



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

STAFF REPORT

TO: Castro Valley Municipal Advisory Council
HEARING DATE: August 25, 2025

GENERAL INFORMATION

APPLICATION PLN2020-00093
NUMBER & TYPE: Conditional Use Permit and Site Development Review

OWNER: Cull Canyon Properties LLC

APPLICANT: The Mosaic Project - Brian Lowe/Lara Mendel

PROPOSAL: Conditional Use Permit (West Board of Zoning Adjustments decision) and Site Development Review (Planning Director decision) to allow the construction and operation of an outdoor recreation facility (camping cabins, restrooms, staff housing, and dining hall) and continued occupation of an agricultural caretaker unit.

**ADDRESS AND
SIZE OF PARCEL:** 17015 Cull Canyon Road (APN 085-1200-01-16); approximately 37 acres

**CURRENT
ZONING:** Agricultural (A)

**CURRENT
GENERAL PLAN:** Resource Management (Castro Valley General Plan 2012)

**ENVIRONMENTAL
REVIEW:** The Project is subject to the California Environmental Quality Act (CEQA, 1970, as amended) and is the subject of an Environmental Impact Report (EIR). The Revised Draft EIR was made available for public comment between December 1, 2023, and January 19, 2024. A total of 30 comment letters were received. The Final EIR was made available to commenters and Government agencies on August 13, 2025.

STAFF RECOMMENDATION

Staff recommends that the Castro Valley Municipal Advisory Council receive a staff presentation, receive a presentation by the applicant, take public comment on the Project (The Mosaic Project) and the Final EIR, deliberate the project, and then take action on the project. Staff is recommending that the Reduced Footprint Alternative as described in the revised Draft EIR be approved, and staff also recommends the CVMAC recommend approval of the Conditional Use Permit (with conditions) to the West County Board of Zoning Adjustments (WBZA) and recommend approval to the Planning Director of the Site Development Review.

PARCEL ZONING HISTORY

February 17, 1993: Variance V-10452, that approved a boundary adjustment resulting in a property containing 37 acres where 100 acres is normally the minimum required.

December 18, 1996: Conditional Use Permit C-6930 and Variance V-10880, that approved occupancy of a mobile home by an agricultural caretaker on a property containing 37 acres where 100 acres is the minimum in an "A" (Agricultural) District.

January 26, 2000: Conditional Use Permit C-7540, and Variance V-11293, to allow continued occupancy of a mobile home by an agricultural caretaker on a property containing 37 acres in area where 100 acres is the minimum building site area required in an "A" (Agricultural) District.

SITE AND CONTEXT DESCRIPTION

The Project site is located on a 37-acre site at 17015 Cull Canyon Road near the unincorporated community of Castro Valley, in Alameda County, California, approximately three miles north of Interstate 580 (I- 580). The site is bounded by Cull Canyon Road to the east, Twining Vine Winery to the north, EBMUD and Eastbay Regional Parkland adjacent to the agricultural properties to the west, and residential property to the south. The area is generally sparsely developed, with home sites and agricultural uses located throughout the area. The Project site is accessible via Cull Canyon Road from the east by Interstate-680 at the Crow Canyon Road exit and from the west by Interstate 580 at the Grove Way exit. Cull Canyon is a two lane County road, which dead-ends approximately 3.5 miles north of the project site.

The Project site contains areas both developed and heavily vegetated. On the eastern portion of the site, Cull Creek runs north to south through the property, generally parallel and west of Cull Canyon Road. Existing structures on the property include a 1,200-square-foot mobile home, a 970-square-foot barn, and a paved parking area located adjacent to Cull Canyon Road. An existing 14-foot-wide bridge spans Cull Canyon Creek and leads to a developed area that includes a large 7,500-square-foot garage building, a paved patio, and driveways with drainage swales. There are large, semi-flat, open areas adjacent to the garage. The remainder of the site consists of steep bay and oak woodlands on an east-facing slope, with minor drainages. Elevation of the Project site ranges from 500 to 900 feet above mean sea level, and slopes gradually down to the east towards Cull Creek. The project will generally be constructed on the portion of the site that is already developed with the existing garage building, and utilize the existing roadways to spatially organize the camp layout.

PROJECT DESCRIPTION

The Mosaic Project proposes the Outdoor Project Camp to develop an outdoor recreation facility in unincorporated Alameda County that would consist of demolishing an existing 7,500 square foot garage, improving trails and miscellaneous dirt or gravel roads, and constructing the following components: twelve 400 square foot camping cabins, a two-story, 40-foot high 8,500 square foot central meeting and dining hall, a 1,025 square foot restroom/shower building, and a two story 2,600 square foot dwelling. An existing 1,200 square foot caretaker's unit would remain. The Project would include agricultural and farming activities, involving twenty chickens and an organic garden. The Project would repurpose the existing dirt road and trails on the property to serve as a recreational pedestrian trail system. The Project, including all camping facilities and caretaker residence, would be within a two-acre building envelope as required. See Exhibit B for drawings on the existing and proposed site layout.

The Outdoor Project Camp would facilitate several classes of 4th- or 5th-grade students, approximately 75-95 students total (not to exceed 95), who will be transported to the Project site from their schools for a five-day, four-night outdoor recreation program in nature. Students would typically arrive on Monday morning and depart on Friday afternoon. The Outdoor Project Camp would initially operate seasonally during the school year with six camp sessions in the fall (September to October) and six camp sessions in the spring (April to May). The programs would be spaced out so that there would never be more than two consecutive five-day, four-night programs. The goal would be to eventually operate year-round, including summer sessions and occasional weekend programs.

The Project also includes water storage and treatment tanks, a graywater system and reverse osmosis process for potable water, along with sewer infrastructure that includes an on-site wastewater system with a leach field dispersal system. More detail is provided below on the complete hydrologic system.

REFERRAL RESPONSES

For more detail on the Referral Responses, see Attachment A Referral Comments/Emails

Alameda County Fire Department: The Fire Department was consulted on this project for general fire code requirements, the suitability of the existing bridge to handle fire trucks and equipment, and evacuation requirements.

A referral letter dated February 9, 2021 (information verified October 2, 2024) was provided to Planning indicating the Fire Dept's requested conditions of approval. They are general in nature, please see attached letter from Alameda County Fire Department.

In a series of emails between staff and the Fire Division Chief (B. Terra), evacuation plans and the condition of the existing bridge were discussed. Related to evacuation plans, pursuant to the California Fire Code §403.12.1 the applicant is required to have a staff training and evacuation plan (see appendix M of the FEIR) but it is not required to be reviewed or approved by the County Fire Department. Related to the existing bridge, it would be allowed to serve as access given it was the standard in place at the time of installation. Please see email attachments.

Alameda County, Public Works Agency:

The Public Works Agency was consulted on this project for general land development, creek setback, site grading, and weight/length limitations for trucks on Cull Canyon Road.

In a referral letter dated June 23, 2020 PWA provided the following recommended conditions of approval:

1. Because of impacts on the watercourse of this proposed project, it is suggested that input be solicited from the California Department of Fish and Game, the U.S. Army Corps of Engineers, the San Francisco Bay Regional Water Quality Control Board, and the U.S. Fish and Wildlife Services. Any permit/s required by those agencies will have to be obtained prior to Alameda County's approval of the tract improvement plans.
2. There is an existing bridge, which provides access to the back property. The applicant will provide a report, prepared by a California Licensed Civil Engineer, certifying the adequacy of the existing structure. The Evaluation Report is to determine and document the capacity of existing privately owned bridge/crossing within the unincorporated areas of Alameda County, used as access for Fire

- and Rescue equipment. The report shall comply with the County of Alameda Building Inspection Department Evaluation Report Requirements.
3. Provide details for the proposed bridge widening structural sections and dimensions. Any proposed improvements shall not negatively impact the existing condition of the channel.
 4. A project Geotechnical Report is needed. The project geotechnical engineer is to provide a report addressing the issue of creek bottom stability and if necessary, the suggestion of possible mitigative measures. This report will be reviewed by the District's geotechnical consultant and the cost of this service will be borne by the Developer.
 5. All roadway and storm drain facilities are to conform to Alameda County's Subdivision Design Guidelines and Hydrology and Hydraulics Criteria Summary. All work must be in compliance with Alameda County ordinances, guidelines, and permit requirements.
 6. Acquire an encroachment permit from Alameda County for all work within the roadway right-of-way.
 7. No surface runoff will be allowed to flow over the creek/channel bank. Provide an on-site storm drainage system to pick up the site runoff and any intercepted area.
 8. Maintain a setback from the creek. The Watercourse Ordinance established a setback of 20 feet from the top of bank. However, for existing bank slopes at 2 horizontal to 1 vertical, or steeper, establish the setback by drawing a line at a 2 horizontal to 1 vertical slope from the toe of the existing bank to a point where it intercepts the ground surface and then adding 20 feet.
 9. Note on the plans: "An encroachment permit from the Alameda County Flood Control and Water Conservation District must be acquired prior to the commencement of any work within District right-of-way and for the construction, modification, or connection to District-maintained facilities. All workmanship, equipment, and materials shall conform to District standards and specifications."
 10. Obtain approval from the Alameda County Fire Department.
 11. Obtain approval from the Environmental Health for the proposed sewer, septic and water systems.
 12. Sites with land disturbance greater than 1 acres must file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under State General NPDES permit for the construction activities. A copy of the NOI must be submitted to the District prior to issuance of a grading permit for the site or any land disturbance on the site. Storm Water Pollution Prevention Plan (SWPPP) shall be made available to the District prior to issuance of grading permit or any land disturbance on the site.
 13. The applicant shall provide for stormwater protection design solution which conform to the current version of the C.3 Technical Guidance as published by the Alameda County Clean Water Program.

In a series of emails between staff and the Public Works Agency, the creek setbacks and vehicle length/weight restrictions on Cull Canyon Road were discussed. The Agency indicated on April 30, 2025 that the methodology for calculating creek setbacks utilized by the applicant was acceptable. Email is attached. Related to vehicle length and weight restrictions, the PWA confirmed there is a 1989 County ordinance that limited weight on Cull Canyon Rd to seven tons (14,000 lbs). Many comments received on the project indicated concern about damage to the existing roadway, and the suitability of large trucks on a regular basis to serve the project. Since during construction and operation the project will be using trucks that could exceed the posted limits, the PWA provided a condition of approval as follows:

For construction and operational activities, the applicant shall comply with all applicable County of Alameda roadway requirements, including vehicle weight and length restrictions. Roadway improvements and agreements to repair any roadway damage may be required, as determined by the Alameda County Public Works Agency. Special permits may also be required for certain vehicle operations.

The Agency also provided a referral response (dated August 25, 2020) related to grading which is also in attachment A. The applicant does not propose significant grading other than site leveling and clearing for building pads. The referral response reiterates many of the requirements.

Alameda County, Department of Environmental Health (DEH):

The Department of Environmental Health was consulted on this project for septic systems and water wells. An existing septic system and leach field for the existing caretaker unit is not proposed to be changed, as it is functioning. The applicant has been working DEH for several months to develop their project septic system and received a preliminary feasibility approval letter on June 18, 2025 (see attached). Please also refer to **Appendix G Revised Water and Wastewater System Reports** and a letter dated June 3, 2025 which is an updated Basis of Design describing the septic system. The septic system proposed is an advanced system with primary and secondary treatment of effluent, plus a leach field area. The applicant will be required to get permits and install the septic system based on the preliminary design reviewed and approved by DEH.

California State Water Resources Control Board, Division of Drinking Water (DDW)

For potable water, the project will require a State-level permit as an independent public drinking water system. The State has reviewed the preliminary technical report and has determined that the proposed water system is eligible for a permit application (*see December 1, 2022 letter from Marco Pacheco, Division of Drinking Water*). The source of drinking water is on-site wells, utilizing a reverse osmosis system where water passes through a filtration membrane and is ultimately stored into two 5,000 gallon water tanks, and delivered to users via a pressurized system. The applicant will be required to submit a complete permit application to the Division for approved operation. The reverse osmosis system proposed will produce significant amounts of backwash and brine (20,000 gallons/two weeks) which will need to be trucked off and disposed of at an EBMUD approved site. (*see discussion above related to truck weight*) A condition of approval will be added to the project requiring this State level permit. See Attachment A which contains recent correspondence with DDW related to well pump testing.

California Department of Fish and Wildlife (CDFW)

A referral response from CDFW indicated the proposed project appears, from Google Earth, to contain or be immediately adjacent to Alameda whipsnake (AWS) critical habitat and as such the project site could have AWS. As a State-threatened species, this is a potentially significant impact. This has been addressed in the FEIR, which indicates the camp site is a quarter mile from critical AWS habitat, and that the preferred environment for AWS diminishes with proximity to the camp site. Mitigation measures requiring biological surveys and exclusion fencing during construction has reduced this potential impact to a less than significant level. *See Mitigation Measure Bio-1.4*

Additional comments received on the project through the revised and recirculated Environmental Impact Report (EIR) can be found in the Final EIR materials. Overall, 30 comments were received providing comments on the Draft EIR covering a range of topics, some of which overlap with comments received from County agencies described above. While not all comments and topics can be covered in this report, the Final EIR does provide detailed responses to each and every comment received. The topics that were mentioned the most are discussed throughout this report, and can be further discussed in the public hearing through questions to staff.

Following are the architectural renditions for the proposed project:



Source: NorthStar, 2021.

CABIN AREAS – 12 @ 400 SF



Source: NorthStar Engineers, 2021.

STAFF HOUSING - 2,610 SF



MULTI-USE BUILDING/DINING – 8,510 SF

The following page contains the proposed site plan, a larger 24x36 version was provided to CVMAC members in their public hearing packet. An 11x17 packet of architectural renderings was also provided, titled Exhibit B.

STAFF ANALYSIS

CONFORMANCE WITH THE ZONING ORDINANCE:

The Project site is zoned Agricultural (A) which permits outdoor recreation facility as a conditional use. The Project would require a Conditional Use Permit as established in Alameda County Zoning Code Section 17.54.130, which is required for uses that are generally consistent with the purposes of the zoning district where they are proposed but require special consideration to ensure that they can be designed in a manner that will not interfere with the use and enjoyment of surrounding properties. Title 17 – Zoning, Chapter 17.04 defines an outdoor recreation facility as "park, or a playing field for active games, a golf course, a swimming pool, a camp or picnic grounds, a vacation resort or guest lodge, or a neighborhood recreation area, together with such buildings or uses as are accessory to the recreational use."

Pursuant to County Code Section 17.54.130, approval of conditional uses must make four findings of whether or not the use: (a) is required by public need; (b) will be properly related to other land uses and transportation and service facilities in the County; (c) if permitted, will under all the circumstances and conditions of the particular case, materially affect adversely the health or safety of persons residing or working in the vicinity, or be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and (d) will be contrary to the specific intent clauses or performance standards established for the district, in which it is to be located. The Project makes all listed findings as necessary for a conditional use (see below for Tentative Findings).

CONFORMANCE WITH GENERAL PLAN:

The Castro Valley General Plan designates the Project site as Resource Management. Subject to the provisions, policies, and programs of the Castro Valley General Plan, the Resource Management designation permits agricultural uses, recreational uses, habitat protection, watershed management, public and quasi-public uses, areas typically unsuitable for human occupation due to public health and safety hazards such as earthquake faults, floodways, unstable soils, or areas containing wildlife habitat and other environmentally sensitive features, secondary residential units, active sand and gravel and other quarries, reclaimed quarry lakes, and similar and compatible uses. The Project is located within an Agriculture (A) zoning district. With approval of a conditional use permit pursuant to County Code Section 17.06.040, the Project would not conflict with the subject property's land use designation or zoning district.

The Project would support the Castro Valley General Plan's goal of providing and maintaining adequate sites and facilities to meet education, cultural, recreation, health care, and related needs of all present and future Castro Valley residents, making optimal use of facilities while minimizing disruption to neighborhoods resulting from the expansion and use of public facilities. The Mosaic Project's mission with the Outdoor Project Camp is to work toward a peaceful future by uniting children of diverse backgrounds, providing them with community building skills, and empowering them to become peacemakers through a multi-day nature-oriented experience. The Project would facilitate several classes of 4th- or 5th-grade students, approximately 75- 95 students total (not to exceed 95), who will be transported to the Project site from their schools for a five-day, four-night outdoor recreation program in nature.

CONFORMANCE WITH MEASURE D:

The Project site has a land use designation of Resource Management (RM) and is therefore subject to the provisions of the Save Agriculture and Open Space Lands Initiative (Measure D) which placed limits on the type and amount of development allowed in the rural areas of the County to preserve and enhance agriculture and agricultural lands, and to protect the natural qualities, the wildlife habitats, the watersheds and the beautiful open space of Alameda County from excessive, poorly located, and harmful

development. Measure D places development restrictions and significantly limits development and buildings on any given site within its boundaries. Development of the Project would result in 3,842 square feet of residential buildings and 14,331 square feet of non-residential buildings, while Measure D allows up to 12,000 square feet of residential buildings and 20,000 square feet for non-residential buildings. The Project is well within the square footage limits of Measure D. All applicable buildings would be located within a contiguous 2-acre building envelope, including the existing bridge, and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home, and the proposed garden yard and Counsel Ring. As the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Counsel Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope. Therefore, the Project would be in compliance with Measure D requirements.

CONFORMANCE WITH WILLIAMSON ACT:

According to the California Department of Conservation, there is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on or adjacent to the Project site. The site is subject to Williamson Act Contract No. 2015-56, as authorized by the Board of Supervisors on May 3, 2016, and is Williamson Act Non-Prime Agricultural Land. Concurrent with the application for a development permit, Conditional Use Permit, and site development review, the Project applicant would apply for and obtain a Compatible Use Determination from the County.

Uniform Rule 1 states that for land that is less than 40 acres in size and is being used for dryland farming, grazing of livestock or livestock production, and/or other types of agricultural pursuits, agricultural production is required to yield an annual gross revenue equal to or exceeding \$10,000 as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County, and, if compatible use is proposed, at least 50 percent of the parcel must be used for commercial agriculture to ensure that any development is incidental to the agricultural use. The Project will utilize at least 50 percent of the 37-acre site for the harvest of sustainable and regenerative wild harvest of oak woodland forest products such as acorns, bay nuts, mushrooms, and miner's lettuce. The Project site will also include an organic garden and chicken coop. The Mosaic Project plans to register as a California Certified Community Supported Agriculture (CSA) direct marketing producer and plans to sell 20 annual CSA box subscriptions for \$1,000/each with forest products, chicken eggs, and produce. Sales of these boxes will surpass the \$10,000 threshold.

The Project falls under the passive recreation guidelines of Uniform Rule 2, which is allowed on non-prime land anywhere on the contracted property except where and when that activity would interfere with the primary agricultural use. Uniform Rule 2 requires that uses of the land for other than agricultural uses must be compatible with the agricultural use and in a scale that maintains agriculture as the primary use. The Project would only develop 2 acres of the 37-acre Project site and the remaining 35 acres of the Project site would remain undeveloped, except for the existing trails that would be maintained. There is no existing commercial use on the Project site. The Project would be confined to the 2-acre building envelope within the Project site boundaries. While the Project would introduce students and staff to the Project site, the agricultural operations of the Project would be integrated into the program curriculum to serve as learning experience for the students. Therefore, the Project would not significantly compromise the long-term productive agricultural capability of the contracted property or on other contracted lands in agricultural preserves; significantly displace or impair current or reasonably foreseeable agricultural operations on the contracted property or on other contracted lands in agricultural preserves; result in the significant removal of adjacent contracted land from agricultural use or open-space use; or result in the

significant increase in the density of the temporary or permanent human population that could hinder or impair agricultural operations on the contracted property.

Uniform Rule 2 also requires each legal/buildable parcel to have a building envelope, generally rectangular in shape, not to exceed 2 acres. The contiguous 2-acre building envelope includes the existing bridge, and the proposed roadway and fire access lane, parking area, staff lodging house, cabins, cafeteria building, bathroom buildings, water system storage/treatment, septic control building, and wastewater treatment facility. Not included in the building envelope are the existing barn and mobile home, and the proposed garden yard and Counsel Ring. As the existing barn and mobile home are structures necessary for agricultural use, and the proposed garden yard and Counsel Ring do not require buildings or paved surfaces, they are allowed outside of the 2-acre building envelope. While the Uniform Rule 2 notes that the building envelope is generally rectangular in shape, the County has no specific shape or configuration requirements for a contiguous 2-acre building envelope; the ultimate shape is anticipated to be highly variable depending on context. The 2-acre building envelope of the Project is not rectangular, but it is contiguous, consistent with County requirements.

CONFORMANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The Project is subject to the provisions of CEQA. The impacts associated with the Project would be localized at the Project site and would not combine with other projects to cause cumulatively considerable environmental impacts. Given the limited impacts anticipated with Project implementation, the Project would not result in a considerable contribution to cumulative impacts.

As discussed in the EIR, implementation of the Project would result in less-than-significant environmental impacts with implementation of applicable mitigation measures. These measures can be found in Table 1-1, *Summary of Impacts and Mitigation Measures*, of the Final EIR. With the implementation of these measures, the Project would not cause substantial adverse effects on human beings, either directly or indirectly. Therefore, the Project would comply with all applicable CEQA regulations, as the impacts would be less than significant.

The Notice of Availability for the October 2022 Draft EIR was published on October 5, 2022, initiating the 45-day public review period for the Draft EIR, which closed on November 21, 2022. Based on comments received on the Draft EIR, Alameda County recirculated the Revised Draft EIR prepared for the Project. The summary of revisions made to the October 2022 Draft EIR can be found in Chapter 1, *Executive Summary*, of the Final EIR. The Revised Draft EIR was recirculated pursuant to CEQA Guidelines Section 15088.5. The entire document was recirculated and the County of Alameda, as the lead agency, requested that reviewers submit new comments. The Revised Draft EIR was made available for public comment for 50 days between December 1, 2023, to January 19, 2024. A total of 30 comment letters were received. Comment letters were received from the Castro Valley Unified School District, California Department of Fish and Wildlife, East Bay Municipal Utility District, Friends of San Lorenzo Creek, Greenfire Law on behalf of Friends of Castro Valley Canyonlands, NorthStar, and various members of the public. Commenters raised questions about creek setbacks, agricultural uses, hydrology and utilities, fire safety, and evacuation, among other topics. The comments did not raise substantial issues with the information, analysis, or conclusions in the Draft EIR requiring significant revisions.

The revised Draft EIR also included a new alternative, the *Reduced Footprint Alternative* which modified the site layout and building sizes. Specifically, the Council Ring would be relocated out of the creek setback of 2:1 slope to the east side of the access road, near the proposed Staff Lodging House. The sheds located adjacent to the caretaker's unit would be removed so that there are no structures within the Cull Creek setback area. The staff house building would be reduced in size by 22 percent (2,015 square

feet versus 2,577 square feet under the proposed project). The multi-use building would be reduced in size by 15 percent (7,273 square feet versus 8,506 square feet under the proposed project). The operating schedule and the number of students (95) and staff (13) would remain the same.

Planning staff believes a reduction in the project (apx. 20% of the main buildings) would result in an environmentally superior project, with less impacts to the site and better placement of the buildings in the natural environment, while still allowing the main objectives of the project to be met. While the analysis of the revised DEIR covers the proposed full project, the impacts of a smaller project would be less. As such, staff is recommending approval of the *Reduced Footprint Alternative*, which is also the environmentally superior alternative.

In addition, a *Reduced Capacity Alternative* and *No Project Alternative* were analyzed in the revised DEIR but rejected since they didn't meet the project goals and objectives. An alternative site analysis was included in the revised DEIR, but other sites were rejected based on property ownership and availability, permissible zoning and ability to meet project goals and objectives. A complete discussion of the project alternatives can be found in Chapter 5 of the DEIR.

GENERAL DISCUSSION:

The Mosaic Project has undergone a rigorous review by County staff from several departments, and an Environmental Impact Report (EIR) has been prepared pursuant to the California Environmental Quality Act (CEQA). The role of the Planning Department in the application process is to provide project management services, with the main purpose of ensuring the project meets all of the County requirements, and that the project can mitigate any potential significant impacts. In this case the project has met stringent County (and State) requirements and through the County's own independent judgement and analysis has determined the project can mitigate all of the identified project impacts. An in-depth analysis of the project and the most often cited concerns can be viewed in the Master Responses contained in Chapter 5 of the Final EIR. The Master Responses covered several areas of concern including:

1. Standards for Responses to Comments
2. Project Clarifications
3. Creek Setbacks
4. Agricultural Uses
5. Hydrology and Utilities
6. Fire Safety and Evacuation

The details of each of the Master Responses is not repeated here, although staff is providing a summary of the hydrology section, specifically drinking (potable) water, water for fire suppression, and the wastewater system.

First and foremost, the project will be required to (due to the number of people served) obtain an independent public water system permit from the State Division of Drinking Water. The State has accepted the applicant's preliminary analysis for using the on-site wells to provide potable water for the project, pending approval of their permit (see attachment A). The source of drinking water is on-site wells, utilizing a reverse osmosis system where water passes through a filtration membrane and is ultimately stored into two 5,000 gallon water tanks, and delivered to users via a pressurized system. The applicant will be required to submit a complete permit application to the Division for approved operation. The reverse osmosis system proposed will produce significant amounts of backwash and brine (20,000 gallons/two weeks) which will need to be trucked off and disposed of at an EBMUD approved site.

Many DEIR comments were received related to the assumptions of gallons of water per day per person (gpd/person) required to serve the project, and whether the well pumping tests were done adequately. While the applicant indicates existing wells can produce 50 gpd/person, the water usage assumptions of 25 gpd/person are based on similar outdoor camps and take into consideration the water saving features now required by the California Building Code. Based on the material provided, staff believes that the assumption of 25 gpd/person for campers and counselors is valid.

There was also concern expressed about well water being pumped to the detriment of adjacent neighbors who might be drawing from the same aquifer, or that there could be impacts to Cull Creek. Two drilled wells were deemed suitable with a high enough yield to be considered a potable drinking water source and were drilled into a confined to semi-confined aquifer system. Also, the wells were tested and pumped in November 2020, which was late into the dry season of a dry year. Impacts on Cull Creek are not anticipated given the results of the groundwater pump tests at the project site did not show any connection between the fractured bedrock aquifer from which the wells are drawing and Cull Creek.

The water supply required for firefighting will be stored in one 44,000 gallon storage tank. The water delivery rate for a water supply greater than 20,000 gallons must be 1,000 gpm. There is no designated time period in the regulations in terms of minutes or hours for which the 1,000 gpm must be sustained. There are two fire hydrants located on the project site, and a Class A fire hydrant is designed for a flow rate of 1,000 gpm. The basis for this design was determined in consultation with the Alameda County Fire Department and follows the National Fire Protection Association's (NFPA) NFPA 1142, Water Supplies for Rural Firefighting, standards. All structures will require the installation of fire sprinklers, and an overall fire alarm system will be required.

There will also be a rainwater harvesting system and a greywater system that will augment the water supply as well as reduce water consumption. Harvested rainwater will provide irrigation for the garden, and greywater will provide irrigation for the existing orchard. Design of the greywater system will require compliance with the 2022 California Plumbing Code, Chapter 15, Alternate Water Sources for Nonpotable Applications, and the proposed greywater system will need to be reviewed and approved by the Department of Environmental Health prior to the start of construction.

As it relates to the Onsite Wastewater Treatment Systems (OWTS), more commonly known as the septic systems, the project has two septic systems, one existing at the caretaker unit and one proposed to serve the camp facilities. It is not currently planned to replace the existing OWTS and leach field near the caretaker unit. Because of space constraints in this area of the site, the proposed roadway has been moved north to remain clear of the existing leach field.

The proposed septic system to serve the camp is considered by Alameda County to be an advanced OWTS because it provides primary and secondary wastewater treatment prior to discharge to pressurized chambered trenches (leach field). The Department of Environmental Health reviewed the preliminary reports and stated in a letter dated June 18, 2025, that the wastewater generated at the project site can be managed using the OWTS and provided a feasibility approval of the preliminary OWTS design. A more detailed description is provided in the Master Response to Comments, pages 5-16 to 5-21. A graphic depiction of the OWTS can be seen on page C-3 of the attached Exhibit B.

CONCLUSION

As discussed above, the Project complies with both the Castro Valley General Plan and the Alameda County Zoning Ordinance. The intent of Agricultural zoning is for “agricultural and other nonurban uses, to conserve and protect existing agricultural uses, and to provide space for and encourage such uses in places where more intensive development is not desirable or necessary for the general welfare.” Recreational facilities are allowed in the Resource Management designation with approval of a Conditional Use Permit pursuant to Section 17.06.040 of the Zoning Ordinance. The Project intends to facilitate several classes of 4th- or 5th-grade students and provide them with community building skills through a multi-day nature-oriented experience, and the Project supports the Castro Valley General Plan’s goal of providing and maintaining adequate sites and facilities to meet education, cultural, recreation, health care, and related needs of all present and future Castro Valley residents.

Staff has determined that the project meets all of the County requirements, and that through the conditions of approval can be implemented as proposed. Findings to support the project can be found below. The Project would not have significant and unavoidable impacts; impacts related to Air Quality, Biological Resources, Cultural Resources, Geology, Greenhouse Gas Emissions, Tribal Cultural Resources, and Wildfire would be reduced to less than significant with mitigation. Mitigation measures can be viewed in the Executive Summary, Chapter 1 of the Final EIR.

TENTATIVE FINDINGS IN SUPPORT OF THE CONDITIONAL USE PERMIT

- Finding 1: The use is required by the public need.*
Outdoor recreation facilities of this type meet a demand critical to a segment of the public. The Project would support an existing program that currently serves children throughout the San Francisco Bay Area. The Project site would provide a stable location for the program, which currently depends on use of other similar camp facilities.
- Finding 2: The use will be properly related to other land uses, transportation, and service facilities in the area.*
No changes to land uses, transportation, and service facilities are proposed. While the Project would require a Conditional Use Permit as an outdoor recreation facility, the Draft EIR found that the Project would not result in significant impacts related to land use and planning, public services, transportation, and utilities and service systems.
- A concern was raised about the project proximity to an existing adjacent winery. The California Alcoholic Beverage Control (ABC) Act says that the ABC may deny any retail license located (a) within the immediate vicinity of churches and hospitals, or (b) within at least 600 feet of schools, public playgrounds and nonprofit youth facility.¹ Generally, ABC will deny a license in the above situations when there is evidence that normal operation of the licensed premises will be contrary to public welfare and morals. Mere proximity by itself is not sufficient to deny the license. While the Winery is located 400 feet north of the Project site, there is no anticipated interaction between the two uses, and young campers would not be allowed to leave the site unsupervised under any circumstance. The ABC statute seems to be more applicable to an urban environment; Staff does not believe the two uses are incompatible, nor would the project create a

¹ California Alcoholic Beverage Control, October 7, 2022, *2023 California Alcoholic Beverage Control Act*, <https://www.abc.ca.gov/wp-content/uploads/2023-CA-ABC-Act.pdf>, accessed October 3, 2024.

situation where the normal operation of the licensed winery would be contrary to public welfare and morals.

Finding 3: The use, if permitted, under all the circumstances and conditions of the particular case will not materially affect adversely the health or safety of persons residing or working in the vicinity or be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The Project, as conditioned herein, will conform to all applicable ACMC and General Plan regulations. The Draft EIR found that the Project would not cause substantial adverse effects on human beings, either directly or indirectly.

Finding 4: The use will not be contrary to the character or performance standards established for the District in which it is to be located.

The use will not be contrary to the specific intent clauses or performance standards established for the District in which it is to be considered in that the Project is located in the Agricultural (A) zoning district, which has as its stated intent: "to promote implementation of General Plan land use policies for agriculture and other nonurban uses, to conserve and protect existing agricultural uses, and to provide space for and encourage such uses in places where more intensive development is not desirable or necessary for the general welfare." The Project would be consistent with this intent in that recreational facilities are allowed in the Resource Management designations with approval of a conditional use permit pursuant to ACMC Section 17.06.040.

Public Notification

The current public hearing was noticed through mailings and site postings as required by State law. Mailed notices went to property owners within or partially within 2,000-ft of the property boundary, and notices placed at the site covered the immediate surroundings, and were placed along Cull Canyon Road, in both directions.

RECOMMENDATION

Staff recommends that the Castro Valley Municipal Advisory Council receive a staff presentation, receive a presentation by the applicant, take public comment on the Project (The Mosaic Project) and the Final EIR, deliberate the project, and then take action on the project. Staff is recommending that the Reduced Footprint Alternative as described in the revised Draft EIR be approved, and staff also recommends the CVMAC recommend approval of the Conditional Use Permit (with conditions) to the West County Board of Zoning Adjustments (WBZA) and recommend approval to the Planning Director of the Site Development Review.

ATTACHMENTS

Attachment "A" Referral Comments

Exhibit "B" Plans dated August 13, 2025

24x36 Site Plan

Final EIR (5 chapters including Response to Comments)

Prepared By: Albert Lopez, Planning Director

GENERAL CONDITIONS OF APPROVAL (draft)

1. Approval of the Conditional Use Permit and Site Development Review, PLN2020-00093, shall be consistent with the accompanying “Exhibit B” dated August 13, 2025, on file with the Alameda County Planning Department.
2. The design and improvement of this project shall be in conformance with the design and improvement indicated graphically or by statement on Exhibit “B”, as modified by these conditions.
3. An Environmental Impact Report (EIR) was prepared for this project. Project approval requires compliance and implementation of the Mitigation and Monitoring Reporting Program adopted with EIR certification.
4. The Permittee shall comply with all Federal, State and Local Laws Regulations and Alameda County Ordinances. Failure to comply with all other local, state, or federal may subject the permit to revocation in accordance with conditions of approval herein and per the Alameda County Zoning Ordinance Section 17.54.030.
5. Public Agency Approval. Maintain compliance with the requirements of the following agencies:
 - a. Alameda County Fire Department
 - b. Alameda County Public Works Agency, Development Permitting and Engineering
 - c. Alameda County Department of Environmental Health
 - d. California Division of Drinking Water
 - e. California Department of Fish and Wildlife
6. During Construction, the applicant, owner, or successor shall keep the subject site secure against illegal trespassing with fencing to the satisfaction of the Planning Director.
7. Indemnification. Applicant, property owner, and successor shall defend, indemnify, and hold harmless Alameda County and its agents, officers, and employees from any claim, action, or proceeding against Alameda County and its agents, officers and employees to attack, set aside, void, or annul PLN2020-00093, Conditional Use Permit and Site Development Review, or any subsequent Permit, including defending the prepared Environmental Impact Report and its conclusions. Such indemnification shall include, but not be limited to, an award of costs and attorney's fees incurred by Alameda County in its defense. The County shall promptly notify owner or successor of any such challenge.
8. Negligible or de minimis changes or additions to permit conditions stated herein or the approved site plan may be authorized by the Planning Director subject to a determination that any proposed change or addition is found to be in substantial compliance with the original approved permit conditions or site plan.
9. No parking is permitted outside of the property gates, including no parking allowed on shoulders of Cull Canyon Road at any time.

10. Tree removal is permitted as part of this approval. A tree replacement plan shall be submitted and approved by the Planning Director.
11. Provide completed Williamson Act program forms to demonstrate compliance with Principles of Compatibility and Uniform Rules.
12. Provide proof the applicant has registered as a California Certified Community Supported Agriculture (CSA) direct marketing producer, and copy of egg handler permit to the Planning Director.

ACCESS/STREET IMPROVEMENTS

13. Site access and roadway improvements shall be subject to Planning Director, Director of Public Works, and Alameda County Fire Department review and approval, as shown on Exhibit “B”. Said improvements shall be guaranteed by a cash deposit or an instrument of credit at the option of the Director of Public Works.
14. For construction and operational activities, the applicant shall comply with all applicable County of Alameda roadway requirements, including vehicle weight and length restrictions. Roadway improvements and agreements to repair any roadway damage may be required, as determined by the Alameda County Public Works Agency. Special permits may also be required for certain vehicle operations.
15. Any right-of-way dedication, relocation of improvements or public facilities, or road improvement shall be accomplished at no expense to the County.

SITE IMPROVEMENTS

16. It is the responsibility of the applicant to comply with Federal, State, and local water standards and regulations. In order for the County and the Applicant to comply with Alameda County’s National Pollution Discharge Elimination System (NPDES) Municipal Storm Water Permit issued by San Francisco Bay Regional Water Quality Control Board, water quality protection must be implemented both during construction and after construction. Permanent measures to protect water quality will reduce pollution that is commonly produced from the creation of new impervious surfaces such as rooftops, parking lots and roads. The applicant shall provide measures to prevent discharge of contaminated materials into public drainage facilities both during construction and post-construction periods. The primary references for providing stormwater treatment is the “C.3 Technical Guidance Manual”. This and other resources are available at no cost electronically at the ACCWP website, www.clearwaterprogram.org.
17. No grading shall be permitted on this site until grading, drainage, erosion, and sedimentation control plans have been approved by the Director of Public Works.
18. Construction activities shall be limited to weekdays (Monday through Friday) and the hours of 7:00 a.m. to 6:00 p.m., unless otherwise authorized in writing by the Director of Public Works.
19. No construction activity, storage of material, truck parking or staging is allowed on Cull Canyon Road. All construction-related activity shall be done within the project site.
20. Dust shall be controlled and adjoining public street and private drives shall be kept clean of

project dirt, mud, materials, and debris, to the satisfaction of the Director of Public Works.

21. The following air pollution controls shall be implemented at the project construction site:
 - A. Water all active construction areas at least twice daily.
 - B. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - C. Pave, apply water twice daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at the construction site.
 - D. Sweep daily (with water sweepers) all paved access roads, driveways, parking areas, and staging areas at the construction site.
 - E. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

DRAINAGE IMPROVEMENTS

22. If a drainage outfall to Cull Creek is required during construction or subsequent to project implementation, seek required permits from County and State departments.
23. If the project is determined by the Director of Public Works to be subject to C.3 stormwater pollution prevention standards, runoff from all proposed impervious surface shall be directed to an on-site stormwater treatment feature prior to discharge to the existing stormwater system.

PUBLIC WORKS AGENCY

24. Provide a civil improvement plan that will clearly show all storm drainage system, and an overall stormwater solution and storm drain design for the entire area.
25. Sites with land disturbances greater than one (1) acre must file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under the State General NPDES permit for Construction Activities. A copy of the NOI must be submitted to the District prior to issuance of a grading permit for the site or any land disturbance on the site. A Storm Water Pollution Prevention Plan (SWPPP) shall be made available to the District prior to issuance of grading permit or any land disturbance on the site.
26. The Applicant should provide measures to prevent the discharge of contaminated materials into public storm drainage facilities. Storm Water Quality Control issues must be appropriately addressed. It is the responsibility of the Applicant to comply with the RWQCB's C.3 requirements and other Federal or local water quality standards and regulations.

ADMINISTRATIVE

27. Submit building permit application with complete construction and demolition document via the permit portal <https://acpermit.acgov.org/Portal/#/>. Construction documents shall comply with the current Alameda County Building Ordinance, California Building Standards Codes and Regulations. Refer to the following website for construction document requirements: <https://www.acpwa.org/permits/forms-and-handouts.page>.
28. Pursuant to Section 17.52.050 of the Alameda County Zoning Ordinance said Conditional Use

Permit shall be implemented within a term of three (3) years of its issuance or it shall be of no force or effect.

29. If implemented, said Conditional Use Permit shall undergo a mandatory review to be conducted after three years of camp operations, and shall remain revocable for cause in accordance with Section 17.54.030 of the Alameda County Zoning Ordinance.

-- END OF CONDITIONS OF APPROVAL --