

ORDINANCE NO. 2017-21

(Rezoning Land in the Saranap Area)

The Contra Costa County Board of Supervisors ordains as follows:

**SECTION I. REZONING.**

- (a) Page N-13 of the County's 2005 Zoning Map (Ord. No. 2005-03) is amended by rezoning the land in the area shown shaded on the map(s) attached hereto and incorporated herein (see also Department of Conservation and Development File No. RZ13-3224)

FROM: Land Use Districts

M-29, Multiple Family Residential  
C, Commercial  
R-B, Retail Business  
N-B, Neighborhood Business  
P-1, Planned Unit Development

TO: Land Use District P-1, Planned Unit Development.

The Department of Conservation and Development Director shall change the Zoning Map accordingly, pursuant to Ordinance Code section 84-2.002.

- (b) Mixed uses are permitted as follows: Up to 198 multi-family residential units, and up to approximately 21,525 square feet in gross leasable area of retail businesses and commercial uses listed below.
- (c) For purposes of this P-1 district, the following are permitted uses, provided that any such use that includes alcoholic beverage sales must comply with paragraphs (d) and (e) below, as applicable:
- (1) Grocery stores and other grocery sales;
  - (2) Coffee shops;
  - (3) Wine bars;
  - (4) Restaurants;
  - (5) Bakery goods shops;
  - (6) Barber and beauty shops;

- (7) Delicatessen shops;
  - (8) Drugstores;
  - (9) Laundry and cleaning agencies and press shops;
  - (10) Meat markets;
  - (11) Variety stores;
  - (12) Shoe repair shops;
  - (13) Professional offices, including medical and dental offices;
  - (14) Real estate offices;
  - (15) All of the uses permitted in single-family and two-family residential districts;
  - (16) Hotels and motels;
  - (17) Banking institutions;
  - (18) Neighborhood markets;
  - (19) Up to six Take-Out Food establishments, but drive-through restaurants are not a permitted use;
  - (20) Any other retail businesses, defined to mean the sale, barter, and exchange of retail goods, wares, merchandise, services, or other personal or real property or any interest in them for profit or livelihood.
  - (21) Outdoor seating serving any permitted use or conditionally permitted use;
  - (22) Up to three Exclusive Parking Facilities serving any permitted or conditionally permitted use;
  - (23) Temporary events (subject to applicable requirements for permits under Chapter 82-44 of this Code);
  - (24) Signs (subject only to compliance with a sign program approved by the Community Development Division of the Department of Conservation and Development).
- (d) The following alcoholic beverage sales are allowed as permitted uses:
- (1) Full-service restaurants as defined in section 82-38.204(i);

- (2) Three alcoholic beverage sales commercial activities as defined in section 82-38.204(c), notwithstanding Section 82-38.602, located anywhere within the District.
- (e) For purposes of this P-1 District, the following uses are permitted with issuance of a land use permit:
  - (1) All of the conditionally permitted uses in single-family and two-family residential districts after the granting of land use permits, provided that this paragraph shall not be construed to require a land use permit for any permitted use listed above;
  - (2) Alcoholic beverage sales commercial activities other than the permitted uses described above are permitted provided a land use permit is granted pursuant to Chapter 82-38 of this code.
  - (3) Take-Out Food Establishments other than the permitted uses described above are permitted provided a land use permit is granted pursuant to Chapter 88-16 of this code.
- (f) Pending demolition, existing uses within this District may be continued, and existing buildings within this District may be used for any permitted or conditionally permitted use that would have been allowed under the zoning that applied before this P-1 District took effect, which includes a restaurant on Site B. In the discretion of the Zoning Administrator, and provided no substantial changes are made to the existing building on Site B, an interim restaurant use may be allowed in that building without a Development Plan.
- (g) Parking for residential uses in the P-1 District shall be provided as follows: 1 parking space shall be provided for each studio unit, 1.5 parking spaces shall be provided for each one-bedroom unit, 2 parking spaces shall be provided for each unit of two bedrooms or more, and 0.25 spaces shall be provided per dwelling unit for guest parking. Fractions of spaces shall be rounded up to the next whole number. The guest parking may include parking along the street frontage within this P-1 District.
- (h) Parking for non-residential uses in this P-1 District shall be provided as follows: Grocery uses require 1 space per 200 SF of gross floor area. Restaurant, coffee shop, and wine bar uses require 1 space per 100 SF of gross floor area. Other retail uses require 1 space per 300 SF of gross floor area. Any other uses allowed in this District shall provide the number of spaces required by County Code section 82-16.406 as it exists on February 15, 2017, the date the Vesting Tentative Map application for the Saranap Village Project was complete. Up to 19 required non-residential spaces may be located along the street frontage within this P-1 District, subject to review of the CDD for consistency with the approved parking plan for the project.

- (i) Parking for uses on Site B/B1 may be accommodated on Site A. Parking spaces with electric vehicle charging stations (EV spaces) shall be counted toward meeting parking requirements.
- (j) Deviations in the requirements for design and layout of parking spaces may be approved by the Community Development Division of the Department of Conservation and Development (CDD) without need for a variance.
- (k) The amount of in lieu inclusionary housing fees, which are required only for the residential units on Sites B/B1 and C, shall be paid prior to issuance of the first building permit for any portion of the for-sale residential development that is within Site B/B1 and C.
- (l) Deviations from the County Code and Public Works Department design standards for storm drainage facilities may be granted with approval from the Director of the Public Works Department or designee.
- (m) Height in this P-1 District is limited to the heights set forth in the maximum height zone map dated February 17, 2017 (Attachment 5 to the Planning Commission resolution recommending this rezoning ordinance). Heights of buildings shall be measured from the high and low points, and finished grade of each lot as reflected in the height zone map.
- (n) Development in this District is subject to numerous conditions and requirements that are to be interpreted and applied by the Department of Conservation and Development or Public Works Department. Such decisions by staff or a director may be appealed by the applicant or referred by staff or a director to the Zoning Administrator. The Zoning Administrator's decision shall be subject to appeal as provided in Article 26-2.24 of this Code.
- (o) This P-1 District shall apply to the approximately 4.6-acre area depicted in Exhibit-A to this ordinance (Attachment 4 to the Planning Commission Resolution recommending this rezoning ordinance), provided one or both of the following is in effect before or after the effective date of this rezoning ordinance.
  - (1) A variance is granted excepting the project from the 15-acre minimum requirement of County Code Section 84-66.602;
  - (2) County Code Section 84-66.602 is amended or superseded in a manner that allows application of a P-1 District to a mixed-use site of approximately 4.6 acres.

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**SECTION II. EFFECTIVE DATE.** This ordinance becomes effective 30 days after passage, and within 15 days after passage must be published once with the names of supervisors voting for or against it in the Contra Costa Times, a newspaper published in this County.

PASSED ON August 15, 2017 by the following vote:

AYES: Gioia, Andersen, Burgis, Mitchoff, Glover

NOES: None

ABSENT: None

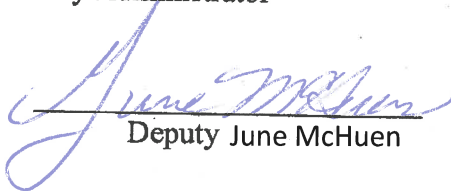
ABSTAIN: None

ATTEST: DAVID J. TWA,  
Clerk of the Board of Supervisors  
and County Administrator



Board Chair Federal D. Glover

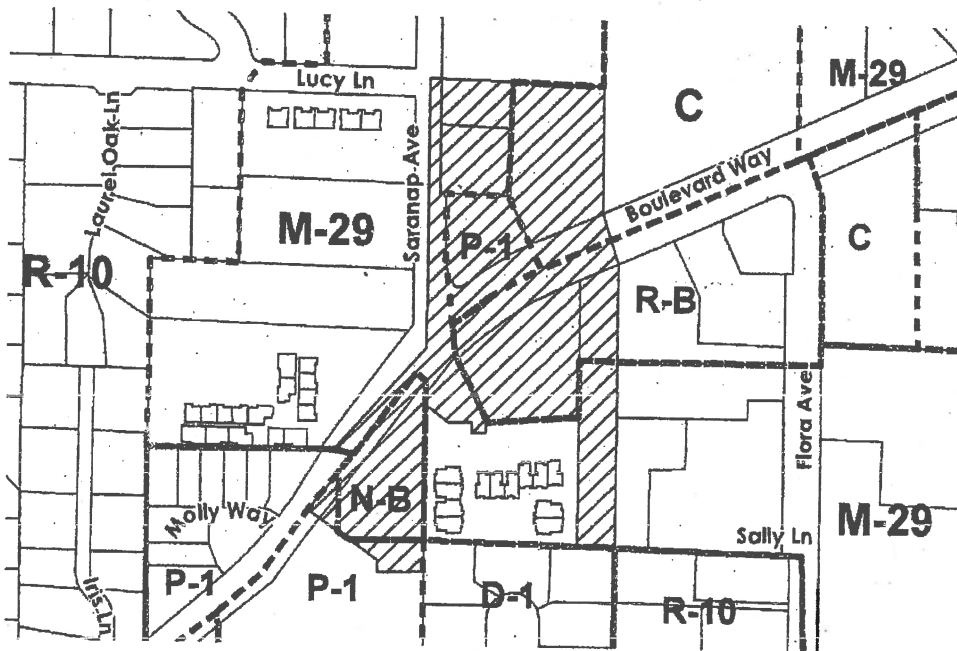
By:

  
Deputy June McHuen

[SEAL]

TLG:

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**Exhibit A**