

# ALAMEDA COUNTY PLANNING DEPARTMENT

399 Elmhurst Street, Hayward, California 94544

(415) 670-5400

June 1, 1989 Item S-7

May 26, 1989

Board of Supervisors  
1221 Oak Street  
Oakland, CA

Dear Board Members:

SUBJECT: Interim Ordinance - Sunol Central Area

## RECOMMENDATION

The Board:

1. Adopt the attached resolution citing the finding to support an interim ordinance.
2. Adopt the attached interim ordinance as an urgency measure requiring a "Site Development Review Permit" for any development or use within the area of central Sunol in the Residential, Retail Business, General Commercial, Light Industrial and Planned Development Zoning Districts on all the parcels shown on the Assessor Map 96, Page 140 in the area bounded generally by Foothill Road on the north, Bond Street and State Highway on the east, State Highway on the south, extension of and Kilkare Road on the west.
3. Consider use of a citizens committee to assist in the implementation of the interim ordinance and subsequent development of permanent program.
4. Set Public Hearing to consider extending the interim ordinance for 9 a.m. Thursday, July 13, 1989.

## Discussion

Recent fires in the Central Sunol Area have destroyed 3 buildings. The community is concerned that replacement uses and structures reflect the character of the area.

The present zoning provisions are not sufficient to assure that each proposed development will be reviewed to assure compatibility with the desire of the citizens and the character of the area.

Additional development regulations and review procedures must be prepared and adopted to meet the desires of the community.

Board of Supervisors  
Interim Ordinance - Sunol -  
May 26, 1989 - Page 2

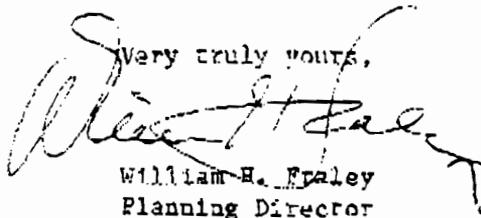
Section 65858 (a) permits the Board to adopt an interim ordinance as an urgency measure (4/5 vote) to regulate uses which may conflict with, among other items, a zoning proposal. This ordinance would be effective for 45 days and may be extended, after noticed public hearing, for 10 months.

It is expected that the owners of the buildings destroyed will want to rebuild as soon as possible and additional development may occur on vacant parcels. The Sunol area has a unique character dating back to its development as part of the extension of the railroads through Alameda County. The residents wish to retain the lifestyle including the character of the buildings in the area. To achieve this, special attention must be given to the land use regulations in order to achieve these objectives.

The Board may wish to consider creating a committee of local citizens to assist in the implementation of the interim ordinance and the development of the permanent program to respond to the community desires.

The interim ordinance will permit the necessary investigation of alternatives and involvement of the community in reaching a workable program to meet the needs of the residents.

Very truly yours,



William H. Ealey  
Planning Director

WHF:gr  
cc: County Counsel

2186A

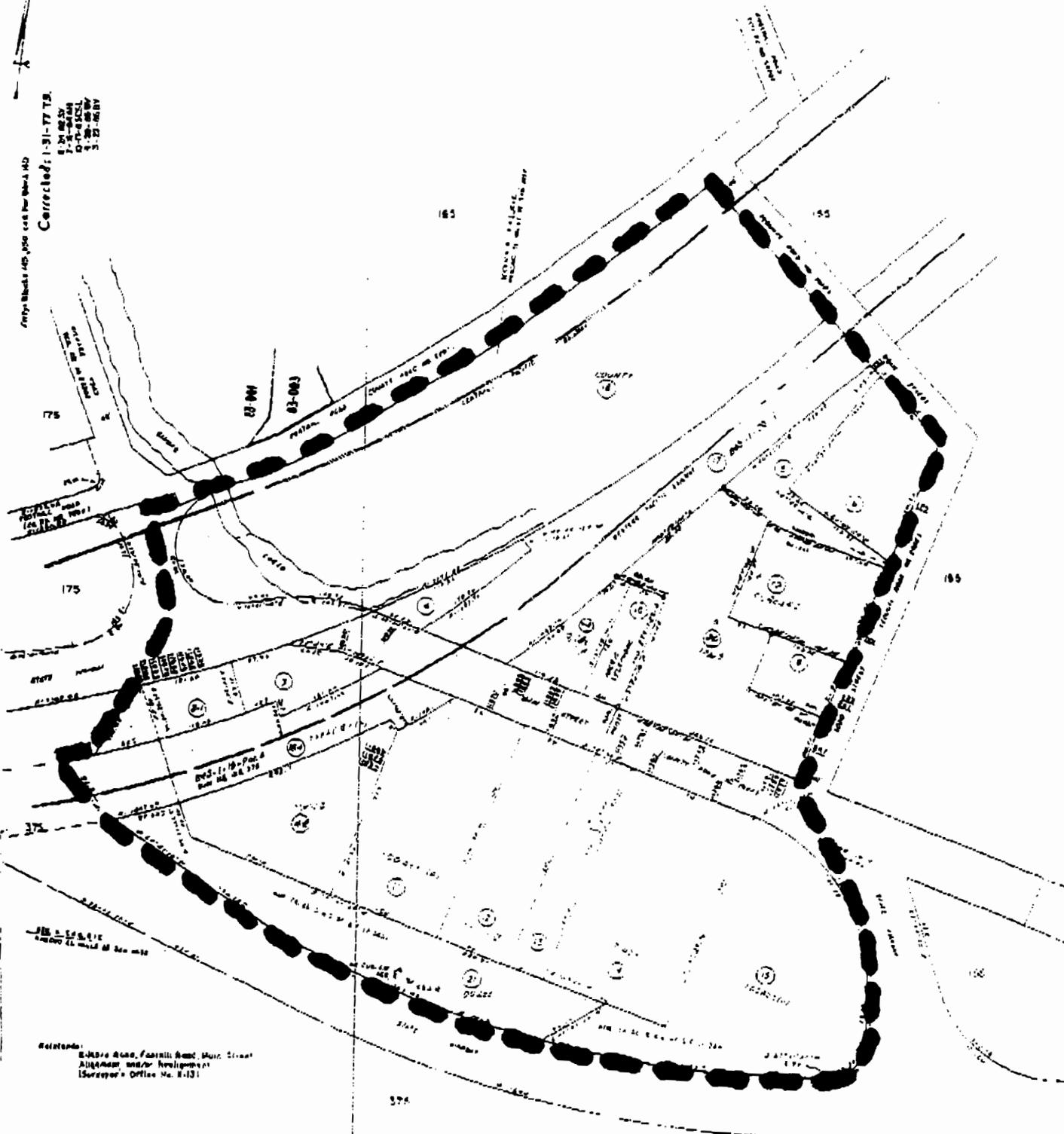
ASSESSOR'S MAP 96

Code Area No. 81-00

T.4S.,R.1E  
RANCHO EL VALLE DE SAN JOSE  
P.M. 1927

140  
Scale: 1"=100'

Corrected: 1-31-77 TA  
2-28-82 SA  
3-22-83 SA  
3-22-84 SA



Relatado: E. J. ...  
Alameda County Assessor's Office No. 8-131

ACM 48

(MON) 11.17.08 13:22/NO. 4862943624 P 4

FROM ALAMEDA COUNTY PLANNING DEPT.

ORDINANCE NO. 0-89-47

AN URGENCY INTERIM ORDINANCE AMENDING TO CHAPTER 2 OF TITLE 8  
OF THE ALAMEDA COUNTY ORDINANCE CODE RELATING TO ZONING

The Board of Supervisors of the County of Alameda, State of California, do ordain as follows:

SECTION I

The Alameda County Ordinance Code is hereby amended in the following manner:

Sections 8-61.2d of Article 8 of Part I of Title 8 of Chapter 2 of the Alameda County Ordinance Code is added to read as follows:

8-61.2 Site Development Review: All Districts; When Required.

In addition to the requirement for Site Development Review as provided by other provisions of this Chapter, Site Development Review is additionally required as follows:

d) All structures and uses to be located on property shown on Assessor's Map 96, Block 140, in the unincorporated area of Alameda County, Sunol, Pleasanton Township, shall be the subject of an approved Site Development Review pursuant to Section 8-95.0.

SECTION II

It is the finding of this Board that any development or use without Site Development Review on property within the area of Central Sunol in the Residential, Retail Business, General Commercial, Light Industrial and Planned Development Zoning Districts, on all parcels shown on Assessor's Map 96, Page 140, in the unincorporated area of Alameda County, Sunol, Pleasanton Township, would result in a threat to the public health, safety and welfare. It is also the finding of this Board that the County is preparing other ordinances and programs to address this problem. Therefore, this measure is declared to be an urgency interim statute, to take effect and be in force immediately upon its passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in The Inter-City Express, a newspaper published in the said County of Alameda.

As an urgency Interim Ordinance, this Ordinance shall be of no further force and effect forty-five (45) days from its date of adoption.

ORDINANCE NO. 0-89-47  
Adopted June 1, 1989

Adopted by the Board of Supervisors of the County of Alameda, State of California, on June 1, 1989, by the following called vote:

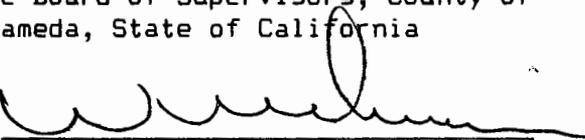
AYES: Supervisors King, Santana and Chairman Perata - 3  
NOES: Supervisors None  
EXCUSED: Supervisors Campbell and Widener - 2



Chairman of the Board of Supervisors of the  
County of Alameda, State of California

ATTEST: WILLIAM MEHRWEIN, Clerk of  
the Board of Supervisors, County of  
Alameda, State of California

BY



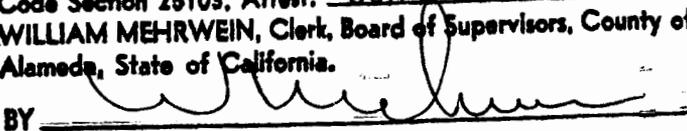
Approved as to form, RICHARD J. MOORE  
County Counsel



LORENZO E. CHAMBLISS

I hereby certify under penalty of perjury that the Chairman of  
the Board of Supervisors was duly authorized to execute this  
document on behalf of the County of Alameda by a majority  
vote of the Board on JUN 0 1 1989; and that a copy has  
been delivered to the Chairman as provided by Government  
Code Section 25103. Attest: JUN 0 7 1989  
WILLIAM MEHRWEIN, Clerk, Board of Supervisors, County of  
Alameda, State of California.

BY



Ordinance 0-89-47  
Agenda 6/1/89  
Item S-7  
File 4376

ORDINANCE NO. 0-89-46

AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 8 OF THE ALAMEDA COUNTY  
ORDINANCE CODE RELATING TO ZONING

The Board of Supervisors of the County of Alameda, State of California, do ordain as follows:

SECTION I

The Alameda County Ordinance Code is hereby amended in the following manner:

Section 3-136.5 of Article 9 of Title 3 of the Alameda County Ordinance Code is amended to read as follows:

**3-136.5 Enforcement Official**

Except as otherwise provided herein the provisions of this Article shall be administered and enforced by the Planning Director. In the enforcement of this Article the Planning Director and his deputies may, according to law, enter upon private or public property to examine a vehicle or parts thereof, or obtain information as to the identity of a vehicle and to remove or cause the removal of a vehicle or part thereof declared to be a public nuisance pursuant to this Article.

Sections 8-60.29 of Article 8 of Title 8 of Chapter 2 of the Alameda County Ordinance Code is added to read as follows:

**8-60.29 Accessory Buildings; Types of Structures Prohibited**

In any R District, cargo containers, truck trailers, vans, commercial vehicles and similar moved on containers shall not be permitted as temporary or permanent structures of any type. This section shall not prohibit a moved on mobile home as specified under Section 8-20.15 or a temporary use as provided by Section 8-60.59.

Sections 8-61.2b, 8-90.3 and 8-106.2 of Article 8 of Part I of Title 8 of Chapter 2 of the Alameda County Ordinance Code are amended to read as follows:

**8-61.2 Site Development Review: All Districts; When Required.**

In addition to the requirement for Site Development Review as provided by other provisions of this Chapter, Site Development Review is additionally required as follows:

b) All structures to be moved onto property in the unincorporated area of Alameda County shall be the subject of an approved Site Development Review pursuant to Section 8-95.0.

**8-90.3 Zoning Approval: Permits Revocable.**

Whenever zoning approval is found to have been obtained by fraud or to have been issued illegally or in error, it shall be revoked. Whenever a Use covered by zoning approval or by any previously issued Variance, Conditional Use Permit or Site Development Review is found to be exercised unlawfully or contrary to any condition or limitation of its issuance or to be exercised as to constitute a nuisance or to be detrimental to the public health or safety, the matter shall be reported to the Zoning Administrator. The Zoning Administrator shall make such investigations as are necessary to determine whether such conditions exist and, if so, shall set the matter for hearing. After a hearing conducted pursuant to Section 8-101.0 the Zoning Administrator may revoke any such zoning approval or any Variance, Conditional Use Permit or Site Development Review unless the exercise thereof has been so altered as to eliminate cause for revocation. Upon any such revocation, Section 8-106.3 shall control.

**8-106.2 Duty of County Officers.**

It is the duty of the Planning Director and of all other officials of the County concerned with any of the matters regulated by this Chapter to enforce it. For such purpose the Planning Director and his or her designated representatives shall have the powers of a police officer.

SECTION II

This Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in THE INTER-CITY EXPRESS, a newspaper published in the said County of Alameda.

ADOPTED by the Board of Supervisors of the County of Alameda, State of California, on June 1, 19 89, by the following called vote:

- AYES: Supervisors King, Santana and Chairman Perata - 3
- NOES: Supervisors None
- EXCUSED: Supervisors Campbell and Widener - 2

Chairman of the Board of Supervisors of the County of Alameda, State of California

ATTEST: WILLIAM MEHRWEIN, Clerk of the Board of Supervisors of the County of Alameda, State of California

By

I hereby certify under penalty of perjury that the Chairman of the Board of Supervisors was duly authorized to execute this document on behalf of the County of Alameda by a majority vote of the Board on JUN 01 1989; and that a copy has been delivered to the Chairman as provided by Government Code Section 25103, Attest: JUN 07 1989

WILLIAM MEHRWEIN, Clerk, Board of Supervisors, County of Alameda, State of California.

BY

Approved as to form, RICHARD J. MOORE  
County Counsel

LORENZO E. CHAMBLISS



OFFICE OF THE  
CLERK, BOARD OF SUPERVISORS

BOARD APPOINTMENTS - JUNE 1, 1989

The following are Board Member appointments and reappointments to various Boards, Commissions, Committees and Special Districts. Vacant positions have been posted for a period not less than 10 days.

<u>APPOINTED</u>	<u>TO REPLACE</u>	<u>TERM EXPIRES</u>	<u>SUPERVISOR</u>
CITIZENS ADVISORY COMMITTEE FOR SITE DEVELOPMENT REVIEW IN SUNOL			
FRANK FRIES [REDACTED]	New Committee	00/00/00	CAMPBELL
MARIE GRONLEY [REDACTED]	New Committee	00/00/00	CAMPBELL
VIRGINIA MAGUIRE [REDACTED]	New Committee	00/00/00	CAMPBELL
ARIO YSIT [REDACTED]	New Committee	00/00/00	CAMPBELL
PAUL ZEISS [REDACTED]	New Committee	00/00/00	CAMPBELL

THE FOREGOING MINUTE ORDER was passed and adopted by the following vote of the Board of Supervisors, County of Alameda, State of California, on June 1, 1989 to wit:

APPROVED AS RECOMMENDED:

AYES: Supervisors King, Santana and Chairman Perata - 3

NOES: None

EXCUSED: Supervisors Campbell and Widener - 2

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FILE #4376  
ITEM #S-7

MINUTE ORDER

Board of Supervisors of the County of Alameda

N O M I N A T I O N

FOR BOARDS AND COMMISSIONS

DATE: June 1, 1989

TO: Each Member, Board of Supervisors

FROM: Supervisor Ed Campbell

IT IS MY INTENTION TO APPOINT Frank Fries

HOME ADDRESS [REDACTED] CITY Sunol ZIP 94586

BUSINESS ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE: HOME [REDACTED] BUSINESS \_\_\_\_\_

TO THE Citizens advisory committee for site development review in Sunol.

REPLACING \_\_\_\_\_

VACANCY CREATED BY: \_\_\_\_\_ RESIGNATION  
\_\_\_\_\_ EXPIRATION OF TERM  
X OTHER: Newly formed committee  
QUALIFICATIONS \_\_\_\_\_ NOT INCLUDED (Reappointment)  
X ATTACHED

Very active in the community.

If you have any questions regarding this, please contact me.

CC: Clerk, Board of Supervisors

Board of Supervisors of the County of Alameda

N O M I N A T I O N

FOR BOARDS AND COMMISSIONS

DATE: June 1, 1989

TO: Each Member, Board of Supervisors

FROM: Supervisor Ed Campbell

IT IS MY INTENTION TO APPOINT Marie Gronley.

HOME ADDRESS [REDACTED] CITY Sunol ZIP 94586.

BUSINESS ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_.

PHONE: HOME [REDACTED] BUSINESS \_\_\_\_\_.

TO THE Citizens advisory committee for site development review in Sunol.

REPLACING \_\_\_\_\_.

VACANCY CREATED BY: \_\_\_\_\_ RESIGNATION  
\_\_\_\_\_ EXPIRATION OF TERM  
X \_\_\_\_\_ OTHER: Newly formed committee  
QUALIFICATIONS \_\_\_\_\_ NOT INCLUDED (Reappointment)  
X \_\_\_\_\_ ATTACHED

Very active in the community.  
\_\_\_\_\_  
\_\_\_\_\_

If you have any questions regarding this, please contact me.

CC: Clerk, Board of Supervisors

Board of Supervisors of the County of Alameda

N O M I N A T I O N

FOR BOARDS AND COMMISSIONS

DATE: June 1, 1989

TO: Each Member, Board of Supervisors

FROM: Supervisor Ed Campbell

IT IS MY INTENTION TO APPOINT Virginia Maguire.

HOME ADDRESS [REDACTED] CITY Sunol ZIP 94586.

BUSINESS ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_.

PHONE: HOME [REDACTED] BUSINESS \_\_\_\_\_.

TO THE Citizens advisory committee for site development  
review in Sunol.

REPLACING \_\_\_\_\_.

VACANCY CREATED BY: \_\_\_\_\_ RESIGNATION  
\_\_\_\_\_ EXPIRATION OF TERM  
X OTHER: Newly formed committee  
QUALIFICATIONS \_\_\_\_\_ NOT INCLUDED (Reappointment)  
X ATTACHED

Very active in the community.  
\_\_\_\_\_  
\_\_\_\_\_

If you have any questions regarding this, please contact me.

CC: Clerk, Board of Supervisors

Board of Supervisors of the County of Alameda

N O M I N A T I O N

FOR BOARDS AND COMMISSIONS

DATE: June 1, 1989

TO: Each Member, Board of Supervisors

FROM: Supervisor Ed Campbell

IT IS MY INTENTION TO APPOINT Ario Ysit

HOME ADDRESS [REDACTED] CITY Sunol ZIP 94586

BUSINESS ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE: HOME [REDACTED] BUSINESS \_\_\_\_\_

TO THE Citizens advisory committee for site development review in Sunol.

REPLACING \_\_\_\_\_

VACANCY CREATED BY: \_\_\_\_\_ RESIGNATION  
\_\_\_\_\_ EXPIRATION OF TERM  
X \_\_\_\_\_ OTHER: Newly formed committee  
QUALIFICATIONS \_\_\_\_\_ NOT INCLUDED (Reappointment)  
X \_\_\_\_\_ ATTACHED

Very active in the community.  
\_\_\_\_\_  
\_\_\_\_\_

If you have any questions regarding this, please contact me.

CC: Clerk, Board of Supervisors

Board of Supervisors of the County of Alameda

N O M I N A T I O N

FOR BOARDS AND COMMISSIONS

DATE: June 1, 1989

TO: Each Member, Board of Supervisors

FROM: Supervisor Ed Campbell

IT IS MY INTENTION TO APPOINT Paul Zeiss

HOME ADDRESS [REDACTED] CITY Sunol ZIP 94586

BUSINESS ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE: HOME [REDACTED] BUSINESS \_\_\_\_\_

TO THE Citizens advisory committee for site development review in Sunol.

REPLACING \_\_\_\_\_

VACANCY CREATED BY: \_\_\_\_\_ RESIGNATION  
\_\_\_\_\_ EXPIRATION OF TERM  
X OTHER: Newly formed committee

QUALIFICATIONS \_\_\_\_\_ NOT INCLUDED (Reappointment)  
X ATTACHED

Very active in the community.  
\_\_\_\_\_  
\_\_\_\_\_

If you have any questions regarding this, please contact me.

CC: Clerk, Board of Supervisors