



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

James E. Sorensen
Agency Director

Agenda Item 3 July 24, 2007

July 17, 2007

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Honorable Board of Supervisors
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Dear Board Members:

SUBJECT: EDEN AND CASTRO VALLEY AREA PLANS: Proposal to modify the boundary between the Castro Valley General Plan (CVGP) and the Eden Area General Plan (EAGP) in the area encompassing El Portal Ridge, Fairmont Terrace and the Fairmont Campus.

RECOMMENDATION:

Planning Commission Recommendation: Continue to utilize the boundary of the 1985 Castro Valley General Plan (so that El Portal Ridge, Fairmont Terrace and the Fairmont Campus will fall within the Castro Valley Planning Area).

Castro Valley MAC Recommendation: Continue to utilize the boundary of the 1985 Castro Valley General Plan.

Planning Staff Recommendation: Continue to utilize the boundary of the 1985 Castro Valley General Plan.

A change to the proposed boundary between the Castro Valley General Plan (CVGP) and the Eden Area General Plan (EAGP) in the El Portal Ridge area is under consideration. This discussion of the mutual boundary line has been identified as a separate agenda item, apart from consideration of the two General Plan elements, because the potential for change to the line would affect both the EAGP as well as the CVGP.

BACKGROUND

State General Plan Law Requirements and the Boundary Discussion

State General Plan Law provides guidance about setting of General Plan (GP) boundaries. By law, general plans must include all land within the jurisdictional boundaries. This may be accomplished in one document, or through several discrete planning areas and plans, combining into one general plan. The Alameda County General Plan is split into several elements and plan areas to recognize distinct planning areas within Alameda County's jurisdiction. The

County Counsel and Planning staff have conferred on this issue since the beginning of the General Plan update process, and have consistently concluded that the County is legally able to set the EAGP and CVGP boundaries as they are currently proposed in the two draft plans. Further, the setting of a boundary for the planning area is not constrained by prior boundaries for existing plan areas.

History of the EAGP and CVGP Processes

EAGP process to date

- October 2002 - EAGP process initiated; boundary issue is raised by participants in process and discussed at this and subsequent EAGP workshops public meetings
- April 2003 – Planning Commission receives update on EAGP at which boundary issue is discussed. Concept of shift of El Portal Ridge is put forward; no formal action is taken, but no concerns regarding shift of area to EAGP are expressed by Commission or public.
- June 2003 – MAC hears update on EAGP during which boundary issue is discussed. Concept of shift of El Portal Ridge is put forward; no formal action is taken by MAC, but no concerns regarding shift of area to EAGP are expressed by Council.
- EAGP planning process continues for several years; draft plan and EIR are currently ready for presentation to the Planning Commission.

CVGP process to date

- 2004 – CVGP initiated with the boundary assumed based on the proposed line developed during the EAGP process.
- 2004-2007 – Numerous public hearings and meetings held. Towards the end of the process, the proposed boundary change begins to be identified as a concern by certain parties.

Evolution of the proposed boundary shift

Key community concerns relating to the processes summarized above have centered on how the idea of the boundary shift originated. This issue first arose during the very first EAGP Workshop, which occurred in October 2002. Members of the public present at the meeting identified a desire for unity within the Eden Area, which eventually led to a more geographically-based discussion that included whether or not El Portal Ridge was being addressed in the correct planning process. It was identified as a topic of discussion for future meetings, and beginning with Workshop #2 in February 2003, El Portal issues began to be incorporated into the EAGP process (El Portal Ridge was by no means formally 'moved' into the Eden Plan Area at this point, but there was a sense that this might occur at some future date so the consultants structured the meetings so there would be opportunities to address El Portal issues).

Representative of the general tenor of comments received by staff and consultants during this period is the letter received in December 2002 by RAFTA, a Fairmont Terrace community group that spoke to issues relating to that neighborhood as well as the broader El Portal area. The input focused on the location of area service districts, and suggested that residents of the area were poorly served by inclusion in the CVGP in that most of their services and planning issues related to the Eden area. This type of input

fueled a growing sense among staff and the consultant that that this was a real issue to people in the area that needed to be addressed.

To that end, it was agreed that it was appropriate to bring the matter to both the Planning Commission and the MAC in the context of an update on the EAGP process. The intent was to gather input from both community and policymakers to ensure that that staff and consultants were on the right track with respect to the potential boundary modification. As previously noted, neither body took a formal action at these meetings, but the concept of a potential shift of El Portal Ridge was quite clearly presented and discussed. While those discussions clearly did not constitute any sort of formal action to change the boundary (which can only be accomplished by the Board of Supervisors), staff did derive from those meetings that there was a general comfort level with respect to the potential boundary shift. Based on that understanding -- which, in retrospect, appears to have been incorrect -- staff concluded that it was appropriate to move forward in the Eden Plan process with an El Portal Ridge subarea. This assumption then carried forward into the Castro Valley Plan process when it began in 2004; the proposed boundary shift was identified from the inception of that process.

Input received towards the end of the CVGP and EAGP processes began to suggest that previous assumptions relating to community perceptions of the proposed boundary shift were not necessarily accurate, and that noticing and publicity relating to the General Plan updates had not been as successful as desired in alerting the El Portal community of this potential change. Although staff adhered carefully to all legal requirements and had undertaken a fairly extensive outreach program, increasing testimony at public hearings suggested that this issue warranted special focus prior to final action on the CVGP and the EAGP. To that end, Planning staff has recently set up a series of meetings to specifically address issues relating to El Portal Ridge and the common boundary between the Eden and Castro Valley General Plans.

June 18 General Plan Meeting

The first of those meetings took place Monday, June 18 at the Eden United Church of Christ. There were approximately 350 members of the public in attendance. The meeting began with a presentation by the Planning Director that addressed a variety of questions that have been asked regarding the common boundary in the El Portal Ridge area (see attached PowerPoint presentation). Approximately three hours of testimony was given by the public. The overwhelming majority of attendees (90% or more) identified themselves as residents of the El Portal Ridge area, and expressed a very strong desire to remain in the Castro Valley General Plan Boundary (the area is currently within the bounds of the 1985 Castro Valley General Plan, but has been proposed for inclusion within the Eden Area Plan per the ongoing update process for that plan).

June 25 Meeting of the Castro Valley MAC

The second in the series of four scheduled meetings on this issue occurred June 25 before the Castro Valley MAC. No formal attendance count was provided, but it is estimated that there may have been over 400 people present. The meeting began with a brief staff presentation by the Planning Director, followed by an opportunity for the MAC and audience members to ask questions of Matt Raimi, the primary planner for the project consultant at the inception of the Eden process. Extensive public testimony then ensued, provided primarily by residents of El Portal Ridge, expressing an overwhelming preference in favor of the area staying in the CVGP. At the conclusion of the meeting, the MAC voted unanimously in

favor of retaining the 1985 CVGP boundaries (with the result that El Portal Ridge would stay within the Castro Valley Plan area).

IDENTIFIED OPTIONS FOR ADDRESSING CONCERNS

Several general options have been expressed for addressing this issue based on comments received from the public at this meeting and elsewhere. These are:

1. Leave El Portal Ridge in its entirety within the planning Boundaries of the current (1985) Castro Valley General Plan.
2. Move a portion of the El Portal Ridge area back into the Castro Valley Plan area. (Different concepts have been forward relating to how one might draw the boundary between the two planning areas under this scenario, including use of the boundary that was developed as part of the Castro Valley Incorporation Study process -- see attached map).
3. Merge the two general plan areas into one area, covered by two documents.

ADDITIONAL ISSUES

The recommendations of both the MAC and the Planning Commission encompassed a somewhat broader area than El Portal Ridge proper in that they called for retention of the 1985 Castro Valley Plan boundaries. As such, their recommendations addressed not only El Portal Ridge and Fairmont Terrace directly to the north (which is considered by some to be part of the overall El Portal Ridge area), but also the Fairmont Campus property further to the north.

As you know, the Fairmont Campus was separately addressed several years ago in a planning effort by GSA that resulted in development of a draft Fairmont Area Master Plan. Towards the end of the GSA master planning process, CDA was asked to facilitate a public process to garner additional public input and incorporate the Fairmont plan into our overall General Plan update process (since all unincorporated areas must by law be covered within some portion of the County General Plan). Since the Fairmont Campus lies on the border of the Castro Valley and Eden planning areas, and the Eden Area Plan update was launched well in advance of the Castro Valley Plan update, it was determined that the Eden Plan was a more logical vehicle to carry forward the components of the Fairmont Master Plan process (primarily for reasons of timing).

Since that time, the timelines for the Eden and Castro Valley plans have shifted somewhat, with the result that the timeframes for final adoption of the two plans are now very similar. To that end, the question of the whether the Fairmont Campus should be incorporated into the EAGP or CVGP is viewed by staff as being largely academic at this point. Since the Fairmont Campus was included within the bounds of the 1985 Castro Valley planning area, the effect of the MAC and Planning Commission recommendations would be to keep the Fairmont Campus within the CVGP area. Staff sees no problems with this scenario -- or the alternate scenario wherein Fairmont is addressed in the EAGP -- in that the key element in determining detailed policy for the Fairmont Campus continues to be the master planning effort for the Fairmont Campus.

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It should also be noted that the Planning Commission recommendation addressed the neighborhood of Hillcrest Knolls, which is just north of the Fairmont Campus and has always been included within the bounds of the EAGP. The Commission noted that, should El Portal Ridge, Fairmont Terrace, and the Fairmont Campus all fall with the CVGP area, Hillcrest Knolls would be the only unincorporated area east of I-580 that is included in the EAGP. To that end, staff was directed to bring this issue back to the Planning Commission after noticing the residents of Hillcrest Knolls -- the purpose being to determine whether there is a desire among the residents to move from the Eden planning area to the Castro Valley planning area. No action is required by your Board on this issue at this time.

STAFF RECOMMENDATION:

There has been extensive debate relating to the perceived significance of the boundary line between these two General Plan areas. Staff has not typically construed the line between the different Plan Areas to be as significant as it appears to be for many members of the public based on recent testimony. To a certain degree, the line simply represents a way for the County to logically address a very large and diverse unincorporated area, by identifying more manageable geographic sub-areas. However, staff recognizes that the issue of community identity is closely entwined with the issues of the General Plan areas, and we believe that General Plan elements should represent local preferences regarding community identity whenever feasible.

Based on testimony received in this process thus far, it seems clear to staff that the vast majority of El Portal Ridge residents wish to remain in the Castro Valley Planning Area. Should public testimony continue to reflect this preference, we believe that the Commission should recognize this by recommending that the El Portal Area stay with the Castro Valley Planning Area. Modification of the boundary will have some implications relating to timing and cost, but Planning staff believes these are manageable; we have identified funds to accomplish this within our existing budget, and if so directed, will develop an expeditious schedule for any modifications that may need to occur to the Castro Valley General Plan and Eden Area General Plan.

The complete record is attached.

Very truly yours,

A handwritten signature in black ink, appearing to read "Chris Sorensen for".

James Sorensen, Director
Community Development Agency

Attachments