



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: July 12, 2016

Subject: Hamilton Request for General Plan Amendment Authorization

RECOMMENDATION(S):

1. AUTHORIZE a General Plan Amendment (GPA) study to consider changing the General Plan land use designation for two undeveloped properties located immediately north of the property addressed as 4949 Pacheco Boulevard, Martinez area, from Multiple-Family Residential - Low Density (ML) to Agricultural Lands (AL).

2. ACKNOWLEDGE that granting authorization for this request does not imply any sort of endorsement for the application to amend the General Plan, but only that the matter is appropriate for study.

FISCAL IMPACT:

None. If authorization is granted, the applicant will pay fees to cover the cost of processing the GPA study.

BACKGROUND:

The Department of Conservation and Development is in receipt of a letter (Attachment A) from Mr. Owen Poole of Real Estate Services, representing the owners of the subject properties [Assessor Parcel Numbers (APN) 159-200-032 and 159-300-001], requesting a

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/12/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Mary N. Piepho, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: John Gioia, District I
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 12, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Will Nelson (925)
674-7791

cc:

GPA study.

Mr. Poole explains that the owners of Hamilton Tree and Eco Mulch own the property at 4949 Pacheco Boulevard and the property immediately north (APN 159-200-032), which is the southern of the subject parcels, and wish to expand their business onto the northern parcel (APN 159-300-001). The subject parcels are currently designated ML

BACKGROUND: (CONT'D)

on the Contra Costa County General Plan Land Use Element Map and zoned R-7 Single-Family Residential District, which is inconsistent with the General Plan designation. Neither the General Plan nor zoning designation allows for the Hamilton's business, hence the request for the GPA study.

Staff notes that even if the zoning was consistent with the current General Plan designation, the use still would not be permitted. If the Board authorizes the GPA study, then the applicant will also file applications for a rezoning to Planned Unit District and a Final Development Plan, which if approved would correct the General Plan/zoning inconsistency and allow for legalization and expansion of the business.

Attached for the Board's consideration under Attachment B are maps and aerial photographs of the site and its surroundings, showing the existing and proposed General Plan land use designations. The subject parcels are irregularly shaped and steep, have limited access, and are situated between the Contra Costa Canal (west) and Interstate 680 (east). Immediately south is the Hamilton's residence/business office followed by a recreational vehicle storage business. To the west/southwest, beyond the Contra Costa Canal, are a variety of commercial uses. Land to the north is vacant with the exception of cellular antennas and a small building that appears to be related to the antennas or canal.

The request for a GPA study to change the land use designation from ML to AL deserves further consideration. As described above, the subject parcels have several physical constraints that make traditional residential and commercial development less desirable. The proposed land use suits the site because it does not require significant alterations to the land, such as mass cutting or grading, would not expose large numbers of people to the noise and pollution generated by the freeway, and poses minimal contamination risk to the canal if conducted in accordance with County regulations. The proposal would also rectify the inconsistency between the General Plan and zoning. Therefore, staff recommends that the GPA study be authorized.

Staff emphasizes though that authorization for this study does not imply support or endorsement for the application to amend the General Plan, but only that this matter is appropriate for study.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not authorize the GPA study, then an application to amend the General Plan cannot be filed and the site will retain its ML land use designation. The existing inconsistency between the zoning and General Plan will remain and the existing business will continue to be non-compliant with the General Plan and zoning designations.

ATTACHMENTS

Attachment A - Letter from Mr. Owen Poole Requesting General Plan Amendment Study

Attachment B - General Plan Maps and Aerial Photo