



**Contra  
Costa  
County**

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 CNTY  
ADMINISTRATOR

☐ 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)  
674-7790

cc:

self-storage facility and customer service building on the property located at 2870 Camino Diablo in an unincorporated area of Contra Costa County, near Walnut Creek. The County Zoning Administrator also approved a Mitigation Monitoring Program for the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

## 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.

## ATTACHMENTS

GDDR

Exhibit A - Legal Description

Exhibit B - Plat Map

Exhibit C - May 2017 Mitigation Monitoring Program

Conditions of Approval for DP16-3025