REGULAR MEETING OF THE
CITY OF CONCORD
ZONING ADMINISTRATOR

9:00 a.m., Wednesday, June 12, 2019
CITY COUNCIL CHAMBER
1950 Parkside Drive, Concord

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. Nation’s Minor Subdivision Extension (PL19086 – PM) – Application for a one year extension on the approval of a two-lot Minor Subdivision on a 3.27 acre parcel, to subdivide an existing parcel with one restaurant building and a hotel building at 4600 Clayton Road, originally approved June 14, 2017 (PL160434-PM). The General Plan designation is Commercial Mixed Use; Zoning Classification is CMX (Commercial Mixed Use); APN 133-170-065. CEQA: Categorically exempt under CEQA Guidelines Section 15315 “Minor Land Divisions”. Project Planner: Jessica Gonzalez @ (925) 603-5821

ADJOURNMENT

Next Regularly Scheduled Zoning Administrator Meeting: June 26, 2019

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.
AGENDA ITEM NO. 1

REPORT TO ZONING ADMINISTRATOR

DATE: June 12, 2019

SUBJECT: TIME EXTENSION OF THE APPROVAL OF A MINOR SUBDIVISION AT 4600 CLAYTON ROAD (PL19086-PM)

Recommendation: Adopt Zoning Order No. 19-06 ZA approving a one-year extension of the approval of the Nations Minor Subdivision (PL19086-PM).

I. Introduction

A. Application Request

Application for a one-year extension of the approval of a two-lot Minor Subdivision of a 3.27-acre site.

B. Location

The site is located at 4600 Clayton Road; APN 133-170-065.

C. Applicant

Nations Foodservice, Inc.
11090 San Pablo Avenue
El Cerrito, CA 94530
Business Phone: (510) 237-1952

Owner

Ramesh Pitamber
9249 Sierra College Boulevard
Roseville, CA 95661
Business Phone: (916) 786-9223
II. **Background**

On June 14, 2017, the Zoning Administrator adopted Zoning Order No. 17-02 ZA approving the Nations Minor Subdivision, subject to conditions of approval. The approval and permit (PL160434) are valid through June 14, 2019, by which time a Parcel Map for the subdivision was to be filed for recordation. A Parcel Map will not be filed for recordation prior to the Zoning Administrator’s approval expiring on June 14, 2019. An extension of up to six years of the original approval can be requested pursuant to Section 17.10.100(a)1 of the Concord Municipal Code (CMC).

On May 20, 2019, a formal application was filed to extend the approval for an additional year. Section 17.10.100(a)1 of the Subdivision Code describing Map Extensions was explained to the applicant and they are requesting only one year of extension. Staff also explained that as part of the review for extension, the review authority may impose new or revise existing conditions. The application was deemed complete on June 6, 2019. If granted, the extension will keep the tentative parcel map (Exhibit B) previously approved, valid through June 14, 2020. The applicant expects to submit the Parcel Map for recordation approval in the next year, and is requesting additional time to work through executing a Purchase and Sale Agreement in addition to completing the Conditions of Approval.

III. **Discussion**

Staff supports the extension and finds it necessary to allow the applicant the additional time required to address Conditions of Approval including the requirement for a new Code compliant trash enclosure meeting the requirements under the Solid Waste/Recycling Section of the Conditions of Approval (COA 9-13). The applicant has submitted the draft trash enclosure drawings to demonstrate their progress in trying to comply with the Conditions of Approval (Exhibit E). 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 Concord Mixed-Use (CMX) zoning district. The findings under Zoning Order No. 17-02 ZA, 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 June 2017, 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\(^1\) Status**

\(^1\) 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”).
The City of Concord originally approved the project on June 14, 2017. That approval included a determination that the project was classified as Categorically 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. Furthermore, 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 two 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. 19-06 ZA (Exhibit D) approving a one-year extension of the approval of the Nations Minor Subdivision ((PL19086-PM), subject to the conditions of approval, attached (Attachment A) to Zoning Order No. 19-06 ZA.

Prepared by:

[Signature]

Jessica Gonzalez, Assistant Planner  
(925) 603-5821  
Jessica.gonzalez@cityofconcord.org

Exhibits:

A – Applicant’s request for extension, date stamp received May 20, 2019  
B – Approved project plans, prepared January 2, 2017  
C – Zoning Administrator Order No. 17-02 ZA  
D – Zoning Administrator Order No. 19-06 ZA and Draft Conditions (Attachment A)  
E – Draft trash enclosure drawings, date stamp received May 20, 2019
May 16, 2019

City of Concord
Planning Division
1950 Parkside Drive
Concord, CA 94519-2578

Re: Project Name: Nation’s Minor Subdivision – PL160434-PM
Applicant/Owner: Nation’s Foodservice, Inc. / Ramesh Pitamber
Request for Application Extension

City of Concord Zoning Administrator,

Applicant (Nation’s) respectfully requests an extension to the approved minor subdivision application. Nation’s is pursuing the purchase of its restaurant property from the current owner, Ramesh Pitamber, having exercised a purchase option provision contained in its lease. The intended purchase is the basis of the subject minor subdivision application. The primary motivation for Nation’s in seeking to subdivide and (ultimately purchase) the property is to secure a long-term ownership interest in the restaurant property in order to move forward with major improvements to the premises.

Unfortunately the process of negotiating and reaching a Purchase and Sale Agreement has proven to be a much more lengthy process than anticipated. Management of a large hotel portfolio and frequent/lengthy out of country trips has limited Mr. Pitamber’s availability to meet and negotiate with Nation’s. Further complicating and prolonging the Purchase and Sale Agreement negotiations has been the disclosure that the property was at one time a gas station with underground storage tanks thus requiring additional environmental and legal consultation and negotiations to address any current or future environmental responsibility.

Having worked through the majority of the above issues, we are confident a Purchase and Sale Agreement will be reached in the near future and have moved forward with addressing some of the COAs by retaining an architect to develop engineered plans for the upgraded trash enclosure. These plans have been completed (see attached). However, we need additional time to finalize the Purchase Agreement and thereafter complete the COAs. Accordingly, we request a twelve (12) month application extension.

As noted above, once we have a fully executed Purchase and Sale Agreement, in addition to finalizing the COAs, Nation’s will move forward with architectural plans for a major building remodel in order to enhance the property and facility.

Respectfully submitted,

Joanne Wilson
Director of Real Estate
4800 CLAYTON ROAD, CONCORD, CA
OVERALL BOUNDARY
FILE JANUARY 26, 1888, MAP BOOK D, PAGE 76, CONTRA COSTA COUNTY RECORDS
CITY OF CONCORD, CONTRA COSTA COUNTY, CALIFORNIA

SCALE 1 INCH = 100 FEET

MELODY DRIVE (60' wide)

WHARTON WAY (width varies)

CLAYTON ROAD (width varies)

CLAYTON ROAD (width varies)
TENTATIVE PARCEL MAP NO.
BEING PORTIONS OF LOTS 13 AND 14, MAP OF JOHNSON TRACT,
FILE JANUARY 26, 1888, MAP BOOK D, PAGE 76, CONTRA COSTA COUNTY RECORDS

CITY OF CONCORD, CONTRA COSTA COUNTY, CALIFORNIA.

MELODY DRIVE (50' WIDE)

WHARTON WAY (width varies)

CLAYTON ROAD (50' wide)

TE P T N T A T T E P R A C E L M A P N O.
ZA ORDER NO. 17-02 ZA
OFFICE OF THE ZONING ADMINISTRATOR
CITY OF CONCORD
APPROVING A MINOR SUBDIVISION (PL160434-PM)
Applicant/Owner: Nation’s Foodservice, Inc. /Ramesh Pitamber
Project Name: Nation’s Minor Subdivision

WHEREAS, on October 21, 2016, Nation’s Foodservice Inc. (“Applicant”) submitted an application to subdivide a 3.27-acre site with existing commercial buildings into two lots at 4600 Clayton Road, APN 133-170-065; and

WHEREAS, on March 17, 2017, the application was deemed complete; and

WHEREAS, the Zoning Administrator, after giving all public notices required by State law and the Concord Municipal Code, held a duly noticed public hearing on June 14, 2017, on the proposed parcel map; and

WHEREAS, at such public hearing, the Zoning Administrator considered all oral and written information, testimony, and comments received during the public review process, including information received at the public hearing, the oral report from City staff, and the written report from City staff dated June 14, 2017, application materials, and exhibits presented; and

NOW, THEREFORE, BE IT RESOLVED that the Zoning Administrator does hereby approve the Nation’s Minor Subdivision (PL160434-PM) subject to the attached Conditions of Approval referenced in Attachment A, based on the following findings.

1. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended; the project is classified as Categorically Exempt per Section 15315, “Minor Land Divisions”, and therefore, no further environmental review is required.

2. The proposed tentative parcel map, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, the Zoning Ordinance, and other applicable provisions of the Municipal Code in that:

   a) each of the proposed lots will have a floor area ratio less than 1.0 as allowed by the Commercial Mixed Use designation of the General Plan;
b) existing restaurant and hotel use of the properties are consistent with the General Plan land use designation;

c) the proposed lots comply with the CMX zoning standards for lot area, lot width and depth; and;

d) the existing restaurant and hotel comply with CMX development standards for setbacks, lot coverage, and building height.

Based on the above findings, on Wednesday, June 14, 2017, the Zoning Administrator approves said application subject to the attached Conditions of Approval, referenced as Attachment “A”.

Michael P. Cass
Zoning Administrator

Attachment “A” – Final Conditions of Approval
ZA ORDER NO. 19-06 ZA

OFFICE OF THE ZONING ADMINISTRATOR
CITY OF CONCORD
APPROVING TIME EXTENSION OF A MINOR SUBDIVISION (PL19086-PM)
Applicant/Owner: Nation’s Foodservice, Inc. /Ramesh Pitamber
Project Name: Nation’s Minor Subdivision

WHEREAS, on June 14, 2017, the Zoning Administrator adopted Zoning Order No. 17-02ZA, approving the Nation’s two-lot Minor Subdivision on a 3.27 acre-site at 4600 Clayton Road, APN 133-170-065, subject to conditions of approval; and

WHEREAS, the approval is valid through June 14, 2019, unless the parcel 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 May 20, 2019, Nation’s Foodservice Inc., submitted an application to extend the approval of the two-lot minor subdivision for one year through June 14, 2020; and

WHEREAS, on June 6, 2019, 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. 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

Draft ZA Order No. 19-06 ZA 1
environmental review is required.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Administrator does hereby approve the one-year extension of the Nations Minor Subdivision subject to the attached Conditions of Approval referenced in Attachment A, based on the following findings.

1. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the project is classified as Categorically Exempt per Section 15315, “Minor Land Divisions”, and therefore, no further environmental review is required.

2. The proposed tentative parcel map, together with the provisions for its design and improvement, is consistent with the General Plan, the Zoning Ordinance, and other applicable provisions of the Municipal Code in that each of the proposed lots will have a floor area ratio less than 1.0 as allowed by the Commercial Mixed Use designation of the General Plan, and existing restaurant and hotel use of the properties are consistent with the General Plan land use designation.

3. The proposed lots comply with CMX zoning standards.

4. The existing restaurant and hotel comply with CMX development standards for setbacks, lot coverage, and building height.

Based on the above findings, on Wednesday, June 12, 2019, the Zoning Administrator approves said application for a one-year extension subject to the attached Conditions of Approval, referenced as Attachment A.

Michael P. Cass
Zoning Administrator

Attachment A –Draft Conditions of Approval
ATTACHMENT A
DRAFT CONDITIONS OF APPROVAL
NATION’S MINOR SUBDIVISION MAP
PL19086-PM
4600 Clayton Rd
APN: 133-170-065

PERMIT DESCRIPTION

1. These Conditions of Approval apply to and constitute the approval of a Tentative Parcel Map (MS 401-17) consisting of two (2) individual parcels on a 3.27 acres site.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Gross Lot Area</th>
<th>Net Lot Area</th>
<th>Lot Width</th>
<th>Lot Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>14,712 sq. ft.</td>
<td>14,712 sq. ft.</td>
<td>100’</td>
<td>122.34’</td>
</tr>
<tr>
<td>B</td>
<td>127,548 sq. ft.</td>
<td>127,548 sq. ft.</td>
<td>312.88’</td>
<td>262.00’</td>
</tr>
</tbody>
</table>

2. The following Exhibits, date stamped received by the City of Concord, on March 21, 2017, are approved and shall be incorporated as Conditions of Approval.

<table>
<thead>
<tr>
<th>Plan</th>
<th>Date Prepared</th>
<th>Prepared by</th>
<th>Sheet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tentative Parcel Map</td>
<td>1/2/17</td>
<td>Paul O. Webb-Licensed Surveyor</td>
<td>Matchline 1 of 2</td>
</tr>
<tr>
<td>Tentative Parcel Map</td>
<td>1/2/17</td>
<td>Paul O. Webb-Licensed Surveyor</td>
<td>Matchline 2 of 2</td>
</tr>
</tbody>
</table>

GENERAL CONDITIONS

3. 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)

4. The project shall comply with all applicable Federal and State laws and Concord Municipal Code (CMC) requirements. (PLNG, BLDG, ENGR)

5. The Conditions of Approval shall be listed on a plan sheet that is included in the construction plan set, submitted as part of the required improvements in connection with these Conditions of Approval (Building Plans). (PLNG, ENGR)

6. Two annotated copies of the Conditions of Approval specifying how each applicable condition has been satisfied, shall be submitted at the time of submittal of the Parcel Map for recordation. (PLNG, ENGR)
DESIGN REVIEW

7. Subsequent construction and related improvements on Parcel A or Parcel B requires approval of a Design Review application. *(PLNG)*

NOISE

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

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

   Construction on Saturdays may be allowed only upon prior approval by the Building, Engineering, and Planning Divisions. No changes to these construction hours 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)*

SOLID WASTE/RECYCLING

9. Within 30 days of approval, no later than July 14, 2017, the existing trash and debris located behind the existing trash enclosure for Parcel A (Nation’s restaurant) shall be removed and properly disposed. Photographic evidence shall be submitted to the Project Planner. *(PLNG, CE)*

10. Trash bins and refuse shall be stored within approved trash enclosure and the doors shall be closed at all times except when the bins are being emptied. Proof of this satisfied condition for the Parcel A (Nation’s restaurant), acceptable to the City is required prior to the approval of Parcel Map *(NS)*

11. Comply with the provisions of the CMC, Central Contra Costa Sanitary District and the disposal service regarding enclosure design, access requirements, and the number of required individual refuse receptacles based upon waste pickup schedules. Proof of this satisfied condition for the Parcel A (Nation’s restaurant), acceptable to the City is required prior to the approval of Parcel Map. Trash enclosures shall incorporate the following features:
   a. A concrete pad to prevent damage to asphalt paving.
   b. A roof and sanitary sewer cleanout, designed to prevent rainwater from penetrating the interior of the enclosure and preclude trash from being blown outside of the bins.
   c. The cleanout shall connect to a sanitary sewer to prevent contaminated water from entering the storm drain system.
   d. If any cleaning agent or degreaser is used, wash water must be collected and discharged to the sanitary sewer, subject to the approval of the Central Contra Costa Sanitary District. *(CCCSD, ENGR)*

12. Trash enclosures shall incorporate the same architectural treatment, and use the same exterior materials and colors as the main building and shall comply with the Community Design Guidelines, including the following:
a. A roof or trellis.
b. Masonry, steel or heavy timber walls.
c. An interior, poured-in-place curb to prevent damage to the screen walls.
d. Doors with external hinges to prevent damage from the receptacle.
e. Doors of solid metal or with a metal frame with self-closing latch.
f. The height of the enclosure walls and door shall be the same height or higher than the bins within the enclosure. (PLNG)

13. Comply with Provision C.10.a.ii(b) of the Municipal Regional Stormwater Permit, requiring private properties greater than 10,000 ft², that are plumbed directly to the municipal storm drain, to equip all onsite inlets with full trash capture systems. Proof of this satisfied condition for the Parcel A (Nation’s restaurant), acceptable to the City is required prior to the approval of Parcel Map. (CCCSD, ENGR)

SUBDIVISIONS/SITE DEVELOPMENT PLANS

14. The Tentative Parcel Map prepared by Paul O Webb - Licensed Surveyor and date stamped received March 21, 2017 by the Planning Division is not approved for construction. Submit Civil Engineering drawings, prepared by a Registered Civil Engineer to Engineering Services for review and approval prior to issuance of an Encroachment Permit or Grading Permit. (ENGR)

15. 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. (ENGR)

16. Reciprocal access and joint maintenance rights and obligations shall be stipulated in the Road Maintenance Agreement, to be recorded concurrently with the Parcel Map, and identified thereon. (PLNG, ENG)

17. Short-term bicycle parking shall be provided for both of the new Parcels A and B in accordance with Section 18.160.120 of the City of Concord Development Code. Proof of this satisfied condition for both parcels, acceptable to the City, is required prior to the approval of Parcel Map. (PLNG)

AGREEMENTS, FEES, BONDS

18. All fees noted below are the fees currently in effect as of July 1, 2016 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;

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

**Parkland Fee** is adjusted per Section 78-95 of the Concord Municipal Code.
The fees become effective as of the date set forth in Exhibit A of Resolution No. 78-6042, Fees and Charges for Various Municipal Services, as most recently amended and approved by the City Council. Persons interested in how a particular fee is calculated should contact the City Department administering the fee or the Finance Department. (ENGR)

19. Provide a $1,000 cash deposit to the Planning Division to cover Condition Compliance at the time of submittal of Parcel Map for recordation to Engineering Services. Planning staff’s time will be charged to this deposit for work performed to implement the Conditions of Approval, from the time of project approval to occupancy approval. The deposit will be placed in a refundable account and any unused funds will be returned upon completion. If the initial deposit is insufficient to cover actual costs, an additional deposit will be required. (PLNG)

20. Pay a Document Imaging fee to reimburse the City for implementation of the Document Imaging and File Retention programs, prior to recordation of Parcel Map. (PLNG)

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

22. The project is conditioned to require a Parking Agreement to be recorded with the County recorder’s office and provided to the city, per the City’s Parking Ordinance Section 18.160.050 (d). The Agreement will guarantee 14 parking spaces to be maintained and reserved for Parcel A (Nation’s), off-site located on Parcel B (Best Western). The Parking Agreement as approved acceptable by the City of Concord is required prior to review and approval of the Parcel Map. (PLNG)

23. Parcel Map Application:
   a. Pay the Parcel Map review fee at the time of submittal of Parcel Map to Engineering Services for review and recordation. Current fee is estimated to be $3,573.00, plus $283 per lot.
   b. Pay the Parcel Map recordation filing fee prior to consideration by the Approving Authority. The current fee is $2,382.00.
   c. Provide a $500.00 deposit for archiving permanent records prior to approval of the Parcel Map for recordation. Actual fees will be charged following completion of work. (ENGR)

OTHER/MISCELLANEOUS

24. 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)

25. Comply with the requirements of the Contra Costa County Health Department for the abandonment of existing septic tanks or wells. (ENGR) CMC

26. Comply with the requirements of the Contra Costa Fire Protection District. Submit complete sets of plans and specifications to the Fire District for review and approval at:
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)*

27. The applicant shall defend (with counsel approved by City), indemnify and hold harmless the City, any agency or instrumentality thereof, and its/their respective agents, officers, officials, volunteers, and employees from and against any and all administrative and/or legal claims, actions or proceedings to attack, set aside, void, or annul approval of the project, including without limitation, any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"), with the exception of a Challenge arising out of the City’s sole negligence or willful misconduct. The City shall have the right to pre-approve any material decision involved in defending any such Challenge, including settlement, and may (but is not obligated to) participate in the defense of any Challenge. If applicant does not promptly defend any Challenge, City may (but is not obligated to) defend such Challenge as City, in its sole discretion, determines appropriate, all at applicant’s sole cost and expense. The applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney’s fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Developer, City, or awarded to any third party, and shall pay to the City upon demand any Costs incurred by the City. No modification of the project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant’s indemnity obligation. Pursuant to Government Code Section 66474.9, the applicant’s indemnification obligation with respect to any claim, action or proceeding to attack, set aside, void, or annul an approval of City concerning a subdivision (tentative, parcel, or final map application or approval) shall be limited to actions brought within the time period provided for in Government Code Section 66499.37, unless such time period is extended for any reason. The City shall promptly notify applicant of any Challenge, and shall cooperate fully in the defense. *(CA)*

28. The permit and approval shall expire in one-year from the date on which they originally expired 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 June 14, 2019 *(PLNG)*

29. A request for a time extension from the expiration date of June 14, 2020 can be considered if an application with required fee is filed at least 10 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)*