

**MINUTES OF MEETING
ALAMEDA COUNTY PLANNING COMMISSION
NOVEMBER 3, 2008
(Approved December 1, 2008)**

FIELD TRIP: *Cancelled*

REGULAR MEETING: 6:00 p.m.

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

MEMBERS ABSENT: Commissioners Alane Loisel

OTHERS PRESENT: Liz McElligott, Assistant Planning Director; Rodrigo Orduña, Senior Planner; Brian Washington, County Counsel's Office; Nilma Singh, Recording Secretary.

There were six people in the audience.

CALL TO ORDER: The Chair called the meeting to order at 6:00 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** ~ October 6, 2008. *Commissioner Ready made the motion to approve the October 6th Minutes as submitted and Commissioner Kirby seconded. Motion carried unanimously, 6/0 with Commissioner Loisel absent.*

REGULAR CALENDAR:

1. **GENERAL PLAN CONFORMANCE, GPC-08-05 - PROPOSED DISPOSAL OF A PARCEL BY EAST BAY MUNICIPAL UTILITY DISTRICT** ~ To consider the request of the East Bay Municipal Utility District for a General Plan Conformance Report under Government Section 65402 for the proposed disposal of a 2.67 acre surplus parcel located west of Lake Chabot and approximately 3,000 feet north of Fairmont Drive, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 084D-1400-002-06.

Staff Planner: Dominic Farinha

Ms. McElligott presented the staff report. Commissioner Kirby discussed possible future uses of this parcel as it is surrounded by Park District lands but does not have an access. The sale also gives the parcel entitlement to the uses allowed in this zoning district. Staff replied that the parcel is not a legal building site and she was not aware of any private party interest or any correspondence between EBMUD and the Park District. County Counsel confirmed that the Commission action will not grant an entitlement.

Public testimony was called for. Jane Wardzinska, 14856 Saturn Drive, San Leandro, requested clarification on the location of the parcel and stated her preference of the parcel being included in the surrounding park areas.

Public testimony was closed. *Commissioner Jacob made the motion to move staff recommendation and Commissioner Ready seconded. Motion carried unanimously, 6/0, with Commissioner Loisel absent.*

2. **PROPOSED ZONING ORDINANCE AMENDMENTS RELATING TO TENTS & CANOPIES** ~ To consider amendments of Chapters 17.04 and 17.52 of Title 17 of the Alameda County Zoning Ordinance. **Staff Planner: Rodrigo Orduña**

Mr. Orduña presented the staff report and announced that corrected copies of the first page that had two typos have been distributed to the Commission and the public. Commissioner Ready asked if this ordinance would apply to either the larger agricultural/winery areas, the residential areas, or both in the East County. Staff pointed out Sections 17.52.1120 and 1130 adding that it will be regulated in all areas.

Public testimony was called for. Steve Powell, 5143 Tesla Road, stated that although his business, along with other similar winery businesses, will be substantially impacted by this amendment, he has been unable to prepare a response because of the short notice. He had been unaware of this meeting until last week. As such, he requested a month's continuance to prepare a formal presentation with the support of other such businesses. Currently, such structures are regulated. The Chair asked for the number of wineries he was representing. Mr. Powell replied that although he was part of the Livermore Valley Winegrowers Association, he was not officially representing them but speaking for himself.

Public testimony was closed. Commissioner Ready pointed out that a lot of work/discussion has already been put in this, specifically for the West County, and expressed concern with further delays. She further agreed that Mr. Powell's concerns are valid. Commissioner Imhof noted that they were two different issues--East and West. Commissioner Kirby added that the intent for the West County is to prevent a visual nuisance and stated his support for ACUP for longer uses. Commissioner Jacob said that he supported moving forward for the residential areas. Commissioner Rhodes expressed concern with combining agricultural uses with other commercial uses and suggested perhaps a 'three-way split'. A discussion ensued regarding different uses; duration of uses, temporary and permanent structures; and a need for distinction. The Chair asked if

complaints had been received for the winery areas. Staff replied yes. Commissioner Ready said she would support a tighter regulation for the residential areas. *Commissioner Jacob agreed and made a motion for a month's continuance.*

Mr. Powell requested that the East County discussion be moved to early next year as he will be out of the country in December. The Commission advised him to submit his written materials to staff in December to initiate the dialogue. *Commissioner Jacob amended his motion to reflect that the Commission will act on the ordinance relating to the residential areas only and the East County to the beginning of 2009. Commissioner Kirby seconded. Motion carried unanimously, 6/0 with Commissioner Loisel absent.*

STAFF COMMENTS & CORRESPONDENCE: Mr. Orduña announced that staff has received a request for Commission contact information. The Commission opted for County emails. Commissioner Kirby suggested the option of voicemails that could be attached to emails. Staff will look into these suggestions.

Mr. Orduña also announced that the Planning Director is on paternity leave -- he had a family addition, a baby daughter.

CHAIRS REPORT: The Chair requested copies of the Greenbelt Alliance booklet for the Commission.

COMMISSION ANNOUNCEMENT, COMMENTS AND REPORTS: Commissioner Jacob announced that there will be a Green Building Committee next month, after the next meeting in November. He had attended the CCPCA conference last month with Commissioner Imhof and has materials for any interested Commissioner.

Commissioner Ready asked for an up-date on the APA membership for the Commissioners.

The Chair requested a discussion on the definition mixed-uses, adding the need for a clarification of what combinations of uses are considered mixed-use, and the need to maintain commercial uses along the corridors, while allowing for some flexibility.

ADJOURNMENT: There being no further business, Commissioner Kirby moved to adjourn the meeting at 7:00 p.m. Commissioner Ready seconded the motion. The motion was carried 6/0.

ALBERT LOPEZ, SECRETARY
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY