

# ALAMEDA COUNTY BOARD OF SUPERVISORS' TRANSPORTATION/ PLANNING COMMITTEE

Monday, February 3, 2025  
9:30 a.m.

Supervisor David Haubert, Chair  
Supervisor Nate Miley

Location: Board of Supervisors Chamber – 5th Floor  
County Administration Building  
1221 Oak Street, Oakland, CA 94612

## Summary/Action Minutes

### **I. INFORMATIONAL ITEM: Morrison Canyon Road Vacation Update**

Daniel Woldesenbet, Director, Public Works Agency, provided an update on possibly vacating Morrison Canyon Road.

The road segment is a small portion of Morrison Canyon Road, located entirely within private property and serving primarily one adjacent property owner. The adjacent owner petitioned for the vacation several years ago, supported by approximately 21 additional petitioners. As required by the Streets and Highways Code, notifications were sent to utility providers, public agencies, and related organizations. Public Works Agency

Utility providers offered no objections but requested standard easement reservations for future access.

The San Francisco Public Utilities Commission will maintain access through a planned easement. The City of Fremont issued conditional approval, requiring the property owner to meet specific criteria; meetings are scheduled to ensure compliance. The East Bay Regional Park District provided formal concurrence with the vacation, with no objections.

The proposal must align with the County General Plan circulation element. The Planning Department is preparing to bring the item before the Planning Commission, tentatively scheduled for June 16<sup>th</sup>. If confirmed as consistent with the General Plan and public findings, the matter will be presented to the Board of Supervisors for final approval.

**Purpose:**

- ☐ Report progress
- ☒ **Advocacy or Education**
- ☐ Request Transportation and Planning Committee recommendation
- ☐ Other:

This item was informational only and required no Committee action.

### **II. INFORMATIONAL ITEM: Definition of Floor Area Ratio (FAR)** [Attachment](#)

Albert Lopez, Director, Planning Department, provided a definition of Floor Area Ratio (FAR).

FAR is the ratio of the total building square footage allowed on a site to the size of the parcel itself. For example: on a 10,000 sq. ft. parcel, a FAR of 1.0 allows 10,000 sq. ft. of building space. This could be achieved as: one story covering the full lot, two stories covering half the lot, or four stories covering one-quarter of the lot.

What does not typically count as FAR includes swimming pools, uncovered patios, decks, walkways, flat landscaping areas, and non-enclosed porches. Usually counted as FAR includes buildings, habitable structures, barns, storage buildings, a mausoleum, a columbarium, and covered horse arenas.

Measure D, by amendment, addressed these issues by increasing allowable FAR for agricultural buildings rather than redefining them.

**Purpose:**

- ☐ Report progress
- ☒ **Advocacy or Education**
- ☐ Request Transportation and Planning Committee recommendation
- ☐ Other:

This item was informational only and required no Committee action.

### **III. INFORMATIONAL ITEM: Application Process for Applying for an Accessory Dwelling Unit (ADU)**

Albert Lopez, Planning Director, Planning Department, reported that ADUs are strongly supported by the department and state law, as they help meet housing goals, including RHNA requirements. State law now makes ADUs a streamlined, ministerial process: if applicants meet state and local standards, they are approved quickly without needing discretionary review or neighbor input. Applications are usually signed off by planning within 1–2 days, and no planning permit is required in most cases. ADUs are allowed at varying sizes and often require little to no parking.

Daniel Woldesenbet, Director, Public Works Agency, reported that once the Planning Department signs off on the ADU application, the Building Division reviews construction details such as plumbing, electrical, and mechanical for code compliance. Applicants receive detailed checklists to guide them through the requirements.

If applicants use pre-approved ADU plans, review time is shortened since only site-specific adjustments are needed. The process is considered seamless and efficient, with fast-tracked building permits when plans are complete.

By law, local agencies must respond to applications within a short timeframe, within 30–60 days. If agencies fail to act, applicants may receive “by right” approval to build. The timeline begins upon submittal of a complete application. If incomplete, the agency must notify applicants within the time limit and allow corrections. Environmental Health (for septic systems in rural areas) is also bound by the same state timelines.

The County tracks ADUs jointly between Planning and Building, with annual reporting in the Housing Element Update. Since 2015, staff estimates ADU construction of around 130 units permitted.

**Purpose:**

- ☐ Report progress
- ☒ **Advocacy or Education**
- ☐ Request Transportation and Planning Committee recommendation
- ☐ Other:

**Recommendation from the Transportation & Planning Committee:** Staff to provide more detailed tracking of location and type of ADUs at future meetings.

### **IV. INFORMATIONAL ITEM: Applicants Right to Appeal**

Albert Lopez, Planning Director, Planning Department, reported on the process for applicants right to appeal a Planning Department decision.

Most planning decisions are appealable to higher bodies such as the Board of Zoning Adjustments (BZA) or the Planning Commission and or the Board of Supervisors. Appeals must be filed within 10 days; there is a fee of \$250 to file

There are two (2) fee types for appeals, set fees and deposit based fees. Applicants can review detailed billing records if disputed.

Building permits are usually valid for 1 year; extensions are available with reduced fees. If extended beyond 3 years, project must comply with new state building codes.

Supervisor Miley commented that the Board could possibly explore: 1) if the Building Division should be reorganized under Planning; 2) considering moving Environmental Health out of the Health Care Agency for oversight efficiency; 3) conducting management and performance audits of county operations and 4) review appeal fee structures, to keep cannabis fees lower due to federal legal status.

**Purpose:**

- ☐ Report progress
- ☒ **Advocacy or Education**
- ☐ Request Transportation and Planning Committee recommendation
- ☐ Other:

**Recommendation from the Transportation & Planning Committee:** Staff to explore the feasibility of management/performance audits; consider whether to study or adjust appeal fee levels and evaluate committee/joint meeting options to increase community participation in appeal and permitting process discussions.

**V. PUBLIC COMMENT**

None.