

Byron Municipal Advisory Council



Linda Thuman, Chair

Office of Supervisor Diane Burgis
Contact: Lea Castleberry
3361 Walnut Blvd., Suite 140
Brentwood, CA 94513
925-252-4500

Linda Thuman, Chair
Mike Nisen, Vice Chair
Steve Larsen, Councilmember
Dennis Lopez, Councilmember
Ron Schmit, Councilmember

*The Byron Municipal Advisory Council serves as an advisory body to the
Contra Costa County Board of Supervisors.*

BYRON MAC AGENDA

**Tuesday, July 28, 2020
6:00p.m.**

To slow the spread of COVID-19, the Contra Costa County Health Officer's Shelter Order prevents public gatherings. In lieu of a public gathering, the Byron Municipal Advisory Council Meeting will be accessible via teleconference to all members of the public as permitted by the Governor's Executive Order N-29-20.

Board meetings can be accessed via Zoom:

<https://ccccounty-us.zoom.us/j/2830849836>

or

**Dial In: (888) 278-0254
Conference code: 142291**

To access the full agenda packet, please visit:

<https://www.contracosta.ca.gov/AgendaCenter/ViewFile/Agenda/2822?html=true>

The Byron Municipal Advisory Council will provide reasonable accommodations for persons with disabilities planning to attend the meeting. Please contact Lea Castleberry at least 72 hours before the meeting at (925) 252-4500.

Materials distributed for the meeting are available for viewing at the District III Brentwood Office.

1. Call to Order/Roll Call

2. Approval of Agenda

- 3. Public Comment (3 minutes per speaker)** *Time is allotted under Public Comment for those persons who wish to speak for up to three minutes on any item NOT on the agenda. Persons who wish to speak on matters on the agenda will be heard for up to three minutes when the Chair calls for comments. After persons have spoken on an agenda item, the hearing can be closed by the Chair and the matter is subject to discussion and action by the MAC. Persons wishing to speak are requested to fill out a speaker card.*

4. Agency Reports

- a. Contra Costa Sheriff's Department
- b. California Highway Patrol
- c. East Contra Costa Fire Protection District
- d. Office of Supervisor Diane Burgis

5. Consent Items

All matters listed under Consent Items are considered by the MAC to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the MAC or a member of the public prior to the time the MAC votes on the motion to adopt.

- a. Draft Record of Actions – June 23, 2020

6. Presentations

- a. Update on Covid-19 for Contra Costa County (*Lea Castleberry, Office of Supervisor Diane Burgis*)

7. Items for Action and/or Discussion

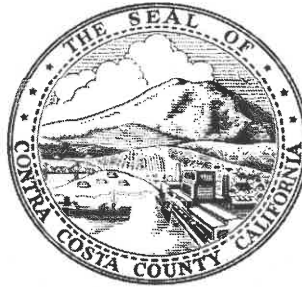
- a. Review and Consider Intersection Improvements (Street Lights and Rumble Strips) on Camino Diablo Road between Vasco Road and Holway Drive. (Austin Pato, Engineer, County Public Works)

8. Correspondence (R= Received S=Sent)

- a. R-07/01/20 06/24/20 Contra Costa County Zoning Administrator Agenda for July 6, 2020
- b. R-06/24/20 County Planning Commission Cancellation Notice for July 8, 2020
- c. R-07/15/20 Contra Costa County Zoning Administrator Agenda for July 20, 2020
- d. R-07/09/20 County Planning Commission Agenda for July 22, 2020

9. Future Agenda Items

10. Adjourn



*The Byron Municipal Advisory Council serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

DRAFT

Record of Actions

Meeting start time: 6:01 p.m.

Tuesday, June 23, 2020

1. CALL TO ORDER/ ROLL CALL/PRESENTATION OF COLORS:

- a.) **Call to Order:** Meeting called to order by Chair Thuman.
- b.) **Members Present:** Chair Thuman, Vice Chair Nisen, and Councilmember Larsen.
- c.) **Members Absent:** Councilmembers Lopez and Schmit

2. APPROVAL OF AGENDA: Motion to approve the agenda as presented made by Vice Chair Nisen. Second made by Chair Thuman. Motion carried 3-0. AYES: Larsen, Nisen and Thuman.

3. PUBLIC COMMENT:

None.

4. AGENCY REPORTS:

- a.) **East Contra Costa Fire Protection District:** Battalion Chief Ross Macumber provided the activity report for the month May; the District established a new app to report weed abatement concerns. Director Stephen Smith provided a Fire District update/overview.
- b.) **Contra Costa Sheriff's Department:** Lt. Mark Johnson provided the activity report for the month of May.
- c.) **California Highway Patrol:** No Report.
- d.) **Contra Costa County Code Enforcement Department:** Code Enforcement Officer, Conrad Fromme provided an update and took questions or concerns from the board and community.
- e.) **Office of Supervisor Diane Burgis:** Lea Castleberry provided an update on 2020 Census; Public Works performing road work on Byron Highway.

5. CONSENT ITEMS:

- a.) **Accept the Draft Record of Actions for May 26, 2020:** Motion to approve the Draft Record of Actions as presented made by Councilmember Larsen. Second made by Vice Chair Nisen. Motion carried: 3-0. AYES: Larsen, Nisen and Thuman.

6. PRESENTATIONS:

- a.) **Update on Covid-19 for Contra Costa County:** Lea Castleberry, Office of Supervisor Diane Burgis provided an update on Covid-19 and Shelter-In-Place Order for Contra Costa County.

7. ITEMS FOR ACTION AND/OR DISCUSSION:

- a.) **Agency Comment Request LP20-2028:** Applicant requests a Land Use Permit to establish a new Commercial Solar Energy Facility. The Byron Hot Springs Solar Project is a small scale utility energy generating project located on approximately 5.15 acres of an approximate 10.5 acre parcel off Byron Hot Springs Road. The project would utilize approximately 3,321 solar modules and 8 strong inverters, which convert the sun's energy into usable, AC power. Motion to approve made Vice Chair Nisen. Second made by Councilmember Larsen. Motion carried: 3-0. AYES: Larsen, Nisen and Thuman.
- b.) **Agency Comment Request LP20-2029:** Applicant requests a Land Use Permit to establish a new Commercial Solar Energy Facility. The Byron Hot Springs Solar Project utility energy generating project located on approximately 32 acres of a 126.48 acres parcel off Byron Highway. 18,424 solar module and 40 inverters. Modules will be mounted on a steel racking system anchored to the ground. Overall height will be

no more than 8 feet tall. Project will be interconnected to PG&E's pre-existing electrical distributions systems located on site and sold to Main Clean Energy (MCE). Motion to request a landscaping plan along Byron Highway made and approve the LUP made by Vice Chair Nisen. Second made by Councilmember Larsen. Motion carried: 3-0. AYES: Larsen, Nisen and Thuman.

8. CORRESPONDENCE (R= Received S=Sent)

- a.) R-05/28/30 Contra Costa County Zoning Administrator Agenda for June 1, 2020
- b.) R-06/02/20 County Planning Commission Cancellation Notice for June 10, 2020
- c.) R-06/11/20 Contra Costa County Zoning Administrator Agenda for June 15, 2020
- d.) R-06/16/20 County Planning Commission Cancellation Notice for June 24, 2020

FUTURE AGENDA ITEMS

ADJOURNMENT

There being no further business before the Byron Municipal Advisory Council, Chair Thuman adjourned the meeting at 6:56pm. The next scheduled Byron Municipal Advisory Council meeting is July 28, 2020 at 6:00pm held via teleconference.

CONTRA COSTA COUNTY ZONING ADMINISTRATOR

RECEIVED

MONDAY, JULY 6, 2020

30 MUIR ROAD

MARTINEZ, CA 94553

JUL - 1 2020

BY: _____

1:30 P.M.

To slow the spread of COVID-19, the Health Officer's Shelter Order of April 29, 2020, prevents public gatherings. In lieu of a public gathering, the County Zoning Administrator will be accessible live online or by telephone to all members of the public as permitted by the Governor's Executive Order N29-20.

Zoning Administrator meetings can be accessed live either online or by telephone.

ACCESS THE MEETING LIVE ON LINE AT: <https://cccounv-us.zoom.us/j/91970747916>

ACCESS THE MEETING BY TELEPHONE AT (888) 278-0254 FOLLOWED BY ACCESS CODE
198675##

When accessing the meeting online by computer, you will be asked to either install a plug-in or to join by web browser. When accessing the meeting online by mobile device, you will be prompted to install an application.

PERSONS WHO WISH TO ADDRESS THE ZONING ADMINISTRATOR DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA MAY DO SO EITHER ONLINE OR BY TELEPHONE. IF ACCESSING THE MEETING ONLINE, REQUEST TO SPEAK BY CLICKING THE "RAISE HAND" FUNCTION. IF ACCESSING THE MEETING BY TELEPHONE, REQUEST TO SPEAK BY DIALING #2.

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http://contra-costa.granicus.com/ViewPublisher.php?view_id=13.

NOTICE: The Zoning Administrator may alter the order of agenda items at the meeting.

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1. PUBLIC COMMENTS:
2. LAND USE PERMIT: CLOSED PUBLIC HEARING:
- 2a. DEWING PARK RECREATION CLUB (APPLICANT AND OWNER), County File #LP19-2033.). The applicant requests approval to modify the existing land use permit (County File #LP57-570) for the Dewing Park swim club. The modifications include: 1) expansion of membership and hours of operation; 2)

allowing amplified sound; and 3) allowing an increased size for an existing freestanding identification sign. The project also includes the following variance requests: 4) 73 off-street parking spaces (where 171 spaces are required); 5) a 7-foot, 10-inch rear yard (where 15 feet is required) for an existing BBQ structure; 6) a 3-foot, 10-inch setback (where 20 feet is required) for an existing freestanding sign; and 7) a 9-foot, 7-inch rear yard (where 15 feet is required) for an existing, unpermitted storage room addition to the main pool building. The project is located at 2016 Olympic Boulevard in the unincorporated Walnut Creek area. (Zoning: Single Family Residential, R-10) (Assessor's Parcel Number: 184-170-066) (Continued from June 15, 2020 TM) SS Staff Report

3. MINOR SUBDIVISION: PUBLIC HEARING:

- 3a. DUANE W. DOHSE (Applicant & Owner), County File Number MS19-0008: The applicant is seeking approval of a vesting tentative map to subdivide a 19.57-acre property into two parcels with a designated remainder. No development is proposed with this application. An exception to Division 914 (drainage) of the County Ordinance is being sought in order to forgo collect and convey requirements for existing development in the area of proposed Parcel B. The subject property is located at 305 Bollinger Estates Court in the unincorporated San Ramon area (Zoning: A-2 General Agricultural District) (APN: 199-370-016, -021). AV Staff Report

4. DEVELOPMENT PLAN: PUBLIC HEARING:

- 4a. ROBERT PALLEN (Applicant) / BLACKHAWK CENTERCAL LLC (Owner), County File DP20-3001: The applicant requests approval of a Development Plan for Pallen's Martial Arts, an educational use, to be located in a tenant suite in a commercial retail building in the Blackhawk Plaza commercial center. The application includes approval of one storefront sign for the tenant suite pursuant to the Blackhawk Plaza Tenant Sign Criteria Manual. The project site is 4050 Blackhawk Plaza Circle, Suite B9, in the Blackhawk area of unincorporated Contra Costa County. (Zoning: P-1, Planned Unit District; -CE, Cannabis Exclusion Combining District) (Assessor's Parcel Number: 203-780-018). SM Staff Report
- 4b. STEVEN CARZOLI (Applicant) / MARIUS EVANS AND MENGXI LIU (Owners), County File DP19-3028: The applicant requests approval of a Development Plan for a Small Lot Design Review to construct a residential and garage addition and reduce the size of the existing attached garage for a net addition of 2,248.5 square feet to an existing 2,945.5 square-foot single-family residence on a lot that does not meet the required minimum width of 120 feet in the R-20 Single-Family Residential District. The project site is 11 Serena Gardens, in the Walnut Creek area of unincorporated Contra Costa County. (Zoning: R-20 Single-Family Residential District) (Assessor's Parcel Number: 180-080-002). SM Staff Report

5. LAND USE PERMIT: PUBLIC HEARING:

- 5a. JASON BURNS (Applicant) / CENTER AVENUE PROPERTIES (Owners), County File Number LP20-2004: The applicant requests approval of a Land Use Permit to allow the establishment of Shoot the Moon, a commercial cannabis delivery business, serving recreational and medicinal cannabis clients. The cannabis delivery business will be located within an existing industrial/commercial business park on Center Avenue in Pacheco. The project includes tenant improvements within a 2,090 square-foot warehouse floor area consisting of interior partitions to define storage, office and parking spaces for proposed business. The proposed cannabis delivery business would operate under a California Type 10-Delivery license and in accord with applicable County ordinances. The subject property is located at 111 Center Avenue in the Pacheco area. (Zoning: L-I, Light Industrial District) (APN: 125-031-007). The subject property is located

at 111 Center Avenue in the Pacheco area. (Zoning: L-I, Light Industrial District) (APN: 125-031-007). AV Staff Report

- 5b. JOE CASTORENA (Applicant); BLACKHAWK CENTERCAL PROPERTIES, LLC (Owner), County File #LP19-2038: A request for approval of a Land Use Permit / Development Plan combination application to establish a dog daycare, boarding, and grooming business, Dogtopia, within an existing tenant space in the Blackhawk Plaza commercial center. The application includes approval of two storefront signs for the tenant suite. The property is located at 4050 Blackhawk Plaza Circle, Suite B11, in the Blackhawk area of unincorporated Contra Costa County. (Zoning: Planned Unit District, P-1 & Cannabis Exclusion Combining District, -CE) (Assessor's Parcel Number: 203-780-018). SJ Staff Report
6. VARIANCE: PUBLIC HEARING:
- 6a. RYAN BOSWORTH (Applicant) RYAN BOSWORTH & TOMMY TRAN (Owners), County File #VR19 1051. The applicant requests approval of variances to allow: a 1-foot, 10-inch side yard along the western property boundary (where 5 feet is required), an 8-foot, 9-inch side yard along the eastern property boundary (where 10 feet is required), and a 10-foot, 7-inch side yard aggregate (where 15 feet is required) all to allow the construction of 1st and 2nd story additions and a new wooden deck for an existing single-family residence; a 0-foot side yard along the western property boundary (where 3 feet is required) to construct a retaining wall up to 5-feet in height; and a 0-foot side yard along the eastern property boundary (where 10 feet is required) for two tandem off-street parking spaces. The applicant also requests approval of a small lot design review to allow the construction of the proposed improvements on a substandard lot. The subject property is located at 58 Canyon Lakes Drive in Port Costa. (Zoning: Single Family Residential District, R-6); (Assessor Parcel Number: 368-145-024) SS Staff Report
7. COMPLIANCE REVIEW: PUBLIC HEARING:
- 7a. JEFF STONE (Applicant) & MICHAEL SCARPELLI (Owner), County File #CV19-0107 & TP19-0059: The applicant is seeking approval of a modification to Condition of Approval (COA) #15D of Minor Subdivision County File #MS93-0021, and a Tree Permit to remove nine code-protected trees, and work within the dripline of an additional 7 code-protected trees, to allow for the construction of an onsite detention basin rather than offsite drainage improvements to comply with County drainage requirements. The project site includes 1973 La Cadena - and three vacant easterly adjacent parcels bounded by La Cadena to the south, Avenida Nueva to the east, and Calle Los Callados to the north - in the Diablo area. (Zoning: R-20 Single Family Residential, -UE Urban Farm Animal Exclusion Combining District) (APN: 195-260-010, -013, -014, -015). AV Staff Report

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR
WILL BE HELD ON MONDAY, JULY 20, 2020.

~ C A N C E L L E D ~

COUNTY PLANNING COMMISSION

CONTRA COSTA COUNTY

WEDNESDAY, JULY 8, 2020

30 MUIR ROAD, MARTINEZ, CA 94553

RECEIVED

JUN 24 2020

CHAIR: Rand Swenson
VICE-CHAIR: Kevin Van Buskirk
COMMISSIONERS: Jeffrey Wright, Donna Allen, Bhupen Amin, Bob Mankin, Ross Hillesheim

BY: _____

NOTICE: Commission may change the order of items on the agenda at the beginning of the meeting.

To slow the spread of COVID-19, the Health Officer's Shelter Order of April 29, 2020, prevents public gatherings. In lieu of a public gathering, the County Planning Commission meeting will be accessible via live-streaming to all members of the public as permitted by the Governor's Executive Order N29-20.

Commission meetings can be accessed live either online or by telephone.

ACCESS THE MEETING LIVE ONLINE AT http://contra-costa.granicus.com/ViewPublisher.php?view_id=14.

ACCESS THE MEETING BY TELEPHONE AT (888) 251-2949 FOLLOWED BY ACCESS CODE 9612966##.

When accessing the meeting online by computer, you will be asked to either install a plug-in or to join by web browser. When accessing the meeting online by mobile device, you will be prompted to install an application. If you need assistance with your audio, please dial 888-796-6118. If you need assistance with your online access, please dial 888-793-6118.

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**** 6:30 P.M. ****

1. PUBLIC COMMENTS:
2. STAFF REPORT:
3. COMMISSIONERS' COMMENTS:
4. COMMUNICATIONS:

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE ON WEDNESDAY, JULY 22, 2020.

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 674-7205 or by visiting our office at 30 Muir Road, Martinez, California. Environmental Impact Reports have been prepared for each of the agenda items indicated by an asterisk (*).

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Community Development Division to a majority of members of the County Planning Commission less than 72 hours prior to that meeting are available for public inspection at the Community Development Division of the Department of Conservation and Development, 30 Muir Road, Martinez, California during normal business hours.

CONTRA COSTA COUNTY ZONING ADMINISTRATOR

MONDAY, JULY 20, 2020

30 MUIR ROAD

MARTINEZ, CA 94553

RECEIVED

JUL 15 2020

BY: _____

1:30 P.M.

To slow the spread of COVID-19, the Health Officer's Shelter Order of June 16, 2020, prevents public gatherings. In lieu of a public gathering, the County Zoning Administrator will be accessible live online or by telephone to all members of the public as permitted by the Governor's Executive Order N29-20.

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ACCESS THE MEETING LIVE ONLINE AT <https://cccouny-us.zoom.us/j/96418077413>

Meeting ID: 96418077413

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1. PUBLIC COMMENTS:

2. COMPLIANCE REVIEW: CONTINUED PUBLIC HEARING

- 2a. JEFF STONE (Applicant) & MICHAEL SCARPELLI (Owner), County File #CV19-0107 & TP19-0059: The applicant is seeking approval of a modification to Condition of Approval (COA) #15D of Minor Subdivision County File #MS93-0021, and a Tree Permit to remove nine code-protected trees, and work within the dripline of an additional 7 code-protected trees, to allow for the construction of an onsite detention basin rather than offsite drainage improvements to comply with County drainage requirements. The project site includes 1973 La Cadena - and three vacant easterly adjacent parcels bounded by La Cadena to the south, Avenida Nueva to the east, and Calle Los Callados to the north - in the Diablo area. (Zoning: R-20 Single Family Residential, -UE Urban Farm Animal Exclusion Combining District) (APN: 195-260-010, -013, -014, -015). (Continued from 07/06/2020 LC) AV Staff Report

3. LAND USE PERMIT: PUBLIC HEARING

- 3a. JOSH BURKE (Applicant) - 3251 FRANKLIN CANYON LLC (Owner), County File #LP20-2008: An application for a land use permit to establish a medical patient transport (Ambulance) business on a site zoned Heavy-Industrial (H-I) in the Franklin Canyon area of Hercules. The business will occupy an office space and parking spaces for up to 5 ambulances within the existing facility. The subject property is a developed 1.85-acre site located at 3251 Franklin Canyon Road in the Hercules area of the County. (Zoning: H-I) (General Plan: LI) (APN: 358-030-029) GF Staff Report

4. DEVELOPMENT PLAN: PUBLIC HEARING

- 4a. DIABLO COUNTRY CLUB (Applicant and Owner), County File DP19-3017: The applicant requests approval of a Development Plan for the Diablo Country Club Facilities Upgrade consisting of replacing the existing tennis shop, bocce courts, driving range, and patios, with a Wellness Center Building, a Golf Simulator Building, three new bocce courts, a new patio, and an event lawn. In addition, a 22-space parking lot would be added to augment existing Country Club parking. The application includes a request for a Tree Permit to remove 23 protected trees, and to work within the driplines of two protected trees. The project site is located at 1700 Club House Drive, in the Diablo area of unincorporated Contra Costa County. CEQA: The Zoning Administrator will consider the adoption of a Mitigated Negative Declaration and related findings for this project. (Zoning: F-R Forestry Recreation District) (Assessor's Parcel Number: 195-210-038) SM Staff Report

5. VARIANCE: PUBLIC HEARING

- 5a. KELLY HUDDLESTON (Applicant and Owner); County File #VR20-1006: The applicant seeks approval of a Variance to allow an 11-foot side yard, where 15 feet is the minimum required, for the purpose of constructing a 550 square-foot addition to the front of an existing single-family residence on a parcel of substandard average width. The subject property is located at 2391 Tice Valley Boulevard, in an unincorporated area of Walnut Creek. (Zoning: R-20 Single-Family Residential) (APN: 188-142-007) AV Staff Report

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, AUGUST 3, 2020.

~ CANCELLED ~

RECEIVED

COUNTY PLANNING COMMISSION
CONTRA COSTA COUNTY
WEDNESDAY, JULY 22, 2020
30 MUIR ROAD, MARTINEZ, CA 94553

JUL - 9 2020

BY: _____

CHAIR: Rand Swenson
VICE-CHAIR: Kevin Van Buskirk
COMMISSIONERS: Jeffrey Wright, Donna Allen, Bhupen Amin, Bob Mankin, Ross Hillesheim

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**** 6:30 P.M. ****

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2. STAFF REPORT:
3. COMMISSIONERS' COMMENTS:
4. COMMUNICATIONS:

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE ON WEDNESDAY, AUGUST 12, 2020.