

COUNTY PLANNING COMMISSION
ANNUAL REPORT 2013

Meeting Time: Generally meets on the 2nd and 4th Tuesdays of the month at 7:00 P.M.
Location: Conservation and Development Department, 30 Muir Road, Martinez
Chair: Marvin Terrell May 22, 2012 - present
Vice Chair: Don Snyder September 24, 2013 - present
Karen Peterson May 22, 2012 – August 27, 2013
Staff: Aruna Bhat
Recording Secretary: Hiliana Li
Reporting Period: January 2013 – December 2013

I. Activities/Purpose

The County Planning Commission exercises all powers and duties prescribed by law (statute, ordinance or board order), including consideration of matters referred to it by the zoning administrator except those powers and duties specifically reserved or delegated to other divisions of the planning agency; initiates preparation of general plans, specific plans, regulations, programs and legislation to implement the planning power of the county; is generally responsible for advising the legislative body of matters relating to planning, which, in the opinion of the commission, should be studied; is the advisory agency as designated in Title 9 of the County Code for the purpose of passing on subdivisions; hears and decides all applications or requests for proposed entitlements estimated to generate one hundred or more peak hour trips unless otherwise provided by the code or board order; and hears and makes recommendations regarding proposed development agreements when it is hearing the related project applications being processed concurrently with the development agreements.

II. Accomplishments

The County Planning Commission made decisions and recommendations to the Board of Supervisors on twenty one projects in the calendar year 2013. The Commission made recommendations to the Board of Supervisors on 1) two general plan amendment, rezoning, major subdivision and development plan in the Discovery Bay area, 2) on revisions to the County Code Meteorological Towers (MET) Ordinance which would apply to the unincorporated areas of Contra Costa County, and 3) on a general plan amendment and specific plan amendment in the Dougherty Valley area. In addition, they made decisions on a zoning text amendment, a heritage tree permit, two general plan amendments, two rezoning applications, two major subdivisions, two mandatory referrals, five land use permits, two appeals, and one variance. The following are brief descriptions of the projects considered.

Zoning Text Amendments: County File #ZT12-0003: Consideration of a proposed zoning text amendment that would modify sections of the County Code Chapter 88-22 – Meteorological Towers (MET) Ordinance which would apply to the unincorporated areas of Contra Costa County (3-26-13).

Heritage Tree: Tom Newlin (Applicant & Owner), County File #HT12-0001: A request to nominate two Valley Oak trees pursuant to the Heritage Tree Preservation Ordinance (Chapter 816-4) at 2444 Lunada Lane in the Alamo area (8-27-13).

Tentative Map and Subdivision Plan:

- 1) William Schrader, Jr. (Applicant) – Disco Bay Partners LLC (Owner), County Files GP08-0002, RZ09-3214, SD09-9278, and DP09-3029: Request for approval of a General Plan Amendment, Rezoning, Major Subdivision and a Preliminary and Final Development Plan (2-26-13).
- 2) Pantages at Discovery Bay, LLC (Applicant) – C & D Discovery Bay, LLC & East Contra Costa Irrigation District (ECCID) (Owners), County Files GP99-0008, RZ04-3146, SD06-9010, and DP04-3062: Request for approval of a General Plan Amendment, Rezoning, Major Subdivision and a Preliminary and Final Development Plan in the Discovery Bay area (10-22-13).

- 3) Steve Savage (Applicant) – Shapell Homes (Owner), County Files DP12-3032, GP12-0004, GP12-0005, SP12-0001, SD12-9298 and SD12-9297: Request for approval of a General Plan Amendment, Dougherty Valley Specific Plan (DVSP) amendment and a modification of the Gale Ranch Phase III and IV Final Development Plans in order to accommodate the establishment of a new elementary school within Phase IV of Gale Ranch. Also requesting approval of an amendment to Chapter 6 (Circulation) of the Dougherty Valley Specific Plan to include revised roadway sections for the future Dougherty Road and local roads within Gale Ranch Phase IV (12-10-13).

Mandatory Referrals:

- 1) Acquisition of 2.3 (+/-) acres of land, Assessor Parcel No. 094-100-011, located north of Kirker Pass Road, in unincorporated Pittsburg, by the East Bay Regional Park District (CP#13-07) (2-26-13).
- 2) Acquisition of 111.9 (+/-) acres of land, Assessor Parcel No. 080-070-014, at 6041 Morgan Territory Road, by the East Bay Regional Park District (CP13-08) (2-26-13).
- 3) Acquisition of 165 (+/-) acres of land, Assessor Parcel No. 432-040-005, located along Castro Ranch Road in El Sobrante adjacent to the city of Richmond by the East Bay Regional Park District. (County File #CP13-35)(11-19-13)
- 4) Acquisition of 90 (+/-) acres of land, Assessor Parcel No. 015-200-009, located at 4571 Orwood Road near the Town of Discovery Bay by the East Bay Regional Park District. (County File #CP13-38) (11-19-13)

Land Use Permit:

- 1) New Cingular Wireless – AT&T Mobility (Applicant) – Contra Costa County/Northern California Joint Pole Association (Owners), County File #LP13-2009: A request for a land use permit to attach a New Cingular Wireless distributed antenna system (DAS) node to an existing utility pole in the Kensington area (9-10-13).
- 2) New Cingular Wireless – AT&T Mobility (Applicant) – Contra Costa County/Northern California Joint Pole Association (Owners), County File #LP13-2010: A request for a land use permit to attach a New Cingular Wireless distributed antenna system (DAS) node to an existing utility pole in the public right-of-way in the Kensington area (9-10-13).
- 3) New Cingular Wireless – AT&T Mobility (Applicant) – Contra Costa County/Northern California Joint Pole Association (Owners), County File #LP13-2011: A request for a land use permit to attach a New Cingular Wireless distributed antenna system (DAS) node to an existing utility pole in the public right-of-way in the Kensington area (9-10-13).
- 4) New Cingular Wireless – AT&T Mobility (Applicant) – Contra Costa County/Northern California Joint Pole Association (Owners), County File #LP13-2017: A request for a land use permit to attach a New Cingular Wireless distributed antenna system (DAS) node to an existing utility pole in the public right-of-way in the Kensington area (9-10-13).
- 5) New Cingular Wireless – AT&T Mobility (Applicant) – Contra Costa County/Northern California Joint Pole Association (Owners), County File #LP13-2019: A request for a land use permit to attach a New Cingular Wireless distributed antenna system (DAS) node to a new utility pole in the public right-of-way in the Kensington area (9-10-13).
- 6) New Cingular Wireless – AT&T Mobility (Applicant) – Contra Costa County/Northern California Joint Pole Association (Owners), County File #LP13-2020: A request for a land use permit to attach a New Cingular Wireless distributed antenna system (DAS) node to an existing utility pole in the public right-of-way in the Kensington area (9-10-13).
- 7) Phillips 66 (Applicant & Owner), County File #LP12-2073: Implement and construct the Propane Recovery Project, which proposes refinery processing equipment improvements to recover for sale additional amounts of propane and butane from refinery fuel gas (RFG) and other process streams; and to decrease sulfur dioxide (SO₂) emissions from the refinery as a result of removing sulfur compounds from RFG streams. The proposed project would add and modify processing and ancillary equipment within the Phillips 66 Rodeo refinery in Contra Costa County (11-19-13).

Board of Appeals:

- 1) Gwen Douglass (Appellant) – Gordon Jurgenson (Applicant & Owner), County File #VR11-1024: An appeal of the Zoning Administrator's decision to approve a minimum front yard setback variance and a minimum side yard setback variance for the construction of a retaining wall structure with driveway curb and bollards on top (5-14-13).

- 2) Mesa Outdoor LLC (Applicant) – John Traverso (Owner), County File #LP11-2008: An appeal of the Zoning Administrator’s decision to deny an application for approval of a land use permit to establish a two-sided, freestanding billboard on a 2.76-acre site at 4080 Cabrihlo Drive (Vine Hill, unincorporated Martinez) (8-13-13).

III. Representation/Attendance

The County Planning Commission consists of seven members. There is one commissioner nominated from each of the five Supervisorial Districts and two are nominated as at large members. The Board of Supervisors appoints the nominees. The term for a County Planning Commissioner is four years. There were 23 scheduled meetings. The Planning Commission met nine times at which a quorum was always present. There were 13 cancelled meetings due to lack of items.

IV. Training/Certification

Commissioners were previously provided with a copy of the Advisory Body Handbook and were requested to view two training videos titled, “The Brown Act and Better Government Ordinance – What You Need to Know as a Commission, Board, or Committee Member” and “Ethics Orientation for County Officials.” Jeffrey Wright was appointed to the District I seat in August and Rand Swenson was appointed to the District II seat in September. They received the training materials and submitted certification that they viewed both videos (attached). Certifications are on file for all of the commissioners.

V. Proposed Work Plan/Objectives for Next Year

The work plan and objectives for 2014 are the same as the Commission Activities/Purpose statement.