		L	Trunk flare buried. Twisting trunk.	None.

#	Species	DBH	Health	Structure	Dripline N	Dripline E	Dripline S	Dripline W	Age	DE	CI	Comments	Action
49	Ponderosa pine	14.5	G	F	8	8	8	8	M		L	Twisting trunks, co-dominant stems at 10'. Trunk flare buried.	None.
50	Valley oak	6.5	G	G-F	15	3	0	3	Y		L	Lower trunk curving due to shade but corrected at top.	None.
51	Siberian elm	15	G	F-P	0	15	15	6	M		L	No tag, DBH estimated, off site. Phototropic lean to S.	None.
52	Siberian elm	24	G-F	F-P	25	20	15	10	M		L	Large elongated scaffold to N. Minor. Dieback at top. Co-dominant stems at 5'.	None.
53	Siberian elm	22	F	F	15	15	15	10	M		L		None.
54	Siberian elm	21	G-F	F-P	15	6	15	20	M		L	Co-dominant stems at 5'. Previous failures. Precious top with some dieback.	None.
55	English walnut	28.5	G	G-F	20	20	20	20	M		L	Spreading canopy with co-dominant stems at 4. 5'. Elongated scaffolds, decent taper. Nice specimen.	None.
56	Siberian elm	19	F	F-P	18	10	15	15	M		L	Co-dominant stems at 7'. Previous failures, epicormic sprouts. No flare. Trunk flare buried. Clear of construction.	None.
57	Siberian elm	21.5	F	P	10	10	15	0	M		L	All stems failed. Sprouting reaction growth. Trunk flare buried. 16’ from proposed limit of grading.	Install temporary protection fencing.
58	Siberian elm	25	F	P	15	12	20	8	M	X	H	Multiple stems at 1', 3.5', etc. DBH taken at base. Trunk flare buried. 6’ from proposed limit of grading.	Remove.
59	Siberian elm	30.5	F	P	15	0	15	15	M	X	H	Trunk flare buried. Co-dominant stems at multiple levels, DBH taken at base. Previous failures. Sparse at top. In proposed grading.	Remove.



TREE PROTECTION PLAN

By: Jennifer Tso
Certified Arborist #WE-10270A
Traverso Tree Service, Inc.
December 18, 2019
(drawn on preliminary grading plan)

Contra Costa County
Public Works
Department

Brian M. Balbas, Director
Deputy Directors
Stephen Kowalewski – Chief
Allison Knapp
Warren Lai
Carrie Ricci
Joe Yee

Memo

March 31, 2020

TO: Margaret Mitchell, Project Planner, Department of Conservation and Development

FROM: Larry Gossett, Senior Civil Engineer, Engineering Services Division

SUBJECT: **MINOR SUBDIVISION MS19-0007**
STAFF REPORT & CONDITIONS OF APPROVAL
(Campos Development/Blackwood Drive/Walnut Creek/APN 183-172-001)

FILE: **MS19-0007**

The attached conditions of approval, based on the site plan, include road and drainage requirements. The applicant shall comply with the Ordinance Code requirements as they pertain to this development. The following issues should be carefully considered with this project:

ISSUES:

We have reviewed the application for Minor Subdivision MS19-0007 received by your office on March 5, 2020 and submit the following comments:

Background

The applicant proposes to subdivide a 42,350 square foot parcel into 2 lots, both of which meet or exceed the 20,000 square feet required in the R-20 zoning district.

Parcel A includes an existing residence and fronts on Blackwood Drive, a County maintained road. Parcel B fronts Norris Road, a private street. This proposed parcel is currently vacant.

Traffic and Circulation

As noted, Blackwood Drive is a public street. It has a pavement width of approximately 23 feet within a 50-foot right of way. It is planned to be widened to a 36-foot pavement width, but no additional right of way is required.

The County Ordinance Code will require frontage improvements including pavement widening, curb and sidewalk be constructed along the project frontage, the face of curb to be located 18 feet from the centerline of the right of way. Curb and streetlights have been installed along the

opposite side of the street. The pavement widening requires re-design of the existing driveway serving the residence due to its existing steep gradient.

Sidewalk is not typically required in an R-20 zoning district but is in this case due to the proximity of Murwood School. It should be noted that there are no other sidewalks in this neighborhood. An exception request from the sidewalk requirement was submitted for consideration in conformance with the requirements of Chapter 92-6 of the County. Ordinance Code. In that there is little opportunity that any additional sidewalks will be constructed in this area via the land development process, we are not averse to the granting of this exception.

Norris Road is private road providing access to Mountain View Boulevard to the southeast. It has a basic easement width of 30 feet. The pavement terminates at the subject property and the easement is chained off at that point. The pavement resumes 800 feet to the northwest, providing access for those fronting residences to San Miguel Drive.

Portions of the right of way have been dedicated to the public or otherwise widened as a private easement over the years, but at the present it remains a private road. The most recent subdivision in the area, MS05-0046 filed in 2007 widened the private easement an additional 10-feet and dedicated an additional 6-foot public utility easement contiguous to the widened right of way. That subdivision also widened the pavement and constructed curb along their frontage. Similar curb and pavement should be constructed along the subject frontage. The face of curb should be located 16 feet from the north property line.

Based on the property configurations and existing residences along the 800-foot pavement gap adjacent to the Norris Road easement, it is unlikely it will ever be extended under the development process. Since this will most likely be the termination of the paved roadway from the Mountain View Boulevard side, the County Ordinance Code will require construction of a paved turnaround. Appurtenant right of way for this turnaround should be reserved for the easement holders of Norris Road.

Underground Utilities

Chapter 96-10 of the County Ordinance Code requires all overhead utilities serving the subdivision, as well as existing facilities along the public street frontage to be relocated underground. This will apply to the existing utilities along Blackwood Drive.

The applicant submitted an exception request from this Code requirement citing similar reasoning as with the sidewalk exception discussed above. In that there is little opportunity that any additional utility undergrounding that will occur in this area via the land development process, we are not averse to the granting of this exception.

Drainage

Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and

banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse.

The applicant intends to collect stormwater runoff from the site and convey it to the storm drain system along the south side of Blackwood Drive. Adequacy of this system will need to be verified before we can deem it acceptable in terms of County Code requirements.

Stormwater Management and Discharge Control Ordinance

A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 10,000 square feet in compliance with the County's Stormwater Management and Discharge Control Ordinance (§1014) and the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This minor subdivision estimates approximately 8235 square feet of new impervious surface (assuming 5,180 square feet of impervious area for a new residence on Parcel B), which is below the threshold for requiring submittal of a SWCP.

The estimated square footage of impervious surface for the future residence is based on the Flood Control District's worksheet relative to drainage fee calculations for various lot sizes. In the event the new house and appurtenant improvements exceed the 10,000 square foot threshold, a SWCP shall be prepared using the latest edition of the Stormwater C.3 Guidebook and template (available at www.cccleanwater.org) and meet requirements of the Regional Water Quality Control Board. The design, location, and installation of the clean water facilities cannot be deferred to a later date linked to the acquisition of building permits for each lot proposed with this subdivision request.

Provision C.10, Trash Load Reduction, of the County's NPDES Permit requires control of trash in local waterways. To prevent or remove trash loads from municipal storm drain systems, trash capture devices shall be installed in catch basins (excludes those located within a bioretention/stormwater treatment facility). Devices must meet the County's NPDES Permit and approved by Public Works Department. Location must be approved by Public Works Department.

Floodplain Management

The property does <u>not</u> lie within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map.

Annexation to a Lighting District

The subject property is <u>not</u> annexed into the lighting district. The property owner will be required, as a condition of approval, to annex into the Community Facilities District (CFD) 2010-1 formed for the Countywide Street Light Financing.

Area of Benefit Fee

The applicant will need to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central County Area of Benefit, as adopted by the Board of Supervisors. The fee shall be paid prior to issuance of building permits.

Drainage Area Fee and Creek Mitigation

The property is located within unformed Drainage Area 49. There is currently no fee ordinance adopted by Board of Supervisors for this area.

LG:ss
G:\engsvc\Land Dev\MS\MS 19-0007\Application\MS19-0007 Staff Report & COAs.docx

Cc: S. Gospodchikov, Engineering Services
R. Sanders, Engineering Services
Campos Development LLC, *(applicant & owner)*
1555 Botelho Dr., #421, Walnut Creek, CA 94596
Apex Civil Engineering & Land Surveying, (*engineer)*
817 Arnold Drive, Suite 50, Martinez, CA 94553

PUBLIC WORKS RECOMMENDED
CONDITIONS OF APPROVAL FOR SUBDIVISION MS19-0007

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the tentative map submitted to the Department of Conservation and Development on March 5, 2020.

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

General Requirements:

- 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 March 5, 2020.

- Applicant shall submit improvement plans prepared by a registered civil engineer to the Public Works Department and pay appropriate fees in accordance with the County Ordinance and these conditions of approval. The below conditions of approval are subject to the review and approval of the Public Works Department.

Roadway Improvements - Public (Blackwood Drive Frontage):

- Applicant shall construct curb, 5-foot sidewalk, necessary longitudinal and transverse drainage, pavement widening and transitions along the frontage of Blackwood Drive. Applicant shall construct face of curb 18 feet from the right of way centerline.

  <u>Exception (Subject to Advisory Agency findings and approval):</u>

  The applicant is granted an exception from installation of sidewalk along the subdivision frontage in that such improvements have not been required of recent neighboring subdivisions, are not characteristic of the area, and there is no expectation to connect to other sidewalks via the land development process.

  Any cracked and displaced curb or gutter shall be removed and replaced along the project frontage of Blackwood Drive. Concrete shall be saw cut prior to removal. Existing lines and grade shall be maintained. New curb and gutter shall be doweled into existing improvements.

Street Lights:

- Applicant shall annex to the Community 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:

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

  Exception (Subject to Advisory Agency findings and approval)

  Applicant shall be granted an exception from the undergrounding requirements of the Ordinance Code in that underground utilities are not characteristic of the area, and there is no expectation that any other utility lines in the neighborhood will be undergrounded via the land development process. The service lines to the new house on Parcel B will still be required to be installed underground.

Drainage Improvements:

Collect and Convey

- 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.

- The nearest public drainage facility is the existing 24-inch storm drain located along the south side of Blackwood Drive. Applicant shall verify its adequacy prior to discharging run-off to it.

Miscellaneous Drainage Requirements:

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

- Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

- A private storm drain easement, conforming to the width specified in Section 914-14.004 of the County Ordinance Code, shall be reserved over the proposed storm drain line traversing Parcel A in favor of Parcel B.

National Pollutant Discharge Elimination System (NPDES):

- 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 basins) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES permits.
  - Place advisory warnings on all catch basins and storm drains using current storm drain markers.
  - Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
  - Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance:

- The applicant will not be subject to the requirements of Provision C.3 of the County Stormwater Management and Discharge Control Ordinance, since the proposed project will not create or replace at least 10,000 square feet of impervious surface. However, this project is subject to all other provisions of the County Stormwater Management and Discharge Control Ordinance (§1014, Ordinance No. 2005-01) and future development applications on the subject parcel may be required to comply with Provision C.3.

ADVISORY NOTES

- The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central County Area of Benefit as adopted by the Board of Supervisors.

- This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, Bay Delta Region (Region 3), 2825 Cordelia Road, Suite 100, Fairfield, CA 94534 of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.

- This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

- Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and Maintenance Plan prepared in accordance with the latest edition of the S*tormwater 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.

CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION
30 Muir Road
Martinez, CA 94553-4601
Phone: 925-674-7205
Fax: 925-674-7258

8/5/19 (14) SW

AGENCY COMMENT REQUEST

Date Aug. 5, 2019

We request your comments regarding the attached application currently under review.

DISTRIBUTION

Internal

X Building Inspection ___Grading Inspection
X Advance Planning X Housing Programs
X Trans. Planning ___Telecom Planner
___ALUC Staff ___HCP/NCCP Staff
___APC Floodplain Tech ___County Geologist

Health Services Department

X Environmental Health ___Hazardous Materials

Public Works Department

X Engineering Services (Full-size + email x3) + Storm Water Control Plan
X Traffic
___Flood Control (Full-size) ___Special Districts

Local

X Fire District
X Consolidated – (email) fire@cccfpd.org
X Sanitary District Central San
X Water District EBMUD
X City of Walnut Creek
X School District(s) Acalanes, WC Elementary
___LAFCO
___Reclamation District #_____
___East Bay Regional Park District
___Diablo/Discovery Bay/Crockett CSD
___MAC/TAC
___Improvement/Community Association
X CC Mosquito & Vector Control Dist (email)

Others/Non-local

___CHRIS (email only: nwic@sonoma.edu)
___CA Fish and Wildlife, Region 3 – Bay Delta
___Native American Tribes

Additional Recipients

Please submit your comments to:

Project Planner Margaret Mitchell
Phone # 925 674-7804
E-mail Margaret.Mitchell@dcd.cccounty.us
County File # MS19-0007

Prior to August 27, 2019

* * * * *

We have found the following special programs apply to this application:

No Active Fault Zone (Alquist-Priolo)
X Flood Hazard Area, Panel #_____
Yes 60-dBA Noise Control
No CA EPA Hazardous Waste Site

* * * * *

AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: ___None ✓ Below ___Attached

Employ measures necessary to ensure no creation or maintenance of a public nuisance as defined by California Health and Safety Code §2002. Maintaining a nuisance may lead to abatement by the Contra Costa Mosquito & Vector Control Ditrict and civil penalties pursuant to California Health and Safety Code §2060-2067. At no time should any aspect of the project or property produce, harbor, or maintain vectors or other nuisances.

Print Name Jeremy Shannon

Jeremy Shannon 8/8/2019
Signature DATE

Agency phone # 925-685-9301

EAST BAY
MUNICIPAL UTILITY DISTRICT

October 26, 2020

Margaret Mitchell, Planner II
Contra Costa County Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Re: Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration – 2216 Blackwood Drive 2-Lot Subdivision (#MS19-0007), Contra Costa County

Dear Ms. Mitchell:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration for the two-lot subdivision located at 2216 Blackwood Drive in the City of Walnut Creek of Unincorporated Contra Costa County (County). EBMUD has the following comments.

WATER SERVICE

EBMUD's Leland Pressure Zone, with a service elevation range between 50 and 250 feet, serves the existing house located at 2216 Blackwood Drive (Parcel A). EBMUD's Danville Pressure Zone, with a service elevation range between 250 and 450 feet, will serve Parcel B of the proposed development located off of Norris Road. Once the property is subdivided, separate meters for each lot will be required. A main extension, at the project sponsor's expense, will be required to serve the proposed development. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions for providing water service to the proposed development. Engineering and installation of water mains and services require substantial lead time, which should be provided for in the project sponsor's development schedule.

A minimum 20-foot wide right-of-way is required for installation of new and replacement water mains. Utilities to be installed in the right-of-way with the water mains must be located such that the new water mains meet the minimum horizontal and vertical separation distances with other utilities as set forth in the California (Waterworks Standards) Code of Regulations, Title 22, Section 64572 (Water Main Separation) and EBMUD requirements for placement of water mains within a right-of-way. These minimum horizontal separation distance requirements include, but are not limited to, 10 feet between the water main and sewer, 5 feet between the water main and storm drain, 7 feet from the face of curb, and 5 feet from the edge of the right-of-way. In addition, water mains must be vertically located a minimum of one foot above sewers and storm drains.

Recycled Paper

WATER CONSERVATION

The project presents an opportunity to incorporate water conservation measures. EBMUD requests that the County include in its conditions of approval a requirement that the project sponsor comply with Assembly Bill 325, "Model Water Efficient Landscape Ordinance," (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,

David J. Rehnstrom
Manager of Water Distribution Planning

DJR:VDC:btf
sb20_223.doc

cc: Campos Development, LLC
1555 Bothelho Drive, # 421
Walnut Creek, CA 94596

ANNA M. ROTH, RN, MS, MPH
HEALTH SERVICES DIRECTOR

RANDALL L. SAWYER
CHIEF ENVIRONMENTAL HEALTH & HAZMAT OFFICER

CONTRA COSTA
HEALTH SERVICES

CONTRA COSTA
ENVIRONMENTAL HEALTH
2120 Diamond Boulevard, Suite 100
Concord, California 94520
Ph (925) 608-5500
Fax (925) 608-5502
www.cchealth.org/eh/

August 29, 2019

RECEIVED
CONTRA COSTA COUNTY
SEP 09 2019
Dept of Conservation & Development

Contra Costa Department of Conservation and Development
Community Development Division
Attn: Margaret Mitchell
30 Muir Road
Martinez, CA 94553-4601

RE: MS19-0007 – Subdivision of One Parcel Into Two Parcels
2216 Blackwood Drive, Walnut Creek, CA
APN: 183-172-001
Service Request #: SR0013871

Dear Ms. Mitchell:

Contra Costa Environmental Health (CCEH) has received a request for agency comment regarding the above referenced project. The following are our comments [if the project is served by public sewer and public water]:

1. A permit from CCEH is required for any well or soil boring prior to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.

2. Any abandoned wells (water, environmental, or geotechnical) and septic tanks must be destroyed under permit from CCEH. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEH requirements.

3. If the proposed subdivision/minor subdivision will be served by onsite wastewater disposal systems (septic systems). It must be demonstrated that each lot can accommodate a septic system meeting current standards, including disposal field replacement area.

4. If the proposed subdivision/minor subdivision will be served by onsite private water wells. It must be demonstrated that each lot has a water supply well meeting current standards, including construction, yield, water quality, and setbacks. A hydrogeological study may be required to ensure adequate water supply.

5. It is recommended that the parcels be served by public sewer and public water.

6. If construction and development is planned debris from construction or demolition activity must go to a solid waste or recycling facility that complies with the applicable requirements and can lawfully accept the material (e.g., solid waste permit, EA Notification, etc.). The debris must be transported by a hauler that can lawfully transport the material. Debris bins or boxes of one cubic yard or more owned by the collection service operator shall be identified with the name and telephone number of the agent servicing the container.

7. Non-source-separated waste materials must not be brought back to the contractor's yard unless the facility has the appropriate solid waste permit or EA Notification.

These comments do not limit an applicant's obligation to comply with all applicable laws and regulations. If you should have any questions, please do not hesitate to call me at (925) 608-5538.

Sincerely,

W. Eric Fung, REHS
Environmental Health Specialist II

WEF:tf

Contra Costa County Fire Protection District

August 28, 2019

Ms. Mitchell
Department of Conservation and Development
30 Muir Rd.
Martinez, CA 94553

Subject: 2 lot minor subdivision
2216 Blackwood Dr. Walnut Creek, CA
Project #MS19-0007
CCCFPD Project No.: P-2019-03420

We have reviewed the vesting tentative map for a 2 lot minor subdivision at the subject location. The following is required for Fire District approval in accordance with the 2016 California Fire Code (CFC), the 2016 California Building Code (CBC), the 2016 California Residential Code (CRC), and Local and County Ordinances and adopted standards:

1. Access shall comply with Fire District requirements.

   Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. Access roadways shall not exceed 20% grade. Grades exceeding 16% shall be constructed of grooved concrete per the attached Fire District standard. (503) CFC

2. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked. (22500.1) CVC, (503.3) CFC

   Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have ***NO PARKING – FIRE LANE*** signs posted, allowing for parking on one side only or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked. (22500.1) CVC, (503.3) CFC

3. The project as proposed may require the installation of an approved Fire District turnaround. Dead-end emergency apparatus access roadways in excess of 150 feet in length shall be provided with approved provisions for the turning around of Fire District apparatus. Contact the Fire District for approved designs. (503.2.5) CFC

4. The developer shall provide an adequate and reliable water supply for fire protection as set forth in the California Fire Code. (507.1) CFC

5. The developer shall submit a minimum of two (2) copies of full size, scaled site improvement plans indicating all existing or proposed hydrant locations, fire apparatus access, elevations of building, size of building and type of construction and a striping and signage plan for review and approval prior to obtaining a building permit. This is a separate

submittal to the Fire District to be approved prior to construction plan submittal. ***Final placement of hydrants shall be determined by this office.***

6. ***Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.*** (501.4) CFC

   Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.

7. The homes as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2016 edition of NFPA 13D or Section R313.3 of the 2016 California Residential Code. Submit a minimum of two (2) sets of plans to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CRC, Contra Costa County Ordinance 2016-23.

8. The developer shall provide traffic signal pre-emption systems (Opticom) on any new or modified traffic signals installed with this development. (21351) CVC

9. Flammable or combustible liquid storage tanks shall ***not*** be located on the site without obtaining approval and necessary permits from the Fire District. (3401.4) CFC

10. The owner shall cut down and remove all weeds, grass, vines, or other growth that is capable of being ignited and endangering property. (304.1.2) CFC

11. Development on any parcel in this subdivision shall be subject to review and approval by the Fire District to ensure compliance with minimum requirements related to fire and life safety. Submit three (3) sets of plans to the Fire District prior to obtaining a building permit. (501.3) CFC

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,

Todd Schiess
Fire Inspector I

cc: Campos Development LLC
1555 Bothelo Dr. #$21
Walnut Creek, CA 94596

File: 2216 BLACKWOOD DR-2 LOT SUB-PLN-P-2019-03420

CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION
30 Muir Road
Martinez, CA 94553-4601
Phone: 925-674-7205
Fax: 925-674-7258

RECEIVED
AUG 06 2019
CONTRA COSTA FIRE DISTRICT

8/5/19 (19) $0

AGENCY COMMENT REQUEST

Date Aug. 5, 2019

We request your comments regarding the attached application currently under review.

DISTRIBUTION

Internal

X Building Inspection ___Grading Inspection
X Advance Planning X Housing Programs
X Trans. Planning ___Telecom Planner
___ALUC Staff ___HCP/NCCP Staff
___APC Floodplain Tech ___County Geologist

Health Services Department

X Environmental Health ___Hazardous Materials

Public Works Department

X Engineering Services (Full-size + email x3) + Storm Water Control Plan
X Traffic
___Flood Control (Full-size) ___Special Districts

Local

X Fire District ___
X Consolidated – (email) fire@cccfpd.org
X Sanitary District Central San
X Water District EBMUD
X City of Walnut Creek
X School District(s) Acalanes, WC Elementary
___LAFCO
___Reclamation District #___
___East Bay Regional Park District
___Diablo/Discovery Bay/Crockett CSD
___MAC/TAC___
___Improvement/Community Association
X CC Mosquito & Vector Control Dist (email)

Others/Non-local

___CHRIS (email only: nwic@sonoma.edu)
___CA Fish and Wildlife, Region 3 – Bay Delta
___Native American Tribes

Additional Recipients

___

Please submit your comments to:

Project Planner Margaret Mitchell
Phone # 925 674-7804
E-mail Margaret.Mitchell@dcd.cccounty.us
County File # MS19-0007

Prior to August 27, 2019

* * * * *

We have found the following special programs apply to this application:

No Active Fault Zone (Alquist-Priolo)
X Flood Hazard Area, Panel #___
Yes 60-dBA Noise Control
No CA EPA Hazardous Waste Site

* * * * *

AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: ___None ___Below X Attached

Print Name Todd Schiess
Signature 8/28/19 DATE
Agency phone # 925-941-3300

P2019-03420 PLN

From:	Joe Smithonic
To:	Margaret Mitchell
Cc:	Teri Rie
Subject:	MS19-0007 - 2216 Blackwood Dr, Walnut Creek
Date:	Monday, August 26, 2019 2:51:00 PM
Attachments:	2019-0826 - Agency Comment Request from Flood Control - MS19-0007.pdf

---

Hello Ms. Mitchell,

Thank you for the opportunity to review the plans on MS19-0007 (2216 Blackwood Dr, Walnut Creek) for regional drainage matters. The project is located in the unformed Drainage Area 49, so no drainage fees are due. The Flood Control District does not have any comments on MS19-0007 at this time. Attached is the "Agency Comment Request" form for your files.

Thank you,

Joe Smithonic
Flood Control
925.313.2348
Joe.Smithonic@pw.cccounty.us

CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION
30 Muir Road
Martinez, CA 94553-4601
Phone: 925-674-7205
Fax: 925-674-7258

8/5/19 (14) JW

RECEIVED
AUG 06 2
Contra Costa County
Flood Control and
Water Conservation District

AGENCY COMMENT REQUEST

Date Aug. 5, 2019

We request your comments regarding the attached application currently under review.

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X Advance Planning X Housing Programs
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X Engineering Services (Full-size + email x3) + Storm Water Control Plan
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X Fire District _____
X Consolidated – (email) fire@cccfpd.org
X Sanitary District Central San
X Water District EBMUD
X City of Walnut Creek
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___LAFCO
___Reclamation District #_____
___East Bay Regional Park District
___Diablo/Discovery Bay/Crockett CSD
___MAC/TAC_____
___Improvement/Community Association
X CC Mosquito & Vector Control Dist (email)

Others/Non-local

___CHRIS (email only: nwic@sonoma.edu)
___CA Fish and Wildlife, Region 3 – Bay Delta
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Additional Recipients

_____
_____
_____

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Phone # 925 674-7804
E-mail Margaret.Mitchell@dcd.cccounty.us
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* * * * *

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X Flood Hazard Area, Panel #_____
Yes 60-dBA Noise Control
No CA EPA Hazardous Waste Site

* * * * *

AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: X None ___Below ___Attached

No comments. Informed DA 49.

Print Name JOE SMITHONIC

Signature 8/26/19 DATE

Agency phone # 925-313-2348

From:	Russ Leavitt
To:	Margaret Mitchell
Subject:	MS19-0007; two-lot subdivision (one new house), 2216 Blackwood Drive, uninc. Walnut Creek
Date:	Monday, August 12, 2019 10:46:31 AM
Attachments:	RUSSELL B LEAVITT.vcf

According to Central Contra Costa Sanitary District (Central San) records, the project site is within Central San's service area and is currently receiving sanitary sewer service. The new proposed unit would not be expected to produce an unmanageable added capacity demand on the wastewater system, nor interfere with existing facilities. The tentative map provides for an easement for Parcel "B" through Parcel "A" to access the six-inch diameter public main sewer in Blackwood Drive.The applicant must submit full-size improvement plans for Central San Permit staff to review and pay all appropriate fees. For more information, the applicant should contact the Central San Permit Section at (925) 229-7371. Thanks!

RUSSELL B. LEAVITT
Engineering Assistant III
v: (925) 229-7255 f: (925) 228-4624
RLEAVITT@centralsan.org

Central Contra Costa Sanitary District
5019 Imhoff Place, Martinez, California 94553-4392

TENTATIVE MAP
2216 BLACKWOOD DRIVE

MS 19-0007

CITY OF WALNUT CREEK
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

MS19-0007
CONTRA COSTA COUNTY
2020 MAR -5 P 3:08
DEPARTMENT OF COUNTY

BENCHMARK

CCCO BM #1578 DISC IN TOP OF CURB AT INTERSECTION OF SAN MIGUEL DRIVE AND MOUNTAIN VIEW BLVD EL=265.95 (NGVD 29) ELEVATION WAS ADJUSTED TO NAVD 88 USING CORPSCON 6.1 ELEVATION DIFFERENTIAL=+2.7'. ELEV=268.65

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BEARINGS ARE BASED ON THE CENTERLINE OF NORRIS ROAD AS SHOWN ON THE MAP OF NORRIS ADDITION (7 M 174)

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(IN FEET)
1 inch = 20 feet

EXISTING LOT:

2216 BLACKWOOD DRIVE
WALNUT CREEK, CA 94596
APN 183-172-001
42,350 SF±

OWNER

CAMPOS DEVELOPMENT
1555 BOTELHO DRIVE
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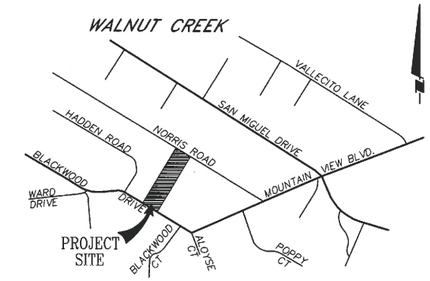
925-626-3311

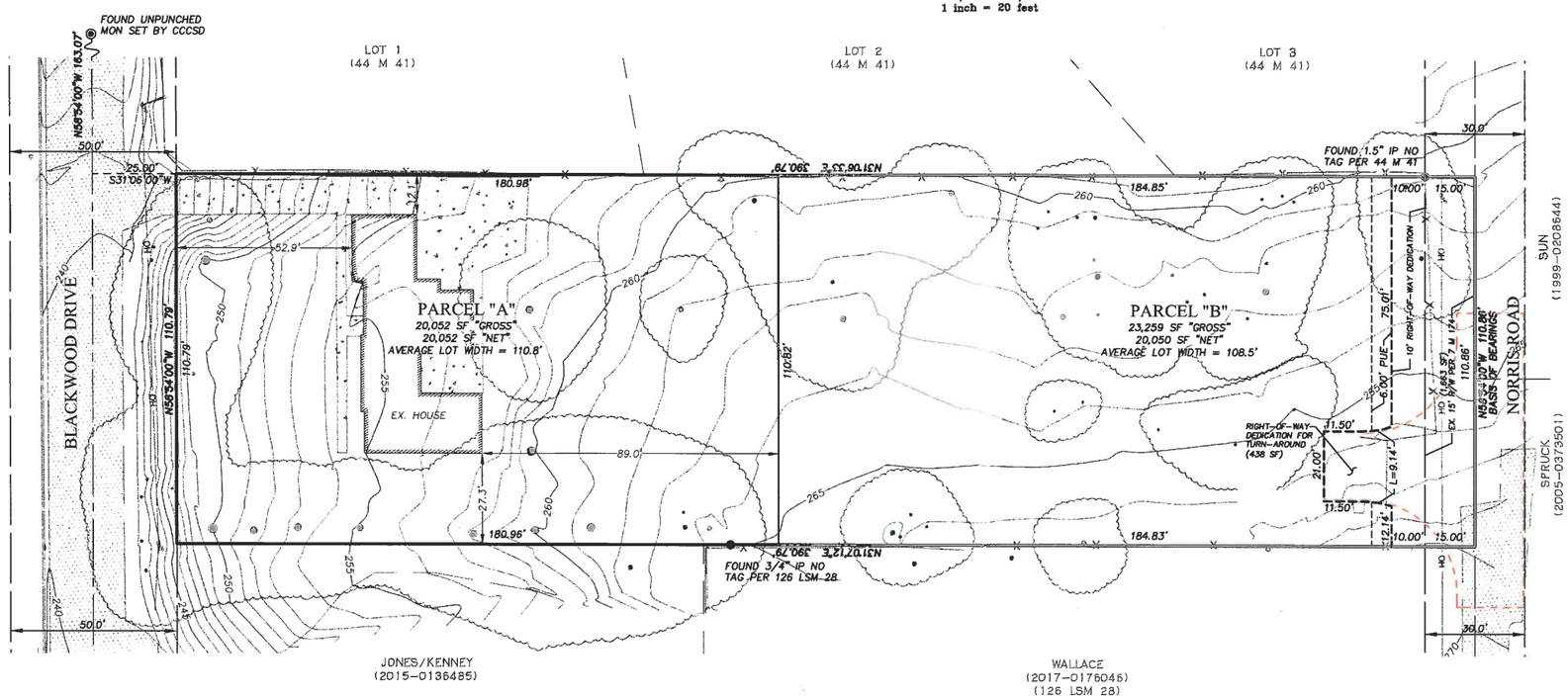
CIVIL ENGINEER

APEX CIVIL ENGINEERING & LAND SURVEYING
817 ARNOLD DRIVE, SUITE 50
MARTINEZ, CA 94553
925-476-8499



VICINITY MAP

NOT TO SCALE



SHEET INDEX

SHEET No.	DESCRIPTION
1	TITLE SHEET
2	PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN

GENERAL

ASSESSORS PARCEL NO(s):	183-172-001
PROJECT ADDRESS:	2216 BLACKWOOD DRIVE, WALNUT CREEK, CA
TOTAL AREA:	43,311 SF±
EXISTING USE:	SINGLE FAMILY RESIDENCE
EXISTING ZONING:	R-20 (SINGLE FAMILY RESIDENTIAL)
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING:	R-20 (SINGLE FAMILY RESIDENTIAL)
NUMBER OF UNITS:	2 LOTS
LOT COVERAGE:	13.5%
GROSS FLOOR AREA RATIO:	0.097
DENSITY:	2.17 UNITS/AC
FEMA FLOOD DESIGNATION:	ZONE "X" (FIRM PANEL 0293G, DATED 03-21-2017)

FACILITIES

WATER:	EASTBAY MUNICIPAL UTILITY DISTRICT
SEWER:	CENTRAL CONTRA COSTA SANITARY
STORM DRAIN:	CONTRA COSTA COUNTY
FIRE:	CCCFPD
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T
CABLE:	COMCAST

LEGEND

- LOT BOUNDARY
- RIGHT-OF-WAY
- ADJACENT PROPERTY LINE
- PROPOSED HOUSE
- EXISTING HOUSE
- EXISTING ASPHALT
- NEW ASPHALT
- NEW CONCRETE
- 5% FINISHED GRADE SLOPE
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- 8" SS SEWER LINE
- 12" SD STORM LINE
- 8" W WATER LINE
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- DENOTES 4:1 SLOPE

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SF	– SQUARE FEET
SS	– SANITARY SEWER
STD	– STANDARD
TW	– TOP OF WALL
TYP	– TYPICAL
W	– WATER

REVISIONS	NO.	BY	DATE

DESIGN: JV
DRAWN: STAFF
CHECKED: JV
PROJECT #: 19038

REGISTERED PROFESSIONAL ENGINEER JOHN VERAY NO. 2820 CIVIL STATE OF CALIFORNIA

APEX CIVIL ENGINEERING & LAND SURVEYING
817 Arnold Drive, Ste 50
Martinez, CA 94553
Ph: (925) 476-8499
www.apexce.net

TENTATIVE MAP
TITLE SHEET
2216 BLACKWOOD DRIVE — MS 19-0007 — WALNUT CREEK, CA

SHEET 1 OF 2
DATE 02-25-2020

MS 19-0007 - TENTATIVE MAP - 02-25-2020

DIAL TOLL FREE
811
AT LEAST TWO DAYS BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF NORTHERN CALIFORNIA

NOTE:
THE LOCATION OF ALL EXISTING UTILITIES SHOWN ON THE PLANS HAVE BEEN DETERMINED FROM THE BEST INFORMATION AVAILABLE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE VARIOUS UTILITIES AND EXERCISE EXTREME CAUTION IN AREAS OF BURIED UTILITIES DURING CONSTRUCTION.
CALL USA – 811 AT LEAST 48 HOURS BEFORE DIGGING.
HAND DIG NEAR UNDERGROUND UTILITIES.

TENTATIVE MAP
2216 BLACKWOOD DRIVE
MS 19-0007
CITY OF WALNUT CREEK
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

NOTES
1. FINISHED FLOOR ELEVATION TO FINISHED GRADE ELEVATION AT THE BUILDING FOOTPRINT SHALL BE A MINIMUM OF 8".
2. DISSIPATER PIPE SHALL BE DESIGNED LEVEL TO DRAIN TO ROCK RIP RAP AREA THUS DISCHARGING RUNOFF EVENLY ACROSS SLOPE.
3. FENCING AROUND EXISTING TREES TO REMAIN SHALL BE PER THE DIRECTION OF AN ARBORIST.
4. FINAL HOUSE FOOTPRINT ON PARCEL "B" TO BE DETERMINED AT A LATER DATE.
5. DRIVEWAY DESIGN SHALL SATISFY CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT (CCCFPD) STANDARDS.
6. ROOF DOWNSPOUTS SHALL DISCHARGE TO SPLASH BLOCKS (TYP) AND SHALL BE DIRECTED TO DRAIN AWAY FROM THE FOUNDATION.
7. SEE TREE INVENTORY REPORT BY TRAVERSO TREE SERVICE, DATED JUNE 19, 2019, FOR INFORMATION ON TREE PROTECTION AND FENCING.

AREA SUMMARY

TOTAL LOT AREA:	43,311 SF
EXISTING IMPERVIOUS AREA:	4,233 SF
EXISTING PERVIOUS AREA:	37,287 SF
NEW IMPERVIOUS AREA:	8,235 SF
POST-PROJECT IMPERVIOUS AREA:	12,427 SF
POST-PROJECT PERVIOUS AREA:	30,884 SF
TOTAL DISTURBED AREA:	17,191 SF

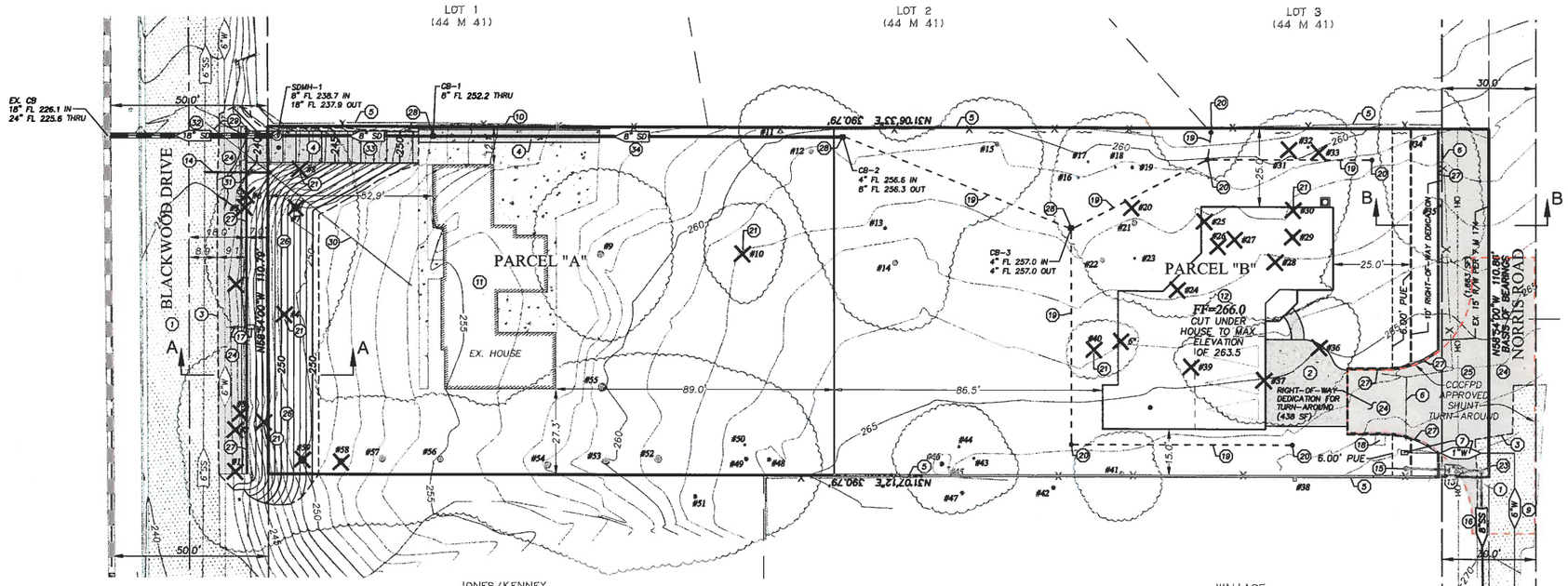
GRAPHIC SCALE
20 10 0 20
(IN FEET)
1 inch = 20 feet

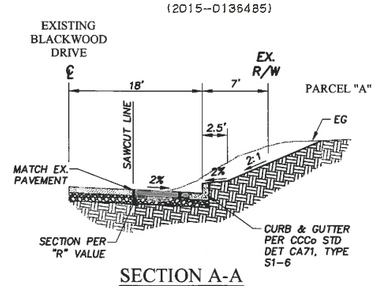
GRADING QUANTITIES

CUT	83 CU. YDS.
FILL	83 CU. YDS.

BALANCED SITE

KEY LEGEND
1. EXISTING PAVEMENT TO REMAIN
2. NEW CONCRETE DRIVEWAY (SECTION PER SOILS ENGINEER'S RECOMMENDATIONS)
3. SAWCUT LINE (TYP). MATCH EX. ASPHALT WITH CLEAN ABUTMENT
4. REMOVE AND REPLACE PORTION OF EXISTING DRIVEWAY
5. EXISTING FENCE TO REMAIN
6. EXISTING FENCE TO BE REMOVED
7. 1" WATER SERVICE AND METER
8. CONNECT TO EXISTING WATER MAIN
9. INSTALL APPROX. 65' OF 6" WATER MAIN EXTENSION
10. EXISTING CONCRETE RETAINING WALL TO REMAIN
11. EXISTING HOUSE TO REMAIN
12. PROPOSED HOUSE LOCATION. SIZE/SHAPE MAY VARY
13. 4" PVC SEWER LATERAL AT 2% MIN.
14. INSTALL NEW SEWER LATERAL (2% MIN) & CLEANOUT. CONNECT TO EX. SS LATERAL.
15. 4" PVC SS CLEANOUT (TYP)
16. INSTALL APPROX. 45' OF 8" SEWER MAIN EXTENSION @ 1% MIN
17. EX. WATER METER TO BE RELOCATED TO BEHIND PROPOSED CURB
18. EX. WELL TO BE ABANDONED PER CCCo HEALTH DEPARTMENT STANDARDS
19. 4" PVC (SDR-35) SD @ S=0.5% MIN. (TYP)
20. 4" NDS AREA DRAIN (TYP)
21. TREE TO BE REMOVED (TYP)
22. REMOVE EX. RODDING INLET
23. INSTALL NEW RODDING INLET
24. NEW ASPHALT PAVEMENT
25. INSTALL CCCo FIRE DISTRICT APPROVED TURN-AROUND
26. 2:1 CUT SLOPE
27. CURB & GUTTER PER CCCo STD DET CA71, TYPE S1-6
28. CATCH BASIN (CHRISTY V12 OR EQUAL)
29. PORTION OF EXISTING SEWER LATERAL TO BE REMOVED
30. PORTION OF EXISTING SEWER LATERAL TO REMAIN
31. RELOCATE EXISTING MAILBOX
32. 18" HDPE STORM DRAIN @ S=21.7%
33. 8" HDPE STORM DRAIN @ S=21.7%
34. 8" HDPE STORM DRAIN @ S=5.7%





SECTION A-A
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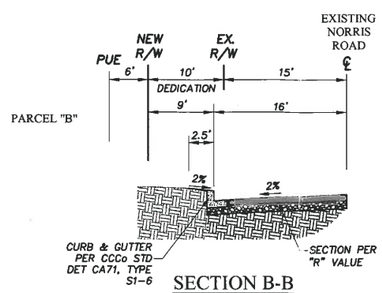

SECTION B-B
NOT TO SCALE

TREE REMOVAL SUMMARY (25)

TAG #	SPECIES	TRUNK DIA.	STATUS
1	VALLEY OAK	9", 4"	TO BE REMOVED
2	VALLEY OAK	7.5"	TO BE REMOVED
3	VALLEY OAK	7", 8"	TO BE REMOVED
4	APRICOT	8.5"	TO BE REMOVED
5	VALLEY OAK	6.5"	TO BE REMOVED
6	VALLEY OAK	6.5"	TO BE REMOVED
7	SIBERIAN ELM	26.5"	TO BE REMOVED
8	SIBERIAN ELM	8", 3", 2"	TO BE REMOVED
10	CA BLACK WALNUT	15.5"	TO BE REMOVED
20	VALLEY OAK	6.5"	TO BE REMOVED
24	MAGNOLIA	10", 8"	TO BE REMOVED
25	HONEY LOCUST	8"	TO BE REMOVED
26	HONEY LOCUST	6.5", 5.5", 5"	TO BE REMOVED
27	VALLEY OAK	9"	TO BE REMOVED
28	VALLEY OAK	9"	TO BE REMOVED
29	VALLEY OAK	7", 13.5"	TO BE REMOVED
30	VALLEY OAK	10"	TO BE REMOVED
31	VALLEY OAK	6.5"	TO BE REMOVED
33	VALLEY OAK	8", 5"	TO BE REMOVED
36	SIBERIAN ELM	9.5", 11", 7", 6"	TO BE REMOVED
37	SIBERIAN ELM	15", 9"	TO BE REMOVED
39	VALLEY OAK	7"	TO BE REMOVED
40	BLACK LOCUST	5", 4", 5"	TO BE REMOVED
58	SIBERIAN ELM	25"	TO BE REMOVED
59	SIBERIAN ELM	30.5"	TO BE REMOVED

SEE TREE INVENTORY REPORT BY TRAVERSO TREE SERVICE, DATED JUNE 19, 2019, FOR ADDITIONAL INFORMATION.

REVISIONS	NO.	BY	DATE

DESIGN: JV
DRAWN: STAFF
CHECKED: JV
PROJECT #: 19038

REGISTERED PROFESSIONAL ENGINEER JOHN VICENT NO. 78820 CIVIL STATE OF CALIFORNIA

APEX
CIVIL ENGINEERING & LAND SURVEYING
817 Arnold Drive, Ste 50
Martinez, CA 94553
Ph: (925) 476-8499
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TENTATIVE MAP
PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN
2216 BLACKWOOD DRIVE MS 19-0007 WALNUT CREEK, CA

SHEET 2 OF 2
DATE 02-25-2020

TENTATIVE MAP
2216 BLACKWOOD DRIVE

MS 19-0007

CITY OF WALNUT CREEK
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

MS19-0007
CONTRA COSTA COUNTY
2020 MAR -5 P 3:08
DEPARTMENT OF COUNTY

BENCHMARK

CCCO BM #1578 DISC IN TOP OF CURB AT INTERSECTION OF SAN MIGUEL DRIVE AND MOUNTAIN VIEW BLVD EL=265.95 (NGVD 29) ELEVATION WAS ADJUSTED TO NAVD 88 USING CORPSCON 6.1 ELEVATION DIFFERENTIAL=+2.7'. ELEV=268.65

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(IN FEET)
1 inch = 20 feet

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WALNUT CREEK, CA 94596
APN 183-172-001
42,350 SF±

OWNER

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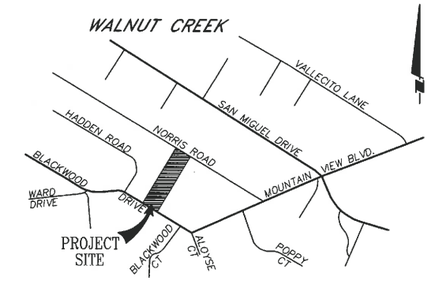

VICINITY MAP

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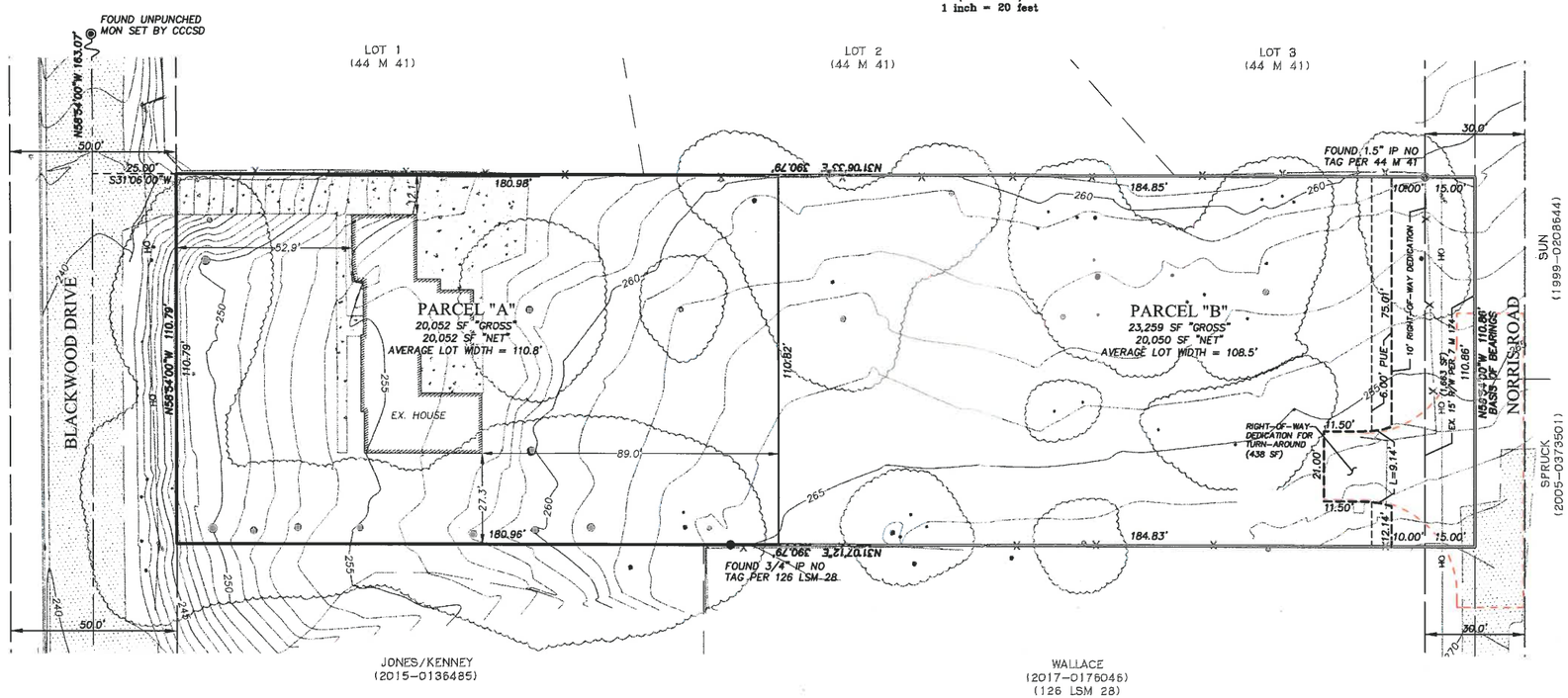

SHEET INDEX

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PROPOSED ZONING:	R-20 (SINGLE FAMILY RESIDENTIAL)
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FEMA FLOOD DESIGNATION:	ZONE "X" (FIRM PANEL 0293G, DATED 03-21-2017)

FACILITIES

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STORM DRAIN:	CONTRA COSTA COUNTY
FIRE:	CCCFPD
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T
CABLE:	COMCAST

LEGEND

- LOT BOUNDARY
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REVISIONS	NO.	BY	DATE

DESIGN: JV
DRAWN: STAFF
CHECKED: JV
PROJECT #: 19038

REGISTERED PROFESSIONAL ENGINEER JOHN VERAY NO. 2820 CIVIL STATE OF CALIFORNIA

APEX CIVIL ENGINEERING & LAND SURVEYING
817 Arnold Drive, Ste 50
Martinez, CA 94553
Ph: (925) 476-8499
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TENTATIVE MAP
TITLE SHEET
2216 BLACKWOOD DRIVE — MS 19-0007 — WALNUT CREEK, CA

SHEET 1 OF 2
DATE 02-25-2020

MS 19-0007 - TENTATIVE MAP - 02-25-2020

DIAL TOLL FREE
811
AT LEAST TWO DAYS BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF NORTHERN CALIFORNIA

NOTE:
THE LOCATION OF ALL EXISTING UTILITIES SHOWN ON THE PLANS HAVE BEEN DETERMINED FROM THE BEST INFORMATION AVAILABLE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE VARIOUS UTILITIES AND EXERCISE EXTREME CAUTION IN AREAS OF BURIED UTILITIES DURING CONSTRUCTION.
CALL USA – 811 AT LEAST 48 HOURS BEFORE DIGGING.
HAND DIG NEAR UNDERGROUND UTILITIES.

TENTATIVE MAP
2216 BLACKWOOD DRIVE
MS 19-0007
CITY OF WALNUT CREEK
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

NOTES
1. FINISHED FLOOR ELEVATION TO FINISHED GRADE ELEVATION AT THE BUILDING FOOTPRINT SHALL BE A MINIMUM OF 8".
2. DISSIPATER PIPE SHALL BE DESIGNED LEVEL TO DRAIN TO ROCK RIP RAP AREA THUS DISCHARGING RUNOFF EVENLY ACROSS SLOPE.
3. FENCING AROUND EXISTING TREES TO REMAIN SHALL BE PER THE DIRECTION OF AN ARBORIST.
4. FINAL HOUSE FOOTPRINT ON PARCEL "B" TO BE DETERMINED AT A LATER DATE.
5. DRIVEWAY DESIGN SHALL SATISFY CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT (CCCFPD) STANDARDS.
6. ROOF DOWNSPOUTS SHALL DISCHARGE TO SPLASH BLOCKS (TYP) AND SHALL BE DIRECTED TO DRAIN AWAY FROM THE FOUNDATION.
7. SEE TREE INVENTORY REPORT BY TRAVERSO TREE SERVICE, DATED JUNE 19, 2019, FOR INFORMATION ON TREE PROTECTION AND FENCING.

AREA SUMMARY

TOTAL LOT AREA:	43,311 SF
EXISTING IMPERVIOUS AREA:	4,233 SF
EXISTING PERVIOUS AREA:	37,287 SF
NEW IMPERVIOUS AREA:	8,235 SF
POST-PROJECT IMPERVIOUS AREA:	12,427 SF
POST-PROJECT PERVIOUS AREA:	30,884 SF
TOTAL DISTURBED AREA:	17,191 SF

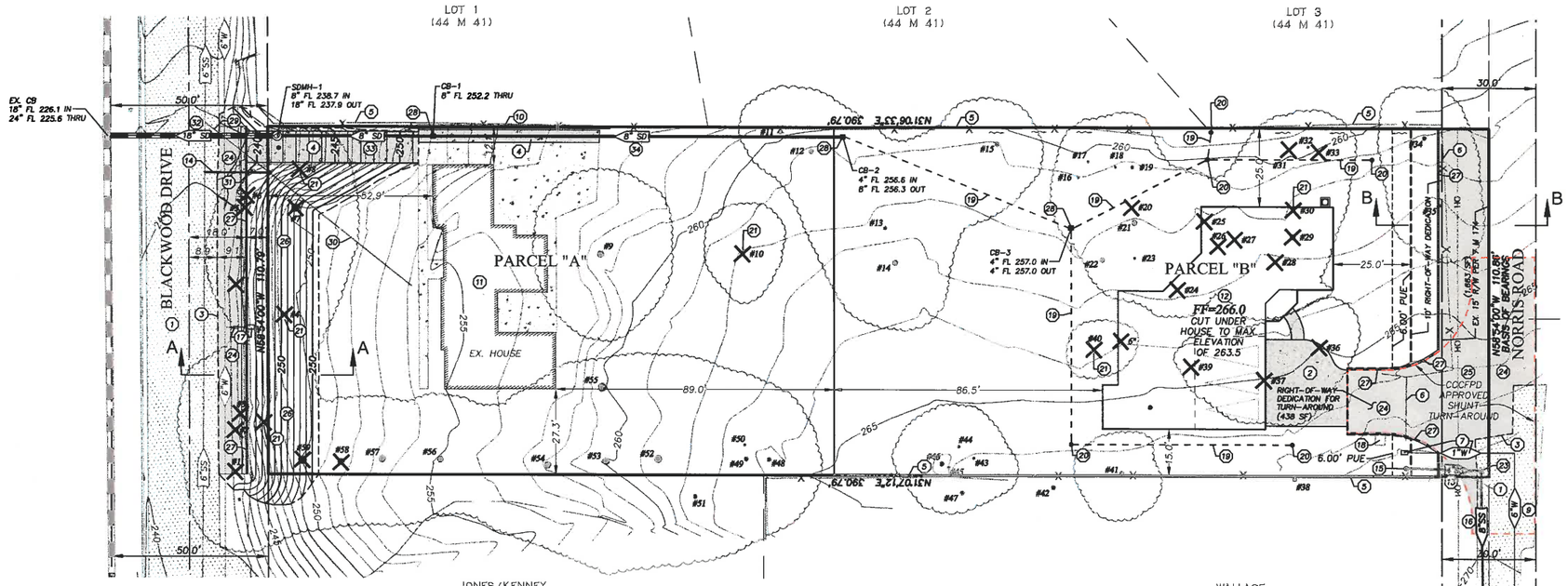
GRAPHIC SCALE
20 10 0 20
(IN FEET)
1 inch = 20 feet

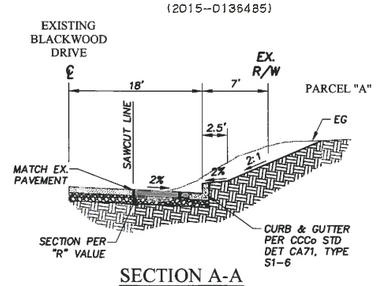
GRADING QUANTITIES

CUT	83 CU. YDS.
FILL	83 CU. YDS.

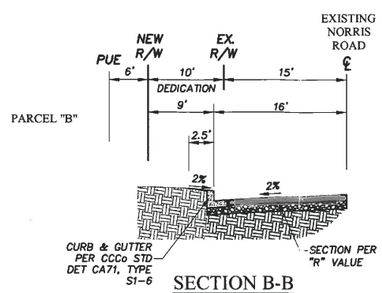
BALANCED SITE

KEY LEGEND
1. EXISTING PAVEMENT TO REMAIN
2. NEW CONCRETE DRIVEWAY (SECTION PER SOILS ENGINEER'S RECOMMENDATIONS)
3. SAWCUT LINE (TYP). MATCH EX. ASPHALT WITH CLEAN ABUTMENT
4. REMOVE AND REPLACE PORTION OF EXISTING DRIVEWAY
5. EXISTING FENCE TO REMAIN
6. EXISTING FENCE TO BE REMOVED
7. 1" WATER SERVICE AND METER
8. CONNECT TO EXISTING WATER MAIN
9. INSTALL APPROX. 65' OF 6" WATER MAIN EXTENSION
10. EXISTING CONCRETE RETAINING WALL TO REMAIN
11. EXISTING HOUSE TO REMAIN
12. PROPOSED HOUSE LOCATION. SIZE/SHAPE MAY VARY
13. 4" PVC SEWER LATERAL AT 2% MIN.
14. INSTALL NEW SEWER LATERAL (2% MIN) & CLEANOUT. CONNECT TO EX. SS LATERAL.
15. 4" PVC SS CLEANOUT (TYP)
16. INSTALL APPROX. 45' OF 8" SEWER MAIN EXTENSION @ 1% MIN
17. EX. WATER METER TO BE RELOCATED TO BEHIND PROPOSED CURB
18. EX. WELL TO BE ABANDONED PER CCCo HEALTH DEPARTMENT STANDARDS
19. 4" PVC (SDR-35) SD @ S=0.5% MIN. (TYP)
20. 4" NDS AREA DRAIN (TYP)
21. TREE TO BE REMOVED (TYP)
22. REMOVE EX. RODDING INLET
23. INSTALL NEW RODDING INLET
24. NEW ASPHALT PAVEMENT
25. INSTALL CCCo FIRE DISTRICT APPROVED TURN-AROUND
26. 2:1 CUT SLOPE
27. CURB & GUTTER PER CCCo STD DET CA71, TYPE S1-6
28. CATCH BASIN (CHRISTY V12 OR EQUAL)
29. PORTION OF EXISTING SEWER LATERAL TO BE REMOVED
30. PORTION OF EXISTING SEWER LATERAL TO REMAIN
31. RELOCATE EXISTING MAILBOX
32. 18" HDPE STORM DRAIN @ S=21.7%
33. 8" HDPE STORM DRAIN @ S=21.7%
34. 8" HDPE STORM DRAIN @ S=5.7%





SECTION A-A
NOT TO SCALE



SECTION B-B
NOT TO SCALE

TREE REMOVAL SUMMARY (25)

TAG #	SPECIES	TRUNK DIA.	STATUS
1	VALLEY OAK	9", 4"	TO BE REMOVED
2	VALLEY OAK	7.5"	TO BE REMOVED
3	VALLEY OAK	7", 8"	TO BE REMOVED
4	APRICOT	8.5"	TO BE REMOVED
5	VALLEY OAK	6.5"	TO BE REMOVED
6	VALLEY OAK	6.5"	TO BE REMOVED
7	SIBERIAN ELM	26.5"	TO BE REMOVED
8	SIBERIAN ELM	8", 3", 2"	TO BE REMOVED
10	CA BLACK WALNUT	15.5"	TO BE REMOVED
20	VALLEY OAK	6.5"	TO BE REMOVED
24	MAGNOLIA	10", 8"	TO BE REMOVED
25	HONEY LOCUST	8"	TO BE REMOVED
26	HONEY LOCUST	6.5", 5.5", 5"	TO BE REMOVED
27	VALLEY OAK	9"	TO BE REMOVED
28	VALLEY OAK	9"	TO BE REMOVED
29	VALLEY OAK	7", 13.5"	TO BE REMOVED
30	VALLEY OAK	10"	TO BE REMOVED
31	VALLEY OAK	6.5"	TO BE REMOVED
33	VALLEY OAK	8", 5"	TO BE REMOVED
36	SIBERIAN ELM	9.5", 11", 7", 6"	TO BE REMOVED
37	SIBERIAN ELM	15", 9"	TO BE REMOVED
39	VALLEY OAK	7"	TO BE REMOVED
40	BLACK LOCUST	5", 4", 5"	TO BE REMOVED
58	SIBERIAN ELM	25"	TO BE REMOVED
59	SIBERIAN ELM	30.5"	TO BE REMOVED

SEE TREE INVENTORY REPORT BY TRAVERSO TREE SERVICE, DATED JUNE 19, 2019, FOR ADDITIONAL INFORMATION.

REVISIONS	NO.	BY	DATE

DESIGN: JV
DRAWN: STAFF
CHECKED: JV
PROJECT #: 19038

REGISTERED PROFESSIONAL ENGINEER JOHN VICENT NO. 78820 CIVIL STATE OF CALIFORNIA

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TENTATIVE MAP
PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN
2216 BLACKWOOD DRIVE MS 19-0007 WALNUT CREEK, CA

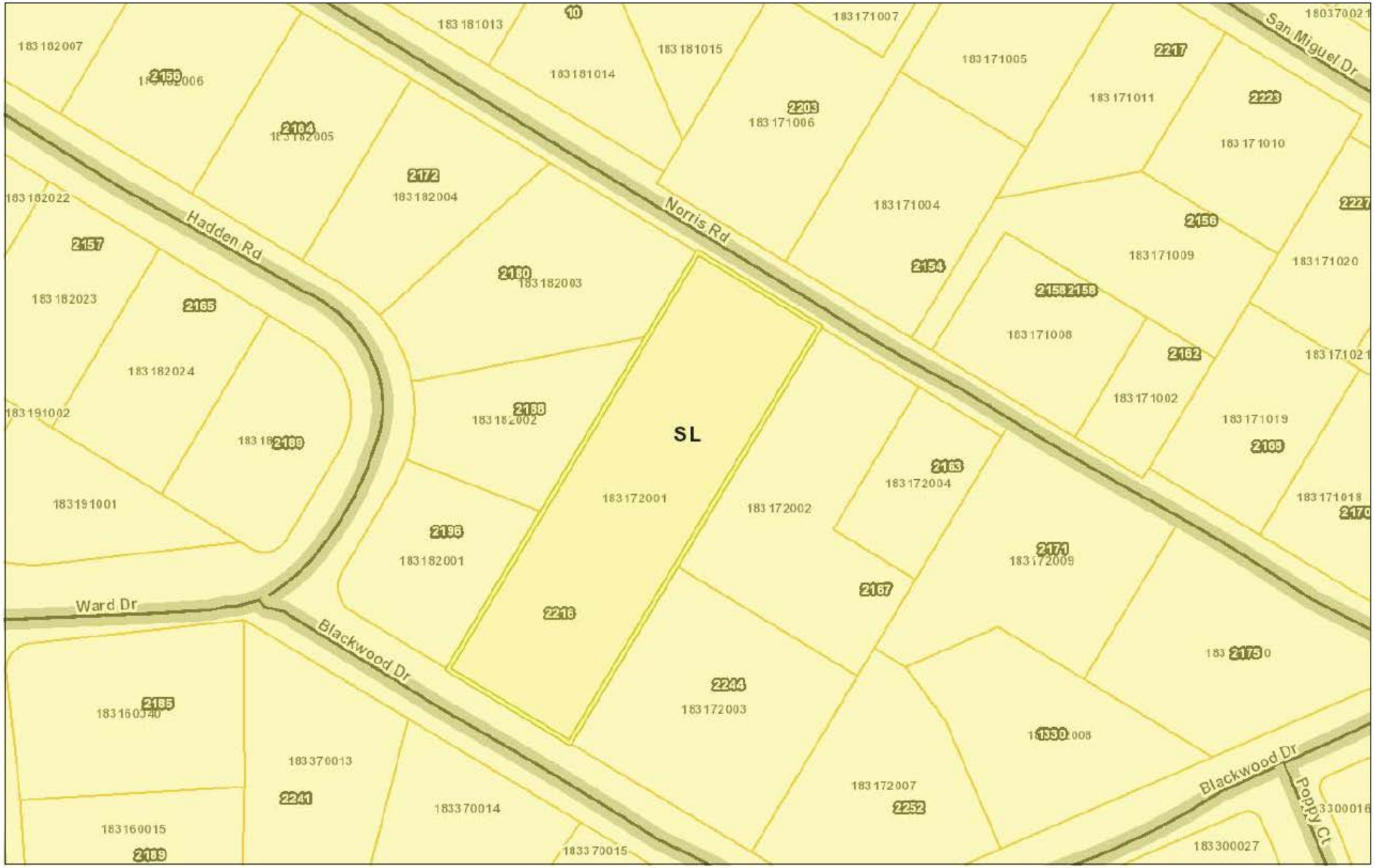
SHEET 2 OF 2
DATE 02-25-2020

TWO-LOT MINOR SUBDIVISION APPEAL COUNTY FILE #MS19-0007

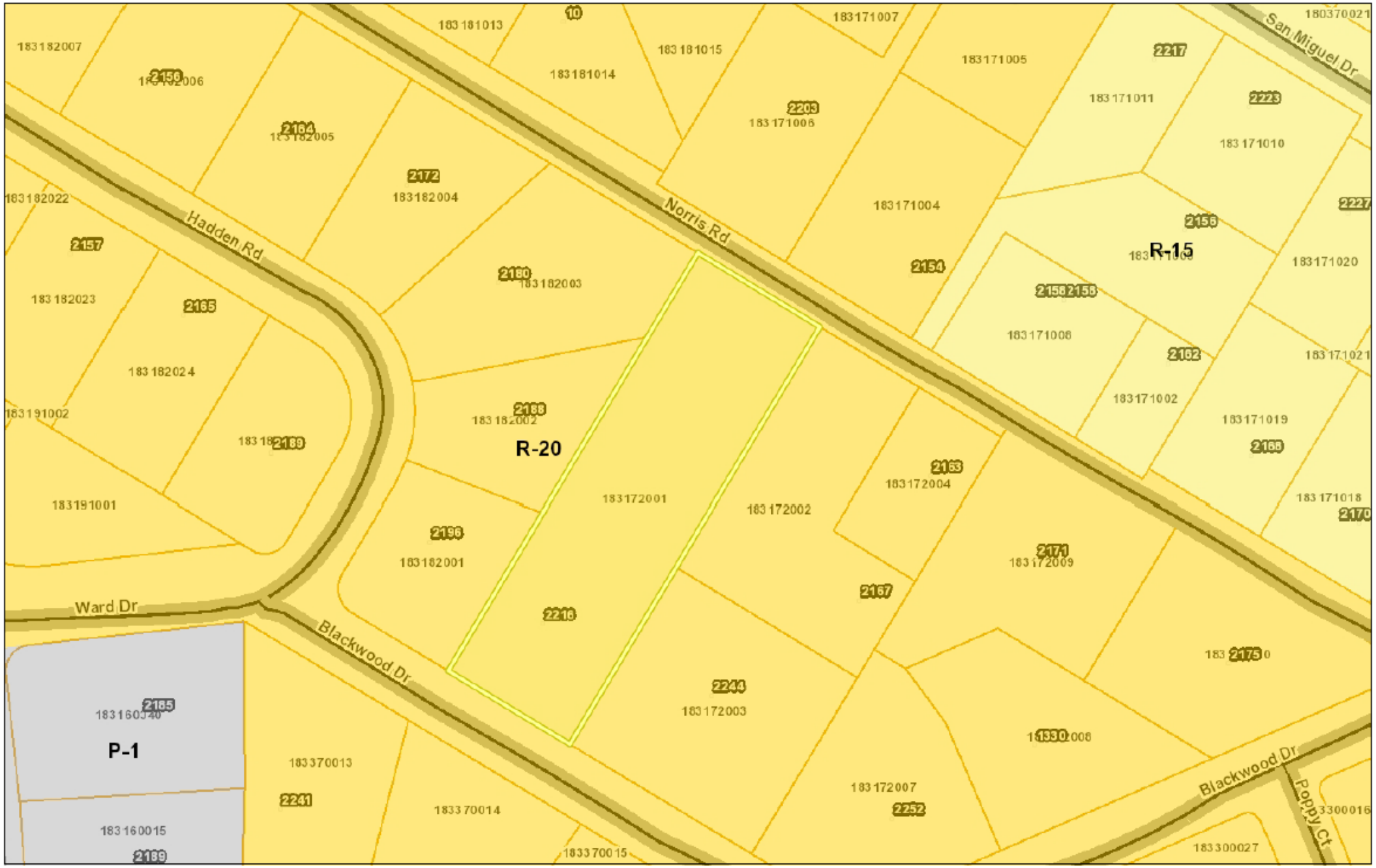
2216 Blackwood Drive, Walnut Creek

Contra Costa County Planning Commission
Wednesday, February 10, 2021
6:30 P.M.

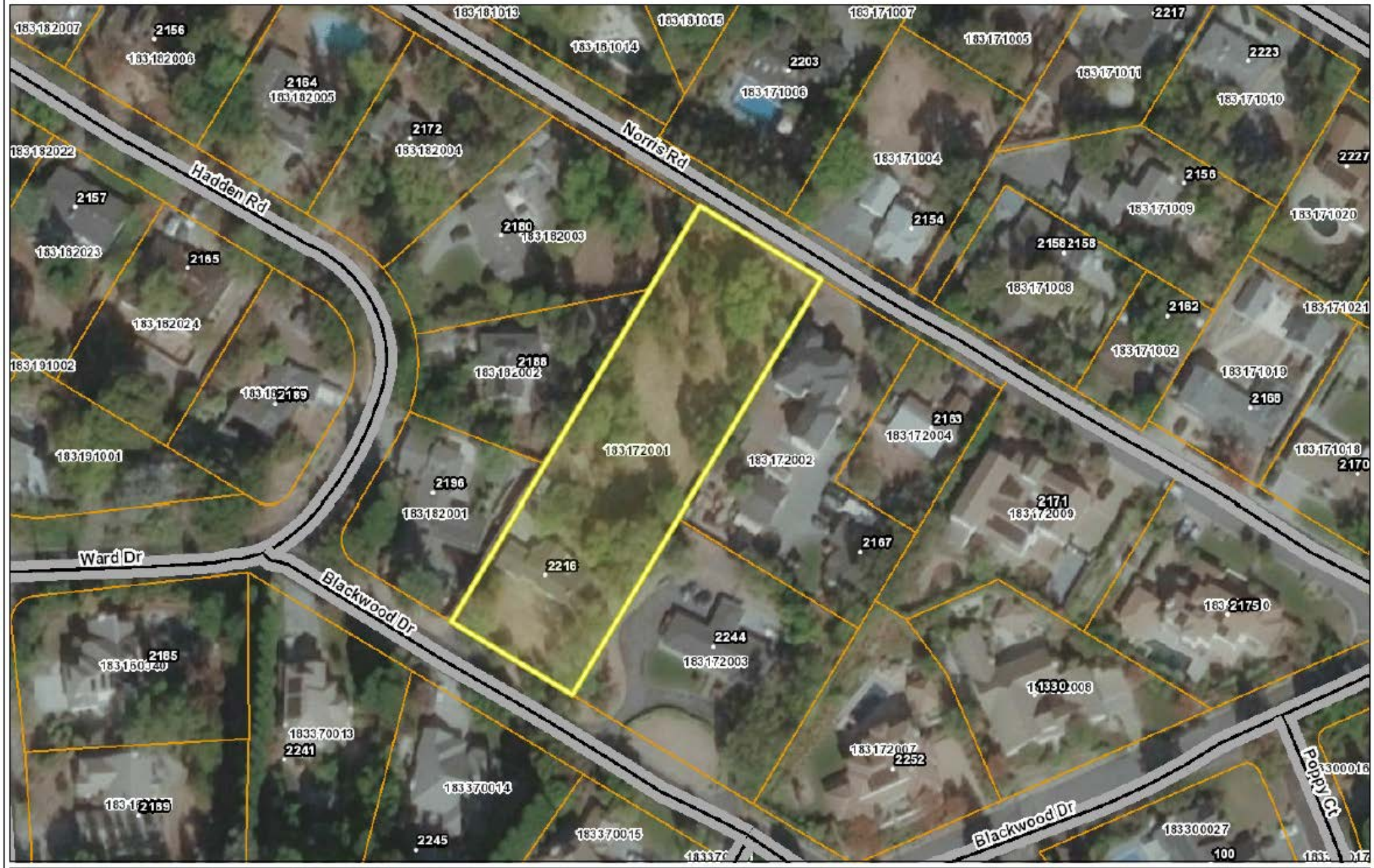
General Plan: Single-Family Residential, Low-Density (SL)



Zoning: Single-Family Residential (R-20)



MS19-0007 Aerial Photograph

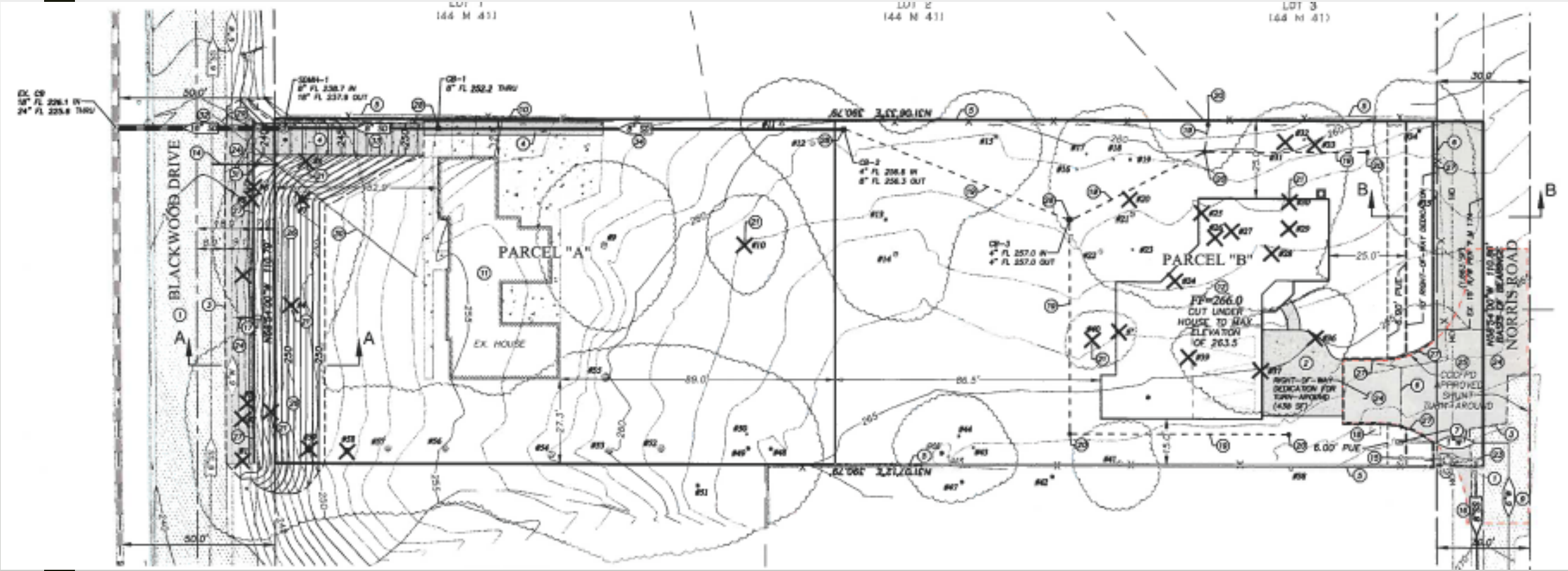


PROJECT DESCRIPTION

This is an appeal of the Zoning Administrator's decision to approve:

- A two-lot minor subdivision to subdivide a 42,350-square-foot lot into two parcels (Parcel A: 20,536 square-feet; Parcel B: 22,772 square-feet).
- Removal of 13 code-protected trees on Parcel A and within the Blackwood Drive public right-of-way.
- Variance to allow an average width of 110.8 feet for each lot (where 120 feet is required).
- Exceptions to Title 9 – Subdivision Requirements:
  - *Sidewalk requirements; and*
  - *Underground existing overhead utility lines for Parcel A.*
- The development of a residence is not proposed as a part of this project.

Tentative Map



BACKGROUND

- A Minor Subdivision application was submitted on August 2, 2019.
- A Mitigated Negative Declaration and corresponding documents were posted for public review on October 9, 2020. The public comment period for accepting comments on the adequacy of the environmental documents extended to October 29, 2020, during which 15 public comment letters were received.
- The project was scheduled at the December 7, 2020 Zoning Administrator hearing, however, the project description in the notice did not include the requested exception to the underground utility requirement from Title 9 for Parcel A. The project was then re-noticed and continued to the December 21, 2020 Zoning Administrator hearing. The Zoning Administrator opened the public hearing for this item, public comments were heard, and the Zoning Administrator approved the item with changes to Condition of Approval (COA) #5, 11, and 12 and the addition of COA #39.
- Staff received one letter on December 30, 2020, appealing the Zoning Administrator's decision to the County Planning Commission.

SUMMARY OF APPEAL POINTS

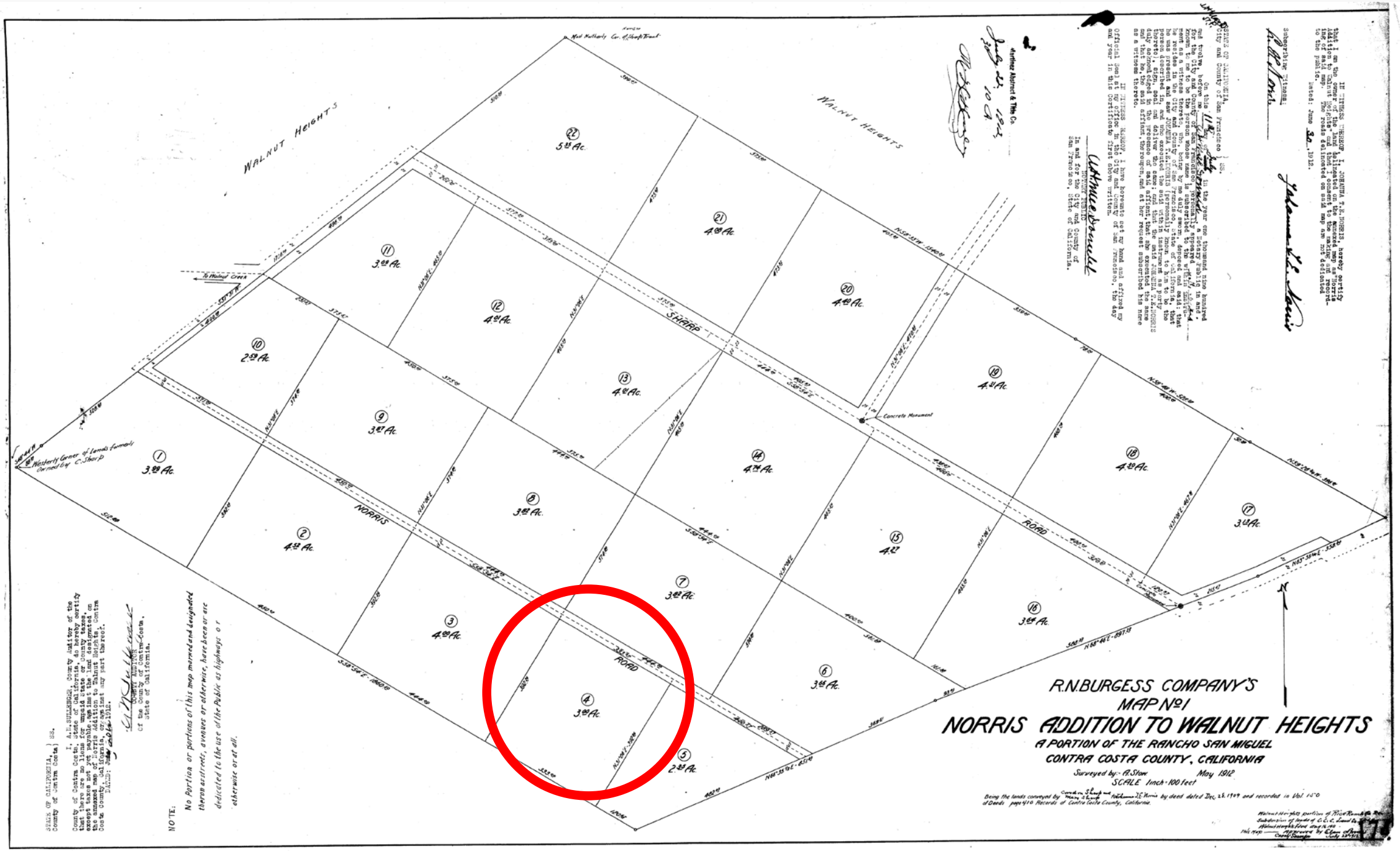
Several neighbors will be adversely impacted by the additional property entrance on Norris Road, which is a privately maintained road for the following reasons:

- *Appeal Point #1: No zoning maps show an address at this location and is not available on any public record.*
- *Appeal Point #2: Understand the road access and variances given this is a privately maintained road.*
- *Appeal Point #3: Clarity on the property owner's responsibility for future maintenance (in conjunction with the existing neighbors).*

Legal Description of Property

PORTION OF LOT 4, AS DESIGNATED ON THE MAP ENTITLED "RN BURGESS COMPANY'S MAP NO 1, NORRIS ADDITION TO WALNUT HEIGHTS, A PORTION OF THE RANCHO SAN MIGUEL, CONTRA COSTA COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, CALIFORNIA, ON JULY 22, 1912 IN VOLUME 7 OF MAPS, AT PAGE 174, CONTAINING ONE ACRE, MORE OR LESS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING IN THE CENTER LINE OF NORRIS ROAD, DISTANT THEREON NORTH 58° 54' WEST 166.5 FEET FROM THE LINE BETWEEN LOTS 4 AND 5, SAID POINT BEING THE MOST NORTHERLY CORNER OF THE 1.5 ACRE PARCEL OF LAND DESCRIBED IN DEED FROM OAKLAND AND ANTIOCH LAND CO. TO WILLIAM F. WHITEMAN DATED JANUARY 20, 1917 AND RECORDED IN VOLUME 287 OF DEEDS AT PAGE 398, THENCE FROM SAID POINT OF BEGINNING NORTH 58° 54' WEST ALONG SAID CENTER LINE 111 FEET TO THE SOUTHEAST LINE OF THE 0.50 OF AN ACRE PORTION OF LOT 4, DESCRIBED IN DEED FROM WESTERN GROUP SECURITIES COMPANY TO GUY L PUTNAM, ET AL, DATED MARCH 27, 1925 AND RECORDED APRIL 2, 1925 INVOLUME 484 OF DEEDS, ATPAGE 370, THENCE SOUTH 31°06'WESTALONG SAIDLINE 392.28 FEET TO THE SOUTHWEST LINE OF LOT 4, THENCE SOUTH 58 54' EAST ALONG SAID LINE 111 FEET TO THE NORTHWEST LINE OF THE SAID WHITMAN PARCEL (287 D 396) THENCE NORTH 31° 06' EAST ALONG SAID LINE 39228 FEET TO THE POINT OF BEGINNING.


R.N.BURGESS COMPANY'S
MAP No 1
NORRIS ADDITION TO WALNUT HEIGHTS
A PORTION OF THE RANCHO SAN MIGUEL
CONTRA COSTA COUNTY, CALIFORNIA
Surveyed by:- A. Stow May 1912
SCALE 1 inch = 100 feet
WALNUT HEIGHTS
WALNUT HEIGHTS
SHARP
NORRIS
ROAD
ROAD
Concrete Monument
Westerly Corner of lands formerly owned by C. Sharp
To Walnut Creek
Hartfiez Abstract & Title Co.
STATE OF CALIFORNIA, County of Contra Costa } ss.
I, A.L. SUMMERHILL, County Auditor of the County of Contra Costa, State of California, do hereby certify that there are no liens for unpaid State and County taxes, except taxes not yet payable, against the land designated on the annexed map of Norris Addition to Walnut Heights, Contra Costa County, California, or against any part thereof.
County Auditor
of the County of Contra Costa,
State of California.
NOTE:
No portion or portions of this map marked and designated thereon as streets, avenues or alleys, have been or are dedicated to the use of the Public as highways or otherwise or at all.
STATE OF CALIFORNIA, City and County of San Francisco } ss.
On this 11th day of July, in the year one thousand nine hundred and twelve, before me, Stanley Stowell, a Notary Public in and for the City and County of San Francisco, personally appeared ALICE F. NORRIS, known to me to be the person described in and who executed the within instrument as a witness thereto, who being by me duly sworn, deposed and said that she resides in the City and County of San Francisco, State of California, that she knows R.N. BURGESS, the person described in and who executed the within instrument as a witness thereto, that said R.N. BURGESS is the same person mentioned and described in said instrument, that she knows the said R.N. BURGESS to be the person described in the preceding instrument as a party thereto, that the said R.N. BURGESS duly acknowledged in the presence of said affiant, that he executed the same and that she saw the said R.N. BURGESS sign the same as a witness thereto.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year in this Certificate first above written.
Notary Public in and for the City and County of San Francisco, State of California.
STATE OF CALIFORNIA, City and County of San Francisco } ss.
I, R.N. BURGESS, do hereby certify that I am the owner of the land delineated on the annexed map of Norris Addition to Walnut Heights and that I consent to the making and recording of said map and to the dedication of the streets and roads delineated on said map and not dedicated to the public. Dated: June 5th, 1912.
Subscribing Witness:
R.N. Burgess
Alice F. Norris
1 3.94 Ac.
2 4.94 Ac.
3 3.94 Ac.
4 3.94 Ac.
5 2.94 Ac.
6 3.94 Ac.
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8 3.94 Ac.
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15 4.94
16 3.94 Ac.
17 3.94 Ac.
18 4.94 Ac.
19 4.94 Ac.
20 4.94 Ac.
21 4.94 Ac.
22 5.94 Ac.

STAFF RECOMMENDATION

Staff recommends that the County Planning Commission DENY the appeal and UPHOLD the Zoning Administrator's decision to approve County File #MS19-0007.

QUESTIONS?