



Memorandum

TO: STEERING COMMITTEE MEMBERS

FROM: WINSTON RHODES, AICP, PLANNING MANAGER
LESLIE CARBAHAL, REDEVELOPMENT ANALYST

SUBJECT: DRAFT HOUSING ELEMENT UPDATE STATUS REPORT

DATE: FEBRUARY 22, 2010

BACKGROUND

The Housing Element is a required element of the City's General Plan. Unlike the other mandatory General Plan elements, the Housing Element must be updated approximately every five years and is subject to detailed statutory requirements and mandatory review by the State Department of Housing and Community Development (HCD) prior to and following adoption. Housing Element compliance with State housing law is frequently a prerequisite for eligibility for various grant funding opportunities, and having a Housing Element out of compliance with State law may leave the City vulnerable to litigation. The City's updated Housing Element is anticipated to be brought forward for Planning consideration later this year.

Following the Steering Committee's recommendation on October 13, 2009, staff forwarded a Draft Housing Element to the State Department of Housing and Community Development (HCD) for mandatory review. On December 17, 2009, the City received comments from HCD. The comment letter was provided to the Steering Committee at its January 11, 2010 meeting and is included as Attachment A.

DRAFT HOUSING ELEMENT PROGRESS

Staff met with the General Plan Housing Element Subcommittee on February 4, 2010 to discuss the proposed approach to address HCD comments and make necessary revisions to the Draft Housing Element to satisfy State housing law. The proposed revisions reflect the Housing Element Subcommittee's input. Responses to the comments have been organized by HCD comment in the matrix included as Attachment B. The comment letter (Attachment A) has been annotated so that each comment includes a reference number that correlates to the City's proposed response. The response matrix references proposed text updates by page number in the Draft Housing Element submitted to HCD. For reference, an electronic copy of the document is available on the City's website at the following address: <http://www.ci.pinole.ca.us/planning/housingelement.html>.

The proposed revisions include text edits to clarify existing policies and programs, additional language and analysis of housing constraints, and clarification and identification of additional housing opportunity sites to satisfy's the City's Regional Housing Needs Allocation for lower income housing. The following comments and resultant responses are of particular note:

- *Comment #2—Emergency Shelters:* Per State law, Pinole must allow emergency shelters by right in at least one zone. In response to HCD comments, Staff has identified and

analyzed the proposed zone (Office Industrial Mixed Use Zone in the proposed San Pablo Avenue Specific Plan Service Sub-Area). In addition, the updated text includes a list of provisions that may be used to regulate emergency shelters. The emergency shelter provisions will need to be specified and added to the Draft Specific Plan and/or Zoning Ordinance so that it may be applied to future requests.

- *Comment #8—Housing Program Site Analysis.* In response to HCD’s request for additional site analysis, the response proposes a set of site analysis criteria to evaluate constraints at vacant and opportunity sites for housing.
- *Comment #9—Housing Program Adequate Sites.* To address the shortfall of adequate sites designated to meet the needs of lower income households that meet all State requirements (dwelling unit potential >16 units, minimum density of 20 DUAC, at least 50% of overall need on exclusively residential sites), the response identifies one additional housing opportunity site (2885 Pinole Valley Road—see Attachment C) and proposes adjusting the rezoning strategy for previously identified Draft Housing Element opportunity site number 34 (Appian 80 Shopping Center—see Attachment D). These recommendations give the City adequate development potential to meet housing needs and would require revisions to proposed land uses in the Draft Specific Plan. The 2885 Pinole Valley Road site would require a proposed change from Public/Quasi-Public/Institutional (PQI) to High Density Residential for the 1.77 acre site. The Appian 80 Shopping Center would require a proposed change affecting 2.5 unspecified acres of the site from Commercial Mixed Use to High Density Residential.

The following tables outline Pinole’s current Housing Needs Progress, the housing development potential shortfall in the Draft Housing Element, and the housing unit potentials that could be captured utilizing the proposed Housing Opportunity Sites. Incorporating these sites would satisfy Pinole’s requirement to plan for our RHNA numbers:

Housing Need Progress

	Remaining RHNA Need	Vacant Presently Zoned Residential Capacity	Existing Draft Housing Element Opportunity Site Potential*	Proposed Unit Shortfall
Very Low	82	0	49**	17**
Low	49	0		
Moderate	36	0		
Above Moderate	86	72	183	
TOTAL	253	72	232	

*Excludes previous allocation for the Appian 80 Shopping Center (HCD reviewed Draft Housing Element cited this as 129 units zoned CMU).
 **Must have capacity for at least 66 units zoned exclusively residential at >20 DUAC on sites that will accommodate more than 16 units. Existing Housing Opportunity Site Potential cites those units in Draft Housing Element that meet this requirement.

Development Potential at Newly Proposed Housing Opportunity Sites

	2885 Pinole Valley Road Housing Opportunity Site	Appian 80 Housing Opportunity Site
Very Low	35	50
Low		
Moderate		103
Above Moderate		
TOTAL	35	153

- *Comment #10—Housing Program Lot Consolidation:* In response to the HCD comment that the City develop programs, policies, or incentives to encourage lot consolidation where necessary for the development of opportunity sites, the proposal includes an action item to develop a program to encourage lot consolidation through the use of a density bonus for sites larger than one acre to help incentivize participation by “hold out” owners of smaller parcels on housing opportunity sites.
- *Comment #15—Accessible Units for the Physically Disabled:* In response to the HCD comment that the City should add or revise programs to establish reasonable accommodation in broader zoning and land use, the response proposes a new implementation program to develop through which the City will develop a formal procedure for reasonable accommodation for persons with disabilities in accordance with fair housing and disability laws.

Following the Housing Element Subcommittee meeting earlier this month, Staff forwarded this draft response information to HCD Staff for initial review and feedback. As of the date of this writing, no response has been received. Staff is tentatively scheduled to host HCD reviewers later this month. During this visit, HCD staff will have an opportunity to visit housing opportunity sites and better understand the City’s development patterns and land availability constraints.

RECOMMENDATION

Staff is seeking Steering Committee feedback on the proposed responses to HCD comments, including the proposed Specific Plan Land Use changes.

ATTACHMENTS

- A. 12-17-09 HCD Comment Letter
- B. Pinole Proposed Responses to HCD Comments
- C. Proposed Housing Opportunity Site Analysis: 2885 Pinole Valley Road
- D. Proposed Housing Opportunity Site Analysis: Appian 80 Shopping Center

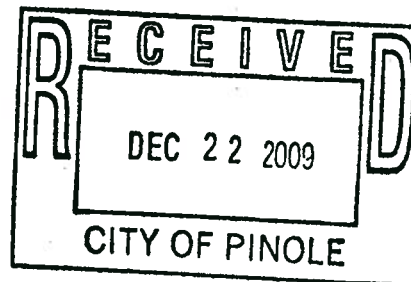
**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
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December 17, 2009

Mr. Winston Rhodes
Planning Manager
City of Pinole
2131 Pear Street
Pinole, CA 94564



Dear Mr. Rhodes:

RE: Review of the City of Pinole's Draft Housing Element

Thank you for submitting Pinole's draft housing element received for review on October 21, 2009. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). Communications with you and Ms. Leslie Carbahal, Redevelopment Analyst, facilitated the review.

The Department commends Pinole's efforts to promote mixed-use, infill and pedestrian and transit-oriented developments through a variety of strategies including shared and/or reduced parking standards. The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code). In particular, the element must include a complete analysis to demonstrate the adequacy of sites to accommodate the City's regional housing needs allocation. The enclosed Appendix describes this and other revisions needed to comply with State housing element law.

The Department appreciates the cooperation and assistance provided by you and Ms. Carbahal throughout the course of the review and is committed to assist Pinole in addressing all statutory requirements of housing element law. If you have any questions or need additional technical assistance, please contact Erik Gropp, of our staff, at (916) 322-4268.

Sincerely,

A handwritten signature in cursive script that reads "Cathy E. Creswell".

Cathy E. Creswell
Deputy Director

Enclosure

ATTACHMENT A

**APPENDIX
CITY OF PINOLE**

The following changes would bring Pinole's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at www.hcd.ca.gov/hpd. Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, the Housing Element section contains the Department's latest technical assistance tool *Building Blocks for Effective Housing Elements (Building Blocks)* available at www.hcd.ca.gov/hpd/housing_element2/index.php, the Government Code addressing State housing element law and other resources.

A. Housing Needs, Resources, and Constraints

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

① Candidate Sites for Rezoning

The element identifies a shortfall of capacity to accommodate the regional housing need for lower-income households (page HE-50). While the element identifies candidate sites for rezoning and includes programs to address a shortfall of adequate sites, pursuant to Section 65583(c)(B), it must include an analysis of the suitability and availability of candidate sites for rezoning with all components specified in Section 65583.2, as follows:

Multiple Parcels and Lot Consolidation: Many sites listed in Table 38 are comprised of multiple parcels. For example, Site 34 is made up of fifteen individual parcels. While the inventory may aggregate parcels, it must also describe each parcel in the aggregated list by size, zoning, general plan designation, and existing use. In addition, while not described in the element, based on the December 15, 2009 conversation, identified opportunity sites with multiple parcels are anticipated to be consolidated and developed comprehensively. The element should describe the potential for lot consolidation, including conditions rendering parcels suitable and ready for redevelopment. Further, to demonstrate lot consolidation potential, the element could describe trends or information on the number of owners and indicate where sites have been assembled. The element should also include policies, programs, or incentives to encourage lot consolidation.

Non-Vacant Sites: While the element provides very general descriptions of existing uses on non-vacant sites (Table 38), it must also demonstrate the potential for redevelopment and evaluate the extent to which existing uses may impede additional residential development. The evaluation should consider development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites. For sites with residential uses, the inventory could generally describe structural conditions or other circumstances and trends demonstrating the redevelopment potential to more intense residential uses.

For non-residential sites, the inventory could generally describe whether the use is operating, marginal or discontinued, and the condition of the structure or could describe any expressed interest in redevelopment. Refer to the sample analysis on the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php#nonvacant.

In estimating the residential capacity of non-vacant sites, the methodology must account for the extent to which existing uses may impede development in the planning period. Projected residential development capacity should not, for example, assume all non-vacant sites will develop in the planning period.

② Emergency Shelters: The element contains Program HIP-17 to amend the zoning ordinance to allow emergency housing by-right in at least one zoning district; however, pursuant to Chapter 633, Statutes of 2007 (SB 2), it should identify the zone(s), describe the characteristics and suitability of the zone(s) and capacity for emergency shelters. For example, the element could describe the acreage, including amount vacant, parcel sizes, availability of existing structures that could be adapted for emergency shelters and other allowable uses and development standards in the zone. Refer to the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/SIA_variety.php#Emergency.

③ Transitional and Supportive Housing: The element did not address this requirement. Pursuant to SB 2, transitional and supportive housing must be permitted as a residential use and only subject to those requirements that apply to other residential uses of the same type in the same zone. The element should either describe zoning consistent with these provisions or include programs as appropriate.

2. *Analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

④ Local Processing and Permit Procedures: While the element includes some information regarding permit processing times (page HE-43), it should describe and analyze processing procedures for typical single- and multi-family projects, including the type of permit, level of review, and any discretionary approval procedures or design review requirements. For example, the analysis should include decision-making criteria such as required findings of approval and an analysis of the impacts on housing costs, timing, and approval certainty. See the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php.

The element also describes that Pinole requires a conditional use permit (CUP) for multifamily development in multifamily zones (page 43). Additional review and complex discretionary findings in a CUP can add significant time and uncertainty to the approval process and impact the cost and supply of housing, particularly housing affordable to

lower-income households. The element should describe the CUP requirement, including approval findings, analyze its impact on timing, cost, and approval certainty and include program(s) as appropriate.

- 5 On/Off-Site Improvements: While the element (page HE-42) describes on- and off-site improvements are required, it must identify and analyze actual standards (street widths, curb, gutter, and sidewalk requirements, etc.). Refer to the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/CON_offsite.php.
- 6 Housing for Persons with Disabilities: While the element addresses some potential constraints on housing for persons with disabilities, such as permit procedures for group homes, it does not include a complete analysis of potential constraints on the development, maintenance, and improvement of housing for persons with disabilities. Examples of standards and requirements that could be analyzed include: (1) any definitions of family in the zoning code; (2) parking requirements; and, (3) spacing or concentration requirements. Refer to the Department's memo and the *Building Blocks'* sample analysis at http://www.hcd.ca.gov/hpd/housing_element2/CON_disabilities.php.

B. Quantified Objectives

Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame (Section 65583(b)(1 & 2)).

- 7 While the element includes quantified objectives by income group for very low-, low-, moderate-, and above moderate-income (page HE-66), pursuant to Chapter 891, Statutes of 2006 (AB 2634), it must also include objectives for extremely low-income (ELI) households.

C. Housing Programs

1. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

- 8 As noted in Finding A-1, the element does not include a complete site analysis and may need to add or revise programs based on the outcomes of the analysis. In addition:

- 9 Adequate Sites: The element identifies a shortfall of sites to accommodate the City's housing needs for lower-income households (132 units). To address the shortfall, the element identifies several candidate sites (page HE-55) and includes Programs 5 and 9.

Pursuant to Government Code Sections 65583(c)(1) and 65583.2(h) and (i), programs to address a shortfall of sites must permit owner-occupied and rental multifamily uses by-right. Pursuant to 65583.2(i), by-right means local government review must not require a CUP, planned unit development or other discretionary review or approval. In addition, identified sites must allow a minimum of 16 units per site. One identified site allows less than 16 units per site and cannot be utilized toward the identified shortfall. Programs 5 and 9 should also be revised to:

- include reference (i.e., table number) to actual sites being rezoned or under consideration;
- clarify acreage by zone;
- describe proposed development standards to ensure standards will facilitate and encourage the development of housing for lower-income households;
- require a minimum density of 20 units per acre; and
- demonstrate at least 50 percent of the regional housing need for lower-income households will be accommodated on sites designated for residential use only.

In addition:

(10)

Lot Consolidation: Given the reliance on sites necessitating consolidation (Table 38) to accommodate the City's regional housing need for lower-income households, the element should include policies, programs, or incentives based on the outcomes of the analysis noted in Finding A-1.

(11)

Program HIP-17 (Housing for the Homeless): Commits to amend zoning to permit emergency shelters within one year of adoption; however, the Program must also:

- identify the specific zone(s) for permitting emergency shelters (see Finding A-1);
- clarify by-right to permit emergency shelters without a CUP or other discretionary action; and
- commit to establish development standards that encourage and facilitate the use and only subject shelters to the same development and management standards that apply to other uses within the identified zone.

(12)

Transitional and Supportive Housing: The element should add or revise programs as appropriate based on the outcomes of the analysis noted in Finding A-1 to comply with SB 2 for transitional and supportive housing.

2. *The housing element shall contain programs which "assist in the development of adequate housing to meet the needs of extremely low-, low- and moderate-income households (Section 65583(c)(2)).*

The element must include specific commitment to assist in the development of housing for lower-income households, as follows:

(13)

General: The element does not include specific actions to assist in the development of multifamily or rental housing for lower-income households. Programs to assist the development of rental and multifamily housing are particularly important given the lack of new construction affordable to lower-income households in the previous planning period.

For example, the element could include programs to initiate contact with developers and list subsequent steps Pinole will take to facilitate development of rental housing such as assisting with site acquisition, fee waivers, priority processing and providing funding or supporting applications for funding. See the Department's *Financial Assistance Program Directory* at http://www.hcd.ca.gov/fa/LG_program_directory.pdf.

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ELI Households: Pursuant to AB 2634, existing programs should be expanded, or programs added, to specifically assist in the development of a variety of housing types to meet the housing needs of ELI households. To address this requirement, the element could revise programs to prioritize some funding for the development of housing affordable to ELI households and/or offer financial incentives or regulatory concessions to encourage the development of housing types, such as single-room occupancy units, multifamily and supportive housing which address the needs of this income group.

3. *The housing element shall contain programs which "address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Section 65583(c)(3)).*

As noted in Finding A-2, the element requires analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to add or revise programs and address and remove or mitigate any identified constraints. In addition:

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Program HIP-15 (Accessible Units for the Physically Disabled): The element states the City does not have a reasonable accommodation procedure "in place for the application of zoning, permit processing, and building laws" (page 48). The element includes Program HIP-18; however, it appears limited to physical modifications. The element should add or revise programs to establish reasonable accommodation in broader zoning and land-use. Refer to sample program language, a model ordinance, and examples from other jurisdictions on the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/PRO_mitigate.php.

4. *The housing program shall promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin or color (Section 65583(c)(5)).*

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Program HIP-18 (Prevention of Housing Discrimination): Should include specific commitment to ensure fair housing information is available throughout community. For example, the element could list community locations to disseminate information or conduct education through community events and targeted neighborhood efforts. The Program should commit to establish or continue a process for handling or referring fair housing complaints. Please see the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/PRO_eho.php.

D. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort (Section 65583(c)(7)).

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While the element lists various organizations consulted, it should describe how input was solicited, considered, and incorporated into the element to demonstrate diligent efforts to achieve public participation for all economic segments of the community. Engaging the community and organizations and service providers representing lower-income households is important in developing, adopting and implementing an effective housing element. The City should continue to engage the community through the adoption of the housing element, by making revisions available with sufficient notice to comment and considering and incorporating, where appropriate, comments. Please see the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/GS_publicparticipation.php.

E. General Plan Consistency

The housing element shall describe the means by which consistency will be achieved with other general plan elements and community goals (Section 65583(c)(7)).

The element did not address this requirement. The element must include an evaluation of how internal consistency will be achieved and maintained during the planning period. The element could include a program to conduct an internal consistency review as part of its annual general plan implementation report required under Government Code Section 65400. This annual report can also assist future updates of the housing element. For more information, see the *Building Blocks'* website at [http://www.hcd.ca.gov/hpd/housing_element2/OR_costal.php#Model Analyses](http://www.hcd.ca.gov/hpd/housing_element2/OR_costal.php#Model_Analyses).

F. Water Sewer Priority

For your information, Government Code Section 65589.7 requires water and sewer providers to establish specific procedures and grant priority water and sewer service to developments with units affordable to lower-income households. The statute also requires local governments to immediately deliver the housing element to water and sewer providers. The Department recommends including a cover memo describing the City's housing element, including the City's housing needs and share of the regional housing need. In addition, the City could request priority granting of water and sewer services to second units. Refer to the Department's technical assistance memo at http://www.hcd.ca.gov/hpd/memo_sb1087.pdf.

G. Flood Management

Pinole should also note recent statutory changes to Government Code Section 65302 (Chapter 369, Statutes 2007 [AB 162]) which requires amendment of the safety and conservation elements of the general plan to include analysis and policies regarding flood hazard and management information upon the next revision of the housing element on, or after, January 1, 2009. For more information, refer to Department's website at http://www.hcd.ca.gov/hpd/hrc/plan/he/ab_162_stat07.pdf.

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HCD Letter Reference	HCD Comment	Resultant Housing Element Revision	Element Page Reference
		<p>Assessment (Section 2), the City of Pinole Police Department estimates the City's visible homeless population at around six individuals, and that a homeless count conducted by the Contra Costa Health Services Department found one homeless man in Pinole on January 28, 2009. However, comparing these numbers to the January 2008 Contra Costa County Homeless Report, which found 38 homeless people in Pinole, it is likely that the more recent figures understate the extent of homelessness in the City. While there are a number of homeless shelters and services proximate to the City, there is currently no emergency shelter in Pinole to address the needs of homeless adults and families.</p> <p>Pursuant to SB 2, the City of Pinole has conducted a review of the City and determined the proposed Corridor Specific Plan Area Service Sub-Area Office Industrial Mixed Use Zone is most conducive to provision of an emergency homeless shelter by right. This proposed zone encompasses Pinole's primary manufacturing and light industrial uses, which tend not to be "heavy" in nature. The proposed draft Specific Plan allows for the following types of uses in the Office Industrial Mixed Use Zone: manufacturing and industrial uses, particularly "green industry," including automobile and truck repair, auto sales, building materials, nurseries, contractor's storage yards, wholesaling, warehousing, light manufacturing, and research and development industries as well as limited office, retail, and residential uses.</p> <p>The proposed Office Industrial Mixed Use area Service Sub-Area is located along the north side San Pablo Avenue and stretches from just west of Sunnyview Drive to just east of Belmont Way. Parcels within this zone are serviced by transit (bus service) and are centrally located between the Old Town and regional shopping areas proximate to Interstate-80. Elementary, junior, and high schools are located within two miles of this area. A review of the zone identifies approximately 2 vacant acres within two parcels and an additional approximately 4.25 underutilized acres on three parcels as identified in the draft Specific Plan for San Pablo Avenue, providing adequate development potential to serve Pinole's need for an emergency shelter.</p> <p>The City has included a program in this Housing Element (HIP 17) to amend the zoning ordinance as part of the Specific Plan process to allow emergency housing by right in the proposed Office Industrial Mixed Use Zone subject to the same development and management standards as other permitted uses in the zone. In addition, the following topics as permitted by State law will be utilized to regulate future emergency shelters to enhance compatibility:</p> <ul style="list-style-type: none"> • A maximum number or beds or persons permitted to be served nightly by the facility will be specified; • Off-street parking based on demonstrated need, but not to exceed parking requirements for other residential or commercial uses in the same zone will be applied; • The size and location of exterior and interior onsite waiting and client intake areas will be specified; • The provision of onsite management will be required; • The proximity of other emergency shelters to one another will be regulated, provided that emergency shelters will not be required to be more than 300 feet apart; • The maximum length of stay will be specified; • Lighting requirements will be applied; • Onsite security requirements during hours that the emergency shelter is in operation will be required. <p><i>HIP-17:</i> Housing for the Homeless (HIP-17). As part of the Governmental Constraints analysis for this Housing Element, the following revisions to the City's Zoning Ordinance were identified to better facilitate the provision of housing types and housing to address the needs of homeless and extremely low income households.</p>	HE-74

HCD Letter Reference	HCD Comment	Resultant Housing Element Revision	Element Page Reference
		<ul style="list-style-type: none"> • Add transitional housing and supportive housing within the Code’s definition section, and list as permitted uses within residential zoning districts subject only to those restrictions that apply to other residential uses of the same type in the same zone. • Include emergency shelters as a permitted use not requiring discretionary action in the proposed Office/Industrial Mixed Use Zone within the San Pablo Avenue Specific Plan Service Sub-Area. <p>Emergency shelters will be subject to the same development and management standards as other permitted uses in the San Pablo Avenue Specific Plan Service Sub-Area, as summarized in the Housing Constraints section of this Housing Element. As stated in the Housing Constraints evaluation, the City will develop written, objective standards for emergency shelters to regulate the following as permitted under SB 2:</p> <ul style="list-style-type: none"> • The maximum number of beds/persons permitted to be served nightly; • Off-street parking based on demonstrated need, but not to exceed parking requirements for other residential or commercial uses in the same zone; • The size/location of exterior and interior onsite waiting and client intake areas; • The provision of onsite management; • The proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart; • The length of stay; • Lighting; • Security during hours that emergency shelter is in operation. <p><i>Target:</i> Within twelve months of adoption of the Housing Element. <i>Responsible Entity:</i> Community Development Department.</p>	
3	Transitional and Supportive Housing	Included in HIP-17 (see above)	HE-74
4	Local Processing and Permit Procedures	<p>Note: Pinole does not require a conditional use permit (CUP) for multifamily development in existing multifamily zones, as suggested in Table 31, Permit Process for Typical Multifamily Development (HE-43). Multifamily developments are permitted without use permits in the existing R-3 and R-4 zones (17.20.030 and 17.20.040). In the updated draft, Table 31 has been revised.</p> <p>Revised language and new/updated tables in Housing Constraints sections “Development Standards” and “Permit Processing”:</p> <p>Development Standards Table 30 describes housing types by permitted uses. The processing requirements for the uses will be reviewed as part of the Zoning Ordinance update currently underway. The City has also adopted Residential Design Guidelines to aid in development review process by communicating City expectations prior to application submission. <i>See updated Table 30.</i></p> <p>Permit Processing: Permitted Uses are those uses allowed without discretionary review, except for design review, in designated areas, as long as the project complies with all development standards including the City’s residential design guidelines. Ministerial review and approval may be granted for home additions or remodeling to accommodate the needs of persons with disabilities, provided building code and basic health and safety needs are met. This ministerial design review and plan check process expedites processing times. Design Review and Conditional Use Permits (CUP) are approved by the Planning Commission. Typical findings of the CUP include that the project is consistent with the General Plan, the use is compatible with surrounding uses, address basic public health and safety issues, and provide regulatory guidelines for issues such as construction, landscaping, parking, and similar requirements.</p>	HE-41 HE-43

The time required to process a project varies greatly from one project to another and is directly related to application completeness, the size and complexity of the proposal, the type of environmental review required, and the number of actions or approvals needed to complete the process. Table XX outlines the typical processing time for Design Review and Conditional Use Permit applications in the entitlement process. Knowledge of what entitlements are necessary before completing a project is necessary in order to grasp the length of time necessary to complete the planning process.

Table XX Timelines for Permit Procedures

Type of Approval or Permit	Typical Processing Time	Approval Body
Ministerial Review (applies for home addition)	1 week	City Staff
Conditional Use Permit	6-8 weeks	Planning Commission
Design Review	6-8 weeks	Planning Commission
Initial Environmental Study	3-4 months	Planning Commission
Environmental Impact Report	6 or more months	Planning Commission

Source: Pinole Planning and Building Department

City staff conducts free preliminary reviews in order to assist project sponsors prior to application submittal. This allows staff and the prospective applicant to identify important project issues early in the development review process. Further, the City has also prepared residential design review guidelines to clarify City expectations for proposed new residential development in order to assist applicants prior to application submittal. Small residential modifications and additions are only subject to ministerial review and involve short processing time; these approvals may be issued within a week or less. A small residential construction project consistent with the General Plan and zoning designation involving a design review request is normally processed between six to twelve weeks from the date of application completeness. . The most complicated projects involving multiple entitlements can take longer especially if a project site includes environmental constraints resulting in significant environmental impacts. Whenever possible, the City processes all project applications concurrently in order to maximize the efficiency of processing, and save both time and costs for both the City and the developer.

Currently, every new residential project within the City is required to complete the Design Review process and is subject to a Planning Commission hearing. **Table 31** shows the typical permit process for a multi-family and single-family development that are consistent with the City's General Plan and Zoning Ordinance **and Residential Design Guidelines**. The major difference between the two is the type of discretionary approvals **that may be required; multi-family projects in the R-3 and R-4 zones meeting the requirements set forth in the Zoning Ordinance do not require a use permit and are subject only to application completeness review, environmental review, and design review;** all single-family subdivisions require tentative and final map approvals. A project that is not consistent with the City's zoning and land use regulations could require additional approvals, such as a **Rezoning**, General Plan Amendment, or a Variance when warranted.

Table 31 demonstrates the average length of the planning and building permit process for each project type. The average length of time for discretionary approvals is four months for a multifamily development and five to six months for a single family subdivision. A General Plan Amendment or Rezoning could add another 30 days to the process as each require City Council approval. By their nature, larger, more complex projects impose a lengthier review process, largely due to the environmental review process. The amount of time required to complete environmental review of a project depends greatly on the size, scope, and location of the project, the environmental issues under review, and the extent of public comment received.

**Table 31
Typical Permit Processing Time by Project Type***

Single Family		Multi-family		Subdivision		
Planning Application Received						
Completeness Review	Up to 30 days	Completeness Review	Up to 30 days	Completeness Review	Up to 30 days	
Environmental Review	1 week	Environmental Review	1-12 months	Environmental Review	1-12 months	
Planning Commission Noticing & Hearing						
Design Review	6-8 weeks	Design Review	20-30 days	Tentative Map	6-8 weeks	
		Use Permit (only if necessary)		Design Review		
			Final Development Plan			
			Final Subdivision Map (consent)	20-30 days		
City Council Review						
Building Permit Process						
	Plan Check	4-6 weeks	Plan Check	4-6 weeks	Plan Check	4-6 weeks
Estimated Total Processing Time	3-4 months		4 months – 1+ year		6 months – 1+ year	
<p>* Note: Times listed are averages based on typical submittals. Actual processing times vary greatly based on the complexity of the project and the quality and completeness of the submittal. In some instances, the Building Plan Check and the Design Review applications may be processed concurrently.</p>						

Because processing time can act as a constraint to the development of housing, procedures have been implemented to expedite processing through plan review and Planning Commission hearings. For example, City Staff encourages pre-application meetings with property owners and developers. These meetings give City Staff the opportunity to explain the permitting process, discuss submittal requirements and design standards, and complete a preliminary plan review. Staff also encourages early communication between developers and neighborhood groups on specific development applications. These procedures have been extremely successful in identifying key project issues and appropriate project modifications prior to plan submittal. This reduces the amount of time it takes for both plan review and the Planning Commission hearing process.

In order to facilitate development, the City of Pinole has successfully worked to streamline the project approval process. Previously, the development review process in Pinole was made up of two connected approval processes: the Design Review Board Hearing and the Planning Commission Hearing. The Design Review Board, which was an advisory body to the Planning Commission and focused on architectural character and site design, was disbanded in 2008 and this function became part of the Planning Commission responsibilities. The Planning Commission now is the sole body that conducts design review based on standards set forth in the Zoning Ordinance and General Plan. Eliminating the Design Review Board has significantly reduced permit processing times for applications. In addition, the City adopted Residential Design Review Guidelines in 2007. The design guidelines describe the City's design expectations for residential project submittals and are provided to applicants prior to application submittal or early in the submittal process to expedite review and save application processing costs for applicants.

HCD Letter Reference	HCD Comment	Resultant Housing Element Revision	Element Page Reference																				
		<p>Beyond recent amendments to the Zoning Ordinance that have been implemented to streamline the development review process, additional actions are being considered to continue to expedite the development review process for applicants while ensuring a thorough review process. The Draft Specific Plan for the City's three major transportation corridors—San Pablo Avenue, Appian Way, and Pinole Valley Road—together with the comprehensive Zoning Ordinance update are intended to streamline future development review by providing developers with a better idea about the types of development the City is seeking and by identifying opportunity sites where development is strongly encouraged. The environmental review that will be completed prior to the adoption of the Specific Plan (Program EIR), is anticipated to help streamline future site specific environmental reviews for many of the infill development areas included in the Specific Plan. Additionally, HIP-24 calls for the City to develop a Green Building Ordinance to promote the use of renewable energy, improve air and water quality, and conserve water and other natural resources. This, along with the other implementation programs cited in Goal 5, Energy-Efficiency, Conservation, and Sustainable Residential Development, could include provisions to expedite processing for qualifying energy-efficient sustainably designed projects.</p>																					
5	On/Off-Site Improvements	<p>Revised language in Housing Constraints, Site Improvements subsection, including new table with roadway design standards:</p> <p>Site improvements are an important component of new development and include the infrastructure needed to serve the development. On-and off-site improvements are required by the City as conditions of approval to provide sewer and water service to a project site, transportation improvements, and other infrastructure. Improvements typically include curbs, gutters, and sidewalks along project frontage. More expensive improvements can become necessary when the project creates significant traffic impacts or the site includes environmental constraints (e.g., steep slopes, landslide hazards, inadequate downstream drainage, contaminated soil, cultural resources or other special conditions).</p> <p>Specific standards are set forth in Chapter 16.20, General Regulations and Design and Chapter 16.24, Improvements of the City of Pinole Municipal Code. These requirements are based on standards set forth in the Contra Costa County Standard Plans. These standards establish minimum street widths and rights-of-ways, and curb, gutter, sidewalk, and grading requirements. Table XX summarizes these roadway design standards.</p> <p style="text-align: center;">Table XX Roadway Design Standards</p> <table border="1" data-bbox="526 1226 1406 1381"> <thead> <tr> <th>Roadway Type</th> <th>Right-of-Way</th> <th>Curb to Curb</th> <th>Behind Face of Curb</th> </tr> </thead> <tbody> <tr> <td>Major Streets</td> <td>80'</td> <td>64'</td> <td>8'</td> </tr> <tr> <td>Secondary Streets</td> <td>60'</td> <td>40'</td> <td>8'</td> </tr> <tr> <td>Minor Streets</td> <td>50'</td> <td>38'</td> <td>8'</td> </tr> <tr> <td>One-Way Streets</td> <td>32'</td> <td>20'</td> <td>8'</td> </tr> </tbody> </table> <p>Source: Pinole Public Works Department, City of Pinole Municipal Code Chapters 16.20-16.24</p> <p>Pinole's requirements are fairly standard when compared with other cities in Contra Costa County. Therefore, although it is likely that the costs for the construction of on-site and off-site improvements do have an impact on housing supply and affordability, the requirements are not excessive compared with nearby jurisdictions and are necessary to provide safe transportation access, meet emergency service response times, and ensure adequate space is available for utility system connections. Whenever possible, the City's Redevelopment Agency has used tax increment funds to defray the costs of area-wide capital improvements so that project-specific development requirements do not make individual projects infeasible.</p>	Roadway Type	Right-of-Way	Curb to Curb	Behind Face of Curb	Major Streets	80'	64'	8'	Secondary Streets	60'	40'	8'	Minor Streets	50'	38'	8'	One-Way Streets	32'	20'	8'	HE-42
Roadway Type	Right-of-Way	Curb to Curb	Behind Face of Curb																				
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6	Housing for Persons with Disabilities	<p><i>Expand analysis in "Governmental Constraints on Housing for Persons with Disabilities" in the Housing Constraints Section:</i></p> <p>Governmental Constraints on Housing for Persons with Disabilities As noted in the Special Needs Section of the Housing Needs Assessment, persons with disabilities often have housing needs related to accessibility of dwelling units; access to transportation, employment, and commercial</p>	HE-48																				

HCD Letter Reference	HCD Comment	Element Page Reference
	<p style="text-align: center;">Resultant Housing Element Revision</p> <p>services; and alternative living arrangements that include on-site or nearby supportive services. The City is required to analyze the potential and actual governmental constraints on the development of housing for persons with disabilities and demonstrate the City's effort to remove such constraints.</p> <p>The City has steps to remove constraints for persons with disabilities to make improvements to meet their needs. These include:</p> <ul style="list-style-type: none"> • Loan and grant funding through the Redevelopment Agency's Residential Rehabilitation Program for income-qualifying households to make improvements to their homes, including ADA retrofit improvements; • Licensed group home facilities with six or fewer persons are allowed by right in all residential zones. • July 2009 modifications to the City's Zoning Ordinance streamlined the Design Review process for property owners seeking minor design changes in an effort to upgrade their properties by allowing for administrative review and approval. Included in the list of administrative review are ramps and other modifications to accommodate individuals with disabilities. • In the previous Housing Element implementation cycle, the City constructed two new multi-family housing developments designed to provide housing for persons with disabilities (Alvarez Court and the Pinole Assisted Living Center). These facilities provide housing for individuals with a range of physical and mental disabilities. Further, to date the City has not denied an application for a project providing housing for persons with disabilities. <p><i>Procedures for Ensuring Reasonable Accommodations</i> As noted above, the City does not have an adopted reasonable accommodation ordinance. Currently, streamlined processing is utilized for property owners seeking minor design changes such as ramps and other modifications to increase accessibility. This Housing Element includes HIP-XX, Reasonable Accommodation Procedures. Through this implementation program, the City commits to develop formal procedures for reasonable accommodation for housing for persons with disabilities in accordance with fair housing and disability laws.</p> <p><i>Efforts to Remove Regulatory Constraints for Persons with Disabilities</i> The State has removed any City discretion for review of small group homes for persons with disabilities (six or fewer residents). The City does not impose additional zoning, building code, or permitting procedures other than those allowed by state law. There are no City initiated constraints on housing for persons with disabilities caused or controlled by the City.</p> <p>The City reviews all proposed development applications for ADA compliance and through the plan check process works to ensure that all ADA standards are met. The City ensures that new housing developments comply with California building standards (Title 24 of the California Code of Regulations) and federal requirements for accessibility. The City meets the requirements of the Uniform Building Code, the Americans with Disabilities Act, and the California Community Care Facilities Act.</p> <p><i>Zoning and Other Land Use Regulations</i> As defined in 17.16 of the City's Municipal Code, the City's Zoning Ordinance provides a broadened definition of family that includes occupancy standards specific to unrelated adults residing as a single housekeeping unit, as is common in small group homes for persons with disabilities. In addition, the Zoning Ordinance allows for reduced parking requirements for housing for persons with disabilities (14.24.090). Further, the City permits group homes of all sizes in R-4 zoning district. The City has no authority to approve or deny group homes of six or fewer people. Except for compliance with building code requirements, which are also governed by the state. The City</p>	

HCD Letter Reference	HCD Comment	Resultant Housing Element Revision	Element Page Reference																																										
		<p>does not restrict occupancy of unrelated individuals in group homes, and, in permitted zones, permits housing for special needs groups without regard to distances between such uses or the total number of uses in the City.</p> <p>As part of the comprehensive zoning ordinance update now underway, the City will conduct a review of its zoning laws, policies, and practices for compliance with fair housing law. The City will make appropriate updates to correct any zoning or land-use regulatory practices that conflict with fair housing law or discriminate against persons with disabilities.</p>																																											
7	Quantified Objectives	<p>Revised objectives to include extremely low-income households:</p> <p>Summary of Quantified Objectives (2007-2014)</p> <table border="1" data-bbox="574 491 1357 1360"> <thead> <tr> <th colspan="2">Units to be Rehabilitated through Rehabilitation Programs*</th> </tr> </thead> <tbody> <tr><td>Extremely Low Income Ownership Units</td><td>5</td></tr> <tr><td>Very Low Income Ownership Units</td><td>10</td></tr> <tr><td>Low Income Ownership Units</td><td>10</td></tr> <tr><td>Moderate Income Ownership Units</td><td>10</td></tr> <tr><td><i>Total Ownership Units</i></td><td><i>35</i></td></tr> <tr><td>Extremely Low Income Rental Units</td><td>0</td></tr> <tr><td>Very Low Income Rental Units</td><td>5</td></tr> <tr><td>Low Income Rental Units</td><td>5</td></tr> <tr><td>Moderate Income Rental Units</td><td>5</td></tr> <tr><td><i>Total Rental Units</i></td><td><i>15</i></td></tr> <tr><td>Total Units Rehabilitated</td><td>50</td></tr> <tr> <th colspan="2">Units Anticipated to be Constructed (2007 -2014)*</th> </tr> <tr><td>Extremely Low Income Units Anticipated to be Constructed</td><td>4</td></tr> <tr><td>Very Low Income Units Anticipated to be Constructed</td><td>4</td></tr> <tr><td>Low Income Units Anticipated to be Constructed</td><td>5</td></tr> <tr><td>Moderate Income Units Anticipated to be Constructed</td><td>4</td></tr> <tr><td>Above Moderate Units Anticipated to be Constructed</td><td>8</td></tr> <tr><td>Total Units Anticipated to be Constructed</td><td>25</td></tr> <tr><td><i>Units Built or Approved, 2007-2010</i></td><td>62 (49 above mod., 10 mod., 1 low, 2 very low income)</td></tr> <tr><td colspan="2">* Projections based on current resource availability (Redevelopment funding) and recent development trends)</td></tr> </tbody> </table>	Units to be Rehabilitated through Rehabilitation Programs*		Extremely Low Income Ownership Units	5	Very Low Income Ownership Units	10	Low Income Ownership Units	10	Moderate Income Ownership Units	10	<i>Total Ownership Units</i>	<i>35</i>	Extremely Low Income Rental Units	0	Very Low Income Rental Units	5	Low Income Rental Units	5	Moderate Income Rental Units	5	<i>Total Rental Units</i>	<i>15</i>	Total Units Rehabilitated	50	Units Anticipated to be Constructed (2007 -2014)*		Extremely Low Income Units Anticipated to be Constructed	4	Very Low Income Units Anticipated to be Constructed	4	Low Income Units Anticipated to be Constructed	5	Moderate Income Units Anticipated to be Constructed	4	Above Moderate Units Anticipated to be Constructed	8	Total Units Anticipated to be Constructed	25	<i>Units Built or Approved, 2007-2010</i>	62 (49 above mod., 10 mod., 1 low, 2 very low income)	* Projections based on current resource availability (Redevelopment funding) and recent development trends)		HE-66
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8	Housing Programs: Site Analysis	<p>Analyze all sites listed in the available land summary (vacant and housing development sites) using the following sites constraints criteria:</p> <ul style="list-style-type: none"> Major Constraints: Subject site features extensive constraints that must be addressed in order to develop for housing. These may include steep hillsides, sensitive environmental or biological resources, slope stability concerns, Brownfield contamination concerns, and/or requires consolidation of more than two parcels under different ownership to assemble the site. Minor Constraints: Subject site features some constraints that must be addressed in order to develop or redevelop site for housing. These may include demolition of existing structures and/or consolidation of two or less parcels under different ownership to assemble the site. Little or No Constraints: Subject site is vacant and relatively flat with no known contamination, ready utility and roadway access, and single site ownership. <p>For non-vacant housing opportunity sites, will include further analysis of the site on a parcel-by-parcel basis, including analysis of size, existing use, ownership, etc.</p>																																											
9	Housing Programs: Adequate Sites	To address the shortfall of sites designated to meet the needs of lower-income households (site size >16 units, minimum density of 20 DUAC, at least 50% of overall need on exclusively residential site—table will demonstrate sites meet these requirements), the City has identified one additional housing opportunity site	HE-52-55																																										

HCD Letter Reference	HCD Comment	Resultant Housing Element Revision	Element Page Reference
		<p>and is proposing adjusting the rezoning strategy for previously identified opportunity site 34:</p> <ul style="list-style-type: none"> • New Site: 2885 Pinole Valley Road • Adjusted Site: Appian 80 Shopping Center (Site 34, Appian Way at Tara Hills Drive) <p>See attached Site Info. Sheets for further details.</p> <p>Incorporate revisions to Programs 5 (Amend Residential Zoning Regulations) and 9 (Residential Zoning) based on revised housing opportunity sites.</p> <p>HIP 5: Amend Residential Zoning Regulations Evaluate amendments to residential zoning standards to achieve higher densities without dramatically changing the visual characteristics of the area or the area's livability. These amendments should focus on urbanized areas along San Pablo Avenue, Pinole Valley Road, and Appian Way with services and infrastructure. Amendments will include:</p> <ul style="list-style-type: none"> • Rezone identified opportunity sites for additional multi-family housing: sites X, Y, and Z as Identified in Table XX at the densities cited in Table XX (minimum 20 units per acre). • Rezone at least the minimum number of acres necessary to accommodate the remaining Regional Housing Need Allocation. • Rezone at least X acres to High Density Residential with a minimum of 20 dwelling units per acre. • Rezone at least X acres to Residential Mixed Use with a minimum of 20 dwelling units per acre. • Rezone at least X units to Commercial Mixed Use with a minimum of 20 dwelling units per acre. • Establish requirements which would ensure that parcels that could be legally divided into two or more parcels are divided in a manner that does not preclude future development at the minimum parcel size of the district. <p>Target: within one year of adoption of Housing Element. Responsible Entity: Community Development Department</p> <p>HIP 9: Residential Zoning Use the Specific Plan process for San Pablo Avenue, Pinole Valley Road, and Appian Way and the comprehensive zoning ordinance update to reevaluate development potential on vacant and underutilized residential parcels. The City shall amend the Land Use Element and rezone the necessary acreage to accommodate by right the remaining lower income housing needs for the planning period.</p> <p>Target: 2011 Responsible Entity: Community Development Department</p>	HE-69
10	Housing Programs: Lot Consolidation	Develop program to encourage lot consolidation through the use of a density bonus for sites larger than one acre to help incentivize participation by "hold out" owners of smaller parcels on housing opportunity sites.	
11	Program HIP-17 (Housing for the Homeless)	See revised language above, under "emergency shelters"	
12	Transitional and Supportive Housing	See revised language above for "HIP-17"	HE-74
13	Development of Adequate Housing to meet the needs of ELI, VLI, LI, MI Households:	<p>New bullet under HIP-10:</p> <ul style="list-style-type: none"> • Rental Housing Site Assembly and Development. City shall contact affordable housing builders and provide information about sites to facilitate development of affordable rental housing along San Pablo Avenue, Pinole Valley Road, and Appian Way. Based on development interest, the City shall explore possible assistance including priority processing, site acquisition, and land assembly assistance within the Redevelopment Project Areas. 	HE-72

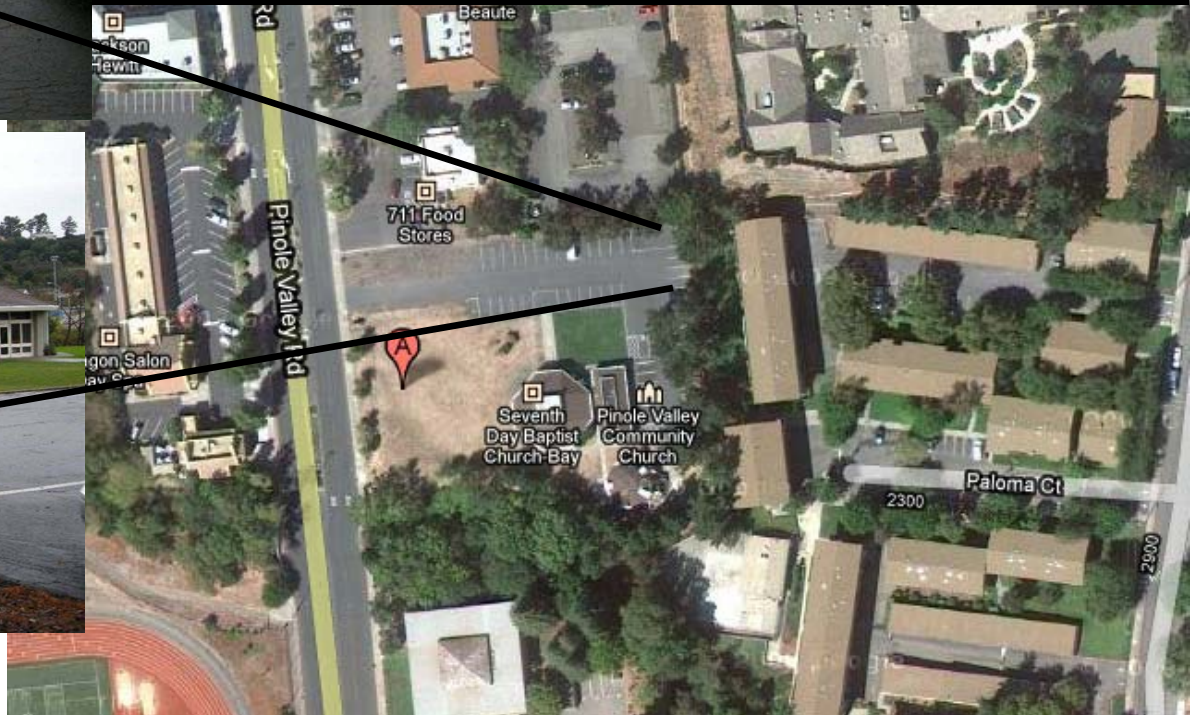
HCD Letter Reference	HCD Comment	Resultant Housing Element Revision	Element Page Reference
14	Development of Adequate Housing to meet the needs of ELI, Households	<p>New bullet under HIP-10:</p> <ul style="list-style-type: none"> • Housing for Extremely Low Income Households. Based on funding availability, the City shall explore development assistance for multifamily and supportive housing to meet the needs of extremely low income households. The City shall contact extremely low income housing service providers within West Contra Costa County to determine the best way to facilitate development of housing for this income group. 	HE-72
15	Program HIP-15 (Accessible Units for the Physically Disabled)	<p>New Housing Implementation Program following HIP-15:</p> <p>Reasonable Accommodation Procedures (HIP-XX). The City will develop formal procedures for reasonable accommodation for housing for persons with disabilities in accordance with fair housing and disability laws. Through the Zoning Ordinance Update, the City will explore further options to minimize processing times and fees. Requests would need to meet the following criteria:</p> <ul style="list-style-type: none"> • The request for reasonable accommodation will be used by an individual with a Disability protected under fair housing laws. • The requested accommodation is necessary to make housing available to an individual with a disability protected under fair housing laws. • The requested accommodation would not impose an undue financial or administrative burden on the City. • The requested accommodation would not fundamentally deviate from the nature of the City's land use and zoning. <p>Target: Within twelve months of the adoption of the housing element. Responsible Entity: Pinole Community Development Department</p>	HE-74
16	Program HIP-18 (Prevention of Housing Discrimination)	<p>Revised language:</p> <p>Prevention of Housing Discrimination (HIP-18). The City will take actions to prevent discrimination in the housing market and provide information on fair housing laws. Staff will distribute fair housing information provided by fair housing organizations at the public information counter at City Hall and at the Pinole Senior Center as well as on the City's website. Staff will continue to refer all fair housing complaints to Housing Rights Incorporated, a local fair housing advocacy firm or other groups that provide comparable service.</p>	HE-74
17	Public Participation	<p>Added language to describe process. Will continue to update the Draft Element as efforts continue.</p> <p>The City began the update process with an evaluation of the effectiveness of its existing Housing Element, which was adopted by the City and certified by HCD in 2003. The overarching conclusion of this evaluation was that the Housing Element was effective in working toward the City's goals, and in particular the goal of providing quality housing across all income levels (see Section 6.5).</p> <p>Changes within the organization and ongoing efforts to draft and update a number of planning documents, including a Specific Plan for the City's primary transportation corridors, a General Plan update, and a Zoning Ordinance update have caused the City to fall behind its targets for implementing code updates. With this in mind, the City's intent in preparing this draft element was primarily to reassess its housing needs and constraints while retaining many of its existing goals and orientation towards the provision of housing and the completion of planning document updates. Additionally, tight finances and limited staff resources will force the City to prioritize housing-related projects and services in the near term. However, the City's top priority remains working toward providing safe and adequate housing at all levels of affordability.</p> <p>The City recognizes the importance of engaging the community and organizations and service providers representing the entire City, including lower income households, in developing, adopting, and implementing an effective housing element. As a result, the City has worked to engage the community through the preparation of this Housing Element update. In preparation of the draft, opportunities were provided for the local residents and agencies to help formulate the City's housing goals, policies, and programs. Prior to the development of the draft housing element, City Staff met with a number of local</p>	HE-3

HCD Letter Reference	HCD Comment	Resultant Housing Element Revision	Element Page Reference
		<p>organizations and agencies to assess housing needs for special housing needs groups and to solicit feedback on housing policies and objectives. Specifically, City Staff met with local special needs providers and local and County advisory boards to learn more about housing needs and trends for special needs housing groups. A general Housing Needs Survey was conducted as well as a Senior Housing Needs Survey (see Appendix D for a summary of feedback received).</p> <p>The community was regularly notified of the update process through the City Manager’s Weekly Report and input was solicited through these articles as well as through updates to the City’s website where a dedicated housing element update page was updated frequently and included recent drafts, an update timeline including meeting dates, and staff contact information. In order to broaden outreach and gather additional information about housing needs and trends, the City developed a Housing Needs Survey. Both a general Housing Needs Survey and a Senior Housing Needs Survey were circulated in fall 2009. The Surveys were distributed directly to more than 1,200 local seniors and via email and the City’s website to the community at large. Responses from the surveys were reviewed and used in both the Housing Needs Assessment and in considering housing goals and objectives included in this Element.</p> <p>A subcommittee of the Planning Commission reviewed the first draft of this Housing Element in detail through a series of meetings with Staff and the City’s Planning Commission acting as the Steering Committee for the General Plan update reviewed the draft element at two publicly noticed meetings before recommending the draft be submitted for review by the State Department of Housing and Community Development (HCD). Concurrent with submission for HCD review, the draft element along with information about the update process and a request for comments was sent to a number of local agencies and stakeholder groups (see Appendix A for a complete listing) for comment concurrently with submission to the State Department of Housing and Community Development (HCD). In addition, information about the update process was sent to the property owner of record for each parcel designated as part of an Opportunity Site (Table 38). Staff received comments and fielded questions from a number of property owners, whose interest ranged from a desire for clarification, to questions about how changes would affect processing of future plans at their properties, and support for the allowance of higher densities. Each comment and conversation was logged and considered during the revision phase of the update process.</p> <p>The City intends to solicit additional input through meetings of its Economic Development and Housing Advisory Committee, additional Planning Commission Hearings, and other forms of outreach subsequent to receiving initial comments from the State.</p> <p>Prior to final adoption of the Housing Element, public hearings will be held before the Planning Commission and City Council. The hearings will be noticed in the West County Times and on the City’s cable access television channel and webpage two weeks prior to the hearing dates. Notice of the hearings will also be sent to all entities that received a copy of the draft element or have requested copies to review.</p>	
18	General Plan Consistency	<p>Section addressing General Plan consistency in introduction; added language in HIP-2 (Annual Housing Element Review for consistency)</p> <p>Relationship to Other General Plan Elements There is a high degree of interrelationship among the various elements of the Pinole General Plan. For example, the Land Use Element provides for the types, density/intensity, design, and distribution of residential land uses, whereas the Housing Element addresses the manner in which existing housing will be conserved and new housing opportunities will be provided where the Land Use Element permits development.</p> <p>The City is currently undertaking a comprehensive General Plan update</p>	HE-4

HCD Letter Reference	HCD Comment	Resultant Housing Element Revision	Element Page Reference
		<p>along with the development of a Specific Plan for the San Pablo Avenue, Pinole Valley Road, and Appian Way corridors and a Zoning Ordinance update. This Housing Element is anticipated to be adopted prior to the adoption of the General Plan update, Specific Plan, and Zoning Ordinance update; however, this Housing Element is drafted with the intent to ensure consistency between the elements and prescribe changes necessary to meet housing needs and legal requirements.</p> <p>The City will ensure consistency between the Housing Element and the other General Plan elements as well as consistency between the General Plan, Specific Plan, and Zoning Ordinance. Whenever other elements of the General Plan are amended in the future, the City will review the Housing Element to ensure consistency between the elements, In addition, as outlined in HIP 2 the City will conduct an internal consistency review as part of the annual General Plan implementation report.</p> <p>Conduct an Annual Housing Element Review (HIP-2). Provide for annual review of the Housing Element, with opportunities for public input and discussion, in conjunction with State requirements for a written review by July 1 of each year (per Government Code Section 65583(3)). As part of the Annual Housing Element Review, the City will conduct a General Plan internal consistency review.</p>	HE-67
19	Water Sewer Priority	<i>The draft Housing Element was distributed to the East Bay Municipal Utilities District (EBMUD); further, the City does not foresee water or sewer as a constraint to developing affordable housing within its service area, including second units.</i>	NA
20	Flood Management	<i>The City notes the recent changes to Government Code Section 65302 and will consider this information in its updates to the Safety and Land Use Elements of its General Plan which are now underway. The City will consider these revisions in subsequent updates to the Housing Element.</i>	NA

2885 Pinole Valley Road (Baptist Church Site)

Street:	Pinole Valley Road between Estates Avenue and Ramona Street
Size:	1.77 acres
Parcels	Single parcel, single ownership
Site Coverage:	5%
GP:	Neighborhood Commercial
Zoning:	C-1 Neighborhood Business
Proposed Actions:	Specific Plan proposed Service Sub-Area; proposes rezone to Public/Quasi-Public/Institutional (PQI)
Density:	NA
Unit Potential:	0
Notes:	Underdeveloped site on Pinole Valley Road. Opportunity site for High Density Residential development, backs to three story multi-family housing. Proposed Strategy: Zone High Density Residential at 20.1 DUAC = 35 units



ATTACHMENT C



Jackson Hewitt

Paragon Salon Day Spa

Pinole Valley Rd

Image de Beaute

711 Food Stores

A

Seventh Day Baptist Church Bay

Pinole Valley Community Church

Pinole Senior Village

Paloma Ct

2300

2000



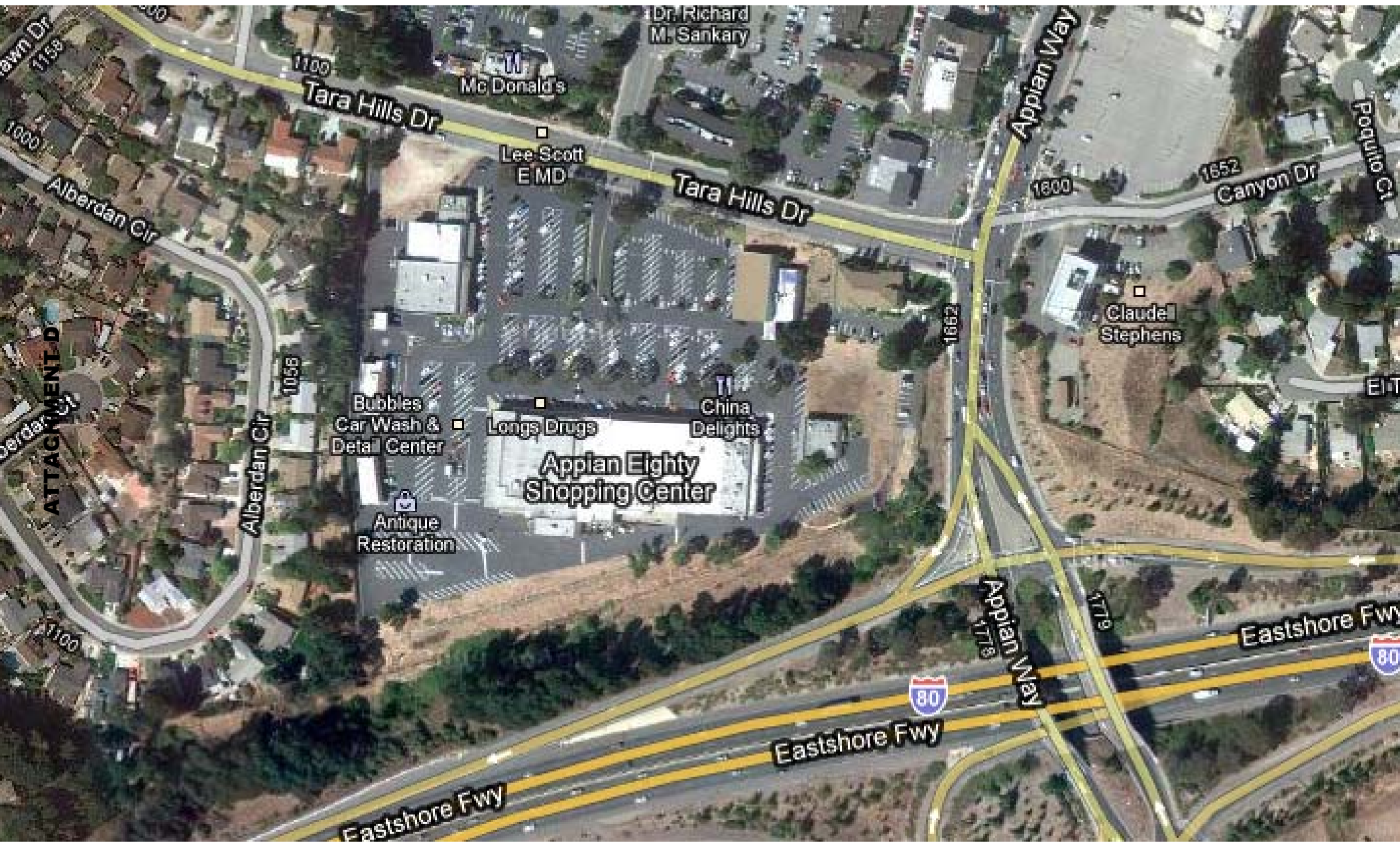
Appian 80 Shopping Center

Street:	Appian Way at Tara Hills Drive
Size:	12.96 acres
Parcels	15 parcels with varied ownership
Site Coverage:	18%
Existing GP:	Regional Commercial
Existing Zoning:	C1 Neighborhood Commercial
Proposed Actions:	Specific Plan proposed Service Sub-Area; proposes rezone to Commercial Mixed Use (CMU)
Density:	20-30 DUAC
Unit Potential:	Calculate CMU at <50% site acreage; approximately 127 units.
Notes:	<p>Proposed Strategy: Zone at least 2.5 acres (without designating parcels) as High Density Residential at 20.1 DUAC; Yields 50 exclusively residential units Zone remainder (10.46 acres) MU at 20.1 DUAC, 49% of site for housing; Yields 103 add'l units Total Unit Potential: 153 TOD incentive may allow increased densities.</p>

Potential Housing Site

Potential Commercial Relocation





Tara Hills Dr

Lee Scott EMD

Dr. Richard M. Sankary

McDonald's

Tara Hills Dr

Appian Way

Canyon Dr

Claudel Stephens

Bubbles Car Wash & Detail Center

Longs Drugs

China Delights

Appian Eighty Shopping Center

Antique Restoration

Alberdan Cir

1662

Appian Way

1719

Eastshore Fwy

Eastshore Fwy

80

80

ATTACHMENT D