



**CITY OF PITTSBURG
PLANNING COMMISSION MEETING AGENDA**

JUNE 9, 2020

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

PUBLIC ADVISORY:

THE CITY COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for June 9, 2020 will be conducted telephonically through Zoom and broadcast live through Granicus on the City's website which can be located on the [Streaming Media](#) page. If you do not have internet access, the meeting will also be available to the public in a listening-only mode via telephone call-in line. To listen to the meeting, dial 1 (669) 900-6833. When prompted, dial in the Webinar ID, 870 9741 7544, and Password, 086252.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

Comments can be submitted via email to meetingcomments@ci.pittsburg.ca.us. If you wish to have your comments read to the Planning Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate "FOR PUBLIC COMMENT – NON-AGENDA." Comments that you want to read to the Commission will be subject to the three-minute time limitation (approximately 350 words). In the event the Commission receives a high-volume response, read-in comments may be subject to a shortened time limitation of two minutes (approximately 250 words). Written comments that are only to be provided to the Planning Commission and not read at the meeting will be distributed to the Commissioners prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Twitter, etc.) will not be accepted. Just as in a live meeting inside the Council Chamber, only one comment per agenda item per person is allowed. If you comment more than once on a particular topic, only the first email will be read aloud.

The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.



City of Pittsburg Planning Commission Agenda

June 9, 2020

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

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

Planning Commission Members

**Sarah Foster, Chair
Christopher Moreno, Vice-Chair
Dr. Trinh Nguyen, Commissioner
Wolfgang Croskey, Commissioner
James Coniglio, Commissioner
Punita Bhasin, Commissioner
Elissa Robinson, 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**
Minutes of May 26, 2020

PUBLIC HEARINGS

2. **Rege Ministorage and Trucking Yard, AP-18-1319 (UP, DR)**
This is a public hearing on a request for a use permit amendment and design review approval of plans to allow a ministorage and contractor yard on a five-acre site located at 103, 105, 107, 109, and 111 Avila Road in the OS-O (Open Space with Limited Overlay, City Council Ordinance No. 18-1440) District. Assessor's Parcel No. 091-020-019.
3. **Recommendations on Amendments to Title 18 of the Pittsburgh Municipal Code as it Relates to Accessory Dwelling Units and Junior Accessory Dwelling Units**
This is a public hearing to consider potential amendments to Title 18 of the Pittsburgh Municipal Code (PMC) to revise the existing "Accessory Dwelling Units" Standards into conformance with adopted state legislation.

COMMISSION CONSIDERATIONS

4. **Oak Hills Sign Program Update 2020, AP-20-1503 (SR)**
This is a request for sign review approval of amendments to an existing master sign program for Oak Hills Shopping Center located at 408-692 Bailey Road, in the CC (Community Commercial) District. Assessor's Parcel Nos. 093-130-027, -038, and -046.

ZONING ADMINISTRATOR REPORTS

5. **Notice of Intent to Exercise Delegated Design Review Authority**
The Zoning Administrator submits one notice of intent to exercise delegated design review authority for a new crane installation at 1 Leslie Drive, for Concord Iron Works.

This agenda was posted in City Hall on June 5, 2020

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 26, 2020

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for May 26, 2020 was conducted telephonically through Zoom with broadcasting live through Granicus on the City's website. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber was not open for the meeting. Council Members participated telephonically or through Zoom and were not physically present in the Council Chamber.

Chair Foster called the meeting of the Pittsburg Planning Commission to order at 7:05 p.m. on Tuesday, May 26, 2020, in the Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California via Zoom teleconference.

ROLL CALL

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

Absent: Commissioners Bhasin, Robinson

Staff: City Attorney Donna Mooney, Community Development Director Jill Hecht, City Engineer Richard Abono, Planning Manager/ Secretary Kristin Pollot, Associate Planner Trishia Caguiat, Assistant Planner Celina Palmer, Assistant Planner John Dacey, Senior Civil Engineer Paul Reinders, Deputy City Clerk Amanda McVey, Administrative Coordinator Shelby Rose

PLEDGE OF ALLEGIANCE

Commissioner Croskey led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES

There were no deletions, withdrawals, or continuances.

COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

CONSENT

1. Minutes of May 12, 2020

On motion by Commissioner Moreno and seconded by Commissioner Croskey to approve the Minutes of May 12, 2020 and carried by the following vote:

AYES: Coniglio, Croskey, Moreno, Nguyen, Foster
NAYES: None
ABSTAIN: None
ABSENT: Bhasin, Robinson

PUBLIC HEARINGS

2. Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)

Commissioner Croskey recused himself from Item 6 stating a conflict of interest due to the applicant being a tenant of a property he manages. At this time, Commissioner Croskey was placed in a waiting room within Zoom where he could not hear or participate in the meeting.

A public hearing on a request for approval of a modification to Condition No. 5(b) of an approved use permit, Planning Commission Resolution No. 10112, in order to allow the sale of 200ml containers of distilled spirits at an existing convenience store for off-site consumption. The convenience store is located at 3105 Railroad Avenue, Suite A-1, in the CN (Neighborhood Commercial) District. Assessor's Parcel No. 088-065-026.

Assistant Planner Dacey gave a presentation on the item.

Chair Foster opened the public hearing.

Applicant's Attorney Justin Hein spoke on behalf of the application.

Comments were received through email from the following and were read aloud:

Carol Del Monte, Pittsburg
Bruce Ohlson, Pittsburg
William Goodwin, Pittsburg

There being no one to speak further to the item, Chair Foster closed the public hearing.

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

AYES: Coniglio, Croskey, Moreno, Foster
NAYES: Nguyen
ABSTAIN: Croskey
ABSENT: Bhasin, Robinson

At this time Commissioner Croskey was brought back into the Zoom meeting.

COMMISSION CONSIDERATION

3. Esperanza Apartments at San Marco (Village M), Extension of Approval, AP-20-1509

A request for a three-year extension of approval for design review of plans to construction 318-unit apartment complex, consisting of twelve three-story buildings and one clubhouse, on a 13.3 acre site located immediately west of Tomales Bay Drive and known as “Village M” of the San Marco PD (Planned Development, Ordinance No. 12-1362) District. Assessor’s Parcel No. 091-050-064.

Associate Planner Caguiat gave a presentation on the item.

Applicants Doug Messner, Louis Parsons, and traffic engineer Stephen Abrams spoke on behalf of the project.

Comments were received through email from the following and were read aloud:

Tina Sanchez, Pittsburg
Mark Linde, Pittsburg
Bruce Olson, Pittsburg
Jessee Garcia III, Pittsburg

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

AYES: Coniglio, Croskey Moreno, Nguyen, Foster
NAYES: None
ABSTAIN: None
ABSENT: Bhasin, Robinson

4. T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)

A request for design review approval of plans to construct a new 75’ tall monopole tower with 12 antennas and supporting radio equipment, enclosed within an 8’ tall chain link compound on an approximately 43,000 square foot site located at 1592 Willow Pass Road, in the IG (General Industrial) District. Assessor’s Parcel No. 097-092-007.

Assistant Planner Palmer gave a presentation on the item.

Applicants Shane Woodruff and Tom Johnson spoke on behalf of the application.

On motion by Commissioner Croskey to approve with the condition that the pole be camouflaged to look like a tree, subject to Planning Division final review and approval, and modification to Condition of Approval #2 to remove reference to grey, and seconded by Commissioner Moreno to approve and carried by the following vote:

AYES: Coniglio, Croskey Moreno, Nguyen, Foster
NAYES: None
ABSTAIN: None
ABSENT: Bhasin, Robinson

5. Diablo Energy Storage Project, 2020 Amendment, AP-20-1507 (DR)

A request for design review approval of plans to allow for the installation of batteries in cubes and cores as an alternative to the batteries in buildings, previously approved by City Council Resolution No. 18-13531. The project site covers a 12-acre

portion of the 35-acre Empire Business Park parcel located at 701 Willow Pass Road in the IP-O (Industrial Park Overlay) District. Assessor's Parcel No. 085-280-010.

Consultant Planner Joan Lamphier gave a presentation on the item.

Applicants Kevin Johnson, Michael Woods, Eric Zell, and Cody Hill spoke on behalf of the project.

Comments were received through email from the following and were read aloud:

Joanne Fanucchi, Pittsburg
Bruce Olson, Pittsburg
Rachel Fernandes, Pittsburg

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

AYES: Coniglio, Croskey Moreno, Nguyen, Foster
NAYES: None
ABSTAIN: None
ABSENT: Bhasin, Robinson

ZONING ADMINISTRATOR REPORTS

6. The Zoning Administrator submits one notice of intent to exercises the delegated design review authority for the Crossroads Christian Church Patio Cover at 3840 Railroad Avenue.

The Commissioners acknowledged receipt.

STAFF COMMUNICATIONS

Planning Manager / Secretary Pollot suggested the Commission convene to next regular meeting of June 9, 2020.

COMMITTEE REPORTS / COMMISSIONER COMMENTS

Commissioner Moreno reported on the Land Use Subcommittee meeting. The topics of discussion were grant applications and prioritizing grant money.

Commissioner Coniglio reported on the TransPlan Subcommittee meeting. Topics included removal of the standing agenda item for Concord Naval Weapon Station re-use plan, approval of the budget, and discussion on the Brentwood pedestrian bridge.

ADJOURNMENT

The meeting was adjourned at 10:52p.m. to June 9, 2020.

Respectfully Submitted,

Kristin Pollot, AICP, Secretary

From: [Alice Evenson](#)
To: [Shelby Rose](#)
Subject: FW: Esperanza Apartments at San Marco (Village M), Extension of Approval, AP-20-1509 (DR)
Date: Thursday, May 28, 2020 9:34:35 AM

Alice E. Evenson, MMC

City Clerk/Director of Records and Council Services

City of Pittsburg | 65 Civic Avenue | Pittsburg, CA 94565

☎ (925) 252-4870 | 📠 (925) 252-4905 | ✉ aevenson@ci.pittsburg.ca.us

Website: www.ci.pittsburg.ca.us | [eNews Sign-up](#) | [Agendas, Minutes and Streaming Media](#)



Please note that email correspondence with the City of Pittsburg, along with attachments, may be subject to the California Public Records Act, and therefore may be subject to disclosure unless otherwise exempt.

From: Tina Sanchez <tinas_94565@yahoo.com>

Sent: Monday, May 18, 2020 10:40 AM

To: meetingcomments <meetingcomments@ci.pittsburg.ca.us>

Subject: Esperanza Apartments at San Marco (Village M), Extension of Approval, AP-20-1509 (DR)

****External Sender: Use caution before opening links or attachments****

To Whom it may concern:

I would like to know how the City and developer plans to address the traffic going to the freeway on HWY 4. I live in San Marco and know first hand the traffic can get extremely backed up adding additional time to the morning commute.

Thank you,

Tina Sanchez

From: [Alice Evenson](#)
To: [Donna Mooney](#); [Shelby Rose](#)
Subject: FW: Agenda item 3 /Esperanza Complex
Date: Tuesday, May 26, 2020 3:58:30 PM

Alice E. Evenson, MMC
City Clerk/Director of Records and Council Services
City of Pittsburg | 65 Civic Avenue | Pittsburg, CA 94565
C (925) 252-4870 | (925) 252-4905 | aevenson@ci.pittsburg.ca.us
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-----Original Message-----

From: mark linde <mrkemlylinde@att.net>
Sent: Tuesday, May 26, 2020 3:58 PM
To: meetingcomments <meetingcomments@ci.pittsburg.ca.us>; Kristin Pollot <KPollot@ci.pittsburg.ca.us>; Hector Rojas <HRojas@ci.pittsburg.ca.us>; Amanda McVey <AMcVey@ci.pittsburg.ca.us>
Subject: Agenda item 3 /Esperanza Complex

****External Sender: Use caution before opening links or attachments****

Good evening planning commission

I wanted to express some concerns regarding another extension for the San Marcos area apartment complex.

318 apartments have the potential of putting at least 300 more cars on the road if not more, that means more traffic, more pollution, more infrastructure concerns to say the least.

You as the commission owe it to the residents of Pittsburg to put this on hold and request two specific items.

- 1) New Traffic Study
- 2) New EIR Report
- 3) Require recycled water for ALL non- potable uses.

We can't keep building and building without updating freeway entrances, studying emergency services and disaster preparedness. We already have people waiting more than 30 min on an average to enter either Bailey or willow pass freeway entrances in the morning. We already have concerns with aging sewer infrastructure downtown (S flows down hill).

Please do the research, the responsible thing and put this on hold. Economically we know this won't happen soon so let's take a breath and not Bow.

Mark Linde
Sent from my iPhone

From: [meetingcomments](#)
To: [Shelby Rose](#)
Subject: FW: Item 3 San Marco Apartments extension
Date: Thursday, May 28, 2020 9:18:15 AM

From: Bruce Ole Ohlson [bruceoleohlson@hotmail.com]
Sent: Tuesday, May 26, 2020 8:17 PM
To: meetingcomments
Subject: Item 3 San Marco Apartments extension

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To the Pittsburg Planning Commission

Regarding Item 3 on the May 26, 2020 agenda: The extension of design review of the construction of an additional 318 apartments at the San Marco Apartment complex.

Please read these comments aloud at the current Planning Commission meeting and also into the minutes of the Public Hearing.

Pittsburg's bicycle and pedestrian community has no problem with the extension of the design approval for 318 apartments. At the initial approval of the apartments at San Marco, a condition of approval was included that required the applicant to construct an eight-foot wide sidewalk along their frontage along the west side of San Marco Boulevard between West Leland Road and Highway 4. This "sidewalk" will be a continuation of the "path" that is currently constructed and currently in use along the west side of San Marco Boulevard between West Leland Road and Delta View Elementary School. The ultimate objective of this request is to connect the existing path along San Marco Boulevard with the Delta de Anza Regional Trail just to the north of Highway 4. This connection is called for in Pittsburg's Bicycle and Pedestrian Plan, which is called the "Active Transportation Plan." Currently MANY of the people who live in the existing San Marco Apartments walk to the Pittsburg-Bay Point BART station (COVID-19 corona virus notwithstanding). Pittsburg's bicycle and pedestrian community does not want to lose this opportunity to see this sidewalk constructed. Note: A sidewalk should have been constructed on BOTH sides of San Marco Boulevard when the street was originally

constructed back in the early 1990s. We have the opportunity to remedy that oversight at this time. Once this sidewalk is constructed, Pittsburg's bicycle and pedestrian community will pursue the construction of the continuation of the sidewalk under Highway 4 and connecting this sidewalk to the Delta de Anza Trail. The construction of this sidewalk is a reasonable request.

Thank you for including it as a condition of approval.

All best wishes,

~0le

Bruce "0le" Ohlson

Bike East Bay

Delta Pedalers Bicycle Club

Contra Costa Countywide Bicycle Advisory Committee

CCTA Bicycle & Pedestrian Advisory Committee

Caltrans District 4 Bicycle Advisory Committee

TRANSPLAN appointee to Highway 4 Integrated Corridor Management Study

Healthy and Livable Pittsburg Collaborative



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From: [meetingcomments](#)
To: [Shelby Rose](#)
Subject: FW: ESPERANZA PLAN
Date: Thursday, May 28, 2020 9:17:59 AM

From: Jesse Garcia [jesse619@gmail.com]
Sent: Tuesday, May 26, 2020 8:36 PM
To: meetingcomments
Subject: ESPERANZA PLAN

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I understand now, this project has already been approved, but if the extension is not granted, is it possible to re-evaluate what is really at stake here? Do not grant an extension just because "it has always been granted." Look at the big picture, the traffic, the lack of space at BART, the heavy traffic on W. Leland, the lack of a middle school in this area, the heavy traffic on Hwy 4. If not granting the extension brings these things back to the drawing board, I say no extension. Doing things because that's how it has always been done, is not a responsible decision.

Jesse Garcia
Toscana Resident

From: [meetingcomments](#)
To: [Shelby Rose](#)
Subject: FW: Esperanza
Date: Thursday, May 28, 2020 9:19:47 AM

From: Jesse Garcia [jesse619@gmail.com]
Sent: Tuesday, May 26, 2020 7:32 PM
To: meetingcomments
Subject: Esperanza

****External Sender: Use caution before opening links or attachments****

What is the city planning on doing about adding additional housing, knowing that the Pittsburg/Bay Point BART station is already at capacity by 9am, M-F during normal, non-pandemic days? Adding more housing will also create further gridlock on W. Leland and on Hwy 4. The infrastructure is not present for adding so many more housing units. The current project at the bottom of Alves Ranch is already going to present the same issues, adding even more (Esperanza) will be too much for this immediate area.

Jesse R. Garcia III
Toscana Resident

From: [Joanne Fanucchi](#)
To: [meetingcomments](#)
Subject: diablo energy storage
Date: Thursday, May 21, 2020 9:00:05 AM

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please hold off on making a decision about this change. I don't trust that cubes or cores, especially if buried in the ground are any safer than in buildings, in fact may be worse.

Give it a rest.

--

Joanne Fanucchi, MS.TCM, L.Ac.

From: [meetingcomments](#)
To: [Shelby Rose](#)
Subject: FW: Item 5: the battery installation
Date: Thursday, May 28, 2020 9:17:17 AM

From: Bruce Ole Ohlson [bruceoleohlson@hotmail.com]
Sent: Tuesday, May 26, 2020 10:16 PM
To: meetingcomments
Subject: Item 5: the battery installation

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Dear Planning Commissioners,

Although the new Pittsburg Bicycle and Pedestrian Plan has not been formally adopted by the City of Pittsburg, Willow Pass Road is slated to be listed as a bike facility. Please make sure that when the developer constructs his frontage improvements that space is left between the vehicle traffic lane and the curb to be able to fit in a bicycle lane. If we go ahead and allow this project to be built without the space for a bicycle lane, we will never get a bicycle lane and there will be forever a discontinuity in our bicycle network. I asked for this when the project first came before this body. I want just to be assured that my concerns have been addressed.

Thank you for your concern for augmenting the transportation system in the City and helping to reduce our dependence on the single occupant automobile. We want to reduce our dependence on fossil fueled electric generation, which is increasing our climate change by building a battery storage system that can save our photoelectrically generated power.

Thank you

~Ole

Bruce "Ole" Ohlson
Bike East Bay
Delta Pedalers Bicycle Club
Contra Costa Countywide Bicycle Advisory Committee

CCTA Bicycle & Pedestrian Advisory Committee
Caltrans District 4 Bicycle Advisory Committee
TRANSPLAN appointee to Highway 4 Integrated Corridor Management
Study
Healthy and Livable Pittsburgh Collaborative



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From: [meetingcomments](#)
To: [Shelby Rose](#)
Subject: FW: For public agenda
Date: Thursday, May 28, 2020 9:17:25 AM

From: Rachel Fernandes [irocfernandes@gmail.com]
Sent: Tuesday, May 26, 2020 10:07 PM
To: meetingcomments
Subject: For public agenda

****External Sender: Use caution before opening links or attachments****

Hello my name is Rachel Fernandes.
I am a resident of Pittsburg and I work in Pittsburg. my question is what plans are in place for runoff from the facility

Rachel Fernandes
Project Manager
Fernandes Auto Wrecking & Towing Inc
650 W. 10th St.
Pittsburg, CA 94565
P: 925-458-4400 F: 925-439-1373

From: [meetingcomments](#)
To: [Shelby Rose](#)
Subject: FW: Item 3, Apartment parking problems
Date: Thursday, May 28, 2020 9:17:51 AM

From: Bruce Ole Ohlson [bruceoleohlson@hotmail.com]
Sent: Tuesday, May 26, 2020 8:55 PM
To: meetingcomments
Subject: Item 3, Apartment parking problems

****External Sender: Use caution before opening links or attachments****

Planning Commissioners,

Providing a more connected bicycle and pedestrian network will reduce the number of parking places required by any multi-housing development.

Thank you for your consideration.

~Ole

Bruce "Ole" Ohlson
Bike East Bay
Delta Pedalers Bicycle Club
Contra Costa Countywide Bicycle Advisory Committee
CCTA Bicycle & Pedestrian Advisory Committee
Caltrans District 4 Bicycle Advisory Committee
TRANSPLAN appointee
to Highway 4 Integrated Corridor Management Study
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From: [meetingcomments](#)
To: [Shelby Rose](#)
Subject: FW: Item 4 Monopole
Date: Thursday, May 28, 2020 9:17:41 AM

From: Bruce Ole Ohlson [bruceoleohlson@hotmail.com]
Sent: Tuesday, May 26, 2020 9:40 PM
To: meetingcomments
Subject: Item 4 Monopole

****External Sender: Use caution before opening links or attachments****

Dear Planning Commissioners,

I am speaking only for myself as a resident of the City of Pittsburg. I have no problem with the construction of this monopole. I don't care about camouflaging this pole. Telephone service is a utility and needs to be provided.

Given that the potential for an earthquake of Magnitude 7 to occur on the Hayward Fault at sometime during the next 43 years, what precautions has the developer taken to assure that this monopole will be able to survive such an earthquake and remain in service during that problem?

It would be reasonable to condition this developer to take specific precautions to keep this monopole in service during any potential earthquake that this site would be capable of undergoing. This requirement would include but not be limited to including stand-by power sufficient to keep this communications facility in service for AT LEAST a week after any significant cataclysm, not just an earthquake.

Given that this project is located close to the intersection---interchange of North Parkside Drive, Range Road, and Willow Pass Road and the railroads, and given that this interchange will need to be rebuilt at some time in the future, it would be a good idea to request that this developer contribute a reasonable amount of money toward upgrading this interchange.

Thank you for your concern.

~0le

Bruce "0le" Ohlson

Bike East Bay

Delta Pedalers Bicycle Club

Contra Costa Countywide Bicycle Advisory Committee

CCTA Bicycle & Pedestrian Advisory Committee

Caltrans District 4 Bicycle Advisory Committee

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From: [Carol Del monte](#)
To: [meetingcomments](#)
Subject: Dos Cunados Market "FOR PUBLIC COMMENT"
Date: Thursday, May 21, 2020 4:34:14 PM

****External Sender: Use caution before opening links or attachments****

Dear City of Pittsburg and City Planning Commissioners,

I am writing this letter in support of Dos Cunados Market at 3105 Railroad Ave. Ste 1, here in Pittsburg. I have personally known Amen Saleh for over 20 years. I am now retired from Banking in which my whole career was here in Pittsburg for 47 years. Over the years, Amen was a well respected customer at the Bank. He is extremely dependable, honest and trust worthy. I have also shopped in his store over the years. He runs his store like he does his banking. He follows the rules of the City of Pittsburg can be trusted to handle what he is requesting.

Thank you for your consideration. If needed you can reach me at (925) 381-2726.

Sincerely,

Carol Del Monte

From: [meetingcomments](#)
To: [Shelby Rose](#)
Subject: FW: Item 2
Date: Thursday, May 28, 2020 9:18:25 AM

From: Bruce Ole Ohlson [bruceoleohlson@hotmail.com]
Sent: Tuesday, May 26, 2020 7:37 PM
To: meetingcomments
Subject: Item 2

****External Sender: Use caution before opening links or attachments****

Dear Planning Commission.

Please deny the application for decreasing the size of the bottle for hard liquor on the basis that the availability of such sizes is detrimental to the health, safety, and general welfare of the City. Having 83 stores that sell liquor in Pittsburg is sufficient.

Thank you.

~Ole

Bruce "Ole" Ohlson
Bike East Bay
Delta Pedalers Bicycle Club
Contra Costa Countywide Bicycle Advisory Committee
CCTA Bicycle & Pedestrian Advisory Committee
Caltrans District 4 Bicycle Advisory Committee
TRANSPLAN appointee
to Highway 4 Integrated Corridor Management Study
Healthy and Livable Pittsburg Collaborative



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From: [william goodwin](#)
To: [meetingcomments](#)
Subject: Re: Agenda Item # 6- Dos Cunados Market Permit Use Modification
Date: Tuesday, May 26, 2020 7:33:53 PM

****External Sender: Use caution before opening links or attachments****

Agenda [AP-20-1500 \(UP\)](#)
Item 2.

I am concerned whether there are any restrictions of how many liquor selling stores can be in the approximate location of nearby schools in any direction? We have one High School, and two Middle Schools.

From: william goodwin
Sent: Tuesday, April 28, 2020 6:16 PM
To: meetingcomments@ci.pittsburg.ca.us <meetingcomments@ci.pittsburg.ca.us>
Subject: Agenda Item # 6- Dos Cunados Market Permit Use Modification

I have 1 Question.

Am I correct in noting that this permit modification would place a forth market in a four block radius selling alcohol? This one next to a vape shop, which is bound to attract young adults?

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
June 9, 2020**

ITEM: Rege Ministorage and Trucking Yard, AP-18-1319 (UP, DR).

ORIGINATED BY: Dave Rege, PO Box 507, Clayton, CA. 94517

SUBJECT: This is a public hearing on a request for a use permit amendment and design review approval of plans to allow a ministorage and trucking yard on a five-acre site located at 103, 105, 107, 109, and 111 Avila Road in the OS-O (Open Space with Limited Overlay, City Council Ordinance No. 18-1440) District. Assessor's Parcel No. 091-020-019.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 10139, approving Use Permit and Design Review Application No. 18-1319, subject to conditions.

BACKGROUND:

The project site is a five-acre parcel located on the northside of Avila Road, approximately 4,000 feet east of Willow Pass Road (see Attachment 2, Location Map). It was annexed into the City in 1992. Prior to its annexation, the site had been used for a variety of unpermitted service commercial and light industrial uses including vehicle storage, asphalt manufacturing, and outdoor storage of materials.

In 2002, the site was purchased by the applicant, Mr. Dave Rege. Over the next few years, Mr. Rege cleaned up the property and established two companies on the site – Rege Trucking (a construction material hauling service utilizing several 18-wheel tractor trailers) and Downrite Demolition (a demolition service utilizing excavators, bobcats, dump trucks, and other similar equipment). Mr. Rege also began leasing his outdoor space to other contractors for storage of their vehicles, equipment, and construction materials.

In 2005, the Planning Commission approved Use Permit Application No. 03-27 legalizing Mr. Rege's trucking yard. As part of the use permit, Mr. Rege was required to do the following: 1) dedicate a 20-foot-wide strip of land along the site frontage to facilitate the future widening of Avila Road; 2) obtain a revocable encroachment permit to allow continued use of the dedicated frontage until it is needed for the widening; and 3) install a 15-foot-wide landscape strip and an eight-foot-tall masonry wall along the new southern property line at the time Avila Road is widened. The required dedication was recently completed, but Mr. Rege has not yet obtained a revocable encroachment permit for use of the dedicated frontage. Since the widening will not occur anytime soon, Mr. Rege has installed landscaping and an eight-foot-tall, slatted, chain-link fence along the former southern property line to provide temporary screening in accordance with the provisions of the use permit.

PROJECT DESCRIPTION:

Existing Conditions: The project site is irregularly shaped, and it slopes down from an elevation of 520 feet at the southwestern boundary near Avila Road to an elevation of 440 feet at the northeastern boundary near State Route 4 (see Attachment 3, Site Photos). Access to the property is from Avila Road through five gated driveways. There is landscaping and an eight-foot-tall, slatted, chain-line fence located along the former southern property line. Six-foot-tall chain-link fences divide the site into roughly six areas. A total of 76 cars and 56 contractor vehicles including 18-wheel tractor-trailers can be parked throughout those areas. Roughly 70-percent of the site is covered with compacted gravel. The remaining portion, located toward the northeast side of the property, is unimproved.

The site has limited access to utilities. Although there is electrical service present, there is no sewer or water service. Water is imported and stored in two above-ground tanks (8,500-gallon total capacity) located along the rear property line. There are three portable restrooms throughout the site which are serviced weekly by Honey Bucket. There are also three light and security camera poles located in the western half of the property. Trash is collected in 40-gallon containers and picked up by Mt. Diablo Resource Recovery on a regular basis.

The existing trucking yard operates 24 hours a day, seven days a week, but most contractor vehicles leave the site between 5:30 a.m. and 6:30 a.m. and return between 3:30 p.m. and 5:30 p.m. on weekdays. As part of Mr. Rege's existing use permit, the site must be kept clean and free of litter, debris, and refuse. However, the use permit does allow outdoor storage of construction material piles with a maximum height of eight feet. No flammable or combustible liquid storage tanks can be kept on site.

Surrounding Land Uses:

North:	Caltrans right-of-way (SR-4)
West:	Caltrans right-of-way (SR-4)
South:	Concord Police Association, contractor yards, vacant grazing land
East:	Avila Road RV & Boat Storage

See Attachment 4, Map of Surrounding Uses.

Proposed Project: Mr. Rege requests a use permit amendment and design review approval to develop a ministorage facility on his property. The facility would include up to 273 shipping containers which would be organized into rows and placed on top of the existing compacted gravel surfaces (see Attachment 5, Project Plans). The containers would have a maximum dimension of 8' by 20' by 9' (LWH) and would be leased or rented to the public for storage of personal property. The proposed hours of operation are 6:00 a.m. to 6:00 p.m., daily. Mr. Rege does not propose construction of any

buildings as part of the ministorage facility. Improvements would be limited to the following:

- New asphalt driveways to provide vehicle and fire access between shipping container pods;
- New landscaped, bio-retention areas to remove contaminants and sedimentation from on-site stormwater runoff;
- Two additional light and security camera poles throughout the site; and
- An additional 1,000 to 5,000-gallon water tank for the county fire protection district's use.

It has not yet been determined whether the ministorage facility would be developed by Mr. Rege or a third-party developer. If an interested third party is identified, Mr. Rege would terminate the existing trucking yard so that the ministorage facility can be developed in one phase. If an interested third party cannot be found, Mr. Rege might phase out the trucking yard over an extended period and develop the ministorage facility in three separate stages as shown on the project plans.

GENERAL PLAN/CODE COMPLIANCE:

General Plan and Zoning: The project site has a General Plan land use designation of 'Open Space' and is zoned 'OS-O (Open Space with Limited Overlay) District' (Ordinance No. 91-1016, as amended by Ordinance Nos. 07-1284 and 18-1440). The land use designation and zoning district are intended to promote open space at Pittsburg's western city boundary, but the district allows a limited range of other uses, including single-family residential (at a density of 0.05 dwelling units per acre); cemeteries; animal services (including boarding, grooming, and hospitals); commercial recreation and entertainment; full-service restaurants; commercial schools; vehicle storage; RV parks; warehousing and storage, limited (including ministorage facilities); and contractor yards (including trucking yards).

Some of the uses listed above are permitted in the OS-O District by right, others including ministorage facilities and trucking yards, require a use permit with design review approval for any new structures. The development regulations for projects in the OS-O District are to be specified as part of the approval process. However, the OS-O District sets forth the following limitations for ministorage uses: 1) that they be of a temporary nature; 2) that they be screened from Avila Road and not visible from State Route 4; and 3) that any temporary or portable structures have a maximum height of 12 feet. As proposed, the ministorage facility would comply with these limitations.

Development Review Design Guidelines (DRDGs): The City's DRDGs provide a framework for the design review of residential, commercial, and industrial projects. Because no buildings are proposed as part of Mr. Rege's application, only two DRDGs

would apply – DRDG IV.a and DRDG IV.r. These DRDGs require a trash enclosure to be provided on site and parking areas to be screened from the street.

Required Use Permit Findings: In accordance with PMC section 18.16.040, a use permit may be granted only if the Planning Commission can make findings that the proposed uses:

1. are in accord with the objectives of the Zoning Ordinance, the purposes of the land use district in which they are located and are appropriate to the specific location;
2. are not detrimental to the health, safety, and general welfare of the City;
3. will not adversely affect the orderly development of property within the City;
4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
5. are consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
6. will not create a nuisance or enforcement problem within the neighborhood;
7. will not encourage marginal development within the neighborhood;
8. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law; and
9. are consistent with the City's approved funding priorities.

Required Design Review Findings: Design review approval for the project can be granted by the Planning Commission only after the Commission makes a determination that the proposed project is consistent with PMC section 18.36.220 (B), which is summarized below:

- A. the proposed ministorage facility conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
- B. the proposed ministorage facility will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;

- C. the exterior design and appearance of the proposed ministorage facility is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
- D. the proposed ministorage facility is in harmony with proposed developments on land in the general area; and
- E. the proposed ministorage facility conforms with the criteria set forth in any applicable City adopted Design Guidelines.

Environmental: This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 4, 'Minor Alterations to Land' of the state CEQA Guidelines, section 15304. Class 4 exempts minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees. There are currently no trees on the project site and Mr. Rege does not intend to grade the site as part of the ministorage facility. No building structures are proposed with the application.

Public Notice: On or prior to May 29, 2020, notice of the June 9, 2020, public hearing was posted at City Hall, near the project site, and on the 'Public Notices' section of the city's website 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 project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (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 "Avila", "San Marco", and "San Marco Villas" Nextdoor neighborhoods.

ANALYSIS:

Staff believes that the Commission can make the required findings to grant use permit and design review approval for the proposed project. The proposed uses would be in accordance with the objectives of the OS-O District, if conditions of approval are adopted requiring that the applicant: 1) maintain the existing slatted chain-link fence along the southern property line to screen the site from the street; and 2) replace the fence with a new masonry wall within a year of widening Avila Road.

The proposed uses would not be detrimental to the health, safety, and general welfare of the City, if conditions of approval are adopted to prohibit: 1) mechanical, plumbing or electrical installations or connections to any shipping container; 2) on-site repair or maintenance of contractor vehicles and equipment; 3) storage of contractor vehicles and equipment leaking oil and other potentially hazardous fluids; and 4) discharges of liquids into a public or private sewage system, watercourse, body of water, or the ground, except in compliance with the California Water Code.

The proposed uses would not adversely affect the orderly development of property within the City, in that they would be located near other similar uses along Avila Road including a recreational vehicle and boat storage facility located at 101 Avila Road. They would also not adversely affect the preservation of property values, since they would be in an isolated area away from residential neighborhoods which could be negatively affected by their industrial character.

The proposed ministorage facility would conform with good taste, good design and in general would contribute to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality if conditions of approval are adopted to: 1) require that shipping containers be arranged in an orderly fashion, consistent with the project plans; 2) prohibit the stacking of shipping containers; and 3) require that shipping containers be kept clean and in good condition.

The ministorage facility would be in harmony with proposed developments on land in the general area. The nearest proposed developments include the Faria/Southwest Hills Residential Subdivision and a 13,000-housing-unit redevelopment project at the former Concord Naval Weapons Station. The ministorage facility would not be visible from those project sites due to the area's topography.

Lastly, the ministorage would conform to the criteria set forth in the City's Development Review Design Guidelines if conditions of approval are adopted requiring that the applicant provide a trash enclosure and maintain the existing slatted chain-link fence along the southern property line to screen the site's parking areas from the street.

ACTION REQUIRED:

Move to adopt Resolution No. 10139 approving Use Permit and Design Review Application No. 18-1319, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10139
2. Location Map
3. Site Photos
4. Map of Surrounding Uses
5. Project Plans
6. Public Hearing Notice

Prepared by: Hector J. Rojas, AICP, Senior Planner

Attachment 1

PROPOSED BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Granting a Use Permit Amendment and	)	
Design Review Approval for Ministorage	)	Resolution No. 10139
and Trucking Yard Facilities at 103, 105,	)	
107, 109, and 111 Avila Road, for "Rege	)	
Ministorage and Trucking Yard, AP-18-	)	
1319 (UP, DR)."		

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On February 23, 2018, Dave Rege filed Use Permit and Design Review Application No. 18-1319, requesting a use permit amendment and design review approval of plans to allow a ministorage and trucking yard on a five-acre site located at 103, 105, 107, 109, and 111 Avila Road in the OS-O (Open Space with Limited Overlay, City Council Ordinance No. 18-1440) District. Assessor's Parcel No. 091-020-019.
- B. In 1992, the project site was annexed into the City of Pittsburg. At the time, the site was being used for a variety of unpermitted service commercial and light industrial uses including vehicle storage, asphalt manufacturing, and outdoor storage of materials.
- C. On August 23, 2005, after significant site cleanup by the new property owner, the Planning Commission adopted Resolution No. 9577 legalizing a pre-existing trucking yard on the five-acre site referenced above.
- D. On February 5, 2018, upon application by the property owner, the City Council adopted Ordinance No. 18-1440 allowing "Warehousing and Storage, Limited" uses in the OS-O District, subject to use permit approval and provided that: 1) such uses be of a temporary nature and screened from Avila Road and State Route 4; and 2) any temporary and/or portable structures have a maximum of height of 12 feet.
- E. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 4, 'Minor Alterations to Land' of the state CEQA Guidelines, section 15304. Class 4 exempts minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees. There are currently no trees on the project site and the applicant does not intend to grade the site as part of the ministorage facility. No permanent building structures are proposed with the application.
- F. On or prior to May 29, 2020, notice of the June 9, 2020, public hearing was posted at City Hall, near the project site, and on the 'Public Notices' section of the city's website

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 project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (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 "Avila", "San Marco", and "San Marco Villas" Nextdoor neighborhoods.

- G. On June 9, 2020, the Planning Commission held a public hearing on Use Permit and Design Review Application No. 18-1319, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report entitled, "Rege Ministorage and Trucking Yard, AP-18-1319 (UP, DR)," 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

Conditional Use Permit

2. The proposed uses will:

- a) Be in accordance with the objectives of the Zoning Ordinance if conditions of approval are adopted requiring the applicant: 1) maintain the existing slatted chain-link fence along the southern property line to screen the site from the street; and 2) replace the fence with a new masonry wall within a year of widening Avila Road.
- b) Be in accordance with the purpose of the land use district in which they are located, in that they are conditionally permitted uses in the OS-O District.
- c) Not be detrimental to the health, safety, and general welfare of the City, if conditions of approval are adopted to prohibit: 1) mechanical, plumbing or electrical installations or connections to any shipping container; 2) on-site repair or maintenance of contractor vehicles and equipment; 3) storage of contractor vehicles and equipment leaking oil and other potentially hazardous fluids; and 4) discharges of liquids into a public or private sewage system, watercourse, body of water, or the ground, except in compliance with California Water Code, Division 7, Article 4.
- d) Not adversely affect the orderly development of property within the City, in that they will be located near other similar uses along Avila Road including a recreational vehicle and boat storage facility at 101 Avila Road.

- e) Not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, in that they will be located in an isolated area away from residential neighborhoods that could be negatively affected by their industrial character.
- f) Be consistent with site's 'Open Space' General Plan land use designation, in that the structures will be portable and their placement on the site will not diminish the open nature of the southwest hills due to the site's limited visibility from State Route 4 and other major vantage points.
- g) Not create a nuisance or enforcement problem within the neighborhood, in that they will be required to meet performance standards, as set forth by PMC chapter 18.82, which are intended to address ongoing safety, noise, odor, and maintenance concerns.
- h) Not encourage marginal development within the neighborhood if the applicant complies with all the adopted conditions of approval.
- i) Not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law, if conditions of approval are adopted requiring the applicant annex into Community Facilities District (CFD) 2005-1 for public safety services and CFD 2017-1 for fire facilities and fire safety and emergency services prior to operation of the ministorage facility.
- j) Not be inconsistent with the City's approved funding priorities, in that they will not require City funding in order to operate.

Design Review

3. The design of the mini-storage facility will:

- a) Conform with good taste, good design and in general will contribute to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, if conditions of approval are adopted to: 1) require that shipping containers be arranged in an orderly fashion, consistent with the project plans; 2) prohibit the stacking of shipping containers; and 3) require that shipping containers be kept clean and in good condition.
- b) Be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable, in that the facility will not be inhabited by people and other uses operating in the area are required to comply with PMC chapter 9.44 (Noise).
- c) Not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value, if a condition of approval is adopted

requiring the applicant to install a masonry wall and landscape buffer along the southern property line upon widening of Avila Road.

- d) Be in harmony with proposed developments on land in the general area. The nearest proposed developments include the Faria/Southwest Hills Residential Subdivision and a 13,000-housing-unit redevelopment project at the former Concord Naval Weapons Station. The ministorage facility will not be visible from either of those project sites due to the area's topography.
- e) Conform to the criteria set forth in the City's Development Review Design Guidelines (DRDGs), if conditions of approval are adopted requiring the applicant to provide a trash enclosure and maintain the existing slatted chain-link fence along the southern property line to screen the site's parking areas from the street.

B. The staff report entitled, "Rege Ministorage and Trucking Yard, AP-18-1319 (UP, DR)," dated June 9, 2020, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby approves Use Permit and Design Review Application No. 18-1319, subject to the conditions listed below. The conditions listed shall take the place of all prior conditions adopted through Planning Commission Resolution No. 9577.

The following conditions shall apply to the ministorage use:

1. Hours of Operation: The ministorage facility shall be operated between the hours of 6:00 AM to 6:00 PM, daily.
2. Shipping Container Arrangement: Shipping containers shall be arranged in substantial conformity with the project plans date-stamped June 20, 2020. Any major changes to the project plans shall be subject to review and approval by the Planning Commission at the City Planner's discretion.
3. Shipping Container Installation: Shipping containers shall not be set on any type of foundation. They shall be kept in a temporary state so that they can be removed easily.
4. Shipping Container Dimensions: Shipping containers shall have a maximum dimension of 8 feet (width) by 20 feet (length) by 9 feet (height).
5. Shipping Container Stacking: Shipping containers shall not be stacked on top of each other.
6. Condition of Shipping Containers: Shipping containers shall be kept clean and in good condition with no visible signs of deterioration, weathering, discoloration, rust holes or breaks.

7. Connections to Shipping Containers: No mechanical, plumbing or electrical installations or connections shall be made to any shipping container.
8. Trash Enclosure: A roofed trash enclosure shall be provided on site. The enclosure shall be designed in accordance with the City's standard specifications and shall be subject to review and approval by the Planning Division prior to the issuance of a building permit.
9. Improvement Plans: The applicant shall submit five (5) copies of improvement plans to the Engineering Division for review and approval prior to operation of the ministorage use. The improvement plans shall be prepared by a registered civil engineer. They shall include, but not be limited to the following:
 - Final Site Plan
 - Grading and Drainage Plan
 - Utilities Plan
 - Lighting and Photometric Plan
 - Landscaping and Irrigation Plan
 - Stormwater Control Plan
 - Stormwater Pollution Prevention Plan
10. GIS Fee: The applicant shall pay the non-residential Geographic Information System fee as set forth in the City's Master Fee Schedule. The current fee is \$0.05 per square foot of parcel for non-residential uses. This fee shall be due payable prior to issuance of an engineering permit for the ministorage.
11. NPDES Plan Review Fee: The applicant shall pay a National Pollutant Discharge Elimination System (NPDES) plan review fee for review of stormwater control plans and processing of closeout agreements and/or review of stormwater pollution prevention plans (SWPPP). The current fee is:
 - \$3,000 for the first 10,000 sf up to 1st acre
 - Add additional \$136/acre for projects greater than 1 acre, up to the first 5 acres
 - Add additional \$31/acre for projects greater than 5 acres

This fee shall be due payable prior to issuance of engineering permits for the ministorage facility.
12. NPDES Inspection Deposit: The applicant shall pay an NPDES inspection deposit for city staff's inspection of any C.3 compliant facilities constructed, and/or inspection of construction site for compliance with Best Management Practices in accordance with the City's Municipal Regional Stormwater NPDES Permit. The current rate is:
 - \$12,000 for the first 10,000 sf up to 1st acre
 - \$24,000 for projects greater than 1 acre

This deposit shall remain in place for the duration of the first year of the project. If the project is completed prior to the project's one-year anniversary, the remaining balance

of the deposit will be returned to the applicant. This deposit is due payable prior to issuance of engineering permits for the ministorage facility.

13. Public Safety Services CFD: Prior to issuance of any building or engineering permits for the ministorage facility, the applicant shall deliver written confirmation in a manner acceptable to the Community Development Director, that the owner of the parcel is electing to annex the subject property into the 2005-1 Public Safety Services Community Facilities District (CFD 2005-1). CFD 2005-1 provides funding for an increase of police coverage in the area. The rate of the CFD 2005-1 fee is subject to City Council Resolution No. 05-10342.
14. Fire Facilities and Fire Safety and Emergencies CFD: Prior to issuance of any building or engineering permits for the ministorage facility, the applicant shall deliver written confirmation in a manner acceptable to the Community Development Director, that the owner of the parcel is electing to annex the subject property into the 2017-1 Fire Facilities and Fire Safety and Emergency Services Community Facilities District (CFD 2017-1). CFD 2017-1 provides funding for an increase in fire facilities and fire safety and emergency services in the area. The rate of the CFD 2017-1 fee is subject to City Council Resolution No. 17-13311.

The following conditions shall apply to the trucking yard use:

15. Hours of Operation: The trucking yard may be operated 24-hours a day, seven days a week.
16. Contractor Vehicle and Equipment Parking: Contractor vehicles and equipment shall be parked in substantial conformity with the project plans date-stamped June 20, 2020. Any major changes to the project plans shall be subject to review and approval by the Planning Commission at the City Planner's discretion. There shall be no parking of contractor vehicles or equipment on any unpaved portions of the site.
17. Vehicle and Equipment Repair: On-site repair or maintenance of vehicles and equipment shall be prohibited.
18. Surface Maintenance: Vehicles shall be maintained so as not to leak oil or other potentially hazardous fluids onto the ground. The site shall be inspected regularly for spills or leaks from stored vehicles, and any spills or leaks shall be immediately cleaned using dry clean-up methods such as rags or other absorbent material for cleanup of leaks and spills. No part of the site shall be cleaned by hosing the area down with water, unless the wastewater is collected and properly discarded into a sanitary sewer.
19. Vehicle and Equipment Washing: Vehicle and equipment washing shall not occur on site, unless the methods used comply with the National Pollutant Discharge Elimination System permit, and no rinse water or soap shall be allowed to enter the City's storm drain system pursuant to PMC section 13.28.
20. Construction Material Storage: Any construction materials kept on site shall be

organized in piles with a height no greater than eight feet.

The following conditions shall apply to both uses:

21. Existing Site Screening: The applicant shall maintain the existing eight-foot-tall, slatted chain-link fence along the southern property line to screen the site from Avila Road. The other fences securing the site perimeter shall also be maintained and repaired as deemed necessary by the City Planner.
22. Revocable Encroachment Permit: The applicant shall obtain a revocable encroachment permit from the City's Engineering Division to continue utilizing portions of the public right-of-way that have been previously dedicated by the applicant along Avila Road. The permit shall be obtained within 30 days of the date of adoption of this resolution.
23. Deferred Improvements: After Avila Road is widened, the applicant shall have one year to install an eight-foot-tall masonry wall along the Avila Road site frontage. The wall shall be set back at least 15 feet from the back of sidewalk. Within that setback, the applicant shall install permanent landscaping and irrigation subject to review and approval by the City's Planning and Engineering divisions.
24. Noise: Each use shall comply with PMC chapter 9.44 (Noise).
25. Discharges: Neither use shall discharge liquids of any kind into a public or private sewage system, watercourse, body of water, or the ground, except in compliance with California Water Code, Division 7, Article 4.
26. Property Maintenance: The entire site shall be kept in a neat and orderly manner, free of weeds, loose trash, and litter (PMC section 18.82.050).
27. Graffiti Removal: Graffiti shall be removed on any part of the property within 48 hours of its appearance.
28. Grounds for Revocation: Operation in a manner inconsistent with that described in the staff report, violation of a zoning regulation or condition of this resolution, existence of a public nuisance, or conviction of a federal or state law or city ordinance in connection with the operation of the use shall be grounds for revocation of this use permit (PMC section 18.28.100).
29. Standard Conditions of Development: 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 the project-specific conditions identified in this resolution, the specific conditions of this resolution shall govern.
30. Other Agency Requirements: The applicant shall comply with all the requirements of the City of Pittsburg Community Development Department, Contra Costa County Fire Protection District, and all other applicable local, state and federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for

requirements that may pertain to this project.

31. 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, the City may select its own legal counsel at applicant's sole cost and expense. The applicant may select its own legal counsel to represent the applicant's interests at the applicant's sole cost and expense. The applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to the City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by the 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.
32. Expiration of Approval: Use permit and design review approval shall expire on June 9, 2022, unless the use has been legally established prior to the expiration date, or a written request for an 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 9th day of June, 2020, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES:

NAYES:

ABSTAIN:

ABSENT:

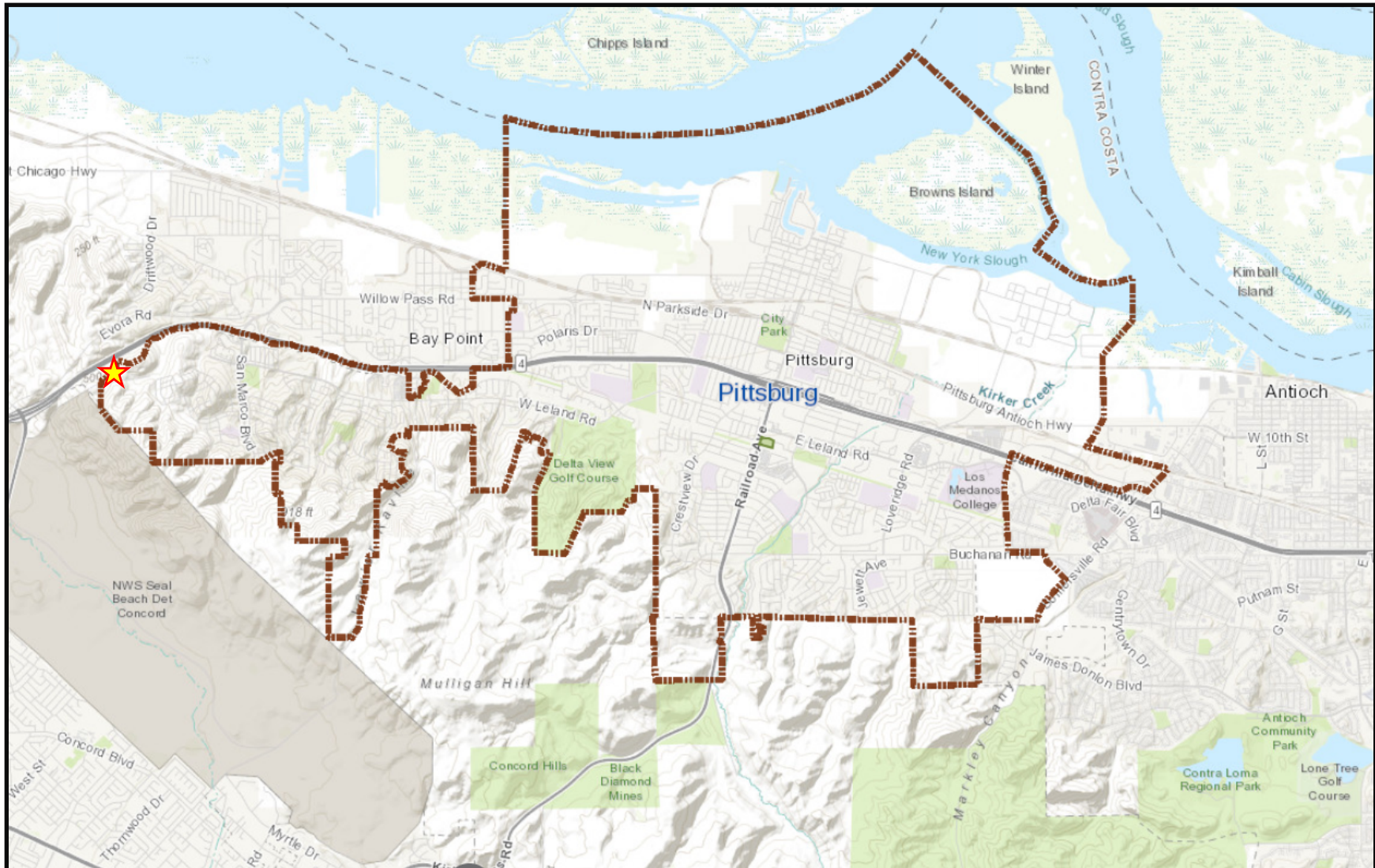
I hereby certify that the above Resolution No. 10139 was adopted by the Planning Commission of the city of Pittsburg on June 9, 2020.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Attachment 2 Location Map

Rege Ministorage and Contractor Yard, AP-18-1319 (UP, DR)

★ **Project Site:** 103, 105, 107, 109, and 111 Avila Road



Attachment 3
Site Photos

Rege Ministorage and Contractor Yard, AP-18-1319 (UP, DR)



Above: View of project site from Avila Road looking east
Below: View of project site from Avila Road looking west





Above: View from project site looking east toward Positano at San Marco Subdivision
Below: View from project site looking north toward State Route 4





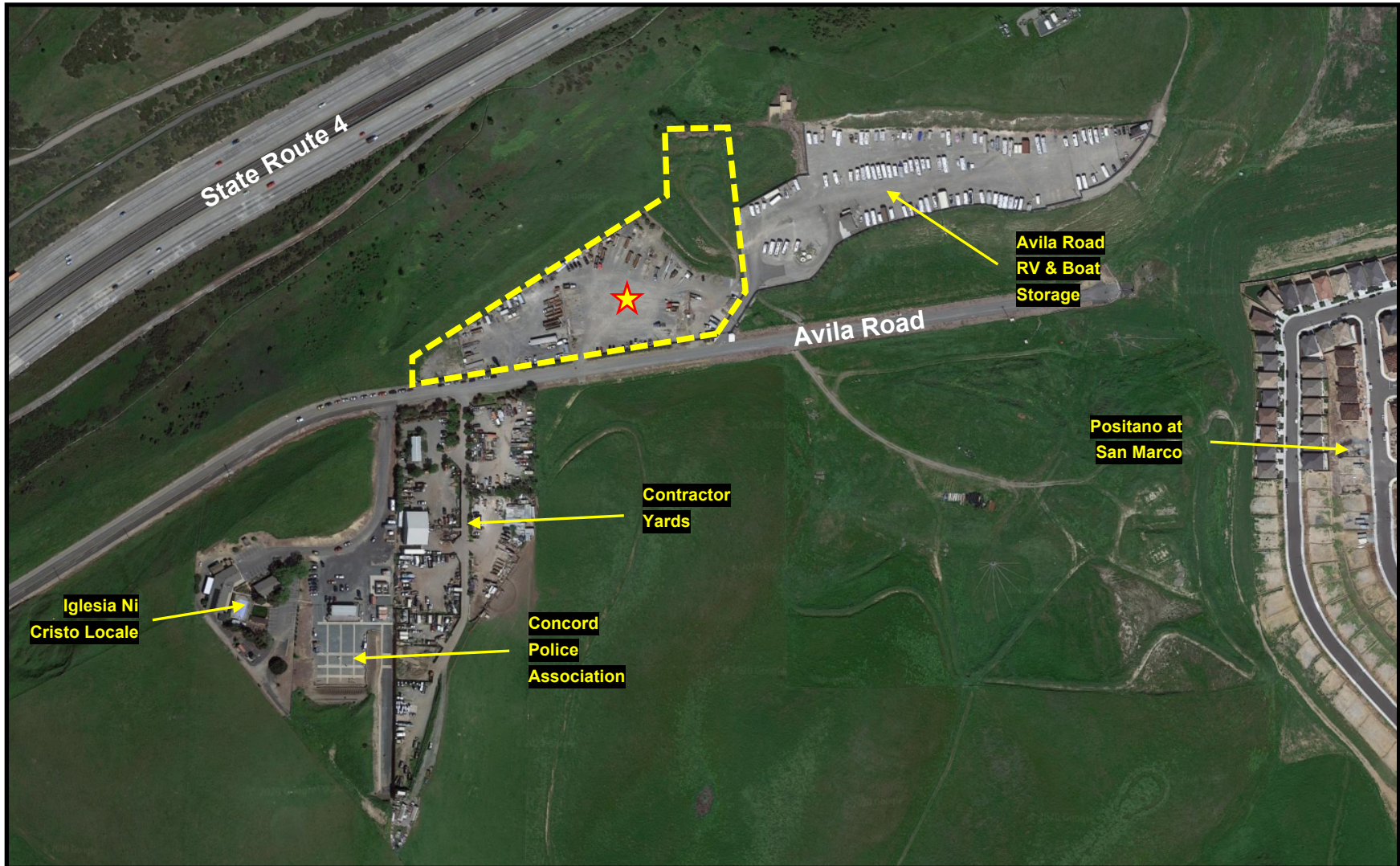
Above: View from project site looking south toward Avila Road
Below: View from northern property line looking north toward State Route 4



Attachment 4
Map of Surrounding Uses

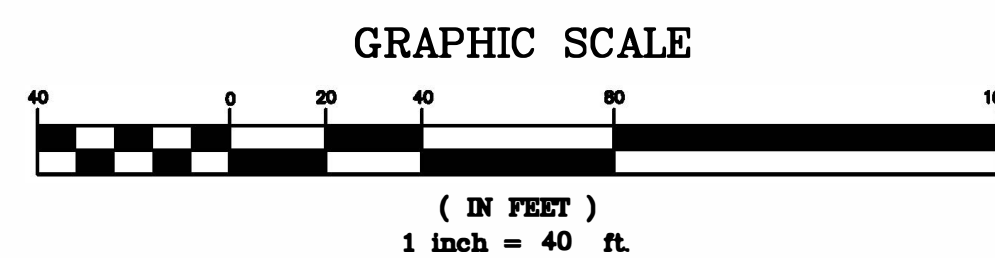
Rege Ministorage and Contractor Yard, AP-18-1319 (UP, DR)

★ **Project Site:** 103, 105, 107, 109, and 111 Avila Road



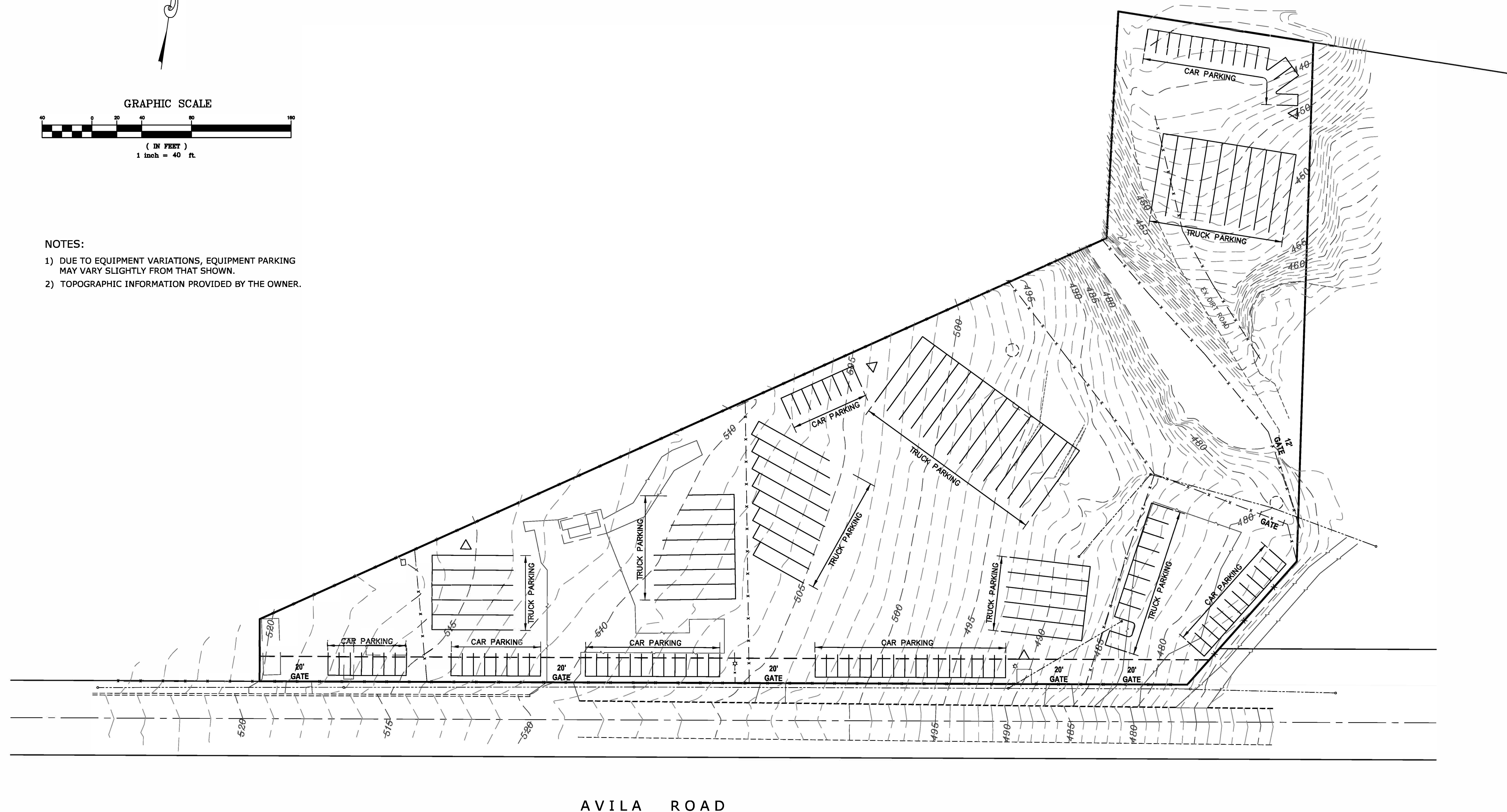


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By: [Signature]
ED / kl
Job No.: 269



NOTES:

- 1) DUE TO EQUIPMENT VARIATIONS, EQUIPMENT PARKING MAY VARY SLIGHTLY FROM THAT SHOWN.
- 2) TOPOGRAPHIC INFORMATION PROVIDED BY THE OWNER.



Existing Site Plan - Contractor Yard

REGE TRUCKING YARD
PERMIT AP-16-1180

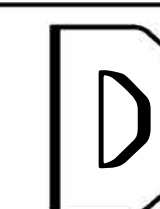
PITTSBURG

CONTRA COSTA COUNTY

CALIFORNIA

JAMES E. DIGGINS R.C.E. 27818
RENEWAL DATE: 03/31/18

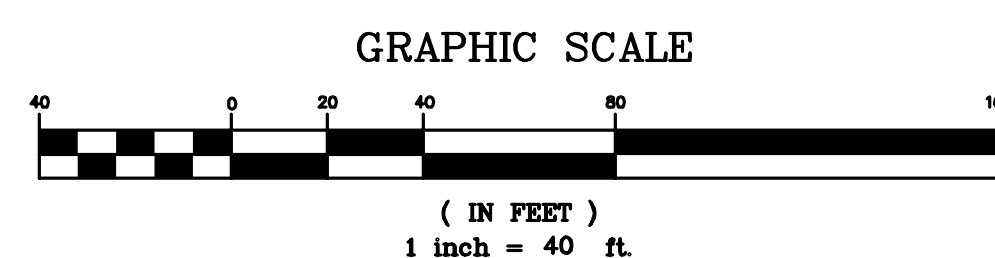
#	REVISIONS	DATE



DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378
deboltcivil@earthlink.net

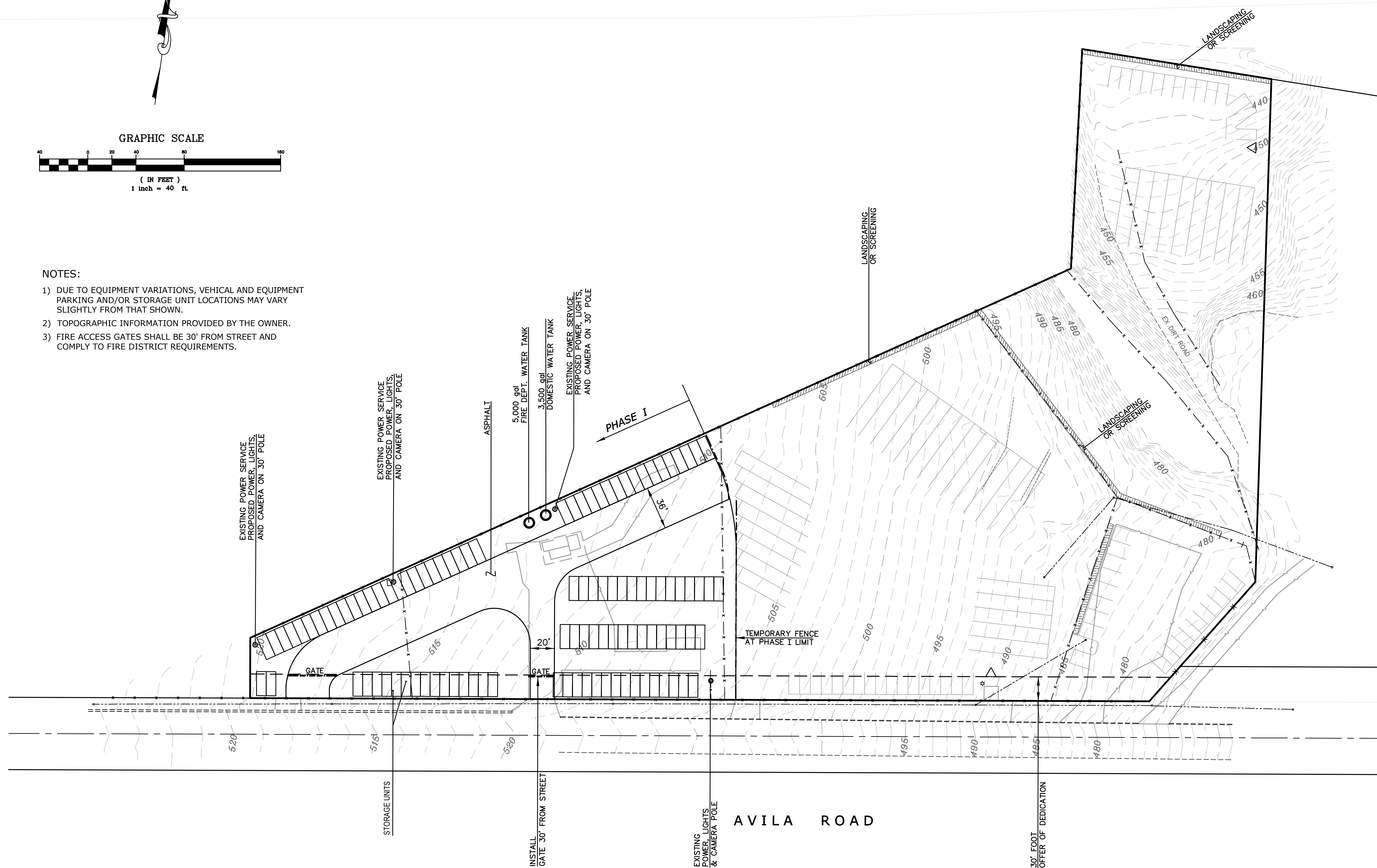
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JED / kd
Job No.:
05269

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NOTES:

- 1) DUE TO EQUIPMENT VARIATIONS, VEHICLE AND EQUIPMENT PARKING AND/OR STORAGE UNIT LOCATIONS MAY VARY SLIGHTLY FROM THAT SHOWN.
- 2) TOPOGRAPHIC INFORMATION PROVIDED BY THE OWNER.
- 3) FIRE ACCESS GATES SHALL BE 30' FROM STREET AND COMPLY TO FIRE DISTRICT REQUIREMENTS.



Ministorage (PHASE I)

PITTSBURG

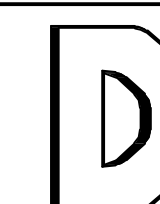
AVILA STORAGE PLAN

CONTRA COSTA COUNTY

CALIFORNIA

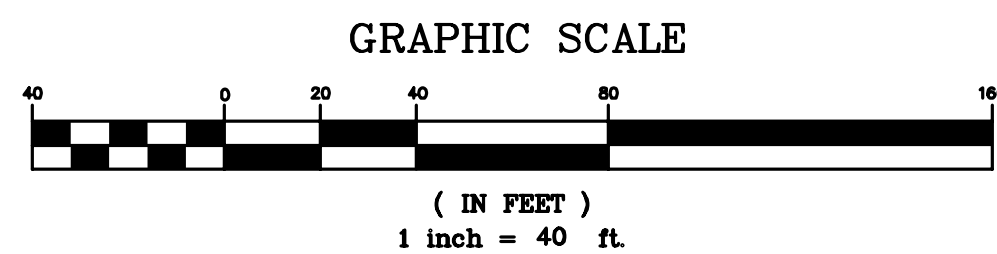
JAMES E. DIGGINS R.C.E. 27818
RENEWAL DATE: 03/31/20

#	REVISIONS	DATE

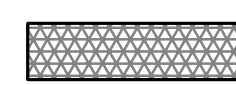


DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378
deboltcivil@earthlink.net

Date:
6/20/2019
Scale:
1" = 40'
By:
JED / kl
Job No.:
05269

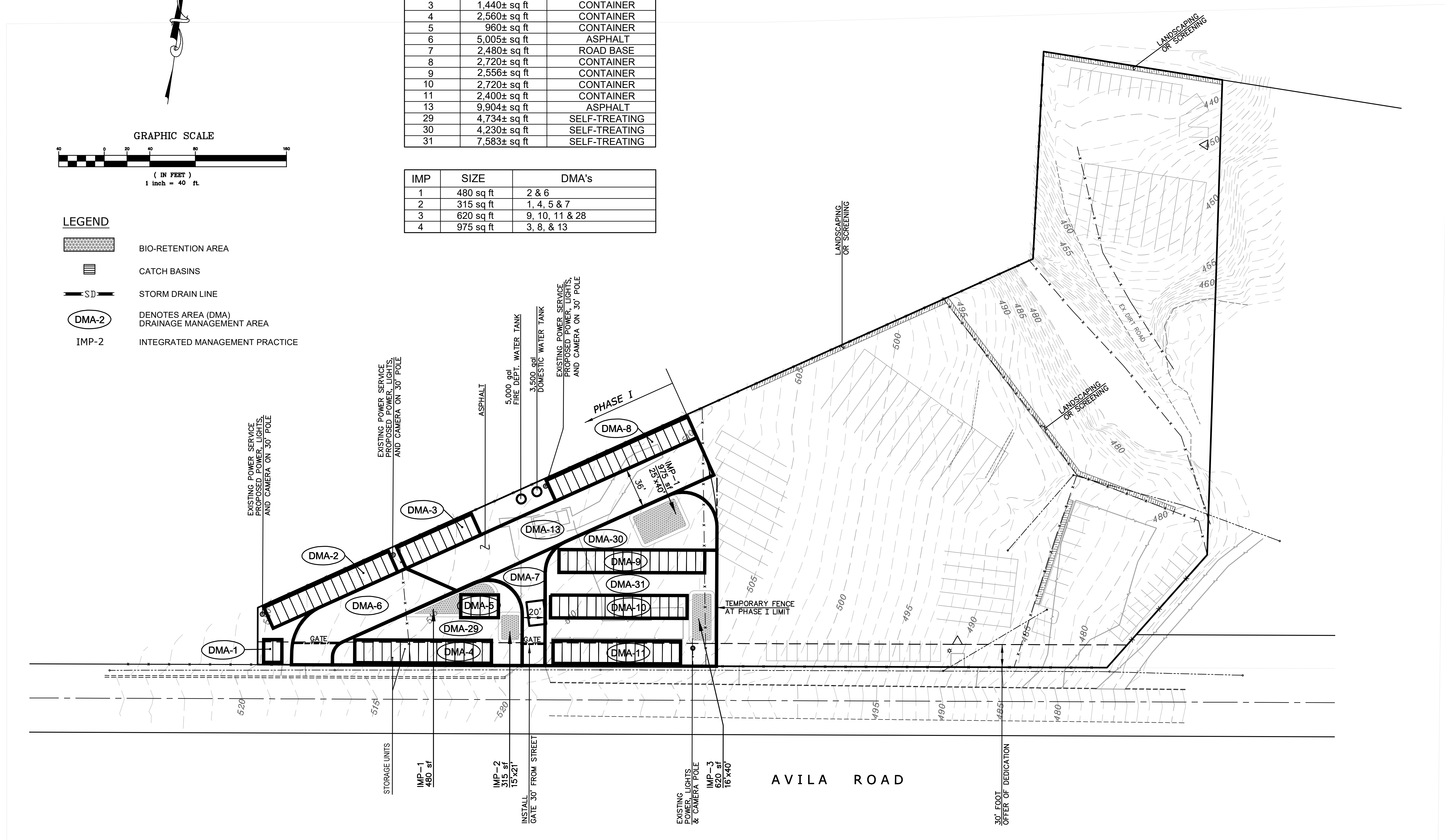


LEGEND

-  BIO-RETENTION AREA
-  CATCH BASINS
-  STORM DRAIN LINE
-  DENOTES AREA (DMA)
DRAINAGE MANAGEMENT AREA
- IMP-2 INTEGRATED MANAGEMENT PRACTICE

DMA	AREA	CONTAINER
1	320± sq ft	CONTAINER
2	2,400± sq ft	CONTAINER
3	1,440± sq ft	CONTAINER
4	2,560± sq ft	CONTAINER
5	960± sq ft	CONTAINER
6	5,005± sq ft	ASPHALT
7	2,480± sq ft	ROAD BASE
8	2,720± sq ft	CONTAINER
9	2,556± sq ft	CONTAINER
10	2,720± sq ft	CONTAINER
11	2,400± sq ft	CONTAINER
13	9,904± sq ft	ASPHALT
29	4,734± sq ft	SELF-TREATING
30	4,230± sq ft	SELF-TREATING
31	7,583± sq ft	SELF-TREATING

IMP	SIZE	DMA's
1	480 sq ft	2 & 6
2	315 sq ft	1, 4, 5 & 7
3	620 sq ft	9, 10, 11 & 28
4	975 sq ft	3, 8, & 13



PHASE I
STORM WATER CONTROL PLAN

AVILA STORAGE PLAN

PITTSBURG

CONTRA COSTA COUNTY

CALIFORNIA

JAMES E. DIGGINS R.C.E. 27818
RENEWAL DATE: 03/31/20

#	REVISIONS	DATE
1	REVISED LOCATION IMP-2	10/01/19

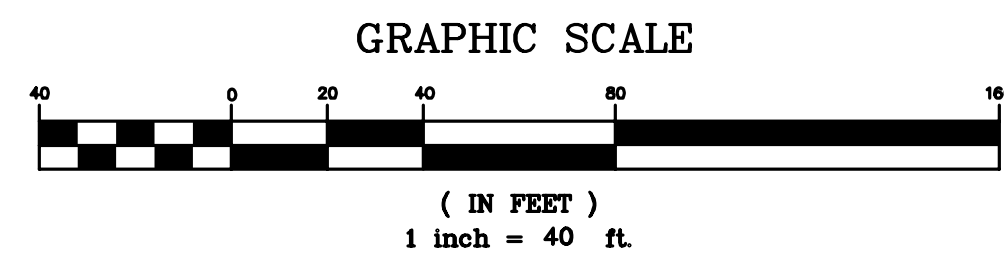


DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378
deboltcivil@earthlink.net

Date:
6/20/2019
Scale:
1" = 40'
By:
JED / kl
Job No.:
05269

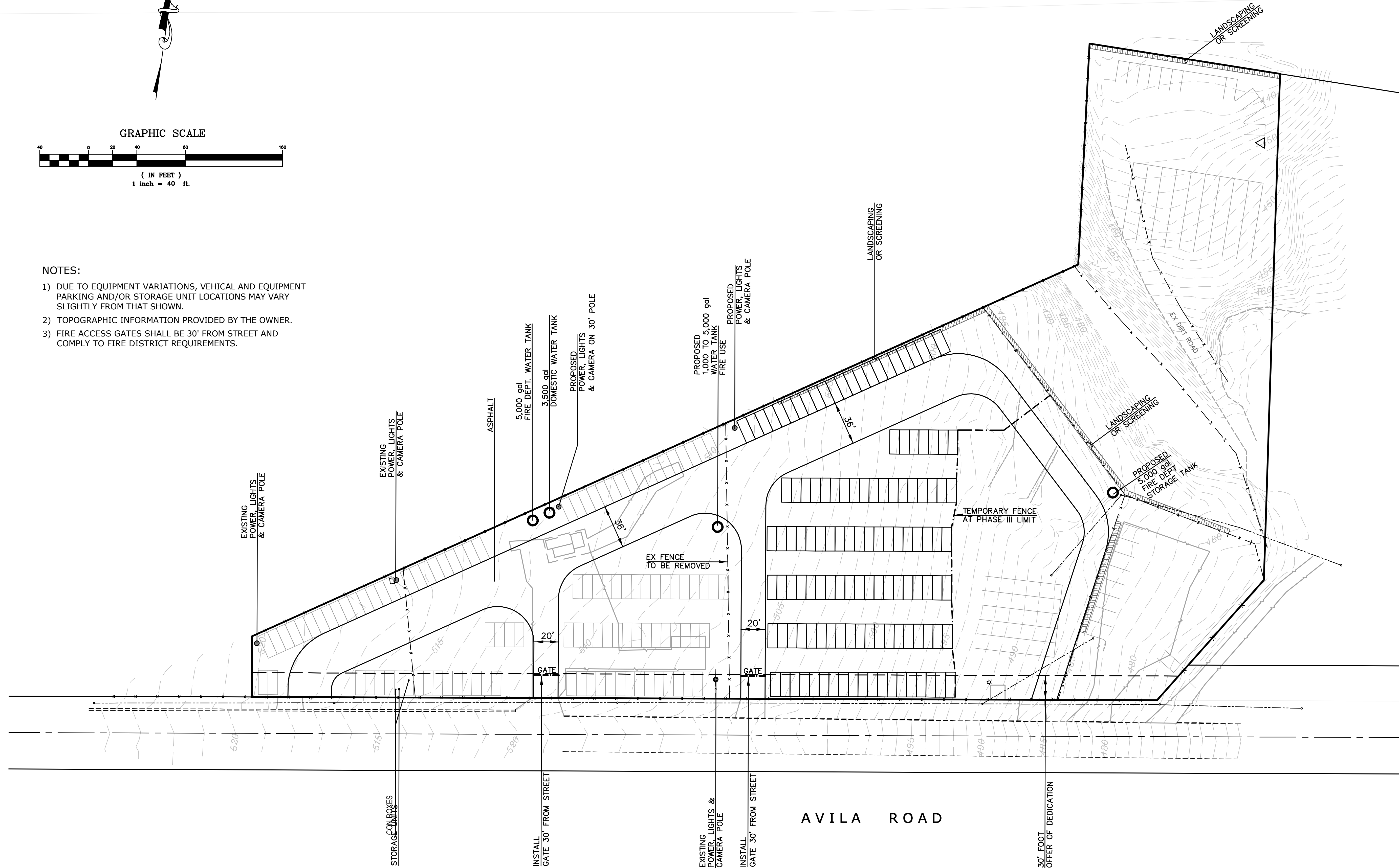
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SHEET 2 OF 2 SHEETS



NOTES:

- 1) DUE TO EQUIPMENT VARIATIONS, VEHICAL AND EQUIPMENT PARKING AND/OR STORAGE UNIT LOCATIONS MAY VARY SLIGHTLY FROM THAT SHOWN.
- 2) TOPOGRAPHIC INFORMATION PROVIDED BY THE OWNER.
- 3) FIRE ACCESS GATES SHALL BE 30' FROM STREET AND COMPLY TO FIRE DISTRICT REQUIREMENTS.



Ministorage (PHASE II)

AVILA STORAGE PLAN

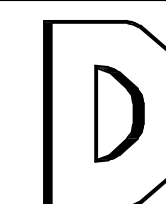
PITTSBURG

CONTRA COSTA COUNTY

CALIFORNIA

JAMES E. DIGGINS R.C.E. 27818
RENEWAL DATE: 03/31/20

#	REVISIONS	DATE

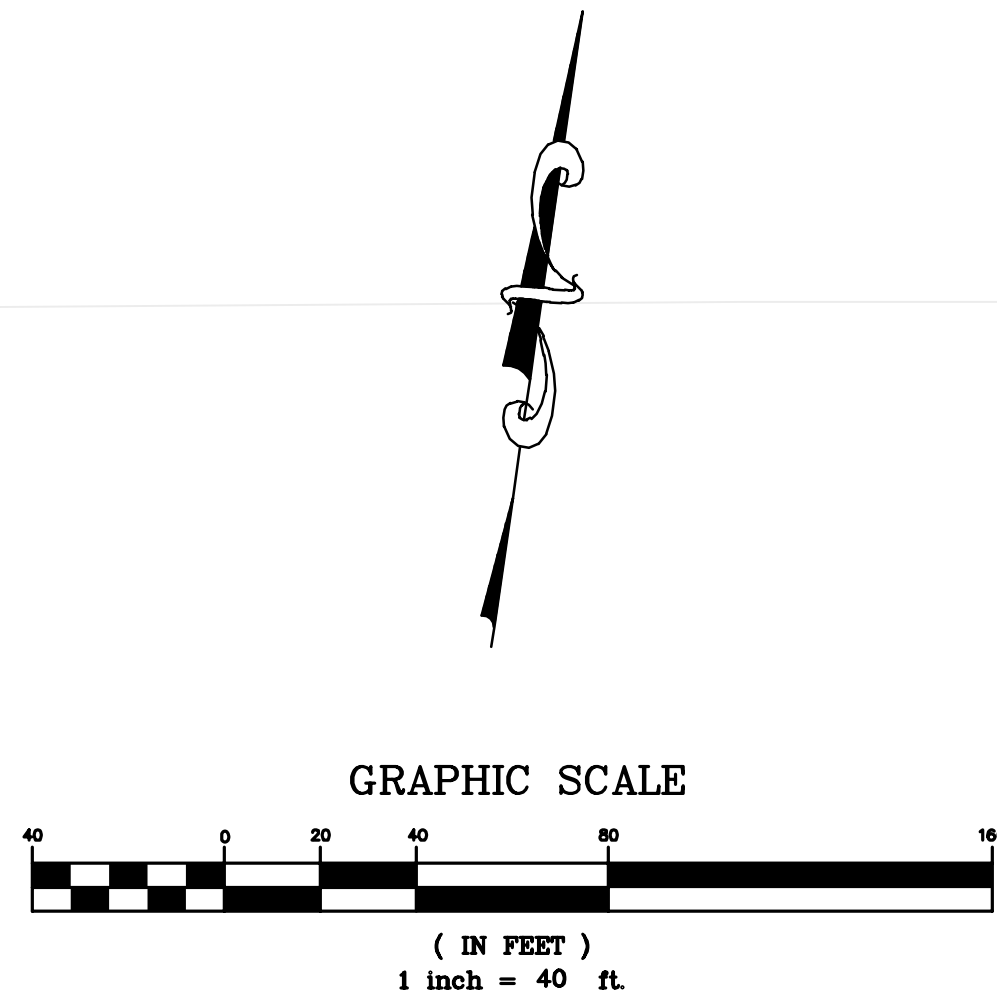


DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378
deboltcivil@earthlink.net

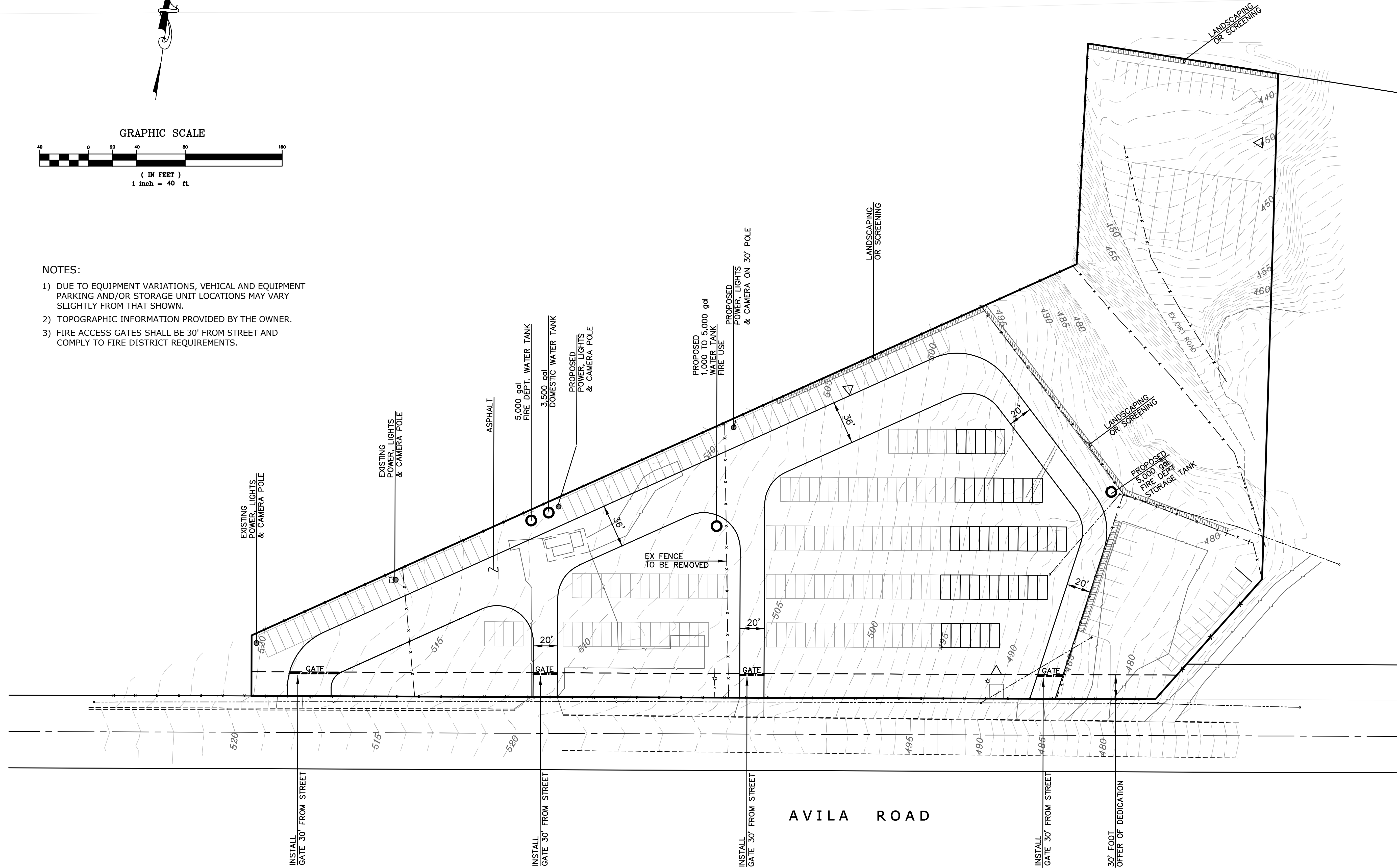
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By:
JED / kl
Job No.:
05269

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SHEET 1 OF 2 SHEETS



- NOTES:
- 1) DUE TO EQUIPMENT VARIATIONS, VEHICAL AND EQUIPMENT PARKING AND/OR STORAGE UNIT LOCATIONS MAY VARY SLIGHTLY FROM THAT SHOWN.
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 - 3) FIRE ACCESS GATES SHALL BE 30' FROM STREET AND COMPLY TO FIRE DISTRICT REQUIREMENTS.



Ministorage (PHASE III)

AVILA STORAGE PLAN

PITTSBURG

CONTRA COSTA COUNTY

CALIFORNIA

JAMES E. DIGGINS R.C.E. 27818
RENEWAL DATE: 03/31/20

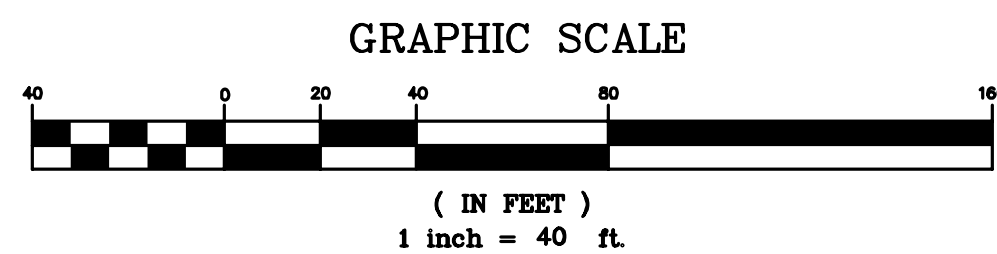
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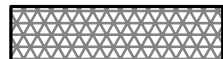
DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378
deboltcivil@earthlink.net

Date: 6/20/2019
Scale: 1" = 40'
By: JED / kl
Job No.: 05269

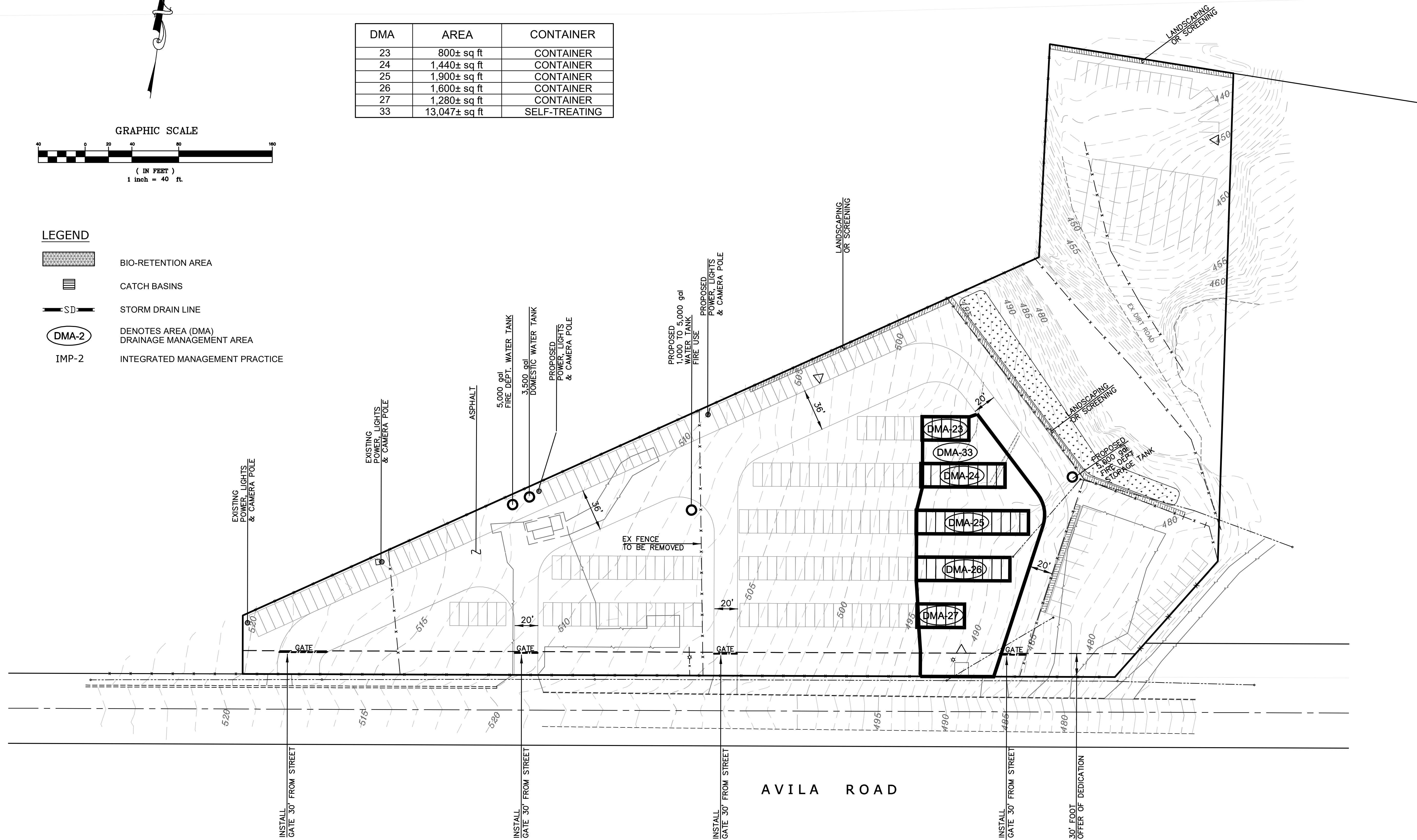
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LEGEND

-  BIO-RETENTION AREA
-  CATCH BASINS
-  STORM DRAIN LINE
-  DENOTES AREA (DMA)
DRAINAGE MANAGEMENT AREA
-  INTEGRATED MANAGEMENT PRACTICE

DMA	AREA	CONTAINER
23	800± sq ft	CONTAINER
24	1,440± sq ft	CONTAINER
25	1,900± sq ft	CONTAINER
26	1,600± sq ft	CONTAINER
27	1,280± sq ft	CONTAINER
33	13,047± sq ft	SELF-TREATING



PHASE III
STORM WATER CONTROL PLAN

AVILA STORAGE PLAN

PITTSBURG

CONTRA COSTA COUNTY

CALIFORNIA

JAMES E. DIGGINS R.C.E. 27818
RENEWAL DATE: 03/31/20

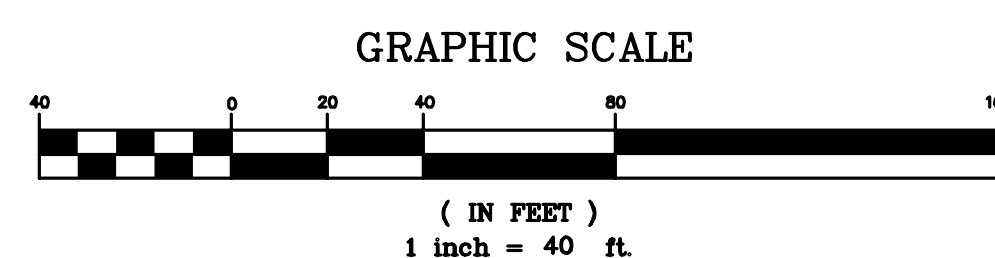
#	REVISIONS	DATE



DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378
deboltcivil@earthlink.net

Date:
6/20/2019
Scale:
1" = 40'
By:
JED / kl
Job No.:
05269

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CATCH BASINS

STORM DRAIN LINE

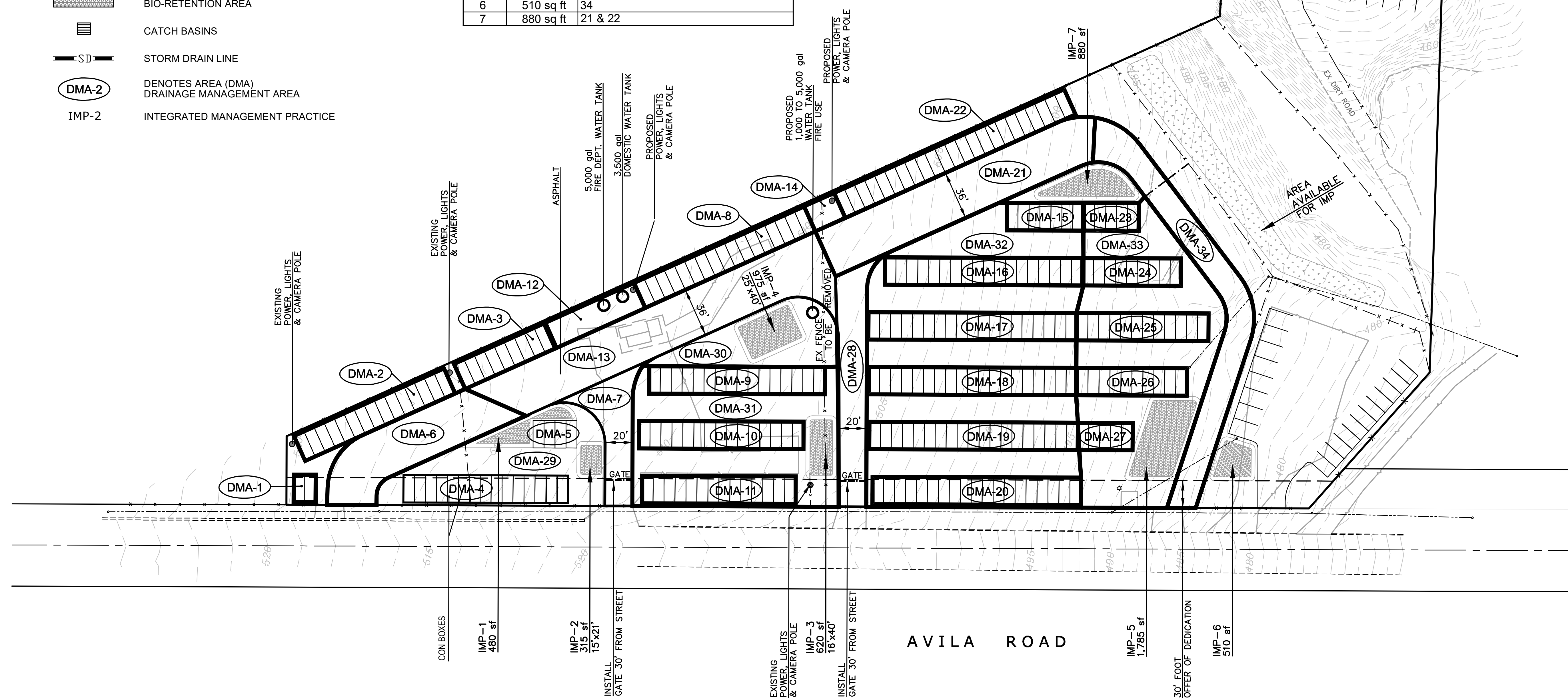
DENOTES AREA (DMA)
DRAINAGE MANAGEMENT AREA

IMP-2 INTEGRATED MANAGEMENT PRACTICE

DMA	AREA	CONTAINER
1	320± sq ft	CONTAINER
2	2,400± sq ft	CONTAINER
3	1,440± sq ft	CONTAINER
4	2,560± sq ft	CONTAINER
5	960± sq ft	CONTAINER
6	5,005± sq ft	ASPHALT
7	2,480± sq ft	ROAD BASE
8	2,720± sq ft	CONTAINER
9	2,556± sq ft	CONTAINER
10	2,720± sq ft	CONTAINER
11	2,400± sq ft	CONTAINER
12	1,440± sq ft	SELF-TREATING
13	9,904± sq ft	ASPHALT
14	480± sq ft	SELF-TREATING

IMP	SIZE	DMA's
1	480 sq ft	2 & 6
2	315 sq ft	1, 4, 5 & 7
3	620 sq ft	9, 10, 11 & 28
4	975 sq ft	3, 8 & 13
5	1,785 sq ft	15, 16, 17, 18, 19, 20, 23, 24, 25, 26 & 27
6	510 sq ft	34
7	880 sq ft	21 & 22

DMA	AREA	CONTAINER
15	1,120± sq ft	CONTAINER
16	2,880± sq ft	CONTAINER
17	3,040± sq ft	CONTAINER
18	3,040± sq ft	CONTAINER
19	3,040± sq ft	CONTAINER
20	3,040± sq ft	CONTAINER
21	7,659± sq ft	ASPHALT
22	3,680± sq ft	CONTAINER
23	800± sq ft	CONTAINER
24	1,440± sq ft	CONTAINER
25	1,900± sq ft	CONTAINER
26	1,600± sq ft	CONTAINER
27	1,280± sq ft	CONTAINER
28	3,787± sq ft	ROAD BASE
29	4,734± sq ft	SELF-TREATING
30	4,230± sq ft	SELF-TREATING
31	7,583± sq ft	SELF-TREATING
32	16,844± sq ft	SELF-TREATING
33	13,047± sq ft	SELF-TREATING
34	6,630± sq ft	ASPHALT



Overall
STORM WATER CONTROL PLAN

AVILA STORAGE PLAN

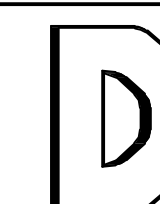
PITTSBURG

CONTRA COSTA COUNTY

CALIFORNIA

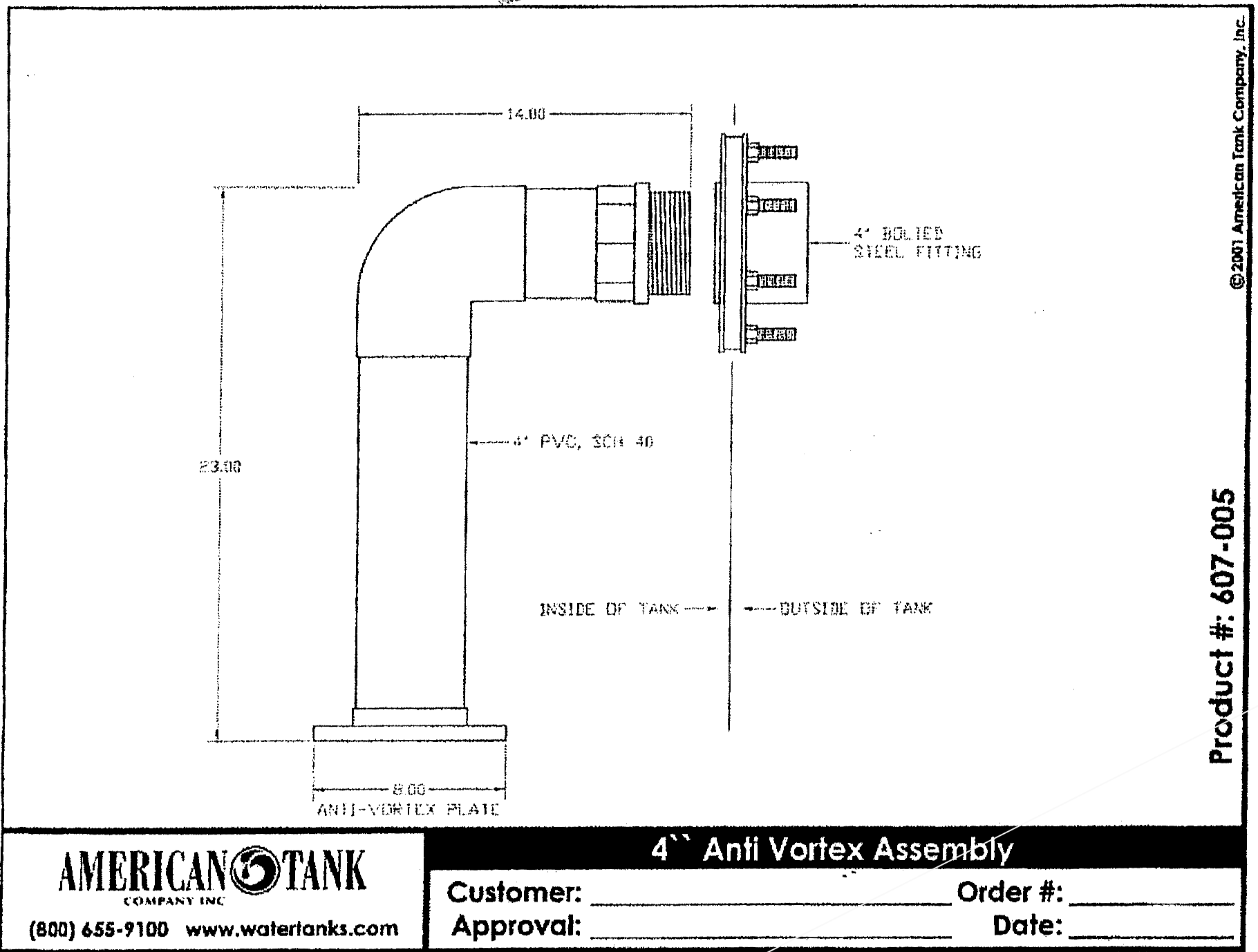
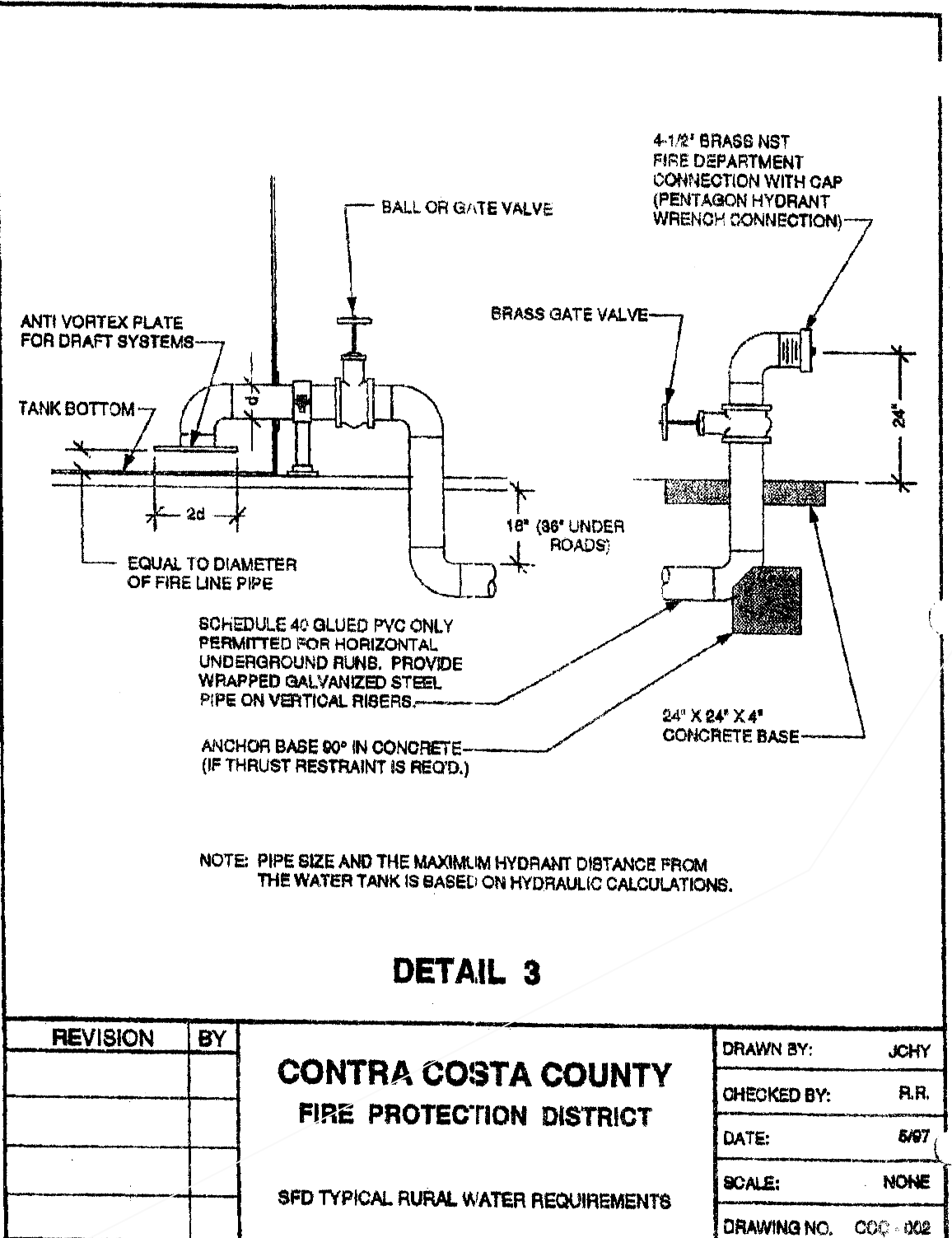
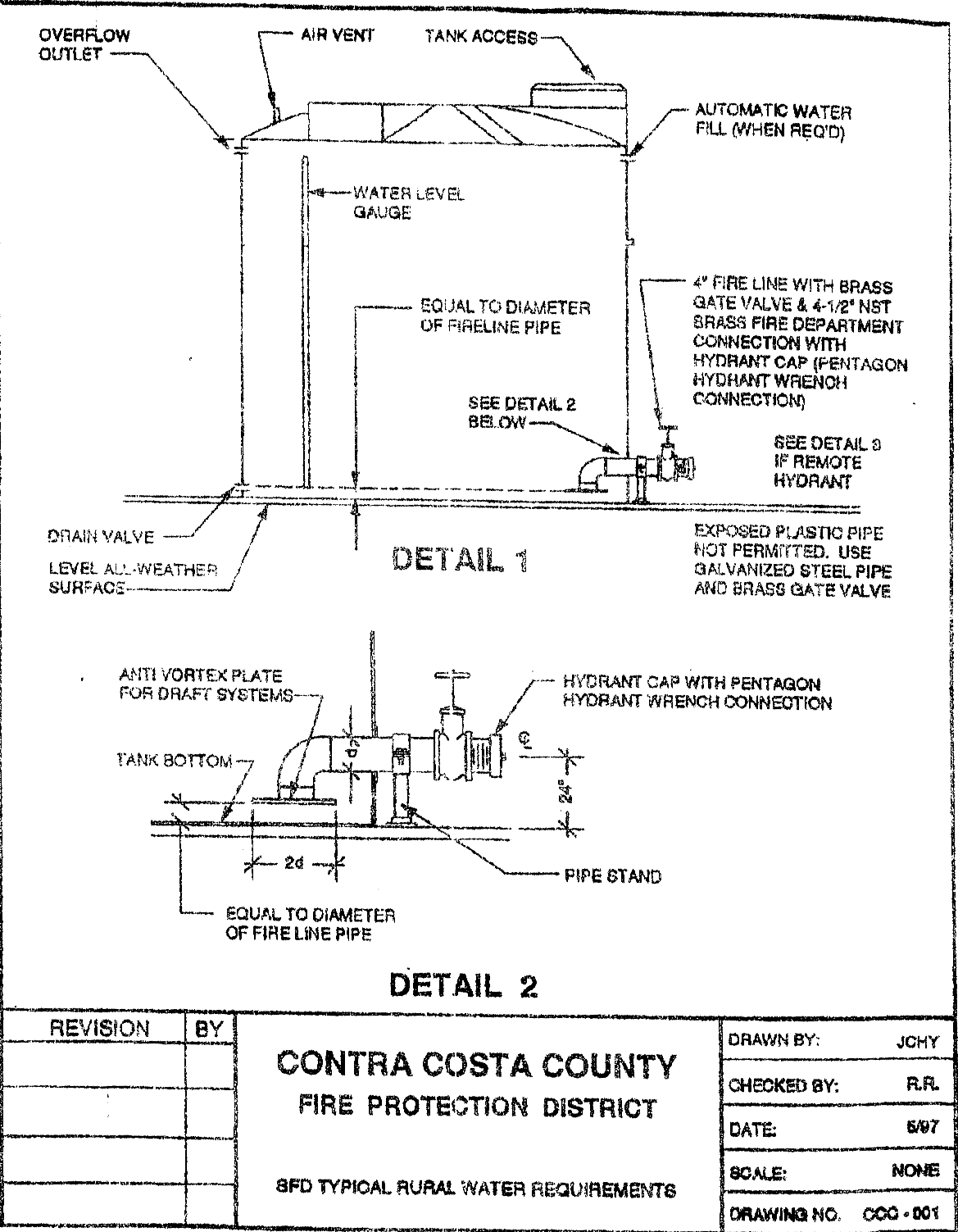
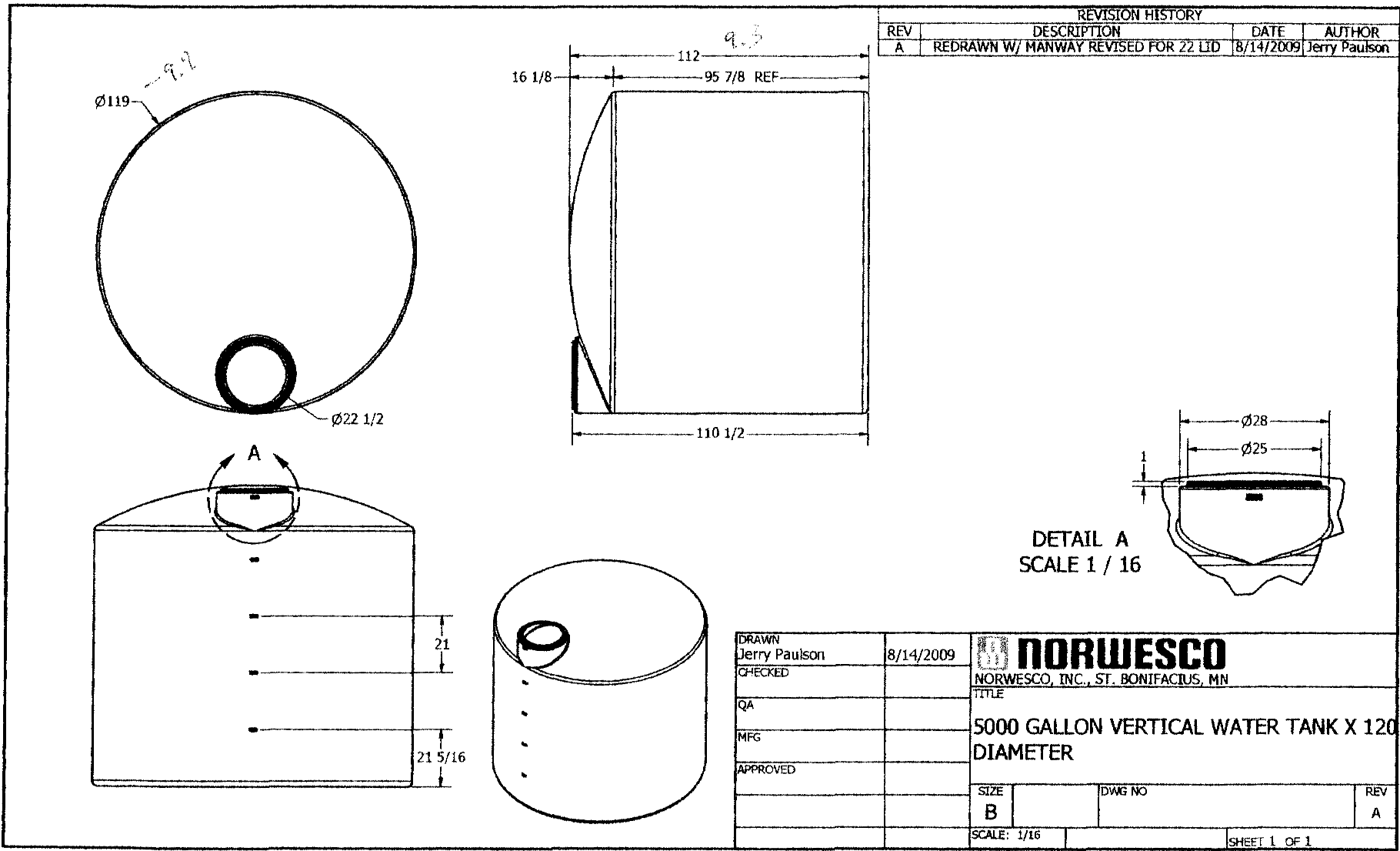
JAMES E. DIGGINS R.C.E. 27818
RENEWAL DATE: 03/31/20

#	REVISIONS	DATE
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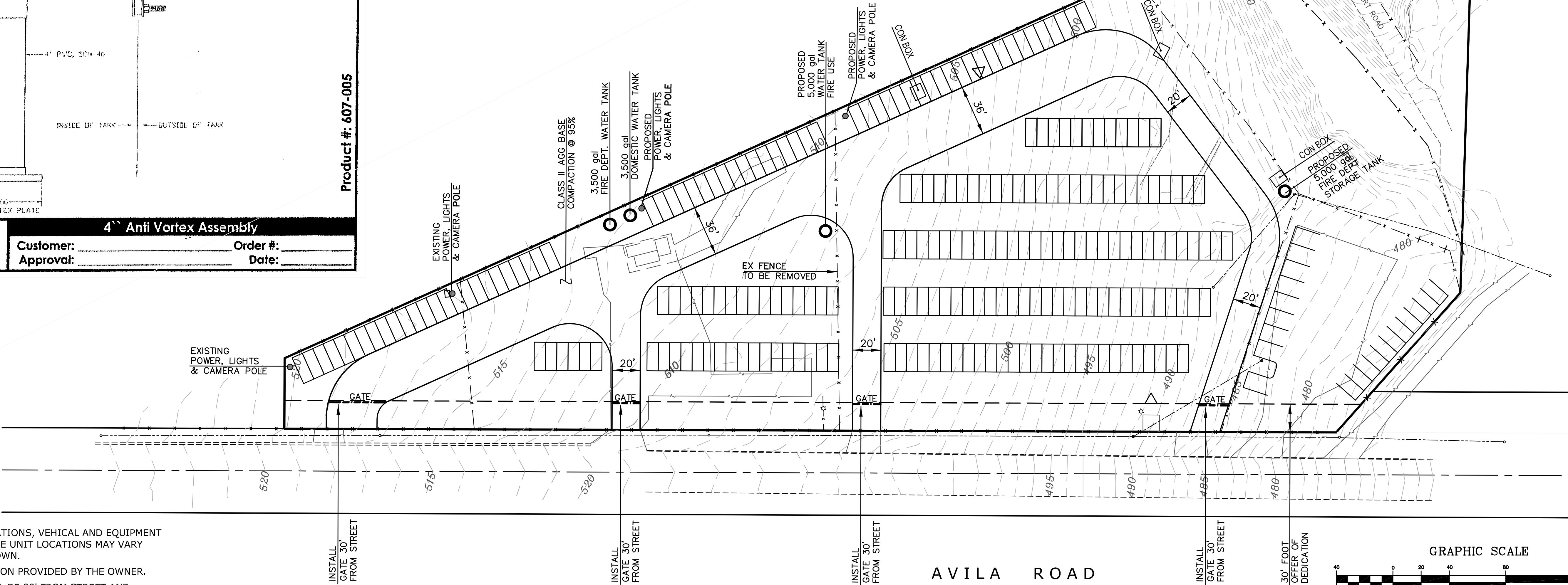


DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378
deboltcivil@earthlink.net

Date:
6/11/2019
Scale:
1" = 40'
By:
JED / kl
Job No.:
05269



- NOTES:
- 1) DUE TO EQUIPMENT VARIATIONS, VEHICAL AND EQUIPMENT PARKING AND/OR STORAGE UNIT LOCATIONS MAY VARY SLIGHTLY FROM THAT SHOWN.
 - 2) TOPOGRAPHIC INFORMATION PROVIDED BY THE OWNER.
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FIRE DEPARTMENT EXHIBIT

AVILA STORAGE PLAN

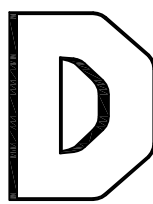
PITTSBURG

CONTRA COSTA COUNTY

CALIFORNIA

JAMES E. DIGGINS R.C.E. 27818
RENEWAL DATE: 03/31/20

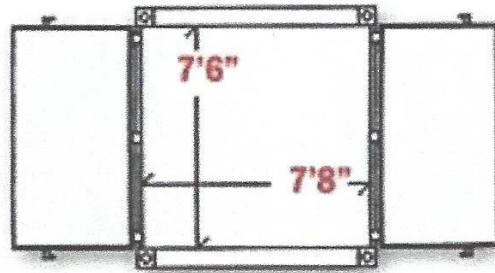
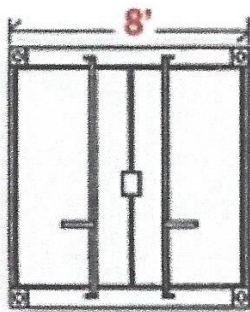
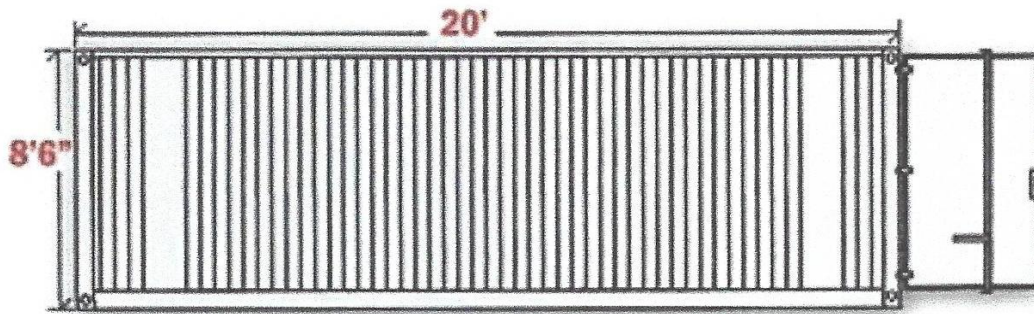
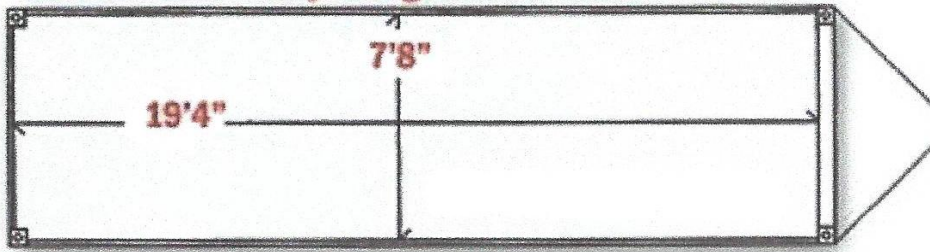
#	REVISIONS	DATE



DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378
deboltcivil@earthlink.net

Date:
12/03/2018
Scale:
1" = 40'
By:
JED / kl
Job No.:
05269

20 Standard Dry Cargo Containers



Sent from [Mail](#) for Windows 10



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **PLANNING COMMISSION** of the City of Pittsburg will conduct an online public meeting on:

DATE: June 9, 2020

TIME: 7:00 p.m.

PLACE: Zoom Teleconference via Streaming Media on the City's homepage,
www.ci.pittsburg.ca.us (see public advisory on last page)

Concerning the following matter:

Rege Ministorage and Trucking Yard, AP-18-1319 (UP, DR).

This is a continued public hearing on a request for a use permit amendment and design review approval of plans to allow a ministorage and construction material/demolition contractor yard on a five-acre site located at 103, 105, 107, 109, and 111 Avila Road in the OS-O (Open Space with Limited Overlay, Ordinance No. 91-1016 as amended by Ordinance Nos. 07-1284 and 18-1440) District. Assessor's Parcel No. 091-020-019.

PROJECT PLANNER: Hector J. Rojas, (925) 252-4043 or hrojas@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; please contact the project planner listed above to make necessary arrangements.

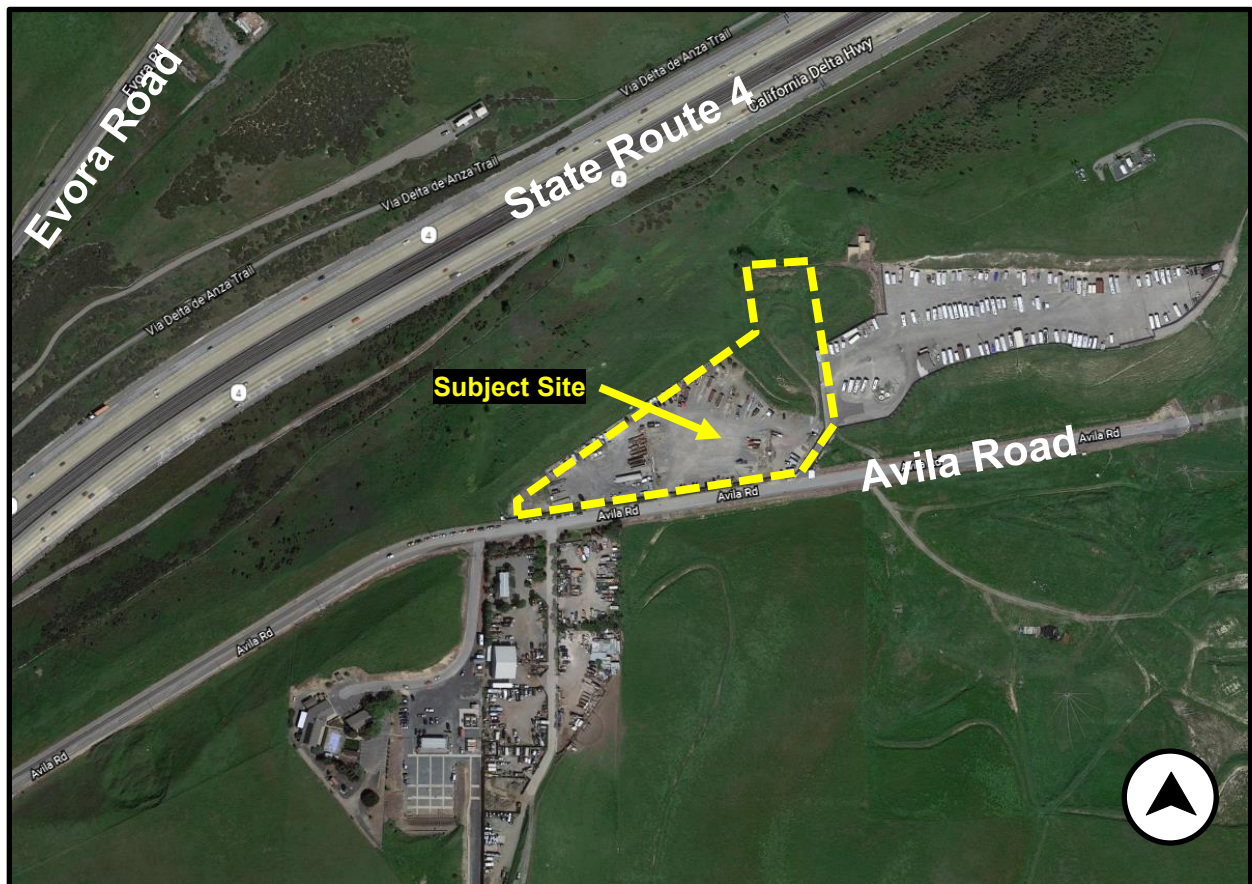
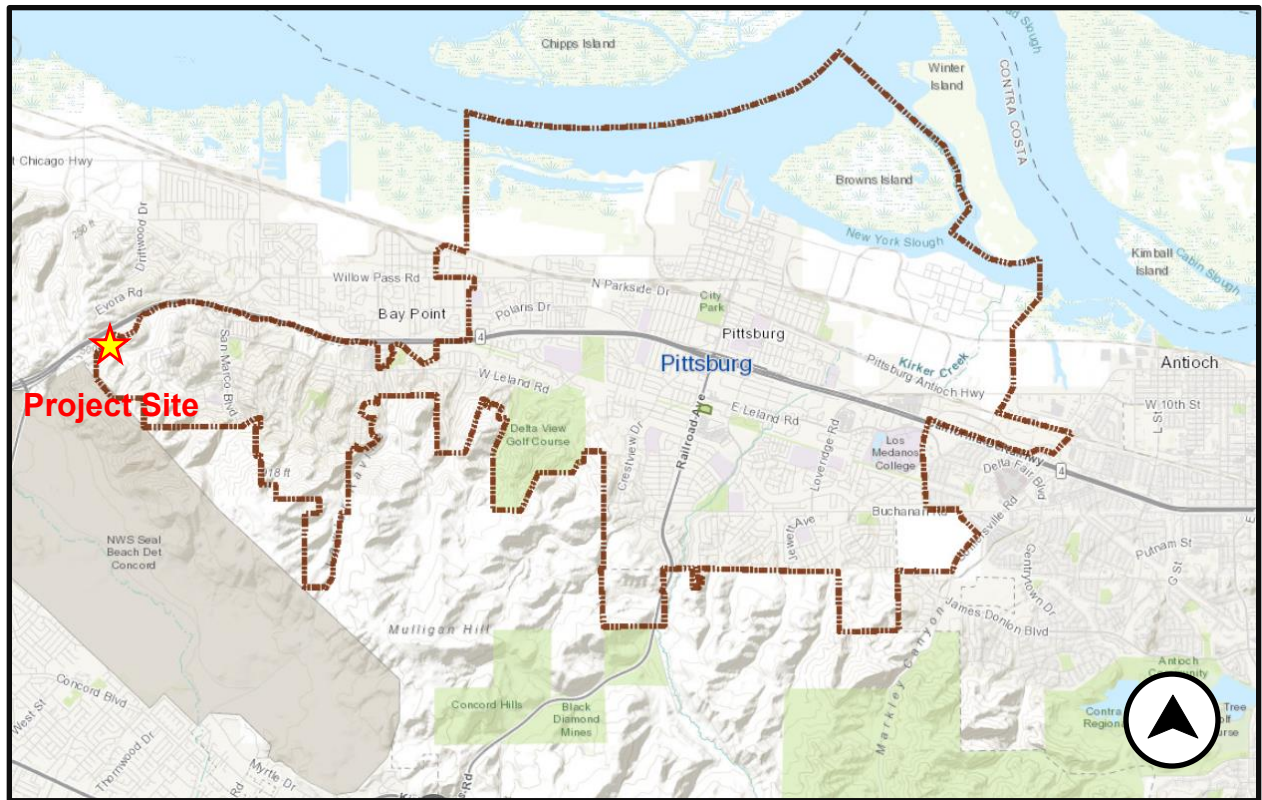
What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through e-mailed testimony during the meeting. 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. Comments during the meeting can be submitted via email to meetingcomments@ci.pittsburg.ca.us.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

KRISTIN POLLOT, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Rege Ministorage and Trucking Yard, AP-19-1319 (UP, DR)
Location: Avila Road (approximately 4,000 feet north east of Willow Pass Road)



PUBLIC ADVISORY:
THE CITY COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for **June 9, 2020** will be conducted telephonically through Zoom and broadcast live on the City's homepage.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

To view the meeting online during its broadcast:

1. Go to www.ci.pittsburg.ca.us
2. On the right-hand side of the page, click the "Streaming Media" button

Comments on this item can be submitted via email to:
meetingcomments@ci.pittsburg.ca.us

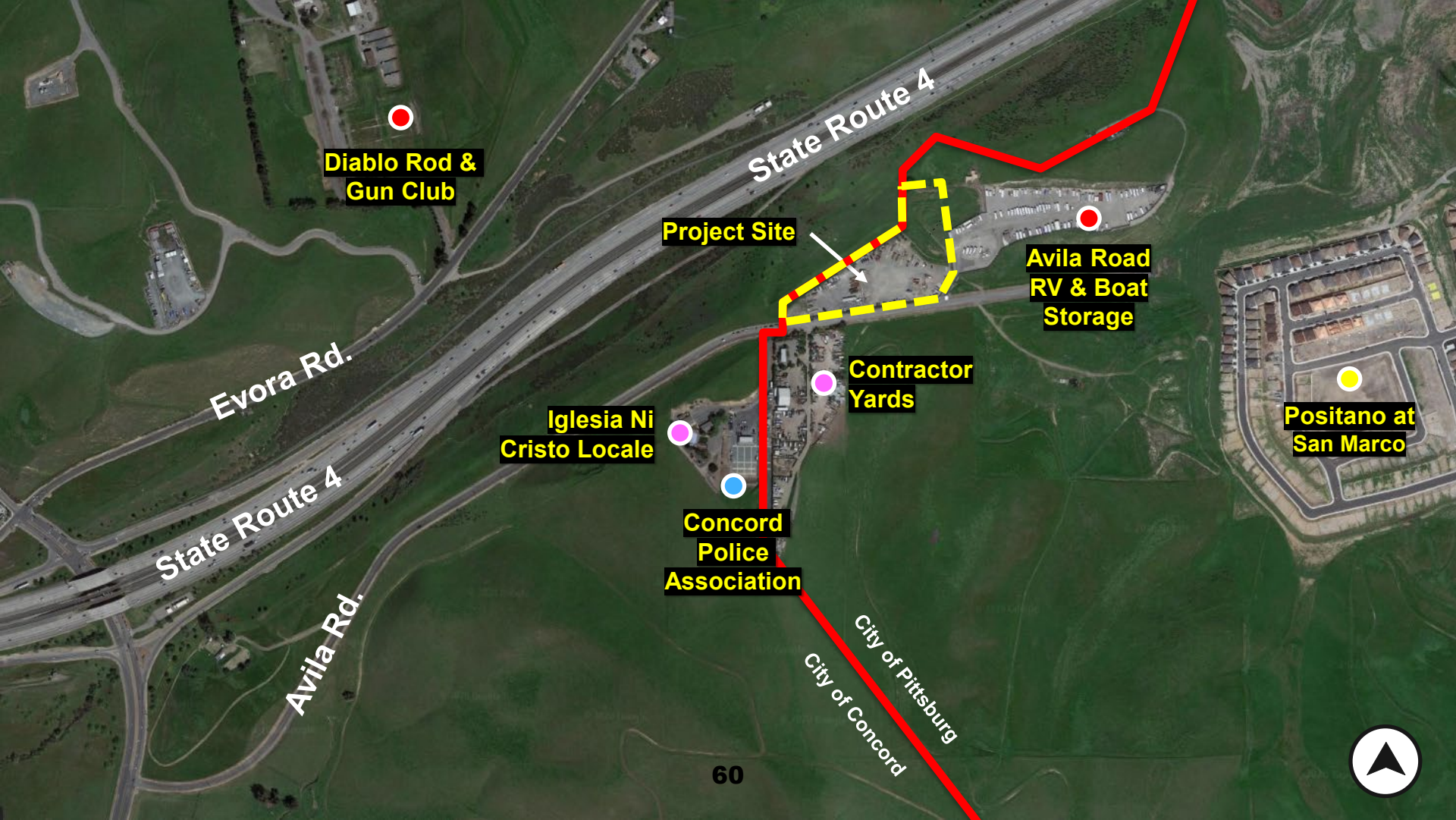
If you wish to have your comments read to the Planning Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate "FOR PUBLIC COMMENT – NON-AGENDA." Comments that you want read to the Commission will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Commission and not read at the meeting will be distributed to the Commission prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Nextdoor, etc.) will not be accepted.

The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.



City of
Pittsburgh

Rege Ministorage and Trucking Yard
File No. AP-18-1319 (UP, DR)



**Diablo Rod &
Gun Club**

Project Site

**Avila Road
RV & Boat
Storage**

**Contractor
Yards**

**Iglesia Ni
Cristo Locale**

**Concord
Police
Association**

**Positano at
San Marco**

State Route 4

Evora Rd.
State Route 4

Avila Rd.

City of Pittsburg
City of Concord

60



View of project site from Avila Road looking east



View of project site from Avila Road looking west



View from project site looking east toward Positano at San Marco Subdivision



View from project site looking north toward State Route 4



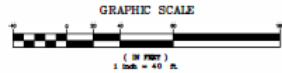
View from project site looking south toward Avila Road



View from northern property line looking north toward State Route 4

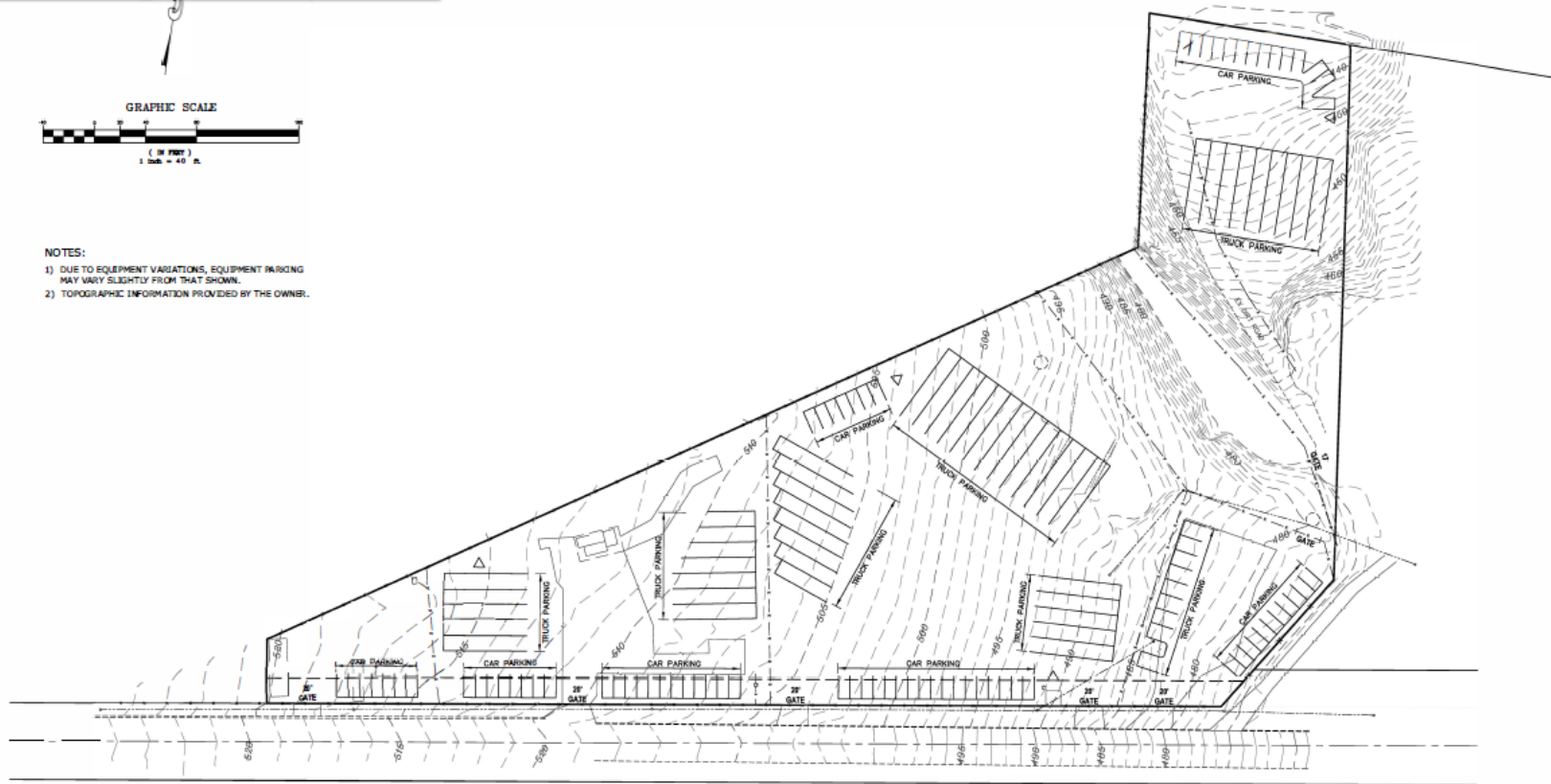


Existing Site Plan



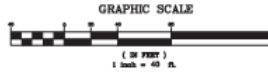
NOTES:

- 1) DUE TO EQUIPMENT VARIATIONS, EQUIPMENT PARKING MAY VARY SLIGHTLY FROM THAT SHOWN.
- 2) TOPOGRAPHIC INFORMATION PROVIDED BY THE OWNER.



AVILA ROAD

Proposed Site Plan – Phase I

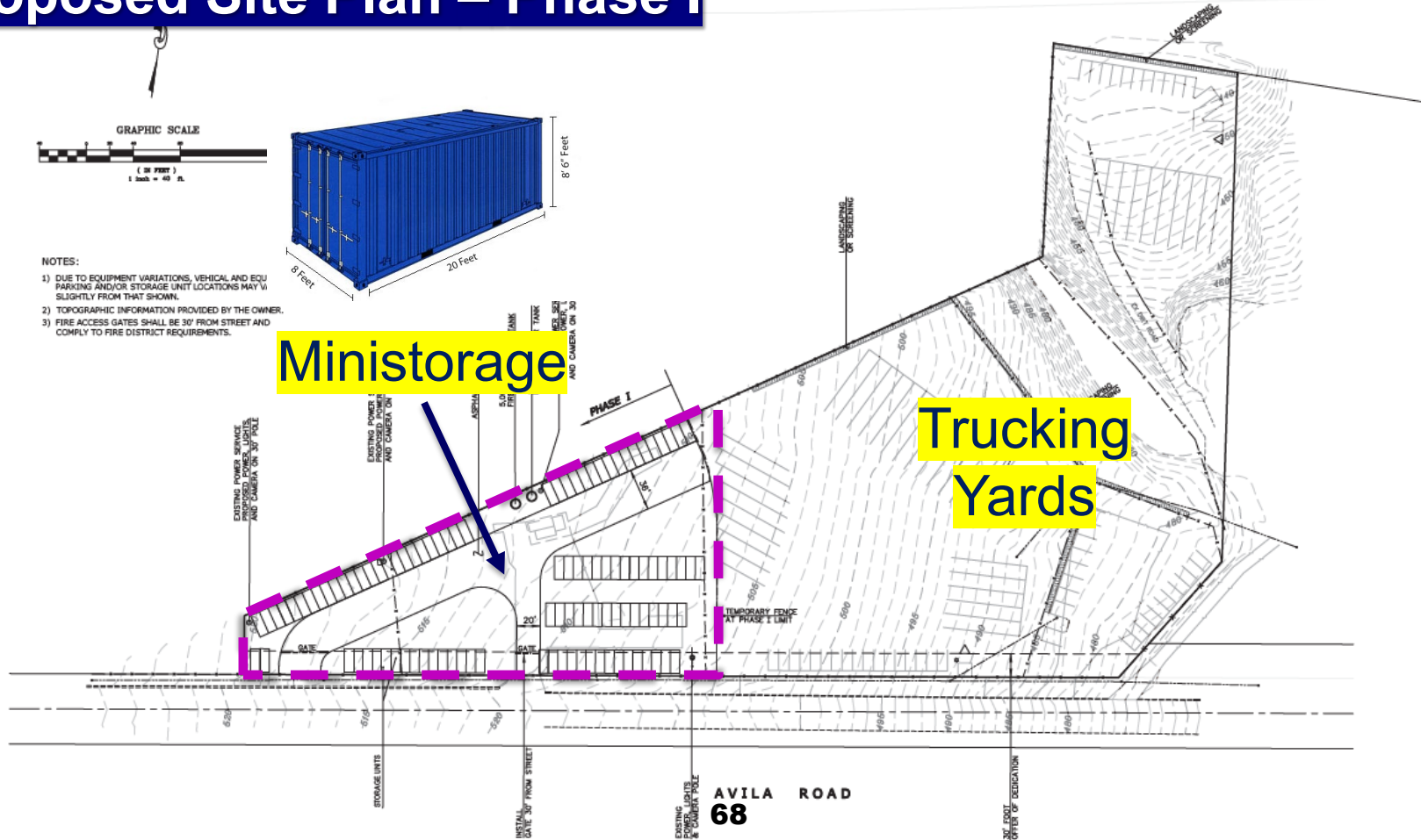


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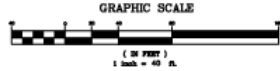
- 1) DUE TO EQUIPMENT VARIATIONS, VEHICAL AND EQU PARKING AND/OR STORAGE UNIT LOCATIONS MAY VARY SLIGHTLY FROM THAT SHOWN.
- 2) TOPOGRAPHIC INFORMATION PROVIDED BY THE OWNER.
- 3) FIRE ACCESS GATES SHALL BE 30' FROM STREET AND COMPLY TO FIRE DISTRICT REQUIREMENTS.

Ministorage

Trucking
Yards



Proposed Site Plan – Phase II

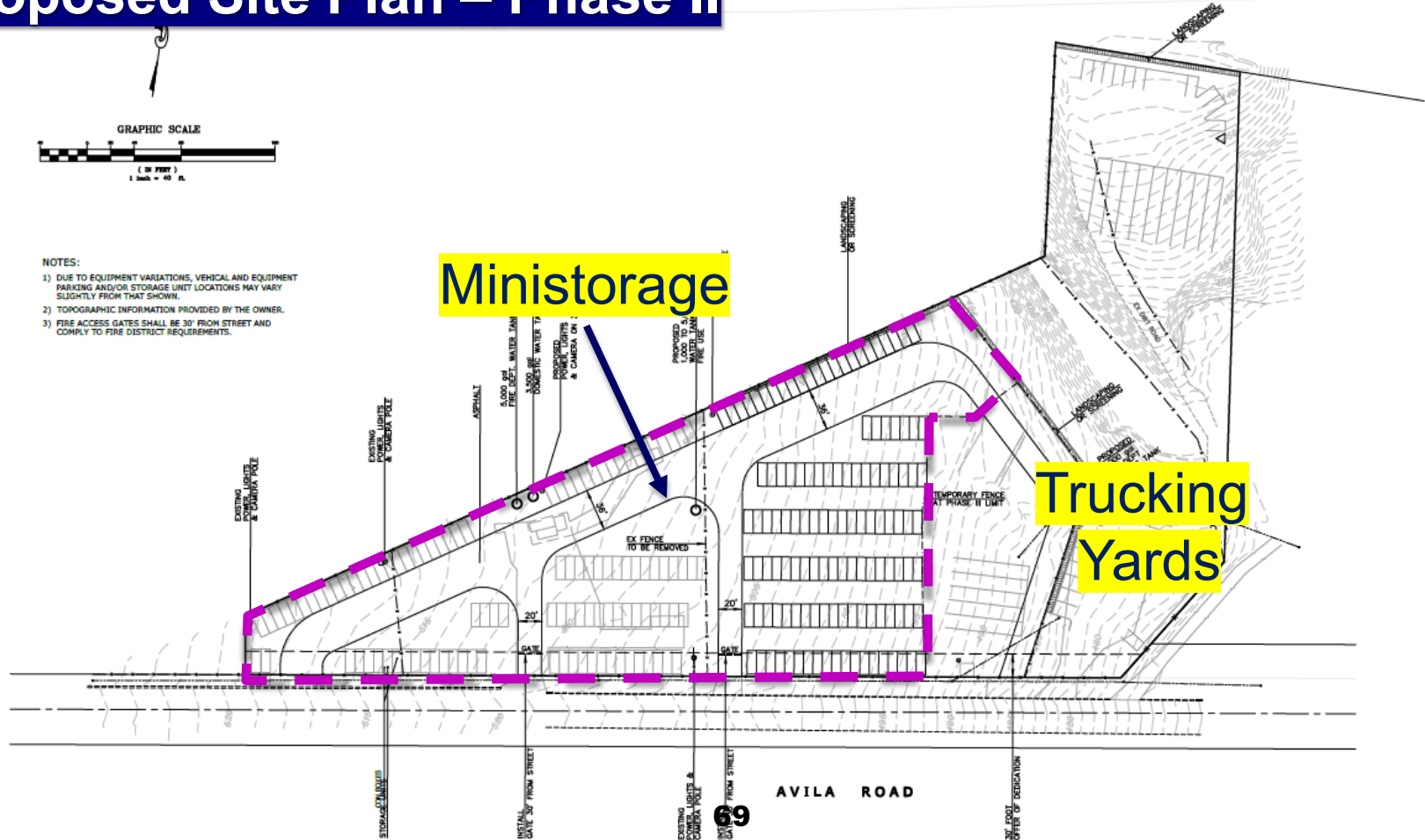


NOTES:

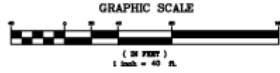
- 1) DUE TO EQUIPMENT VARIATIONS, VEHICLE AND EQUIPMENT PARKING AND/OR STORAGE UNIT LOCATIONS MAY VARY SLIGHTLY FROM THAT SHOWN.
- 2) TOPOGRAPHIC INFORMATION PROVIDED BY THE OWNER.
- 3) FIRE ACCESS GATES SHALL BE 30' FROM STREET AND COMPLY TO FIRE DISTRICT REQUIREMENTS.

Ministorage

Trucking
Yards



Proposed Site Plan – Phase III

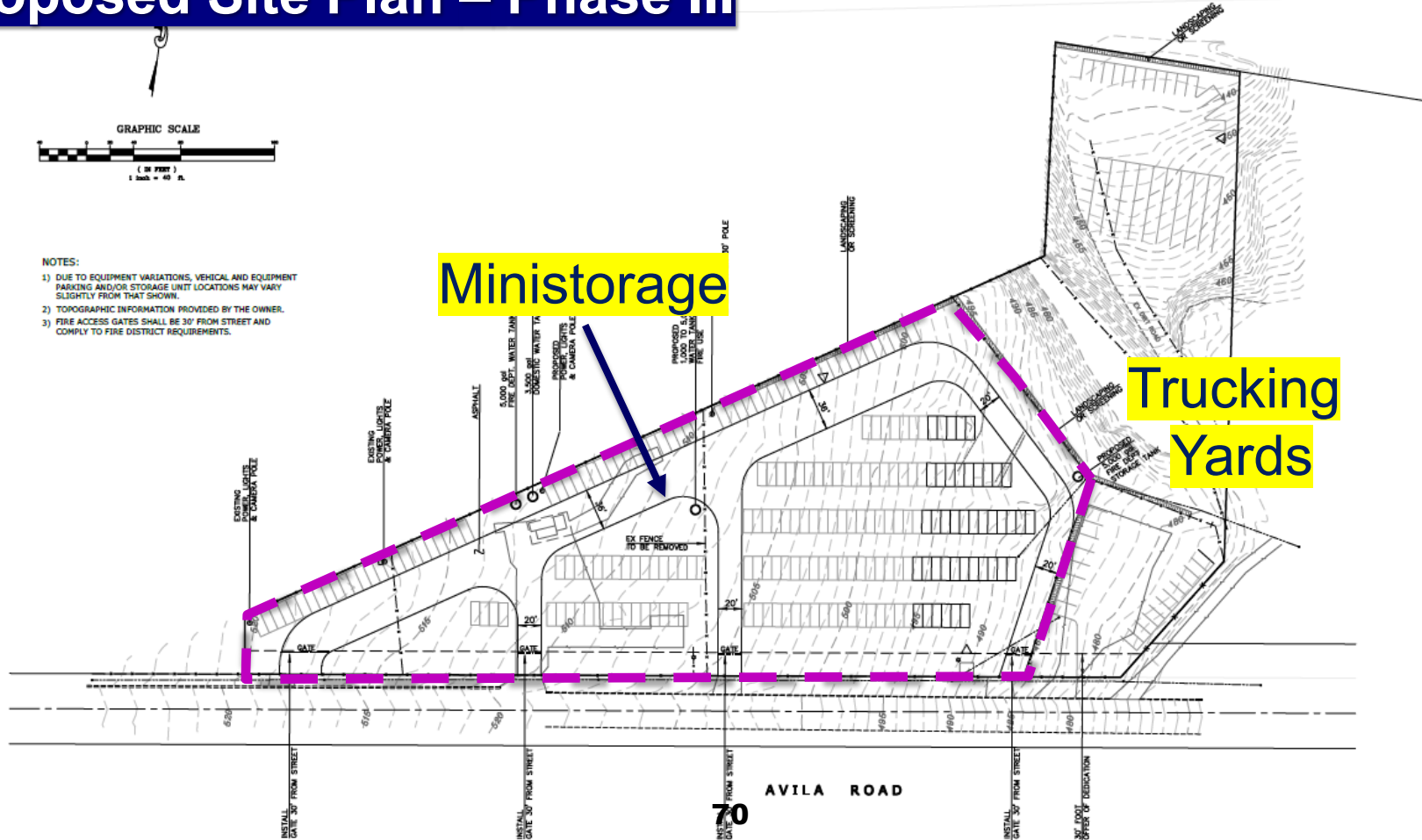


NOTES:

- 1) DUE TO EQUIPMENT VARIATIONS, VEHICLE AND EQUIPMENT PARKING AND/OR STORAGE UNIT LOCATIONS MAY VARY SLIGHTLY FROM THAT SHOWN.
- 2) TOPOGRAPHIC INFORMATION PROVIDED BY THE OWNER.
- 3) FIRE ACCESS GATES SHALL BE 30' FROM STREET AND COMPLY TO FIRE DISTRICT REQUIREMENTS.

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Yards



Staff Recommendation



Move to adopt Resolution No. 10139, approving Planning Application No. 18-1319, subject to conditions.

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
June 9, 2020**

ITEM: Recommendations on Amendments to Title 18 of the Pittsburg Municipal Code as it Relates to Accessory Dwelling Units and Junior Accessory Dwelling Units.

ORIGINATED BY: City of Pittsburg, 65 Civic Avenue, Pittsburg, CA 94565

SUBJECT: This is a public hearing to consider draft amendments to Title 18 of the Pittsburg Municipal Code (PMC) to revise the existing “Accessory Dwelling Units” Standards to comply with state law.

RECOMMENDATION: Staff recommends that the Commission adopt Resolution No. 10150 recommending City Council approval of the proposed zoning text changes to amend the existing Accessory Dwelling Units Standards (PMC Chapter 18.50, Article IV) to be consistent with state law.

BACKGROUND: The City of Pittsburg Municipal Code has contained standards regarding Accessory Dwelling Units (ADUs) since 1990. Historically, the City has received few applications for ADUs presumably because of associated fees and charges, utility connection fees traffic mitigation fees, fire sprinkler installation cost, as well as the requirement to create off-street parking.

In recent years, the state has recognized the need for more affordable housing options and has recognized that ADUs can provide a moderately affordable housing type within the traditional single-family neighborhood. In 2017, the City adopted the current ADU standards in response to the 2016 State Legislature housing package.

Additionally, in 2017, the Governor of California signed Senate Bill 2 (SB 2) into law, establishing a grant that encourages local agencies to develop programs that streamline housing approvals and accelerate housing production. As of February 2020, the City of Pittsburg has been awarded funds from this grant to create a ‘Permit Ready’ ADU prototype plan program to be made available for residents to help reduce costs and expedite permit review. Development of this program will occur following approval of PMC Title 18 ordinance updates.

In 2019, the legislature enacted laws to address the housing crisis and facilitate the creation of ADUs and JADUs. The bills require cities to expand the allowable location of ADUs to lots zoned for multifamily and mixed use, further reduce minimum side and rear setbacks, clearly define ‘public transit’ to allow for additional parking waivers, remove the ownership occupancy requirements for ADUs, and allow for delayed enforcement of certain building standards for existing unpermitted units. A more detailed summary of all the required changes is provided in a memo from the State Housing and Community Development Department (HCD), included as Attachment 2. Due to the recent change in state law, staff prepared a frequently asked questions handout to assist both staff and residents in complying with state law immediately, while the

Planning Commission Staff Report

planning division prepares the municipal code text amendments, which are provided as Attachment 3.

On April 28, 2020, in accordance with the requirements of PMC 18.10.020(b), the Planning Commission initiated a zoning study related to the proposed changes required for ADUs and JADUs. Since that time, staff has reviewed the new state laws, and ADU/JADU standards adopted in other cities. The resulting draft ordinance update (Attachment 1A) has been reviewed by all impacted City Departments/Divisions, including the Engineering, Building, City Manager's office and the City Attorney's office. Lastly, local governments must submit a copy of the local ordinance to the state's Housing and Community Development Department within 60 days of adoption by the City Council.

PROJECT DESCRIPTION:

Proposed revisions to the current PMC Title 18 ADU standards include the following text amendments (summarized below) in accordance with state law. California Government Code Sections 65852.2 and 65852.22, two statutes that were amended or added by the recent state legislation, are included for reference as Attachment 4.

Ordinance Applicability: Currently, ADUs are only permitted with single-family homes within Single-Family Residential (RS) zoned lots. Pursuant to state law, ADUs are now allowed on multi-family and mixed-use zoned properties, in conjunction with any other existing residential use. State law authorizes one or more attached or detached ADUs and a JADU, subject to certain restrictions.

JADUs: JADUs are defined as a unit no larger than 500 square feet and contained entirely within a single-family residence. A JADU includes an efficiency kitchen as defined under the Building Code, sleeping facilities, and may include its own bathroom or it may share a bathroom within the existing structure.

Lot Coverage/Setbacks: State law now requires that the minimum side and rear yard setbacks would be reduced to four-feet, where the proposed detached ADU structure has a building height of no more than 16-feet. State law also requires that 'Lot Coverage' zoning limitations be eliminated for ADUs. A minimum square-footage requirement is prohibited for either an attached or detached ADU.

Parking: Previous changes in state law provided for parking waivers for ADUs that were either: 1) located within one-half mile from a public transit stop, 2) part of the existing primary residence or in an existing accessory structure, or 3) within one block of a car-share station. Consistent with new state law, the parking requirements would remain generally the same with the definition of 'public transit' clarified as a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

Owner Occupancy: Prior to the changes to state law, ADUs were required to maintain an owner occupancy restriction to be recorded using a Deed Restriction instrument.

Planning Commission Staff Report

State law indicates that owner occupancy requirements for ADUs are prohibited, at least through the year 2025. In contrast, state law requires owner occupancy in a structure with a JADU, and the owner must record a deed restriction with specified elements.

Impact Fees: Further changes to state law require that impact fees no longer apply to ADUs or JADUs that are 750 square feet or less in size. For ADUs that are larger than 750 square feet, impact fees may be charged at a proportional rate. Connection fees for new or separate utility connections for ADUs will be pro-rated dependent upon the burden of the ADU on the water or sewer system, regardless of the size. Fees are not subject to Planning Commission review. A summary of state law regarding impact fees and connection fees for ADUs and JADUs is provided as Attachment 5.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The proposed amendments regarding ADUs are consistent with the objectives, policies, general land uses and programs in the General Plan, and comply with state law. Most specifically, Housing Element Policy P-1.5 encourages the construction of accessory dwelling units, or “second units,” that allow extended families to live near each other, increase the affordable and rental housing stock, and provide income assistance to homeowners. Additionally, the proposed ADU Ordinance amendments would also be consistent with the following General Plan goals/policies:

- Housing Element (HE) Goal G-1 (Land Use Goal 2.g.5), which promotes a variety of housing types, densities, and prices to balance the City’s housing stock and meet Pittsburg’s regional fair share housing needs for people of all income levels;
- HE Goal G-2, to promote the expansion of the City’s affordable housing stock, including that which accommodates special needs households;
- HE Goal G-4, which promotes preserving the existing housing stock including affordable housing units where feasible and appropriate;
- HE Goal G-5, which states the intent of the City to enhance the visual quality of Pittsburg’s residential neighborhoods;
- HE Policy P-2.2, which encourages accommodating the development of housing that is accessible to disabled persons and facilitates aging in place; and
- HE Policy P-2.5, which encourages increasing the supply of rental housing available and affordable to extremely low-, very low-, low-, and moderate-income households and in particular large families.

Zoning: Pursuant to PMC sections 18.16.020 and 18.48.030, the Planning Commission shall include written findings to support any recommendation it makes to the City Council to amend the Municipal Code.

Planning Commission Staff Report

Required Findings: In order to recommend approval of an amendment to the Zoning Ordinance, the Commission must find (in accordance with PMC Section 18.48.030) that:

1. The changes proposed are consistent with the objectives, policies, general land uses and programs specified in the General Plan.
2. In the case of a base district, the change proposed is compatible with the uses authorized in, and the regulations prescribed for, the land use district for which it is proposed.
3. A community need is demonstrated for the change proposed.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice.

Environmental: This project is statutorily exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, section 15282(h), the adoption of an ordinance regarding accessory dwelling units in a single-family or multifamily residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.

Public Notice: On or prior to Friday, May 28, 2020, notice of the June 9, 2020, public hearing to consider this application was published in the East County Times, posted at City Hall, and on the “Public Notices” section of the city’s website 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 citywide on www.nextdoor.com (“Nextdoor”).

ANALYSIS:

Staff believes that the state mandated changes in regulations for ADUs and JADUs are consistent with the listed objectives, policies, and programs set forth in the General Plan and the base zoning districts of Single Family, Multifamily and Mixed Use (as they pertain to residential units). The proposed amendments to the development standards, as well as the reductions to fees are expected to result in an increase in applications to construct ADUs and JADUs. The proposed amendments comply with state law and are anticipated to facilitate the creation of needed affordable unit housing stock within the city.

RECOMMENDATION:

Move to adopt Resolution No. 10150, recommending City Council approval of the proposed text changes to the “Accessory Dwelling Units Standards” contained in PMC Chapter 18.50, Article IV.

ATTACHMENTS:

Planning Commission Staff Report

1. Proposed Resolution No. 10150
 - 1a. Exhibit A, Redline Changes to ADUs/JADUs
2. Housing and Community Development Memorandum, dated January 10, 2020
3. City of Pittsburg ADU Frequently Asked Questions, effective January 1, 2020
4. Government Code 65852.2 and 65852.22 effective January 1, 2020
5. City of Pittsburg Revised Impact Fee Sheet, effective January 1, 2020
6. Public Hearing Notice
7. Staff Presentation

Prepared by: Trishia Caguiat, Associate Planner

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution recommending that the City	)	
Council amend Chapter 18.50, Article IV of	)	
the Pittsburg Municipal Code, "Accessory	)	Resolution No. 10150
Dwelling Units," to Comply with State Law	)	

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. In 2019, the state legislature enacted several laws intended to increase the state's supply of affordable housing by facilitating the construction of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) statewide. The new state laws require cities to expand the allowable location of ADUs to lots zoned for multifamily and mixed use, permit JADUs by-right on lots zoned residential single family, further reduce minimum side and rear setbacks, clearly define 'public transit' to allow for additional parking waivers, remove the ownership occupancy requirements for ADUs, among other requirements.

- B. On January 1, 2020, the laws became effective statewide.

- C. On April 28, 2020, in accordance with Pittsburg Municipal Code (PMC) 18.10.020(b) the Planning Commission authorized staff to initiate a study to review the text of the city's previously adopted Accessory Dwelling Unit ordinance in order to identify changes necessary to comply with state law. The primary purpose of the proposed amendment is to encourage construction of ADUs and JADUs to providing housing opportunities in a manner compatible with existing neighborhood development while complying with state law.

- D. These amendments to the Accessory Dwelling Unit provisions of the zoning ordinance have been drafted in accordance with the amendments to California law, which are intended to facilitate construction of ADUs and JADUs during a severe housing crisis with the demand for housing outstripping existing supply. As such, this project is statutorily exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, section 15282(h), the adoption of an ordinance regarding accessory dwelling units in a single-family or multifamily residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.22 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.

- E. PMC section 18.16.020 identifies the Planning Commission as the advisory body to the City Council on proposed changes to land use regulations, and requires that the Commission conduct a public hearing and determine, prior to making its recommendation, that:

1. The change proposed is consistent with the objectives, policies, general land uses and programs specified in the General Plan and applicable specific plan;
 2. The change proposed is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which it is proposed;
 3. A community need is demonstrated for the change proposed; and
 4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice.
- F. On or prior to May 29, 2020, in accordance with Government Code sections 65853 and PMC section 18.14.020, a "Notice of Public Hearing" for the June 9, 2020, public hearing on this item was published in the East County Times; was posted at City Hall and in the "Public Notices" section of the city website; and was mailed via first class or electronic mail to local service agencies whose services might be significantly affected by this project, and to individuals who had previously filed written request for such notice. Although not required, the notice was also posted citywide on www.nextdoor.com ("Nextdoor").

Section 2. Findings

- A. Based on the Planning Commission staff report entitled, "Recommendations on Amendments to Title 18 of the Pittsburg Municipal Code as it Relates to Accessory Dwelling Units and Junior Accessory Dwelling Units," dated June 9, 2020, 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 public hearing, the Planning Commission finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
 2. The proposed amendments regarding ADUs and JADUs are consistent with the objectives, policies, general land uses and programs in the General Plan, and would help ensure consistency with state law. Most specifically, Housing Element (HE) Policy P-1.5 encourages the construction of accessory dwelling units, or "second units," that allow extended families to live near each other, increase the affordable and rental housing stock, and provide income assistance to homeowners. The proposed amendments would also be consistent with the following additional General Plan goals/policies: 1) HE Goal G-1 (Land Use Goal 2.g.5), which promotes a variety of housing types, densities, and prices to balance the City's housing stock and meet Pittsburg's regional fair share housing needs for people of all income levels; 2) HE Goal G-2, to promote the expansion of the City's affordable housing stock, including that which accommodates special needs households; 3) HE Goal

G-4, which promotes preserving the existing housing stock including affordable housing units where feasible and appropriate; 4) HE Goal G-5, which states the intent of the City to enhance the visual quality of Pittsburgh's residential neighborhoods; 5) HE Policy P-2.2, which encourages accommodating the development of housing that is accessible to disabled persons and facilitates aging in place; and 6) HE Policy P-2.5, which encourages increasing the supply of rental housing available and affordable to extremely low-, very low-, low-, and moderate-income households and in particular large families.

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 not permit the establishment of new uses or ADUs or JADUs in any zoning district in which they are not currently allowed, or provide for increased residential densities beyond that envisioned by the General Plan.
 4. There is a community need for the proposed changes regarding ADUs and JADUs, in that both unit types help increase housing supply, provide an affordable housing option for many low- and moderate-income residents, allow elderly and/or disabled persons to live independently yet close to family members or caregivers, and benefit homeowners by providing extra income that can assist in mitigating the cost of living. Furthermore, ADUs and JADUs do not necessarily require new infrastructure, since ADUs can be created within existing buildings and connected to the existing utilities of a primary dwelling.
 5. The proposed changes would be in conformity with the public convenience, general welfare, and good zoning practice, in that the proposed amendments regarding ADUs and JADUs would help ensure consistency with state law, simplify the approval process, encourage the construction of ADUs to help the City meet its housing goals, and ensure quality and compatible development in the City's residential neighborhoods.
 6. Based on the staff report and associated information, and based on the written and oral testimony presented at the public hearing, the Planning Commission further finds that the draft amendments to the Accessory Dwelling Units fully comply with Government Code section 65852.2 and 65852.22. The revised development standards will allow for the needed flexibility in constructing new units as mandated by state law by making the application process potentially less daunting and burdensome for applicants and would result in the creation of more residential units.
- B. The Staff Report entitled, "Recommendations on Amendments to Title 18 of the Pittsburgh Municipal Code as it Relates to Accessory Dwelling Units and Junior Accessory Dwelling Units," dated June 9, 2020, is referenced hereto as additional support for findings.

Section 3. Decision

Based on the findings and the authority set forth above, the Planning Commission hereby recommends that the City Council adopt an ordinance amending Pittsburg Municipal Code, Chapter 18.50, Article IV, "Accessory Dwelling Units," to read substantially as written in the attached Exhibit A.

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 9th day of June, 2020, 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. 10150 was adopted by the Planning Commission of the City of Pittsburg on June 9, 2020.

KRISTIN POLLIT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Exhibit “A”
Planning Commission Resolution 10150

PLEASE NOTE: Text shown below is in ***bold italic***, deleted language is in ~~strike through~~.

Article IV. Accessory Dwelling Units ***and Junior Accessory Dwelling Units***

18.50.300 General.

This article is intended to implement the general plan housing policy on accessory dwelling units, adopted in part in response to Government Code Section [65852.1](#) et seq., by allowing an accessory dwelling unit in residential districts, subject to approval by the city planner.

18.50.302 Definition.

An “accessory dwelling unit (ADU)” shall mean an attached or detached residential dwelling that is subordinate to a primary dwelling on the same lot, and that provides complete independent and permanent facilities for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary dwelling. An accessory dwelling unit may include a prefabricated or manufactured home on a permanent foundation.

An “efficiency kitchen” is as defined in Section 17958.1 of the Health and Safety Code.

A “junior accessory dwelling unit “(JADU)” is a unit no larger than 500 square feet and contained entirely within the walls of a single-family dwelling. A JADU includes an efficiency kitchen, sleeping facilities, and may include its own bathroom or it may share a bathroom within the existing structure.

“Livable area” is defined as the interior habitable space of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

A “primary dwelling” refers to the main single-family dwelling unit on site, absent the space devoted to or designated as the accessory dwelling unit ***or junior accessory dwelling unit.***

“Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

18.50.305 Where permitted.

An accessory dwelling unit is permitted in any residential district or planned development district on each lot that has a single-family dwelling ***or multi-family dwelling.***

A junior accessory dwelling is permitted in conjunction with a single-family residential use in all zoning districts.

18.50.310 Administrative review.

An application for an accessory dwelling unit ***and/or junior accessory dwelling unit*** meeting the following development standards shall be processed ministerially. In accordance with PMC [18.32.010](#)(B), an accessory dwelling unit ***and/or junior accessory dwelling unit*** shall be approved if the unit complies with all of the following:

- A. The unit is not intended for sale and may be rented, ***except to a qualified non-profit corporation as authorized by Government Code section 65852.26;***
- B. The lot is zoned for single-family, ~~or~~ multifamily residential use, ***or mixed use;***
- C. ~~The lot contains a maximum of one single-family dwelling;~~
- D. The dwelling conforms to the design and development standards for an accessory dwelling unit established in PMC [18.50.315](#);
- E. The accessory unit structure is compatible with the design of the primary dwelling unit in terms of building materials, colors and exterior finishes and architectural style;
- F. Public and utility services including emergency access are adequate to serve both dwellings;
- G. The accessory dwelling unit complies with the development standards applicable to “single-family dwellings, detached,” within the residential or planned development district in which the primary dwelling is located, except as allowed by PMC [18.50.315](#). Accessory dwelling units proposed within RH or RHD districts shall comply with the development standards established for “single-family dwellings, detached,” within the RM district;
- H. The primary dwelling and ***junior*** accessory dwelling unit shall not be occupied by two separate households under two separate leases. The primary dwelling and ***junior*** accessory dwelling unit built on the property shall be separately occupied only if the owner occupies one of the units. ~~This rental restriction~~ ***A deed restriction prohibiting sale and restricting the size and attributes of the JADU*** shall be recorded with the Contra Costa County recorder, on a form prepared by the city planner, and shall be a covenant running with the land. No certificate of occupancy shall be issued or no final inspection shall be conducted for the ***junior*** accessory dwelling unit unless the owner has submitted to the city planner a copy of the recorded restriction required by this subsection. Owner-occupancy shall not be required if the owner is a governmental agency, land trust, or housing organization;
- I. The property owner must file an application with the planning division, which shall include:
1. Plans and elevations showing the proposed ***JADU and/or ADU*** ~~accessory dwelling unit~~ and its relation to the primary dwelling, all existing or proposed structures on site, and all property lines;
 2. Description of building materials;
 3. Landscaping and exterior finish to be used;
 4. Location of required parking pursuant to PMC [18.50.315](#);
 5. Footprint (in square feet) of all existing and proposed structures, as well as the total lot coverage;
 6. Any other information required to determine whether the proposed unit conforms to the requirements of this article;
- J. The property owner must register the ***JADU or ADU, if a rental*** ~~accessory dwelling unit~~ with the city of Pittsburg residential rental inspection program. ***No ADU or JADU shall be rented for a term of 30 days or less.***

18.50.315 Design and development standards.

Schedule 18.50.315 prescribes specific design and development standards for accessory dwelling **units and junior accessory dwelling units**. The column beneath each accessory dwelling unit classification heading establishes basic requirements for accessory dwelling unit development. Additional land-use-specific development regulations are identified in PMC [18.50.310](#).

Schedule 18.50.315: Accessory Dwelling Units **and Junior Accessory Dwelling Units**—
Development Regulations

Unit Classification	JADU	Attached ADU	Detached ADU
Number of Units	1 per lot within the primary dwelling	1 per lot with a primary dwelling With a multifamily residential use, multiple ADUs within portions of the existing structure that were not used as livable area are not to exceed 25 percent of the existing dwelling units.	1 per lot with a primary dwelling With a multifamily use, A maximum of 2 detached ADUs not to exceed 25 percent of the existing dwelling units.
Maximum Unit Size	500 square feet	Lesser of 50 percent of the primary dwelling floor area, or 1,200 square feet.	1,200 square feet.
Minimum Unit Size	200 square feet.		
Minimum Length/Width	10 feet.		
Height and Setbacks	Shall comply with the height and setback standards applicable to “single-family dwellings, attached,” within the applicable base district in which the primary dwelling is located.	Shall comply with the height and setback standards applicable to “single-family dwellings, attached,” within the R or PD district in which the primary dwelling is located; however, accessory dwelling units proposed within RH or RHD districts shall comply with the development standards established for “single-family dwellings, attached,” as outlined in the RM district. (1) Not permitted within any portion of an established front yard, as defined by PMC 18.06.745(B). (2) Minimum 4 feet side, corner side and/or rear yard setback provided the maximum height does not exceed 16 feet with a roof	1) Shall comply with the height and setback standards applicable to “single-family dwellings, detached,” within the R or PD district in which the primary dwelling is located; however, accessory dwelling units proposed within RH or RHD districts shall comply with the development standards established for “single-family dwellings, detached,” as outlined in the RM district. (2 1) Not permitted within any portion of an established front yard, as defined by PMC 18.06.745(B). (3 2) Must be located at least 5-4 feet from the walls of the primary dwelling unit or an accessory structure. (4 3) Minimum 4 feet side, corner side and/or rear

		having a pitch of 3:12 or greater. (3) Corner side yard setback may be increased as necessary to maintain a sight distance triangle formed by the intersecting street lines and a line joining points on these street lines at a distance of 30 feet from the intersection of these lines.	yard setback May encroach up to 5 feet into a required rear yard, provided the maximum height does not exceed 40 feet, or 12- 16 feet with a roof having a pitch of 3:12 or greater. (4) Corner side yard setback may be increased as necessary to maintain a sight distance triangle formed by the intersecting street lines and a line joining points on these street lines at a distance of 30 feet from the intersection of these lines.
Lot Coverage	Shall comply with standards applicable to “single-family dwellings, attached,” within the R or PD district in which the primary dwelling is located.		Shall comply with standards applicable to “single-family dwellings, detached,” within the R or PD district in which the primary dwelling is located.
Minimum Private Storage Area	200 cubic feet. ^a		
Exterior Appearance	<i>The junior accessory dwelling unit shall be constructed within the walls of the proposed or existing single-family residence to be compatible with the design of the primary dwelling unit in terms of building materials, colors and exterior finishes and architectural style.</i>	The accessory dwelling unit must be compatible with the design of the primary dwelling unit in terms of building materials, colors and exterior finishes and architectural style. The entrance of an attached accessory dwelling unit shall not be visible from the public right-of-way.	The accessory dwelling unit must be in harmony with the primary dwelling unit or convey the appearance of a single-family home.
Conversion of an Existing Structure	(1) An accessory structure lawfully established that does not conform to 1 or more of the development standards contained in this section may be converted to an accessory dwelling unit, provided the structure: (a) meets the criteria established in PMC 18.50.310; (b) is not altered or reconstructed so and may be altered up to 150 square feet as not to increase the discrepancy between the existing nonconforming conditions and the standards contained in this section; and (c) any walls within setback areas comply with applicable building and fire codes. (2) An existing garage may only be converted to an accessory dwelling unit if the garage conversion conforms to the standards established in PMC 18.50.130.		
Building Foundation	Permanent foundation required.		
Unit Access	<i>The separate entrance of an</i>	Separate unit access required. The exterior entry	Separate unit access required. If the exterior entry

	<i>attached junior accessory dwelling unit and may include an interior connection to the single-family dwelling and may be secured by a locking door.</i>	shall not be visible from the public right-of-way. If the exterior entry is on the second floor, the stairway shall not be located in the front of the primary dwelling. Interior access between an attached accessory dwelling unit and the primary dwelling may be provided and may be a door equipped with a double lock.	is on the second floor, the stairway shall not be located in the front of the primary dwelling.
Kitchen Facilities	<i>An efficiency kitchen shall include cooking facilities and a food preparation counter with storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.</i>	Separate kitchen facilities required.	
Sanitation Facilities	<i>A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.</i>	Separate sanitation facilities required.	
Utility Meters	Separate gas and electric meters may be permitted if approved by the chief building official and utility provider.		
Required Parking	<i>No additional parking stalls required.</i>		1 space ^b <i>or zero</i> ^c

~~a Each private storage space required by this section shall have minimum horizontal area of 24 square feet, and shall consist of enclosed, weatherproofed and lockable private storage space in addition to clothes closets customarily provided. The space for each unit may be provided in a location approved by the city planner, but must not be divided into two or more locations.~~

b Required parking space(s) may be in tandem with required parking for the primary dwelling unit.

c No additional parking shall be required for an accessory dwelling unit which meets one or more of the following: (a) is located within one-half mile of a public transit stop (in such cases, the one-half mile standard shall be based on the actual walking route between the accessory dwelling unit and the transit stop rather than on a straight line between the two points); (b) is located within an architecturally and historically significant historic district; (c) is located entirely within the existing primary dwelling or an existing habitable accessory structure and results in no net addition of habitable floor area on the property; (d) when on-street parking permits are

required but not offered to the occupant of the accessory dwelling unit; or (e) when there is a car share vehicle located within one block of the accessory dwelling unit.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

**MEMORANDUM**

DATE: January 10, 2020

TO: Planning Directors and Interested Parties



FROM: Zachary Olmstead, Deputy Director
Division of Housing Policy Development

SUBJECT: **Local Agency Accessory Dwelling Units**
Chapter 653, Statutes of 2019 (Senate Bill 13)
Chapter 655, Statutes of 2019 (Assembly Bill 68)
Chapter 657, Statutes of 2019 (Assembly Bill 587)
Chapter 178, Statutes of 2019 (Assembly Bill 670)
Chapter 658, Statutes of 2019 (Assembly Bill 671)
Chapter 659, Statutes of 2019 (Assembly Bill 881)

This memorandum is to inform you of the amendments to California law, effective January 1, 2020, regarding the creation of accessory dwelling units (ADU) and junior accessory dwelling units (JADU). Chapter 653, Statutes of 2019 (Senate Bill 13, Section 3), Chapter 655, Statutes of 2019 (Assembly Bill 68, Section 2) and Chapter 659 (Assembly Bill 881, Section 1.5 and 2.5) build upon recent changes to ADU and JADU law (Government Code Section 65852.2, 65852.22 and Health & Safety Code Section 17980.12) and further address barriers to the development of ADUs and JADUs. (Attachment A includes the combined ADU statute updates from SB 13, AB 68 and AB 881).

This recent legislation, among other changes, addresses the following:

- Development standards shall not include requirements on minimum lot size (Section (a)(1)(B)(i)).
- Clarifies areas designated for ADUs may be based on water and sewer and impacts on traffic flow and public safety.
- Eliminates owner-occupancy requirements by local agencies (Section (a)(6) & (e)(1)) until January 1, 2025.
- Prohibits a local agency from establishing a maximum size of an ADU of less than 850 square feet, or 1000 square feet if the ADU contains more than one bedroom (Section (c)(2)(B)).
- Clarifies that when ADUs are created through the conversion of a garage, carport or covered parking structure, replacement offstreet parking spaces cannot be required by the local agency (Section (a)(1)(D)(xi)).

- Reduces the maximum ADU and JADU application review time from 120 days to 60 days (Section (a)(3) and (b)).
- Clarifies “public transit” to include various means of transportation that charge set fees, run on fixed routes and are available to the public (Section (j)(10)).
- Establishes impact fee exemptions or limitations based on the size of the ADU. ADUs up to 750 square feet are exempt from impact fees and impact fees for an ADU of 750 square feet or larger shall be proportional to the relationship of the ADU to the primary dwelling unit (Section (f)(3)).
- Defines an “accessory structure” to mean a structure that is accessory or incidental to a dwelling on the same lot as the ADU (Section (j)(2)).
- Authorizes HCD to notify the local agency if the department finds that their ADU ordinance is not in compliance with state law (Section (h)(2)).
- Clarifies that a local agency may identify an ADU or JADU as an adequate site to satisfy RHNA housing needs as specified in Gov. Code Section 65583.1(a) and 65852.2(m).
- Permits JADUs without an ordinance adoption by a local agency (Section (a)(3), (b) and (e)).
- Allows a permitted JADU to be constructed within the walls of the proposed or existing single-family residence and eliminates the required inclusion of an existing bedroom or an interior entry into the single-family residence (Gov. Code Section 65852.22).
- Allows upon application and approval, an owner of a substandard ADU 5 years to correct the violation, if the violation is not a health and safety issue, as determined by the enforcement agency (Section (n)).
- Creates a narrow exemption to the prohibition for ADUs to be sold or otherwise conveyed separate from the primary dwelling by allowing deed-restricted sales to occur. To qualify, the primary dwelling and the ADU are to be built by a qualified non-profit corporation whose mission is to provide units to low-income households (Gov. Code Section 65852.26).
- Removes covenants, conditions and restrictions (CC&Rs) that either effectively prohibit or unreasonably restrict the construction or use of an ADU or JADU on a lot zoned for single-family residential use are void and unenforceable (Civil Code Section 4751).
- Requires local agency housing elements to include a plan that incentivizes and promotes the creation of ADUs that can offer affordable rents for very low, low-, or moderate-income households and requires HCD to develop a list of state grants and financial incentives in connection with the planning, construction and operation of affordable ADUs (Gov. Code Section 65583 and Health and Safety Code Section 50504.5) (Attachment D).

For assistance, please see the amended statutes in Attachments A, B, C and D. HCD continues to be available to provide preliminary reviews of draft ADU ordinances to assist local agencies in meeting statutory requirements. In addition, pursuant to Gov. Code Section 65852.2(h), adopted ADU ordinances shall be submitted to HCD within 60 days of adoption. For more information and updates, please contact HCD’s ADU team at adu@hcd.ca.gov.

ATTACHMENT A

GOV. CODE: TITLE 7, DIVISION 1, CHAPTER 4, ARTICLE 2

(AB 881, AB 68 and SB 13 Accessory Dwelling Units)

(Changes noted in strikeout, underline/italics)

Effective January 1, 2020, Section 65852.2 of the Government Code is amended to read:

65852.2.

(a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on ~~criteria that may include, but are not limited to,~~ the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, ~~lot coverage,~~ landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places. Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The accessory dwelling unit may be rented separate from the primary residence, ~~but~~ but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing ~~single-family~~ dwelling.

(iii) The accessory dwelling unit is either attached ~~to,~~ or located ~~within the living area of the~~ within, the proposed or existing primary ~~dwelling or~~ dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

(iv) ~~The total area of floorspace of~~ If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the ~~proposed or existing primary dwelling living area or 1,200 square feet.~~ existing primary dwelling.

(v) The total floor area of ~~floor space~~ for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing ~~garage~~ living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than ~~five~~ four feet from the side and rear lot lines shall be required for an accessory dwelling

unit that is ~~constructed above a garage-~~ not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to a an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, ~~and- the local agency requires-~~ shall not require that those offstreet ~~offstreet~~ parking spaces be replaced, ~~the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This clause shall not apply to a unit that is described in subdivision (d)-~~ replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) ~~When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application-~~ A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, ~~within 120 days after receiving the application.~~ permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse it for costs that it incurs as a result of ~~amendments to this paragraph enacted during the 2001-02 Regular Session of the Legislature,~~ incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency ~~subsequent to the effective date of the act adding this paragraph-~~ shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. ~~In the event that-~~ If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void upon the effective date of the act adding this paragraph- and that agency shall thereafter apply the standards established in this

subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the *delay or* denial of a building permit or a use permit under this subdivision.

(6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot ~~zoned for residential use~~ that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be ~~utilized~~ used or imposed, including any owner-occupant requirement, except that a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or that the property be used for rentals of terms longer than 30 days.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a) ~~within 120 days after receiving the application.~~ (a). The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

~~(c) (C) A local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units. No minimum~~ Any other minimum or maximum size for an accessory dwelling unit, ~~or size based upon a percentage of the proposed or existing primary dwelling, shall be established by ordinance~~ or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an efficiency unit to be constructed in compliance with local development standards. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. 800 square

foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit ~~to create within a zone for single-family use one accessory dwelling unit per single-family lot if the unit is contained within the existing space of a single-family residence or accessory structure, including, but not limited to, a studio, pool house, or other similar structure,~~ has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. A city may require owner occupancy for either the primary or the accessory dwelling unit created through this process. within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

- (3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.
- (4) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.
- (5) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite water treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.
- (6) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.
- (f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).
- (2) ~~Accessory~~ An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer ~~service~~. service, unless the accessory dwelling unit was constructed with a new single-family dwelling.
- (3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.
- (B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.
- ~~(A)~~ (4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge. charge, unless the accessory dwelling unit was constructed with a new single-family home.
- ~~(B)~~ (5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size-square feet or the number of its plumbing fixtures, drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.
- (g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.
- ~~(h) Local (1) agencies~~ A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. ~~The department may review and comment on this submitted ordinance.~~ After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.
- (2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time,

no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(i) (j) As used in this section, the following terms mean:

(1) "Living area" means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

(2) "Local agency" means a city, county, or city and county, whether general law or chartered.

(3) For purposes of this section, "neighborhood" has the same meaning as set forth in Section 65589.5.

(4) (1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit which that provides complete independent living facilities for one or more persons. persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(A) (3) An efficiency unit, "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(B) (4) A manufactured home, as defined in Section 18007 of the Health and Safety Code. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Neighborhood" has the same meaning as set forth in Section 65589.5.

(7) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(5) (8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(10) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

~~(6)~~ (11) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(j) (l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(o) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

(Becomes operative on January 1, 2025)

Section 65852.2 of the Government Code is amended to read (changes from January 1, 2020 statute noted in underline/italic):

65852.2.

(a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit

that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(6) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, ~~including any owner-occupant requirement, except that a local agency may require that the property be used for rentals of terms longer than 30 days.~~ imposed except that, *subject to subparagraph (B), a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or that the property be used for rentals of terms longer than 30 days.*

(B) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit permitted between January 1, 2020, to January 1, 2025, during which time the local agency was prohibited from imposing an owner-occupant requirement.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms,

passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and may shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.

(4) A local agency may require owner occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (6) of subdivision (a).

(5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

~~(5)~~ (6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite water treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

~~(6)~~ (7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or

separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family home dwelling.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed

or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Neighborhood" has the same meaning as set forth in Section 65589.5.

(A) An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(7) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(10) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(11) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit

for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(o) This section shall ~~remain in effect only until January 1, 2025, and as of that date is repealed~~
become operative on January 1, 2025.

Effective January 1, 2020, Section 65852.22 of the Government Code is amended to read (changes noted in strikeout, underline/italics) (AB 68 (Ting)):

65852.22.

(a) Notwithstanding Section 65852.2, a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(1) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence ~~already built~~ built, or proposed to be built, on the lot.

(2) Require owner-occupancy in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(3) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

(A) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(B) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

(4) Require a permitted junior accessory dwelling unit to be constructed within the ~~existing~~ walls of the structure, and ~~require the inclusion of an existing bedroom.~~ proposed or existing single-family residence.

(5) Require a permitted junior accessory dwelling to include a separate entrance from the main entrance to the structure, ~~with an interior entry to the main living area. A permitted junior accessory dwelling may include a second interior doorway for sound attenuation.~~ proposed or existing single-family residence.

(6) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

~~(A) A sink with a maximum waste line diameter of 1.5 inches.~~

~~(B) (A) A cooking facility with appliances that do not require electrical service greater than 120 volts, or natural or propane gas.~~ appliances.

~~(C) (B)~~ A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(b) (1) An ordinance shall not require additional parking as a condition to grant a permit.

(2) This subdivision shall not be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine ~~whether~~ if the junior accessory dwelling unit ~~is in compliance~~ complies with applicable building standards.

(c) An application for a permit pursuant to this section shall, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing. ~~A permit shall be issued within 120 days of submission of an application for a permit pursuant to this section.~~ The permitting agency shall act on the application to create a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot. If the permit application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the

applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this section.

(d) For ~~the~~ purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit. This section shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a junior accessory dwelling unit or not.

(e) For ~~the~~ purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

(f) This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a junior accessory dwelling unit.

(g) If a local agency has not adopted a local ordinance pursuant to this section, the local agency shall ministerially approve a permit to construct a junior accessory dwelling unit that satisfies the requirements set forth in subparagraph (A) of paragraph (1) of subdivision (e) of Section 65852.2 and the requirements of this section.

~~(g)~~ (h) For purposes of this section, the following terms have the following meanings:

(1) "Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within ~~an existing~~ a single-family ~~structure~~ residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(2) "Local agency" means a city, county, or city and county, whether general law or chartered.

Effective January 1, 2020 Section 17980.12 is added to the Health and Safety Code, immediately following Section 17980.11, to read (changes noted in underline/italics) (SB 13 (Wieckowski)):

17980.12.

(a) (1) An enforcement agency, until January 1, 2030, that issues to an owner of an accessory dwelling unit described in subparagraph (A) or (B) below, a notice to correct a violation of any provision of any building standard pursuant to this part shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to this subdivision:

(A) The accessory dwelling unit was built before January 1, 2020.

(B) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(2) The owner of an accessory dwelling unit that receives a notice to correct violations or abate nuisances as described in paragraph (1) may, in the form and manner prescribed by the enforcement agency, submit an application to the enforcement agency requesting that enforcement of the violation be delayed for five years on the basis that correcting the violation is not necessary to protect health and safety.

(3) The enforcement agency shall grant an application described in paragraph (2) if the enforcement determines that correcting the violation is not necessary to protect health and safety. In making this determination, the enforcement agency shall consult with the entity responsible for enforcement of building standards and other regulations of the State Fire Marshal pursuant to Section 13146.

(4) The enforcement agency shall not approve any applications pursuant to this section on or after January 1, 2030. However, any delay that was approved by the enforcement agency before January 1, 2030, shall be valid for the full term of the delay that was approved at the time of the initial approval of the application pursuant to paragraph (3).

(b) For purposes of this section, "accessory dwelling unit" has the same meaning as defined in Section 65852.2.

(c) This section shall remain in effect only until January 1, 2035, and as of that date is repealed.

ATTACHMENT B

GOV. CODE: TITLE 7, DIVISION 1, CHAPTER 4, ARTICLE 2

AB 587 Accessory Dwelling Units

(Changes noted in underline/italics)

Effective January 1, 2020 Section 65852.26 is added to the Government Code, immediately following Section 65852.25, to read (AB 587 (Friedman)):

65852.26.

(a) Notwithstanding clause (i) of subparagraph (D) of paragraph (1) of subdivision (a) of Section 65852.2, a local agency may, by ordinance, allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all of the following apply:

(1) The property was built or developed by a qualified nonprofit corporation.

(2) There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.

(3) The property is held pursuant to a recorded tenancy in common agreement that includes all of the following:

(A) The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling each qualified buyer occupies.

(B) A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the property if the buyer desires to sell or convey the property.

(C) A requirement that the qualified buyer occupy the property as the buyer's principal residence.

(D) Affordability restrictions on the sale and conveyance of the property that ensure the property will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.

(4) A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.

(5) Notwithstanding subparagraph (A) of paragraph (2) of subdivision (f) of Section 65852.2, if requested by a utility providing service to the primary residence, the accessory dwelling unit has a separate water, sewer, or electrical connection to that utility.

(b) For purposes of this section, the following definitions apply:

(1) "Qualified buyer" means persons and families of low or moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(2) "Qualified nonprofit corporation" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

ATTACHMENT C

CIVIL CODE: DIVISION 4, PART 5, CHAPTER 5, ARTICLE 1

AB 670 Accessory Dwelling Units

(Changes noted in underline/italics)

Effective January 1, 2020, Section 4751 is added to the Civil Code, to read (AB 670 (Friedman)):

4751.

(a) Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that either effectively prohibits or unreasonably restricts the construction or use of an accessory dwelling unit or junior accessory dwelling unit on a lot zoned for single-family residential use that meets the requirements of Section 65852.2 or 65852.22 of the Government Code, is void and unenforceable.

(b) This section does not apply to provisions that impose reasonable restrictions on accessory dwelling units or junior accessory dwelling units. For purposes of this subdivision, "reasonable restrictions" means restrictions that do not unreasonably increase the cost to construct, effectively prohibit the construction of, or extinguish the ability to otherwise construct, an accessory dwelling unit or junior accessory dwelling unit consistent with the provisions of Section 65852.2 or 65852.22 of the Government Code.

ATTACHMENT D

GOV. CODE: TITLE 7, DIVISION 1, CHAPTER 3, ARTICLE 10.6

AB 671 Accessory Dwelling Units

(Changes noted in underline/italics)

Effective January 1, 2020, Section 65583(c)(7) of the Government Code is added to read (sections of housing element law omitted for conciseness) (AB 671 (Friedman)):

65583(c)(7).

Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, "accessory dwelling units" has the same meaning as "accessory dwelling unit" as defined in paragraph (4) of subdivision (i) of Section 65852.2.

Effective January 1, 2020, Section 50504.5 is added to the Health and Safety Code, to read (AB 671 (Friedman)):

50504.5.

(a) The department shall develop by December 31, 2020, a list of existing state grants and financial incentives for operating, administrative, and other expenses in connection with the planning, construction, and operation of an accessory dwelling unit with affordable rent, as defined in Section 50053, for very low, low-, and moderate-income households.

(b) The list shall be posted on the department's internet website by December 31, 2020.

(c) For purposes of this section, "accessory dwelling unit" has the same meaning as defined in paragraph (4) of subdivision (i) of Section 65852.2 of the Government Code.



New Accessory Dwelling Unit Requirements

Frequently Asked Questions

Accessory dwelling units have recently been identified by the State as a moderately affordable housing type. In light of the State's housing crisis, new legislation has been enacted to further incentivize the creation of accessory residential units. New regulations for accessory dwelling units and junior accessory dwelling units took effect **January 1, 2020**. For the full text of the new laws, please review the recently codified Government Code Sections 65852.2 and 65852.22 or contact the City Planning Division for further clarification.

What is an Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)? An "Accessory Dwelling Unit" ("ADU") is an attached or detached residential dwelling that provides complete independent living facilities, including permanent provisions for living, sleeping, eating, cooking and sanitation, and is located on a lot with a proposed or existing primary residence. These units are sometimes referred to as "in-law units" or "granny flats."

A "Junior Accessory Dwelling Unit" ("JADU") is a unit no larger than 500 square feet and contained entirely within a single-family residence. A JADU includes an efficiency kitchen, sleeping facilities, and may include its own bathroom or it may share a bathroom within the existing structure.

What is the permit process? ADU and JADU applications do not require a public hearing and are reviewed through the City's building permit application process.

How many ADUs and JADUs are allowed? For existing lots with a single-family residence, or lots in single family zoning districts, one attached unit (ADU or JADU) and one detached unit (ADU) is allowed. For existing lots with multi-family dwellings, ADU's may be added; however, no more than a 25% increase in units is allowed, and no more than two ADUs may be detached (for example, a lot with 4 existing units may only add one ADU on site).

What are the setbacks and height limitations? Minimum side and rear setbacks for detached ADUs are four feet, with a building height of up to 16-feet. All other setback requirements defined by the base zoning district are still applicable.

Is parking required? No parking (including replacement parking) is required for attached ADUs and JADUs. No parking (including replacement parking) is required for ADUs located within a half-mile walking distance of public transit (including bus stops, BART stations, or car share stations).

Is owner occupancy required? Owner occupancy of one dwelling on-site is required for JADUs only.

How do I legalize an existing unpermitted unit? Contact the Planning Division to determine what is needed to legalize the unit. An owner of an unpermitted ADU may request a delay of enforcement of building standards for a unit already built, if correcting the violation is not necessary to protect health and safety, subject to determination by the Chief Building Official.

Are ADUs and JADUs subject to the rental inspection program? Yes.

For more information on ADU and JADU requirements specific to your property, please contact the Planner on Duty at (925) 252-4920.

 KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

[West's Annotated California Codes](#)

[Government Code \(Refs & Annos\)](#)

[Title 7. Planning and Land Use \(Refs & Annos\)](#)

[Division 1. Planning and Zoning \(Refs & Annos\)](#)

[Chapter 4. Zoning Regulations \(Refs & Annos\)](#)

[Article 2. Adoption of Regulations \(Refs & Annos\)](#)

West's Ann.Cal.Gov.Code § 65852.2

§ 65852.2. Accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use; creation by ordinance

Effective: January 1, 2020

[Currentness](#)

<Section operative until Jan. 1, 2025. See, also, [§ 65852.2](#) operative Jan. 1, 2025.>

(a)(1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B)(i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling

unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x)(I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or

per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding [Section 65901](#) or [65906](#) or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use

permit under this subdivision.

(6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, including any owner-occupant requirement, except that a local agency may require that the property be used for rentals of terms longer than 30 days.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.

(c)(1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e)(1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit or junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or

existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of [Section 65852.22](#).

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C)(i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the

primary residence.

(4) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(5) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite water treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(6) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f)(1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with [Section 66000](#)) and Chapter 7 (commencing with [Section 66012](#)).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3)(A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, “impact fee” has the same meaning as the term “fee” is defined in [subdivision \(b\) of Section 66000](#), except that it also includes fees specified in [Section 66477](#). “Impact fee” does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family home.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local

agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with [Section 66013](#), the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h)(1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2)(A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3)(A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with [Section 11340](#)) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) “Accessory dwelling unit” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in [Section 18007 of the Health and Safety Code](#).

(2) “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) “Efficiency unit” has the same meaning as defined in [Section 17958.1 of the Health and Safety Code](#).

(4) “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) “Local agency” means a city, county, or city and county, whether general law or chartered.

(6) “Neighborhood” has the same meaning as set forth in [Section 65589.5](#).

(7) “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.

(8) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(10) “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(11) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 ([Division 20 \(commencing with Section 30000\) of the Public Resources Code](#)), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in [subdivision \(a\) of Section 65583.1](#), subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to [Article 1 \(commencing with Section 17960\)](#) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with [Section 17980.12 of the Health and Safety Code](#):

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(o) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

Credits

(Added by Stats.1982, c. 1440, § 2, operative July 1, 1983. Amended by Stats.1986, c. 156, § 1, operative April 1, 1987; Stats.1990, c. 1150 (A.B.3529), § 2; Stats.1994, c. 580 (A.B.3198), § 2; Stats.2002, c. 1062 (A.B.1866), § 2; Stats.2016, c. 720 (S.B.1069), § 5, eff. Jan. 1, 2017; Stats.2016, c. 735 (A.B.2299), § 1.5, eff. Jan. 1, 2017; Stats.2017, c. 594 (S.B.229), § 1, eff. Jan. 1, 2018; Stats.2017, c. 602 (A.B.494), § 1.5, eff. Jan. 1, 2018; Stats.2019, c. 653 (S.B.13), § 1, eff. Jan. 1, 2020; Stats.2019, c. 655 (A.B.68), § 1, eff. Jan. 1, 2020; Stats.2019, c. 659 (A.B.881), § 1.5, eff. Jan. 1, 2020.)

Editors' Notes

REPEAL

<For repeal of this section, see its terms.>

Notes of Decisions (10)

West's Ann. Cal. Gov. Code § 65852.2, CA GOVT § 65852.2
Current with urgency legislation through Ch. 3 of 2020 Reg.Sess

End of Document

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West's Annotated California Codes Government Code (Refs & Annos) Title 7. Planning and Land Use (Refs & Annos) Division 1. Planning and Zoning (Refs & Annos) Chapter 4. Zoning Regulations (Refs & Annos) Article 2. Adoption of Regulations (Refs & Annos)

West's Ann.Cal.Gov.Code § 65852.22

§ 65852.22. Junior accessory dwelling units in single-family residential zones; creation by ordinance; permits

Effective: January 1, 2020

[Currentness](#)

(a) Notwithstanding [Section 65852.2](#), a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(1) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.

(2) Require owner-occupancy in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(3) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

(A) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(B) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

(4) Require a permitted junior accessory dwelling unit to be constructed within the walls of the proposed or existing single-family residence.

(5) Require a permitted junior accessory dwelling to include a separate entrance from the main entrance to the proposed or existing single-family residence.

(6) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

(A) A cooking facility with appliances.

(B) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(b)(1) An ordinance shall not require additional parking as a condition to grant a permit.

(2) This subdivision shall not be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine if the junior accessory dwelling unit complies with applicable building standards.

(c) An application for a permit pursuant to this section shall, notwithstanding [Section 65901](#) or [65906](#) or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing. The permitting agency shall act on the application to create a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot. If the permit application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this section.

(d) For purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit. This section shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a junior accessory dwelling unit or not.

(e) For purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

(f) This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of

whether the single-family residence includes a junior accessory dwelling unit.

(g) If a local agency has not adopted a local ordinance pursuant to this section, the local agency shall ministerially approve a permit to construct a junior accessory dwelling unit that satisfies the requirements set forth in [subparagraph \(A\) of paragraph \(1\) of subdivision \(e\) of Section 65852.2](#) and the requirements of this section.

(h) For purposes of this section, the following terms have the following meanings:

(1) “Junior accessory dwelling unit” means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(2) “Local agency” means a city, county, or city and county, whether general law or chartered.

Credits

(Added by [Stats.2016, c. 755 \(A.B.2406\)](#), § 1, eff. Sept. 28, 2016. Amended by [Stats.2019, c. 655 \(A.B.68\)](#), § 2, eff. Jan. 1, 2020.)

West’s Ann. Cal. Gov. Code § 65852.22, CA GOVT § 65852.22
Current with all laws through Ch. 870 of 2019 Reg.Sess.

End of Document

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City of Pittsburg

Community Development Department

65 Civic Avenue, Pittsburg CA. 94565 | Tel: (925) 252-4930 | Fax: (925) 252-4814

Accessory Dwelling Unit Fees effective January 1, 2020

TYPES OF ACCESSORY DWELLING UNITS:

Accessory Dwelling Units (ADUs) are either attached or detached small residential units that provide complete independent living facilities, including permanent provisions for living, sleeping, eating, cooking and sanitation, and are located on a lot with a proposed or existing primary residence.

Junior Accessory Dwelling Units (JADUs) are small residential units no larger than 500 square feet and contained entirely within a single-family residence. A JADU includes an efficiency kitchen, sleeping facilities, and may include its own bathroom or it may share a bathroom within the existing structure.

PERMITTING FEE TYPES:

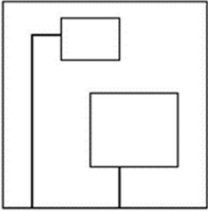
The size and type of the ADU or JADU will determine what fees are applicable. Applicants for an ADU and JADU are subject to the following:

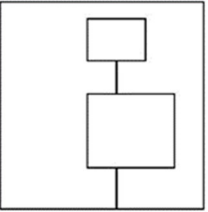
- **Planning Review Fee** – Paid directly to the City; flat fee for all ADUs
- **Building Permit Fees** – Paid directly to the City; amounts based on project valuation
- **Engineering Permit Fees** – Paid directly to the City
- **School Fee** – Paid directly to Pittsburg Unified School District, Mt. Diablo Unified School District, or Antioch Unified School District, as applicable*
- **Contra Costa Water District (CCWD) Fee** – Paid directly to Contra Costa Water District*
- **Delta Diablo (DD) Fee** – Paid directly to Delta Diablo*
- **Fire Review (CCCYPD)** – Collected by the City on behalf of Contra Costa County Fire Protection District
- **Facility Reserve Charge (FRC)** – Paid directly to the City
- **Local and Regional Transportation Mitigation Fees (TMF)** – Paid directly to the City

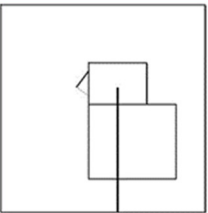
* Applicants to verify and pay ADU fees (as applicable) directly with these agencies.

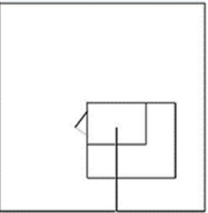
Impact Fees vs. Connection Fees (New Laws!)

As of January 1, 2020, impact fees will no longer apply to ADUs or JADUs that are 750 square feet or less in size. For ADUs that are larger than 750 square feet, impact fees will be charged at a proportional rate, as determined by the agency issuing the impact fee. Connection fees for new or separate utility connections for ADUS will be pro-rated dependent upon the burden of the ADU on the water or sewer system, regardless of the size.

ADU - Type A Detached, Separate utility tie in		750 sf or Less	751 sf to 1,200 sq. ft.	Comments
	School Fee	No	Yes	
	CCCFPD	No	Yes	
	FRC ¹	Yes	Yes	
	TMF	No	Yes	Prorated rate when required
	CCWD	--	--	Contact CCWD at 925-688-8044
	DD	--	--	Contact DD at 925-756-1900
	Rental Enrollment	Yes	Yes	

ADU - Type B Detached, Ties into existing/retrofit utility connection		750 sf or Less	751 sf to 1,200 sq. ft.	Comments
	School Fee	No	Yes	
	CCCFPD (per unit)	No	Yes	
	FRC	No	Yes	
	TMF	No	Yes	Prorated rate when required
	CCWD	--	--	Contact CCWD at 925-688-8044
	DD	--	--	Contact DD at 925-756-1900
	Rental Enrollment	Yes	Yes	

ADU/JADU - Type C Attached, Existing/retrofit connection		750 sf or Less	751 sf to 1,200 sq. ft.	Comments
	School Fee	No	Yes	
	CCCFPD (per unit)	No	Yes	
	FRC	No	Yes	
	TMF	No	Yes	Prorated rate when required
	CCWD	--	--	Contact CCWD at 925-688-8044
	DD	--	--	Contact DD at 925-756-1900
	Rental Enrollment	Yes	Yes	

ADU/JADU - Type D Within existing livable space, Existing connection		750 sf or Less	751 sf to 1,200 sq. ft.	Comments
	School Fee	No	No	
	CCCFPD (per unit)	No	No	
	FRC	No	Yes	
	TMF	No	No	
	CCWD	--	--	Contact CCWD at 925-688- 8044
	DD	--	--	Contact DD at 925-756-1900
	Rental Enrollment	Yes	Yes	

¹ Connection fee for water and sewer connection is applicable to any size unit when there is a separate connection into the main utility line per AB 881, section 65852.2 (f)1(A)(B) at a proportional rate.



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: June 9, 2020

TIME: 7:00 p.m.

PLACE: Zoom Teleconference via Streaming Media on the City's homepage,
www.ci.pittsburg.ca.us (see public advisory on last page)

Concerning the following matter:

Recommendations on Amendments to Title 18 of the Pittsburg Municipal Code as it Relates to Accessory Dwelling Units and Junior Accessory Dwelling Units.

This is a public hearing to consider potential amendments to Title 18 of the Pittsburg Municipal Code (PMC) to revise the existing "Accessory Dwelling Units" Standards into conformance with adopted state legislation. These amendments would apply city-wide.

PROJECT PLANNER: Trishia Caguiat (925) 252-4855 or tcaguiat@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; please contact the project planner listed above to make necessary arrangements.

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

Comments or objections to the project can be made by writing or through e-mailed 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.

Comments can be submitted via email to meetingcomments@ci.pittsburg.ca.us.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

PUBLIC ADVISORY:
THE CITY COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the City Council for May 18, 2020 will be conducted telephonically through Zoom and broadcast live through [Granicus on the City's website](#).

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

Comments on this item can be submitted via email to:
meetingcomments@ci.pittsburg.ca.us

If you wish to have your comments read to the Planning Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate "FOR PUBLIC COMMENT – NON-AGENDA." Comments that you want read to the Commission will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Commission and not read at the meeting will be distributed to the Commission prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Twitter, etc.) will not be accepted.

The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.



City of
Pittsburgh

Amendments to Accessory Dwelling Units and
Junior Accessory Dwelling Units Standards
Planning Commission - June 9, 2020

Background



- ADUs can provide a moderately affordable housing type within the traditional single-family neighborhood
- 2016 State Legislature housing package
- On October 9, 2019, the Governor of California signed a package of bills effective on January 1, 2020

Applicability



2017 Law: ADUs allowed with single-family homes

2020 Law: ADUs allowed on multifamily and mixed use zoned properties. Single-family residential properties allowed to have ADU and JADU by-right.

Junior Accessory Dwelling Units



2017 Law: Introduced as an optional secondary unit type on single-family zoned lots.

2020 Law: A unit no larger than 500 square-feet and contained within a single-family residence

Lot Coverage/Setbacks



- Minimum side and rear yard setbacks would be reduced to four-feet. Height may be limited to 16 feet
- 'Lot Coverage' zoning limitations be eliminated for ADUs
- A minimum square-footage requirement would be eliminated for either an attached or detached ADU

Parking



Prior and current state law exempts certain units from off-street parking requirements. Current state law clarifies:

- 1) located within one-half mile from a public transit stop,
- 2) part of the existing primary residence or in an existing accessory structure, or
- 3) within one block of a car-share station.

‘Public Transit’ – must charge set fares, run on fixed routes, and are available to the public.

Owner Occupancy



- Owner occupancy requirements for ADUs are prohibited
- Owner occupancy is required for JADUs (occupancy in either the unit or the remaining portion). A deed restriction is required to be recorded prohibiting the sale of the JADU and setting forth the restrictions on the size and attributes of the JADU

Impact Fees/Connection Fees



Impact fees no longer apply to ADUs or JADUs that are 750 square feet or less in size

For ADUs that are larger than 750 square feet, impact fees will be charged at a proportional rate

Connection fees for new or separate utility connections, when allowed, for ADUs must be proportionate

Recommended Actions



Move to adopt Resolution No. 10150, recommending City Council approval of the proposed text changes to the “Accessory Dwelling Units Standards” contained in PMC Chapter 18.50, Article IV.

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
June 9, 2020**

ITEM: Oak Hills Sign Program Update 2020, AP-20-1503 (SR)

ORIGINATED BY: Bob Garrison/Sierra Pacific Properties Inc., 1800 Willow Pass Road, Concord, CA 94520.

SUBJECT: This is a request for sign review approval of amendments to an existing master sign program for Oak Hills Shopping Center located at 408-692 Bailey Road, in the CC (Community Commercial) District. Assessor's Parcel Nos. 093-130-027, -038, and -046.

RECOMMENDATION:

Staff recommends that the Commission adopt Resolution No. 10151, approving Sign Review Application No. 20-1503, subject to conditions.

BACKGROUND:

On May 24, 1988, the Planning Commission adopted Resolution No. 8121 approving the site plan, architecture, landscaping and master sign program for the Oak Hills Shopping Center. The Oak Hills Shopping Center was constructed in 1989 and has been continuously operating since that time. On October 25, 2011, the Planning Commission adopted Resolution No. 9894 approving amendments to the master sign program for the Oak Hills Shopping Center. No other changes have been proposed since that time.

PROJECT DESCRIPTION:

Existing Conditions: The 124,310 square foot Oak Hills Shopping Center is located on an 11.65-acre site that is comprised of three separate parcels. The shopping center is located on the northeast corner of West Leland Road and Bailey Road, just within Pittsburg City Limits.

To the north of the property lies State Route 4 with commercial and residential uses beyond, within the unincorporated area of Bay Point under the jurisdiction of Contra Costa County. To the east of the property lies currently vacant land also in Bay Point. To the immediate west of the property is the Pittsburg Bay Point BART Station. South of the property, across West Leland Road lies Oak Hills Apartments with single family homes in the Oak Hills and Pittsburg Terrace Subdivisions on either side.

The L-shaped shopping center structures are sited close to the western property line and consists of two major tenants (Safeway and Rite Aid occupying approximately 76,660 square feet of the Center) flanked on both sides side by approximately 35,500

square feet of in-line shops. Four pad tenants (combined 17,150 square feet) are located along the eastern property line close to Bailey Road.

The Shopping Center fronts onto a large parking lot that contains approximately 479 parking stalls. Within the parking lot there are two existing shopping cart corrals near the Safeway storefront, which accommodate advertising displays. Each cart corral currently supports 54 square feet of advertising on two two-sided displays per corral.

Two approximately 18-foot tall freestanding signs advertising the Shopping Center and Safeway are located at Bailey Road and Leland Road driveways into the shopping center. Each of the freestanding signs is composed of two, two-sided, oval cabinet signs measuring approximately 14 feet in width by four feet in height (approximately 56 square feet per cabinet). The cabinet signs are mounted to concrete poles that are topped by wooden trellises.

Existing major tenant signage is composed of channel letters (Safeway and Rite Aid), a cabinet logo for Safeway, and secondary signage advertising other uses within the major tenants (i.e., bank, pharmacy, one-hour photo) mounted onto both cabinet and channel letter signage beneath the major tenant identification sign. According to building permit records, Safeway currently has approximately 181 square feet of approved building signage (2010) and Rite Aid has approximately 129 square feet of approved signage (1998). Under the existing sign program, major tenants are permitted two square feet of sign area for each lineal foot of building frontage.

Currently, there are 19 signs advertising in-line shop tenants. All of the signs are oval in shape, centered above the storefront and have acrylic sign faces with bronze borders and returns. A majority of the in-line shop signs have ivory backgrounds, while seven have solid color backgrounds that reflect the business's brand colors. The existing sign program specifies that in-line shop signage must be oval-shaped, measure no more than two feet in height by 12 feet in length and be composed of an ivory acrylic plastic face with one and one-half inch bronze returns.

Of the four pad tenants, two have channel letters (Chase and Round Table Pizza) and two have cabinet signs (Burger King and Auto Zone). Auto Zone has oval cabinet signs that match the existing shopping center in-line shop signage. Under the existing sign program, pad tenants are permitted one square foot of sign area for each lineal foot of building frontage.

See Attachment 3 for an aerial photo of the site, the surrounding land uses, and photos of the existing signage.

Proposed Master Sign Program: The proposed sign program amendments would include the addition of specification and requirement recitals that are standard in recently adopted sign programs, in addition to transitioning from the currently permitted cabinet signs to individually illuminated channel letters and increasing permitted sign area regulations as follows:

- 1) For minor tenants (under 10,000 square feet) located in the shopping center prior to the date of adoption and approval of this Master Retail Sign Program by the City of Pittsburg, individual letters or single face sign cabinets would be allowed.
- 2) For minor tenants locating in the center after the adoption and approval of this Master Retail Sign Program by the City of Pittsburg, only individually illuminated channel letters would be allowed.
- 3) Major tenants would be allowed up to three (3) square feet of sign per total linear foot of frontage. Except as provided elsewhere, the maximum height would be 50% of the fascia height or 60", and the maximum length would be 75% of frontage. The tenant would be allowed to have signs on more than one frontage. The signs would need to be aluminum channel letters with LED illumination on ½" stand off.
- 4) As described in Exhibit A, Minor tenants would be allowed two (2) square feet of sign area per linear foot of frontage, with a maximum height 24" or 80% of the fascia height and a maximum length of 75% of the frontage. Tenants with two frontages would be permitted signage on both frontages. The signs would have to be aluminum pan channel letters neon face cabinet fluorescent illumination with trip cap, or single-face sign cabinets.

See Attachment 2 for the full text of the proposed Master Retail Sign Program for Oak Hills Shopping Center.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is in the 'Southwest Hills Subarea' of the General Plan and has a land use designation of 'Community Commercial'. The existing Oak Hills Shopping Center is consistent and compatible with the General Plan land use designation as a commercial center that serves nearby neighborhoods.

Zoning: The project site is located within the CC (Community Commercial) District. Existing uses within the Oak Hills Shopping Center (grocery, restaurant, and general merchandise) are legally established uses consistent and compatible with the CC Zoning District per the land use regulations of the Pittsburg Municipal Code (PMC) section 18.52.010.

Sign Program Required: Per PMC 19.04.010(B), it is the city's intention to 1) encourage those signs that are well designed and pleasing in appearance; 2) encourage those signs that are compatible with the architectural style and characteristics of the building to which it may be attached and with those signs on adjacent businesses; 3) enhance overall property values and the visual environment in the city by reducing the blight and clutter of unsightly signs; 4) encourage the use of commercial signs to identify the business to which the sign relates rather than for general advertising purposes; 5) enhance traffic safety by ensuring that signage does not distract motorists or otherwise

obstruct or impede traffic circulation; and 6) allow limited opportunities for structures to be used for general advertising purposes off site of a business, as a means to disseminate community messages and promote economic development by providing a mechanism to advertise local goods and services in highly visible locations.

The proposed master sign program update calls for individually illuminated channel letters which would create a pleasing appearance by providing unity throughout the shopping center, and ensure signs are compatible with those of adjacent businesses. The updated program would reduce clutter of unsightly signs by requiring all minor tenants locating in the center after the adoption and approval of this Master Retail Sign Program only individually illuminated channel letter signage. Each sign would be a building sign identifying the business the sign relates, and would not include any moving or flashing signs that could distract motorists. The Oak Hills Shopping Center has existing monument signs at both Leland Road and Bailey Road, which are highly visible locations.

According to PMC 19.08.040(B), "A master sign program is required when signs are requested for a building which contains four (4) or more business or office uses;" however, there are no required findings for a master sign program. A sign program was initially adopted for this property in 1988, because the multi-tenant building contains 21 lease spaces, and was amended in 2011. The sign program is currently being amended to bring the sign program up to date with standard sign program language and to transition from the currently permitted cabinet signs to individually illuminated channel letters and increase the permitted sign area.

Environmental: The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, "Existing Facilities," of the State CEQA Guidelines section 15301.

Public Notice: Although not required by the PMC, on or prior to May 30, 2020, notice of the June 9, 2020, public meeting to consider review of the proposed sign program was posted at City Hall, 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, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice.

ANALYSIS:

The purpose of the original Oak Hills Sign Program was to ensure compatibility of signage within the shopping center. However, the existing sign program permits a combination of channel letters and cabinet signs, and does not reflect current signage trends. Currently, there is a combination of older tenant signs that adhered closely to the sign program (oval sign with ivory background and varied color lettering), and several newer in-line shop tenant signs with color backgrounds that reflect more contemporary branding strategies. Additionally, the pad tenant signage is inconsistent with the rest of the in-line tenants. Requiring tenants locating in the center after the adoption of this updated sign program to provide signage with only individually

illuminated channel letters would provide consistency throughout the center for all major, minor, and pad tenants. It would also provide clear direction for staff and business owners who are installing new or upgrading old signage.

While staff recommends that most of the proposed Oak Hills Sign Program Update regulations be carried forward, staff does recommend several modifications. For major tenants, the property manager has requested that the sign area be increased to three square feet per lineal foot of building frontage with no overall limitation on sign area. These regulations are consistent with sign regulations for major tenants at other shopping centers in Pittsburg, such as Highland Square and Century Plaza, where major tenants are permitted a higher sign area allowance than other tenants within the shopping center. However, staff believes that the existing regulation of two square feet of signage per one lineal foot of business frontage is sufficient for the major tenants based on the fact that major tenants are currently well under that allowance. As noted above, Safeway has 181 square feet of approved building sign area and 112 square feet of freestanding sign area (total of 293 square feet of sign area) for 225 lineal feet of frontage. Rite Aid has 129 square feet of approved building sign area for approximately 191 lineal feet of frontage.

Staff believes that it is appropriate to limit the pad and minor tenant signage to the existing regulation of one square foot of signage per one lineal foot of building frontage because it is consistent with the existing Title 19 sign regulations for retail and service businesses and it is consistent with the signage that is currently on the businesses at the shopping center. Chase has approximately 112 square feet of approved sign area and over 300 lineal feet of frontage and Round Table Pizza has 76.5 square feet of approved sign area and 192 lineal feet of frontage. Staff believes this maximum can also be placed on the minor tenants, so as not to overwhelm the building facia with signage.

The amended sign program would not make any tenant signage at the center non-conforming. Rather, it is intended to provide clear, standard direction for staff and business owners, and to clarify regulations related to pad tenants and other advertising media.

In addition, staff believes some aspects of the existing master sign program that were not included in the proposed update should be carried over. Regulations for the new media and advertising mechanisms such as cart corral signage are not specifically permitted in the program or in PMC Title 19, Sign regulations, which could potentially result in code enforcement issues if removed from the updated master sign program.

The proposed sign program is consistent with the intent of Title 19, Sign Regulations, and would not result in excessive signage at the commercial center with the staff recommended modifications as described above.

ACTION REQUIRED:

Move to adopt Resolution No. 10151, approving Sign Review Application No. 20-1503, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10151
2. Proposed Master Retail Sign Program for Oak Hills Shopping Center plus Exhibits
3. Map of Surrounding Land Uses and Photos of Existing Signage
4. Public Meeting Notice

Prepared by: Celina Palmer, Assistant Planner

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving Amendments to	)	Resolution No. 10151
the Oak Hills Master Sign Program	)	
Located at 408-692 Bailey Road for	)	
"Oak Hills Sign Program Update 2020,	)	
AP-20-1503 (SR)."	)	

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On March 2, 2020, Bob Garrison, on behalf of Sierra Pacific Properties Inc., filed Sign Review Application No. 20-1503, requesting approval of amendments to an existing master sign program for the Oak Hills Shopping Center located at 408-692 Bailey Road, in the CC (Community Commercial) District. Assessor's Parcel Nos. 093-130-027, -038, and -046.

- B. Pittsburg Municipal Code (PMC) section 19.08.040(B), states that a master sign program is required when signs are requested for a building that contains four (4) or more businesses or office uses. PMC section 19.04.010(B) states that it is the city's intention to encourage well-designed signs that are compatible with the architectural style of the building to which they are attached, while providing adequate identification of a business without creating visual clutter.

- C. On May 24, 1988, the Planning Commission adopted Resolution No. 8121 approving the site plan, architecture, landscaping and master sign program for the Oak Hills Shopping Center. The Oak Hills Shopping Center was subsequently constructed one year later in 1989, and has been continuously operating since that time.

- D. On October 25, 2011, the Planning Commission adopted Resolution No. 9894 approving amendments to the master sign program for the Oak Hills Shopping Center.

- E. Although not required by the PMC, on or prior to May 30, 2020, notice of the June 9, 2020, public meeting to consider review of the proposed sign program was posted at City Hall, 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, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice.

- F. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, "Existing Facilities" of the State CEQA Guidelines section 15301.
- G. On June 9, 2020, the Planning Commission held a public meeting on Sign Review Application No. 20-1503, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission Staff Report, "Oak Hills Sign Program Update 2020, AP-20-1503 (SR)," and based on all the information contained in the Planning Division files on the project, adopted and 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 incorporated herein by reference.
 - 2. The proposed amendments to the existing Oak Hills Master Sign Program will fulfill the intent and purpose of the sign code by ensuring compatibility of signs placed on both the multi-tenant building and on the pad tenant buildings within the Oak Hills Shopping Center. The sign program will promote well-designed signs that are compatible with the architectural style of the buildings, if the maximum sign area for major tenants remains two square feet of sign area per one lineal foot of frontage and if the maximum sign area for minor and pad tenants is one square foot of sign area per one lineal foot of frontage.
- B. The Staff Report entitled "Oak Hills Sign Program Update 2020, AP-20-1503 (SR)," dated June 9, 2020, is referenced hereto as additional support for findings.

Section 3. Decision

- A. Based on the findings set forth above, this Planning Commission hereby approves Sign Review Application No. 20-1503, subject to the following conditions:
 - 1. Conformity with Program. All signs shall be installed in substantial conformity with the Master Retail Sign Program Oak Hills Shopping Center date stamped March 2, 2020, except as hereinafter may be modified.
 - 2. Modifications. Section VI.D.1. Major tenants shall be allowed two (2) square feet of sign per total linear foot of frontage. Except as provided elsewhere, the maximum height shall be 50% of the fascia height or 60", and the maximum

length is 75% of frontage. The tenant may have signs on more than one frontage. The signs shall be aluminum channel letters with LED illumination on ½" stand off U.L. approved.

3. Modifications. Section VI.D.2. As described in Exhibit A, Minor tenants shall be allowed one (1) square foot of sign area per linear foot of frontage, or 30 square feet which ever is greater, with a maximum height 24" or 80% of the fascia height and a maximum length of 75% of frontage. Tenants with two frontages may have signs on both frontages. The signs shall be aluminum pan channel letters neon face cabinet fluorescent illumination with trip cap, or single-face sign cabinets.
4. Monument Signs. No more than two monument signs may be permitted for the Oak Hills Shopping Center Existing monument signs are located at Leland Road and Bailey Road driveway entrances. Monument signs are intended to advertise the Oak Hills Shopping Center and major tenants only. Monument signs may be modified in the future; however, they shall not exceed the height, width, and sign area of the exiting monument signs. Existing monument signs are approximately 18-feet in height (not including the trellis) and sign cabinets measure approximately 14 feet in width by four feet in height.
5. Other Advertising Media. Advertising displays may be installed on cart corrals in the parking lot. All advertising displays must be submitted to and approved by the landlord prior to installation. Each advertising display shall be supported by the upright portion of the cart corral and shall be placed atop the side bumper. Two-sided displays shall be permitted on up to two cart corrals within the parking lot. Each individual side of the display shall not exceed 4.6 feet in height by 2.9 feet in width (13.5 square feet), for a total of 54 square feet of advertising sign area per cart corral.

Standard Conditions:

6. Other Agency Requirements. The applicant shall comply with all the requirements of the Community Development Department, Contra Costa County Fire Protection District, Delta Diablo, and all other applicable local, state and federal agencies. It is the responsibility of the applicant to contact each local, state, or federal agency for requirements that may pertain to this project.
7. Standard Conditions of Development. 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 conflict between the Standard Conditions of Development and the specific conditions of approval specified in this resolution, the specific conditions of this Resolution No. 10151 shall govern.

8. Indemnification. 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.

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 9th day of June 2020, 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. 10151 was adopted by the Planning Commission of the City of Pittsburg on June 9, 2020.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Master Retail Sign Program Oak Hills Shopping Center

February 27, 2020

I. PURPOSE

This Program has been established for the purpose of creating a continuity of quality and aesthetics throughout the Oak Hills Shopping Center for the mutual benefit of all new tenants and to comply with the regulations of the City of Pittsburg. It outlines the type, size, location, colors, installation, character, and illumination of all tenant signage. Conformance to the criteria will be strictly enforced, and the Landlord, at the tenant's expense, may remove any nonconforming or unapproved signs from the Center.

II. GENERAL REQUIREMENTS

All signs are subject to the following limitations and regulations:

- A. All signs shall be reviewed by the Landlord for the conformance with this Master Sign Program and for the overall design, colors and materials. Tenant is responsible for the correctness of installation and conformance of the work with the approvals by both the Landlord and the City.
- B. Tenant shall be responsible for the fulfillment of all requirements and specifications provided by the Sign Program and all other applicable codes and ordinances of the City of Pittsburg. All signs shall be constructed and installed at the tenant's expense.
- C. All permits required by the City of Pittsburg and associated fees shall be obtained and paid for by the tenant or tenant's representative.
- D. Each tenant shall submit to the Landlord for the approval two (2) copies of detailed scaled shop drawings indicating the location, size, color, layout, design, illumination, material and method of installation. The tenant shall submit to Landlord material and/or color samples for review. Tenants should not begin fabrication until all approvals are obtained.
- E. Landlord reserves the right to refuse acceptance of any design for aesthetic compliance to the theme of the Oak Hills Shopping Center as interpreted by the Landlord.
- F. Minor variations shall be permitted if approved by the Landlord and the City of Pittsburg.

- G. Tenant shall be responsible for the installation and maintenance of the tenant signage in a first-class condition. Should tenant fail to maintain its sign(s) in a first-class condition, Landlord shall give Tenant written notice to effect said maintenance or repair. Should Tenant fail to comply with written notice within ten (10) days of receipt of notice, Landlord shall have the right to remedy the matter and charge the Tenant all cost associated with repair and/or maintenance including Landlord's administrative costs.
- H. Except as provided herein, no advertising placards, banners, pennants, names, insignia, trademarks, or other descriptive materials, shall be affixed by tenant or maintained upon the exterior glass panes (inside or outside surface) and supports of the windows and doors, or upon the exterior walls of the building.
- I. Grand opening, promotional or temporary signs shall comply with the City of Pittsburgh Sign Ordinance and shall be approved by Landlord prior to installation. Such signs shall not be permanent and must be removed immediately upon Landlord's request or within the time limits permitted by the City of Pittsburgh Sign Ordinance, whichever comes first.
- J. Tenant shall be responsible for all electrical connections required to provide power to tenant's sign(s), including, without limitation, conduit, junction boxes, timers, relays and wiring. All electrical connections and power for Tenant's signage shall be powered by Tenant's electrical service.
- K. When signs are removed for any reason, tenant shall leave the surface on which it was mounted in good condition. Without limitation, tenant shall be specifically required to fill in, in a permanent and professional manner, any holes in the fascia panel caused by removal of the sign and conduit; and pay for any waterproofing, and resurfacing of wall that is necessary to repair said work, tenant shall be responsible for the re-painting of canopies and/or building walls to remove damage and discoloration, and return the wall surface to its original state (or equal condition). Colors shall match existing adjacent areas and re-painting shall include that area from control joint to control joint regardless of additional tenant signage.

III. REQUIREMENTS OF MANUFACTURER (SIGN-CONTRACTOR)

- A. All sign contractors must be fully licensed, and must provide the Landlord with certificate of insurance in compliance with Landlord's requirements, as described in Exhibit B, prior to commencing any work on the property.
- B. All signs and their installation shall comply with all applicable building codes and this Program. Only the name, good and service shall be depicted on the sign.
- C. All manufacturers and installers are advised that prior to final acceptance, an authorized representative of the Landlord may inspect each unit for

conformance. Any signs, before or after installation, found not to be in conformance will be rejected and removed immediately by the tenant or tenant's contractor.

- D. No substitutes from approved signage will be accepted by the Landlord whatsoever unless so indicated in specifications and approved in writing by both the Landlord and the City of Pittsburgh.
- E. Shop drawings are required, prior to start of any work, detailing all specifications and methods of construction and must be approved by the Landlord and submitted to the City of Pittsburgh's building department for approval.
- F. Sign contractor shall comply with Landlord's insurance requirements as described in Exhibit B.
- G. Sign contractor shall repair any damage to existing improvements caused by its work. The Landlord shall be notified of any damage to the building or site, in which case the Landlord will determine how such damages are repaired. Tenant shall be responsible to pay for any damage caused by its contractor.
- H. Tenant shall be fully responsible to coordinate operations of sign contractor and shall ensure that work does not interfere with operations of the shopping center.

IV. GENERAL SPECIFICATIONS

The following section outlines the acceptable scope of work, quality standards and materials for Oak Hills.

- A. Conformance to the guidelines for signs at Oak Hills will be strictly enforced. Any non-conforming or unapproved signs are strictly forbidden.
- B. Flashing, blinking, moving, animated, or audible effects are prohibited.
- C. Tethered balloons and inflatable signs are prohibited unless approved pursuant to a temporary sign permit under the City of Pittsburgh Municipal Code.
- D. Any signs on a parked vehicle parked for a duration of time, which indicates its use for the purpose of advertising a particular tenant, service or product are prohibited.
- E. Signs that are movable or transportable and are placed in vehicular or pedestrian traffic areas are prohibited.
- F. No exposed lamps will be permitted.
- G. Painted lettering will not be permitted.

- H. Hand-made signs are prohibited.
- I. All bolts, fastenings, clips, conduits, etc., shall be stainless steel or non-corrosive. Where externally mounted, all items shall be painted to match the exterior color of the surfaces mounted thereon.
- J. All signs over eight (8) square feet in area shall have affixed in a conspicuous place thereon, the following information:
 - 1. The date of installation.
 - 2. The sign permit number.
 - 3. The voltage and UL approval of any electrical apparatus used in connection therein.

V. GENERAL CONSTRUCTION REQUIREMENTS

A. Installation / Removal

- 1. All contractors for installation, removal or service must be fully licensed and comply with Landlord's insurance requirements as described in Exhibit B prior to commencing any work.
- 2. All penetrations of any building structure or surface required for sign installation shall be neatly sealed and continuously maintained in watertight condition.
- 3. All methods of attachment shall comply with the final signage shop drawings.

B. Electrical and Illumination

- 1. All fabrication and installation shall comply with the Underwriter's Laboratories requirements and applicable codes. All components shall bear the U.L. label indicating approval and be manufactured and installed by a U. L. certified shop.
- 2. All conductors, transformer, ballasts and other equipment shall be concealed.
- 3. The illumination of all sign components shall be uniform in intensity over all the illuminated surfaces. No noticeable "hot spots" or "shadows" will be allowed.
- 4. Illumination and electric specifications must appear on all shop drawings.

VI. TENANT IDENTIFICATION SIGN

A. Tenant Signs

Signs shall be installed on building façade as reflected in this Master Sign Program and as approved by the Landlord and the City of Pittsburgh for identification of tenants.

1. All tenant signs for major tenants (10,000 square feet and over) shall be individually illuminated channel letters. Letter style shall be tenant's choice subject to Landlord approval. All letters must be served by electrical from behind exterior wall. Transformers must be located inside building, above ceilings or in letters self-contained.
2. The wording of the signs shall be limited to the store name or goods and services being offered.
3. The use of corporate logos and trade style shall be permitted (subject to the Landlord's approval).
4. Tenant signage must be centered within tenant's frontage unless there is an architectural building feature that interferes with such placement, in which case tenant must propose alternate location that the Landlord must approve.
5. For minor tenants (under 10,000 square feet) located in the shopping center prior to the date of adoption and approval of this Master Retail Sign Program by the City of Pittsburgh, individual letters or single face sign cabinets will be allowed.
6. For minor tenants locating in the center after the adoption and approval of this Master Retail Sign Program by the City of Pittsburgh, only individually illuminated channel letters will be allowed.

B. Lighting and Colors

1. Each letter or numeral shall be internally illuminated and shall be faced with Plexiglas or similar material. Letter faces shall be a minimum 3/16" acrylic trimmed with 3/4" trim-cap around the perimeter of the letter. Returns of individual letter shall be 5" deep.
2. The color of the letter faces shall be approved by the Landlord and the City of Pittsburgh Planning Department.
3. Registered trademark colors are allowed.

C. Logos

1. Logos are permitted and may or may not be internally lighted. Logos may or may not be in-line with signage text name business. If logo is in-line with text name, then size of logo cannot exceed 60" in height for major tenants or 24" in height for minor tenants, and it will be part of the maximum allowable sign area. The Landlord may allow alternate business identification logo elsewhere on exterior of building so long as it does not interfere with windows, doors or other building architectural elements. If the logo sign is illuminated, then the tenant must provide power and lighting in a manner consistent with the Landlord's requirements to ensure that electrical work is not exposed on the exterior of the building.

D. Building Signage

1. Major tenants shall be allowed three (3) square feet of sign per total linear foot of frontage. Except as provided elsewhere, the maximum height shall be 50% of the fascia height or 60", and the maximum length is 75% of frontage. The tenant may have signs on more than one frontage. The signs shall be aluminum channel letters with LED illumination on 1/2" stand off U.L. approved.
2. As described in Exhibit A, Minor tenants shall be allowed two (3) square feet of sign area per linear foot of frontage, with a maximum height 24" or 80% of the fascia height and a maximum length of 75% of frontage. Tenants with two frontages may have signs on both frontages. The signs shall be aluminum pan channel letters neon face cabinet fluorescent illumination with trip cap, or single-face sign cabinets.
3. Major or minor tenants may have stacked copy, but the stacked copy cannot exceed the applicable maximum height.

E. Minor Sign

1. Each tenant shall be permitted to place upon each entrance door or sidelight of its premises white lettering, not to exceed two (2) inches in height, indicating hours of business operation, not to exceed an area of 288 square inches.
2. Tenant may display honored credit card decals on entry door only.
3. Tenant addresses are to be fabricated and installed above entrance door using 6" high Helvetica style numerals using Scotchcal vinyl or equal. Color shall be white.

4. Tenant shall be permitted to display illuminated sign cabinets suspended from the ceiling unobtrusively as possible using stainless steel suspension cables. The signs shall be centered in the window. The sign cabinet shall be limited to a 12" height shall not exceed 25% of the window or glazing width. There shall be a maximum of two (2) such signs per frontage.

F. Exceptions

4. Any changes from this Master Sign Program must be submitted to the Landlord and the City of Pittsburg for review.
5. All applications for exceptions from this sign program must be accompanied by color renderings and samples and detailed shop drawings.

G. Hours of Operation

Illumination of all tenant signs must be turned off at closing time, or later with Landlord's approval.

H. City of Pittsburg

1. The City of Pittsburg has approved this program for this project to the extent that location of signage and size and type of signage are acceptable to the City as an overall design concept for the project. The City requires that each tenant acquire a separate building permit for installation of the tenant's signage. This requires that the tenant completes a sign permit application (retrievable off the internet from www.ci.pittsburg.ca.us) and pay the required processing fee to the City of Pittsburg. The City will review the application, and requires documents to show design of signage, for design conformance with this program and the City Sign Ordinance. The City will issue an official sign permit to the tenant's sign company that typically handles the permit process on behalf of the tenant.
2. With respect to the City's sign regulations and requirements, as referenced throughout this document, please note the following:
 - A. This document was approved by City of Pittsburg as a guideline to having consistent signage in the Oak Hills Shopping Center project. The City's approval of this document means that the City generally agrees with the provisions described herein as they relate to the Oak Hills project itself and the City's Sign Ordinance. The guidelines herein take precedence over the City's Sign Ordinance with respect to type, size color, content and

placement of signs. The tenant is responsible to acquire and conform to the relevant portions of the City's Sign Ordinance.

- B. Despite this document, however, both the City and the Landlord must review and approve individual tenant signage for design and for issuance of a permit. The City is required to review each sign and issue a permit for each sign regardless of the guidelines contained in this Sign Program.
- C. Tenants should be aware that the process of having signs designed, reviewed by the Landlord and the City, fabricated and installed takes time, and such processes should be started by the Tenant as early as possible. Failure to obtain approvals of signs does not affect or negate the tenant's obligation to perform under the lease.

Exhibit A

MINOR TENANT SIGN CRITERIA OPTIONS

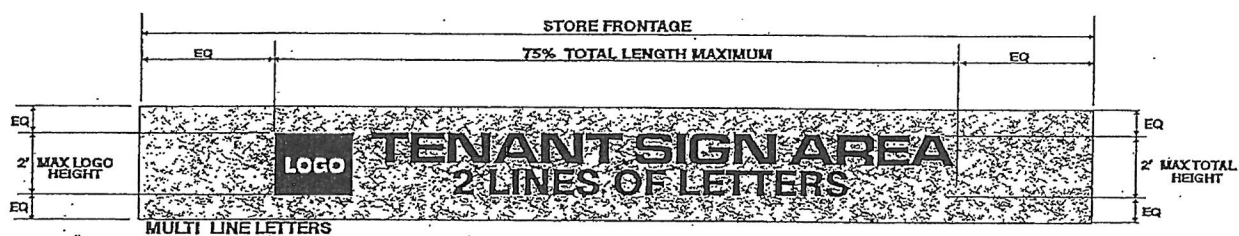
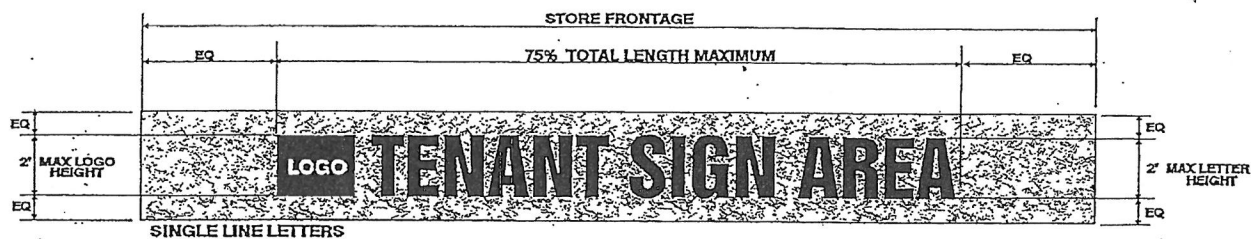


Exhibit B

CERTIFICATE OF LIABILITY INSURANCE						ISSUE DATE (MM/DD/YY)
PRODUCER (NAME OF AGENT)		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY INSURER(S) AFFORDING COVERAGE				
CODE						
INSURED (NAME OF SUBCONTRACTOR)		INSURER A:				
		INSURER B:				
		INSURER C:				
		INSURER D:				
		INSURER E:				
COVERAGES						
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT IN RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAYMENTS FOR CLAIMS.						
INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF (MM/DD/YY)	POLICY EXP (MM/DD/YY)	LIMITS	
	GENERAL LIABILITY				EACH OCCURRENCE	\$1,00
	☒ COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Each occurrence)	\$1,00
	☐ CLAIM ☒ OCCUR				MAXIMUM PER PERSON EXP (Any one person)	\$5,00
	☒ OWNERS & CONTRACTORS PROT.				PERSONAL & ADV INJURY	\$1,00
	☒ GENERAL AGGREGATE LIMITS APPLY PER PROJECT				GENERAL AGGREGATE	\$2,00
					PROJECTS-COP/OPS AGG	\$2,00
	AUTOMOBILE LIABILITY				UNINSURED SINGLE LIMIT	\$1,00
	☒ ANY AUTO				BODILY INJURY (PER PERSON)	
	☒ ALL OWNED AUTOS				PROPERTY DAMAGE	
	☐ SCHEDULED AUTOS					
	☒ HIRED AUTOS					
	☒ NON-OWNED AUTOS					
	☐ GARAGE LIABILITY					
	UMBRELLA LIAB	(EXCESS LIABILITY COVERAGE MAY BE USED IN COMBINATION WITH PRIMARY LIMITS TO MEET THE REQUIREMENTS OF OUR COMPANY)			EACH OCCURRENCE	\$2,00
	EXCESS LIABILITY				AGGREGATE	\$2,00
	WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY	MUST PROVIDE WAIVER FORM OR PROVIDE VERIFICATION OF EXEMPTION			STATUTORY (EACH ACCIDENT)	\$1,00
					(DISEASE - POLICY LIMIT)	\$1,00
					(DISEASE-EACH EMPLOYEE)	\$1,00
	OTHER	PROFESSIONAL LIABILITY IF APPLICABLE			\$1,000 PER CLAIM	
					\$1,000 PER AGGR.	
DESCRIPTION OF OPERATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS:						
SIERRA PACIFIC PROPERTIES, INC., AND THEIR ALLIED ENTITIES ARE INCLUDED AS ADDITIONAL INSURED UNDER THIS POLICY. WITH RESPECT TO THE LIABILITY OF ANY SUCH ADDITIONAL INSURED ARISING OUT OF YOUR WORK FOR THE INSURED BY YOU OR FOR YOU, THIS INSURANCE IS PRIMARY AND CALIFORNIA OPERATIONS						
CERTIFICATE HOLDER Sierra Pacific Properties, Inc. & all its allied entities 1800 Willow Pass Court Concord, CA 94520		CANCELLATION SHOULD ANY OF THE ABOVE POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.				

Policy Number:

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS (FORM C)

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

Name of Person or Organization:

SIERRA PACIFIC PROPERTIES, INC. AND ALL ITS ALLIED ENTITIES, PLEASANT HILL PLAZA
ASSOCIATES AND PARK CENTER PARTNERSHIP

SAMPLE
SCHEDULE

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (SECTION II) is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of “your work” for that insured by or for you.

To the extent required under contract, this policy will apply as primary insurance to additional insureds scheduled above, and other insurance which may be available to such additional insureds will be non-contributory.

All other terms and conditions of this policy remain unchanged.

Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)



Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)



Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)

Monument Signage:



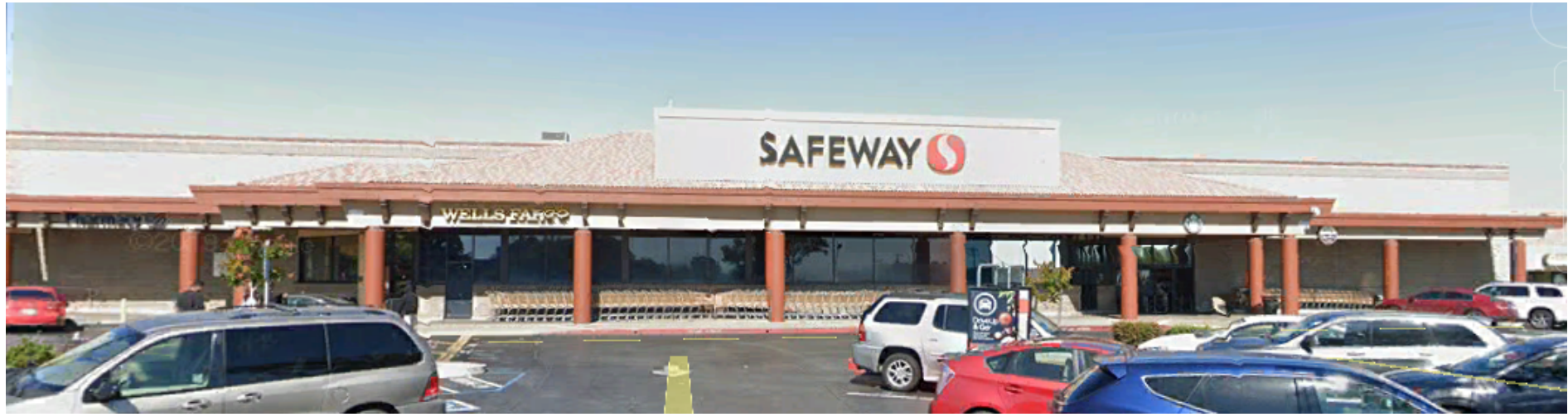
Existing monument Signage along Bailey Road.



Existing Monument Signage along Leland Road.

Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)

Major Tenant Signage:



Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)

Minor Tenant Signage:



Dollar Tree signage looking north.



Dollar Tree signage looking west.

Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)



Rear view looking south.

Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)

Pad Tenant Signage:



Round Table signage looking north.

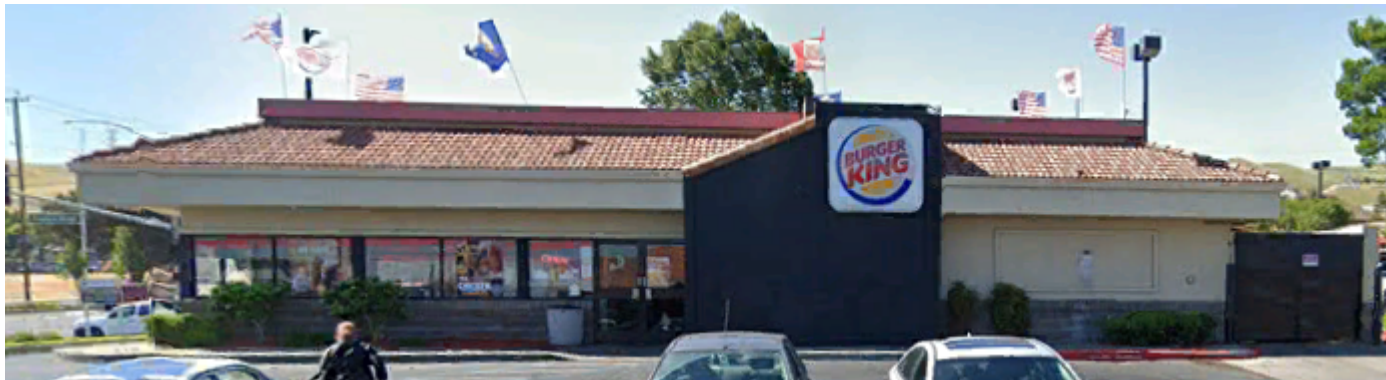


Round Table signage looking west.

Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)

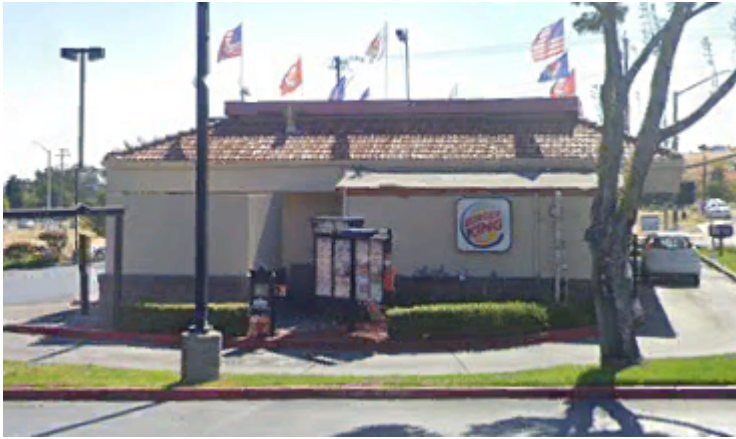


Round Table signage looking south.



Burger King signage looking south.

Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)



Burger King signage looking east.



Burger King signage looking west.



Burger King signage looking north.

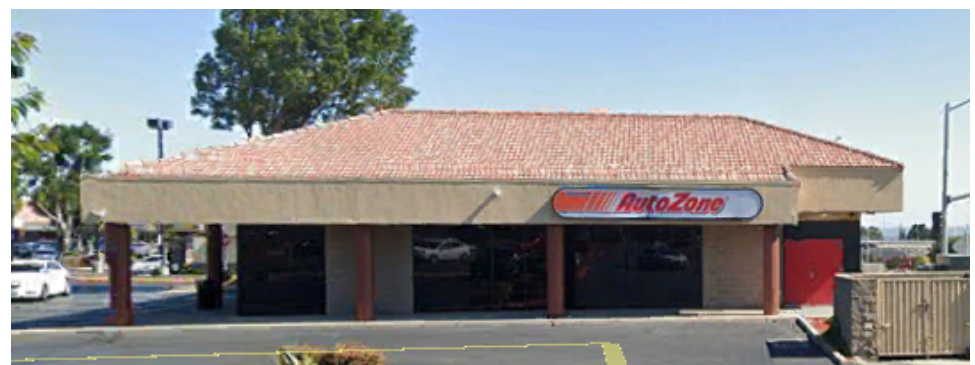
Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)



Auto Zone signage looking west.



Auto Zone signage looking south.



Auto Zone signage looking north.

Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)



Auto Zone signage looking east.



Chase Bank signage looking south.



Chase Bank signage looking north.

Attachment 3
Map of Surrounding Uses and Photos of Existing Signage
Oak Hills Sign Program Update 2020, AP-20-1503 (SR)



Chase Bank signage looking east.



Chase Bank signage looking west.



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 MEETING

NOTICE IS HEREBY GIVEN that the **PLANNING COMMISSION** of the City of Pittsburg will conduct an online public meeting on:

DATE: June 9, 2020

TIME: 7:00 p.m.

PLACE: Zoom Teleconference via Streaming Media on the City's homepage,
www.ci.pittsburg.ca.us (see public advisory on last page)

Concerning the following matter:

Oak Hills Sign Program Update 2020, AP-20-1503 (SR)

This is a request for approval of amendments to an existing master sign program to increase the maximum allowable signage at the Oak Hills Shopping Center at 408-692 Bailey Road in the Community Commercial (CC) District. APNs 093-130-027, -038, and -046.

PROJECT PLANNER: Celina Palmer, (925) 252-4029 or cpalmer@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; please contact the project planner listed above to make necessary arrangements.

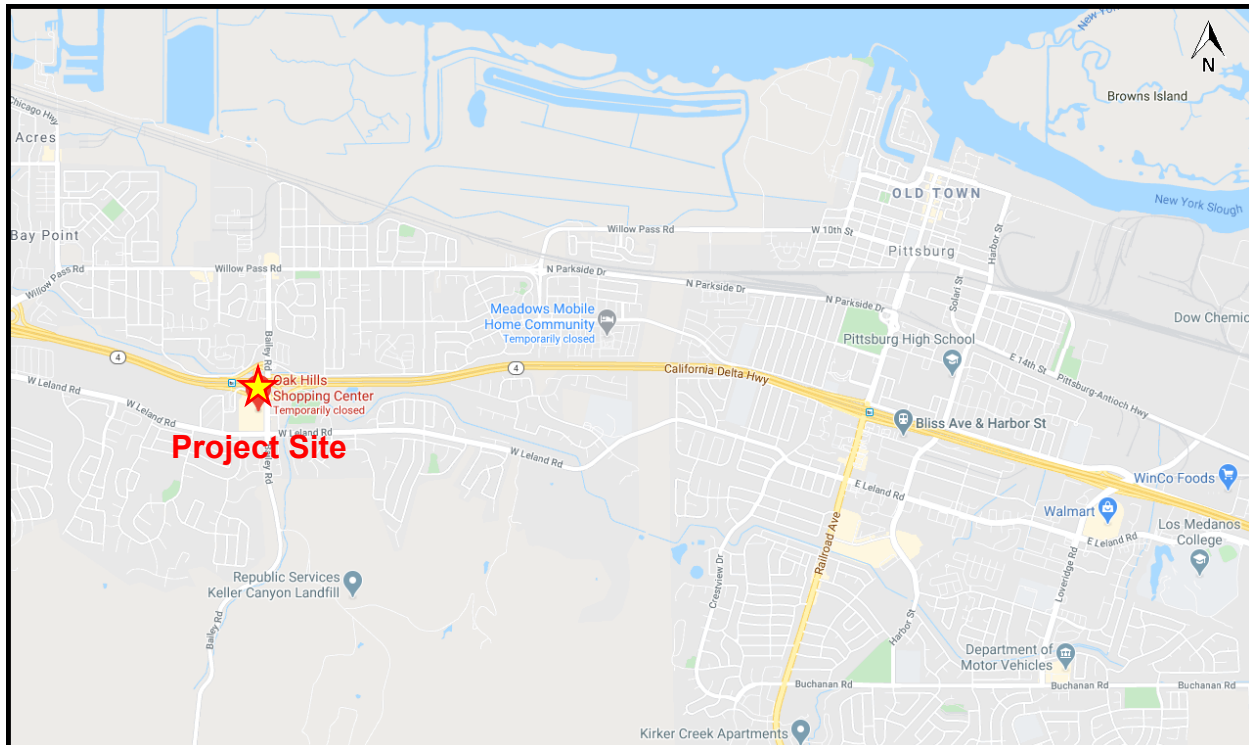
What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through e-mailed testimony during the meeting. 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. Comments during the meeting can be submitted via email to meetingcomments@ci.pittsburg.ca.us.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public meeting described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

KRISTIN POLLOT, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Oak Hills Sign Program Update 2020, AP-20-1503 (SR)
Location: 408-692 Bailey Road



PUBLIC ADVISORY:
THE CITY COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for **June 9, 2020** will be conducted telephonically through Zoom and broadcast live on the City's homepage.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

To view the meeting online during its broadcast:

1. Go to www.ci.pittsburg.ca.us
2. On the right-hand side of the page, click the "Streaming Media" button

Comments on this item can be submitted via email to:
meetingcomments@ci.pittsburg.ca.us

If you wish to have your comments read to the Planning Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate "FOR PUBLIC COMMENT – NON-AGENDA." Comments that you want read to the Commission will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Commission and not read at the meeting will be distributed to the Commission prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Nextdoor, etc.) will not be accepted.

The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.



City of
Pittsburgh

Oak Hills Sign Program Update 2020

AP-20-1503 (SR)



Browns Island

New York Slough

OLD TOWN

Pittsburg

Meadows Mobile
Home Community
Temporarily closed

Pittsburg High School

Oak Hills
Shopping Center
Temporarily closed

California Delta Hwy

Bliss Ave & Harbor St

WinCo Foods

Walmart

Los Medanos
College

Republic Services
Keller Canyon Landfill

Department of
Motor Vehicles

175

Kirker Creek Apartments



Caltrans Right of Way

Project Site

PARKING LOT

Pittsburg City Limits

Bailey Rd

MAYLARD ST

DRIVEWAY

WILAND RD

MEMORIAL WAY

DELTA DE ANZA

Ambrose Park

BIRDHAVEN WAY

ILLIS DR

176

WILAND CIR

WAVE

LAWLOR

VISTA LN



Background



May 24, 1988, PC Reso 8121 Site Plan, Architecture, Landscaping, and Master Sign Program

October 25, 2011, PC Reso 9894, Amendments to Master Sign Program





Existing Signage



Major Tenants



Existing Signage



Minor Tenants (In-Line)



Existing Signage



Minor Tenants (Pad)



Proposed Update



Transition to Individually Illuminated Channel Letters

Increase Signage Area

PMC Title 19 Sign Regulations



PMC 19.08.040(B), Master Sign Program Required

PMC 19.04.010(B) Purpose

- Well designed and pleasing in appearance ✓
- Compatible with building and adjacent signs ✓
- Reduce blight and clutter
- Identify businesses ✓
- Enhance traffic safety ✓
- Limited opportunity for highly visible areas ✓

Proposed Conditions



- Major tenants shall be allowed two (2) square feet of sign per total linear foot of frontage
- Minor tenants shall be allowed one (1) square foot of sign area per linear foot of frontage, or 30 square feet which ever is greater
- No more than two monument signs may be permitted for the Oak Hills Shopping Center
- Advertising displays may be installed on cart corrals in the parking lot.

Recommendation



Staff recommends that the Planning Commission **adopt Resolution No. 10151**, approving Sign Review Application No. AP-20-1503, **subject to conditions**.

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
June 9, 2020**

ITEM: Notice of Intent to Exercise Delegated Design Review Authority.

ORIGINATED BY: City of Pittsburgh, Zoning Administrator, 65 Civic Avenue, Pittsburgh, CA 94565

SUBJECT: The Zoning Administrator submits one notice of intent to exercise delegated design review authority for a new crane installation at 1 Leslie Drive, for Concord Iron Works.

RECOMMENDATION:

Staff recommends that the Commission acknowledge receipt of the attached Notice of Intent to Exercise Design Review Authority.

BACKGROUND:

Delegated Design Review Authority: Planning Commission Resolution No. 9444, as later amended by Resolution No. 9918, allows for delegation of nine categories of design review applications from the Planning Commission to the Zoning Administrator, as follows:

1. Freestanding signs: Applicable to signs not already part of a sign program; must be consistent with sign standards and architecturally compatible with associated building.
2. Wireless Communication Equipment: New or replacement antennas on existing poles and their related equipment.
3. Minor Building Remodels: Limited to changes in building colors, awnings, fenestration, and finishes.
4. Changes to Existing Parking Lots.
5. Changes to Existing Landscaping.
6. Additions to Existing Buildings: Additions must be smaller than 2,500 square feet and designed to complement existing building architecture.
7. New Model Homes in Approved Subdivisions. Must be consistent with the general size, quality of architecture and materials, and general character of the originally approved models. Must comply with approved zoning development standards.

Planning Commission Staff Report

8. Ancillary Structures: Structures in any district where visual impacts are minimal, including miscellaneous mechanical equipment associated with legal uses in the Industrial Districts.

The intent of the delegation is to allow a more efficient approval process for non-controversial design review applications, without compromising the integrity of the design review process or removing from public scrutiny those projects that would be most visible or of high interest to the general public. Prior to approving any delegated design review application, the Zoning Administrator must notify the Commission of his or her intent to exercise delegated design review authority. Copies of resolutions approving any delegated design review application must also be provided to the Commission.

PROJECT DESCRIPTION:

Since the last Commission meeting, staff has received one application requesting design review approval which qualifies within one or more of the nine categories of delegated authority established by Resolution No. 9918:

1. Concord Iron Works (Crane Installation), AP-20-1514 (AD) – Delegated Design Review Category 8.

This is an application filed by Eric Lee, on behalf of Concord Iron Works, requesting administrative design review approval to place a 13,000 square foot outdoor crane system (65 feet by 200 feet), at 1 Leslie Drive in the IL (Limited Industrial) District. Assessor's Parcel Number 086-110-002.

GENERAL PLAN/CODE COMPLIANCE:

Delegated Design Review Authority: Resolution No. 9918 established nine categories of design review applications upon which the Commission would authorize the Zoning Administrator to act. Resolution No. 9918, and PMC section 18.10.100, direct staff to notify the Planning Commission of intent to exercise delegated design review authority on any application that falls within one of those nine categories, prior to approving the application. Upon receiving such notification, a majority of the Commission may direct that the matter be scheduled for future consideration by the entire Commission. Resolution No. 9918 also directs staff to keep the Commission informed about delegated design review application approvals by providing copies of resolutions adopted by the Zoning Administrator.

ANALYSIS:

Not applicable.

ACTION REQUIRED:

Acknowledge receipt of the attached Notice of Intent.

Planning Commission Staff Report

ATTACHMENTS:

1. Notice of Intent: Concord Iron Works (Crane Installation), AP-20-1514 (AD)

Prepared by: Kristin Pollot, AICP, Zoning Administrator

:

NOTICE OF INTENT

TO EXERCISE DESIGN REVIEW AUTHORITY DELEGATED TO STAFF PURSUANT TO PLANNING COMMISSION RESOLUTION NO. 9918

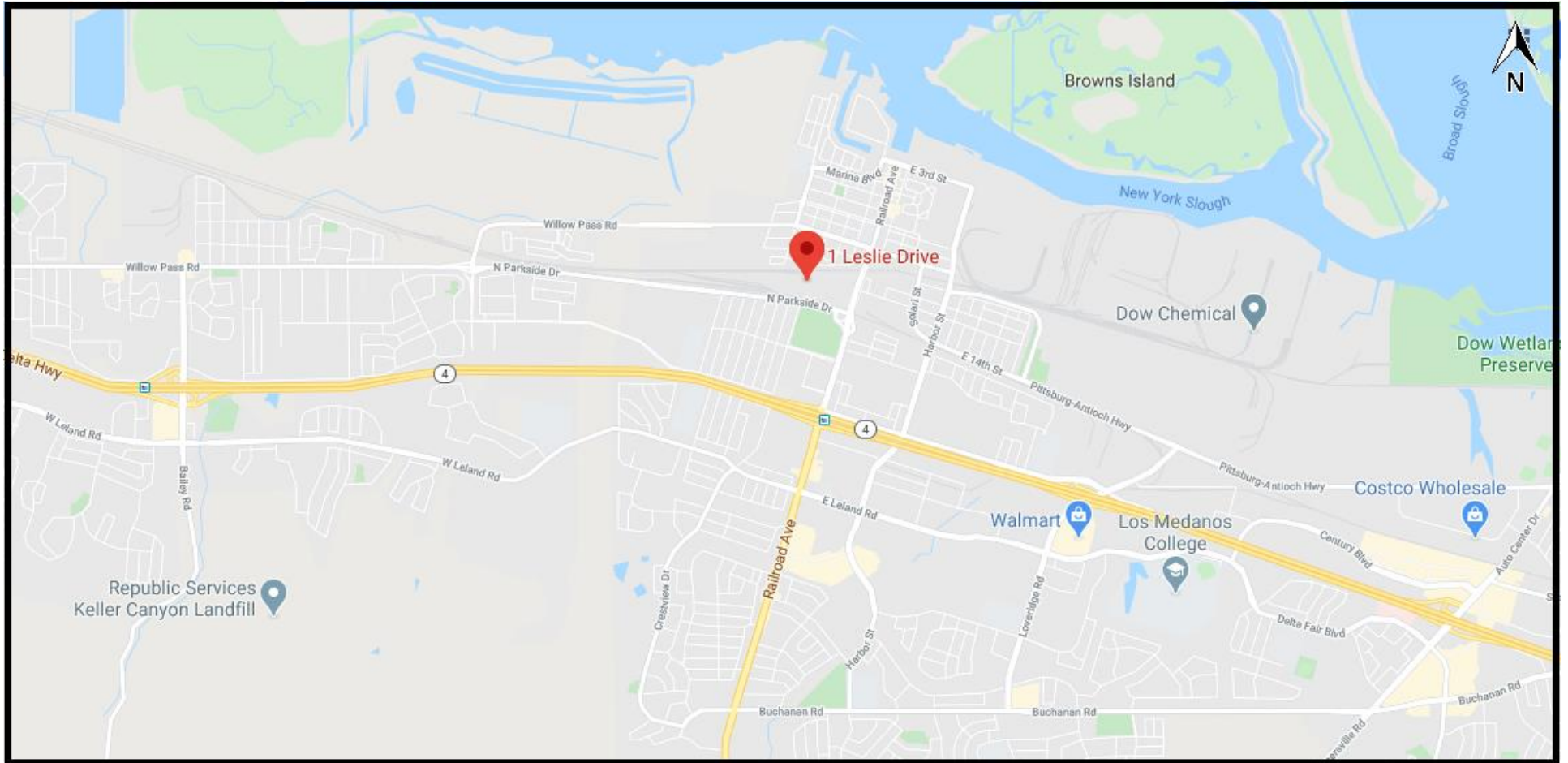
Concord Iron Works (Crane Installation), AP-20-1514 (AD).

This is an application filed by Eric Lee, on behalf of Concord Iron Works, requesting administrative design review approval to place a 13,000 square foot outdoor crane system (65 feet by 200 feet), at 1 Leslie Drive in the IL (Limited Industrial) District. Assessor's Parcel Number 086-110-002.

This project is delegated to staff under Category 8 Ancillary Structures (Structures in any district where visual impacts are minimal) of Planning Commission Resolution No. 9918.

Concord Iron Works (Crane Installation) – Vicinity Map

AP-20-1514	1 Leslie Drive
Administrative Design Review	APN: 086-110-002



Concord Iron Works (Crane Installation) – Aerial Map

AP-20-1514	1 Leslie Drive
Administrative Design Review	APN: 086-110-002





TEMPORARY
TRAILER

Signode Western
Operations

EXSITING INSIDE
CRANE

TRUCK PARKING

NEW PERANENT
INSIDE CRANE

NEW PERANENT
OUTSIDE CRANE

GRADING AREA
AND STORAGE
AREA

GRADING AREA
AND STORAGE
AREA

CONCORD IRONWORKS CRANE

1 LESLIE DR, PITTSBURG, CA 94565

15 TON CRANE SYSTEM AND 10 TON CRANE SYSTEM

GENERAL NOTES

TESTS AND INSPECTIONS

1. PROVIDE ALL STRUCTURAL MATERIALS FROM TESTED STOCK. FURNISH COPIES OF TEST REPORTS TO STRUCTURAL ENGINEER AND THE GOVERNING CODE AUTHORITY UPON REQUEST.
2. SEE SPECIFICATIONS FOR ADDITIONAL TEST AND INSPECTION REQUIREMENTS.
3. THE USE OF ROLLED STEEL SECTIONS, BOLTS AND OR REBAR MANUFACTURED OUTSIDE THE U.S. WILL REQUIRE VERIFICATION THAT THE PRODUCTS COMPLY WITH APPLICABLE ASTM STANDARDS. MILL CERTIFICATES WILL BE REQUIRED FOR ALL STEEL.
4. TESTING LABORATORY TO PROVIDE INSPECTION, COMPLYING WITH THE CBC, FOR THE FOLLOWING:
 - A. HIGH-STRENGTH BOLTS.
 - B. FIELD WELDING
 - C. CONCRETE AND REINFORCING STEEL WHERE SPECIFIED
 - CONCRETE COMPRESSIVE STRENGTH IS GREATER THAN 2500 PSI
 - D. EPOXY ANCHORS

DESIGN CRITERIA

1. DESIGN IS IN ACCORDANCE WITH THE FOLLOWING CRITERIA:

A. LATERAL LOADS:

IMPORTANCE FACTOR Ie:	1.00
Ss:	1.817g
S1:	0.616g
SITE CLASS:	D
Sds:	1.211g
R:	2.5 STEEL SPECIAL CANTILEVER COLUMN SYSTEMS

B. WIND:

EXPOSURE CATEGORY	B
BASIC WIND SPEED	110 MPH

2. MAXIMUM RATED LOAD: SEE CRANE SPECIFICATIONS

STRUCTURAL STEEL AND MISCELLANEOUS METAL

1. STRUCTURAL STEEL SHALL BE DETAILED, FABRICATED AND ERECTED IN ACCORDANCE WITH THE AISC SPECIFICATION FOR THE DESIGN FABRICATION AND ERECTION OF STRUCTURAL STEEL BUILDINGS (LATEST EDITION), AND THE FOLLOWING ASTM STANDARD SPECIFICATIONS, UNLESS NOTED OTHERWISE:

ALL STRUCTURAL STEEL UNLESS NOTED BELOW.....ASTM A992
PIPES.....ASTM A53, GRADE B (35 KSI)
TUBES.....ASTM A500, GRADE B (46 KSI)
CHANNELS.....ASTM A36, (36 KSI)
HIGH - STRENGTH BOLTS.....A325

2. WELD STRUCTURAL STEEL IN COMPLIANCE WITH ANSI/AWS D14.1. WELDERS SHALL BE CERTIFIED AS REQUIRED BY THE GOVERNING CODE AUTHORITY. WELDING SHALL BE DONE BY THE ELECTRIC ARC PROCESS USING APPROVED COATED RODS. WELDING MAY BE PERFORMED USING THE SUBMERGED ARC PROCESS WITH AUTOMATIC WELDING (SAW-1).

3. UNLESS A LARGER SIZE FILLET WELD IS INDICATED, PROVIDE MINIMUM SIZE OF WELD PER AISC. WELD LENGTHS INDICATED ARE THE NET EFFECTIVE LENGTH REQUIRED.

4. FIELD CUTTING OR BURNING OF STRUCTURAL STEEL IS NOT PERMITTED WITHOUT WRITTEN APPROVAL OF THE STRUCT. ENG.

5. SHOP PRIME ALL STRUCTURAL STEEL.

6. PAINT ALL STRUCTURAL STEEL, CONNECTIONS, AND BOLTS PERMANENTLY EXPOSED TO WEATHER.

FOUNDATION NOTES

1. USE 2,000 PSF BEARING PRESSURE BASED ON THE RECOMENDATIONS IN GEOTECHNICAL STUDY PREPARED BY BEAR ENGINEERING GROUP, INC DATED FEBRUARY 4, 2020, AND ALL SUBSEQUENT ADDENDA LETTERS AND EMAILS. LATEST EMAIL DATED 3/12/20. PERFORM FOUNDATION WORK COMPLYING WITH REPORT AND ADDENDA. GEOTECHNICAL REPORT AND ADDENDA HEREBY BECOME A PART OF THESE CONTRACT DOCUMENTS AND SHALL BE KEPT ON THE JOBSITE AT ALL TIMES.
2. CONCRETE COMPRESSIVE STRENGTH = 4,000 PSI
3. PROVIDE NORMAL WEIGHT AGGREGATES OF NATURAL SAND AND ROCK COMPLYING WITH ASTM C33.
4. PROVIDE PORTLAND CEMENT COMPLYING WITH ASTM C150, TYPE II, AND ASTM C595.
5. FOUNDATION EXCAVATIONS ARE TO BE INSPECTED AND APPROVED BY THE GEOTECHNICAL ENGINEER OR HIS REPRESENTATIVE PRIOR TO THE PLACEMENT OF ANY FILL, REINFORCING STEEL, OR CONCRETE.

REINFORCING STEEL NOTES

1. PROVIDE REINFORCING STEEL TO BE WELDED COMPLYING WITH ASTM A615, GRADE 60. PROVIDE REINFORCING STEEL TO BE WELDED COMPLYING WITH ASTM A706, GRADE 60.
2. SPLICE REINFORCING STEEL WHERE INDICATED. IF SPLICE LOCATIONS ARE NOT SPECIFICALLY SHOWN OR INDICATED, VERIFY SPLICE LOCATIONS WITH STRUCT. ENG. PRIOR TO DEVELOPING REINFORCING STEEL SHOP DRAWINGS.
3. LAP REINFORCING STEEL AT SPLICES TO THE FOLLOWING MINIMUM LENGTHS, UNLESS NOTED OTHERWISE (APPLICABLE TO 3,000 PSI, NORMAL WEIGHT CONCRETE ONLY):

BAR SIZE	TOP BARS	OTHER BARS	BAR SIZE	TOP BARS	OTHER BARS
#3	1'-4"	#8	5'-11"	4'-7"	
#4	2'-0"	#9	7'-6"	5'-9"	
#5	2'-6"	#10	9'-6"	7'-4"	
#6	3'-4"	#11	11'-8"	9'-0"	
#7	4'-8"				

"TOP BARS" ARE HORIZONTAL BARS WITH MORE THAN 12 INCHES OF CONCRETE CAST BELOW BARS. "OTHER BARS" ARE HORIZONTAL BARS WITH LESS THAN 12 INCHES OF CONCRETE CAST BELOW BARS AND ALL VERTICAL BARS. SPLICE LENGTHS INDICATED ABOVE ONLY APPLY WHEN CLEAR DISTANCES BETWEEN REINFORCING STEEL, INCLUDING SPLICED REINFORCING STEEL, ARE 3 BAR DIAMETERS OR GREATER. INCREASE SPLICE LENGTHS BY 43% IF CLEAR DISTANCES ARE LESS THAN 3 BAR DIAMETERS, BUT NEVER LESS THAN MINIMUM CLEAR DISTANCES INDICATED BELOW.

4. MINIMUM CLEAR DISTANCES BETWEEN REINFORCING STEEL, INCLUDING SPLICED REINFORCING STEEL, SHALL BE 1" OR 1 BAR DIAMETER, WHICHEVER IS GREATER. MINIMUM CLEAR DISTANCE AT COLUMNS SHALL BE 1-1/2" OR 1-1/2 BAR DIAMETERS, WHICHEVER IS GREATER. FOR BUNDLED BARS, MINIMUM CLEAR DISTANCES BETWEEN UNITS OF BUNDLED BARS SHALL BE SAME AS SINGLE BARS EXCEPT BAR DIAMETER IS DERIVED FROM EQUIVALENT TOTAL AREA OF BUNDLE.
5. MINIMUM CONCRETE COVERAGE: MAINTAIN THE FOLLOWING MINIMUM CLEAR DISTANCES BETWEEN REINFORCING STEEL AND FACE OF CONCRETE UNLESS NOTED OTHERWISE:

SLABS ON GRADE.....	3"
CONCRETE BELOW GRADE, FORMED.....	2"
CONCRETE BELOW GRADE, UNFORMED.....	3"
CURBS ABOVE GRADE, EXPOSED TO WEATHER.....	2"
CURBS ABOVE GRADE, NOT EXPOSED TO WEATHER.....	1"
6. CHAIRS OR SPACERS FOR REINFORCING SHALL BE PLASTIC OR PLASTIC COATED WHEN RESTING ON EXPOSED SURFACES.
7. PROVIDE DOWELS FOR WALLS AND COLUMNS MATCHING VERTICAL REINFORCING SIZE AND SPACING, UNLESS NOTED OTHERWISE.
8. BEND REINFORCING STEEL COLD UNLESS OTHERWISE ACCEPTED BY STRUCT. ENG.
9. SECURELY TIE ANCHOR BOLTS, REINFORCING STEEL, INSERTS, ETC., IN PLACE PRIOR TO POURING CONCRETE OR GROUT.

GENERAL NOTES

1. THE CONTRACTOR SHALL PERFORM CONSTRUCTION AND WORKMANSHIP IN COMPLIANCE WITH THE DRAWINGS, SPECIFICATIONS AND THE 2019 CALIFORNIA BUILDING CODE.
2. GENERAL NOTES AND TYPICAL DETAILS APPLY TO THE DRAWINGS UNLESS NOTED OR DETAILED OTHERWISE. WHERE DISCREPANCIES BETWEEN GENERAL NOTES AND DRAWINGS OCCUR, DRAWINGS TAKE PRECEDENCE.
3. DRAWINGS INDICATE GENERAL AND TYPICAL DETAILS OF CONSTRUCTION, WHERE CONDITIONS ARE NOT SPECIFICALLY INDICATED BUT ARE OF SIMILAR CHARACTER TO DETAILS SHOWN, USE SIMILAR DETAILS OF CONSTRUCTION SUBJECT TO REVIEW BY STRUCT. ENG.
4. REFER TO MECHANICAL, PLUMBING AND ELECTRICAL DRAWINGS FOR SIZE AND LOCATION OF OPENINGS, PENETRATIONS AND EMBEDMENTS FOR DUCTS, PIPING, VENTS, CONDUITS AND OTHER ITEMS TO BE INCORPORATED IN STRUCTURAL WORK. FOR SPECIFIC OPENING, PENETRATION AND EMBEDMENT REQUIREMENTS IN STRUCTURAL WORK, SEE SPECIFICATIONS AND MATERIAL SECTIONS OF THESE GENERAL NOTES BELOW.
5. FIRMLY ATTACH MECHANICAL AND ELECTRICAL EQUIPMENT TO THE STRUCTURE. ISOLATORS, FASTENERS AND ANY OTHER ELEMENT PROVIDING STABILITY FOR EQUIPMENT SHALL BE APPROVED BY ICBO OR EQUIVALENT TESTING PROCEDURE AND BE CAPABLE OF TRANSFERRING CODES REQUIRED LOADS BUT IN NO EVENT LESS THAN A SHEAR LOAD EQUIVALENT TO AT LEAST 0.3 X OPERATING WEIGHT OF THE EQUIPMENT.
6. COORDINATE THE WORK OF ALL TRADES AND CHECK ALL DIMENSIONS. BRING DISCREPANCIES TO THE ATTENTION OF THE ENGINEER TO BE RESOLVED BEFORE PROCEEDING WITH THE WORK.
7. CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE. UNLESS OTHERWISE SHOWN, THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. PROVIDE ADEQUATE SHORING, BRACING AND GUYS COMPLYING WITH NATIONAL, STATE AND LOCAL SAFETY ORDINANCES. ERECTION PROCEDURES SHALL COMPLY WITH OSHA STANDARDS.
8. OBSERVATION VISITS TO THE SITE BY FIELD REPRESENTATIVES OF THE ENGINEER DO NOT INCLUDE INSPECTIONS OF THE PROTECTIVE MEASURES, OR INSPECTIONS OF THE METHODS OF CONSTRUCTION. SUPPORT SERVICES PERFORMED BY THE STRUCT. ENG DURING CONSTRUCTION SHALL BE DISTINGUISHED FROM CONTINUOUS AND DETAILED INSPECTION SERVICES WHICH ARE PERFORMED BY OTHERS.
9. MODIFICATIONS OR SUBSTITUTIONS: DESIGN, MATERIALS, EQUIPMENT AND PRODUCTS OTHER THAN THOSE INDICATED OR SPECIFIED MAY BE CONSIDERED FOR USE PROVIDED PRIOR APPROVAL IS OBTAINED FROM THE OWNER, STRUCT. ENG. AND THE GOVERNING CODE AUTHORITY.
10. CONDITIONS SHOWN OR NOTED AS EXISTING ARE BASED ON BEST INFORMATION CURRENTLY AVAILABLE AT THE TIME OF PREPARATION OF THESE DRAWINGS. NO WARRANTY IS IMPLIED AS TO THE ACCURACY OF SAME HOWEVER, AND CONTRACTOR IS TO FIELD VERIFY ALL CONDITIONS. SHOULD CONDITIONS BECOME APPARENT WHICH DIFFER FROM THE CONDITIONS SHOWN HEREIN, THEY SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE STRUCT. ENG (STRUCTURAL ENGINEER). THE STRUCTURAL ENGINEER WILL THEN PREPARE ADDITIONAL DRAWINGS AS MAY BE NEEDED TO ACCOMMODATE THE CONDITIONS AS BROUGHT TO THEIR ATTENTION.
11. CONTINUOUS SPECIAL INSPECTION BY A REGISTERED DEPUTY INSPECTOR IS REQUIRED FOR FIELD WELDING AND HIGH-STRENGTH BOLTING.
12. THE SEISMIC DESIGN, FABRICATION, AND ERECTION OF STRUCTURAL STEEL SHALL BE IN ACCORDANCE WITH CHAPTERS A TO F OF THE SEISMIC PROVISIONS FOR STRUCTURAL STEEL BUILDINGS PUBLISHED BY THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION.
13. WELDED JOINTS SHALL BE DESIGNED IN ACCORDANCE WITH CHAPTER J OF THE SPECIFICATION AND A WELDING PROCEDURE SPECIFICATION (WPS) AS REQUIRED IN AWS D1.8/D1.8M AND APPROVED BY THE ENGINEER OF RECORD. PROVIDE WELDING PROCEDURE SPECIFICATION.
14. ALL COMPLETE-JOINT-PENETRATION GROOVE WELDS USED IN THE SEISMIC FORCE RESISTING SYSTEM SHALL BE MADE WITH A FILLER MATERIAL THAT HAS A MINIMUM TOUGHNESS OF 20 FT-LBS AT MINUS 20° F AND 40 FT-LBS AT 70° F.
15. DISCONTINUITIES IN WELD CREATED BY ERRORS OR BY FABRICATION OR ERECTION OPERATIONS, SUCH AS TACK WELDS, ERECTION AIDS, AIR-ARC GOUGING AND FLAME CUTTING, SHALL BE REPAIRED AS REQUIRED BY THE ENGINEER OF RECORD.
16. ALL BOLTS USED AS PART OF THE SEISMIC FORCE RESISTING SYSTEM SHALL BE FULLY TENSIONED HIGH STRENGTH BOLTS.
17. THE SPECIFICATION AND FABRICATION FOR STEEL FRAMES SHALL COMPLY WITH ATTACHED WELDING AND FABRICATION PROCEDURES.

SHEET INDEX

Sheet Number	Sheet Name
S0.1	GENERAL NOTES, SHEET INDEX, & ABBREVIATIONS
S2.1	REFERENCE PLAN
S2.2	REFERENCE PLAN - 15 TON CRANE ROOF
S3.1	ELEVATIONS
S4.1	SECTIONS AND DETAILS
S5.1	DETAILS
S5.2	DETAILS

PROJECT INFORMATION

PROJECT	CONCORD IRONWORKS CRANE
CUSTOMER	ALLIED CRANE, INC.
JOB CONTACT	DAVE COSTA
PROJECT	OFFICE: (925) 427-9200, FAX: (925) 427-9107
ENG'R OF RECORD	FICCADENTI WAGGONER & CASTLE (925) 280-0098

SPECIFICATIONS

15 TON DOUBLE GIRDER BRIDGE CRANE SYSTEM	
CAPACITY	15 TON (80,000 LBS)
CRANE TYPE	TOP - RUNNING DOUBLE GIRDER
RUNWAY SPAN	25'-0" MAX
RUNWAY BEAM	W18x97
HOIST CAPACITY	15 TON (30,000 LBS)
HOIST MANUFACTURER	STAHL
HOIST TYPE	WIRE ROPE
MODEL NUMBER	SH60
LIFT / SPEED	-
HOIST WEIGHT	3740#
POWER SUPPLY	-
MAX WHEEL LOAD	28.6 KIPS (W/O IMPACT)

5 TON SINGLE GIRDER BRIDGE CRANE SYSTEM	
CAPACITY	5 TON (10,000 LBS)
CRANE TYPE	MONORAIL TROLLEY
RUNWAY SPAN	20'-0", 40'-0"
RUNWAY BEAM	W14x61, W24x146
HOIST CAPACITY	5 TON (10,000 LBS)
HOIST MANUFACTURER	STAHL
HOIST TYPE	WIRE ROPE
MODEL NUMBER	SH50
LIFT / SPEED	1800#
HOIST WEIGHT	-
POWER SUPPLY	-
MAX WHEEL LOAD	8.6 KIPS (W/O IMPACT)

VICINITY MAP



**FICCADENTI
WAGGONER
and CASTLE**
Structural Engineers

2300 Clayton Rd, Suite 1510
Concord, CA 94520
Telephone: (925) 280-0098
www.fwcse.com

THIS DRAWING AND THE STRUCTURAL DESIGN CONCEPTS IT ILLUSTRATES ARE THE PROPERTY OF FICCADENTI, WAGGONER AND CASTLE STRUCTURAL ENGINEERS. THE DRAWING IS AN INSTRUMENT OF SERVICE PROVIDED FOR USE ON THE SPECIFIED PROJECT IDENTIFIED. USE OF THIS DRAWING WITHOUT WRITTEN CONSENT AND PARTICIPATION OF FICCADENTI, WAGGONER AND CASTLE STRUCTURAL ENGINEERS IS PROHIBITED.

CONCORD IRONWORKS CRANE
15 TON CRANE SYSTEM AND 10 TON
CRANE SYSTEM
1 LESLIE DR, PITTSBURG, CA 94565



REV	DATE	DESCRIPTION

DRAWN BY MRS

1ST ISSUE DATE 03/26/2020

SHEET TITLE

GENERAL NOTES,
SHEET INDEX, &
ABBREVIATIONS

DOCUMENT REVIEW	
DESIGN ENGINEER	PROJECT DRAFTSMAN
JSK	MRS

PROJECT NO.

B20-035

SHEET NO.

S0.1

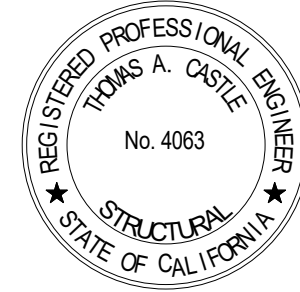


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CONCORD IRONWORKS CRANE
15 TON CRANE SYSTEM AND 10 TON
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1 LESLIE DR, PITTSBURG, CA 94565



REV	DATE	DESCRIPTION
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DRAWN BY MRS

1ST ISSUE DATE 03/26/2020

SHEET TITLE

REFERENCE PLAN

DOCUMENT REVIEW

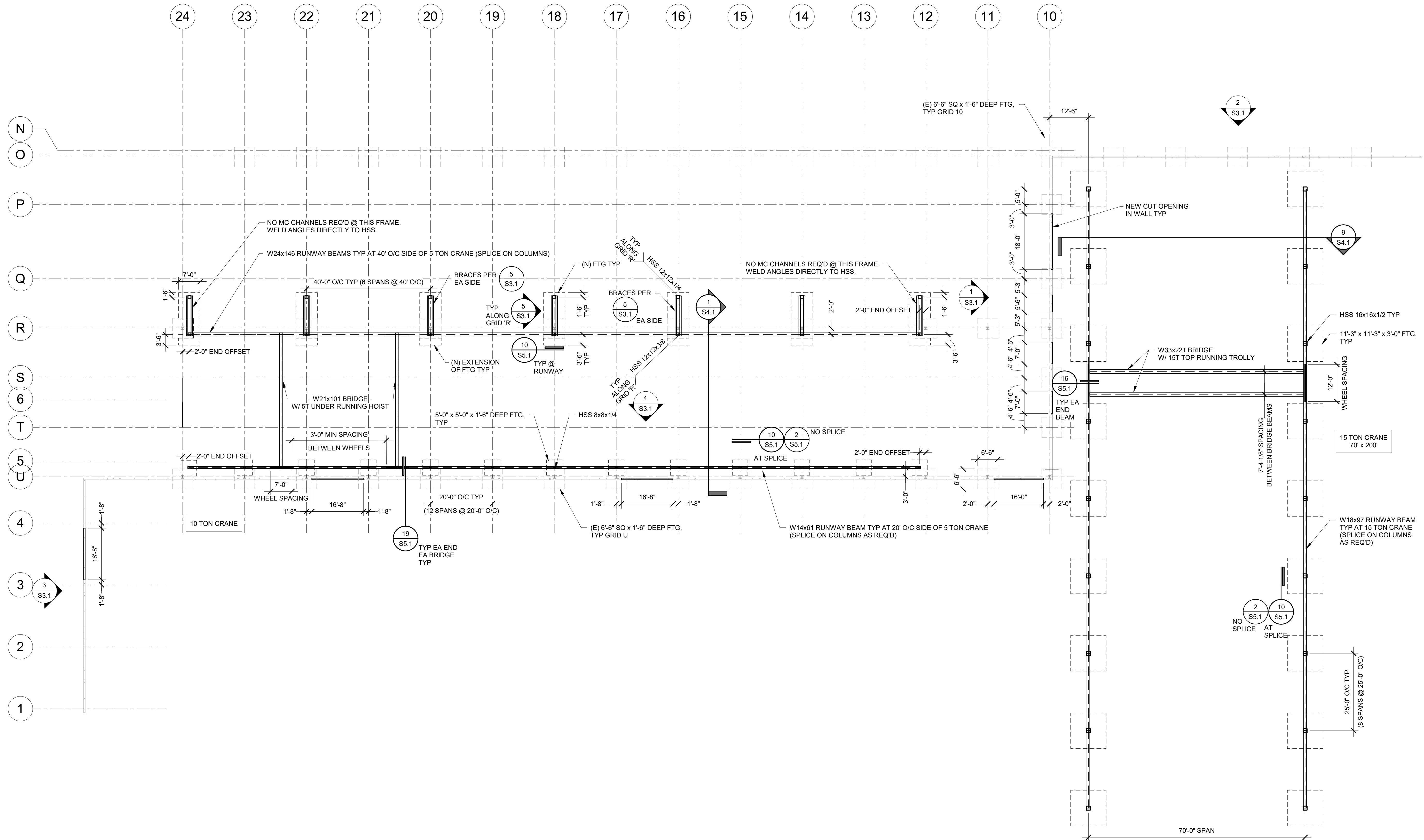
DESIGN ENGINEER	PROJECT DRAFTSMAN
JSK	MRS

PROJECT NO.

B20-035

SHEET NO.

S2.1

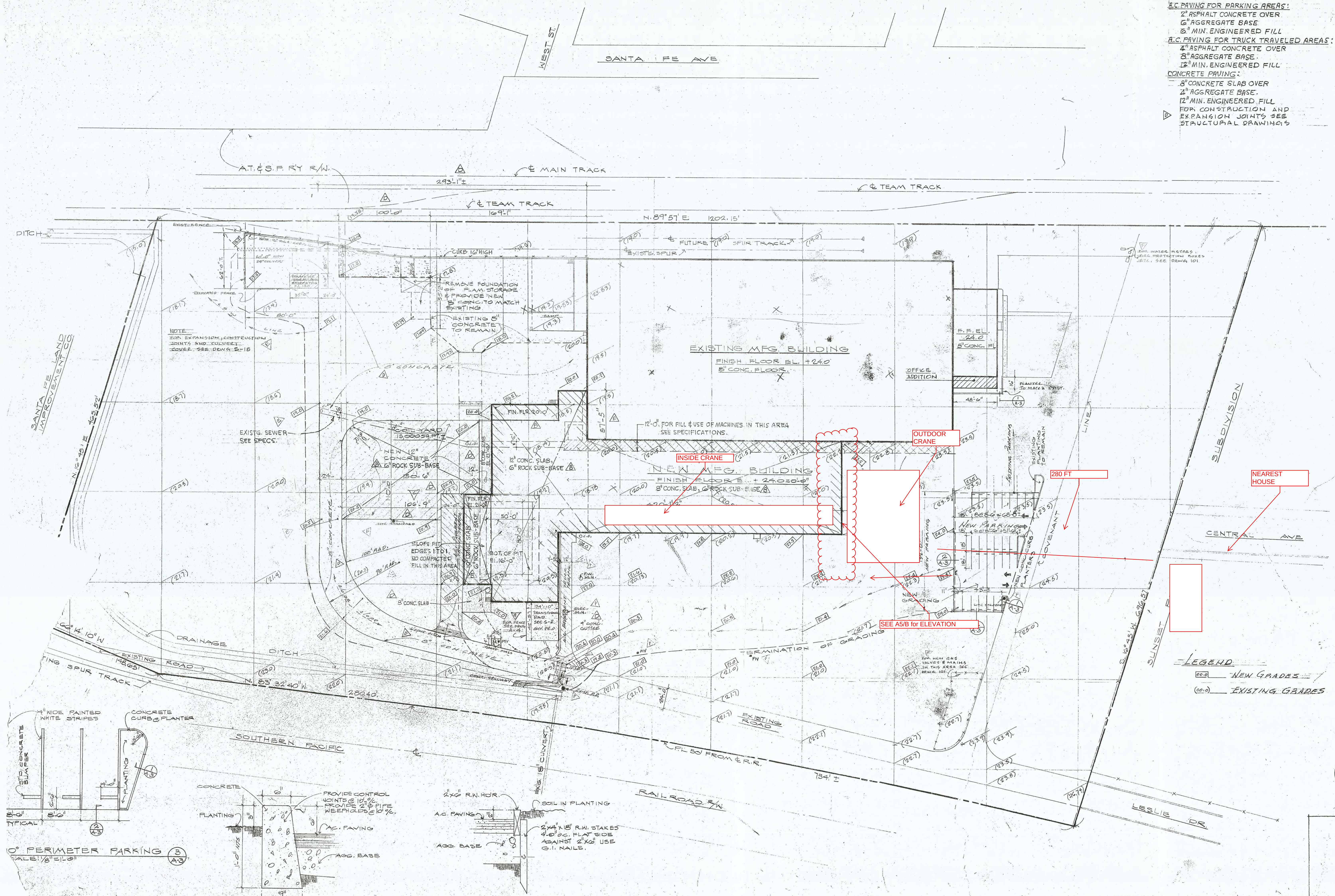


CONCORD IRONWORKS CRANES - PLAN VIEW

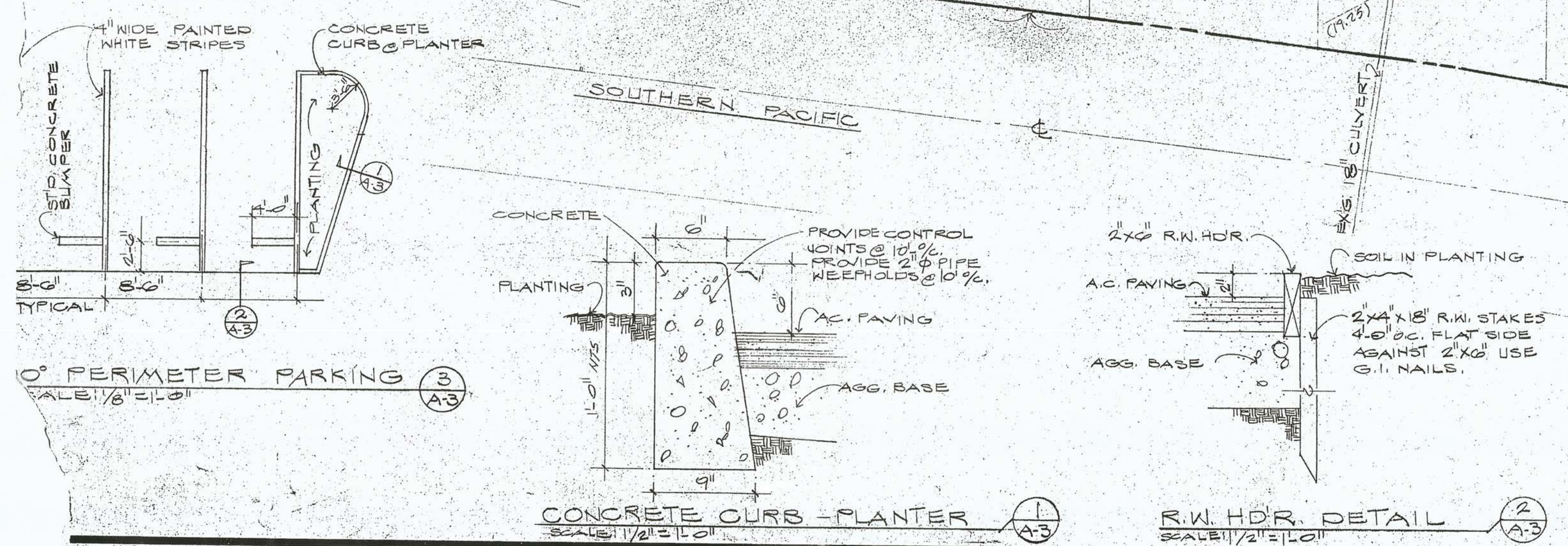
1/16" = 1'-0"

1

- PAVING NOTES:**
- AC PAVING FOR PARKING AREAS:**
 - 2" ASPHALT CONCRETE OVER
 - 6" AGGREGATE BASE
 - 3" MIN. ENGINEERED FILL
 - AC PAVING FOR TRUCK TRAVELED AREAS:**
 - 4" ASPHALT CONCRETE OVER
 - 8" AGGREGATE BASE
 - 12" MIN. ENGINEERED FILL
 - CONCRETE PAVING:**
 - 8" CONCRETE SLAB OVER
 - 2" AGGREGATE BASE
 - 12" MIN. ENGINEERED FILL
- FOR CONSTRUCTION AND EXPANSION JOINTS SEE STRUCTURAL DRAWINGS



- LEGEND**
- (24.0) NEW GRADES
 - (24.0) EXISTING GRADES

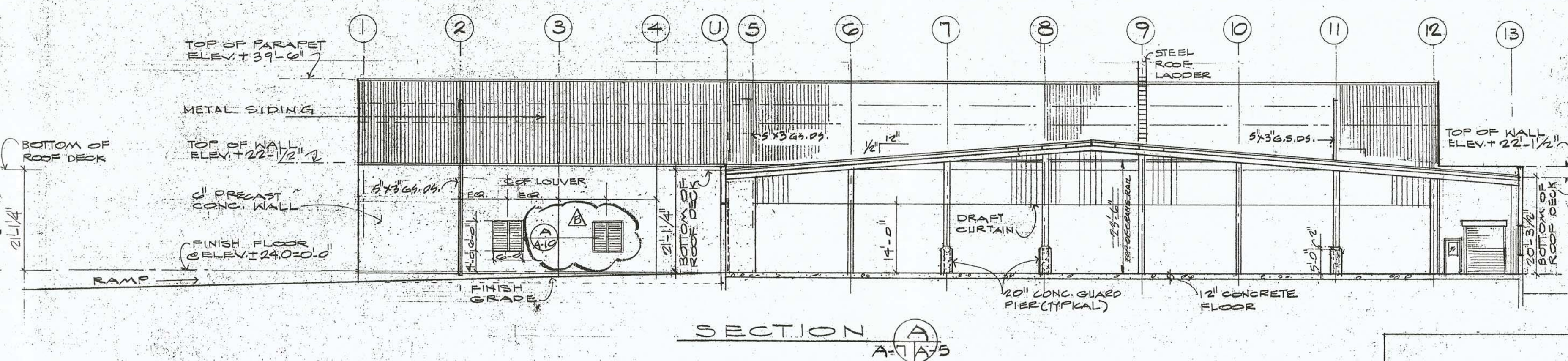
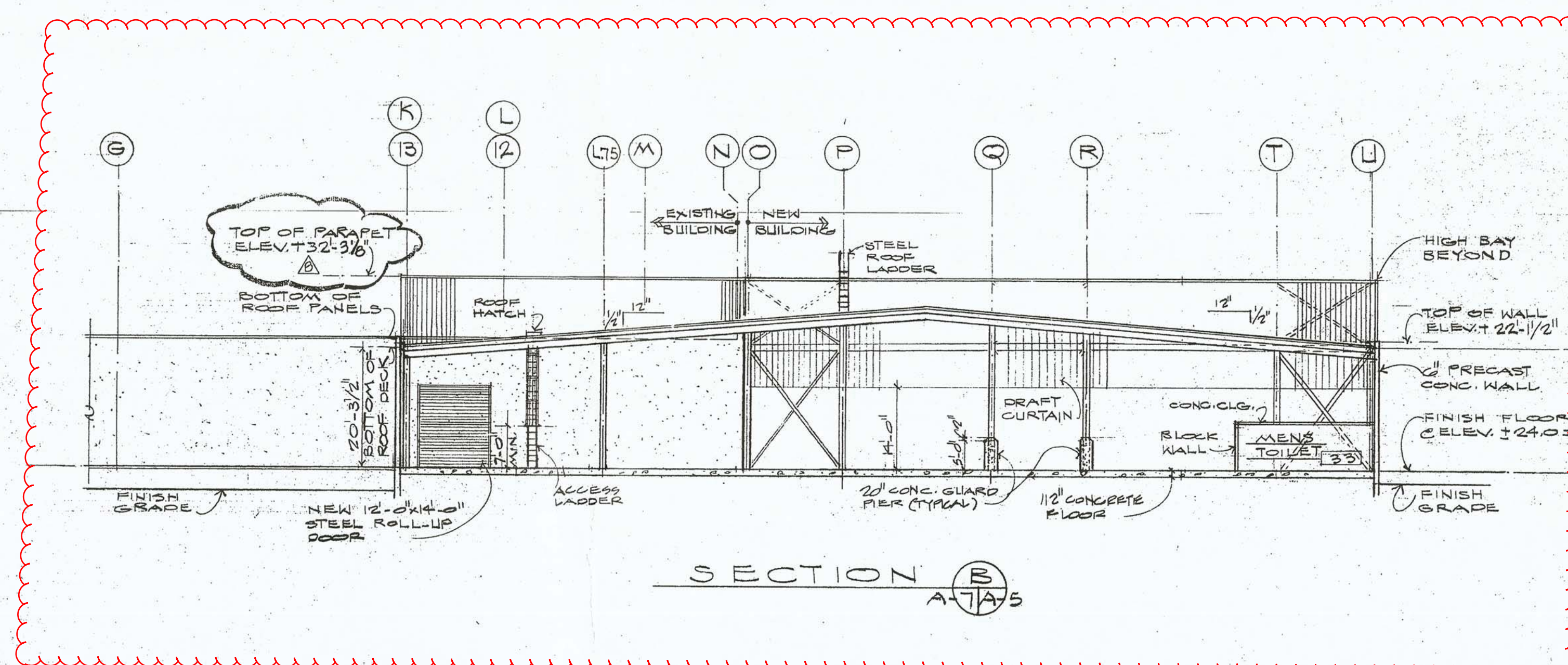
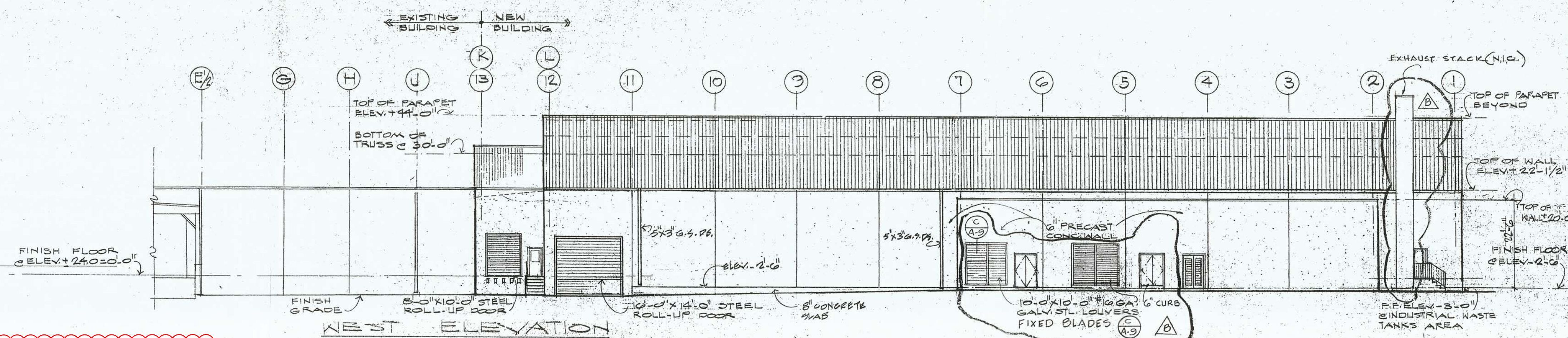
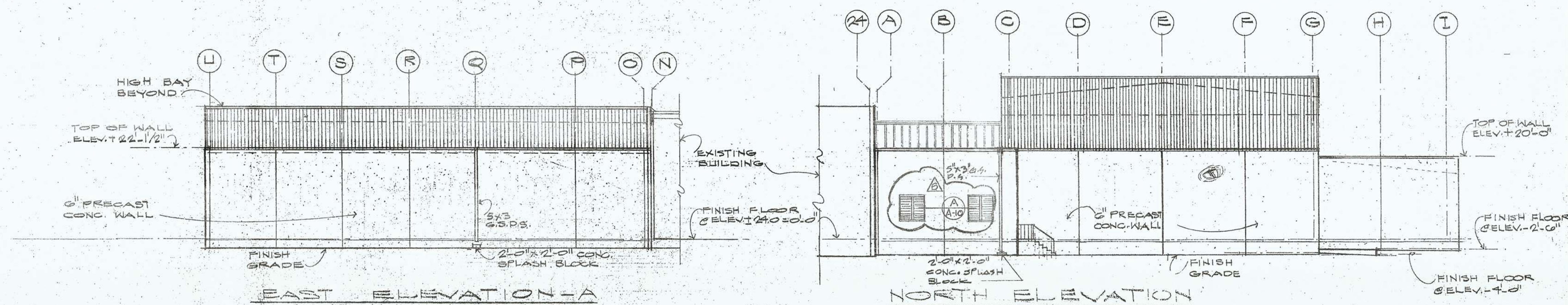
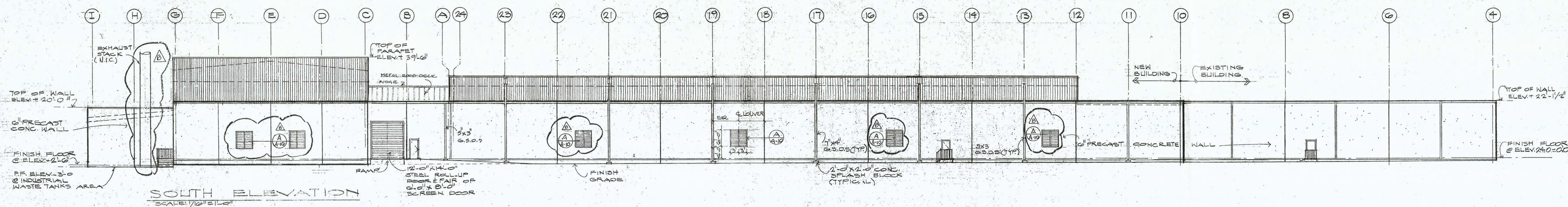


GRADING PERMIT DATE 4-4-73
 SITE AND GRADING PLAN

REVISION	BY	CHKD BY	DATE	REVISION	BY	CHKD BY	DATE
FOR GRADING BIDS	BY	CHKD	DATE	FOR GRADING BIDS	BY	CHKD	DATE
FOR CONSTRUCTION	BY	CHKD	DATE	FOR CONSTRUCTION	BY	CHKD	DATE
FOR PERMITS	BY	CHKD	DATE	FOR PERMITS	BY	CHKD	DATE
FOR RECORD	BY	CHKD	DATE	FOR RECORD	BY	CHKD	DATE

THE AUSTIN COMPANY ENGINEERS AND BUILDERS LOS ANGELES	MANUFACTURING PLANT ADDITIONS SIGNODE CORPORATION ONE LESLIE DR. PITTSBURG, CA.	CONTRACT NO. 73-6031 SHEET NO. A-3	ISSUE 1
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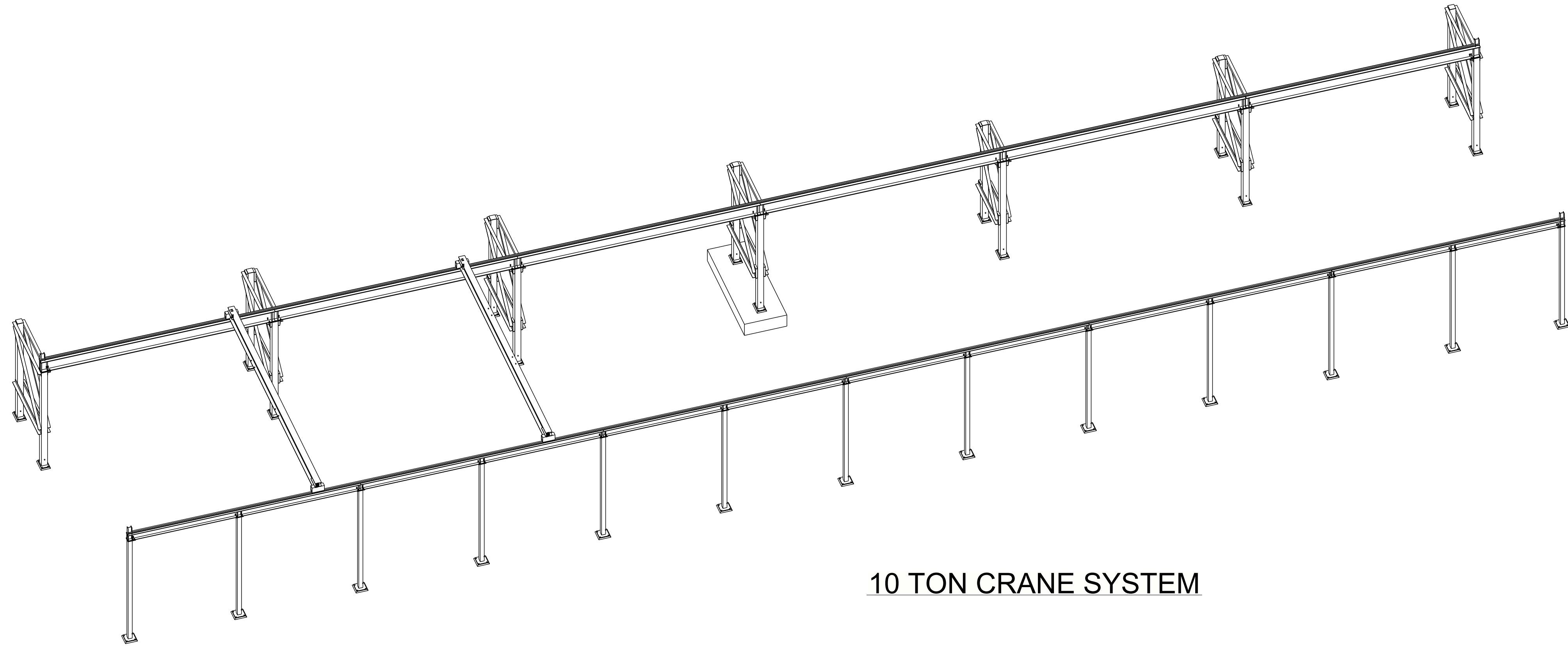
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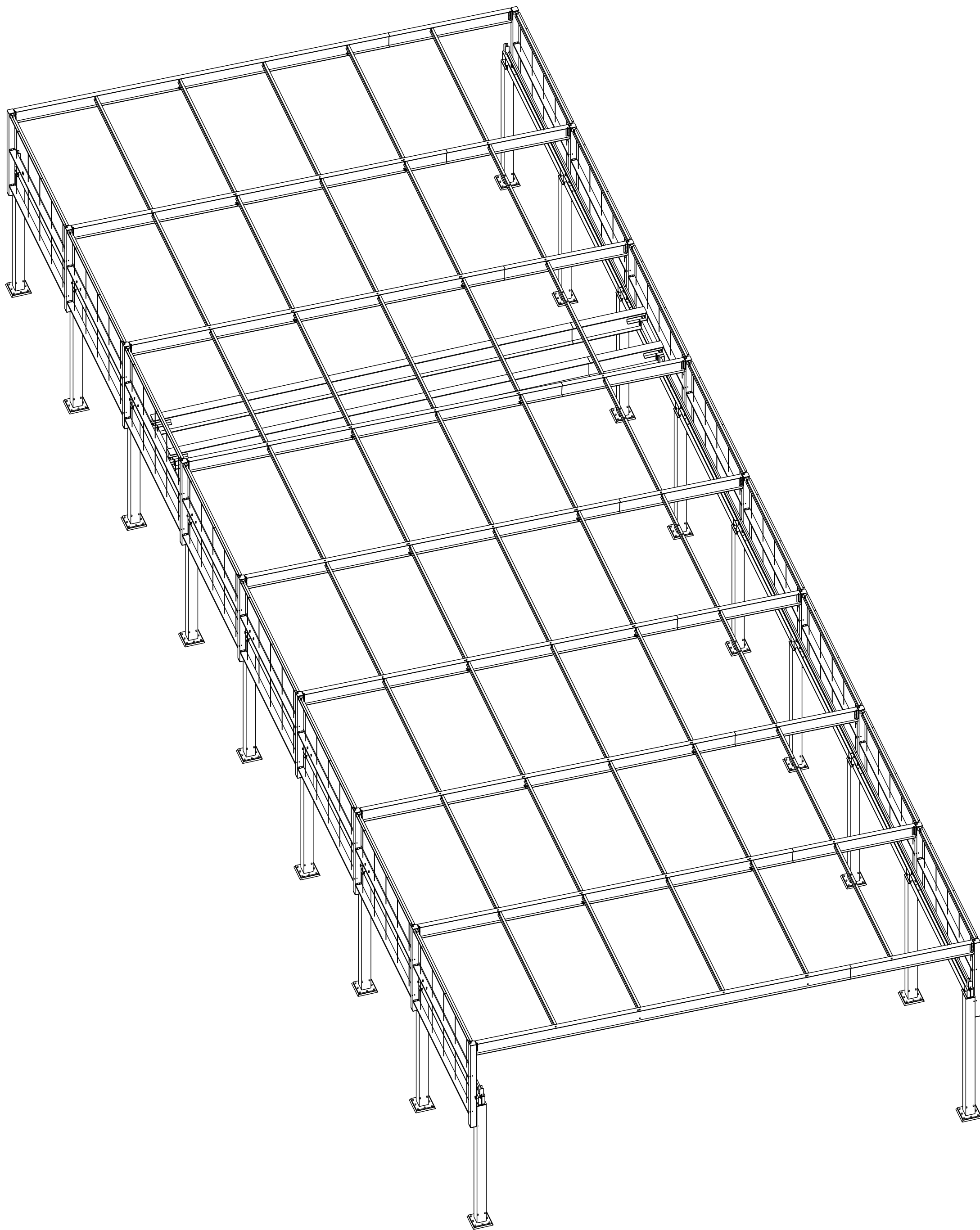
BUILDING ELEVATIONS

DATE	REVISION	BY	CHK'D BY	DATE	REVISION	BY	CHK'D BY
6-1-73	1. ISSUE FOR CONSTRUCTION	F.E.M.	B.W.H.				
7-16-73	2. REVISION DETAIL & ELONGATE STACK	A.W.	B.W.H.				

THE AUSTIN COMPANY ENGINEERS AND BUILDERS LOS ANGELES	TITLE OF PROJECT MANUFACTURING PLANT ADDITIONS	CONTRACT NO. 73-0031	ISSUE B
		NAME OF OWNER SIGNODE CORPORATION	
DRAWN BY DATE 4-27-73		CHECKED BY DATE 4-27-73	
SCALE 1/8" = 1'-0"		LOCATION ONE LESLIE DR., PITTSBURGH, PA.	



10 TON CRANE SYSTEM



15 TON CRANE SYSTEM

ISOMETRIC VIEW

DATE	REVISIONS	REV.
04/25/2020	Issued For Approval	A
Bolts: 3/4" A325 (U.N.O.) Open Holes: 1 3/16" Ø (U.N.O.) Ref. Dwg.: As Noted Paint: Cleaning Per: Mills Req'd.: 2.0 mills		
Concord Iron Works, Inc. 1501 Lovendge Rd. Box 15 Pittsburg, CA 94565-2818 tel.: (925) 432-0136 fax: (925) 432-0440 email: ciwdetail@concordiron.com CONTRACTOR LIC.# 425897 CERTIFIED FABRICATOR CIW		
PROJECT: Concord Iron Works Crane LOCATION: 1 LESLIE DR, PITTSBURG, CA 94565 CONTRACTOR: Concord Iron Works DESCRIPTION: ISOMETRIC VIEW DRAWN BY: PPS CHECKED BY: NRS APPROVED BY: JOB NO.: 20-22 DWG NO.: E1		

	PRELIMINARY
	FOR APPROVAL
	APPROVED
	SHOP (RFC)
	FIELD
	CONTRACTOR
	FILE



Planning Application

City of Pittsburg, Community Development Department – Planning Division
65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

TYPE OF APPLICATION REQUESTED:

- | | |
|---|---|
| ☐ UP Conditional Use Permit | ☐ ZA Zoning Administrator |
| ☐ DR Design Review | ☐ TRP Tree Removal Permit |
| ☒ ADR Design Review (Admin) | ☐ TA Temporary Activity |
| ☐ GP General Plan Amendment | ☐ PPR Preliminary Plan Review |
| ☐ RZ Rezoning (Includes PUD) | ☐ MM Minor Modification (wireless) |
| ☐ SUB Major Subdivision | ☐ SR Sign Review (Type: _____) |
| ☐ MS Minor Subdivision | |
| ☐ VA Variance | ☐ Other: _____ |

STAFF USE ONLY

Application Number: _____ Date Filed: _____

PROJECT INFORMATION:

Project Name (Business/Development): Concord Iron Works, Inc.
Address/Location of Project: 1 Leslie Drive, Pittsburg
Assessor's Parcel No(s): 086-110-002-2
Mapping Address (Latitude/Longitude): N 01' 31.88 W 53' 25.76 26 ft Elevation
Existing General Plan / Zoning Designations: Limited Manufacturing
Proposed General Plan / Zoning Designations: Same
Existing Use: Manufacturing
Proposed Use: Same
Size of Existing Structure(s): 142,185 sf (Building) 4,232 (Office)
Size of Proposed Additions / New Structure(s): 1 Inside Crane, 1 Outside Crane
Amount of New Impervious Surfaces (s.f. or acres)¹: None
Property Size (s.f. or acres): 16.44 acres No. of Existing Lots: _____ Proposed: _____
Days/Hours of Operation: 7am - 2:30pm
No. of Employees, Existing: 48 Proposed: 0
No. of On-Site Parking Stalls, Existing: 85 Proposed: _____
HCP Land Cover Type: _____ Cortese List: Yes ☐ No ☐

¹ If over 10,000 square feet, a stormwater control plan and related documents may be required per PMC §13.28.050(A)(2). Please contact Planning staff or refer to the Stormwater C.3 Guidebook available at www.cccleanwater.org/construction/nd.php for further guidance.

Proposed Project/Use Description:

(Attach additional sheets if necessary. For sign permits, include length x width x height dimensions, sign copy, colors, and length of building frontage.)

Outside Crane - 65'-0" x 200'-00" with Roof only (Grey)

Inside Crane - 43'-0" x 240'-0"

APPLICANT INFORMATION:

Applicant Name: Concord Iron Works, Inc. **Primary Contact:** Eric Lee

E-Mail: elee@concordiron.com **Phone:** Cell #925/250-2290

Mailing Address: 1501 Loveridge Rd., #15, Pittsburg, CA 94565

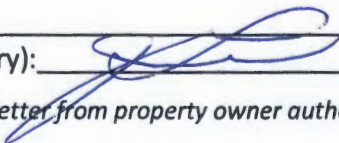
Property Owner(s): JDG Holdings, LLC

E-Mail: ilee@concordiron.com **Phone:** Cell 925/260-2936

Mailing Address: 137 Hurd Place, Clayton, CA 94517

Notarized Signature of Agent and/or Property Owner:

Agent (Attach Notary): _____ **Date:** _____

Property owner/manager (attach notary):  _____ **Date:** 5/06/20

(If not property owner or manager, provide letter from property owner authorizing agent to sign application.)

SUBMITTAL REQUIREMENTS: (to be completed by the applicant)

- ☒ Consultation with Planning Division
- ☒ Completed Planning Application Form
- ☒ 2 sets (minimum) of Project Plans* + 1 electronic set on a flash drive or CD
- ☒ Correct Filing Fees (if paying by check, make payable to "City of Pittsburg")
- ☐ Anticipated Postage Fees for Public Notices (check with Planning Division if applicable)

*One full-sized and one reduced (8.5" x 11" or 11" x 17") required. Please review the Planning Application Submittal Checklist (separate handout) for details about what needs to be included on the project plans.

STAFF USE ONLY

TOTAL FEES PAID*: _____ **Date Rec'd:** _____ **By:** _____

*Attach Copy of Completed Planning Receipt Form or Developer Deposit Request

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

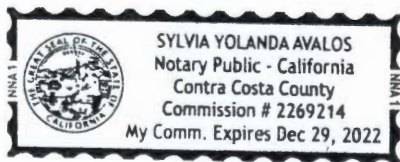
State of California

County of Contra Costa }

On May 6 2020 before me, Sylvia Yolanda Avalos, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Jill Lee
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Planning Application

Document Date: May 6, 2020 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer is Representing: _____

Signer's Name: _____
☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer is Representing: _____

CONCORD IRONWORKS CRANE

1 LESLIE DR, PITTSBURG, CA 94565

15 TON CRANE SYSTEM AND 10 TON CRANE SYSTEM

GENERAL NOTES

FOUNDATION NOTES

1. PROVIDE ALL STRUCTURAL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES.
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5. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES.
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7. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES.
8. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES.
9. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES.
10. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES. PROVIDE ALL MATERIALS FROM TESTED STOCK PLANTS/COMPANIES.

DESIGN CRITERIA

1. DESIGN IS IN ACCORDANCE WITH THE FOLLOWING CRITERIA:

A. LIVE LOADS

1. LIVE LOADS SHALL BE 100 PSF.

B. WIND

1. WIND SPEED SHALL BE 100 MPH.

C. SEISMIC

1. SEISMIC DESIGN SHALL BE IN ACCORDANCE WITH THE FOLLOWING CRITERIA:

D. EARTHQUAKE CATEGORY

1. EARTHQUAKE CATEGORY SHALL BE 1.

E. EXPOSURE CATEGORY

1. EXPOSURE CATEGORY SHALL BE 1.

F. WIND SPEED

1. WIND SPEED SHALL BE 100 MPH.

G. SEISMIC DESIGN

1. SEISMIC DESIGN SHALL BE IN ACCORDANCE WITH THE FOLLOWING CRITERIA:

H. EARTHQUAKE CATEGORY

1. EARTHQUAKE CATEGORY SHALL BE 1.

I. EXPOSURE CATEGORY

1. EXPOSURE CATEGORY SHALL BE 1.

J. WIND SPEED

1. WIND SPEED SHALL BE 100 MPH.

K. SEISMIC DESIGN

1. SEISMIC DESIGN SHALL BE IN ACCORDANCE WITH THE FOLLOWING CRITERIA:

L. EARTHQUAKE CATEGORY

1. EARTHQUAKE CATEGORY SHALL BE 1.

M. EXPOSURE CATEGORY

1. EXPOSURE CATEGORY SHALL BE 1.

N. WIND SPEED

1. WIND SPEED SHALL BE 100 MPH.

O. SEISMIC DESIGN

1. SEISMIC DESIGN SHALL BE IN ACCORDANCE WITH THE FOLLOWING CRITERIA:

P. EARTHQUAKE CATEGORY

1. EARTHQUAKE CATEGORY SHALL BE 1.

Q. EXPOSURE CATEGORY

1. EXPOSURE CATEGORY SHALL BE 1.

R. WIND SPEED

1. WIND SPEED SHALL BE 100 MPH.

S. SEISMIC DESIGN

1. SEISMIC DESIGN SHALL BE IN ACCORDANCE WITH THE FOLLOWING CRITERIA:

T. EARTHQUAKE CATEGORY

1. EARTHQUAKE CATEGORY SHALL BE 1.

U. EXPOSURE CATEGORY

1. EXPOSURE CATEGORY SHALL BE 1.

V. WIND SPEED

1. WIND SPEED SHALL BE 100 MPH.

SHEET INDEX

Sheet	Sheet Name
S0.1	GENERAL NOTES, SHEET INDEX & ABBREVIATIONS
S0.2	REFERENCE PLAN - 15 TON CRANE ROOF
S0.3	ELEVATIONS
S0.4	SECTIONS AND DETAILS
S0.5	DETAILS
S0.6	DETAILS

PROJECT INFORMATION

PROJECT	CONCORD IRONWORKS CRANE
CUSTOMER	ALLEN CRANE, INC.
JOB CONTACT	DAVE COSTA
PROJECT	OFFICE: 855.42.5554 FAX: 855.42.5555
WORK OF RECORD	CONCORD IRONWORKS CRANE

SPECIFICATIONS

15 TON DOUBLE GIRDER BRIDGE CRANE SYSTEM		5 TON SINGLE GIRDER BRIDGE CRANE SYSTEM	
CAPACITY	15 TON (4500 LBS)	CAPACITY	5 TON (1500 LBS)
CRANE TYPE	TOP-FLANGE DOUBLE GIRDER	CRANE TYPE	MONORAIL TROLLEY
RUNWAY BEAM	WT-60	RUNWAY BEAM	30" x 40" x 4
HOBST CAPACITY	15 TON (4500 LBS)	HOBST CAPACITY	5 TON (1500 LBS)
HOBST TYPE	WIRE ROPE	HOBST TYPE	WIRE ROPE
MOORE NUMBER	3000	MOORE NUMBER	3000
HOIST WEIGHT	3000	HOIST WEIGHT	3000
POWER SUPPLY	20.8 MVA (1000 HP)	POWER SUPPLY	6.3 MVA (1000 HP)
MAX WHEEL LOAD	20.8 MVA (1000 HP)	MAX WHEEL LOAD	6.3 MVA (1000 HP)

VICINITY MAP



FICCADENTI WAGGONER and CASTLE
Structural Engineers
2000 Chapel Rd. Suite 1010
Pittsburg, CA 94565
Tel: 925.436.1000
Fax: 925.436.1001
www.ficcadenti.com

CONCORD IRONWORKS CRANE
15 TON CRANE SYSTEM AND 10 TON
1 LESLIE DR, PITTSBURG, CA 94565



REV	DATE	DESCRIPTION
1	08/01/2010	ISSUED FOR PERMIT

GENERAL NOTES,
SHEET INDEX, &
ABBREVIATIONS

DOCUMENT NUMBER	000-000
PROJECT NAME	000-000
PROJECT NO.	000-000

S0.1

CONCORD IRONWORKS CRANE
15 TON CRANE SYSTEM AND 10 TON
CRANE SYSTEM
1 LESLIE DR, PITTSBURG, CA 94565

1 LESLIE DR, PITTSBURG, CA 94565



REV	DATE	DESCRIPTION

DRAWN BY MMS

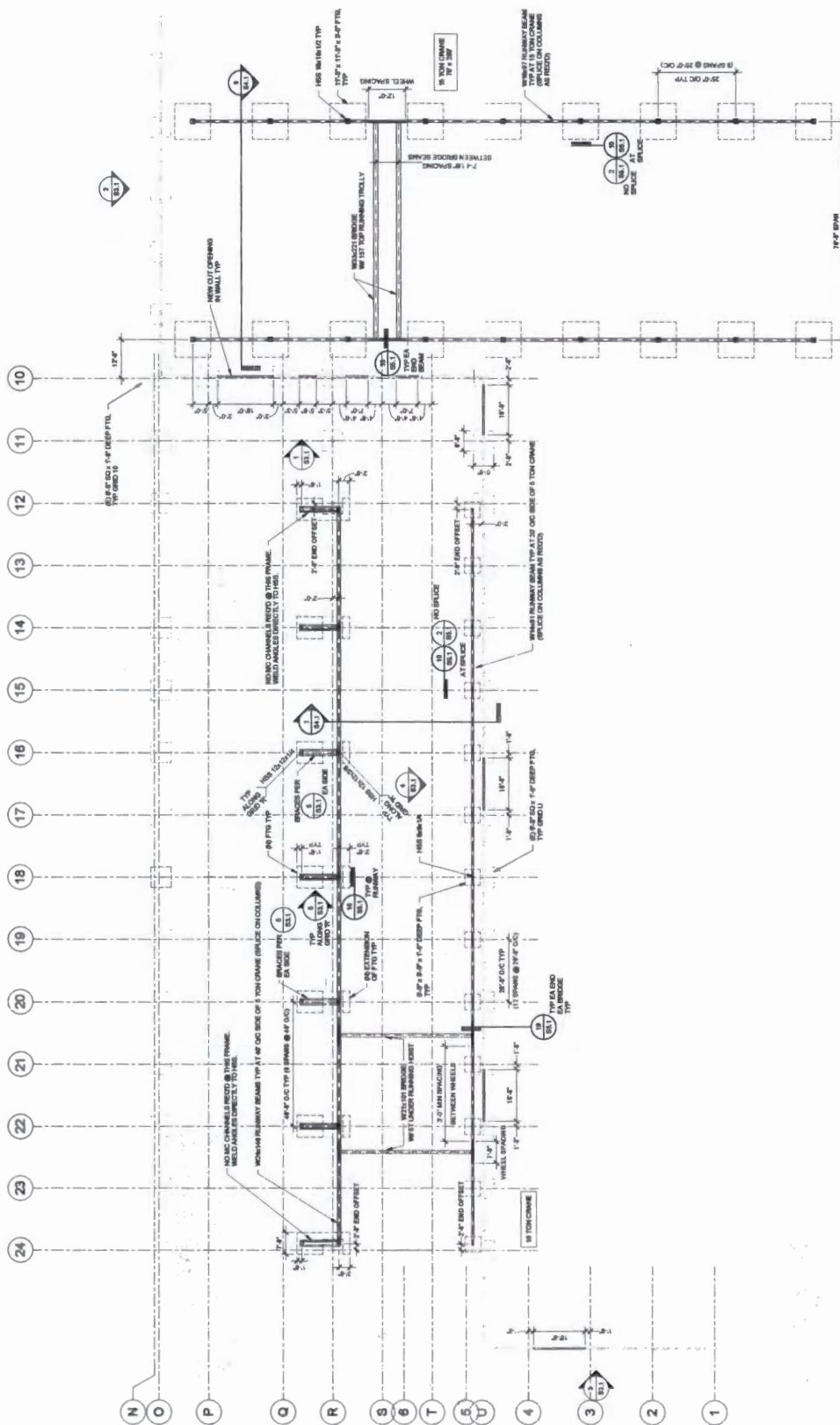
1ST ISSUE DATE 8/30/2008

SHEET TITLE

REFERENCE PLAN

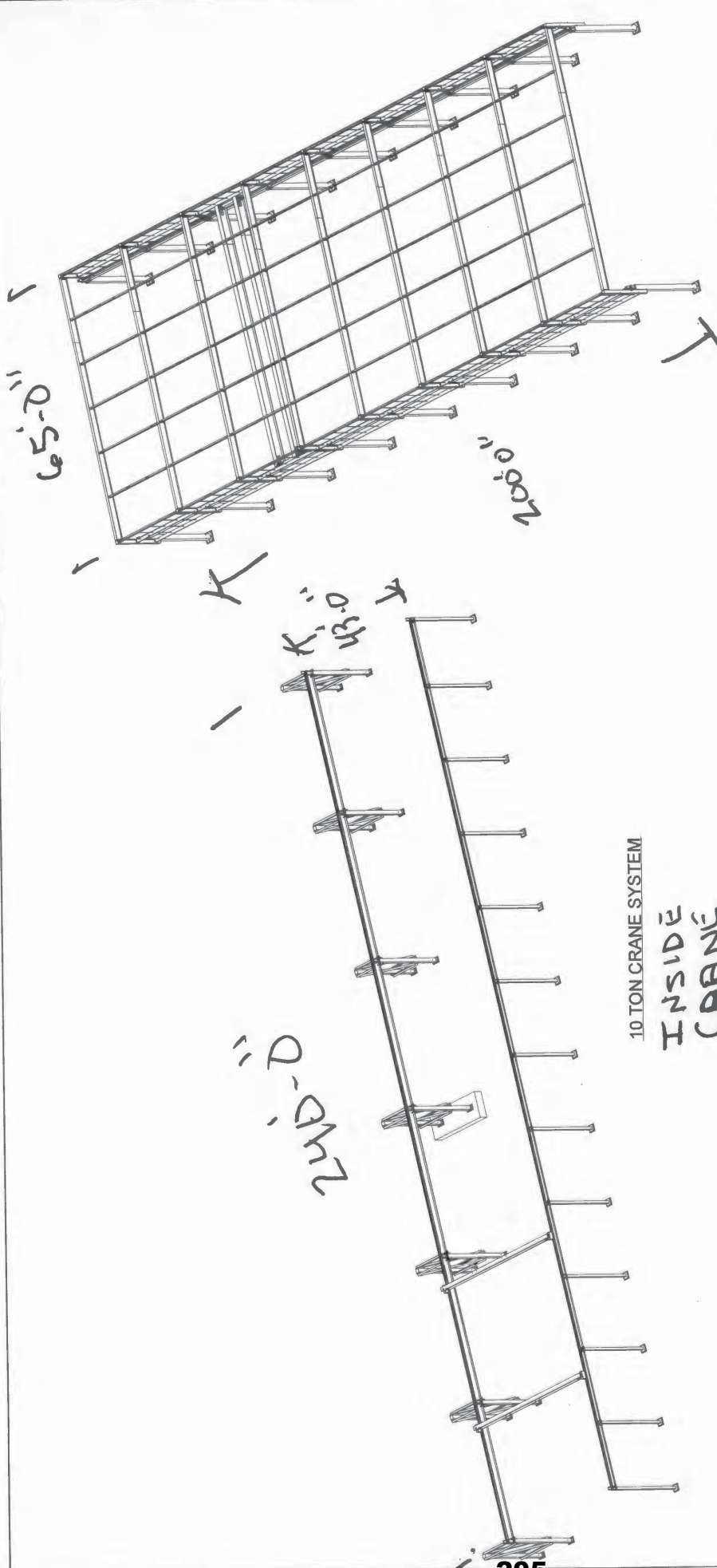
DOCUMENT REVIEW		PROJECT CRAFTSMAN	MSB
DESIGN ENGINEER	JAK		
PROJECT NO.		B20-005	
SHEET NO.			

S2.1



CONCORD IRONWORKS CRANES - PLAN VIEW

1	100 = 1.0
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15 TON CRANE SYSTEM

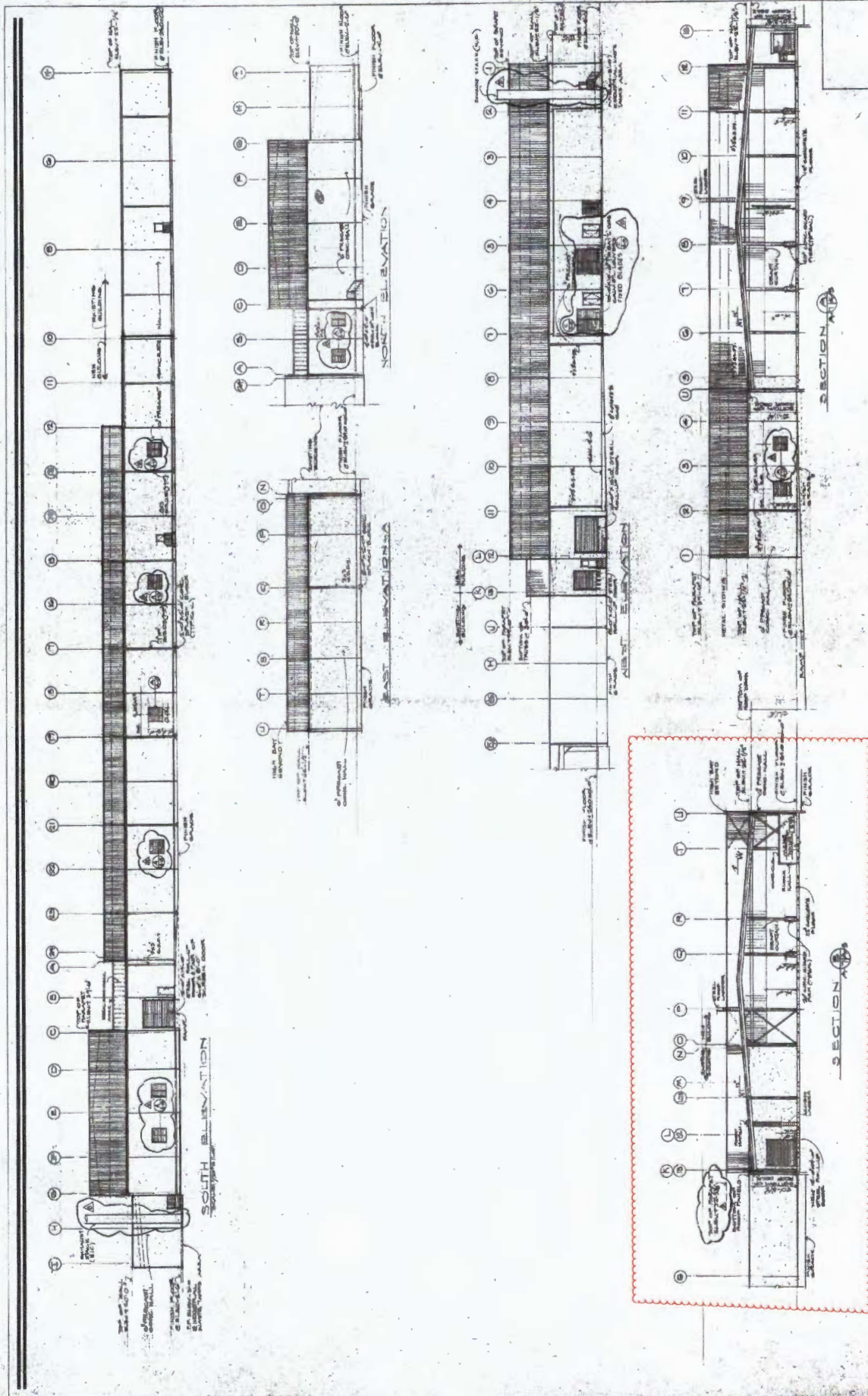
OUTSIDE CRANE

10 TON CRANE SYSTEM

INSIDE CRANE

ISOMETRIC VIEW

DATE	REVISIONS	REV
APPROVED	REVISION	A
Name: 3000 425 (AUG 02) Open Hole: 1511 8 (AUG 02) Air Drop: As noted Drawing For: 2.1 mbs Project: Concord Iron Works, Inc. 1801 Lumbard Ave. Ste. 10 Pittsburg, CA 94565 916.434.1111 www.concordironworks.com CONTRACT NO. 02-0001		
PROJECT: Concord Iron Works Crane LOCATION: 1 LEBLANC ST. PITTSBURG, CA 94508 CONTRACTOR: Concord Iron Works DESCRIPTION: ISOMETRIC VIEW DRAWN BY: PPS CHECKED BY: MRS DESIGNED BY:		
PRELIMINARY FOR APPROVAL APPROVED SHOP (P/C) FIELD CONTRACTOR FILE 205 205		



BUILDING ELEVATIONS

THE ASTIN COMPANY
MANUFACTURING PLANT ADDITIONS
LOS ANGELES
FOR ONE ISSUE ON ATTORNEY'S
FILE

NO.	DATE	BY	CHKD.	APPROVED
1	10-1-33	J. H. HARRIS		
2	10-1-33	J. H. HARRIS		
3	10-1-33	J. H. HARRIS		
4	10-1-33	J. H. HARRIS		
5	10-1-33	J. H. HARRIS		
6	10-1-33	J. H. HARRIS		
7	10-1-33	J. H. HARRIS		
8	10-1-33	J. H. HARRIS		
9	10-1-33	J. H. HARRIS		
10	10-1-33	J. H. HARRIS		