

Pinole Zoning Ordinance Sub Committee Meeting

Thursday, April 11, 2010 4:00 to 7:00 pm

City Team: Winston Rhodes, Anne Hersch, Mary Drazba

Steering Committee: Tim Banuelos, Maureen Toms, John Bender and Tom Brooks

PMC Team: Pam Johns and Margaret Kavanaugh-Lynch

Article I Project Team Comments -Committee Recommendations

1. Community Development Director -- Need to identify City Manager has Authority and shall delegate.
2. Private Agreements refer to CC&Rs.
3. Determination of completeness - address the over-the-counter action.
4. Pre-Proposal / Preliminary Review process – consider process to improve value.
5. Need to establish ability to expand public noticing beyond 300 feet in certain circumstances.
6. Permit revocation – Change authority from City Council to Planning Commission.
7. Clarify what qualifies as “vesting” permits relative to lapse of the time/abandoning efforts. Concern that sign guidelines are needed for Creative Sign Program(Like it, but need better guidance)
8. Need to clarify the circumstances under which City Manager can approve a Variance.(concern: parking examples) The intent was more of a Minor Deviation.
9. Create a Minor Deviation in lieu of an Administrative Variance. Note that such deviation cannot violate the building code.
10. Sign Permit – concern relative to strike last sentence in 1712.040.E.G
11. Non-conforming section – add energy efficiency additions to be allowed like seismic upgrading already is supported.
12. Continuation of non-conformity: establish a CUP option for City Council to consider extension of non-conforming use/structure beyond sunset clause.

Article II Comments – Committee Recommendations

1. Consider PD District as overlay on map to show previously approved PDs, but moving forward, PD may not be the best tool to provide development flexibility.
2. Consider CUP for all cell towers if allowed by law.
3. Eliminate all references in development standard tables to maximum number of stories, stay with max height, only.
4. Home occupations should be allowed by right if they comply with the new performance standards.
5. Consider appropriateness of second units in the mixed use zoning districts.
6. Should wireless facilities be permitted in SPBCA designation? Check with City Attorney to see if it can be precluded.

Related Considerations

1. Consider new Fee Structure
2. Need sign Guidelines for the Creative Sign Program.

Project Team Follow-up

(Items to provide Committee in advance of April 15th meeting)

1. Minor Deviation - recommendations for administrative review/action in lieu of Administrative Variance.

2. Consolidated Use Table showing all use categories and zoning districts with “N”, “P” and “CUP”.
3. Revised/corrected Zoning Map
4. Typed comments from the Steering Committee.

Pinole Zoning Ordinance Steering Committee Meeting

Thursday, April 15, 2010 4:00 to 8:00 pm

City Team: Winston Rhodes, Anne Hersch, Mary Drazba

Steering Committee: Tim Banuelos, Maureen Toms, John Bender and Tom Brooks

PMC Team: Pam Johns and Margaret Kavanaugh-Lynch

Article I (Follow Up) -Committee Comments and Recommendations

13. Create a Minor Deviation in lieu of an Administrative Variance as outlined in the Project Team attachment, including minor modifications or clarifications to Administrative Design Review, Variance, and Comprehensive Design Review as proposed by Project Team.
14. Amend Planned Development Permit section to recognize this planning tool of the past, identify ways to amend previously approved PDs, and identify that the Comprehensive Design Review or Specific Plan are the preferred planning tool for flexibility to development standards.
15. Incorporate the text and graphics for “integrated developments” to allow for assembly of properties with regards to zoning standards and use clustering. This should be consistent with the concept introduced in the three Specific Plans.

Article II (Follow Up) – Committee Comments and Recommendations

7. Reorganize Article II to replace the existing allowed use tables with a single consolidated allowed use table and incorporate the land use descriptions into Article II (extract from Article VI and change references throughout).
8. Replace the citywide Public Facilities (PF) zoning with the Public/Quasi-Public/Institutional (PQI) zoning and update the table consistent with allowed use provisions outlined in the Specific Plans.
9. Add a legend of districts to the consolidated table and update the table header with zoning district colors as shown on the map.
10. Modify allowed use regulations as follows:
 - a. Remove CUP requirement for second dwelling units consistent with State law and add as allowed use in the RMU.
 - b. Permit small family day care homes by right in all residential districts and rely on State regulations and permitting to ensure qualifications are met.
 - c. Permit Home Occupations by right in any residential unit so long as they comply with the performance standards outlined in Article III
 - d. Modify allowed use regulations to preclude emergency shelters and transitional housing in the single family residential districts. Allow emergency shelters and transitional housing by right in the Office Industrial Mixed Use (OIMU) zone.
 - e. Amend allowed uses for the Rural (R) district to allow animal keeping and limited equestrian and kennel uses.

- f. Update the Regional Commercial (RC) allowed use listing to include several additional uses from the complete list as shown (e.g., grocery stores, home improvement stores, hotels and motels).
 - g. Allow community centers/civic uses in the Open Space (OS) zone with approval of a conditional use permit.
 - h. Allow public safety facilities (e.g., fire stations) by right in residential zones.
 - i. Don't allow private schools and special schools/studies in residential zones.
 - j. Don't allow theater and auditorium uses in the Rural (R) district.
 - k. Don't allow park and ride facilities from permitted in the single-family residential zones.
 - l. Allow parking facilities (which can include surface lots) in the residential zones for two-families and more.
 - m. Allow wireless telecommunication facilities with a conditional use permit in all districts with reference to compliance with standards and exemptions in Article III.
 - n. Allow transit facilities in the Office Industrial Mixed Use (OIMU), Office Professional Mixed Use (OPMU), and San Pablo Bay Conservation Area (SPBCA) zone with a conditional use permit.
 - o. Allow artist studios in the higher density residential zones.
11. Amend the land use classification description to expand description of transit facilities to allow for additional transportation options in the future (e.g., monorail).

Zoning Map (Follow Up) – Committee Comments and Recommendations

- 3. Remove Public Facilities (PF) zone and replace change PF sites to Public/Quasi-Public/Institutional (PQI)
- 4. Correct the designation of the West Cat property on Walter to OIMU and change the OPMU area on San Pablo Avenue to OIMU consistent with the Specific Plan.
- 5. Improve legibility of the PD dots by making them a little bit heavier.
- 6. Amend the order of the legend consistent with the listing in the allowed use table and text.
- 7. Update the colors to show greater distinction between the PR designation and the OS zones in the legend.

Article III (Follow Up) – Committee Comments and Recommendations

- 1. Building Height (17.36). Make sure height measurement is consistent with adopted residential design guidelines and reconcile graphic and text regarding natural and finished grade (adopted design guidelines list natural or existing grade).
- 2. Fences and Walls (17.42). Figure 17.42.030-1 is too generic to demonstrate the setback – use single lot and corner lot example and refer to irregular lot details in glossary.
- 3. Yard Measurement and Exceptions (17.56). For sloped lots, be sure to allow some flexibility in setbacks to ensure consistency with the hillside development objectives and guidelines.
- 4. Affordable Housing Requirements (17.32). Clarify applicability citywide – not only in the redevelopment area and improve objectives of requirements. Given type and size of lots in Pinole, change the applicability from 5 units to 4 units. Additionally, consider the option to include incentives for off-site housing, which will require careful consideration of “like/similar” housing, agreements, staff time, etc.
- 5. Automobile Service Stations (17.34). Modify applicability to new stations only and exempt current stations from standards – even if they expand. Add provisions to allow biodiesel and other alternative fuels and encourage the incorporation of charging stations for electric vehicles.

6. Accessory Structures (17.30). Add guest house/pool house as a type of detached accessory structure and define and reference as distinct from second units.
7. Landscape (17.44). Add special provisions to require native planting along creeks (Section 17.40.060). Be sure we address maintenance of landscaping inside and outside the right-of-way (clearance for both pedestrians and vehicles).
8. Parking (17.48). Modify to incorporate/address the following issues:
 - a. Incorporate relevant information from the Downtown parking study regarding relaxed parking standards in the Old Town area in particular and consider whether relaxed standards make sense in other areas of the City. These modifications should be incorporated into the Specific Plan(s) and/or citywide parking standards as appropriate.
 - b. Emergency shelter parking requirements cannot be more restrictive than other uses in the OIMU.
 - c. Illustrate parking spaces and drive aisles with simple graphic.
 - d. Add text to encourage reduction of impervious surface by allowing landscape for overhang beyond the curb/wheel stop.
 - e. Consider alternative to parking ratio for restaurants/bars so that we're not counting kitchen space.
 - f. Parking and loading requirements – be sure to include exceptions/special provisions for the old town area (either in Specific Plans or citywide code as appropriate).
 - g. Remove minimum width for residential driveways and add requirements for RV parking.
9. Signs (17.52). Modify to incorporate/address the following issues:
 - a. A-frame signs – the Sub Committee preference is to prohibit everywhere, but if permitted, we need to add placement restrictions to business entrances and within business frontage (tenant space).
 - b. Pylon signs – eliminate minimum site size restrictions (minimum acreage) and add the potential to approve pylon signs along Highway 80 up to a maximum height of 100 feet as part of a Creative Sign Program (CSP) Uniform Sign Program (USP) or other application.
 - c. Electronic message signs – consider spacing restrictions between electronic message signs and consider adding additional design considerations (e.g., maximum size, limits on brightness).

Article IV (Follow Up) – Committee Comments and Recommendations

1. Regarding Home Occupations, the Committee is concerned about the performance standard to allow up to 3 visits per day and is interested in hearing additional public opinion on this change to expand opportunities for home occupations. There was also some concern about the number of employees that would be allowed and corresponding vehicles.

Project Team Follow-up

5. PMC - summary notes from April 15th meeting
6. PMC - PD Permit modifications to text
7. PMC - Integrated Development concept to allow for assembly of properties with regards to zoning standards and use clustering.
8. Staff – follow up with the City Attorney about the requirements to consider allowing for off-site affordable housing requirements.

9. Staff – follow up with City Attorney about the proposed amendments to the sign regulations.