



**CITY OF PITTSBURG
AGENDA**

MARCH 18, 2024

**CITY HALL COUNCIL CHAMBER
65 CIVIC AVENUE, PITTSBURG, CA**

**CLOSED SESSION
6:00 P.M.**

**REGULAR MEETING
7:00 P.M.**

**CITY COUNCIL
HOUSING AUTHORITY
PITTSBURG ARTS AND COMMUNITY FOUNDATION
PITTSBURG POWER COMPANY
SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II
SUCCESSOR AGENCY**

PRESIDING

**Juan Antonio Banales, Mayor/Chair
Jelani Killings, Vice- Mayor/Chair
Dionne Adams, Council Member/Board Member
Angelica Lopez, Council Member/Board Member
Shanelle Scales-Preston, Council Member/Board Member**

**FOR HOUSING AUTHORITY:
S.L. Floyd, Housing Authority Member
Annie Hill Herring, Housing Authority Member**

Pittsburg City Council regular meetings are held the first and third Mondays of each month at 7:00 p.m. The Housing Authority meets in conjunction with the City Council on the third Monday of each month. The Pittsburg City Council meets regularly in the Council Chamber at 65 Civic Avenue, unless otherwise noted above. The City Council also sits as the Board of Directors of several other City agencies. The stipends for all agency members conform to state statutes governing compensation amounts. All other Agencies meet on an as needed basis and will be listed above if applicable. Copies of the open session agenda packets, which are distributed to the City Council, are on file in the office of the City Clerk, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning 72 hours in advance, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except from noon to 1:00 p.m. and City holidays). The agenda and reports are also located on the City's website at www.pittsburgca.gov. Additionally, if any reports or documents, which are public records, are distributed to the City Council less than 72 hours before the meeting, those reports and documents will also be available for public inspection in the City Clerk's

Office and on the day of the meeting in the Council Chamber at the public counter area below the dais.

AUDIENCE REMARKS

The Audience Remarks period is for the public to comment on any items scheduled to be heard during the Closed Session portion of the meeting, if applicable.

6:00 PM - CONVENE IN CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Initiation of litigation pursuant to Section 54956.9(d)(4)
Number of cases: one

7:00 PM - CONVENE IN OPEN SESSION FOR REGULAR MEETING

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATIONS

2. Presentation by Delta Diablo
3. Annual Review of the Military Equipment Use Ordinance

PROCLAMATIONS

4. World Down Syndrome Day
5. Cesar Chavez Day

CITY MANAGER REPORTS/REMARKS

The City Manager may make brief announcements or informal comments at this time and brief the Council on items of interest. (No Action Required)

PUBLIC COMMENTS

Members of the audience who wish to address the City Council or Agency Boards on issues that are not scheduled for the agenda and on any items listed as part of the Consent Calendar should complete a Speaker's Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. Individuals will be given three minutes to address the Council unless additional time is allowed as provided for spokespersons. Prior to speaking, each member of the public shall state their name and business and City of residence in a clear and audible tone of voice. (No Action Required)

COMMITTEE REPORTS

Council Members may make a report on their committee assignments at this time. (see attached list of adhoc committees and other public agencies in which Council members participate). (No Action Required)

HOUSING AUTHORITY

PUBLIC HEARING

6. Adoption of a Housing Authority Resolution Approving the Public Housing Agency Annual Plan for 2024 and Authorizing the Executive Director to Submit the Public Housing Agency Annual Plan for 2024 to the U.S. Department of Housing and Urban Development

As required by the U.S. Department of Housing and Urban Development (“HUD”) and contained in CFR 24 parts 35 and 982, the Housing Authority of the City of Pittsburgh (the “Housing Authority”) has prepared its Public Housing Agency Annual Plan for 2024 (“PHA Annual Plan for 2024”). HUD requires all public housing agencies to submit their annual plan for review. The PHA Annual Plan for 2024 summarizes the activities proposed by the Housing Authority for the next year as well as updates or revises the 5-Year Plan submitted in 2020.

CONSENT CALENDAR

7. Minutes of December 18, 2023
8. Adoption of a Housing Authority Minute Order Approving an Annual Report Pursuant to SB 341

The Housing Authority of the City of Pittsburgh (Housing Authority) has reviewed and considered the Housing Successor Agency’s annual report regarding housing activities through June 30, 2023 (Report).

HOUSING AUTHORITY MEMBER REMARKS

ADJOURNMENT OF THE HOUSING AUTHORITY

CITY COUNCIL MEETING

CONSIDERATION

9. Adoption of a City Council Minute Order to Appoint Candidates to the Community Advisory Commission

There are currently two (2) vacancies and 2 seats expired on February 28, 2024 on the Community Advisory Commission. Therefore, a total of 4 seats are open for the 4-year term beginning March 1, 2024 through February 28, 2028.

10. Adoption of a City Council Resolution to Allocate Funding from the Business Improvement District towards the Facade Improvement and Landscape Improvement Grant Programs

The City's Business Improvement District (BID) was formed to provide funding that would go towards the promotion of retail trade and public activities in the City. The City continues to utilize these funds in a way that is consistent with the intent of

the BID, with of the newest programs being is the Facade Improvement and Landscape Improvement Grant Programs. Staff is requesting the adoption of a resolution to appropriate \$100,000 of BID funds towards the Facade Improvement and Landscape Improvement Grant Programs for the remainder of Fiscal Year (FY) 2023-2024.

11. Adoption of a City Council Minute Order to Approve City Goals and Priorities for Fiscal Year 2024-2025

Each year, the City Council and City staff work together to establish citywide goals and priorities for the following fiscal year. Staff is proposing the fiscal year 2024-2025 City goals and priorities (the "City Goals and Priorities for FY 24-25").

CONFLICT OF INTEREST STATEMENT

City Council/Agency Members may make any conflict of interest declarations pertaining to Consent Calendar items at this time.

COMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION, PITTSBURG POWER COMPANY, SOUTHWEST PITTSBURG GHAD II AND SUCCESSOR AGENCY CONSENT CALENDAR

12. Minutes of March 4, 2024
13. Adoption of a City Council Resolution Authorizing the Application of the 2024/2025 Transportation Development Act (TDA) Article 3 Grant Funds

City staff recommend pursuing the 2024/25 Transportation Development Act (TDA) Article 3 Grant in the amount of \$110,000 to design and construction rectangular rapid flashing beacons (RRFB) at five (5) crosswalks near schools within the City of Pittsburgh. This resolution will approve the application of the TDA Article 3 Grant.

14. Adoption of a City Council Resolution to Establish the Fiscal Year 2024/25 Annual Stormwater Utility Area Fee

Each year, the City Council establishes the amount of the Stormwater Utility Area (SUA) fee paid by property owners to support drainage, maintenance, and other activities required by the federal Clean Water Act and the City's Joint Municipal Regional Permit for the National Pollutant Discharge Elimination System (NPDES) program. Staff recommends no increase be made to the current fee, which is \$30.00 per Equivalent Runoff Unit (ERU). If adopted, this resolution will establish the Fiscal Year (FY) 2024/25 annual SUA at \$30.00 per ERU.

15. Adoption of a City Council Resolution Authorizing the City Manager to Execute an Agreement for Temporary Landscape Maintenance Assistance

Public Works obtains the assistance of a landscape contractor during the peak growing season to sustain maintenance on high visibility roads and labor-intensive areas throughout the City, allowing these areas to remain safe, beautiful, and maintained. If approved, the resolution would authorize the City Manager to execute a general services agreement with New Image Landscape (New Image)

for temporary landscape maintenance assistance in the medians and rights-of-way.

16. Adoption of a City Council Resolution Authorizing the Application of the Bureau of Reclamation Water and Energy Efficiency Grant for Automatic Meter Infrastructure

The Water and Energy Efficiency (WEE) Grant provides funding to cities for projects that conserve and use water more efficiently, increase the production of renewable energy, and accomplish other benefits that contribute to sustainability. If approved, this resolution will authorize staff to submit a grant application to the United States Bureau of Reclamation for Automatic Metering Infrastructure (AMI).

17. Adoption of a City Council Resolution Accepting the Military Equipment Annual Report, Determining the Use of Equipment Complied with Policy 706, and Determining Policy 706 will Continue

State law requires the Police Department to provide the City Council with an annual report on military equipment use. On review of the report, the City Council determines whether use of the equipment complied with existing policy, and whether to continue with the policy or make any changes.

18. Adoption of Two Ordinances for the Objective Design Standards 2023 Project: 1) Adding Article XXI to Chapter 18.84 of the Pittsburgh Municipal Code; and 2) Amending the Zoning Map for Certain Multi-family Housing and Mixed-use Development Projects to Further Housing Production Consistent with State Law

On October 2, 2023, the City Council held a public hearing on a City-initiated request for adoption of two Ordinances for the Objective Design Standards 2023 Project: 1) adding Article XXI to Chapter 18.84 of the Pittsburgh Municipal Code; and 2) amending the Zoning Map for certain multi-family housing and mixed-use development projects to further housing production consistent with state law. The City Council introduced and waived further reading of two Ordinances approving the Objective Design Standards 2023 Project. This item has been continued from the November 6, 2023, the November 20, 2023, the December 18, 2023, the February 5, 2024 and the March 4, 2024 City Council hearings. The Ordinance is now ready for City Council adoption.

19. Adoption of an Ordinance Amending the Pittsburgh Municipal Code to add Chapter 8.14, "Illegal Dumping"

On March 4, 2024, the City Council voted 3-0 to introduce and waive first reading of an ordinance amending the Pittsburgh Municipal Code (PMC) to add Chapter 8.14, "Illegal Dumping." The ordinance is being brought forward for City Council adoption.

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Council Members may request items to be considered for future agendas. An item will only be brought forward with a majority vote and will appear on a future agenda with staff recommendations for further Council consideration.

COUNCIL MEMBER REMARKS

Council Members may make brief announcements or informal comments at this time. (No Action Required)

ADJOURNMENT TO APRIL 2, 2024

NOTICE TO PUBLIC

GENERAL INFORMATION

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SPEAKER'S CARD

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PUBLIC HEARINGS

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to public comment and brought to the Council/Agency level for discussion and action. Further comment from the audience will not be received unless requested by the Council/Agency.

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting.

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the City of Pittsburg will provide special assistance for disabled residents. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Council meetings. If you need special assistance to participate in this meeting, or are requesting a specially formatted agenda, please contact the City Clerk at (925) 252-4850. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)

DISRUPTIVE CONDUCT

The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and electronic devices, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

LIVE MEDIA BROADCASTING ADVISEMENT

City Council meetings are webcast live on the City's website at www.pittsburgca.gov on the Agendas and Live Meetings page. Past meetings and approved minutes are also archived on that webpage. Watch the live meeting via the City's webcast (www.pittsburgca.gov - Agendas and Live Meetings), on Comcast Channel 24 Delta TV, AT&T U-Verse Channel 99 Delta TV. Contact the City Clerk's office at (925) 252-4850 for more information

City Council Agency/Liaison/Subcommittee Assignments as of February 20, 2024

OUTSIDE AGENCY BOARDS	COUNCIL MEMBER(S)	TYPE	MEETS	TIME	STAFF
ABAG	Dionne Adams / Jelani Killings Alternate	Standing	Annual		G. Evans
Delta Diablo*	Juan Banales / Shanelle Scales-Preston Alternate	Standing	2nd Wednesday	4:30 PM	J. Samuelson
East Co. Co. County Habitat Conservancy	Angelica Lopez / Juan Banales Alternate	Standing	4th Monday Bi-Monthly	2:00 PM	J. Davis
East County Water Management	Juan Banales / Jelani Killings Alternate	Standing	Annual		J. Samuelson
MCE Clean Energy Board	Shanelle Scales-Preston / Angelica Lopez Alternate	Standing	Quarterly	7:00 PM	D. Buchanan
TRANSPLAN / ECCRFFA	Shanelle Scales-Preston / Juan Banales Alternate	Standing	2nd Thursday	6:30 PM	J. Samuelson
Tri-Delta Transit (2 reps)**	Shanelle Scales-Preston & Dionne Adams / Jelani Killings Alternate	Standing	4th Wednesday	4:00 PM	J. Samuelson

LIAISON TO	COUNCIL MEMBER(S)	TYPE	MEETS	TIME	STAFF
East Bay League of California Cities	Shanelle Scales-Preston / Jelani Killings Alternate	Standing	3rd Thursday		G. Evans
Los Medanos Health Advisory Committee	Shanelle Scales-Preston & Jelani Killings	Ad Hoc	As needed		M. Aliotti
Mayor's Conference	Juan Banales / Jelani Killings Alternate	Standing	1st Thursday	6:30 PM	G. Evans
Pittsburg Police Activities League (PAL)	Shanelle Scales-Preston & Angelica Lopez / Dionne Adams Alternate	Standing	Monthly		S. Albanese
School Districts Committee (2x2)	Jelani Killings & Angelica Lopez / Dionne Adams Alternate	Standing	Quarterly		M. Aliotti

SUBCOMMITTEES	COUNCIL MEMBER(S)	TYPE	MEETS	TIME	STAFF
Budget Sustainability	Juan Banales & Jelani Killings	Ad Hoc	As needed		G. Evans
Community and Economic Development	Jelani Killings & Dionne Adams / Juan Banales Alternate	Standing	2nd Wednesday	5:00 PM	J. Davis
Finance Management	Juan Banales & Jelani Killings / Shanelle Scales-Preston Alternate	Standing	3rd Friday	4:00 PM	P. Rodrigues
Government Performance	Juan Banales & Jelani Killings	Ad Hoc	4th Friday	4:00 PM	J. Brizel
Infrastructure and Transportation	Shanelle Scales-Preston & Dionne Adams / Juan Banales Alternate	Standing	4th Thursday	5:30 PM	J. Samuelson
Life Enrichment	Dionne Adams & Angelica Lopez / Shanelle Scales-Preston Alternate	Standing	3rd Wednesday	5:30 PM	K. Simonton
Pittsburg Arts and Community Foundation	Shanelle Scales-Preston & Jelani Killings	Standing	As needed		K. Simonton
Public Safety	Shanelle Scales-Preston & Angelica Lopez / Jelani Killings Alternate	Standing	1st Wednesday	5:30 PM	S. Albanese
Tobacco, Cannabis, Alcohol Policy Review	Shanelle Scales-Preston & Jelani Killings	Ad Hoc	As needed		G. Evans

*Stipend of \$170 per month

** Stipend of \$100 per month



City of Pittsburg
65 Civic Avenue • Pittsburg, California 94565

Proclamation

WORLD DOWN SYNDROME DAY MARCH 21, 2024

WHEREAS, World Down Syndrome Day also known as WDSO is a global awareness day which has been officially observed since 2012; and

WHEREAS, the date for WDSO being the 21st day of the 3rd month of the year, was selected to signify the uniqueness of the triplication of the 21st chromosome which causes down syndrome; and

WHEREAS, the 2024 theme for WDSO is "End the Stereotypes". For people with down syndrome and intellectual disabilities, stereotypes can stop equal treatment where they may be underestimated, excluded and at times abused; and

WHEREAS, a stereotype is a set idea that people have about what someone or something is like. Stereotypes can be positive, negative or neutral, but they are often inaccurate or simply wrong. Once formed, stereotype can be difficult to change; and

WHEREAS, people are all different. Each person with down syndrome is different. Each person with an intellectual disability is different. All people have individual identities, interests, likes and dislikes, gifts and talents. People with down syndrome and intellectual disabilities are like all people and deserve to be treated equally and with respect.

NOW, THEREFORE, I, Juan Antonio Banales, on behalf of the City Council of the City of Pittsburg, do hereby proclaim March 21, 2024 as World Down Syndrome Day in the City of Pittsburg.



Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk
ATTEST: March 18, 2024



City of Pittsburg

65 Civic Avenue • Pittsburg, California 94565

Proclamation

CESAR CHAVEZ DAY MARCH 31, 2024

WHEREAS, Cesar Chavez Day is celebrated to honor the enduring legacy of the American labor rights hero. On March 31, union members and community leaders come together to celebrate his life and take inspiration from his selfless service to the farm workers of the United States; and

WHEREAS, through his persistent efforts and non-violent protests, Cesar Chavez became America's lightning rod as the cofounder of the National Farm Worker's Association; and

WHEREAS, his work in civil rights involved creating community service organizations that functioned to protect the rights of farm workers; and

WHEREAS, he is remembered as a visionary for his achievements and aspirational ambitions for fighting for the needs of others; and

WHEREAS, he lived and died in the service of his community. His lifelong struggle for labor rights enlightened a generation of Americans to fight for better working conditions.

NOW, THEREFORE, I, Juan Antonio Banales, on behalf of the City Council of the City of Pittsburg, do hereby proclaim March 31, 2024 as Cesar Chavez Day in the City of Pittsburg.



Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk

ATTEST: March 18, 2024



OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Chair and Governing Board Members

FROM: Garrett Evans, Executive Director

SUBJECT: Adoption of a Housing Authority Resolution Approving the Public Housing Agency Annual Plan for 2024 and Authorizing the Executive Director to Submit the Public Housing Agency Annual Plan for 2024 to the U.S. Department of Housing and Urban Development

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

As required by the U.S. Department of Housing and Urban Development (HUD) and contained in CFR 24 parts 35 and 982, the Housing Authority of the City of Pittsburg (Housing Authority) has prepared its Public Housing Agency Annual Plan for 2024 (PHA Annual Plan for 2024). HUD requires all public housing agencies to submit their annual plan for review. The PHA Annual Plan for 2024 summarizes the activities proposed by the Housing Authority for the next year as well as updates or revises the 5-Year Plan submitted in 2020.

FISCAL IMPACT

There is no fiscal impact to adopting this Resolution. However, housing authorities that fail to submit their annual plan will not receive federal funding until their annual plan has been submitted and subsequently approved by HUD. If the Housing Authority fails to submit its PHA Annual Plan for 2024 in a timely manner, HUD may impose sanctions.

RECOMMENDATION

The Governing Board of the Housing Authority open the public hearing, receive public comment, close the public hearing and adopt the Resolution for approval and submission of the PHA Annual Plan for 2024.

BACKGROUND

In compliance with federal legislation, the Housing Authority has prepared its PHA Annual Plan for 2024 for submission to HUD; addressing the delivery of housing services in Pittsburgh and thereby, satisfying HUD's requirement to prepare and submit the PHA Annual Plan annually, subsequent to the 5-year plan which was submitted in 2020. There were no significant policy changes in this year's annual plan.

SUBCOMMITTEE FINDINGS

As part of the HUD requirement for submission of the PHA Annual Plan for 2024, staff met with the Resident Advisory Board (RAB) to solicit feedback on the PHA Annual Plan for 2024. The RAB is comprised of any Section 8 participant wishing to participate and meets only for the purpose of providing comments on the annual plan.

The RAB met on February 28, 2024, and no comments regarding the proposed changes to the Annual Plan were provided. Therefore, no relevant comments are included within the PHA Annual Plan for 2024.

STAFF ANALYSIS

The Housing Authority has prepared the PHA Annual Plan for 2024, specifying the Housing Authority's goals for providing housing and offering support to families needing such assistance. It further outlines how the Housing Authority will utilize its 955 Section 8 Housing Choice Vouchers and its 185 Veterans Affairs Supportive Housing Vouchers, also referred to as VASH, thereby authorizing ongoing program funding.

The Notice of Public Hearing was published on February 2, 2024.

ATTACHMENTS: Exhibit A – Annual Plan for 2024 – HUD Form 50075 HP
 Exhibit B – Certification - HUD Form 50070 -ST-HCV-HP

Report Prepared By: Bruce Smargiasso, Housing Manager

Streamlined Annual PHA Plan (HCV Only PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 03/31/2024
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. The Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS and SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A. PHA Information.					
A.1	PHA Name: <u>HOUSING AUTHORITY of the CITY of PITTSBURG</u> PHA Code: <u>CA060</u> PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/2024</u> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Housing Choice Vouchers (HCVs) <u>1140</u> PHA Plan Submission Type: ☒ Annual Submission ☐ Revised Annual Submission				
	Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at the main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website.				
	☐ PHA Consortia: (Check box if submitting a joint Plan and complete table below)				
	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program
	Lead HA:				

B.	Plan Elements.
B.1	Revision of Existing PHA Plan Elements. a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission? Y N ☐ ☒ Statement of Housing Needs and Strategy for Addressing Housing Needs. ☐ ☒ Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions. ☐ ☒ Financial Resources. ☒ ☐ Rent Determination. ☐ ☒ Operation and Management. ☐ ☒ Informal Review and Hearing Procedures. ☐ ☒ Homeownership Programs. ☐ ☒ Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements. ☒ ☐ Substantial Deviation. ☒ ☐ Significant Amendment/Modification. (b) If the PHA answered yes for any element, describe the revisions for each element(s): The Housing Authority plans to place into practice many provisions of HOTMA & NSPIRE policies related to rent calculations and inspections during the coming fiscal year. Once HUD finalizes operational guidance and implementation, the administrative plan will be modified to reflect the changes as well as provide staff training.
B.2	New Activities. – Not Applicable
B.3	Progress Report. Provide a description of the PHA’s progress in meeting its Mission and Goals described in its 5-Year PHA Plan. The Housing Authority outlined 3 Mission and Goals described in the last 5-Year Plan: PHA Goal 1: Achieve organizational excellence. The Housing Authority has met its goal for organizational excellence by maintaining a “High Performer” rating through the Section Eight Management Assessment Program (SEMAP). In addition, professional development opportunities have been provided to employees through formal training in program requirements to ensure program compliance and success. PHA Goal 2: Maximize use of Housing Choice Vouchers To maximize the use of Housing Choice Vouchers, the Housing Authority opened the HCV-Section 8 Wait List to new applicants in 2017. Vouchers were issued from the Wait List to obtain full utilization of Vouchers and 98% of budget authority was expended. The Housing Authority began utilizing and issuing Tenant Based Vouchers in 2023. PHA Goal 3: Improve the quality of assisted housing. Improvement in the quality of assisted housing has been achieved by utilization of our local building officials to ensure the properties are maintained and in good condition. The Housing Authority promoted its Homeownership Program to current participants who are expressing increased interest in becoming homeowners in the program.
B.4	Capital Improvements. – Not Applicable
B.5	Most Recent Fiscal Year Audit. (a) Were there any findings in the most recent FY Audit? Y N N/A ☒ ☐ ☐ (b) If yes, please describe: There was a deficiency in documenting HQS Inspections & Enforcement. The Housing Authority implemented an Action Plan updating communication and documentation procedures that directly addressed the cause and prevention
C.	Other Document and/or Certification Requirements.

C.1	Resident Advisory Board (RAB) Comments. (a) Did the RAB(s) have comments to the PHA Plan? Y N ☐ ☒ (b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.
C.2	Certification by State or Local Officials. Form HUD-50077-SL , <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i> , must be submitted by the PHA as an electronic attachment to the PHA Plan.
C.3	Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. <i>Form HUD-50077-ST-HCV-HP, PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i> , must be submitted by the PHA as an electronic attachment to the PHA Plan.
C.4	Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public. (a) Did the public challenge any elements of the Plan? Y N ☐ ☒ If yes, include Challenged Elements.

D.	Affirmatively Furthering Fair Housing (AFFH).
D.1	Affirmatively Furthering Fair Housing (AFFH). Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.

Fair Housing Goal: <u>Describe fair housing strategies and actions to achieve the goal</u> 1. Reduce housing discrimination and discriminatory barriers to residential mobility. <i>a. Educate landlords on criminal background screening in rental housing (using HUD fair housing guidance) and explore the feasibility of adopting ordinances.</i> <i>b. Develop and disseminate a best practice guide to screening in the rental housing context.</i> <i>c. Develop and distribute informational brochure on inclusionary leasing practices, including with licenses where applicable.</i> <i>d. Continue and increase outreach and education activities for all protected classes.</i> <i>e. For publicly-supported housing, develop protocols to ensure responsiveness to reasonable accommodation requests</i>
--

The Housing Authority has intended to educate landlords about best practices to avoid fair housing & screening by partnering with a fair housing attorney and apartment association representative while conducting landlord workshops.

The Housing Authority has created a landlord handbook as a resource for new landlords that participate in the HCV Program.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

2. Address barriers to mobility for families and individuals in publicly-supported housing, including Housing Choice Voucher participants.

- a. Provide mobility counseling and updated briefing materials to families with or eligible for Housing Choice Vouchers, including with regard to healthy neighborhoods and high-performing, low poverty schools.*
- b. Provide referrals of other funding for security deposits (including for voucher holders).*
- c. Require developers to affirmatively market affordable units (especially in opportunity areas) to voucher holders throughout the city.*
- d. Implement measures to address source of income discrimination against Housing Choice Voucher participants and landlord reluctance to participate in the HCV program.*
- e. Provide increased landlord support and contact, production of an owner's packet, and outreach and education (including workshops).*

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

3. Improve inter-jurisdictional coordination.

- a. Explore an ongoing working group of representatives from a local PHA, and local housing and community development staff, along with representatives of local and regional transportation, education, climate/energy, and health agencies.*
- b. Partnering with nearby PHA and local mortgage company to conduct combined quarterly meetings to educate shared clients about the path to home ownership under the HCV Home Ownership Program.*

--	--

Instructions for Preparation of Form HUD-50075-HCV Annual PHA Plan for HCV-Only PHAs

A. PHA Information. All PHAs must complete this section. (24 CFR §903.4)

- A.1** Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **Number of Housing Choice Vouchers (HCVs)**, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table. ([24 CFR §943.128\(a\)](#))

B. Plan Elements. All PHAs must complete this section. ([24 CFR §903.11\(c\)\(3\)](#))

B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.”

☐ **Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR 5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR § 903.7(a)).

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. ([24 CFR §903.7\(a\)\(2\)\(i\)](#)) Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA’s reasons for choosing its strategy. ([24 CFR §903.7\(a\)\(2\)\(ii\)](#))

☐ **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. ([24 CFR §903.7\(b\)](#))

☐ **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. ([24 CFR §903.7\(c\)](#))

☐ **Rent Determination.** A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. ([24 CFR §903.7\(d\)](#))

☐ **Operation and Management.** A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. ([24 CFR §903.7\(e\)](#)).

☐ **Informal Review and Hearing Procedures.** A description of the informal hearing and review procedures that the PHA makes available to its applicants. ([24 CFR §903.7\(f\)](#))

☐ **Homeownership Programs.** A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. ([24 CFR §903.7\(k\)](#))

☐ **Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.** A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA's partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA's partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program's size (including required and actual size of the FSS program) and means of allocating assistance to households. ([24 CFR §903.7\(l\)\(i\)](#)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. ([24 CFR §903.7\(l\)\(iii\)](#)).

☐ **Substantial Deviation.** PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan. ([24 CFR §903.7\(r\)\(2\)\(i\)](#))

☐ **Significant Amendment/Modification.** PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan.

If any boxes are marked "yes", describe the revision(s) to those element(s) in the space provided.

B.2 New Activities. This section refers to new capital activities which is not applicable for HCV-Only PHAs.

B.3 Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. ([24 CFR §903.11\(c\)\(3\)](#), [24 CFR §903.7\(r\)\(1\)](#))

B.4 Capital Improvements. This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs

B.5 Most Recent Fiscal Year Audit. If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. ([24 CFR §903.7\(p\)](#))

C. Other Document and/or Certification Requirements.

C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. ([24 CFR §903.13\(c\)](#), [24 CFR §903.19](#))

C.2 Certification by State of Local Officials. Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. ([24 CFR §903.15](#)). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations. impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. ([24 CFR §903.7\(o\)](#)).

C.4 Challenged Elements. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: "To implement goals and priorities in an AFH, strategies and actions shall be included in program participants' ... PHA Plans (including any plans incorporated therein) Strategies and actions must affirmatively further fair housing." Use the chart provided to specify each fair housing goal from the PHA's AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 6.02 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Certification for a Drug-Free Workplace

U.S. Department of Housing
and Urban Development

Applicant Name

Housing Authority of the City of Pittsburgh

Program/Activity Receiving Federal Grant Funding

Housing Choice Voucher Program & the VASH Program

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

916 Cumberland Street, Pittsburgh, Contra Costa County, California, 94565

Check here ☐ if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.

(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Garrett Evans

Title

Executive Director/City Manager

Signature

X

Date

March 18, 2024

BEFORE THE GOVERNING BOARD OF THE HOUSING AUTHORITY
OF THE CITY OF PITTSBURG

In the Matter of:

Approving the Public Housing Agency Annual)
Plan for 2024 and Directing the Executive)
Director to Submit the Public Housing Agency)
Annual Plan for 2024 to the U.S. Department)
of Housing and Urban Development)

RESOLUTION NO. 24-

WHEREAS, in compliance with federal legislation, the Housing Authority of the City of Pittsburg (Housing Authority) has prepared the Public Housing Agency Annual Plan for 2024 (PHA Annual Plan for 2024), addressing the delivery of housing services in the Pittsburg community and thereby, satisfying the U.S. Department of Housing and Urban Development (HUD) requirements to submit an annual plan; and

WHEREAS, a Notice of Public Hearing was published in the East County Times on February 2, 2024, commencing the 45-day period to submit written comments. The public hearing scheduled is to address any written comments received during the public noticing period and to allow comments prior to the PHA Annual Plan for 2024 being approved by the Governing Board of the Housing Authority and submitted to HUD; and

WHEREAS, the PHA Annual Plan for 2024 was also made available for review at the Housing Authority office, located at 916 Cumberland Street, Pittsburg, California 94565; and

WHEREAS, the adoption of the PHA Annual Plan for 2024 is in the best interest of the residents of Pittsburg.

NOW, THEREFORE, BE IT RESOLVED that the governing board of the Housing Authority of the City of Pittsburg hereby finds the PHA Annual Plan for 2024 to be a thorough and complete document, approves the PHA Annual Plan for 2024 and directs the Executive Director to submit the PHA Annual Plan for 2024 to HUD.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to take such further actions as may be necessary or appropriate to carry out the Housing Authority's obligations pursuant to this Resolution.

PASSED AND ADOPTED by the Governing Board of the Housing Authority of the City of Pittsburgh at a regular meeting on the 18th day of March 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Juan Antonio Banales, Chair

ATTEST:

Alice E. Evenson, Agency Secretary

**CITY OF PITTSBURG
HOUSING AUTHORITY MEETING MINUTES**

DATE: December 18, 2023

LOCATION: Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, CA 94565

CITY COUNCIL.AGENCY MEMBERS

Juan Antonio Banales, Mayor/Chair
Jelani Killings, Vice-Mayor/Chair
Dionne Adams, Council/Agency Member
Angelica Lopez, Council/Agency Member
Shanelle Scales-Preston, Council/Agency Member
S.L. Floyd, Agency Member
Annie Hill Herring, Agency Member

APPOINTED OFFICIALS

Garrett Evans, City Manager/Executive Director
Donna Mooney, City Attorney/Legal Counsel
Alice E. Evenson, City Clerk/Agency Secretary (elected)
Nancy Parent, City Treasurer (elected)

CALL TO ORDER

Chair Banales called the meeting of the Housing Authority to order at 7:10 P.M. in the City Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL

Member Adams was absent and excused.

CONSENT CALENDAR

On Motion by Member Floyd, seconded by Member Herring and adopted by the following vote:

AYES: Banales, Floyd, Herring, Killings, Lopez, Scales-Preston
ABSENT: Adams

2. Minutes of November 20, 2023.
3. Adoption of a Housing Authority Resolution Approving the 2024 Utility Allowance Schedule.

HOUSING AUTHORITY MEMBER REMARKS

There were no Housing Authority Member remarks.

ADJOURNMENT

The Housing Authority was adjourned at 7:37 P.M.

Respectfully submitted,

Alice E. Evenson, Secretary



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Chair and Governing Board Members

FROM: Garrett Evans, Executive Director

SUBJECT: A Housing Authority Minute Order Approving an Annual Report
Pursuant to SB 341

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

The Housing Authority of the City of Pittsburg (Housing Authority) has reviewed and considered the Housing Successor Agency's annual report regarding housing activities through June 30, 2023 (Report).

FISCAL IMPACT

There is no fiscal impact in approving the Report. The Report provides a snapshot of housing activities that have occurred during a specified period.

RECOMMENDATION

Staff recommends that the Governing Board of the Housing Authority approve the Report.

BACKGROUND

The Redevelopment Agency of the City of Pittsburg (Agency) was a redevelopment agency formed, existing and exercising its powers pursuant to California Community Redevelopment Law Health and Safety Code Section 33000 et seq. (CRL). Pursuant to authority granted under the CRL, the Agency has the responsibility to implement the redevelopment plan established by the Community Development Plan for the Los Medanos Community Development Project by Ordinance No. 93-1063, adopted by the City Council on June 7, 1993 (as subsequently amended and restated by Resolution 07-1221 and as may be further amended from time to time).

On June 29, 2011, the Governor signed into law ABX1 26, also referred to as the "Dissolution Act" which automatically suspended redevelopment activities and on December 29, 2011, the California State Supreme Court upheld the provisions of the Dissolution Act, thereby dissolving all redevelopment agencies on February 1, 2012 (Dissolution Date). The Dissolution Act provides that prior to the Dissolution Date, the City may elect to assume the

assets and responsibilities for the housing functions previously performed by the Agency or by default the housing functions will be transferred to the local housing authority.

On January 17, 2012, by City Resolution 12-11753 and Housing Authority Resolution 12-261, the City elected to transfer, and the Housing Authority elected to assume all the rights, responsibilities, and functions related to housing previously performed by the Agency to the Housing Authority.

On October 13, 2013, SB 341 was approved by the Governor and filed with the Secretary of State. SB 341 amended Health and Safety Code 34176 and changed the former annual report due from the Agency to both the State Controller and Department of Housing and Community Development (HCD).

SUBCOMMITTEE FINDINGS

The Report was not discussed in a subcommittee.

STAFF ANALYSIS

The Housing Authority will file the Report and any supporting documents, if applicable, as an addendum to the City's Annual Progress Report filed by the Planning Department. Upon receiving Housing Authority Governing Board approval and once this Minute Order has been certified by the Agency Secretary, the Report will be submitted to HCD on or before April 1, 2024.

Within the reporting period (Fiscal Year 2022/23), \$148,920.97 was deposited into the Low Moderate Income Housing Asset Fund (LMIHAF). The ending Fiscal Year 2022/23 balance of the LMIHAF was \$6,858,098.23. The Housing Successor real property value was valued at \$1,975,021.46. For Fiscal Year 2023/24, the Housing Successor is investing funds in community housing counseling and a potential loan for transitional age youth housing.

ATTACHMENTS: Report

Report Prepared By: Ishani Rasanayagam, Administrative Analyst II

THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF PITTSBURG
ANNUAL REPORT ON LMIHAF PURSUANT TO SB 341
FOR FISCAL YEAR: July 1, 2022-June 30, 2023

1 Amount deposited into LMIHAF: \$ 148,920.97

Amount deposited listed on ROPS: \$ -

Description of the Deposit

--

2 Balance of LMIHAF: \$ 6,858,098.23

Balance listed on ROPS: \$ -

Description of the Balance

--

3 Description of expenditures by category for:

Monitoring and preserving the long-term affordability of units subject to affordability restrictions or covenants entered into by the redevelopment agency, housing successor agency, and activities described in paragraphs (2) and (3) of subdivision (a).

\$ -

Homeless prevention and rapid rehousing services for the development of housing described in paragraph (2) of subdivision (a).

Development of housing pursuant to paragraph (3) of subdivision (a).

\$ -

4 As described in paragraph 1 of subdivision (a):

Statutory value of real property owned by the housing successor.

\$ 1,975,021.46

Value of loans and grants receivables.

\$ 29,063,037.50

Total

\$ 31,038,058.96

Description of any transfers made pursuant to paragraph (2) of subdivision (c) in the previous fiscal year and, if still unencumbered, in earlier fiscal years and a description of and status update of any project for which transferred funds have been or will be expended if that project has not yet been placed in services.

5

Name and Description	Address	Transferred To	Value

Description of any project for which the housing successor receives or holds property tax revenue pursuant to the ROPS and status of that project.

6

Project Name and Description	Address	Amount Received
NA		

For interests in real property acquired by the former redevelopment agency prior to February 1, 2012, a status update on compliance with Section 33334.16. For interests in real property acquired on or after February 1, 2012, a status update on the project.

7

Address	Status
NA	

Description of any outstanding obligations pursuant to 33413 that remained to transfer to the housing successor on February 1, 2012, of the housing successor's progress in meeting those obligations, and of the housing successor's plans to meet unmet obligations. In addition, the housing successor shall include in the report posted on its Internet Web site the implementation plans of the former redevelopment agency.

8

Outstanding Obligation	Status
NA	

9 The information required by subparagraph (B) of paragraph (3) of subdivision (a):

Targeting Requirements	Status
NA	

Percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed restricted rental housing assisted individually or jointly by the housing successor, its former redevelopment agency, and its host jurisdiction within the same time period.

10

Low Income Senior Housing	# of Units
Presidio Village	103
Delta Hawaii	5
Siena Court	110
Total	218
Deed Restricted Total	1328
Percentage of Senior Housing	16%

11 Amount of any excess surplus.

NA

Amount of time that the successor agency has had excess surplus.

NA

Housing successor's plan for eliminating surplus.

For FY 23-24- \$10,000 for housing counseling services; \$500,000 loan to Village of Hope for transitional age youth housing



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Minute Order to Appoint Candidates to the Community Advisory Commission

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

There are currently two (2) vacancies and 2 seats expired on February 28, 2024 on the Community Advisory Commission. Therefore, a total of 4 seats are open for the 4-year term beginning March 1, 2024 through February 28, 2028.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

Staff recommends appointment of candidates to the open seats.

BACKGROUND

Nine (9) applications were received. Out of the 9 applicants, seven (7) were interviewed; 1 applicant did not show up to the interview; and 1 applicant did not reside in the City.

SUBCOMMITTEE FINDINGS

This item was not discussed at a subcommittee.

STAFF ANALYSIS

The City Council interviewed the following 7 applicants on March 4, 2024.

1. Monique Robinson
2. Ayana Berry
3. Michael Aparicio
4. Nastassia Henson
5. Suvash Shah Thakuri
6. Je Ton Carey
7. Sonja Shephard

Appointments made to the Community Advisory Commission will serve a 4-year term beginning March 1, 2024 through February 28, 2028.

ATTACHMENTS: Applications of Interviewees

Report Prepared By: Melaine Venenciano, Director of City Clerk Services

APPLICATION FOR PUBLIC PARTICIPATION ON A COMMISSION

Applications are due 1/26/24

Interviews scheduled for the evening of 2/5/24

Select the commission you are applying for from the list below

Community Advisory Commission (Age 18+)

Name

Monique Robinson

Address

Email

Phone (Primary)

Phone (Alternate)

Emergency Contact

Phone

Provide any professional or technical experience:

I have experience working with the public in the court system by providing information needed or assisting with documents that needed to be filed also assisting to resolve issues.

Why are you interested in serving on this commission?

I am interested in serving on the commission so that I can help the community and provide feedback to the council regarding the community concerns. I would like to be able to provide information to the community that they may not have access to or not know how to obtain.

Please list and briefly describe any other community activities or organizations in which you participate.

I have volunteered with Faith Full Gospel handing out backpacks to schools, giving out and coordinating Thanksgiving boxes for low income neighborhoods. I have also been involved with Bay church and helping out with the showers for the homeless.

Are you available for evening meetings?

Yes

Are you available for daytime meetings?

No

Applicant Signature

Date

8/16/2023

APPLICATION FOR PUBLIC PARTICIPATION ON A COMMISSION

Applications are due 1/26/24

Interviews scheduled for the evening of 2/5/24

Select the commission you are applying for from the list below

Community Advisory Commission (Age 18+)

Name

ayana berry

Address

Email

Phone (Primary)

Phone (Alternate)

Emergency Contact

Phone

Provide any professional or technical experience:

City employee

Why are you interested in serving on this commission?

I believe I have a lot to offer the city, and want nothing more but the best for a city with so much potential.

Please list and briefly describe any other community activities or organizations in which you participate.

I volunteer at local events and work for the public.

Are you available for evening meetings?

Yes

Are you available for daytime meetings?

Yes

Applicant Signature

Date

8/30/2023

APPLICATION FOR PUBLIC PARTICIPATION ON A COMMISSION

Applications are due 1/26/24

Interviews scheduled for the evening of 2/5/24

Select the commission you are applying for from the list below

Community Advisory Commission (Age 18+)

Name

Michael Aparicio

Address

Email

Phone (Primary)

Phone (Alternate)

Emergency Contact

Phone

Provide any professional or technical experience:

I am a member of UA Local Union 342, and a business owner. I've worked in different sectors of the piping industry both away from the public, and amongst the public on public streets, including various Pittsburg pumping stations. In these various jobs, it is always my duty to make safety my priority, and only my personal integrity that will respect it. I will serve the community with the same respect.

Why are you interested in serving on this commission?

I have no interest, I will serve at the pleasure of the public. Forgoing my any personal interest, for theirs. It is both my responsibility, and civic duty that lead me to serve. It will be my honor to serve the public's interest.

Please list and briefly describe any other community activities or organizations in which you participate.

I serve on two separate committees on behalf my unions membership.

The Benevolence Committee

In this committee we sell raffle tickets before every meeting, count the funds, and deliver the funds and tickets to the president. The winner of the raffle wins half of the counted funds. The other half is added to the Benevolence Fund, which funds members who are chosen by the membership to receive an allocation for an injury, a hardship, or other needs on a case by case basis. (This is an unpaid, voluntary committee.)

The Election Committee

In this committee we ensure the integrity of the election. We check the identity and illegibility of members wishing to vote. We count, and recount all ballots the same day, recounting if discrepancies are found. All votes are recounted again afterwards by others who are unknown to either count group to ensure the results which were delivered are correct and accurate. (This committee is both, paid, and unpaid.)

Are you avilable for evening meetings?

Yes

Are you available for daytime meetings?

Yes

Applicant Signature

Date

9/28/2023

APPLICATION FOR PUBLIC PARTICIPATION ON A COMMISSION

Applications are due 1/26/24

Interviews scheduled for the evening of 2/5/24

Select the commission you are applying for from the list below

Community Advisory Commission (Age 18+)

Name

Nastassia Henson

Address

Email

Phone (Primary)

Phone (Alternate)

Emergency Contact

Phone

Provide any professional or technical experience:

As an adolescence I was an At Large member of the Pleasant Hill Teen Council. During my employment at Wells Fargo Bank, I was appointed Site Ambassador, leading a team of twelve ambassadors throughout the company to improve employee engagement through diversity and inclusion. In this role I developed a six-week campaign promoting employee engagement, and as a result, employee engagement survey numbers increased to record breaking percentages. I am a Risk Analyst at Pacific Service Credit Union, I specialize in compliance relating to the Bank Secrecy Act, Anti-Money Laundering, Terrorist Financing and Human Trafficking. My duties include investigative research and case management. I also manage projects and implement policies and procedures to ensure the credit union is within compliance regulations. I will be graduating from Los Medanos College May 2024 with an Associate of Arts degree in Social and Behavioral Science, Arts and Humanities and Political Science AA-T.

Why are you interested in serving on this commission?

Serving on the Community Advisory Commission would not only be a great segway into the municipal field, but also provide me with the experience I need to understand what the needs of the community actually are. I am very proud of the city of Pittsburg; it is a community like none other and we've come a long way. I want to be a part of the change that we need to make our city the best place to live and build your legacy. I'm a part of a legacy rooted in the city of Pittsburg. My Great-Grandparents migrated to West Pittsburg in 1944, and we're still here! I'm proud to say my daughter graduated from Pittsburg High School in 2022 and is in her second year of college. I attribute her success to all of the community leaders who are creating programs that bridge and promote higher education to the youth in our city. I have a passion to contribute into the well-being of my community. With my background in regulatory compliance and community support, I believe I can add value by ensuring the voices and concerns of our community is heard and addressed by our city council.

Please list and briefly describe any other community activities or organizations in which you participate.

I have volunteered services to:

The Revolution Bookstore, Berkeley, CA,
The Contra Costa Food Bank, Concord, CA
American Diabetes Association, Oakland, CA
San Francisco AIDS Walk, San Francisco, CA

Are you available for evening meetings?

Yes

Are you available for daytime meetings?

No

Applicant Signature

Date

1/7/2024

APPLICATION FOR PUBLIC PARTICIPATION ON A COMMISSION

Applications are due 1/26/24

Interviews scheduled for the evening of 2/5/24

Select the commission you are applying for from the list below

Community Advisory Commission (Age 18+)

Name

Suvash Shah Thakuri

Address

Email

Phone (Primary)

Phone (Alternate)

Emergency Contact

Phone

Provide any professional or technical experience:

I am Senior Software Engineer with over 12 years of professional experience currently working with Tesla Inc. I have master degree in Computer Science. I co-founded two public nonprofit organization(One in USA and one in Nepal). I have experience and love to work with people of diverse background.

Why are you interested in serving on this commission?

To improve our Pittsburg community and quality of life.

Please list and briefly describe any other community activities or organizations in which you participate.

Funded public nonprofit 501(c)3 organization called "Marpha" in US. Marpha built tech solutions to solve the social problems of rural communities.

Co-founded registered nonprofit organization called "Dream100" in Nepal. Dream100 helps to pay school fee of low-income students of rural Nepal.

Member of public nonprofit organization "DeltaX", Pittsburg, CA.

DeltaX helps to bind Nepalese families together by promoting and preserving our identities, traditions, and cultural values.

Are you available for evening meetings?

Yes

Are you available for daytime meetings?

No

Applicant Signature

Date

1/16/2024

APPLICATION FOR PUBLIC PARTICIPATION ON A COMMISSION

Applications are due 1/26/24

Interviews scheduled for the evening of 2/5/24

Select the commission you are applying for from the list below

Community Advisory Commission (Age 18+)

Name

Je Ton Carey

Address

Email

Phone (Primary)

Phone (Alternate)

Emergency Contact

Phone

Provide any professional or technical experience:

Educator background, both city and state leadership experience, currently a director for a nonprofit. Led several commissions and planning groups

Why are you interested in serving on this commission?

I'm interested in having a voice in my community and making an impact.

Please list and briefly describe any other community activities or organizations in which you participate.

I've been involved in a parent advisory group, attended public hearings to give public comments, member of several planning groups.

Are you available for evening meetings?

Yes

Are you available for daytime meetings?

Yes

Applicant Signature

Date

1/19/2024

APPLICATION FOR PUBLIC PARTICIPATION ON A COMMISSION

Applications are due 1/26/24

Interviews scheduled for the evening of 2/5/24

Select the commission you are applying for from the list below

Community Advisory Commission (Age 18+)

Name

Sonja Shephard

Address

Email

Phone (Primary)

Phone (Alternate)

Emergency Contact

Phone

Provide any professional or technical experience:

Board President of Stoneman Village Apartments. Certified Paralegal. Attended Oakland College of Law. Worked at the City of Oakland for 10 years, retired.

Why are you interested in serving on this commission?

To help shape and form a community that I am proud to live in.

Please list and briefly describe any other community activities or organizations in which you participate.

Pittsburg Youth Advisory Commission Adult Mentor; NAACP, BART Police Citizen Review Board for District 2 which is East Contra Costa County (also on the BART outreach committee to bring information to the residents in Contra Costa county on how we are making public transportation safer) Vice President of the Fifty Plus Club a club to promote physical activity and mental well being for seniors. Taking classes held by Urban Habitat called: "Boards and Commissions Learning Institute" (BCLI) to make better leaders who include equity and social justice into the equation when being on a Board or Commission.

I look forward to serving the residents of the City of Pittsburg.

Are you available for evening meetings?

Yes

Are you available for daytime meetings?

Yes

Applicant Signature

Date

1/20/2024



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Allocating Funding from the Business Improvement District towards the Facade Improvement and Landscape Improvement Grant Programs

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

The City's Business Improvement District (BID) was formed to provide funding that would go towards the promotion of retail trade and public activities in the City. The City continues to utilize these funds in a way that is consistent with the intent of the BID, with the newest program being the Facade Improvement and Landscape Improvement Grant programs. Staff is requesting the adoption of a resolution to allocate \$100,000 of BID funds towards the Facade Improvement and Landscape Improvement Grant programs.

FISCAL IMPACT

The requested appropriation would increase the line item budget for these from \$30,000 to \$100,000. This funding difference would be covered by current fund balance of the BID fund, which as of end of Fiscal Year (FY) 2022/23 stood at \$587,747.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution allocating \$100,000 of BID funds towards the Facade Improvement and Landscape Grant programs.

BACKGROUND

The City is committed to fostering and supporting the economic vitality of the community. This commitment is reiterated through the City's BID expenditures and the City's Economic Development Strategic Plan.

The BID is a product of the Parking and Business Improvement Area Law of 1965, which allows cities to form areas within their jurisdiction and impose a tax on businesses within that area which can be used for purposes specified in Section 36000 of the State's Streets and Highways Code. The City created its own BID through the adoption of Ordinance No.

631 on August 2nd, 1971. The BID exists to this day, collecting 25% of the business license tax set forth in Chapter 5.04 of the Pittsburgh Municipal Code (PMC), with a minimum \$25 charge per business, due upon the opening of a new business license and when the business license renews annually. BID funds have been utilized to enhance public spaces, assist and promote public events, and the general promotion of retail trade in the community.

On January 18th, 2022, the City adopted its Economic Development Strategic Plan, which defines the City's economic goals and objectives over the next five to ten years when it comes to the retention of current businesses, the attraction of new businesses, the marketing of the City, and investment targets towards public and private infrastructure. Objective 2.1.4 under "Business Retention & Support" calls for the creation of facade and landscaping improvement programs that would help small businesses and identify a funding mechanism to support the programs. Staff identified the BID as a funding mechanism for this program, as such programs would help promote retail trade activities within the community.

The City released its Facade Improvement Grant Program guidelines and began accepting applications on February 1, 2024. The program provides up to \$10,000 for eligible businesses and property owners to improve and enhance the front exterior, public-facing portions of their retail buildings, also known as facades. Guidelines and the application form are available on the City's website for interested parties to view. As of March 1, 2024, the City has received two complete applications for review, and numerous inquiries from interested businesses and property owners in Pittsburgh looking to enhance their commercial buildings. The City is also working on a similar Landscape Improvement Grant Program, which will fund landscaping improvements on commercial properties. Staff is targeting the month of March to launch this program.

SUBCOMMITTEE FINDINGS

The guidelines for the Facade Improvement Grant Program were brought forth to the Community and Economic Development Subcommittee on November 13, 2023. The subcommittee reviewed the draft guidelines and provided feedback on the program. The subcommittee's feedback was incorporated into the guidelines document prior to its publishing on February 1, 2024.

STAFF ANALYSIS

Per section 5.08.080 of the PMC, BID funds shall be used for the following purposes.

- A. Decoration of any public place in the "area";
- B. Promotion of public events which are to take place on or in the "area";
- C. Furnishing of music in any public place in the "area";
- D. The general promotion of retail trade activities in the "area."

The Facade and Landscape Improvement Grant programs fall under the scope of subsection D of the proposed uses, in that assisting small businesses with the enhancement of their facades and landscaping will provide for more attractive, inviting commercial locations that promote retail trade activities in the district. The proposed funding increase from the current allocation of \$30,000 towards these programs to \$100,000 could fund a minimum of 10 grants to qualified businesses in the community. With the fund balance that has accrued in the BID since the pandemic, this presents an opportunity to make further significant investment back into the community as the City continues to emerge from the pandemic era. These programs will invest and help spur investment towards buildings that are in need of enhancements and will help business and property owners that struggle to pay for the high costs to implement these improvements.

ATTACHMENTS: Resolution
 Façade Improvement Grant Program Guidelines

Report Prepared By: Robert Carrera, Economic Development Manager

Façade Improvement Grant Program Guidelines & Application

February 2024

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Executive Summary

The vast majority of Pittsburgh's employers are small businesses, whether they are based at home or they have a commercial storefront. These businesses are at the heart and soul of the Pittsburgh community and are incubators of opportunity and creativity. The City Council recognize how important small businesses are in the community, which is why supporting their success is an essential part of the City's [Economic Development Strategic Plan](#). Businesses with storefronts greatly benefit from investment on those parts of the building that are most visible to the public and face publicly accessible areas such as streets and sidewalks. These exteriors are called façades. Investments in these façades provide a number of benefits that include more inviting storefronts, improvements to neighborhood characteristics, reinvestment into older buildings, and more potential foot traffic. The City's Façade Improvement Grant Program aims to spur that investment opportunity.

The City of Pittsburgh is providing small businesses with the opportunity to apply for grants up to \$10,000 for façade improvements. The City will be awarding grants each worth up to \$10,000 to reimburse expenditures per applicant, from a budget of \$30,000. Any additional work above the \$10,000 threshold is the responsibility of the applicant. This guide will provide more information about this program and the qualification and application process.

Thank you for your interest in this program. If you have any questions or need any guidance throughout the process, you can contact the City's Economic Development Manager, Robert Carrera, at rcarrera@pittsburgca.gov or by calling 925-252-4279.

Program Components

The purpose of these funds is specifically for the enhancement and beautification of public-facing building façades that will improve the image and characteristics of the building, the business, and the City and will create an inviting experience that will mutually benefit the business, its customers, and the Pittsburgh community. These funds can be used for the following:

- Signage
- Awnings
- Exterior paint (including anti-graffiti exterior paint and coatings)
- Architectural treatments
- Stucco, cladding, and/or siding repair
- Windows
- Front Entrance Doors
- Exterior lighting which provides or highlights architectural features
- Planter boxes
- Bicycle Racks
- Other enhancements determined by the City in its sole discretion to enhance the aesthetic value of the building

Ineligible uses for this grant include:

- Property acquisition
- Building additions
- Performing general or deferred maintenance on buildings or properties

- Upgrading mechanical, plumbing, or electrical equipment, or roof repairs
- Parking area paving, resurfacing, repair, or striping
- Chain link fencing with or without slats
- Working capital
- Advertising beyond exterior signage
- Training
- Start-up costs
- Cash for operating expenses
- Work in progress or performed prior to project's approval

Timeline

The program will begin accepting applications on February 1, 2024 and will continue through June 30, 2024, or until funds allocated to the program are depleted, whichever comes first. Applications are accepted on a first-come, first-served basis and completed applications are placed in a queue for review and approval. Incomplete applications will not be placed in the queue until completed. If an application is not approved for funding, the next application in the queue will be considered. If an application is eligible for funding but funds are fully depleted, that application may be rolled over into a future funding cycle and reconsidered, provided that the City Council authorizes additional funding and the applicant remains interested and can provide updated documents upon request by the City.

Prevailing Wage Requirement; Exemption

All improvements completed through the Façade Improvement Grant Program are “public work” as defined in Section 1720 of the California Labor Code. In accordance with Labor Code section 1720 et seq., prevailing wages shall be paid for all façade improvement work. All construction work must be performed by a licensed contractor. The use of volunteer labor is not allowed. All estimates and payments for construction and installation of façade improvements shall include prevailing wages and shall otherwise comply with the provisions of Sections 1773.8, 1775, 1776, 1777.5, 1777.6 and 1813 of the California Labor Code and all other applicable laws and regulations with respect to prevailing wages. Applicants are responsible for ensuring that improvements follow prevailing wage law. To view prevailing wage rates and learn more, visit the State’s Department of Industrial Relations webpage by clicking [here](#).

Eligibility

The City is seeking to help those businesses with storefronts that would provide the maximum return on investment for the City, while realizing the greatest amount of long-lasting benefits to the business. Businesses must meet the following qualifications.

1. Business must be operating within Pittsburg city limits.
2. Business must have an active City of Pittsburg Business License.
3. Business, and the property where business is located, must have no outstanding, active Code Enforcement cases or building violation cases.
4. Business must be a brick-and-mortar operation with a public-facing storefront. Home-based businesses are ineligible.
5. Shopping Centers with 5 or less tenants are eligible. A property-owner-led application is highly encouraged to create a uniform project, but individual tenants can apply also.

6. The following types of business applying for or located within the structure and/or center to be improved through grant funds are ineligible for this program:

- Liquor stores (SIC code 5921)
- Tobacco and Tobacco Products (SIC code 5194)
- Tobacco Stores and Stands (SIC code 5993)
- Cannabis Stores
- Gambling and Lottery Services (SIC code 799913)
- Night clubs (SIC code 581302)

The City reserves the right to determine an applicant is not eligible for the program for any reason in the sole discretion of the City.

Application Procedures

All interested, qualified parties can apply for this program by filling out the application form shown in Attachment A of this document. In addition to filling out the application, applicants must provide copies of the following documents.

- Copy of Photo ID (Valid Driver's License, Passport, Etc.)
- Copy of Current City of Pittsburg Business License
- Copy of Current W-9 Form
- Copy of Current Lease Agreement (Tenant Applicants Only)
- At Least 5 Before Photos of the Storefront
- Vendor/Contractor Quote(s) for Proposed Work

The City reserves the right to request any additional information related to review of any application as determined necessary for any reason in the sole discretion of the City.

The application packet can be submitted online via email to rcarrera@pittsburgca.gov. Incomplete applications will not be accepted. The City reserves the right to request more documentation if the provided documentation does not clearly identify eligibility or if more information is needed on the proposed improvements.

Grant Awarding

Grant applications will be reviewed by a team of City staff that will include representatives from the City's Economic Development, Planning, and Building Divisions. This team will review and rate applications using a weighted scaled based upon the following categories:

1. Does the applicant demonstrate that they are qualified to receive this grant? (5 pts)
2. Does the applicant demonstrate the understanding of the improvements sought through this program and provide a project that truly enhances the quality of the business, the building, and the neighborhood? (10 pts)
3. Does the applicant provide all the necessary documents as requested through this application? (10 pts)
4. Does the applicant demonstrate that they have obtained the proper contract work to complete such improvements? (10 pts)

5. Does the applicant demonstrate the ability to complete the project on a timely basis? (5 pts)

Applicant must clear the point threshold of 35 pts to be considered for awarding of a grant.

During the review process, the City will identify if the proposed work will require City permits, including but not limited to Design Review or various building permits. The applicant may have the option to pay permit fees from the grant balance. The applicant would submit these additional permitting invoices in the form of a reimbursement request (see Post Awarding Procedures).

After team review, applications that are recommended for approval are taken to the City's Community and Economic Development subcommittee to provide feedback. The committee is made up of two members of the City Council and two Members of the Planning Commission. After receiving subcommittee feedback, the City will then make a final decision of approval and notify applicants of their approval of grant funding, subject to execution of a grant agreement, and then provide the applicant with a grant agreement for review and signature. As part of the application process, the applicant must agree to the terms and conditions in the grant agreement prior to signature. Grant agreements will be routed for digital signature through email using the DocuSign platform. If the applicant is unable to process their agreement through email, staff will make accommodations to have the applicant sign their agreement in-person.

Post Awarding Procedures

Upon the completed signing of the grant agreement, the recipient may begin the approved work in the application. It is the expectation of the City that the recipient will begin the approved work no later than 3 months upon full signing of the grant agreement, and to complete work within 1 year upon full signing of the grant agreement. If the approved work is not completed within 1 year of full signing of the grant agreement, the grant agreement will expire and the recipient will no longer be able to obtain reimbursement for work performed beyond one year.

To receive reimbursement, it is the responsibility of the recipient to provide three pieces of documentation for every reimbursement request; (1) an invoice for the approved work, (2) proof of payment of the invoice (i.e. receipt, cancelled check, credit card statement), and (3) proof of completion of the invoiced work. If these three documents are not provided in the reimbursement request, the request will not be processed. Upon review and approval of the reimbursement request, staff will process reimbursement requests and issue checks for pick up or mail delivery within an estimated 3 weeks. The recipient may submit as many reimbursement requests as needed until their awarded funds are fully expended. It is recommended for efficiency that the recipient wait to submit only one reimbursement request with all expenses and proof of payments for the approved work.

Attachment A: Façade Improvement Program Application

Applicant Information			
Last	First	M.I.	Date
Daytime Phone Number ☐ confidential		Email Address ☐ confidential	

Applicant is the Following (Check all that Apply)	✓
Property Owner	
Business Owner/Tenant	

Property Owner Information (if different from applicant)			
Last	First	M.I.	Date
Property Owner Mailing Address		Unit #	
City	State	ZIP	
Daytime Phone Number ☐ confidential		Email Address ☐ confidential	

Business and Property Information			
Business Name			
Property Address (Location of Business)			Unit #
City	State	ZIP	
Property APN		Website	
City Business License #		Years in Business	
Does your business have a storefront open to the public? (Yes/No)			

Grant Funding Information	
Scope of Work	
Estimated Total Project Cost	Grant Amount Requested
What is the proposed timeline for this project?	

Preferred Method of Reimbursement	
Check (Pick up at City Hall)	
Direct Deposit	

Supplemental Documents Checklist	✓
Copy of Photo ID (Valid Driver's License, Passport, Etc.)	
Copy of Current City of Pittsburg Business License	
Copy of Current W-9 Form	
Copy of Current Lease Agreement (Tenant Applicants Only)	
At Least 5 Before Photos of the Storefront	
Vendor/Contractor Quote(s) for Proposed Work	

Acknowledgement	
<i>As the legal owner of the above property, I hereby grant authorization for the applicant to complete the façade improvements indicated on this application.</i>	
Property Owner Signature	Date
<i>The applicant and/or property owner certify the following:</i> <i>- The owner is the property owner of record and there are no current code enforcement actions pending against the property.</i> <i>- We have read the Program Guidelines, we understand them, and we accept them.</i> <i>- We are qualified and will abide by such conditions set forth in this application and all reasonable conditions which may be issued by the City of Pittsburg in the implementation of this project.</i> <i>- If awarded a grant, we will abide by the terms and conditions set forth in the grant agreement</i> <i>- We will abide by the provisions set forth in the California Labor Code and ensure that all estimates and payments for construction and installation of façade improvements shall include prevailing wages.</i>	
Property Owner Signature	Date
Applicant Signature	Date

Attachment B: Façade Improvement Program Grant Agreement

CITY OF PITTSBURG FAÇADE IMPROVEMENT GRANT PROGRAM PARTICIPATION AGREEMENT

THIS AGREEMENT ("Agreement") is entered into on _____, 2024 between the City of Pittsburg, a California municipal corporation (the "City"), and _____, a business licensed to operate in the City (the "Business"), hereinafter referred to together as the "Parties."

NOW THEREFORE, for good and valuable consideration, the parties agree to the following:

1. Overview

(a) Purpose: The City has established the Façade Improvement Grant Program (the "Program") to provide financial assistance to City-based small businesses to make improvements to the exterior façade of their businesses and buildings.

(b) Program Funding: The Pittsburg City Council has appropriated Business Improvement District ("BID") funds to be allocated towards the Façade Improvement grants and associated permitting and entitlement costs towards the program.

(c) Grant Amount: Pursuant to this Agreement, the City shall provide a total grant amount of \$_____ (_____ dollars)("Grant"). Grant shall be distributed pursuant to section 1(e) of this agreement.

(d) Grant Use: The Grant must be used solely for work indicated under the Scope of Improvements set forth in Exhibit A of this agreement. No other use of funds is allowed by the Business.

(e) Grant Reimbursement: The City will disburse Grant funds directly to the Business as a reimbursement for expenses under section 1(d) of this agreement within thirty (30) business days upon receipt and approval of a reimbursement request that includes the following documentation; 1) invoice(s) for work conducted under section 1(d) of the agreement, 2) proof of payment towards invoice(s), and 3) proof of completion of the invoiced work.

(f) Self-Certification: By signing this Agreement, the Business certifies that the information submitted in the Grant Application is true and correct, and that the Business will use the Grant solely for the purposes set forth in the Business Application. The City shall reserve the right to require additional documentation necessary to verify the Business meets any eligibility requirement(s), and Business agrees to promptly provide required documents.

(g) Grant Term: This Agreement will take effect on the Execution Date and terminate one year after the execution date (“Grant Term”). In the case of this grant agreement, Sections 2(l) shall survive termination.

(h) Communication: The City of Pittsburg Economic Development Manager will serve as the primary point of contact for the Business during the Grant Term.

(i) Repayment of Grant Funds: If the Business does not use the Grant as required by Section 1(d) or it is determined that any information provided to the City was fraudulent, incorrect, or incomplete, then the Business must repay the full amount of the Grant to the City within 30 days of written notice. Business shall be liable to City for own costs incurred by City to enforce this subsection.

2. General Provisions

(a) Entire Agreement; Amendments: This Agreement constitutes the entire agreement among the Parties as to the Grant and may not be amended or modified, except in writing signed by each of the Parties. The Business may not assign or transfer its rights and interests in this Agreement to any other person, business or entity.

(b) No Third-Party Beneficiaries: This Agreement is not intended to create any rights or benefits for a person or entity who is not a party, whether as a third-party beneficiary or otherwise.

(c) Choice of Law: This Agreement shall be construed and interpreted in accordance with the laws of the State of California, excluding any choice of law rules which may direct the application of the laws of another jurisdiction. In the event that suit shall be brought by either party hereunder, the parties agree that trial of such action shall be held exclusively in a state court in the County of Contra Costa, California.

(d) Enforceability; Interpretation: In the event that any of the provisions or portions of application of any of the provisions of the Agreement are held to be illegal or invalid by a court of competent jurisdiction. The illegality or invalidity of any of the provisions or portions of any of the provisions of the Agreement shall not affect the legality or enforceability of the remaining provisions or portions of application of any of the provisions of the Agreement. This Agreement shall be interpreted as though it was a product of a joint drafting effort and no provisions shall be interpreted against a party on the ground that said party was solely or primarily responsible for drafting the language to be interpreted.

(e) Disbursements: The City shall have no responsibility to disburse any funds beyond the amount that the City has received and allocated from BID funds. In the event of any dispute under this Agreement, Business’s sole recourse and damages against the City shall be limited to the amount of the Grant as set forth herein.

(f) Non-Liability: No member of the City and no other officer, employee or agent

of the City shall be personally liable to Business or otherwise in the event of any default or breach of the City, or for any amount which may become due to Business or any successor in interest, or for any obligations directly or indirectly incurred under the terms of this Agreement.

(g) Force Majeure: No Party will be held responsible for failing perform its responsibilities under this Agreement if the failure results from any act of nature or other cause that is beyond the reasonable control of the Party and that makes performance impossible or illegal.

(h) Confidentiality: Unless otherwise required by applicable law or regulation, including but not limited to the California Public Records Act, the City shall use best efforts to keep all financial information submitted by the Business as confidential and will not make such information available publicly. Business acknowledges and agrees that the City: (a) shall disclose to the public a list of all businesses that received Grants and the individual Grant amounts; and (b) shall share with staff and City Council the Business's reported information concerning the operational status of the Business and aggregate data on jobs, tax and revenue data of all businesses that received Grants. Business shall identify any such records of financial information by clearly labeling each document as confidential, in whole or in part, to notify City that confidentiality may apply.

(i) Counterparts: This Agreement may be executed in one or more counterparts, each of which shall be an original and all of which together shall be one and the same instrument.

(j) Non-Discrimination: The Business will not discriminate against any individual with regard to employment or participation or in any other manner for reasons of race, color, religion, gender or gender identification, sexual identity, pregnancy, childbirth or related medical conditions, national origin, age, marital status, disability or any other characteristic that is protected by local, state or federal law.

(k) NOTICES. All notices required hereunder shall be in writing and mailed postage prepaid by certified or registered mail, return receipt requested, or by personal delivery to the City's address as shown below, or such other places as City or Business may, from time to time, respectively, designate in a written notice given to the other. Notice shall be deemed received three (3) days after the date of the mailing thereof or upon personal delivery.

To City: Robert Carrera
Economic Development Manager
65 Civic Avenue
Pittsburg, CA 94565

To Business: _____

(l) Indemnification: Business agrees to defend, indemnify, and hold harmless the City, its officers, officials, employees, agents and volunteers from and against any and all claims, demands, actions, losses, damages, injuries, and liability (including all attorney's fees and other litigation expenses) arising under the terms of this Agreement. This indemnification obligation on Business's part shall not apply to demands, actions, losses, damages, injuries, and liability arising out of sole negligence or willful misconduct on the part of City.

(m) Cessation of Funding: The City's obligation to make payments to Business hereunder is contingent on the availability of allocated BID funds to the City. In the event the funding for this Agreement ceases, the City shall have no obligation to Business and this Agreement is terminated.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year first written above.

BUSINESS:

Name:
Title:

CITY OF PITTSBURG:

Robert Carrera
Economic Development Manager

APPROVED AS TO FORM:

Donna Mooney
City Attorney

EXHIBIT A
SCOPE OF IMPROVEMENTS

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Allocation of Funding from the Business	)	
Improvement District towards the Façade	)	RESOLUTION NO. 24-
Improvement and Landscape Improvement	)	
<u>Grant Programs</u>	)	

WHEREAS, the City of Pittsburgh formed a Business Improvement Area, also known as the Business Improvement District (BID), pursuant to Ordinance No. 631 on August 2, 1971; and

WHEREAS, the BID collects 25% of the business license tax set forth in Chapter 5.04 of the Pittsburgh Municipal Code (PMC) with a minimum \$25 charge per business, due upon the opening of a new business license and when the business license renews annually; and

WHEREAS, BID funds are to be used for the decoration of any public place in the “area”; promotion of public events which are to take place on or in the “area”; furnishing of music in any public place in the “area”, and the general promotion of retail trade activities in the “area”; and

WHEREAS, the City, in conjunction with its Economic Development Strategic Plan, created a Façade Improvement Grant Program to assist small businesses with improving the front exteriors of their retail storefront buildings; and

WHEREAS, the City has identified the BID as a suitable source of funding for both the Façade Improvement and Landscape Improvement Grant programs that meets the definition of uses for BID funding; and

WHEREAS, the City has an opportunity to make larger investments on small business due to an accumulated balance in the BID fund.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburgh hereby allocates a total amount of \$100,000 of BID funds towards the Façade Improvement and Landscape Improvement Grant programs.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 18th day of March 2024, by the following vote:

AYES:
NOES:
ABSTAINED:
ABSENT:

Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Minute Order to Approve City Goals and Priorities for Fiscal Year 2024/25

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

Each year, the City Council and City staff work together to establish citywide goals and priorities for the upcoming fiscal year. Staff is proposing the Fiscal Year 2024/25 City Goals and Priorities (the “City Goals and Priorities for FY 24/25”)

FISCAL IMPACT

There is no fiscal impact from adoption of the attached City Goals and Priorities for FY 24/25. It should be noted that if adopted, the goals and priorities are intended to inform and guide decisions that may have a financial impact during the budget process and as projects and programs are considered.

RECOMMENDATION

City Council adopt this Minute Order, approving the City Goals and Priorities for FY 24/25.

BACKGROUND

On January 19, 2024 and January 20, 2024, the City Council held public workshops, facilitated by Patrick Ibarra of the Mejorando Group. The workshops were designed to review and define City Council priority areas and align goals for the upcoming year. The strategic planning workshop held on January 19, 2024 included a group discussion about the positive impacts to the quality of life for residents in Pittsburg and a review of the accomplishments and current workplans of City departments. The workshop held on January 20, 2024 included a discussion regarding current trends in local government and facilitated exercises to identify the most significant opportunities and challenges facing the community.

The Mayor, Vice Mayor, and Council Members reviewed and discussed strategies to address opportunities and challenges and aligned them with the City Council's five priority areas which include:

- Public Safety: Prioritizing public safety, health, and welfare in the City Budget and when reviewing projects;
- Public Infrastructure: Improving public facilities and infrastructure, and increasing beautification of City maintained areas;
- Economic Development: Continuing economic development through strategic partnerships, promotion of diversified housing, and the retention and growth of new and existing businesses;
- Efficiency: Increasing efficiency of City operations and services through technology and streamlined processes; and
- Quality of Life: Improving the quality of life for all Pittsburg residents.

SUBCOMMITTEE FINDINGS

The draft City Goals and Priorities for FY 24/25 and their implementation measures were presented to their respective priority area subcommittees on the following dates: Public Safety Subcommittee on February 7, 2024, Community and Economic Development Subcommittee on February 14, 2024, Infrastructure and Transportation Subcommittee on February 16, 2024, Finance Management Subcommittee on February 16, 2024, and Life Enrichment Subcommittee on February 21, 2024. During the subcommittee meetings, staff responded to questions and received comments from subcommittee members.

STAFF ANALYSIS

Following the workshops, each department or division worked with their teams to develop implementation strategies based on comments received from the City Council during the workshops as well as feedback received during subcommittee meetings to identify the tasks each department or division will undertake as part of the effort to achieve the stated goal through specific performance measures to track progress throughout the year. Progress on the goals and implementation measures can be viewed through the City's website, www.pittsburgca.gov/government/city-council/citywide-priorities-and-goals.

ATTACHMENTS: Goals Fiscal Year 2024-2025 Hand Out

Report Prepared By: Jennifer Brizel, Director of Human Resources



City^{of}
Pittsburg
California

Fiscal Year 2024 – 2025 Goals

March 18, 2024

City Council

Juan Antonio Banales, Mayor
Jelani Killings, Vice Mayor
Shanelle Scales-Preston
Dionne Adams
Angelica Lopez

City Clerk

Alice Evenson

City Treasurer

Nancy Parent

City Manager

Garrett Evans

Assistant City Manager

Maria Aliotti

City Attorney

Donna Mooney

Chief of Police

Steve Albanese

Department Directors

Jennifer Brizel, Director of Human Resources
John Samuelson, Director of Public Works/City Engineer
Jordan Davis, Director of Community and Economic
Development
Kolette Simonton, Director of Recreation
Melaine Venenciano, Director of City Clerk Services
Paul Rodrigues, Director of Finance

CITYWIDE PRIORITIES

Public Safety

Prioritize public safety, health, and welfare in the City Budget and when reviewing projects.

Public Infrastructure

Improve public facilities and infrastructure and increase beautification of City maintained areas.

Economic Development

Continue economic development through strategic partnerships, promotion of diversified housing, and the retention and growth of new and existing businesses.

Efficiency

Increase efficiency of City operations and services through technology and streamlined processes.

Quality of Life

Improve the quality of life for all Pittsburgh residents.

COMMUNITY & ECONOMIC DEVELOPMENT

CEDD-1: Create framework for the redevelopment of Century Plaza. **(Economic Development)**

Implementation Measure 1.1

<i>Implementation Measure:</i>	Establish conceptual plan for residential development of area.
<i>Status</i>	0%
<i>Milestone:</i>	Work with property owner to commence design process.
<i>Estimated Completion Date:</i>	12/31/2024

Implementation Measure 1.2

<i>Implementation Measure:</i>	Utilize conceptual plans (FY 2023-2024 goal) to begin development of a Century Plaza specific plan.
<i>Status</i>	0%
<i>Milestone:</i>	Hire consultant to prepare specific plan or similar.
<i>Estimated Completion Date:</i>	6/30/2025

CEDD-2: Assist existing businesses in growing and maintain a minimum 95% retention of current in-town businesses in the next business license renewal cycle. **(Economic Development)**

Implementation Measure 2.1:

<i>Implementation Measure:</i>	Ensure online renewal system is easy to use and eliminates extra processing time.
<i>Status</i>	0%
<i>Milestone:</i>	2025 business license renewals.
<i>Estimated Completion Date:</i>	3/31/2025

Implementation Measure 2.2:

<i>Implementation Measure:</i>	Institute at least 4 small business courses (1 per quarter) held in person in Pittsburg geared towards business enhancement, with a goal of a 2% net increase in reported estimated revenue).
<i>Status:</i>	0%
<i>Milestone:</i>	Identifying community partners.
<i>Estimated Completion Date:</i>	6/30/2025

CEDD-3: Update the zoning code to ensure efficient entitlement process for businesses and industries in appropriate areas.
(Economic Development)

Implementation Measure 3.1:

<i>Implementation Measure:</i>	Review zoning code with the intent of ensuring efficient entitlement process for businesses and industries in appropriate areas.
<i>Status:</i>	0%
<i>Milestone:</i>	Review CP District land use regulations and provide report to City Council.
<i>Estimated Completion Date:</i>	9/15/2024

Implementation Measure 3.2:

<i>Implementation Measure:</i>	Identify opportunities where the entitlement and permitting process can be made more efficient in terms of time, costs, and ease of process navigation
<i>Status:</i>	0%
<i>Milestone:</i>	Provide SWOT analysis to City Council
<i>Estimated Completion Date:</i>	12/31/2024

Implementation Measure 3.3:

<i>Implementation Measure:</i>	Gather community feedback on draft Development Code.
<i>Status:</i>	0%
<i>Milestone:</i>	Host three community workshops.
<i>Estimated Completion Date:</i>	12/1/2024

Implementation Measure 3.4:

<i>Implementation Measure:</i>	Prepare CEQA Analysis for Draft Development Code update.
<i>Status:</i>	0%
<i>Milestone:</i>	Release of document for public review.
<i>Estimated Completion Date:</i>	4/1/2024

CITY CLERK SERVICES

CCS-1: Ensure compliance with applicable elections codes regarding City actions as triggered by specified timelines for potential ballot measure. **(Efficiency)**

Implementation Measure 1.1:

<i>Implementation Measure:</i>	Retrieve most recent total number of registered voters for the city from the County Elections Office to calculate the number of signatures needed for the ballot measure to be moved forward.
<i>Status:</i>	100%
<i>Milestone:</i>	
<i>Estimated Completion Date:</i>	1/30/2024

Implementation Measure 1.2:

<i>Implementation Measure:</i>	Create election timeline calendar to ensure alignment with County deadlines.
<i>Status:</i>	50%
<i>Milestone:</i>	Finalize election timeline calendar after meeting with City Attorney.
<i>Estimated Completion Date:</i>	2/29/2024

Implementation Measure 1.3:

<i>Implementation Measure:</i>	Count petition signatures if and when submitted by proponents.
<i>Status:</i>	0%
<i>Milestone:</i>	The proponents must file the petition within 180 days from 1/9/24 which was the date proponents received the title and summary of the ballot measure as drafted by the City Attorney. The proponents confirmed receipt of the title and summary of the ballot measure on 1/9/24. Signatures must be submitted within 180 days from the date of receipt of the title and summary.
<i>Estimated Completion Date:</i>	7/7/2024

CCS-2: Streamline common public record requests using a public dashboard. **(Efficiency)**

Implementation Measure 2.1:

<i>Implementation Measure:</i>	Evaluate common records requests to be extracted from city systems to be streamlined and posted on city dashboard for easy access.
<i>Status:</i>	0%
<i>Milestone:</i>	Identify current systems and reporting capabilities.
<i>Estimated Completion Date:</i>	5/15/2024

Implementation Measure 2.2:

<i>Implementation Measure:</i>	Establish frequency and timing of data extraction.
<i>Status:</i>	0%
<i>Milestone:</i>	Create parameters for reports.
<i>Estimated Completion Date:</i>	6/15/2024

Implementation Measure 2.3:

<i>Implementation Measure:</i>	Collaborate with internal stakeholders to publish requested records.
<i>Status:</i>	0%
<i>Milestone:</i>	Create public dashboard to display reports.
<i>Estimated Completion Date:</i>	8/30/2024

PUBLIC WORKS

PW-1: Improve Key Entryways into the City. (Public Infrastructure)

Implementation Measure 1.1:

<i>Implementation Measure:</i>	Finalize vision.
<i>Status:</i>	25%
<i>Milestone:</i>	Receive direction from Infrastructure and Transportation Subcommittee.
<i>Estimated Completion Date:</i>	9/30/2024

Implementation Measure 1.2:

<i>Implementation Measure:</i>	Develop design concepts.
<i>Status:</i>	10%
<i>Milestone:</i>	Develop design concepts.
<i>Estimated Completion Date:</i>	12/30/2024

Implementation Measure 1.3:

<i>Implementation Measure:</i>	Award construction contract.
<i>Status:</i>	0%
<i>Milestone:</i>	Advertise project for bid.
<i>Estimated Completion Date:</i>	6/30/2025

PW-2: Evaluate existing and new funding sources to support roadway infrastructure improvements. (Public Infrastructure)

Implementation Measure 2.1:

<i>Implementation Measure:</i>	Identify deferred pavement maintenance needs.
<i>Status:</i>	75%
<i>Milestone:</i>	Finalize deferred maintenance cost.
<i>Estimated Completion Date:</i>	7/1/2024

Implementation Measure 2.2:

<i>Implementation Measure:</i>	Create a marketing identity and develop webpage to promote paving plan, projects, and funding.
<i>Status:</i>	25%
<i>Milestone:</i>	Webpage published including projects of all funding types.
<i>Estimated Completion Date:</i>	7/1/2024

Implementation Measure 2.3:

<i>Implementation Measure:</i>	Promote projects via social media 3-4 times per month, including messaging on funding sources.
<i>Status:</i>	0%
<i>Milestone:</i>	Create editorial calendar for promotion of infrastructure projects.
<i>Estimated Completion Date:</i>	6/30/2025

Implementation Measure 2.4:

<i>Implementation Measure:</i>	Install signage during construction and following completion of infrastructure projects that advertise funding sources and use links for public information.
<i>Status:</i>	0%
<i>Milestone:</i>	Develop signage template.
<i>Estimated Completion Date:</i>	6/30/2025

PW-3: Address traffic circulation issues at the intersection of San Marco Boulevard and W Leland Road. (Public Infrastructure)**Implementation Measure 3.1:**

<i>Implementation Measure:</i>	Have ECCCRFFA Board vote to prioritize W Leland Road Extension Project.
<i>Status:</i>	50%
<i>Milestone:</i>	Have ECCCRFFA Board vote to prioritize W Leland Road Extension Project.
<i>Estimated Completion Date:</i>	7/1/2024

Implementation Measure 3.2:

<i>Implementation Measure:</i>	Execute design agreement.
<i>Status:</i>	0%
<i>Milestone:</i>	Create Request for Qualifications for design of W Leland Road Extension Project.
<i>Estimated Completion Date:</i>	9/30/2024

Implementation Measure 3.3:

<i>Implementation Measure:</i>	Award construction contract.
<i>Status:</i>	0%
<i>Milestone:</i>	Create bid package.
<i>Estimated Completion Date:</i>	4/30/2026

Implementation Measure 3.4:

<i>Implementation Measure:</i>	Work with Caltrans to develop concepts and timelines for interchange improvements at Highway 4.
<i>Status:</i>	0%
<i>Milestone:</i>	Establish meeting with Caltrans staff.
<i>Estimated Completion Date:</i>	6/30/2025

PW-4: Address traffic circulation issues along Railroad Avenue corridor. **(Public Infrastructure)**

Implementation Measure 4.1:

<i>Implementation Measure:</i>	Execute Ownership, Operations, and Maintenance Agreement with CCTA for Smart Signals Project.
<i>Status:</i>	10%
<i>Milestone:</i>	Finalize agreement.
<i>Estimated Completion Date:</i>	7/1/2024

Implementation Measure 4.2:

<i>Implementation Measure:</i>	Collaborate with CCTA on design of the Smart Signals Project.
<i>Status:</i>	0%
<i>Milestone:</i>	Execute design agreement.
<i>Estimated Completion Date:</i>	12/31/2024

Implementation Measure 4.3:

<i>Implementation Measure:</i>	Complete Pittsburg Center Smart City Project.
<i>Status:</i>	0%
<i>Milestone:</i>	Hire design consultant.
<i>Estimated Completion Date:</i>	6/30/2025

Implementation Measure 4.4:

<i>Implementation Measure:</i>	Work with Caltrans to develop concepts and timelines for interchange improvements at Highway 4.
<i>Status:</i>	0%
<i>Milestone:</i>	Establish meeting with Caltrans staff.
<i>Estimated Completion Date:</i>	6/30/2025

PW-5: Engage and advocate with Caltrans in improved communication and collaboration. (Public Infrastructure)

Implementation Measure 5.1:

<i>Implementation Measure:</i>	Hold monthly meetings with key Caltrans personnel to discuss goals and challenges in the City of Pittsburgh.
<i>Status:</i>	0%
<i>Milestone:</i>	Hold initial meeting to identify key Caltrans staff.
<i>Estimated Completion Date:</i>	6/30/2025

Implementation Measure 5.2:

<i>Implementation Measure:</i>	Get involved in Caltrans activities.
<i>Status:</i>	0%
<i>Milestone:</i>	Community groups, committees, meetings, conferences, local assistance, and headquarters.
<i>Estimated Completion Date:</i>	6/30/2025

PW-6: Construct Water Treatment Plant Filtration Improvements and Hypochlorite Conversion Project (Public Infrastructure)

Implementation Measure 6.1:

<i>Implementation Measure:</i>	Award construction contract.
<i>Status:</i>	0%
<i>Milestone:</i>	Award construction contract.
<i>Estimated Completion Date:</i>	7/1/2024

Implementation Measure 6.2:

<i>Implementation Measure:</i>	Complete project mobilization.
<i>Status:</i>	0%
<i>Milestone:</i>	Complete project mobilization.
<i>Estimated Completion Date:</i>	7/1/2024

Implementation Measure 6.3:

Implementation Measure:	Activate new filter gallery.
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Status:	0%
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Milestone:	Construct new filter gallery.
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Estimated Completion Date:	
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Implementation Measure 6.4:

Implementation Measure:	Accept project as complete.
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Status:	0%
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Milestone:	Complete construction of the improvements.
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Estimated Completion Date:	6/30/2027
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COMMUNITY SERVICES

CS-1: Enroll participants in a self-sufficiency pilot program. **(Quality of Life)**

Implementation Measure 1.1:

<i>Implementation Measure:</i>	Draft pilot program.
<i>Status:</i>	0%
<i>Milestone:</i>	Identify potential partners.
<i>Estimated Completion Date:</i>	07/31/2024

Implementation Measure 1.2:

<i>Implementation Measure:</i>	Identify potential partners.
<i>Status:</i>	0%
<i>Milestone:</i>	Meet with potential partners.
<i>Estimated Completion Date:</i>	08/15/2024

Implementation Measure 1.3:

<i>Implementation Measure:</i>	Meet with potential partners.
<i>Status:</i>	0%
<i>Milestone:</i>	Establish program offerings.
<i>Estimated Completion Date:</i>	09/30/2024

Implementation Measure 1.4:

<i>Implementation Measure:</i>	Establish program offerings.
<i>Status:</i>	0%
<i>Milestone:</i>	Present self-sufficiency pilot program to Life Enrichment Subcommittee.
<i>Estimated Completion Date:</i>	10/15/2024

Implementation Measure 1.5:

<i>Implementation Measure:</i>	Present self-sufficiency pilot program to Life Enrichment Subcommittee.
<i>Status:</i>	
<i>Milestone:</i>	Finalize self-sufficiency pilot program, incorporating Life Enrichment Subcommittee comments and recommendation.
<i>Estimated Completion Date:</i>	11/20/2024

Implementation Measure 1.6:

<i>Implementation Measure:</i>	Finalize self-sufficiency pilot program, incorporating Life Enrichment Subcommittee comments and recommendation.
<i>Status:</i>	0%
<i>Milestone:</i>	Governing Board of the Housing Authority approval of the self-sufficiency pilot program.
<i>Estimated Completion Date:</i>	11/30/2024

Implementation Measure 1.7:

<i>Implementation Measure:</i>	Governing Board of the Housing Authority approval of the self-sufficiency pilot program.
<i>Status:</i>	0%
<i>Milestone:</i>	Reach out to potential participants.
<i>Estimated Completion Date:</i>	12/16/2024

Implementation Measure 1.8:

<i>Implementation Measure:</i>	Reach out potential participants by sending out letters to Housing Authority participants regarding the self-sufficiency pilot program opportunities.
<i>Status:</i>	0%
<i>Milestone:</i>	Conduct an orientation with potential participants and providers.
<i>Estimated Completion Date:</i>	01/03/2025

Implementation Measure 1.9:

<i>Implementation Measure:</i>	Conduct an orientation with potential participants and providers.
<i>Status:</i>	0%
<i>Milestone:</i>	Monitor enrollment and report outcome to Life Enrichment Subcommittee.
<i>Estimated Completion Date:</i>	02/05/2025

Implementation Measure 1.10:

<i>Implementation Measure:</i>	Report outcome to Life Enrichment Subcommittee.
<i>Status:</i>	0%
<i>Milestone:</i>	Continue to monitor enrollment and report outcome to the Governing Board of the Housing Authority.
<i>Estimated Completion Date:</i>	05/19/2025

CS-2: Preservation of affordable housing stock through the housing rehabilitation loan program. **(Quality of Life)**

Implementation Measure 2.1:

<i>Implementation Measure:</i>	Identify funding sources.
<i>Status:</i>	0%
<i>Milestone:</i>	Research grant opportunities.
<i>Estimated Completion Date:</i>	07/31/2024

Implementation Measure 2.2:

<i>Implementation Measure:</i>	Research grant opportunities
<i>Status:</i>	0%
<i>Milestone:</i>	Apply for grant opportunities as they are available
<i>Estimated Completion Date:</i>	06/30/2025

Implementation Measure 2.3:

<i>Implementation Measure:</i>	Revise program policy to include clear deadlines.
<i>Status:</i>	0%
<i>Milestone:</i>	Review and revise brochure and loan application.
<i>Estimated Completion Date:</i>	07/31/2024

Implementation Measure 2.4:

<i>Implementation Measure:</i>	Review and revise brochure and loan application.
<i>Status:</i>	0%
<i>Milestone:</i>	Present revised program policy and materials to the Life Enrichment Subcommittee.
<i>Estimated Completion Date:</i>	08/21/2024

Implementation Measure 2.5:

<i>Implementation Measure:</i>	Present revised program policy and materials to the Life Enrichment Subcommittee.
<i>Status:</i>	0%
<i>Milestone:</i>	Present revised program policy and materials to the City Council.
<i>Estimated Completion Date:</i>	09/18/2024

Implementation Measure 2.6:

<i>Implementation Measure:</i>	Present revised program policy and materials to the City Council.
<i>Status:</i>	0%
<i>Milestone:</i>	Campaign to promote program to eligible residents.
<i>Estimated Completion Date:</i>	10/21/2024

Implementation Measure 2.7:

<i>Implementation Measure:</i>	Campaign to promote program to eligible residents.
<i>Status:</i>	0%
<i>Milestone:</i>	Issue Loans throughout the fiscal year.
<i>Estimated Completion Date:</i>	6/30/2025

Implementation Measure 2.8:

<i>Implementation Measure:</i>	Issue Loans throughout the fiscal year.
<i>Status:</i>	0%
<i>Milestone:</i>	
<i>Estimated Completion Date:</i>	6/30/2025

CS-3: Continue with the Development of Bliss Avenue. Development is a multi-year goal. Phase 2 – Development Agreement. (Economic Development)

Implementation Measure 3.1

<i>Implementation Measure:</i>	Issue RFP .
<i>Status</i>	0%
<i>Milestone:</i>	Review responses to RFP.
<i>Estimated Completion Date:</i>	07/15/2024

Implementation Measure 3.2

<i>Implementation Measure:</i>	Review responses to RFP.
<i>Status</i>	0%
<i>Milestone:</i>	Present RFP outcome to Economic Development Subcommittee.
<i>Estimated Completion Date:</i>	09/06/2024

Implementation Measure 3.3

<i>Implementation Measure:</i>	Present RFP outcome to Economic Development Subcommittee
<i>Status</i>	0%
<i>Milestone:</i>	Negotiate an Exclusive Negotiating Agreement (ENA)
<i>Estimated Completion Date:</i>	10/09/2024

Implementation Measure 3.4

<i>Implementation Measure:</i>	ENA.
<i>Status</i>	0%
<i>Milestone:</i>	Negotiate a Disposition and Development Agreement (DDA).
<i>Estimated Completion Date:</i>	12/16/2024

Implementation Measure 3.5

<i>Implementation Measure:</i>	Negotiate a DDA.
<i>Status</i>	0%
<i>Milestone:</i>	Present DDA terms to Economic Development Subcommittee.
<i>Estimated Completion Date:</i>	3/20/2025

Implementation Measure 3.6

<i>Implementation Measure:</i>	DDA – City Council approval and Governing Board of the Housing Authority approval (if assistance is given).
<i>Status</i>	0%
<i>Milestone:</i>	
<i>Estimated Completion Date:</i>	6/30/2025

ENVIRONMENTAL SERVICES

ES-1: Promote public transit incentive programs that are available to the community. **(Public Infrastructure)**

Implementation Measure 1.1:

<i>Implementation Measure:</i>	Collaborate with transit partners (Tri Delta Transit, BART, MTC) to determine incentives for transit programs.
<i>Status:</i>	0%
<i>Milestone:</i>	Meet with Public Works Department and transit partners.
<i>Estimated Completion Date:</i>	7/30/2024

Implementation Measure 1.2:

<i>Implementation Measure:</i>	Promote existing transit program incentives to encourage ridership.
<i>Status:</i>	0%
<i>Milestone:</i>	Develop an advertising schedule for incentive promotions.
<i>Estimated Completion Date:</i>	6/30/2025

Implementation Measure 1.3:

<i>Implementation Measure:</i>	Research the potential impacts of a trolley route.
<i>Status:</i>	0%
<i>Milestone:</i>	Gather data from research and present findings.
<i>Estimated Completion Date:</i>	1/30/2025

ES-2: Enhance clean-up day program to mitigate illegal dumping. (Public Infrastructure)

Implementation Measure 2.1:

<i>Implementation Measure:</i>	Identify illegal dumping mitigation needs throughout the city.
<i>Status:</i>	20%
<i>Milestone:</i>	Meet with key partners, Code Enforcement and Public Works departments to discuss the current state of illegal dumping, including locations and frequency. The Police Department and City Attorney will bring an Illegal Dumping Ordinance to the March 4, 2024, Council Meeting.
<i>Estimated Completion Date:</i>	7/30/2024

Implementation Measure 2.2:

<i>Implementation Measure:</i>	Analyze current clean-up programs and collected data to determine clean-up frequency.
<i>Status:</i>	20%
<i>Milestone:</i>	Collaborate with appropriate partners and departments to develop additional clean-up days within the city. Current planned events include Civic Pride Day, a community event organized in partnership with the Pittsburgh Unified School District to clean trails, parks, and schools.
<i>Estimated Completion Date:</i>	7/30/2024

Implementation Measure 2.3:

<i>Implementation Measure:</i>	Schedule at least two community clean-up days.
<i>Status:</i>	20%
<i>Milestone:</i>	Collaborate with appropriate departments and community partners to schedule an additional fall clean-up day and Civic Pride Day in the Spring. Current planned events include Civic Pride Day, a community event organized in partnership with the Pittsburgh Unified School District to clean trails, parks, and schools.
<i>Estimated Completion Date:</i>	7/30/2024

Implementation Measure 2.4:

<i>Implementation Measure:</i>	Promote clean-up days.
<i>Status:</i>	0%
<i>Milestone:</i>	Engage the community to participate in clean-up days.
<i>Estimated Completion Date:</i>	6/30/2025

PITTSBURG POWER COMPANY / ISLAND ENERGY

PPC-1: Develop energy supply strategy for the Water Treatment Plant. **(Economic Development)**

Implementation Measure 1.1:

<i>Implementation Measure:</i>	Conduct assessment of energy usage and needs for the Water Treatment Plant.
<i>Status:</i>	20%
<i>Milestone:</i>	Complete review of historic energy usage; identify potential future demands with the water treatment plant.
<i>Estimated Completion Date:</i>	9/30/2024

Implementation Measure 1.2:

<i>Implementation Measure:</i>	Create energy delivery solutions and implementation plan (market energy supply, new infrastructure, renewables applications).
<i>Status:</i>	0%
<i>Milestone:</i>	Draft plan submitted for internal review.
<i>Estimated Completion Date:</i>	3/30/2025

Implementation Measure 1.3:

<i>Implementation Measure:</i>	Present the plan to the Pittsburgh Power Company Board.
<i>Status:</i>	0%
<i>Milestone:</i>	Acceptance of the plan by Pittsburgh Power Company Board.
<i>Estimated Completion Date:</i>	6/30/2025

RECREATION

REC-1: Evaluate and prioritize events and experience-based entertainment. **(Quality of Life)**

Implementation Measure 1.1:

<i>Implementation Measure:</i>	Collect and analyze event participation data for calendar years 2022 and 2023 to gauge success
<i>Status:</i>	0%
<i>Milestone:</i>	Determine ROI (staffing/equipment, revenue, attendance rate, participation, community feedback etc.)
<i>Estimated Completion Date:</i>	10/31/2024

Implementation Measure 1.2:

<i>Implementation Measure:</i>	Evaluate locations throughout the city to promote community engagement through events.
<i>Status:</i>	0%
<i>Milestone:</i>	Parks
<i>Estimated Completion Date:</i>	12/30/2024

Implementation Measure 1.3:

<i>Implementation Measure:</i>	Present data to Community Advisory Commission and obtain feedback.
<i>Status:</i>	0%
<i>Milestone:</i>	
<i>Estimated Completion Date:</i>	2/15/2025

Implementation Measure 1.4:

<i>Implementation Measure:</i>	Present data to Subcommittee and obtain feedback.
<i>Status:</i>	0%
<i>Next Milestone:</i>	
<i>Estimated Completion Date:</i>	2/20/2025

Implementation Measure 1.5:

<i>Implementation Measure:</i>	Based on data and feedback determine additional events to include in 2025 calendar.
<i>Status:</i>	0%
<i>Milestone:</i>	
<i>Estimated Completion Date:</i>	3/15/2025

REC-2: Work with our educational partners to provide career pathways and opportunities for youth and young adults as identified in the Youth & Young Adult Services Master Plan Objective 2. **(Quality of Life)**

Implementation Measure 2.1:

<i>Implementation Measure:</i>	Conduct youth services symposium with local providers to identify programs and opportunities.
<i>Status:</i>	0%
<i>Milestone:</i>	Determine date, location and invite list; set agenda.
<i>Estimated Completion Date:</i>	09/30/2024

Implementation Measure 2.2:

<i>Implementation Measure:</i>	Survey Pittsburg High students on interest and accessibility of/to career pathways and trade programs and evaluate feedback.
<i>Status:</i>	0%
<i>Milestone:</i>	Attend the Pittsburg High School Trades Fair, with key partners from various City departments to provide information to students on pathways.
<i>Estimated Completion Date:</i>	4/1/2025

Implementation Measure 2.3:

<i>Implementation Measure:</i>	Work with Pittsburg Unified to provide career exploration and job shadow opportunities with local employers.
<i>Status:</i>	0%
<i>Milestone:</i>	Meet with PUSD Career Technical Education & Workforce Dept to identify opportunity areas.
<i>Estimated Completion Date:</i>	6/30/2025

REC-3: Promote “Pittsburg Cares” during mental health awareness month with events and activities to support community engagement. (**Quality of Life**)

Implementation Measure 3.1:

<i>Implementation Measure:</i>	In collaboration with community partners coordinate an event to promote mental health wellness.
<i>Status:</i>	0%
<i>Milestone:</i>	Determine event type, budget and key partners.
<i>Estimated Completion Date:</i>	5/30/2025

Implementation Measure 3.2:

<i>Implementation Measure:</i>	Establish a network of service providers for mental health.
<i>Status:</i>	0%
<i>Milestone:</i>	Disseminate resources to enhance metal health literacy and promote connections to care.
<i>Estimated Completion Date:</i>	12/31/2024

Implementation Measure 3.3:

<i>Implementation Measure:</i>	Create a “Pittsburg Cares” Proclamation deeming May as “Pittsburg Cares” in honor of Mental Health awareness month.
<i>Status:</i>	0%
<i>Milestone:</i>	Work with City Clerk’s Office to determine possible language.
<i>Estimated Completion Date:</i>	5/30/2025

FINANCE

FI-1: Enterprise Resource Planning (ERP) - implementation of financial system. **(Efficiency)**

Implementation Measure 1.1:

<i>Implementation Measure:</i>	Finalize the new Chart of Accounts (CoA) for the City.
<i>Status:</i>	25% (Finance team working on generating the new CoA)
<i>Milestone:</i>	Hand over the new CoA for the City to Tyler during the implementation phase.
<i>Estimated Completion Date:</i>	8/31/2024

Implementation Measure 1.2:

<i>Implementation Measure:</i>	Finalize the process/policy changes for Finance that will be adhered to by the new ERP system.
<i>Status:</i>	25% (Process Improvement Teams (PIT) have been working on this for some time now)
<i>Milestone:</i>	Identify the Finance process/policy changes that will be adhered to by the new ERP system.
<i>Estimated Completion Date:</i>	9/31/2024

Implementation Measure 1.3:

<i>Implementation Measure:</i>	Migrate financial systems data from existing Eden system to the new ERP system.
<i>Status:</i>	0% (Activities on this front will begin in 3 rd quarter of 2024)
<i>Milestone:</i>	Plan the migration activities through the vendor (Tyler).
<i>Estimated Completion Date:</i>	11/30/2024

Implementation Measure 1.4:

<i>Implementation Measure:</i>	Financial modules in the new ERP system goes live.
<i>Status:</i>	0%
<i>Milestone:</i>	Financial system successfully moved from Eden to new ERP.
<i>Estimated Completion Date:</i>	02/28/2025

FI-2: Enterprise Resource Planning (ERP) - implementation of Human Resources (HR) system. (Efficiency)

Implementation Measure 2.1:

<i>Implementation Measure:</i>	Finalize the process/policy changes for HR that will be adhered to by the new ERP system.
<i>Status:</i>	25% (Process Improvement Teams (PIT) have been working on this for some time now)
<i>Milestone:</i>	Identify the HR process/policy changes that will be adhered to by the new ERP system.
<i>Estimated Completion Date:</i>	4/30/2025

Implementation Measure 2.2:

<i>Implementation Measure:</i>	Migrate HR systems data from existing Eden system to the new ERP system.
<i>Status:</i>	0%. (Activities on this front will begin in 2nd quarter of 2025)
<i>Milestone:</i>	Plan the migration activities through the vendor (Tyler).
<i>Estimated Completion Date:</i>	6/30/2025

FI-3: Finalize the financial transparency dashboard for the new Enterprise Resource Planning (ERP) system. (Efficiency)

Implementation Measure 3.1:

<i>Implementation Measure:</i>	Research financial transparency best practices.
<i>Status:</i>	10%
<i>Milestone:</i>	Interact with other cities and vendors to evaluate the options available in this segment.
<i>Estimated Completion Date:</i>	10/31/2024

Implementation Measure 3.2:

<i>Implementation Measure:</i>	Begin implementation of transparency modules.
<i>Status:</i>	0%
<i>Milestone:</i>	Finalize the vendors which will provide the transparency modules for the City.
<i>Estimated Completion Date:</i>	6/30/2025

FI-4: Improve user experience with the City website. (Efficiency)

Implementation Measure 4.1:

<i>Implementation Measure:</i>	Survey City staff to identify potential improvement areas to City website and customer engagement portals.
<i>Status:</i>	0%
<i>Milestone:</i>	IT to develop the survey in consultation with key stakeholders.
<i>Estimated Completion Date:</i>	07/31/2024

Implementation Measure 4.2:

<i>Implementation Measure:</i>	Survey the community to identify potential improvement areas to the City website and customer engagement portals.
<i>Status:</i>	0%
<i>Milestone:</i>	IT to develop the survey in consultation with key stakeholders.
<i>Estimated Completion Date:</i>	9/30//2024

Implementation Measure 4.3:

<i>Implementation Measure:</i>	Evaluate internal and external survey feedback.
<i>Status:</i>	0%
<i>Milestone:</i>	Identify potential areas of enhancement.
<i>Estimated Completion Date:</i>	11/30/2024

Implementation Measure 4.4:

<i>Implementation Measure:</i>	Provide recommendations for enhancements including cost and potential vendors.
<i>Status:</i>	0%
<i>Milestone:</i>	Provide report to City Manager, Subcommittee, Council if necessary for budgetary appropriation.
<i>Estimated Completion Date:</i>	12/30/2024

Implementation Measure 4.5:

<i>Implementation Measure:</i>	Implement the approved enhancements.
<i>Status:</i>	0%
<i>Milestone:</i>	Improved user experience with the City website and customer engagement portals.

HUMAN RESOURCES

HR-1: Establish service level standards. (Efficiency)

Implementation Measure 1.1:

<i>Implementation Measure:</i>	Identify customer engagement metrics.
<i>Status:</i>	0%
<i>Next Milestone:</i>	Collaborate with key stakeholders to gather customer response times (review current standard practices by department, customer engagement tracking data through city platforms, challenges to response times, etc.) Coordinate a citywide project team to gather feedback on service challenges and opportunities.
<i>Estimated Completion Date:</i>	08/30/2024

Implementation Measure 1.2:

<i>Implementation Measure:</i>	Submit report to city departments with findings and recommendations for best practices.
<i>Status:</i>	0%
<i>Milestone:</i>	Research industry standards; schedule meetings with departments and project team to review findings and discuss service gaps and opportunities; identify preliminary service level agreements by service area; seek feedback and identify necessary resources.
<i>Estimated Completion Date:</i>	12/30/2024

Implementation Measure 1.3:

<i>Implementation Measure:</i>	Develop service level agreements with departments.
<i>Status:</i>	0%
<i>Milestone:</i>	Provide recommendations for service level agreements; establish a communication strategy including employee training.
<i>Estimated Completion Date:</i>	2/7/2025

Implementation Measure 1.4:

<i>Implementation Measure:</i>	Implement service standards procedures.
<i>Status:</i>	
<i>Milestone:</i>	Establish an Administrative Policy for Service Standards.
<i>Estimated Completion Date:</i>	3/28/2025

POLICE DEPARTMENT

PD-1: Implement Violent Crime Reduction Strategies. (Public Safety)

Implementation Measure 1.1:

Implementation Measure:	<i>Increase monthly traffic enforcement in business and commercial districts mirroring hours identified with violent crime analysis.</i>
Status:	0%
Milestone:	<i>Strategic enforcement applied through continual trend analysis. Monthly traffic enforcement in business and commercial districts mirroring hours identified with violent crime analysis.</i>
Estimated Completion Date:	12/31/2024

Implementation Measure 1.2:

Implementation Measure:	<i>Conduct local agency (East County) collaborative enforcement and intelligence sharing operations.</i>
Status:	0%
Milestone:	<i>Create an East County Crime Reduction Coalition and hold crime reduction quarterly meetings. First meeting to be held prior to 10/30/2024</i>
Estimated Completion Date:	12/31/2024

Implementation Measure 1.3:

Implementation Measure:	<i>Intelligence based enforcement merging trending analytics with active daily enforcement.</i>
Status:	0%
Milestone:	<i>Continual monthly analysis of violent crime locations and times.</i>
Estimated Completion Date:	03/31/2024

PD-2: Forecast and model police resources to match growth of community (forecast needs to meet Council priorities (i.e., ratio, crime rates, etc.) **(Public Safety)**

Implementation Measure 2.1:

<i>Implementation Measure:</i>	<i>Conduct meetings with Planning and Economic Development departments to forecast city growth for the purposes of maintaining current and future public safety service levels.</i>
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<i>Status:</i>	<i>0%</i>
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<i>Milestone:</i>	<i>Collaborate with key stakeholders to establish needs assessment related to service levels.</i>
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<i>Estimated Completion Date:</i>	<i>12/31/2024</i>
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Implementation Measure 2.2:

<i>Implementation Measure:</i>	<i>Analyze and forecast geographical expansion in order to identify community service response and reporting needs.</i>
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<i>Status:</i>	<i>0%</i>
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<i>Milestone:</i>	<i>Utilize this gathered data to determine current and future department resources.</i>
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<i>Estimated Completion Date:</i>	<i>03/31/2024</i>
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**CITY OF PITTSBURG
CITY COUNCIL/AGENCY CONCURRENT MEETING MINUTES**

DATE: March 04, 2024

LOCATION: Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, CA 94565

CITY COUNCIL/AGENCY MEMBERS

Juan Antonio Banales, Mayor/Chair
Jelani Killings, Vice-Mayor/Chair
Dionne Adams, Council/Agency Member
Angelica Lopez, Council/Agency Member
Shanelle Scales-Preston, Council/Agency Member
S.L. Floyd, Agency Member
Annie Hill Herring, Agency Member

APPOINTED OFFICIALS

Garrett Evans, City Manager/Executive Director
Donna Mooney, City Attorney/Legal Counsel
Alice E. Evenson, City Clerk/Agency Secretary (elected)
Nancy Parent, City Treasurer (elected)

Vice Mayor Killings called the regular meeting to order at 7:01 P.M. in the Council Chamber at City Hall, 65 Civic Avenue Pittsburg, CA after having convened at 5:38 P.M. for a Special Meeting for Community Advisory Commission Interviews.

ROLL CALL

Mayor Banales and Member Scales-Preston were absent and excused.

PLEDGE OF ALLEGIANCE

Chief Albanese led the Pledge of Allegiance.

PROCLAMATIONS

2. Red Cross Month

CITY MANAGER REPORTS/REMARKS

Assistant City Manager Aliotti gave an update on Community events.

PUBLIC COMMENTS

There were no public comments.

COMMITTEE REPORTS

Member Adams attended the Life Enrichment subcommittee meeting.

CONSIDERATION

3. Adoption of City Council Minute Order Appointing a Board Member to Fill a Vacant Seat on the Pittsburg Enhanced Infrastructure District Public Financing Authority Board.

City Manager noted this item will be continued to a date uncertain.

4. Introduction and Waive First Reading of an Ordinance Amending the Pittsburg Municipal Code to add Chapter 8.14, "Illegal Dumping".

On Motion by Member Lopez, seconded by Member Adams to introduce and waive further reading of the ordinance Amending the Pittsburg Municipal Code to add Chapter 8.14, "Illegal Dumping" and adopted by the following vote:

AYES: Adams, Killings, Lopez
ABSENT: Scales-Preston, Banales

CONFLICT OF INTEREST STATEMENT

There were no conflict of interests statements.

COMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION, PITTSBURG POWER COMPANY, SOUTHWEST PITTSBURG GHAD II AND SUCCESSOR AGENCY CONSENT CALENDAR

City Manager Evans noted that items #8 and #12 on the Consent Calendar were being pulled and would be brought back at a later date.

On Motion by Member Adams, seconded by Member Lopez and adopted by the following vote:

AYES: Adams, Killings, Lopez
ABSENT: Scales-Preston, Banales

5. Minutes of February 5, 2024 and February 20, 2024.
6. Adoption of a City Council Resolution Accepting the Plans and Specifications and Awarding Project 3024 - Buchanan Road Slope Repair.
7. Adoption of a City Council Resolution Accepting the Public Improvements for Subdivision 9235 Vista Del Mar II.
9. Adoption of a City Council Resolution Accepting the Fiscal Year 2023/24 Rubberized Pavement Grant from CalRecycle and Allocating Grant Funds to Project 2040.
10. Adoption of a City Council Resolution Establishing the Maximum Number of Condominium Conversions for Calendar Year 2024.
11. Adoption of a City Council Resolution Allocating Additional Funds, Accepting the Plans and Specifications, and Awarding Project 2019 - BART Pedestrian & Bicycle Connectivity.

8. Adoption of a City Council Resolution Approving the Final Map, Subdivision Improvement Agreement, and Improvement Plans for Subdivision 9550 Liberty II.

12. Adoption of Two Ordinances for the Objective Design Standards 2023 Project: 1) Adding Article XXI to Chapter 18.84 of the Pittsburg Municipal Code; and 2) Amending the Zoning Map for Certain Multi-family Housing and Mixed-use Development Projects to Further Housing Production Consistent with State Law

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

There were no requests for future agenda items.

COUNCIL MEMBER REMARKS

There were no remarks from Council Members.

ADJOURNMENT

The meeting was adjourned at 7:28 P.M. to February 20, 2024.

Respectfully submitted,

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Authorizing the Application of the 2024/25 Transportation Development Act (TDA) Article 3 Grant Funds

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

The City recommends pursuing the Fiscal Year 2024/25 Transportation Development Act (TDA) Article 3 Grant in the amount of \$110,000 to design and construction rectangular rapid flashing beacons (RRFB) at five (5) crosswalks near schools within the City of Pittsburg. This resolution will approve the application of the TDA Article 3 Grant.

FISCAL IMPACT

There is no anticipated financial impact to the City. The grant will cover all project costs and there is no required local match.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing the City to apply for the TDA Article 3 Grant.

BACKGROUND

On November 7, 2023, the Metropolitan Transportation Commission (MTC) issued a letter soliciting applications for the Fiscal Year 2024/25 TDA Article 3 funds for pedestrian and bicycle projects.

On January 25, 2025, staff submitted a grant application to MTC for the 2024/25 TDA Article 3 Funds in the amount of \$110,000.

The application requests funding for the design and construction of RRFB near schools in the City.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

Pedestrian and bicyclist safety in and around City schools continues to be a priority concern for the City. Due to increased traffic, additional measures to mitigate and prevent the risk of injury for residents are of vital importance.

The City has installed RRFB at five (5) school crosswalks and will be installing RRFB at four (4) Delta De Anza Trail crossings in Fiscal Year 2023/24 to improve pedestrian and bicycle safety. Installing additional RRFB would further aid safety measures and improve traffic calming for pedestrians and bicyclists near schools.

The proposed locations for the RRFB are as follows;

1. Mariana Vista Elementary School (Black Diamond Street @ W 9th Street)
2. MLK Junior High School (El Pueblo Avenue @ Hermosa Avenue)
3. Parkside Elementary School (Power Avenue @ Jorgensen Drive)
4. Hillview Junior High School (San Juan Drive @ Calistoga Drive)
5. Hillview Junior High School (San Juan Drive @ Mariposa Drive)

ATTACHMENTS: Resolution
 TDA 2024/2025 Letter
 TDA 2024/2025 Grant Application

Report Prepared By: Khristin Labao, Associate Engineer



Contra Costa County
Public Works
Department

Brian M. Balbas, Director

Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Warren Lai
Carrie Ricci
Joe Yee

November 7, 2023

«NAME», «TITLE»
«AGENCY»
«STREET_ADDRESS»
«CITY_STATE_ZIP»

RE: 2024/2025 TDA Grant Applications

Dear «SALUTATION»:

The Metropolitan Transportation Commission (MTC) will soon be soliciting applications for 2024/2025 Transportation Development Act (TDA) Article 3 funds for pedestrian and bicycle projects. MTC has not yet released the estimated bid target for Contra Costa. Last year's total allocation was approximately \$1,150,000.00. **Please do not use last year's materials to generate your new project applications or resolutions as this practice has led to inconsistencies in previously submitted applications. Use the forms provided on the MTC website.**

Each city may submit one project for consideration and the County may submit one each from West, Central and East Contra Costa County. You are encouraged to include indications of review and support by the public. Additionally, MTC requires input from bicycle groups on the proposed projects.

If you elect to have the Countywide Bicycle Advisory Committee (CBAC) review your project proposal, you must submit your potential TDA project to me by **5:00 p.m. on Thursday, November 30, 2023**. This submittal should include a list of your potential projects, plus 10 copies of a preliminary application for each project. To facilitate the CBAC review, the preliminary applications should follow a consistent format. Please fill out the TDA application form as completely as possible and include a project description, project limits, location map and a detailed preliminary cost estimate. After reviewing the projects, the CBAC will send each participating jurisdiction comments on the projects submitted. Jurisdictions will then be asked to prepare a final application for the project you wish to submit.

You do not need to submit preliminary applications on November 30, 2023 if you are using your own city or town bicycle advisory committee instead of the CBAC. Final applications will be due by 5:00 p.m. on Thursday, January 25, 2024.

"Accredited by the American Public Works Association"

255 Glacier Drive Martinez, CA 94553-4825
TEL: (925) 313-2000 • FAX: (925) 313-2333
www.cccpublicworks.org

The schedule for the TDA process is as follows:

November 30, 2023	DEADLINE - Preliminary applications due to County (10 stapled copies) for CBAC review.
December 11, 2023	Tentative Date - CBAC Review
December 18, 2023	Comments from CBAC returned to jurisdictions.
January 25, 2024	DEADLINE - Final applications due (original and ten (10) stapled copies to the County).
February 22, 2024 (tentative)	Review by TDA Subcommittee.
March 2024	TDA Subcommittee submits priority list to CCEAC for approval.
April 2024	Mayor's Conference Approval
May 2024	Board of Supervisor's Approval
June 2024	Approved priority list transmitted to MTC

Reminder: MTC must have complete applications for each project on the priority list to approve funding. A complete application includes the following:

- ☐ Application
- ☐ Site Map
- ☐ Authorizing Resolution
- ☐ Approved Environmental Document
- ☐ You also must have completed your audit requirement

If you have any questions, please call me at (925) 313-2276 or email jerry.fahy@pw.cccounty.us.

Sincerely,



Jerry Fahy
Division Manager
Transportation Engineering

JF:jf
G:\transeng\TDA Grant\2024-2025 TDA\TDA 2024-2025 - Call for Projects Letter.docx

C: Brian Balbas, PW Director
Steve Kowalewski, Chief PW Deputy Director
Luis Garcia, MTC
CCEAC - TDA Subcommittee Chair
CBAC - Members

TDA Article 3 Grant Application

Fiscal Year 2024/25

Safe Routes to School - Crosswalk Improvements Project



Prepared By:
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565



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INTRODUCTION

The main functions of crosswalks are to improve safety by directing pedestrians to the safe crossing location and reinforce the legitimacy of pedestrian crossings.

The City of Pittsburg in February of 2020 adopted the Pittsburg Moves Active Transportation Plan. After evaluating current conditions and future development goals, the City of Pittsburg has recognized that additional improvements to crosswalks may be beneficial by increasing driver awareness of pedestrians, especially in surrounding school areas.

The City is seeking grant funding from to help design and install rectangular rapid flashing beacons (RRFBs) with push buttons at five school crosswalk locations throughout the City of Pittsburg. All the crosswalks are within 900 feet and less from schools. Exhibits are provided on pages 5 to 9 and organized in their respective priority order. We understand that if funds are limited, only a few locations may be selected.

Please consider our TDA Fiscal Year 2024/2025 grant application for funding to help create a safer route to school for our City of Pittsburg Unified School District students and residents.

Attachment B**TDA Article 3 Project Application Form**

1. Agency	City of Pittsburg		
2. Primary Contact	Khristin Labao		
3. Mailing Address	65 Civic Avenue, Pittsburg, CA 94565		
4. Email Address	Klabao@pittsburgca.gov	5. Phone Number	(925) 252-4251
6. Secondary Contact (in the event primary is not available)	Mariana Mena		
7. Mailing address (if different) N/A ☐			
8. Email Address	mmena@pittsburgca.gov	9. Phone Number	(925) 252-4115
10. Send allocation instructions to (if different from above):			
11. Project Title	Safe Routes to School – Crosswalk Improvements Project		
12. Amount requested	\$110,000	13. Fiscal Year of Claim	2024/2025

14. Description of Overall Project:

Design, purchase, and installation of rectangular rapid flashing beacons (RRFBs) with push buttons at four school crosswalks to assist pedestrian and bicyclist to cross the roadway safely. Priority of traffic control devices based on available funding would be in the following order: Black Diamond, El Pueblo Ave, San Juan Dr at Calistoga Ave and Mariposa Dr, and Power Ave. All crosswalks are within 900 feet or less from a school.

15. Project Scope Proposed for Funding: (Project level environmental, preliminary planning, and ROW are ineligible uses of TDA funds.)

Funding would assist with evaluation of existing site conditions and design placement locations, staff time, purchase of RRFBs, and installation of RRFBs at proposed crosswalk locations.

16. Project Location: A map of the project location is attached or a link to a online map of the project location is provided below:

See location map exhibit attached.

Project Relation to Regional Policies (for information only)

17. Is the project in an [Equity Priority Community](#)? Yes ☐ No ☒
18. Is this project in a [Priority Development Area](#) or a [Transit-Oriented Community](#)? Yes ☐ No ☒

19. Project Budget and Schedule

Project Phase	TDA 3	Other Funds	Total Cost	Estimated Completion (month/year)
Bike/Ped Plan				
ENV				
PA&ED				
PS&E	\$15,000		\$15,000	December 2024
ROW				
CON	\$90,000		\$90,000	April 2025
Total Cost	\$105,000		\$105,000	

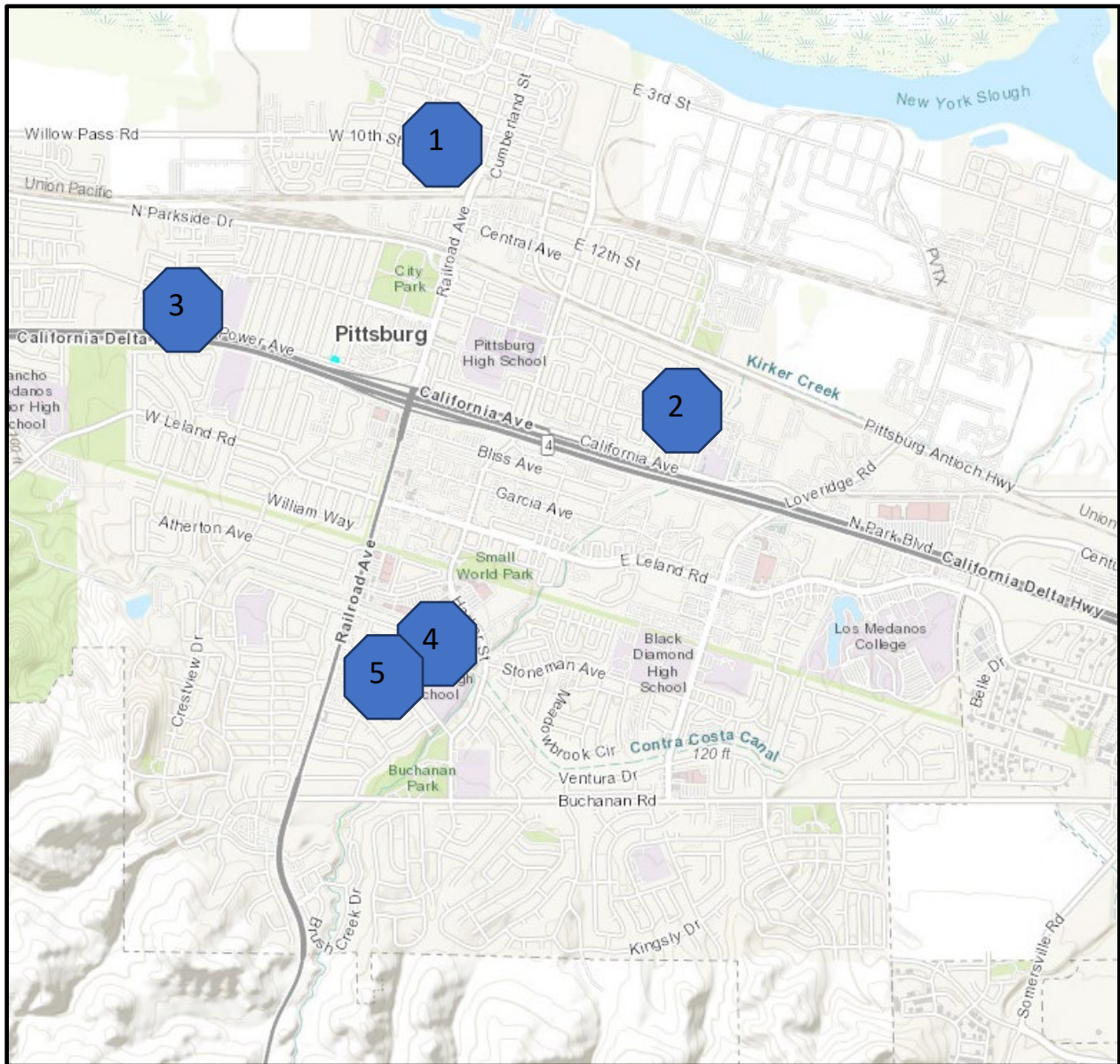
Project Eligibility

- A.** Has the project been reviewed by the Bicycle and Pedestrian Advisory Committee? Yes ☐ No ☒
 If "YES," identify the date and provide a copy or link to the agenda.
 If "NO," provide an explanation). City Has not been presented to BPAC. City will plan to present at next available BPAC meeting.
- B.** Has the project been approved by the claimant's governing body? Yes ☒ No ☐
 If "NO," provide expected date: _____
- C.** Has this project previously received TDA Article 3 funding? Yes ☐ No ☒
 (If "YES," provide an explanation on a separate page)
- D.** For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to [Chapter 1000 of the California Highway Design Manual](#)? Yes ☒ No ☐
- E. 1.** Is the project categorically exempt from CEQA, pursuant to CCR Section 15301(c), Existing Facility? Yes ☒ No ☐
2. If "NO" above, is the project is exempt from CEQA for another reason? Yes ☐ No ☐
 Cite the basis for the exemption. _____ N/A ☐
 If the project is not exempt, please check "NO," and provide environmental documentation, as appropriate.
- F.** Estimated Completion Date of project (month and year): April 2025
- G.** Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility, please identify below and provide the agreement. Yes ☒ No ☐
- H.** Is a Complete Streets Checklist required for this project ? Yes ☐ No ☒
 If the amount requested is over \$250,000 or if the total project phase or construction phase is over \$250,000, a Complete Streets checklist is likely required. Please attach the Complete Streets checklist or record of review, as applicable. More information and the form may be found here: <https://mtc.ca.gov/planning/transportation/complete-streets>

COST ESTIMATE

Item No	Description (section)	Bid Qty	Bid Unit	Unit Price (\$)	Contract Total (\$)
1	Plans, Specifications, and Estimates (PS&E)	1	LS	\$ 15,000	\$15,000
2	R920-F Solar RRFB w/Dual Lightbars, 4" Mount and iNX PPB	10	EA	\$ 6,500	\$65,000
3	Installation of RRFB (Labor)	1	LS	\$ 25,000	\$25,000
Subtotal					\$105,000
5% Contingency					\$5,000
GRAND TOTAL					\$110,000

LOCATION MAP



Priority	Crosswalk Locations where RRFBs will be Installed
1	Black Diamond Street
2	El Pueblo Avenue
3	Power Avenue
4	San Juan Drive
5	San Juan Drive

EXHIBIT 1 – Marina Vista Elementary School Crosswalk

Roadway Location: Black Diamond Street



Aerial View



Example of Proposed RRFB to be Installed

EXHIBIT 2 – MLK Junior High School Crosswalk

Roadway Location: El Pueblo Ave



Aerial View



Example of Proposed RRFB to be Installed

EXHIBIT 3 – Parkside Elementary School Crosswalk

Roadway Location: Power Ave



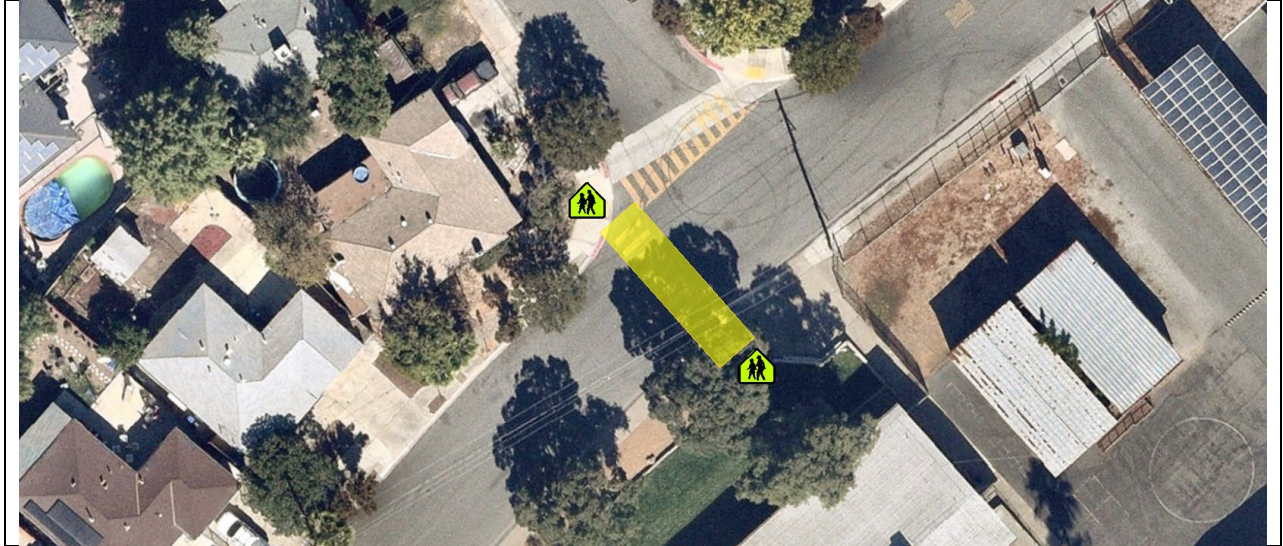
Aerial View



Example of Proposed RRFB to be Installed

EXHIBIT 4 – Hillview Junior high School Crosswalk

Roadway Location: San Juan Drive



Aerial View



Example of Proposed RRFB to be Installed

EXHIBIT 5 – Hillview Junior High School Crosswalk

Roadway Location: San Juan Dr



Aerial View



Example of Proposed RRFB to be Installed

Note: The following area is not designated/approved to be a Traffic Light Signal Intersection.



PITTSBURG UNIFIED SCHOOL DISTRICT

From the Desk of
Matthew Belasco, Director of MOT
3200 Loveridge Road ▪ Pittsburg ▪ California ▪ 94565

Garrett Evans
City Manager
65 Civic Avenue
Pittsburg, CA 94565

Letter of Support – School Crosswalk Improvement Project

Dear Mr. Evans,

I am writing as the Pittsburg Unified School District Director of Maintenance, Operations, and Transportation staff to voice our support for the City of Pittsburg's grant application for the Transportation Development Act (TDA) Grant Program. School staff believes the School Crosswalk Improvement Project is essential to the welfare of our students at Hillview Junior High, MLK Jr Junior High, Marina Vista Elementary, and Parkside Elementary School.

The Project would install rectangular rapid flashing beacons (RRFBs) at school crosswalks to assist pedestrian and bicyclists to cross the roadway safely. Traffic control devices would be installed at crosswalks located at the intersections of San Juan Drive & Calistoga Drive, Mariposa Drive & San Juan Drive, El Pueblo Avenue & Hermosa Avenue, Black Diamond Street & W. 9th Street, and Power Avenue & Jorgensen Drive.

The City of Pittsburg has our full support for the completion of this project. The School Crosswalk Improvement Project will be an important to the safety of our students and residents of the City of Pittsburg. Please let us know if there is anything we can do to assist you in the process.

Sincerely,

Matthew Belasco
Director of Maintenance, Operations, and Transportation
Pittsburg USD
mbelasco@pittsburgusd.net



BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Authorizing the Application for the)
2024/25 Transportation Development)
Act (TDA) Article 3 Grant Funds)

RESOLUTION NO. 24-

WHEREAS, on November 7, 2023, the Metropolitan Transportation Commission (MTC) issued a letter soliciting applications for the 2024/25 Transportation Development Act (TDA) Article 3 funds for pedestrian and bicycle projects; and

WHEREAS, on January 25, 2025, City staff submitted a grant application to MTC for the 2024/25 TDA Article 3 Funds in the amount of \$110,000; and

WHEREAS, the application requests funding for the design and construction of rectangular rapid flashing beacons (RRFB) at five (5) crosswalks near schools in the City of Pittsburgh; and

WHEREAS, staff recommends that the City Council approves the application of the of the 2024/25 TDA Article 3 Grant in the amount of \$110,000.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pittsburgh hereby adopts and approves the application for the 2024/25 TDA Grant funds.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 18th day of March 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution to Establish the Fiscal Year 2024/25 Annual Stormwater Utility Area Fee

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

Each year, the City Council establishes the amount of the Stormwater Utility Area (SUA) fee paid by property owners to support drainage, maintenance, and other activities required by the federal Clean Water Act and the City's Joint Municipal Regional Permit for the National Pollutant Discharge Elimination System (NPDES) program. Staff recommends no increase be made to the current fee, which is \$30.00 per Equivalent Runoff Unit (ERU). If adopted, this resolution will establish the Fiscal Year (FY) 2024/25 annual SUA at \$30.00 per ERU.

FISCAL IMPACT

Annual assessments are determined by issuing an "Equivalent Runoff Unit (ERU) multiplier" depending on what "ERU Group" a specific land use falls under. For example, a single-family home on a parcel between 5,000 to 20,000 sq. ft. (ERU Group "A") = 1.0 ERU. That results in the homeowner paying \$30.00 annually on their property tax. For most commercial parcels, including supermarkets, restaurants, car dealerships, etc. (ERU Group "J") = 12 ERU/acre. Maintaining the SUA fee at \$30.00 per ERU will allow the City to collect the maximum amount of NPDES funds to run the program as required. This rate allows the City to meet ongoing permit costs for FY 2024/25. The annual revenue to be generated from this assessment is projected to be \$1.2 million with FY 2024/25 expenses projected at \$1.3 million. SUA funds and the City's solid waste fund support the City's NPDES program.

RECOMMENDATION

City Council adopt the attached resolution establishing a SUA fee rate of \$30.00 per ERU for FY 2024/25 and request the Contra Costa County Flood Control and Water Conservation District to adopt an annual parcel assessment based on that rate to cover the City's costs associated with its NPDES activities.

BACKGROUND

In 1987, the federal government began requiring NPDES permits for all non-point source discharges of stormwater runoff entering waters of the state. Permit compliance responsibilities are vested with the State Water Quality Control Board (SWQCB).

In 1993, the City joined with the Contra Costa County Flood Control and Water Conservation District, Contra Costa County, and 18 other cities to create the Contra Costa Clean Water Program (County Program) to effectively respond to federal and state requirements regulating local discharges of stormwater into the San Joaquin / Sacramento River Delta and other waters of the state.

As a member of the County Program, the City is required to fund its pro-rata share of County Program costs for regional activities as well as local compliance. In 1993, the City Council adopted Resolution No. 93-7913, authorizing the County Board of Supervisors to hold a public hearing and adopt Ordinance No. 93-47 to establish the SUA Drainage Fee to help finance administrative and program activities necessary to comply with the NPDES Permit.

At that time, \$30.00 was established as the maximum ERU rate for the City of Pittsburg with the initial rate at \$24.00. In 2005, the City Council approved Resolution No. 05-10273, increasing the rate to \$30.00 for FY 2005/06, and has re-established the fee each year thereafter.

The Contra Costa County Flood Control and Water Conservation District assesses the fee on developed parcels within the City.

SUBCOMMITTEE FINDINGS

This item was not presented at a subcommittee.

STAFF ANALYSIS

Maintaining the ERU at the maximum \$30.00 is necessary for the City to continue the activities required to comply with its NPDES permit. The current permit was adopted on May 11, 2022, and became effective July 1, 2022. This permit has a five-year term, which requires increased efforts to meet benchmark reductions for pollutants such as trash, PCBs, and mercury.

NPDES revenues pay for staff and materials, maintenance of the City's drainage infrastructure and creek channels, stream bank erosion control, and inspection and monitoring programs to eliminate illicit discharges and illegal connections to the storm drain system.

ATTACHMENTS: Resolution

Report Prepared By: Jolan Longway, Development Services Supervisor

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Establishing the Fiscal Year 2024/25)
Annual Stormwater Utility Area Fee)

RESOLUTION NO. 24-

WHEREAS, under the federal Water Pollution Control Act (Clean Water Act), prescribed discharges of stormwater require a permit from the appropriate California Regional Water Quality Control Board under the National Pollutant Discharge Elimination System (NPDES) program; and

WHEREAS, the City has an NPDES permit that requires the implementation of selected Best Management Practices to minimize or eliminate pollutants from entering stormwaters; and

WHEREAS, it is the intent of the City to utilize funds received from its Stormwater Utility Area (SUA) fee for implementation of the NPDES program and drainage maintenance activities; and

WHEREAS, at the request of the City, the Contra Costa County Flood Control and Water Conservation District (District) has completed the process for formation of an SUA fee, including the adoption of the Stormwater Utility Assessment Drainage Ordinance No. 93-47; and

WHEREAS, the SUA fee and Program Group Costs Payment Agreement between the City and District requires that the City, annually, by May 1, determine the rate to be assessed to a single Equivalent Runoff Unit (ERU) for the forthcoming fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby assigns a single Equivalent Runoff Unit (ERU) rate for FY 2024/25 at \$30.00, and the City Council hereby requests the District to adopt the SUA fee levies based on said amount.

PASSED, AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of March 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

ATTEST:

Juan Antonio Banales, Mayor

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Authorizing the City Manager to Execute an Agreement for Temporary Landscape Maintenance Assistance

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

Public Works obtains the assistance of a landscape contractor during the peak growing season to sustain maintenance on high visibility roads and labor-intensive areas throughout the City, allowing these areas to remain safe, beautiful, and maintained. If approved, the resolution would authorize the City Manager to execute a general services agreement with New Image Landscape (New Image) for temporary landscape maintenance assistance in the medians and rights-of-way.

FISCAL IMPACT

No new funds are requested. The landscape maintenance assistance agreement with New Image is funded in Landscape Maintenance Master Plan (LMMP) Project No. 1756.

RECOMMENDATION

City Council adopt the attached Resolution authorizing the City Manager to execute a general services agreement with New Image in the amount of \$190,000 for temporary landscape maintenance assistance.

BACKGROUND

The Public Works Department is responsible for the maintenance of City facilities and infrastructure, including routine and emergency maintenance of medians and rights-of-way throughout the City.

The City's LMMP was created and presented in 2020 to guide the City's landscaping maintenance operations and present a cohesive vision for the future. The LMMP is developed by staff and is adopted by the City Council as a guide for prioritization of various projects to accomplish community goals for landscaping in parks, medians, and City Rights-of-Way. In the middle of Fiscal Year 2022/23, the Public Works Department received \$1,500,000 of General Fund Surplus to implement projects specified in the 2020 Landscape Maintenance Master Plan, including continued landscape maintenance assistance contracts.

Since Fiscal Year 2019/20, the City's Landscape Team in Public Works as had to manage decreased labor force, reduced budgets, limited weed control techniques, increasing drought conditions and a global pandemic. In response to the accumulation of these factors, the Public Works department requested funding to assist in getting maintenance schedules proceeding as planned and bringing major landscape areas in the City back to an acceptable state. Funds were allocated to hire outside contractors to supplement the City's maintenance crews with right-of-way and median maintenance. Since the initial contract, this has proved to be a beneficial and necessary component to successful maintenance. Staff has continued to retain a landscape contractor to assist maintenance crews during peak weed and plant growing season on high visibility roads and labor-intensive areas throughout the City in order to keep these areas safe, beautiful, and maintained. During the rapid growing season having a landscape contractor also allows City maintenance crews to perform maintenance-reducing projects for long-term savings.

SUBCOMMITTEE FINDINGS

An update to the 2020 LMMP, including projects and planned use of funds, was presented to the Infrastructure and Transportation Subcommittee on December 15, 2023.

STAFF ANALYSIS

Public Works solicited proposals from several qualified landscape contractors through a Request For Proposal (RFP) process. A total of two companies submitted responses to the RFP. New Image was selected for the overall best value of services. New Image offers competitive pricing and has provided satisfactory landscape services for the City for over a year.

ATTACHMENTS: Resolution
 General Services Agreement

Report Prepared By: Natasha Farmer, Public Works Administrative Analyst II

**GENERAL SERVICES AGREEMENT BETWEEN
THE CITY OF PITTSBURG AND
NEW IMAGE LANDSCAPE COMPANY
LM31924**

THIS Agreement ("Agreement") for general services is made by and between the City of Pittsburgh ("City") and New Image Landscape Company, a California Corporation ("Service Provider") (together referred to as the "Parties") as of March 19, 2024 (the "Effective Date").

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Service Provider shall provide to City the services described in the Scope of Services attached as Exhibit A, and incorporated herein, at the time and place and in the manner specified therein.

- 1.1 Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on December 1, 2024 or the date the Service Provider completes the services specified in Exhibit A, whichever occurs first, unless the term of the Agreement is otherwise terminated or extended, as referenced herein.
- 1.2 Standard of Performance.** Service Provider shall perform all services required pursuant to this Agreement according to the standards observed by a competent practitioner of the profession in which Service Provider is engaged.
- 1.3 Assignment of Personnel.** Service Provider shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, requests in writing the reassignment of any such persons to ensure Service Provider performs services in accordance with the Standard of Performance, Service Provider shall, immediately upon receiving City's request, reassign such persons.
- 1.4 Time.** Service Provider shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided herein above and to satisfy Service Provider's obligations hereunder.

Section 2. COMPENSATION. City hereby agrees to pay Service Provider a sum not to exceed **one hundred ninety thousand dollars (\$190,000.00)**, as set forth in Exhibit B, attached hereto and incorporated herein for services to be performed and reimbursable expenses incurred under this Agreement. This dollar amount is not a

guarantee that the City will pay that full amount to the Service Provider, but is merely a limit of potential City expenditures under this Agreement.

Service Provider and City acknowledge and agree that compensation paid by City to Service Provider under this Agreement is based upon Service Provider's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Service Provider. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Service Provider and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 Invoices. Service Provider shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information, unless waived by the City Manager, or his or her designee:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- The beginning and ending dates of the billing period;
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- At City's option, for each work item in each task, a copy of the applicable time entries or time sheets shall be submitted showing the name of the person doing the work, the hours spent by each person, a brief description of the work, and each reimbursable expense;
- The total number of hours of work performed under the Agreement by Service Provider and each employee, agent, and subcontractor of Service Provider performing services hereunder;
- The Service Provider's signature.

2.2 Monthly Payment. City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall pay undisputed invoices that comply with the above requirements within 30 days from the receipt of the invoice.

2.3 Final Payment. Service Provider shall submit its final invoice within 60 days of completing its services. Service Provider's failure to submit its final invoice within this 60 day period shall constitute Service Provider's waiver of any further billings to, or payments from, City.

- 2.4 Reimbursable Expenses.** Reimbursable expenses, if any, are specified in Exhibit B and included in the total compensation referenced in Section 2. Expenses not listed in Exhibit B are not chargeable to, or reimbursable by, City.
- 2.5 Payment of Taxes.** Service Provider is solely responsible for the payment of all federal, state and local taxes, including employment taxes, incurred under this Agreement.
- 2.6 Authorization to Perform Services.** The Service Provider is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of a written authorization from the City Manager, or his or her designee.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Service Provider shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement

Section 4. INSURANCE REQUIREMENTS. Before beginning any services under this Agreement, Service Provider, at its own cost and expense, shall procure the types and amounts of insurance specified herein and maintain that insurance throughout the term of this Agreement. The cost of such insurance shall be included in the Service Provider's bid or proposal. Service Provider shall be fully responsible for the acts and omissions of its subcontractors or other agents.

- 4.1 Workers' Compensation.** Service Provider shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Service Provider in the amount required by applicable law. The requirement to maintain Statutory Workers' Compensation and Employer's Liability Insurance may be waived by the City upon written verification that Service Provider is a sole proprietor and does not have any employees and will not have any employees during the term of this Agreement.
- 4.2 Commercial General and Automobile Liability Insurance.**
- 4.2.1 General requirements.** Service Provider, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than \$2,000,000 per occurrence and \$4,000,000 aggregate, combined single limit coverage for risks associated with the work contemplated by this Agreement.

4.2.2 Minimum scope of coverage. Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an “occurrence” basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition) covering any auto (Code 1), or if Service Provider has no owned autos, hired (code 8) and non-owned autos (Code 9). No endorsement shall be attached limiting the coverage.

4.2.3 Additional requirements. Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

- a. The Commercial General and Automobile Liability Insurance shall cover on an occurrence basis.
- b. City, its officers, officials, employees, agents, and volunteers shall be covered as additional insureds for liability arising out of work or operations on behalf of the Service Provider, including materials, parts, or equipment furnished in connection with such work or operations; or automobiles owned, leased, hired, or borrowed by the Service Provider. Coverage can be provided in the form of an endorsement to the Service Provider’s insurance at least as broad as CG 20 10 11 85, or both CG 20 10 10 01 and CG 20 37 10 01.
- c. For any claims related to this Agreement or the work hereunder, the Service Provider’s insurance covered shall be primary insurance as respects the City, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, agents or volunteers shall be excess of the Service Provider’s insurance and non-contributing.
- d. The policy shall cover inter-insured suits and include a “separation of Insureds” or “severability” clause which treats each insured separately.
- e. Service Provider agrees to give at least 30 days prior written notice to City before coverage is canceled or modified as to scope or amount.

4.3 Professional Liability Insurance.

4.3.1 General requirements. Service Provider, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than \$1,000,000 per occurrence or claim covering the Service Provider's errors and omissions.

4.3.2 Claims-made limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

- a. The retroactive date of the policy must be shown and must be before the date of the Agreement.
- b. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the Agreement or the work.
- c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Service Provider must purchase an extended period coverage for a minimum of five (5) years after completion of work under this Agreement.
- d. A copy of the claim reporting requirements must be submitted to the City for review prior to the commencement of any work under this Agreement.

4.4 All Policies Requirements.

4.4.1 Submittal Requirements. Service Provider shall submit the following to City prior to beginning services:

- a. Certificate of Liability Insurance in the amounts specified in this Agreement; and
- b. Additional Insured Endorsement as required for the General Commercial and Automobile Liability Policies.

4.4.2 Acceptability of Insurers. All insurance required by this Agreement is to be placed with insurers with a Bests' rating of no less than A:VII.

4.4.3 Deductibles and Self-Insured Retentions. Insurance obtained by the Service Provider shall have a self-insured retention or deductible of no more than \$100,000.

4.4.4 Wasting Policies. No policy required herein shall include a “wasting” policy limit (i.e. limit that is eroded by the cost of defense).

4.4.5 Waiver of Subrogation. Service Provider hereby agrees to waive subrogation which any insurer or contractor may require from Service Provider by virtue of the payment of any loss. Service Provider agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

The Workers’ Compensation policy shall be endorsed with a waiver of subrogation in favor of the City for all work performed by the Service Provider, its employees, agents, and subcontractors.

4.4.6 Subcontractors. Service Provider shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein, and Service Provider shall ensure that City, its officers, officials, employees, agents, and volunteers are covered as additional insured on all coverages.

4.4.7 Excess Insurance. If Service Provider maintains higher insurance limits than the minimums specified herein, City shall be entitled to coverage for the higher limits maintained by the Service Provider.

4.5 Remedies. In addition to any other remedies City may have if Service Provider fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option: 1) obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement; 2) order Service Provider to stop work under this Agreement and withhold any payment that becomes due to Service Provider hereunder until Service Provider demonstrates compliance with the requirements hereof; and/or 3) terminate this Agreement.

Section 5. INDEMNIFICATION AND SERVICE PROVIDER’S RESPONSIBILITIES.

5.1 General Indemnification. To the fullest extent permitted by law, Contractor shall defend, indemnify and hold City, its officials, officers,

employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any alleged negligent acts, omissions or willful misconduct of Contractor, its officials, officers, employees, agents, subcontractors and subcontractors arising out of or in connection with the performance of the Services, the Project or this Agreement, including without limitation the payment of all consequential damages, attorneys' fees and other related costs and expenses. Contractor shall defend, at Contractor's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against City, its directors, officials, officers, employees, agents or volunteers. Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its directors, officials, officers, employees, agents or volunteers, in any such suit, action or other legal proceeding. Contractor shall reimburse City and its directors, officials, officers, employees, agents and/or volunteers, for any and all legal expenses and costs, including reasonable attorneys' fees, incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by City or its directors, officials, officers, employees, agents or volunteers. Notwithstanding the foregoing, to the extent Contractor's Services are subject to Civil Code Section 2782.8, the above indemnity shall be limited, to the extent required by Civil Code Section 2782.8, to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Contractor. This Section 5.1 shall survive any expiration or termination of this Agreement.

- 5.2 PERS Indemnification.** In the event that Service Provider or any employee, agent, or subcontractor of Service Provider providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Service Provider shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Service Provider or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Section 6. STATUS OF SERVICE PROVIDER.

- 6.1 Independent Contractor.** At all times during the term of this Agreement, Service Provider shall be an independent contractor and shall not be an employee of City.
- 6.2 Service Provider Not an Agent.** Except as City may specify in writing, Service Provider shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Service Provider shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

- 7.1 Governing Law.** The laws of the State of California shall govern this Agreement.
- 7.2 Compliance with Applicable Laws.** Service Provider and any subcontractors shall comply with all laws applicable to the performance of the work hereunder. Service Provider shall also, to the extent required by the California Labor Code, pay not less than the latest prevailing wage rates as determined by the California Department of Industrial Relations.
- 7.3 Licenses and Permits.** Service Provider represents and warrants to City that Service Provider and its employees, agents, and any subcontractors have, and will maintain at their sole cost and expense, all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. In addition to the foregoing, Service Provider and any subcontractors shall obtain and maintain during the term of this Agreement valid business licenses from City.
- 7.4 Nondiscrimination and Equal Opportunity.** Service Provider shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, genetic information, marital status, sex, sexual orientation, gender or gender identity, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Service Provider under this Agreement. Service Provider shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Service Provider thereby.

7.5 Registration and Monitoring. Service Provider shall be currently registered with the Department of Industrial Relations and qualified to perform public work consistent with Labor Code section 1725.5, except in limited circumstances as referenced in Labor Code section 1771.1(a) or the exemption set forth in section 1771.1(n). Additionally, Service Provider is hereby notified that this Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

7.6 Prevailing Wage Rates. In accordance with California Labor Code Section 1771, not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the services described in Exhibit A are to be performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work as provided in the California Labor Code must be paid to all workers engaged in performing the services described in Exhibit A. In accordance with California Labor Code Section 1773.2, the City has obtained the general prevailing wages in the locality in which the services described in Exhibit A are to be performed for each craft or type of work needed to be as published by the State of California Department of Industrial Relations, Division of Labor Statistics and Research, a copy of which is on file in the City's General Services Department and shall be made available on request. Contractor must comply with all applicable laws and regulations that apply to wages earned in performance of the services described in Exhibit A. Contractor assumes all responsibility for such payments and shall defend, indemnify and hold the City harmless from any and all claims made by any worker, governmental agency or other third party with regard thereto.

The Service Provider and any subcontractors engaged in performance of the services described in Exhibit A shall comply with Labor Code Section 1775, which establishes a penalty per day for each worker engaged in the performance of the services described in Exhibit A that the Service Provider or any subcontractor pays less than the specified prevailing wage.

In accordance with Labor Code Section 1776, the Service Provider and each subcontractor engaged in performance of the services described in Exhibit A shall keep accurate payroll records showing the name, address, social security number, work, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed in performance of the services described in Exhibit A. Such records shall be in kept, maintained and made available in accordance with the requirements of Labor Code Section 1776.

Section 8. TERMINATION AND MODIFICATION.

- 8.1 Termination.** Upon ten days' prior written notice, City may cancel this Agreement at any time and without cause upon such written notification to Service Provider. In the event of termination, Service Provider shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Service Provider delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Service Provider or prepared by or for Service Provider or the City in connection with this Agreement.
- 8.2 Amendments.** The parties may amend this Agreement only by a writing signed by the parties hereto.
- 8.3 Assignment and Subcontracting.** City and Service Provider recognize and agree that this Agreement contemplates personal performance by Service Provider and is based upon a determination of Service Provider's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Service Provider. Service Provider may not assign this Agreement or any interest therein without the prior written approval of the City Manager, or his or her designee. Service Provider shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the City Manager, or his or her designee.
- 8.4 Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Service Provider, including but not limited to the provisions of Section 5, shall survive the termination of this Agreement.
- 8.5 Options upon Breach by Service Provider.** If Service Provider materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:
- 8.5.1** Immediately terminate the Agreement;
 - 8.5.2** Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Service Provider pursuant to this Agreement;
 - 8.5.3** Retain a different service provider to complete the work described in Exhibit A not finished by Service Provider; or

8.5.4 Charge Service Provider the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Service Provider pursuant to Section 2 if Service Provider had completed the work.

8.5.5 The remedies mentioned in this Agreement are not exclusive of any other right, power or remedy permitted by law. The City's failure or delay in exercising any remedy shall not constitute a waiver of such remedy or preclude the further exercise of City's rights.

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 Records Created as Part of Service Provider's Performance. All final versions of reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Service Provider prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Service Provider hereby agrees to deliver those documents to the City upon termination of the Agreement, and the City may use, reuse or otherwise dispose of the documents without Service Provider's permission. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Service Provider agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential drafts and will not be released to third parties by Service Provider without prior written approval of City.

9.2 Service Provider's Books and Records. Service Provider shall maintain any and all records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of 3 years, or for any longer period required by law, from the date of final payment to the Service Provider to this Agreement. All such records shall be maintained in accordance with generally accepted accounting principles and shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Pursuant to Government Code Section 8546.7, the Agreement may be subject to the examination and audit of the State Auditor for a period of 3 years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

- 10.1 Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.
- 10.2 Venue.** In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in Contra Costa County or in the United States District Court for the Northern District of California.
- 10.3 Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.
- 10.4 No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.
- 10.5 Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.
- 10.6 Conflict of Interest.** Service Provider may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Service Provider in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*
- Service Provider shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*
- 10.7 Solicitation.** Service Provider agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.
- 10.8 Notices.** Any notice, demand, request, consent or approval that either party is required to give the other pursuant to this Agreement, shall be in

writing and may be given by either (i) personal service, or (ii) certified United States mail, postage prepaid, return receipt requested. Notice shall be effective upon personal delivery or delivery to the addresses specified below, as reflected on the receipt of delivery or return receipt, as applicable.

Service Provider : New Image Landscape Company
3250 Darby Common
Fremont, CA 94539
mcabrera@newimagelandscape.com

City: City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565
ATTN: City Manager

10.9 Professional Seal. Where applicable in the determination of the City Manager, or his or her designee, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation. The stamp/seal shall be in a block entitled "Seal and Signature of Registered Professional with report/design responsibility."

10.10 Integration. This Agreement, including the scope of work attached hereto and incorporated herein as Exhibits A and B represents the entire and integrated agreement between City and Service Provider and supersedes all prior negotiations, representations, or agreements, either written or oral. To the extent there are any inconsistencies between this Agreement, the Exhibits, and Service Provider's proposal, the Agreement shall control. To the extent there are any inconsistencies between the Exhibits and the Service Provider's Proposal, the Exhibits shall control.

Exhibit A Scope of Services
Exhibit B Compensation Schedule

10.11 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

10.12 Construction of Agreement. Each party hereto has had an equivalent opportunity to participate in the drafting of the agreement and/or to consult with legal counsel. Therefore, the usual construction of an agreement against the drafting party shall not apply hereto.

10.13 No Third Party Beneficiaries. This Agreement is made solely for the benefit of the parties hereto, with no intent to benefit any third parties.

The Parties have executed this Agreement as of the Effective Date.

CITY OF PITTSBURG

SERVICE PROVIDER

Garrett Evans, City Manager

Signature

Printed Name & Title

Approved as to Form:

Donna Mooney, City Attorney

EXHIBIT A
SCOPE OF SERVICES

Service Provider (also referred to as “Contractor”) shall perform the following: Provide temporary landscape median and right of way maintenance service on a weekly basis for areas as outlined in the maps attached beginning at the end of March through September 2024. There will be approximately 65 total service days during the duration. The project is located on major thoroughfares throughout Pittsburgh. The scope of work includes, but is not limited to:

- Provide a 4-man crew approx. 2 to 3 days per week from end of March through September
- Pruning and trimming vegetation/small trees.
- Picking up any and all litter/debris in the respective area.
- Applying pre-emergent herbicide in parks, medians and rights-of-way (as directed).
- Spreading/replenishing bark.
- Minor irrigation repairs (if directed).
- Planting any missing trees, shrubs, and groundcover (if directed).
- Some cleanup of park areas may be included.
- Dumping generated green waste at City contracted transfer station.

A 4-person crew must be present for 90-95% of days in the contract.

Service Provider’s crew shall work as directed in the medians and landscape rights-of-way throughout the City of Pittsburgh, including spraying. When spraying, at least one crew member shall be dedicated to spraying herbicide, or an additional crew member shall be added when spraying. Crew member spraying must be label-trained at a minimum.

Contractor shall possess and implement an approved traffic control plan at all times. Traffic control plan must be approved by City representative prior to beginning work.

Landscape Maintenance Services- Technical Specifications

1) EQUIPMENT & SUPPLIES: Contractor agrees to provide and maintain all equipment required to perform the above services. The contractor’s equipment shall be to be of top quality and in good working order. If the City or its designee requests replacement equipment due to poor quality or performance the Contractor shall replace the equipment at Contractor’s own expense as soon as possible.

3) CUSTOMER SERVICE & QUALITY ASSURANCE: Any work or assigned duties that are not performed to City standards and/or this Agreement may result in

delay, reduction or discount at the Contractor's expense. The amount of reduced payment or discount shall be at the City's sole discretion. City may at its discretion terminate the contract early and move to another responsible Proposer if the City is not satisfied with the productivity, efficiency, services or communication of the Contractor. All complaints about services rendered will be evaluated by the Assistant Director of Public Works or designee/s.

5) HOURS OF OPERATION: The Contractor shall have a representative available to meet with City of Pittsburg personnel during the normal City working hours, which are 7:00 a.m. to 3:30 p.m., Monday through Friday, except holidays. Contractor may work on Saturdays with prior permission from City representative. There is no Construction noise prior to 7:00 am is prohibited. Hours may be adjusted based on work locations with prior approval from City.

6) TIME & LOCATIONS: The Contractor shall quote an 8-hour workday. The 8 hours starts at the job site. Contractor shall keep the City informed of working locations so that the City representative can inspect the work.. Productivity and efficiency shall be determined in the sole discretion of the City.

8) CITY WILL PROVIDE:

- a) Inspection – The City's representative will answer questions and inspect work for contract compliance.
- b) Direction and Quality Control – The City's representative will lay out areas of work (see maps) and answer questions as to the type of detailed maintenance/trimming and ground preparation for replanting/irrigations repairs if desired.
- c) Plant Material – The City will provide all plant material including soil amendments and bark needed to replace dead or missing plants and trees.
- d) Irrigation Supplies- City will provide sprinkler heads, sprinklers, irrigation tubing, and risers as needed.
- e) Notice – The City shall give a 72-hour notice for the start of work and make commercially reasonable efforts to lay out a schedule so that the contractor may estimate and plan for the length of time the crew will be utilized.
- f) Disposal Site – The City will provide to the contractor a disposal site in the City of Pittsburg.

CONTRACTOR WILL PROVIDE THE FOLLOWING:

9) CREW

- a) A safe, motivated and skilled minimum 4-person crew capable of productively pruning and trimming vegetation in a highly efficient and productive manner.
- b) A crew capable of efficiently and professionally planting missing trees, shrubs, and ground cover including any soil preparation and amendments needed prior to planting.
- c) A crew capable and trained to apply necessary pre-emergent herbicide prior to spreading bark.
- d) A crew capable of performing minor irrigation repairs such as changing out sprinkler heads, sprinklers, and minor irrigation tubing repairs.
- e) Crew to also pick up any and all litter/debris in the respective area unless otherwise directed.
- f) Contractor to ensure all state, federal and OSHA safety regulations are met including but not limited to cold drinking water, shade and rest periods.
- h) Saturday work is on an as needed basis; availability is required.
- i) When spraying, one member of the crew on site at a minimum must be label-trained

10) EQUIPMENT – The following equipments shall be used by Contractor performing maintenance:

- a) Commercial grade string trimmers or weed whackers.
- b) Engine Powered Rear Tine Roto-Tiller 8 hp minimum.
- c) Commercial grade gas powered trimmers: pole hedge trimmers and short trimmers.
- d) Commercial grade blower.
- e) 6-yard (minimum size) dump truck or a truck and 6 cubic yard (minimum size) hydraulic dump trailer in place of a 6 yard (minimum size) dump truck.
- f) Commercial chainsaws (have onsite and available if needed).
- g) Rakes, shovels, brooms, etc., as needed to complete the task.
- h) CalTrans/MUTCD approved arrow boards, traffic signs, etc.

11) HERBICIDE - Contractor shall provide a trained pesticide applicator to apply any necessary pre-emergent herbicide. Contractor shall supply the herbicide and is responsible for the safe application and reporting of any pesticide use to the Contra Costa Department of Agriculture and or California Department of Pesticide Regulation.

12) COMMUNICATION –

- a) At least one crew member must be able to communicate with City staff both verbally and in writing and be available via cell phone during working hours.
- b) Record and submit in writing to City staff amount of green waste removed from job in either weight or volume

13) SAFETY – Contractor is responsible for all onsite safety and traffic control (required). Additionally, items furnished shall meet requirements of the

Occupational Safety and Health Act (OSHA), federal, state and local requirements, in addition to requirements of appropriate safety standard organizations.

- a) Workers to wear reflective vests at all times.
- b) Vehicles must be clearly labeled with company name and vehicles numbers.
- c) All lane street closures must comply with CalTrans regulations and specifications; including but not limited to signs, taper length and devices. Unsatisfactory traffic control may be cause for immediate job shutdown or termination of this Agreement.
- d) Contractor must possess and implement an approved traffic control plan at all times. Traffic control plan must be approved by City representative prior to beginning work.
- e) Minimum of 50 (more may be required) 28-inch cones
- f) A qualified traffic control trained employee must be on site when traffic control is necessary

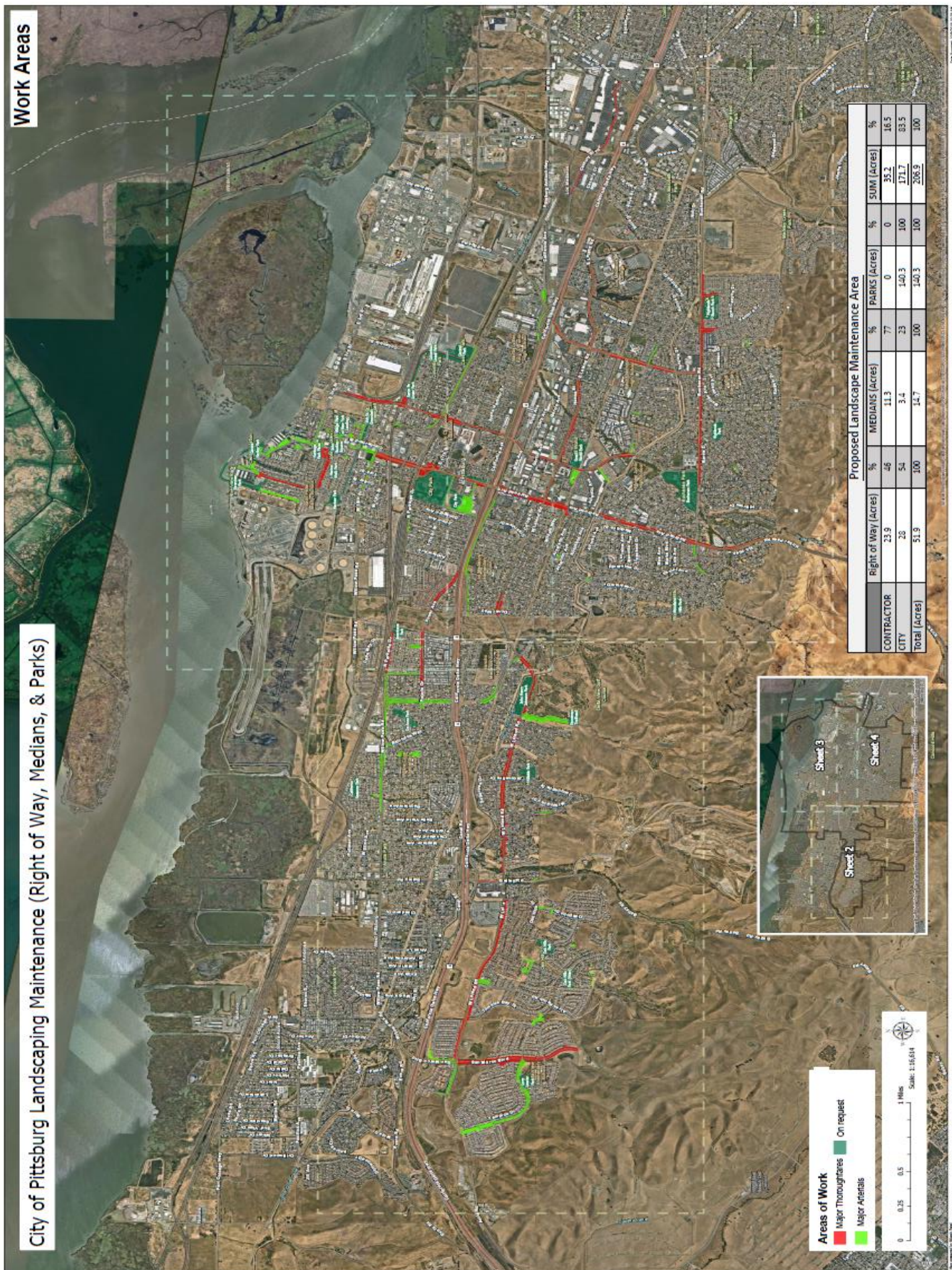


EXHIBIT B
COMPENSATION SCHEDULE

Contract Period: March 25, 2024 – September 30, 2024

Cost per 8-hour day: \$2,784.00

Approximate days of work: 65

Pre-emergent herbicide materials rate per square foot: \$14.00 – does not include post emergence applications.

Total cost of all work not to exceed \$190,000

CERTIFICATE OF COMPLIANCE WITH LABOR CODE § 3700

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

NEW IMAGE LANDSCAPE COMPANY

By: _____

Title: _____

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter Of:

Authorizing Execution of an)
Agreement for Temporary)
Landscape Maintenance Assistance)

RESOLUTION NO. 24-

WHEREAS, the Public Works Department is responsible for the care and maintenance of City facilities and infrastructure, including routine and emergency maintenance of medians and rights-of-way throughout the City; and

WHEREAS, staff retains a landscape contractor to assist maintenance crews during peak weed and plant growing season on high visibility roads and labor-intensive areas throughout the City in order to keep these areas safe, beautiful, and in good condition; and

WHEREAS, in February 2024, staff solicited and received proposals for temporary landscape assistance services and New Image Landscape was selected for the overall best value of services; and

WHEREAS, sufficient funds are available within the Project No. 1756 budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburgh hereby authorizes the City Manager to execute a General Services Agreement for temporary landscape maintenance assistance with New Image Landscape for an amount not to exceed \$190,000.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 18th day of March 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Authorizing the Application of the Bureau of Reclamation Water and Energy Efficiency Grant for Automatic Meter Infrastructure

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

The Water and Energy Efficiency (WEE) Grant provides funding to cities for projects that conserve and use water more efficiently, increase the production of renewable energy, and accomplish other benefits that contribute to sustainability. If approved, this resolution will authorize staff to submit a grant application to the United States Bureau of Reclamation for Automatic Metering Infrastructure (AMI).

FISCAL IMPACT

The estimated total project costs are \$8,092,498, of which approximately \$4,046,000 is eligible for grant funding. This Project is not included in the City's Five-Year Capital Improvement Program and is not currently funded. Dollar for dollar matching funds will be required for this grant if awarded and accepted. Grant guidelines allow the requirement for non-federal match to be met through other non-federal grants, in-kind services from staff and equipment used for the project.

RECOMMENDATION

City Council adopt the Resolution authorizing staff to submit an application for the WEE Grant Program from the Bureau of Reclamation and designating the City Manager or his designee as the City's authorized representative for execution of all mandatory documents for grant administration.

BACKGROUND

The City of Pittsburg currently services 19,464 water customers using semi manual meters. The current system uses an automated meter reader (AMR) system that requires staff to log 7,200 vehicle miles annually in order to conduct monthly readings. Due to the increasing number of unalerted leaks and thefts, City water efficiency has dropped 10% in five years. Due to the tiered pricing system, this inefficiency burdens residents, mainly low-income residents.

AMI improves a utility's ability to collect frequent and accurate water usage data to improve billing, leak detection, and water resource management. Unlike AMR, AMI does not require utility personnel to collect the data. Instead, the system automatically transmits the data directly to staff at predetermined intervals. Meter data is sent via a fixed network. Staff would be notified of any malfunctions and/or irregularities within three days of water delivery, as opposed to the current thirty-day cycle. By upgrading the water systems, a modern streamlined process can be offered saving water and accommodating increased economic development.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

The new advanced metering system will replace 19,475 older, less efficient meters for residential and industrial customers, with state-of-the-art Badger Meters. Badger Meter is a leading manufacturer of metering products using flow measurement and control technologies. The Badger smart water meters will provide actionable intelligence to optimize the delivery of water and reduce waste.

The project is estimated to begin in January 2025 and complete in December 2027 if awarded and accepted.

When installation is complete, the new meters are expected to save 720-acre feet of water, 362,332 kilowatt hours, 303,006 pounds of electric emissions, and 2 metric tons of vehicle emissions each year. To measure water savings, annual water loss audits will be performed to measure leakage pre and post AMI installation. By reducing leakage, this project will help reduce rising water utility bills, and keep customers at a lower pricing tier, providing some relief to already burdened households.

If approved, the resolution authorizes submitting the application for grant program funds and designates the City Manager or his designee as the City's authorized representative for execution of all mandatory documents for grant administration.

ATTACHMENTS: Resolution
 Anticipated Budget

Report Prepared By: Natasha Farmer, Public Works Administrative Analyst II

ATTACHMENT A
BUDGET DETAIL

Summary			
6. Budget Object Category	Total Cost	Federal Estimated Amount	Non-Federal Estimated Amount
a. Personnel	\$533,903		
b. Fringe Benefits	\$159,445		
c. Travel	\$0		
d. Equipment	\$0		
e. Supplies	\$5,009,525		
f. Contractual	\$2,239,625		
g. Construction	\$0		
h. Other Direct Costs	\$0		
i. Total Direct Costs	\$7,942,498		
i. Indirect Charges	\$150,000		
Total Costs	\$8,092,498	\$4,046,000	\$4,046,498
Cost Share Percentage		50%	50%

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter Of:

Authorizing the Application for the)
Bureau of Reclamation Water)
And Energy Efficiency Grant for)
Automatic Meter Infrastructure)

RESOLUTION NO. 24-

WHEREAS, the Public Works Department operates a Water System that distributes potable water to approximately 19,464 residential, commercial, industrial, and institutional customers; and

WHEREAS, the United States Bureau of Reclamation Water and Energy Efficiency (WEE) Grant provides funding to cities for projects that conserve and use water more efficiently and accomplish other benefits that contribute to sustainability; and

WHEREAS, the current City Water System uses an older, less efficient automated meter reader (AMR) system that requires staff to conduct semi manual monthly readings leading to an increasing number of unalerted leaks, thefts, and decreased water efficiency; and

WHEREAS, Automated Metering Infrastructure (AMI) improves a utility's ability to collect frequent and accurate water usage data to improve billing, leak detection, and water resource management by automatically transmitting data directly to staff; and

WHEREAS, approval of this Resolution will provide the City with an opportunity to offset half of the AMI system installation project costs; and

WHEREAS, by reducing leakage, this project will help reduce rising water utility bills, and keep customers at a lower pricing tier, providing some relief to already burdened households.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburgh hereby authorizes the application for the WEE Grant. Be it further resolved that the City Council authorizes the City Manager or his designee to execute all mandatory documents for grant administration.

PASSED AND ADOPTED by the City Council of the City of Pittsburgh at a regular meeting on the 18th day of March 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Accepting the Military Equipment Annual Report, Determining the Use of Equipment Complied with Policy 706, and Determining Policy 706 will Continue

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

State law requires the Police Department to provide the City Council with an annual report on military equipment use. On review of the report, the City Council determines whether use of the equipment complied with existing policy, and whether to continue with the policy or make any changes.

FISCAL IMPACT

There is no impact to the budget. All military equipment has been maintained within pre-established budgets and no new equipment authorizations are requested at this time.

RECOMMENDATION

Adopt the Resolution Accepting the Military Annual Report, Determining the Use of Equipment Complied with Policy 706, and Determining Policy 706 will Continue.

BACKGROUND

Effective January 1, 2022, Assembly Bill 481, which added Sections 7070-7075 to the Government Code, requires legislative bodies to adopt ordinances approving military equipment use policies before law enforcement agencies can continue to engage in specified activities related to the use of what the State legislature has now defined as “military equipment” in Government Code Section 7070. The Police Department has several pieces qualifying as “military equipment” in inventory and engages in critical public safety activities in coordination with other local jurisdictions. In May 2022, the City Council adopted an ordinance adding Section 2.64 to the Pittsburg Municipal Code, approving Policy 706 Military Equipment Use Policy for Police Services.

State law requires the Police Department to submit an annual report to the City Council. The City Council is required to review Policy 706 and the annual report and determine whether the military equipment has complied with specified standards. The City Council may determine that Policy 706 may continue without change, or direct staff to come back with specified changes. The law further requires that the annual report be made available on the Police Department website. Within 30 days of submitting and publicly releasing the annual report, the Police Department is required to hold a community engagement meeting at which the public may discuss and ask questions.

SUBCOMMITTEE FINDINGS

In compliance with the requirement, the Police Department presented the matter to the Public Safety Subcommittee on January 10, 2024.

STAFF ANALYSIS

Staff seeks approval of the continued use of equipment currently in the Police Department's inventory by authorized and trained personnel when the use is necessary to maintain public safety. Policy approval would allow the continued collaboration with other law enforcement agencies in the deployment or other use of military equipment within the City. The Police Department works closely with other local, county, state, and federal law enforcement agencies within Contra Costa County on police-related matters, including safeguarding the public's welfare and safety, working on regional task forces, conducting training exercises, providing mutual aid and responding to emergencies. In certain circumstances, there arises a need to deploy "military" equipment from, or lend military equipment to, outside entities to promote the safety and security of community members. A full inventory of the Police Department's military equipment is contained in the Annual Report and is attached. Government Code §7071(d)(1) sets forth the findings that City Council must make to approve the policy.

The City Council can make the required findings because:

1. Authorizing the use of military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety. The acquisition and use of this equipment is part of the Police Department's overall approach to Critical Incident Management, Use of Force, De-Escalation and public safety. The equipment will enable department members to properly respond to both planned and unplanned events efficiently and effectively.
2. The proposed Military Equipment Use Policy will safeguard the public's welfare, safety, civil rights, and civil liberties by ensuring required reporting, the opportunity for community engagement and feedback, and transparency and oversight regarding the acquisition and use of the specified military equipment in the City of Pittsburg.
3. For the proposed equipment purchases, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
4. Prior military equipment use has complied with the military equipment use policy that was in effect at the time.

Attachments: Resolution

Military Equipment Annual Report for Calendar Year 2023

Ordinance (Pittsburg Municipal Code Chapter 2.64)

Pittsburg Police Department Policy 706

Report Prepared By: Steve Albanese, Chief of Police



PITTSBURG POLICE DEPARTMENT

Professionalism ★ Excellence ★ Trust

65 CIVIC AVENUE PITTSBURG, CA 94565



Military Equipment

Annual Report

As required by
California Government Code Section 7072

January 1, 2023 – January 1, 2024

Prepared by: Lieutenant William Hatcher

Annual Report Summary

In 2021, the State Legislature passed, and the Governor signed Assembly Bill 481, adding Sections 7070-7075 to the California Government Code. The law required each law enforcement agency to obtain approval from the governing body, by ordinance, of a military equipment use policy. The City Council adopted the ordinance in 2022, adding Chapter 2.64 to the Pittsburg Municipal Code and approving Policy 706 “Military Equipment Funding, Acquisition and Use Policy.” The state law further requires the law enforcement agency to submit to the governing body an annual military equipment report. The governing body, i.e. the City Council, must determine, based on the report, whether the equipment has complied with the standards for approval.

Military Equipment List Annual Report for Calendar Year 2023

1. Unmanned Aerial Vehicles

a. **Description, quantity, capabilities, and purchase cost:**

The unmanned Aerial Vehicle (UAV) is a battery powered, remote operated device. Flight time of approximately 30-45 minutes per battery, depending on weather and flight conditions. The UAV has also proven to be useful to public safety agencies in firefighting, search and rescue, pre-operational surveillance, and other tactical situations where aerial views enhance the safety and efficiency of law enforcement and fire personnel.

- i. DJI Matrice 210 V2, cost \$20,000, quantity: 1.
- ii. DJI Mavic Pro, cost \$1,000, quantity: 3.
- iii. DJI Mavic 2, cost \$4,000, quantity: 2.
- iv. DJI Mini 2, cost \$800, quantity: 3.

b. **Purpose:**

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

- i. Major collision investigations
- ii. Emergency Life Threatening Situations
- iii. Search for missing persons
- iv. Natural disaster management
- v. Crime scene photography
- vi. Special Weapons and Tactics, tactical or other public safety and life preservation missions
- vii. In response to specific requests from local, state or federal fire authorities for fire response and/or prevention

c. **Authorized Use:**

Only assigned operators who have completed the required training shall be permitted to operate Pittsburg Police Department's UAV's approved missions.

d. **Expected Lifespan:**

DJI Matrice 210 V2 - 5 years.
DJI Mavic Pro - 5 years.
DJI Mavic 2 - 5 years.
DJI Mini 2 - 5 years

e. **Fiscal Impact:**

Pittsburg Police Department Equipment List

Annual maintenance and operator training/licensing cost of approximately \$5000-\$6000.

f. **Training:**

All Department UAV operators are licensed by the Federal Aviation Administration for UAV operation. UAV operators train quarterly in the use of the UAV's.

g. **Legal and Procedural Rules:**

Use is established under the FAA Regulation 14 CFR Part 107 and the Pittsburg Police Department UAV policy #606. It is the policy of Pittsburg Police Department to utilize UAV's only for official law enforcement purposes and in a manner that respects the privacy of our community, pursuant to State and Federal law.

In 2023 the Pittsburg Police Department utilized Unmanned Aerial Vehicles for a total of 127 flights during 37 deployments. The vast majority of deployments were in conjunction with the Pittsburg Police Department's Special Response Unit for the purpose of perimeter security during high-risk operations.

No additional UAVs were purchased or replaced during this calendar year. Maintenance costs were maintained within budget.

A review of the UAV deployments found all flights were conducted within Pittsburg Police Department policies and standards.

2. Armored Personnel Carrier

a. **Description, quantity, capabilities, and purchase cost:**

The Armored Group LLC BATT (Ballistically Armored Tactical Transport), cost: \$175,000, quantity: 1. The BATT is designed to withstand multiple bullet strikes from small arms fire as well as low level explosions. Equipped with emergency lights/siren and a public address system. Common uses for the BATT include citizen and officer rescues, evacuations, and the deployment of officers and chemical agents. The BATT is deployed for potentially armed or high-risk encounters by trained members of the Pittsburg Police Department.

b. **Purpose:**

To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.

c. **Authorized Use:**

The use of the BATT shall only be used/operated by authorized members of the Pittsburg Police Department who have been trained in the use of this vehicle.

d. **Expected Lifespan:**

25 years

Pittsburg Police Department Equipment List

e. **Fiscal Impact:**

Annual maintenance cost of approximately \$5,000

f. **Training:**

All driver/operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.

g. **Legal and Procedural Rules:**

Use is established under Pittsburg Police Department policy #703. It is the policy of this Department to utilize armored vehicles for official law enforcement purposes and pursuant to State and Federal law.

In 2023 the Pittsburg Police Department utilized the Armored Personnel Carrier a total of 15 times. 5 deployments were conducted as part of preplanned high-risk search warrants served by the Pittsburg Police Department's Special Response Unit. There were 6 supplemental patrol deployments and 4 mutual aid request deployments in 2023.

No additional Armored Personnel purchases were made during this calendar year. Maintenance costs were maintained within budget.

A review of the Armored Personnel Carrier deployments determined each utilization was conducted within Pittsburg Police Department's policies and standards.

Command and Control Vehicle

- h. **Description, quantity, capabilities, and purchase cost:**
2007 Wells Cargo Model EW3225W Command Center Trailer, cost: \$35,000, quantity: 1. This vehicle is a large trailer used as a command center during prolonged incidents. The trailer contains desk space, a meeting area, generator, and bathroom.
- i. **Purpose:**
To be used in response to critical incidents to be used as a command center.
- j. **Authorized Use:**
The use of the trailer is limited to trained members of the Pittsburg Police Department.
- k. **Expected Lifespan:**
20 years
- l. **Fiscal Impact:**
Annual maintenance and driver training cost of approximately \$2500.00
- m. **Training:**
All driver/operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.
- n. **Legal and Procedural Rules:**
Use is established under Pittsburg Police Department policy #703. It is the policy of this Department to utilize the command vehicle for official law enforcement purposes and pursuant to State and Federal law.

Command and Control Vehicle

- o. **Description, quantity, capabilities, and purchase cost:**
2015 Forrest River 14-foot enclosed trailer, Cost \$15,000, quantity: 1. This enclosed trailer has been modified with desks, computers, and monitors making it a platform the Crisis Negotiation Team uses to operate during a critical incident.
- p. **Purpose:**
To be used in response to critical incidents for Crisis Negotiation Team purposes
- q. **Authorized Use:**
The command trailer shall be used by officers who have been trained in its deployment and use.
- r. **Expected Lifespan:**
20 years
- s. **Fiscal Impact:**
Annual maintenance and driver training cost of approximately \$1,500
- t. **Training:**
All driver/operators shall attend a formalized instruction and be trained in vehicle operations and practical driving instruction.

Pittsburg Police Department Equipment List

u. **Legal and Procedural Rules:**

Use is established under Pittsburg Police Department policy #703. It is the policy of this Department to utilize the command vehicle for official law enforcement purposes and pursuant to State and Federal Law.

In 2023 the Pittsburg Police Department utilized the Command-and-Control Vehicle a total of 6 times. All deployments were in support of DUI checkpoints conducted throughout the City of Pittsburg.

No additional Command and Control Vehicles were purchased during this calendar year. Maintenance costs were maintained within budget.

Each deployment was reviewed and found to be within the Pittsburg Police Department's policies and standards.

3. Specialized Firearms and Ammunition

a. **Description, quantity, capabilities, and purchase cost:**

Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have a greater accuracy over a long distance and Less Lethal launcher for deploying Kinetic Energy Munition.

- i. Colt AR-15/M4 semi-automatic rifle for patrol use, cost \$16485, quantity: 15.
- ii. Colt AR-15/M4 semi-automatic rifle for SWAT use, cost \$6,594, quantity: 6.
- iii. LWRC M4 semi-automatic rifle for SWAT use, cost \$14,034, quantity: 6.
- iv. PWS MK111 M4 semi-automatic rifle for patrol use, cost \$6,147, quantity: 3.
- v. COLT AR-10 semi-automatic rifle for SWAT use, cost \$2,800, quantity: 2.
- vi. GA Precision GAP-10 Gen 2 6.5 Creedmoor semi-automatic rifle, cost \$7,580, quantity: 2.
- vii. Defense Technology 40MM launcher, cost \$18,715, quantity: 19.
- viii. Winchester 5.56x45mm 55 grain FMJ ammunition, cost \$2,784, quantity 8,000 rounds.
- ix. Winchester 223 Remington 64 grain power point ammunition, cost \$992, quantity: 2,000 rounds.
- x. Hornady .308 Winchester 168 grain, cost \$489, quantity: 400 rounds.
- xi. CTS 4557-40MM Kinetic Sponge Baton round, \$1,463, quantity: 70. For patrol and SWAT use.

Pittsburg Police Department Equipment List

b. **Purpose:**

To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

c. **Authorized Use:**

Only members that are POST certified are authorized to use a rifle, and 40MM launcher.

d. **Expected Lifespan:**

Colt AR-15/M4 rifle- 20 years

Remington 700 rifle- 20 years

Defense Technology 40MM launcher- 20 years

Winchester 5.56x45mm 55 grain FMJ ammunition- No expiration

Winchester 223 Remington 64 grain power point ammunition- No expiration

Hornady .308 Winchester 168 grain- No expiration

CTS 4557-40MM Kinetic Sponge Baton round- No expiration

e. **Fiscal Impact:**

Annual maintenance for firearms and 40mm launchers is approximately \$3000. Although there is minimal maintenance associated with ammunition and 40mm projectiles, costs associated with annual purchases is approximately \$35,000.

f. **Training:**

Prior to the use of the specialized firearms listed within this section, all officers must be certified by POST instructors in the maintenance and operation of such firearms.

g. **Legal and Procedural Rules:**

Use is established under Pittsburg Police policy #306 and 303.9. It is the policy of this Department to utilize specialized firearms only for official law enforcement purposes and pursuant to State and Federal law regarding the use of force.

In 2023 a total of 8,000 specified rounds were fired in a training capacity only. This was through new hire orientation, annual departmental and Special Response Unit trainings and courses throughout the year.

No specified rounds were fired in a public service capacity.

5. Diversionary Device “Flashbangs”

a. **Description, quantity, capabilities, and purchase cost:**

A Noise Flash Diversionary Devices (NFDD) is a device that creates a bright flash and loud sound to temporarily divert the attention of subjects in the immediate area. NFDD are used to distract and temporarily incapacitate dangerous suspects by overwhelming their senses of vision and hearing. The distraction allows officers to seize a moment of opportunity to take control of the high-risk situations.

Combined Tactical Systems (CTS) Distraction Device, cost \$2,640, quantity: 50.

b. **Purpose:**

To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (6-8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.

c. **Authorized Use:**

Diversionary Devices shall only be used:

- i. By SWAT team members who have been trained in their proper use.
- ii. In hostage and barricaded subject situations.
- iii. In high-risk warrant (search/arrest) services where there may be extreme hazards to officers.
- iv. During other high-risk situations where their use would enhance officer safety.
- v. During training exercises.

d. **Expected Lifespan:**

5 years

e. **Fiscal Impact:**

Minimal cost associated with staff time to order and store. Cost associated with annual ordering is approximately \$2,500.

f. **Training:**

Prior to use, officers must attend diversionary device training that is conducted by POST certified instructors.

g. **Legal and Procedural Rules:**

It is the policy of this Department to utilize diversionary devices only for official law enforcement purposes and pursuant to State and Federal law regarding the use of force.

In 2023 members of the Pittsburg Police Department's Special Response Unit deployed a total of 33 diversionary devices. 8 were deployed during the service of 7 high risk warrant details. No injuries or damage were

reported as a result of these deployments. A total of 25 diversionary devices were deployed as part of routine training.

All deployments were reviewed and documented in After-Action Reports and found to be within the policies and standards of the Pittsburg Police Department.

6. Chemical Agents “Tear Gas”

a. **Description, quantity, capabilities, and purchase cost:**

Chemical agent munitions, which are commonly referred to as “tear gas,” are used by the Pittsburg Police Department as a non-lethal tool to disperse rioting suspects and/or barricaded suspects. CS (2-Chlorobenzylidenemalonitrile) and OC (Oleoresin Capsicum) are commonly used by law enforcement agencies across the United States.

CS is an irritating agent and lachrymator (irritates the eyes and causes tears to flow). CS has been medically tested in the UK and US, specifically by the U.S. Army. There are no known allergic reactions to CS. OC was de-regulated in California in 1996, is endorsed by the FBI, and is available to civilians to legally possess (2.5oz or less). OC is an inflammatory agent which causes involuntary closure of eyes (open 2-5 minutes) and respiratory inflammation (subsides in approximately 2 minutes).

- i. Defense Technology eXact Impact 40MM CS, cost \$1,045, quantity: 50.
- ii. Defense Technology 40mm liquid CS, cost \$970, quantity: 40.
- iii. Defense Technology Speed Heat (82 grams), cost \$754, quantity: 25
- iv. Defense Technology Flameless Tri-Chamber (20 grams), cost \$463, quantity: 10

b. **Purpose:**

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. Training exercises or approved demonstrations.

c. **Authorized Use:**

Only officers who have received POST certification in the use of chemical agents are authorized to use chemical agents.

d. **Expected Lifespan:**

Defense Technology eXact Impact 40MM CS Ferret- 5 years.
Defense Technology 40mm liquid CS- 5 years.

Pittsburg Police Department Equipment List

Defense Technology Speed Heat- 5 years.

Defense Technology Flameless Tri-Chamber- 5 years.

e. **Fiscal Impact:**

Minimal cost associated with staff time to order and store. Cost associated with annual ordering is approximately \$3,200.

f. **Training:**

Officers utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors.

g. **Legal and Procedural Rules:**

Use is established under Pittsburg Police policy #303.6. It is the policy of this Department to utilize chemical agents only for official law enforcement purposes and pursuant to State and Federal law regarding the use of force.

In 2023 the Pittsburg Police Department's Special Response Unit deployed chemical agents on one high-risk arrest warrant service attempting to apprehend a murder suspect.

The utilization of chemical agents was documented in a criminal police report as well as an After-Action report and was found to be within the policies and standards of the Pittsburg Police Department. No injuries were reported as a result of the chemical agent deployment.

All other chemical agent deployments were utilized in a training capacity only.

Pittsburg Municipal Code

Chapter 2.64 MILITARY EQUIPMENT FUNDING, ACQUISITION AND USE POLICY

Sections:

2.64.010 Findings and determinations.

2.64.020 Approval.

2.64.010 Findings and determinations.

The city council finds and determines as follows:

- A. The military equipment set forth in Pittsburg police department Policy 706 “Military Equipment Funding, Acquisition and Use Policy” is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- B. The proposed military equipment use policy will safeguard the public’s welfare, safety, civil rights, and civil liberties.
- C. If purchasing the equipment identified in the policy, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- D. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance. [Ord. 22-1500 § 1, 2022.]

2.64.020 Approval.

The city council approves the Pittsburg police department Policy 706 “Military Equipment Funding, Acquisition and Use Policy,” attached as [Exhibit A](#) to the ordinance codified in this chapter. [Ord. 22-1500 § 2, 2022.]

[Mobile Version](#)

Military Equipment Funding, Acquisition and Use Policy

706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

706.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

Pittsburg Police Department

Pittsburg PD Policy Manual

Pittsburg PD Policy Manual

Military Equipment Funding, Acquisition and Use Policy

706.2 POLICY

It is the policy of the Pittsburg Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

706.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police and their designee will act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Pittsburg Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

706.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

[See attachment: PPD Military Equipment List](#)

706.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.

Pittsburg Police Department

Pittsburg PD Policy Manual

Pittsburg PD Policy Manual

Military Equipment Funding, Acquisition and Use Policy

- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

706.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

706.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

706.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Accepting Military Equipment Annual Report,)
Determining the Use of Equipment Complied with) RESOLUTION NO. 24-
Policy 706, and Determining Policy 706 Will Continue)

WHEREAS, State law at California Government Code Sections 7070-75, as added by Assembly Bill 481 in 2021, requires each law enforcement agency to submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body; and

WHEREAS, the City Council in 2022 approved by ordinance Policy 706 "Military Equipment Funding, Acquisition and Use"; and

WHEREAS, Government Code Section 7072 requires the Police Department to hold annually at least one well-publicized and conveniently located community engagement meeting within 30 days of submitting and publicly releasing the military equipment annual report; and

WHEREAS, Government Code 7071(e) requires the City Council to review Policy 706 and the military equipment annual report and determine whether each type of military equipment has complied with the following standards: 1) The military equipment identified in the Policy is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety; 2) Policy 706 will safeguard the public's welfare, safety, civil rights, and civil liberties; 3) If purchasing the equipment identified in the Policy, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and 4) Prior military equipment use complied with the military equipment that was in effect as the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance; and

WHEREAS, after reviewing the annual report and Policy 706, the City Council must vote whether to continue Policy 706 or direct staff to return to City Council with an amendment or replacement of Policy 706; and

WHEREAS, the annual report was agendized for the January 10, 2024 Public Safety standing committee.

NOW, THEREFORE, BE IT RESOLVED that the City Council accepts the military equipment annual report and determines the following: 1) The military equipment identified in the Policy is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety; 2) Policy 706 will safeguard the public's welfare, safety, civil rights, and civil liberties; 3) If purchasing the equipment identified in the Policy, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and 4) Prior military equipment use complied with the military equipment that was in effect as the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

BE IT FURTHER RESOLVED that the City Council has reviewed Policy 706 and determines that Policy 706 shall continue without change.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of March 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of Two Ordinances for the Objective Design Standards 2023 Project: 1) Adding Article XXI to Chapter 18.84 of the Pittsburg Municipal Code; and 2) Amending the Zoning Map for Certain Multi-family Housing and Mixed-use Development Projects to Further Housing Production Consistent with State Law

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

On October 2, 2023, the City Council held a public hearing on a City-initiated request for adoption of two Ordinances for the Objective Design Standards 2023 Project: 1) adding Article XXI to Chapter 18.84 of the Pittsburg Municipal Code; and 2) amending the Zoning Map for certain multi-family housing and mixed-use development projects to further housing production consistent with State law. The City Council introduced and waived further reading of two Ordinances approving the Objective Design Standards 2023 Project. This item has been continued from the November 6, 2023, the November 20, 2023, the December 18, 2023, the February 5, 2024 and the March 4, 2024 City Council hearings. The Ordinance is now ready for City Council adoption.

FISCAL IMPACT

There is no direct fiscal impact associated with the adoption of the proposed ordinances. Staff believes the adoption of the ODS would result in high-quality development throughout the City, furthering property values and thus, the City's property tax revenue. The Project would also likely reduce staff time related to processing multi-family housing and mixed-use development projects.

RECOMMENDATION

City Council move to adopt two Ordinances approving a Zoning Map Amendment and a Zoning Text Amendment for Objective Design Standards 2023.

BACKGROUND

On May 9, 2023, the Planning Commission held a public hearing and unanimously adopted Resolution No. 10229, recommending City Council approval of the Project. On October 2, 2023, the City Council held a public hearing and introduced and waived further reading of two Ordinances to approve a Zoning Amendment and a Map Amendment for the Objective Design Standards 2023 Project.

SUBCOMMITTEE FINDINGS

In November of 2022, a proposal to establish a City-wide overlay to implement objective design standards for qualifying projects was presented to the City's Land Use Subcommittee. Potential concerns identified by the Subcommittee included building massing and "cookie-cutter-like" architectural design. Subsequently, the City scheduled a second Land Use Subcommittee Hearing in April of 2023, to further discuss the proposed standards. Based on feedback and comments City staff presented a set of regulations, now titled "Objective Design Standards 2023" with the addition of a new chapter to address the previously raised concerns. Chapter 5, entitled "Massing and Façade Articulation Standards", provides additional objective standards to address potential clustering or semblance among adjacent structures. The Subcommittee members remarked that the addition of Chapter 5 addressed the previously raised concerns and were overall supportive of seeing the project move forward.

STAFF ANALYSIS

After the City Council holds a public hearing and introduces an Ordinance on a given matter, approval of the matter is formalized by City Council adoption of the Ordinance by a majority vote at a meeting no fewer than five days after the public hearing. The Ordinance becomes effective 30 days after the date of its adoption.

ATTACHMENTS

1. Ordinance Adding Article XXI of Chapter 18.84 to the Pittsburgh Municipal Code
 - Exhibit A Objective Design Standards 2023
2. Ordinance Amending the Zoning Map, for Certain Multi-Family Housing and Mixed-Use Development Projects, to Further Housing Production Consistent with State Law
 - Exhibit A Objective Design Standards 2023 Overlay Map (Rezone)

Prepared by: Kelsey Gunter, Associate Planner

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Approving Objective Design Standards 2023)
Adding Article XXI to Chapter 18.84 the)
Pittsburg Municipal Code) ORDINANCE NO. 24-

WHEREAS, the California Legislature has passed, and the Governor has signed a number of laws in recent years aimed at increasing the production of housing; and

WHEREAS, California Government Code Section 65913.4, as added by Senate Bill 35 of 2017, and as amended since, sets forth a ministerial approval process requiring objective design standards for specified residential housing projects; and

WHEREAS, staff has drafted a set of objective design standards to be applicable as set forth in an overlay district in compliance with state law; and

WHEREAS, the proposed amendments are governed by the applicable goals and policies of the Pittsburg General Plan and the Pittsburg Municipal Code (PMC); and

WHEREAS, PMC section 18.16.020 identifies the Planning Commission as the advisory body to the City Council on proposed changes to zoning text amendments; and

WHEREAS, on or prior to April 28, 2023, notice of the May 9, 2023, Planning Commission public hearing to consider this item was posted at City Hall and on the 'public notices' page of the City's website; was delivered to the Pittsburg Library; was published in the local newspaper (East Contra Costa County Times) as a 1/8 page advertisement; and was mailed via first class mail or electronic mail to interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65090 and 65091; and

WHEREAS, on May 9, 2023, the Planning Commission held the hearing to consider proposed Resolution Recommending City Council adoption of an Ordinance Approving Objective Design Standards 2023, Adding Article XXI to Chapter 18.84 of the Pittsburg Municipal Code, and amending the Zoning Map, for certain multi-family housing and mixed-use development projects, to further housing production consistent with state law, AP-22-0117 (RZ) and voted to adopt Resolution No.10229, recommending City Council approval of adding Article XXI to Chapter 18.84 of Title 18; and

WHEREAS, in order to adopt zoning text amendments, and in accordance with PMC sections 18.16.020 and 18.48.030, the City Council must find that:

1. the amendments are consistent with the objectives, policies, general land uses and programs in the General Plan;
2. the land use regulation is compatible with uses and regulations of the land use district for which it is proposed;

3. there is a community need for the change proposed; and
4. the change will be in conformity with the public convenience, general welfare, and good zoning practice; and

WHEREAS, on or prior to September 8, 2023, in accordance with Government Code section 65091 and Pittsburg Municipal Code (PMC) section 18.14.020, a “Notice of Public Hearing” for the September 18, 2023 public hearing to consider this item was posted at City Hall and on the ‘public notices’ page of the City’s website; was delivered to the Pittsburg Library; was published in the local newspaper (East Contra Costa County Times) as a 1/8 page advertisement; and was mailed via first class mail or electronic mail to interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65090 and 65091. The notice was also posted on www.nextdoor.com (“Nextdoor”); and

WHEREAS, on October 2, 2023, the City Council held a duly noticed public hearing on the Planning Commission’s recommendation for the City Council to approve the proposed amendment to Title 18; and

WHEREAS, this amendment of the municipal code is exempt from the requirements of the California Environmental Quality Act (CEQA) under the general rule of applicability of the state CEQA Guidelines, section 15061, in that the activity in question consists of zoning text amendments that would not result in a physical impact on the environment.

NOW, THEREFORE, the City Council of the City of Pittsburg does ORDAIN as follows:

SECTION 1. Findings.

- A. The City Council finds that each fact set forth in the preceding recitals is true and correct and incorporated by reference.
- B. Based on the City Council Staff Report dated October 2, 2023, and entitled, “Introduction and Waive First reading of Two Ordinances for Objective Design Standards 2023: Adding Article XXI to Chapter 18.84 of the Pittsburg Municipal Code and Amending the Zoning Map for Certain Multi-family Housing and Mixed-use Development Projects to Further Housing Production Consistent with State Law”, and based on all written and oral testimony presented at the meeting, the City Council finds that:
 1. All recitals above are true and correct and are incorporated herein by reference.
 2. The proposed amendments are consistent with the objectives, policies, general land uses and programs in the General Plan. Most specifically, Land Use Element (LUE) Goal 2-P-2 which directs the City to update the City’s Zoning Ordinance and Subdivision Regulations for consistency with the General Plan.

3. The proposed amendments are compatible with uses and regulations of the land use district for which they are proposed, in that the proposed amendments would allow consistency with recently adopted or enacted legislation on Objective Design Standards by the state.
4. There is a community need for the proposed amendments in that they make PMC Title 18 more current to administering land use policies within the City of Pittsburgh.
5. The proposed changes would be in conformity with the public convenience, general welfare, and good zoning practice, in that it removes ambiguities to make it clear and easier for both staff and the general public to understand and use as a guide in planning and processing development applications.

SECTION 2. Amendment. PMC Title 18 is hereby amended to add Article XXI to Chapter 18.84 as set forth below:

Article XXI. Objective Design Standards

18.84.980 Purpose.

The purpose of this article is to establish objective design standards, in compliance with state law, that protect and promote public health, safety, welfare and community aesthetics consistent with the goals, objectives and policies in the General Plan. This article establishes an application and review process for residential or mixed-use projects qualifying for ministerial approval under state law that further housing production.

18.84.985 Applicability.

A. Objective design standards shall apply to proposed development as identified in Objective Design Standards 2023.

B. The objective design standards shall be implemented through an overlay of zones.

C. Any applicant for a proposed development may select either to comply with the objective design standards or Title 18, Chapter 18.36.

18.84.990 Application Requirements.

Application requirements are set forth in Objective Design Standards 2023.

18.84.995 Standard of Review.

Proposed development subject to objective design standards and ministerial approval shall be considered in compliance with state law and requirements set forth in Objective Design Standards 2023.

SECTION 3. Approval and Adoption. The City Council hereby approves and adopts

Objective Design Standards 2023 attached as, "Exhibit A" to this Ordinance.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 5. Severability. If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 6. Publication. The ordinance shall be posted and published in accordance with the California Government Code.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Pittsburg held on October 2, 2023, and was adopted and ordered published at a regular meeting of the City Council held on March 18, 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk



Objective Design Standards 2023

Final Draft
July 2023



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Quick Code Guide for Developments Less Than Five Acres

The following graphic is intended as a summary guide.

1 Determine your Maximum Zoning Envelope ¹		
Identify your zone , see Section 2 (ODS Zone Standards)	a. Select your building type(s)	Table C of the ODS zone
	b. Comply with building placement standards	Table E of the ODS zone
	c. Comply with building form and height standards	Table D of the ODS zone
	d. Select from allowed uses	Title 18, Division III. Base District Regulations
	e. Comply with parking standards	Table G of the ODS zone
	f. Select your frontage type	Table F of the ODS zone
Identify your building type standards , see Section 4 (Building Types)	g. Comply with the standards	Tables A-F of the building type
¹ This process shall be applied to each design site.		
2 Connect Ground Floor to Adjacent Streetscape		
Apply your frontage type(s) , see Section 6 (Frontage Types)	a. Based on your selected frontage type(s), comply with the standards	Tables A-C of the frontage type
3 Proceed to Approval Process		
Identify your approval procedure , see Subsection 1.060 (Permits and Procedures)	a. Comply with the procedure standards	Subsection 1.060 (Permits and Procedures)

Quick Code Guide for Developments Over Five Acres with Widths along Front or Side Street Over 800 Feet

The following graphic is intended as a summary guide.

1 Design your Design Sites		
Identify Large Sites, see Subsection 3.050 (Large Sites)	a. Comply with the standards	Subsection 3.050 (Large Sites)
2 Determine your Maximum Zoning Envelope ¹		
Identify your zone, see Section 2 (ODS Zone Standards)	a. Select your building type(s)	Table C of the ODS zone
	b. Comply with building placement standards	Table E of the ODS zone
	c. Comply with building form and height standards	Table D of the ODS zone
	d. Select from allowed uses	Title 18, Division III. Base District Regulations
	e. Comply with parking standards	Table G of the ODS zone
	f. Select your frontage type	Table F of the ODS zone
Identify your building type standards, see Section 4 (Building Types)	g. Comply with the standards	Tables A-F of the building type
¹ This process shall be applied to each design site.		
3 Connect Ground Floor to Adjacent Streetscape		
Apply your frontage type(s), see Section 6 (Frontage Types)	a. Based on your selected frontage type(s), comply with the standards	Tables A-C of the frontage type
4 Proceed to Approval Process		
Identify your approval procedure, see Subsection 1.060 (Permits and Procedures)	a. Comply with the procedure standards	Subsection 1.060 (Permits and Procedures)

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Section 1: Introduction

Subsections:

1.010	Purpose
1.020	Objective Design Standards
1.030	Applicability
1.040	Relationship to the City of Pittsburgh General Plan
1.050	Relationship to Title 18 (Zoning)
1.060	Permits and Procedures

1.010 Purpose

This Article XXI, Chapter 18.84 (City of Pittsburgh Objective Design Standards), shall hereafter be referred to as the "ODS." The ODS implements the City of Pittsburgh's General Plan vision through the application of ODS zones and standards that reflect a context-specific approach based upon the City of Pittsburgh's distinct development patterns.

1.020 Objective Design Standards

The ODS sets forth the standards for neighborhood design, building form, and uses within ODS zones. These standards reflect the community's vision for implementing the intent of the City of Pittsburgh General Plan to facilitate housing production and specifically infill housing production, through development that reinforces the character and scale of the City's walkable centers, neighborhoods, and corridors.

1.030 Applicability

- 1. **Rules for Construction of Language.** The following general rules for construction of language apply to the text of this ODS:
 - A. **Tenses and Numbers.** Words used in the present tense include the future, words used in the singular include the plural, and the plural includes the singular, unless the context clearly indicates the contrary.
 - B. **Applicable.** The applicable standards of this ODS apply so as to not require stating the phrase "and all applicable standards" throughout this ODS.
 - C. **Conjunctions.** Unless the context clearly indicates otherwise, the following conjunctions shall be interpreted as follows:
 - (1) "And" indicates that all connected items or provisions apply;
 - (2) "Or" indicates that the connected items or provisions may apply; and
 - (3) "Either/or" indicates that the connected items or provisions apply singly but not in combination.

2. ODS Implementation.

- A. This ODS apply to proposed development as identified in Table 1.030.A (Applicability).
- B. The standards in this ODS are implemented through an overlay of zones, see Figure 2.020.1 (ODS Overlay Map) for zones established in this ODS.
- C. Pursuant to California state law, affordable housing projects, farmworker housing and emergency shelters [all as defined in Section 8 of the ODS (Definitions)] are subject to objective design review standards. The State Legislature imposed this requirement to facilitate the creation of new housing. However, the City recognizes that for certain projects, Article XXI, Chapter 18.84 (Objective Design Standards) may be more burdensome than the City's standard zoning process under Title 18 (Zoning). To further the intent of the State Legislature in streamlining the application and approval process for these projects, the City requires the applicant to select one of the following set of objective design standards to apply to their project: (1) Title 18 (Zoning) or (2) Article XXI, Chapter 18.84 (Objective Design Standards). This shall not apply to projects eligible under Senate Bill 35.
- D. The standards in this ODS prevail unless stated otherwise. See Table 1.050.A: Relationship of Article XXI, Chapter 18.84 (Objective Design Standards) to Title 18 (Zoning) for reference.

Table 1.030.A: Applicability	
Development Type	ODS Applies
Objective Residential Development ¹	
Single-Unit Residential	No
Two-Unit Residential	Yes
Multi-Unit Residential	Yes
Affordable Housing ²	Yes
Objective Mixed-Use Development ¹	
At least 2/3 of square footage designated for residential units	Yes
At least 2/3 of square footage designated for Affordable Housing ²	Yes
Less than 2/3 of square footage designated for residential units	No
Other Development	
Non-Residential	No
Non-Objective Residential Development ³	No
Non-Objective Mixed-Use Development ³	No

¹ Includes Transitional and Supportive Housing, Emergency Shelters, and Farmworker Housing meeting all eligibility criteria and specific protections by development type per the Government Code.

² "Affordable Housing" refers to projects that contain the minimum percentage of affordable housing units to be eligible for Senate Bill 35 streamlining. See Government Code §65913.4(a)

³ Development that does not comply with objective General Plan, zoning, and subdivision standards of the City of Pittsburg

3. **Requirements.** As required by Table 1.030.A (Applicability), the standards in this ODS apply to all proposed development and improvements within ODS zones as identified below.

A. **General**

- (1) A design site is a portion of land within a parcel, delineated from other design sites and/or parcels to accommodate no more than one building type. From the allowed types in the ODS zone, and in compliance with the listed standards, the following shall be selected for each design site:
 - (a) Only one primary building type per design site is allowed, except an Accessory Dwelling Unit and/or Junior Accessory Dwelling Unit, in compliance with Section 18.50.315 (Design and Development Standards) in Title 18 (Zoning) of the Municipal Code, may be included within a design site in addition to the primary building type. Parcels with enough land area to meet the ODS zone standards for minimum design site width and depth may have multiple design sites;
 - (b) At least one private frontage type; and
 - (c) At least one use type.
- (2) Building types and frontage types not listed in the ODS zone's standards are not allowed in that zone.
- (3) Uses. Refer to the underlying zone for the allowed uses and standards in Title 18, Division III. Base District Regulations.
- (4) New buildings and their improvements are subject to the City of Pittsburgh local standards for Fire Safety and Building Safety.

B. **Site Standards.** Section 3 (Site Standards)

- (1) **Screening.** The standards of Subsection 3.020 (Screening) apply to all new elements specified in Subsection 3.020 (Screening) for:
 - (a) All new development;
 - (b) Additions over 25 percent of the existing floor area of primary building;
 - (c) Reconstruction or reconfiguration of existing primary building that includes a remodel affecting more than 25 percent of existing floor area;
 - (d) Replacement of existing fencing or screening; and/or
 - (e) Installation of new equipment (e.g. HVAC, backflow preventer, etc.)
- (2) **Landscaping and Tree Standards.**
 - (a) Landscaping Standards. Refer to Article VII. Landscaping, Irrigation and Hydroseeding of Title 18 (Zoning) for applicable standards.
 - (b) Tree Standards. Refer to Article XIX. Tree Preservation and Protection of Title 18 (Zoning) for applicable standards

- (3) **Parking.** The standards of Subsection 3.030 (Parking) apply to the following:
 - (a) New development;
 - (b) Changes in land use; and/or
 - (c) Changes in intensity of buildings or structures made after the effective date of this ODS that cause an increase or decrease of 25 percent or greater in:
 - i. Gross floor area;
 - ii. Seating capacity;
 - iii. Units; and/or
 - iv. Parking spaces.
 - (d) Parking lot and access shall be redesigned in compliance with Subsection 3.030 (Parking) when additional parking of at least 25 percent from existing is proposed.
- (4) **Large Site Standards.** The standards of Subsection 3.040 (Large Sites) apply to new development on a project of at least five acres in area and at least 800 feet in length along the front or side street as follows:
 - (a) **Design Sites**
 - i. New buildings are required to be designed in compliance with the design site width and depth standards of the ODS zone.
 - ii. This ODS does not require the recordation of design site lines. The design site width and depth standards are for the purpose of consistently achieving pedestrian-oriented and scaled buildings.
 - (b) **Blocks and Thoroughfares**
 - i. Development sites shall be divided into new blocks in compliance with Subsection 3.040.7 (Block Size).
 - ii. New thoroughfares are required to form blocks in compliance with Table 3.040.7 (Block Size).
 - iii. When designing a new thoroughfare or retrofitting an existing thoroughfare, the standards in Roadway Standard Details of the City Council Resolution 07-10785, City Standard Details and Specifications, apply.
 - (c) **Applying Zones for Developments over 20 acres.**
 - i. Developments shall apply at least two zones using only the zones established in Section 2 (ODS Zone Standards) and in compliance with Table 3.040.B (Available Zones by General Plan Land Use Designation).
 - (d) **Civic Space Types.** See Section 7 (Civic Space Types).
- C. **Building Type Standards.** The standards of Section 4 (Building Types) apply to the following:
 - (1) New buildings (except public safety buildings); and
 - (2) Additions over 50 percent of the existing floor area of primary building (except public safety buildings).

- D. **Frontage Type Standards.** The standards of Section 6 (Frontage Types) apply to the following:
 - (1) New buildings;
 - (2) Existing buildings within 30 feet of the front or side street or public open space;
 - (3) Private property improvement on existing building within 30 feet of a front or side street; and
 - (4) Modification of pedestrian entrance(s) on existing building within 30 feet of a front or side street.
- E. **Civic Space Type Standards.** The standards of Section 7 (Civic Space Types) apply to the following:
 - (1) Development sites larger than three acres are required to create new civic space(s) in compliance with Section 7 (Civic Space Types).
- F. **Nonconforming Situations.** The standards of Chapter 18.76 (Nonconforming Uses and Structures) in Title 18 (Zoning) apply to all nonconforming situations
- G. **Permits and Procedures.** Applications for development are to be processed in compliance with the procedures identified in Subsection 1.060 (Permits and Procedures).

1.040

Relationship to the City of Pittsburgh General Plan

This ODS implements the City's General Plan vision through a palette of ODS zones described in Section 2 (ODS Zone Standards). This ODS is applied to walkable environments, existing or new. Walkable is described as an environment that is pedestrian-oriented in nature, with a variety of housing choices, where bicycling and walking are viable daily options because services, retail, or restaurants are within 2,000 linear feet of most residences in the development.

1.050

Relationship to Title 18 (Zoning)

Table 1.050.A: Relationship of Article XXI, Chapter 18.84 (Objective Design Standards) to Title 18 (Zoning) identifies the relationship of Article XXI, Chapter 18.84 (Objective Design Standards) to Title 18 (Zoning) only for parcel(s) mapped with ODS zones subject to Article XXI, Chapter 18.84 (Objective Design Standards). All other content in Title 18 (Zoning) not identified in the table continue to apply.

Table 1.050.A: Relationship of Article XXI, Chapter 18.84 (Objective Design Standards) to Title 18 (Zoning)

Title 18 (Zoning)		Article XXI, Chapter 18.84 (Objective Design Standards)
Division/Chapter	Description	Status
Division I	General Provisions	Superseded by Chapter 1 (Introduction), except as noted otherwise.
Division II	Administration	Superseded by Subsection 1.060 (Permits and Procedures), except as noted otherwise.
Division III	Base District Regulations	
Chapter 18.50	Residential Districts: RM, RMD, RH, RHD	Superseded by this Article XXI, Chapter 18.84 (Objective Design Standards), except as noted otherwise.
Chapter 18.52	Commercial Districts: CC, CN, CP, CS, CSD	Superseded by this Article XXI, Chapter 18.84 (Objective Design Standards), except as noted otherwise.
Chapter 18.53	Mixed Use Districts: M	Superseded by this Article XXI, Chapter 18.84 (Objective Design Standards), except as noted otherwise.
Chapter 18.62	Planned Development Districts: PD	Superseded by this Article XXI, Chapter 18.84 (Objective Design Standards), except as noted otherwise.
Division IV	Overlay District Regulations	
Chapter 18.74	Residential and Commercial Districts: RM-O, RMD-O, CS-O	Superseded by this Article XXI, Chapter 18.84 (Objective Design Standards), except as noted otherwise.
Division V	General Land Use Regulations	
Chapter 18.78	Off-Street Parking and Loading	Superseded by Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone, and Subsection 3.030 (Parking), except as noted otherwise.
Chapter 18.80	Development Standards for All Uses	
	18.80.010 Building Projections	Superseded by Table E (Building Placement) of the ODS zone
	18.80.015 Flag Lot	Superseded by Table C (Building Types and Design Site Size) of the ODS zone
	18.80.025 Mechanical and Utility Equipment	Superseded by Subsection 3.020 (Screening), except as noted otherwise.
	18.80.050 Street Line, Minimum length	Superseded by Table E (Building Placement) of the ODS zone
Chapter 18.84	Special Land Use Regulations Applicable to Specific Uses	
	Article IV. Fences and Walls	Superseded by Subsection 3.020 (Screening), except as noted otherwise.
All Divisions within Title 18 (Zoning) apply unless specified by this table.		

1.060 Permits and Procedures

1. Procedures for Applications Filed Under Senate Bill 35

A. Applicability

- (1) This Subsection applies to housing development projects applying for approval under Government Code §65913.4 and replaces the City's procedures for reviewing discretionary applications.
- (2) Pursuant to California state law, affordable housing projects, farmworker housing and emergency shelters [all as defined in Section 8 of the ODS (Definitions)] are subject to objective design review standards. The State Legislature imposed this requirement to facilitate the creation of new housing. However, the City recognizes that for certain projects, Article XXI, Chapter 18.84 (Objective Design Standards) may be more burdensome than the City's standard zoning process under Title 18 (Zoning). To further the intent of the State Legislature in streamlining the application and approval process for these projects, the City requires the applicant to select one of the following set of objective design standards to apply to their project: (1) Title 18 (Zoning) or (2) Article XXI, Chapter 18.84 (Objective Design Standards).
- (3) This Subsection shall remain in effect for the same period as Senate Bill 35 provisions contained in Government Code §65913.4. Unless Senate Bill 35 provisions are extended by the State Legislature, this Subsection shall remain in effect only until January 1, 2026, and as of that date is repealed.
- (4) The California Environmental Quality Act (CEQA) does not apply to projects eligible under Senate Bill 35.
- (5) The Department of Housing and Community Development is charged with developing guidelines for implementing Senate Bill 35. These procedures may change if required by changes in those guidelines or in Government Code §65913.4.

- B. **Definitions.** Terms defined in Government Code §65913.4 shall apply to this Subsection and shall control in the event of a conflict between definitions in this ODS and definitions in Government Code §65913.4.

C. Application Filing

- (1) **Preliminary Application Filing.** An applicant shall file a notice of intent to submit a Senate Bill 35 application in the form of a preliminary application consistent with Government Code §65941.1.
 - (a) **Form.** A preliminary application shall be filed on a form provided by the City with the required fee. If the City has not prepared a form, a preliminary application shall be filed on the standardized form adopted by the California Department of Housing and Community Development.
 - (b) **Timeline.** Within 180 calendar days after submitting a preliminary application, an applicant shall submit a full Senate Bill 35 application, provided scoping consultation has concluded consistent with Subsection 1.060.1.C.(1).(c) (Scoping Consultation).

(c) **Scoping Consultation**

- i. Upon receipt of the preliminary application, the City shall contact the Native American Heritage Commission for assistance in identifying any California Native American tribe that should be noticed. The City shall provide a formal notice of the applicant's intent to submit a full application to each required California Native American tribe within 30 days of preliminary application submittal. The formal notice shall be consistent with Government Code §65913.4(b).
- ii. If, within 30 days of receipt of the formal notice, any California Native American tribe that was formally noticed accepts the invitation to engage in scoping consultation, the City shall commence scoping consultation within 30 days of receiving that response.
- iii. Scoping consultation shall be conducted consistent with Government Code §65913.4(b). If, after scoping consultation is concluded, a development is not eligible for Senate Bill 35 streamlining, the City shall provide written documentation as required by Government Code §65913.4(b) to the applicant and any California Native American tribe that is a party to that scoping consultation.

- (2) **Full Application.** If the development remains eligible to apply under Senate Bill 35 after scoping consultation consistent with Government Code §65913.4(b) has concluded, an applicant may file a full Senate Bill 35 application on a form provided by the City with the required fee.

- D. **Completeness Review.** The City shall review an application for compliance consistent with Subsection 1.060.1.E (Compliance Review); there shall be no separate or additional time frame for completeness review. Only the items necessary to determine compliance with the provisions contained in Government Code §65913.4(a) shall be required.

E. **Compliance Review**

- (1) **Scope of Review.** The Review Authority's scope of review is limited to all of the provisions contained in Government Code §65913.4(a) and the objective standards in effect at the time of preliminary application submittal.
- (2) **Review Time frames and Review Authority**
 - (a) **Consistency Review.** The Zoning Administrator or his/her designee shall determine if the application complies with all of the provisions contained in Government Code §65913.4(a) and applicable objective standards within the following time frames:
 - i. Within 60 calendar days of application submittal for applications that include 150 or fewer housing units.
 - ii. Within 90 calendar days of application submittal for applications that include 151 or more housing units.
 - (b) **Design Review or Public Oversight.** Any design review or public oversight (i.e., Planning Commission review) to determine if the application complies with all of the provisions contained in Government Code §65913.4(a) and applicable objective standards shall occur within the following time frames:
 - i. Within 90 calendar days of application submittal for applications that include 150 or fewer housing units.
 - ii. Within 180 calendar days of application submittal for applications that include 151 or more housing units.

(3) **Compliance Determination**

- (a) **Compliant Application.** If the application complies with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, the City shall complete any design review or public oversight and any subdivision approval within the time frames listed in this Subsection 1.060.1.E (Compliance Review). Only objective design and subdivision standards may be applied. See Subsection 1.060.1.F (Decision on Project).
- (b) **Non-Compliant Application.** If the application does not comply with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, the Review Authority shall make the following determination:
 - i. If the application does not comply with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, the Review Authority shall provide the applicant with written documentation of which standards the development conflicts with and an explanation of the reasons the development conflicts with each standard.
 - ii. **Resubmitted Application.** If the project was found to be non-compliant, the applicant may resubmit the application for Senate Bill 35 streamlining, and the City shall review it for compliance with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards subject to the same timelines in this Subsection.
 - iii. **Project Ineligible.** If the project is ineligible for Senate Bill 35 streamlined processing, the applicant may elect to submit an application for the applicable discretionary approval.

F. **Decision on Project**

- (1) **Project Approval and Findings.** The Review Authority shall approve the application if the Review Authority finds that the proposed development is compliant with all of the provisions contained in Government Code §65913.4(a) and all applicable objective standards, including objective subdivision standards.
- (2) **Conditions of Approval.** The Review Authority may impose conditions of approval provided those conditions of approval are objective and broadly applicable to development within the City.

G. **Post-decision Procedures**

- (1) **Subsequent Permits.** Any necessary subsequent permits shall be issued on a ministerial basis subject to applicable objective standards. If a public improvement is necessary to implement a development subject to this Subsection, and that public improvement is located on land owned by the City, the Review Authority shall process any approvals needed as required by Government Code §65913.4(h)(3).

(2) **Post-Approval Modifications**

- (a) **Post-Approval Modification Request.** An applicant or the City may request a modification to an approved development if that request is made prior to the issuance of the final building permit.
 - (b) **Applicability of Objective Standards to Modifications.** The Review Authority shall only apply objective standards in effect when the original application was submitted, except that objective standards adopted after the date of original submittal may be applied in any of the following instances:
 - i. The total number of residential units or total square footage of construction changes by 15 percent or more; or
 - ii. The total number of residential units or total square footage of construction changes by five percent or more, and it is necessary to subject the development to an objective standard beyond those in effect when the application was submitted in order to mitigate or avoid a specific adverse impact upon public health or safety, for which there is no feasible alternative method to satisfactorily mitigate or avoid.
 - (c) **Post-Approval Modification Review Time frame and Decision.** The Review Authority shall determine if the modification is consistent with objective planning standards and issue a decision on the applicant's modification request within 60 days after submittal unless design review is required, in which case a decision shall be made within 90 days.
- (3) **Expiration.** An application approved consistent with this Subsection shall remain valid for three years; however, an application approval shall not expire if the development includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the area median income consistent with Government Code §65913.4(f).
- (4) **Extension.** At the discretion of the Review Authority, a one-year extension may be granted consistent with Government Code §65913.4(f)(3).

2. Procedures for applications filed consistent with the Housing Accountability Act

A. Applicability

- (1) This Subsection applies to housing development projects as defined by Government Code §65589.5(h)(2).
- (2) Pursuant to California state law, affordable housing projects, farmworker housing and emergency shelters [all as defined in Section 8 of the ODS (Definitions)] are subject to objective design review standards. The State Legislature imposed this requirement to facilitate the creation of new housing. However, the City recognizes that for certain projects, Article XXI, Chapter 18.84 (Objective Design Standards) may be more burdensome than the City's standard zoning process under Title 18 (Zoning). To further the intent of the State Legislature in streamlining the application and approval process for these projects, the City requires the applicant to select one of the following set of objective design standards to apply to their project: (1) Title 18 (Zoning) or (2) Article XXI, Chapter 18.84 (Objective Design Standards).
- (3) This Subsection shall remain in effect for the same period as provisions contained in the Government Code §65589.5 (Housing Accountability Act). Any provisions that are not extended by the State Legislature shall be repealed as of the date those provisions in the Housing Accountability Act are deemed null and void.

- B. **Definitions.** Terms defined in Government Code §65589.5 shall apply to this Subsection and shall control in the event of a conflict between definitions in this ODS and definitions in Government Code §65589.5.

C. Application Filing

- (1) **Preliminary Application Filing (Optional).** An applicant may file a preliminary application consistent with Government Code §65941.1.
 - (a) A preliminary application shall be filed on a form provided by the City with the required fee. If the City has not prepared a form, a preliminary application shall be filed on the standardized form adopted by the California Department of Housing and Community Development.
 - (b) Within 180 calendar days after submitting a preliminary application, an applicant shall submit a full application for the housing development.
- (2) **Full Application.** An applicant may file a full application for a housing development without filing a preliminary application. The full application shall be filed on a form provided by the City with the required fee.

- D. **Conflicting Procedures.** This Subsection provides additional procedures that shall be followed for applicable projects. If conflicts occur between the City's procedures and the procedures of this Subsection, this Subsection shall control.

E. Completeness Review

- (1) **Preliminary Application.** If a preliminary application is filed, the preliminary application shall be deemed complete when the preliminary application containing all of the information listed in the preliminary application form is submitted. If all listed information is not provided, the City shall request the missing information from the applicant.
- (2) **Full Application**
 - (a) Once a full application is submitted, the City shall inform the applicant in writing within 30 calendar days of submittal or resubmittal that the application is complete or incomplete and the additional information required consistent with Government Code §65943. Only information requested in the City's application forms can be requested. If the City does not provide written notification within this time frame, the application shall be deemed complete. The City shall review each resubmittal within the 30-day period and cannot request information that was not listed in the first incompleteness letter.
 - (b) If an applicant receives written notification that the application is incomplete, and a preliminary application was submitted for the housing development, the applicant shall submit the information needed to complete the application within 180 calendar days of receiving the written notification of incompleteness. If the applicant does not submit this information within this time frame, the preliminary application shall expire and have no further force or effect.
 - (c) If a second determination of incompleteness is provided, the applicant shall be able to appeal the decision to the City Council. The City shall make a decision on the appeal no later than 60 calendar days after receipt of the applicant's written appeal. The initial appeal may be to the Planning Commission, but in that case the City Council shall still make a decision within 60 days. If the decision on the appeal is not made within this time frame, the application shall be deemed complete.

F. Compliance Review

- (1) **Scope of Review**
 - (a) **Housing Development with a Preliminary Application Submittal.** A housing development for which a preliminary application was submitted shall only be subject to the ordinances, policies, and standards adopted and in effect when the preliminary application is submitted, except in the following circumstances:
 - i. A fee, charge, or other monetary exaction increase resulting from an automatic annual adjustment based on an independently published cost index that is referenced in the ordinance or resolution establishing the fee or monetary exaction.
 - ii. A preponderance of the evidence in the record establishes that subjecting the housing development to an ordinance, policy, or standard beyond those in effect when the preliminary application was submitted is necessary to mitigate or avoid a specific, adverse impact upon the public health or safety, and there is no feasible alternative method to satisfactorily mitigate or avoid the adverse impact.
 - iii. Subjecting the housing development to an ordinance, policy, standard, or any other measure, beyond those in effect when the preliminary application was submitted is necessary to avoid or substantially lessen an impact consistent with CEQA.

- iv. The housing development has not commenced construction within 2.5 years following the date of the housing development's final approval (as defined in Government Code §65589.5(o)(1)(D)).
 - v. The number of residential units or square footage of construction proposed changes by 20 percent or more, exclusive of any increase resulting from a density bonus, incentive, concession, waiver, or similar provision.
- (b) **Housing Development without a Preliminary Application Submittal.** A housing development shall be subject to objective standards in effect when the application was deemed complete.
- (2) **Review Time frames**
- (a) Applications for housing development containing 150 or fewer units shall be reviewed for compliance with applicable objective standards within 30 calendar days of being deemed complete.
 - (b) Applications for housing development containing more than 150 units shall be reviewed for compliance with applicable objective standards within 60 calendar days of being deemed complete.
- (3) **Review Authority.** The Review Authority shall be the Review Authority consistent with the City's procedures for the full application; however, if the Director of Planning & Building or his/her designee is not the Review Authority, the Director of Planning & Building or his/her designee may serve as the Review Authority, if necessary, to comply with Review Timelines described in Subsection 1.060.2.F.(2) (Review Time frames).
- (4) **Compliance Determination**
- (a) The Review Authority shall identify the specific standard(s) that the project does not comply with and provide an explanation of the reason(s) why the housing development is considered to be inconsistent or non-compliant with identified provisions and shall provide the written determination to the applicant.
 - (b) A housing development is considered in compliance with this ODS, and shall not require a Zoning Map Amendment, if the housing development complies with objective General Plan standards but the zoning for the housing development site is inconsistent with the General Plan.
- (5) **Limited Hearings/Meetings.** If a housing development complies with applicable objective standards, the City shall not conduct more than five public hearings (including continuances), workshops, or similar meetings after the full application is complete in connection with the approval of the housing development consistent with Government Code §65905.5. Meetings required by CEQA are exempt from the limit.

G. Findings and Decision

(1) Findings

- (a) If the proposed housing development complies with applicable objective General Plan, zoning, and subdivision standards and criteria, including design review standards, the Review Authority may only deny the housing development or conditionally approve the housing development at a lower density if the Review Authority makes written findings supported by a preponderance of the evidence in the record that:
 - i. The housing development would have a specific, adverse impact upon the public health or safety unless the housing development is denied or conditionally approved at a lower density. A "specific, adverse impact" means a "significant, quantifiable, direct, and unavoidable impact, based on identified written public health or safety standards, policies, or conditions as they existed on the date that the project was deemed complete"; and
 - ii. There is no feasible method to satisfactorily mitigate or avoid the adverse impact other than the denial of the housing development or conditional approval of the housing development at a lower density.
- (b) If the housing development includes 20 percent of units affordable to very low or low-income households, 100 percent of units affordable or moderate or middle income households, or an emergency shelter, the Review Authority shall approve the housing development unless the Review Authority makes written findings supported by a preponderance of the evidence in the record, as to at least one of the findings in Government Code §65589.5(d).

(2) **Decision Time frames.** The Review Authority shall approve or deny the housing development within the following applicable period:

- (a) 90 days from Environmental Impact Report certification;
- (b) 60 days from Environmental Impact Report certification for an affordable housing development consistent with Government Code §65950(a)(3);
- (c) 60 days from adoption of a Negative Declaration; or
- (d) 60 days from determination of CEQA exemption.

H. **Post-Decision Procedures.** Post-decision procedures for the required permit (full application) shall be followed provided those procedures do not conflict with applicable Government Code sections for housing developments (i.e., Housing Accountability Act, Government Code §65589.5).

Figure 1.060.A: Process for Developments Eligible for Senate Bill 35 Streamlining with 150 units or Fewer (Government Code §65913.4)

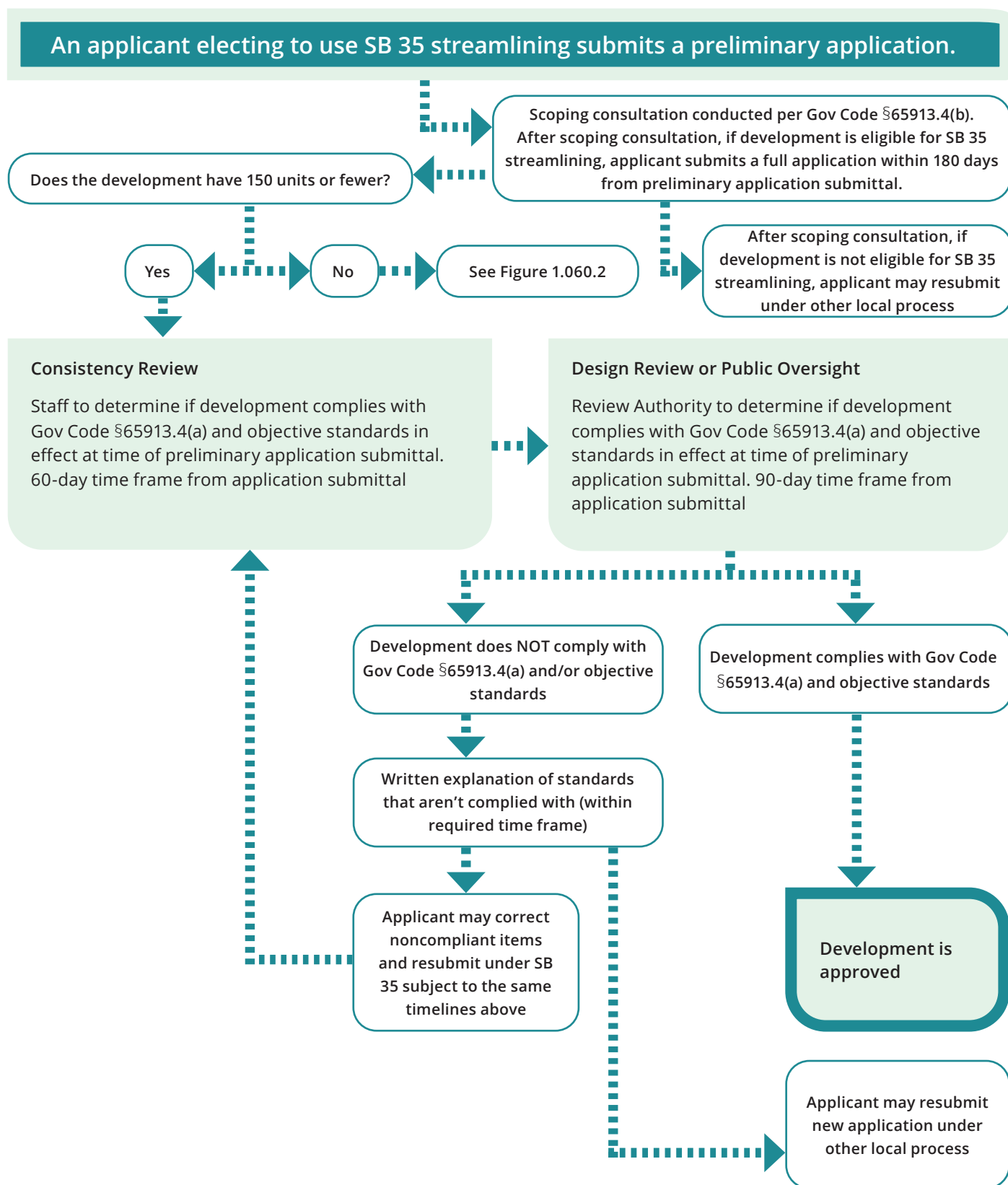


Figure 1.060.B: Process for Developments Eligible for Senate Bill 35 Streamlining with 151 units or More (Government Code §65913.4)

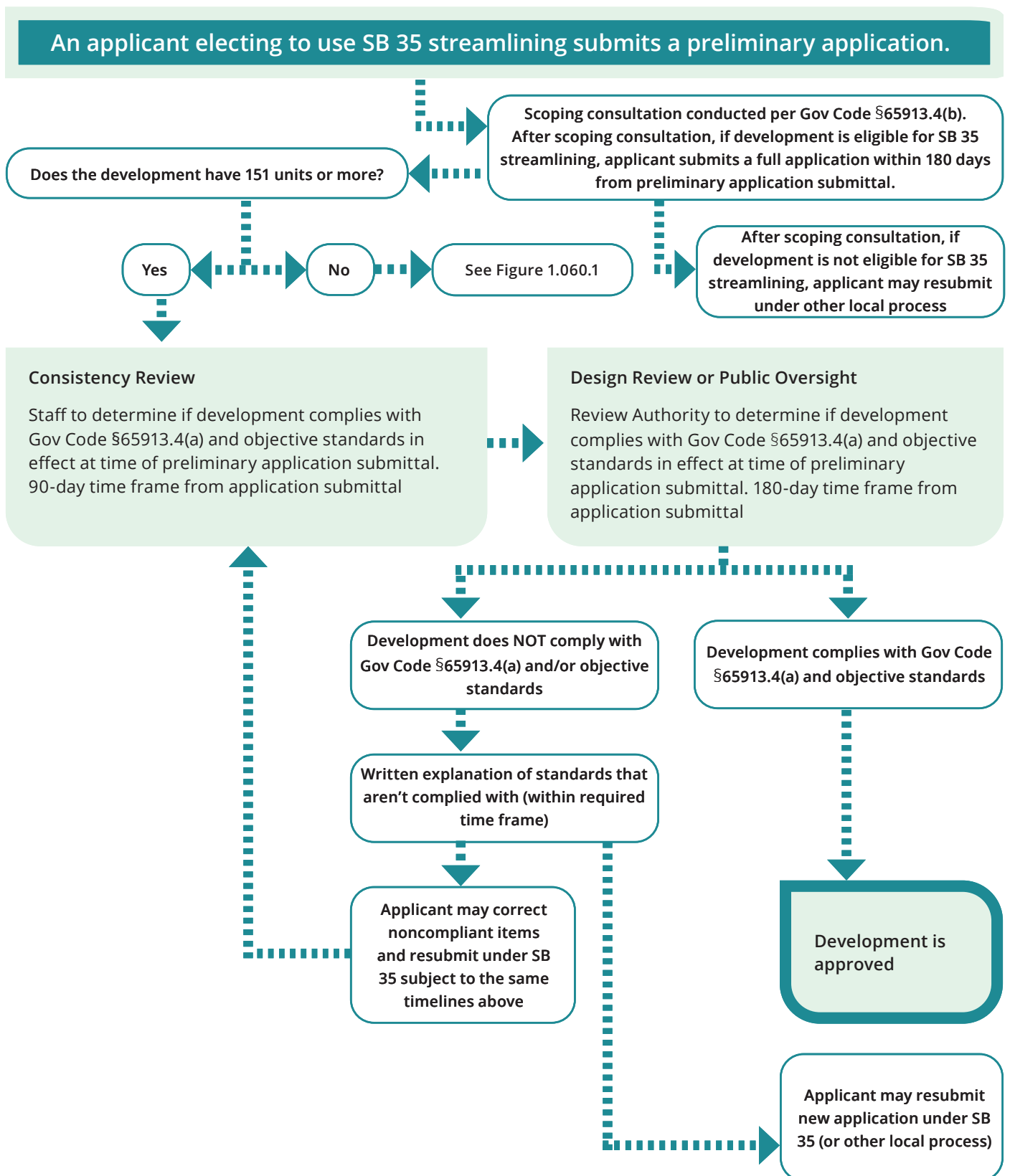
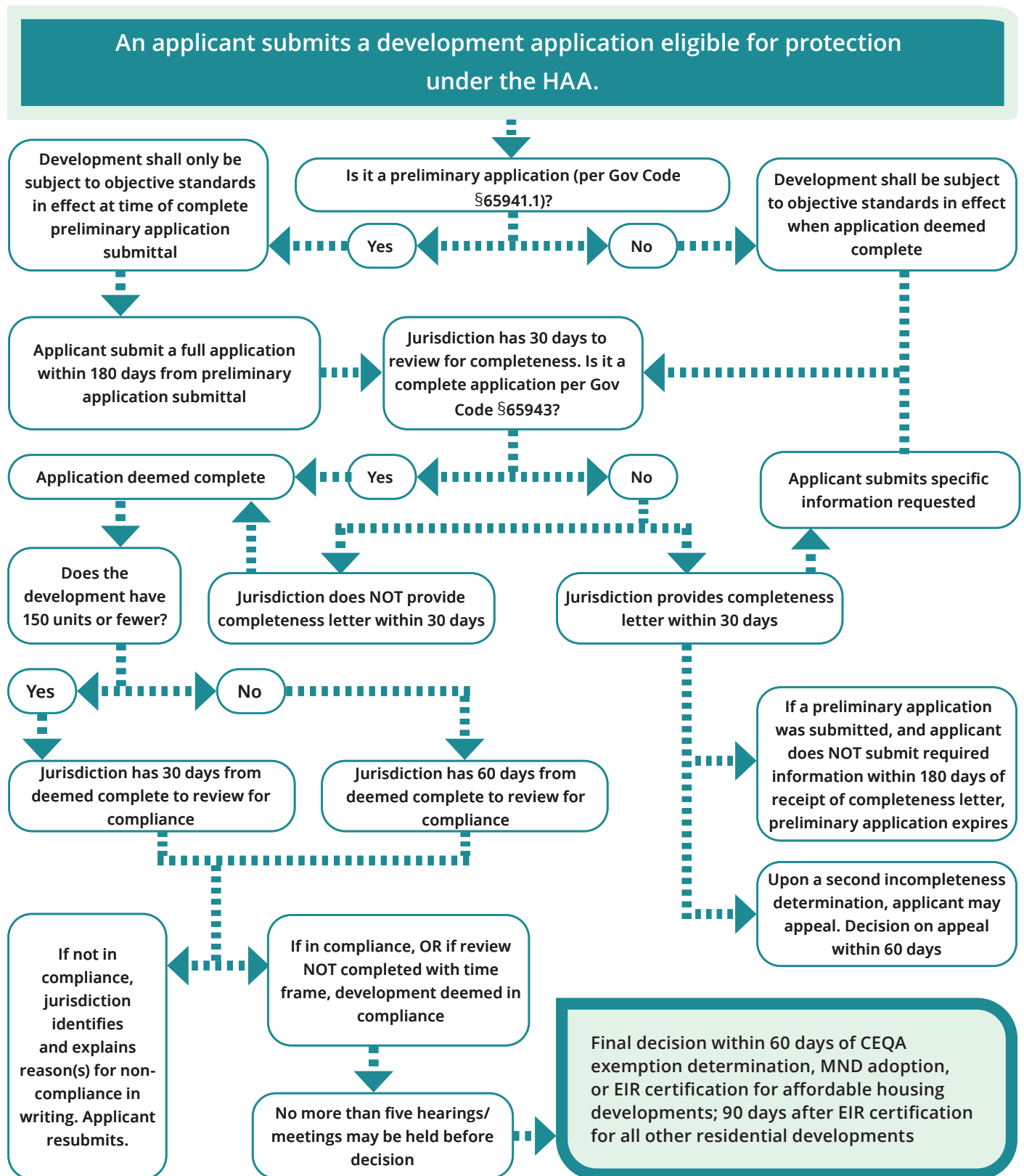


Figure 1.060.C: Process for Developments Eligible for Housing Accountability Act (HAA) Protection (Government Code §65589.5)



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Section 2: ODS Zone Standards

Subsections:

2.010	Purpose
2.020	ODS Overlay Map
2.030	Overview of ODS Zones
2.040	T3 Neighborhood (T3N)
2.050	T4 Neighborhood (T4N)
2.060	T4 Main Street (T4MS)
2.070	T5 Neighborhood (T5N)
2.080	T5 Main Street (T5MS)
2.090	Allowed Uses

2.010 Purpose

This Section provides zones and standards to implement the City of Pittsburgh General Plan to generate and support the variety of physical character of the intended development.

2.020 ODS Overlay Map

The zones established in this Section are mapped on Figure 2.020.1 (ODS Overlay Map). In addition to identifying the zoning for each parcel, Figure 2.020.1 (ODS Overlay Map) identifies specific urban design requirements.

2.030 Overview of ODS Zones

Table 2.020.A (Overview of ODS Zones) provides an overview of each ODS zone and its intent. This information is to show how the broader transects have been applied, and as qualitative background information on the intended physical character, allowed range of uses, and direction for the detailed standards in each ODS zone. See referenced Subsection(s) for standards.

Figure 2.020.1 ODS Overlay Map

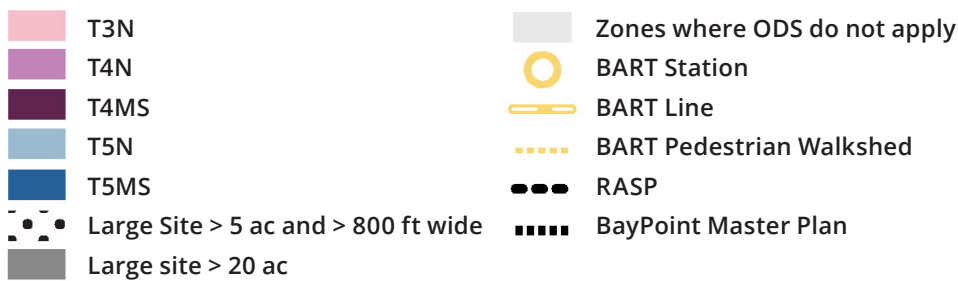


Figure 2.020.2 ODS Overlay Map - Area 1

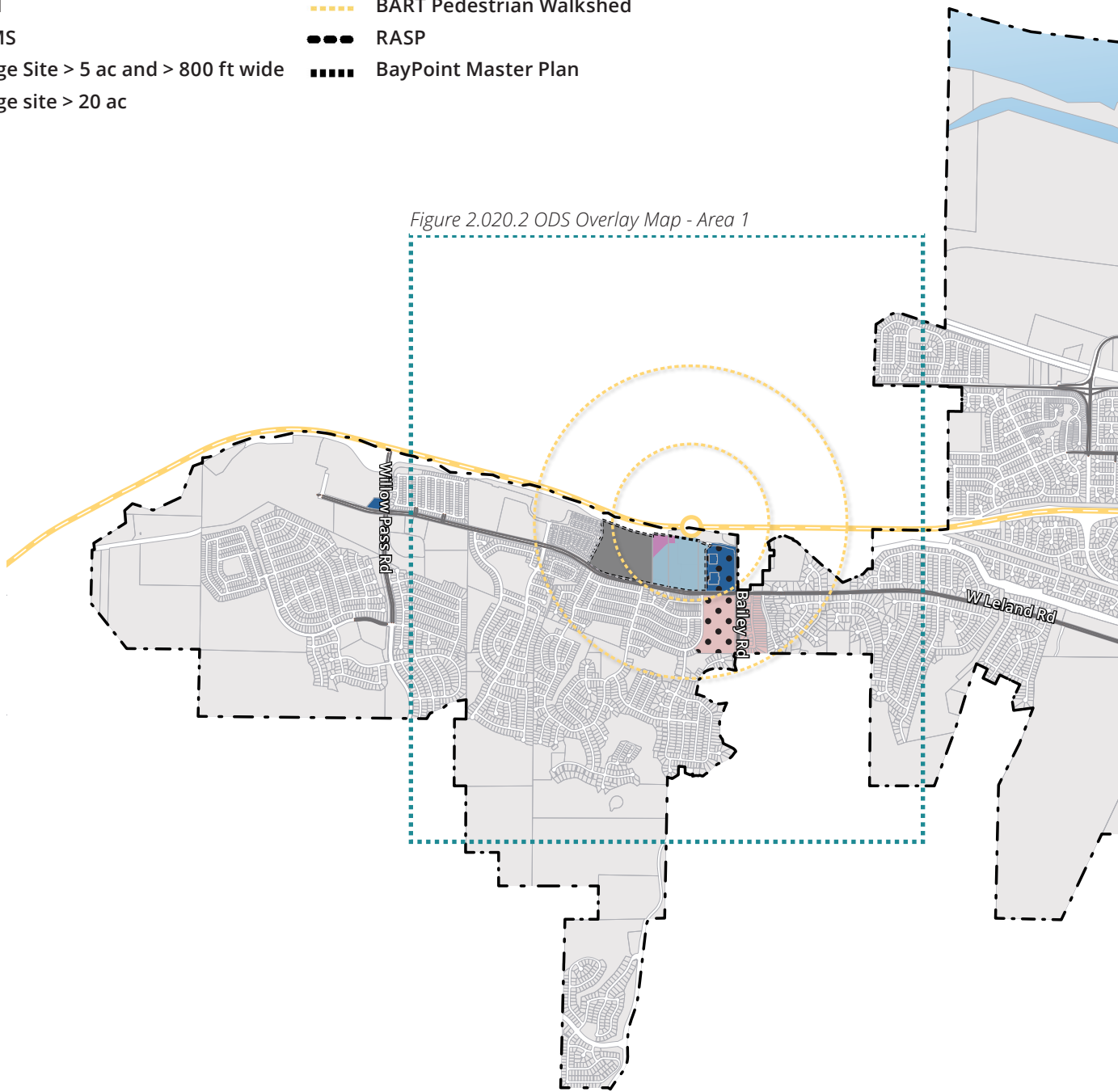


Figure 2.020.3 ODS Overlay Map - Area 2

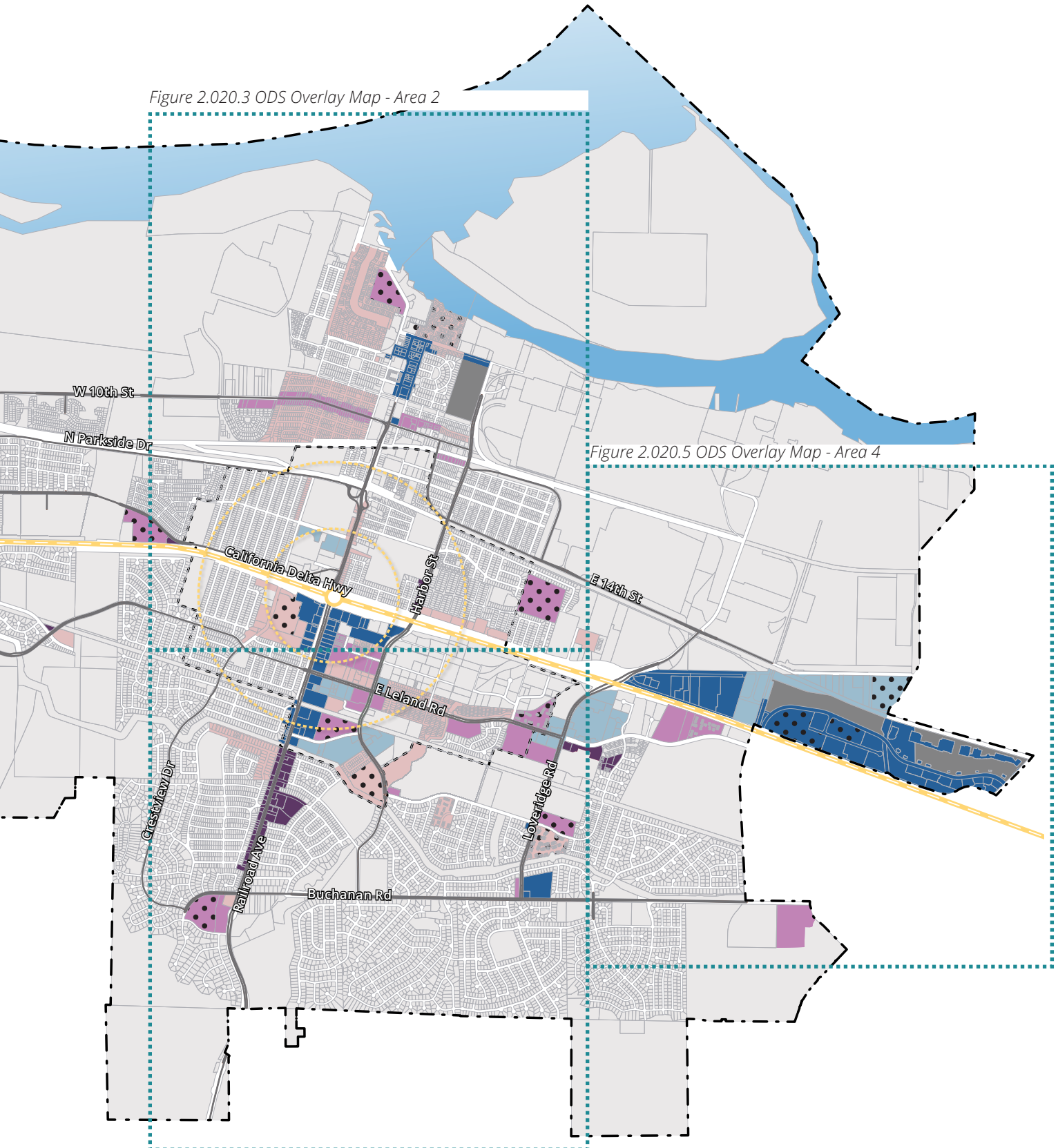


Figure 2.020.5 ODS Overlay Map - Area 4

Figure 2.020.4 ODS Overlay Map - Area 3

Figure 2.020.2 ODS Overlay Map - Area 1

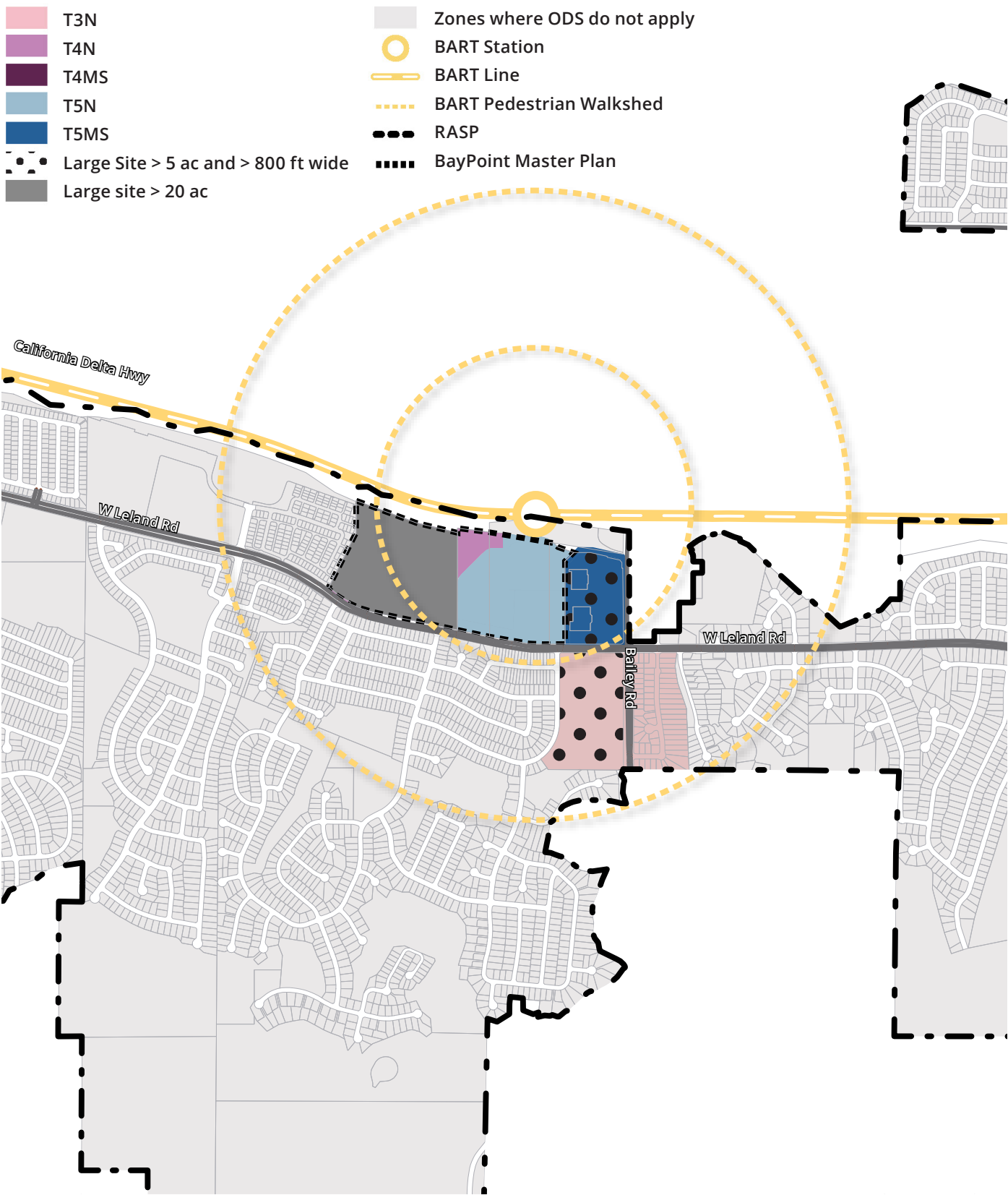


Figure 2.020.3 ODS Overlay Map - Area 2

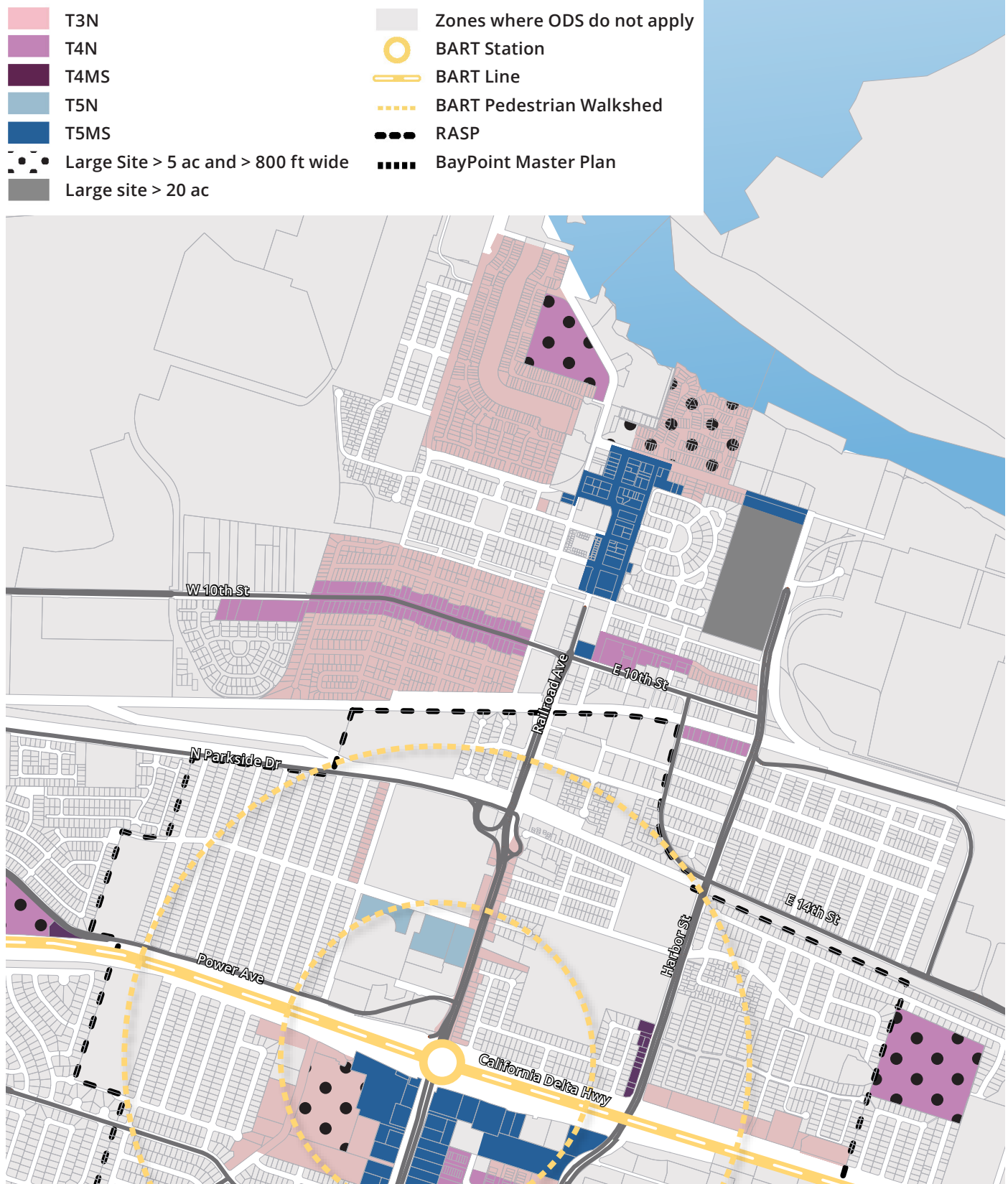


Figure 2.020.4 ODS Overlay Map - Area 3

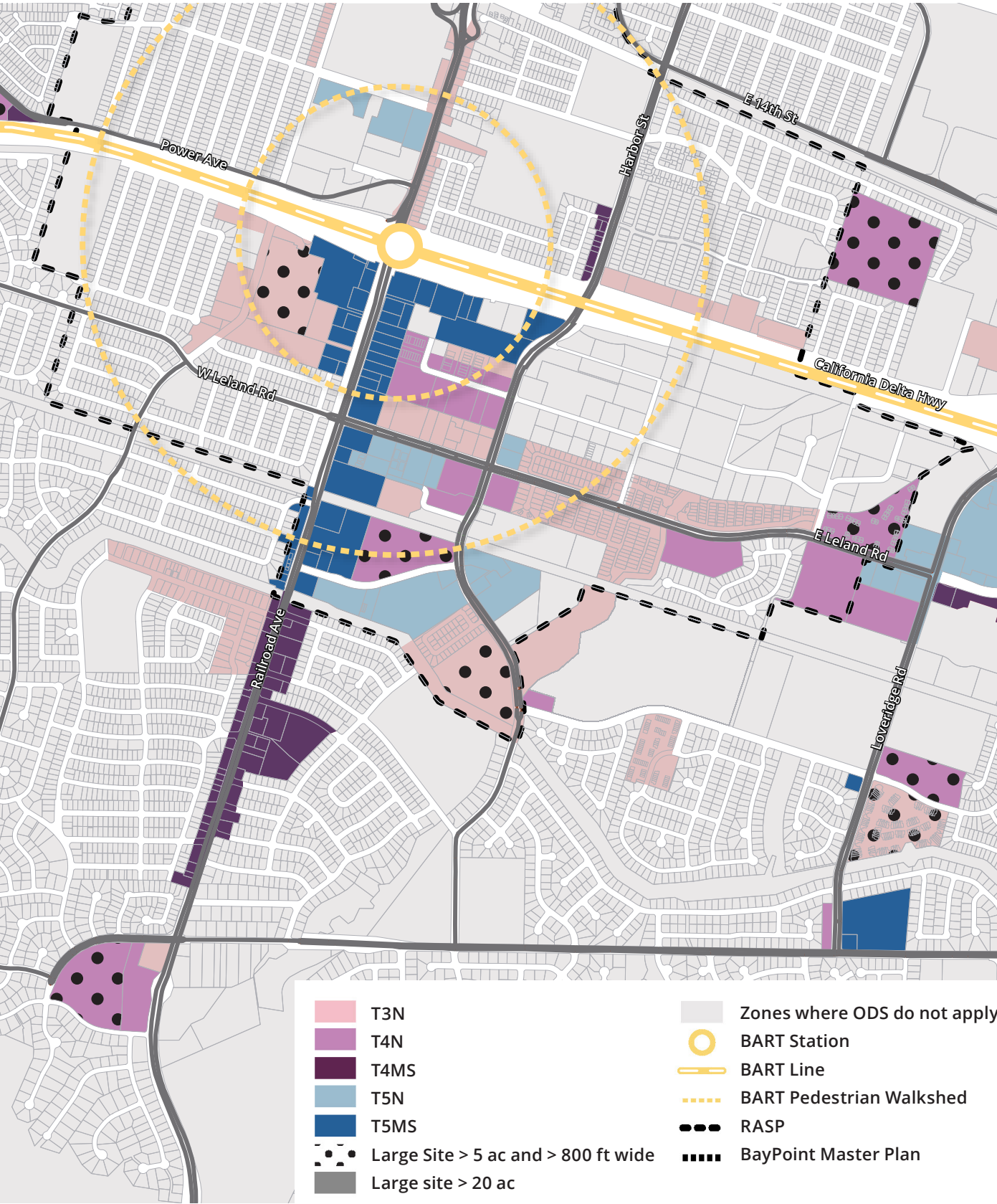


Figure 2.020.5 ODS Overlay Map - Area 4

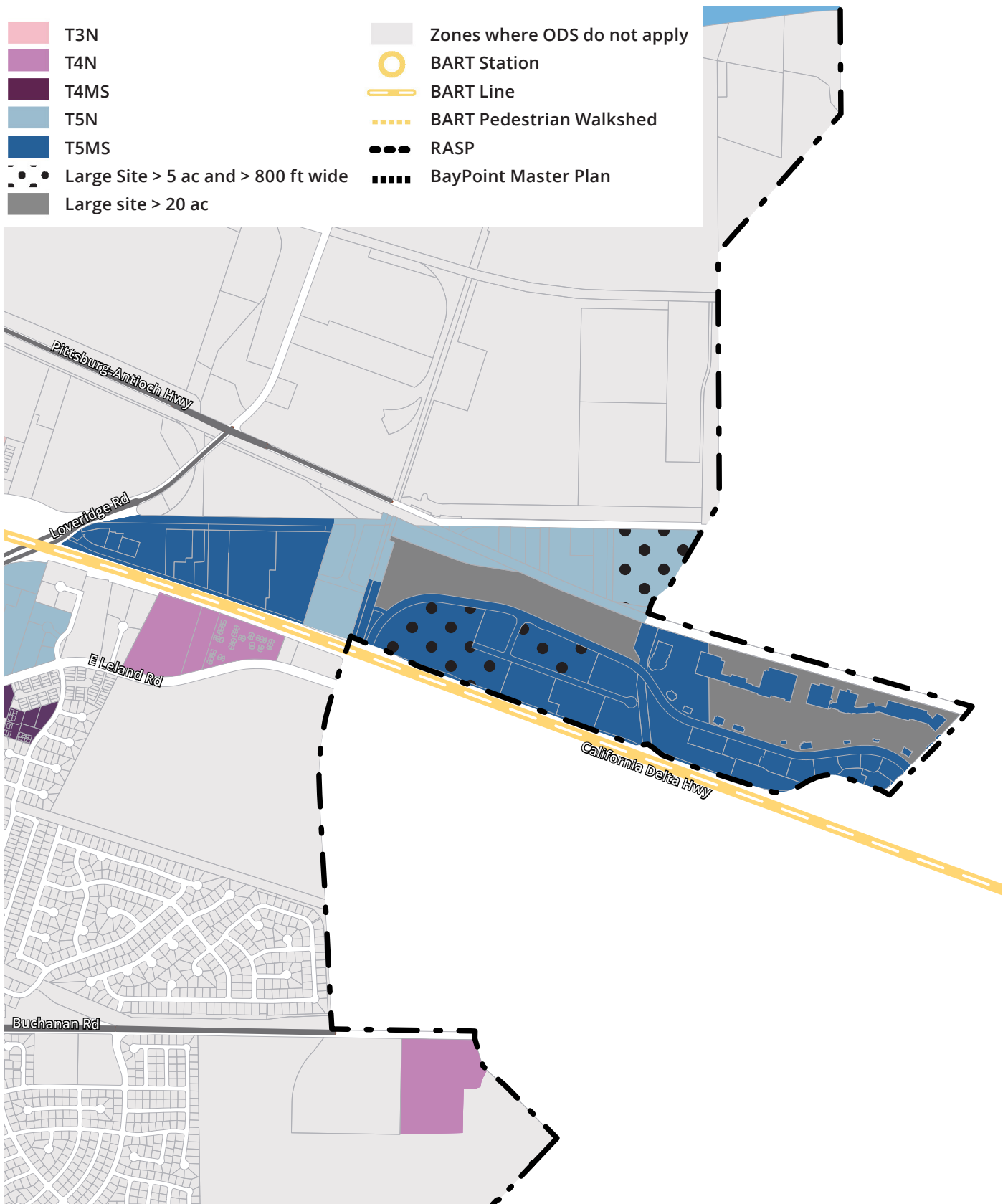


Table 2.030.A: Overview of ODS Zones

◀ Less Urban

T3 Neighborhood 2.040



Zone Abbreviation

T3N

Intent

A walkable neighborhood environment of small-to-medium footprint, low-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

Desired Form

House-Scale Buildings

Primarily Detached Buildings

Small-to-Medium Building Footprint

Medium-to-Large Front Setbacks

Medium-to-Large Side Setbacks

Up to 3 Stories

T4 Neighborhood 2.050



Zone Abbreviation

T4N

Intent

A walkable neighborhood environment of small-to-medium footprint, moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

Desired Form

House-Scale Buildings

Primarily Detached Buildings

Small-to-Medium Building Footprint

Small-to-Medium Front Setbacks

Small-to-Medium Side Setbacks

Up to 4 Stories

Table 2.030.A: Overview of ODS Zones (Continued)

T4 Main Street 2.060



Zone Abbreviation

T4MS

Intent

A walkable district of medium footprint, moderate intensity, mixed-use buildings and housing choices, supporting neighborhood-serving ground floor retail, food and services.

Desired Form

Mostly Block-Scale Buildings

Primarily Attached Buildings

Medium Building Footprint

Small-to-None Front Setbacks

Small-to-None Side Setbacks

Up to 3 Stories

T5 Neighborhood 2.070



Zone Abbreviation

T5N

Intent

A walkable neighborhood environment with medium-to-large footprint, moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

Desired Form

Primarily Block-Scale Buildings

Primarily Attached Buildings

Medium-to-Large Building Footprint

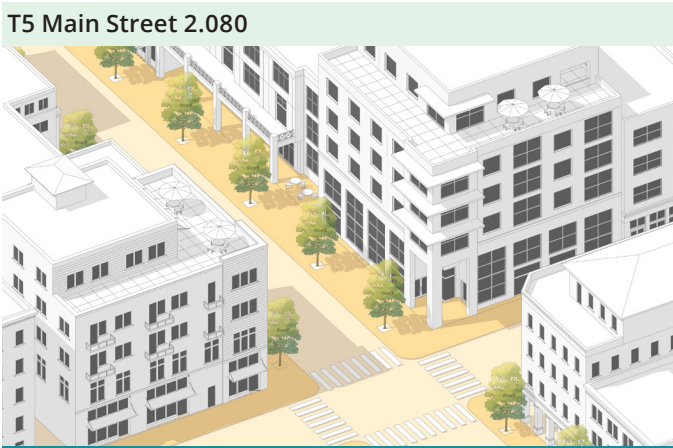
Small Front Setbacks

Small Side Setbacks

Up to 5 Stories

Table 2.030.A: Overview of ODS Zones (Continued)

More Urban 



Zone Abbreviation

T5MS

Intent

A walkable district of medium-to-large footprint, mixed-use buildings and housing choices, supporting neighborhood-serving ground floor retail, food and services.

Desired Form

Block-Scale Buildings

Primarily Attached Buildings

Medium-to-Large Building Footprint

Small-to-None Front Setbacks

Small-to-None Side Setbacks

Up to 5 Stories

2.040 T3 Neighborhood (T3N)



General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.

Table 2.040.A Intent

A walkable neighborhood environment of small-to-medium footprint, low-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

Table 2.040.B Building Types and Design Site Size

Allowed Building Types (Primary Building)	Design Site	
	Width A	Depth B
House-Scale		
Duplex Side-by-Side	60' min.	110' min.
Duplex Stacked	50' min.	100' min.
Cottage Court	90' min.	120' min.
Townhouse	25' min.	100' min.

Design Site

Each design site shall have only one primary building type.
Design sites of at least 5 acres and at least 800 feet wide along the Front or Side Street are required to include new street(s) and civic space per Subsection 3.040 (Large Sites).

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) of Title 18 (Zoning) for standards.

Table 2.040.C Building Form

Primary Building		
Stories	3 max.	
To Highest Eave/Parapet	35' max.	C
Overall	40' max.	D

Ground Floor Finish Floor Level

Residential Uses	By allowed Frontage Type or Base Flood Elevation Plus 1'; which ever is greater	E
Non-Residential Uses	6" max.	E
Common entries may be set at grade in compliance with local and federal accessibility standards.		

Habitable Space on Ground Floor along front facade

Depth	12' min. Cottage Court 30' min. All Other Building Types	F
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Ground Floor Clear Height

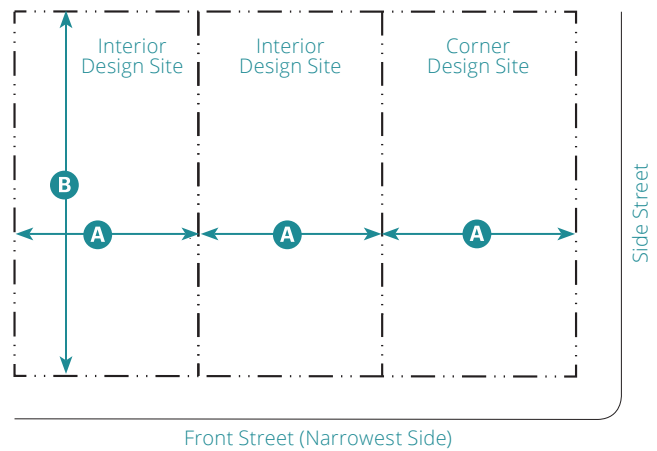
Residential Uses	9' min.	G
Non-Residential Uses	10' min.	G

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

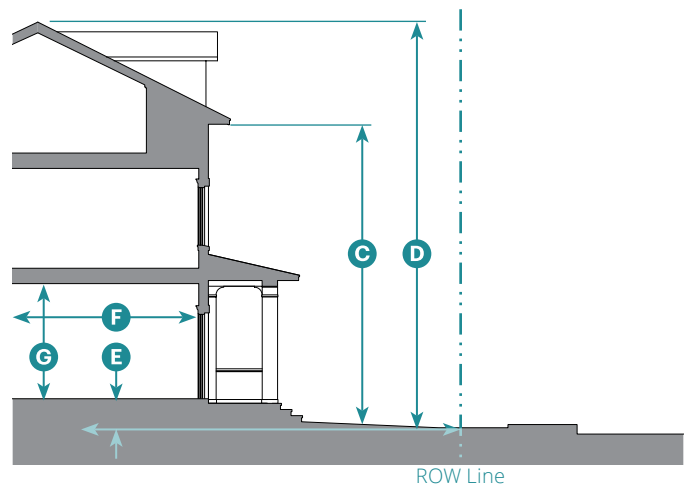
See Section 18.50.315 (Design and Development Standards) for standards.

Building Footprint and Massing

Additional standards	Section 4 (Building Types) and Section 5 (Massing and Facade Articulation Standards)
----------------------	--

Figure 2.040.1**Key**

--- ROW/ Design Site Line

Figure 2.040.2**Key**

--- ROW Line

Table 2.040.D Building Placement

Setback (Distance from ROW/ Design Site Line)

Primary Building

Front (Facade Zone)	15' min. 25' max.	H
Side Street (Facade Zone)	15' min. 25' max.	I
Side	7' min.	J
Rear	20' min.	K

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) for standards.

Accessory Structures

See Article I (Accessory Structures) of Chapter 18.84 for standards.

No internal Side setback required between Townhouses in a Run

Encroachments into Minimum Setbacks

Architectural Features, including ramps and stairs, may encroach into minimum setbacks a maximum of 10 feet.

Building Facade

Facade Zone Defined By Building

Total length of facade required within the facade zone:

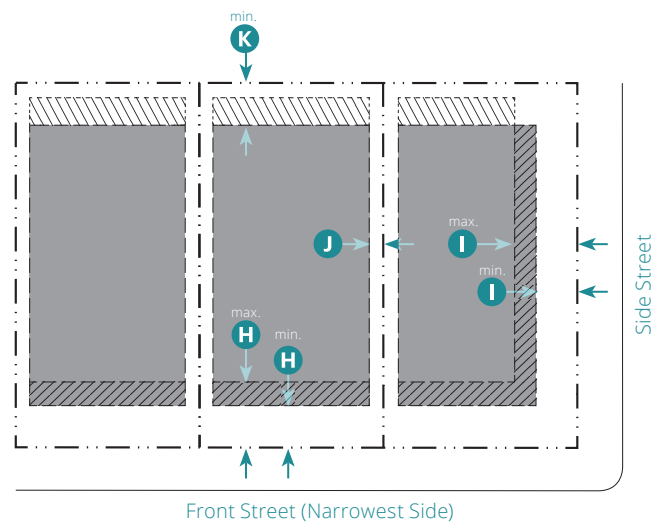
Front	60% min. exclusive of setbacks
Side Street	50% min. exclusive of setbacks

Table 2.040.E Frontages

Allowed Frontage Types Standards

Porch Projecting	6.040
Porch Engaged	6.050
Dooryard	6.060
Stoop	6.070

Figure 2.040.3



Key

--- ROW/ Design Site Line	Buildable Area
--- Building Setback Line	Acc. Structures Only
	Facade Zone

Table 2.040.F On-Site Vehicular and Bicycle Parking**Vehicular Spaces****Residential Uses**

Studio or 1 Bedroom	1 min. per unit
2 or More Bedrooms	1.5 min. per unit

Allowed Non-Residential Uses per Building

≤ 1,000 sf	0 min.
≥ 1,000 sf	1.5 min. per 1,000 sf above first 1,000 sf

Additional standards Subsection 3.030 (Parking)

Bicycle Spaces**Residential Uses**

Studio or 1 Bedroom	1 min. per unit
2 or More Bedrooms	2 min. per unit

Setback (Distance from ROW/ Design Site Line)

Front	45' min.	L
Side Street	25' min.	M
Side	5' min.	N
Rear	5' min.	O

Bicycles may be parked anywhere on design site, in compliance with pedestrian and vehicular access standards.

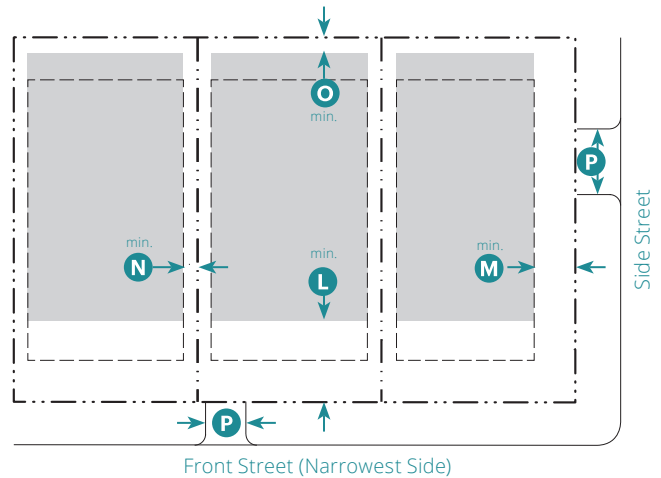
Driveway

Curb Cut/Width	P
One-Way	12' max.
Two-Way	Not Allowed

Curb cut width may exceed allowed max. width along alley.

Driveways may be shared between adjacent design sites but shall not exceed maximum allowed width.

Driveway access on corner design sites required from side street or rear.

Figure 2.040.4**Key**

- ROW/ Design Site Line
- Building Setback Line
- Parking Area

2.050 T4 Neighborhood (T4N)



General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.

Table 2.050.A Intent

A walkable neighborhood environment of small-to-medium footprint, moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

Table 2.050.B Building Types and Design Site Size

Allowed Building Types (Primary Building)	Design Site	
	Width A	Depth B
House-Scale		
Multiplex Small	60' min.	110' min.
Townhouse	18' min.	100' min.
Courtyard Building Small	100' min.	150' min.

Design Site

Each design site shall have only one primary building type.
Design sites of at least 5 acres and at least 800 feet wide along the Front or Side Street are required to include new street(s) and civic space per Section 3.040 (Large Sites).

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) of Title 18 (Zoning) for standards.

Table 2.050.C Building Form

Primary Building		
Stories	4 max.	
To Highest Eave/Parapet	45' max.	C
Overall	50' max.	D

Ground Floor Finish Floor Level

Residential Uses	By allowed Frontage Type or Base Flood Elevation Plus 1'; which ever is greater	E
Non-Residential Uses	6" max.	E

Common entries may be set at grade in compliance with local and federal accessibility standards.

Habitable Space on Ground Floor along front facade

Depth	30' min.	F
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Ground Floor Clear Height

Residential Uses	9' min.	G
Non-Residential Uses	10' min.	G

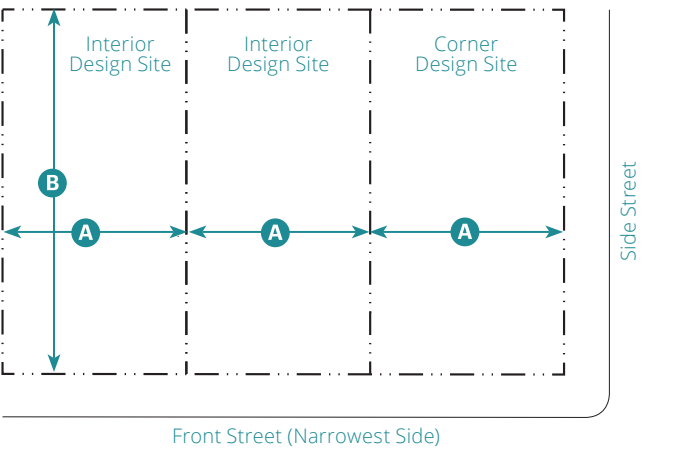
Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) for standards.

Building Footprint and Massing

Additional standards	Section 4 (Building Types) and Section 5 (Massing and Facade Articulation Standards)
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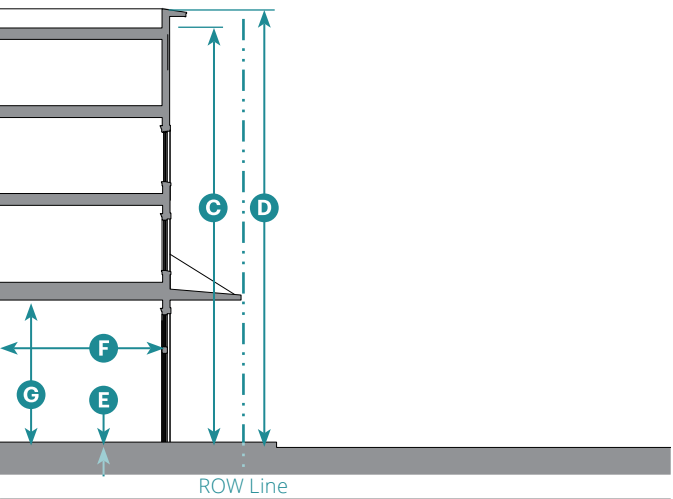
Figure 2.050.1



Key

--- ROW/ Design Site Line

Figure 2.050.2



Key

--- ROW Line

Table 2.050.D Building Placement

Setback (Distance from ROW/ Design Site Line)

Primary Building		
Front (Facade Zone)	10' min. 20' max.	H
Side Street (Facade Zone)	10' min. 20' max.	I
Side	5' min.	J
Rear	20' min.	K

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) for standards.

Accessory Structures

See Article I (Accessory Structures) of Chapter 18.84 for standards.

No internal Side setback required between Townhouses in a Run

Encroachments into Minimum Setbacks

Architectural Features, including ramps and stairs, may encroach into minimum setbacks a maximum of 8 feet.

Building Facade

Facade Zone Defined By Building

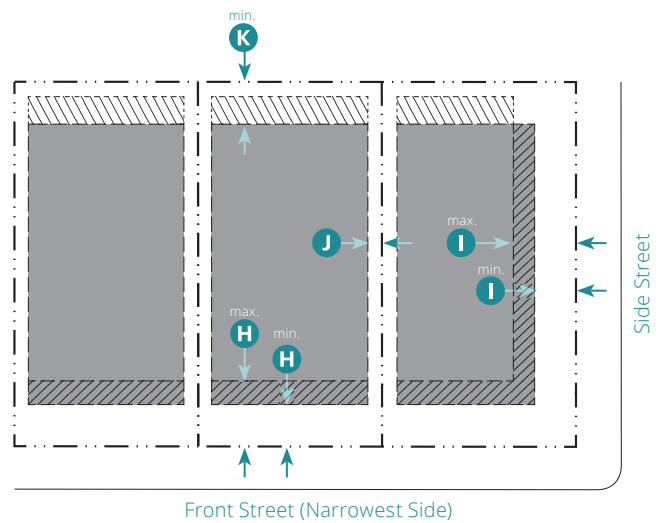
Total length of facade required within the facade zone:

Front	65% min. exclusive of setbacks
Side Street	55% min. exclusive of setbacks

Table 2.050.E Frontages

Allowed Frontage Types	Standards
Porch Projecting	6.040
Porch Engaged	6.050
Dooryard	6.060
Stoop	6.070

Figure 2.050.3



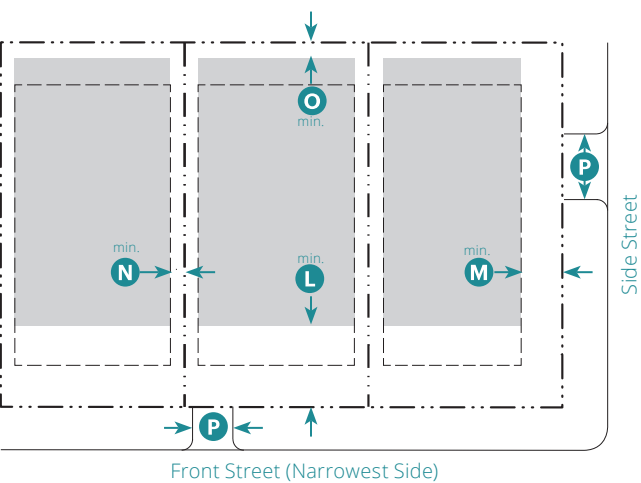
Key

--- ROW/ Design Site Line	Buildable Area
--- Building Setback Line	Acc. Structures Only
	Facade Zone

Table 2.050.F On-Site Vehicular and Bicycle Parking

Vehicular Spaces		
Residential Uses		
Studio or 1 Bedroom	1 min. per unit	
2 or More Bedrooms	1.5 min. per unit	
Allowed Non-Residential Uses per Building		
≤ 1,500 sf	0 min.	
≥ 1,500 sf	1.5 min. per 1,000 sf above first 1,500 sf	
Additional standards	Subsection 3.030 (Parking)	
Bicycle Spaces		
Residential Uses		
Studio or 1 Bedroom	1 min. per unit	
2 or More Bedrooms	2 min. per unit	
Setback (Distance from ROW/ Design Site Line)		
Front	40' min.	L
Side Street	20' min.	M
Side	5' min.	N
Rear	5' min.	O
Bicycles may be parked anywhere on design site, in compliance with pedestrian and vehicular access standards.		
Driveway		
Curb Cut/Width		P
One-Way	10' max.	
Two-Way	Not Allowed	
Curb cut width may exceed allowed max. width along alley.		
Driveways may be shared between adjacent design sites but shall not exceed maximum allowed width.		
Driveway access on corner design sites required from side street or rear.		

Figure 2.050.4



Key

- ROW/ Design Site Line
- Building Setback Line
- Parking Area

2.060 T4 Main Street (T4MS)



General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.

Table 2.060.A Intent

A walkable district of medium footprint, moderate intensity, mixed-use buildings and housing choices, supporting neighborhood-serving ground floor retail, food and services.

Table 2.060.B Building Types and Design Site Size

Allowed Building Types (Primary Building)	Design Site	
	Width A	Depth B
House-Scale		
Courtyard Building Small	100' min.	140' min.
Block-Scale		
Townhouse	18' min.	100' min.
Main Street Building	25' min.	100' min.

Design Site

Each design site shall have only one primary building type.
Design sites of at least 5 acres and at least 800 feet wide along the Front or Side Street are required to include new street(s) and civic space per Section 3.040 (Large Sites).

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) of Title 18 (Zoning) for standards.

Table 2.060.C Building Form

Primary Building		
Stories	3 max.	
To Highest Eave/Parapet	35' max.	C
Overall	40' max.	D

Ground Floor Finish Floor Level

Residential Uses	By allowed Frontage Type or Base Flood Elevation Plus 1'; which ever is greater	E
Non-Residential Uses	6" max.	E

Common entries may be set at grade in compliance with local and federal accessibility standards.

Habitable Space on Ground Floor along front facade

Depth	30' min.	F
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Ground Floor Clear Height

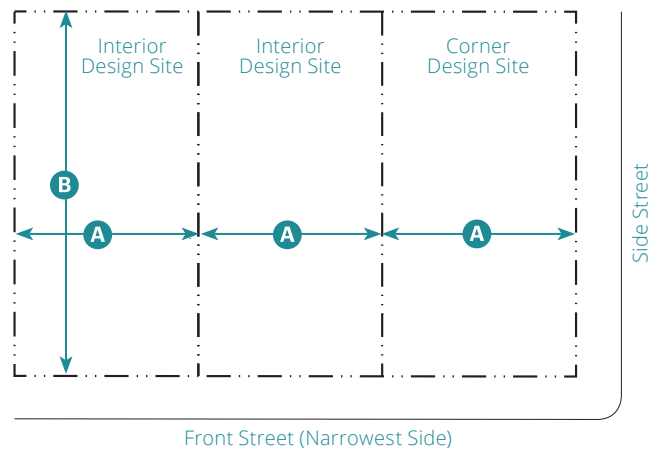
All Uses	12' min.	G
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Accessory Dwelling Unit/Junior Accessory Dwelling Unit

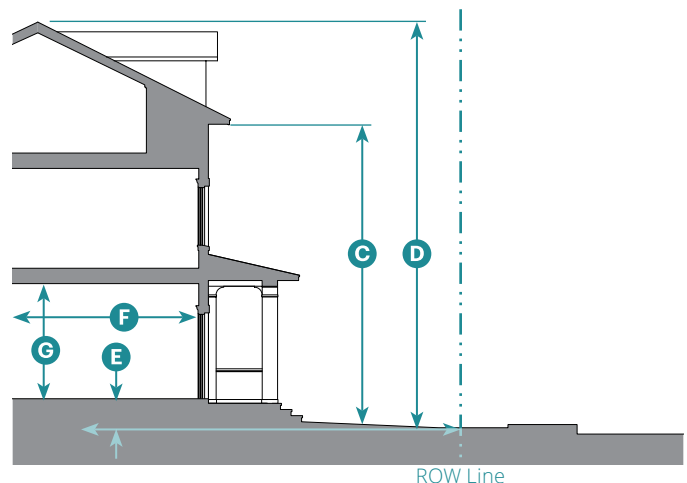
See Section 18.50.315 (Design and Development Standards) for standards.

Building Footprint and Massing

Additional standards	Section 4 (Building Types) and Section 5 (Massing and Facade Articulation Standards)
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Figure 2.060.1**Key**

--- ROW/ Design Site Line

Figure 2.060.2**Key**

--- ROW Line

Table 2.060.D Building Placement

Setback (Distance from ROW/ Design Site Line)

Primary Building

Front (Facade Zone)	0' min.	10' max.	H
Side Street (Facade Zone)	0' min.	10' max.	I
Side	0' min.		J
Rear	10' min.		K

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) for standards.

Accessory Structures

See Article I (Accessory Structures) of Chapter 18.84 for standards.

Encroachments into Minimum Setbacks

Architectural Features, including ramps and stairs, may encroach into minimum setbacks a maximum of 5 feet, but shall not encroach within public ROWs.

Upper stories Architectural Features on Front and Side Street are allowed to encroach within public ROWs with a 10' min. of clearance.

Building Facade

Facade Zone Defined By Building

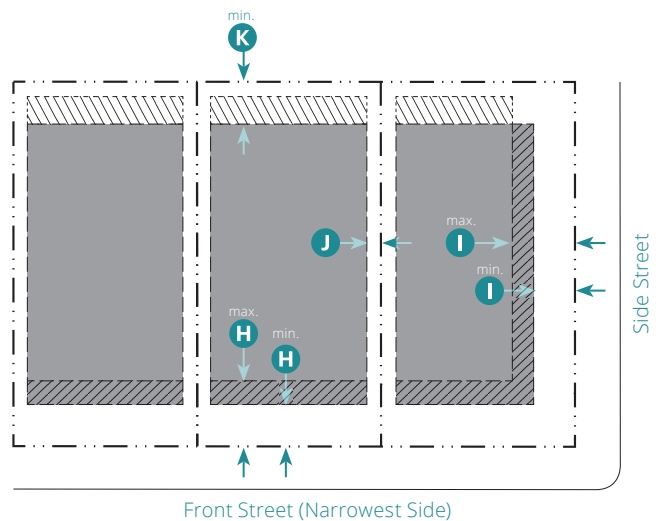
Total length of facade required within the facade zone:

Front	80% min. exclusive of setbacks
Side Street	70% min. exclusive of setbacks

Table 2.060.E Frontages

Allowed Frontage Types	Standards
Dooryard	6.060
Stoop	6.070
Forecourt	6.080
Shopfront	6.090
Terrace	6.100
Gallery	6.110

Figure 2.060.3



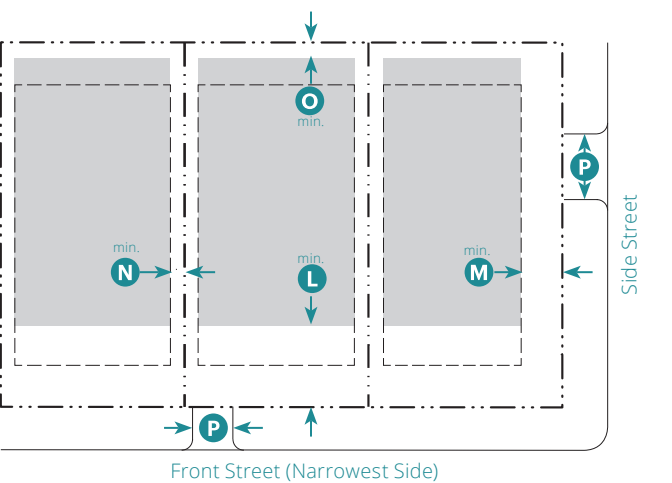
Key

--- ROW/ Design Site Line	Buildable Area
--- Building Setback Line	Acc. Structures Only
	Facade Zone

Table 2.060.F On-Site Vehicular and Bicycle Parking

Vehicular Spaces	
Residential Uses	
Studio or 1 Bedroom	0.75 min. per unit
2 or More Bedrooms	1.25 min. per unit
Allowed Non-Residential Uses per Building	
≤ 3,00 sf	0 min.
≥ 3,000 sf	1.5 min. per 1,000 sf above first 3,000 sf
Additional standards	Subsection 3.030 (Parking)
Bicycle Spaces	
Residential Uses	
Studio or 1 Bedroom	1 min. per unit
2 or More Bedrooms	2 min. per unit
Setback (Distance from ROW/ Design Site Line)	
Front	30' min. L
Side Street	10' min. M
Side	0' min. N
Rear	5' min. O
Bicycles may be parked anywhere on design site, in compliance with pedestrian and vehicular access standards.	
Driveway	
Curb Cut/Width P	
One-Way	10' max.
Two-Way	14' max.
Curb cut width may exceed allowed max. width along alley.	
Driveways may be shared between adjacent design sites but shall not exceed maximum allowed width.	
Driveway access on corner design sites required from side street or rear.	

Figure 2.060.4



Key

- ROW/ Design Site Line
- Building Setback Line
- Parking Area

2.070 T5 Neighborhood (T5N)



General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.

Table 2.070.A Intent

A walkable neighborhood environment with medium-to-large footprint, moderate-intensity housing choices, supporting and within short walking distance of neighborhood-serving retail and services.

Table 2.070.B Building Types and Design Site Size

Allowed Building Types (Primary Building)	Design Site	
	Width A	Depth B
House-Scale		
Multiplex Large	60' min.	110' min.
Block-Scale		
Townhouse	18' min.	60' min.
Courtyard Building Large	110' min.	180' min.

Design Site

Each design site shall have only one primary building type.
Design sites of at least 5 acres and at least 800 feet wide along the Front or Side Street are required to include new street(s) and civic space per Section 3.040 (Large Sites).

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) of Title 18 (Zoning) for standards.

Table 2.070.C Building Form

Primary Building		
Stories	5 max.	
To Highest Eave/Parapet	60' max.	C
Overall	65' max.	D

Ground Floor Finish Floor Level

Residential Uses	By allowed Frontage Type or Base Flood Elevation Plus 1'; which ever is greater	E
Non-Residential Uses	6" max.	E

Common entries may be set at grade in compliance with local and federal accessibility standards.

Habitable Space on Ground Floor along front facade

Depth	30' min.	F
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Ground Floor Clear Height

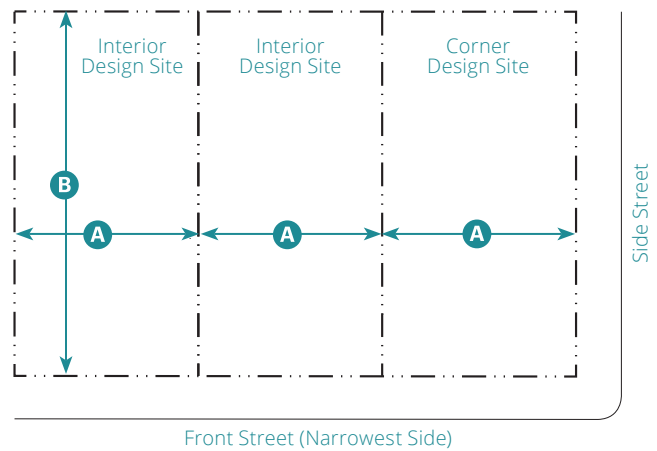
Residential Uses	9' min.	G
Non-Residential Uses	12' min.	G

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

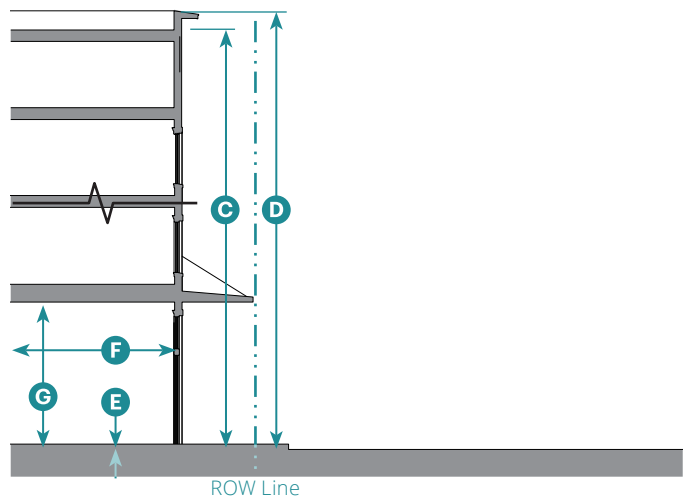
See Section 18.50.315 (Design and Development Standards) for standards.

Building Footprint and Massing

Additional standards	Section 4 (Building Types) and Section 5 (Massing and Facade Articulation Standards)
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Figure 2.070.1**Key**

--- ROW/ Design Site Line

Figure 2.070.2**Key**

--- ROW Line

Table 2.070.D Building Placement

Setback (Distance from ROW/ Design Site Line)

Primary Building			
Front (Facade Zone)	10' min.	15' max.	
Side Street (Facade Zone)	10' min.	15' max.	
Side	5' min.		
Rear	15' min.		
Accessory Dwelling Unit/Junior Accessory Dwelling Unit			
See Section 18.50.315 (Design and Development Standards) for standards.			
Accessory Structures			
See Article I (Accessory Structures) of Chapter 18.84 for standards.			

No internal Side setback required between Townhouses in a Run

Encroachments into Minimum Setbacks

Architectural Features, including ramps and stairs, may encroach into minimum setbacks a maximum of 8 feet.

Building Facade

Facade Zone Defined By Building

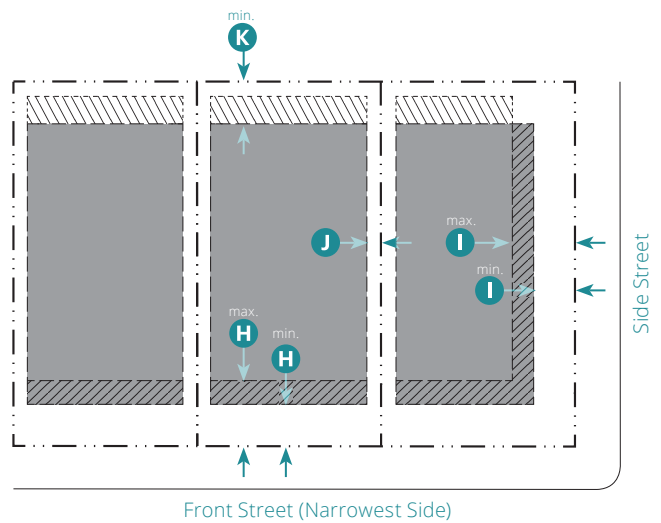
Total length of facade required within the facade zone:

Front	75% min. exclusive of setbacks
Side Street	65% min. exclusive of setbacks

Table 2.070.E Frontages

Allowed Frontage Types	Standards
Dooryard	6.060
Stoop	6.070
Forecourt	6.080
Terrace	6.100

Figure 2.070.3



Key

--- ROW/ Design Site Line
 --- Building Setback Line

 Acc. Structures Only
 Facade Zone

Table 2.070.F On-Site Vehicular and Bicycle Parking**Vehicular Spaces****Residential Uses**

Studio or 1 Bedroom	1 min. per unit
2 or More Bedrooms	1.5 min. per unit

Allowed Non-Residential Uses per Building

≤ 1,500 sf	0 min.
≥ 1,500 sf	1.5 min. per 1,000 sf above first 1,500 sf

Additional standards Subsection 3.030 (Parking)

Bicycle Spaces**Residential Uses**

Studio or 1 Bedroom	1 min. per unit
2 or More Bedrooms	2 min. per unit

Setback (Distance from ROW/ Design Site Line)

Front	35' min.	L
Side Street	15' min.	M
Side	5' min.	N
Rear	5' min.	O

Bicycles may be parked anywhere on design site, in compliance with pedestrian and vehicular access standards.

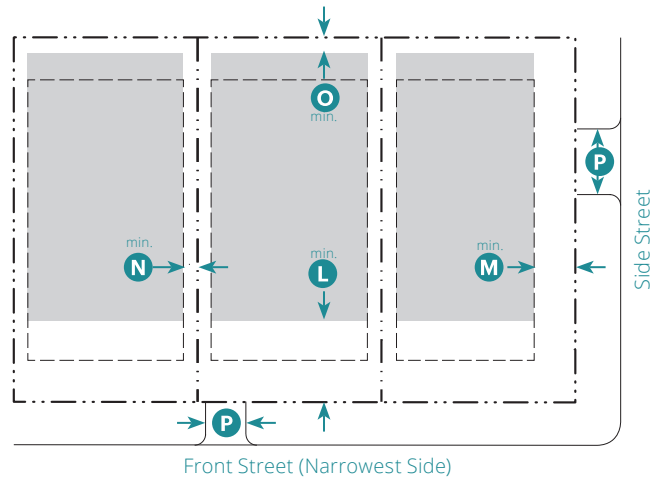
Driveway

Curb Cut/Width	P
One-Way	10' max.
Two-Way	14' max.

Curb cut width may exceed allowed max. width along alley.

Driveways may be shared between adjacent design sites but shall not exceed maximum allowed width.

Driveway access on corner design sites required from side street or rear.

Figure 2.070.4**Key**

- ROW/ Design Site Line
- Building Setback Line
- Parking Area

2.080 T5 Main Street (T5MS)



General note: the illustrations above are intended to provide a brief overview of the zone and are descriptive in nature.

Table 2.080.A Intent

A walkable district of medium-to-large footprint, mixed-use buildings and housing choices, supporting neighborhood-serving ground floor retail, food and services.

Table 2.080.B Building Types and Design Site Size

Allowed Building Types (Primary Building)	Design Site	
	Width A	Depth B
Block-Scale		
Courtyard Building Large	90' min.	170' min.
Main Street Building	25' min.	100' min.

Design Site

Each design site shall have only one primary building type. Design sites of at least 5 acres and at least 800 feet wide along the Front or Side Street are required to include new street(s) and civic space per Section 3.040 (Large Sites).

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) of Title 18 (Zoning) for standards.

Table 2.080.C Building Form

Primary Building		
Stories	5 max.	
To Highest Eave/Parapet	60' max.	C
Overall	65' max.	D

Ground Floor Finish Floor Level

Residential Uses	By allowed Frontage Type or Base Flood Elevation Plus 1'; which ever is greater	E
Non-Residential Uses	6" max.	E

Common entries may be set at grade in compliance with local and federal accessibility standards.

Habitable Space on Ground Floor along front facade

Depth	30' min.	F
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Ground Floor Clear Height

All Uses	14' min.	G
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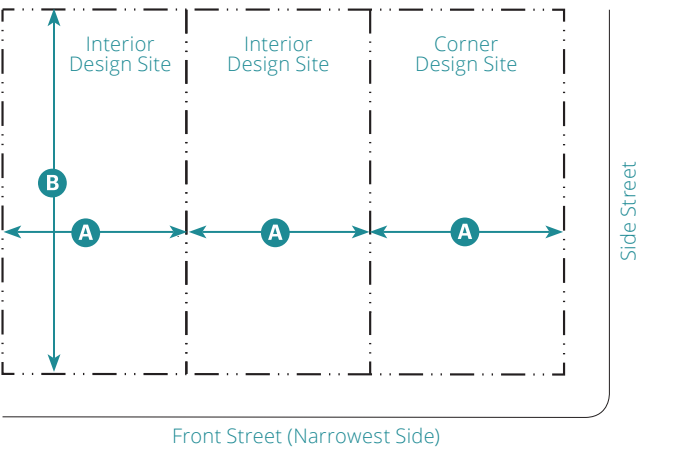
Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) for standards.

Building Footprint and Massing

Additional standards	Section 4 (Building Types) and Section 5 (Massing and Facade Articulation Standards)
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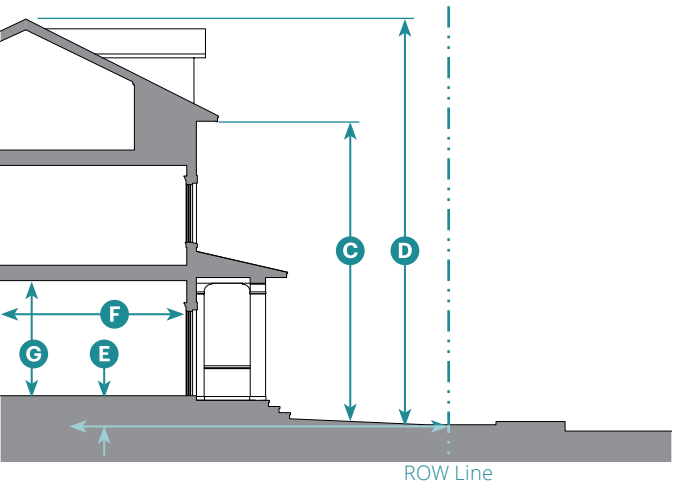
Figure 2.080.1



Key

--- ROW/ Design Site Line

Figure 2.080.2



Key

--- ROW Line

Table 2.080.D Building Placement

Setback (Distance from ROW/ Design Site Line)

Primary Building

Front (Facade Zone)	0' min. 5' max.	H
Side Street (Facade Zone)	0' min. 5' max.	I
Side	0' min.	J
Rear	10' min.	K

Accessory Dwelling Unit/Junior Accessory Dwelling Unit

See Section 18.50.315 (Design and Development Standards) for standards.

Accessory Structures

See Article I (Accessory Structures) of Chapter 18.84 for standards.

Encroachments into Minimum Setbacks

Architectural Features, including ramps and stairs, may encroach into minimum setbacks a maximum of 5 feet, but shall not encroach within public ROWs.

Upper stories Architectural Features on Front and Side Street are allowed to encroach within public ROWs with a 10' min. of clearance.

Building Facade

Facade Zone Defined By Building

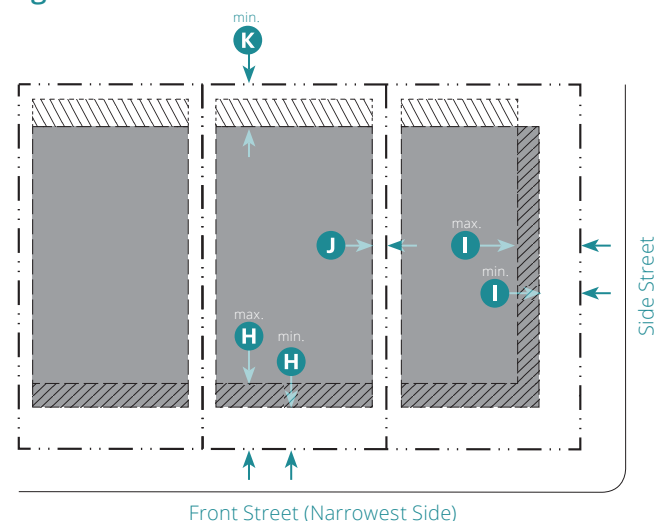
Total length of facade required within the facade zone:

Front	80% min. exclusive of setbacks
Side Street	70% min. exclusive of setbacks

Table 2.080.E Frontages

Allowed Frontage Types	Standards
Dooryard	6.060
Forecourt	6.080
Shopfront	6.090
Terrace	6.100
Gallery	6.110

Figure 2.080.3



Key

--- ROW/ Design Site Line	Buildable Area
--- Building Setback Line	Acc. Structures Only
	Facade Zone

Table 2.080.F OnVehicular and Bicycle Parking**Vehicular Spaces****Residential Uses**

Studio or 1 Bedroom 0.75 min. per unit

2 or More Bedrooms 1.25 min. per unit

Allowed Non-Residential Uses per Building

≤ 5,00 sf 0 min.

≥ 5,000 sf 1.5 min. per 1,000 sf above first
5,000 sf

Additional standards Subsection 3.030 (Parking)

Bicycle Spaces**Residential Uses**

Studio or 1 Bedroom 1 min. per unit

2 or More Bedrooms 2 min. per unit

Setback (Distance from ROW/ Design Site Line)Front 40' min. **L**Side Street 30' min. **M**Side 0' min. **N**Rear 5' min. **O**

Bicycles may be parked anywhere on design site, in compliance with pedestrian and vehicular access standards.

DrivewayCurb Cut/Width **P**

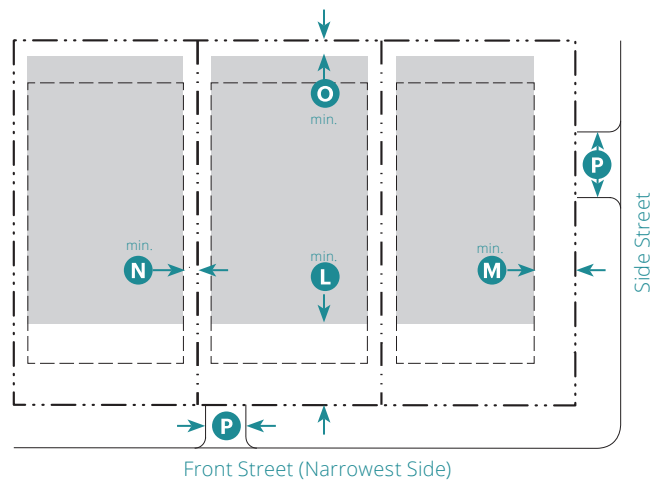
One-Way 10' max.

Two-Way 14' max.

Curb cut width may exceed allowed max. width along alley.

Driveways may be shared between adjacent design sites but shall not exceed maximum allowed width.

Driveway access on corner design sites required from side street or rear.

Figure 2.080.4**Key**

--- ROW/ Design Site Line

■ Parking Area

--- Building Setback Line

2.090 **Allowed Uses**

Refer to the underlying zone for the allowed uses and standards in Title 18, Division III. Base District Regulations.

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Section 3: Site Standards

Subsections:

3.010	Purpose
3.020	Screening
3.030	Parking
3.040	Large Sites

3.010

Purpose

This Section provides standards to ensure that new development accomplishes the following:

- 1. Makes a positive contribution to the development pattern of the area;
- 2. New or altered structures are compatible with the design and use of existing structures on neighboring properties;
- 3. Respects the existing conditions of neighboring properties; and
- 4. Does not adversely affect neighboring properties, with "adversely affect" meaning to impact in a substantial, negative manner the habitability of these properties.

3.020 Screening

1. **Intent.** This Subsection provides standards for screening, fences, and walls for the protection of property, the enhancement of privacy, the attenuation of noise, and the improvement of the visual environment.
2. **Height Standards for Screening.** Except for wall- and ground-mounted equipment that is not visible from the public right-of-way or abutting design sites, all equipment shall comply with the following:
 - A. **Screening Height Maximums.** Screening shall not exceed the maximums identified in Table 3.020.A (Maximum Height Allowed).
 - B. **Screening Height Measurement.** Screening height shall be measured as the vertical distance between the finished grade at the base of the screen and the top edge of the screen material.

Table 3.020.A: Maximum Height Allowed

ODS zone	Item	Maximum Height Allowed			
		Front	Side St.	Side	Rear
T3N	Fences	3' max.	3' max.	6' max.	6' max.
	Free Standing Walls	3' max.	3' max.	6' max.	6' max.
	Mechanical Equipment ¹	X	X	6' max.	6' max.
	Refuse Storage Areas	X	X	6' max.	6' max.
	Landscaping ²	4' max.	4' max.	No max.	No max.
T4N	Fences	3' max.	3' max.	6' max.	6' max.
	Free Standing Walls	3' max.	3' max.	6' max.	6' max.
	Mechanical Equipment ¹	X	X	6' max.	6' max.
	Refuse Storage Areas	X	X	6' max.	6' max.
	Landscaping ²	4' max.	4' max.	No max.	No max.
T4MS	Fences	X	X	6' max.	6' max.
	Free Standing Walls	X	X	6' max.	6' max.
	Mechanical Equipment ¹	X	X	6' max.	6' max.
	Refuse Storage Areas	X	X	6' max.	6' max.
	Landscaping ²	3' max.	3' max.	No max.	No max.
T5N	Fences	3' max.	3' max.	6' max.	6' max.
	Free Standing Walls	3' max.	3' max.	6' max.	6' max.
	Mechanical Equipment ¹	X	X	6' max.	6' max.
	Refuse Storage Areas	X	X	6' max.	6' max.
	Landscaping ²	4' max.	4' max.	No max.	No max.
T5MS	Fences	X	X	6' max.	6' max.
	Free Standing Walls	X	X	6' max.	6' max.
	Mechanical Equipment ¹	X	X	6' max.	6' max.
	Refuse Storage Areas	X	X	6' max.	6' max.
	Landscaping ²	3' max.	3' max.	No max.	No max.

¹ Max. allowed height may be exceeded to the highest point of the equipment

² Excludes trees

Key X = Item Not Allowed

3. Courtyard Screening

- A. Fences, walls and other screening installed to create a courtyard without a roof shall be set back a minimum of 10 feet from the front property line or back of sidewalk, whichever is the least.

4. Equipment Screening

- A. The following mechanical equipment is exempt from screening:
 - (1) Free-standing or roof-mounted solar equipment; and
 - (2) Vents less than two feet in height.
 - B. For new installation or relocation of existing mechanical equipment, the equipment shall be screened.
 - (1) **Roof-Mounted Equipment.** Building parapets or other architectural elements in the building's architectural style shall screen roof-mounted equipment.
 - (a) New buildings shall be designed to provide a parapet or other architectural element that is as tall or taller than the highest point on any new mechanical equipment to be located on the roof of the building; and
 - (b) For existing buildings with no parapet less than two feet in height, mechanical equipment shall be surrounded on all sides by an opaque screen wall as tall as the highest point of the equipment. The wall shall be architecturally consistent with the building and match the existing building with paint, finish, and trim cap detail.
 - (2) **Wall- and Ground-Mounted Equipment**
 - (a) Equipment and screening shall be in compliance with the setbacks of the ODS zone.
 - (b) Screening shall be architecturally compatible and include matching paint, finish, and trim cap of the building.
5. **Temporary Fencing.** Temporary fencing may be used to provide security for approved special events, construction sites, or vacant structures and land, which cannot otherwise be secured.
6. **Barbed Wire and Razor Wire.** Barbed wire and razor wire screening are not allowed.

7. **Safety.** Fences, walls, and other screening and landscaping, whether provided in compliance with the provisions of this Subsection or provided in addition to those provisions, are subject to review by the Traffic Engineer in the following areas to ensure that visibility is maintained:
 - A. Within 10 feet of the point of intersection of:
 - (1) A vehicular access way or driveway and a street; and/or
 - (2) A vehicular access way or driveway and a sidewalk.
 - B. Within 20 feet of the point of intersection of two or more vehicular access ways, including driveways, alleys, or streets.
 - C. As used in this Subsection, "point of intersection" is measured from the face of curb or if none, from the edge of pavement.
8. **Maintenance.** Fences, walls, and other screening shall be maintained erect and in a state of good repair. A dilapidated, dangerous, or unsightly fence or wall shall be repaired, replaced, or removed, as the situation may warrant.

3.030

Parking

1. **Intent.** This Subsection prescribes standards for motor vehicle and bicycle parking areas, access drives, and standards for reducing motor vehicle trips per capita to and from development. These standards are intended to ensure that new development accomplishes the following:
 - A. Consistency with the intended physical character of walkable environments;
 - B. Provision of bicycle parking to increase bicycle trips and reduce motor vehicle trips per capita; and
 - C. Appropriately limits, screens, and landscapes motor vehicle parking areas to protect and enhance the environmental and visual quality of the community, enhance privacy, attenuate noise, and control dust.
2. **Parking Categories**
 - A. **On-site parking.** On-site parking is allowed in all ODS zones per Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone subject to the standards in this Subsection.
 - B. **Off-site parking.** Off-site parking is only allowed in developments of at least 5 acres per Subsection 3.040 (Large Sites).
3. **Bicycle Parking Standards.** Bicycle parking shall be provided in compliance with Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone.
4. **General Vehicular Parking Standards**

- A. **Sharing of On-Site Parking.** Sharing of parking between different uses and developments is allowed.
 - B. **Sharing of Non-Residential Parking Required.** If on-site parking spaces for non-residential uses are provided, such spaces shall be made available for use by the general public during at least one of the following time periods:
 - (1) Monday through Friday, 8 AM to 5 PM; or
 - (2) Monday through Friday, 5 PM to 11 PM and all day on Saturday and Sunday.
5. **Number of Motor Vehicle Parking Spaces Required**
- A. **Required Spaces.** The minimum number of on-site parking spaces required is listed in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone.
 - (1) Parking Spaces for the Handicapped shall meet the requirements of the California Administrative Code (Title 24, Part 2, Chapter 2-71).
 - B. **Required Number of Parking Spaces**
 - (1) When calculating the required number of parking spaces, numbers shall be rounded down to the closest whole number.
 - (2) Parking systems that stack individual vehicles are counted as three spaces for every horizontal space identified.
 - (3) **Calculating Required Parking for a Mixed-Use Development.** For a building with residential and non-residential uses, shared parking shall be calculated as follows. The sum of the required parking for the two use types as stated in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone shall be divided by the factor listed in Table 3.030.A (Shared Parking Factor for Two Uses). The required number of parking spaces shall be rounded up to the closest whole number.
- | | Residential | Lodging | Office | Retail |
|-----------------------|--------------------|----------------|---------------|---------------|
| Residential | 1.0 | 1.1 | 1.4 | 1.2 |
| Lodging | 1.1 | 1.0 | 1.7 | 1.3 |
| Office | 1.4 | 1.7 | 1.0 | 1.2 |
| Retail/
Commercial | 1.2 | 1.3 | 1.2 | 1.0 |
- C. **Exception in the Event of Changes of Use or Alterations to Existing Buildings or Structures.** If an existing building or structure is altered or existing land uses are changed, the existing number of parking spaces on a property may be retained, even if the resulting building, structure or land use would ordinarily be subject to a lower maximum parking allowance.
6. **Electric Vehicle Charging.** Electric vehicle charging facilities shall be provided in compliance with CA Green Standards Building Code, Title 24, Part 11.

7. Traffic-Reducing Parking Standards

A. Carshare Parking Spaces

- (1) Carshare parking spaces shall be provided in the amounts specified in Table 3.030.B (Required Carshare Parking Spaces).

Table 3.030.B: Required Carshare Parking Spaces

Residential Uses	Carshare Parking Spaces Required
0-49 units	None
50-100 units	1
101 or more units	2 + 1 per additional 200 units
Office/Research & Development Uses	Carshare Parking Spaces Required
≤ 10,000 sf	None
> 10,000 sf	1 per 10,000 sf

- (2) The required carshare space(s) shall be made available, at no cost, to a carshare service for purposes of providing carshare services to its members. At the election of the property owner, the carshare spaces may be provided:
- (a) On the design site; or
 - (b) On another off-street site within 1,000 feet of the design site.
- (3) Required carshare space or spaces shall be designed in a manner that will make the spaces accessible to non-resident subscribers from outside the building as well as building residents.
- (4) If no carshare service can make use of the dedicated carshare parking spaces, the spaces may be occupied by non-carshare vehicles; provided, however, that upon 90 days of advance written notice to the property owner from a carshare service, the property owner shall terminate any non-carsharing leases for such spaces and shall make the spaces available to the carshare service for its use of such spaces.

- B. **Carpool Spaces.** If parking is provided at a development, parking spaces reserved for use by carpool/vanpool vehicles shall be designated in preferred locations (including, but are not limited to, closest to building entries). The locations of these spaces shall be approved by the City. The minimum number of carpool spaces required is listed in Table 3.030.C (Required Carpool Parking Spaces).

Table 3.030.C: Required Carpool Parking Spaces

Office/Research & Development Uses	Carpool Parking Spaces Required
≤ 40 parking spaces	None
> 40 parking spaces	10% of the total number of spaces
Other Uses	Carpool Parking Spaces Required
All Other Uses	None

C. **Parking Costs Unbundled from the Cost of Other Goods and Services**

- (1) **Residential Uses.** All off-street parking spaces accessory to residential uses in structures of four dwellings or more shall be leased or sold separately from the rental or purchase fees for dwellings for the life of the dwellings, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. Renters or buyers of on-site inclusionary affordable units shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwellings.
- (2) **Non-Residential Uses.** All off-street parking spaces accessory to non-residential uses shall be leased or sold separately from the rental or purchase fees for non-residential building space for the life of the building, such that potential renters or buyers have the option of renting or buying building space at a price lower than would be the case if there were a single price for both the building space and the parking space.
- (3) **Exception.** Off-street parking spaces accessory to retail uses are not required to be leased or sold separately from retail space and may be offered to shoppers and other visitors free of charge for stays of up to two hours.

8. **Parking Spaces, Design and Layout**

A. **Access.** On-site parking areas shall be accessed per the following:

- (1) Parking shall be designed with an appropriate means of vehicular access to a street or to an alley to cause the least interference with traffic flow.
- (2) Ingress to and egress from parking spaces shall be from an on-site aisle or driveway, directly from the front, side street, public alley, or rear lane.
- (3) On-site loading space(s) is not required.

B. **Driveways**

- (1) Access to Driveways
 - (a) Driveway access to and from developments of two or fewer dwelling units onto public streets shall be where practical by forward motion of the vehicle; and
 - (b) Driveway access to and from developments of three or more dwelling units onto public streets shall be by forward motion of the vehicle.
 - (c) Minimum 30 feet separation between driveways for all uses except developments of two or fewer dwelling units.
 - (d) Driveways shall comply with the Contra Costa County fire protection district for access road and fire lanes.

- (2) **Number of Driveways.** Table 3.030.D (Number of Driveways) specifies the maximum number of driveways for a development site based on the amount of lot frontage along arterial streets.

Table 3.030.D: Number of Driveways

Lot Frontage	Maximum Number of Driveways
Up to 150'	1
150' to 299'	2
Each additional 300'	1

- (3) Driveways shall be setback from design site lines as follows:
- (a) Minimum two feet from side design site lines; and/or
 - (b) No less than the minimum rear parking setback per the ODS zone.
- (4) Driveways shall extend to and include the area between the design site line and the edge of the street pavement.
- C. **Aisles.** Table 3.030.E (Aisle Widths) specifies the minimum dimensions for a aisles based on the angle for the parking spaces.
- (1) Driveways shall comply with the Contra Costa County Fire Protection District for access road and fire lanes.

Table 3.030.E: Aisle Widths

Angle of Parking Space	One-Way Traffic	Two-Way Traffic
90 degrees	25' min.	25' min.
60 degrees	16' min.	23' min.
45 degrees	12' min.	22' min.
30 degrees	11' min.	21' min.
0 degrees	12' min.	24' min.

- D. **Parking Space Dimensions.** Table 3.030.F (Parking Space Dimensions) specifies the minimum dimensions for parking spaces.

Table 3.030.F: Parking Space Dimensions

Use	Width	Depth
Residential	10' min.	20' min.
Non-Residential	9' min.	18' min.
All (Parallel Spaces)	10' min.	22' min.

- E. **Tandem Parking.** Tandem parking is allowed in all ODS zones for all uses, subject to on-site management.
- F. **Identification as to Purpose and Location.** On-site parking areas of four or more spaces shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas, while distinguishing such spaces from aisle and other circulation features.

G. Materials

- (1) All parking area and driveway specifications to follow those specified by the Engineering Division of the City of Pittsburgh.
- (2) Parking area surfacing materials shall comply with all applicable Contra Costa County Fire Protection District Standards and City of Pittsburgh Standard Details and Specifications.

H. Location

- (1) **On-site Parking.** Location of on-site parking is regulated by the required setbacks in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone and the following:
 - (a) Parking lots shall be separated at least by five feet from buildings to make room for a sidewalk, landscaping, and/or other planting between the building and the parking area; and
 - (b) The required separation may be eliminated to the rear of buildings in areas designed for unloading and loading of materials.
 - (2) **Off-site Parking.** Location of Off-site parking is regulated by the required plan in Subsection 3.030.9 (Off-site Parking Plan)
- I. **Size of Parking Lot.** Parking lots larger than 10,000 square feet in size shall be broken down into smaller parking areas with planted landscape areas with a minimum width of 15 feet between them to minimize the perceived scale of the total field of stalls.

9. Off-site Parking Plan.

- A. All Off-site Parking Plans shall comply with the following standards:
- (1) A maximum of 150 feet of distance between parking and building entrances.

3.040 Large Sites

1. Developments of at least 5 acres and at least 800 feet wide along the Front or Side Street are required to be designed per standards identified in Items A through G.
2. Developments over 20 acres are required to be designed per standards identified in Items A through H.
 - A. **Civic Space Required**
 - (1) A minimum of 10 percent of the total development area, after subtracting street right-of-ways, is required, meeting or exceeding standards per Item D (Standards and Formula for Dedication of Land) in Section 17.32.020 (Park Dedication).
 - (2) See Section 7 (Civic Space Types) for allowed types.
 - B. **Streets.**
 - (1) Streets are to be applied to create walkable neighborhoods with redundant routes for vehicular, bicycle, and pedestrian circulation.
 - (2) New streets are required to meet the standards in Roadway Standard Details of the City Council Resolution 07-10785, City Standard Details and Specifications.
 - C. **Alleys**
 - (1) Existing alleys may be removed if street access is provided to the design sites on those blocks in compliance with the access standards of the ODS zone.
 - (2) Alleys may be added in compliance with Roadway Standard Details of the City Council Resolution 07-10785, City Standard Details and Specifications and in compliance with Table 3.040.A (Block Size).
 - D. **External Connectivity**
 - (1) The arrangement of streets shall provide for the alignment and continuation of existing or proposed streets into adjoining lands where the adjoining lands are undeveloped and intended for future development, or where the adjoining lands are undeveloped and include opportunities for such connections.
 - (2) Street rights-of-way shall be extended to or along adjoining property boundaries to provide a roadway connection or street stub for development, in compliance with Table 3.040.A (Block Size), for each direction (north, south, east, and west) in which development abuts vacant land.
 - (3) Right-of-way stubs shall be identified and include a notation that all stubs are to connect with future streets on adjoining property and be designed to transition in compliance with Roadway Standard Details of the City Council Resolution 07-10785, City Standard Details and Specifications.
 - (4) New dead-end streets and cul-de-sacs are not allowed, except when the grade of the new street exceeds 15 percent.

E. **Block Size** (New Blocks and Blocks to be Modified)

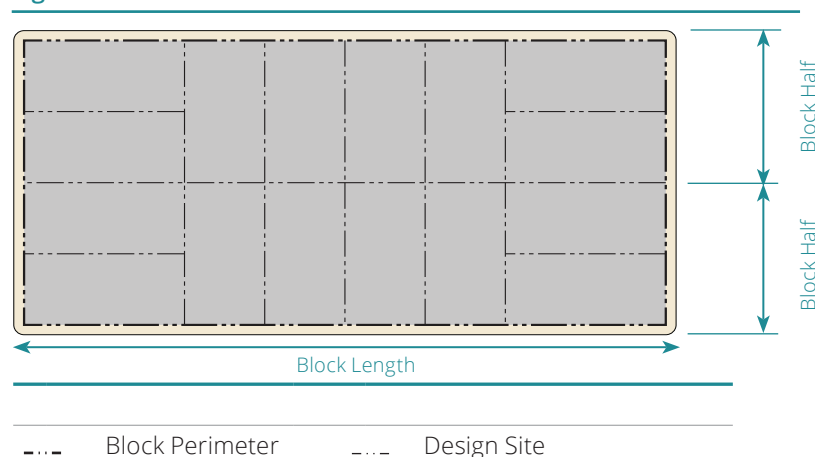
- (1) Individual block lengths and the total block perimeter shall be in compliance with the standards in Table 3.040.A (Block Size).
- (2) If a block contains multiple ODS zones, the most intense ODS zone is to be used to establish the standards for block size.
- (3) Blocks shall be a minimum width to result in two halves of developable design sites in compliance with the design site depth standards for the allowed building types in the ODS zone. A single half is allowed when adjoining an existing half-block.
- (4) Blocks may be uniquely shaped in compliance with the standards in Table 3.040.A (Block Size Standards).

Table 3.040.A: Block Size

Zone	Length	Perimeter	Length	Perimeter
	Without Passage		Passage Required ¹	
T3N	600' max.	2,000' max.	800' max.	2,400' max.
T4N	600' max.	2,000' max.	800' max.	2,400' max.
T4MS	450' max.	1,600' max.	N/A	N/A.
T5N	500' max.	1,800' max.	N/A	N/A
T5MS	450' max.	1,600' max.	N/A.	N/A

¹In compliance with the standards for a Passage in Subsection 7.060 (Passage)

Figure 3.040.1 Block Size



- F. **Off-site Parking.** Off-site parking is allowed, per standards in Subsection 3.030 (Parking).
- G. **Stormwater Management**
- (1) Integrated Design
 - (a) Stormwater management is required through a system that is integral to the streetscapes and/or the civic and open space(s) in the development.
 - (b) The area(s) used for stormwater management is to be designed for both seasonal temporary on-site retention of stormwater and as public open space for the neighborhood(s) accessible to the public.
 - (c) The stormwater management area(s) may connect with those of adjacent development(s).

Figure 3.040.2 Stormwater Management Diagram



H. Applying ODS zones for Developments over 20 acres

- (1) Developments shall apply at least two ODS zones using only the ODS zones established in Section 2 (Zone Standards) and in compliance with Table 3.040.B (Available Zones by General Plan Land Use Designation).
 - (a) Open sub-zones are allowed, but do not count as a second ODS zone.
- (2) Organization of zones.
 - (a) Low-intensity ODS zones (T3N, and T4N) shall be mapped around neighborhood streets, and open space.
 - (b) High-intensity ODS zones (T4MS, T5N, and T5MS) shall be mapped around a main street, civic or open space, transit stop, or civic building locations suitable for greater intensities.
 - (c) Transitions between zones shall occur within the block or across alleys along the adjacent prevailing slope.

Table 3.040.B: Available Zones by General Plan Land Use Designation

Zone	Land Use Designation														
	Residential		Downtown		Mixed Use					Commercial					
	MD	HD	MD	HD	CC	D	G	P/BP BART	Railroad Ave. SPA	D	C	M	PI	R	S
T3N	●	●	●	●					●				●		
T4N		●		●	●		●	●	●			●		●	●
T4MS						●				●	●				
T5N					●	●	●	●	●		●	●		●	●
T5MS						●			●	●	●				

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Section 4: Building Types

Subsections

4.010	Purpose
4.020	Building Types
4.030	Overview of Building Types
4.040	Duplex Side-by-Side
4.050	Duplex Stacked
4.060	Cottage Court
4.070	Multiplex Small
4.080	Multiplex Large
4.090	Townhouse
4.100	Courtyard Building Small
4.110	Courtyard Building Large
4.120	Main Street Building

4.010

Purpose

This Section provides the standards for development of individual building types to achieve the intended physical character of each zone, offer housing choices and affordable housing opportunities, and incubate small businesses as amenities within walkable neighborhoods.

4.020

Building Types

- Building types are used to articulate size, scale, and intensity according to the intent of each zone.
- Building types are categorized into two groups: House-Scale Buildings and Block-Scale Buildings. See Figure 4.020.1 (Example of House-Scale and Block-Scale Buildings) for reference.
 - House-Scale Buildings.** Buildings that are the size of a house, typically ranging in footprint from as small as 25 feet up to 80 feet in width overall; and
 - Block-Scale Buildings.** Buildings that are individually as large as most or all of a block or, when arranged together along a street, appear as long as most or all of a block.
- The design site size standards for each building type are set in each zone to generate pedestrian-oriented buildings within the overall intended physical character of each zone. The design site size standard identifies the range of design site sizes on which the given building type is allowed to be built.
- Certain building types have additional standards beyond the zone standards to further calibrate the type for its context.

5. Each design site shall have only one primary building type, except as follows, and in compliance with all standards:
 - A. The Cottage Court may consist of up to nine individual buildings. See Subsection 4.040 (Cottage Court);
 - B. More than one primary building type is allowed on a parcel that identifies proposed multiple design site lines that meet the standards of this Subsection. See Figure 4.020.2 (Example of Multiple Design Sites on One Parcel).
 - (1) Examples
 - (a) A parcel large enough to accommodate multiple design sites but smaller than the size of a block; or
 - (b) A parcel large enough to create one or more new blocks. See Subsection 3.050 (Large Sites) for standards.
6. On-site open space. The standards identify only the required type (private or common) and amount. For example, if the type only has standards for private open space, common open space is not required for that building type. The identified amount is for the entire building unless specified otherwise.
7. Parking may be designed as tuck-under, detached garage(s), podium or subterranean, in compliance with the zone standards for parking placement.
8. Wings are required to be smaller in size and height than the main body to visually reduce the overall size of a building. To further this objective, the standards specify the amount that wings are required to be offset from the main body so that their facades are not aligned.
9. The maximum number of units identified for each building type is dependent on the design site being large enough to accommodate the zone's standards (e.g., parking). These standards implement the Pittsburgh General Plan and do not allow more residential density than what is allowed by the applicable General Plan Land Use category.
10. Individual designs may vary from the diagrams for each building type in compliance with the standards of this Section.
11. New buildings and their improvements are subject to the City's local standards for Fire Safety and Building Safety.

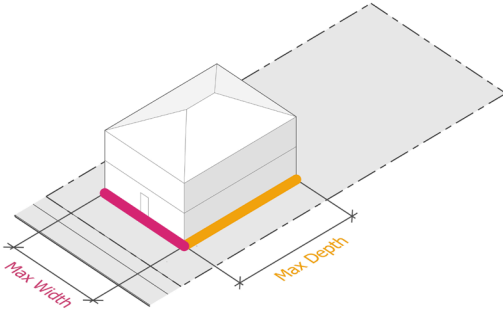
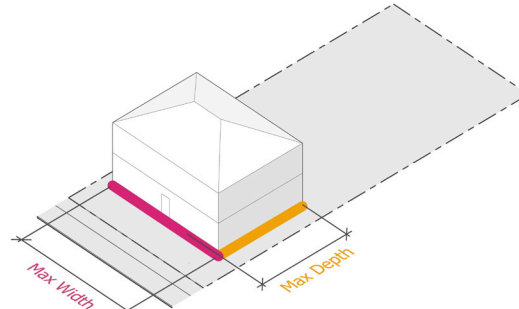
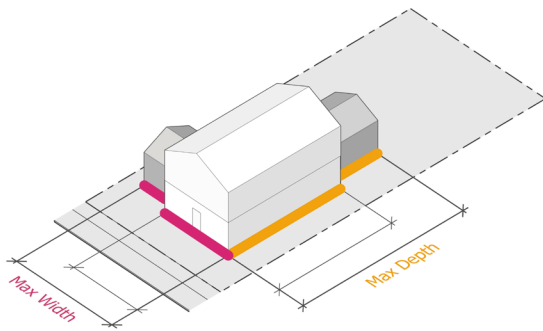
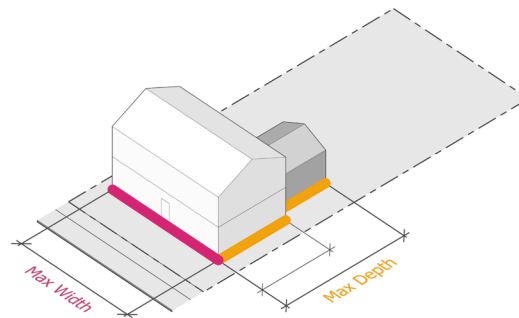
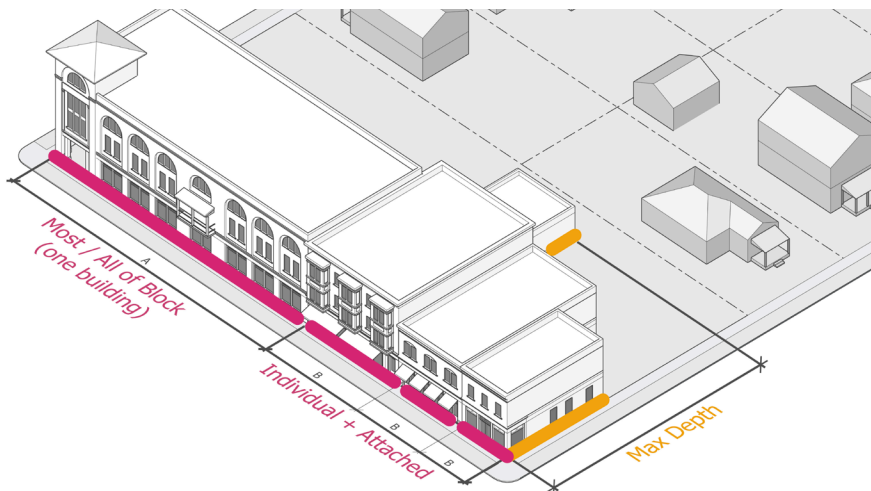
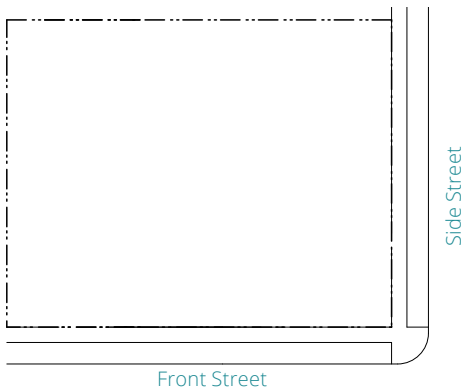
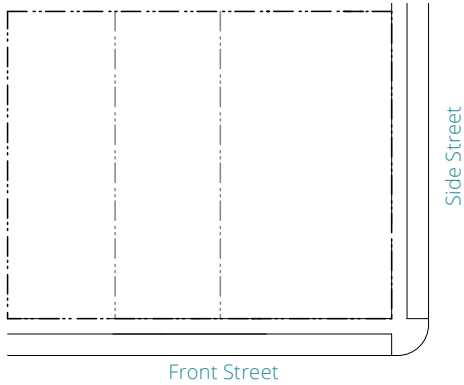
Figure 4.020.1 Example of House-Scale and Block-Scale Buildings**House-Scale Buildings***Main body only**Main body only**Main body with side and rear wings**Main body with rear wing***Block-Scale Buildings**

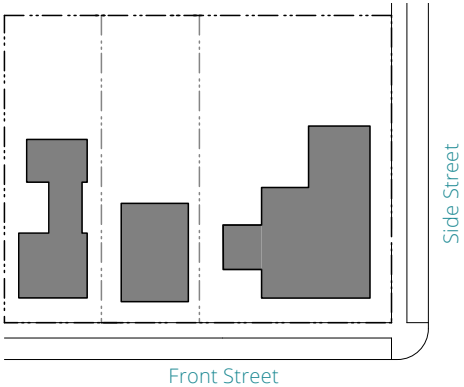
Figure 4.020.2 Example of Multiple Design Sites on One Parcel



One parcel



One parcel proposed for three design sites. Each design site is sized in compliance with the width and depth standards in Table C (Building Types and Design Site Size) of the ODS zone.



One parcel with three resulting primary buildings in compliance with required setbacks. Individual design sites are not required to be recorded as new parcels.

Larger examples of this approach are parcels that are large enough to make new block(s). See Subsection 3.050 (Large Sites) for standards.

Key

- - - Parcel Line
- - - Design Site Line
- Primary Building Type

4.030 Overview of Building Types

Table 4.030.A (Building Types Overview) provides an overview of the allowed building types in each zone. The names of the building types are not intended to limit uses within a building type. For example, a Duplex may have non-residential uses within it as allowed by the zone. See referenced Subsection(s) for standards.

Table 4.030.A: Overview of Building Types

Private Frontage Type	Specific Standards	Zones				
		T3N	T4N	T4MS	T5N	T5MS
Duplex Side-by-Side	4.040	P	X	X	X	X
Duplex Stacked	4.050	P	X	X	X	X
Cottage Court	4.060	P	X	X	X	X
Multiplex Small	4.070	X	P	X	X	X
Multiplex Large	4.080	X	X	X	P	X
Townhouse	4.090	P	P	P	P	X
Courtyard Building Small	4.100	X	P	P	X	X
Courtyard Building Large	4.110	X	X	X	P	P
Main Street Building	4.120	X	X	P	X	P

Key P = Allowed O = Allowed Only in Open Sub-Zone or Side Street X = Not Allowed

4.040 Duplex Side-by-Side



Example of Duplex Side-by-Side

Table 4.040.A Description

A small-to-medium-sized, detached, House-Scale Building with small-to-medium setbacks and a rear setback. The building consists of two side-by-side units, both facing the street and within a single building massing. The type has the appearance of a single-unit house and is scaled to fit within lower-intensity neighborhoods.

Table 4.040.B Number of Units

Units per Building	2 max.
Buildings per Design Site	1 max.



Example of Duplex Side-by-Side



Example of Duplex Side-by-Side

General Note: Photos on this page are illustrative, not regulatory.

Table 4.040.C Building Size and Massing**Height**

Stories 2.5 max.

Main Body¹

Width 48' max. **(A)**

Depth 36' max. **(B)**

Wing(s)¹

Width 15' max. **(C)**

Depth 24' max. **(D)**

Separation between Wings 10' min. **(E)**

Offset from Main Body facade along Front Street, Side Street, or Civic Space 5' min. if 2 stories; 0' min. if 1 story **(E)**

¹ In compliance with Table E (Building Placement) of the ODS zone

Table 4.040.D Pedestrian Access

Main Entrance Location Front Street² **(F)**

Each unit shall have an entry facing the street on or within 15' of the front facade.

² On corner design sites, each unit shall front a different street.

Table 4.040.E Vehicle Access and Parking

Driveway and parking location shall comply with standards in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone. **(G)**

Table 4.040.F Open Space**Common Open Space**

Width 15' min. **(H)**

Depth 15' min. **(H)**

Required setbacks and driveways do not count toward open yard.

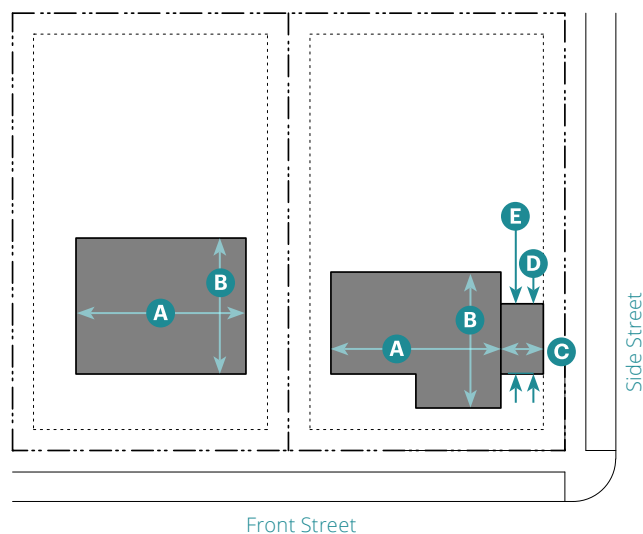
Required open space shall be located behind the main body of the building.

Table 4.040.G Miscellaneous**Fencing**

Fencing only allowed around or between individual buildings and shall not exceed 36" in height.

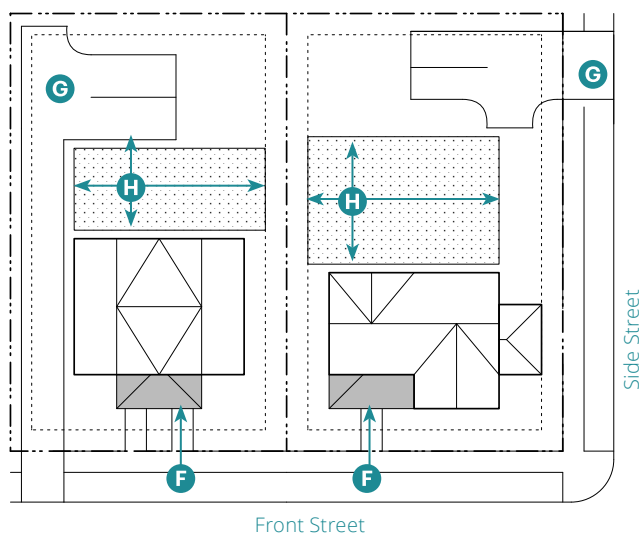
Visibility shall be maintained through the fencing.

Alley access required if alley exists

**Key**

--- ROW/ Design Site Line Building
 - - - Building Setback Line

Alley access required if alley exists

**Key**

--- ROW/ Design Site Line Frontage
 - - - Building Setback Line Common Open Spaces

4.050 Duplex Stacked



Example of Duplex Stacked

Table 4.050.A Description

A small-to-medium-sized, detached, House-Scale Building with small-to-medium setbacks and a rear setback. The building consists of two stacked units, both facing the street and within a single building massing. The type has the appearance of a single-unit house and is scaled to fit within lower-intensity neighborhoods..

Table 4.050.B Number of Units

Units per Building	2 max.
Buildings per Design Site	1 max.



Example of Duplex Stacked



Example of Duplex Stacked

General Note: Photos on this page are illustrative, not regulatory.

Table 4.050.C Building Size and Massing**Height**

Stories 2.5 max.

Main Body¹Width 36' max. **(A)**Depth 48' max. **(B)****Wing(s)¹**Width 15' max. **(C)**Depth 24' max. **(D)**Separation between Wings 10' min. **(E)**Offset from Main Body facade along
Front Street, Side Street, or Civic Space 5' min. if 2 stories;
0' min. if 1 story **(E)**¹ In compliance with Table E (Building Placement) of the ODS zone**Table 4.050.D Pedestrian Access**Main Entrance Location Front Street² **(F)**

Each unit shall have an entry facing the street on or within 15' of the front facade.

² On corner design sites, each unit shall front a different street.**Table 4.050.E Vehicle Access and Parking**Driveway and parking location shall comply with standards in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone. **(G)****Table 4.050.F Open Space****Common Open Space**Width 15' min. **(H)**Depth 15' min. **(H)**

Required setbacks and driveways do not count toward open space.

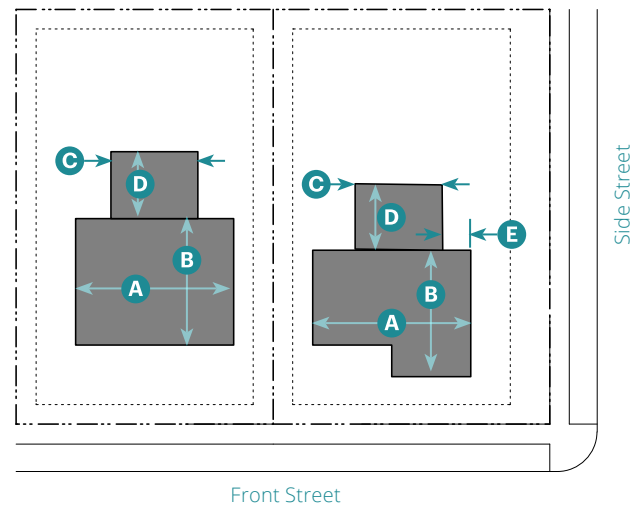
Required open space shall be located behind the main body of the building.

Table 4.050.G Miscellaneous**Fencing**

Fencing only allowed around or between individual buildings and shall not exceed 36" in height.

Visibility shall be maintained through the fencing.

Alley access required if alley exists

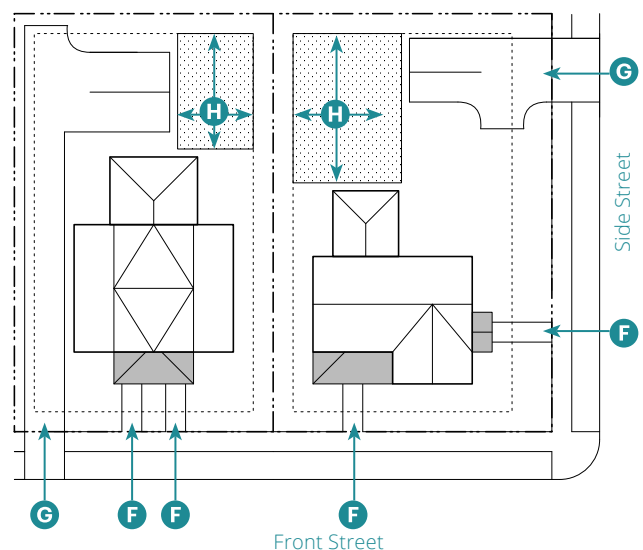
**Key**

--- ROW/ Design Site Line

■ Building

----- Building Setback Line

Alley access required if alley exists

**Key**

--- ROW/ Design Site Line

■ Frontage

----- Building Setback Line

▨ Common Open Spaces

4.060 Cottage Court



Example of Cottage Court

Table 4.060.A Description

A group of three to nine small, detached, House-Scale Buildings arranged to define a shared court open to and visible from the street. The shared court is common open space becoming an important community-enhancing element. The type is scaled to fit within low-to-moderate-intensity neighborhoods and in non-residential contexts.

Synonym: Bungalow Court

Table 4.060.B Number of Units

Units per Cottage	1 max.
Cottages per Design Site	3 min.; 9 max.



Example of Cottage Court



Example of Cottage Court

General Note: Photos on this page are illustrative, not regulatory.

Table 4.060.C Building Size and Massing**Height**

Stories 1.5 max.

Main Body

Width 32' max. **(A)**

Depth 32' max. **(B)**

Separation between Cottages 7' min. **(C)**

Table 4.060.D Pedestrian Access

Shared court shall be accessible from front street. **(D)**

Pedestrian Path Setbacks from Building Entrance 6' min. **(E)**

Building Entrance

Main entrance to units required from shared court.

Units on a corner may enter from the side street.

Pedestrian connections shall connect all buildings to the public ROW, shared court, and parking areas.

Table 4.060.E Vehicle Access and Parking

Driveway and parking location shall comply with standards in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone. **(F)**

Spaces may be individually accessible by the units and/or common parking area(s) at rear or side of design site.

Table 4.060.F Open Space**Common Open Space**

Width 15' min. **(G)**

Depth 60' min. (3-4 units) **(H)**

70' min. (5-9 units)

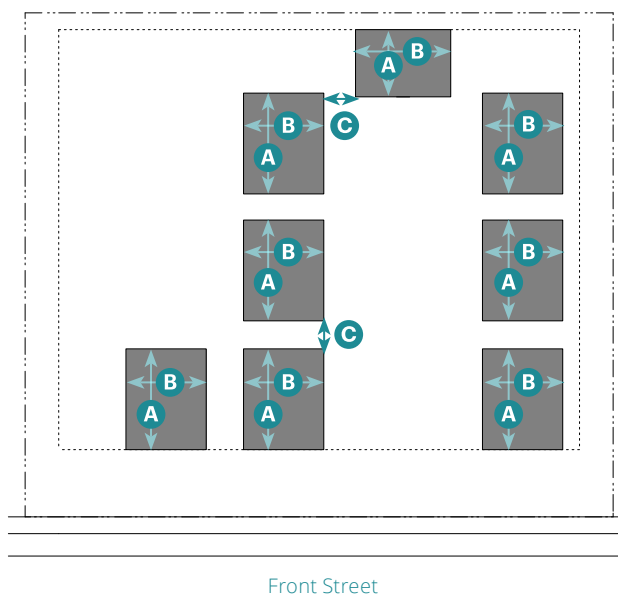
Required setbacks and driveways do not count toward open space.

Table 4.060.G Miscellaneous**Fencing**

Fencing only allowed around or between individual buildings and shall not exceed 36" in height.

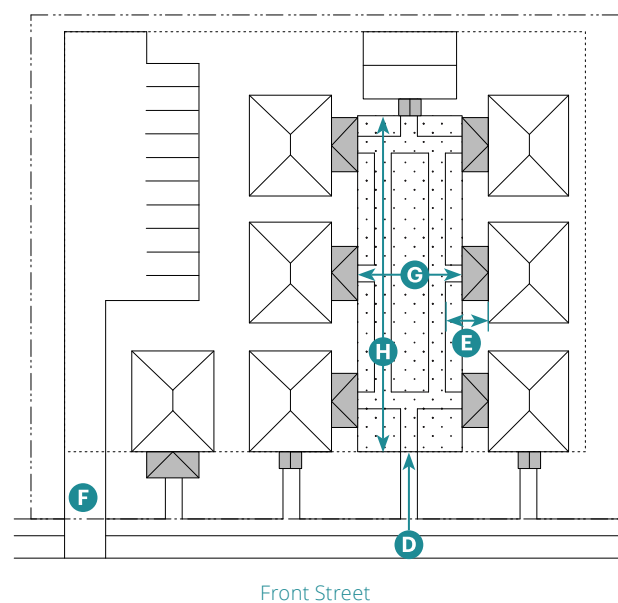
Visibility shall be maintained through the fencing.

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Building

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Frontage
- ▨ Common Open Spaces

4.070 Multiplex Small



Example of Multiplex Small

Table 4.070.A Description

A small-to-medium-sized, detached, House-Scale Building that consists of three to six side-by-side and/or stacked units, typically with one shared entry or individual entries along the front. The type has the appearance of a medium-sized, single-unit house and is scaled to fit within low- to moderate-intensity neighborhoods.

Table 4.070.B Number of Units

Units per Building	3 min.; 6 max.
Buildings per Design Site	1 max.



Example of Multiplex Small



Example of Multiplex Small

General Note: Photos on this page are illustrative, not regulatory.

Table 4.070.C Building Size and Massing

Height	
Stories	3 max.
Main Body	
Width	48' max. (A)
Depth	48' max. (B)
Wing(s) ¹	
Width	20' max. (C)
Depth	20' max. (D)
Separation between Wings	15' min.
Offset from Main Body	5' min. (E)

¹Height is limited to 1 story less than main body and 10' less to highest eave/parapet.

Table 4.070.D Pedestrian Access

Main Entrance Location	Front Street (E)
------------------------	-------------------------

Each unit may have an individual entry.

Table 4.070.E Vehicle Access and Parking

Driveway and parking location shall comply with standards in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone. (F)
--

Table 4.070.F Open Space

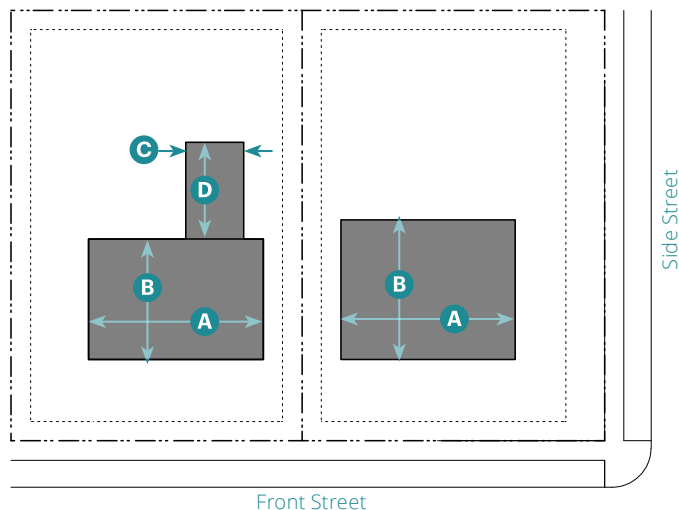
Common Open Space ²	
Width	15' min. (G)
Depth	15' min. (H)

Required setbacks and driveways do not count toward open space.

Required common open space shall be located behind the main body of the building.

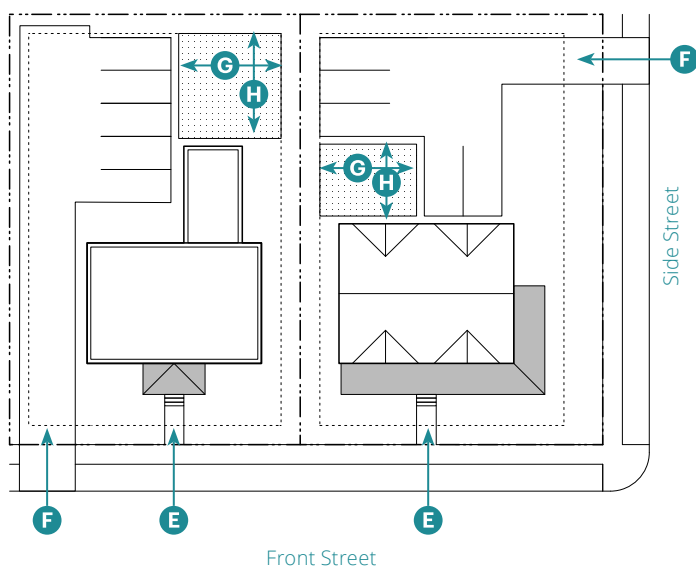
²Common open space is not required if the building is within 800' of public open space

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Building

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Frontage
- Private Open Space

4.080 Multiplex Large



Example of Multiplex

Table 4.080.A Description

A medium-to-large-sized, detached, House-Scale Building that consists of seven to 12 side-by-side and/or stacked units, typically with one shared entry. The type is scaled to fit within moderate-intensity neighborhoods.

Synonym: Mansion Apartment

Table 4.080.B Number of Units

Units per Building	7 min.; 12 max.
Buildings per Design Site	1 max.



Example of Multiplex



Example of Multiplex

General Note: Photos on this page are illustrative, not regulatory.

Table 4.080.C Building Size and Massing

Height	T5N
Stories	3.5 max.
Main Body¹	
Width	60' max. (A)
Depth	60' max. (B)
Wing(s)¹	
Width	30' max. (C)
Depth	30' max. (D)
Separation between Wings	15' min.
Offset from Main Body	5' min. (E)

¹Height is limited to 1 story less than main body and 10' less to highest eave/parapet.

Table 4.080.D Pedestrian Access

Main Entrance Location	Front Street (E)
------------------------	-------------------------

Units located in the main body shall be accessed by a common entry along the front street.

On corner design sites, units in a wing may enter from the side street.

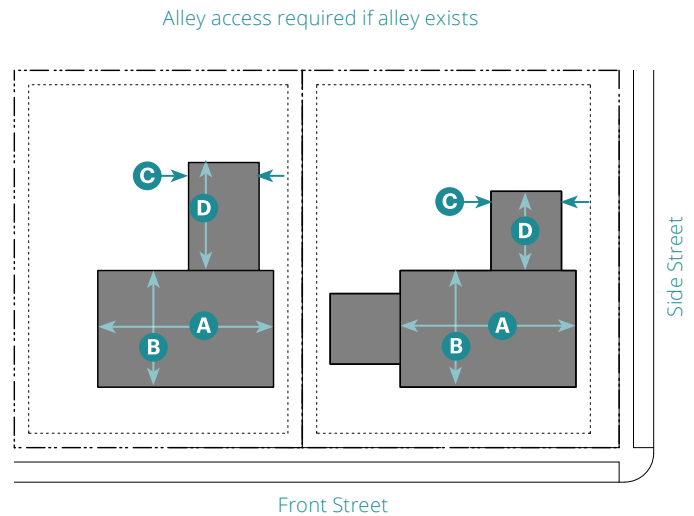
Table 4.080.E Vehicle Access and Parking

Driveway and parking location shall comply with	(F)
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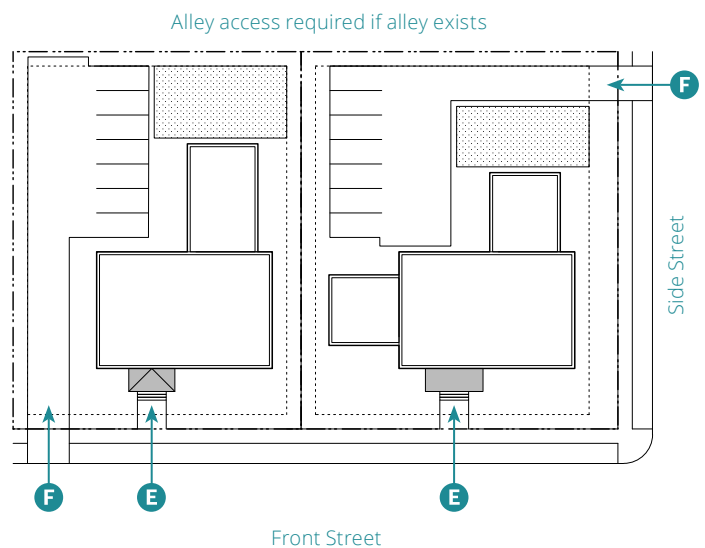
standards in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone.

Table 4.080.F Open Space

Common or Private open space is not required.

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Building

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Frontage
- Private Open Space

4.090 Townhouse



Example of Neighborhood Townhouse

Table 4.090.A Description

A small-sized, typically attached, House-Scaled or Block-Scaled Building with a rear setback. Each Townhouse consists of one unit. As allowed by the zone, the type may also be detached with minimal separations between buildings. The type is typically located within low-to-moderate-intensity neighborhoods.

Synonym: Rowhouse

Table 4.090.B Number of Units

House-Scale	T3N/T4N
Units per Townhouse	1 max.
Townhouses per Design Site	1 max.
Townhouses per Run	2 min.; 5 max.
Block-Scale	T4MS/T5N
Units per Townhouse	3 max.
Townhouses per Design Site	1 max.
Townhouses per Run	4 min.; 8 max.



Example of Neighborhood Townhouse



Example of Neighborhood Townhouse

General Note: Photos on this page are illustrative, not regulatory.

Table 4.090.C Building Size and Massing

Height	T3N/T4N	T4MS/T5N
Stories	3 max.	
Main Body ¹		
Width per Townhouse	18' min.; 25' max.	A
Depth per Townhouse	50' max.	B
Width per Run	125' max.	200' max. C
Wing(s) ¹		
Width	14' max.	14' max. D
Depth	14' max.	14' max. E
Separation between Wings	10' min. F	

¹ Height is limited to 1 story less than main body and 10' less to highest eave/parapet.

Table 4.090.D Pedestrian Access

Main Entrance Location	Front Street	G
------------------------	--------------	----------

Each unit shall have an individual entry facing a street.

Table 4.090.E Vehicle Access and Parking

Driveway and parking location shall comply with	H
---	----------

standards in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone.

Table 4.090.F Open Space

Private Open Space		
---------------------------	--	--

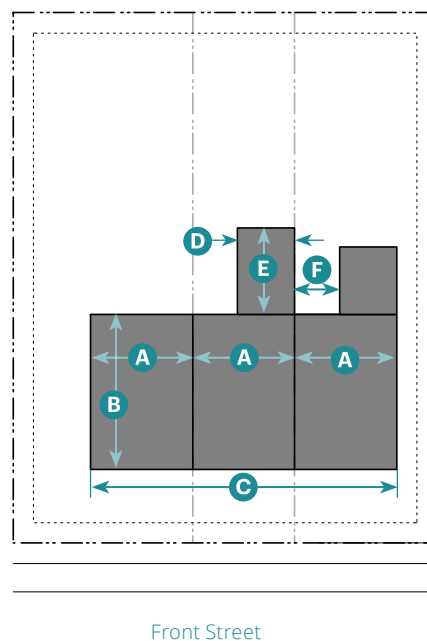
Width	8' min.	I
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Depth	8' min.	I
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Required setbacks and driveways do not count toward open space.

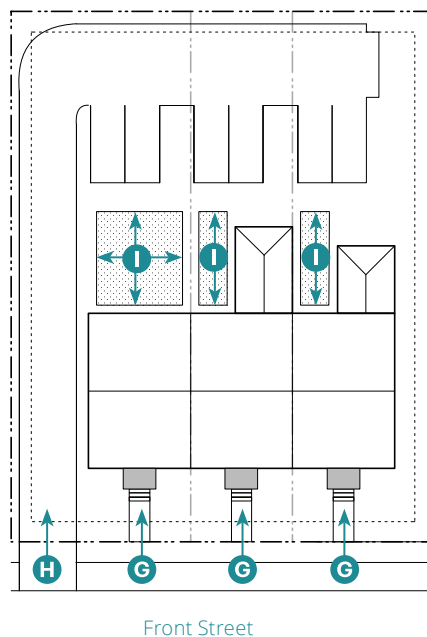
Required private open space shall be located behind the main body of the building.

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Building

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Frontage
- Private Open Space

4.100 Courtyard Building Small



Example of Neighborhood Courtyard

Table 4.100.A Description

A detached, House-Scale Building that consists of up to 16 attached and/or stacked units, accessed from a shared courtyard. The shared court is common open space and takes the place of a rear setback. The type is typically integrated as a small portion of lower-intensity neighborhoods or more consistently into moderate-intensity neighborhoods.

Synonym: Courtyard Apartment

Table 4.100.B Number of Units

Units per Building	10 min.; 16 max.
Buildings per Design Site	1 max.



Example of Neighborhood Courtyard



Example of Neighborhood Courtyard

General Note: Photos on this page are illustrative, not regulatory.

Table 4.100.C Building Size and Massing**Height**

Stories 3 max.

Main Body¹Width 100' max. **(A)**Depth 100' max. **(B)****Table 4.100.D Pedestrian Access**Main Entrance Location¹ Courtyard or Street **(C)**¹ The main entry of ground floor units shall be directly off of a courtyard or street, whichever is closer.**Table 4.100.E Vehicle Access and Parking**Driveway and parking location shall comply with standards in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone. **(D)****Table 4.100.F Open Space**

Common Open Space	L-shaped	U-shaped	
Width	20' min.	25' min.	(E)
Depth	30' min.	50' min.	(F)

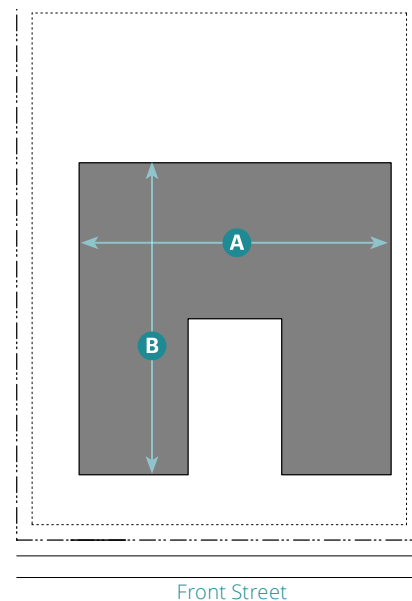
Courtyard(s) shall be accessible from the front street.

Multiple courtyards are required to be connected via a Passage through or between buildings.

Building shall define at least three walls of the courtyard.

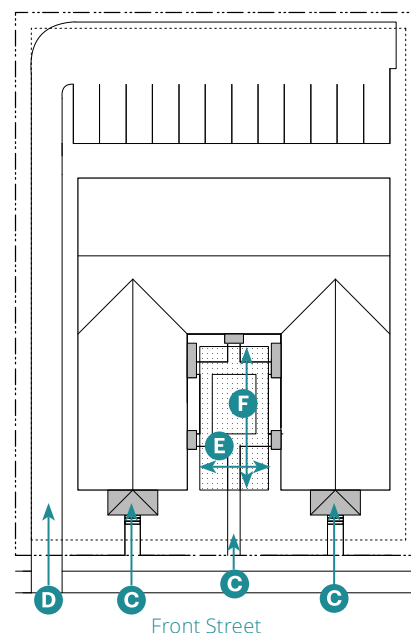
Front of courtyard not defined by building shall be defined by 2'-6" to 5' tall wall with entry gate/door.

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Building

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Frontage
- Private Open Space

4.110 Courtyard Building Large



Example of Neighborhood Courtyard

Table 4.110.A Description

A detached, House-Scale Building that consists of up to 24 attached and/or stacked units, accessed from a shared courtyard. The shared court is common open space and takes the place of a rear setback. The type is typically integrated as a small portion of lower-intensity neighborhoods or more consistently into moderate-intensity neighborhoods.

Synonym: Courtyard Apartment

Table 4.110.B Number of Units

Units per Building	18 min.; 24 max.
Buildings per Design Site	1 max.



Example of Neighborhood Courtyard



Example of Neighborhood Courtyard

General Note: Photos on this page are illustrative, not regulatory.

Table 4.110.C Building Size and Massing**Height**

Stories 5 max.

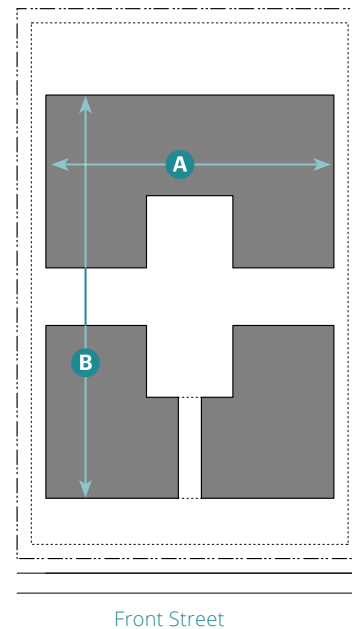
Main Body¹Width 120' max. **(A)**Depth 150' max. **(B)****Table 4.110.D Pedestrian Access**Main Entrance Location¹ Courtyard or Street **(C)**¹ The main entry of ground floor units shall be directly off of a courtyard or street, whichever is closer.**Table 4.110.E Vehicle Access and Parking**Driveway and parking location shall comply with standards in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone. **(D)****Table 4.110.F Open Space****Common Open Space**Width 30' min. **(E)**Depth 50' min. **(F)**

Courtyard(s) shall be accessible from the front street.

Multiple courtyards are required to be connected via a Passage through or between buildings.

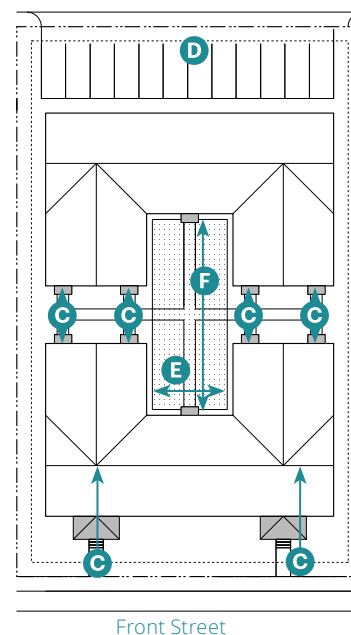
Building shall define at least three walls of the courtyard.

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Building

Alley access required if alley exists

**Key**

- ROW/ Design Site Line
- Building Setback Line
- Frontage
- Private Open Space

4.120 Main Street Building



Example of Main Street Building

Table 4.120.A Description

A small-to-large-sized, Block-Scale Building, typically attached, but may be detached. The type is intended to provide a vertical mix of uses with ground-floor retail, office, or service uses and upper-floor service or residential uses. The type makes up the primary component of neighborhood and downtown main streets, therefore being a key component to providing walkability.

Table 4.120.B Number of Units

Units per Building	Unrestricted
Buildings per Design Site	1 max.



Example of Main Street Building



Example of Main Street Building

General Note: Photos on this page are illustrative, not regulatory.

Table 4.120.C Building Size and Massing

Height	T4MS	T5MS
Stories	3 max.	5 max.
Main Body		
Width	100' max.	200' max. A
Depth	100' max.	200' max. B

Table 4.120.D Pedestrian Access

Distance between Entries to	40' max.
Ground Floor Shops	
Upper floor units shall be accessed by a common entry along the front or side street.	
Ground floor shops shall have individual entries along the front or side street.	C
Ground floor units allowed along side streets are required to be at least 30' from the front street.	D

Table 4.120.E Vehicle Access and Parking

Driveway and parking location shall comply with standards in Table F (On-Site Vehicular and Bicycle Parking) of the ODS zone.	E
---	----------

Table 4.120.F Open Space

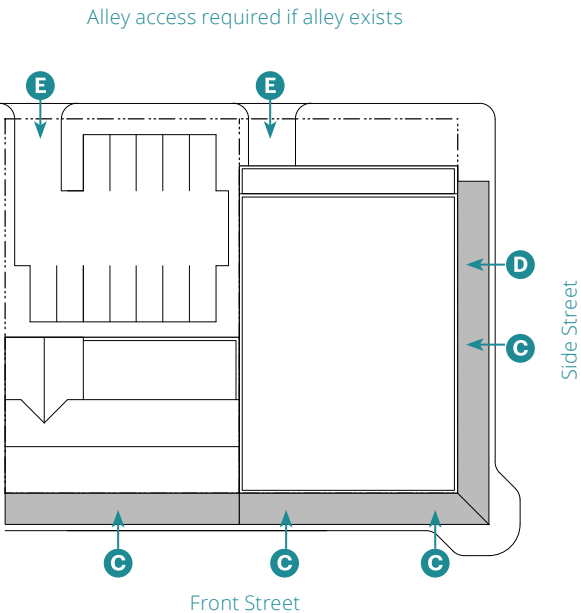
Common or private open space is not required.	
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Key

--- ROW/ Design Site Line ■ Building

----- Building Setback Line



Key

--- ROW/ Design Site Line ■ Frontage

----- Building Setback Line □ Private Open Space

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Section 5: Massing and Facade Articulation Standards

Subsections:

- 5.010 Purpose
- 5.020 Overview of Façade and Design Standards
- 5.030 Massing and Composition
- 5.040 Tripartite Facade Articulation
- 5.050 Architectural Recession(s)
- 5.060 Windows and Openings

5.010 Purpose

This Section provides standards intended to promote a pedestrian-scaled built environment by reducing the perceived mass of large buildings while allowing for creativity and innovation.

5.020 Overview of Façade and Design Standards

Table 5.020.A (Massing and Facade Articulation Standards Overview) provides an overview of the standards.

Table 5.020.A: Massing and Facade Articulation Standards Overview				
Standard	Building Length ¹			
	< 75'	75' to <100'	100'to <150'	≥150'
5.030 (Massing and Composition)	N	R	R	R
5.040 (Tripartite Facade Articulation)	N	R	R	R
5.050 (Architectural Recession(s))	N	N	R	R
5.060 (Windows and Openings)	N	N	R	R

¹ Building length includes main body and wings, as measured along street or civic space.

Key	R = Required	N = Not Required	A = Allowed	- = Not Allowed
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5.030

Massing and Composition

Table 5.030.A Description
Standards for the articulation of building facades to ensure that new development is harmonious in scale with existing development.
Table 5.030.B Applicability
Buildings ≥75' long
Table 5.030.C General Character
New facades and facade modifications along a street or civic space shall be designed to appear as multiple buildings no greater than 75' in length and not repeating the same massing and composition.
Building facades shall be arranged in an orderly composition of window bays/ openings based on prevalent patterns of 3, 5 or 7 bays.
Facades shall be designed in an orderly symmetrical or asymmetrical composition.
The pattern shall be visually expressed through the spacing of openings, physical recesses, projections or other techniques.
The pattern may include the ground floor and its mezzanine.

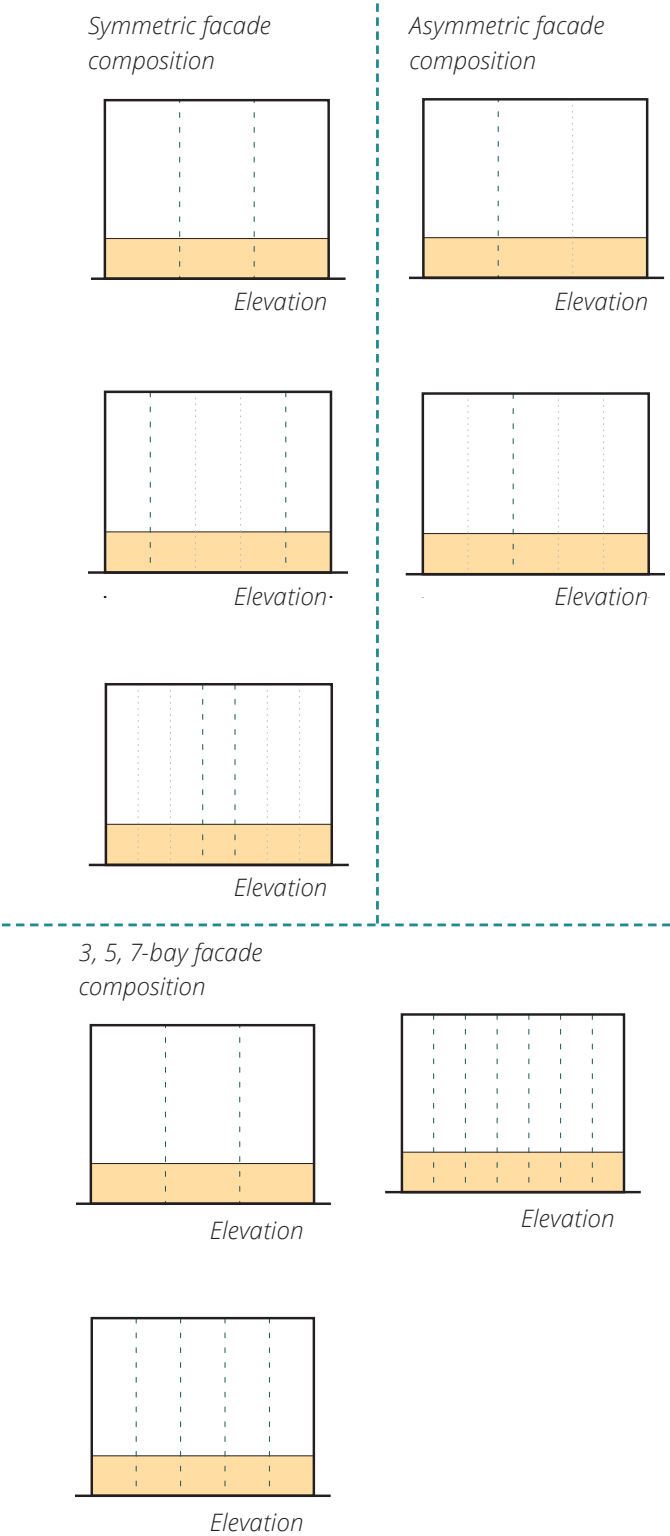


Figure 5.030.A: Diagram of Massing and Composition

5.040 Tripartite Facade Articulation

Table 5.040.A Description

This Subsection prescribes standards for the articulation of building facades to maintain visual quality. For new building facades, tripartite articulation is required, which is a method of visually organizing a building facade into three sections: a base, a middle and a top.

Table 5.040.B Applicability

Buildings $\geq 75'$ long

Table 5.040.C General Character

Combinations of colors, materials, and massing may be used to visually express a base, middle, and top.

New facades and facade modifications along a street or civic space shall be designed to visually express a base, middle, and top:

Building Base. The base shall be a minimum of one story **A** in height. For buildings taller than 3 stories the base may be up to 2-stories tall.

Building Middle. The middle shall be a minimum of one-story in height. **B**

Building Top. The top may include multiple stories including building stepbacks but should not exceed the height of the building's middle. Parapets, cornices and entablatures may be used to articulate the top. **C**

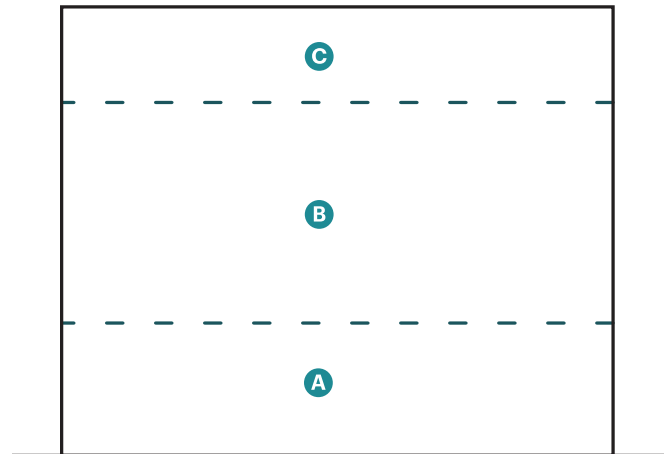


Figure 5.040.A: Diagram of Tripartite Facade Articulation

5.050 Architectural Recession(s)

Table 5.050.A Description

New facades and renovations along a street or civic space shall be designed to modulate the apparent size and scale of a building by recessing a portion(s) of the facade. Recessions shall be articulated using one or more frontage types to create a semi-public space, such as a forecourt or dooryard.

Table 5.050.B Applicability

Buildings ≥100' long

Table 5.050.C General Character

Frequency	Minimum one recession every 75' in facade length	A
Width	10' min.	B
Depth	10' min.	C

If ground floor is recessed, recession shall extend from ground to sky

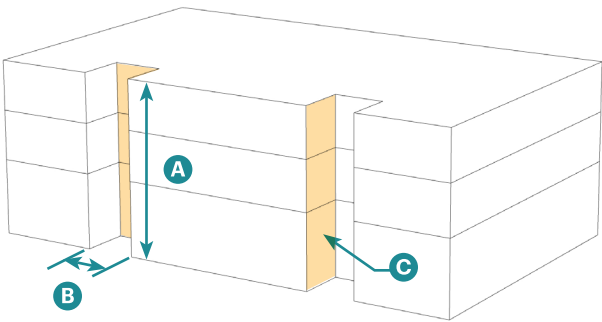


Figure 5.050.A: Diagram of Architectural Recessions

5.060 Windows and Openings

Table 5.060.A Description

This Subsection describes standards for the composition of window bays and openings.

Table 5.060.B Applicability

Buildings $\geq 100'$ long

Table 5.060.C General Character

New facades and facade modifications shall be designed to include an orderly composition of window bays and openings.

All building facades shall be designed to include square- or vertically-oriented windows and openings, including groupings of windows and openings, coordinated with the building facade composition as per Subsection 5.03 (Massing and Composition).

Location of balconies when used should be coordinated with windows and doors on the facade, and with the composition of bays on the building facade.

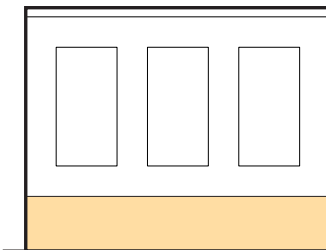
Buildings at least 100' in length along the street are required to include projected or recessed window bays.

Bay windows shall have either a square or a chamfer profile.

Square profile bay window



Elevation

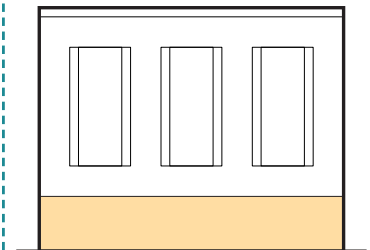


Plan

Chamfer profile bay window



Elevation



Plan

Figure 5.060.A: Diagram of Windows and Openings

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Section 6: Frontage Types

Subsections:

6.010	Purpose
6.020	Frontage Types
6.030	Overview of Frontage Types
6.040	Porch Projecting
6.050	Porch Engaged
6.060	Dooryard
6.070	Stoop
6.080	Forecourt
6.090	Shopfront
6.100	Terrace
6.110	Gallery

6.010	Purpose This Section provides the standards for frontage types. Frontages are the components of a building that provide the transition and interface between the public realm (street and sidewalk) and the private realm (setback or building).
6.020	Frontage Types 1. The names of the frontage types indicate their particular configuration or function and are not intended to limit uses within the associated building. For example, a Porch may be used by non-residential uses including, but not limited to, a restaurant or office, as allowed by the zone. 2. Each building is required to include at least one private frontage type along the front street or adjacent civic space. Buildings with entries along a side street are required to include at least one private frontage type on those facades. The Cottage Court Building Type is only required to have frontages facing the court. 3. The habitable space on ground floor along front facade with a minimum depth as identified in Table D (Building Form) of the ODS zone, is required to be habitable/occupiable space in compliance with this Subsection. 4. Accessibility is provided through the allowed private frontage types for each zone. This requirement does not apply when base floor elevation (BFE) exceeds three feet from existing grade. 5. Private frontage types not listed in Table F (Frontages) of the ODS zone are not allowed in that zone. 6. Each building may have multiple private frontage types in compliance with the allowed types in Table F (Frontages) of the ODS zone. 7. Each private frontage type shall be located in compliance with the facade zone per Table E (Building Placement) of the ODS zone. 8. Standards are stated for the front and side street facades of a design site.

9. In addition to the ODS zone's standards, each private frontage is further refined through these standards to calibrate the type for its context.

6.030 Overview of Frontage Types

Table 6.030.A (Overview of Frontage Types) provides a summary of the allowed private frontage types in each ODS zone. See referenced Subsection(s) for standards.

Table 6.030.A: Overview of Frontage Types						
Private Frontage Type	Specific Standards	Zones				
		T3N	T4N	T4MS	T5N	T5MS
Porch Projecting	6.040	P	P	X	X	X
Porch Engaged	6.050	P	P	X	X	X
Dooryard	6.060	P	P	P	P	P
Stoop	6.070	P	P	P	P	X
Forecourt	6.080	X	X	P	P	P
Shopfront	6.090	X	X	P	X	P
Terrace	6.100	X	X	P	P	P
Gallery	6.110	X	X	P	X	P

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6.040 Porch Projecting

Table 6.040.A Description

The main facade of the building is set back from the front design site line with a covered structure encroaching into the front setback. The resulting setback area may be defined by a fence or hedge to spatially maintain the edge of the street. The Porch may be one or two stories, is open on three sides, with all habitable space located behind the building setback line.

Table 6.040.B Size

Width, Clear	15' min. ¹	A
Depth, Clear	8' min.	B
Height, Clear	8' min.	C
Stories	2 stories max.	
Finish Level above Sidewalk	1' min. ²	D
Pedestrian Access Width	3' min.	E

¹ Reduce to 8' min. and maximum 1 story when applied to Cottage Court Building Type

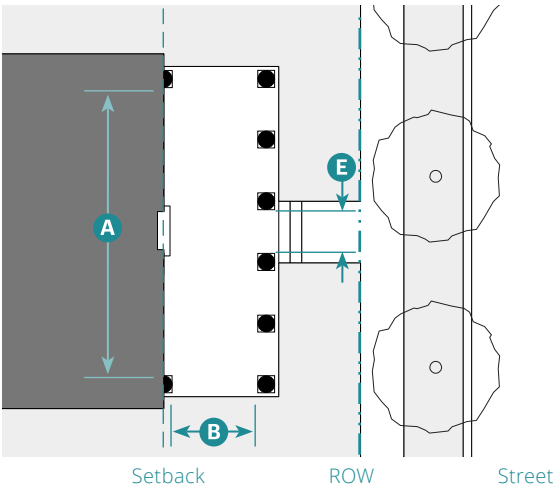
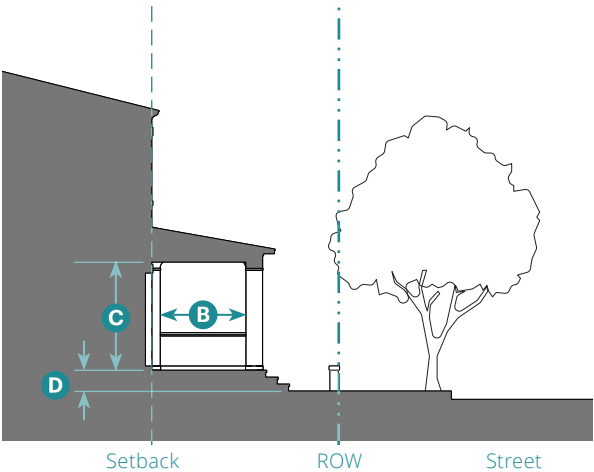
² Common entries may be set at grade per local and federal accessibility standards.

Table 6.040.C Miscellaneous

Porch shall be open on three sides and have a roof. Clear glass may be installed between the porch columns if the minimum size of individual panes is 1'.



Example of a Projecting Porch



Key
--- ROW/ Design Site Line - - - - - Setback Line

6.050 Porch Engaged

Table 6.050.A Description

A portion of the main facade of the building projects into the front setback to create an area for a covered structure that projects from the rest of the facade that is set back. The resulting yard may be defined by a fence or hedge to spatially define the edge of the street. The Porch may be one or two stories and may have two or three adjacent sides that are engaged to the building with at least one side open.

Table 6.050.B Size

Width, Clear	15' min.	A
Depth, Clear	8' min.	B
Height, Clear	8' min.	C
Stories	2 stories max.	
Finish Level above Sidewalk	1' min. ¹	D
Pedestrian Access Width	3' min.	E
Encroachment area of building facade		
Depth	6' max.	F
Width ²	1/3 min. of overall building facade.	G

¹ Common entries may be set at grade per local and federal accessibility standards.

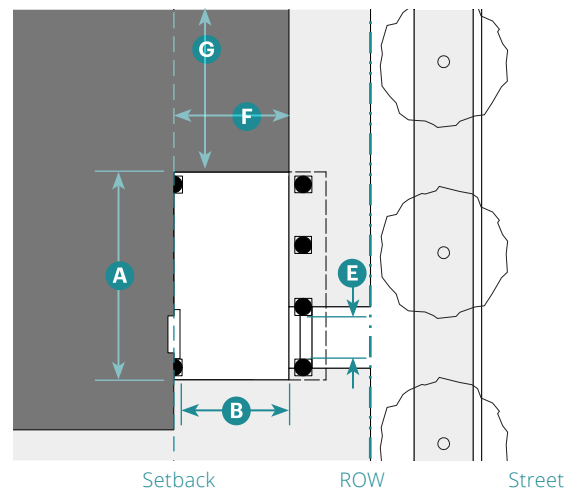
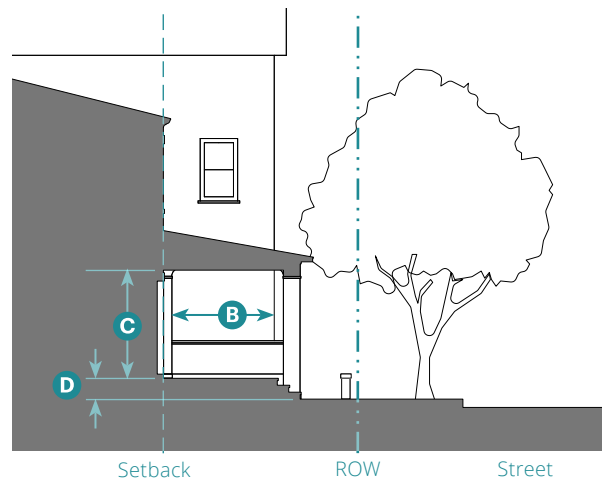
² Encroachment width may not exceed width of Porch (A).

Table 6.050.C Miscellaneous

Porch shall be open on two sides and have a roof. Clear glass may be installed between the porch columns if the minimum size of individual panes is 1'.



Example of an Engaged Porch



Key

--- ROW/ Design Site Line

--- Setback Line

6.060 Dooryard

Table 6.060.A Description

The main facade of the building is set back from the front design site line, which is defined by a low wall or hedge, creating a small private area between the sidewalk and the facade. Each Dooryard is separated from adjacent Dooryards. The Dooryard may be raised or at grade.

Table 6.060.B Size

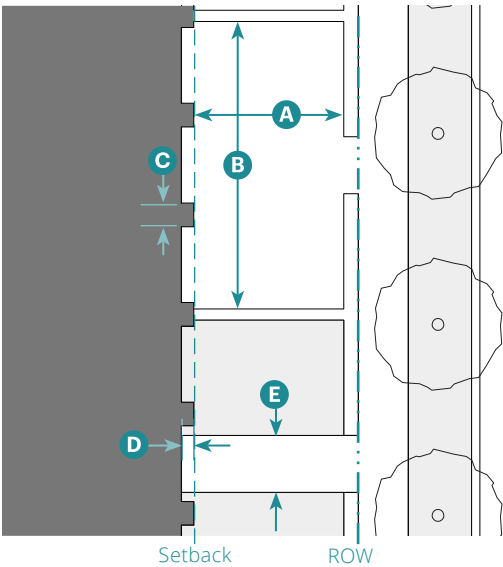
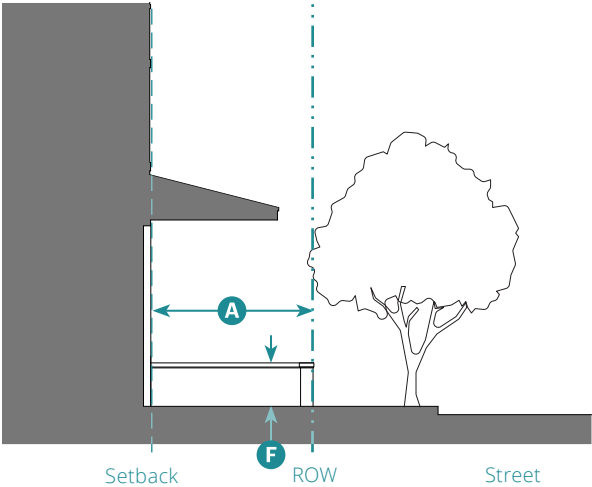
Depth, Clear	6' min.	A
Length	15' min.	B
Distance between Glazing	4' max.	C
Depth of Recessed Entries	3' max.	D
Pedestrian Access Width	3' min.	E
Height of Dooryard Fence/Wall	3' max.	F
above Finish Level		

Table 6.060.C Miscellaneous

Each Dooryard shall provide access to only one ground floor entry.



Example of a Dooryard



Key
--- ROW/ Design Site Line - - - - - Setback Line

6.070 Stoop

Table 6.070.A Description

The main facade of the building is near the front design site line with steps to an elevated entry. The Stoop is elevated above the sidewalk to provide privacy along the sidewalk-facing rooms. Stairs or ramps from the Stoop may lead directly to the sidewalk or may be parallel to the sidewalk.

Table 6.070.B Size

Width, Clear	4' min.	A
Depth, Clear	3' min.	B
Finish Level above Sidewalk	1' min. ¹	C
Depth of Recessed Entries	8' max.	D

¹ Common entries may be set at grade per local and federal accessibility standards.

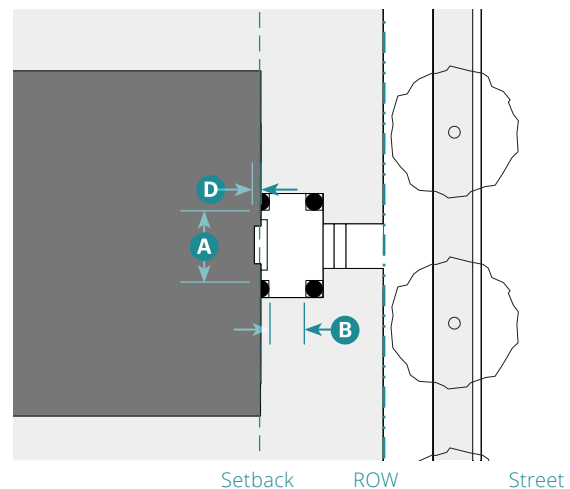
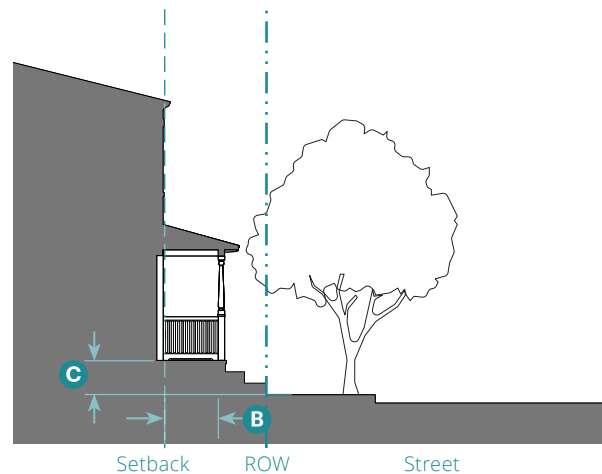
Table 6.070.C Miscellaneous

Entry doors shall be covered or recessed to provide shelter from the elements.

Gates are not allowed.



Example of a Stoop



Key

--- ROW/ Design Site Line

..... Setback Line

6.080 Forecourt

Table 6.080.A Description

The main facade of the building is at or near the front design site line and a portion is set back, extending the public realm into the design site to create an entry court or shared garden space for housing, or an additional shopping or restaurant seating area within retail and service areas.

Table 6.080.B Size

Width, Clear	15' min.	A
Depth, Clear	15' min.	B
Ratio, Height to Width	2:1 max.	C
Other frontages, awnings, and balconies may encroach into all sides of the Forecourt.	Max. 1/2 width of Forecourt	D

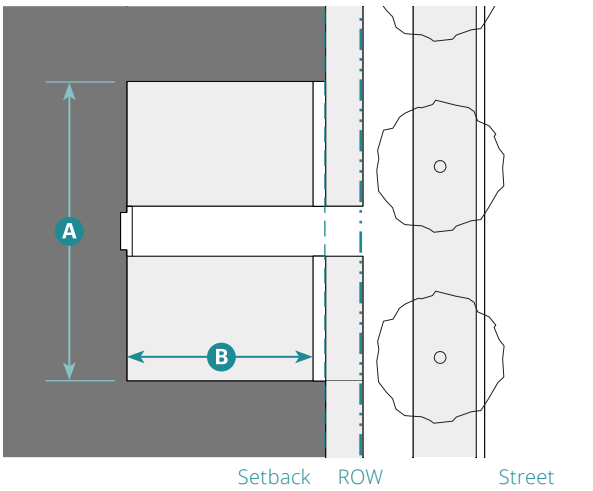
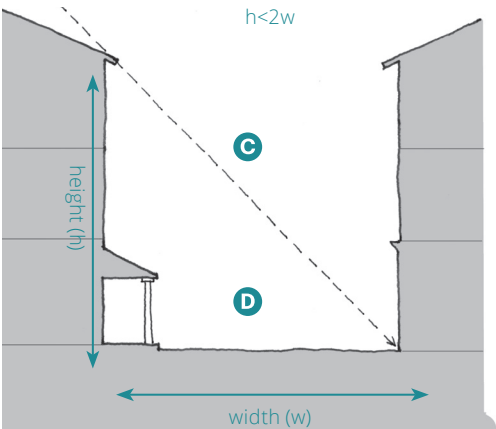
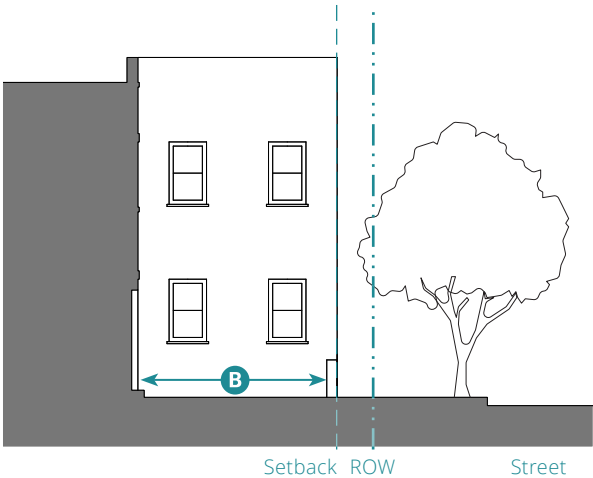
Table 6.080.C Miscellaneous

Forecourts may be utilized to group several entries at a common elevation in compliance with the zones' ground floor finish level standards.

The proportions and orientation of a Forecourt shall be in compliance with the diagram below for solar orientation and user comfort.



Example of a Forecourt with Shopfronts



- Key
- ROW/ Design Site Line
 - Setback Line

6.090 Shopfront

Table 6.090.A Description

The main facade of the building is at or near the front design site line with at-grade entrance from the sidewalk. The type is intended for service, retail, or restaurant use and includes substantial glazing between the Shopfront base and the ground floor ceiling. This type may include an awning that overlaps the sidewalk.

Table 6.090.B Size

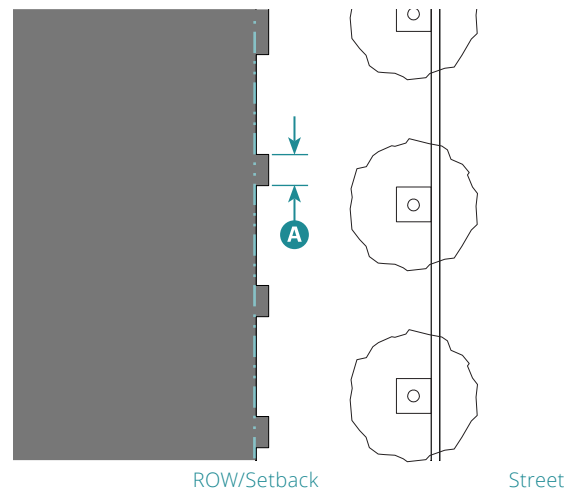
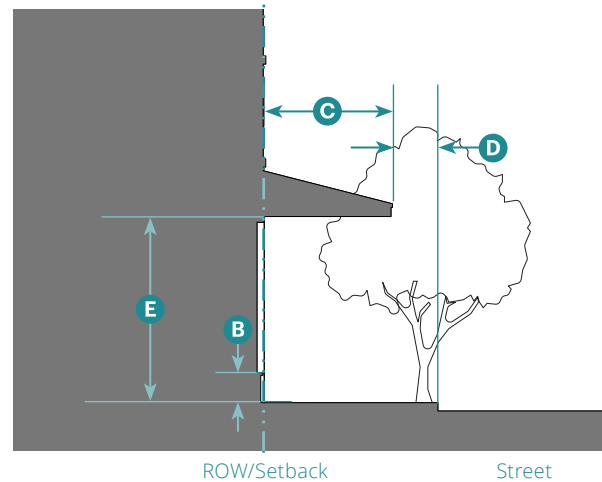
Distance between Glazing	2' max.	A
Ground Floor Glazing between Sidewalk and Finished Ceiling	75% min.	
Height		
Depth of Recessed Entries	5' max.	
Shopfront Base	6" min.; 2' max.	B

Table 6.090.C Awning (Allowed/Not Required)

Depth	5' min.	C
Setback from Curb	2' min.	D
Height, Clear	10' min.	E



Example of a Shopfront



Key

--- ROW/ Design Site Line

--- Setback Line

6.100 Terrace

Table 6.100.A Description

The main facade is at or near the front design site line with steps leading to an elevated area providing pedestrian circulation along the facade to connect multiple entrances. The type is used for retail, service, office uses, or housing to provide outdoor areas along the sidewalk and/or to accommodate an existing or intended grade change.

Table 6.100.B Size

Depth of Terrace	8' min. residential	A
	10' min. non-residential	A
Finish Level above Sidewalk	3' max.	B
Distance between Stairs	25' max.	C

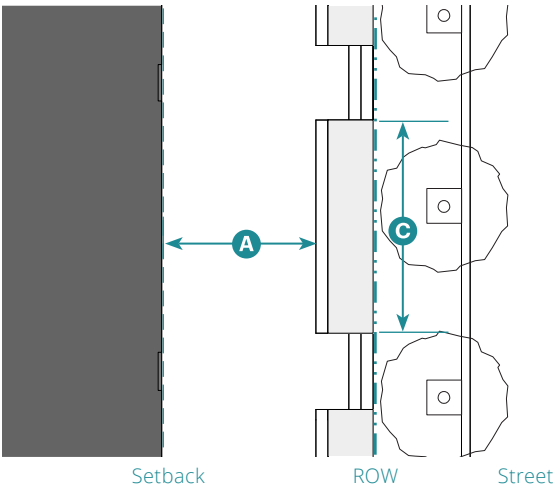
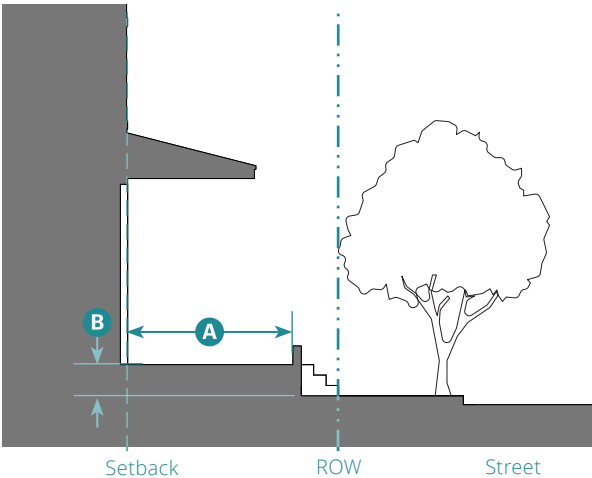
Table 6.100.C Miscellaneous

May be utilized to group several entries at a common elevation in compliance with the zones' ground floor finish level standards.

Ramps are required to be integrated along the terrace to connect multiple entrances of the building(s).



Example of a Terrace with low-wall seating



Key
--- ROW/ Design Site Line - - - - - Setback Line

6.110 Gallery

Table 6.110.A Description

The main facade of the building is set back from the front design site line and an at-grade covered structure, articulated with colonnade or arches, overlaps the sidewalk. The type may be one or two stories. When used in nonresidential settings, the Shopfront Type is included; when used in residential settings, Stoops, Dooryards, and Forecourts may be included as allowed by the zone.

Table 6.110.B Size

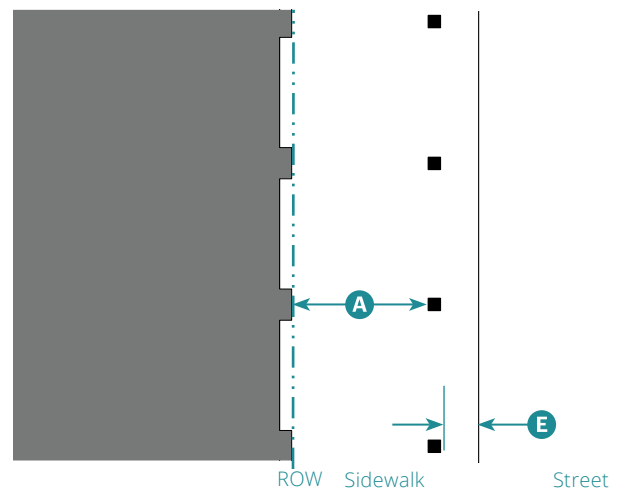
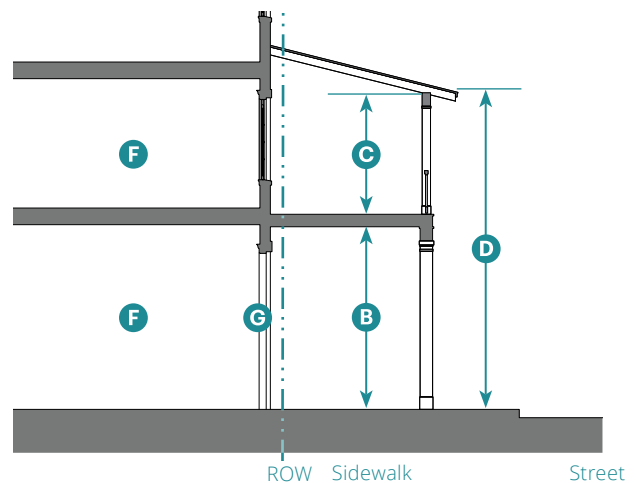
Depth, Clear	8' min.	A
Ground Floor Height, Clear	12' min.	B
Upper Floor Height, Clear	9' min.	C
Height	2 stories max.	D
Setback from Curb	18" min. (clear)	E

Table 6.110.C Miscellaneous

Habitable Space	F
Galleries shall also follow the standards of the Shopfront, see Subsection 6.090 (Shopfront).	G
Galleries shall have a consistent depth across the entire front and/or side street facade.	
Galleries are allowed to project over the sidewalk in the public ROW.	
The second story of the Gallery may be covered.	



Example of a two-story Gallery with an uncovered second story


Key

--- ROW/ Design Site Line - - - - - Setback Line

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Section 7: Civic Space Types

Subsections:

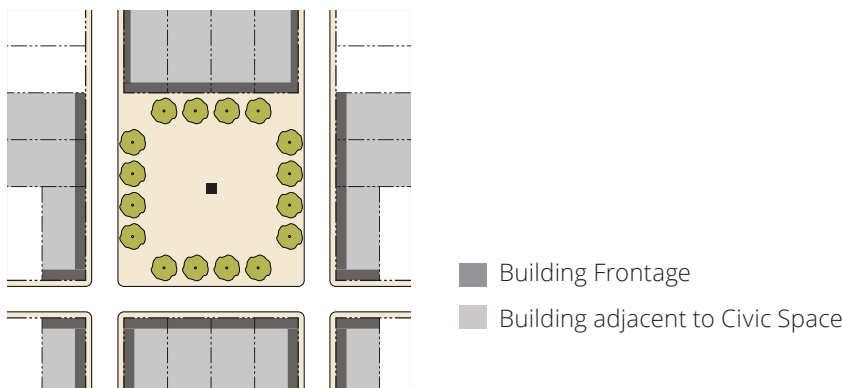
7.010	Purpose
7.020	Civic Space Types
7.030	Overview of Civic Space Types
7.040	Pocket Park/Plaza
7.050	Playground
7.060	Passage
7.070	Greenway
7.080	Plaza

7.010	Purpose
	This Section establishes the standards applicable to new civic spaces. These standards supplement the standards for each zone. Civic space is land in the public realm (publicly or privately owned) for civic gathering purposes.

7.020	Civic Space Types
	1. As required by Subsection 3.040 (Large Sites), design sites of least five acres are required to set aside a minimum area of 10 percent of the design site as civic space. One or more civic spaces may be used to meet the required area. 2. Each civic space is described as to its purpose and intent along with standards and characteristics regarding general physical character, uses, size and location. Characteristics are considered standards unless stated otherwise. 3. Public access and visibility is required along public parks, natural open spaces, and civic uses, including creeks and drainages and stormwater management areas, and shall be fronted by: A. Single-loaded frontage streets (those with development on one side and open space on the other); B. Bike and pedestrian paths; or C. Other methods of frontage that provide similar access and visibility to the open space allowed in the zone. Such access may be provided through public easements or other similar methods.

4. The facades on building design sites attached to or across a street from a civic space shall be designed as a "front" on to the civic space. See Figure 7.020.1 (Building Frontage Adjacent to a Civic Space) for reference.

Figure 7.020.1 Building Frontage Adjacent to a Civic Space



7.030 Overview of Civic Space Types

Table 7.030.A (Overview of Civic Space Types) provides a summary of the allowed civic space types by zone. See referenced Subsection(s) for standards.

Table 7.030.A: Overview of Civic Space Types						
Private Frontage Type	Specific Standards	Zones				
		T3N	T4N	T4MS	T5N	T5MS
Pocket Park/Plaza	7.040	P	P	P	P	P
Playground	7.050	P	P	P	P	P
Passage	7.060	P	P	P	P	P
Greenway	7.070	P	P	X	X	X
Plaza	7.080	X	X	P	P	P

7.040 Pocket Park/Plaza

Table 7.040.A Description

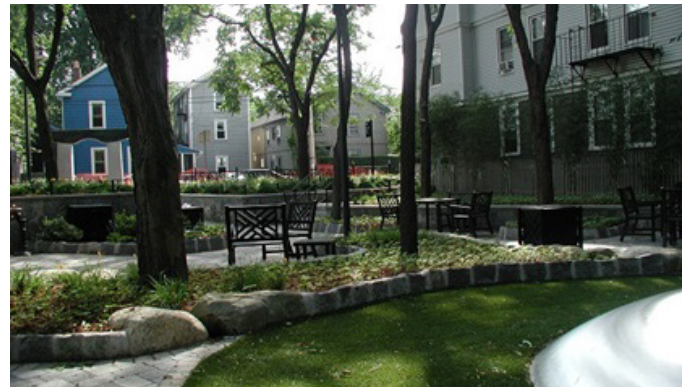
A small-scale space, serving the immediate neighborhood, available for informal activities in close proximity to neighborhood residences, and civic purposes, intended as intimate spaces for seating or dining.

Table 7.040.B Size and Location

Size 50' x 50' min.

Street required on one of the Pocket Park/Plaza's sides

Facades on design sites attached to or across a street shall "front" on to the Pocket Park/Plaza.



Examples of a Pocket Park/Plaza

7.050 Playground

Table 7.050.A Description

A small-scale space designed and equipped for the recreation of children. These spaces serve as quiet, safe places protected from the street and typically in locations where children do not have to cross any major streets. An open shelter, play structures, or interactive art and fountains may be included. Playgrounds may be included within all other civic space types.

Table 7.050.B Size and Location

Size 40' x 60' min.



Examples of a Playground

7.060 Passage

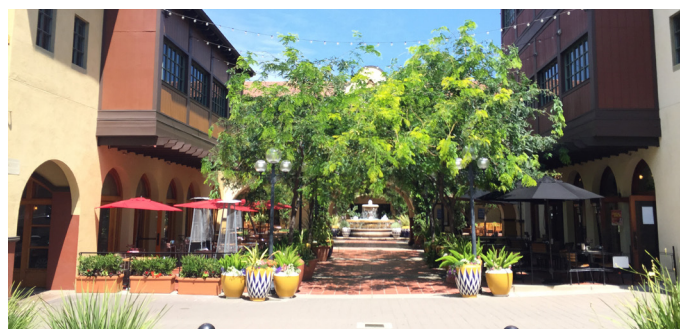
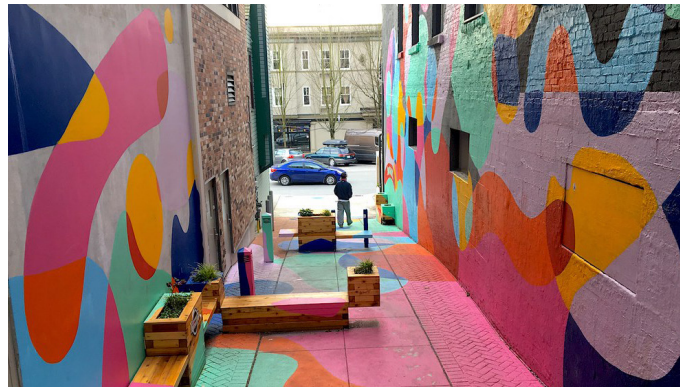
Table 7.060.A Description

A pedestrian pathway that extends from the public sidewalk into a civic space and/or across the block to another public sidewalk. The pathway is lined by non-residential Shopfronts and/or residential ground floors and pedestrian entries as required by the zone.

Table 7.060.B Size and Location

Size	15' min. clear width between or through buildings
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Ground floor facades shall be in compliance with facade zone in Table E (Building Placement) and frontages allowed in Table F (Frontages) of the ODS zone.



Examples of a Passage

7.070 Greenway

Table 7.070.A Description

A multiple-block long linear space for community gathering and strolling for nearby residents and employees, defined by a tree-lined street on at least one side, sometimes forming a one-way couplet on its flanks and by the fronting buildings across the street. Greenways serve an important role as a green connector between destinations.

Table 7.070.B Size and Location

Size	2 continuous blocks in length min.
Width	50' min.
Shall front at least one street	



Examples of a Greenway

7.080 Plaza

Table 7.080.A Description

A community-wide focal point primarily for civic purposes and commercial activities.

Table 7.080.B Size and Location

Size 100' x 100' min.

Street required one of the Plaza's sides

Facades on design sites attached to or across a street shall "front" on to the Plaza.



Examples of a Plaza

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Section 8: Definitions

Subsections:

- 8.010 Purpose
- 8.020 Definitions
- 8.030 Measurement Methods

8.010 Purpose

This Section provides definitions for specialized terms and phrases used in this ODS. All other applicable definitions in Title 18 (Zoning) apply.

8.020 Definitions

A. Definitions

- Abutting.** Having a common property line or district boundary, or separated by a private or public street or easement.
- Access or Service Drive.** A public or private way of paving or right-of-way of not more than 30 feet affording means of access to property.
- Access Frontage or Service Road or Street.** A public or private street or right-of-way of not less than minimum standards as specified by the subdivision ordinance of the City affording means of access to property.
- Adjacent.** Sharing a common design site line, or having design site lines separated only by an alley.
- Adjacent Buildings.** Two or more buildings located upon adjacent design sites.
- Alley.** A public or private way to be used primarily for vehicular access to the back or side of a design site of real property that otherwise abuts a street.
- Apartment, Efficiency.** A dwelling unit in a multi-unit building, consisting of not more than one habitable room, excluding the kitchen or kitchenette and sanitary facilities, of a total floor area of not more than 400 square feet.
- Applicant.** Any individual, firm, or any other entity that applies to the City for the applicable permits to undertake any construction or development within the City.

Architectural Feature. Exterior building element intended to provide ornamentation to the building massing including, but not limited to: eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

Attached Building or Structure. Any building or structure which is structurally a part of or has a common wall and/or continuous roof with a primary building or structure, except where such connection is a breezeway or walkway incidental to and not a necessary part of the construction of the primary building.

Awning. A roof or cover which projects from a wall of a building over a window or door, made of canvas, aluminum, or similar material, which may be fixed in place or be retractable.

B. Definitions

Basement. A story whose floor is more than 12 inches, but not more than half of its story height below the average level of the adjoining finished grade (as distinguished from a “cellar,” which is a story more than one-half below such level). A basement, when used as a dwelling, shall not be counted as a story for purposes of height measurement.

Bathroom. A room that contains all of the following features: a bathtub or shower, a washbowl, and a toilet.

Bay. Any division of a building between vertical lines or planes, especially the entire space included between two adjacent supports.

Bay Window. An architectural projection from the building cantilevered from the facade, consisting of one or more stories in height, containing at least 60 percent glass area.

Block. An area of land separated from other areas by adjacent streets, railroads, rights-of-way, public areas, or the subdivision boundary.

Block Face. The aggregate of all the building facades on one side of a block. The block face provides the context for establishing architectural harmony.

Block Length. The horizontal distance from the right-of-way on one end of the block to the right-of-way on the other end along the same street.

Block Perimeter. The aggregate of all sides of a block bounded by the abutting rights-of-way.

Block-Scale, Building. A building that is individually as large as a block or individual buildings collectively arranged along a street to form a continuous facade as long as most or all of a block.

Buildable Area. The horizontal area in which a building is allowed to be constructed.

Building Elevation. The exterior wall of a building not adjacent to a public right-of-way, the front or side along a private street, or civic space.

Building Entrance. A point of pedestrian ingress and egress to the front of a building along the sidewalk of the street immediately adjacent to the building.

Building Facade. The exterior wall of a building adjacent to a street, the front or side along a private street, or civic space.

1. **Building Facade, Front.** The exterior wall of a building adjacent to a street or civic space.
2. **Building Facade, Side Street.** The exterior wall of a building adjacent to a side street.
3. **Building Facade, Interior Side.** The exterior wall of a building adjacent to the interior design site line(s).

4. **Building Facade, Rear.** The exterior wall of a building opposite the front.

Building Form. The overall shape and dimensions of a building.

Building Frontage. The facade(s) along the front and side street of the design site.

Building Frontage, Principal. The facade along the front of the design site, typically the narrower of sides and identified by an address.

Building, Primary. The building that serves as the focal point for all activities related to the principal use of the design site.

Building, Setback. See "Setback, Building."

Building Type. A structure defined by its combination of configuration, disposition, and function.

C. Definitions

Ceiling Height, Ground Floor. The height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms which include, but are not limited to: bathrooms, closets, utility rooms, and storage spaces.

Ceiling Height, Upper Floor(s). The height from finished floor to finished ceiling of primary rooms on the floor(s) above the ground floor, not including secondary rooms which include, but are not limited to: bathrooms, closets, utility rooms, and storage spaces.

Cellar. That portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. A cellar shall not be counted as a story, for the purpose of height standards.

Center. Concentration of ground floor shopping, restaurants, and services, with additional offices and housing located above, within a Walkable Urban context.

Chamfered Corner. An external wall of a building joining two perpendicular exterior walls, typically at a symmetrical, 45 degree angle creating a beveled edge to the building rather than a 90 degree corner.

Civic. A term defining not-for-profit organizations that are dedicated to arts, culture, education, religious activities, recreation, government, transit, and public parking facilities.

Civic Building. A structure operated by governmental or not-for-profit organizations and limited to civic and related uses.

Civic Space. An outdoor area dedicated for public gathering and civic activities. See Section 7 (Civic Space Types).

Common Courtyard. An entry court, forecourt, or courtyard shared by multiple residential units or commercial spaces.

Common Open Space. An entry court, forecourt, courtyard, or other on-site open space shared by multiple residential units or non-residential units.

Common Space (syn. Common Area). A portion of a development held in common and/or single ownership, is not reserved for the exclusive use or benefit of an individual tenant or owner, and is available for use by all persons who reside or work in the building or on the design site.

Communication Equipment Building. A building housing operating electrical and mechanical equipment necessary for the conduct of a communications business with or without personnel.

Communications Tower. Any structure which supports an antenna.

Community Center. A multi-purpose meeting and recreational facility typically consisting of one or more meeting or multi-purpose rooms, kitchen, and/or outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

Condominium. An estate in real property consisting of an undivided interest in common in a portion of the property together with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, design site map, or condominium plan. The condominium may be commercial, industrial, residential, or any combination. [Civil Code §783, §1351(f)].

Corner Element. A physical distinction in a building at the corner of two streets or a street and public space.

Corner Entry. An entrance located on the corner of a building.

Cottage Court. See Subsection 4.060 (Cottage Court).

Council. The City Council of the City of Pittsburgh.

Courtyard (syn. Court). An unroofed area that is completely or partially enclosed by walls or buildings on at least two sides and often shared by multiple residential units or non-residential units, not including off-street parking.

Courtyard Building, Large. See Subsection 4.110 (Courtyard Building Large).

Courtyard Building, Small. See Subsection 4.100 (Courtyard Building Small).

Coverage

1. **Coverage, Accessory Structures.** The sum of the footprint area of all structures on a design site.
2. **Coverage, Building.** The floor area of the largest story of a building divided by the total design site area.
3. **Coverage, Design Site.** The portion of the design site expressed as a percentage that is covered in buildings or other structures.

Co-working Space. A facilitated environment which may contain shared facilities including, but not limited to: conference rooms, reception services, phones, and other business amenities. Work spaces are used by a recognized membership who share the site in order to interact and collaborate with each other as part of a community and to reduce duplicated costs by sharing facilities. The uses shall have externally observable attributes similar to uses allowed in the zone in which that they are located. Equipment is limited to those which do not generate noise or pollutants in excess of what is customary within a typical office environment. Such space located in a research & development building may use equipment consistent with research & development uses. Co-working space may be interchangeably referred to as "incubator space."

Cul-de-sac. A street which connects to another public street only at one end and is not planned for later extension.

Crawl Space. A shallow unfinished uninhabitable space beneath the floor or under the roof of a building, that provides access to utility, structural, and other building components not readily accessible from the habitable portions of the building.

D. Definitions

Dangerous or Objectionable Elements. Any land or building structure used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical, or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or elements in such manner or in such amount as to adversely affect the surrounding area or adjoining premises.

Days. Calendar days unless this ODS specifies otherwise.

Defensible Space. A public, private, or semi-private residential environment whose physical characteristics—building layout and site plan—function to allow inhabitants themselves to become key agents in ensuring their security.

Department. Pittsburg's Planning Department.

Depth, Ground-Floor Space. The distance from the street-facing facade to the rear interior wall of the ground-floor space available to an allowed use.

Depth-to-Height Ratio. The relationship of the depth of a space measured perpendicular to a building divided by the average height of the buildings adjacent to the space.

Design Site. A portion of land within a parcel, delineated from other design sites and/or parcels to accommodate no more than one building type. The main purpose of a design site is to allow a parcel large enough to contain more than one building type to contain multiple building types while not requiring the legal subdivision of the parcel into additional parcels.

1. **Design Site, Corner.** A design site located at the intersection of two or more streets, where they intersect at an interior angle of not more than 175 degrees. If the intersection angle is more than 175 degrees, the design site is considered an interior design site.
2. **Design Site, Flag.** A design site not meeting minimum design site frontage standards and where access to a public or private street is provided by means of a long, narrow driveway between abutting design sites.
3. **Design Site, Interior.** A design site abutting only one street.
4. **Design Site, Through.** A design site with two or more frontage lines that do not intersect.

Design Site Area. The total square footage or acreage of horizontal area included within the design site lines.

Design Site Coverage. See "Coverage."

Design Site Depth. The horizontal distance between the front design site line and rear design site line of a design site measured perpendicular to the front design site line.

Design Site Line. The perimeter and geometry of a design site demarcating one design site from another.

1. **Design Site Line, Front.** One of the following:
 - a. The frontage line in the case of a design site having a single frontage line;
 - b. The shortest frontage line in the case of a corner design site with two frontage lines, neither of which are adjacent to a thoroughfare or a design site with independent frontage;

- c. The frontage line generally perceived to be the front design site line in the case of a corner design site with three or more frontage lines, none of which are adjacent to a thoroughfare or a design site with independent frontage;
 - d. The frontage line adjacent to a thoroughfare in the case of a corner design site with two or more frontage lines, one of which is adjacent to a thoroughfare;
 - e. The frontage line adjacent to a design site with independent frontage in the case of a corner design site with two or more frontage lines, one of which is adjacent to a design site with independent frontage; or
 - f. The frontage line adjacent to the front design site line of an adjacent design site in the case of a through design site.
2. **Design Site Line, Rear.** That design site line opposite the front design site line.
 3. **Design Site Line, Side.** Design site lines connecting the front and rear design site lines.

Design Site Width. The horizontal distance between the design site lines measured perpendicular to the front design site line.

Detached. Separate or unconnected.

Development Site. The parcel(s) or portion(s) thereof on which proposed structures and improvements are to be constructed.

Diligently Pursued. Continued with constant or appropriate effort.

Display. An item or arrangement of items indoors that is not attached to a window, door or wall.

Disposition, Formal. Composed in a formal arrangement, in a regular, classical, and typically symmetrical manner.

Disposition, Informal. Composed in an informal character with a mix of formal and natural characteristics.

Disposition, Natural. A preservation of the existing natural condition or a composition of elements arranged as they would appear in nature, with irregular shapes and asymmetry.

Distance Between Entries. The horizontal distance between entrances to a building or buildings, measured parallel to the facade.

Dooryard. See Subsection 6.060 (Dooryard).

Drive-Through Service. Any business that either by design or operation provides services or products directly to occupants of a motor vehicle, except gasoline service stations.

Driveway. A vehicular lane within a design site, or shared between two design sites, usually leading to a garage, other parking, or loading area.

Dwelling, Group Living (syn. Co-housing). Dwellings designed for occupancy of groups living together and having a central dining facility.

E. Definitions

Elevated Ground Floor. A ground floor situated above the grade plane of the adjacent sidewalk.

Encroachment. Any architectural feature, structure, or structural element—including, but not limited to, a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace, or deck—that breaks the plane

of a vertical or horizontal regulatory limit by extending: into a setback, beyond the build-to-line into the public frontage, or above a height limit.

Entry. An opening, including, but not limited to, a door, passage, or gate, that allows access to a building.

1. **Entry, Primary.** The opening that allows access to a building directly from the sidewalk along the front facade.
2. **Entry, Service.** An entrance located toward or at the rear of the building intended for the delivery of goods and removal of refuse.

Established Landscape. The point in time at which plants have developed roots into the soil adjacent to the root ball.

Establishment Period. The first year after installing a plant in a landscape.

External Employees. An employee who does not reside at his or her place of employment.

F. Definitions

Facade. See "Building Facade."

Facade Zone. The area between the minimum and maximum setback lines along the front of a design site and along the side street of a corner design site where the building facade is required to be placed. The zone standards identify the minimum amount of facade to be placed in the facade zone. See Subsection 8.030 (Measurement Methods).

Facility. An improvement, structure, or building that is designed and used for a particular purpose.

Finish Level, Ground Floor. Height difference between the finished floor on the ground floor and the adjacent sidewalk. In the case of a terrace frontage that serves as the public right-of-way, the floor finish level is the height of the walk above the adjacent street. Standards for ground floor finish level for ground floor residential uses do not apply to ground floor lobbies and common areas in multi-unit buildings.

Flex Space. A room or group of internally connected rooms designed to accommodate an evolution of use over time in response to an evolving market demand. Typically designed to accommodate future commercial uses, while accommodating less intense short-term uses, including, but not limited to, residential or live/work, until the commercial demand has been established.

Flood Hazard. The threat of overflow stormwaters having the capability to flood lands or improvements, transport or deposit debris, scour the surface soil, dislodge or damage structures, or erode the banks of channels.

Floor Coverage. See "Coverage."

Floorplate. An area measurement in square feet of either the gross or the rentable floor area of a typical floor in a building.

Floorplate, Non-residential. The square footage area measurement of a floorplate dedicated to non-residential uses.

Floorplate, Residential. The square footage area measurement of a floorplate dedicated to residential uses.

Flow Rate. The rate at which water flows through pipes and valves, measured in gallons per minute or cubic feet per second.

Footprint Area. The total square footage contained within a footprint.

Footprint, Building. The outline of the area of ground covered by the foundations of a building or structure.

Forecourt. See Subsection 6.080 (Forecourt).

Freestanding Wall. A wall that is separate from a building and supported by independent means.

Front. See "Design Site Line, Front."

Front Loaded. (Front Access). Design sites that provide vehicular access from the front of the design site.

Frontage, Private. The area between the building facade and the back of the sidewalk abutting a street (public or private) or public open space.

Frontage, Public. The area between the on-street parking and the back of the sidewalk.

Frontage Line. The design site line(s) of a design site fronting a street (public or private) or a civic space.

Frontage Type. A physical element configured to connect the building facade to the back of the sidewalk abutting a street or public open space depending on the intended physical character of the zone.

Furniture Area. An area of space that allows for the placement of furniture without restricting the movement of pedestrians.

G. Definitions

Gable. A vertical wall in the shape of a triangle formed between the cornice or eave and the ridge of the roof.

Gallery. See Subsection 6.110 (Gallery).

General Retail. Stores and shops selling many lines of merchandise. Examples of these stores and lines of merchandise include: bicycle sales, service, and rental; bookstores, except adult bookstores; apparel and accessories; bakeries; and food stores.

Glazing. Openings in a building in which glass is installed.

Grade. The finished ground level at any point along the exterior walls of a structure. Where walls are parallel to and within five feet of a sidewalk, alley or other public way, the level above ground shall be measured at the elevation of the sidewalk, alley or public way. Also see "Grade, Finished."

Grade, Finished. The final ground surface elevation after the completion of grading or other site preparation related to a proposed development that conforms to an approved Grading Permit or Building Permit. In cases where substantial fill is proposed, "finished grade" shall be established by the Director consistent with design sites in the immediate vicinity and shall not be, nor have been artificially raised to gain additional building height. Also see "Grade."

Grade, Pre-Development. The grade of a design site prior to any site improvements related to the proposed development.

Grading. Earthwork performed to alter the natural contours of an area.

Green Building Practices. A whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green building practices including, but not limited to, those described in the LEED™ rating system recognize the relationship between natural and built environments

and seek to minimize the use of energy, water, and other natural resources and provide a healthy, productive environment.

Greenway. See Subsection 7.070 (Greenway).

Ground Floor. The floor of a building located nearest to the level of the ground around the building.

Gross Floor Area. The total floor area inside the building envelope, including the external walls, but not including the roof.

Ground Floor Ceiling Height. Height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms including, but not limited to: bathrooms, closets, utility rooms, and storage spaces.

Gross Parking Area. The total area of parking space and drive included on a design site.

Gross Residential Acreage. The total area, measured in acres, included within the design site lines of a residential development.

Guest House. A detached structure accessory to a single dwelling, accommodating living/sleeping quarters, but without kitchen or cooking facilities.

H. Definitions

Habitable Space. The portion of a building that is suitable for human occupancy.

Hardscape. Paving, decks, patios, and other hard, non-porous surfaces.

Height

1. **Height, Number of Stories.** The number of stories in a structure allowed above adjacent finished grade. See "Stories."
2. **Height, Overall.** The vertical distance between adjacent finished grade and the highest part of the structure directly above.
3. **Height, Highest Eave/parapet.** The vertical distance between adjacent finished grade and the highest eave or parapet of the building.

High Water-use or Non-drought-Tolerant Plant. A plant that will require regular irrigation for adequate appearance, growth, and disease resistance.

House-Scale Building. A building that is the size of a small-to-large house and detached from other buildings, typically ranging from 24 feet to as large as 80 feet overall, including wings.

I. Definitions

Impervious. The area of any surface that prevents the infiltration of water into the ground including, but not limited to, roads, parking areas, concrete, and buildings.

Improved. An area which has been paved or planted and is permanently maintained as such.

Improvement. The product of any modification to a site structure or building, not including maintenance or repairs.

Infill. The development of vacant land that was bypassed by earlier waves of development and is now largely surrounded by developed land.

Irrigation Efficiency. The measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system, characteristics, and management practices.

Irrigated Landscape Area. An entire design site less the building footprint, driveways, non-irrigated portions of parking lots, and other hardscape areas. Landscape areas encompass all portions of a development site to be improved with planting and irrigation. They include water bodies including, but not limited to, fountains, swimming pools, and ponds. Natural open spaces without irrigation systems are not included.

J. Definitions

No specialized terms beginning with the letter J are defined at this time.

K. Definitions

No specialized terms beginning with the letter J are defined at this time.

L. Definitions

L-Shaped (syn. Ell). A horizontal form for the main body of a building or a massing composition, also referred to as an "Ell" which is an extension at a right angle to the length of a building.

Landing. A level area at the top or bottom of a staircase or between one flight of stairs and another.

Landscaping. Flowers, shrubs, trees, or other decorative material of natural origin.

LEED™ Rating System. The most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED™ rating system, approved by the U.S. Green Building Council.

Live/Work. An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-unit dwelling or multiple-unit dwelling, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

1. Complete kitchen space and sanitary facilities; and
2. Working space reserved for and regularly used by one or more occupants of the unit.

Living Area. The interior habitable area of a dwelling unit, including basements and attics, but not including garages or any accessory structure.

Loading Dock(s). A platform where cargo from vehicles can be loaded or unloaded.

Loading Spaces, Off-street. Permanently improved and maintained areas on the design site dedicated to loading and unloading of materials, equipment, and merchandise.

Lodging. See "Bed and Breakfast" or "Hotel or Motel."

Lot. See "Design Site."

Low-Water-Use or Extra Drought-Tolerant Plant. A plant that can survive without irrigation throughout the year once established, although supplemental water may be desirable during drought periods for improved appearance and disease resistance.

M. Definitions

Main Body. The primary massing of a primary building.

Main Facade. The front facade of a building.

Main Street Building. See Subsection 4.120 (Main Street Building).

Major. Having a greater size, scope, effect, characteristic, or quality relative to the other corresponding sizes, scopes, effects, characteristics, or qualities; or being the greater of two or more.

Massing. The overall shape or arrangement of the bulk or volume of a building and structures.

Median. A planted or paved area which separates two roadways or divides a portion of a road into two or more lanes.

Minor. Having a lesser size, scope, effect, characteristic, or quality relative to the average size, scope, effect, characteristic, or qualities; or being the lesser of two or more.

Mixed-Use. Multiple functions within the same building or the same general area through superimposition or within the same area through adjacency.

Mobile Home. A vehicle, other than a motor vehicle, designed and equipped to contain one or more dwelling units to be used without a permanent foundation, and which is in excess of 8 feet in width and in excess of 40 feet in length.

Moderate Water-Use or Semi-Drought-Tolerant Plant. A plant that can survive throughout the year with occasional irrigation.

Multiplex, Large. See Subsection 4.080 (Multiplex Large).

Multiplex, Small. See Subsection 4.070 (Multiplex Small).

Multi-Unit Building. A residential, non-residential, or mixed-use building in which there exists three or more separate units with direct exterior access and in which there are appurtenant shared facilities. Distinguishing characteristics of a multi-tenant building or use may, but need not, include common ownership of the real property upon which the building or use is located, common wall construction, and multiple occupant use of a single structure.

N. Definitions

Neighborhood Center. A walkable environment that provides a mix of civic, institutional, and/or commercial uses.

New Construction. Structures for which the "start of construction" commenced on or after the effective date of this ODS.

Nonconforming Design Site. A design site that was legally created before the effective date of this ODS and does not comply with the minimum area, depth, width, or other applicable standards of the zone it is located.

Nonconforming Site Improvement. A site improvement (e.g., fences, landscaping, parking, walls, etc.) that conformed to the standards of the previous zoning that lawfully existed before the effective date of this ODS and does not conform to the present standards of the zone in which it is located.

Non-Street Frontage. Building facades that do not face a street or civic space.

O. Definitions

ODS Zone (syn. Transect Zone). One of several zones mapped on the ODS Overlay Map. See Figure 2.020.1 (ODS Overlay Map).

Off-Street Parking. The area(s) located on a design site available for temporary storage of passenger vehicles, including a public or private parking lot where parking is the principal use of the property.

Open Space. See "Civic Space."

Open Space Easement. See "Scenic Easement or Open Space Easement."

Open Structure. An accessory structure having a roof constructed of lattice or other roof material which allows light and air to pass through a minimum of 50 percent of the roof surface. Additionally, the sides of an open structure consist only of support posts and decorative or functional elements including, but not limited to, braces and railings such that light and air can pass through a minimum of 75 percent of each side. Open structures include but are not limited to trellises, trellis-like patio covers, and other shade structures. Play structures do not qualify as open structures, but are regulated as minor or major accessory structures.

Oriel Window (syn. Upper Story Bay Window). A window that projects from the building facade or elevation, located on upper floors and may extend for multiple stories.

Outdoor Storage Building. A building used primarily for storage of goods and materials, and uninhabitable.

Overhead Doors. Doors constructed in horizontally hinged Subsections that are equipped with hardware that rolls the Subsections into an overhead position, clear of the opening.

P. Definitions

Parapet. A low wall along the edge of a roof or the portion of a wall that extends above the roof line.

Parcel, Nonconforming. A legally created parcel which does not conform with current standards for area, width, frontage or other such standards for the zone in which the parcel is located because of annexation or amendments to the title.

Park and Recreational Area, Public. Include playgrounds, public gardens, outdoor sports grounds, indoor sports structures within a park area, tot lots, passive park areas, and other areas of use to the general public for recreation or outdoor diversions, not including commercial recreation facilities (see "Commercial Recreation Facility.")

Parking Driveway Width. The horizontal measurement of an access driveway to a parking area, measured perpendicular to the direction of travel.

Parkway. That portion of a public right-of-way located between the outermost curb-lane driving lane and the farthest edge of the right-of-way.

Passage. See Subsection 7.060 (Passage).

Passageway. A pathway unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

Path of Travel. A continuous, unobstructed way of pedestrian passage.

Patio Cover. A one story, roofed structure, not more than 12 feet in height above adjacent finished grade, used only for recreational and/or outdoor living purposes, that may be attached or detached as an accessory structure to the primary building.

Pedestrian Shed. An area centered on a destination including, but not limited to, a civic space, civic building, or main street. Its size is limited by an average distance that may be traversed at an easy walking pace in a given amount of time from its center to its edge, about 1,500 feet. Pedestrian sheds are used for planning Walkable Urban areas.

Pedestrian Orientation. A physical structure or place with design qualities and elements that contribute to an active, inviting, and pleasant place for pedestrians that typically includes most of the following elements:

1. Building facades that are highly articulated at the street level, with interesting uses of material, color, and architectural detailing, located directly behind the sidewalk;
2. Visibility into buildings at the street level;
3. A continuous sidewalk, with a minimum of intrusions into pedestrian right-of-way;
4. Continuity of building facades along the street with few interruptions in the progression of buildings and stores;
5. Signs oriented and scaled to the pedestrian rather than the motorist; and/or
6. Pedestrian orientation may also include: design amenities related to the street level including, but not limited to, awnings, paseos, and arcades; landscaping and street furniture.

Pedestrian-Oriented Businesses. General commercial businesses that allow customers to park once and complete multiple transactions and visits on foot in a context that encourages people to walk instead of drive.

Pedestrian-Oriented Use. A land use that is intended to encourage walk-in customers and that generally does not limit the number of customers by requiring appointments or otherwise excluding the general public. A pedestrian oriented use provides spontaneous draw from sidewalk and street due to visual interest, high customer turnover, and/or social interaction.

Pennant. Any lightweight flexible plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, in a series of three or more, designed to move in the wind.

Playground. See Subsection 7.050 (Playground).

Plaza. See Subsection 7.080 (Plaza).

Plot Plan. A plan for an individual residential design site within an approved subdivision. At a minimum, the plot plan shows the design site property lines with metes and bounds; street address; driveways; grading; proposed locations for structures; public and private improvements (e.g., utility service laterals); retaining walls; trees; and measurements to locate these improvements within the design site.

Podium. A continuous projecting base or pedestal under a building often occupied by parking.

Podium Top. A flat, elevated and open area above a podium that can be used as common area.

Pocket Park/Plaza. See Subsection 7.040 (Pocket Park/Plaza).

Porch. A covered shelter projecting in front of the entrance of a building.

1. **Porch, Engaged.** See Subsection 6.050 (Porch Engaged).
2. **Porch, Projecting.** See Subsection 6.040 (Porch Projecting).

Pre-Development Grade. The grade of a design site prior to any site improvements related to the proposed development.

Premises. An area of land with its appurtenances and buildings which because of its unity of use may be regarded as the smallest conveyable unit.

Primary Building. See "Building, Primary."

Primary Living Space. A space within the primary building that is designed as a living room, dining room, or bedroom.

Private Open Space. The area required for each unit in some building types, provided as outdoor yard areas, patios, decks, and balconies, but excluding stairs, entrance decks, and/or landings. Does not include required setbacks.

Private Street. Any street not a public street.

Public Property. Any property publicly owned outside of the designated public right-of-way.

Public Street. A street for which the right-of-way is owned by or offered for dedication to the public and accepted by the City.

Q. Definitions

No specialized terms beginning with the letter Q are defined at this time.

R. Definitions

Rear. Opposite of front.

Rear-Loaded (syn. Rear Access). Vehicular access from the rear of the design site.

Recessed Entry. An entrance to a building that is set back from the facade of the building.

Recreational Area. Areas of active play or recreation including, but not limited to, sports fields, school yards, picnic grounds, or other areas with intense foot traffic.

Relocation. The act or process of moving a structure or object from one property to another property or to a different location on the same property.

Renovation

1. A structural change to the foundation, roof, floor, or exterior of load-bearing walls of a facility, or the extension of an existing facility to increase its floor area.
2. Alteration of an existing facility including, but not limited to, significantly changing its function, even if such renovation does not include any structural change to the facility.
3. Remodeling of the building interior or exterior.

Residential. Premises used primarily for human habitation.

Residential Development. Any development that consists entirely of dwellings.

Right-of-Way (ROW). Land dedicated to transportation purposes and/or use by the general public.

Rowhouse. See Subsection 4.090 (Townhouse).

Runoff. Water which is not absorbed by the soil to which it is applied. Runoff usually occurs when water is applied at too great a precipitation rate, when water is applied to saturated soils, or when water is applied to a steep slope.

S. Definitions

Satellite Dish Antenna. Parabolic or spherical antenna whose purpose is to receive and/or transmit radio communication signals to and/or from satellites.

Scenic Easement or Open Space Easement. An easement granted to the public whereby the owner relinquishes or limits the right to construct improvements on the land.

Second Unit. See "Dwelling, Second Unit."

Semi-Public Utility Building. A building owned or operated by a non-profit organization, private institution, or foundation, and used to provide utility services to its members or those persons it serves.

Service Entries. Building access for service providers.

Service Facilities. On-site facilities that support grounds maintenance, landscaping, and minor repair service relative to a primary use.

Setback. The distance by which a structure, parking area, or other development feature is separated from a design site line, other structure, or development feature

1. **Setback, Front.** An area extending across the full width of the design site between the front design site line and the primary structure.
2. **Setback, Rear.** An area extending the full width of the design site between a rear design site line and the primary structure.
3. **Setback, Side.** An area between a side design site line and the primary structure extending between the front and rear setback.

Setback, Building. The mandatory clear distance between a design site line and a building.

Setback, Parking. The mandatory clear distance between a design site line and parking.

Setback, Non-Street Frontage. Any side or rear setback not contiguous to a public right-of-way. Such setback shall be measured laterally from the nearest part of that portion of a primary building facing said side or rear setback toward the nearest point of the design site line.

Shared Parking. Any parking spaces assigned to more than one user, where different persons utilizing the spaces are unlikely to need the spaces at the same time of day.

Shopfront. See Subsection 6.090 (Shopfront).

Shopfront Base. A very low wall, that does not include glass, between the display window(s) of a shopfront and the adjacent sidewalk.

Sidewalk. A paved area along a street intended exclusively for pedestrian use and often installed between a street and design site frontages.

Single-Loaded, Building. A building containing dwellings and/or commercial units without common hallways for access to the dwellings and/or units.

Site Plan. A base sheet that includes the basic information that will appear on all plans including, but not limited to, natural features, roads, buildings, or other structures to remain on-site.

Special Architectural Elements. Church spires; belfries cupolas and domes; monuments; corner or entry towers on residential units; and other similar architectural elements.

Street, Front. Street located along the front design site line of a parcel.

Street, Side. Street located along a design site line of a parcel that is not along the front design site line.

Stoop. See Subsection 6.070 (Stoop).

Storefront. The majority portion of a shopfront frontage that consists of the display window and/or entrance and its components, including windows, doors, transoms, and sill pane.

Story. The portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above, the space between the floor and the ceiling above. If the finished floor level directly above a basement or cellar is more than six feet above grade for more than 50 percent of the total perimeter, such basement or cellar shall be considered a story.

1. **Story, First.** The lowest story or the ground story of any building, the floor of which is not more than 12 inches below the average contact ground level at the exterior walls of the building.
2. **Story, Half (syn. Attic Story).** A conditioned space that rests primarily underneath the slope of the roof, usually having dormer windows. The half story is identified by the ".5" in the description of maximum height (e.g., 2.5). A half-story is considered a story when its top wall plates, on at least two opposite exterior walls, are four feet or more above the floor of such story.
3. **Story, Mezzanine.** A story which covers one-third or less of the area of the story directly underneath it. A mezzanine story shall be deemed a full story when it covers more than one-third of the area of the story directly underneath said mezzanine story.

Street. A public or permanent private thoroughfare which affords a primary means of access to design site(s).

1. **Street, Front.** Street located along the front design site line.
2. **Street, Side.** Street located along a design site line that is not the front design site line

Street Frontage. The lineal length of that portion of a design site abutting a street.

Street Frontage, Principal. The length of the property line of any one premise parallel to and along the public right-of-way which it borders and which is identified by an officially assigned street address.

Street Tree. A tree planted in open spaces, parkways, sidewalk areas, easements, streets, and rights-of-way.

T. Definitions

Tandem Parking. A parking space deep enough to allow two cars to park, one behind the other.

Terrace. See Subsection 6.100 (Terrace).

Thoroughfares. A way for use by vehicular, pedestrian, and bicycle traffic that provides access to design sites and open spaces, and that incorporates vehicular lanes and public frontages.

Townhouse. See Subsection 4.090 (Townhouse).

Transect. A cross-Subsection of the environment showing a range of different habitats. The Natural-to-Urban Transect of the human environment is divided into multiple transect zones that describe the physical form and character of a place according to the intensity of its land use and urbanism.

Transect Zone. See "ODS Zone."

Transit Station. A design site or structure used for the purpose of parking, loading, and unloading freight and passengers from train or bus transportation. May include parking facilities and other commercial amenities to service transit passengers.

Transit Stop. A location where buses stop to load and unload passengers, excluding a stop that is only utilized by a school bus route operated seasonally or only during school hours for the intended purpose of serving students. A transit stop may or may not include a shelter or a pullout.

Turf. A surface layer of earth containing mowed grass with its roots. Annual bluegrass, Kentucky bluegrass, perennial ryegrass, red fescue, and tall fescue are cool-season grasses. Bermudagrass, kikuyugrass, seashore paspalum, St. Augustinegrass, zoysiagrass, and buffalo grass are warm-season grasses.

U. Definitions

Understory. The smaller trees and shrubs below the canopy of large trees.

Unit. See "Dwelling Unit."

Upper Floor. A floor in a building containing habitable space that is located above the ground floor.

Usable Open Space. Common or private open space, excluding the following:

1. Required front setbacks;
2. Areas devoted to parking, driveways, and maneuvering areas;
3. Open space at grade less than 10 feet in its minimum dimension; and
4. Patios, balconies, or decks less than five feet in their minimum dimension.

V. Definitions

Visitability. A basic level of accessibility that enables persons with disabilities to visit others in their dwellings by providing at least one accessible means of egress/ingress for each residential unit.

W. Definitions

Walkable Neighborhood Center. A Walkable Urban environment that provides a concentrated mix of civic, institutional, and/or commercial uses.

Walkable/Walkability. The condition when an area is highly interconnected to other areas and appeals to pedestrians for recreational walking or for walking to work, transit, errands, shopping, or restaurants.

Walkway. A paved way located on one or more design sites, used for pedestrian traffic, and used exclusively by the design site owner(s), their guests, and invitees.

Wall Plane. A vertical surface defined by the facades of buildings.

Water Table, Architectural Feature. A horizontal projecting string-course of masonry, molding, or a ledge placed so as to divert rainwater from a building.

Width-to-Height Ratio. The ratio of the horizontal size of a space measured perpendicularly to the vertical height of a building.

Wing. A structure of at least five feet in depth physically attached to, and secondary to, the main body of a primary building.

X. Definitions

No specialized terms beginning with the letter Y are defined at this time.

Y. Definitions

Yard. See "Setback."

Z. Definitions

Zero Design Site Line. A building or structure that is placed on the property line.

Zone. See "Transect Zone."

Zone Map. The zoning map(s) of the City of Pittsburg, California, together with all amendments.

Zoning Administrator. The duly designated and appointed zoning administrator of the City of Pittsburg.

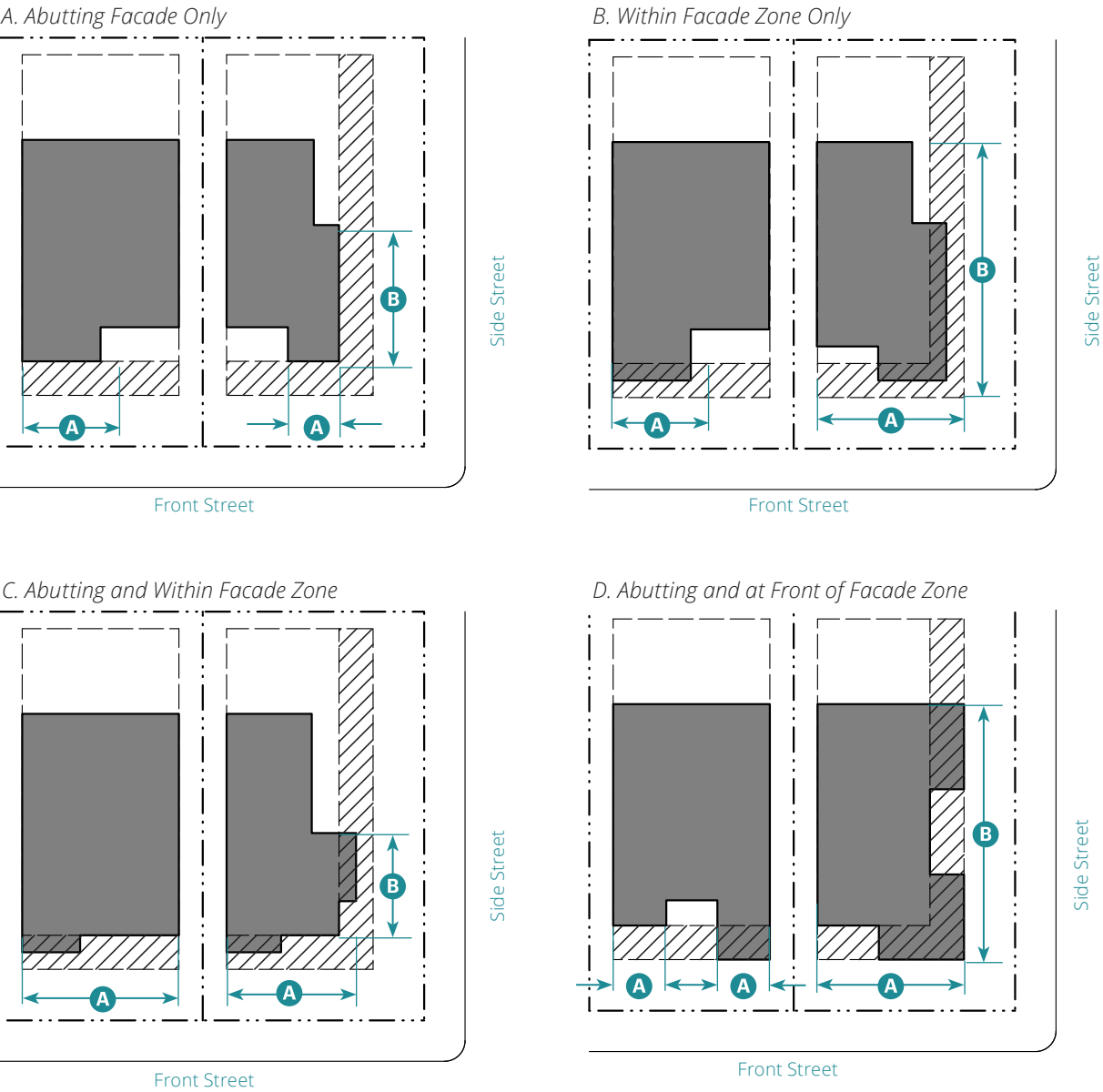
Zoning Code. The Zoning Ordinance of the City of Pittsburg specified in Title 18.

8.030 Measurement Methods

1. Primary Building within Facade Zone

- A. **Applicability.** The facade zone standards apply to new primary buildings and their additions along the front and side street of a design site.
- B. **Methodology.** The required amount is expressed in the zone standards as a percentage. The percentage is calculated as follows through an example for the front facade zone. The same approach is to be applied to the side street, using the minimum front and rear building setbacks.
 - (1) Identify the width of design site (e.g., 50 feet) and apply required front and side building setbacks (e.g., 5 feet and 5 feet).
 - (2) Subtract the horizontal length between each side setback and the adjacent side design site line from the total width of the design site. The result is the net buildable width of the design site (e.g., 40 feet).
 - (3) Multiply the required minimum percentage in the zone standards (e.g., 50 percent) by the net buildable width of the design site (e.g., 50 feet). The result is the minimum length, in feet, of building facade that shall be placed in or abutting the facade zone (e.g., 20 feet).

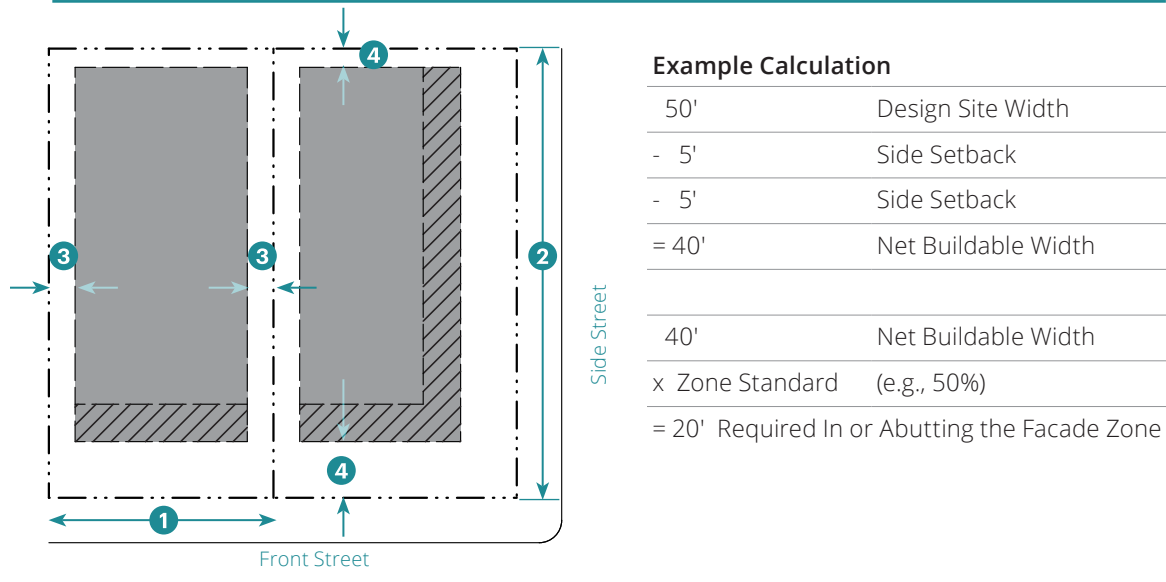
Figure 8.030.1: Applying the Required Amount to the Facade Zone



		Front Street	Side Street
	Facade Zone	50% min. ¹	50% min. ¹
	Buildable Area	A	B

¹This is an example. See Subsection 5 of the zone for the standard.

Figure 8.030.2: Determining the Required Amount Subject to the Facade Zone



- ① Width of Design Site
- ② Depth of Design Site
- ③ Setback to be Subtracted from Design Site Width
- ④ Setback to be Subtracted from Design Site Depth

2. Measuring Building Types

A. Methodology. Measurement of width and depth.

(1) **Main Body.** The width and depth of the main body shall be measured as follows:

- (a) The width shall be parallel to the front.
- (b) The depth shall be perpendicular to the front.

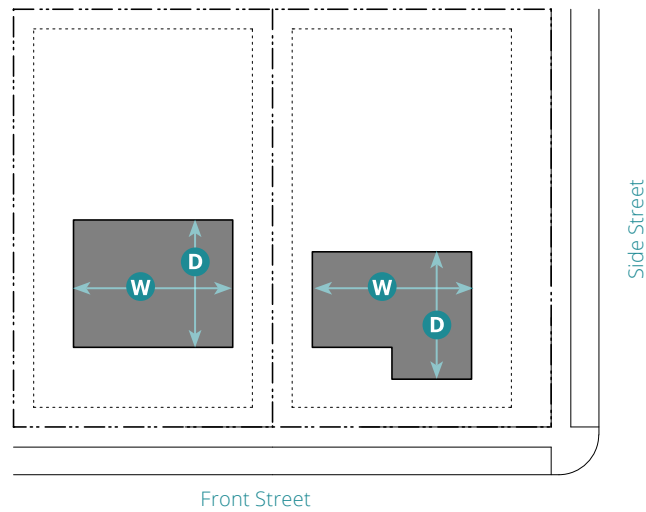


Figure 8.030.3:
Main Body

- W** Width
- D** Depth

- (2) **Wings and Ancillary Structures.** The width and depth of wings and ancillary structures, shall be measured as follows:
- (a) The width shall be the greater of the two dimensions of the footprint.
 - (b) The depth shall be the lesser of the two dimensions of the footprint.

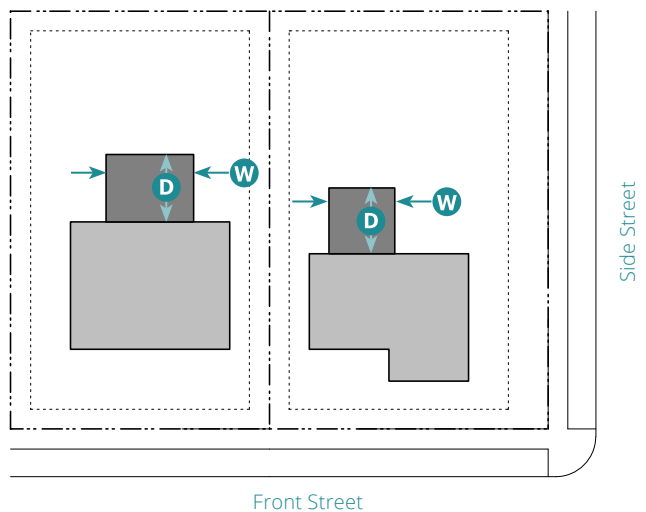


Figure 8.030.4:
Wings and Ancillary Structures

- W** Width
- D** Depth

- (3) **Open Space(s).** The width and depth of open spaces shall be measured as follows:
- (a) The width shall be parallel to the front
 - (b) The depth shall be perpendicular to the front.

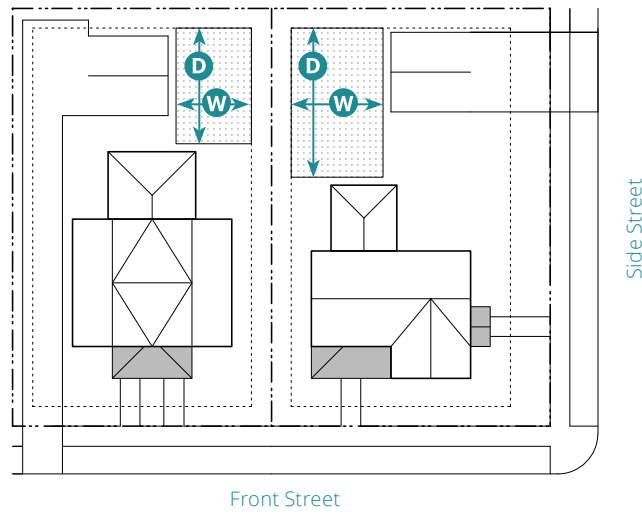


Figure 8.030.5:
Open Space(s)

W Width

D Depth

- (4) **Courtyard(s).** The width and depth of courtyards shall be measured as follows:
- The width shall be parallel to the front; unless the courtyard is a secondary courtyard accessed directly from a side street.
 - If a secondary courtyard is accessed directly from the side street, the width shall be parallel to the side street.
 - The depth shall be perpendicular to the width.

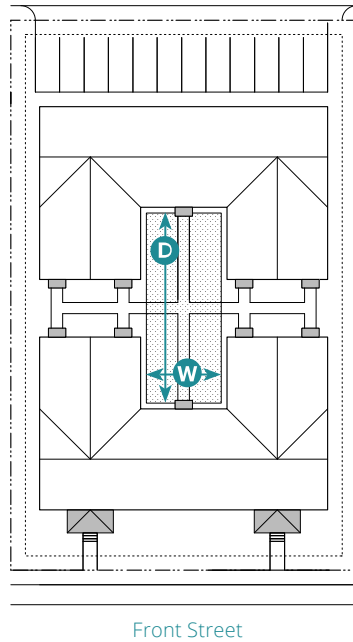


Figure 8.030.6:
Courtyard(s)

- W** Width
- D** Depth

- (5) **Width-to-Height Ratio.** Measurement of width-to-height ratio and depth-to-height ratio of forecourts.
- The width and depth of forecourts shall be measured per Figure 10 (Width-to-Height Ratio).
 - The height of forecourts shall be a measurement of the vertical plane of the building that defines the forecourt.

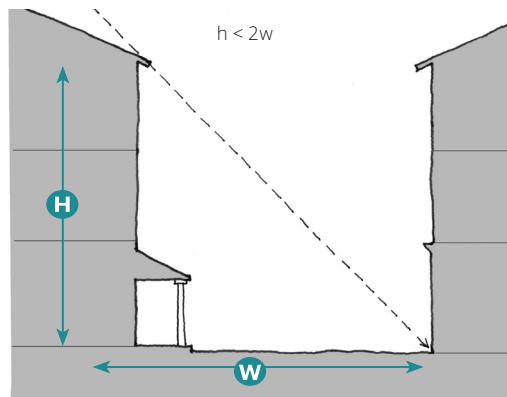


Figure 8.030.7:
Width-to-Height Ratio

- W** Width
- H** Height

(6) **Highest Eave/Top of Parapet.**

- (a) **Height, Overall.** The vertical distance between adjacent finished grade and the highest part of the structure directly above.
- (b) **Height, Top of Parapet.** The vertical distance between adjacent finished grade and the top of the parapet of the primary building.
- (c) **Height, Highest Eave.** The vertical distance between adjacent finished grade and the highest eave of the primary building.
- (d) **Highest Eave Measurement.** The measurement is to bottom of the eave assembly.
- (e) **Eave.** The edge of the roof that overhangs the face of the adjoining wall. The bottom of the eave can range from exposed rafters to a finished horizontal surface.

Figure 8.030.8: Top of Parapet and Flat Roof

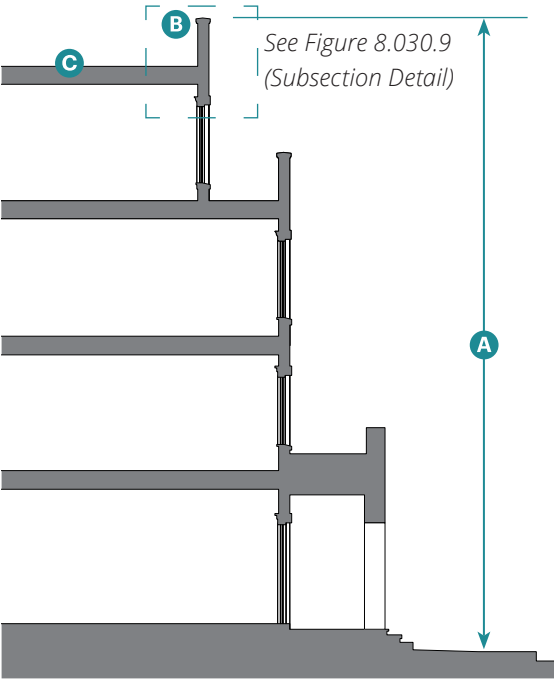


Figure 8.030.9: Subsection Detail of Top of Parapet and Flat Roof

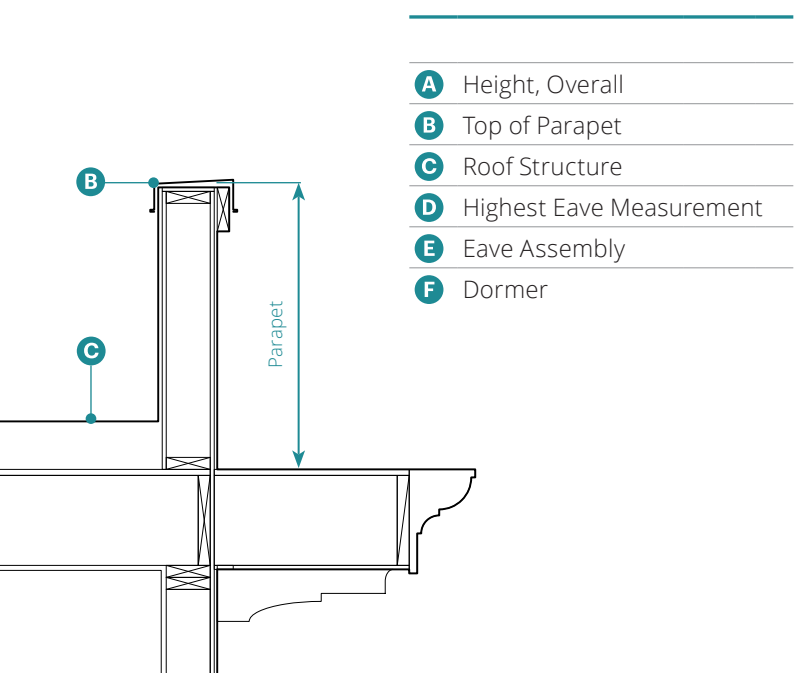


Figure 8.030.10: Highest Eave for Pitched Roof

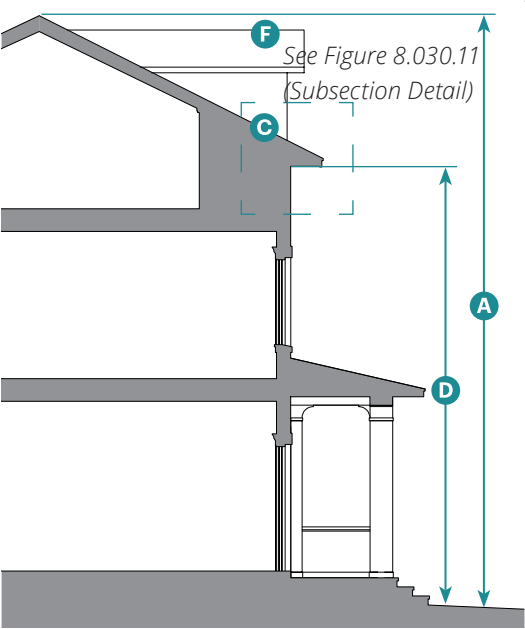
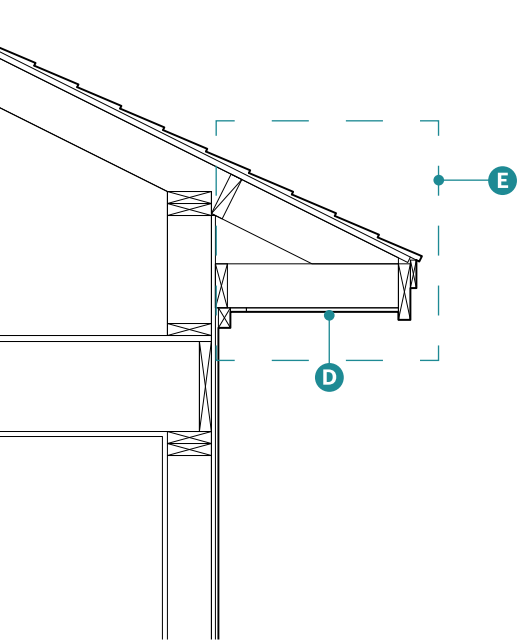


Figure 8.030.11: Subsection Detail of Highest Eave for Pitched Roof



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BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Amending the Zoning Map to establish)
a Citywide Limited Overlay for Objective)
Design Standards 2023)

ORDINANCE NO. 24-

WHEREAS, the California Legislature has passed, and the Governor has signed a number of laws in recent years aimed at increasing the production of housing; and

WHEREAS, California Government Code Section 65913.4, as added by Senate Bill 35 of 2017 and as amended since, sets forth a ministerial approval process requiring objective design standards for specified residential housing projects; and

WHEREAS, staff has drafted a set of Objective Design Standards to be applicable as set forth in a limited Citywide overlay district in compliance with state law; and

WHEREAS, on or prior to April 28, 2023, notice of the May 9, 2023, Planning Commission public hearing to consider this item was posted at City Hall and on the 'public notices' page of the City's website; was delivered to the Pittsburg Library; was published in the local newspaper (East Contra Costa County Times) as a 1/8 page advertisement; and was mailed via first class mail or electronic mail to interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65090 and 65091; and

WHEREAS, On May 9, 2023, the Planning Commission held a duly noticed public hearing to consider proposed, "Resolution Recommending City Council adoption of an Ordinance Approving Objective Design Standards 2023, Adding Article XXI to Chapter 18.84 of the Pittsburg Municipal Code, and amending the Zoning Map, for certain multi-family housing and mixed-use development projects, to further housing production consistent with state law, AP-22-0117 (RZ)", and voted to adopt Resolution No.10231, recommending City Council approval; and

WHEREAS, on or prior to September 8, 2023, in accordance with Government Code section 65091 and Pittsburg Municipal Code (PMC) section 18.14.020, a "Notice of Public Hearing" for the September 18, 2023, public hearing on this item was posted at City Hall; was delivered to the Pittsburg Library; was published in the local newspaper (East Contra Costa County Times) as a 1/8 page advertisement; and was mailed via first class mail or electronic mail to interested parties and individuals and organizations that requested such notice, in accordance with PMC sections 18.14.010, and Government Code section 65090 and 65091. A copy of the notice was also placed on the "Public Notices" page of the City website on September 8, 2023. The notice was also posted on www.nextdoor.com ("Nextdoor"); and

WHEREAS, on October 2, 2023, the City Council held a duly noticed public hearing on the Planning Commission's recommendation for the City Council to approve the proposed amendment to the Zoning Map to establish a Citywide Limited Overlay for Objective Design Standards 2023; and

WHEREAS, this Zoning Map amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) under the general rule of applicability of the state CEQA Guidelines, section 15061, in that the activity in question consists of zoning overlay related to objective design standards text amendments that would not result in a physical impact on the environment.

NOW, THEREFORE, the City Council of the City of Pittsburg does ORDAIN as follows:

SECTION 1. Zoning Map Amendment Approval and Adoption. The Zoning Map is hereby amended to add the Objective Design Standards 2023 Limited Overlay Map, attached as "Exhibit A" to this Ordinance.

SECTION 2. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. Severability. If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 4. Publication. The ordinance shall be posted and published in accordance with the California Government Code.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Pittsburg held on October 2, 2023, and was adopted and ordered published at a regular meeting of the City Council held on March 18, 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

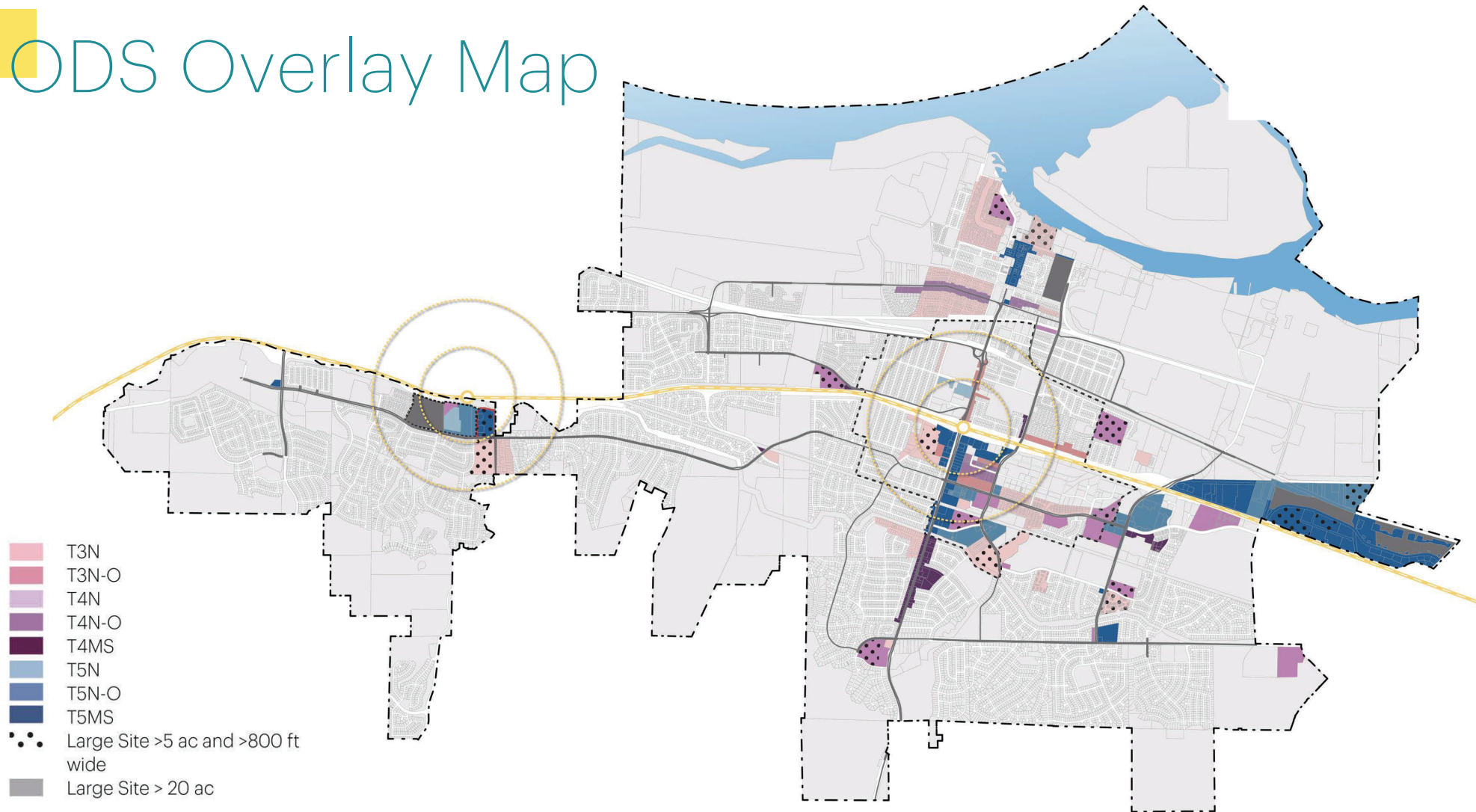
ABSENT:

Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk

ODS Overlay Map



Pittsburgh Objective Design Standards



**OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565**

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of an Ordinance Amending the Pittsburg Municipal Code to add Chapter 8.14, "Illegal Dumping"

MEETING DATE: March 18, 2024

EXECUTIVE SUMMARY

On March 4, 2024, the City Council voted 3-0 to introduce and waive first reading of an ordinance amending the Pittsburg Municipal Code (PMC) to add Chapter 8.14, "Illegal Dumping." The Ordinance is being brought forward for City Council adoption.

FISCAL IMPACT

There is no direct fiscal impact to the City or required funding allocation resulting from adoption of the proposed ordinance.

It is estimated that the City spends more than \$100,000 annually to remove trash and debris illegally placed along roadways or other public areas. Staff believes the prospect of increased fines of \$1,000 (the maximum allowed by law) and the ability of the City to find liable the owner or operator of a vehicle used in illegal dumping will deter illegal dumping and reduce City costs and/or compensate the City for cleanup activities.

RECOMMENDATION

Adopt Ordinance No. 24-1520, amending the Pittsburg Municipal Code and adding Chapter 8.14, "Illegal dumping."

BACKGROUND

As stated above, on March 4, 2024, the City Council considered and voted 3-0 (with two councilmembers absent and excused) to introduce and waive first reading of Ordinance No. 24-1520.

SUBCOMMITTEE FINDINGS

This item was not discussed in a subcommittee.

STAFF ANALYSIS

After the City Council introduces an ordinance on a given matter, approval of the matter is formalized by City Council adoption of the ordinance by a majority vote at a meeting no fewer than five days after the introduction. The ordinance becomes effective 30 days after the date of its adoption.

ATTACHMENTS

Ordinance No. 24-1520

Prepared by: Jordan Davis, Director of Community and Economic Development

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Adding Chapter 8.14, "Illegal Dumping,")
to the Pittsburg Municipal Code)

ORDINANCE NO. 24-

WHEREAS, pursuant to the City's police power under Article XI Section 7 of the California Constitution, the City Council of the City of Pittsburg has the authority to enact and enforce ordinances and regulations for the public peace, morals, and welfare of the City and its residents; and

WHEREAS, incidents of dumping garbage or debris where it is not allowed in the City of Pittsburg has increased sharply in the past three years; and

WHEREAS, disposal of garbage and debris where it is not allowed is a threat to public health and welfare, creates blight in the City, and creates a burden on City resources; and

WHEREAS, in calendar year 2021, 1,224 tons of garbage (including 1,032 tons from homeless encampments) and eight large appliance items (e.g. refrigerators, washers, dryers) were dumped in the City; and

WHEREAS, in calendar year 2022, 288 cubic yards of garbage and 231 large appliance or bulky items were illegally dumped in the City; and

WHEREAS, there is a need for more effective deterrence to reduce the disposal of garbage where it is not allowed.

NOW, THEREFORE, the City Council of the City of Pittsburg does ORDAIN as follows:

Section 1. Findings. The City Council finds that each fact set forth in the preceding recitals is true and correct and incorporated by reference.

Section 2. Amendment. Chapter 8.14 of the Pittsburg Municipal Code is hereby added as follows:

Chapter 8.14
ILLEGAL DUMPING

Sections:

8.14.010 Purpose.
8.14.020 Definitions.

8.14.030 Prohibition.

8.14.040 Exceptions.

8.14.050 Separate violations.

8.14.060 Liability of owner or operator of motor vehicle.

8.14.070 Enforcement.

8.14.010 Purpose. *The purpose of this chapter is to deter the improper disposal of garbage and reduce blight.*

8.14.020 Definitions. *Garbage means any form of refuse, rubbish, trash, solid waste or recyclable materials, whether inorganic or organic, and all matter defined in chapters 8.04, 8.06, and 8.09.*

8.14.030 Prohibition. *No person shall dispose of garbage where disposal is not expressly allowed. Unlawful disposal of garbage is a public nuisance.*

8.14.040 Exceptions. *This chapter does not prohibit the following:*

- A. Placement of garbage for pick up by the holder of a solid waste franchise in compliance with requirements for pick up, whether regular service, on-call, or bulky pick up or any other pick up offered by the franchise holder.*
- B. Emergency or extraordinary circumstances as determined in the discretion of any individual authorized to enforce this chapter.*
- C. Disposal of a small amount of garbage. This means discarding less than two pounds by weight or one square foot by volume of garbage consisting of beverage containers, packaging, wrappers, wastepaper, receipts, cardboard, gum, or similar items.*

8.14.050 Separate Violations. *Each of the following is a separate violation of this chapter:*

- A. Each individual act of disposing garbage at the same location.*
- B. Each day disposed garbage remains where it was disposed.*

8.14.060 Liability of owner or operator of motor vehicle. *To the full extent permitted by law, an owner or operator of a motor vehicle violates section 8.14.030 if the vehicle is used, or the owner or operator reasonably should have known the vehicle was being used, in the commission a violation of section 8.14.030.*

8.14.070 Enforcement.

- A. A violation of this chapter constitutes a misdemeanor. The city may seek compliance with this chapter by any remedy allowed under this code and*

any other remedy allowed by law, including but not limited to the administrative citation procedures set forth in Section 1.20.030.

B. The amount of the administrative fine is \$1,000 for each violation. The city manager is authorized to offer community service, if available, in lieu of a fine. The city may collect any past due administrative fine as a personal obligation.

C. A violation of this chapter may be abated, and the costs of abatement charged to the person committing the violation. Any cost of abatement unpaid after 45 days from the date of mailing of the invoice may be recovered as a personal obligation.

D. The remedies provided in this chapter are cumulative and not exclusive. This chapter may be enforced by the city manager and any city staff designated in writing by the city manager.

Section 3. Severability. If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 4. Effective Date. This Ordinance shall be effective thirty (30) days after its adoption.

Section 5. Publication. The Ordinance shall be posted and published in accordance with the California Government Code.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pittsburg held on March 4, 2024, and was adopted and ordered published at a regular meeting of the City Council held on March 18, 2024 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk