A regular meeting of the Pittsburg Planning Commission was called to order by Vice Chairperson Leonard at 7:30 P.M. on Tuesday, December 17, 2002, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

Present: Commissioners Dolojan, Garcia, Harris, Kelley, Ramirez, Vice Chairperson Leonard

Absent: None

Staff: Planning Manager Melissa Ayres; and Administrative Assistant Fara Bowman

POSTING OF AGENDA:

Vice Chairperson Leonard advised that the agenda had been posted at City Hall on Friday, December 13, 2002.

PLEDGE OF ALLEGIANCE:

Commissioner Ramirez led the Pledge of Allegiance.

DELETIONS/WITHDRAWALS:

Planning Manager Ayres reported that the applicant for agenda Item No. 1 Heritage Pointe Development, had requested a continuance to January 28, 2003, to allow the applicant the opportunity to work out issues with Adams. Broadwell, Joseph and Cardozo. She recommended that the public hearing for the item be opened and that the item be continued to the January 28, 2003 meeting.
COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

PRESENTATIONS:

There were no presentations.

CONSENT:

There were no Consent Items.

PUBLIC HEARINGS:

Item 1: Heritage Pointe Development. RZ-02-12, UP-02-31, Subdivision 8625 and DR-02-17.

Continued Public hearing on an application by Vince Fletcher, Western Pacific Housing, on a request for: 1) amendment of the existing IP-O (Industrial Park with a Limited Overlay District) zoning of the site to allow single-family residential development with a use permit and subject to the development regulations stated in the use permit; 2) a use permit to allow a 125 unit single family residential development; 3) approval of a vesting tentative map to subdivide 22 lots totaling 22.07 acres into 125 single family residential lots, a 0.4 acre private park, five privately-maintained landscaping parcels, and a 3.8 acre remainder parcel; and 4) design approval to construct 125 single family homes. The property is located on Builders Circle, south of West Tenth Street west of Beacon Street; APNs 085-260-018 to 024, 085-260-027 to 040 and 085-260-042.

Ms. Ayres reported that staff had received a fax from Adams, Broadwell, Joseph and Cardozo dated December 17, 2002 in support of the continuation of the project with the public hearing opened to allow them to comment at a later date.

CONTINUED PUBLIC HEARING

In response to Commissioner Dolojan, Ms. Ayres explained that although the correspondence from Adams, Broadwell, Joseph and Cardozo had made a number of recommendations, staff had no intention of changing the Negative Declaration, which in staff's opinion, was sound. Staff had written a draft letter in response to the comments from Adams, Broadwell, Joseph and Cardozo which were being reviewed by the City Attorney's office. That letter, along with correspondence from Adams, Broadwell, Joseph and Cardozo, would be attached to the final staff report when the item returned to the Commission on January 28.

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Commissioner Garcia explained that the firm of Adams, Broadwell, Joseph and Cardozo had been commenting on all projects in East County regardless of whether or not the projects involved an Environmental Impact Report (EIR).

Vice Chairperson Leonard suggested that the CEQA process had been abused by some entities. He requested that the City Attorney review the issue and determine whether or not there was something that could be done to eliminate the delays regarding the CEQA process, which, in his opinion, had been holding up good projects.

PROPOONENTS: None

OPPONENTS: None

MOTION:

Motion by Commissioner Garcia to continue RZ-02-12, UP-02-31, Subdivision 8625 and DR-02-17 for Heritage Pointe Development to the Planning Commission meeting of January 28, 2003. The motion was seconded by Commissioner Kelley and carried by the following vote:

Ayes: Commissioners Dolojan, Garcia, Harris, Kelley, Ramirez, Leonard
Noes: None
Abstain: None
Absent: None

PUBLIC HEARING:

**Item 2: Lot Coverage Study, GP-02-04 and RZ-02-19**

Public hearing on a 1) City-initiated zoning study to consider revision of the lot coverage standards applicable to single family lots in RS, RS-O, and P-D zoning districts and 2) City-initiated amendment to the land use element of the General Plan to eliminate policy 2-P-18, which limits maximum lot coverage on single-family lots to 40 percent.

Ms. Ayres reported that on November 12, 2002, the Planning Commission had initiated a zoning study for staff to review the lot coverage standards in the City within the RS, RS-O and PD Zoning Districts as they related to single family developments. Staff had conducted research comparing the lot coverage standards in other communities, reviewing the City's own standards and looking at how these standards had been applied within a sampling of subdivisions in recent years. Ms. Ayres summarized the results of the study which were also described in the staff report prepared for this item.

Ms. Ayres advised that staff had discovered that most single-family lots were zoned RS
and had occurred prior to 1990. Most single-family developments after that time occurred in 13 separate PD Districts. A newer area, staff had originally thought was located in an overlay zone was not; it was identified as the Highlands Ranch development.

Ms. Ayres explained that the PD Districts and Highlands Ranch covered approximately 3,886 lots ranging in size from 2,900 square feet to over 18,000 square feet. The City had inadvertently applied the 40 percent lot coverage to all lots irrespective of the lot size which had caused some problems. The homes that were being built in the areas that had been approved ranged from 1,700 to over 3,700 square feet in size.

Ms. Ayres added that staff had found that the application of those lot coverages had been sporadic. City staff had issued numerous building permits resulting in lot coverage over 40% on lots up to 8,000 square feet in size. Single-family lots covered up to 53 percent of some lots; two-story homes covered up to 47 percent coverage on some lots.

Ms. Ayres noted the problems that had arisen with the purchase of such homes that were now considered to be non-conforming. Under non-conforming laws, the homes would not be able to be rebuilt if, in fact, one was to burn down.

Ms. Ayres recommended that the Planning Commission eliminate Policy 2-P-18 from the General Plan, which policy restricts maximum lot coverage on single-family lots to 40 percent. It was recommended that the Planning Commission increase the maximum lot coverage permitted in seven of the 13 P-D Districts and Highlands Ranch. Staff recommended that the maximum lot coverage be increased on lots within these districts to allow up to 50 percent lot coverage on lots less than 8,000 square feet with two story homes, and up to 55 percent coverage on lots less than 8,000 square feet with one story homes. It was further recommended that the lot coverage standard in these same districts continue to be 40 percent maximum on lots 8,000 square feet or larger in size. Ms. Ayres recommended no change to the existing 40 percent maximum lot coverage in the base RS District at this time.

Commissioner Garcia supported the resolutions and noted that several years ago he recalled that the maximum lot coverage had been at 45 percent. Based on everything that had been documented about smart growth which involved smaller lots with larger homes, he suggested that it made sense to follow the intent of smart growth.

Commissioner Harris inquired whether or not the proposal was intended to apply Citywide.

Ms. Ayres explained that the recommended changes were only for seven P-D Districts and the Highlands Ranch development. Staff wasn’t proposing blanket lot coverage revisions throughout the community in all single-family districts since staff did not have the time to analyze the potential implications, particularly for the older neighborhoods.
The proposal was being brought to the Commission at this time in order to prevent delays in the issuance of building permits in the newer subdivisions where larger homes were already proposed and approved by the Commission.

Commissioner Harris advised that he would be involved in a project in the City of Oakley for Discovery Builders. He stepped down from the dais at this time to ensure that there was no perceived conflict of interest.

Commissioner Garcia inquired whether or not staff would continue to study the RS Zoning Districts throughout the City to determine what problems might or might not be occurring.

Ms. Ayres stated she anticipated that it would be addressed as part of the zoning updates which would start next year.

Commissioner Garcia referenced small pieces of infill property here and there throughout the City where smaller lots with larger homes might be proposed. He suggested that the City should also consider whether or not higher lot coverages would be appropriate in those instances.

Ms. Ayres explained that if a property was currently zoned RS and a developer wanted to approach the City to build smaller lots, a developer would have to apply to rezone the property to establish new development standards and that would be the appropriated time to consider new lot coverage standards for that development.

PUBLIC HEARING OPENED

PROONENTS: The City of Pittsburg

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: GP-02-04

Motion by Commissioner Garcia to adopt Resolution No. 9398, recommending that the City Council amend the Land Use Element of the General Plan to delete Policy 2-P-18. The motion was seconded by Commissioner Ramirez and carried by the following vote:

Ayes: Commissioners Dolojan, Garcia, Kelley, Ramirez, Leonard
Noes: None
Abstain: Commissioner Harris
Absent: None

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MOTION:  RZ-02-19

Motion by Commissioner Garcia to adopt Resolution No. 9399, recommending the City Council amend the lot coverage standards in seven P-D Districts as recommended by staff and modify the resolution to reflect a recommendation that a new overlay zone be established regulating the lot coverage standards within Highland Ranch Development in the same manner. The motion was seconded by Commissioner Kelley and carried by the following vote:

Ayes: Commissioners Dolojan, Garcia, Kelley, Ramirez, Leonard
Noes: None
Abstain: Commissioner Harris
Absent: None

Commissioner Harris returned to the dais at this time.

COMMENTS FROM COMMISSIONERS:

Commissioner Garcia commented on his understanding that the Buchanan Road Environmental Impact Report (EIR) had been completed. He requested that a presentation be made to the Planning Commission on that document. Ms. Ayres reported that she had spoken with engineering staff after the last Planning Commission meeting and had been informed that there had been no EIR yet prepared for the project. There had been discussions with consultants regarding lane alignment and the review of the physical constraints involved but there were no formal environmental documents available at this time.

Commissioner Garcia commented consultants had begun to prepare an EIR three to four years ago, but the work had stopped when access had been denied to the Thomas property. He understood from the newspaper that an EIR had been completed and that the road was designed with a speed limit of 50 MPH and had a median strip.

Ms. Ayres understood that the City had received an extension to pursue the study, although no EIR had been prepared or completed as reported by the City's engineering staff.

Commissioner Garcia wished everyone a Merry Christmas and a Happy New Year.

Vice Chairperson Leonard noted that a list of Committee Appointments had been provided to the Commission for review. Due to the recent election of the Commission Chair to the City Council and the future appointment of another Commissioner, the Commission should discuss the Committee Appointments at its regular meeting on January 7. He also wished
everyone a Happy Holiday.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 7:55 P.M. to a regular meeting of the Planning Commission on January 7, 2003 at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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MELISSA AYRES, Secretary
Pittsburg Planning Commission