



BOARD OF SUPERVISORS
Planning Meeting
1:00PM

Regular Meeting

TUESDAY, JULY 8, 2008

COUNTY ADMINISTRATION BUILDING
SUPERVISORS' CHAMBERS
1221 OAK STREET
FIFTH FLOOR, ROOM 512
OAKLAND, CALIFORNIA

SCOTT HAGGERTY, PRESIDENT	DISTRICT 1
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ASSISTANT COUNTY COUNSEL

MISSION

*TO ENRICH THE LIVES OF ALAMEDA COUNTY RESIDENTS THROUGH VISIONARY POLICIES AND
ACCESSIBLE, RESPONSIVE, AND EFFECTIVE SERVICES.*

VISION

ALAMEDA COUNTY IS RECOGNIZED AS ONE OF THE BEST COUNTIES IN WHICH TO LIVE, WORK AND DO BUSINESS.

The Board of Supervisors welcomes you to its meetings and your interest is appreciated. If you wish to speak on a matter on the agenda or during public input, please fill out a speaker slip at the front of the Chambers and turn it in to the Clerk as soon as possible. When addressing the Board, please give your name for the record prior to your presentation. If you wish to speak on a matter **not** on the agenda, please wait until the President calls for public input at the end of the Regular Calendar. **NOTE:** Only matters within the Board of Supervisors' jurisdiction may be addressed. Time limitations shall be at the discretion of the President of the Board.

Pursuant to Board Policy: (1) Signs or demonstrations are prohibited during Board meetings; (2) Any Board Member may request a **two-week** continuance on any item appearing for the first time; (3) All agenda items shall be received by the County Administrator prior to 3 p.m. on Tuesday **two** weeks before the meeting date or earlier when a Holiday intervenes.

Hearing difficulty? Please ask the Clerk for use of a personal sound receiver. The Board of Supervisors' meetings are wheelchair accessible. Call (510) 208-4949 (voice) or (510) 834-6754 (TDD) to request a sign-language interpreter. Five working days' notice is required. If you have questions regarding the agenda, please call (510) 208-4949.

Attention: The Alameda County internet address is www.acgov.org. All regular Board of Supervisors' meetings held in the Board Chamber can be heard live on the Board's web page. In order to log on, please do the following: click on the County's homepage as noted above and click on the "[Board of Supervisors Meeting - LIVE! Broadcast](#)" link. You may also access archived audio recordings, meeting agenda and minutes, as well as meeting dates on the Board's web page <http://www.acgov.org/board/index.htm>. All documents are archived on the web page for a period of 6 months.

1:00 P.M.

CALL TO ORDER AND SALUTE TO FLAG

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Significant exposure to litigation pursuant to Subdivision (b) of Government Code § 54956.9: (three cases)

CONSENT CALENDAR

1. Approve record of cost of abatement and authorize assessment liens on properties in violation of abatement orders under the Neighborhood Preservation Ordinance
2. **CONDITIONAL USE PERMIT, C-8465, SMITH / VINEYARD MEMORIAL CEMETERY -** Appeal of the City of Livermore's City Attorney John Pomidor and Assistant City Attorney, Jason Alcala; Gail Vardanega, Lona McCallister and Nancy Bankhead; Friends of Livermore, Robert Baltzer, Chairman; Attorney at Law Malcolm Leader- Picone for Fallon Enterprises; and Attorney at Law John K. Smith, for Cynthia Birmingham and Lawrence Lui, from the decision of the Planning Commission to approve the application to allow a cemetery and related uses and structures to be developed on a portion of a 110-acre site, in an A (Agricultural) District, located on North Livermore Avenue, west side, approximately ½ mile north of U.S. Highway 50, Livermore area of unincorporated Alameda County, bearing Assessor's Parcel Number: 903-0008-004-01.
Continue to November 4, 2008
3. **CONDITIONAL USE PERMIT, C-8600, CHERUBIN'S CHILDRENS CENTER, –** Appeal of Rev. JoAnne Bennett, from the decision of the West Board of Zoning Adjustments to approve an application to allow operation of a child care facility for 40 children and the expansion of an existing church to allow hall rental for special events, with restrictions, in an R-1 (Single Family Residence) District, located at 18651 Via Toledo, west side corner, north west of Hacienda Avenue, unincorporated San Lorenzo area of Alameda County, designated Assessor's Parcel Number: 413-0083-065-00.
Appeal withdrawn by the applicant.
4. **LAND CONSERVATION WILLIAMSON ACT PRESERVE CONTRACT – A 3 Incorporated –**
An application to:
Re-establish an Agricultural Preserve (Williamson Act) Contract for two parcels containing approximately 302.93 acres in an "A" (Agricultural) District (County General Plan designation of Large Parcel Agriculture, as amended by Measure D), located adjacent to Mines Road, unincorporated East County area of Alameda County; bearing County Assessor's designations: APN 099A-2320-003 and 099A-2410-002.
Planning Staff recommendation:
 - a) Adopt the attached resolution to make the findings required by Section 51257 of the Williamson Act for the Boundary Adjustment for the two subject parcels; and
 - b) Adopt the attached resolution to rescind the existing agricultural and open space preserves for the subject properties and re-establish an Agricultural Preserve (Williamson Act) Contract with the legal descriptions for the new parcels created by the Boundary Adjustment.
5. **TRACT MAP, TR 6259 – Wentz Brothers -** An application to subdivide one 190-acre parcel into five lots, in a Planned Development District, Zoning Unit #1839, located at 5565 Tesla Road, at the southwestern intersection with Greenville Road, unincorporated area of Alameda County, bearing County Assessor's designation: APN 099A-1610-007-00.
Planning Staff recommendation: Approve the findings required by Section 66474.4 of the Subdivision Map Act.

6. **SAN LORENZO CREEK WATERSHED TASK FORCE UPDATE MEMO** - Status Report from the Chair of the San Lorenzo Creek Watershed Task Force.
7. **TENTATIVE PARCEL MAP, PM-9043, GRAVETTE/LAMB SURVEYING, INC** – Application to subdivide one parcel containing approximately 320 acres, into three 100 acre-parcels, in an “A” (Agricultural) District, located at 11351 Tesla Road, south side, approximately 1.5 miles east of Reuss Road, Livermore area of unincorporated Alameda County, bearing Assessor’s parcel Number: 099A-2120-001-01.
Planning Commission action: Approve the project.
Planning Staff Recommendation: Approve the project.

REGULAR CALENDAR

8. **VARIANCE, V-12079, WILLIAM CONSTANZO** – Appeal of William Constanzo from the decision of the East County Board of Zoning Adjustment to deny an application to allow building site status on a 3.5 parcel where 5 acres is required, in an ‘A’ (Agricultural) District, located on Christiansen Road, east side, corner southeast of Bruns Avenue, Livermore area of unincorporated Alameda County, bearing Assessor’s Parcel Number: 099B-7020-001-11.
Board of Zoning Adjustments (East County) action: Deny the project
Planning Staff Recommendation: Deny the project
9. **VARIANCE, V-11982, LOVE** – Appeal of Patrick Love from the decision of the West Board of Zoning Adjustment to deny an application to allow a garage conversion thereby locating the required parking space encroaching 13 feet into the required front yard in a R-1-CSU-RV (Single Family Residence, Conditionally Permitted Secondary Unit, Recreational Vehicle) District located at 3773 Cottage Court, north side, approximately 284 feet west of Parsons Avenue, in the unincorporated Castro Valley area of Alameda County, bearing Assessor’s Parcel designation: 84D-1329-017-00.
Castro Valley Municipal Advisory Council: Tie vote, 3 in favor and 3 opposed.
Board of Zoning Adjustments (West County) action: Deny the project.
Planning Staff Recommendation: Uphold the WBZA’s decision and deny the variance.
10. **PARCEL MAP, PM-9236, BRIAN LESUR** – Appeal of Hollis Lesur from the decision of the Planning Director to deny Parcel Map PM-9236 for the subdivision of one parcel containing 0.37 acres into two parcels, with Boundary Adjustment (BA-15-07), in an R-1-CSU-RV (Single Family Residence, Secondary Unit, Recreational Vehicle) District, located at 19223 Carlton Avenue, west side, approximately 380 feet south of Massachusetts Street, unincorporated Castro Valley Area of Alameda County, Designated Assessor’s Parcel Number: 084B-0441-043-00.
Castro Valley Municipal Advisory Council: Deny the parcel map.
Board of Zoning Adjustments (West): Approve the Parcel Map with conditions.
Planning Staff Recommendation: Approve the Parcel Map with conditions as recommended by the Board of Zoning Adjustments
11. **VARIANCE, V-12072, JOE and MARIA MENEZES** – Appeal of Judy Armstrong, Barbara and Ed Arri, Mary Tureaud, Soodie and John Rayatkah, Paul and Meiya Armijo from the Planning Commission’s decision to approve a variance to allow construction of an attached addition providing a 28-foot building where 25 feet is the maximum allowed, in a R-1-B-E (Single Family Residence, 6,000 square foot Minimum Building Site Area) District, located at 3462 Bridle Drive, north side, approximately 100 feet north of Cantle Avenue, Fairview area of unincorporated Alameda County, bearing Assessor’s Parcel Number: 425-0090-015-00.
Planning Commission: Approve the project .
Planning Staff recommendation: Uphold the decision of the Planning Commission and deny the appeal.

12. **ALTAMONT MOTORSPORTS PARK** - Appeal from Lakeside Motorsports-Altamont from the decision of the Planning Commission at its public hearing on June 16, 2008 to deny request for a one-time exemption from conditions of approval imposed by the Board of Supervisors on March 25, 2008 modifying Conditional Use Permit, C-5720, which governs the raceway, pursuant to Section 17.54.070 of the Zoning Ordinance. Altamont Motorsports Park is located at 17001 Midway Road, east side, approximately 2,200 feet south of Highway I-580, unincorporated Midway area, Assessor's Parcel Number: 099B-7675-005-07.
Planning Commission: Deny the exemption request and maintain the terms of the Board's March 25, 2008 order.
Planning Staff recommendation: Review the terms of the March 25, 2008 Revocation Order; and Determine if modifications to the Board's March 25, 2008 are warranted based on clarification of your Board's intent, an evaluation of potential impacts to local residents, and determinations relating to the economic viability of the raceway.
13. **BILLBOARDS** – First reading and introduction to consider amending Title 17 of the Alameda County General Ordinance Code, the General Requirements Section of the Zoning Ordinance. The proposed amendments would include prohibition of installation of any billboard or advertising sign in the unincorporated area of Alameda County except for those billboards which: legally exist; for which a valid permit has been issued and has not expired; and or are installed pursuant to an agreement relocating presently existing, legal billboards.
Planning Staff Recommendation: Adoption of the ordinance.
14. **OUTDOOR MOBILE BUSINESSES** – First reading and introduction to consider proposed modifications to the Alameda County Zoning Ordinance to include Mobile Outdoor Businesses, including allowing them as Conditional Uses in the Office Commercial (C-O), certain Industrial (M-P, M-1 and M-2), and Highway Frontage (H-1) Zoning Districts; and to set siting and performance criteria for them.
Planning Staff Recommendation: Adoption of the ordinance.

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

ADJOURNMENT