MINUTES

OF A REGULAR MEETING
OF THE

PITTSBURG PLANNING COMMISSION

November 13, 2007

A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ohlson at 7:01 P.M. on Tuesday, November 13, 2007 in the Council Chambers, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

Present: Commissioners Diokno, Garcia, Kelley, Ramirez, Wegerbauer, Chairperson Ohlson

Excused: Commissioner Harris

Absent: None

Staff: Planning Director Melissa Ayres, Assistant Planner Kristi Vahl

POSTING OF AGENDA:

The agenda was posted at City Hall on Friday, November 9, 2007.

PLEDGE OF ALLEGIANCE:

Pete Carpino led the Pledge of Allegiance.

DELETIONS/WITHDRAWALS/CONTINUANCES:

There were no deletions, withdrawals, or continuances.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.
PRESENTATIONS:

There were no presentations.

CONSENT:

a. Minutes - October 23, 2007

MOTION:

Motion by Commissioner Ramirez to adopt the Consent Calendar, as shown. The motion was seconded by Commissioner Kelley and carried by the following vote:

Ayes: Commissioners Diokno, Garcia, Kelley, Ramirez, Wegerbauer, Ohlson
Noes: None
Abstain: None
Absent: Commissioner Harris

PUBLIC HEARING:

Item 1: Study Session: City initiated Hillside Development Performance Standards & Design Guidelines

A study session on a City-initiated proposal to amend Title 18 (Zoning Ordinance) of the Pittsburg Municipal Code to establish new Hillside Performance Standards and to adopt new Hillside Design Guidelines.

Assistant Planner Kristi Vahl presented the staff report dated November 13, 2007. She recommended that the Planning Commission provide direction on each of the identified issues by voting yes or no on the Planning Commissioner Voting Sheet, Ridge Preservation, identified as Attachment 1 and provide feedback on the draft Hillside Performance Standards and draft Hillside Guidelines attached to the staff report.

Ms. Vahl also presented the Planning Commission with a copy of Other City Comparison - Ridge Setbacks for informational purposes.

Referring to a November 11, 2007, letter from Commissioner Harris that had been placed on the dais, Planning Director Melissa Ayres noted that concerns had been expressed by some Commissioners as to why the item had been returned as a study session as opposed to a public hearing with completed California Environmental Quality Act (CEQA) analysis. She explained that some of the alternatives, as shown in the staff report, including one from the Los Medanos Working Group (composed of two Pittsburg City Councilmembers, two Concord City Councilmembers and staff from both cities), could
require amendments to the General Plan. The intent was to receive direction on this issue. If the Commission desired to pursue any of the alternatives staff wanted to consider them in CEQA analysis rather than delaying the process by having to do separate CEQA analysis later. Staff planned to return with a formal resolution and environmental work during a Commission meeting scheduled in January 2008.

PROPOSENENT: City of Pittsburg

INTERESTED SPEAKERS:

DENNIS LINSLEY, Pittsburg, thanked the City of Concord for the GIS map work in the document. As to Attachment 1, the Planning Commissioner Voting Sheet – Ridge Preservation, he recommended that all of the issues listed in the voting sheet be considered.

Speaking to Attachment 2, Chapter 18.88, Hillside Performance Standards and Section 18.88.020, Applicability, Mr. Linsley commented that section still referred to a 500-foot elevation which he recommended be reduced to 300 feet through a General Plan Amendment. He stated that would bring most of the Thomas Ranch property under the proposed ordinance. As to Section 18.88.040, Density, he recommended consideration of the calculation of three units per acre discount open space (greenbelt, ridge preservation areas), to not be included in the base area being calculated for the number of units. If included, he suggested that could result in a higher density in the remaining buildable areas.

Referring to Section 18.88.070, Ridge Preservation, Mr. Linsley noted that there was no mention of grading which had been taken out of the ordinance. He recommended that section specifically state that grading, when done, could not impinge on or affect the natural slope and contours of the preserved ridge areas.

Again with respect to Section 18.88.070, Ridge Preservation, Mr. Linsley disagreed with the exemption for the James Donlon Boulevard Extension. He suggested that the exemption was unnecessary and should not be included in the proposed ordinance since the General Plan description of the Buchanan Road Bypass (BRB) was not the same as presented in a recent scoping session for the James Donlon Boulevard Extension. He also suggested that with the widening of State Route 4, Buchanan Road could be protected through metering and therefore an extension of James Donlon Boulevard would not be needed. In his opinion, the only reason for the James Donlon Boulevard Extension would be to allow future development.

Mr. Linsley further spoke to Section 18.88.080, Procedures for HCD Permit, 2, as related to the submittal of topographical maps. He recommended that the topographical maps be submitted in, or also as, GIS data sets which had been the format followed by most of the industry.
Mr. Linsley explained that overall he was not happy with the proposed ordinance since it would not protect the hillsides. In his opinion, the City had not done a good job. He found the proposed ordinance to be a poor example of good government for and of the people.

DEBORAH RAINES, City of Concord Planning Manager, referred to the issues raised on Pages 5 and 6 of the November 13, 2007 staff report. She advised that the Planning Commission had been provided with copies of a letter submitted from the City of Concord, as well as an 11 x 17 colored map.

Ms. Raines explained that the City of Concord had embarked on a reuse planning protect for the Concord Naval Weapons Station (CNWS). What had emerged from that process had been an overriding objective to protect the hillsides to the east of the CNWS, described as the lower hillsides that were part of the Los Medanos Hillside Formation which straddled the City of Concord and the City of Pittsburg’s planning area. She recognized that the City of Pittsburg over the past couple of years had embarked on an evaluation of the City’s Hillside Performance Standards. She advised that the City of Concord was interested in the framework of the objective which had emerged from the CNWS reuse planning process to protect the hillsides as open space and not allow development to encroach into that area.

Ms. Raines advised that Concord had begun discussions with Pittsburg planning staff and had offered to conduct some viewshed analyses. She commented that the map she had presented to the Commission was a composite of much of the viewshed analysis. Based on that work, Concord had invited Pittsburg officials to join with Concord officials to form the Los Medanos Working Group in order to discuss areas of mutual concern.

Ms. Raines reported that the working group had met several times over the past year and had identified Concord and Pittsburg’s concerns. During a recent meeting, staff for the working group had been presented with seven alternatives for the CNWS reuse planning project that was moving forward for analysis as well as an Environmental Impact Report (EIR). All seven alternatives had shown no development in the Los Medanos hillsides.

Ms. Raines advised that Concord had identified a greenbelt buffer area that would protect as much as reasonably possible views into the area above Concord’s eastern boundary. The viewshed analysis had shown and outlined Concord staff’s recommendation for a reasonable viewshed boundary that would do the greatest job of protecting the viewshed while at the same time providing areas for future development in Pittsburg. She clarified that Concord was not telling Pittsburg how to conduct its own development, but as the area was of mutual concern she would expect issues to be discussed in a public forum.

Ms. Raines added that the working group had recently directed staff to address the issue of the buffer, which was to be forwarded to the Planning Commission for consideration and
then on to the Pittsburg City Council. During the most recent meeting of the working group, the buffer area had been amended in order to achieve a common sense approach from a viewshed standpoint, as well as to provide the greatest amount of area for Pittsburg to move forward with its Hillside Performance Standards.

Ms. Raines commented that the proposed viewshed protector would represent 195 acres of land that Concord would like to see designated as open space in Pittsburg’s General Plan or through the adoption of another mechanism that could protect the area in perpetuity.

Commissioner Diokno stated for the record that the Planning Commission had also been presented with an e-mail from Pittsburg Mayor Ben Johnson who had expressed his opposition to the ordinance as presented to the Planning Commission. The Mayor had expressed concern that although the Los Medanos Working Group had worked on the hillsides and the future of the CNWS, the Mayor had suggested that the working group had not discussed the future planning of the CNWS.

Ms. Raines disagreed and advised that on all Concord’s agendas that had been printed and distributed to the working group, Concord staff had always provided updates with respect to the planning for the CNWS with the opportunity for comments from Pittsburg officials. She reported that the CNWS planning was part of a public participation process, with work from a large commission that included representatives from the City of Pittsburg. Planning for the future of the CNWS had been ongoing with monthly meetings with a Community Advisory Committee (CAC) which was reviewing all alternatives discussed in the working group workshops.

Ms. Raines added that during the last meeting of the working group, the seven conceptual alternatives had been shown for the first time. Also during the working group meetings, there had been opportunities for Pittsburg officials and other members of the public attending those meetings to discuss and raise any concerns.

Commissioner Garcia understood that the City of Concord had requested that the developer give up one third of the land it would like to develop, totaling 200 acres. If that was the case, he questioned of the land left available to the developer how many acres would remain.

Ms. Raines noted that there was already an agreement that had become a Pittsburg General Plan policy, which stated “A greenbelt buffer will be established to include all land between the City of Concord border and the first set of ridges, including the tops of these same ridges which generally run parallel to the common border.” She commented that it had been a struggle since once Concord had been able to apply its GIS technology to the topography in the area; it had been difficult to find ridgelines that ran parallel to the border.

Ms. Raines noted that the ridgelines crossed over and into the boundary with the City of
Concord. The attempt was to take Pittsburg’s General Plan policy and consider ways to identify areas that were visually sensitive as well as sensitive in terms of the topography.

The map prepared by the City of Concord had identified the peaks and ridges that could be viewed from Concord and from all areas to the west of Pittsburg. Concord had also considered what areas were not developable due to slope and elevation criteria and had again attempted to identify areas that were located in valleys and relatively flat, which would be the most logical areas that could be open to development.

Commissioner Garcia expressed concern since the City of Concord had built on the top of its ridgelines while Concord was now asking Pittsburg to do something that Concord had not done. He cited Treat Boulevard as an example where development had occurred along ridgelines and where the tops of the ridges had been cut down for such development.

Ms. Raines acknowledged the comments although she asked for consideration to move a recommendation to the City Council, as identified in the letter from the City of Concord noting that the interest of Concord in this matter was to protect vistas and viewsheds of regional importance.

JUNE FORSYTH, Pittsburg, echoed the comments made by Mr. Linsley. As to Attachment 1, the Planning Commissioner Voting Sheet – Ridge Preservation, she recommended that the Commission support all of the recommendations. With respect to items 3 and 4 on the voting sheet, she further recommended consideration of both a 150 foot vertical and horizontal setback.

Ms. Forsyth also spoke to the James Donlon Boulevard Extension project of which she understood would travel through various creek areas and several electrical power easements and where over 200 million yards of dirt would have to be removed. She questioned where the soil would be taken. She also understood that the taxpayers of Pittsburg and not the developer would pay for the extension. She suggested if that project were permitted it would make it easier for the developer to develop the Thomas Ranch property at the public’s expense.

Ms. Forsyth referenced the August 2007 Planning Commission meeting when the Hillside Performance Standards had last been discussed. She expressed disappointment with Commissioner Wegerbauer’s questioning of the developer, which in her opinion led Commissioner Wegerbauer to support policy that favored the developer’s interest. She pointed out that the Planning Commission represented the entire community and not just the developer.

Commissioner Wegerbauer explained that per City adopted policy, Commissioners were not to meet one on one with any developer and that any questions were to be presented in the public format. She had asked questions of the developer during a public meeting in an
effort to better understand the business before the Commission. She commented, when asked, that she would clarify her recommendation to reduce the 100 foot vertical setback upon the conclusion of the public comment. She emphasized that her goal was to receive as much information as possible before a decision or opinion was made.

Commissioner Garcia clarified for the record that the James Donlon Boulevard Extension would be paid through traffic mitigation fees, monies received through development and not monies from Pittsburg taxpayers. He also pointed out that Ms. Forsyth did not live in the area of the James Donlon Boulevard Extension and was therefore not impacted by the traffic in that area where many of the residents who were impacted would like to see the traffic reduced by the development of the extension.

MIKE LENGYEL, Pittsburg, referred to comments made by Commissioner Harris during a prior meeting that the landfill had been located in Pittsburg as a result of environmental groups, although in his opinion it was the fault of waste management and the property owner who had not fought the location of the landfill in Pittsburg.

As to Attachment 1, the Planning Commissioner Voting Sheet, Ridge Preservation, Mr. Lengyel asked that the Commission support all of those issues. He also suggested that the James Donlon Boulevard Extension, which would be located in the City of Pittsburg, should be renamed Pittsburg Hills Road.

Mr. Lengyel submitted photographs taken from A.J. Fardella’s website of the landslides in the William Lyon Homes development. He remained concerned with any development that could result in massive grading. He also spoke to the fact that the City would be responsible for two lanes of the James Donlon Boulevard Extension while the cost of the other two lanes would be borne by the developer. He suggested that the Hillside Performance Standards and Guidelines had not shown sufficient attention for the suitability of the hillsides for development.

CHRISTINA WONG, East Bay Field Representative, Greenbelt Alliance, 1601 North Main Street, Walnut Creek, advised that the Greenbelt Alliance opposed the ordinance as written suggesting that developer interests had weakened the ordinance which would not protect the hillsides or homes from landslides. She noted that during the August 2007 Commission meeting when the issue was last discussed, the yearlong efforts of the community to create an ordinance that would protect the hillsides had been derailed. She suggested that the ordinance would not protect the hillsides nor protect any visually sensitive areas. She requested that views from State Route 4 from the City of Pittsburg be protected by permitting no development and that open space be left as open space with no development.

As to the CNWS reuse plan, Ms. Wong commented that the East Bay Regional Park District (EBRPD) had tentatively identified trails that could go beyond the hillside to serve
development in Pittsburg. She suggested it would be a good regional benefit to Pittsburg by having the hillsides as open space available to the public.

Ms. Wong noted that many in the community would like to see the hillsides protected, as previously stated during numerous meetings. The ordinance had also removed all of the grading requirements.

Ms. Wong commented that 17 of the 19 cities identified by staff in the Other City Comparison – Ridge Setback document had extra grading standards for steep slopes and high hills. The County also applied the same standards and had stopped development from above a 26 percent slope. She suggested that Pittsburg should also prevent development on unsafe slopes above 20 to 26 percent.

As to traffic impacts, if three units per acre was allowed, Ms. Wong suggested that the density would not support public transportation. She suggested that the hills be retained for their beauty and for parks and not for a use that would increase traffic. She also suggested that the soils were unsafe and that the ordinance had not addressed slope stability. As to the ridgelines, she was pleased that the Commission would consider the ridge preservation issues as identified in Attachment 1. She expressed her hope that the Planning Commission would support all of those recommendations. She also expressed her hope that the City would work with the City of Concord to protect the ridgelines for everyone through a stronger hillside ordinance.

Commissioner Wegerbauer commented that she had attended an Oak Hills Community Forum sponsored by A.J. Fardella. She had been surprised that the Greenbelt Alliance had not been present at that open forum. She questioned why the only participants of the forum had been representatives from the developer, Mr. Linsley and a moderator from the Contra Costa Times.

Ms. Wong agreed with the need for additional public information on the hillside ordinance. She explained that the date for the Oak Hills Community Forum had been set before she had been invited. She had been unable to attend the forum due to a conflict with a prior engagement which she had relayed to Mr. Fardella through e-mail. She had indicated to Mr. Fardella that she would be able to attend a forum if the event were rescheduled. She suggested that had a hillside protection advocate been desired to participate she would have been noticed in a timelier manner which would have allowed her to solicit the interest from community members to also attend.

Ms. Wong also clarified, when asked, that she was the only representative for the East Bay representing the Greenbelt Alliance. Due to her prior commitment, she had been unable to attend the forum or send someone else in her place.
TROY BRISTOL, Save Mount Diablo, Walnut Creek, advised that Save Mount Diablo sought a strong hillside protection ordinance. He suggested that the purpose of the hillside protection ordinance was to avoid sensitive areas while protecting public safety and beautiful views. He suggested that the proposed standards would allow development in visually sensitive areas. He stated that visually sensitive areas should be protected from development and suggested that three units per acre would be too dense for steeper slopes. Homes in those areas would be too visible and the dangers of landslides would be too great.

Mr. Bristol recommended that ridgelines and the steepest slopes not be allowed to develop and that standards be created to allow a transition from more dense development on lower and more gradual slopes to undeveloped open space as slope steepness and elevations increased.

Mr. Bristol suggested that Pittsburg’s ridgelines should be preserved intact in a natural state so that residents could continue to enjoy the spectacular backdrop to the city. He suggested that vertical and horizontal ridgeline setbacks should be included in the standards. He recommended that no grading or development be permitted in any area that was visible across the ridgeline.

Mr. Bristol suggested that the ridgeline protection issues as identified in Attachment 1 could strengthen the proposed ordinance. He advised that Save Mount Diablo supported all of the ridgeline protection issues as identified in Attachment 1, particularly the inclusion of the 100 foot vertical setback from ridgelines and the expansion of open space to protect ridgelines between Central and Eastern Contra Costa County.

ALFRED AFFINITO, Pittsburg, a long time resident, commented that he had formerly served as the Mayor, a member of the City Council and the City Attorney and had been active in the East Bay League of California Cities. He recognized the changes in the community over the years. He opposed the earlier suggestion that A.D. Seeno Company had been responsible for the location of the landfill in Pittsburg. He also opposed the suggestion that views of the hillsides would be destroyed for those who resided along the waterfront. He pointed out that the hillsides were privately owned.

Mr. Affinito commented that a hillside ordinance had been considered 45 years ago. He suggested that there was no need for it then or now and he suggested that the only regulation needed was zoning. He pointed out that any development required proper engineering in that no development would occur on a ridgeline if it was not stable since there would be too much liability. When he had previously served on the City Council, he noted that the City had paid for water and sewer connections and at times street improvements. Currently, homebuyers were paying for infrastructure improvements through the purchase price of their homes.

Mr. Affinito pointed out that in the past executives of companies had lived in the
community. Later things had changed with the freeway system and the City did not have at that time new and improved subdivisions for executives to reside. Those individuals, including many City staff, now lived outside of the community and do not pay taxes in Pittsburg. He emphasized that many ridgelines outside of Pittsburg had been developed.

Mr. Affinito emphasized that the only area where the City could now build was to the south where foothills were located. While some of the soil was unstable, he noted that some of the soils in other areas of the County had been unstable as well, although development had been allowed to occur. He suggested that the City had gotten by without a hillside ordinance for the past 50 years and did not need one now.

A.J. FARDELLA, 223 Oak Hills Drive, Pittsburg, Director of the Oak Hills Community Group, a group representing those who would be most affected by any development in the area since it was located adjacent to the Faria property, stated that he had submitted a letter to the Planning Commission for the record. He suggested that there was misinformation being distributed in the community.

Mr. Fardella suggested that the Greenbelt Alliance was attempting to sell misinformation. He reported that public information was available at the website, OHCG.net/hillsides, which had also included information from the U.S. Geological Society. In response to concerns with loose soils, he suggested that the soils were worse in the Oakland and Berkeley Hills which was full of development.

Mr. Fardella questioned the fact that photographs from his website had been used by a prior speaker as an example of the hazards in the hillsides. He clarified that the photographs had been displayed on the website to show as an example that the developer of the Vista Del Mar Subdivision, William Lyons Homes, had not followed the scrutiny of peer review. He emphasized that property must be properly graded in conformance with engineering standards to ensure that any development was safely done. He stated it was imperative to have complete information. His neighborhood had survived the 2005 winter storms with no landslides nor had there been there any need to use a retention basin. He encouraged Commissioners to access the Internet to obtain accurate information.

Mr. Fardella noted that many in the audience speaking on the issue were from out of town. He expressed his disappointment that the Greenbelt Alliance had not been in attendance at the Oak Hills Community Forum earlier referenced and he corrected the record in that regard. He recommended that the process be continued although he recognized that the final decision would be made by the City Council.

PUBLIC HEARING CLOSED

Commissioner Garcia expressed concern with some of the inappropriate comments and
personal attacks during the public comment and apologized for some of the inappropriate comments he had made.

Commissioner Garcia stated that he stood by his comments made during previous study sessions on the same topic. He did not support the ridge preservation recommendations as contained in Attachment 1. He stated that he had been under the impression that a final document was to have been brought to the Commission for consideration.

As to the concerns from the City of Concord, Commissioner Garcia suggested that when the developer applied for a development there would be an EIR that would have to be circulated allowing an opportunity for any interested persons to raise any concerns. He added that any development would likely include numerous conditions.

Commissioner Garcia otherwise commended Mr. Fardella for his work to provide photographs and information which had been available on Mr. Fardella’s website.

Commissioner Ramirez commented that in August when the Planning Commission had last discussed the issue he had been in the hospital although he had completed his voting sheet and had faxed it to the Planning Director unaware how the Commission had voted. He had later learned that his vote was almost identical to four other Commissioners. As to Attachment 1, he stood by his original voting sheet completed on August 28.

Commissioner Wegerbauer emphasized that she had studied planning and appreciated and respected the process. She stated that she had asked a number of questions consistent with the Planning Commission process. She commented that it had been difficult to make the choices made on August 28. She too would have preferred to see a final and complete document for review.

Commissioner Diokno stated that in his opinion many of the problems with traffic, congestion and sprawl had been due to the lack of long range planning, which he emphasized was necessary. He emphasized the importance of providing guidance to a developer before considering a project. He supported the Planning Commission given staff policy direction on major issues individually before they finalized the staff ordinance.

At this time the Planning Commission addressed Attachment 1, the Planning Commissioner Voting Sheet - Ridge - Preservation.

1A – Add a ridge identification map to the HPS:

- Commissioner Diokno - Yes [Supported actually seeing the property]
- Commissioner Garcia - No [Since it could not be done with the provided map there should be a physical review of the property to point out the actual physical ridgelines]
Commissioner Kelley - Yes
Commissioner Ramirez - Yes

Commissioner Wegerbauer - No (Supported the addition of a verified ridge identification map to the design guidelines. Asked for an added Option 1B for reference purposes once ridges were verified, to be added to the design guidelines and included in final document)

Chairperson Ohlson - Yes

Ms. Ayres clarified on the discussion of adding a new option 1B, that if the Commission liked the concept of a ridgeline map in the design guidelines that could be considered prior to a formal recommendation to the City Council.

Commissioner Wegerbauer asked that be done in a final and completed document.

1B – Add a ridgeline identification map to the design guidelines:

Commissioner Diokno - No
Commissioner Garcia - Yes
Commissioner Kelley - Yes
Commissioner Ramirez - Yes
Commissioner Wegerbauer - Yes
Chairperson Ohlson - Yes (Supported ridge identification map in concept with the particular ridges to be identified at a future time)

2 – Amend the General Plan (Fig 4-2) to add major/minor ridges within the southwest hills:

Commissioner Diokno - Yes
Commissioner Garcia - No
Commissioner Kelley - No
Commissioner Ramirez - No (Favored grading as required by the General Plan)
Commissioner Wegerbauer - No
Chairperson Ohlson - Yes

3 – Use a vertical setback (If yes, chose 50 feet, 100 feet or another setback):

Commissioner Diokno - Yes (Preferred a 50 foot setback)
Commissioner Garcia - No
Commissioner Kelley - No (Preferred to be done on an individual basis)
Commissioner Ramirez - No
Commissioner Wegerbauer - No (Preferred to consider entire document prior to offering recommendations for the guidelines)
For the next item under consideration, Ms. Ayres explained that the General Plan required 150 foot horizontal setbacks from designated major ridges, although currently there were no designated major ridges in the General Plan in the Southwest Hills. She explained that a ‘no’ vote on this option would provide that the 150’ horizontal setback in the General Plan would only “apply” to the area outside of the Urban Limit Line (ULL). She stated ayes vote would apply a 150 foot horizontal setback (also) to whatever ridges were identified in the guidelines under Option 1B.

Ms. Ayres questioned that if the Commission were to identify the ridges, and support a horizontal setback, did it want the setback standard in the guidelines or in the Ordinance. She noted that the Commission could direct staff to include that in the guidelines as opposed to the Hillside Performance Standards. If that were the case, she would recommend that Item 4 be separated into two categories; 4A, require a horizontal setback (150 feet) as part of the ordinance or 4B as part of the Hillside Performance Guidelines.

4A - Use a horizontal setback (150 feet) in the HPS:
- Commissioner Diokno - Yes
- Commissioner Garcia - No
- Commissioner Kelley - No
- Commissioner Ramirez - No
- Commissioner Wegerbauer - No
- Chairperson Ohlson - Yes

4B - Use a horizontal setback (150 feet) in the design guidelines:
- Commissioner Diokno - No
- Commissioner Garcia - No
- Commissioner Kelley - No
- Commissioner Ramirez - No
- Commissioner Wegerbauer - Yes
- Chairperson Ohlson - Yes

Ms. Ayres clarified that Items 5 and 6 on the Planning Commission voting sheet involved two separate maps in the General Plan. Item 5 involved the Land Use Map in Chapter 2 of the General Plan and Item 6 a viewshed analysis map in the Urban Design Element of Chapter 4 of the General Plan.

5 – Expand the GP Open Space designations to preserve Concord viewshed areas of concern:
- Commissioner Diokno - No
Commissioner Garcia - No (Based on prior discussions at August 28, 2007 Commission meeting with a preference for viewsheds to be addressed on a case-by-case basis upon submittal of development plans)

Commissioner Kelley - No
Commissioner Ramirez - No
Commissioner Wegerbauer - No (Would like to evaluate options based on a final document with guidelines)

Chairperson Ohlson - Yes

6 - Revise the GP viewshed analysis (Fig 4-1) to document viewshed areas from the west:

Commissioner Diokno - Yes
Commissioner Garcia - No (Based on prior discussions at August 28, 2007 Commission meeting with a preference for viewsheds to be addressed on a case-by-case basis upon submittal of development plans)

Commissioner Kelley - No
Commissioner Ramirez - No
Commissioner Wegerbauer - No (Would like to evaluate options based on a final document with guidelines)

Chairperson Ohlson - Yes

Commissioner Wegerbauer inquired of the next step in the process, to which Ms. Ayres explained that the draft ordinance was presented to the Commission as an attachment to the November 13 staff report identified as (Attachment 2) with draft guidelines identified as Attachment 3 to the report. Those documents comprised the staff recommended draft ordinance and guidelines based on all comments and directions received from the Commission to date, including direction from the City Council to create an ordinance and guidelines which would implement the General Plan. Based on the current voting sheet, Ms. Ayres explained that Staff would be amending the draft hillside guidelines presented to this Commission in its packet to add an identification map for ridgelines to the guidelines without establishing any particular rules that would apply to those ridgelines. Other than adding that map with additional direction from the Commission, after a possible field trip, there would be no changes until after CEQA was completed and the item scheduled for PC action.

Commissioner Wegerbauer would like the time to review Attachments 2 and 3, with the knowledge that the only additional component would be the referenced map. She inquired how long it would take to include that map.

Ms. Ayres advised that the map under discussion had been provided to the Planning Commission from the City of Concord as one of a number of attachments.
Speaking to Attachment 1, Commissioner Ramirez inquired of staff whether or not the language for Options 5 and 6 should be revised since Item 5 had used the term “expand” the General Plan while Item 6 had used the term “revise” the General Plan.

Ms. Ayres clarified that both terms meant modification, one being the modification of the Land Use Map for the General Plan and the other modification of the view shed map to make the recommended changes.

Chairperson Ohlson spoke to Attachment 2, Chapter 18.88, Hillside Performance Standards, Section, 18.88.080, Procedures for HPD Permit, A. 2, and suggested that a GIS format for the data sheet was a reasonable suggestion which language he would like to see added to the document. He also spoke to Section 18.88.070, Ridge Preservation, C., c., and questioned whether or not San Marco Boulevard should be listed in that section since it traveled from State Route 4 up, over and down into Bailey Road in terms of whether or not it crossed any major ridges.

Ms. Vahl reiterated that there were no designated ridges in the Southwest Hills and that route would not cross any of those ridges.

Chairperson Ohlson commented if adjusting Item 1A of Attachment 1, and inserting a major ridge for San Marco Boulevard to cross whether or not that should be so indicated.

Ms. Vahl explained that by voting to include the ridges in the guidelines another layer of ridges would be added although that would not create any new designated major/minor ridges in the General Plan.

In response to Commissioner Wegerbauer, Ms. Ayres reiterated that the information now before the Commission was the final product minus the discussed map, unless the Commission directed staff to make further changes. She asked that any recommended changes be identified now before staff began the CEQA process. She clarified that staff would commence the CEQA process as soon as the Commission offered final direction.

Commissioner Wegerbauer asked that the item be continued to the next meeting of the Planning Commission scheduled for November 27 to allow an additional review of the documents.

Ms. Ayres commented that the item could either be continued to the Planning Commission meeting of November 27 or the meeting of December 11, which would not affect the tentatively scheduled January 2008 public hearing date.

Commissioner Wegerbauer commented that she was uncertain she would be back in town to attend the November 27 meeting.
Ms. Ayres advised that staff could commence the CEQA process and whatever changes were made might not require a complete change in the analysis. She clarified that the public hearing had been closed and if the item were continued it would be re-noticed to a date certain.

Commissioner Garcia saw no reason not to proceed. He saw no reason to continue the item since another public hearing would only repeat the testimony already received.

Commissioner Wegerbauer understood that she would have the opportunity to make language or text changes which would not change the CEQA process. She wanted to continue to review the document although at this time she was willing to move the document forward.

Chairperson Ohlson reiterated that the public hearing had been closed and if the item were continued it would only involve Commission comments.

Commissioner Garcia made a motion to move the document forward and if changes were requested they could be made after the final document had been prepared.

By consensus, the Planning Commission concluded the discussion on the City-initiated Hillside Performance Standards & Design Guidelines and directed staff to proceed with the CEQA process.

Ms. Ayres reported that a new formal public hearing notice would be mailed to all interested persons, with a tentative hearing scheduled before the Planning Commission January 2008 and that formal action would need to be taken by the Planning Commission on the item before it was forwarded to the City Council for final action.

**STAFF COMMUNICATIONS:**

The Planning Commission acknowledged receipt of the following Notice of Intent items (to review/approve project at staff level):

a. Mazzei Hyundai Design Review Modification. AP-07-480 (ADR)

b. Dow Solar Panel

**COMMITTEE REPORTS:**

Chairperson Ohlson reported that the TRANSPLAN Committee had met in joint session with the East Contra Costa Regional Fee and Financing Authority (ECCRFFA), the State Route 4 Bypass Authority and the eBART Partnership Policy Advisory Committee (ePPAC) to discuss a revision to the draft Measure J Strategic Plan to allow an earlier allocation of eBART project funds to accommodate the eBART, Highway 4 Widening and State Route 4 Bypass projects.
Chairperson Ohlson reported that all the groups meeting as a whole had voted unanimously to pursue a bond issue in 2015 to provide the necessary funding for those projects. He understood that with needed funding all of the projects could be completed around 2016.

**COMMENTS FROM COMMISSIONERS:**

Commissioner Ramirez asked staff to comment on the outcome of the Railroad Avenue Corridor Design and Visioning Workshop held at the Elks Club on October 27, with participation from U.C. Berkeley graduate students.

Ms. Ayres reported that she was not in attendance during the workshop, although she understood that some unique ideas had been discussed such as a cooking school on Central Avenue, possible uses for the vacant land on Central Avenue for educational purposes, and suggestions for the creation of more entry statements and arches near the freeway at Harbor Street and Railroad Avenue.

Chairperson Ohlson commented that one of the ideas from the workshop had been a suggestion to incorporate the letter “P” for Pittsburg into a cell tower which could be located adjacent to the freeway.

Commissioner Wegerbauer asked that the area of Railroad Avenue at Linscheid Drive near Oil Changers where an electrical service box had been barricaded over the past couple of weeks should be reviewed since it was possible the barricades may be thrown into the street if not put away.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 9:38 P.M. to a regularly scheduled meeting on November 27, 2007, in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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MELISSA AYRES, Secretary
Pittsburg Planning Commission