

**CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL**

**Minutes for October 25, 2010**

(Approved as submitted November 8, 2010)

**A. CALL TO ORDER:** The Chair called the meeting to order at 6:06 p.m. Council members present: Cheryl Miraglia, Chair. Dave Sadoff, Vice Chair, Dean Nielsen, John Ryzanych, Jeff Moore and Marc Crawford. Council members excused: Sheila Cunha. Staff present: Sonia Urzua, Bob Swanson and Maria Elena Marquez. There were approximately 15 people in the audience.

**B. Approval of Minutes of October 11, 2010**

Council member Nielsen moved to approve the minutes of October 11, 2010 as submitted. Council member Ryzanych seconded. Motion carried 4/2/1 with Council members Moore and Miraglia abstaining and Council member Cunha excused.

**C. PUBLIC ANNOUNCEMENTS / Open Forum**

**D. Consent Calendar –**

**Council member Moore made a motion to approve the consent calendar. Council member Ryzanych seconded. Motion carried 6/0/1 with Council member Cunha excused.**

**E. Regular Calendar**

**1. CONDITIONAL USE PERMIT, PLN2009-00173 – CASTRO VALLEY PARENT NURSERY SCHOOL -** Application to allow continued operation of a nursery school and increase the number of children from 26 to 28 children in each two sessions per day for five days a week in a R-1-CSU-RV (Single Family Residence, Conditional Secondary unit is permitted, Recreational vehicle parking is permitted) District, located at 3657 Christensen Lane, Castro Valley, ten feet south-west of Almond Road, Castro Valley Area of unincorporated Alameda County, bearing Assessor's Parcel Number 084B-0531-006-00. **Staff Planner: Shahreen Basunia**

**Council member Moore made a motion to move Conditional Use Permit, PLN2009-00173 Castro Valley Parent Nursery School to the Consent Calendar. Council member Nielsen seconded. Motion passed 6/0/1 with Council member Cunha excused.**

**2. SIGN REVIEW, PLN 2010-00148/NUNES CALIFORNIA PROPERTIES LLC/LENZORA SIGN SERVICE - SMITH -** Application to allow new signage (Dunn-Edwards Paints). The property is zoned Sub Area 7 (Intensive Retail Core) within the Castro Valley Central Business District Specific Plan and is located at 20923 Redwood Road, east side, 250 feet south of Castro Valley Boulevard, in the unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 084A-0064-026-02. **Staff Planner: Christine Greene.**

Ms. Urzua summarized the staff report. Staff has reviewed the application and recommends approval with the modification that both signs should be channel letters.

Diane Lenzora, representing the applicant, expressed her preference for the sign as submitted.

Council member Crawford asked Ms. Lenzora about the use of the box sign and visibility considerations.

Public testimony was opened. No public testimony was received.

Council member Miraglia supported the sign proposal as submitted.

Council members Moore, Nielsen and Ryzanych concurred.

**Council member Crawford made a motion to approve Sign Review, PLN2010-00148 Nunes California Properties LLC/Lenzora Sign Service/Smith with staff considerations, but allowing the applicant to install the logo box sign on the Redwood Rd. side of the building. Council member Nielsen seconded. Motion passed 6/1/0 with Council member Cunha excused.**

**3. PROPOSED NEW CLIMATE ACTION PLAN FOR UNINCORPORATED AREAS OF ALAMEDA COUNTY** ~ An overview of the draft climate action plan on how to reduce greenhouse gas emissions from community activities in line with local and regional targets. **Staff Planner: Bruce Jensen**

Mr. Jensen summarized the staff report. He discussed the public hearing process related to this matter. He also described how the draft was subsequently revised.

Public testimony was opened.

Dan Briggs, Castro Valley resident, spoke in opposition of the proposed draft.

Ross Bausone, resident at 4121 David Street, concurred with the previous speaker.

Public testimony was closed.

A discussion ensued about the various proposed strategies and measures.

Public testimony was re-opened.

Cliff Sherwood expressed concerns regarding various strategies and measures, including: T-13, L-4, L-5, and E-11. He opined that overall, the plan was aimed at larger, urban development, not small, suburban development.

Public testimony was closed.

Council members continued to discuss their concerns and objections to numerous strategies and measures contained in the proposed document. The attached resolution summarizes the action taken by the Council. **Approval of the resolution was moved by Council member Crawford, and seconded by Council Member Nielsen. Motion passed 6/0/1 with Council member Cunha excused.**

**THE CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL  
CASTRO VALLEY, CALIFORNIA**

**AT MEETING HELD OCTOBER 25, 2010**

**Introduced by Council Member Crawford  
Seconded by Council Member Nielsen**

**WHEREAS** the Castro Valley Municipal Advisory Council did consider the adoption of the Alameda County Community Climate Action Plan; and

**WHEREAS** this Council did hold a public hearing on said proposed plan at the hour of 6:00 pm on Monday, April 12, 2010, and at the hour of 6:00 pm on Monday, October 25, 2010; at the Castro Valley Library, 3600 Norbridge Avenue, Castro Valley, California; and

**WHEREAS** the Castro Valley Municipal Advisory Council acknowledges the County's responsibility and commitment to comply with State Greenhouse Gas reduction efforts; and

**WHEREAS** a stated intent of the Alameda County Community Climate Action Plan is to "inspire citizens in community efforts to reduce GHG emissions"; and

**WHEREAS** the citizenry has made its concerns known to the Castro Valley Municipal Advisory Council and to staff which largely center around the fact that many components of even the revised plan are far beyond "inspirational" and border on economically oppressive or punitive through mandated requirements and ordinance changes; and

**WHEREAS** the Castro Valley Municipal Advisory Council appreciates the staff effort that has gone into the Alameda County Community Climate Action Plan draft to date, it also believes that the final determination on the Alameda County Community Climate Action Plan should be a reflection of the reasonable demands of the citizenry which may not be the same as the opinion of staff or consultants; and

**WHEREAS** staff has acknowledged that the calculations for Greenhouse Gas is at best an inexact science and contains much guesswork; and

**WHEREAS** the Castro Valley Municipal Advisory Council believes that it would be best to begin with a plan that truly inspires through incentives and education versus requirements and ordinances,

**NOW THEREFORE**

**BE IT RESOLVED** that this Council does hereby recommend approval of the draft Alameda County Community Climate Action Plan only with ALL of the following critical changes:

**Walking and Bicycling**

*T-3 page 17*

- a) Delete Implementation Action C OR Have the action be implementation of an optional incentive for new developments that provide such facilities. Delete or substantially reduce Performance Indicator ii accordingly.
- b) Make Table 2.3 Minimum Bicycle Recommendations, not Requirements. Add Implementation Action to address (none currently exists): Adopt minimum bicycle parking recommendations for new development

**Parking Management**

*T-14, page 28*

Implementation Action B, add "only when such reductions will not negatively impact surrounding neighborhoods."

Additionally, develop language which address minimum level parking as outlined on page 13 of the staff report.

### **Smart Growth**

*L-1, page 33*

Change wording from “Direct” to “Encourage”

Change the Low Carbon Development Program from a punitive, oppressive mechanism to a positive incentive program

- Under “Measure Description:” paragraph 1 remove “The County will develop and implement a Low-Carbon Development Program that will require residential projects developed following the institution of this program to achieve an annual per household vehicle emissions target or pay a development impact fee if they exceed the target.
- Under “Measure Description:” remove paragraph 4

Change Implementation Action A to “Offer incentives for new residential development in areas that will generate lower levels of vehicle related GHG emissions.”

*L-2, page 34*

Insert the word “new” in ii before the term TOD

### **Transit Oriented Development**

*L-3, page 35*

Delete Implementation Action B entirely OR add “only in areas where there is a demonstrated abundance of on-street parking available.”

*L-4, page 36*

Change wording from mandatory to voluntary participation.

### **Community Energy**

*E-1, page 43*

Change Implementation Action C from “Adopt an ordinance that requires” to “Develop an incentive program that rewards”

- Delete from par. 2 “The County will also require smart grid-compatible major appliances (e.g., heating, ventilation, air conditioning) in new construction when technologies are available.”

*E-4, page 46*

First sentence, fourth paragraph - Change to “ A number of options are available to the property owner, including voluntarily participating in a County Wide program where homes could obtain an energy audit by a certified audit specialist at the point of sale who could calculate the estimated energy efficiency improvement cost.”

Make whatever other language changes are necessary to insure that it is clear that the measure is implemented as a voluntary program.

*E-6, page 48*

Delete Implementation Action C

### **Energy Performance in New Construction**

*E-8, page 50*

Change Implementation Action A to “Make the County’s GBO comply with 2010 State Cal Green.”

*E-10, page 52*

Change Implementation Action A from “Adopt an ordinance that requires” to “Implement an Incentive Program that rewards”

*E-11, page 53*

Change Implementation Action A from “Amend the Zoning Code to require” to “Implement an Incentive Program that rewards new development where”

*E-12, page 54*

Delete water meters from Implementation Action A AND strike the words “majorly renovated”.

**Optional Measures page 59-60**

Delete both RECO and CECO from plan as optional measures.

**Water Conservation – Building and Landscape Efficiency**

*WT-1, page 63*

Delete Implementation Action C.

*WT-2, page 64*

Implementation Action A: Redefine “Major Landscape Projects” so as not to include single family dwellings.

Add Implementation Action B: “Develop incentive program for single family dwellings to reduce potable water use for landscape.....604.2 of the CGBC”

**Waste Reduction and Diversion**

*WS-2, page 70*

Change WS-2 to “Strengthen the Construction and Demolition Debris Management Ordinance to require 100% of all designated project related construction and demolition concrete and asphalt debris and 50% of all other debris to be recycled or reused by 2015.”

Change Implementation Action A to reflect above.

*WS-3 page 71*

Change Implementation Action B from “Adopt an ordinance that prohibits” to “Work with StopWaste.org in implementing a program that encourages the separation of.....”

**Community Gardens and Urban Agriculture**

*G-3, page 77*

Change Implementation Action C to “Work with EBMUD, EBRPD, and HARD to develop community gardens where practical as well as necessary infrastructure and management policies for same.”

**ADOPTED BY THE FOLLOWING VOTE:**

AYES	Miraglia, Crawford, Neilsen, Moore, Sadoff, Ryzanych
NOES	None
ABSENT:	Cunha
EXCUSED:	None
ABSTAINED:	None

**F. Chair’s Report**

Council member Miraglia provided an update on the abatement of the blighted Caltrans property on A Street. She also informed the Council that the Castro Valley sign matter would be heard at the November 15, General Purpose MAC meeting. An online survey will be made available in order to receive feedback. No action will be taken at this meeting.

**G. Committee Reports**

- **Eden Area Alcohol Policy Committee. None**
- **Redevelopment Citizens Advisory Committee**

Council member Nielsen provided an update to the Daugherty building project and the Castro Valley Boulevard Streetscape project. Member Miraglia raised a question she read in The Forum about contaminated ground water related to the Daugherty building.

- **Ordinance Review Committee. None.**
- **Eden Area Livability Initiative. None.**

**H. Staff Announcements, Comments and Reports**

Ms. Urzua announced that the Castro Valley General Plan work session will be held on November 1<sup>st</sup> starting at 4 p.m. as per the agenda mailed last Friday.

**I. Council Announcements, comments and Reports**

**J. Adjourn**

The meeting was adjourned at 8:16 p.m.

**Next Hearing Date: Monday, November 8, 2010**