

FILE COPY

Agenda Item # 3

Conservation and Development

Contra Costa County

SAN RAMON VALLEY REGIONAL PLANNING COMMISSION
WEDNESDAY, JULY 15, 2009, 7:00 P.M.

I. INTRODUCTION

HUMANN COMPANY (Applicant) & DIABLO COUNTRY CLUB (Owner), County File #RZ09-3211: A request to rezone a 7,154 square foot (0.16-acre) portion of the Diablo Country Club property to Single-Family Residential (R-20) District from the Forestry Recreation (F-R) District. The area of land to be rezoned is located on Calle Arroyo, adjacent to the eastern property line of 1897 Calle Arroyo, behind the golf course club house building in the Diablo area. (Zoning: F-R) (ZA: S-17) (CT: 3462.01) (GP:SL) (APN: 195-180-019)

II. RECOMMENDATION

Adopt a motion recommending that the Board of Supervisors approve the rezoning of the 7,154 square foot (0.16-acre) portion of the Diablo Country Club property to Single-Family Residential (R-20) from Forestry Recreational (F-R).

III. GENERAL INFORMATION

- A. General Plan: The 0.16-acre portion of the Diablo Country Club to be rezoned is within the Single-Family Low (SL) General Plan Designation. Rezoning the property to the R-20 Single Family Residential District will bring the 0.16-acre portion of the Diablo Country Club into conformance with the Single-Family Low (SL) General Plan designation.
- B. Zoning: The 0.16-acre area of the Country Club property to be rezoned is currently zoned Forestry-Recreational (FR). The FR zoning district allows all the uses in the single family residential districts and agricultural districts. The Land Use Element (Chapter 3) of the County General Plan includes language identifying the F-R zoning district as one of the four "antiquated" zoning districts to be deleted from the Zoning Ordinance.
- C. CEQA Status: Community Development staff has determined that the proposal to rezone a 0.16-acre portion of the Diablo Country Club property to R-20 from F-R has no possibility of having a significant impact on the environment. Therefore, per Section 15061 (b)(3) of CEQA, the project is exempt.

D. Regulatory Programs

1. Flood Hazard Area: The southern half of the area to be rezoned is located within Flood Zone 'A'. No development is proposed for the area to be rezoned so the project will not be impacted by the flood zone designation.

IV. SITE/AREA DESCRIPTION

The property to be rezoned is a 7,154 square foot (0.16-acre) portion of the Diablo Country Club property, located in the southeast area of the Country Club, directly behind the clubhouse. The property is a triangular piece of land wedged between 1897 Calle Arroyo and a driveway providing access to the back of the country club. Green Valley Creek runs along the south end of the property adjacent to Calle Arroyo and the property slopes upward from Calle Arroyo towards the clubhouse. The creek channel runs very deep along the foot (south) of the property. The site and adjacent property are covered with riparian vegetation and numerous oak trees. The surrounding uses include single family residential properties and the Diablo Country Club.

The area to be rezoned abuts 1897 Calle Arroyo to the east and appears to be part of that property since there is no fencing between the two. There is a detached single story garage located on the property line between 1897 Calle Arroyo and the county club property.

V. BACKGROUND

The property to be rezoned is part of the Country Club property, but is not used by the Country Club for any purpose and does not appear to be regularly maintained by the Country Club.

On January 16, 2009 a lot line adjustment application was submitted to the Department of Conservation and Development for approval of a lot line adjustment between the subject country club property and 1897 Calle Arroyo. The lot line adjustment would have increased 1897 Calle Arroyo to 41,332 square feet from 34,178 square feet. The reconfigured lot would have been consistent with the lot size and average width requirements of the R-20 zoning district in which it is located.

After reviewing the lot line adjustment application, staff determined that the lot line adjustment could not be approved due to the Forestry Recreational (F-R) zoning of the Country Club property which is not consistent with the Single Family-Low Density (SL) General Plan designation in which the property is located. Additionally, many of the permitted uses in the F-R zoning district are not consistent with the surrounding single family uses or the recreational use of the country club.

In the Land Use Chapter of the County General Plan (Chapter 3) the F-R zoning district is identified as an antiquated zoning district to be deleted from the County Ordinance. The Diablo Country Club is one of the last properties in the County with F-R zoning. The Department of Conservation and Development is currently in the process of deleting the F-

Department of Conservation and Development is currently in the process of deleting the F-R district from the zoning ordinance. The future zoning district for the Diablo Country Club property is currently under review.

VI. PROPOSED PROJECT

The application is for approval of a rezoning of a 7,154 square foot (0.16-acre) portion of the Diablo Country Club property from Forestry-Recreational (F-R) to Single-Family Residential (R-20). The area of the Country Club to be rezoned is located on the north side of Calle Arroyo near the southern end of the Country Club property and abuts the eastern property line of 1897 Calle Arroyo.

VII. AGENCY COMMENTS

Diablo Municipal Advisory Council (DMAC): In a fax dated May 19, 2009, the Diablo Municipal Advisory Committee recommended approval of the proposed rezoning.

VIII. STAFF ANALYSIS/DISCUSSION

Rezoning the 7,154 square foot (0.16-acre) portion of the Diablo Country Club to the R-20 residential zoning district from F-R will bring the property into compliance with the Single-Family, Low Density General Plan Designation in which it is located. Upon approval of the rezoning, a lot line adjustment application to combine the area with 1897 Calle Arroyo can be approved, resulting in the creation of a single 41,332 square foot parcel with R-20 zoning and within the Single Family Low (SL) General Plan Designation.

A. General Plan Compliance

The property to be rezoned has a General Plan Designation of Single Family, Low-Density (SL), as do all of the surrounding residential properties and the portion of the Country Club property to be rezoned. The County General Plan identifies the R-20 zoning as being compatible with the Single Family, Low Density General Plan Designation.

The Land Use Element (Chapter 3) of the County General Plan includes language identifying the F-R zoning district as one of the four “antiquated” zoning districts to be deleted from the Zoning Ordinance. Therefore, rezoning of the 0.16-acre portion of the Diablo Country Club to R-20 from F-R will further a goal of the County General Plan.

Upon approval of the rezoning, a lot line adjustment to combine the subject property with 1897 Calle Arroyo can be approved, resulting in a new 41,332 square foot parcel. Based on the anticipated lot size of 1897 Calle Arroyo after the lot line adjustment, and based on the minimum lot size requirements of the R-20 Zoning District and SL General Plan Designation, 1897 Calle Arroyo would have enough gross area to possibly subdivide the new lot. But, based on the lot constraints, specifically the presence of the creek, the channel depth of the creek and the site topography, subdivision of the

property would be difficult if not impossible due to provisions within the County Subdivision Ordinance (Title 9) such as creek structure setback requirements.

X. CONCLUSIONS

Staff has determined that rezoning the 0.16-acre property to R-20 from F-R will result in a land use that is more consistent with the surrounding uses and bring the subject property into conformance with the Single-Family Low (SL) General Plan Designation.