A special meeting of the Pittsburg Planning Commission was called to order by Chairman Kee at 7:35 P.M. on Thursday, March 8, 2001, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

Present: Commissioners Glynn, Leonard, Tumbaga, Chairman Kee
Absent: Commissioners Holmes, Kelley, Valentine
Staff: Planning Manager Randy Jerome; Associate Planner Chris Bekiaris; Associate Planner Avan Gangapuram; Planning Technician Dana Hoggatt; Administrative Assistant II Fara Bowman.

POSTING OF AGENDA:

Chairman Kee advised that the agenda had been posted at City Hall on Friday, March 2, 2001.

PLEDGE OF ALLEGIANCE:

Commissioner Tumbaga led the Pledge of Allegiance.

MINUTES: None

DELETIONS/WITHDRAWALS:

There were no deletions or withdrawals.

COMMENTS FROM AUDIENCE:

There were no comments from the audience.

PRESENTATION:

There were no presentations.
PUBLIC HEARINGS:


Public Hearing on the proposed Draft General Plan and proposed General Plan land uses and policies for the comprehensive update of the City's General Plan, "Pittsburg 2020: A Vision for the 21st Century" (General Plan Update). The General plan designates land uses and appropriate policies to guide future growth throughout the City of Pittsburg and the City's identified Planning Area.

Mr. Jerome advised that this was the first public hearing related to the General Plan process, which had commenced in 1997 when the City had retained the planning firm of Dyett and Bhatia from San Francisco to prepare the draft document. The consultants were also the authors of the Draft Environmental Impact Report (EIR), which accompanied the General Plan and which must be approved and accepted prior to the adoption of the General Plan itself.

Mr. Jerome reported that a number of workshops had been held over the years with various stakeholder groups when a number of different alternatives had been evaluated, resulting in the preparation of the Preferred Plan.

Mr. Jerome identified the Land Use Map that was on display in the Council Chambers. He noted that the General Plan was comprised of polices and guidelines and seven mandatory elements. The City's General Plan included the mandatory elements as well as additional elements, such as a separate Downtown Element, a redraft of the 1986 Downtown Specific Plan, which had been incorporated into the new document.

Mr. Jerome noted that the General Plan was the most important development tool for a community. The State mandated that each city and county develop a General Plan. The General Plan document was required to meet certain criteria and all development that occurred within a city or county was required to be consistent with the policies and goals of the General Plan.

Mr. Jerome advised that the City of Pittsburg's current General Plan had been adopted in 1988. Many of the land uses had changed since that time with amendments that had occurred primarily in the last four years, which had necessitated the need for the City to review the plan. Most General Plans were considered to have a 20-year lifespan with the land uses and goals typically developed for a 20-year period. Generally the document would be viable for ten years before a comprehensive update was required.

Mr. Jerome reported that the first public hearing had already been conducted on the EIR. The public review period for an EIR was typically from 45 to 60 days, with a minimum 45-day review period. The public hearing was not a requirement, although the City had always held public hearings on EIR.
The public comment period on the EIR is to terminate on March 12, 2001, although staff had received some requests for an extension of the posted deadline since the EIR was tied to the General Plan document. Consequently, the public comment period had been extended from the March 12 deadline and would remain open at this time. The receipt of public comments as soon as possible was encouraged, with the recognition that the public hearing on the General Plan itself could take some time.

Mr. Jerome advised that since the General Plan Update document was so extensive, public review of the document would be conducted through a number of meetings. Staff was uncertain how many meetings would be required. The review of the document had been bifurcated into various chapters to be reviewed individually. It was intended that the public hearing would be continued every week to allow for discussion on other chapters and other items in the document.

Mr. Jerome stated that the purpose of the current public hearing was to discuss Chapter Two, the Land Use segment of the General Plan Update that he characterized as the most important part of the document. The next public hearing on the document had been scheduled for a regular Planning Commission meeting on March 13, 2001, with the intention to continue the discussion and public hearing on the General Plan after that time. It was expected that the Commission would speak more on the land use component and subsequent chapters. Another Special Meeting had been scheduled for March 20 and March 28, with possible special meetings scheduled into the next month.

Mr. Jerome clarified that the number of public hearings required to review the document would be up to the Planning Commission and the public, after which staff would proceed with a recommendation for adoption to the City Council.

Mr. Jerome also commented it was likely that the plan being reviewed by the Commission would include changes agreed upon by the Commission based upon input from the public. Staff would request that prior to the adoption of the General Plan, a redline version of the plan be submitted to the Commission for action to approve any of the recommended changes. The redline document would also be made available to the public prior to any action being taken by the Commission.

Mr. Jerome advised for the record that staff had received correspondence from: Osorio Insurance Agency; Nancy L. Parent, Attorney at Law; Kirker Creek Limited Partnership; Semansky & Jenny Attorneys; Uecker and Associates Incorporated, and Colliers International of Oakland. He also reported that he had received a telephone call this date from Warren Smith, the owner of property located on Bailey Road that had been classified on the proposed General Plan as Open Space. Mr. Smith had requested that his property be changed to a Low Density Residential classification.

Associate Planner Avan Gangapuram reiterated that the General Plan process had commenced in 1997. After numerous public meetings with stakeholders, interest groups, members of the Community Advisory Commission (CAC), and the Chamber of Commerce, staff had reached the
stage of having documents ready to allow for the evaluation of the policies established for the General Plan, specifically the Land Use Element.

Mr. Gangapuram explained that there were general policies that applied to the entire City in addition to specific policies for each subarea. Based on information received from previous public hearings, the entire City had been categorized into 15 subareas. Some of the areas were within the City limits, while others were located in the County, the Bay Point Area, within the Urban Limit Line (ULL), and within the City's Sphere of Influence (SOI). In addition, of those areas outside of the ULL and outside of the SOI, all were within the City's planning area boundary.

The subareas were identified as:

- Downtown Area
- Northeast River
- Loveridge
- East Central
- Railroad Avenue
- East Leland
- Buchanan
- Woodlands
- West Central
- West Leland

The unincorporated areas were identified as:

- Northwest River
- Bay Point
- South Hills
- Black Diamond
- Southwest Hills

Mr. Gangapuram explained that the document identified the entire land use scenario and land use categories, as well as the planning area within the General Plan. He noted that there were few differences between the 1998 General Plan and the General Plan Update. There were a few additional land uses identified that had not been included in the 1998 General Plan, including a category identified as Business Commercial, which would allow for offices, light manufacturing, research and development, and the like.

Another new category that had been identified was Hillside Low Density Residential. In addition, a Marine Commercial category had been identified that could be used for a port authority or any other marine activities. Such a category could be used to promote said activities and enhance the Downtown Corridor, as well as allow the area to become a destination point.

Mr. Gangapuram referenced the current General Plan diagram, which had identified three
alternatives. Based on those alternatives, a Preferred Plan had been prepared. Once the Preferred Plan had been prepared a public workshop had been held where the plan was further defined, which allowed the completion of the existing General Plan diagram.

Based on that, Mr. Gangapuram advised that the policies for the General Plan were then identified, as had been described in detail in the staff report.

PUBLIC HEARING OPENED

FRANK GORDON, a resident of Pittsburg, and Chair/President of Pacific Community Services and Pittsburg Economic Housing and Development Corporation (PEHDC), addressed the Commission with respect to a PEHDC proposal for a cultural art center for the downtown area. He reported that PEHDC had identified some PEHDC owned buildings that could be considered in partnership with the City, for a cultural art center.

Mr. Gordon presented the Commission with two packets of information. One described the history of PEHDC and its sponsorship of the Pittsburg Arts Collaborative (PACO). The mission of PACO was to encourage and support all forms of art in the City of Pittsburg.

Mr. Gordon also described in detail the performances presented during the recent Winter Arts Festival, an Urban Arts Show that had been presented in December 2000, and a Students Arts Show that had been presented in January. Additional programs were noted, with details provided in the packets of information presented to the Commission.

Mr. Gordon referenced the City of Antioch's Community Facility where that community held a Performing and Visual Arts program along with an in-house art gallery. He also identified the City of Walnut Creek's Shadelands Art Center and the Regional Center for the Performing Arts. He added that the City of Concord had a Commission for the Arts, which dedicated significant funds to a Cultural Art Center.

Mr. Gordon further referenced the City of Richmond's Art Center, the operation of which had been transferred from the City to a non-profit agency. He identified the East Bay Center for Performing Arts, also in the City of Richmond, as well as programs provided by the City of Fairfield as part of that community's revitalization and economic development programs in the downtown area, which had proven to be very successful.

Mr. Gordon requested that the City consider joining with Pacific Community Services Inc. to study the creation of a community arts and cultural facility on the scale of a program similar to the Fairfield program, including visual, performing arts, art education, art galleries and classrooms.

Mr. Gordon reiterated that the goal was to locate such a facility in the downtown area utilizing the California Theater building, two buildings owned by PEHDC and the National Building, for which he understood the City held some liens.

March 8, 2001
Mr. Gordon added that private, public and grant funding sources would be sought for the operation of such a facility and that several possibilities for grants had been identified. It also was probable that grants could be utilized to fund 60 to 70 percent of the program, although he commented that grantors sought long-term commitments prior to the consideration of grant applications.

Mr. Gordon suggested that with the update of the General Plan, there was an opportunity to lay out such a long-term commitment from the City by establishing Citywide and Downtown Area policies. He requested that the Planning Commission direct staff to include policy statements in the General Plan that would address such a commitment.

Mr. Gordon requested that a Citywide policy be defined to affirm the arts as integral to the City of Pittsburg's quality of life, through economic vitality and through the efforts to build a safe and healthy community.

Commenting that the downtown was becoming an artist's community where artists lived and worked in property they owned or would soon own in the downtown area, Mr. Gordon suggested that the idea for a cultural art center and the reactivation of the California Theater with an art gallery and teaching facilities would provide economic development in the Downtown.

Mr. Gordon provided the Commission and staff written copies of proposed policy statements he urged be placed throughout the General Plan, which would give the City and his organization the opportunity to solicit an application for grants.

Mr. Gordon cited the following excerpts of the proposed policy statements for consideration:

- Provide incentives to encourage investment in public art and historic properties;
- Encourage collaborations amongst artists, art organizations and other community partners, including business, educational institutions, human services and individuals;
- Utilize art and culture programs and facilities as a revitalizing force for the renewal of downtown;
- Support the preservation, maintenance and development of community cultural facilities, providing a gathering place for cultural exploration, expression and inspiration.

TOM LaFLEUR, Executive Director, Pittsburg Economic Housing and Development Corporation, noted that the International Poster Show would be presented and displayed at City Hall on Sunday, March 11, 2001. He requested that the Commission seriously review what other cities had done to revitalize their communities through economic development. He cited, for example, revitalization efforts based primarily through artistic communities located in the Cities of Benicia, Fairfield, and Walnut Creek, as previously noted. He expressed his hope that the Commission and the City would support the PEHDC and PACO efforts.

BRUCE BAUER, a resident of Walnut Creek, requested that the Planning Commission direct staff
to incorporate and amend the proposed General Plan incorporating a change on a specific parcel of land that fronted Loveridge Road south of Leland Road. He noted that the current and proposed General Plan designated the property as Institutional Governmental.

Mr. Bauer requested consideration of designating the property as Medium Density Residential. Describing his background in real estate, he reported that he had previously marketed the property. In the period of two years, he explained that the use of normal marketing techniques had resulted in little to no interest in the site as a result of the current General Plan designation.

Mr. Bauer suggested that with the changes that had been taking place in the area and with the other contiguous residential uses, he would like to see the area redefined as Medium Density Residential.

JAY EGY, The DeSilva Group, Dublin, explained that The DeSilva Group was presently working with Mr. Bauer on a contract and feasibility period for the property previously described. He identified the property as a 1.9 acre parcel located against the East Bay Municipal Utility District (EBMUD) easement, directly across the easement from Stoneman Elementary School, south of Los Medanos Hospital and adjacent to the Convalescent Hospital.

Mr. Egy agreed with the need to redesignate the property as Medium Density Residential based on the surrounding uses. He referenced the uses along Gladstone Drive and Stoneman Avenue, which consisted of residential uses and Stoneman Elementary School to the south with higher residential and townhomes further south. Central Junior High School was also identified across the street as was an adjacent apartment complex and commercial piece of property.

Mr. Egy commented that in his review of the City's Zoning Ordinance, all of those uses would be permitted in a Medium Residential Zoning District, including the hospital or a lower density. As such, he suggested that the subject site would be logically defined as residential due to the compatibility of uses surrounding it. He also commented on the market for Quasi-Institutional uses, which had been and remained extremely soft, particularly in the subject area.

Mr. Egy suggested that with the reuse of the hospital, such uses would be even softer. For those reasons, he requested the subject property be classified as Medium Density Residential.

HENRY A. ALKER, Southport Land & Commercial Co., San Francisco, suggested that the overall goals of the General Plan should be better defined. He suggested that the General Plan should include a concern as to what role the General Plan could and should play in rectifying the jobs/housing imbalance in the City.

Mr. Alker commented that he had yet to see a serious and systematic review of how that topic would relate to many of the specific issues discussed throughout the General Plan. He noted that there were political concerns and there were incentives from the political sector to study improvements in the job/housing imbalance, which he suggested was not only a recognized need in the City but a goal
that should be addressed in the General Plan.

Mr. Alker also requested that the General Plan Use Classifications be better clarified. He cited for example, Page 2-11, which stated that "...the General Plan seeks to extend the range of housing types currently available in Pittsburg through designation of sites for Low Density Hillside Development as well as Higher Density Residential Development.

Planned policies also provide for increased flexibility in single family development by encouraging small lots downtown and cluster housing in the southern hills." Mr. Alker commented that one aspect of diversity that was not being addressed was the economic value of the housing stock, which ran from one extreme to another, such as Section 8 Housing to large upscale homes.

Mr. Alker commented that the General Plan had not addressed whether or not the City had luxury homes available. He noted that he had conducted a study with Commissioner Leonard's cooperation, of all of the listings of homes in the City market from a year to two-year period, which had demonstrated that there were some housing needs that were not being met in the City.

Mr. Alker emphasized that diversity was important since it related to the jobs/housing balance. Since he had actively served on the Chamber of Commerce and numerous committees for over thirteen years, he was continuously disappointed that the majority of the Board of Directors frequently did not reside in the City. He suggested that was not a good thing particularly since the City did not provide luxury homes to encourage those running major businesses in the City to also reside in the City. He suggested that people from all economic levels should be offered the possibility of residing in the City of Pittsburg.

Mr. Alker further advised that diversity was also a term that referred to many other subjects, such as economic and cultural diversity. He noted that cultural diversity was something that the City was quite proud.

Mr. Alker referenced a book titled The Color of Stranger the Color of Friends, written by a Professor of Educational Sociology at the University of Illinois, about the City of Pittsburg High School. He noted that the book had examined what was unique about the City that allowed relatively harmonious interethnic relations in the community. The City also had a proud history of encouraging communication and cooperation between very different ethnic groups. He suggested that the encouragement, promotion and facilitation of cultural and ethnic diversity was a legitimate goal that should be considered.

Stating that he was also a member of the real estate profession, Mr. Alker referenced a study provided by the National Association of Realtors entitled Growth and Opportunity in America. One of the findings in the report had been the controls and restrictions on growth, which had two major impacts. If there were too many restrictions on housing there tended to be much higher housing prices. In addition, it was found that restrictions, such as the Urban Limit Line and other anti-growth policies, had resulted in a lesser percentage of African-Americans in a community.

8 March 8, 2001
Mr. Alker stated that finding suggested there was a serious link with the issue of diversity that related to the subject of economic justice in a profound way that was also related to housing controls, which had been discussed throughout the General Plan. He encouraged the Commission to better define that section of the General Plan.

Mr. Alker also spoke to the restrictions on hillside development and ridgelines. He noted that his company was the owner of 780 acres outside of the City, associated with his company's role as the Black Diamond Coal Mining Company. He explained that there were issues that were important that should be addressed since they could be the basis for litigation and had been the basis for litigation in the recent past.

Mr. Alker also commented that there were proposals in the General Plan regarding the extension of the City's SOI (Sphere of Influence). He understood that in the year 2020, the SOI would be extended to a certain degree to include some development currently outside of the ULL (Urban Limit Line). He requested that the Commission consider why it was not an effective and relative policy at this time to extend the SOI beyond the current ULL.

Further, Mr. Alker cited the City of Martinez as an example of a community that had extended its SOI to cover areas that community did not want to see developed in order to maintain viewsheds. He suggested that was a legitimate reason to expand the SOI.

Mr. Alker added that he was confident that he would be able to work out a proposal as to what the City and his firm would prefer as the use of the property and he was confident that a reasonably balanced proposal could be achieved. He noted that he had raised the same issues during the previous discussions of the General Plan in 1989, with respect to the SOI. He encouraged the City to extend its SOI.

Mr. Alker also stated that he had several concerns regarding the General Plan EIR. He noted that the EIR was an important document particularly regarding potential litigation. He advised that the City had been sued on the basis that the EIR had been inadequate. He expressed disappointment that parts of the EIR had been written by the East Bay Regional Parks District (EBRPD) and that the document was a basic mitigation proposal that would be recommended for adoption in connection with the General Plan, where the City would attempt to preserve grassland habitat and native species. He expressed an interest in planting grapes on property owned by Southport Land and Commercial and protested the fact that the City might have a policy that could prohibit the planting of certain non-native grapes on the property.

Mr. Alker commented that he had also found that the recommendation for in the EIR for dealing with mitigation issues, particularly for hillside areas, was to adopt and support a Habitat Conversation Plan (HCP). He stated that the HCP had already been presented to the City Council where staff had recommended that the City cooperate with neighboring cities regarding the HCP. He advised that the Contra Costa Council had developed eighteen concerns that should be met prior to the adoption of an HCP and that the Chamber of Commerce had prepared a list of concerns for consideration. Current Mayor Frank Quesada had at that time requested that those concerns be
Mr. Alker expressed concern that the presented HCP had indicated that the City of Clayton would have the same number of votes in deciding the future of the HCP, although that community would have none of the financial responsibilities if someone were to litigate under the HCP.

Mr. Alker suggested that the City of Pittsburg should not commit itself to the idea of an HCP until the document had been thoroughly reviewed.

Mr. Alker further commented that the EIR had mentioned during mitigation discussions that there were many problems mitigating impacts on species in the waterfront area along the slough and Suisun Bay, and that cooperation from property holders, such as the Steel Mill and Dow Chemical, was needed to address the issues. He noted that the document had also discussed how to mitigate impacts on species in lands outside of town where it was recommended that the City should cooperate with the County, the appropriate federal agencies and the EBRPD, although property owners had not been mentioned.

Mr. Alker advised that the two major landholders who owned property outside of town were Southport Land & Commercial Co. and Roger Riley, both of which owned substantial property within the City limits. He questioned why they were not provided the same rights as other property owners and he emphasized that they should have been consulted in any attempts for cooperation as other property owners.

Commissioner Leonard requested that the Commission be provided with any correspondence received by staff regarding the subject discussions. He expressed his hope that staff would keep a record of the comments, would follow up on the comments made, and would hope that the public comments would be provided to the Commission in writing.

Mr. Jerome reiterated that the discussion was the initial public hearing on the General Plan Update. Continued hearings would be held in subsequent meetings with the intention to focus on specific chapters of the General Plan. The current discussion had been intended to focus on Chapter Two of the General Plan, regarding Land Use. He clarified that those speaking at this time would not be precluded from speaking on the document during later meetings or on similar subjects.

Commissioner Tumbaga inquired whether or not the meetings from the subject discussion would be provided in a verbatim format.

Mr. Jerome explained that it had not been the intention to have the minutes prepared in verbatim format. The meeting was being recorded and would be prepared in a typical minutes format. Staff would keep a record of the audiotapes, which would allow staff to verify comments if necessary.

SHARON MARTELL, a resident of Concord, advised that she was speaking on behalf of property she owned at 1818 Loveridge Road, at the corner of Loveridge Road and State Route 4. She noted that the property consisted of less than an acre in size and was currently zoned Industrial.
Ms. Martell advised that the property was currently occupied by an industrial business that was renting from her. She understood that the City desired to change the land use on that property to Commercial, although if that were done, the current business operator would not be able to purchase the property. In addition, the property was surrounded on three sides by industrial uses.

Ms. Martell noted that an existing industrial business located adjacent to her property would be left with the classification of Industrial, although she could not obtain any explanation from the City why that was being proposed. She urged that there be an equitable treatment with respect to the properties.

Mr. Gangapuram reiterated that General Plans were typically not parcel specific.

Mr. Jerome commented that it was likely that the new Business Commercial Land Use classification would have a broad range of different zoning classifications contained within. The classifications could run the gamut from Offices and Office Parks all the way to Industrial Parks and Light Industrial, dependent upon the location. He noted that the area along Loveridge Road and Ms. Martell's parcel was located on the southwest corner of Loveridge Road and the Pittsburg/Antioch Highway.

Mr. Jerome explained that the current business utilizing the Martell parcel was a water well drilling business, essentially a contractor. From staff's point of view, that business was a not a Heavy Industrial use. It was likely the current use could easily fall within the potential zoning classifications of the Business Commercial zone.

Mr. Jerome further commented that staff would review all testimony from the public hearing process. If staff was of the opinion that some changes should be made, a report would be provided to the Planning Commission.

Commissioner Leonard suggested that specific requests, such as that from Ms. Martell, should be considered at this time and not be considered as a variance in the future.

MARILYN TORRES, a resident of the Nortonville Road Area, opposed any building outside of the current ULL. She identified the location of her property, which consisted of 200 acres. She also expressed opposition to the classification of her property as Open Space and requested that her property remained classified as agricultural.

Ms. Torres noted that she had cattle, which was an agricultural use and reported that funds had been sent to the Agricultural Department every year. She expressed concern if her property was classified as Open Space whether or not any plans were in place to compensate property owners for the loss of the prior Agricultural classification, since new restrictions would be involved as to what would be permitted as a result of the Open Space classification.

Ms. Torres commented that whether or not restrictions were placed on building, either through the
ULL or through other restrictions, eventually the City would run out of space as other communities had done. She noted the need to establish the quality of life desired in the area, which she described as "pretty good." She requested that the General Plan identify ways to solve existing problems, such as the provision of future roadways and public transportation.

ROGER RILEY, a resident of Pittsburg, stated that he was not only a resident of the City but was a businessman in the community who had an interest in the quality of life, and any impacts to his investments, located both in and outside of the City limits. He also recognized that agricultural property had been utilized for cattle grazing and he suggested that property should be zoned appropriately, not classified as Open Space.

Mr. Riley suggested that the City should take a proactive and positive stance in those areas within the City's SOI, but outside of the City limits and the ULL to avoid problems with the Local Agency Formation Commission (LAFCO).

Mr. Riley commented that it appeared as if the General Plan consultants, who had also prepared the EIR, had gone directly to the EBRPD inquiring what they desired, which preferences had then been included in the document. He objected to that situation.

Mr. Riley referenced the Land Use Framework Guiding Principles and the Land Use Classifications relating to the Southern Hills Area, along with a reference to clustered housing. He did not want clustered housing and he expressed a preference for five-acre or more home sites, dependent upon the topography. He preferred to see executive homes developed in that area to provide a new level of homes in the City. He requested that the City and the Planning Commission change the Open Space classification as discussed.

Mr. Riley also spoke to the ridgeline restrictions as depicted in the document for the Southern Hills Area. He favored development on low ridgelines that were not visible from the City. He noted that he had an antenna site located on the top of one of the most visible hills in that area, which was not visible from the City from any viewpoint. He suggested that housing could be appropriately placed in the same fashion. He further suggested that the ridgelines were also the most stable areas to build a home.

Speaking to the Downtown Area, Mr. Riley advised that he had concerns with the Medium and High-Density classifications that had been proposed. He stated that he would provide his comments in that regard to staff. He also suggested that it was important to have small parcels designated properly.

Mr. Riley pointed out that his office building located in the Downtown Area had been designated for housing. In speaking with City staff, he had been informed that did not matter, although if the office were to be destroyed, it could not be rebuilt, which would impact his property values. He emphasized his request that the property be designated as Commercial and not housing, even though it consisted of a small parcel of land.
Mr. Riley stated that he looked forward to speaking further with the Commission on the General Plan Update as the public hearing process continued.

RON RIVES, representing Seeno Construction Company, presented the Commission and staff with copies of his written comments.

Mr. Rives agreed with staff that the comment period for the EIR should be extended until the City had a fairly final product on the General Plan since the documents closely shadowed one another. If there were elements of the General Plan that were changed, amended or deleted, he stated that would have an impact on the EIR.

Mr. Rives echoed the concerns expressed by Mr. Alker regarding the HCP. He urged caution in the adoption of the EIR, which would certify the report requiring the City to participate in the HCP, when in fact the City Council had agreed to participate in a study regarding whether or not the City should participate in the HCP.

Mr. Rives suggested that if the HCP were to return in any form agreeable to the City Council and the Planning Commission, the City could participate at that time. However, the EIR as a mitigation measure would commit the City. He requested that the EIR be amended to state that the City could study the feasibility of an HCP participation under certain conditions.

Mr. Rives agreed with Planning staff that a redline version of the General Plan should be produced to allow interested persons to review the document and recommend any changes prior to adoption by the City Council.

Speaking to the Land Use Element, Mr. Rives also agreed that the City should be aggressive in establishing its planning areas and look to planning areas outside of the City limits. If not, he suggested that someone else could make plans for the City. He therefore suggested that the City should expand its planning area and its SOI.

Referencing the Southwest Hills, the area identified as San Marco Meadows, which was currently not part of the city although within the ULL, Mr. Rives suggested that area should be part of the plan and the planning process with the General Plan.

With respect to Page 2-63 of the General Plan and the area of blast zone federal easement, Mr. Rives explained that the area had been acquired by the United States Navy to place an easement over some hills outside of the Concord Naval Weapons Station in the event that one of the bunkers should be impacted and to provide a buffer zone around those bunkers so that no one would be affected. The General Plan, as presented, stated that no development should be allowed in the areas of the federal easements until such time as the naval base had been decommissioned.

Mr. Rives suggested that the plan should read that there should be no development in the federal easement area until the blast zone easement had been lifted since it was possible that the blast zone easement could be modified or lifted and the base could still be on-site in another form.
Mr. Rives also referenced the Chevron property located in the Southeast Hills of the City, half of which was located in the City limits while the other half was located in the City of Antioch's SOI. He commented that portion of property was a vital planning concern to the City. He suggested that the City should carefully evaluate how that property could be utilized and developed since it was a gateway to the City.

Mr. Rives suggested that the General Plan Land Use Element lacked flexibility and appeared to contain rigid rules and regulations on what the City could plan, particularly in the hills. He noted that the hills of the City were basically what was left since there was little flat land in the community left to develop. While he realized that maintaining the aesthetic value of the ridgelines was an important goal, he suggested that those goals should be balanced against other legitimate City goals.

Mr. Rives suggested that the City should consider whether not ridgelines should be preserved in the event they were unstable or remediated. Public health and safety concerns should also be considered. He commented that if a ridgeline stood in the way of developing an adequate transportation system that would allow for fire, police services, water and sewage systems, or to build the Buchanan Road Bypass for traffic concerns, those impacts on ridgelines should be weighed against the aesthetic values of the ridgeline in the viewshed.

Mr. Rives also recognized that the City had very definite interest in economic growth and the jobs to housing balance. He suggested that those were other factors that should be weighed along with the goals of preserving ridgelines, and that development along the ridgelines should be set as one goal amongst other goals to be balanced allowing the City the flexibility, on a project specific basis, to determine what could be done in the best interests of the City.

Mr. Rives cited, for example, that a roadway planned by the City actually went over a ridgeline. He identified the area on the General Plan Map.

Speaking to the term of clustered housing, which had been used frequently in the General Plan, Mr. Rives commented that the use of the term was a concern since the definition of cluster housing had not been clearly defined.

Mr. Rives further commented that as the Commission reached the discussion on the Transportation Element, he would like to speak to the eBART proposal that had recently been presented and which should be included in the General Plan process. He suggested that a BART representative should be invited to address the Commission as a part of the General Plan process in order to identify where the eBART stations had been proposed in place of a heavy rail system. He suggested that would be a major planning decision impacting transportation and the development of the entire City.

Mr. Rives suggested that planning around the Bay Point/Pittsburg BART Station should be another area where the Commission built maximum flexibility into the General Plan to allow the types of development that would be desired in that area. He suggested it was an area that would allow an
opportunity for High-Density Residential and office buildings. He described that area as unique given the close proximity of a BART station to major freeway access.

Mr. Rives advised that there would probably be planning around the Bay Point/Pittsburg BART Station in the form of a Specific Plan, which would take priority over the General Plan, although the General Plan should still offer maximum flexibility.

Mr. Rives reiterated that he had submitted a detailed written analysis to staff and the Commission as to some of the changes he requested as part of the process. He suggested that the changes proposed would allow the Commission greater discretion and flexibility. He also requested that the Commission take a more aggressive posture in terms of the City's planning area.

DOLORES THOMAS, a resident of the Nortonville Road Area, requested that the current ULL be retained, without change.

JIM MACDONALD, Californians for Renewable Energy Incorporated (CARE), and a resident of Pittsburg, expressed concern that the EIR and the General Plan had not dealt with environmental justice issues. He explained that the Environmental Protection Agency (EPA) had conducted studies and had made conclusions that basic zoning policies had been based on discriminatory and racial discrimination, and that the practice continued amongst state, federal and local agencies.

Mr. MacDonald advised that any state, federal or local agency receiving federal funds was required to address environmental justice issues when dealing with issues, such as the General Plan, that affected low income and minority communities. He commented that had not been addressed in the document in terms of health and welfare issues related to heavy industrialization still being concentrated in the northern section of the City.

Mr. MacDonald commented that the City had continued disparate impacts on low income and minority communities within the City. He advised that CARE had filed a complaint against the City, the Bay Area Air Quality Management District (BAAQMD), the Air Quality Resource and the EPA for failing to recognize the health and welfare of its citizens, particularly low income and minority populations. Copies of the complaint were provided to staff and the Commission and could also reportedly be obtained through the Internet.

Mr. MacDonald emphasized that CARE hoped that the City would recognize that low income and minority communities deserved the same protection and quality of life as any other individuals in the state, and that it was in the best interests of the City to first recognize the fact that the City was a minority community.

Mr. MacDonald added that the California Energy Commission (CEC) and the Bay Area Quality Management District Air Resource Board had designated the City as a Non-Minority Community. The former City Council, through the basis of non-action on CARE's requests to designate the City as an Environmental Justice Community, had confirmed that the City was not a minority community.
Mr. MacDonald explained that the referenced agencies had also stated that parents that did not have enough money to feed their children properly was not a proper indication of low income. CARE requested that the City recognize its obligation to those citizens and to environmental justice, and designate in the EIR that the City was an Environmental Justice Community and be entitled to all of the protections thereof.

Mr. MacDonald advised that those protections included the requirement for new industry to conduct specific health research above and beyond the data that was typically gathered and that the emissions from such plants must be considered as a cumulative effect. The current planning process would allow any industry to come to the community with pollution levels to be considered in and of itself as if there were no other pollution problems in the City. That would allow uncontrolled and unchecked heavy industrialization of the northern portion of the City that would be supported by the new power plants currently under construction.

Mr. MacDonald stated that the City received over $5 million in federal funding, which could be in jeopardy if legal recourse was taken, where the funds could be withheld until the City took the responsibility to protect the health and welfare of the low income and minority community.

ELLEN KOLB requested that the current ULL be retained. She noted that the Thomas property had been classified as agricultural for 160 years. She suggested that the City needed agriculture and not more homes. She commented that without agriculture, food costs could be so high that no one would be able to afford to buy food.

GLORIA THOMAS also requested that the current ULL be retained.

EVELYN STIVERS, representing the Greenbelt Alliance, stated that the ULL was the only regional planning tool that the County had to control urban sprawl and to ensure that development was concentrated within existing urban environments. It was also one of the few tools that could assist cities in focusing development within a downtown area, by revitalizing older urban areas and by creating livable communities that would be comfortable well past the 21st Century.

Ms. Stivers requested that the City not expand development beyond the existing ULL. She suggested that it was valuable for cities to establish urban growth boundaries, above and beyond the County's ULL. She added that it would be useful for the City to lessen the speculative pressures on the hillsides south of the City.

Ms. Stivers commented that too often developers considered the rural areas for potential development sites, rather than the areas within the existing City limits, which would allow for both commercial and residential development. By lowering the speculative value on areas outside of the City's limits, the City could help encourage smart and comfortable development within the existing City limits and encourage a diverse array of transit options, while also creating a City that was more vibrant.
Ms. Stivers also echoed the concerns expressed by CARE. She agreed that the City should be very careful in zoning residential uses so close to heavy industry and that the City should be very sensitive to those human issues.

Mr. Jerome encouraged interested parties to contact staff in the event there was a need to clarify some of the issues in the General Plan. He also encouraged comments in writing, particularly relating to policies that individuals desired be added or eliminated from the General Plan document. Mr. Jerome added that comments would be analyzed by staff and returned during subsequent public hearings with the Planning Commission.

In response to a member of the audience, Mr. Gangapuram clarified that the required setback from Kirker Creek had been defined as a 50-foot setback from the top of the bank.

Mr. Jerome also clarified in response to the same speaker that Kirker Creek had been defined as the creekbed located to the east, although he would have to verify that on the General Plan Map.

An unidentified speaker suggested that the language in the General Plan be clarified since the area referenced and identified as Kirker Creek was not accurate.

Mr. Alker also suggested that the term floor area ratio (FAR) should be clarified in the document since it was a technical term and needed to be clearly understood.

Commissioner Leonard inquired whether or not the public comment period for the EIR would be extended to coincide with the time necessary for the completion of the public hearings related to the General Plan.

Mr. Jerome recognized that the two documents parroted one another. He stated that staff was concerned that the process could be extended if the EIR were extended along with the General Plan. In speaking with the General Plan consultants, he explained that they were of the opinion that if changes were made that would not make a radical difference in the numbers contained in the EIR itself, although the consultants would need time to review all of the comments specific to the EIR and respond to those comments, which would be in the form of the Final EIR.

Commissioner Glynn expressed his hope that the documents would be in agreement with each other. He did not see the need to encumber the document and increase its length by incorporating existing statutes or laws that had already been codified by state or federal law. He suggested that citations could be provided at the bottom of each page, although they did not need to be transcribed verbatim in the document.

Mr. Jerome advised that the public hearing had been recommended for continuance to a regular meeting of the Planning Commission scheduled for March 13, 2001.

Mr. Gangapuram welcomed any comments from the Commission both verbally and in written form that could be reviewed by staff.
Commissioner Glynn expressed concern with General Plan Diagram Figure 2-2 since it still identified the Johns Manville plant with a classification of Heavy Industrial, which was incorrect. He advised that this was the fifth time over the last two years that he had requested that the classification be corrected.

Mr. Gangapuram acknowledged that an error had been made in the General Plan Diagram, although the main map had been corrected and had correctly identified the classification of the Johns Manville plant.

Commissioner Glynn also commented on the ULL and discussions regarding the SOI. He cited, for example, the Chevron property of which half was located in the City limits and the other half in the City of Antioch's SOI. He requested clarification as to how that situation would affect the development of the property and by whom. He suggested that if the planning areas were defined, that should be the planning area that the City should consider irrespective of the contiguous City's claim or the County's claim. He suggested that was a very important issue in terms of where the SOI ended, which he suggested would be determined by some sort of historical perspective.

Commissioner Glynn also cited the community of Bay Point, formerly West Pittsburg, which was within the City of Pittsburg's SOI. He emphasized that the SOI had not been clearly defined in any of the documents. He suggested that the SOI should be based on past practice as opposed to what the current City Council or anyone else desired. Uncertain how that would actually work, he reiterated his request for where the SOI actually began and ended.

Mr. Jerome explained that staff was considering some modifications to the text to accommodate that concern. Staff's position was that the SOI was an actual legal line that had been established. Staff was of the opinion that the planning area should reflect the legal boundaries of the City. He cited, for example, the federal blast easement as earlier referenced in the discussion. Staff would revise that terminology and would consider less restrictive language in the document.

Commissioner Glynn commented that blast perimeters had been defined as a radius from a known storage point dependent upon the explosives that were stored in a facility, which could change dependent upon the nature of construction. However, in dealing with a ridgeline and if an explosive storage facility was located below that ridgeline on the back side of the hill, no matter how forceful, it could not remove the mountain since the blast tended to go straight up and over.

Commissioner Glynn suggested that the developer had a valid point that anyone residing below 100 feet of the ridgeline would not be affected by a blast. He referred to the Port Chicago explosion as an example.

Mr. Jerome commented that when the blast easement had been established, it had nothing to with topography. It had just been the easiest way to draw a line following section lines, although it was a legal easement that precluded anything from being developed in that area, including a roadway. As such, if the easement was abandoned, there was a policy to address that issue. In addition, staff
would be considering further changes to the language based on the comments received.

Commissioner Leonard suggested that the blast easement could be mitigated long before it was decided how the closure of the Concord Naval Weapons Station would be addressed.

Mr. Jerome advised that the City had received written correspondence from Seeno Development. He added that the language the developer proposed to revise that section related to the blast zone easement would be acceptable to staff.

Commissioner Leonard expressed concern that it could take some time to complete a thorough review of the document unless it was done page by page.

Mr. Jerome explained that the best that could be done at this point would be to make an attempt to review the document as was now being conducted through the public hearing process. He acknowledged that it was a time consuming process and he emphasized that staff intended to provide a redline format version at the end of the review to allow everyone the opportunity of reviewing any recommended changes.

Commissioner Glynn commented that if there was cattle grazing land within the City limits and beyond the ULL that had been historically designated as grazing or pasture whether or not there was any impediment to retaining the current use if the land was reclassified as Open Space. He understood that in certain cases, the EBRPD would impose restrictions on grazing within some of the EBRPD land due to riparian damage and the like. He questioned how that would apply to the current landowners that were outside of the ULL and who had existing historical grazing land, which could be reclassified to Open Space.

Mr. Jerome explained that the process dealt with General Plan Land Use designations, not zoning regulations at this time. He recognized some of the comments from the audience, one a request that a specific property be retained as an Agricultural designation as opposed to Open Space, although he suggested that was a matter of defining terms since from a land planning point of view, agricultural uses involved intensive crop cultivation and the like. Grazing land was more typically found in an Open Space designation.

Mr. Jerome explained that a designation of Open Space did not mean that a property could not be developed. There were rights under the Zoning Ordinance for the density in that designation. He commented that agricultural zones were typically not found in the Bay Area. The City did not have any Class 1A Areas defined as agriculture and he suggested it was an inappropriate designation in such an area.

Mr. Jerome advised that the Open Space designation had come along over the last 30 years as an accepted preserve or conservation area where there were low types of urbanization uses. There were still uses of the land whereby one could have ranchettes and some sort of crops, which would be acceptable in both the City and County Zoning Ordinance.
Commissioner Glynn expressed concern that whatever zoning designation was chosen, that designation not interfere with the current practices and historical use of the property.

JESUS VEGA advised that he was present to represent Ms. de Bonneville who had past difficulties in obtaining permits for her property.

Mr. Vega reported that Ms. de Bonneville now had potential buyers for the property. He requested clarification on the discussion regarding the Concord Naval Weapons Station and the blast zone easement.

Mr. Jerome explained that the de Bonneville property was located on Avila Road near the limits of the City of Concord and was not within the area of the blast zone easement previously discussed.

Mr. Riley suggested that it would be helpful to the members of the audience if a single map could be displayed during discussions. He inquired of the next step in the process. He also inquired whether or not everyone would be provided with an updated plan and identified changes for future discussions and future public hearings.

Mr. Jerome described the discussions as an information gathering process. He reiterated that staff would like to receive either written or oral comments that could be discussed amongst the Commission, with agreed upon changes made in the amended document. He further reiterated that a redline version of the document would be made available to the public at the end of the process.

On motion by Commissioner Tumbaga to continue the public hearing for the City of Pittsburg Draft Comprehensive General Plan Update, "Pittsburg 2020: A Vision for the 21st Century" GP 97-01, to the Planning Commission meeting of March 13, 2001. The motion was seconded by Commissioner Glynn and carried by the following vote:

Ayes: Commissioners Glynn, Leonard, Tumbaga, Kee
Noes: None
Abstain: None
Absent: Commissioners Holmes, Kelley, Valentine

**COMMISSION CONSIDERATION:**

There were no Commission Considerations.

**STAFF COMMUNICATIONS:**

20 March 8, 2001
There were no staff communications.

**COMMITTEE REPORTS:**

There were no committee reports.

**COMMENTS FROM COMMISSIONERS:**

There were no comments from Commissioners.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 10:00 P.M. to a Regular Meeting of the Planning Commission on March 13, 2001 at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

RANDY JEROME, Secretary
Pittsburg Planning Commission