



City of Pittsburg Planning Commission Agenda

June 11, 2019

**City Hall Council Chamber
65 Civic Avenue, Pittsburg, CA 94565**

**Regular Meeting
7:00 P.M.**

Planning Commission Members

**Elissa Robinson, Chair
Sarah Foster, Vice-Chair
J. Faye Fields, Commissioner
Christopher Moreno, Commissioner
Dr. Trinh Nguyen, Commissioner
Michael Caliguire, Commissioner
James Coniglio, Commissioner**

Any member of the public who wishes to address the Commission should complete a Speaker's Card, available on the public counter below the dais. Please note on the card the agenda item number, or, for items not listed on this agenda, a brief description of the issue on which you would like to address the Commission. Give the completed form to the Minutes Clerk or a staff member, who will give the card to the Commission Chair. The Chair will invite the speaker(s) to the podium at the appropriate time during the meeting. Each individual will be given three minutes to address the Commission, unless additional time is allowed as provided for spokespersons. Prior to speaking, each speaker is requested to state his or her name and business and city of residence in a clear and audible tone of voice. For items listed under the "Public Hearings" or "Commission Consideration" portions of this agenda, the public hearing or public comment period will follow a brief presentation on the item by Planning Department staff and/or the project applicant.

A decision by the Planning Commission is not final until the appeal period expires 10 calendar days after the date the decision occurred. The applicant, City Council member(s), City Manager, or any affected person may appeal the denial, approval, recommendation, or any condition of approval of an item within the 10-day appeal period. A completed appeal form and the applicable filing fee must be filed with the City Planner, 65 Civic Avenue, Pittsburg. The appeal form must include the name and address of the appellant and state the reasons for the appeal. The appeal will be set for City Council consideration and appropriate public notification given.

The Commission requests that you refrain from disruptive conduct during the meeting and that you observe the order and decorum of the Council Chamber. Please turn off or set to vibrate all cellular phones, and refrain from making personal, impertinent or slanderous remarks. Boisterous or disruptive behavior while the Commission is in session, and the display of signs in a manner that violates the rights of others or prevents others from watching or fully participating in the Planning Commission meeting is considered counterproductive and will not be tolerated, and the Commission Chair can order any person who engages in such conduct to leave the Council Chamber.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE

CONSENT

1. **Minutes**
Meeting Minutes of May 28, 2019

PUBLIC HEARINGS

2. **Electric Guard Dog Electric Fence, AP-18-1321 (UP)**
This is a continued public hearing on a request for approval of a use permit to establish a 10-foot tall electric security fence. The proposed fence would measure approximately 1,544 linear feet and would surround an approximately 3.3-acre area of the subject parcel located at 1501 Loveridge Road, within the IG (General Industrial) District. Assessor's Parcel No. 073-230-033.

STAFF COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT OF PLANNING COMMISSION MEETING

NOTICE TO PUBLIC

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 citizens. 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 Commission 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)

GENERAL INFORMATION

Copies of the open session agenda packets that are distributed to the Planning Commission are on file in the office of the Planning Department, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning no fewer than 72 hours in advance of the meeting, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except city holidays). Additionally, if any reports or documents that are public records are distributed to the Planning Commission fewer than 72 hours before the meeting, those reports and documents will also be available for public inspection in the city's Planning Department and at the Commission meeting. The Pittsburg Library is also provided a full agenda packet for your convenience. As a courtesy, the agenda is also located on the city's website at www.ci.pittsburg.ca.us.

**MINUTES
OF A REGULAR MEETING
OF THE
PITTSBURG PLANNING COMMISSION**

May 28, 2019

A regular meeting of the Pittsburg Planning Commission was called to order by Vice Chair Foster at 7:00 p.m. on Tuesday, May 28, 2019, in the Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL

Present: Vice-Chair Foster, Commissioners Fields, Moreno, Nguyen, Coniglio

Absent: Chair Robinson, Commissioner Caliguire

Staff: Director of Community Development Jill Hecht, City Engineer Richard Abono, Planning Manager/ Secretary Kristin Pollot, Assistant to the City Manager/Project Planner Jordan Davis, Deputy City Clerk Amanda McVey, Administrative Coordinator Shelby Rose

PLEDGE OF ALLEGIANCE

Vice-Chair Foster led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES

Item number 4 from the Public Hearing calendar, Electric Guard Dog Electric Fence, AP-18-1321 (UP), was continued to the next regular scheduled meeting of June 11, 2019.

COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

PRESENTATIONS

There were no presentations.

CONSENT

1. Minutes of May 14, 2019

On motion by Commissioner Moreno seconded by Commissioner Coniglio to approve and carried by the following vote:

AYES: Coniglio, Fields, Foster, Moreno, Nguyen
NAYES: None
ABSTAIN: None
ABSENT: Caliguire, Robinson

PUBLIC HEARINGS

2. Alves Ranch Project, AP-18-1348 (GP, RZ, VTM, DR, DA)

This is a continued public hearing on a request by William Lyon Homes, Inc., for a recommendation to City Council for approval of: 1) a General Plan map amendment to change the 57.81-acre site's land use designation to 'Medium Density Residential' (approx. 46 acres) and 'Community Commercial' (approx. 12 acres); 2) a zoning map amendment to rezone the site to PD (Planned Development) District and CC (Community Commercial) District; 3) an amended vesting tentative map to facilitate the construction of 346 single family dwelling units (along with 10 accessory dwelling units), the 12-acre commercial site, and ancillary features; 4) design review of landscape and architectural plans for the residential portion; and 5) a development agreement. The project site is located along the north side of West Leland Road, south of State Route 4, at the intersection of Alves Ranch Road. Assessor's Parcel Nos. 093-460-001; 093-460-002; and 093-460-005.

Project Planner Jordan Davis gave a presentation.

Nancy Parent, Pittsburg, recommended to include one story models in the design of the project and voiced concerns about the small backyards and lack of amenities in the neighborhood for children.

Bruce Ohlson, Pittsburg, recommended the bike path at northeast portion of the project to connect to the neighboring property to the east and suggested a sidewalk be constructed between the project site and the BART station property.

Durie Foster, Pittsburg, voiced concern about the lack of yard space and amenities for kids.

On motion by Commissioner Moreno seconded by Commissioner Fields to approve and carried by the following vote:

AYES:	Coniglio, Fields, Foster, Moreno, Nguyen
NAYES:	None
ABSTAIN:	None
ABSENT:	Caliguire, Robinson

3. Electric Guard Dog Electric Fence, AP-18-1321 (UP)

This is a public hearing on a request for approval of a use permit to establish a 10-foot tall electric security fence. The proposed fence would measure approximately 1,544 linear feet and would surround an approximately 3.3-acre area of the subject parcel located at 1501 Loveridge Road, within the IG (General Industrial) District. Assessor's Parcel No. 073-230-033.

This item was continued to the next regularly scheduled meeting of June 11, 2019.

STAFF COMMUNICATIONS

4. Notice of Intent to Conduct a Zoning Administrator Public Hearing

The Zoning Administrator submit one notice of intent to conduct a Zoning Administrator public hearing on a proposed acupuncture and herbal medicine office to be operated out of a single-family home located at 53 Alvarado Avenue.

The Commissioners acknowledged receipt of the notice of intent.

STAFF COMMUNICATIONS

There were no staff communications.

COMMITTEE REPORTS

There were no committee reports.

ADJOURNMENT

The meeting was adjourned at 8:15 p.m. to June 11, 2019.

Respectfully Submitted,

Kristin Pollot, AICP, Secretary

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
June 11, 2019**

ITEM: Electric Guard Dog Electric Fence, AP-18-1321 (UP).

ORIGINATED BY: Carol Bausinger, Electric Guard Dog LLC, 550 Assembly Street, 5th Floor, Columbia, SC 29201.

SUBJECT: This is a continued public hearing on a request for approval of a use permit to establish a 10-foot tall electric security fence. The proposed fence would measure approximately 1,544 linear feet, and would surround an approximately 3.3-acre area of the subject parcel located at 1501 Loveridge Road, within the IG (General Industrial) District. Assessor's Parcel No. 073-230-033.

RECOMMENDATION:

Staff recommends the Planning Commission adopt Resolution No. 10122, approving Planning Application No. 18-1321, subject to conditions.

BACKGROUND:

On September 23, 2014 and November 17, 2014, the Planning Commission and City Council, respectively, held independent public hearings on a proposed amendment to the Pittsburg Municipal Code (PMC) in order to remove a prohibition on electrically-charged fences in the city and allow the fences subject to certain standards. On December 15, 2014, the City Council adopted Ordinance No. 14-1387 approving the amendment. The amendment became effective 30 days later, on January 14, 2015.

The project site for this request was previously owned by the Federal Government for Navy Use. The Contra Costa Industrial Group purchased the property in 1992.

On February 27, 2018, Carol Bausinger of Electric Guard Dog, LLC, filed Planning Application No. 18-1321, requesting approval of a use permit to establish a 10-foot tall electric security fence around an existing contractor's yard located at the site. During review of this application, it was discovered that the contractor's yard did not have its own use permit to operate, so on September 13, 2018, Peter Stevenson of Golden State Utility Company filed Planning Application AP-18-1390, requesting approval of a use permit to legalize the existing contractor yard. The use permit for the contractor's yard was recently been deemed complete and will be coming before the Planning Commission for consideration soon. The electric fence would operate independent from the contractor's yard, which is why two separate use permits have been sought.

On May 28, 2019, at the request of the applicant, the Planning Commission continued to the public hearing to June 11, 2019.

PROJECT DESCRIPTION:

Existing Conditions: The project site is located within the City of Pittsburg, north of Pittsburg-Antioch Highway, east of Loveridge Road, west of Standard Oil Avenue, and south of the BNSF railroad tracks. The approximate three-acre site is developed with a 1,440 square-foot portable office building, two carports and two storage containers, with the remainder of the site being utilized for the storage of materials, trucks and equipment related to the business. As mentioned above, an application requesting approval of a use permit to establish a contractor yard has been received and is currently being processed separately. The site has an existing eight-foot tall chain link fence with solid mesh surrounding the property with a 30-foot wide entry gate for access.

The subject parcel is entirely contained within a larger parcel (APN: 073-230-033) which has an address of 1501 Loveridge Road. 1501 Loveridge Road contains several industrial type businesses, including: Savage Services, a truck terminal use; ISCO Industries Inc., a wholesaling and storage use; Joel Hewatt Co. Inc., a contractor use; Commercial Scaffolding of CA, a contractor use; Concord Iron Works, a limited manufacturing use; and Shaker Cabinet Co., a limited manufacturing use.

The project site is accessed via a shared driveway located at the western edge of the 1501 Loveridge parcel.

See Attachment 3 for a map of the site and the surrounding uses.

Proposed Project: As proposed, the electrically-charged security fence would be 10 feet tall and would include 20 strands of horizontal electrically charged wires starting at the base of the fence and extending up to the top of the fence (see sheet 2 of 3 from the project plans attached, for more details on fence design). The fence would be set eight-inches behind the existing chain link fence, providing a fully enclosed area that wraps around the entire contractor yard. The standalone system would be battery operated with a solar panel to be installed atop the main electrical panel (located on the interior of the fenced area near the main access point), which would provide an ongoing electric charge for the battery operated system. Golden State Utility, the operator of the contractor yard, has stated that the electric fence is a necessary security feature due to past thefts that have occurred on site.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is located in the 'Loveridge Subarea' of the General Plan. The project is consistent with the goals of the Loveridge subarea, specifically 2-G-15, in that the proposed project would maintain an industrial activity in an appropriately designated area. The site has a land use designation of 'Industrial'. Manufacturing, wholesale, warehousing and distribution, commercial and business services, research and development, and storage uses are permitted under this land use designation. The proposed fence would be ancillary to the business and would facilitate enhanced security for the existing industrial businesses' assets, helping to reduce losses and

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Electric Guard Dog Electric Fence, AP-18-1321 (UP)

facilitate ongoing operations of the business, consistent with the intents of both the General Plan.

Zoning: The property is located within the IG (General Industrial) District, and Golden State Utility's proposed operation falls under the use classification of 'Contractor Yard,' which is a sub category of "Industrial Service", as defined by the Pittsburg Municipal Code (PMC) section 18.08.100(B)(2)(a).

Per the schedule in PMC section 18.54.010, this use classification is permitted in the IG District, subject to Limitation L-112, which states, "Permitted; provided, that: (1) vehicles with gross vehicle weight in excess of 15,000 pounds, equipment, supplies or merchandise are stored indoors, or, if stored outdoors, are not visible from public right(s)-of-way by means of screening by a building or an eight-foot-tall masonry wall constructed prior to the establishment of the use, and (2) the city engineer has determined that deliveries to and from the site can be made safely and without disruption of circulation patterns or modification to the existing streets that provide access to the site. Use permit required for any use that does not meet all of these provisions." For the proposed project, vehicles, equipment and supplies would be stored outdoors and would not be fully screened from Pittsburg-Antioch Highway by a building or an eight-foot-tall masonry wall. As previously mentioned above, Golden State Utility has submitted an application requesting approval of a use permit for the contractor yard use.

The proposed fence would be ancillary to the contractor yard use on the property, but under recently adopted Ordinance No. 14-1387, the electrically-charged fence is itself subject to a public hearing and use permit approval by the Planning Commission. In addition to the use permit, the electric security fence can be no taller than 12 feet for the subject property, which is surrounded on all sides by other properties also zoned IG District, and it must be separated from publicly-accessible areas by an impermeable non-electrified fence or wall that is at least eight feet tall (PMC subsections 18.84.205.C.2 and 18.84.220.B.4.b). The proposed security fence is 10 feet tall and would be inset eight inches from the existing eight-foot tall chain link fence, consistent with these requirements.

Additional requirements for installation of an electric fence as prescribed by PMC section 18.84.220, include installation of warning signage on the perimeter fence, registration of the alarm system with the Police Department, installation of a "Knox box" for emergency access, and timed activation of the security system so that it is armed only during non-business hours when the general public is not on-site.

Required Use Permit Findings: In accordance with PMC section 18.84.220, a use permit for an electric fence may be granted only if the Planning Commission can make findings that the proposed use:

1. that the installation or construction of an electric fence and perimeter fence or wall, under the conditions of the particular case, will not infringe upon the light, air circulation or visual openness of surrounding properties;

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Electric Guard Dog Electric Fence, AP-18-1321 (UP)

2. detract, impair or destroy the characteristics of the established area;
3. nor be detrimental to the health, safety or welfare of persons residing or working in or adjacent to the area or neighborhood of such.

Environmental: This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3, 'Existing Facilities', of the State CEQA Guidelines, section 15303.

Public Notice: On or prior to May 18, 2019, notice of the May 28, 2019, public hearing to consider this application was posted at City Hall, at the proposed project site, and on the 'Public Notices' section of the city's website; was delivered to the Pittsburg Library; and was mailed via first class or electronic mail to the applicant/property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the use, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the "Pittsburg-Antioch" Nextdoor neighborhood. On May 28, 2019, at the request of the applicant, the Planning Commission continued the public hearing to June 11, 2019.

ANALYSIS:

Staff believes that the Planning Commission can make the required findings to approve the use permit, with the inclusion of several conditions of approval, as detailed below:

1. Any storage, use or handling of Hazardous Materials, as defined in the California Fire Code, shall be prohibited within 25-feet of any electric fence. (Condition No. 3)
2. The electric fence shall be surrounded by a minimum eight-foot tall, non-permeable, non-electric perimeter fence at all times. (Condition No. 4)
3. The electric fence shall be clearly identified with warning signs prepared in English and Spanish that read, "Warning: Electric Fence," above or alongside universal symbols that indicate the presence of an electrified fence. Such signage shall be installed on the perimeter fence at intervals of not less than 30 feet. The size of the warning signs shall be no smaller than 12 inches by 18 inches. The warning signs shall be kept in good condition to ensure visibility and readability. (Condition No. 7)
4. An electric fence shall only be energized during the hours when the general public does not have legal access to the protected property and shall be maintained by an automatic timer. (Condition No. 10)
5. The business operator shall inspect the perimeter fence regularly in order to maintain the integrity of the barrier between the security fence and other

properties. Should the mesh covering on the perimeter fence deteriorate, tear or otherwise be removed, it shall be replaced immediately, and the interior security fence shall not be armed until the mesh has been replaced. (Condition No. 15).

6. The business operator shall ensure that the site is maintained in a neat and clean manner at all times. Trash, debris, weeds and/or other unkempt shrubbery shall not be allowed to accumulate on or around the site, on perimeter fencing, or on the street gutters and sidewalks. (Condition No. 16)

As further detailed in the Code Compliance section of this staff report, staff believes that the proposed fence is consistent with the General Plan, and the zoning of the property as prescribed by the Pittsburg Municipal Code. The security fence would be ancillary to a proposed industrial use in an appropriately-zoned, industrial location. The proposed fence would help to protect the investment in the community and the property by providing an opportunity for enhanced security of outdoor storage of equipment rented and sold by the business. The location of the fencing is particularly appropriate for the subject site because the property is surrounded by other industrially-zoned properties and would not be highly visible to the general public due to the existing eight foot chain link fence surrounding the property.

Staff does not believe that the security fence would detract, impair or destroy the characteristics of the established area, nor be detrimental to the health, safety or welfare of persons residing or working in or adjacent to the area of neighborhood of such. Rather, the proposed fence would be in a location that is itself industrial and surrounded by other industrial properties, and therefore, would remain in the character of the established area. As conditioned, the electric fence would be surrounded by a non-permeable, non-electric fence, maintain warning signs in English and Spanish at intervals of not less than 30 feet, and only be energized and armed during the hours when the general public does not have access to the protected property. The electrically-charged security fence would be an ancillary structure on the property, to which the current tenant is seeking approval of a use permit to establish a contractor yard. The secondary security fence would help to protect the business' assets on-site, and would help to facilitate Golden State Utility's ongoing operation as a job and business tax revenue generator in the city.

Lastly, staff does not believe that installation of the electrically-charged security fence would infringe upon the light, air circulation or visual openness of surrounding properties. The electric security fence would be installed in a location that is itself industrial and is surrounded on all sides by other industrial properties. The fence would be placed in behind the existing eight-foot chain link fence with solid mesh, so that much of the fence would not easily be seen from the closest public right-of-way on Pittsburg-Antioch Highway. The segment of fence that would be most visible from Pittsburg-Antioch Highway would be set back 67 feet from the edge of that right-of-way. In the proposed location, the 10-foot tall fence would still be two feet shorter than the maximum fence height allowed for the property.

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Electric Guard Dog Electric Fence, AP-18-1321 (UP)

ACTION REQUIRED:

Move to adopt Resolution No. 10122, approving Planning Application No. 18-1321, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10122
2. Project Plans, dated January 22, 2018
3. Project Location & Surrounding Land Uses Map
4. Electric Fence Regulations
5. Public Hearing Notice/Vicinity Map

Prepared by: John Dacey, AICP, Assistant Planner

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting a Use Permit to)
Establish a 10-Foot Tall Electric Security)
Fence, located at 1501 Loveridge Road) Resolution No. 10122
for, "Electric Guard Dog Electric Fence,)
AP-18-1321 (UP)".)

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On February 27, 2018, Carol Bausinger of Electric Guard Dog LLC, filed Planning Application No. 18-1321, requesting approval of a use permit to establish a 10-foot tall electric security fence. The proposed fence would measure approximately 1,544 linear feet, and would surround an approximately 3.3-acre area of the subject parcel located at 1501 Loveridge Road, within the IG (General Industrial) District. Assessor's Parcel No. 073-230-033.
- B. The proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburgh General Plan, and Pittsburgh Municipal Code (PMC) Title 18 (Zoning).
- C. Pursuant to PMC section 18.84.220, a use permit for an electric fence may be granted only after the Planning Commission makes a determination that the installation or construction of an electric fence and perimeter fence:
 - 1. will not infringe upon the light, air circulation or visual openness of surrounding properties;
 - 2. will not detract, impair or destroy the characteristics of the established area;
 - 3. nor be detrimental to the health, safety or welfare of persons residing or working in or adjacent to the area or neighborhood of such.
- D. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3, 'Accessory Structures', of the State CEQA Guidelines, section 15303.
- E. On or prior to May 18, 2019, notice of the May 28, 2019, public hearing to consider this application was posted at City Hall, near the proposed project site, and on the "Public Notices" section of the City's website; was delivered to the Pittsburgh Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the

proposed project site, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091. Although not required, the notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the "Pittsburg-Antioch" Nextdoor neighborhood.

- F. On May 28, 2019, prior to opening the public hearing, the Planning Commission continued the public hearing to June 11, 2019.
- G. On June 11, 2019, the Planning Commission held a public hearing on Planning Application No. 18-1321, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, "Electric Guard Dog Electric Fence (UP)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:
 - 1. All recitals above are true and correct and are incorporated herein by reference.
 - 2. The proposed installation of the electric security guard fencing:
 - a. Will not infringe upon the light, air circulation or visual openness of surrounding properties, in that the installation of 10-foot tall electric fence would be obscured behind an existing eight-foot tall chain link fence covered with solid mesh, the location of the project is surrounded on the east, west and north sides by other industrial uses, and on the south side by the Pittsburg- Antioch Highway, and the proposed electric fence complies with the maximum height limitations stated in PMC section 18.84.205.C.
 - b. Will not detract, impair or destroy the characteristics of the established area but rather, will help to facilitate secure outdoor storage of equipment outside of a building .The proposed fence will be in a location that is itself industrial and surrounded by other industrial properties, and therefore, would remain in the character of the established area.
 - c. Will not be detrimental to the health, safety or welfare of persons residing or working in or adjacent to the area or neighborhood of such, in that location is in an industrial area, with the closest residential use over a 1/4 mile away. As conditioned, the electric fence will be

surrounded by a non-permeable, non-electric fence, maintain warning signs in English and Spanish at intervals of not less than 30 feet, and only be energized and armed during the hours when the general public does not have access to the protected property.

Section 3. Decision

- A. Based on the findings set forth above, the Commission hereby approves Planning Application No. 18-1321, subject to the following conditions:
1. Reference to Project Plans: The approved use shall be operated in a manner substantially as presented to the Planning Commission in the staff report identified above and as presented in the project plans, dated January 22, 2018, except as modified by the conditions below. Operation of the approved security fence in a manner inconsistent with this use permit shall be grounds for revocation of the approval.
 2. Electrification and Installation. The applicant and business operator shall at all times maintain compliance with the electrification standards and conditions of installation as described in PMC section 18.84.220, as may periodically be amended.
 3. Location. Any outdoor area utilized for the storage, use or handling of Hazardous Materials, as defined in the California Fire Code, shall be prohibited within 25-feet of any electric fence.
 4. Perimeter Fence Required. The electric fence shall be surrounded by a minimum eight-foot tall, non-permeable, non-electric perimeter fence at all times.
 5. Perimeter Fence Design and Location. The perimeter fence shall be solid, without spaces or gaps (view obscuring), and separated from the electrified fence by a maximum of eight inches. No part of a perimeter fence shall be allowed to be in contact with the electric fence.
 6. Adjacent Grounds. The area between the perimeter wall or fence and the electric fence, as well as any area within two feet of the electric fence, shall be paved with gravel or concrete and kept clear of landscaping, weeds, shrubbery, trash, other fences or material of any kind.
 7. Warning Signs. The electric fence shall be clearly identified with warning signs prepared in English and Spanish that read, "Warning: Electric Fence," above or alongside universal symbols that indicate the presence of an electrified fence. Such signage shall be installed on the perimeter fence at intervals of not less than 30 feet. The size of the warning signs shall be no smaller than 12 inches by 18 inches. The warning signs shall be kept in good condition to ensure visibility and readability.

8. Registration of Alarm System. Electric fencing installed with an alarm system, as defined in PMC 9.24.020, shall be installed in compliance with all applicable provisions of Chapter 9.24 PMC, including but not limited to registration of the alarm agent and alarm system, technical standards and regulations applicable to audible alarms. Failure to comply with the applicable provisions of Chapter 9.24 PMC will result in enforcement of penalties pursuant to that chapter, and shall provide grounds for denial or revocation of the requisite use permit for the electric fence.
9. Key Box. A “Knox Box electrical shunt switch” and a “Knox Box” or other similar approved device shall be installed for emergency access of police and fire departments.
10. Hours of Activation. The electric fence shall only be energized during the hours when the general public does not have legal access to the protected property and shall be maintained by an automatic timer.
11. Energizer. The electric charge produced by the fence upon contact shall not exceed energizer characteristics described in paragraph 22.108 of IEC Standard 60335-2.76. The electric fence shall be energized by battery not to exceed 12 volts direct current, and the impulse repetition rate of the charge shall be no more frequent than one cycle per second.
12. Liability. The owner of the electric fence and the property owner(s), if different, are each required to carry general liability insurance in a minimum amount of \$1,000,000 in the aggregate. A failure to maintain proof of insurance and to provide evidence of such insurance to the city annually or more frequently as may be requested by the city planner shall be grounds for denial or revocation of the permit. Proof of insurance shall be underwritten by an organization licensed and authorized to do business in the state of California.
13. Emergency Access. All applicants issued permits to install or use an electric fence as provided in this article shall agree in writing to waive any and all claims for damages to the electric fence against the Contra Costa County Fire Protection District, City of Pittsburg and their personnel under such circumstances.
14. Fence Maintenance. The business operator shall inspect the perimeter fence regularly in order to maintain the integrity of the barrier between the security fence and other properties. Should the mesh covering on the perimeter fence deteriorate, tear or otherwise be removed, it shall be replaced immediately, and the interior security fence shall not be armed until the mesh has been replaced.

15. Site Maintenance. The business operator shall ensure that the site is maintained in a neat and clean manner at all times. Trash, debris, weeds and/or other unkempt shrubbery shall not be allowed to accumulate on or around the site, on perimeter fencing, or on the street gutters and sidewalks.
16. Easements. If the proposed fence is to be built on property containing an easement under another agency, then it is the responsibility of the business operator to obtain approval from the agency in possession of the easement and submit the approvals to the Engineering Division prior to the issuance of a building or engineering permit.

Standard Conditions:

17. Site Accessibility: All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.
18. Standard Conditions: The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development, and this Resolution, this Resolution shall prevail. Where there is a conflict between Planning Commission Resolution No. 8931 and the conditions identified herein, the specific conditions of this resolution shall apply.
19. Other Agency Requirements: The applicant shall comply with all the requirements of the Planning Division, Engineering Division, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, State Water Resources Control Board, Bay Area Air Quality Management District, and all other applicable local, state and federal agencies.
20. Business License: It shall be the responsibility of the applicant to maintain an updated business license containing an accurate description of the use at the site.
21. Other Municipal Code Requirements: All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the PMC as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval.
22. Indemnification: The applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other

proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

23. Expiration: This use permit approval will expire on May 28, 2020, unless the use has been legally established prior to the expiration date, or a written request for extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 11th day of June, 2019, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

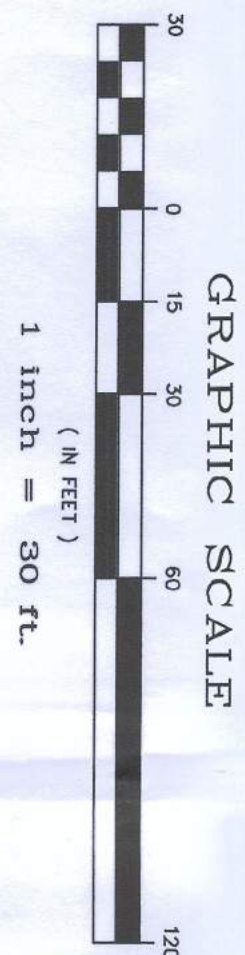
NAYES:

ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. 10122 was adopted by the Planning Commission of the City of Pittsburg on June 11, 2019.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION



EX. BUILDING

KNOX BOX
LOCATION
EX. GATE
30'
SECURITY FENCE 8" MAX.
FROM PERIMETER FENCE
TO REMAIN
CONTROLLER/POWER SOURCE
REGULATING & MONITORING
EQUIPMENT.

EXISTING FENCE
TO REMAIN
SECURITY FENCE 8" MAX.
FROM PERIMETER FENCE

SECURITY FENCE 8" MAX.
FROM PERIMETER FENCE
TO REMAIN

SECURITY FENCE 8" MAX.
FROM PERIMETER FENCE
TO REMAIN

SECURITY FENCE 8" MAX.
FROM PERIMETER FENCE
TO REMAIN

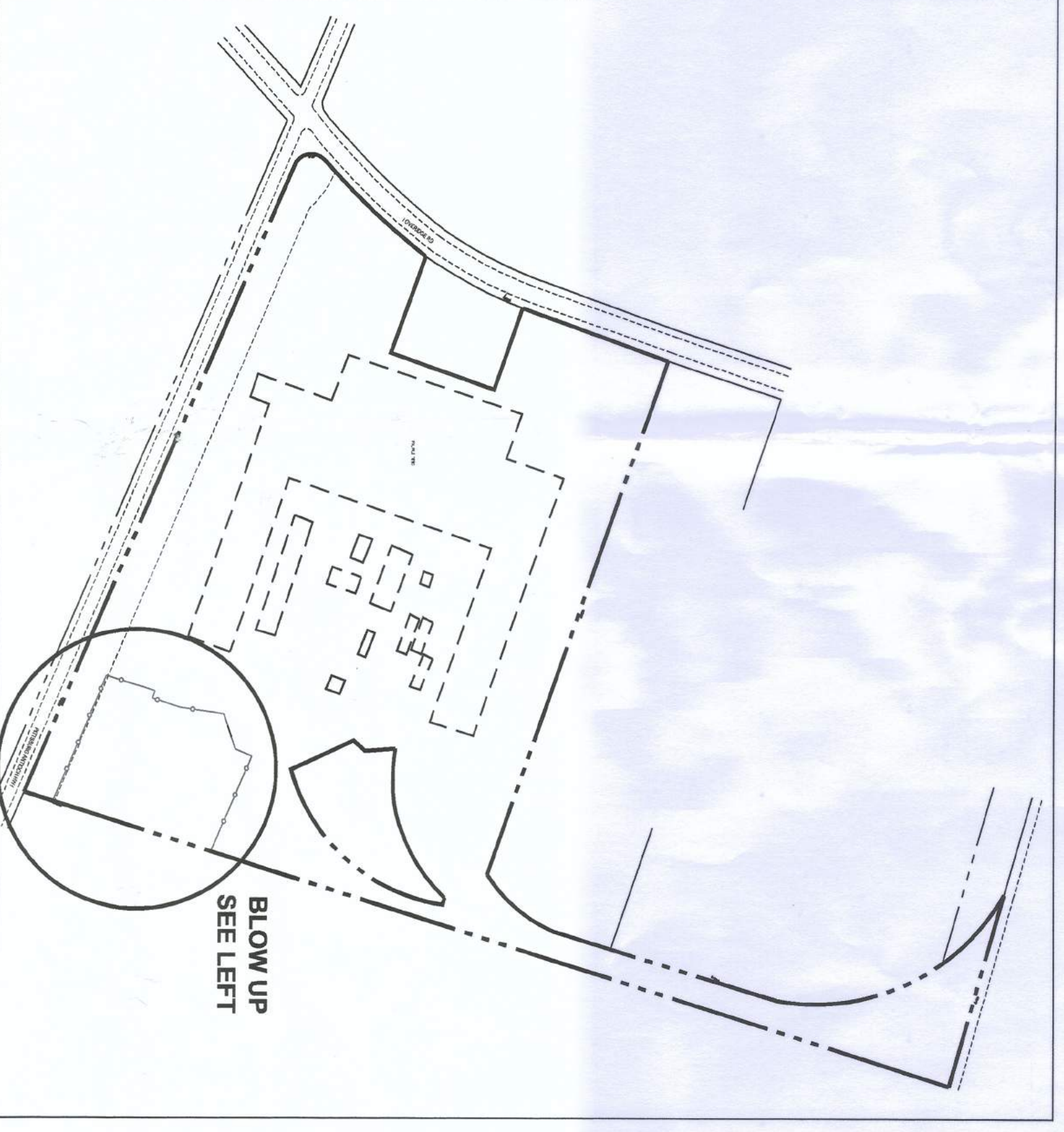
67' DRAINAGE EASEMENT
1778.08'

PITTSBURG ANTIOCH HWY



SITE PLAN REQUEST TO AUTHORIZE A SECURITY SYSTEM GOLDEN STATE UTILITY 1501 LOVERIDGE ROAD PITTSBURG, CA 94565

LEGEND	
---	ROW LINE
---	CENTERLINE
---	PROPERTY LINE
---	SETBACK
---	LANDSCAPE EASEMENT
---	EXISTING SCREEN WALL
---	EXISTING FENCE
---	PROPOSED ELECTRIC FENCE
---	LS = LANDSCAPE AREA



KEY MAP

PROPERTY OWNER

Golden State Utility
1501 Love Ridge Road
Pittsburg CA 94565

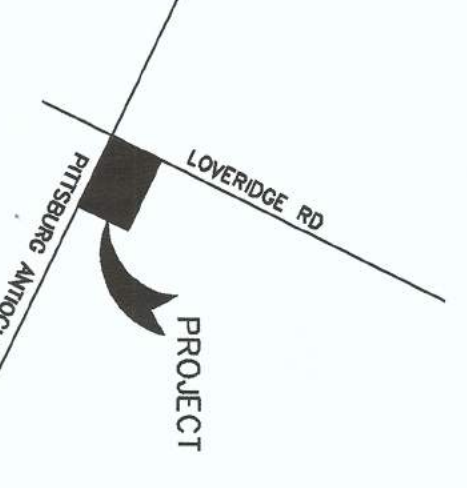
PROJECT DATA

APN	073-230-033
ACREAGE	40.80 +/- NET ACRES 40.80 +/- GROSS ACRES
BUILDING FOOTPRINT	371,000 +/- TOTAL S.F.
LOT COVERAGE	21% COVERAGE
ZONING	EXISTING: NO PROPOSED: NO
PARKING	REQUIRED: 371 SPACES PROVIDED: 371+ SPACES
MINIMUM FENCE SETBACKS:	STREET - 67' SIDE - 1'

NOTES:

POLE LOCATIONS:
STEEL POLES TO BE LOCATED APPROXIMATELY ON
EACH SIDE OF GATES & EVERY 90' (OR GREATER)
TURN IN FENCE LINE. FIBERGLASS/INTERMEDIATE
POLES TO BE LOCATED APPROXIMATELY EVERY 30'
DISCLAIMER: THIS PLAN IS A PRELIMINARY DESIGN
STIPULATIONS ABOVE DUE TO ON-SITE CONDITIONS.

STORM DRAIN:
THERE IS NO EXISTING STORM DRAIN ADJACENT TO THE
PROPERTY. NO STORM DRAIN IS BEING PROPOSED AS
PART OF THIS PROJECT.
UTILITY RIGHT-OF-WAY/EASEMENT'S NOTE:
UNDER THE 1995 EASEMENT, THE 67'-WIDE OR EASEMENT'S
DRAINAGE/IRRIGATION NOTE:
THIS PROPERTY IS NOT LOCATED IN THE 100-YEAR
FLOOD ZONE. THERE ARE NO IRRIGATION OR
DRAINAGE EASEMENTS ON THE PROPERTY.
ALL COMMA/RESERVATIONS, ETC. WILL BE MAINTAINED
BY A LANDSCAPE MAINTENANCE ASSOCIATION. THERE
ARE NO DISSEMINATIONS FOR PARKS, SCHOOLS OR
OTHER PUBLIC USES.



VICINITY MAP
NOT TO SCALE

PROJECT: REQUEST TO AUTHORIZE A SECURITY SYSTEM
1501 LOVERIDGE ROAD
PITTSBURG, CA 94565
APN: 073-230-033

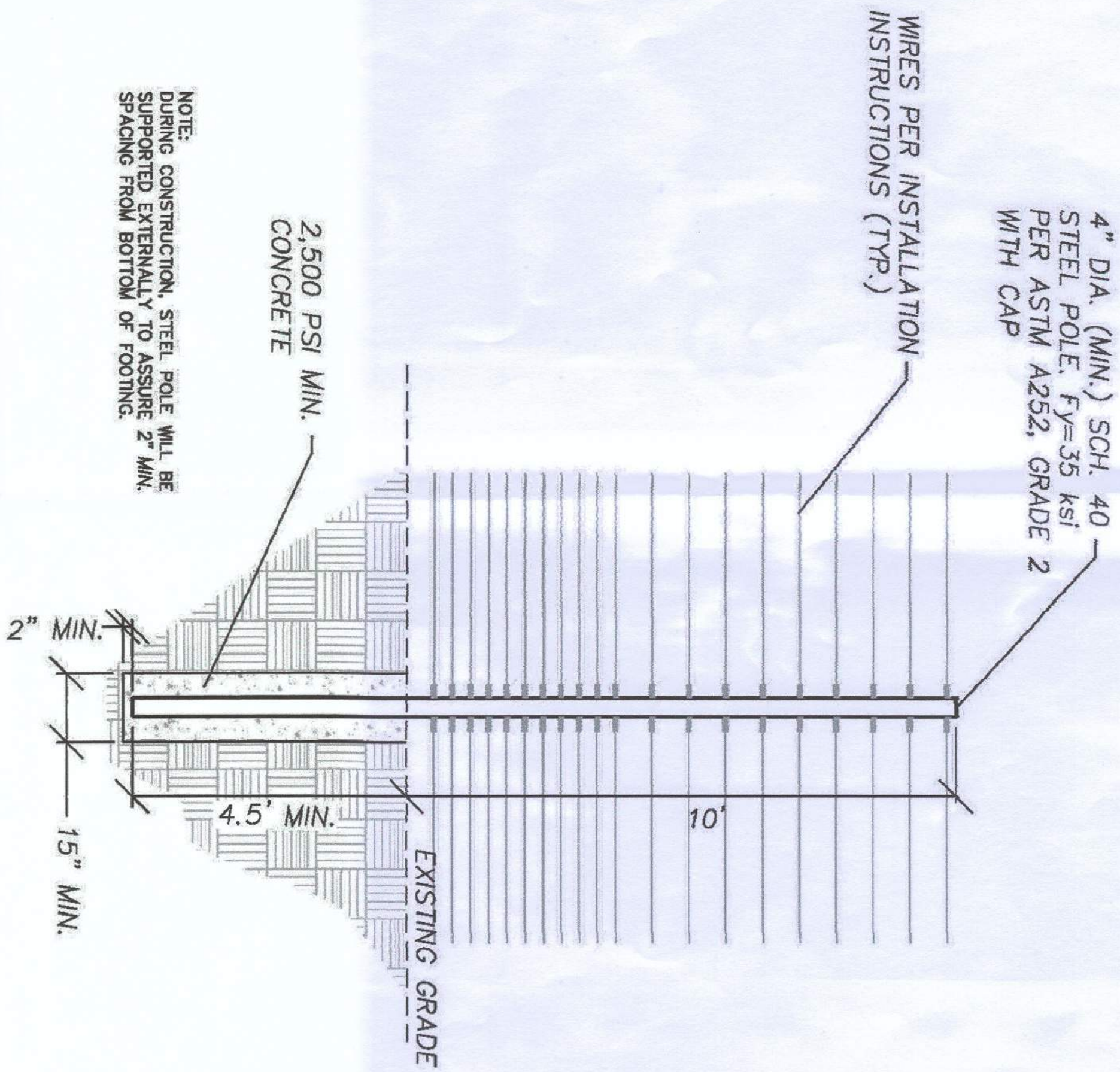
SHEET TITLE:
SITE PLAN

DATE: JAN. 22, 2018
SCALE: 1" = 30'

SHEET
A-1

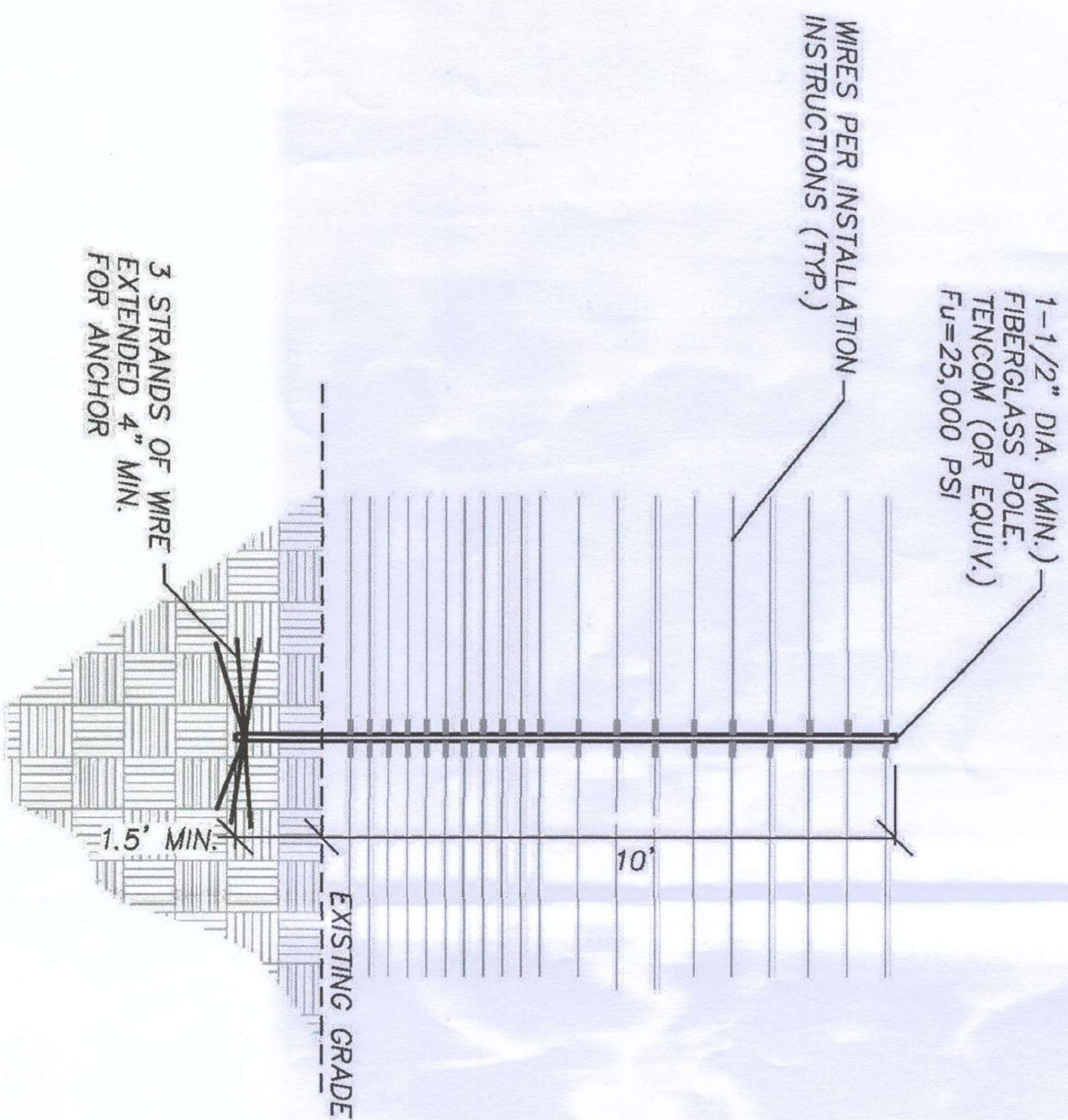
Electric Guard Dog

7608 Fairfield Road
Columbia, SC 29203
PHONE: 803-786-6333
FAX: 803-404-5378



STEEL POLE DETAIL
(STRUCTURAL)

NTS



FIBERGLASS POLE DETAIL
(NON-STRUCTURAL)

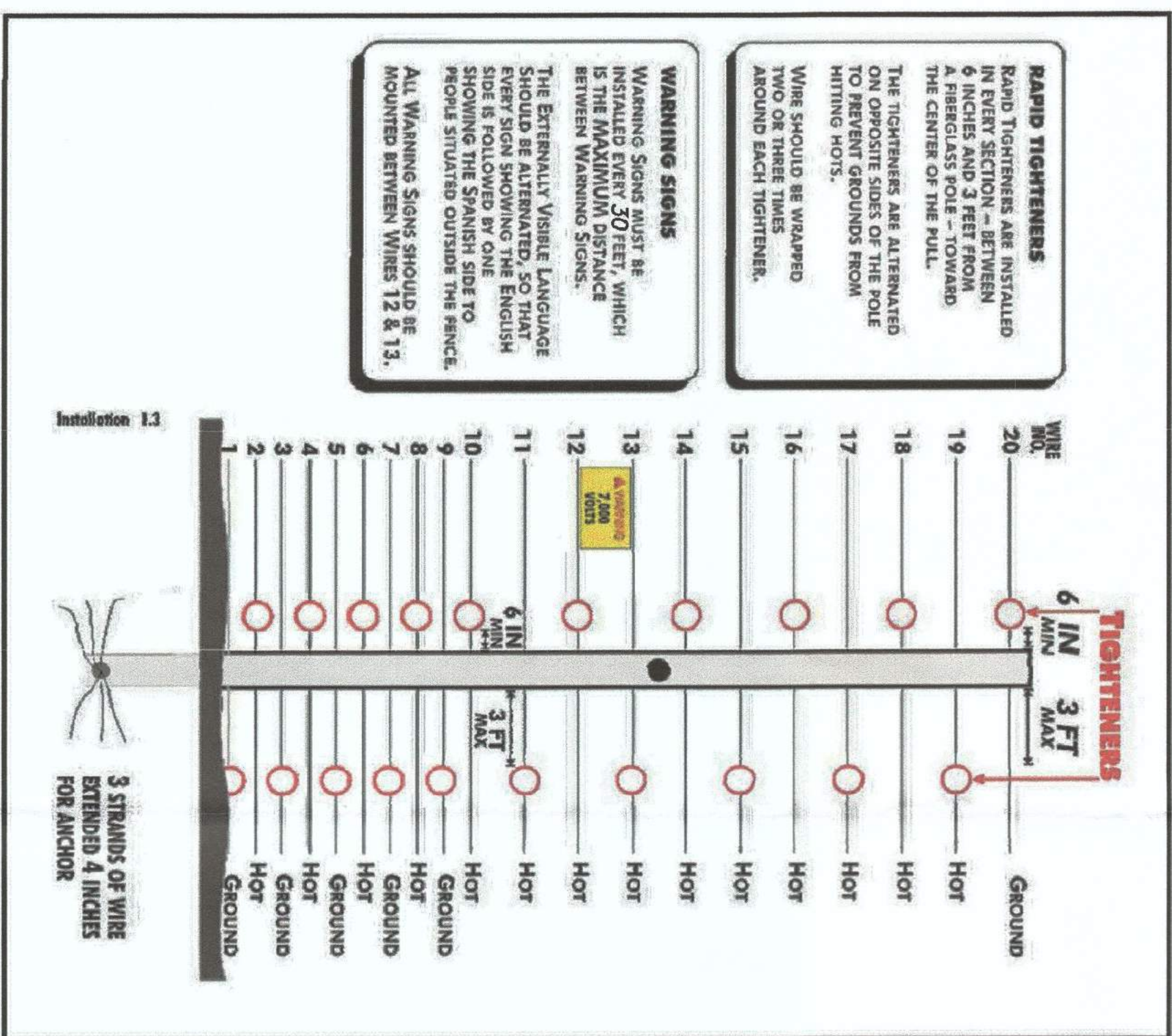
NTS



NOTE:
BOTH ENGLISH AND SPANISH VERSION OF THE "WARNING
SIGN" WILL BE PLACED EVERY 30 FEET MAXIMUM.

EXAMPLE WARNING SIGNS

NTS



WIRE CONNECTIONS

NTS



Electric Guard Dog

7608 Fairfield Road
Columbia, SC 29203
PHONE: 803-786-6333
FAX: 803-404-5378

PROJECT: REQUEST TO AUTHORIZE A SECURITY SYSTEM
1501 LOVERIDGE ROAD
PITTSBURG, CA 94565
APN: 073-230-033

SHEET TITLE:
TYPICAL DETAILS

DATE: JAN. 22, 2018
SCALE: N/A

SHEET
A-2



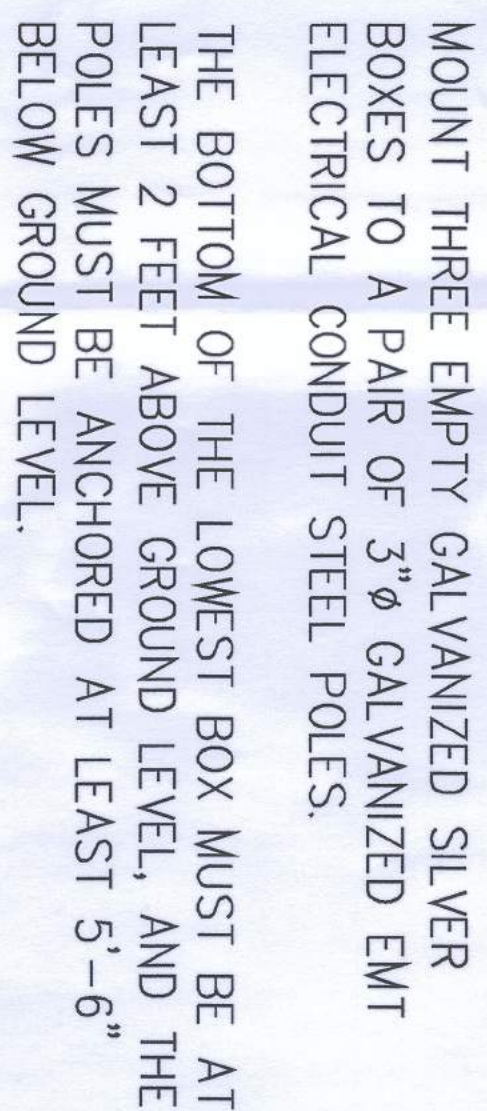
Electric Guard Dog

7608 Fairfield Road
Columbia, SC 29203
PHONE: 803-786-6333
FAX: 803-404-5378

PROJECT: **REQUEST TO AUTHORIZE A SECURITY SYSTEM**
1501 LOVERIDGE ROAD
PITTSBURG, CA 94565
APN: 073-230-033

SHEET TITLE:
TYPICAL DETAILS

A-3

 $1.25\overline{18}$

Project Location and Surrounding Land Uses Map



Property Development Regulations

Electric Guard Dog Electric Fence

AP-18-1321 (UP)

Development Regulations: <i>PMC section 18.84.220 Electric fence</i>	Requirement:	Proposed Project:
Location		
	Within CS, CSD, I Districts	IG
	Not installed on any property line that adjoins the property with the other property located in a CP, CN, CO, CC, M, GQ, R, HPD, or residential PD district.	n/a
	Not inside of a building and/or within the front or corner side yard of a lot.	n/a
Perimeter Fence and Wall		
	Surrounded by a nonelectrified fence or wall that is not less than eight feet high	Yes, to be surrounded by an existing, eight foot high chain link perimeter fence
	The perimeter fence shall be solid, without spaces or gaps, and separated from the electrified fence by a maximum of eight inches.	Yes, perimeter fence to be covered in solid mesh and separated by eight inches from electric fence
	No part of a perimeter fence shall be allowed to be in contact with the electric fence.	Yes, as shown in plans and conditioned
	Perimeter fences or walls shall be view-obscuring and shall be a masonry or concrete wall, wood privacy fence, or an equivalent solid barrier fence.	Yes, as proposed to be obscured by existing eight foot chain link fence with solid mesh covering
	The area between the perimeter wall or fence and the electric fence, as well as any area within two feet of the electric fence, shall be paved with gravel or concrete and kept clear of landscaping, weeds, shrubbery, trash, other fences or material of any kind.	Yes, as conditioned

Height		
	I district maximum height: eight feet if adjacent to an R or C district; 12 feet in any other area;	10-foot electric fence proposed, with an existing eight-foot nonelectric perimeter fence
Warning Signs		
	Electric fences shall be clearly identified with warning signs prepared in English and Spanish that read, "Warning: Electric Fence," above or alongside universal symbols that indicate the presence of an electrified fence. Such signage shall be installed on the perimeter fence at intervals of not less than 30 feet. The size of the warning signs shall be no smaller than 12 inches by 18 inches. The warning signs shall be kept in good condition to ensure visibility and readability.	Yes, as conditioned
Registration of Alarm System		
	Electric fencing installed with an alarm system, as defined in PMC 9.24.020 , shall be installed in compliance with all applicable provisions of Chapter 9.24 PMC, including but not limited to registration of the alarm agent and alarm system, technical standards and regulations applicable to audible alarms. Failure to comply with the applicable provisions of Chapter 9.24 PMC will result in enforcement of penalties pursuant to that chapter, and shall provide grounds for denial or revocation of the requisite use permit for the electric fence.	Yes, as conditioned
Key Box		
	10% A "Knox Box electrical shunt switch" and a "Knox Box" or other similar approved device shall be installed for emergency access of police and fire departments.	Yes, as conditioned
Hours of Activation:		
	An electric fence shall only be energized during the hours when the general public does not have legal access to the protected property and shall be maintained by an automatic timer.	Yes, as conditioned

Energizer:		
	The electric charge produced by the fence upon contact shall not exceed energizer characteristics described in paragraph 22.108 of IEC Standard 60335-2.76. The electric fence shall be energized by battery not to exceed 12 volts direct current, and the impulse repetition rate of the charge shall be no more frequent than one cycle per second	Yes, as conditioned



City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **PLANNING COMMISSION** of the City of Pittsburg will conduct a Public Hearing on:

DATE: May 28, 2019
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Electric Guard Dog Electric Fence, AP-18-1321 (UP).

This is a public hearing on a request by Electric Guard Dog, LLC, on behalf of Golden State Utility, requesting approval of a use permit to establish a 10-foot tall electric security fence. The proposed fence would measure approximately 1,544 linear feet, and would surround an approximately 3.3-acre area of the subject parcel located at 1501 Loveridge Road, within the IG (General Industrial) District. Assessor's Parcel No. 073-230-033.

PROJECT PLANNER: John Dacey, (925) 252-4824 or jdacey@ci.pittsburg.ca.us

Why am I receiving this notice? You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

Where can I get more information about this project?

The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner listed above.

What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by attending the public hearing on the date and time listed above.

KRISTIN POLLOT, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Electric Guard Dog Electric Fence, AP-18-1321 (UP).
Location: 1501 Loveridge Road, APN: 073-230-033

