

**CITY OF SAN PABLO
PLANNING COMMISSION MINUTES
APRIL 18, 2017
CITY COUNCIL CHAMBERS
ONE ALVARADO SQUARE
SAN PABLO, CA**

ROLL CALL

Chairperson Xavier called the meeting to order at 6:30 P.M. Call of the roll showed present Commissioner Xavier, Commissioner Inglis, Commissioner Trujillo, and Commissioner Shi, and Commissioner Feliciano. Staff present at the meeting were: Michele Rodriguez, Development Services Director; Lynn Tracy Nerland, City Attorney; Rod Simpson, Associate Planner, Sarah Maroof, Administrative Secretary, Tricia Stevens, Consulting Planner, and Barbara Hawkins, Public Works Director and City Engineer.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Commissioner Trujillo made a motion to approve the minutes for the meeting of March 21st, 2017. The motion was seconded by Commissioner Feliciano. The motion was approved 4-0-1, with Commissioner Inglis abstaining.

AYES: Shi, Xavier, Trujillo, and Feliciano.
NOES: None.
ABSENT: None.
ABSTAIN: Inglis.

PUBLIC HEARINGS

PLAN1704-0001: City of San Pablo 2018-2021 Capital Improvement Projects Budget - To consider a finding of General Plan conformity for the Fiscal Year 2018/21 Capital Improvement Projects Budget (CIP). This is a City initiated project and the program is citywide. The project is exempt from the California Environmental Quality Act per guideline 15061(b)(3), with no potential for causing a significant effect on the environment.

Public Works Director Barbara Hawkins gave an overview of the City of San Pablo 2018-2021 Capital Improvement Projects Budget, including: ADA enhancements, bridges, creeks and storm drains, economic development, hillside stabilization, municipal buildings/facilities, parks, pedestrian/bicycle/transit, streets and transportation, and traffic safety. Director Hawkins responded to various questions posed by the Planning Commission, including regarding railroad crossing improvements, proposed Rumrill improvements, and grant funding. Commissioner Inglis requested a copy of the score rating sheet referenced in Attachment B to the Staff Report, "CIP 2018-2021 project list (Exhibit B)," which Director Hawkins agreed to provide for him at a later time.

The public hearing was opened. There being no members of the audience wishing to speak regarding the project, the public hearing was closed.

Commissioner Trujillo made a motion to adopt Resolution 17-05 finding the 2018-2021 Proposed Capital Improvement Program to be in conformance with the City of San Pablo General Plan 2030 Policies and recommend City Council adoption. Commissioner Inglis seconded the motion. The Commission voted in favor 5-0. The recommendation will go to the City Council on May 15th.

AYES: Inglis, Shi, Trujillo, Feliciano, and Xavier.
NOES: None.
ABSENT: None.
ABSTAIN: None.

PLAN1612-0016: City of San Pablo Zoning Ordinance Amendments on Accessory Dwelling Units -

To consider amendments to the Zoning Ordinance Chapters 17.32, 17.42, 17.60, 17.54, 17.68 and 17.70 relating to Accessory Dwelling Units to comply with State Law and to address the needs of San Pablo. The proposed ordinance allows for conversions of existing space, and provides standards for new construction, including limitations on unit size, lot size, and lot coverage. This is a City initiated project and the proposed amendments apply citywide. The project is exempt from the California Environmental Quality Act per guideline 15305 Minor Alterations in Land Use Limitations, with no potential for causing a significant effect on the environment.

Consulting Planner Tricia Stevens provided an overview of the proposed amendments to the Zoning Ordinance Chapters 17.32, 17.42, 17.60, 17.54, 17.68 and 17.70 relating to Accessory Dwelling Units (ADUs), and how the proposed amendments incorporate the recommendations made by the Planning Commission at the time of the March study session, particularly as they relate to parking clutter, neighborhood safety, compliance with State Law, and consistency with the City of San Pablo's General Plan and Housing Element. Ms. Stevens responded to questions posed by the Planning Commissioners, including questions regarding lot sizes, lot coverage restrictions, enforcement of the owner occupation restriction, the definition of an ADU, the maximum number of bedrooms allowed, the requirement for separate utility hookups, and parking issues.

The public hearing was opened, and speakers included Roger Modjeski, a property owner in San Pablo. Mr. Modjeski stated that he owns property on a 12,000 sq. ft. lot on Road 20 with a 1200 sq. ft. house, and he is interested in building an ADU. However, his primary concern is the prohibitively high cost of obtaining permits for new construction. Specifically, he said he had gotten a permit estimate before the fees went up last summer, and he was given an estimate of \$1500 for permits to build a garage. When he went back after the fee increase, he was given a fee estimate for permits of \$7500. He stated that he went to City Council to ask about the fees, and was told that the City Manager would get back to him regarding why the rates increased to such an extent. He said he also spoke with the Waste Water District and was told that fees would be about \$4,000 for a kitchen. He was questioning why there would be hook-up charges for a separate unit when there would not be separate hook-up charges for an addition to the main unit. He also expressed concerns that the master fee schedule was very confusing.

Consulting Planner Tricia Stevens and Director Rodriguez responded to Mr. Modjeski's concerns. Director Rodriguez indicated that the City Manager had contacted her regarding permit fees, and they would continue the dialogue with Mr. Modjeski regarding his concerns. Mr. Modjeski was thanked for bringing this issue to the attention of the Planning Commission. There being no other members of the audience wishing to speak regarding the project, the public hearing was closed.

After discussion, it was agreed by the Commissioners to amend Section C(5) on page 7 of Exhibit A to Resolution 17.06 to read the same as Section D(6) on page 8 of Exhibit A to Resolution 17.06, as follows:

5. Utilities: The applicant shall not be required to install a new or separate utility connection directly between the accessory dwelling unit and the utility, and shall not be charged a connection fee or capacity charge related to such requirement. The applicant may voluntarily install a new or separate utility connection, which shall be subject to the same fees for new single family residences.

Commissioner Feliciano made a motion to adopt Resolution 17-06, as amended, recommending to the City Council approval of PLAN1612-0016 – Amendments to Zoning Ordinance Chapters 17.32, 17.42, 17.54, 17.60, 17.68, and 17.70 relating to Accessory Dwelling Units. The motion was seconded by Commissioner Inglis. The Commission voted in favor of Resolution 17-06 as amended 5-0.

AYES: Inglis, Shi, Trujillo, Feliciano, and Xavier.
NOES: None.
ABSENT: None.
ABSTAIN: None.

NEW BUSINESS

Director Rodriguez reported on the City’s Gateway Signs Survey. She also provided information on the release of the Plan Bay Area 2040 Draft Plan and the invitation by MTC and ABAG for public comment.

OLD BUSINESS

City Attorney Lynn Tracy Nerland gave a presentation on Public Service Ethics and Laws: Governmental Transparency and Fair Processes.

Director Rodriguez reviewed the following items:

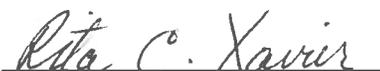
- Development Services Monthly Report
- Bicycle and Pedestrian Master Plan
- Update on Telecom Ordinance Amendment (which is planned to be heard at the May Planning Commission meeting)

PLANNING COMMISSION REPORTS

Chairperson Xavier gave a verbal report of a Hazardous Materials Commission meeting she attended, specifically regarding asbestos in local soils, school sites, and an upcoming cybersecurity workshop in June.

ADJOURNMENT

There being no further business, Chairperson Xavier adjourned the meeting at 8:45 P.M. to the May 16th, 2017 meeting.


Rita Xavier
Chairperson


Michele Rodriguez
Development Services Director

