



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

P L A N N I N G D E P A R T M E N T

Sandra Rivera
Agency Director

Agenda Item # 8A August 8, 2024

July 25, 2024

Albert Lopez
Planning Director

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, CA 94612

224 West Winton Ave
Room 111

Hayward, California
94544-1215

Dear Board Members:

phone
510.670.5400
fax
510.785-8793

SUBJECT: **AN AMENDMENT TO THE ALAMEDA COUNTY
GENERAL PLAN TO ADD AN ENVIRONMENTAL
JUSTICE ELEMENT (EJ ELEMENT)**

www.acgov.org/cda

RECOMMENDATION:

- A. Adopt a resolution approving the Environmental Justice Element of the Alameda County General Plan and approving the related Notice of Exemption pursuant to the California Environmental Act.
- B. Delegate authority to the Community Development Agency Director to approve non-substantive formatting and administrative edits prior to releasing the final, approved EJ Element.

DISCUSSION/SUMMARY:

Introduction

The Community Development Agency’s Planning Department, in partnership with Alameda County Health’s Public Health Department, with assistance from consulting firm Environmental Science Associates, has developed a draft Environmental Justice (EJ) Element of the County General Plan. The EJ Element is focused on the unincorporated EJ “Priority Communities” of Ashland, Cherryland, Hayward Acres, five census tracts in southwestern Castro Valley, and one census tract in eastern San Lorenzo. Upon adoption, the EJ Element will replace the Ashland and Cherryland Community Health and Wellness Element¹, which was adopted by your Board in 2015.

The EJ Element (version dated January 2024 included as **Attachment A**) embraces principles of equity, accountability, collaboration, and diverse resident participation to support the community’s vision of health and wellness. It outlines a vision for how land use practices and County programs may support health, social equity, and environmental justice within the Priority Communities.

¹ <https://www.acgov.org/cda/planning/generalplans/documents/CHWE12-8-15.pdf>

Authority

California Government Code Article 5, Section 65300 et seq. requires the County to have a general plan containing seven elements: Land Use, Transportation, Housing, Open Space, Conservation, Safety, and Noise. In 2016, Senate Bill 1000² (SB 1000) established environmental justice requirements for General Plans for all California cities and counties. SB 1000 requires jurisdictions that have “disadvantaged communities,” as defined, to incorporate EJ policies into their general plans. In compliance with SB 1000, local jurisdictions must identify policies and objectives that prioritize improvements and programs to address the needs of disadvantaged communities. The “Priority Communities” identified in the draft EJ Element meet the definition of “disadvantaged” consistent with screening guidance published by the Governor’s Office of Planning and Research³.

Vision, Purpose, and Objectives

The vision of the EJ Element is for Priority Community residents to experience improved health and wellness through equitable access to social, economic, environmental, and community benefits. The purpose of the EJ Element is to achieve consistency with SB 1000 and to ensure that land use policy and decision-making within the Priority Communities support healthy and equitable community development. Consistent with the requirements of SB 1000, the objectives of the EJ Element are to:

- Embed equity and accountability in County actions impacting the Priority Communities;
- Decrease exposure to pollution and improve air quality;
- Increase access to public facilities;
- Increase access to healthy food;
- Increase access to safe and sanitary homes;
- Increase health and physical activity; and
- Increase civic engagement in public decision-making processes.

Document Overview

The draft EJ Element is organized into five chapters:

1. **Introduction** – EJ Element overview including purpose, context, and authority
2. **Priority Communities** – Priority Community geography and screening methods
3. **Existing Conditions** – Baseline health, demographic, and environmental data
4. **Goals, Policies, and Actions** – Policy measures to support health and wellness
5. **Implementation and Monitoring** – Strategies to advance EJ Element implementation

Public Process and Revisions

The multi-year process of EJ Element development was inclusive and collaborative and centered on the needs and voices of Priority community residents throughout all stages. Beginning in

² https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1000

³ https://www.opr.ca.gov/docs/20200706-GPG_Chapter_4_EJ.pdf

2022, the project team hosted three bilingual (Spanish/English) community workshops and attended numerous community events and meetings to engage residents in crafting policies and programs. A project listserv, a website (<https://www.acgov.org/cda/planning/generalplans/Env-Justice-of-General-Plan.htm>), and an online, bilingual community survey provided additional venues for public engagement.

Unincorporated-area service providers were also central to the development of the draft EJ Element. The “EJ Bucket” of the Ashland Cherryland Healthy Communities Collaborative (ACHCC), a working group comprising staff from county agencies, other local public agencies, and community-based organizations that provide essential services in the Priority Communities, met 12 times throughout the project. Their contributions were instrumental in identifying community needs and assets, co-creating EJ policy recommendations, and providing feedback on the effective implementation of the EJ Element, instilling confidence in the process.

In addition to community workshops and ACHCC EJ Bucket meetings, staff presented the EJ Element project and drafts at 21 public meetings over three years. Staff made extensive changes to the draft EJ Element based on public comment and released a revised draft in November 2023 and a second revised draft in January 2024:

- **Eden Area MAC:**
 - January 11, 2022
 - September 13, 2022
 - July 11, 2026
 - November 29, 2023
 - February 13, 2024
- **Castro Valley MAC:**
 - November 8, 2021
 - August 8, 2022
 - June 12, 2023
 - November 27, 2023
 - January 22, 2024
- **Fairview MAC:**
 - March 2, 2021
- **Planning Commission:**
 - November 8, 2021
 - September 19, 2022
 - July 17, 2023
 - December 18, 2023
 - April 1, 2024
- **Board Unincorporated Services Committee:**
 - January 27, 2021
 - July 27, 2022
 - May 24, 2023
 - February 28, 2024
- **Board Transportation & Planning Committee:**
 - June 3, 2024

Action EJ2.6C and Comments from the City of Hayward

Action EJ2.6C reads “The County will consult with BAAQMD [the Bay Area Air Quality Management District], the City of Hayward, and the Hayward Executive Airport (HEA) to review activities and emissions estimates for the facility and, where appropriate, identify potential mitigation measures that might be effective in reducing risks associated with exposure to aircraft-related pollutants in unincorporated communities surrounding the HEA.”

This action was included in the EJ Element in response to concerns voiced by the Eden Area MAC about the potential impacts of leaded aviation fuel on the unincorporated communities adjacent to the Hayward Executive Airport, which is managed by and located in the City of Hayward. Consistent with SB 1000, this measure intends to respond to the needs of

disadvantaged unincorporated Alameda County communities by exploring opportunities to reduce pollution exposure through conversations with the City of Hayward, the HEA, and BAAQMD. Action EJ2.6C does not propose regulating the HEA, which is outside the County's land use jurisdiction.

In a letter to the County dated March 19, 2024 (**Attachment B**), City of Hayward Mayor Mark Salinas requested that the County strike Action EJ2.6C from the EJ Element. At its hearing on April 1, 2024, the Alameda County Planning Commission considered this letter and public comment and recommended retaining Action EJ2.6C and rephrasing it to include consideration of noise impacts of the HEA on surrounding unincorporated communities.

Planning Commission Hearing

The second revised draft EJ Element, version dated January 2024 (**Attachment A**), was forwarded to the Planning Commission with recommendations in favor of adoption approved by the Castro Valley MAC on January 22, 2024, and the Eden Area MAC on February 12, 2024.

At its April 1, 2024, hearing, the Planning Commission reviewed the EJ Element and relevant public comment, considered a Notice of Exemption from the California Environmental Quality Act (CEQA), and adopted resolution PC-24-05 (**Attachment C**) accepting and approving the proposed draft EJ Element and recommending that your Board:

- 1) Approve the EJ Element as an update and replacement to the Ashland and Cherryland Community Health and Wellness Element, and approve the CEQA Notice of Exemption.
- 2) Approve the recommendation made by the Castro Valley MAC, at its January 22, 2024, hearing, to incorporate the following Purpose Statement into the EJ Element: "The purpose of the Environmental Justice Element is to achieve consistency with SB 1000 and to ensure that land use policy and decision-making within the Priority Communities support healthy and equitable community development."
- 3) Approve the recommendation made by the Eden Area MAC, at its February 13, 2024, hearing, to include the entirety of the Eden Area – Ashland, Cherryland, Hayward Acres, and San Lorenzo – as "EJ Priority Communities" in the EJ Element for the purposes of EJ Element implementation.
- 4) Rephrase Action EJ2.1B, regarding exploring strategies to increase tree protections on private property, to include presentations to the Planning Commission, the Municipal Advisory Councils, and the Agricultural Advisory Committee.
- 5) Rephrase Action EJ2.6C, regarding the impacts of the Hayward Executive Airport on nearby unincorporated communities, to include consideration of noise impacts.

Environmental Review

Staff has determined that the EJ Element is not subject to the California Environmental Quality Act (CEQA) because it would not "result in a direct or reasonably foreseeable indirect physical change in the environment" (CEQA Guidelines section 15060(c)(2)); because it is exempt from environmental review pursuant to the "common sense exemption" (CEQA "[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment" (CEQA Guidelines section 15061(b)(3)); and because it is exempt

Board of Supervisors

August 8, 2024

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under the Class 8 (Section 15308) exemption for actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment. A Notice of Exemption is included as **Attachment D**.

CONCLUSION:

Staff recommends that your Board adopt the attached resolution approving the Environmental Justice Element of the Alameda County General Plan and approving the related Notice of Exemption pursuant to the California Environmental Act and that your Board delegate authority to the Community Development Agency Director to approve non-substantive formatting and administrative edits prior to releasing the final, approved EJ Element. Once approved, CDA/Planning will begin coordination with other Lead County Agencies to begin implementation of the EJ Element.

Sincerely,

DocuSigned by:
Sandra Rivera
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Sandra Rivera, Director
Community Development Agency

Attachments:

- A. [Draft Environmental Justice Element \(version dated January 2024\)](#)
- B. Letter from City of Hayward Mayor Mark Salinas
- C. Resolution PC-24-05
- D. [Notice of Exemption from CEQA](#)



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

Sandra Rivera
Agency Director

Agenda Item 8B August 8, 2024

July 30, 2024

Albert Lopez
Planning Director

Honorable Board of Supervisors
Administration Building
1221 Oak Street
Oakland, CA 94612

224 West Winton Ave
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Hayward, California
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Dear Board Members:

SUBJECT: CASTRO VALLEY GENERAL PLAN MAP AMENDMENT FOR 4820 AND 4848 CROW CANYON ROAD, CASTRO VALLEY, APNs 084C-1066-025-01 AND 084C-1066-013-00

RECOMMENDATION:

Adopt a resolution approving a map amendment to the Castro Valley General Plan for a land use correction to 4820 and 4848 Crow Canyon Road, Castro Valley and approving the related Notice of Exemption pursuant to the California Environmental Act.

DISCUSSION/SUMMARY:

Background

The Castro Valley General Plan was adopted in 2012. In 2023, a mapping error was identified in the General Plan for two abutting parcels which warrants corrections to the Plan, to better reflect existing land use patterns, as well as private ownership of the parcels (as opposed to public ownership). The corrections require a General Plan Amendment. The properties' zoning category is considered appropriate and not under review here.

The parcels covered under this proposed modification are situated beyond the southern termination of Parkview Rd, in the Castro Valley community. The parcels are situated east of Crow Canyon Creek, south of Bay Trees Park (19855 Cull Canyon Rd), north of Earl Warren Park (4660 Crow Canyon Rd), and within the 2009 Special Flood Hazards Area. One of the parcels is vacant and the other (4820) is developed with a single-family home.

The parcels are privately owned, and the other five contiguous parcels under the same land use category are County-owned, which could explain why the mapping error occurred. It appears the error occurred prior to the 2012 adoption of the General Plan. Staff is suggesting that the two parcels be amended for General Plan land use category from CVGP-PF, Castro Valley General Plan-Public Facilities to CVGP-RR, Castro Valley General Plan-Rural Residential.

Because, in accordance with Government Code section 65358(b), amendments to a mandatory element of the general plan are limited to at most four times per year and each general plan amendment is allowed to include more than one change to the general plan, the staff recommends the first of the four permitted general plan amendments this year to include this change to the Castro Valley General Plan map, and to adopt the Environmental Justice Element in draft Resolution in **Attachment A**.

Public Process

The General Plan map amendment proposal (**Attachment D**), was presented to the Planning Commission with recommendations in favor of adoption approved by the Castro Valley MAC on April 22, 2024.

At its June 3, 2024, hearing, the Planning Commission reviewed the project and relevant public comment, considered a Notice of Exemption from the California Environmental Quality Act (CEQA), and adopted resolution PC-24-07 (**Attachment B**) accepting and approving the proposed mapping change.

Environmental Review

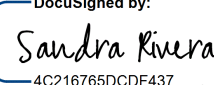
Staff has determined that the General Plan Amendment is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301, “Existing Facilities.”

A Notice of Exemption is included as **Attachment C**.

CONCLUSION

Staff recommends that your Board adopt the attached resolution approving of the Alameda County General Plan mapping change and approving the related Notice of Exemption.

Sincerely,

DocuSigned by:

4Q216765DCDF437
Sandra Rivera, Director
Community Development Agency

Attachments:

- A. Castro Valley General Plan Map Amendment Board of Supervisors *DRAFT* Resolution
- B. Planning Commission Resolution PC-24-07
- C. Notice of Exemption from CEQA
- D. Staff report to Planning Commission hearing of June 03, 2024

RESOLUTION NO. R-2024-_____

RESOLUTION ADOPTING THE ENVIRONMENTAL JUSTICE ELEMENT OF THE ALAMEDA COUNTY GENERAL PLAN, AMENDING THE CASTRO VALLEY GENERAL PLAN FOR A LAND USE MAP CORRECTION TO 4820-4848 CROW CANYON ROAD, CASTRO VALLEY, AND ADOPTING NOTICES OF EXEMPTION

WHEREAS, in accordance with Government Code sections 65300 and 65302, each city and county in California must adopt a comprehensive, long-term general plan for the physical development of the jurisdiction; and

WHEREAS, Government Code §65358(b) authorizes the amendment of an adopted general plan by the local legislative body if it deems the amendment to be in the public interest, but limits amendments to a mandatory element of a general plan to no more frequently than four times during any calendar year; and

WHEREAS, Government Code §65358(b) allows each general plan amendment to include more than one change to the general plan; and

WHEREAS, by this resolution the County intends to make the first of the four permitted general plan amendments permitted in calendar year 2024, consisting of the following two changes.

SECTION I

ADOPT THE ENVIRONMENTAL JUSTICE ELEMENT

WHEREAS, Senate Bill 1000 (2016) requires all cities and counties that have “disadvantaged communities,” as defined in the legislation, to incorporate environmental justice (“EJ”) policies into their general plans; and

WHEREAS, the unincorporated communities of Ashland, Cherryland, Hayward Acres, Castro Valley, and San Lorenzo contain census tracts that meet the SB 1000 definition of “disadvantaged communities” (also known as “EJ Priority Communities”); and

WHEREAS, the Community Development Agency Planning Department and Alameda County Health’s Public Health Department partnered to develop an SB 1000-compliant Environmental Justice Element of the Alameda County General Plan (“EJ Element”), focused on the EJ Priority Communities; and

WHEREAS, the EJ Element supersedes and expands upon the Ashland and Cherryland Community Health and Wellness Element, which was adopted by the Board of Supervisors in 2015 as an optional element of the Alameda County General Plan; and

WHEREAS, residents of the EJ Priority Communities were integral to the development of the EJ Element, and were invited to engage through a listserv, a website, a bilingual (Spanish/English) community survey, three bilingual community workshops, ten partner agency

meetings, and numerous public presentations to the Eden Area Municipal Advisory Council, the Castro Valley Municipal Advisory Council, the Planning Commission, and the Board of Supervisors' Unincorporated Services Committee; and

WHEREAS, Planning Staff reviewed the EJ Element in accordance with the provisions of the California Environmental Quality Act ("CEQA") and determined that the EJ Element is exempt from CEQA pursuant to Statutory Exemptions 15060(c)(2), 15061(b)(3), and 15308 in the CEQA Guidelines; and

WHEREAS, Planning Staff posted a draft Notice of Exemption from CEQA on the Planning Department website on January 10, 2024, and provided notice as required by law; and

WHEREAS, the Castro Valley Municipal Advisory Council, at its January 22, 2024 hearing, voted in favor of forwarding the EJ Element to the Planning Commission with a recommendation that it be adopted by the Board of Supervisors, with a further recommendation that the following Purpose Statement be incorporated into the EJ Element: "The purpose of the Environmental Justice Element is to achieve consistency with SB 1000 and to ensure that land use policy and decision-making within the Priority Communities support healthy and equitable community development"; and

WHEREAS, the Eden Area Municipal Advisory Council, at its February 13, 2024, hearing, voted in favor of forwarding the EJ Element to the Planning Commission with a recommendation that it be adopted by the Board of Supervisors, with a further recommendation that the entirety of the Eden Area be included as "EJ Priority Communities" in the EJ Element for the purposes of EJ Element implementation; and

WHEREAS, the Planning Commission, at its April 1, 2024, hearing, reviewed the EJ Element in accordance with the provisions of CEQA, considered a Notice of Exemption from CEQA, and adopted Resolution PC-24-05 accepting and approving the proposed Environmental Justice Element, and recommending the following to the Board of Supervisors:

1. Approve the Environmental Justice Element as an update and replacement to the Ashland and Cherryland Community Health and Wellness Element and approve the Notice of Exemption from CEQA.
2. Approve the recommendation made by the Castro Valley Municipal Advisory Council, at its January 22, 2024, hearing, to incorporate the following Purpose Statement into the EJ Element: "The purpose of the Environmental Justice Element is to achieve consistency with SB 1000 and to ensure that land use policy and decision-making within the Priority Communities support healthy and equitable community development."
3. Approve the recommendation made by the Eden Area Municipal Advisory Council, at its February 13, 2024, hearing, to include the entirety of the Eden Area – Ashland, Cherryland, Hayward Acres, and San Lorenzo – as "EJ Priority Communities" in the EJ Element for the purposes of EJ Element implementation.

4. Rephrase Action EJ2.1B to include presentations to the Planning Commission, the Municipal Advisory Councils, and the Agricultural Advisory Committee: “The Community Development Agency will explore strategies to increase tree protections on private property that consider both the benefits of a healthy urban tree canopy and concerns about preserving private property rights, and will present its findings to the Municipal Advisory Councils, the Agricultural Advisory Committee, the Planning Commission, and the Board Unincorporated Services Committee. Strategies may include private property tree protection ordinances, Heritage, Protected, or Native tree designations, or tree stewardship incentives.”
5. Rephrase Action EJ2.6C to include noise impacts: “The County will consult with BAAQMD, the City of Hayward, and the Hayward Executive Airport (HEA) to review activities, noise impacts, and emissions estimates for the facility and, where appropriate, identify potential mitigation measures that might be effective in reducing risks associated with exposure to aircraft related air and noise pollutants in unincorporated communities surrounding the HEA.”; and

WHEREAS, this Board held a public hearing on the proposed general plan amendment at 10:00 a.m. on Thursday, August 8, 2024, in the Board Chambers, County Administration Building, 1221 Oak Street, Oakland, for which notice was given as required by law and at which the Board took public testimony; and

WHEREAS, this Board reviewed the proposed EJ Element in accordance with the provisions of CEQA; and

WHEREAS, this amendment of the Alameda County General Plan is in the public interest as the EJ Element fulfills the County’s obligations under SB 1000 by identifying policies and objectives that prioritize improvements and programs to address the needs of disadvantaged communities in six required topic areas: pollution and air quality, access to public facilities, access to healthy food, access to safe and sanitary homes, health and physical activity, and civic engagement in the public decision-making process; and

WHEREAS, this amendment of the Alameda County General Plan to adopt the EJ Element is consistent with other documents that comprise of the County’s General Plan; and

NOW, THEREFORE, IT IS RESOLVED, that the Board of Supervisors of the County of Alameda, State of California, hereby:

- A. Approves and adopts the recommendations made by the Planning Commission in Resolution PC-24-05.
- B. Adopts the Environmental Justice Element as an Element to the Alameda County General Plan.
- C. Approves the determination of Statutory Exemption for the Project under Sections 15060(c)(2), 15061(b)(3), and 15308 of the State CEQA Guidelines.
- D. Authorizes and directs the Planning Director or his designees to file the required CEQA Notice of Exemption with the Alameda County Recorder’s Office.

SECTION II

AMEND THE CASTRO VALLEY GENERAL PLAN FOR A LAND USE MAP ERROR CORRECTION FOR 4820-4848 CROW CANYON ROAD, CASTRO VALLEY

WHEREAS, the County of Alameda Board of Supervisors received a petition from the Alameda County Planning Department on behalf of Bruce Johnson and Penelope Johnson initiating consideration of a General Plan amendment from the land use designation of Public Facilities (PF) in the Castro Valley General Plan to Rural Residential (RR), “Exhibit B, PLN2023-00166 General Plan Amendment”, located at 4820 - 4848 Crow Canyon Road, west side, 250 feet west of Crow Canyon Road, Castro Valley area of unincorporated Alameda County, with County Assessor’s Parcel Numbers: 084C-1066-025-01 and 084C-1066-013-00; and

WHEREAS, the Castro Valley Municipal Advisory Council held a public hearing on the proposed amendment at 6:00 p.m. on Monday, April 22, 2024, at 3600 Norbridge Avenue, Castro Valley Library, Chabot Room, Castro Valley, CA 94546; and

WHEREAS, the Castro Valley Municipal Advisory Council voted six in favor with none opposed to recommend that the Planning Commission recommend approval to the Board of Supervisors the proposed General Plan Amendment; and

WHEREAS, the Planning Commission held a public hearing on the proposed Amendment at 3:00 p.m. on Monday, June 3, 2024, at 224 West Winton Avenue, Room 160, Public Hearing Room, Hayward, California, 94544; and

WHEREAS, the Planning Commission voted five in favor with none opposed to recommend that the Board of Supervisors approve the proposed General Plan Amendment; and

WHEREAS, this Board held a public hearing on the proposed Amendment at 10:00 a.m. on Thursday, August 8, 2024, in the Board Chambers, County Administration Building, 1221 Oak Street, Oakland, for which notice was given as required by law and at which the Board took public testimony; and

WHEREAS, notice of public hearing was given as required by law; and

WHEREAS, the requested General Plan Amendment is deemed to be in the public interest and will result in correction to the land use designation of two lots by correct a previous mapping error and may allow for approval of more residential units in the area; and

WHEREAS, this Board finds that the General Plan Amendment is Categorically Exempt from the provisions of the California Environmental Quality Act, Section 15301, “Existing Facilities”; and

WHEREAS, it is the finding of this Board that the amendment of the General Plan from Public Facilities (PF) to Rural Residential (RR) for the described property is in the public interest given that:

A. This site lies within the Castro Valley General Plan (CVGP) adopted by the Board of Supervisors on March 2012. Under the CVGP the property is currently designated Public Facilities (PF). The purpose of this category is to provide locations for uses that support government, civic, cultural, health and infrastructure aspects of the community. These facilities have been located in a manner intended to best serve Castro Valley and the County. The category indicates public ownership as well as public use and covers uses such as the water treatment plant, fire stations, police stations, post offices, libraries, hospitals, and publicly owned office buildings. Public uses may include ancillary non-public uses that support the primary use. Public uses are scattered throughout Castro Valley. Public uses are also allowed in areas with residential and commercial categories. The maximum Floor Area Ratio for Public uses is 1.5.

B. The Rural Residential (RR) land use category is intended to retain opportunities for rural living with very low density, one-family detached housing on large lots greater than 20,000 square feet in size. The primary purpose is residential with the secondary purpose being crops, orchards, and gardens, and limited animal-keeping. The Rural Residential General Plan designation limits the maximum residential density to two dwelling units per net acre.

C. The previous CVGP, adopted by the Board of Supervisors on April 4, 1985, designated the subject parcels as Suburban and Low Density Residential (Figure 3), which include developments or subdivisions with a density of greater than 1.0 units per gross acre (including residential sites and adjoining local streets) and usually less than 6.6 units per gross acre.

D. The zoning for the two properties is currently R-1-B-40-RV, Single-family residence, 40,000 square feet minimum building site area, Combining Recreational Vehicle zoning district.

E. The current PF General Plan designation does not reflect the private ownership of the properties, or the current existence of a single-family residence on one of the two properties. The Public Facilities land use designation specifies public ownership and no residential use. The subject properties' single-family residential zoning district allows for private ownership and allows residential use.

F. These facts support the conclusion that the PF land use map designation for the subject properties was applied in error and this action would correct that mapping error.

NOW, THEREFORE, IT IS RESOLVED, that the Board of Supervisors of the County of Alameda, State of California, hereby:

1. Approves and adopts the General Plan land use map corrections to 4820-4848 Crow Canyon Road with County Assessor's Parcel Numbers: 084C-1066-025-01 and 084C-1066-013-00, changing these parcels to the Rural Residential (RR) land use category.
2. Approves the recommendations made by the Planning Commission in Resolution PC-24-07.
3. Approves the determination of Categorical Exemption for the Project under Section 15301 of the State CEQA Guidelines.

4. Authorizes and directs the Planning Director or his designees to file the required CEQA Notice of Exemption with the Alameda County Recorder's Office.

THE FOREGOING was **PASSED** and **ADOPTED** by a majority vote of the Board of Supervisors of the County of Alameda this 8th day of August 2024, by the following vote:

AYES:

NOES:

EXCUSED:

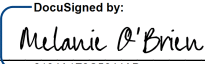
ABSTAIN:

Nate Miley, President
Board of Supervisors

ATTEST:
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:
Donna R. Ziegler, County Counsel

By:  _____
Melanie S. O'Brien
Deputy County Counsel

Attachment A

Draft Environmental Justice Element (version dated January 2024)

Follow link to view:

[https://www.acgov.org/cda/planning/generalplans/
documents/EJElement_2ndRevisedPublicDraftwAppx
_1-8-24_trkchngs.pdf](https://www.acgov.org/cda/planning/generalplans/documents/EJElement_2ndRevisedPublicDraftwAppx_1-8-24_trkchngs.pdf)



March 19, 2024

Alison Abbors
Senior Planner
Community Development Agency
224 W. Winton Ave., Room 109
Hayward, CA 94544

RE: Alameda County Environmental Justice Element

Dear Ms. Abbors:

It has come to my attention that the Alameda County Planning Department is currently drafting an Environmental Justice Element that raises concerns regarding lead pollution from aircraft using the Hayward Executive Airport (HWD). I am further aware that as a result of these concerns, County staff have added proposed action, EJ2.6C, to the draft document, which states:

The County will consult with BAAQMD, the City of Hayward, and the Hayward Executive Airport (HEA) to review activities and emissions estimates for the facility, and where appropriate, identify potential mitigation measures that might be effective in reducing risks associated with exposure to aircraft-related pollutants in unincorporated communities surrounding HEA.

As you may be aware, the Hayward City Council has identified six priorities to guide its vision and strategy for the future of the City of Hayward, including the need to confront the climate crisis and champion environmental justice. As a result of this priority, the City of Hayward continues to be a leader in climate resilience and environmental justice, reducing its carbon footprint, improving its sustainable practices, increasing green spaces, and preparing residents to face the impacts of climate change. This priority extends to all departments of the City, including the Hayward Airport.

First and foremost, the majority of the fuel sold at the Hayward Airport is jet fuel, which does not contain any lead. Furthermore, the Hayward Airport is already taking steps to reduce lead-related aviation pollution from Aviation gasoline (avgas), the fuel that does contain lead, which only makes up about ten percent of the fuel sold at the Airport. Presently, the Airport is one of a limited number of airports in the San Francisco Bay Area that offers unleaded avgas, which can be used in most piston-engine aircraft. Additionally, the Airport is aware of the development of a technologically advanced unleaded avgas product that can be used in all piston-engine aircraft. Airport staff are closely monitoring the development of this product and, once available on the open market, the fuel suppliers at the Airport will further evaluate its future use at the Hayward Airport.



While the Hayward City Council appreciates the efforts of County staff in mitigating environmental concerns related to aviation, the Hayward Executive Airport is owned and operated by the City of Hayward alone, and therefore outside of the jurisdiction of the County. The City is already actively working to reduce aircraft-related lead pollution, which addresses the community's concerns regarding this issue. As a result, action EJ2.6C should be stricken from the County's Draft Environmental Justice Element. As always, the City intends to continue working with its local partners to protect our local communities.

Sincerely,



Mark Salinas
Mayor
City of Hayward

cc: Hayward City Council
Kelly McAdoo, City Manager
Dustin Claussen, Assistant City Manager
Alex Ameri, Director of Public Works
Sara Buizer, Director of Development Services
Doug McNeely, Airport Manager
Alameda County Board of Supervisors
Susan S. Muranishi, County Administrator
Sandra Rivera, Agency Director, Community Development Agency



**THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY
HAYWARD, CALIFORNIA**

RESOLUTION NO. PC-24-05 AT MEETING HELD APRIL 1, 2024

**ENVIRONMENTAL JUSTICE ELEMENT OF THE ALAMEDA
COUNTY GENERAL PLAN**

**Introduced by Chair Marc Crawford
Seconded by Vice Chair Andy Kelley**

WHEREAS Senate Bill 1000 (2016) requires all cities and counties that have “disadvantaged communities,” as defined in the legislation, to incorporate environmental justice (EJ) policies into their general plans; and

WHEREAS SB 1000-compliant environmental justice policies must identify policies and objectives that prioritize improvements and programs to address the needs of disadvantaged communities in six required topic areas: pollution and air quality, access to public facilities, access to healthy food, access to safe and sanitary homes, health and physical activity, and civic engagement in the public decision-making process; and

WHEREAS the Board of Supervisors did adopt the Ashland and Cherryland Community Health and Wellness Element (CHWE) in 2015 as an optional element of the Alameda County General Plan; and

WHEREAS the unincorporated communities of Ashland, Cherryland, Hayward Acres, Castro Valley, and San Lorenzo contain census tracts that meet the SB 1000 definition of “disadvantaged communities” (also known as “EJ Priority Communities”); and

WHEREAS the Community Development Agency Planning Department and the Health Care Services Agency Public Health Department did partner to develop an SB 1000-compliant Environmental Justice Element of the Alameda County General Plan (“EJ Element”), focused on the EJ Priority Communities; and

WHEREAS the EJ Element supersedes the 2015 CHWE and expands upon the CHWE to include additional required subject matter and geographic areas; and

WHEREAS residents of the EJ Priority Communities were integral to the development of the EJ Element, and were invited to engage through a listserv, a website, a bilingual (Spanish/English) community survey, three bilingual community workshops, ten partner agency meetings, and numerous public presentations to the Eden Area Municipal Advisory Council, the Castro Valley Municipal Advisory Council, and the Board of Supervisors’ Unincorporated Services Committee; and

WHEREAS the Eden Area Municipal Advisory Council and the Castro Valley Municipal Advisory Council are authorized and obligated to make recommendations to the Planning Commission on matters related to planning and zoning; and

WHEREAS the Castro Valley Municipal Advisory Council, at its January 22, 2024 hearing, did vote in favor of forwarding the EJ Element to the Planning Commission with a recommendation that the Environmental Justice Element be adopted by the Board of Supervisors, with further recommendation that the following Purpose Statement be incorporated into the EJ Element: “The purpose of the Environmental

Justice Element is to achieve consistency with SB 1000 and to ensure that land use policy and decision-making within the Priority Communities support healthy and equitable community development”; and

WHEREAS the Eden Area Municipal Advisory Council, at its February 13, 2024, hearing, did vote in favor of forwarding the EJ Element to the Planning Commission with a recommendation that the Environmental Justice Element be adopted by the Board of Supervisors, with further recommendation that the entirety of the Eden Area be included as “EJ Priority Communities” in the EJ Element for the purposes of EJ Element implementation; and

WHEREAS the Alameda County Planning Commission did hold one public hearing on April 1, 2024, and three informational work sessions on November 11, 2021, July 17, 2023, and December 18, 2023, on the EJ Element; and

WHEREAS notice of public hearing was given as required by law; and

WHEREAS the EJ Element has been reviewed in accordance with the provisions of the California Environmental Quality Act (“CEQA”) and it has been determined that the EJ Element is not subject to CEQA; and

WHEREAS a draft Notice of Exemption pursuant to CEQA was posted to the EJ Element website on January 10, 2024, and noticed as required by law; and

WHEREAS the Planning Commission is authorized and obligated to make recommendations to the Board of Supervisors on matters related to planning and zoning; and

WHEREAS the testimony submitted in writing and at the public hearing and items in the public record have been considered by the Planning Commission prior to this action; and

WHEREAS it is the finding of this Commission that the EJ Element is in the public interest because it describes goals, policies, and actions that support improved health and wellness through equitable access to social, economic, environmental, and community benefits in the “disadvantaged communities” of unincorporated Alameda County, as required by SB 1000; and

WHEREAS the Environmental Justice Element is consistent with all of the other elements of the General Plan, in that it does not require any significant changes to the other elements of the General Plan, or recommend policies and programs that would contradict the goals and policies contained therein; and

WHEREAS the complete record for this process is in the custody of the Alameda County Planning Department, and may be found at Room 111, 224 West Winton Avenue, Hayward, California 94544.

WHEREAS the Alameda County Planning Commission did consider and vote to recommend that the County Board of Supervisors approve the Environmental Justice Element and Notice of Exemption from CEQA at the hearing of Monday, April 1, 2024 at 224 West Winton Avenue, Room 160, Public Hearing Room, Hayward, California, 94544; and

NOW, THEREFORE,

BE IT RESOLVED that this Planning Commission accepts and approves the proposed Environmental Justice Element; and

BE IT FURTHER RESOLVED that this Planning Commission accepts and approves the recommendations made by the Castro Valley Municipal Advisory Council, at its January 22, 2024 hearing, to incorporate the following Purpose Statement into the EJ Element: “The purpose of the Environmental Justice Element is to achieve consistency with SB 1000 and to ensure that land use policy and decision-making within the Priority Communities support healthy and equitable community development”; and

BE IT FURTHER RESOLVED that this Planning Commission accepts and approves the recommendations made by the Eden Area Municipal Advisory Council, at its February 13, 2024 hearing, to include the entirety of the Eden Area – Ashland, Cherryland, Hayward Acres, and San Lorenzo – as “EJ Priority Communities” in the EJ Element for the purposes of EJ Element implementation; and

BE IT FURTHER RESOLVED that this Planning Commission recommends rephrasing Action EJ2.1B to include presentations to the Planning Commission, the Municipal Advisory Councils, and the Agricultural Advisory Committee: “The Community Development Agency will explore strategies to increase tree protections on private property that consider both the benefits of a healthy urban tree canopy and concerns about preserving private property rights, and will present its findings to the Municipal Advisory Councils, the Agricultural Advisory Committee, the Planning Commission, and the Board Unincorporated Services Committee. Strategies may include private property tree protection ordinances, Heritage, Protected, or Native tree designations, or tree stewardship incentives.”

BE IT FURTHER RESOLVED that this Planning Commission recommends rephrasing Action EJ2.6C to include noise impacts: “The County will consult with BAAQMD, the City of Hayward, and the Hayward Executive Airport (HEA) to review activities, noise impacts, and emissions estimates for the facility and, where appropriate, identify potential mitigation measures that might be effective in reducing risks associated with exposure to aircraft related air and noise pollutants in unincorporated communities surrounding the HEA.”; and

BE IT FURTHER RESOLVED that this Planning Commission does hereby recommend that the Board of Supervisors approve the Environmental Justice Element as an update and replacement to the Ashland and Cherryland Community Health and Wellness Element, and does recommend that the Board of Supervisors approve the Notice of Exemption from CEQA; and

ADOPTED BY THE FOLLOWING VOTE:

AYES: Chair M. Crawford, Vice-Chair A. Kelley (virtual), J. Hernandez, J. Moore, R. Zeisse

NOES:

EXCUSED:

ABSENT: R. Nielsen

ABSTAINED:

ALBERT LOPEZ, PLANNING DIRECTOR AND SECRETARY,
ALAMEDA COUNTY PLANNING COMMISSION

Notice of Exemption

Appendix E

To: Office of Planning and Research
 P.O. Box 3044, Room 113
 Sacramento, CA 95812-3044
 County Clerk
 County of: Alameda
 221 Oak Street, Suite 536
 Oakland, CA 94612

From: (Public Agency): Alameda County
Community Development Agency
224 W. Winton Ave, #111, Hayward, CA, 94544
 (Address)

Project Title: Environmental Justice Element

Project Applicant: Alameda County Community Development Agency Planning Department

Project Location - Specific:
Communities of Ashland, Cherryland, Hayward Acres, Castro Valley and San Lorenzo

Project Location - City: unincorporated Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:
 Amend Alameda County General Plan to adopt Environmental Justice Element pursuant to SB 1000; Project beneficiaries: disadvantaged communities in unincorporated Alameda County : Ashland (entire CDP), Cherryland (entire CDP), Hayward Acres (all), Castro Valley (census tracts 4305, 4309, 4310, 4311, 4312), and San Lorenzo (census tract 4358).

Name of Public Agency Approving Project: Alameda County Board of Supervisors

Name of Person or Agency Carrying Out Project: Alameda County Community Development Agency - Planning Department

- Exempt Status: **(check one):**
- Ministerial (Sec. 21080(b)(1); 15268);
 - Declared Emergency (Sec. 21080(b)(3); 15269(a));
 - Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 - Categorical Exemption. State type and section number: _____
 - Statutory Exemptions. State code number: 15060(c)(2), 15061(b)(3), 15308

Reasons why project is exempt:
 Because it would not "result in a direct or reasonably foreseeable indirect physical change in the environment" (CEQA Guidelines section 15060(c)(2)); because it is exempt from environmental review pursuant to the "common sense exemption" "[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment" (CEQA Guidelines section 15061(b)(3)); and because it is exempt under the Class 8 (Section 15308) exemption for actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment.

Lead Agency
 Contact Person: Ali Abbors, Planner III Area Code/Telephone/Extension: 510-670-5428

- If filed by applicant:**
1. Attach certified document of exemption finding.
 2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: _____
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

**THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY
HAYWARD, CALIFORNIA**

RESOLUTION NO. 24-07 - AT MEETING HELD JUNE 3, 2024

**Introduced by Commissioner R. Nielsen
Seconded by Commissioner R. Zeisse**

WHEREAS the Alameda County Planning Commission did receive the petition from Alameda County Planning Department on behalf of Bruce & Penelope Johnson initiating consideration of a General Plan Amendment from the land use designation of Public Facilities (PF) in the *Castro Valley General Plan*, to Rural Residential (RR), “Exhibit B, PLN2023-00166 General Plan Amendment”, located at 4820 & 4848 Crow Canyon Road, west side, 250 feet west of Crow Canyon Road, Castro Valley area of unincorporated Alameda County, with County Assessor’s Parcel Numbers: 084C-1066-025-01 and 084C-1066-013-00; and

WHEREAS the Castro Valley Municipal Advisory Council did hold a public hearing on said proposed amendment at the hour of 6:00 pm on Monday, the 22nd of April, 2024, at 3600 Norbridge Avenue, Castro Valley Library, Chabot Room, Castro Valley, CA 94546; and

WHEREAS the Castro Valley Municipal Advisory Council did vote six in favor with none opposed to recommend that the Planning Commission recommend approval to the Alameda County Board of Supervisors the proposed General Plan Amendment; and

WHEREAS this Planning Commission did hold a public hearing on said proposed Amendment at the hour of 3:00 pm on Monday, the 3rd day of June, 2024, at 224 West Winton Avenue, Room 160, Public Hearing Room, Hayward, California, 94544; and

WHEREAS notice of public hearing was given as required by law; and

WHEREAS the requested General Plan Amendment is deemed to be in the public interest and will result in correction land use designation of two lots. The proposal would correct a mapping error and potentially allow more units that are needed in the area; and

WHEREAS this Commission finds that the General Plan Amendment is Categorically Exempt from the provisions of the California Environmental Quality Act, Section 15301, “Existing Facilities”; and

WHEREAS it is the finding of this Commission that the amendment of the General Plan from Public Facilities (PF) to Rural Residential (RR) for the described property is in the public interest given that:

This site lies within the jurisdiction of the *Castro Valley General Plan (CVGP)* adopted by the Board of Supervisors on March 2012. Under the CVGP the property is currently designated Public Facilities (PF). The purpose of this category is to provide locations for uses that support government, civic, cultural, health and infrastructure aspects of the community. These facilities have been located in a manner intended to best serve Castro Valley and the rest of the County. The category indicates public ownership as well as public use and covers uses such as the water treatment plant, fire stations, police stations, post offices, libraries, hospitals and publicly-owned office buildings. Public uses may include ancillary non-public uses that support the primary use. Public uses are scattered throughout Castro Valley. Public uses are also allowed in areas with residential and commercial categories. The maximum Floor Area Ratio for Public uses is 1.5.

The Rural Residential (RR) land use category is intended to retain opportunities for rural living with very low density, one-family detached housing on large lots greater than 20,000 square feet in size. The primary purpose is residential with the secondary purpose being crops, orchards, and gardens, and limited animal-keeping. The current General Plan designation limits the maximum residential density to two dwelling units per net acre.

The previous Castro Valley General Plan, adopted by the Board of Supervisors on April 4, 1985, designated the subject parcels as Suburban and Low Density Residential (Figure 3), which include developments or subdivisions with a density of greater than 1.0 units per gross acre (including residential sites and adjoining local streets) and usually less than 6.6 units per gross acre.

The zoning for the two properties is currently R-1-B-40-RV, Single-family residence, 40,000 sq. ft. minimum building site area, Combining Recreational Vehicle zoning district.

This current PF General Plan designation does not reflect the private ownership of the properties, or the current existence of a single-family residence on one of the two properties. The Public Facilities land use designation specifies public ownership and no residential use. The subject properties' single-family residential zoning district allows for private ownership and allows residential use. The Planning Commission therefore agrees with Planning Department staff recommendation that this action would correct a mapping error.

NOW THEREFORE

BE IT RESOLVED Planning Commission recommends approval of the General Plan Amendment from the land use designation of Public Facilities (PF) in the *Castro Valley General Plan*, to Rural Residential (RR), "Exhibit B, PLN2023-00166 General Plan Amendment", on properties located at 4820 & 4848 Crow Canyon Road, west side, 250 feet east of Crow Canyon Road, Castro Valley area of unincorporated Alameda County, with County Assessor's Parcel Numbers: 084C-1066-025-01 and 084C-1066-013-00. The Rural Residential general plan land use designation is appropriate since this General Plan designation references minimum lot sizes of 20,000 square feet in area which is consistent with the existing Zoning District that requires a minimum 40,000 square feet lot size. The Planning Commission also recommends adoption of the CEQA Exemption, Section 15301, "Existing Facilities".

ADOPTED BY THE FOLLOWING VOTE:

AYES: Commissioners Chair M. Crawford, Vice-Chair A. Kelley (virtual), R. Nielsen, R. Zeisse

NOES: Commissioners

ABSENT: Commissioners

EXCUSED: Commissioners J. Hernandez

ABSTAINED: 0 Commissioners

**ALBERT LOPEZ - PLANNING DIRECTOR & SECRETARY
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY**

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Alameda

221 Oak St # 536

Oakland CA 94612

From: (Public Agency): Alameda County

Community Development Agency

224 W Winton Av # 111, Hayward CA 94544

(Address)

Project Title: General Plan Amendment 4820-4848 Crow Canyon Rd, Castro Valley

Project Applicant: Alameda County Community Development Agency Planning Department

Project Location - Specific:

4820-4848 Crow Canyon Rd, Castro Valley

Project Location - City: Unincorporated Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

Amendment to the Castro Valley General Plan for a land use correction to 4820-4848 Crow Canyon Road, Castro Valley

Name of Public Agency Approving Project: Alameda County Board of Supervisors

Name of Person or Agency Carrying Out Project: Alameda County Community Development Agency - Planning Department

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15301
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

A correction to the General Plan designation on two abutting properties will not negatively impact the environment.

Lead Agency

Contact Person: Aubrey Rose AICP, Planner III Area Code/Telephone/Extension: 510-670-5322

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

STAFF REPORT

TO: Alameda County Planning Commission

RE: PLN2023-00166

**Castro Valley General Plan Amendment –
4820 Crow Canyon Rd (APN 084C-1066-025-01) &
4848 Crow Canyon Rd (APN 084C-1066-013-00)**

HEARING DATE: June 3, 2024

PROPONENT: Alameda County Planning Department

PROPOSAL: Proposed changes to Castro Valley General Plan and Zoning Map

ZONING: R-1-B-40-RV, Single-family residence, 40,000 sq. ft. minimum building site area, Combining Recreational Vehicle zoning districts

GENERAL PLAN CVGP-PF, Castro Valley General Plan-Public Facilities

CATEGORY:

ENVIRONMENTAL The project is Categorically Exempt from the provisions of the California

REVIEW: Environmental Quality Act, Section 15301, “Existing Facilities.”

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review staff report, take public testimony, and recommend to the Board of Supervisors approval of the General Plan Amendment.

STAFF ANALYSIS

The Castro Valley General Plan was adopted in 2012. In 2023, a mapping error was identified in the General Plan for two abutting parcels with regards to land use category. This warrants corrections to the Plan, to better reflect existing land use patterns, as well as private ownership of the parcels (as opposed to public ownership). The corrections require a General Plan Amendment. The properties’ zoning category is considered appropriate and not under review here.

The parcels covered under this report, 4820 Crow Canyon Rd (APN 084C-1066-025-01) and 4848 Crow Canyon Road (APN 084C-1066-013-00), are situated beyond the southern termination of Parkview Rd, in the Castro Valley community. The parcels are situated east of Crow Canyon Creek, south of Bay Trees Park (19855 Cull Canyon Rd), north of Earl Warren Park (4660 Crow Canyon Rd), and within the 2009 Special Flood Hazards Area. The parcels are privately owned, and the other five contiguous parcels under the same land use category are County-owned. Each of the subject parcels is developed with a single-family home. This report does not involve the parcel having the same address at 4848 Crow Canyon Rd (APN 084C-1066-026-00) fronting the west side of Crow Canyon Rd.

It is unclear why the mapping error may have occurred. It appears the error occurred prior to the 2012 adoption of the General Plan. Staff is suggesting that the two parcels be amended for General Plan land use category from CVGP-PF, Castro Valley General Plan-Public Facilities to CVGP-RR, Castro Valley General Plan-Rural Residential. Following are the descriptions for these categories:

PF / Public Facilities

The purpose of this category is to provide locations for uses that support government, civic, cultural, health and infrastructure aspects of the community. These facilities have been located in a manner intended to best serve Castro Valley and the rest of the County. *The category indicates public ownership as well as public use* and covers uses such as the water treatment plant, fire stations, police stations, post offices, libraries, hospitals and publicly-owned office buildings. Public uses may include ancillary non-public uses that support the primary use. Public uses are scattered throughout Castro Valley. Public uses are also allowed in areas with residential and commercial categories. The maximum FAR for Public uses is 1.5.

RR/Rural Residential

This category is intended to retain opportunities for rural living with very low density, *one-family detached housing on large lots greater than 20,000 square feet in size*. The primary purpose is residential with the secondary purpose being crops, orchards, and gardens, and limited animal-keeping.

Clearly, the current PF category is inappropriate for the properties, and the proposed RR category is more appropriate.

RESULTS OF THE APRIL 22, 2024, CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL HEARING

The Castro Valley MAC voted unanimously 6-0 to recommend that the Planning Commission recommend approval to the Board of Supervisors of the proposed General Plan Amendment.

CEQA

The project is Categorically Exempt from the provisions of the California Environmental Quality Act, Section 15301, "Existing Facilities."

RECOMMENDATION

Staff recommends the Planning Commission accept the report and recommend that the Board of Supervisors of the proposed General Plan Amendment.

ATTACHMENTS

- Planning Commission Draft Resolution
- Exhibit “A” Castro Valley General Plan land use map
- Exhibit “B” Castro Valley General Plan land use categories
- Exhibit “C” Alameda County Zoning Map

Prepared By: Aubrey Rose AICP, Planner

Reviewed By: Rodrigo Orduña AICP, Assistant Planning Director

**THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY
HAYWARD, CALIFORNIA**

DRAFT RESOLUTION NO. 24-XX - AT MEETING HELD JUNE 3, 2024

**Introduced by Commissioner
Seconded by Commissioner**

WHEREAS the Alameda County Planning Commission did receive the petition from Alameda County Planning Department on behalf of Bruce & Penelope Johnson initiating consideration of a General Plan Amendment from the land use designation of Public Facilities (PF) in the *Castro Valley General Plan*, to Rural Residential (RR), “Exhibit B, PLN2023-00166 General Plan Amendment”, located at 4820 & 4848 Crow Canyon Road, west side, 250 feet west of Crow Canyon Road, Castro Valley area of unincorporated Alameda County, with County Assessor’s Parcel Numbers: 084C-1066-025-01 and 084C-1066-013-00; and

WHEREAS the Castro Valley Municipal Advisory Council did hold a public hearing on said proposed amendment at the hour of 6:00 pm on Monday, the 22nd of April, 2024, at 3600 Norbridge Avenue, Castro Valley Library, Chabot Room, Castro Valley, CA 94546; and

WHEREAS the Castro Valley Municipal Advisory Council did vote six in favor with none opposed to recommend that the Planning Commission recommend approval to the Alameda County Board of Supervisors the proposed General Plan Amendment; and

WHEREAS this Planning Commission did hold a public hearing on said proposed Amendment at the hour of 3:00 pm on Monday, the 3rd day of June, 2024, at 224 West Winton Avenue, Room 160, Public Hearing Room, Hayward, California, 94544; and

WHEREAS notice of public hearing was given as required by law; and

WHEREAS the requested General Plan Amendment is deemed to be in the public interest and will result in correction land use designation of two lots. The proposal would correct a mapping error and potentially allow more units that are needed in the area; and

WHEREAS this Commission finds that the General Plan Amendment is Categorically Exempt from the provisions of the California Environmental Quality Act, Section 15301, “Existing Facilities”; and

WHEREAS it is the finding of this Commission that the amendment of the General Plan from Public Facilities (PF) to Rural Residential (RR) for the described property is in the public interest given that:

This site lies within the jurisdiction of the *Castro Valley General Plan (CVGP)* adopted by the Board of Supervisors on March 2012. Under the CVGP the property is currently designated Public Facilities (PF). The purpose of this category is to provide locations for uses that support government, civic, cultural, health and infrastructure aspects of the community. These facilities have been located in a manner intended to best serve Castro Valley and the rest of the County. The category indicates public ownership as well as public use and covers uses such as the water treatment plant, fire stations, police stations, post offices, libraries, hospitals and publicly-owned office buildings. Public uses may include ancillary non-public uses that support the primary use. Public uses are scattered throughout Castro Valley. Public uses are also allowed in areas with residential and commercial categories. The maximum Floor Area Ratio for Public uses is 1.5.

The Rural Residential (RR) land use category is intended to retain opportunities for rural living with very low density, one-family detached housing on large lots greater than 20,000 square feet in size. The primary purpose is residential with the secondary purpose being crops, orchards, and gardens, and limited animal-keeping. The current General Plan designation limits the maximum residential density to two dwelling units per net acre.

The previous Castro Valley General Plan, adopted by the Board of Supervisors on April 4, 1985, designated the subject parcels as Suburban and Low Density Residential (Figure 3), which include developments or subdivisions with a density of greater than 1.0 units per gross acre (including residential sites and adjoining local streets) and usually less than 6.6 units per gross acre.

The zoning for the two properties is currently R-1-B-40-RV, Single-family residence, 40,000 sq. ft. minimum building site area, Combining Recreational Vehicle zoning district.

This current PF General Plan designation does not reflect the private ownership of the properties, or the current existence of a single-family residence on one of the two properties. The Public Facilities land use designation specifies public ownership and no residential use. The subject properties' single-family residential zoning district allows for private ownership and allows residential use. The Planning Commission therefore agrees with Planning Department staff recommendation that this action would correct a mapping error.

NOW THEREFORE

BE IT RESOLVED Planning Commission recommends approval of the General Plan Amendment from the land use designation of Public Facilities (PF) in the *Castro Valley General Plan*, to Rural Residential (RR), "Exhibit B, PLN2023-00166 General Plan Amendment", on properties located at 4820 & 4848 Crow Canyon Road, west side, 250 feet east of Crow Canyon Road, Castro Valley area of unincorporated Alameda County, with County Assessor's Parcel Numbers: 084C-1066-025-01 and 084C-1066-013-00. The Rural Residential general plan land use designation is appropriate since this General Plan designation references minimum lot sizes of 20,000 square feet in area which is consistent with the existing Zoning District that requires a minimum 40,000 square feet lot size. The Planning Commission also recommends adoption of the CEQA Exemption, Section 15301, "Existing Facilities".

ADOPTED BY THE FOLLOWING VOTE:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

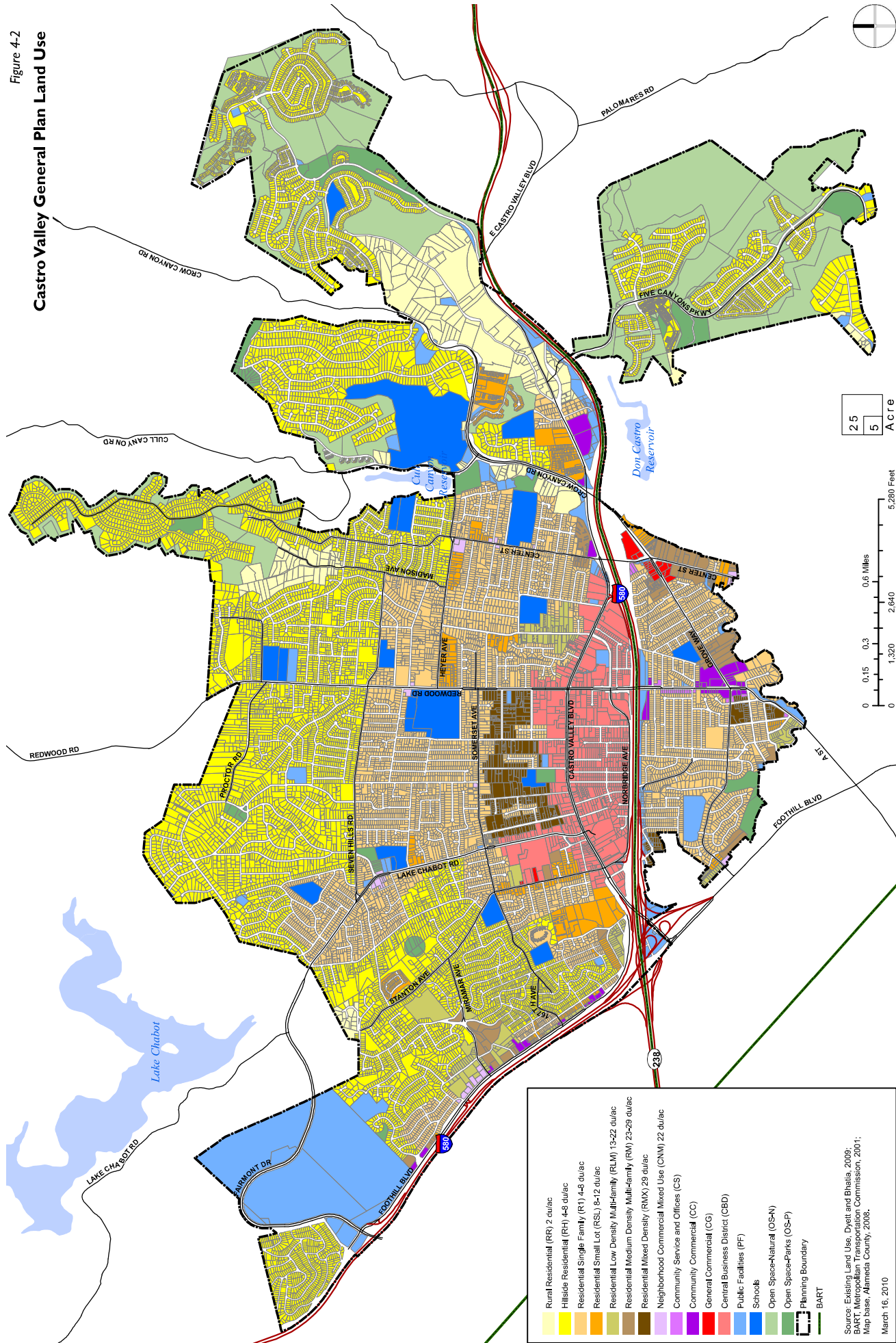
EXCUSED: Commissioners

ABSTAINED: Commissioners

**ALBERT LOPEZ - PLANNING DIRECTOR & SECRETARY
COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY**

Figure 4-2

Castro Valley General Plan Land Use



Sources: Existing Land Use, Dyett and Bhatia, 2009;
 BART Metropolitan Transportation Commission, 2001;
 Map base, Alameda County, 2008.
 March 16, 2010

Table 4.2-1A: Residential Land Use Classifications

Land Use Category	Description	Corresponding Existing Zoning	Proposed Zoning	Maximum Density (Units per Net Acre)
Rural Residential	This designation is intended to retain opportunities for rural living with very low density, one-family detached housing on large lots greater than 20,000 square feet in size. The primary purpose is residential with the secondary purpose being crops, orchards, and gardens, and limited animal-keeping.	R-1(B-40); R-1(B-E, CSU, RV); R-1(L, B-E)	RR-40; RR-20	1-2
Hillside Residential	This designation is used in areas of steep slopes and/or high fire hazard areas to ensure that adequate mitigations are identified for the development of one-family detached dwellings. Lots range from 5,000 to 10,000 square feet resulting in residential densities between 4 and 8 units per net acre. Minimum lot sizes are to be based on the slope.	R-1 (B-E, CSU, RV); R-1 (B-E)	RH-10: minimum 10,000 sf lot; RH-8: minimum 8,000 sf lot; RH-7.5: minimum 7,500 sf lot; RH-6.5: minimum 6,500 sf lot; RH-5: minimum 5,000 sf lot	4-8
Residential - Single Family	This land use category provides for and protects established neighborhoods of one-family dwellings. Community facilities compatible with low-density residential uses ranging from 6 to 8 units per net acre are allowed.	R-1 (BE), R-1 (5000)	R-1-7.5 (7500 sf minimum lot size and R-1-5 (5000 sf minimum lot size)	6-8

Table 4.2-1B: Public and Open Space Land Use Classifications

Land Use Category	Description	Corresponding Existing Zoning	Proposed Zoning
Public Facilities	<p>The purpose of this designation is to provide locations for uses that support government, civic, cultural, health and infrastructure aspects of the community. These facilities have been located in a manner intended to best serve Castro Valley and the rest of the County.</p> <p>The designation indicates public ownership as well as public use and covers uses such as the water treatment plant, fire stations, police stations, post offices, libraries, hospitals and publicly-owned office buildings. Public uses may include ancillary non-public uses that support the primary use. Public uses are scattered throughout Castro Valley. Public uses are also allowed in areas with residential and commercial designations. The maximum FAR for Public uses is 1.5.</p>	NA	PF
Open Space - Parks	<p>This designation provides for current and expected future locations for public parks of all sizes and types in the community. Parks may include a wide range of uses including active playing fields, recreation facilities including buildings, picnic areas, plazas, bicycle and walking trails, water features, passive green spaces, and landscaped areas.</p>	NA	OS-P
Open Space - Natural	<p>This designation provides for natural open spaces that have been identified for permanent conservation. These areas are typically established as part of Planned Unit Developments as permanent easements. These areas are intended for passive recreation only.</p>	NA	OS-N
Biological Resources Overlay	<p>The biological resources overlay zone delineates high, moderate, and low priority areas for habitat preservation in order to ensure maximum protection of biological resources.</p>	NA	See Figure 7-2

Source: Kahn/Mortimer/Associates and Dyett & Bhatia: 2010

<https://acpwa.maps.arcgis.com/apps/View/index.html?appid=4a648cb409d744b8a4f645e6e351e773>

Unincorporated Alameda County PAM | 123 Main St | Public Access Map

Layers:

- Street Centerlines
- Blueline Streams
- Cities
- Unincorporated Communities
- Alameda County Unincorporated
- County Boundary
- Parcels
- Zoning District
- General Plan Land Use Designation
- Alameda County Aerial Imagery (2017)

(1 of 6)

General Plan Land Use Designation: CVGP-PF
General Plan Land Use: PF: Public Facilities
General Plan: CVGP: Castro Valley General Plan
Residential Overlay: None
 Zoom to

CVGP-PF, CVGP-R1, CVGP-RH, CVGP-RR, Shauna Ct, Noree Ct, Parkview Rd, Edwards Ln, Paradise Kt, Crow Canyon Rd, Beacon Hill Dr

esri | Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom...

4848 Crow Canyon Road APN 084C-1066-013-00



4820 Crow Canyon Road APN 084C-1066-025-01