

**MINUTES OF MEETING
ALAMEDA COUNTY PLANNING COMMISSION
JANUARY 20, 2009
(Approved March 2, 2009)**

FIELD TRIP: *Cancelled*

1. **GENERAL PLAN CONFORMANCE, PLN2009-00003** ~ To consider a determination of General Plan Conformance request by East Bay Regional Park District under Government Code Section 65402 for proposed property acquisition of Measure D Island, identified by County Assessor's Parcel Number 084D-1400-002-06, located west of Lake Chabot, Castro Valley area of unincorporated Alameda County. **Staff Planner: Dominic Farinha**

REGULAR MEETING: 1:30 p.m.

MEMBERS PRESENT: Commissioners Ken Carbone, Chair; Frank Imhof; Mike Jacob, Vice-Chair; Glenn Kirby; Kathie Ready and Richard Rhodes.

MEMBERS EXCUSED: Commissioner Alane Loisel.

OTHERS PRESENT: Albert Lopez, Planning Director; McElligott, Liz, Assistant Planning Director; Rodrigo Orduña, Senior Planner; Angela Robinson-Piñon, Planner II; Michelle Starratt, Housing Community Development; Brian Washington, County Counsel's Office; Nilma Singh, Recording Secretary.

There were two people in the audience.

CALL TO ORDER: The Chair called the meeting to order at 1:30 p.m.

ANNOUNCEMENTS BY THE CHAIR: *None*

OPEN FORUM: Open forum is provided for any members of the public wishing to speak on an item not listed on the agenda. Each speaker is limited to three (3) minutes. *No one requested to be heard under open forum.*

CONSENT CALENDAR:

1. **APPROVAL OF COMMISSION MINUTES** – *Commissioner Kirby made the motion to approve the January 5th Minutes as submitted and Commissioner Ready seconded. Commissioner Jacob pointed out that the Field Trip does not reflect the absence of staff and suggested the Commission make an announcement at the beginning of the hearing on the Field Trip attendance. Motion carried unanimously, 5/0, with Commissioners Loisel and Imhof excused.*

REGULAR CALENDAR:

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Ms. McElligott presented the staff report. No public testimony was submitted. *Commissioner Kirby made the motion to move staff recommendation for the General Plan Conformance and Commissioner Rhodes seconded. Motion carried 5/0 with Commissioners Loisel and Imhof excused.*

Commissioner Imhof arrived.

2. **2009 HOUSING ELEMENT UPDATE** ~ Creation of a Housing Element Sub-committee and review of the proposed schedule and work plan for the required periodic up-date of the County's existing Housing Element of the General Plan to address the changing housing needs of the unincorporated areas of Alameda County. **Staff Planner: Angela Robinson-Piñon**

Mr. Lopez noted that the Planning Department is pairing with Housing Community Development staff to work on the Housing Element and staff is recommending the creation of a Commission Subcommittee to oversee the review.

Ms. Robinson-Piñon, with a PowerPoint presentation, gave an overview and discussed the Analysis of Constraints to Production, Conservation, and Preservation of Housing; Inventory of sites to accommodate housing; Policies and Programs; Goals and Strategies of the existing Housing Element, the proposed project schedule, and staff contact information. In addition, Ms. Starratt discussed the needs assessment, Regional Housing Needs Association (RHNA), 2008 median income; and the changes in the Housing Element law. Mr. Lopez further discussed the proposed role of the Commission and the timeline.

Commissioner Carbone expressed his previous concern of where these numbers were obtained from, and the comparisons and identification of commercial sites to meet these numbers. Mr. Lopez replied that these numbers are provided to ABAG by the State Department of Finance. And Ms. Starratt added that at the last update, much of East County had been unavailable through Measure D. This review is a regional assessment and based on the push for transit oriented development, most cities with BART and BART stations, i.e. Oakland and Dublin, have higher numbers resulting in lower numbers for the County. All sites identified previously will be looked at first. A discussion ensued regarding availability of infrastructure to support the identified sites; distribution of numbers, annexation issues; staff to attend the Subcommittee meetings; a separate Emergency Shelter Mandate as a permitted use; the availability of the Caltrans 238 property; the livability issue; and the certification schedule. Commissioner Ready requested clarification on the Analysis of

Constraints: "...governmental constraints on the maintenance, development and rehabilitation of housing." (page 3) adding that since she still has concerns, she would like to be on the subcommittee. Commissioner Jacob asked if this will coordinate with the Draft General Plan process. Mr. Lopez replied yes. The Chair felt that it would be appropriate to extend an invitation to the CVMAC members and Commissioner Ready suggested including San Lorenzo and Cherryland Home Associations. Commissioner Kirby recommended one representative from each and requested to be on the Subcommittee. In response to Commissioner Jacob regarding CEQA timeline, Ms. Robinson-Piñon indicated that staff's expectation is that the Initial Study will result in a Negative Declaration based on the use of the existing parcels and Mr. Lopez added that June 30th is a set deadline. Commissioner Kirby suggested perhaps completing the site inventory by April and the CEQA meeting combined with a Commission meeting to provide additional flexibility within the timeframe. Further discussions followed regarding the timeline; creation of a subcommittee or having the Commission as a Whole Subcommittee; and notification process of Subcommittee meetings. Mr. Washington advised that a Subcommittee of four or more Commissioners will require noticing as a regular Commission meeting. Mr. Lopez thought that the Subcommittee could consist of Commissioners only and the community representatives be invitees only. *The Chair nominated himself as the Chair of the Committee as a Whole and Commissioner Ready seconded. Motion carried unanimously.*

3. **PROPOSED ZONING ORDINANCE AMENDMENTS RELATING TO TENTS & CANOPIES** ~ Further consideration and recommendation of amendments to the Alameda County Zoning Ordinance to establish standards that ensure that tents and canopies in all zoning districts in unincorporated West County areas are maintained in good conditions and do not contribute to neighborhood blight. **Staff Planner: Rodrigo Orduña**

Mr. Lopez noted that this amendment is only applicable to the West County and Mr. Orduña presented the staff report. Commissioner Ready expressed concerns regarding the six-month amortization period. Mr. Washington explained that the case law governing changes provides an amortization period to phase out a use and the shortest is a one-year period as previously recommended. The findings can support a six-month period and he would not recommend anything shorter. Commissioner Kirby recommended adding language to reflect that an application to allow tents and canopies in a commercial area be required within 60 days of the approval of the Ordinance to show intent/justification. Commissioner Rhodes requested clarification on Section 17.52.1150 Site Development Review Standards #9. A discussion ensued regarding amplified noise. Commissioner Jacob recommended more specificity such as the origin of the music. *Commissioner Ready made the motion to move staff recommendation, modification to #9 under Section 17.52.1150, and inclusion of language to reflect that a discretionary permit application is required for tents and canopies in commercial zones within 60 days of the amortization period. Commissioner Imhof seconded. Motion carried unanimously, 6/0.*

STAFF COMMENTS & CORRESPONDENCE: Mr. Lopez announced that staff is working on a Mixed-Use presentation, perhaps a study session, at the next meeting.

CHAIRS REPORT: *None*

COMMISSION ANNOUNCEMENT, COMMENTS AND REPORTS: Commissioner Kirby reported that he had attended a RTA public hearing in San Leandro last Thursday, January 16th, regarding active transportation campaign. Rails to Trails Conservancy is the lead agency. Details can be obtained from their website, www.railstotrails.org.

ADJOURNMENT: *There being no further business, Commissioner Kirby moved to adjourn the meeting at 2:50 p.m. Commissioner Ready seconded the motion. The motion was carried 6/0.*

ALBERT LOPEZ, SECRETARY
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY