



AGENDA

LAND USE SUBCOMMITTEE

Friday, June 23, 2023
1:30 PM

City Hall
First Floor Conference Room, 4B
65 Civic Avenue
Pittsburg, CA 94565
<https://www.pittsburgca.gov/>

Subcommittee Members

Juan Banales, Vice Mayor
Dionne Adams, Council Member
Elissa Robinson, Planning Commissioner
Ivelina Popova, Planning Commissioner

-
1. **Public Comment for Non-Agenda Items** Members of the audience who wish to speak on issues that are not scheduled for the agenda are able to do so at this time.
 2. **Pedestrian Commercial (CP) Zone Assessment:** Review the permitted uses within the CP (Pedestrian Commercial) Zoning District of Downtown Pittsburg and make recommendations of how the zoning regulations could be amended to allow certain non-retail use classifications on the ground-floor of buildings located within the CP zoning district (particularly along Railroad Avenue), where they currently require a conditional use permit application. *Subcommittee feedback requested.*
 3. **Project Updates:**
 - a. Envision Pittsburg - General Plan 2040
 4. **Non-Agenda Items**
 5. **Adjournment**



City of Pittsburg

Community and Economic Development Department – Planning Division
65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

MEMORANDUM

Date: June 23, 2023
To: Land Use Subcommittee Members
From: Maurice Brenyah-Addow, Senior Planner
Re: Item No. 2 - Pedestrian Commercial (CP) Zone Assessment

Proposed Project: Review the permitted uses within the CP (Pedestrian Commercial) Zoning District of Downtown Pittsburg and make recommendations of how the zoning regulations could be amended to allow certain non-retail use classifications on the ground-floor of buildings located within the CP zoning district (particularly along Railroad Avenue), where they currently require a conditional use permit application.

Background: The Economic Development and Waterfront Subcommittee directed staff to perform an assessment of the CP zone district to ascertain what land uses could be permitted to fill vacant ground-floor commercial spaces along Railroad Avenue without the need to apply for a conditional use permit in the Downtown CP District.

Staff reviewed the Pittsburg Municipal Code and evaluated buildings and uses in the Downtown CP District and on July 29, 2022, presented findings and recommendations as presented in Attachment 2.

At the July 29, 2022, meeting, the LUS directed staff to conduct further studies on the following:

- Provide an assessment of uses that have been impeded by the current use permit requirement from locating on Railroad Avenue (Attachment 3); and
- Develop performance standards that can adequately address outdoor seating in the CP District (Attachment 4).

On November 18, 2022, staff presented findings and recommendations as presented in Attachments 2, 3 and 4 to the LUS.

Following additional discussion and feedback from the LUS, staff was advised to review further some additional opportunities to bring pedestrian activity and visual interest to

areas within the Downtown CP District. Attachment 4 has been updated with some additional language for Outdoor Seating Standards (benches, tables, etc.) for review by the LUS.

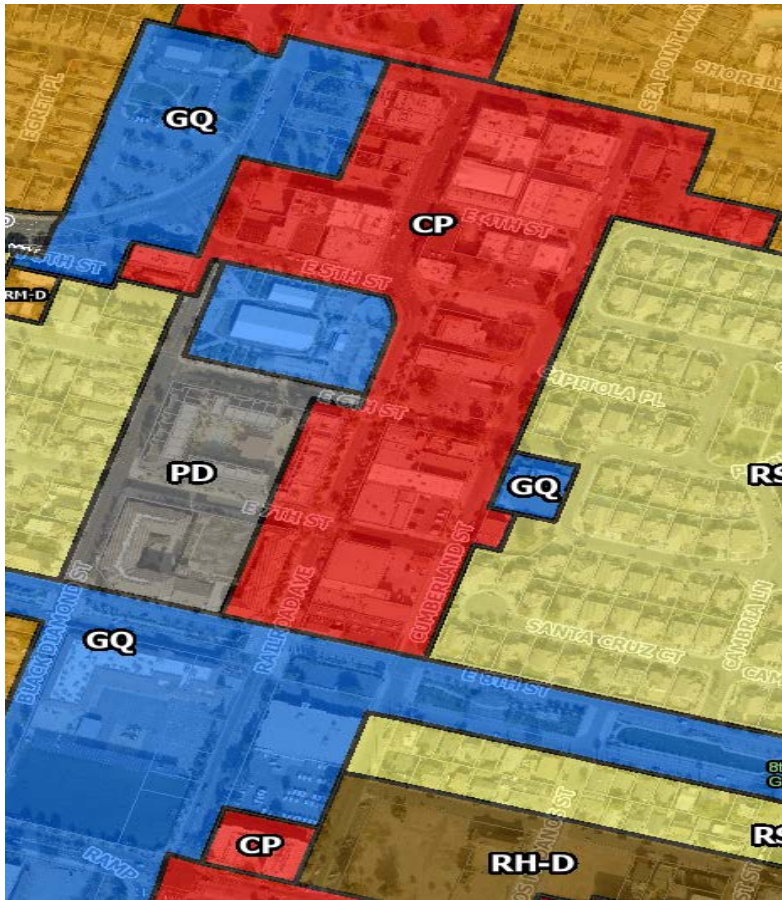
Next Steps: Based on the Land Use Subcommittee's feedback and direction, staff will revise, edit, and prepare Text Amendments as necessary for the Planning Commission review and City Council approval.

Attachments:

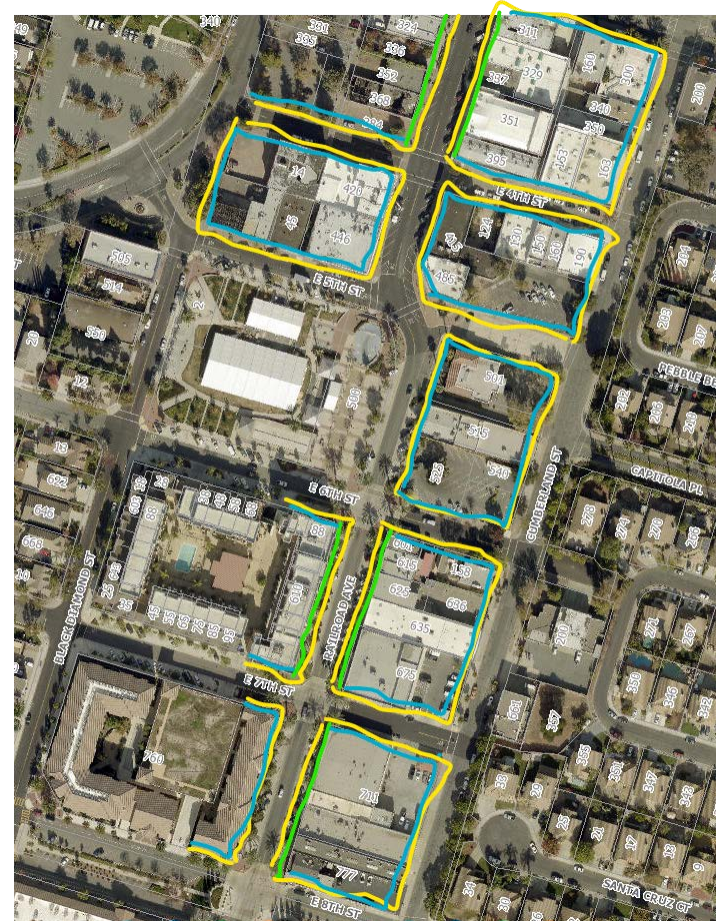
1. Location Map
- 2a. July 29, 2022, LUS Memo
- 2b. November 18, 2022, LUS Memo
3. Inquiries and additional follow-up of potential businesses that have not followed through after finding out that a Use Permit is required to be located for ground floor space in the CP District
4. Draft Outdoor Seating Standards

ATTACHMENT 1

Pedestrian Commercial (CP) District



Existing Zoning



Suggested changes to allowable uses

- Green** – Keep Use Permit requirement for non-retail ground floor uses
- Yellow** – Outrightly permit outdoor seating
- Blue** – Allow non-retail uses without Use Permits



ATTACHMENT 2a PLANNING DIVISION

Memorandum

MEMO: July 29, 2022
TO: Land Use Subcommittee Members
FROM: Maurice Brenyah-Addow, Senior Planner
RE: Pedestrian Commercial (CP) Zone Assessment

Proposed Project: Review the permitted uses within the CP (Pedestrian Commercial) Zoning of Downtown Pittsburg and make recommendations of how the zoning regulations can be amended to permit for certain non-retail use classifications on the ground-floor, where they are currently only permitted upon the approval of a conditional use permit application.

Background: The Economic Development and Waterfront Subcommittee directed staff to perform an assessment of the CP zone to ascertain what uses could be permitted to fill vacant ground-floor commercial spaces without the need to apply for a conditional use permit in the Downtown District.

Staff has reviewed the Pittsburg Municipal Code and evaluated buildings and uses in the Downtown CP District and the following are staff's observations and comments:

Observations of current conditions at Old Town:

- Relatively Small Downtown District
- Limited pedestrian and overall commercial activities
- Several vacant storefront spaces
- Some active commercial spaces appeared closed around the lunch-hour and/or are under-utilized
- Certain sections along Railroad Avenue (between 3rd and 10th Streets) presented continuous retail storefronts that could be further enhanced with façade improvements and additional commercial uses.
- Other sections of the district closer to the Marina were intermittent and could accommodate some non-retail ground-floor uses.

- The mid-section along Railroad across from the John Buckley Park (by the Museum and currently vacant office building) seemed more appropriate for administrative and professional uses such as offices, banks, and similar non-retail uses.
- The side streets seemed appropriate for non-retail establishments such as repair shops and consultative and financial services such as law firms, insurance, and real estate offices.
- The ground floor of Sienna Court, a mixed-use development located at 760 Railroad Avenue was mostly vacant (except for a martial arts studio at a corner space) – One large tenant such as a specialty restaurant/bakery (such as California Pizza Kitchen; Arismendi, Cheeseboard) or small grocery store could occupy the entire or remaining space
- The furniture shop (displaying a “Going out of Business” sign) with mostly plywood siding lacked adequate transparency. It has potential for a small grocery store such as a Trader Joe’s
- Some existing storefronts need facade upgrades with more glazing and signage.

Recommendations:

1. Maintain the requirement for only retail uses on the ground-floor spaces on Railroad but allow certain non-retail uses on the ground-floor of particular sections of Railroad Avenue and side streets without the need for applying for a conditional use permit. Uses such as beauty shops, small bakeries, artist studios, etc. are pedestrian-oriented and can contribute to the vitality of the district. Staff recommends the following amendments to the CP zoning district regulations:
 - a. Artist studio – Should be permitted on Railroad Avenue if storefront is reasonably transparent and also displaying art pieces.
 - b. Small Bakeries – Should be permitted up to 2,500 sq. ft. with on-site retail of bakery items.
 - c. Retail Banking – Should be permitted but no closer than 500 feet from another banking institution.
 - d. Clarify that a Food Shop establishment is a permitted use if less than 2,500 sq. ft.
 - e. Full-Service Restaurant should be permitted any size with Zoning Administrator approval (if there is an active ABC license, eating place, mainly entailing sale of meals up to 2 hours of closing, operating 5 days a week; include other standards and require a kitchen with exhaust hood to ensure onsite food preparation, menu showing service of lunch and dinner, and floor plan showing seating area.
 - f. Outdoor Dining – should be outrightly permitted ministerially without need for a special outdoor permit subject to appropriate performance standards; Grocery Store uses should be permitted in spaces with up to 5,000 sq. ft. or less with limited Alcohol sales. Address overconcentration with 500-foot separation for sensitive uses and/or limit location to one per city block.

- g. Specialty Food Market – Limit to 2,500 sq. ft. maximum with applicable alcoholic beverage restrictions.
 - h. “Appliance” Maintenance and Repair – permit use on side streets.
 - i. Personal Improvement, /Personal Services (Driving school, etc.) - Should be permitted at appropriate sections of Railroad with a maximum size limit of 1,500 sq. ft.
 - j. General Merchandise, retail, rental - Allow medium-sized furniture stores such as the one existing on Railroad Avenue to be permitted.
2. Make the Core Downtown a popular destination by attracting specialty retail shops or markets to the district.
 3. The Marina serves as a terminus to the district. Making the Marina and Downtown an extension of each other and developing shopping, recreational, entertainment, dining and hospitality activities including restaurants, hotels, water sports, fishing, and other water-front attractions will bring needed traffic to the district and revitalize the Old Town area.
 4. Art gallery/Bookshop owners in the district indicated Car Shows on Thursday evenings draw crowds to the area. Similar crowd-drawing activities on a regular basis can draw traffic and businesses to the district. Regular Special Events – Car shows, Festivals, Games, Band Stands, Open Air Movies, Farmers Markets, etc.
 5. Attracting organizations with large employees for workshops or seminars can generate demand for local goods and services.
 6. Children’s Sports – Miniature Golf, Football, Basketball, Soccer, Tennis, Skating, etc. in John Buckley Square.
 7. Specialty Shopping – etc. Starbucks, Peets, Noah’s Bagels, Dunkin Donuts, Round Table Pizza etc.
 8. New Food Court business showcasing different cultural cuisines.
 9. Encourage additional Downtown Cultural Attractions, Festivals, Car Shows, Farmers Markets, etc.

Text Amendments

Staff has included a preliminary draft of the proposed text amendments that include the above recommendations. These changes include eliminating a need for a conditional use permit for identified uses within the CP zoning district.

Next Steps: Based on the committee’s direction, staff will revise, edit, and prepare text amendments as necessary for the Planning Commission and City Council review and approval.

Attachments:

1. Location Map
2. Draft Text - Use Classification Table
3. Pictures



ATTACHMENT 2b Memorandum

MEMO: November 18, 2022

TO: Land Use Subcommittee Members

FROM: Maurice Brenyah-Addow, Senior Planner

RE: Pedestrian Commercial (CP) Zone Assessment

Proposed Project: Review the permitted uses within the CP (Pedestrian Commercial) Zoning District of Downtown Pittsburg and make recommendations of how the zoning regulations could be amended to allow certain non-retail use classifications on the ground-floor of buildings located within the CP zone district (particularly on Railroad Avenue), where they are currently only permitted upon approval of a conditional use permit application.

Background: The Economic Development and Waterfront Subcommittee directed staff to perform an assessment of the CP zone district to ascertain what uses could be permitted to fill vacant ground-floor commercial spaces along Railroad Avenue without the need to apply for a conditional use permit in the Downtown District.

Staff reviewed the Pittsburg Municipal Code and evaluated buildings and uses in the Downtown CP District and on July 29, 2022, presented findings and recommendations as presented in Attachment 2.

The LUS directed staff to conduct further studies on the following:

- Provide an assessment of uses that have been impeded by the current use permit requirement from locating on Railroad Avenue (Attachment 3); and
- Develop performance standards that can adequately address outdoor seating in the CP District (Attachment 3).

Next Steps: Based on the Land Use Subcommittee's direction, staff will revise, edit, and prepare text amendments as necessary for the Planning Commission review and City Council approval.

Attachments:

1. Location Map
2. July 29, 2022 LUS Memo
3. Inquiries and additional follow-up of potential businesses that have not followed through after finding out that a Use Permit is required to be located for ground floor space in the CP District
4. Draft Outdoor Seating Standards

ATTACHMENT 3

Assessment of potential businesses that may have been impeded from locating along Railroad Avenue within the CP District because of the current Use Permit requirement.

Project sites within the CP Zone that have received inquiries within the past 12 months:

635 Railroad Avenue

1. DMV Satellite Station
2. Non-profit School Directory Resource
3. Beauty Salon

625 Railroad Avenue

1. Operate a "food shop" (provision of ready-to-eat food and beverage items),
2. Sell clothing and other apparel (general merchandise retail sales) and
3. Provide yoga classes (personal improvement services) within the same commercial tenant space (2,480 square feet) at 625 Railroad Ave in Pittsburg.

160 E 4th Street

1. Liquor enquiry for recently approved Beer and Wine Sales (ancillary to the main use of Cigar Lounge)

Applications filed within the last year that have had to apply for a Use Permit to operate:

1. 501 Railroad Avenue – Pretty Confident Beauty Studios (Approved)
2. 981 Railroad Avenue – Pentecostals of the Bay Area Office Space (Approved)
3. 655 Railroad Avenue – Black Crown Tattoo Studio (Approved)
4. 311 Railroad Avenue – Silver Needle Studios (Pending)
5. 645 Railroad Avenue – Jointer Elite Fitness (Pending)
6. 351 Railroad Avenue – California Theatre (Approved)
7. 446 Railroad Avenue – Exit 446 Escape Room (Approved)
8. 635 Railroad Avenue – Lion's Den Boxing Gym (Approved)
9. 62 E. Fourth Street – The Network Event Space (Approved)
10. 51 Marina – Dale Vino Wine Bar (Approved)

Other inquiries in the CP District within the last year have been for Uses such as:

1. Body Sculpting
2. Hair Salon/Barber Shop
3. Nail Salons
4. Medical Services Offices
5. Professional Services, Administrative, and Consulting Office establishments

ATTACHMENT 4

(Draft) OUTDOOR SEATING STANDARDS

Outdoor Seating and related structures provide an opportunity to bring pedestrian activity and visual interest to a street, alleyway, or public plaza. Outdoor seating provides many types of commercial business opportunities for additional seating during seasonal increases in business. All Outdoor Seating proposing to locate within the public right of way must obtain an encroachment permit from the City's Engineering Services Division and comply with all requirements imposed by other affected Departments.

LOCATION AND SIZE PARAMETERS

- a) Outdoor Seating shall leave a minimum of five and one-half feet of unobstructed sidewalk remaining and available for pedestrian purposes.
- b) Seating should be limited to the extended space in front of the storefront.
- c) The size of outdoor seating areas should be ancillary to any interior seating area. A good ratio full-service restaurant is a 2/3 interior dining and 1/3 exterior dining ratio.
- d) Partitions and other physical barriers should be installed or constructed in such a way that allows cafe patrons to be visible to people passing by and so that views of the streetscape are visible to cafe patrons.
- e) Cafe or outdoor seating adjacent to major thoroughfares should construct partitions or balustrades that separate street from sidewalk.
- f) Outdoor seating areas should receive ample natural light. Where areas face south or are subject to glare, sun shading should be provided.
- g) Outdoor seating should not impede or jeopardize access to or privacy of neighboring storefronts or buildings.
- h) Avoid blocking any vehicular or pedestrian sight lines that may result in safety problems.

BARRIERS, DIVIDERS, AND PARTITIONS

a) Solid partitions such as wood, bricks, fabric, metal, or decorative iron fence partitions may be erected that are no higher than 3 feet. Solid opaque partitions such as windbreaks or other screens up to 5 feet may be installed at the end of cafe seating areas placed in alleys or other off-street areas or buildings adjacent to industrial uses. In general, partition material should be complementary to the character of the building and surrounding district. Partitions shall not be constructed of glass, chain-link fences, or any material deemed unsafe to passing pedestrians or unsightly.

b) Partition layout should incorporate spaces for plants and flowers, particularly at sides closest to pedestrian traffic on sidewalk. Appropriate materials for planters include brick, stone, cast stone or other high-quality concrete.

c) Each partition shall be designed to support weight leaning against it and designed in a way so that it cannot be easily stepped over, moved or knocked over. Partitions and other physical barriers shall provide a minimum 36 inches wide opening for handicapped access. Partitions and other physical barriers shall be designed to be easily removable. Any sleeves or supports shall be designed and/or covered in such a manner that they do not create tripping hazards when the barrier is removed. Partitioned areas shall be designed to meet all relevant building code requirements regarding entrances/exits.

d) Paving materials, if installed, should be stone, ceramic clay tiles, brick, cast-stone or other high-quality concrete. Avoid poured asphalt. Raised wood platforms, not to exceed 2 feet off the finished grade, may be considered as a seating stage in less formal contexts.

SEATING, TABLES, UMBRELLAS AND OTHER AMENITIES

a) Seating should match or be compatible with associated tables as far as style and materials.

b) Table umbrellas may be installed provided they contain no writing, pictures, or advertisements. Structural or other overhead coverings, besides awnings attached to buildings are not appropriate and must be processed under regular design review.

c) Incorporate, where appropriate, amenities to provide additional outdoor seats or benches. Seating areas may also incorporate artwork, statues, water features and similar elements that will increase visual interest to patrons and pedestrians.

d) Convenient trash cans should be provided within the cafe space which shall be emptied daily (existing city trash cans may not be used). Permanent areas and enclosures for waste disposal or recycling shall not be placed in the public right-of-way.

e) Lighting fixtures must be shielded to avoid direct view of the bulbs or other light sources.

f) Landscaping should be consistent with urban streetscaping. For any general site landscaping, street trees and hardy shrubs and groundcover should be used, especially encouraged are native and drought tolerant species