



Land Development & Regulatory Compliance

Today, the Contra Costa County Board of Supervisors adopted resolutions to proclaim the existence of a local emergency and request that the Governor proclaim a state of emergency in Contra Costa County due to COVID-19. At its meeting, the Supervisors also heard a briefing from the County Health Services Department representatives reporting the Department's efforts to expand their interim guidance with a focus on limiting social gatherings and undertaking preventative measures to address the impact of this novel virus.

As we reported yesterday, various state agencies, county, municipal governments and special districts are also feeling the pressure to develop emergency response plans and address the uncertainty created by COVID-19. Contra Costa County, for example, is one of nine Bay Area counties that are attempting to undertake a regional approach to coordinated planning among health departments, the provision of public services, and municipal response strategies. After San Francisco County imposed stringent measures, Contra Costa County today expanded its interim guidelines regarding public gathering attendance and strongly advised against convening gatherings of 50 or more individuals. This limit, however, threatens to impact the scheduling of government meetings and opportunities for public participation in the public review and comment process with potential Brown Act implications.

As we noted in our prior COVID-19 bulletin, the real estate industry needs to prepare for and anticipate corresponding indefinite delays on project milestones due to fewer public meetings, limited public outreach except through streaming videos, social media and web-based platforms. For example, to address the concerns about community transmission, some public agencies are cancelling or rescheduling public meetings and hearings, or are postponing community events. This raises issues concerning opportunities for the public to participate in public meetings with challenging scheduling implications when individuals are self-quarantined or when meetings are cancelled or hosted in venues only able to accommodate lower attendance, or when the venues themselves potentially impact vulnerable populations.