

RESOLUTION NO. 19-2009

RESOLUTION OF THE SAN RAMON VALLEY REGIONAL PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, INCORPORATING FINDINGS AND RECOMMENDATIONS FOR THE REQUESTED CHANGE IN ZONING BY HUMANN COMPANY (APPLICANT) AND THE DIABLO COUNTRY CLUB (OWNER) (FILE #RZ093211) IN THE ORDINANCE CODE SECTION PERTAINING TO THE PRECISE ZONING FOR THE DIABLO AREA OF SAID COUNTY.

WHEREAS, a request by Humann Company (Applicant) and the Diablo Country Club (Owner) to rezone a 0.16-acre (7,154 square feet) portion of the Diablo Country Club property from Forestry Recreation (F-R) to Single Family Residential (R-20), for which an application was received by the Department of Conservation and Development on April 14, 2009; and

WHEREAS, for purposes of compliance with the provisions of the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, it has been determined that per section 15061(b) (3) of CEQA, the proposed rezoning is exempt from the requirements of CEQA; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled before the San Ramon Valley Regional Planning Commission on Wednesday, July 15, 2009 where all persons interested therein might appear and be heard; and

WHEREAS, on Wednesday, July 15, 2009, the San Ramon Valley Regional Planning Commission having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter;

NOW, THEREFORE, BE IT RESOLVED, that the San Ramon Valley Regional Planning Commission finds that the proposed rezoning will not have a significant effect on the environment, therefore, per section 15061 (b) (3) of the California Environmental Quality Act, the rezoning is exempt from the requirements of CEQA; and

RECOMMENDS that the Board of Supervisors APPROVE the rezoning of the 0.16-acre portion of the Diablo Country Club to Single-Family Residential (R-20) from Forestry Recreation (F-R) as identified on the attached findings map.

BE IT FURTHER RESOLVED that the reasons for this recommendation are based on the following findings:

A. GROWTH MANAGEMENT PERFORMANCE STANDARDS

1. Traffic: Rezoning of the property will not result in any additional traffic impacts.

2. Water: Rezoning of the 0.16-acre property will not result in any significant additional water demand. The property is currently within East Bay Municipal Utility District's service area.
3. Sewage Disposal: The site is within the Contra Costa Central Sanitary service area, and rezoning the property to R-20 will not result in the need for additional facilities.
4. Fire Protection: Rezoning of the vacant 0.16-acre portion of the Diablo Country Club will not result in the need for additional fire protection from the San Ramon Valley Fire Protection District.
5. Public Protection: The Growth Management Element standard is 155 square feet of Sheriff Facility station area per 1,000 population increase. This project will not result in any increase in population.
6. Parks and Recreation: The rezoning of the 0.16-acre property to R-20 from F-R will not result in an increase in demand for park or recreational services.
7. Flood Control and Drainage: The site lies within the Flood Zone A and C, panel #0475B. No new structures are proposed within the flood zone.

B. REZONING FINDINGS

Section 26-2.1806 of the County Ordinance Code requires that the following findings be made prior to approval of a rezoning request.

1. Required Rezoning Finding: The change proposed will comply with the General Plan.

Project Finding: Rezoning the subject property to Single Family (R-20) from Forestry-Recreational (F-R) will make the zoning consistent with the Single-Family Low-Density (SL) General Plan Designation in which it is located. The R-20 Zoning District is consistent with the SL General Plan Designation.

2. Required Rezoning Finding: The uses authorized or proposed in the land use district are compatible within the district to uses in adjacent district.

Project Finding: The portion of the Country Club to be rezoned to R-20 is surrounded by residential and recreational uses. The area to be rezoned will be combined with the adjacent residential property and will result in the creation a larger property with consistent zoning and with zoning that will conform to the Single-Family Residential Low-Density (SL) General Plan Designation in which it is located. The F-R zoning district permitted all of the uses in the residential and agricultural zoning districts which could have resulted in the establishment of uses that are not compatible with the surrounding uses.

- 3. Required Rezoning Finding: Community need has been demonstrated for the use proposed, but this does not require demonstration of future financial success.

Project Finding: The 0.16-acre portion of the Diablo Country Club is located at the fringe of the Club property and is not used or maintained by the Club. Rezoning the property to R-20 from F-R will enable it to be merged with the adjacent single family residential property and will ensure that the property will be used in a manner that is consistent with the character of the other surrounding residential properties located within the Single Family, Low Density (SL) General Plan Designation.

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 instructions by the Planning Commission to prepare this resolution were given by motion of the San Ramon Valley Regional Planning Commission on Wednesday, July 15, 2009 by the following vote:

AYES: Matsunaga, Gibson, McPherson, Neely, Cuningham


NOES: None

ABSENT: Couture

ABSTAIN: None

Neil Matsunaga, Chair
 San Ramon Valley Regional Planning Commission
 County of Contra Costa
 State of California

ATTEST:



 Catherine O. Kutsuris, Secretary
 San Ramon Valley Regional Planning Commission
 County of Contra Costa
 State of California