



Planning Commission Staff Report

January 12, 2011
Item 8.b.

SUBJECT: Actions of the City Council

December 7, 2010

Accept of appeal actions of the Zoning Administrator

Council accepted the report.

PUD 82, David DiDonato, Donato Builders, Inc.

Application for rezoning of an approximately 1.17-acre site at 4171 and 4189 Stanley Boulevard from R 1 6,500 (One-Family Residential) District to Planned Unit Development – High Density Residential (PUD-HDR) District and for development plan approval to construct 14 detached single-family homes

Action recommended: Approval.

Action taken: Council returned the item to the Planning Commission to address specific concerns identified by the Council.

Vote: 5-0.

PRZ 58 – City of Pleasanton

Application to amend the zoning for three sites in Hacienda Business Park to require residential development meet certain core standards related to density, affordability and unit mix, consistent with the settlement agreement approved by the city council on August 17, 2010 in the case of Urban Habitat v. City of Pleasanton. The three sites are: (1) The W.P. Carey site at the southeast corner of Owens Drive and Willow Road (Assessor's Parcel No. 941-2778-013-00 and part of APN 941 2778 012 00); (2) The BRE site at the north corner of Hacienda Drive and Gibraltar Drive (APN 941-2778-011-00); and (3) The Roche Molecular Systems site, south of Gibraltar Drive between Willow Road and Hacienda Drive (a portion of APN 941 2761 003 00)

Action recommended: Introduce an ordinance approving the rezoning.

Action taken: Introduced the ordinance.

Vote: 5-0.

January 4, 2011

Accept or appeal actions of the Zoning Administrator and Planning Commission

Council accepted the report.

Second reading of Ordinance No. 2016 to amend the zoning for three sites in Hacienda Business Park to require residential development meet certain core standards related to density, affordability, and unit mix, consistent with the settlement agreement approved by the city council on August 17, 2010 in the case of *Urban Habitat v. City of Pleasanton*.

Action recommended: Adopt the ordinance.

Action taken: Council waived the second reading and adopted the ordinance.

Vote: 5-0.

PRZ-55, City of Pleasanton

Amend the Pleasanton Municipal Code to reference the California Green Building Standards (CalGreen) Code, with local amendments to address specific green building issues, and other related green building amendments.

Council took the following actions:

1. Retained the existing City green building standards of LEED (for commercial and civic) and the GreenPoints Rated (for residential, including multi-family) found in PMC Chapter 17.50.
2. Adopted CALGreen's basic requirements.
3. Directed staff to return in six (6) months with additional information about the State's development of verification procedures for CALGreen, and how projects have been processed under these programs in the intervening period.
4. Directed staff not to permit builders to self-certify green building compliance.

Council's action effectively:

1. Keeps the existing City green building standards in place, and those "covered projects" will need to complete a LEED or Build It Green (BIG) checklist, as well as the CALGreen's "basic" minimum mandatory checklist [of which many provisions should overlap].
2. Applies the State's CALGreen "basic" minimum mandatory standards to the smaller projects which were not covered by the City's existing green building standards. This application of CALGreen's "basic" minimum mandatory standards is required by law and technically already went into effect on January 1, 2011.
3. Directs staff to continue its current practice of Building and Planning staff or third parties verifying compliance with LEED, GreenPoint Rated, and other building code requirements.

Since the City Council did not adopt the recommendation to proceed with CALGreen Tier 1 standards in place of LEED and GreenPoints Rated, there were no local amendments to CALGreen, no conflicts with the City's existing construction and demolition debris ordinance (PMC Chapter 9.21), and no conflicts with the City's existing stormwater regulations (PMC Chapter 9.14).

Therefore, there does not need to be any ordinance adopted by the City Council. In Title 20, Building, of the Municipal Code, only those State uniform building codes which are modified with local amendments are included. Other uniform building codes for which Pleasanton has not amended are similarly not included in the Municipal Code but are still enforced as State law.

The local amendments which had been proposed only related to the Tier 1 provisions of CALGreen.

In conclusion, the City Council's meeting on January 18, 2011 will *not* include the adoption of an ordinance / 2nd reading regarding CALGreen's basic measures.