To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: October 9, 2018

Subject: Camino Diablo Storage, LLC, Grant Deed of Development Rights



RECOMMENDATION(S):

- 1. FIND that the approval of a Grant Deed of Development Rights, conveying to the County development rights on a portion of real property described in Recital A of the attached Grant Deed of Development Rights, in the Walnut Creek area, is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Section 15325, subdivision (a), of the CEQA Guidelines (transfers of ownership of interest in land to preserve existing natural conditions).
- 2. APPROVE and AUTHORIZE the Board Chair to execute the Grant Deed of Development Rights between the County and Camino Diablo Storage, LLC, a California limited liability company.

FISCAL IMPACT:

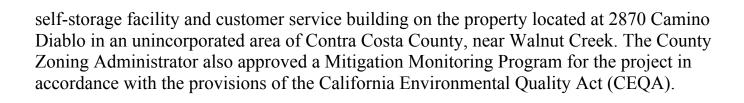
None to the General Fund. The applicant is responsible for payment of all costs associated with the processing of this application.

BACKGROUND:

On July 3, 2017, the Contra Costa County Zoning Administrator conditionally approved an application for a development plan permit (County File #DP16-3025) to construct a

✓ APPROVE	OTHER
RECOMMENDATION OF CADMINISTRATOR	CNTY RECOMMENDATION OF BOARD COMMITTEE
Action of Board On: 10/09/2018	✓ APPROVED AS RECOMMENDED ☐ OTHER
Clerks Notes:	
VOTE OF SUPERVISORS	
AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor	I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown. ATTESTED: October 9, 2018 David Twa, County Administrator and Clerk of the Board of Supervisors By: June McHuen, Deputy
Contact: Jennifer Cruz, (925)	by. Julie McHuell, Deputy

674-7790



BACKGROUND: (CONT'D)

The subject property is split between two General Plan land use designations, Commercial (CO), and Single-Family Residential - Low Density (SL). The self-storage facility would be located on the portion that is completely designated for Commercial. As a mitigation measure and condition of approval for the project, development rights for the portion of the property within the Single Family (SL) designation are to be deeded to the County in order to prohibit any development of that portion of the property other than the grading activities and slope repair required as part of the approved Mitigation Monitoring Program for the project.

The area to be deeded to the County is described in the attached legal description (Exhibit A) and shown in the attached Plant Map (Exhibit B) and consist of approximately 1.58 acres.

The Grant Deed of Development Rights must be recorded prior to issuance of the building permit for the storage facility building.

CONSEQUENCE OF NEGATIVE ACTION:

In the event the Board does not accept the grant deed of development rights, the approximately 1.58-acre portion designated for residential will not be restricted by a grant deed of development rights, and the applicant would not be able to comply with Condition of Approval #31 and obtain a building permit to construct the self-storage facility.

CHILDREN'S IMPACT STATEMENT:

This application is a request for approval of a grant deed of development rights to the County. the proposed project will not affect children's programs in the County.

<u>ATTACHMENTS</u>

GDDR

Exhibit A - Legal Description

Exhibit B - Plat Map

Exhibit C - May 2017 Mitigation Monitoring Program

Conditions of Approval for DP16-3025