

ALAMEDA COUNTY BOARD OF SUPERVISORS' TRANSPORTATION/ PLANNING COMMITTEE

Tuesday, February 14, 2017

Supervisor Scott Haggerty, Chair
Supervisor Nate Miley

Location Board of Supervisors Chamber – 5th Floor
County Administration Building
1221 Oak Street, Oakland, CA 94612

Summary/Action Minutes

I. Open for Business Initiative Working Group's Recommended Strategies

[Attachment](#)

Eileen Dalton, Director, and Susan McCue, Manager, Economic & Civic Development Department, Community Development Agency, presented a PowerPoint presentation on the "Open for Business" Initiative Working Group's recommended strategies.

The Open for Business Working Group members consist of County agencies, representatives from District 3 & 4, non-profit agencies, developers and contractors for the purpose of creating more business-friendly opportunities in Alameda County and remove barriers for economic growth.

Recommendations included improvements in customer service, website upgrades and automation systems and streamlined processes.

The Open for Business Working Group will present their recommendations to various community and planning bodies including the Planning Commission.

The Economic & Civic Development Department requested the Transportation and Planning Committee's support to move the recommendations to the full Board of Supervisors in the Spring of 2017.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation**
- Other:

Recommendation from Transportation and Planning Committee: Support. Move to the full Board of Supervisors.

II. Proposed temporary amendments to the Alameda County General Ordinance Code and Specific Plans in order to attain compliance with recent State legislation regarding secondary (accessory dwelling) units – Community Development Agency

[Attachment1](#)
[Attachment2](#)

Christina Horrisberger, Senior Planner, Planning Department, presented memorandum and a PowerPoint presentation on the proposed temporary amendments to the Alameda County General Ordinance Code and Specific Plans, in order to attain compliance with recent State legislation regarding secondary (accessory dwelling) units.

In September 2016, AB 2299 and SB 1069 were signed into law. The combined bills took effect on January 1, 2017, which governs how local agencies regulate accessory dwellings. The new state law is intending to address the shortage of affordable housing by easing restrictions on accessory dwelling units (ADUs).

The Planning Department proposes to implement temporary code amendments in order to comply with State Law and minimize the period during which state law is locally effect. While temporary standards are in place, staff will complete a thorough evaluation of areas that can support ADUs, engage the public identify community needs and develop a proposed standards. The proposed standards will be presented to the public and various bodies in a series of public meetings.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation**
- Other:

Recommendation from the Transportation and Planning Committee: Support. Move to the full Board of Supervisors.

III. 2015 General Plan Annual Report – Community Development Agency

[Attachment](#)

Liz McElligott, Assistant Agency Director, Community Development Agency presented the 2015 General Plan Annual Report.

State law requires that each city and county in California prepare a comprehensive general plan. The County General Plan consists of specific goals, policies and actions pertaining to open space, conservation, safety and noise.

The Community Development Agency requests the Transportation and Planning Committees support to move the item to the full Board of Supervisors and upon approval, submit to the Governor’s Office of Planning and Research and the State Department of Housing and Community Development.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation**
- Other:

Recommendation from the Transportation and Planning Committee: Support. Move to the full Board of Supervisors.

IV. Proposed amendments to the Safety Element of the General Plan to comply with SB 1241 and incorporate the revised 2016 Alameda County Local Hazard Mitigation Plan

[Attachment](#)

Rodrigo Orduña, Assistant Deputy Director, Community Development Agency presented proposed amendments to the Safety Element of the Alameda County General Plan.

State law requires Alameda County to have a General Plan which contains the Safety Element. The Safety Element establishes policies and programs to protect the community from risks associated with seismic, geologic, flood and wildlife hazards.

The proposed amendments are intended to bring the Safety Element into compliance with the California Disaster Assistance Act, Local Hazard Mitigation Plan and Senate Bill 1241.

The Planning Department requests the Transportation & Planning Committee take public testimony and provide comments on proposed amendments and support the proposed amendments be moved to the full Board of Supervisors for adoption.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation**
- Other:

Recommendation from the Transportation and Planning Committee: Support. Move to the full Board of Supervisors.

V. Update on the Local Agency Management Plan (LAMP)

[Attachment](#)

Ron Browder, Director, Environmental Health Department, Health Care Services Agency, presented a PowerPoint presentation to update the Committee on the Local Agency Management Plan (LAMP).

Alameda County submitted draft provisional OWTS LAMP documents (Ordinance, Chapter 15.18 of the County General Code, the LAMP geographical/programmatic document and the Technical Manual) to the State in May 2016. Subsequent to the submittal and the Environmental Health Department conducted extensive community outreach in the summer of 2016 through public meetings and workshops with stakeholders in Districts 1, 2 and 4 including property owners, real estate representatives, consultants and contractors to solicit input on the LAMP documents. Revised draft provisional LAMP documents incorporating stakeholder input were released for a thirty (30) day public review and comment period in August 2016.

Additional community outreach with stakeholders in District 1, 2 and 4 was conducted in the fall of 2016 to discuss comments received during the August 2016 public comment period at public meetings, workshops and the Special Board of Supervisors meeting in Dublin.

Substantial revisions have been made to the April 2016 draft provisional LAMP documents submitted to the State in May 2016 to address stakeholder comments, streamline the documents, reduce duplicate references, add flexibility and reduce punitive measures.

The Environmental Health Department requests to be added to the agenda of the full Board of Supervisors on March 7, 2017 for a presentation of the significant provisions of the final draft LAMP document. In addition the department requests support to submit the revised draft LAMP document by March 31, 2017 in accordance with the timeline set by the Regional Board.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation**
- Other:

Recommendation from the Transportation and Planning Committee: Support. Move to the full Board of Supervisors.

VI. Update on Medical Cannabis Dispensary and Cultivation Ordinances

[Attachment](#)

Liz McElligott, Assistant Agency Director, Community Development Agency presented a memorandum and draft medical cannabis dispensary and cultivation ordinances to the Committee.

At the January 12, 2017 meeting, staff presented a revised draft ordinance that incorporated the public comments that had been received thus far that corrected errors or did not change the substance of the ordinances.

Staff also requested your direction as to how to address several public comments that raised issues that would change the substance of the ordinances. The revised ordinance attached to this memo reflects the direction you provided on these policy issues at your last meeting.

Revisions to the Dispensary Ordinance

Number of Dispensaries

Revised the number of dispensaries to be allowed in the unincorporated county to five dispensaries in total: three (3) in the West County: two existing dispensaries already approved and one proposed at Fairmont Campus or at an alternative location to be determined if the Fairmont option does not proceed; two (2) in the East County, subject to an RFP process

Buffers from Sensitive Uses

Maintain the 1000 foot buffer from sensitive uses in the existing County Code (i.e. does not reduce the buffer to 600 feet as stated in the earlier draft ordinance)

Inventory Limit

Changed the limit on inventory at a dispensary from maximum 20 pounds to maximum 100 pounds

Proposition 47

Deleted the exclusion of individuals with Prop 47 reclassified drug violations from employment/licensure

On-site Ingestion

Changed to allow limited testing of product on site, but only by management as necessary for business operations.

Dispensary Locations

Removed requirement that dispensaries conditionally permitted in the Agricultural district be accessory to a permitted cannabis cultivation operation.

Revisions to the Cultivation Ordinance

Number of Cultivation Sites

Added two potential cultivation sites to the proposed pilot program, for a total of four sites: two (2) permitted dispensaries in good standing will be eligible for pilot cultivation permit. Up to two cultivators may be selected through a solicitation process similar to that being used for dispensaries.

Proposition 47

Deleted the exclusion of individuals with Prop 47 reclassified drug violations from employment/licensure

Buffers from Sensitive Uses

Changed the 600 foot buffer from sensitive uses in the earlier draft ordinance to 1000 feet.

A tentative meeting schedule for the completion of the public process for the approval of the draft dispensary and cultivation ordinances is as follows:

- February 21, 2017 Planning Commission Meeting
- February 22, 2017 Unincorporated Services Committee
- February 27, 2017 Castro Valley Municipal Advisory Committee
- March 6, 2017 Transportation/Planning Committee
- March 14, 2017 Board of Supervisors - First Reading
- March 28, 2017 Board of Supervisors - Second Reading

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation**
- Other:

Recommendation from the Transportation and Planning Committee: Support. Move to the full Board of Supervisors.

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