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## SPECIAL MEETING OF THE CITY OF CONCORD ZONING ADMINISTRATOR

9:00 a.m., Wednesday, April 18, 2018  
CITY COUNCIL CHAMBER  
1950 Parkside Drive, Concord

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### AGENDA

#### **PUBLIC COMMENT PERIOD**

(The public may speak on any item within the jurisdiction of the Zoning Administrator not listed on this agenda. Approximately 15 minutes is allocated for the Public Comment Period, and each speaker will be allowed approximately 3 minutes.)

#### **HEARINGS:**

1. **Time Extension of the Approval of a Minor Subdivision @ 1840 Lynwood Drive (PL18092 – PM)** – Application for a six-year extension on the approval of a three-lot Minor Subdivision with a remainder lot on a 1.02-acre site at 1840 Lynwood Drive, originally approved May 11, 2016 (PL140123). The General Plan designation is Low Density Residential; Zoning classification is RS-7 (Single Family Residential, 7,000 sq. ft. minimum lot size); APN 114-641-001. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and pursuant to Section 15315 “Minor Land Divisions,” the project is classified as a Class 15 Categorical Exemption, and therefore, no further environmental review is required. **Project Planner: Joan Ryan @ (925) 671-3370**

#### **ADJOURNMENT**

**Next Zoning Administrator Meeting:** April 25, 2018 – Cancelled

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In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3021, at least five (5) days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

Correspondence and writings received within 72 hours of the scheduled Zoning Administrator meeting that constitute a public record under the Public Records Act concerning any matter on the agenda is available for inspection during normal business hours at the Permit Center located at 1950 Parkside Drive, Concord. For additional information contact the Planning Division at (925) 671-3152.

#### **APPEALS**

Decisions of the Zoning Administrator may be appealed to the Planning Commission. Appeals and the required filing fee must be filed with the City Clerk within ten (10) days of the decision.

If you challenge any of the foregoing described actions in court, an appeal first of said actions to the Zoning Administrator, Planning Commission, and/or City Council (as applicable) in the manner and within the time period established in Development Code Chapter 18.510 (Appeals and Calls for Review) is required, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator and/or Planning Commission (as applicable) at, or prior to, said public hearing.



REPORT TO ZONING ADMINISTRATOR

DATE: April 18, 2018

**SUBJECT:** TIME EXTENSION OF THE APPROVAL OF A MINOR SUBDIVISION AT 1840 LYNWOOD DRIVE (PL18092-PM)

**Recommendation:** Adopt Zoning Order No. 18-04ZA approving a six-year extension of the approval of the Ordaz Minor Subdivision (PL18092-PM).

**I. Introduction**

**A. Application Request**

Application for a six-year extension of the approval of a three-lot Minor Subdivision (with a remainder lot) for a 1.02-acre site.

**B. Location**

The site is located at 1840 Lynwood Drive; APN 114-641-001.



**C. Applicant**

Francisco Ordaz  
1116 Daniel Lane  
Concord, CA 94518  
**Business Phone:** (925) 260-0095

**Owner**

Francisco and Guillermina Ordaz  
1116 Daniel Lane  
Concord, CA 94518  
**Business Phone:** (925) 260-0095

**II. Background**

On May 11, 2016, the Zoning Administrator adopted Zoning Order No. 16-03ZA approving the Ordaz Minor Subdivision, subject to conditions of approval. The approval and permit (PL140123) are valid through May 11, 2018, based on the conditions of approval. An extension of up to five years of the original approval can be requested pursuant to Section 17.20.060(b3) of the Concord Municipal Code (CMC).

On March 2, 2018, a formal application was filed in the City’s permit center to extend the approval for the maximum six years. Section 17.10.100(a)1 of the Subdivision Code describing Map Extensions was explained to the applicant and they are requesting the full six year extension, although they do not believe it will take the full six years. The application was deemed complete on March 29, 2018. If granted, the extension will keep the tentative parcel map (Exhibit B) and permits previously approved, valid through May 11, 2024. The applicant expects to submit plans for final map approval in the next year, but is requesting the full six years to ensure flexibility.

**III. Discussion**

Staff supports the extension and finds it necessary to allow the applicant the additional time required to prepare drawings for the project. The extension also meets the following required findings under Development Code Section 17.10.100(a)5:

1. There are no changes to the approved project and it remains consistent with the Concord 2030 General Plan and Development Code for the RS-7 zoning district. The findings under Zoning Order No. 16-03ZA, approving the project, remain valid (Exhibit C).
2. The character of the site and its surroundings that affect the applicability of the general plan, specific plans, the Development Code, and other ordinances of the city has not changed.
3. As analyzed in May 2016, there are adequate provisions for public services and utilities (e.g., access, drainage, fire protection, sewers, water, etc.) to ensure that the requested extension would not endanger, jeopardize, or otherwise constitute a hazard to the public health, safety, or general welfare, or be injurious to the property or improvements in the vicinity and applicable zoning district. The capacity of public services, utilities, and roads serving the project has not decreased.

**IV. CEQA<sup>1</sup> Status**

The City of Concord originally approved the project on May 11, 2016. That approval included a determination that the project was classified as Categorical Exempt pursuant to Section 15315 Class 15 “Minor Land Divisions”. No appeals were filed, and all statutes of limitations have expired.

For purposes of CEQA, a project is the activity to be undertaken, not the various individual government approvals – such as extensions – associated with the project. The proposed extension is not a project within the meaning of Section 15378 of the State CEQA Guidelines. Review of the

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<sup>1</sup> California Environmental Quality Act of 1970, Public Resources Code § 21000, et seq. and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations, all as amended (collectively, “CEQA”).

project has occurred, that project has been approved, and no changes are being proposed. If the proposed extension is a project under CEQA it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment as the project has already been approved. In addition, no further environmental analysis is required because the project was and is classified as Categorically Exempt pursuant to Section 15315 Class 15 "Minor Land Divisions," and none of the factors calling for subsequent environmental review are present, including under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because, as noted above, there are no changes being proposed and there is no new information available which would trigger environmental review under any of the applicable criteria. Therefore no further environmental review is required.

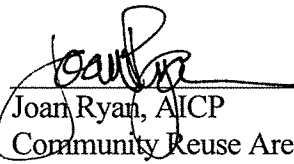
**V. Public Contact**

Notification was mailed to all owners and occupants of property within three-hundred (300) feet of the subject parcel, and has been published in the Contra Costa Times, as required by the Concord Municipal Code. This item has also been posted at the Civic Center and at the subject site at least 10 days prior to the public hearing.

**VI. Summary and Recommendations**

Staff concludes that an extension of the approval of the three lot minor subdivision will have no impact on the surrounding neighborhood, is consistent with the General Plan, Zoning Ordinance, and Subdivision Ordinance with respect to land use and lot area. Based on the analysis contained in this report, staff recommends that the Zoning Administrator adopt Zoning Order No. 18-04ZA (Exhibit D) approving a six-year extension of the approval of the Ordaz Minor Subdivision ((PL18092-PM), subject to the conditions of approval, attached (Attachment A) to Zoning Order No. 18-04ZA.

Prepared by: \_\_\_\_\_

  
Joan Ryan, AICP  
Community Reuse Area Planner  
(925) 671-3370  
Joan.ryan@cityofconcord.org

**Exhibits:**

- A – Applicant's request filed for extension, dated March 2, 2018
- B – Approved project plans, date stamped received February 9, 2016
- C – Zoning Administrator Order No. 16-03 ZA
- D – Zoning Administrator Order No. 18-04 ZA and Draft Conditions (Attachment A)

CITY OF CONCORD  
PLANNING DIVISION  
PHONE: (925) 671-3152  
FAX: (925) 671-3381



Community & Economic  
Development Department  
1950 Parkside Drive, M/S 53  
Concord, CA 94519-2578  
www.cityofconcord.org

APPLICATION FORM

Date Received by Planning  
2-20-18

- Preliminary Application
- Accessory Dwelling Unit
- Administrative Permit
- Animal Permit
- Building Move
- Certificate of Appropriateness
- Condominium Conversion Use Permit
- Design & Site Development Review
- Development Code Amendment
- Finding of Public Convenience
- General Plan Amendment
- Heritage Tree Nomination
- Hillside Development Use Permit
- Landscape Project Application
- Major Subdivision/Vesting Tentative Map
- Minor Exception
- Minor Subdivision
- Minor Use Permit
- Planned Development Use Permit
- Protected Tree Removal
- Pumpkin & Christmas Tree Sales
- Reasonable Accommodation
- Rezoning
- Sidewalk Café
- Use Permit
- Variance
- Vacation/Abandonment of Property Rights
- Vendor Permit
- Wireless Communications Facility
- Pole License
- Section 6409
- Administrative Permit
- Minor Use Permit

PROJECT INFORMATION:

PROJECT NAME: ORDAZ MINOR SUBDIVISION

PROJECT SITE ADDRESS/LOCATION: 1840 LYNWOOD DRIVE ASSESSOR'S PARCEL NUMBER: 114-641-001

PROJECT DESCRIPTION (Provide brief description and submit a more detailed description as an attachment.):  
FOUR LOT MINOR SUBDIVISION.

PERMIT # PM 14000123

"EXTENSION" - MAX AVAILABLE

NOTE: All applicants are encouraged to hold a neighborhood meeting with nearby property owners and tenants early in the development review process. Planning Division staff will work with applicants to schedule the neighborhood meeting.

APPLICANT'S CONTACT INFORMATION

PROPERTY OWNER'S CONTACT INFORMATION

NAME/COMPANY: <u>FRANCISCO ORDAZ</u> ADDRESS: <u>1116 DANIEL LANE</u> CITY, STATE: <u>CONCORD, CA</u> ZIP: <u>94518</u> BUSINESS PHONE: <u>925-260-0095</u> CELL: _____ FAX: _____ EMAIL: <u>fjordaz@comcast.net</u>	NAME/COMPANY: <u>Francisco + Evillerming Ordez</u> ADDRESS: <u>1116 Daniel Ln.</u> CITY, STATE: <u>Concord, CA</u> ZIP: <u>94518</u> BUSINESS PHONE: <u>925-260-0095</u> CELL: _____ FAX: _____ EMAIL: <u>fjordaz@comcast.net</u>
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Agent Authorization Note: If the Applicant is not the Property Owner, then the Property Owner must sign below to authorize the Applicant as his/her official representative.

I, FRANCISCO ORDAZ, Owner, authorize Blair Blossom  
 to act as the official representative on my behalf for this project and in all matters relating to this application. I have read and agree with all of the above (application must be signed by property owner).

[Signature] Property Owner's Signature 2/13/2017  
Date

FOR PLANNING DIVISION USE ONLY:

FILE NAME:	FEES	FIN. REV. CODE
FILE NUMBERS:	APPLICATION RECEIVED BY:	GP DESIGNATION:
ASSOCIATED FILES:	PLANNER:	ZONING:
	ENGINEER:	



PROJECT NAME: ORDAZ MINOR SUBDIVISION FILE NUMBER: PL 14000123

**PLEASE INCLUDE ALL RELEVANT CONTACT INFORMATION**

**PROJECT MANAGER**

NAME/COMPANY: Blair Blossom  
ADDRESS: 1013 Cobblestone Ct.  
CITY, STATE: Vacaville, CA ZIP: 95687  
BUSINESS PHONE: 415-789-6559 CELL: 925-899-7226  
FAX: 888-519-9262 EMAIL: bbih@sbcglobal.net

**CIVIL ENGINEER**

NAME/COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
BUSINESS PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_  
FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**ARCHITECT**

NAME/COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
BUSINESS PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_  
FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**LANDSCAPE ARCHITECT**

NAME/COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
BUSINESS PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_  
FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**OTHER**

NAME/COMPANY: Bob Wheat  
ADDRESS: 638 ENOS WAY, STE B  
CITY, STATE: LIVERMORE, CA ZIP: 94551  
BUSINESS PHONE: 925-852-3521 CELL: \_\_\_\_\_  
FAX: \_\_\_\_\_ EMAIL: bob@wheatlandsurvey.com

**OTHER**

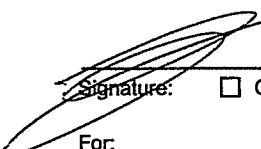
NAME/COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
BUSINESS PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_  
FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

I hereby authorize employees of the City of Concord to enter upon the subject property, as necessary, to inspect the premises and process this application.

**CERTIFICATION:**

I hereby certify that the statements furnished above, and in the attached exhibits, present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

2/12/2017  
Date: \_\_\_\_\_

Signature:   Owner  Authorized Agent  
For: \_\_\_\_\_

## Request for Time Extension

Date: 3/2/2018

To: City of Concord  
Attention: Joan Ryan, Planning Division

From: Francisco Ordaz

**Re: ORDAZ MINOR SUBDIVISION  
PL140123  
1840 LYNWOOD DRIVE  
APN: 114-641-001**

**Effective date of the permit and approval is May 11, 2016.  
Expiration date of May 11, 2018  
Requested Length of Request (2 Years or as stipulated in approval)**

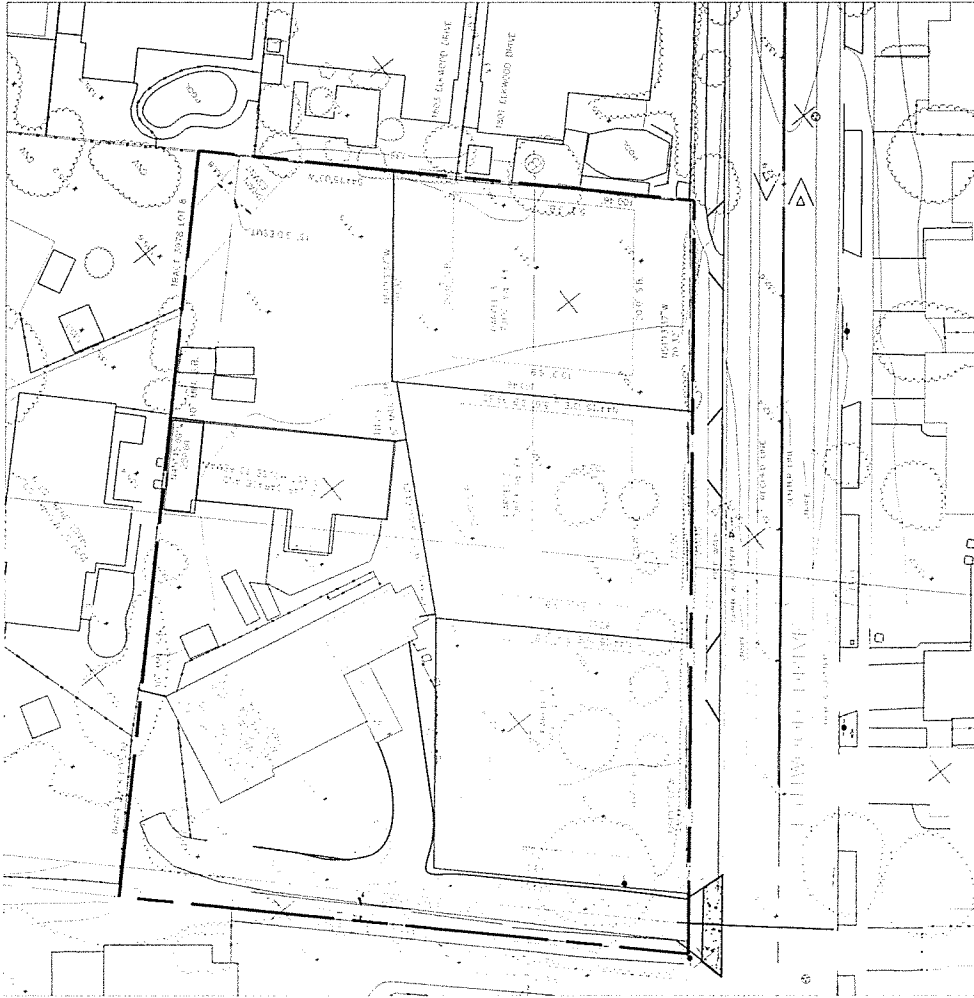
I, Francisco Ordaz, request a "TIME EXTENSION" for the above referenced property/project (Tentative Parcel Map).

We need the extension in order to complete the remaining portion of our requirements per the approval. There may have been a delay in 2017 that contributed to our need for the extension. This involved time constraints due to projects relating to my company. We have secured additional resources (working capital and man power) in order to expedite the progress and completion of the project.

Please give me a call if you have any questions. Thank you.

Francisco Ordaz  
Owner

PROPOSED LOT	GROSS LOT AREA (SQ FT)	GROSS LOT AREA (ACRES)	NET LOT AREA (SQ FT)	NET LOT AREA (ACRES)
1	7036	0.162	7036	0.16
2	7036	0.162	7036	0.16
3	7032	0.161	7032	0.16
REMAINDER	23,335	0.53	19,875	0.46
PROJECT	41,402	1.02	41,042	0.94

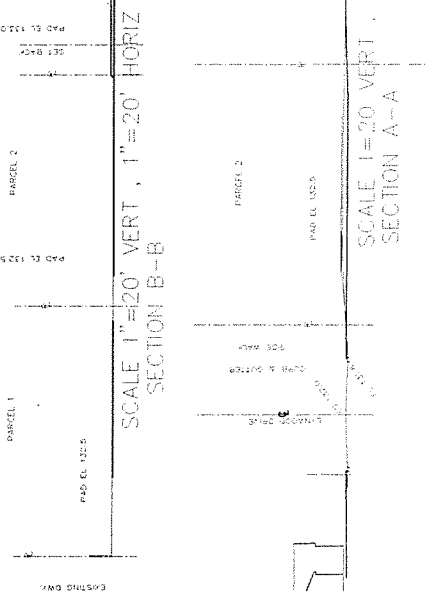


PLAN VIEW

SCALE 1" = 20'  
0 20 40 FEET

TENTATIVE PARCEL MAP  
ORDAZ SUBDIVISION  
LOT 23 BEING A PORTION OF SUBDIVISION 3987  
MB 94 PAGE 37, CITY OF CONCORD  
CITY OF CONCORD, CONTRA COSTA COUNTY, CALIFORNIA

REFERENCE:  
WILLOW PASS ROAD AND LAURELIA DRIVE - STANDARD CITY MEASUREMENT #9 CENTERLINE WILLOW PASS ROAD - MONUMENT MEASUREMENT #16 CENTERLINE WILLOW PASS ROAD - MONUMENT MAP NO. 44-16, 117-204 (1192-400) BASED ON U.S.G.S. MAP G.S. DATUM, 1929

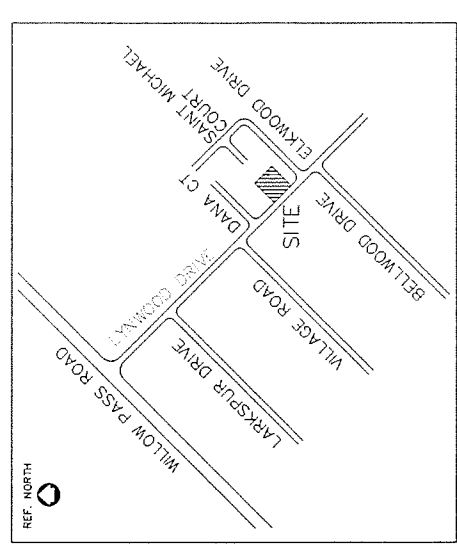


SECTION A-A  
SCALE 1"=20' VERT. 1"=20' HORIZ.

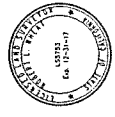
SECTION B-B  
SCALE 1"=20' VERT. 1"=20' HORIZ.

- LEGEND
- 1- TENTATIVE MAP
  - 2- TOPOGRAPHIC MAP
  - 3- SURFACE PLAT
  - 4- PLOT PLAT

GENERAL PLAN INFORMATION  
ZONE R-7, LOW DENSITY RESIDENTIAL  
FLOOD ZONE X  
FLOOD ZONE PANEL 0650220003B  
SANITARY SEWER  
CITY OF CONCORD  
CONTRA COSTA COUNTY WATER DISTRICT



VICINITY MAP  
NOT TO SCALE



PREPARED FOR:  
FRANCISCO ORDAZ  
140-B MASON CIRCLE  
CONCORD, CA 94520  
PH# 925-671-9639

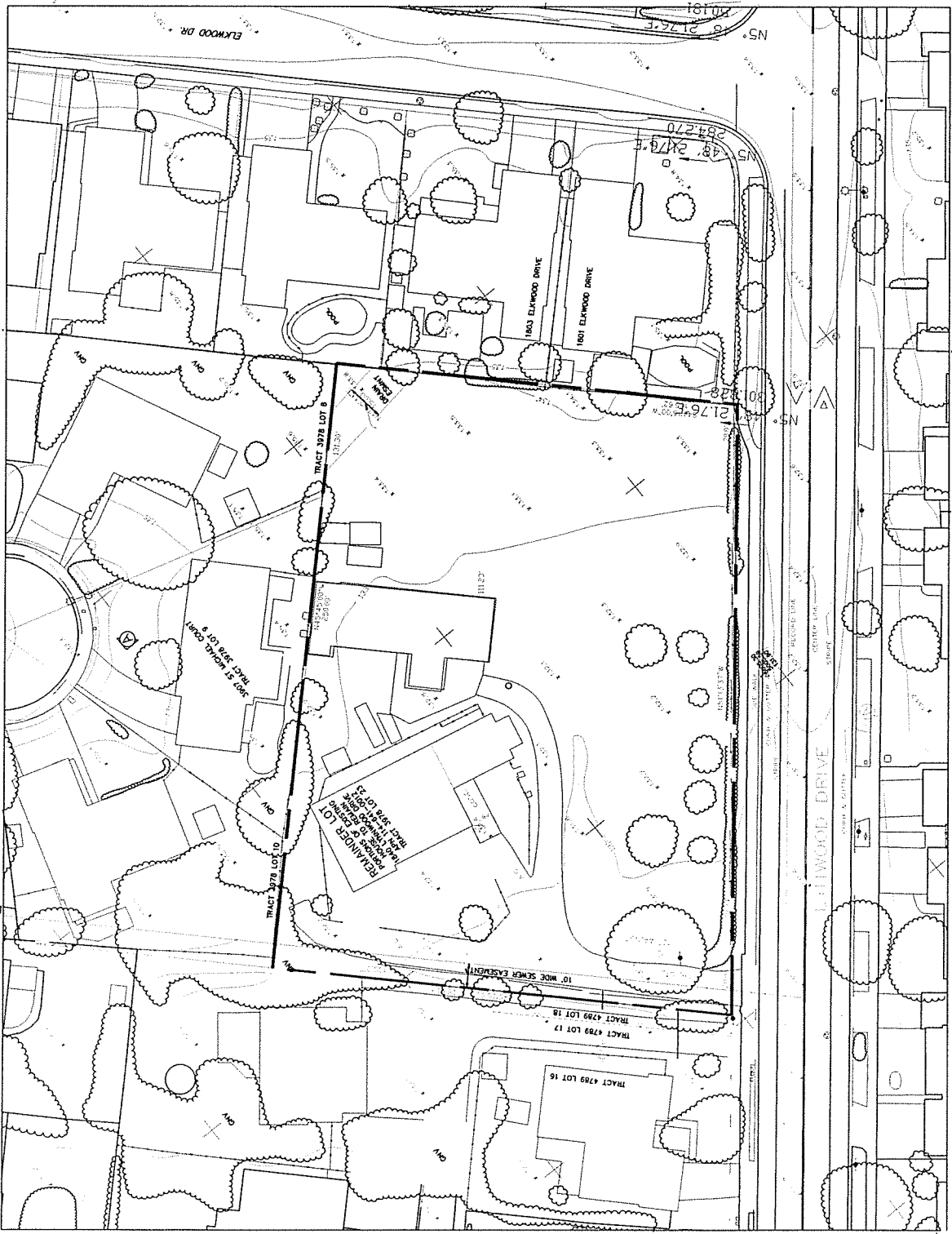
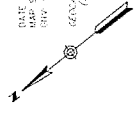
DATE: MAR 21, 2014  
SCALE: 1"=20'  
DRAWN BY: BW  
DRAWING NAME:  
1 OF 4 SHEETS

**WHEAT LAND SURVEYING**  
1731 E. BURET AVE. BLDG. 89  
ALAMOGON, CALIFORNIA 94501  
925-391-1070  
WWW.WHEATLANDSURVEYING.COM



68042 SUBDIVISION  
1840 ELWOOD COURT  
CONCORD, CA.

DATE OF PREPARATION: 08-16-09  
DRAWN BY: J. L. WILSON  
CHECKED BY: J. L. WILSON  
GENEVA AERIAL SURVEYS  
(925) 706-9555







## ZA ORDER NO. 16-03

OFFICE OF THE ZONING ADMINISTRATOR  
CITY OF CONCORD  
APPROVING

Applicant: Robert L. Wheat; Owner: Francisco Ordaz  
Project Name: Minor Subdivision at 1840 Lynwood Drive

WHEREAS, on March 26, 2014, Robert Wheat (“Applicant”) submitted an application for a four lot subdivision and remainder lot for single-family homes on a 1.02-acre site located at 1840 Lynwood Drive, APN114-641-001; and

WHEREAS, on May 16, 2014, a letter of incompleteness was provided to the applicant;

WHEREAS, on February 9, 2016, the applicant submitted revised plans for a three lot subdivision for single family homes with a remainder lot on the 1.02-acre site; and

WHEREAS, on April 22, 2016, the application was deemed complete for processing; and

WHEREAS, the application was duly noticed pursuant to the Concord Municipal Code; and

WHEREAS, the subject proposal is consistent with the General Plan; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, and pursuant to Section 15315 “Minor Land Divisions,” the project is classified as a Class 15 Categorical Exemption, and therefore, no further environmental review is required

NOW, THEREFORE, BE IT RESOLVED that the Zoning Administrator does hereby approve the Minor Subdivision at 1840 Lynwood Drive (PL1400123 – PM) subject to the attached Conditions of Approval referenced in Attachment A, based on the following findings:

Tentative Parcel Map

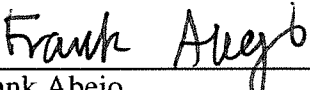
1. The Tentative Parcel Map, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, the Development Code, and other applicable provisions of the Municipal Code in that:
  - a. The project proposes three new lots for single-family homes for a density of 4.2 dwelling units per acre where up to 10 dwelling units per net acre is allowed under the General Plan.
  - b. The project complies with all applicable development standards of the RS-7

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zoning district and has been conditioned to meet the general development standards, including setbacks, lot coverage, building height, and parking.

Based on the above findings, on May 11, 2016, the Zoning Administrator approved said application subject to the attached Conditions of Approval, referenced as Attachment A.

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//

  
\_\_\_\_\_  
Frank Abejo  
Zoning Administrator

Attachments:

A – Final Conditions of Approval

**ATTACHMENT A  
FINAL CONDITIONS OF APPROVAL  
MINOR SUBDIVISION AT 1840 LYNWOOD DRIVE  
PL140123  
1840 LYNWOOD DRIVE  
APN: 114-641-001**

**PERMIT DESCRIPTION**

1. These Conditions of Approval apply to and constitute the approval of a **Tentative Parcel Map** consisting of *three* individual parcels and a remainder lot on **1.02 acres**.
2. The following Exhibits, date stamped received by the City of Concord, on February 9, 2016, are approved and shall be incorporated as Conditions of Approval.

<u>Plan</u>	<u>Date Submitted</u>	<u>Prepared by</u>	<u>Sheet</u>
Tentative Parcel Map	2/9/16	Wheat Land Surveying	1
Grading Plan	2/9/16	Wheat Land Surveying	2
Stormwater Control Plan	2/9/16	Wheat Land Surveying	3
Site Plan	2/9/16	Wheat Land Surveying	4

**GENERAL CONDITIONS**

3. The Conditions are the responsibility of the applicant and all contractors. Compliance shall occur as specified in the Conditions or at one of the following project milestones:
  - (a) With the submittal of Grading, Improvement, Landscape, or Building Plans.
  - (b) Prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first.
  - (c) Prior to Construction.
  - (d) On-going during Construction.
  - (e) Prior to approval of the Final Map.
  - (f) Prior to occupancy approval.

If timing for compliance is not specified, it shall be determined by the Divisions listed after the Condition. **(PLNG, BLDG, ENGR)**
4. Where a plan or further information is required, it is subject to review and approval by the applicable City Department/Division, as noted at the end of each Condition. The Division listed first shall be the primary contact for implementation of that Condition. **(PLNG, BLDG, ENGR)**
5. The project shall comply with all applicable Federal and State laws and Concord Municipal Code (CMC) requirements. **(PLNG, BLDG, ENGR)**
6. Minor modifications that are found to be in substantial conformance with the approved plans such as colors, plant materials, or minor lot line adjustments, may be approved

administratively. Major modifications shall be approved by the applicable decision making body. *(PLNG, ENGR)*

7. The Conditions of Approval shall be listed on a plan sheet that is included in the construction plan set (Grading, Utility, Landscape and Building Plans). *(PLNG, ENGR)*
8. Two annotated copies of the Conditions of Approval specifying how each applicable condition has been satisfied, shall be submitted as follows:
  - a. At the time Grading, Utility, Landscape, and/or Building Plans are submitted for plan check, whichever comes first.
  - b. Prior to occupancy approval. *(PLNG, ENGR)*
9. The project site and area surrounding the site shall be fenced and maintained in a weed and litter free condition for the period prior to construction. *(BLDG, PLNG)*
10. **The northeast property line shall be replaced with a block retaining wall/fence combination, to stabilize the rear edge of the site. Plans shall be reviewed by engineering, with the grading plans, prior to issuance of the grading plan. The retaining wall/fence combination shall be constructed, prior to issuance of any building permits for the three homes. *(ENGR, PLNG)***
11. When the fence at an abutting residential property is planned for removal and replacement, the replacement perimeter fence/wall shall be completed within two weeks from removal of the original fence, unless otherwise approved by the Planning Division. Adjacent affected property owners shall be notified at least two weeks in advance of the replacement of the fence. *(PLNG, ENGR)*

## **ARCHITECTURAL**

12. Preliminary and Final architectural plans, details, colors, materials, landscaping, building lighting, and fencing shall be submitted for Design and Site Development Review, **subject to review and approval by the Design Review Board (including noticing to neighbors of the meetings)**, prior to issuance of a grading permit. *(PLNG, ENGR)*
13. Vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted to match the color of the adjacent surface, unless otherwise approved by the Planning Division. *(PLNG)*

## **LANDSCAPING**

14. Submit Landscape plans prepared by a Landscape Architect, registered by the State of California, for review and approval **by the Design Review Board (including noticing to neighbors of the meetings)**, with the Grading, Improvement, or Building Plans, whichever comes first. The landscape plans shall be reviewed for conformance with all applicable standards of the Concord Development Code, Article IV, Division 4 (Landscaping) and Division 5 (Water Efficient Landscaping), prior to issuance of a grading or building permit. *(PLNG)*

- 1 15. Submit Final Landscape Plans consistent with the Grading, Improvement, Utility, and  
2 Stormwater Plans prepared by the Civil Engineer, with the following information:
- 3 a. A legend that lists all plant species (Latin and common name), including size,  
4 quantities, spacing, and ultimate height and width.
  - 5 b. Specifications and details for planting, including staking of trees and planting in bio-  
6 retention or other stormwater treatment areas. Plants for bio-retention facilities should  
7 be compatible with temporarily flooded conditions.
  - 8 c. Utility and Grading information on the base map, screened back.
  - 9 d. Existing trees to be saved and identification of all replacement trees.
  - 10 e. Trees (minimum size 24-inch box) and shrubs (minimum 5-gallon; accent or sub-  
11 shrubs may be 1-gallon).
  - 12 f. Root control barriers and four-inch perforated pipes for parking lot trees, street trees,  
13 and trees within 6 inch of any paved area, sidewalk or curb. **(PLNG/ENGR)**

## 9 LIGHTING

- 10 16. Show all exterior lighting including: building fixtures, walkway lighting, and street lights on  
11 the Site, Utility, Landscape, and Building Plans, prior to the issuance of any permits. The  
12 height and style of fixtures shall be shown. Energy-saving fixtures shall be used and noted on  
13 the plans. **(PLNG, ENGR, BLDG)**
- 14 17. All exterior building shall provide illumination for safety and shall be installed in a manner  
15 that is glare shielded and directed away from adjacent properties and right-of-ways. **(PLNG)**

## 15 PARKING

- 16 18. Two-car garages shall be a minimum of 20 ft. wide by 22 ft. deep with a 16 ft. wide minimum  
17 door opening. There shall be no encroachments (e.g., water heaters, stairways and doors) into  
18 the required area. **All existing units shall meet existing parking requirements of the City's  
19 Development Code, and plans shall demonstrate consistency with the Code, prior to  
20 recording of the final map. (PLNG) CMC**

## 19 STREET IMPROVEMENTS

- 21 19. Install rubberized cape seal on **Lynwood Drive** within the following limits: between new gutter  
22 lip (north side) to edge of existing pavement (south side) and between 5 feet east of the most  
23 easterly trench cut and 5 feet west of the most westerly trench cut, or as determined by the City  
24 Engineer. This work is to be performed upon completion of utility undergrounding and  
25 frontage improvements and prior to the Acceptance of Improvements **(ENGR)**
- 26 20. Construct improvements along the frontage on **Lynwood Drive** including but not limited to:  
27 driveway removal; pavement replacement **13** feet wide measured perpendicular from face of  
28 proposed curb; pavement widening; concrete valley gutter; wheel chair ramps; construction of  
concrete curb, gutter and sidewalk; ADA compliant concrete driveway approach; storm  
drainage system; conforms to existing improvements; and repair/replacement of deficient  
frontage improvements as determined by the City Engineer, prior to occupancy approval or  
Acceptance of Improvements. **(ENGR)**



- 1 21. Any trenching for underground utilities shall comply with the modified City Standard Detail  
2 S-17 for pavement repair and possible slurry placement. (*ENGR*)
- 3 22. Prohibit parking *on Lynwood Drive*, immediately adjacent to driveways, consistent with  
4 Transportation/Engineering standards (10 feet on left, 20 feet to right of driveway). Paint curb  
5 face with red and install "No Parking" signs where parking is prohibited, prior to Acceptance  
6 of Improvements or the first Occupancy, whichever comes first. (*TRANS/ENGR*)
- 7 23. Construct all public facilities in accordance with the current Americans with Disabilities Act  
8 (ADA), including driveways and curb ramps. (*ENGR*)

9 **NOISE**

- 10 24. Noise producing site preparation and construction activities shall be limited to the days and  
11 hours as set forth below:

12 **Monday through Friday** .....7:30 a.m. to 6:00 p.m.

13 Construction on Saturdays may be allowed only upon prior approval of an After Hours Permit  
14 by the Building, Engineering, and Planning Divisions. No changes to these construction hours  
15 shall be allowed without the prior written consent of the City. A contact person shall be  
16 available during all construction activities in the evening and on weekends to respond to  
17 complaints and take actions necessary to reduce noise. (*BLDG, ENGR, PLNG*)

18 **CONSTRUCTION ACTIVITIES**

- 19 25. Contact Engineering Services to arrange for a Pre-Construction Meeting prior to issuance of  
20 Grading, Improvement/Encroachment or Building Permits, whichever comes first. (*ENGR*)
- 21 26. Implement a dust and construction noise control plan. Submit the plan to Engineering Services  
22 for review and approval prior to issuance of the Grading Permit. (*ENGR*)
- 23 27. Construction equipment shall not be serviced at the site at any time. During construction no  
24 deliveries shall be made to the site and no delivery vehicles (including gasoline tanker trucks)  
25 shall enter the site between 6:00 p.m. and 7:30 a.m. on weekdays or on weekends and federal  
26 holidays. Delivery vehicles shall have their engines turned off during unloading. (*BLDG,*  
27 *ENGR, PLNG*)
- 28 28. Employ the quietest construction equipment available, to muffle noise from construction  
equipment and keep all mufflers in good working order in accordance with State law. (*BLDG,*  
*ENGR, PLNG*)
- 29 29. Implement the following measures during construction:
- a. Gather all construction debris on a regular basis and place them in a dumpster or other  
container that is emptied or removed on a weekly basis. When appropriate, use tarps on

1 the ground to collect fallen debris or splatters that could contribute to storm water  
2 pollution.

- 3 b. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement, and  
4 storm drains adjoining the project site. During wet weather, avoid driving vehicles off  
5 paved areas.
- 6 c. Broom sweep the public street pavement adjoining the project site on a daily basis.  
7 Caked-on mud or dirt shall be scraped from these areas before sweeping.
- 8 d. Install filter materials (e.g., sandbags and filter fabric) at the storm drain inlet nearest  
9 the downstream side of the site in order to preclude any debris or dirt from flowing into  
10 the City storm drain system. Filter materials shall be maintained and/or replaced as  
11 necessary to ensure effectiveness and to prevent street flooding. Dispose of filter  
12 particles in an approved trash receptacle.
- 13 e. Create a contained and covered area on the site for the storage of bags, cement, paints,  
14 flammable, oils, fertilizers, pesticides, or any other materials used on the site that have  
15 the potential for being discharged to the storm drain system by being windblown or in  
16 the event of a material spill.
- 17 f. Never clean items such as machinery, tools, and brushes or rinse containers in a street,  
18 gutter, or storm drain.
- 19 g. Ensure that concrete, gunite, plaster, or similar supply trucks do not discharge wash  
20 water into street gutters or drains. *(ENGR, BLDG)*

21 30. No equipment shall be started or staging area be established on the streets or the site before or  
22 after the specified hours of construction. *(ENGR, BLDG)*

23 31. Ensure that no debris or construction scrap material is placed on any adjoining lot, open space  
24 area, or street, and that any such material stored on an adjoining site shall be completely  
25 removed and the site cleaned, prior to occupancy approval. *(ENGR, BLDG)*

26 32. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or  
27 sleeping quarters on the construction site unless authorized for site security. *(ENGR, BLDG)*

28 33. There shall be no parking of construction equipment or construction worker's vehicles on  
residential streets at any time; all vehicles shall be maintained on-site. *(ENGR, BLDG)*

34. Portable toilets used during construction shall be kept as far as possible from adjacent  
properties and shall be emptied on a regular basis as necessary to prevent odor. *(ENGR,  
BLDG)*

35. Identify truck routes for the import or export of cut/fill material and/or construction debris for  
review and approval by the City Engineer prior to the issuance of permits. Repair any damage  
to City streets (private and public) caused by activity associated with this project. *(ENGR)*

36. In the event of the encounter of subsurface materials suspected to be of an archaeological or  
paleontological nature, all grading and/or excavation shall cease, the find shall be left  
untouched, and the City Planning Division shall be immediately notified. The County Coroner  
and the Native American Heritage Commission shall also be notified and the procedures  
required in CEQA §15064.5 shall be followed. This requirement shall be noted on the Grading  
and Building Plans, prior to issuance of permits. *(PLNG, ENGR, BLDG)*

1 37. In the above event, retain a qualified professional archaeologist certified by the Register of  
2 Professional Archaeologists or paleontologist with a degree(s) in paleontology or geology, to  
3 evaluate and make recommendations as to disposition, mitigation and/or salvage. The  
4 recommendation shall be implemented before work may proceed. The applicant shall be  
responsible for all costs associated with the professional investigation and implementation.  
(*PLNG, ENGR, BLDG*)

5 **CONSTRUCTION PLAN REVIEW/PRE-PERMIT REQUIREMENTS**

6 38. Submit two copies of Preliminary Title Report, prepared within three months prior to plan  
7 submittal. (*ENGR*)

8 39. The Improvement Plans shall show frontage improvements including but not limited to:  
9 utilities, utility services, drainage improvements, curb, gutter and sidewalk per City Standard  
10 Detail S-10, and driveway construction per City Standard Detail S-14 and repair/replacement  
11 of deficient frontage improvements as determined by the City Engineer. Any unusable or  
12 abandoned existing driveway shall be replaced with standard curb, gutter, and sidewalk per S-  
10 above. Any trenching for utility installation shall comply with the modified City Standard  
Detail S-17 for pavement repair and possible slurry placement. (*ENGR*)

13 40. The Improvement Plans shall show plan and profile of all proposed street, drainage and sewer  
14 improvements and details for curb, gutter, sidewalk, other utilities and driveway construction.  
(*ENGR*)

15 41. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight  
16 distance, sidewalk, back up, fencing, geometrics at intersection and corner setback  
17 requirements, prior to the Acceptance of Improvements. Plans shall be subject to review and  
approval by Engineering Services. (*ENGR*)

18 42. Obtain an Encroachment Permit from the City prior to performing any work within the public  
19 right-of-way or public easements. (*ENGR*) *CMC*

20 **SUBDIVISIONS/SITE DEVELOPMENT PLANS**

21 43. The Tentative Parcel Map prepared by Wheat Land Surveying and date stamped received  
22 *February 9, 2016* by the Planning Division is not approved for construction. Submit Grading,  
23 Erosion Control, Improvement, Stormwater Pollution Prevention Plans (SWPPP), and  
24 Stormwater Control Plans prepared by a Registered Civil Engineer to Engineering Services for  
review and approval prior to issuance of an Encroachment Permit and Grading Permit.  
(*ENGR*)

25 44. The Parcel Map shall be prepared by a qualified Civil Engineer or Licensed Land Surveyor  
26 and shall be subject to review and approval by Engineering Services.

27 **GRADING/EROSION CONTROL/GEOLOGIC**

- 1 45. Submit a geologic investigation to demonstrate that proposed buildings will not be constructed  
2 across active faults. A licensed geologist must prepare an evaluation and written report. If an  
3 active fault is found, a structure for human occupancy cannot be placed over the trace of the  
4 fault and must be set back from the fault (generally 50 feet). *(ENGR)*
- 5 46. Submit a Geotechnical Report with the Grading Plans and Building Plans, pursuant to CMC  
6 Section 94-51 and Section 86-73 that addresses and provides recommendations for grading,  
7 drainage, walls, building foundations, and pavement structural sections. *(ENGR)*
- 8 47. All grading shall require a Grading and Drainage Plan prepared by a registered Civil Engineer,  
9 a Soils Report prepared by a registered Geotechnical Engineer and receipt of a Grading Permit  
10 approved by the City Engineer. The Grading Plans and Soils Report shall require review by  
11 the City's Geotechnical consultant with all costs to be borne by the applicant. *(ENGR)*
- 12 48. Contour grading techniques shall be employed throughout the project to achieve a more  
13 natural appearance, even where this will increase the amount of grading. Tops of cuts or toes  
14 of fills adjacent to existing public rights-of-way or easements shall be set back two feet  
15 minimum from said rights-of-way and easements. All cut-and-fill slopes in excess of five feet  
16 in height shall be rounded both horizontally and vertically. *(ENGR)*
- 17 49. Grading or other work on adjacent properties shall require written approval from the affected  
18 property owners. *(ENGR)*
- 19 50. On-site finish grading work shall require drainage to be directed away from all building  
20 foundations at a minimum slope of 2 percent and a maximum slope of 20 percent toward  
21 approved drainage facilities or swales. Non-paved drainage swales shall have a minimum  
22 slope of 1 percent. *(ENGR)*
- 23 51. The project engineer shall inspect the finished grading and certify that it conforms to the  
24 compaction and elevations shown on the Grading Plan and Soils Report. *(ENGR) CMC*
- 25 52. At all times seasonally appropriate erosion control measures shall be implemented per plans  
26 approved by the City Engineer for all grading work at all times. Wet season measures shall be  
27 in place October through April at a minimum and within 48 hours prior to any likely  
28 precipitation event. At the time of approval of the Improvement and/or Grading Plans, an  
approved Erosion Control Plan prepared by a registered Civil Engineer shall be filed with the  
City Engineer. *(ENGR)*
53. All graded slopes and stockpiles of loose soil shall be hydromulched/hydroseeded by October  
of any given year. During grading work, if rain is forecast, stop all grading work two days  
before the rain forecast and implement BMPs to insure that the site is protected from erosion.  
Area of construction activity that are not active and those that have been active and are not  
scheduled to be disturbed for at least 14 days shall be hydromulch / hydroseeded. *(ENGR)*
54. Submit Grading, Erosion Control, Improvement, Stormwater Pollution Prevention Plan  
(SWPPP), and Stormwater Control Plans to Engineering Services for review and approval  
prior to the issuance of Grading, Encroachment, and Building Permits. Where applicable,

evidence of compliance with the State General Construction Permit shall be provided. *(ENGR)*  
*CMC*

55. Comply with the applicable provisions of the Grading Ordinance and the Storm Water Management and Discharge Control Ordinance. *(ENGR) CMC*

**UTILITIES**

56. New electrical transformers shall be placed underground or screened from view. *(PLNG, ENGR)*

57. No above ground utility facilities/structures shall be located in the public right-of-way. *(ENGR)*

58. All new utilities shall be constructed underground prior occupancy approval. *(ENGR)*

59. Undergrounding of all existing overhead utilities that runs from the utility pole adjacent to the existing driveway on the site including aerial street crossings shall be required pursuant to CMC Section 110-93. All new utilities shall be constructed underground prior to issuance of occupancy approval. *(ENGR)*

60. Comply with the City of Concord sewer design flow criteria and sewer construction requirements of the Central Contra Costa Sanitary District. *(ENGR)*

61. Coordinate all facility adjustments, relocations, or additions to utility services with the appropriate utility companies. *(ENGR)*

62. Utility areas, electrical and gas meters shall be architecturally screened from view. *(PLNG)*

63. The location of all outdoor, above-ground and/or at-grade pad mounted transformers, utility equipment, electrical and gas meters, vaults, irrigation control boxes, back flow prevention devices, and the like shall be subject to approval by Planning and Engineering Services prior to the issuance of the Grading or Building Permit, whichever comes first. All such equipment shall be screened from view either architecturally or with landscaping and painted forest green or other approved color as approved by the Planning Division. Any changes to the approved Utility Plans, including location or screening details shall be reviewed and approved by the Planning Division. *(PLNG, ENGR)*

64. Provide cable companies a set of approved site diagrams in electronic format showing the joint trench layout for dry utilities for cable service to be provided to the site. *(ENGR)*

65. Connect all buildings to the sanitary sewer collection facilities of the City, and pay all current sewer connection and service fees prior to occupancy approval. *(ENGR) CMC*

66. Submit proof acceptable to Engineering Services that all work within the existing (new) private waterline easement(s) are reviewed and approved by the easement owner of record. *(ENGR)*

1 **DRAINAGE/STORMWATER C.3 REQUIREMENTS**

2 67. Applicant shall include a note on the parcel map indicating that new impervious surfaces  
3 shall not exceed a maximum of 10,000 sq. ft. (3,330 sq. ft. per lot).

4 *The following conditions (68-73) are contingency conditions should any of the lots exceed the 3,300*  
5 *sq. ft. in impervious surfaces.*

6 68. Submit a Stormwater Control Plan (SWCP) prepared in accordance with the current Contra  
7 Costa Clean Water Program Stormwater C.3 Guidebook for review and approval by  
8 Engineering Services prior to issuance of any permit. The SWCP shall be prepared and  
9 certified by a Civil Engineer, registered in the State of California, demonstrating an  
10 understanding of the design of treatment measures for water quality and groundwater  
11 protection principles applicable to the project site. **(ENGR)**

12 69. Prior to issuance of permits for building, site improvements, or landscaping, applicant shall  
13 submit a permit application consistent with the applicant's approved Stormwater Control Plan  
14 (SWCP), and include drawings and specifications necessary for construction of site design  
15 features, measures to limit directly connected impervious area, pervious pavements, self-  
16 retaining areas, treatment BMP's, permanent source control BMP's, and other features that  
17 control stormwater flow and potential stormwater pollutants. The Contra Costa Clean Water  
18 Program permit application shall include a completed "Construction Plan C.3 Checklist" as  
19 described in the Stormwater C.3 Guidebook, and a detailed draft Stormwater BMP Operation  
20 and Maintenance Plan consistent with the general O&M plan included in the applicant's  
21 approved Stormwater Control Plan. Guidelines for the preparation of Stormwater BMP  
22 Operation and Maintenance Plans are in the Stormwater C.3 Guidebook. **(ENGR)**

23 70. Construct stormwater treatment measures per the approved SWCP prior to occupancy  
24 approval. **(ENGR)**

25 71. Submit a final Stormwater BMP Operation and Maintenance Plan (O&M Plan) in accordance  
26 with City of Concord Guidelines, for review and approval by Engineering Services, prior to  
27 occupancy approval. This O&M Plan shall incorporate City comments on the draft O&M Plan  
28 and any revisions resulting from changes made during construction. The implementation of  
the O&M Plan shall be the responsibility of the property owner or the HOA where one exists.  
**(ENGR)**

72. Execute any agreements identified in the SWCP which pertain to the transfer of ownership,  
right-of-entry for inspection or abatement, and/or long-term maintenance of stormwater  
treatment or hydrograph modification BMPs, prior to occupancy approval. **(ENGR)**

73. Collect and convey all stormwater entering and/or originating from the site to an adequate  
downstream drainage facility. Submit hydrologic and hydraulic calculations for a 10-year  
storm with the Improvement Plans to Engineering Services for review and approval.

74. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.  
**(ENGR)**

- 1
- 2 75. Install City of Concord “No Dumping, Drains to Creek” curb marker (English and Spanish
- 3 version) on all catch basins. *(ENGR)*
- 4 76. Include erosion control/storm water quality measures on the final Grading Plan that
- 5 specifically address measures to prevent soil, dirt, and debris from entering the storm drain
- 6 system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags,
- 7 and siltation fences and are subject to review and approval of the City Engineer and Director
- 8 of Building Inspection. If no Grading Plan is required, necessary erosion control/storm water
- 9 quality measures shall be shown on the Site Plan submitted for an on-site permit, subject to
- 10 review and approval of the Director of Building Inspection. The applicant shall be responsible
- 11 for ensuring that the contractor is aware of and implements such measures. *(ENGR, BLDG)*
- 12 77. Submit a Construction Best Management Practice (BMP) Program for review and approval by
- 13 the Engineering Development Services Department prior to issuance of a Building and/or
- 14 Grading Permit. The general contractor and all subcontractors and suppliers of materials and
- 15 equipment shall implement these BMPs. Construction site cleanup and control of construction
- 16 debris shall also be addressed in this program. Failure to comply with the approved
- 17 construction BMP may result in the issuance of correction notices, citations, or a project stop
- 18 work order. *(ENGR)*
- 19 78. Ensure that the area surrounding the project such as the streets stay free and clear of
- 20 construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way
- 21 related to project construction. Areas that are exposed for extended periods shall be watered
- 22 regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular
- 23 basis. All trucks shall be covered. *(ENGR)*
- 24 79. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to
- 25 October 15 and once in January. Additional cleaning may be required if found necessary by
- 26 the City Engineer/Director of Building Inspection. *(ENGR, BLDG)*

19 **SOLID WASTE/RECYCLING**

- 20 80. Comply with CMC Chapter 82, Solid Waste, Article V, Construction and Demolition (C&D)
- 21 Waste Recycling, Sections 82-114 through 82-126, as applicable. *(BLDG)*

22 **AGREEMENTS, FEES, BONDS**

23 ***PLEASE NOTE: ALL FEES ARE SUBJECT TO INCREASE, AS OF JULY 1, 2016.***

- 24 81. All fees noted below are the fees currently in effect as of July 1, 2015 per the Resolution of
- 25 Fees and Charges. The fees and charges are reviewed annually as part of the budget public
- 26 hearing process. Fee adjustments are based on a number of factors and vary depending on the
- 27 type of fee:

27 **Service-based fees** are adjusted annually based on the San Francisco-San Jose-  
Oakland Area Consumer Price Index;

1                   **Improvement based fees** (also called impact fees) are adjusted annually based on  
2                   Engineering News Record Construction Cost Index (San Francisco Bay Area); and the

3                   **Parkland Fee** is adjusted per Section 78-95 of the Concord Municipal Code.

4                   The fees become effective as of the date set forth in Exhibit A of Resolution No. 78-6042,  
5                   Fees and Charges for Various Municipal Services, as most recently amended and approved by  
6                   the City Council. Persons interested in how a particular fee is calculated should contact the  
7                   City Department administering the fee or the Finance Department. **(ENGR)**

8                   82.     Provide a **\$1,168** cash deposit to the Planning Division to cover Condition Compliance at the  
9                   time of submittal of plans and documents to Engineering Services or the Building Division for  
10                  plan check. Planning staff's time will be charged to this deposit for work performed to  
11                  implement the Conditions of Approval, from the time of project approval to occupancy  
12                  approval. The deposit will be placed in a refundable account and any unused funds will be  
13                  returned upon completion. If the initial deposit is insufficient to cover actual costs, an  
14                  additional deposit will be required. **(PLNG)**

15               83.     Pay a Document Imaging fee to reimburse the City for implementation of the Document  
16                  Imaging and File Retention programs, prior to issuance of Grading, Improvement, Building or  
17                  other permits. **(PLNG)**

18               84.     Enter into a Maintenance Agreement acceptable to the City prior to the approval of Final Map,  
19                  agreeing to provide for proper maintenance of the private street, storm drain outside of the  
20                  public street right of way, street lights and other privately maintained improvements pursuant  
21                  to CMC Section 94-33. **(ENGR)**

22               85.     Enter into a Subdivision Agreement with the City agreeing to construct and complete all  
23                  improvements necessary to service the subdivision. The Agreement shall be executed and  
24                  submitted to the City prior to approval of the **Parcel Map**. As part of the Agreement, provide  
25                  securities acceptable to the City, guaranteeing construction of the required improvements.  
26                  **(ENGR)**

27               86.     All improvement agreements required in connection with said plans shall be submitted to and  
28                  approved by the City and other agencies having jurisdiction over said project prior to approval  
29                  of the parcel Map or issuance of the Building, Grading or other Permit, whichever comes first.  
30                  **(ENGR)**

31               87.     All required faithful performance bonds and labor materials bonds in a penal amount equal to  
32                  100 percent of the approved estimates of construction costs of improvements shall be  
33                  submitted to and approved by the City and other agencies having jurisdiction prior to approval  
34                  of the Final Map or issuance of the Building or Grading Permit, whichever comes first.  
35                  **(ENGR)**

36               88.     Encroachment Permit Application:



- a. Pay the Filing Fee at the time of submittal of permit application, improvement plans and supporting documents to City Engineering Services for review. The current fee is **\$86**.
- b. Provide a restoration security before issuance of the Encroachment Permit. The security shall be in an amount sufficient to restore existing public improvements to a serviceable condition should development improvement activity cause damage. The amount of the security shall be determined by, and be in a form acceptable to the City Engineer.
- c. Provide a **\$5,000** cash deposit to cover Condition Compliance/Mitigation Monitoring costs at the time of submittal of plans and documents to Engineering Services for review. The deposit will be placed in a refundable account. Condition Compliance/Mitigation Monitoring costs will be charged to this deposit over the life of the project permit and mitigation requirements. Any unused funds will be returned at project completion. If the initial deposit is insufficient to cover actual costs, an additional deposit in an amount determined by the City Engineer will be required. **(ENGR)**

89. Grading Permit Application:

- a. Pay Grading Permit Fees at submittal of a Grading Permit application. The current fee is determined based on cubic yardage of cut and fill combined, or at the hourly rate of **\$172** if the hourly rate is used.
- b. Provide a **\$5,000** cash deposit for Erosion Control prior to issuance of Grading Permit. The deposit will be placed in a refundable account. Any unused funds will be returned at project completion. If the initial deposit is insufficient to cover actual costs, an additional deposit in an amount determined by the City Engineer will be required.
- c. Pay Stockpile and Erosion Control Monitoring fee prior to issuance of Grading Permit. The stockpile and erosion control monitoring fee is currently **\$23** per calendar day and is collected for the life of the Grading Permit activity. **(ENGR)**

90. Parcel Map Application:

- a. Pay the Parcel Map review fee at the time of submittal of Parcel Map documents to Engineering Services for review. Current fee is estimated to be **\$1,720** (based on 3 parcels), plus additional review time at **\$172/hour** if required.
- b. Pay the Parcel Map filing fee prior to scheduling the Subdivision Agreement for consideration by the City Council. The current fee is **\$1,720**.
- c. Pay the Improvement Plan review fee at the time of submittal of Improvement Plans and supporting documents to Engineering Services for review. The current fee is estimated to be **\$5,160** (based on 3 parcels), plus additional review time at **\$172** construction Permits or scheduling the Subdivision Agreement for consideration by the City. The current fee is based on 9% of the estimated cost of constructing the required improvements to support the subdivision.
- d. Pay the Drainage Acreage Fee prior to scheduling the Subdivision Agreement for consideration by the City Council. The current fee is **\$4,019/acre**. (Drainage Area 7), *Please confirm latest fee with the Flood Control District, subject to annual increases.*

- 1 e. Pay the Parkland Fee prior to scheduling the Subdivision Agreement for consideration  
2 by the City Council. The current fee is **\$16,691** per living unit for low Density  
3 Designation.  
4 f. Submit a fully executed Subdivision Agreement and provide all necessary bonds,  
5 securities, and insurance required in the Agreement prior at the time the Parcel Map is  
6 scheduled for consideration by the City Council.  
7 g. Pay new parcel fee of **\$344** per parcel prior to the approval of the Parcel Map.  
8 h. Pay acceptance of improvements and dedications fee of **\$2,580** prior to scheduling  
9 items for action by City Council.  
10 i. Provide a **\$500** deposit for archiving permanent records prior to approval of the Parcel  
11 Map. Actual fees will be charged following completion of work.  
12 j. Provide a \$5,000 deposit for specialty inspections prior to approval of the Parcel Map.  
13 **(ENGR)**

14 **91. Sewer Connection Permit:**

- 15 a. Pay Sanitary Sewer connection fee. The current sewer connection fee is **\$5,043** per  
16 single-family dwelling unit plus 172 application processing fee per parcel and shall be  
17 paid prior to occupancy permit.  
18 b. Pay the current sewer service fee prior to approval of the Parcel Map. The current fee is  
19 **\$402** per year and is pro-rated by the month that connection is made. **(ENGR)**

20 **92. Traffic Mitigation Fee:**

21 Pay Offsite Street Improvement Program (OSIP) fee less possible fee credit. The OSIP fee  
22 shall be the fee in effect at the time of approval of the Parcel Map. The current OSIP Fee is  
23 **\$3,251** per single-family dwelling unit and shall be paid prior to Acceptance of the Parcel  
24 Map. **(ENGR)**

25 **OTHER/MISCELLANEOUS**

- 26 **93.** Contact local postal authorities to get their requirements for mail facilities for the project. The  
27 design and location of mail receptacles shall be reviewed and approved by the Planning  
28 Division and shown on the Utility, Landscape, and Building Plans, prior to issuance of  
Grading or Building Permits, whichever comes first. Mail facilities shall be installed prior to  
occupancy approval. **(PLNG)**
- 94.** Contact the Geographic Information Systems (GIS) Technician, in the Information  
Technology Department, (925) 671-3051, for addressing requirements, and coordinate with the  
Contra Costa Fire Protection District for their approval, prior to issuance of a Building Permit.  
**(PLNG)**
- 95.** Comply with the requirements of the Contra Costa Fire Protection District, as stated in letter  
dated March 9, 2016. Submit complete sets of plans and specifications to the Fire District for  
review and approval at:

Contra Costa County Fire Protection District  
2010 Geary Road

Plan review fees are assessed at that time. The City is not responsible for the collection of fees or enforcement of requirements imposed by the Fire District. (*CCCFIRE*)

96. Comply with requirements of the Contra Costa Water District. Submit complete sets of plans and specifications to CCWD for review and approval, noting the following:
- Each premise must be provided domestic service and will require its own service connection and meter.
  - The California Residential Code requires installation of an approved automatic fire sprinkler system in all new residential structures that are submitted to the Building Department after December 31, 2010. Appropriate backflow prevention is required for all services where sprinkler systems are installed.
  - Further information regarding water service and CCWD regulations can be found on CCWD's web site at [www.ccwater.com](http://www.ccwater.com)
  - CCWD recommends the Developer submits an application for service or an application for a "shotgun" estimate for the project, so that CCWD can provide a more detailed analysis and review.
97. Applicant and/or subdivider shall defend, indemnify and hold harmless the City, its agents, officials and employees from any claim, action or proceeding brought by a third party to set aside, annul, attack or otherwise void the approval of the Tentative Map, Final Map or Parcel Map by the Zoning Administrator, which action is brought within the time period provided for in Government Code section 66499.37. The City shall promptly notify the applicant/subdivider of any claim, action or proceeding against the City of Concord and that the City will cooperate fully in the defense. (*PLNG*)
98. The permit and approval shall expire in two years from the date on which they became effective unless construction permits are obtained and work has begun. All permits approved concurrently with a Tentative Map shall be valid for the life of the map. The effective date of the permit and approval is *May 11, 2016*. (*PLNG*)
99. A request for a time extension from the expiration date of *May 11, 2018* can be considered if an application with required fee is filed at least 45 days before the original expiration date, otherwise a new application is required. A public hearing will be required for all extension applications, except those involving only Design Review. Extensions are not automatically approved. Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require, or permit denial. (*PLNG*)

**ZA ORDER NO. ZA 18-04 ZA****OFFICE OF THE ZONING ADMINISTRATOR  
CITY OF CONCORD  
APPROVING MINOR SUBDIVISION AND VARIANCE  
Applicant: PL140123PM  
Owner: Francisco and Guillermina Ordaz  
Project Name: Ordaz Minor Subdivision**

**WHEREAS**, on May 11, 2016, the Zoning Administrator adopted Zoning Order No. 16-03ZA, approving the Ordaz three-lot Minor Subdivision on a 1.02-acre site at 1840 Lynwood Drive, APN 114-641-001, subject to conditions of approval; and

**WHEREAS**, the approval is valid through to May 11, 2018, unless the final map is recorded, or an extension of the approval is granted as may be allowed by Section 17.10.100(A)1 of the Concord Municipal Code; and

**WHEREAS**, on March 2, 2018, Francisco Ordaz submitted an application to extend the approval of the three-lot minor subdivision for six years through to May 11, 2024; and

**WHEREAS**, on March 29, 2018 the application was deemed complete for processing; and

**WHEREAS**, the application was duly noticed pursuant to the Concord Municipal Code; and

**WHEREAS**, the subject proposal is consistent with the General Plan; and

**WHEREAS**, for purposes of California Environmental Quality Act of 1970, Public Resources Code § 21000, et seq. and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations, all as amended (collectively, "CEQA"), a project is the activity to be undertaken, not the various individual government approvals – such as extensions – associated with the project. The proposed extension is not a project within the meaning of Section 15378 of the State CEQA Guidelines. Review of the project has occurred, that project has been approved, and no changes are being proposed. If the proposed extension is a project under CEQA it is subject to the exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment as the project has already been approved and this is merely a six year extension. In addition, no further environmental analysis is required because the project was and is classified as Categorical Exempt pursuant to Section 15315 Class 15 "Minor Land Divisions," and none of the factors calling for subsequent environmental

1 review are present, including under Public Resources Code Section 21166 and CEQA Guidelines  
2 Section 15162 because, as noted above, there are no changes being proposed and there is no new  
3 information available which would trigger environmental review under any of the applicable criteria.  
4 Therefore, no further environmental review is required.

5 **NOW, THEREFORE, BE IT RESOLVED** that the Zoning Administrator does hereby  
6 approve the six-year extension of the Minor Subdivision subject to the attached Conditions of  
7 Approval referenced in Attachment A, based on the following findings:

8 1. For purposes of CEQA, a project is the activity to be undertaken, not the  
9 various individual government approvals – such as extensions – associated with the project. The  
10 proposed extension is not a project within the meaning of Section 15378 of the State CEQA  
11 Guidelines. Review of the project has occurred, that project has been approved, and no changes are  
12 being proposed. If the proposed extension is a project under CEQA it is subject to the exemption  
13 contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no  
14 possibility of a significant effect on the environment as the project has already been approved and this  
15 is merely a five year extension. In addition, no further environmental analysis is required because the  
16 project was and is classified as Categorical Exempt pursuant to Section 15315 Class 15 “Minor  
17 Land Divisions,” and none of the factors calling for subsequent environmental review are present,  
18 including under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because,  
19 as noted above, there are no changes being proposed and there is no new information is available  
20 which would trigger environmental review under any of the applicable criteria. Therefore no further  
21 environmental review is required.

22 2. The subject proposal is consistent with the City of Concord General Plan,  
23 which designates the site as Low Density Residential.

24 3. The subject proposal will not adversely affect the surrounding properties, which  
25 are either zoned for or developed with similar uses.

26 4. The proposed project meets all the provisions of the City’s Development Code  
27 relating to uses.

28 Based on the above findings, on April 18, 2018, the Zoning Administrator approved said

1 application subject to the attached Conditions of Approval, referenced as Attachment A.

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5 Michael Cass  
6 Zoning Administrator

7 Attachment:  
8 A – Conditions of Approval  
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**ATTACHMENT A**  
**DRAFT CONDITIONS OF APPROVAL**  
**MINOR SUBDIVISION AT 1840 LYNWOOD DRIVE**  
**PL140123**  
**1840 LYNWOOD DRIVE**  
**APN: 114-641-001**

**PERMIT DESCRIPTION**

1. These Conditions of Approval apply to and constitute the approval of a **Tentative Parcel Map** consisting of **three** individual parcels and a remainder lot **on 1.02 acres**.
2. The following Exhibits, date stamped received by the City of Concord, on February 9, 2016, are approved and shall be incorporated as Conditions of Approval.

<u>Plan</u>	<u>Date Submitted</u>	<u>Prepared by</u>	<u>Sheet</u>
Tentative Parcel Map	2/9/16	Wheat Land Surveying	1
Grading Plan	2/9/16	Wheat Land Surveying	2
Stormwater Control Plan	2/9/16	Wheat Land Surveying	3
Site Plan	2/9/16	Wheat Land Surveying	4

**GENERAL CONDITIONS**

3. The Conditions are the responsibility of the applicant and all contractors. Compliance shall occur as specified in the Conditions or at one of the following project milestones:
  - (a) With the submittal of Grading, Improvement, Landscape, or Building Plans.
  - (b) Prior to issuance of Encroachment, Grading, or Building Permits, whichever comes first.
  - (c) Prior to Construction.
  - (d) On-going during Construction.
  - (e) Prior to approval of the Final Map.
  - (f) Prior to occupancy approval.

If timing for compliance is not specified, it shall be determined by the Divisions listed after the Condition. **(PLNG, BLDG, ENGR)**

4. Where a plan or further information is required, it is subject to review and approval by the applicable City Department/Division, as noted at the end of each Condition. The Division listed first shall be the primary contact for implementation of that Condition. **(PLNG, BLDG, ENGR)**
5. The project shall comply with all applicable Federal and State laws and Concord Municipal Code (CMC) requirements. **(PLNG, BLDG, ENGR)**
6. Minor modifications that are found to be in substantial conformance with the approved plans such as colors, plant materials, or minor lot line adjustments, may be approved

1 administratively. Major modifications shall be approved by the applicable decision making  
2 body. *(PLNG, ENGR)*

3 7. The Conditions of Approval shall be listed on a plan sheet that is included in the construction  
4 plan set (Grading, Utility, Landscape and Building Plans). *(PLNG, ENGR)*

5 8. Two annotated copies of the Conditions of Approval specifying how each applicable  
6 condition has been satisfied, shall be submitted as follows:

7 a. At the time Grading, Utility, Landscape, and/or Building Plans are submitted for plan  
8 check, whichever comes first.

9 b. Prior to occupancy approval. *(PLNG, ENGR)*

10 9. The project site and area surrounding the site shall be fenced and maintained in a weed and  
11 litter free condition for the period prior to construction. *(BLDG, PLNG)*

12 10. **The northeast property line shall be replaced with a block retaining wall/fence  
13 combination, to stabilize the rear edge of the site. Plans shall be reviewed by  
14 engineering, with the grading plans, prior to issuance of the grading plan. The retaining  
15 wall/fence combination shall be constructed, prior to issuance of any building permits for  
16 the three homes. *(ENGR, PLNG)***

17 11. When the fence at an abutting residential property is planned for removal and replacement, the  
18 replacement perimeter fence/wall shall be completed within two weeks from removal of the  
19 original fence, unless otherwise approved by the Planning Division. Adjacent affected property  
20 owners shall be notified at least two weeks in advance of the replacement of the fence.  
21 *(PLNG, ENGR)*

## 22 ARCHITECTURAL

23 12. Preliminary and Final architectural plans, details, colors, materials, landscaping, building  
24 lighting, and fencing shall be submitted for Design and Site Development Review, **subject to  
25 review and approval by the Design Review Board (including noticing to neighbors of the  
26 meetings)**, prior to issuance of a grading permit. *(PLNG, ENGR)*

27 13. Vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted to match the  
28 color of the adjacent surface, unless otherwise approved by the Planning Division. *(PLNG)*

## LANDSCAPING

29 14. Submit Landscape plans prepared by a Landscape Architect, registered by the State of  
30 California, for review and approval by **the Design Review Board (including noticing to  
31 neighbors of the meetings)**, with the Grading, Improvement, or Building Plans, whichever  
32 comes first. The landscape plans shall be reviewed for conformance with all applicable  
33 standards of the Concord Development Code, Article IV, Division 4 (Landscaping) and  
34 Division 5 (Water Efficient Landscaping), prior to issuance of a grading or building permit.  
35 *(PLNG)*



1 15. Submit Final Landscape Plans consistent with the Grading, Improvement, Utility, and  
2 Stormwater Plans prepared by the Civil Engineer, with the following information:

- 3 a. A legend that lists all plant species (Latin and common name), including size,  
4 quantities, spacing, and ultimate height and width.  
5 b. Specifications and details for planting, including staking of trees and planting in bio-  
6 retention or other stormwater treatment areas. Plants for bio-retention facilities should  
7 be compatible with temporarily flooded conditions.  
8 c. Utility and Grading information on the base map, screened back.  
9 d. Existing trees to be saved and identification of all replacement trees.  
10 e. Trees (minimum size 24-inch box) and shrubs (minimum 5-gallon; accent or sub-  
11 shrubs may be 1-gallon).  
12 f. Root control barriers and four-inch perforated pipes for parking lot trees, street trees,  
13 and trees within 6 inch of any paved area, sidewalk or curb. *(PLNG/ENGR)*

14 **LIGHTING**

15 16. Show all exterior lighting including: building fixtures, walkway lighting, and street lights on  
16 the Site, Utility, Landscape, and Building Plans, prior to the issuance of any permits. The  
17 height and style of fixtures shall be shown. Energy-saving fixtures shall be used and noted on  
18 the plans. *(PLNG, ENGR, BLDG)*

19 17. All exterior building shall provide illumination for safety and shall be installed in a manner  
20 that is glare shielded and directed away from adjacent properties and right-of-ways. *(PLNG)*

21 **PARKING**

22 18. Two-car garages shall be a minimum of 20 ft. wide by 22 ft. deep with a 16 ft. wide minimum  
23 door opening. There shall be no encroachments (e.g., water heaters, stairways and doors) into  
24 the required area. **All existing units shall meet existing parking requirements of the City's  
25 Development Code, and plans shall demonstrate consistency with the Code, prior to  
26 recording of the final map. *(PLNG) CMC***

27 **STREET IMPROVEMENTS**

28 19. Install rubberized cape seal on *Lynwood Drive* within the following limits: between new gutter  
lip (north side) to edge of existing pavement (south side) and between 5 feet east of the most  
easterly trench cut and 5 feet west of the most westerly trench cut, or as determined by the City  
Engineer. This work is to be performed upon completion of utility undergrounding and  
frontage improvements and prior to the Acceptance of Improvements *(ENGR)*

20. Construct improvements along the frontage on *Lynwood Drive* including but not limited to:  
driveway removal; pavement replacement 13 feet wide measured perpendicular from face of  
proposed curb; pavement widening; concrete valley gutter; wheel chair ramps; construction of  
concrete curb, gutter and sidewalk; ADA compliant concrete driveway approach; storm  
drainage system; conforms to existing improvements; and repair/replacement of deficient  
frontage improvements as determined by the City Engineer, prior to occupancy approval or  
Acceptance of Improvements. *(ENGR)*

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21. Any trenching for underground utilities shall comply with the modified City Standard Detail S-17 for pavement repair and possible slurry placement. *(ENGR)*
  22. Prohibit parking *on Lynwood Drive*, immediately adjacent to driveways, consistent with Transportation/Engineering standards (10 feet on left, 20 feet to right of driveway). Paint curb face with red and install "No Parking" signs where parking is prohibited, prior to Acceptance of Improvements or the first Occupancy, whichever comes first. *(TRANS/ENGR)*
  23. Construct all public facilities in accordance with the current Americans with Disabilities Act (ADA), including driveways and curb ramps. *(ENGR)*

8 **NOISE**

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24. Noise producing site preparation and construction activities shall be limited to the days and hours as set forth below:

11 **Monday through Friday .....7:30 a.m. to 6:00 p.m.**

12 Construction on Saturdays may be allowed only upon prior approval of an After Hours Permit  
13 by the Building, Engineering, and Planning Divisions. No changes to these construction hours  
14 shall be allowed without the prior written consent of the City. A contact person shall be  
available during all construction activities in the evening and on weekends to respond to  
complaints and take actions necessary to reduce noise. *(BLDG, ENGR, PLNG)*

15 **CONSTRUCTION ACTIVITIES**

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25. Contact Engineering Services to arrange for a Pre-Construction Meeting prior to issuance of Grading, Improvement/Encroachment or Building Permits, whichever comes first. *(ENGR)*
  26. Implement a dust and construction noise control plan. Submit the plan to Engineering Services for review and approval prior to issuance of the Grading Permit. *(ENGR)*
  27. Construction equipment shall not be serviced at the site at any time. During construction no deliveries shall be made to the site and no delivery vehicles (including gasoline tanker trucks) shall enter the site between 6:00 p.m. and 7:30 a.m. on weekdays or on weekends and federal holidays. Delivery vehicles shall have their engines turned off during unloading. *(BLDG, ENGR, PLNG)*
  28. Employ the quietest construction equipment available, to muffle noise from construction equipment and keep all mufflers in good working order in accordance with State law. *(BLDG, ENGR, PLNG)*
  29. Implement the following measures during construction:
    - a. Gather all construction debris on a regular basis and place them in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, use tarps on

- 1 the ground to collect fallen debris or splatters that could contribute to storm water  
2 pollution.
- 3 b. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement, and  
4 storm drains adjoining the project site. During wet weather, avoid driving vehicles off  
5 paved areas.
- 6 c. Broom sweep the public street pavement adjoining the project site on a daily basis.  
7 Caked-on mud or dirt shall be scraped from these areas before sweeping.
- 8 d. Install filter materials (e.g., sandbags and filter fabric) at the storm drain inlet nearest  
9 the downstream side of the site in order to preclude any debris or dirt from flowing into  
10 the City storm drain system. Filter materials shall be maintained and/or replaced as  
11 necessary to ensure effectiveness and to prevent street flooding. Dispose of filter  
12 particles in an approved trash receptacle.
- 13 e. Create a contained and covered area on the site for the storage of bags, cement, paints,  
14 flammable, oils, fertilizers, pesticides, or any other materials used on the site that have  
15 the potential for being discharged to the storm drain system by being windblown or in  
16 the event of a material spill.
- 17 f. Never clean items such as machinery, tools, and brushes or rinse containers in a street,  
18 gutter, or storm drain.
- 19 g. Ensure that concrete, gunite, plaster, or similar supply trucks do not discharge wash  
20 water into street gutters or drains. **(ENGR, BLDG)**
- 21 30. No equipment shall be started or staging area be established on the streets or the site before or  
22 after the specified hours of construction. **(ENGR, BLDG)**
- 23 31. Ensure that no debris or construction scrap material is placed on any adjoining lot, open space  
24 area, or street, and that any such material stored on an adjoining site shall be completely  
25 removed and the site cleaned, prior to occupancy approval. **(ENGR, BLDG)**
- 26 32. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or  
27 sleeping quarters on the construction site unless authorized for site security. **(ENGR, BLDG)**
- 28 33. There shall be no parking of construction equipment or construction worker's vehicles on  
residential streets at any time; all vehicles shall be maintained on-site. **(ENGR, BLDG)**
34. Portable toilets used during construction shall be kept as far as possible from adjacent  
properties and shall be emptied on a regular basis as necessary to prevent odor. **(ENGR,  
BLDG)**
35. Identify truck routes for the import or export of cut/fill material and/or construction debris for  
review and approval by the City Engineer prior to the issuance of permits. Repair any damage  
to City streets (private and public) caused by activity associated with this project. **(ENGR)**
36. In the event of the encounter of subsurface materials suspected to be of an archaeological or  
paleontological nature, all grading and/or excavation shall cease, the find shall be left  
untouched, and the City Planning Division shall be immediately notified. The County Coroner  
and the Native American Heritage Commission shall also be notified and the procedures  
required in CEQA §15064.5 shall be followed. This requirement shall be noted on the Grading  
and Building Plans, prior to issuance of permits. **(PLNG, ENGR, BLDG)**

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37. In the above event, retain a qualified professional archaeologist certified by the Register of Professional Archaeologists or paleontologist with a degree(s) in paleontology or geology, to evaluate and make recommendations as to disposition, mitigation and/or salvage. The recommendation shall be implemented before work may proceed. The applicant shall be responsible for all costs associated with the professional investigation and implementation. **(PLNG, ENGR, BLDG)**

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**CONSTRUCTION PLAN REVIEW/PRE-PERMIT REQUIREMENTS**

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38. Submit two copies of Preliminary Title Report, prepared within three months prior to plan submittal. **(ENGR)**
39. The Improvement Plans shall show frontage improvements including but not limited to: utilities, utility services, drainage improvements, curb, gutter and sidewalk per City Standard Detail S-10, and driveway construction per City Standard Detail S-14 and repair/replacement of deficient frontage improvements as determined by the City Engineer. Any unusable or abandoned existing driveway shall be replaced with standard curb, gutter, and sidewalk per S-10 above. Any trenching for utility installation shall comply with the modified City Standard Detail S-17 for pavement repair and possible slurry placement. **(ENGR)**
40. The Improvement Plans shall show plan and profile of all proposed street, drainage and sewer improvements and details for curb, gutter, sidewalk, other utilities and driveway construction. **(ENGR)**
41. Design improvements in accordance with the City Standard Plans S-34 and S-36 for sight distance, sidewalk, back up, fencing, geometrics at intersection and corner setback requirements, prior to the Acceptance of Improvements. Plans shall be subject to review and approval by Engineering Services. **(ENGR)**
42. Obtain an Encroachment Permit from the City prior to performing any work within the public right-of-way or public easements. **(ENGR) CMC**

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**SUBDIVISIONS/SITE DEVELOPMENT PLANS**

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43. The Tentative Parcel Map prepared by Wheat Land Surveying and date stamped received **February 9, 2016** by the Planning Division is not approved for construction. Submit Grading, Erosion Control, Improvement, Stormwater Pollution Prevention Plans (SWPPP), and Stormwater Control Plans prepared by a Registered Civil Engineer to Engineering Services for review and approval prior to issuance of an Encroachment Permit and Grading Permit. **(ENGR)**
44. The Parcel Map shall be prepared by a qualified Civil Engineer or Licensed Land Surveyor and shall be subject to review and approval by Engineering Services.

1 **GRADING/EROSION CONTROL/GEOLOGIC**

- 2 45. Submit a geologic investigation to demonstrate that proposed buildings will not be constructed  
3 across active faults. A licensed geologist must prepare an evaluation and written report. If an  
4 active fault is found, a structure for human occupancy cannot be placed over the trace of the  
5 fault and must be set back from the fault (generally 50 feet). *(ENGR)*
- 6 46. Submit a Geotechnical Report with the Grading Plans and Building Plans, pursuant to CMC  
7 Section 94-51 and Section 86-73 that addresses and provides recommendations for grading,  
8 drainage, walls, building foundations, and pavement structural sections. *(ENGR)*
- 9 47. All grading shall require a Grading and Drainage Plan prepared by a registered Civil Engineer,  
10 a Soils Report prepared by a registered Geotechnical Engineer and receipt of a Grading Permit  
11 approved by the City Engineer. The Grading Plans and Soils Report shall require review by  
12 the City's Geotechnical consultant with all costs to be borne by the applicant. *(ENGR)*
- 13 48. Contour grading techniques shall be employed throughout the project to achieve a more  
14 natural appearance, even where this will increase the amount of grading. Tops of cuts or toes  
15 of fills adjacent to existing public rights-of-way or easements shall be set back two feet  
16 minimum from said rights-of-way and easements. All cut-and-fill slopes in excess of five feet  
17 in height shall be rounded both horizontally and vertically. *(ENGR)*
- 18 49. Grading or other work on adjacent properties shall require written approval from the affected  
19 property owners. *(ENGR)*
- 20 50. On-site finish grading work shall require drainage to be directed away from all building  
21 foundations at a minimum slope of 2 percent and a maximum slope of 20 percent toward  
22 approved drainage facilities or swales. Non-paved drainage swales shall have a minimum  
23 slope of 1 percent. *(ENGR)*
- 24 51. The project engineer shall inspect the finished grading and certify that it conforms to the  
25 compaction and elevations shown on the Grading Plan and Soils Report. *(ENGR) CMC*
- 26 52. At all times seasonally appropriate erosion control measures shall be implemented per plans  
27 approved by the City Engineer for all grading work at all times. Wet season measures shall be  
28 in place October through April at a minimum and within 48 hours prior to any likely  
precipitation event. At the time of approval of the Improvement and/or Grading Plans, an  
approved Erosion Control Plan prepared by a registered Civil Engineer shall be filed with the  
City Engineer. *(ENGR)*
53. All graded slopes and stockpiles of loose soil shall be hydromulched/hydroseeded by October  
of any given year. During grading work, if rain is forecast, stop all grading work two days  
before the rain forecast and implement BMPs to insure that the site is protected from erosion.  
Area of construction activity that are not active and those that have been active and are not  
scheduled to be disturbed for at least 14 days shall be hydromulch / hydroseeded. *(ENGR)*
54. Submit Grading, Erosion Control, Improvement, Stormwater Pollution Prevention Plan  
(SWPPP), and Stormwater Control Plans to Engineering Services for review and approval

1 prior to the issuance of Grading, Encroachment, and Building Permits. Where applicable,  
2 evidence of compliance with the State General Construction Permit shall be provided. *(ENGR)*  
3 *CMC*

- 4 55. Comply with the applicable provisions of the Grading Ordinance and the Storm Water  
5 Management and Discharge Control Ordinance. *(ENGR) CMC*

#### 6 UTILITIES

- 7 56. New electrical transformers shall be placed underground or screened from view. *(PLNG,*  
8 *ENGR)*

- 9 57. No above ground utility facilities/structures shall be located in the public right-of-way.  
10 *(ENGR)*

- 11 58. All new utilities shall be constructed underground prior occupancy approval. *(ENGR)*

- 12 59. Undergrounding of all existing overhead utilities that runs from the utility pole adjacent to the  
13 existing driveway on the site including aerial street crossings shall be required pursuant to  
14 CMC Section 110-93. All new utilities shall be constructed underground prior to issuance of  
15 occupancy approval. *(ENGR)*

- 16 60. Comply with the City of Concord sewer design flow criteria and sewer construction  
17 requirements of the Central Contra Costa Sanitary District. *(ENGR)*

- 18 61. Coordinate all facility adjustments, relocations, or additions to utility services with the  
19 appropriate utility companies. *(ENGR)*

- 20 62. Utility areas, electrical and gas meters shall be architecturally screened from view. *(PLNG)*

- 21 63. The location of all outdoor, above-ground and/or at-grade pad mounted transformers, utility  
22 equipment, electrical and gas meters, vaults, irrigation control boxes, back flow prevention  
23 devices, and the like shall be subject to approval by Planning and Engineering Services prior  
24 to the issuance of the Grading or Building Permit, whichever comes first. All such equipment  
25 shall be screened from view either architecturally or with landscaping and painted forest green  
26 or other approved color as approved by the Planning Division. Any changes to the approved  
27 Utility Plans, including location or screening details shall be reviewed and approved by the  
28 Planning Division. *(PLNG, ENGR)*

64. Provide cable companies a set of approved site diagrams in electronic format showing the joint  
trench layout for dry utilities for cable service to be provided to the site. *(ENGR)*

65. Connect all buildings to the sanitary sewer collection facilities of the City, and pay all current  
sewer connection and service fees prior to occupancy approval. *(ENGR) CMC*

- 1 66. Submit proof acceptable to Engineering Services that all work within the existing (new)  
2 private waterline easement(s) are reviewed and approved by the easement owner of record.  
(ENGR)

3 **DRAINAGE/STORMWATER C.3 REQUIREMENTS**

- 4 67. Applicant shall include a note on the parcel map indicating that new impervious surfaces  
5 shall not exceed a maximum of 10,000 sq. ft. (3,330 sq. ft. per lot).

6 *The following conditions (68-73) are contingency conditions should any of the lots exceed the 3,300  
7 sq. ft. in impervious surfaces.*

- 8 68. Submit a Stormwater Control Plan (SWCP) prepared in accordance with the current Contra  
9 Costa Clean Water Program Stormwater C.3 Guidebook for review and approval by  
10 Engineering Services prior to issuance of any permit. The SWCP shall be prepared and  
11 certified by a Civil Engineer, registered in the State of California, demonstrating an  
12 understanding of the design of treatment measures for water quality and groundwater  
13 protection principles applicable to the project site. (ENGR)

- 14 69. Prior to issuance of permits for building, site improvements, or landscaping, applicant shall  
15 submit a permit application consistent with the applicant's approved Stormwater Control Plan  
16 (SWCP), and include drawings and specifications necessary for construction of site design  
17 features, measures to limit directly connected impervious area, pervious pavements, self-  
18 retaining areas, treatment BMP's, permanent source control BMP's, and other features that  
19 control stormwater flow and potential stormwater pollutants. The Contra Costa Clean Water  
20 Program permit application shall include a completed "Construction Plan C.3 Checklist" as  
21 described in the Stormwater C.3 Guidebook, and a detailed draft Stormwater BMP Operation  
22 and Maintenance Plan consistent with the general O&M plan included in the applicant's  
23 approved Stormwater Control Plan. Guidelines for the preparation of Stormwater BMP  
24 Operation and Maintenance Plans are in the Stormwater C.3 Guidebook. (ENGR)

- 25 70. Construct stormwater treatment measures per the approved SWCP prior to occupancy  
26 approval. (ENGR)

- 27 71. Submit a final Stormwater BMP Operation and Maintenance Plan (O&M Plan) in accordance  
28 with City of Concord Guidelines, for review and approval by Engineering Services, prior to  
occupancy approval. This O&M Plan shall incorporate City comments on the draft O&M Plan  
and any revisions resulting from changes made during construction. The implementation of  
the O&M Plan shall be the responsibility of the property owner or the HOA where one exists.  
(ENGR)

72. Execute any agreements identified in the SWCP which pertain to the transfer of ownership,  
right-of-entry for inspection or abatement, and/or long-term maintenance of stormwater  
treatment or hydrograph modification BMPs, prior to occupancy approval. (ENGR)

73. Collect and convey all stormwater entering and/or originating from the site to an adequate  
downstream drainage facility. Submit hydrologic and hydraulic calculations for a 10-year  
storm with the Improvement Plans to Engineering Services for review and approval.

- 1 74. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.  
2 *(ENGR)*
- 3 75. Install City of Concord “No Dumping, Drains to Creek” curb marker (English and Spanish  
4 version) on all catch basins. *(ENGR)*
- 5 76. Include erosion control/storm water quality measures on the final Grading Plan that  
6 specifically address measures to prevent soil, dirt, and debris from entering the storm drain  
7 system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags,  
8 and siltation fences and are subject to review and approval of the City Engineer and Director  
9 of Building Inspection. If no Grading Plan is required, necessary erosion control/storm water  
10 quality measures shall be shown on the Site Plan submitted for an on-site permit, subject to  
11 review and approval of the Director of Building Inspection. The applicant shall be responsible  
12 for ensuring that the contractor is aware of and implements such measures. *(ENGR, BLDG)*
- 13 77. Submit a Construction Best Management Practice (BMP) Program for review and approval by  
14 the Engineering Development Services Department prior to issuance of a Building and/or  
15 Grading Permit. The general contractor and all subcontractors and suppliers of materials and  
16 equipment shall implement these BMPs. Construction site cleanup and control of construction  
17 debris shall also be addressed in this program. Failure to comply with the approved  
18 construction BMP may result in the issuance of correction notices, citations, or a project stop  
19 work order. *(ENGR)*
- 20 78. Ensure that the area surrounding the project such as the streets stay free and clear of  
21 construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way  
22 related to project construction. Areas that are exposed for extended periods shall be watered  
23 regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular  
24 basis. All trucks shall be covered. *(ENGR)*
- 25 79. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to  
26 October 15 and once in January. Additional cleaning may be required if found necessary by  
27 the City Engineer/Director of Building Inspection. *(ENGR, BLDG)*

## 28 **SOLID WASTE/RECYCLING**

80. Comply with CMC Chapter 82, Solid Waste, Article V, Construction and Demolition (C&D)  
Waste Recycling, Sections 82-114 through 82-126, as applicable. *(BLDG)*

## 28 **AGREEMENTS, FEES, BONDS**

***PLEASE NOTE: ALL FEES ARE SUBJECT TO INCREASE, AS OF JULY 1, 2016.***

81. All fees noted below are the fees currently in effect as of July 1, 2015 per the Resolution of  
Fees and Charges. The fees and charges are reviewed annually as part of the budget public  
hearing process. Fee adjustments are based on a number of factors and vary depending on the  
type of fee:

**Service-based fees** are adjusted annually based on the San Francisco-San Jose-  
Oakland Area Consumer Price Index;



1           **Improvement based fees** (also called impact fees) are adjusted annually based on  
2           Engineering News Record Construction Cost Index (San Francisco Bay Area); and the  
3           **Parkland Fee** is adjusted per Section 78-95 of the Concord Municipal Code.

4           The fees become effective as of the date set forth in Exhibit A of Resolution No. 78-6042,  
5           Fees and Charges for Various Municipal Services, as most recently amended and approved by  
6           the City Council. Persons interested in how a particular fee is calculated should contact the  
7           City Department administering the fee or the Finance Department. **(ENGR)**

- 8           82.     Provide a **\$1,168** cash deposit to the Planning Division to cover Condition Compliance at the  
9           time of submittal of plans and documents to Engineering Services or the Building Division for  
10           plan check. Planning staff's time will be charged to this deposit for work performed to  
11           implement the Conditions of Approval, from the time of project approval to occupancy  
12           approval. The deposit will be placed in a refundable account and any unused funds will be  
13           returned upon completion. If the initial deposit is insufficient to cover actual costs, an  
14           additional deposit will be required. **(PLNG)**
- 15           83.     Pay a Document Imaging fee to reimburse the City for implementation of the Document  
16           Imaging and File Retention programs, prior to issuance of Grading, Improvement, Building or  
17           other permits. **(PLNG)**
- 18           84.     Enter into a Maintenance Agreement acceptable to the City prior to the approval of Final Map,  
19           agreeing to provide for proper maintenance of the private street, storm drain outside of the  
20           public street right of way, street lights and other privately maintained improvements pursuant  
21           to CMC Section 94-33. **(ENGR)**
- 22           85.     Enter into a Subdivision Agreement with the City agreeing to construct and complete all  
23           improvements necessary to service the subdivision. The Agreement shall be executed and  
24           submitted to the City prior to approval of the **Parcel Map**. As part of the Agreement, provide  
25           securities acceptable to the City, guaranteeing construction of the required improvements.  
26           **(ENGR)**
- 27           86.     All improvement agreements required in connection with said plans shall be submitted to and  
28           approved by the City and other agencies having jurisdiction over said project prior to approval  
              of the parcel Map or issuance of the Building, Grading or other Permit, whichever comes first.  
              **(ENGR)**
87.     All required faithful performance bonds and labor materials bonds in a penal amount equal to  
              100 percent of the approved estimates of construction costs of improvements shall be  
              submitted to and approved by the City and other agencies having jurisdiction prior to approval  
              of the Final Map or issuance of the Building or Grading Permit, whichever comes first.  
              **(ENGR)**
88.     Encroachment Permit Application:
- a.     Pay the Filing Fee at the time of submittal of permit application, improvement plans  
                          and supporting documents to City Engineering Services for review. The current fee is  
                          **\$86.**

- 1 b. Provide a restoration security before issuance of the Encroachment Permit. The  
2 security shall be in an amount sufficient to restore existing public improvements to a  
3 serviceable condition should development improvement activity cause damage. The  
4 amount of the security shall be determined by, and be in a form acceptable to the City  
5 Engineer.
- 6 c. Provide a **\$5,000** cash deposit to cover Condition Compliance/Mitigation Monitoring  
7 costs at the time of submittal of plans and documents to Engineering Services for  
8 review. The deposit will be placed in a refundable account. Condition  
9 Compliance/Mitigation Monitoring costs will be charged to this deposit over the life of  
10 the project permit and mitigation requirements. Any unused funds will be returned at  
11 project completion. If the initial deposit is insufficient to cover actual costs, an  
12 additional deposit in an amount determined by the City Engineer will be required.  
13 **(ENGR)**

9 89. Grading Permit Application:

- 10 a. Pay Grading Permit Fees at submittal of a Grading Permit application. The current fee  
11 is determined based on cubic yardage of cut and fill combined, or at the hourly rate of  
12 **\$172** if the hourly rate is used.
- 13 b. Provide a **\$5,000** cash deposit for Erosion Control prior to issuance of Grading Permit.  
14 The deposit will be placed in a refundable account. Any unused funds will be returned  
15 at project completion. If the initial deposit is insufficient to cover actual costs, an  
16 additional deposit in an amount determined by the City Engineer will be required.
- 17 c. Pay Stockpile and Erosion Control Monitoring fee prior to issuance of Grading Permit.  
18 The stockpile and erosion control monitoring fee is currently **\$23** per calendar day and  
19 is collected for the life of the Grading Permit activity. **(ENGR)**

20 90. Parcel Map Application:

- 21 a. Pay the Parcel Map review fee at the time of submittal of Parcel Map documents to  
22 Engineering Services for review. Current fee is estimated to be **\$1,720** (based on 3  
23 parcels), plus additional review time at **\$172/hour** if required.
- 24 b. Pay the Parcel Map filing fee prior to scheduling the Subdivision Agreement for  
25 consideration by the City Council. The current fee is **\$1,720**.
- 26 c. Pay the Improvement Plan review fee at the time of submittal of Improvement Plans  
27 and supporting documents to Engineering Services for review. The current fee is  
28 estimated to be **\$5,160** (based on 3 parcels), plus additional review time at **\$172**  
construction Permits or scheduling the Subdivision Agreement for consideration by the  
City. The current fee is based on 9% of the estimated cost of constructing the required  
improvements to support the subdivision.
- d. Pay the Drainage Acreage Fee prior to scheduling the Subdivision Agreement for  
consideration by the City Council. The current fee is **\$4,019/acre**. (Drainage Area 7),  
*Please confirm latest fee with the Flood Control District, subject to annual increases.*
- e. Pay the Parkland Fee prior to scheduling the Subdivision Agreement for consideration  
by the City Council. The current fee is **\$16,691** per living unit for low Density  
Designation.

- f. Submit a fully executed Subdivision Agreement and provide all necessary bonds, securities, and insurance required in the Agreement prior at the time the Parcel Map is scheduled for consideration by the City Council.
- g. Pay new parcel fee of **\$344** per parcel prior to the approval of the Parcel Map.
- h. Pay acceptance of improvements and dedications fee of **\$2,580** prior to scheduling items for action by City Council.
- i. Provide a **\$500** deposit for archiving permanent records prior to approval of the Parcel Map. Actual fees will be charged following completion of work.
- j. Provide a \$5,000 deposit for specialty inspections prior to approval of the Parcel Map. **(ENGR)**

91. Sewer Connection Permit:

- a. Pay Sanitary Sewer connection fee. The current sewer connection fee is **\$5,043** per single-family dwelling unit plus 172 application processing fee per parcel and shall be paid prior to occupancy permit.
- b. Pay the current sewer service fee prior to approval of the Parcel Map. The current fee is **\$402** per year and is pro-rated by the month that connection is made. **(ENGR)**

92. Traffic Mitigation Fee:

Pay Offsite Street Improvement Program (OSIP) fee less possible fee credit. The OSIP fee shall be the fee in effect at the time of approval of the Parcel Map. The current OSIP Fee is **\$3,251** per single-family dwelling unit and shall be paid prior to Acceptance of the Parcel Map. **(ENGR)**

**OTHER/MISCELLANEOUS**

- 93. Contact local postal authorities to get their requirements for mail facilities for the project. The design and location of mail receptacles shall be reviewed and approved by the Planning Division and shown on the Utility, Landscape, and Building Plans, prior to issuance of Grading or Building Permits, whichever comes first. Mail facilities shall be installed prior to occupancy approval. **(PLNG)**
- 94. Contact the Geographic Information Systems (GIS) Technician, in the Information Technology Department, (925) 671-3051, for addressing requirements, and coordinate with the Contra Costa Fire Protection District for their approval, prior to issuance of a Building Permit. **(PLNG)**
- 95. Comply with the requirements of the Contra Costa Fire Protection District, as stated in letter dated March 9, 2016. Submit complete sets of plans and specifications to the Fire District for review and approval at:

Contra Costa County Fire Protection District  
2010 Geary Road  
Pleasant Hill, CA 94523

Plan review fees are assessed at that time. The City is not responsible for the collection of fees

1 or enforcement of requirements imposed by the Fire District. *(CCCFIRE)*

2 96. Comply with requirements of the Contra Costa Water District. Submit complete sets of plans  
3 and specifications to CCWD for review and approval, noting the following:

- 4 • Each premise must be provided domestic service and will require its own service  
5 connection and meter.
- 6 • The California Residential Code requires installation of an approved automatic fire  
7 sprinkler system in all new residential structures that are submitted to the Building  
8 Department after December 31, 2010. Appropriate backflow prevention is required for all  
9 services where sprinkler systems are installed.
- 10 • Further information regarding water service and CCWD regulations can be found on  
11 CCWD's web site at [www.ccwater.com](http://www.ccwater.com)
- 12 • CCWD recommends the Developer submits an application for service or an application  
13 for a "shotgun" estimate for the project, so that CCWD can provide a more detailed  
14 analysis and review.

15 97. Applicant and/or subdivider shall defend, indemnify and hold harmless the City, its agents,  
16 officials and employees from any claim, action or proceeding brought by a third party to set  
17 aside, annul, attack or otherwise void the approval of the Tentative Map, Final Map or Parcel  
18 Map by the Zoning Administrator, which action is brought within the time period provided for  
19 in Government Code section 66499.37. The City shall promptly notify the applicant/subdivider  
20 of any claim, action or proceeding against the City of Concord and that the City will cooperate  
21 fully in the defense. *(PLNG)*

22 98. The permit and approval shall expire in six years from the date on which they originally  
23 expired unless construction permits are obtained and work has begun. All permits approved  
24 concurrently with a Tentative Map shall be valid for the life of the map. The effective date of  
25 the permit and approval is *May 11, 2018. (PLNG)*

26 99. A request for a time extension from the expiration date of *May 11, 2024* can be considered if  
27 an application with required fee is filed at least 45 days before the original expiration date,  
28 otherwise a new application is required. A public hearing will be required for all extension  
applications, except those involving only Design Review. Extensions are not automatically  
approved. Changes in conditions, City policies, surrounding neighborhood, and other factors  
permitted to be considered under the law, may require, or permit denial. *(PLNG)*

