



Contra Costa County Airport Land Use Commission

AGENDA

When: Thursday, August 18, 2022 - 7:00 P.M.

Where: Zoom Webinar

Please click the link below to join the webinar:

<https://cccouny-us.zoom.us/j/84711970402>

Or Telephone:

(888) 278-0254 US; Conference code: 198675# #; Meeting ID: 847 1197 0402

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1. Call to Order
 2. Public Comment - Provides an opportunity for any member of the public to speak on any item under the purview of the ALUC that is **not** on the agenda.
 3. Consent
(Items are subject to removal from Consent Calendar by request of any Commissioner or on request for discussion by a member of the public. Items removed from the Consent Calendar will be considered with the discussion items under "Public Hearing.")
 - a. **ADOPT** Resolution No. 2022-09 authorizing the Contra Costa Airport Land Use Commission to conduct teleconference meetings under Government Code section 54953(e) and make related findings (Assembly Bill 361-Open meetings: state and local agencies: teleconferences). (Jamar Stamps, ALUC staff) ***Page 2**
 4. Past and Pending Projects Report. ***Page 6**

Public Hearing

5. Public Hearing, Action, and Discussion Item(s):
6. Staff Updates
7. Commissioner Updates
 - a. Case Study: Fatal Plane Crash, Idaho (Commissioner Gunderson)
8. Adjournment

* - Attachment

ALUC staff Contact: Jamar Stamps, AICP, Principal Planner :: (925) 655-2917 :: jamar.stamps@dcd.cccounty.us

Item 3.a.

CONTRA COSTA AIRPORT LAND USE COMMISSION
RESOLUTION NO. 2022-09

A RESOLUTION OF THE CONTRA COSTA AIRPORT LAND USE COMMISSION
AUTHORIZING TELECONFERENCE MEETINGS UNDER ASSEMBLY BILL 361

Recitals

- A. On March 4, 2020, Governor Gavin Newsom proclaimed the existence of a state of emergency in California under the California Emergency Services Act, Gov. Code § 8550 et seq.
- B. On March 10, 2020, the Board of Supervisors found that due to the introduction of COVID-19 in the County, conditions of disaster or extreme peril to the safety of persons and property had arisen, commencing on March 3, 2020. Based on these conditions, pursuant to Government Code section 8630, the Board adopted Resolution No. 2020/92, proclaiming the existence of a local emergency throughout the County.
- C. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the Brown Act), provided certain requirements were met and followed.
- D. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which clarified the suspension of the teleconferencing rules set forth in the Brown Act and further provided that those provisions would remain suspended through September 30, 2021.
- E. On September 16, 2021, Governor Newsom signed Assembly Bill 361, which provides that under Government Code section 54953(e), a legislative body subject to the Brown Act may continue to meet using teleconferencing without complying with the non-emergency teleconferencing rules in Government Code section 54953(b)(3) if a proclaimed state of emergency exists and state or local officials have imposed or recommended measures to promote social distancing.
- F. On September 20, 2021, the Contra Costa County Health Officer issued recommendations for safely holding public meetings that include recommended measures to promote social distancing.
- G. Among the Health Officer's recommendations: (1) on-line meetings (teleconferencing meetings) are strongly recommended as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19; (2) if a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended when possible to give those at higher risk of an/or higher concern about COVID-19 an alternative to participating in person; (3) a written safety protocol should be developed and followed, and it is recommended that the protocol require social distancing – i.e., six feet of

separation between attendees – and face masking of all attendees; (4) seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.

- H. The California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations.
- I. The emergence of the Delta variant has led to a severe rise of COVID-19 infections, hospitalizations, and deaths in Contra Costa County in the past two months. The Delta variant became the predominant strain among samples sequenced in Contra Costa County and California in early July 2021, and currently represents over 95% of samples sequenced both at the Contra Costa County Public Health lab and per reports of statewide sequencing.
- J. As of October 1, 2021, the seven-day rolling average of new cases in the County was 127 cases per day, a case rate that is in the “substantial” community transmission tier, the most serious of the CDC’s community transmission tiers.
- K. In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the ALUC intends to invoke the provisions of Assembly Bill 361 related to teleconferencing.

NOW, THEREFORE, the CONTRA COSTA AIRPORT LAND USE COMMISSION resolves as follows:

1. The ALUC finds that the Contra Costa County Health Officer has strongly recommended that public meetings be held by teleconferencing as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19.
2. The ALUC finds that meeting in person for meetings of the ALUC would present imminent risks to the health or safety of attendees because the case rate of COVID-19 infections in the County is in the “substantial” community transmission tier, the most serious of the CDC’s community transmission tiers.
3. As authorized by Assembly Bill 361, the ALUC will use teleconferencing for its meetings in accordance with the provisions of Government Code section 54953(e).
4. Staff is authorized and directed to take all actions necessary to implement the intent and purpose of this resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act.

5. Staff is directed to return no later than 30 days after this resolution is adopted with an item for the ALUC to consider whether to continue meeting under the provisions of Assembly Bill 361.

PASSED AND ADOPTED on August 18, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Geoff Logan, Chair
Contra Costa ALUC

ATTEST:

Jamar Stamps, ALUC Administrative Staff

Item 4

**Contra Costa ALUC
Past/Pending Project Review Log**

Project Initiation	File#/Name Location (Lead Agency)	Project Description	ALUC Approval (Staff or Commission)
May 2022	LP22-2017 APN: 001-041-064 (Contra Costa County/ Unincorporated Byron)	Proposed second residence on an 85-acre site.	Staff: 5/17/22
	LP22-2013 APN: 001-061-007 (Contra Costa County/ Unincorporated Byron)	Proposed industrial hemp farm on an existing 300-acre site (18-acres within Contra Costa County and 282-acres within Alameda County).	Commission: 6/16/22
April 2022	DP22-3012 APN: 002-200-021, -014 (Contra Costa County/ Unincorporated Byron)	Byron Hot Springs Hotel. Improvements include only structural restoration of the existing hotel building to prevent further deterioration (i.e., no building footprint expansion) and filling two manmade ponds (Pond 1: 53,424 cubic yards of fill and Pond 2: 50,099 cubic yards) from the previous golf course. Once improvements are completed the hotel will not be in operation or open to the public.	Staff: 4/20/22
December 2021	PR21-2011 APN: 002-210-020 (Contra Costa County/ Unincorporated Byron)	Preapplication review for the proposed expansion of an existing wood, green waste, concrete, and asphalt recycling facility ("Organics Recycling Facility") to include a food, green waste, and mulching operation on approximately 20-acre site	Staff: 1/4/22 <i>(Note: Preapplication comments only)</i>
October 2021	LP21-2042 APN: 001-041-057, -058 (Contra Costa County/ Unincorporated Byron)	Proposed commercial (not open to the public) green material composting facility on approximately 30 acres of a 50-acre site.	<i>In process (ALUC hearing 12/16/21, letter sent to County staff)</i>
August 2021	AC21-0004 APN: 126-325-004 (City of Concord)	Future Chrysler Dodge Jeep Ram of Concord. Future Chrysler Dodge Jeep Ram of Concord is planning to move their current new auto dealerships and related service operations from 4901 Marsh Road to 2121 Diamond Blvd. (former auto dealership). To accommodate their new location, they will be remodeling the existing building currently occupied by ServiceMaster.	Staff: 8/23/21
June 2021	AC21-0003 APN: 159-140-042 (Contra Costa County/ Unincorporated Martinez)	Contra Costa Central Sanitary District ("Central San") proposes construction and operation of a 1.75-megawatt solar facility on approx. 8.2 acres of a 48-acre parcel (APN 150-140-042), which is owned by Central San.	Commission: 8/19/21

ALUC = Airport Land Use Commission
ALUCP or Plan = Contra Costa Airport Land Use Compatibility Plan

Updated 8/1/22

**Contra Costa ALUC
Past/Pending Project Review Log**

Project Initiation	File#/Name Location (Lead Agency)	Project Description	ALUC Approval (Staff or Commission)
May 2021	LP21-2016 APN: 125-046-009 (Contra Costa County/ Unincorporated Pacheco)	Proposed 65' digital display sign (billboard), replacing existing 45' static billboard.	<i>In process (awaiting applicant response to request for additional information)</i>
April 2021	LP21-2011 APN: 002-190-002 (Contra Costa County/ Unincorporated Byron)	1,500 ton per day construction and demolition debris recycling operation with products sold on and off-site (no proposed storage of hazardous materials).	Staff: 5/11/21
March 2021	AC21-0002 APN: 126-010-033 (City of Concord)	Proposed 4,460 square foot building addition to an existing automobile dealership (Concord Nissan) on a 3.06-acre site.	Commission: 4/15/21
	AC21-0001 APN: 126-030-037 (City of Concord)	Proposed 12,670 square foot building expansion rooftop solar and commercial solar carport installations (totaling approximately 29,586 square feet) at the existing BMW Concord Dealership on a 5.25-acre site.	Commission: 4/15/21
November 2020	LP20-2028, LP20-2029 APN: 002-210-019, 002-210-025 (Contra Costa County/ Unincorporated Byron)	Proposed commercial photovoltaic ("PV") solar facilities on two sites (6.5-acre PV facility on a 10-acre parcel and 35-acre PV facility on a 126.48-acre parcel).	Commission: 12/17/20
August 2020	AC20-0003 APN: 153-030-004 (City of Pleasant Hill)	Proposed General Plan Amendment (from Semi-Public and Institutional to Multi-Family Residential), rezoning (from R-7 Single Family Residential – High Density to Specific Plan/Planned Unit Development), a Minor Subdivision, Development Plan and Use Permit for the construction of a proposed 4-story, 82-unit senior housing facility with associated day-health care and administrative facilities, and a 90-children preschool on an approximately 4-acre site.	Staff: 9/1/20
May 2020	AC20-0002 APN: 126-323-007 (City of Concord)	Proposed General Plan Amendment from Regional Commercial to Commercial Mixed Use, Rezoning from Regional Commercial to Commercial Mixed-Use zoning district, and a Use Permit for the construction of an 86-room, 4-story, 48,100 sq. ft. hotel on an approximately 1.24-acre site.	Staff: 5/19/20

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