A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Tumbaga at 7:02 P.M. on Tuesday, March 13, 2007 in the Council Chambers, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

Present: Commissioners Diokno, Garcia, Olson, Ramirez, Thomas, Chairperson Tumbaga

Absent: Commissioner Harris

Staff: Planning Director Melissa Ayres, Associate Planner Dana Hoggatt

POSTING OF AGENDA:

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

PLEDGE OF ALLEGIANCE:

Commissioner Diokno led the Pledge of Allegiance.

DELETIONS/WITHDRAWALS/CONTINUANCES:

There were no deletions/withdrawals or continuances.

COMMENTS FROM THE AUDIENCE:

JUNE FORSYTH, Pittsburg, reminded the Planning Commission that the City did not have a Tree Ordinance other than a Street Tree Ordinance while many neighboring cities had either a Heritage Tree Ordinance or a Heritage Tree Protection Ordinance. She noted that information related to those ordinances was available on those city’s websites. She advised that she would be present for the next meeting to discuss the matter further.
PRESENTATIONS:

There were no presentations.

CONSENT:

a. Minutes – February 27, 2007

Commissioner Ohlson requested an amendment to the first sentence of the second paragraph on Page 5 as follows:

Ms. Ayres explained that the Traffic Engineer had contacted the consultant who was designing the street overlay project and who had checked the dimensions, reviewed the slopes and concerns with the underpass and determined that Class II lanes could be striped on Harbor Street north of California Avenue.

MOTION:

Motion by Commissioner Ohlson to adopt the Consent Calendar, as amended. The motion was seconded by Commissioner Thomas and carried by the following vote:

Ayes: Commissioners Diokno, Garcia, Ohlson, Thomas, Ramirez, Tumbaga
Noes: None
Abstain: None
Absent: Commissioner Harris

Commissioner Ramirez advised that he would recuse himself from the discussion for both Items 1 and 2, at the recommendation of the City Attorney, due to a potential conflict of interest as the owner of property located at 487-489 West Eighth Street.

PUBLIC HEARINGS:

Item 1: City-Initiated General Plan Amendments in Conjunction with the Phase II Zoning Code Update

A City-initiated proposal to amend the Land Use, Downtown, Open Space & Youth & Recreation, Health & Safety, and Housing Elements of the General Plan in order to reflect existing conditions and support private reinvestment in established neighborhoods throughout the City. Other amendments to be made to the General Plan would expand the boundaries of the Mixed Use land use designation to include additional sites along West Tenth Street and West Leland Road, in order to encourage mixed use development and neighborhood-serving commercial nodes in those areas of the City.
Associate Planner Dana Hoggatt presented the staff report dated March 13, 2007. She recommended that the Planning Commission open the public hearing, accept public testimony and continue the public hearing to the Planning Commission meeting of March 27, 2007.

Commissioner Garcia reported that he and Commissioner Diokno had attended a recent Land Use Subcommittee, at which time the proposed amendments had been presented by staff with a consensus of those present to support the staff recommendations.

Ms. Hoggatt added that a public workshop had also been held in addition to the Land Use Subcommittee meeting, at which time no objections from the public other than concerns related to parking and some of the policies dealing with multi-family development had been expressed. Approximately 15 people had attended the public workshop which had been advertised though the newspaper and with notification to each property owner subject to one of the proposed amendments. In addition, flyers had been distributed throughout the W. Tenth Street neighborhood.

PUBLIC HEARING OPENED

PROONENT:   City of Pittsburg

INTERESTED SPEAKERS:

CHRIS NELSON, San Rafael, Pittsburg River Park LLC, developers of the Johns Manville property, explained that they had worked on the project with City staff, the City Manager and the City Council to develop the property which had initially been purchased in partnership with a multi-family developer, Trammel Crow Residential. He noted that conceptual plans had been presented to the City in 2005. Due to the recommended change, there were environmental conditions on the property that were drastically different from what had been represented to the developer and investigated by them during their due diligence period. As a result, they were facing triple the environmental clean up costs anticipated.

Mr. Nelson explained that the developer had not asked for any money from the City and was continuing to work with the City and the Department of Toxic Substance Control to expand the containment area on the site where they could safely house the waste product. He noted that they had shipped off a tremendous amount of waste that they had not originally intended to do. That situation had impacted the multi-family development and made it difficult to sell the land to a multi-family developer at a density of 18.1 to 30 units per acre.

Further, the marketability of the property had been impacted with efforts to sell the property to multiple home builders and multi-family builders, including Trammel Crow, which had
Mr. Nelson advised that discussions with other builders on the possibility of single family development had shown more interest which had led to their current approach. He expressed his hope that the Planning Commission would support the staff recommendation, which would allow them to continue with the clean up and ultimate development of the property.

In response to the Chair, Mr. Nelson explained that at this point the clean up had been stopped as a result of the massive work needed to address the contamination of the site. He expressed his hope to be back in the field in April with a possible closure of the clean up in the summer.

Commissioner Thomas thanked the developer for his efforts.

JUNE FORSYTH, Pittsburg, was pleased to learn that the Johns Manville project site would consist of Medium Density development. She questioned whether or not affordable housing would be included in the development given the cost of the clean up. She also inquired of the potential cost of the future homes.

Ms. Ayres advised that Medium Density under the Inclusionary Housing Ordinance would require the provision of 9 percent Low and 6 percent Very Low Income units from the total number of units.

JEANNIE COX, 1732 Peachwillow Street, Pittsburg, stated that she resided on Leland Road near the BART Station. She questioned combining issues in the downtown and the area of Leland Road. She commented that many of her neighbors were not aware of the discussion before the Commission. She sought more information on potential High Density development in her area and requested that one thought out plan be considered.

Ms. Hoggatt explained that there was no development proposal at this time, other than the Johns Manville property where there was clean up work being done, with efforts to retain a builder that would develop the site. As to the BART site, the discussion was only to assign a designation for that property in the event BART decided to build on its property or sell it so that it would accommodate a more intense development than the current designation. She added that the designation for the BART property was the same as the current designation for the properties to the west. The BART parking lot located to the west of the vacant lot also had a Mixed Use designation. There was also vacant land to the west of that site.

Chairperson Tumbaga encouraged members of the public to pick up a copy of the staff report which had clarified that point of the discussion. She added that written comments could be provided to staff as well in the interim since the item would be continued to the next meeting of the Planning Commission scheduled for March 27.

Ms. Ayres reiterated that the Planning Commission was not being asked to make a decision at this time in that the public hearing would be continued to March 27. She
reiterated that the BART property under discussion was a piece of vacant land that did not have a Mixed Use designation, which all of the existing BART property and property to the west currently enjoyed. The BART property was being recommended for change to be more consistent with a Master Plan concept for the entire area.

OPPONENTS: None

Commissioner Diokno reiterated that a Land Use Subcommittee had met and had discussed the proposed General Plan Amendments and had agreed to move forward with the staff recommended changes. He added that there was little discussion and no strong objections.

Commissioner Thomas recognized the work on the staff report and commended the work done by everyone concerned. She suggested it was clear they were heading in the right direction.

The Chair advised that the public hearing would be continued to the Planning Commission meeting of March 27, 2007.

**Item 2: Comprehensive Zoning Code Update- Phase II**

A City-initiated proposal to amend Pittsburg Municipal Code (PMC) Title 18 (Zoning Ordinance), in order to implement the goals, policies, programs and land use designations in the General Plan.

Associate Planner Dana Hoggatt presented the staff report dated March 13, 2007. She recommended that the Planning Commission review the suggested changes to the Zoning Ordinance, open the public hearing, accept testimony, and provide staff feedback on the proposed amendments, then continue the public hearing to March 27, 2007.

Commissioner Garcia commented that he had reviewed the documents and had found that his recommendations had been incorporated into the document.

PUBLIC HEARING OPENED

PROPOONENT: City of Pittsburg

Commissioner Ohlson referenced Attachment 2, Draft Zoning Text Amendments, Title 18, Zoning, Page 12 of 57, 18.06.096, Affordable ownership price., A, and requested clarification from staff of the area median income household.

Ms. Hoggatt explained that Moderate, Low, Very Low and Extremely Low Income levels were all relative to the area median income. Moderate Income was between 80 and 120 percent of the area median income. Low Income was between 51 and 80 percent of the of
area median income. The referenced section related to the 50 percent of area median income which made a household Very Low Income. In order to determine that a household was not overpaying for housing, if the household paid more than 30 percent of its income for housing, that was considered to be an overpayment. The reference in that section to one twelfth of thirty percent was what would be paid in one month.

Ms. Ayres added that all of those items that qualified for housing costs were dictated by Redevelopment Law.

Commissioner Ohlson offered the following comments:

- Attachment 2, Draft Zoning Text Amendments, Title 18, Zoning, Page 15 of 57, 18.06.140 Antenna, D, Support Structure; definition as shown had not included guy wires and if included should be defined in that section.

- Attachment 2, Draft Zoning Text Amendments, Title 18, Zoning, Page 15 of 57, 18.06.175, Automobile, as defined, should be revised to read:

  This definition includes a motorcycle, light truck or van with capacity rating not exceeding Gross Vehicle Weight of not over 15,000 pounds, and any travel trailer designed to be towed by an automobile.

- In that same section, include the definition of travel trailer.

- Attachment 2, Draft Zoning Text Amendments, Title 18, Zoning, Page 16 of 57, 18.06.225, Conditionally Permitted, requested clarification that the use permit would be subject to approval with conditions, with the Planning Commission to be the first body to consider the use permit permit request which could be appealed to the City Council.

- Attachment 2, Draft Zoning Text Amendments, Title 18, Zoning, Page 17 of 57, 18.06.265, Driveway, C, A loading berth or; questioned how it would fit into a residential driveway.

Ms. Hoggatt advised that staff would review the definition of a berth.

- Attachment 2, Draft Zoning Text Amendments, Title 18, Zoning, Page 18 of 57, 18.06.275, Dwelling, E, Unit, inquired whether or not the definition should be revised to reflect whether or not a bathroom was included and whether or not the City would allow a dwelling unit without a bathroom.

Ms. Hoggatt explained that the Building Code determined that the difference between a dwelling unit as opposed to a guest house was the presence of a kitchen or cooking facilities. It was reasonable to assume that a bathroom would be included.
• Attachment 2, Draft Zoning Text Amendments, Title 18, Zoning, Page 19 of 57, 18.06.304, Extremely Low Income Renter Unit, recommended that the title be revised to read, Extremely Low Income Rental Unit.

Commissioner Thomas understood that was how the Housing Code had described that section.

Ms. Ayres commented that the definition was for the unit as being occupied by a Low Income Renter, although it was a rental unit, a dwelling unit in a residential project that was reserved to an affordable rent for a Low Income household, where the use of the term “rental” would be appropriate.

• Attachment 2, Draft Zoning Text Amendments, Title 18, Page 19 of 57, 18.06.305, Family, recommended the last sentence be revised to read:

**If the family includes a servant it is included as part of the family.**

• Attachment 2, Draft Zoning Text Amendments, Title 18, Page 19 of 57, 18.06.315, Floor Area, A, Gross, recommended that the first sentence be revised to read:

Gross. “Gross floor area” means the total area of all floors in a building as measured to the outside surface of exterior walls or to the centerline of common walls.

• In the same section, recommended that the definition of an open porch be better defined.

Ms. Hoggatt explained that the definition had been taken from the Pittsburg Municipal Code as currently written. The definition of an open porch was whether or not it had walls, a roof, or could be enclosed, such as for a sun room with enclosed space, not a roof space.

Ms. Ayres noted that the gross floor area would include the garage.

Commissioner Garcia commented that anything open without a roof would not be included in the gross floor area and a covered patio would not be considered as gross floor area unless walled or glassed in as a sun room.

Commissioner Thomas understood that the regulations had come from the Department of Housing and Urban Development (HUD). She questioned rewriting federal regulations, particularly when the City used the regulations as every city did. While some of the statements were ambiguous, she reiterated that the language had come from existing HUD regulations.
Ms. Hoggatt clarified that some of the regulations had been taken from HUD, Redevelopment Law and the current City code, with some minor revisions. She expressed the willingness to review the building code to see if it more clearly defined gross floor area to clarify the intent of that definition.

- Attachment 2, Draft Zoning Text Amendments, Title 18, Page 20 of 57, 18.06.315, Floor Area, B. Rentable, pointed out that heating and air conditioning equipment were not similar spaces and suggested that term should be revised to read mechanical room.

- Attachment 2, Draft Zoning Text Amendments, Title 18, Page 20 of 57, 18.06.325, Floor Area Ratio (FAR), recommended that the definition be revised to read:

  \[
  \text{Floor area ratio (FAR) is the gross floor area of a building on a lot divided by the net lot area.}
  \]

- Attachment 2, Draft Zoning Text Amendments, Title 18, Page 23 of 57, 18.06.427, Lot Depth, requested the following amendment:

  \[\text{“Lot depth” is the horizontal distance between the midpoints of the front and rear lot lines, measured in the mean direction of the side lot lines.}\]

- Attachment 2, Draft Zoning Text Amendments, Title 18, Page 23 of 57, 18.06.430, Lot Line, D, Rear, advised that he would like the sentence restructured and would provide his recommendation to staff in writing.

- Attachment 2, Draft Zoning Text Amendments, Title 18, Page 30 of 57, 18.06.680, Structure or Building, A. Accessory, recommended that an additional sentence be added, to read:

  \[\text{Therefore it is not an accessory structure if part of the main building.}\]

- Attachment 2, Draft Zoning Text Amendments, Title 18, Page 32 of 57, 18.06.733, Very low income owner unit, identified a grammatical revision he would like made to the definition in terms of parallelism.

Ms. Hoggatt spoke to the use of the term renter versus rental, and noted in terms of parallelism speaking to the same section, 18.08.733 Very low income owner unit, as defined, the intent of the definition was for an owner or renter to modify the person renting the unit. If the term renter was changed to rental it would change the intent of that definition.
• Attachment 2, Draft Zoning Text Amendments, Title 18, Page 32 of 57, 18.06.745, Yard, C, Rear, recommended that the last sentence be revised to read:

The depth of a required rear yard is measured perpendicular to the rear lot line toward the nearest part of a main building.

• Attachment 2, Draft Zoning Text Amendments, Title 18, Page 53 of 57, Article 5, Industrial Uses, 18.08.100, Industrial use classifications, C, Manufacturing, 1, Heavy, questioned the definition in that material that was typically within a lumber mill and not within an enclosed building. Also questioned the segregation of concrete products.

• Attachment 2, Draft Zoning Text Amendments, Title 18, Page 53 of 57, Article 5, Industrial Uses, 18.08.100, E., Transportation/Distribution, questioned where United Parcel Service (UPS) should be identified in either of the four sub-paragraphs under that section, and suggested that the identification of a moving van, as listed in the first subparagraph be moved under the section for Truck Terminal.

Ms. Hoggatt expressed the willingness to clarify that section in terms of where to place UPS services.

• Part II. Administration, Chapter 18.10, Planning Agency, Page 2 of 32, 18.10.020, Powers and duties of planning commission, 18.10.100, recommended the second to last sentence be revised to read:

In this case, the city planner shall schedule the matter for consideration by the planning commission at the earliest reasonable time.

• Chapter 18.18, Decisions and Appeals, Page 9 of 32, 18.18.010, Time and manner of decision, C, Notice of Decision, inquired of staff whether or not there was a form that one must submit to the City to receive written notice of proceedings, and questioned whether or not a form was required for each proceeding and how long it would be on file with the City.

Ms. Hoggatt explained that anyone requesting to receive notice could write a letter requesting notice. There was no form required. She added that the Government Code allowed the City to require that such a request be renewed annually.

Ms. Ayres added that interested parties must also provide stamped envelopes.

• Suggested that section be revised to include that an e-mail would be permitted as a form of written request for notice of proceedings.

Ms. Ayres clarified that staff was in the process of Phase II of the Zoning Code Update.
which dealt with the actual districts. Phase IV would include review of the administrative section. Staff had cleaned up some areas where there was reference to Community Development Director which had been revised to read City Planner. A comprehensive review of that section would be brought back to the Commission for review at a later date.

- Chapter 18.18, Decisions and Appeals, Page 11 of 32, 18.18.080, Appeal of decision not otherwise provided for, D, noted that the last sentence had referenced an appeal of the City Manager’s decision, although there had been no previous mention of the City Manager as having the authority to deal with appeals.

Ms. Hoggatt explained that another title of the code had a section for appealing City Manager’s decisions and that section dealt with the planning organization and set up a process for one to appeal a decision of the Zoning Administrator to the Planning Commission. In Title I of the Municipal Code, there was a procedure for the same thing to occur with the City Manager and City Council. She suggested that code section could be cited.

- Chapter 18.28, Use, Expiration and Revocation of Use Permits, Variances and Temporary Activity Permits, Page 13 of 32, 18.28.010, Purpose and intent, B, questioned what a court had to do with the height of a structure.

Ms. Hoggatt advised that she would review that section.

- Chapter 18.36, Design Review, Article 3: Design Review in districts other than single-family residential, 18.36.200, Design review procedure in land use districts other than single-family residential, the second paragraph under that section, questioned the reference to the Downtown Commercial Core in that he understood the downtown was now called Old Town.

Ms. Ayres advised that Old Town was a marketing term. The General Plan had not been amended to revise references to the downtown as Old Town.

- Chapter 18.48, Amendments to Zoning Map and Regulations, Page 31 of 32, 18.48.020, Initiation of amendments, B. Zoning Map, spoke to the reference that if a property that is the subject of an application has more than one ownership, all the qualified applicants shall join in the application, and questioned the definition of a qualified applicant.

Ms. Ayres explained that a qualified applicant was either the property owner or a representative authorized by the property owner to file on the property owner’s behalf. That section could be further clarified if necessary.

- Part III: Base District Regulations, Chapter 18.50, Residential Districts (R), Page 3 of 98, 18.50.005, Specific Purposes, B, 10, High Density Residential – Downtown.
District (RH-D), requested clarification of the allowed maximum dwelling units per acre.

Ms. Hoggatt explained that Chapter 18.53 Mixed Use District had identified the maximum of 40 units per acre.

- **Part III: Base District Regulations, Chapter 18.50, Residential Districts (R), Article 3: Performance Standards**: Page 17 of 98, 18.50.200, Outdoor Storage, B, Placement of Vehicles and Equipment, clarified with staff that it was legal to have a driveway in a corner side yard with a maximum dimension called out in Chapter 18.78.

- **Part III: Base District Regulations, Chapter 18.50, Residential Districts (R), Article 3: Performance Standards**: Page 18 of 98, 18.50.205, Repairs and Related Work, A, Site Location Limitations, noted that paragraph had not mentioned that spray painting would be prohibited.

Ms. Hoggatt explained that a clause could be added to that section.

- **Article 2: Development Standards, 18.54.100, IP, IL, and IG districts – Review of plans, 18.54.130 IP, IL and IG Districts, Planting areas, E, Exceptions, a, Credit for preservation of natural features, understood that walkways could be impermeable, and recommended that the walkway be specified a cinders, gravel or a non-concrete sidewalk. Commissioner Ohlson had no concern with a walkway as long as it was permeable.

Ms. Hoggatt clarified that the intent was to have permeable pathways. She stated that section could be revised.

- **Article 2: Development Standards, 18.54.100, IP, IL, and IG districts – Review of plans, 18.54.130 IP, IL and IG Districts, Planting areas, E, Exceptions, b, ii, Page 61 of 98, recommended an additional clause that a trail must be six feet wide.

- **Chapter 18.56, Hillside Planned District (HPD), Page 62 of 98, commented that having attended the Bay Point Municipal Advisory Committee meetings, he had heard many times that the City of Concord did not want to see Pittsburg homes above the ridgelines on the Pittsburg side, visible from the Concord side.

Commissioner Ohlson commented that the regulations had not indicated that if a home was set back properly it could not physically extend above the ridgeline.

Ms. Ayres explained that in addition to the Comprehensive Zoning Code Update which was broken into four phases, the City had a separate planning project, the Hillside Performance Standards and Guidelines which were being reviewed separately from the current discussion. The only changes to the chapter under discussion were the elimination of
references to the Community Development Director. The separate Hillside Performance Standards and Guidelines would create a new policy for hillside development irrespective of the zoning. There would be a joint City Council/Planning Commission meeting on March 26 to review those guidelines which would allow the opportunity to raise those and other concerns, if any.

- Chapter 18.56, Hillside Planned District (HPD), Page 63 of 98, 18.56.030, Definitions, “Interim Use,” clarified with staff that the definition was accurate as stated.

- Chapter 18.56, Hillside Planned District (HPD), Page 66 of 98, 18.56.070, Plans, reports and data required to accompany permit application, C 1, suggested that C 1 should be re-titled as D since it was a subpart of part C but was a solid requirement in its own right.

Ms. Ayres explained that there appeared to be a cut and paste issue and that C1 through C9 should be shown as under subpart D.

- Chapter 18.56, Hillside Planned District (HPD), Page 69 of 98, 18.56.070, Plans, reports and data required to accompany permit application, L, Color and materials display, suggested that staff reconsider requiring applicants to provide samples on an 8 ½ by 11 sheet of cardboard.

- The asterisk shown at the end of that same paragraph had not been identified in the text.

Ms. Ayres advised that as the new proposed standards were considered, staff was considering the elimination of that requirement under the HPD permit process since it was more of a design review issue.

- Chapter 18.56, Hillside Planned District (HPD), Page 71 of 98, 18.56.080, Permit Processing, D, Planning Commission Action 1, recommended that the paragraph be revised as follows:

\[\text{Upon completion of the environmental documentation, the city planner shall schedule the HPD permit for action by the planning commission at the next reasonable opportunity.}\]

Ms. Hoggatt explained that there were time constraints in the Government Code for certain types of projects between when applications were received and when they were required to be presented to the Planning Commission or the City Council for action. As to Commissioner Ohlson’s recommended revision, she stated that would depend on the project and the entitlements being sought.
Ms. Ayres acknowledged that section of the Municipal Code had been poorly worded. She reiterated that the HPD District would be reworked as part of separate parallel project.

- Chapter 18.56, Hillside Planned District (HPD), Page 71 of 98, 18.56.080, Permit Processing, D, Planning Commission Action 3, requested that section include that public notification would also be posted on the City’s website.

Ms. Hoggatt noted that would be more than required by law but was done by staff anyway.

Ms. Ayres added that public hearing notices were not currently posted on the City’s website but meeting agendas and announcements of workshops were. She clarified that Commissioner Ohlson was seeking more than what State law required.

Commissioner Diokno understood that State law represented a minimum requirement.

- Chapter 18.56, Hillside Planned District (HPD), Page 71 of 98, 18.56.080, Permit Processing, D, Planning Commission Action 4, clarified that staff had a binder with a list of those persons desirous to receive notification of public hearings.

- Chapter 18.56, Hillside Planned District (HPD), Page 72 of 98, 18.56.080, Permit Processing, H, Expiration and Revocation of HPD Permit, 1, Expiration, requested that the paragraph be amended to read:

  Expiration. The HPD permit expires twenty-four (24) months after approval unless construction of building foundations is substantially completed.

- Chapter 18.56, Hillside Planned District (HPD), Page 74 of 98, 18.56.090, Development Standards, d, clarified with staff that the information in that section would be discussed with a recommendation by staff to eliminate that section as part of the joint City Council/Planning Commission workshop on March 26.

- Chapter 18.56, Hillside Planned District (HPD), Page 77 of 98, 18.56.090, Development Standards, D, Transitional Design Between Different Land Uses, 2, noted that the reference to subsection (C) of this section had not been identified in the prior section of the document.

Ms. Ayres advised that staff would correct that error.

- Chapter 18.56, Hillside Planned District (HPD), Page 77 of 98, 18.56.090, Development Standards, E, Landscaping, 4, recommended that concrete root barriers perpendicular to the sidewalks adjacent to the trees be required.
• Chapter 18.56, Hillside Planned District (HPD), Page 80 of 98, 18.56.090, Development Standards, M, Street Design, 2, Right-of-Way Widths, noted that the reference to Chart 8 could not be found in the document.

• Chapter 18.56, Hillside Planned District (HPD), Page 80 of 98, 18.56.090, Development Standards, M, Street Design, 2, Right-of-Way Widths, b, understood that the City's street code would not allow parking on arterial streets and it was discouraged on collector streets.

Ms. Ayres advised that section would be recommended for elimination during the workshop discussions with the City Council.

• Chapter 18.58, Open Space District (OS), 18.58.020, Land use regulations, Page 86 of 98, OS District: Additional Use and Development Regulations, L-30, requested that section be revised to read:

  Permitted as regulated that a home occupation is governed by Sections 18.50.200 through 18.50.230.

• Part IV. Overlay District Regulations, Page 4 of 7, 18.72.060, Required plans and materials, B 5, requested that section include reference to bicycle paths.

• Part IV. Overlay District Regulations, Page 5 of 7, 18.72.080, Expiration of adopted master plan, A, Expiration, recommendation that the time when the master plan may expire be specified.

JUNE FORSTYH, Pittsburg, referenced Page 6 of 23 of the March 13, 2007 staff report, the Comprehensive Zoning Code Update – Phase II, and questioned the statement under the General Plan Goal of Policy for Small-lot Single-Family and Affordable Housing. She objected to the statement allowing homes on lots as small as 1,100 square feet in certain districts since that would be too small. She questioned where children would play and what type of quality of life would be provided. She also questioned the definition of the downtown core.

Ms. Hoggatt explained that the reference to 1,100 square feet in the text referred to attached residences where there could be row homes but not detached single family homes on a lot that small.

OPPONENTS: None

At this time, the Planning Commission decided to go back to the first agenda item and
formally make a motion to continue both agenda items.

MOTION:

Motion by Commissioner Garcia to continue the City-initiated General Plan Amendments in
Conjunction with the Phase II Zoning Code Update and the Comprehensive Zoning Code
Update – Phase II to the Planning Commission meeting of March 27, 2007. The motion
was seconded by Commissioner Thomas and carried by the following vote:

Ayes: Commissioners Diokno, Garcia, Ohlson, Thomas, Tumbaga
Noes: None
Abstain: None
Absent: Commissioners Harris, Ramirez [recused]

Commissioner Ramirez returned to the dais at this time.

COMMISSION CONSIDERATIONS: None

STAFF COMMUNICATIONS:

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

a. La Veranda Bar and Grill. AP-07-424 (AD)

Ms. Ayres reported that the City Council had not supported the Planning Commission’s
request for consideration of a Heritage Tree Ordinance in its current work plan. In a letter
from the Mayor, copied to all Commissioners, the City Council might consider a Tree
Heritage Ordinance for its work plan in the next calendar year. Ms. Ayres also added that
Planning Commission Form 700 Conflict of Interest documents were due to the City Clerk
on Friday, March 16, 2007.

Ms. Ayres added that a Sign Code Update Workshop had been scheduled for Friday,
March 16, from 10:00 to 2:00 P.M. in the Council Chambers.

COMMITTEE REPORTS:

Commissioner Garcia reported that the TRANSPLAN Committee had met with a report that
the eBART concept was no longer being considered. He noted it was likely that the
median would be extended past Loveridge Road all the way to Hillcrest Avenue and
possibly to Neroly Road using the new median strip of the new bypass for a light rail
system.

Commissioner Thomas reported on the Land Use Subcommittee meeting discussion of the
Hillside Guidelines where many questions from the public had been clarified. She stated that staff had responded to copious notes the community had sent in regarding the ridgelines. The subcommittee asked staff to prepare something that would be consumer friendly on what would be done with the ridgelines. She was confident that the City was working to keep the ridgelines intact.

Ms. Ayres noted that there would be background history and initial consultant reports provided to Council and Planning Commission prior to workshop and color photographs of the hills from different scenic points would be provided of the workshop.

Ms. Ayres added that the Planning Commission would have a large work program in the next two weeks. Due to the volume of upcoming agenda items, the Commission discussed the possibility of continuing some agenda items to an adjourned regular meeting the same week as the March 27 regular Commission meeting, or consider scheduling a special meeting the first week of April to complete the review of upcoming projects which had time constraints in the event the Commission was unable to complete posted agenda items during its next meeting.

COMMENTS FROM COMMISSIONERS:

Commissioner Ohlson spoke to the volume of material for the current meeting and asked staff to consider limiting the reading material in the future. He noted that he would not be able to attend the Sign Ordinance Update workshop. He added that it appeared as if the property owner of Atlantic Plaza Shopping Center was in the process of doing underground work although that project had yet to be approved by the Planning Commission.

Ms. Ayres advised that she had a meeting with the developer of Atlantic Plaza on Thursday, March 15. She added, when asked, that the Planning Commission applications were available online.

Commissioner Thomas asked in the future when the Commission was given information on certain areas, such as the prior discussion of the zoning code, that staff attempt to identify what was or was not existing code. She also urged all Commissioners to remain professional when addressing one another and during the course of the meetings.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:56 P.M. to a regular meeting of the Planning Commission on March 27, 2007 at 7:00 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.