

RESOLUTION NO. 2009-5

RESOLUTION OF THE EAST COUNTY REGIONAL PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, INCORPORATING FINDINGS AND RECOMMENDATIONS OF THE HERITAGE TREE NOMINATION BY THE KNIGHTSEN TOWN ADVISORY COUNCIL (APPLICANT), CONTRA COSTA COUNTY AND HUGUETTE BARTELS (OWNERS) COUNTY FILE #HT080001 IN THE KNIGHTSEN AREA OF SAID COUNTY.

WHEREAS, a request by the Knightsen Town Advisory Council to nominate one 84-inch (in diameter) Eucalyptus tree was received by the Department of Conservation & Development on June 30, 2008 (County File #HT080001); and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled before the East County Regional Planning Commission on Monday, November 10, 2008, where at all persons interested therein might appear and be heard; and

WHEREAS, on Monday, November 10, 2008, the East County Regional Planning Commission fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter;

NOW, THEREFORE, BE IT RESOLVED, that the East County Regional Planning Commission:

1. ADOPTS the finding for the purposes of compliance with the California Environmental Quality Act, that the project is Categorically Exempt pursuant to CEQA Guidelines §15061(b) 3 and RECOMMENDS that the Board of Supervisors do the same;
2. RECOMMENDS that the Board of Supervisors designate the Eucalyptus tree as a Heritage Tree.

BE IT FURTHER RESOLVED that the Commission makes the following findings with regard to conformance with the applicable General Plan policies and zoning district:

Heritage Tree Findings – The tree is very large exceeding the 72-inch minimum at 84-inches in diameter (approximately 22-feet in circumference). Staff understands that the tree was also planted by the founder of Knightsen thereby giving the tree historical significance. Additionally, the tree is of ecological interest, not for the tree itself, but for the protected hawks that reside in the tree as verified by a biologist. As a result of the size, age, historical value and ecological significance, the Eucalyptus tree meets the required criteria to be nominated as a Heritage Tree.

BE IT FURTHER RESOLVED that the Secretary of this Planning Commission will sign and attest the certified copy of this resolution and deliver the same to the Board of Supervisors, all in accordance with the Government Code of the State of California.

The instruction by the East County Regional Planning Commission to prepare this resolution was given by motion of the East County Regional Planning Commission on Monday, November 10, 2008, by the following vote:

AYES: MacVittie, Hanna, Pigati, Stevenson.

NOES: Day

ABSENT: None

ABSTAIN: None

Walter MacVittie,
Chair of the East County Regional Planning Commission
County of Contra Costa, State of California

ATTEST:

Catherine Kutsuris, Secretary
County of Contra Costa
State of California