



# CALIFORNIA ENVIRONMENTAL QUALITY ACT Notice of Exemption

To:  Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

From: Contra Costa County  
Department of Conservation and  
Development  
30 Muir Road  
Martinez, CA 94553

County Clerk, County of Contra Costa

**Project Title:** Gas Station Land Use Permit, 261 Bailey Road, Bay Point, CA 94565 #CDLP23-02021

**Project Applicant:** Daniel Vater, 1450 N Benson Ave, Upland, CA 91786 (574) 500-4043

**Project Location:** 261 Bailey Road, Bay Point, CA 94565 (APN: 095-010-018)

**Lead Agency:** Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553

**Contact Person:** Everett Louie, Planner II, 30 Muir Road, Martinez, CA 94553. (925) 655-2873

**Project Description:** A Land Use Permit/Development Plan Combination application for the construction of a new approximately 2,756-square-foot convenience store with new and replacement signage, addition of one gasoline dispenser, continued use of a Type 20-alcoholic sales license and the establishment of take-out food in the new convenience store building. Other work related to the project includes the replacement of six gasoline dispensers, demolishing the existing convenience store building, the installation of approximately 4,709 square feet of new landscaping and providing eleven parking spaces. The project is located at 261 Bailey Road, in the Bay Point area of Contra Costa County.

The project was approved on July 1, 2024, by the County Zoning Administrator.

**Name of Person or Agency Carrying out Project:** Contra Costa County Department of Conservation and Development

**Exempt Status:**

- Ministerial Project (Sec. 21080[b][1]; 15268)
- Categorical Exemption (Sec.15303 (c)3)
- Declared Emergency (Sec. 21080[b][3]; 15269[a])
- General Rule of Applicability (Sec. 15061[b][3])
- Emergency Project (Sec. 21080[b][4]; 15269[b][c])
- Other Statutory Exemption (Sec. )

**Reasons why project is exempt:** The proposed project is exempt from CEQA per Section 15303, Class 3(c) – Small commercial structures in urbanized areas that applies to commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such us, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. The proposed project would construct a new 2,756-square-foot convenience store in an area zoned for commercial use. This is below the threshold of 10,000 square feet. Additionally, a convenience store does not involve the use of significant amounts of hazardous substances and the site is readily serviced by all the public services and facilities including Golden State Water, Delta Diablo and the Contra Costa County Fire Protection District. Therefore, the project qualifies to be exempt under CEQA Section 15303(c).

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: *Everett Louie* Date 7/15/2024 Title: Planner II

**Contra Costa County Department of Conservation and Development**

- Signed by Lead Agency
- Signed by Applicant

**AFFIDAVIT OF FILING AND POSTING**

I declare that on \_\_\_\_\_ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**Applicant**

Name: Daniel Vater  
Address: 1450 N Benson Ave  
Upland, CA 91786  
Phone: (574) 500-4043

**Department of Fish and Wildlife Fees Due**

- De Minimis Finding - \$0
- County Clerk - \$50
- Conservation and Development - \$25

Total Due: \$75.00

Receipt #: \_\_\_\_\_